

**MINUTES  
CITY OF ALVIN, TEXAS  
216 W. SEALY STREET  
CITY COUNCIL REGULAR MEETING  
AND EXECUTIVE SESSION  
THURSDAY, JULY 20, 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 and Executive 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; Michelle Segovia, City Engineer; Brandon Moody, Director of Public Services and Todd Arendell, Police Captain.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Dixie Roberts, Assistant City Manager/City Secretary, gave the invocation. Council member DeKeyzer led the Pledge of Allegiance to the American Flag. Council member Garivey led the Pledge to the Texas Flag.

**PRESENTATIONS**

Presentation of the City of Alvin Municipal Court Fines and Delinquent Tax Collections Report by Mike Darlow of Perdue Brandon Fielder Collins & Mott, LLP.

Mike Darlow of Perdue Brandon Fielder Collins & Mott, LLP. Gave a brief presentation of the City of Alvin Municipal Court Fines and Delinquent Tax Collections Report.

Municipal Court Departmental Update.

Judge Ghuneim and Court Administrator Sonya Cates gave a departmental update on Municipal Court and provided information on current court operations.

**PUBLIC COMMENT**

There were no comments from the public.

**CONSENT AGENDA**

Consider approval of the July 6, 2023 City Council meeting minutes.

Acknowledge receipt of the 2022 Delinquent Tax Roll.

*Section 30, Article VII of the City's Charter requires that a copy of the delinquent tax roll be provided to each member of the City Council at a meeting in July of each year. The document is a copy of the outstanding taxes for the tax year 2022 as of July 11, 2023.*

Acknowledge the separation of Alvin Public Library Board member, Felicia Robbins.

*Staff is recommending the removal of Ms. Robbins from the Alvin Public Library Board. Ms. Robbins has not attended any Library Board meetings in 2023. She was appointed to the Board on 12/3/2020. The only meeting she attended was on February 4, 2021. Repeated attempts to contact her by staff and fellow board members have received no response. Due to this lack of response and participation, this agenda item is the official acknowledgment of her separation from the Library Board. An appointment to fill the vacant position left by Ms. Robbins will be considered at a future meeting.*

Call for a Public Hearing on the Fiscal Year 2023-24 Annual Budget for Thursday, August 17, 2023, at 7:00 p.m., in the City Council Chambers, 216 West Sealy, Alvin, Texas.

*City Council is required by State law and the City's Charter to hold a public hearing on the proposed budget to provide citizens the opportunity to comment.*

*City Charter Article VII – Municipal Finance: - Sec. 4. - Notice of public hearing on budget. - At the meeting of the city council at*

which the budget is submitted, the council shall fix the time and place of a public hearing on the budget and shall cause to be published in the official newspaper of the city, a notice of the hearing setting forth the time and place thereof, in accordance with state law.

*Sec. 5. - Public hearing on budget. - At the time and place set forth in the notice required by Section 4, or at any time and place to which such public hearing shall from time to time be adjourned, the council shall hold a public hearing on the budget submitted, and all interested persons shall be given a five-minute opportunity to be heard either for or against any item or the amount of any item therein contained.*

*Sec. 6. - Proceedings on budget after public hearing. - After the conclusion of such public hearing, the council may insert new items or may increase or decrease the items of the budget, except items in proposed expenditures fixed by law, but where it shall increase the total proposed expenditures, it shall also provide for an increase in the total anticipated revenue to at least equal such proposed expenditures.*

*Sec. 7. - Vote required for adoption. - The budget shall be adopted by the favorable vote of a majority of the members of the council.*

*Sec. 8. - Date of final adoption. - The budget shall be finally adopted not later than fifteen (15) days prior to the beginning of the fiscal year, and should the council fail to so adopt a budget within the specified time, the existing budget and its appropriations shall be deemed adopted on an emergency basis for up to thirty (30) days.*

*A notice of the public hearing advertised in the Alvin Sun and posted on the City's website as required. The ordinance to adopt the FY 2023-24 budget will be presented at the regularly scheduled City Council meeting on September 7, 2023.*

**Consider an Interlocal Agreement with Brazoria County (AS23-0028) for striping of approximately 3.2 miles of roadway along County Road 128; and authorize the Mayor to sign the Agreement upon legal review.**

*In 1960, the City passed an ordinance annexing a 100-foot-wide strip of land approximately 137 miles long. The 100-foot-strip includes approximately 3.2 miles of County Road 128. This interlocal agreement with Brazoria County is for striping County Road 128 -- which lies in the city limits. Through this interlocal, Brazoria County will provide the needed equipment and labor for this project, with the city providing the materials. Should City Council approve Interlocal agreement, the costs associated with the striping will be funded from the Sales Tax Street Improvement Fund. Staff recommends approval.*

**Consider awarding bid (B-23-07) to DXI Industries, Inc. as the vendor for Chlorine for one (1) year with the option to continue for an additional one (1) year at the same price and conditions; and authorize the City manager to sign the associated Agreement upon legal review.**

*Chlorine gas is used at water wells for the disinfection of drinking water before entering the distribution system for consumption. Chlorine is required by the TCEQ for the disinfection of drinking water before entering the distribution system. On July 11, 2023, bids were opened. DXI Industries, Inc is the only bidder to provide a valid bid of \$237.00 per 150 lb cylinder and \$2,289.00 per one-ton cylinder. All references have been checked and this company currently provides satisfactory service, product, and customer service to the City of Alvin. Upon Council approval, an award letter will be sent to the vendor and city departments. Staff recommends approval.*

**Acknowledge receipt of the Quarterly Investment Reports for March 31, 2023 and June 30, 2023.**

*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 are the quarterly reports for the period ending March 31, 2023 and June 30, 2023.*

**March 31, 2023:**

*In summary, the City of Alvin has an investment portfolio at March 31, 2023, which was \$119,384,336 consisting of \$87,952,005 invested in the Investment Pools, \$7,884,337 in Fixed Income Securities and CD's, and \$23,547,994 in the City's bank depository accounts. Interest earned during the quarter was \$1,222,513. The City's yield for the quarter was 3.98% while the City's benchmark rate (i.e. the 90-day T-Bill) was 4.66%.*

**June 30, 2023:**

*In summary, the City of Alvin has an investment portfolio at June 30, 2023, which was \$115,627,623 consisting of \$82,291,337 invested in the Investment Pools, \$5,879,022 in Fixed Income Securities and CD's, and \$27,457,263 in the City's bank depository accounts. Interest earned during the quarter was \$1,304,885. The City's yield for the quarter was 4.23% while the City's benchmark rate (i.e. the 90-day T-Bill) was 5.13%. Reports were included in the City Council packet.*

Consider an Engineering Services Agreement with LJA Engineering in an amount not to exceed \$327,100 for engineering design services for the Lift Station 33 Rehabilitation and Expansion Project; and authorize the City Manager to sign the Agreement upon legal review.

*The Lift Station 33 Rehabilitation and Expansion Project was identified in the 2022 Wastewater Master Plan Update that was presented to City Council in workshops on March 1, 2022 and January 17, 2023. The project includes the rehabilitation and expansion of Lift Station 33 (located along Highway 35 across from Kendall Lakes) to a firm pumping capacity of 2.65 MGD. The project will utilize and rehabilitate the existing wet well, as well as replace the mechanical equipment, electrical components, and emergency generator.*

*The Engineering Services Agreement being considered will provide surveying and geotechnical data, preliminary and final engineering design, complete plan set with bid package, easement preparation/acquisition services (up to 3 easements), materials testing services, and construction phase services for this important wastewater system rehabilitation Capital Improvement Plan (CIP) project. It is proposed that design services culminating in a final bid package will be complete in a period of eight months. This project is being funded by the 2022 Water and Sewer System Revenue Bonds that were authorized and approved by City Council on July 7, 2022. Staff recommends approval of this Agreement.*

Consider an Engineering Services Agreement with Daniel Scott Engineering, LLC. in an amount not to exceed \$176,900 for engineering design services for the 2023 Asphalt Pavement Project; and authorize the City Manager to sign the Agreement upon legal review.

*The 2023 Asphalt Pavement Project consists of the replacement of the asphalt pavement and driveway approaches along Victory Lane (Clifford Street to FM 528), Clifford Street (Victory Lane to the D-4 ditch bridge), and Victory Lane (Bypass 35 to N. Gordon). The Engineering Services Agreement being considered will provide a geotechnical investigation, surveying, preliminary and final engineering design, bid phase services, and complete plan set with bid package for this important roadway infrastructure Capital Improvement Plan (CIP) project. It is proposed that design services culminating in a final bid package will be complete in November 2023. Funding will come from the Sales Tax Street Improvement Fund. Staff recommends approval of this Agreement.*

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

### **OTHER BUSINESS**

Consider a variance request to Chapter 30 1/2 - Regulation of Sex Offender Residency, of the City of Alvin Code of Ordinances, from Antoinette Fonseca, on behalf of Willie Terry Dennis, residing at 2325 Chelmsford Court, Alvin, Texas.

*On July 3, 2023, the City Secretary received a written request for a variance to Chapter 30 1/2 Regulation of Sex Offender Residency from Antoinette Fonseca on behalf of her elderly grandfather currently residing with her at 2325 Chelmsford Court. This address is within 1,000 feet of a place where children commonly gather (Pearson Park and Alvin Elementary). Included in your packet is a letter of request from Ms. Fonseca along with a copy of Chapter 30 1/2 of the Alvin Code of Ordinances and a map showing the proximity to the school and park.*

Dixie Roberts, Assistant City Manager/City Secretary, presented this item before City Council with explanation. Council member DeKeyzer presented questions to the applicant, Ms. Fonseca. Discussion was had on the process and timeframe to register, and history of charges. Discussion was also had regarding Mr. Dennis's current state of health. Suzanne Hanneman, City Attorney, explained the Council's role in making a determination in this matter.

Council member Starkey moved to Approve Variance Request. Seconded by Council member Vaughn; motion carried with Mayor Adame casting the tie-breaking vote, with Council members Vela, Garivey and DeKeyzer voting No, and Council members Starkey, Moore and Vaughn 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 said Happy Anniversary to his wife of 48 years.

**EXECUTIVE SESSION**

Mayor Adame called for executive session at 7:55 p.m. in accordance with the following:

**Section 551.087. Deliberation Regarding Economic Development Negotiations.**

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

**RECONVENE TO OPEN SESSION**

Mayor Adame reconvened the meeting to open session at 9:01 p.m.

Consider the purchase of a 0.152 acre tract of land, a 0.031 acre sanitary sewer easement, and a 0.017 acre temporary construction easement all being out of Lot 1, Block 1 of the Amended Plat of Goe Harley Davidson (located at the northeast corner of Bypass 35 and Steele Road), in an amount not to exceed \$66,019 for the expansion of Lift Station 23; and authorize the Mayor to sign all related documents upon legal review.

*On February 2, 2023, staff met with City Council in an executive session to discuss the purchase of the property and easements located at the northeast corner of Bypass 35 and Steele Road that are required for the construction of the Lift Station 23 Expansion Project. Staff discussed the appraisal report that was obtained for the property and requested authorization to make the property owner an offer in the amount of the appraised value of \$66,019 as shown in the report. The property owner has accepted the offer as evidenced by the attached signed Memorandum of Understanding (MOU), property deed, sanitary sewer easement, and temporary construction easement documents. Staff recommends approval of the purchase of the property and easements required for this very important wastewater system project. Funding for this purchase will come from the 2021 Water and Sewer System Revenue Bonds.*

Council member Starkey moved to approve the purchase of a 0.152 acre tract of land, a 0.031 acre sanitary sewer easement, and a 0.017 acre temporary construction easement all being out of Lot 1, Block 1 of the Amended Plat of Goe Harley Davidson (located at the northeast corner of Bypass 35 and Steele Road), in an amount not to exceed \$66,019 for the expansion of Lift Station 23; and authorize the Mayor to sign all related documents upon legal review. Seconded by Council member Vela; motion carried with all members present voting Aye.

**ADJOURNMENT**

Mayor Adame adjourned the meeting at 9:02 p.m.

PASSED and APPROVED the 3rd of August, 2023.

ATTEST:

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Gabe Adame, Mayor

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Dixie Roberts, City Secretary