

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL REGULAR MEETING
THURSDAY, SEPTEMBER 7, 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 Gabe Adame; Mayor Pro-Tem Chris Vaughn; Councilmembers: Martin Vela, Keko Moore, Joel Castro, 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 Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Marshall Pryor with Greater New Hope gave the invocation. Council member Moore led the Pledge of Allegiance to the American Flag. Council member Garivey led the Pledge to the Texas Flag.

PRESENTATION

Hispanic Heritage Month Proclamation.

Mayor Adame proclaimed September 15th through October 15th, 2023, as Hispanic Heritage Month and formally issued the proclamation to recipients in attendance.

PUBLIC HEARING

Public hearing to receive comment on the proposed tax rate of \$0.6850 per \$100 of valuation for the Fiscal Year 2023-2024 (2023 tax year), which is a tax increase of 26.47% above the No New Revenue Rate for the City of Alvin Fiscal Year 2023-2024.

Mayor Adame opened the public hearing at 7:07 p.m. Ms. There were no comments made. Mayor Adame closed the public hearing at 7:09 p.m.

Public Hearing related to amending the City of Alvin Property Assessed Clean Energy (“PACE”) Program to reference Brazoria County, in accordance with the requirements of the Property Assessed Clean Energy Act (The “PACE Act”), as set forth in the Texas Local Government Code Chapter 399.

Mayor Adame opened the public hearing at 7:09 p.m. There were no comments made. Mayor Adame closed the public hearing at 7:10 p.m.

PUBLIC COMMENT

There were no comments from the public.

CONSENT AGENDA

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

Consider approval of the August 17, 2023, City Council meeting minutes.

Consider Resolution 23-R-25, adopting Financial Policies and Procedures for Federal Grants as required for various grant funding opportunities; providing for Open Meetings; and providing for other related matters thereto.

Through a recent review of a current grant received through the General Land Office (GLO) (CDBG-DR 20-065-060-C-175), it was requested that the City update its Financial Policies and Procedures pertaining to federal grants. The policies and procedures outlined in Resolution 23-R-25 are essential for ensuring the City's compliance with Federal Grant Guidelines and enhancing our ability to secure and manage grant funding opportunities effectively.

These policies and procedures have been reviewed and vetted by Grant Works, who serves as the City's grant manager for this project. Included in the packet is the Grant Review Information and Response sent to their findings. These documents are related to items 6C and 6D. Staff recommends approval of Resolution 23-R-25.

Consider Resolution 23-R-26, adopting Procurement Policies and Procedures for Federal Grants as required for various grant funding opportunities; providing for Open Meetings; and providing for other related matters thereto.

Through a recent review of a current grant received through the General Land Office (GLO) (CDBG-DR 20-065-060-C-175), it was requested that the City update its Procurement Policies and Procedures pertaining to federal grants. The policies and procedures outlined in Resolution 23-R-26 are essential for ensuring the City's compliance with Federal Grant Guidelines and enhancing our ability to secure and manage grant funding opportunities effectively.

These policies and procedures have been reviewed and vetted by Grant Works, who serves as the City's grant manager for this project. Staff recommends approval of Resolution 23-R-26.

Consider an Interlocal Agreement with Brazoria County for the Fiscal Year 2023-24 Asphalt Improvement Project; and authorize the Mayor to sign upon legal review.

The proposed Interlocal Agreement between the City and the County provides the mechanisms for the County to provide the City of Alvin with equipment and personnel to assist in the construction, improvement, maintenance, and/or repair of up to two (2) miles of asphalt streets in various locations within the city limits of Alvin. The City of Alvin entered this partnership with Brazoria County in 1991 and has continued to use the program since that time. This program provides for low-cost paving and rehabilitation of asphalt streets and has improved over 34 miles of asphalt streets since the start in 1991.

Should City Council authorize this agreement, staff will make recommendations of streets to be serviced using the Asphalt Street Assessment.

This agreement has already been approved and signed by the Brazoria County Judge, L.M. "Matt" Sebasta.

Consider Resolution 23-R-27, amending the City of Alvin Property Assessed Clean Energy Act Program to accurately reflect Brazoria County, in accordance with the requirements of the Property Assessed Clean Energy Act (The "PACE Act"), as set forth in the Texas Local Government Code Chapter 399; and providing for other related matters thereto.

The City of Alvin implemented a PACE program on June 1, 2023 through the adoption of Resolution 23-R-11. The amended Program Report and exhibits correct a minor administrative error found within the documents where "Wise" County was incorrectly referenced in multiple instances instead of "Brazoria" County. Because of said error, an additional public hearing is required to amend the documents relating to the Pace Program within the City. All other sections of this Program remain unchanged.

PACE PROGRAM INFORMATION

PACE is an innovative way to finance energy efficiency, water efficiency, and renewable energy upgrades for commercial, industrial, and large multifamily (five or more units) real property. Property owners who participate in the program repay the financing through a voluntary contractual assessment placed on their property. One of the most notable characteristics of PACE programs is that the financing is attached to the property rather than belonging to an individual. Therefore, when the owner sells the property, the financing may be paid off during the sale, or stay with the property and be transferred to the new owner, who also benefits from the upgrades that were completed.

PACE financing enables businesses to avoid the upfront costs of energy and water efficiency improvements. PACE financing can be paid over a long period of time while energy costs are simultaneously lower, which typically provides the property owner with immediate net savings. PACE overcomes challenges that have hindered adoption of energy and water efficiency for many property owners. The debts, liabilities and obligations incurred as part of the PACE Program do not constitute debts, liabilities or obligations of City of Alvin.

ANALYSIS OF THE PACE PROGRAM:

Participation in this program is voluntary and offers property owners a cost-effective means of making energy and water efficiency improvements to their property. Property owners repay the financing over a period of years, reflecting the useful life of the improvements.

The benefits to the property owner include:

*Helps Lower Electric, Gas and Water Utility Bills
100% Financing on Hard and Soft Costs
Typically, Results in Savings from Day One
Increases Property Value
Results in More Comfortable Buildings and Improved Indoor Air Quality
Lowers Carbon Footprint and Improves the Environment
Provides Long-Term Funding and Results in Immediate Benefit to Cash Flow
Offers a Range of Accounting Treatments
The benefits to the City include:*

*Supports Commercial Businesses with No Cost, Liability, or Administration to the City
Upgrades the Efficiency and Competitiveness of Existing Building Stock
Helps Attain Energy and Water Efficiency Goals
Increases Commercial Property Values and Improves Tax Base
Creates Jobs for Local Contractors, Manufacturers and Engineering Firms*

ANALYSIS OF THE PROFESSIONAL SERVICES AGREEMENT AND REPORT:

In order for Lone Star PACE to have the authority to provide PACE financing in the City, it is necessary for the City to execute the Professional Services Agreement. The Professional Services Agreement provides that Lone Star PACE is an authorized representative and program administrator, separate and apart from the City executing such agreement. There are no costs to the City associated with the City of Alvin PACE Program.

Texas Local Government Code Section 399.009 requires a report to be prepared detailing the requirements for every PACE program established. The attached Program Report provides the required information to establish a PACE program within the City. This report will be published on the City website and made available at the City office for inspection by the public.

FISCAL IMPACT:

There is no negative fiscal impact to the City's general fund incurred by consenting to the inclusion of properties within the City limits in the PACE Program.

Consider Resolution 23-R-29, to approve a contingency fee contract with Perdue, Brandon, Fielder, Collins & Mott LLP, for the collection of delinquent Property Assessed Clean Energy (PACE) assessments pursuant to the Texas Local Government Code and the Texas Property Tax Code; and authorize the Mayor to sign the contract upon legal review.

Pursuant to the Property Assessed Clean Energy (PACE) program, approved by City Council on June 1, 2023, the City agreed to impose contractual assessments on qualified projects administered by Texas PACE. Perdue, Brandon, Fielder, Collins & Mott, L.L.P is currently contracted with the city to collect delinquent property taxes and delinquent municipal court fines. Staff therefore recommends approval of Resolution 23-R-29 and the contract by and between the City of Alvin and Perdue, Brandon, Fielder, Collins & Mott, LLP, for professional legal services regarding the collection of delinquent PACE assessments with services to be paid in accordance with the Local Government Code and the Texas Property Tax Code.

Consider Resolution 23-R-28, accepting a \$15,000.00 donation from the Southeast Texas Housing Finance Corporation (SETH) to the City of Alvin Police, Fire, and EMS Departments.

The Southeast Texas Housing Finance Corporation (SETH) is the owner of Stonegate Apartments, and is actively involved in helping the Alvin community. Stonegate is an apartment community located at 1277 Dickison Road featuring a 160-unit affordable housing development that leases 75% of the units to families whose incomes are below 60% of the Area Mean Income (AMI) and 25% of the units are leased to market renters. Stonegate just recently sold an easement to the City for water and sewer lines and granted a temporary construction easement for \$10. Also, SETH recently provided Brazoria County \$50,000 to provide rent and utility payments for eligible low income residents. In addition to this funding, SETH is donating \$5,000 each to the Alvin Police, Fire, and EMS Departments for a total donation to the City of \$15,000. This donation will be used for community outreach, recruiting, and purchase of equipment.

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.

Resolution 23-R-28 is the formal acceptance of this donation. Staff recommends approval of Resolution 23-R-28.

Consider an expenditure in an amount not to exceed \$78,440.00 for the purchase of hot mix asphaltic concrete from American Materials, Inc., utilizing the FY 2022-23 Interlocal Cooperative Purchasing Agreement with Brazoria County for the Wastewater Treatment Plant Asphalt Road Project.

City Council approved the FY23 Interlocal Agreement with Brazoria County at the regular council meeting on September 1, 2022. The purpose of the Interlocal Agreement between the City and the County provides the mechanisms for the County to provide the City of Alvin with equipment and personnel to assist in the construction, improvement, maintenance, and/or repair of up to two (2) miles of asphalt streets in various locations within the city limits of Alvin. The City of Alvin entered this partnership with Brazoria County in 1991 and has continued to use the program since that time. This program provides for low-cost paving and rehabilitation of asphalt streets and has improved over 34 miles of asphalt streets since the start in 1991.

At the January 5, 2023, Council Meeting, staff proposed the City of Alvin Wastewater Treatment Plant (WWTP) road as an asphalt project to be completed with this interlocal, as the County only performs driving surface asphalt overlays. This roadway isn't considered a residential roadway, but is city property, as it provides ingress and egress into the WWTP. Council approved the recommended proposed WWTP roadway project.

This expenditure will allow the City of Alvin staff to use and participate in the Brazoria County Contract #21-32 Road Materials - Surface Course Contract for Hot Mix Asphaltic Concrete (HMAC) from American Materials, Inc. utilizing the Interlocal Cooperative Purchasing Agreement with Brazoria County to complete the WWTP Road Project that was previously approved by City Council and the Brazoria County Judge.

Item Description	Qty	Unit	Price	Item Cost
Asphalt - HMAC	1,060	Ton	\$74.00	\$78,440

Consider an expenditure in an amount not to exceed \$51,304.00 for the purchase of road stabilizing materials (cement sand) from Cherry Crushed Concrete utilizing the FY 2022-23 Interlocal Cooperative Purchasing Agreement with Brazoria County for the Wastewater Treatment Plant Asphalt Road Project.

City Council approved the FY23 Interlocal Agreement with Brazoria County at the regular council meeting on September 1, 2022. The purpose of the Interlocal Agreement between the City and the County provides the mechanisms for the County to provide the City of Alvin with equipment and personnel to assist in the construction, improvement, maintenance, and/or repair of up to two (2) miles of asphalt streets in various locations within the city limits of Alvin. The City of Alvin entered this partnership with Brazoria County in 1991 and has continued to use the program since that time. This program provides for low-cost paving and rehabilitation of asphalt streets and has improved over 34 miles of asphalt streets since the start in 1991.

At the January 5, 2023, Council Meeting, staff proposed the City of Alvin Wastewater Treatment Plant (WWTP) road as an asphalt project to be completed with this interlocal, as the County only performs driving surface asphalt overlays. This roadway isn't considered a residential roadway, but is city property, as it provides ingress and egress into the WWTP. Council approved the recommended proposed WWTP roadway project.

This expenditure will allow the City of Alvin staff to use and participate in the Brazoria County Contract #21-33 Road Materials - Stabilizing Materials (cement sand) from Cherry Crushed Concrete utilizing the Interlocal Cooperative Purchasing Agreement with Brazoria County to complete the WWTP Road Project that was approved by City Council and the Brazoria County Judge.

Item Description	Qty	Unit	Price	Item Cost
Base - Crushed Concrete	2,332	Ton	\$22.00	\$51,304

Consider an emergency expenditure for the replacement of the water well #6 pump and motor by Alsay Incorporated for an amount not to exceed \$119,135.00; and authorize the City Manager to sign related documents.

The City of Alvin sources groundwater from an aquifer to provide 100% of the community's drinking water, utilizing 5 water wells to fill water storage tanks. Maintaining the wells in operable condition is essential and vital to providing reliable water service. Recently, staff was informed of a potential problem with the water well pump at Water Well #6. A performance test was completed that resulted with indications that the well was not performing optimally and repairs would be needed. The results indicated that the gallons per minute (gpm) decreased more than 20% and a vibration on the pump line shaft from possible bowl / impeller damage. This specific water well is around 700' deep with bowls / impellers sitting around 350' deep.

The well motor, pump, and line shaft assembly was pulled, disassembled, and inspected. Due to the age and inability to obtain parts, the existing pump is not repairable. The recommendation is to replace the pump with a new unit. Various other items such as bearings, impellers, wear rings, etc. (report attached) show signs of failure and need to be replaced as well.

Alsay's Buy Board total replacement cost is \$119,135.00 with an estimated completion time of 4 to 6 weeks (quote attached). Alsay is a reputable public water well drilling, repair, replacement, and installation company that has performed water well work for Alvin in the past.

Staff recommends approving the emergency expenditure for the replacement of the water well #6 pump and motor.

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

OTHER BUSINESS

Consider Ordinance 23-V, adopting the annual budget for the City of Alvin, Texas, for Fiscal Year 2023-24; directing the City Secretary to post a copy of the budget on the City of Alvin website; and setting forth other provisions related thereto.

On July 6, 2023, the City Manager presented the FY 2023-24 proposed budget to City Council. Subsequently, three (3) budget workshops were held on August 3, 2023, August 8, 2023, and August 17, 2023, whereby City Council and staff reviewed the proposed budget.

State law and the City's Charter require that the City enact an annual budget. The City Charter requires that an ordinance to establish appropriation must be approved by a favorable vote of a majority of the members of the City Council.

Click here to view the FY24 Proposed Budget.

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

Council member Starkey moved to approve Ordinance 23-V, adopting the budget for the City of Alvin, Texas, for Fiscal Year 2023-24; directing the City Secretary to post a copy of the budget on the City of Alvin website; and setting forth other provisions related thereto. Seconded by Council member Garivey; motion carried with all members present voting Aye and Council member Castro voting No.

Consider Ordinance 23-W, levying a property tax rate for the Tax Year 2023; directing the Tax Assessor-Collector to assess, account for, and distribute the property taxes as herein levied.

A taxing unit may not impose property taxes on any year until the governing body has adopted a tax rate for that year, and the annual tax rate must be set by ordinance, resolution or order, depending on the method prescribed by law for adoption of a law by the governing body. The vote on the ordinance, resolution, or order setting the tax rate must be separate from the vote adopting the budget.

For a taxing unit, other than a school district, the vote on the ordinance, resolution, or order setting a tax rate that exceeds the effective tax rate must be a record vote, and at least 60 percent of the members of the governing body must vote in favor of the ordinance, resolution, or order.

According to the Texas Tax Code 26.05(b), a motion to adopt an ordinance, resolution, or order setting a tax rate that exceeds the no new revenue tax rate must be made in the following form: "I move that the property tax rate be increased by the adoption of a tax rate of (specify tax rate), which is effectively a (insert percentage by which the proposed tax rate exceeds the no-new-revenue tax rate) percent increase in the tax rate."

For Tax Year 2023, staff is proposing that City Council adopt a tax rate of \$0.6850 per \$100 of taxable assessed value, which is 26.47% above the 2023 No New Revenue tax rate of \$.541635.

Tax Year	2015	2016	2017	2018	2019	2020	2021	2022	2023
Tax Rate	\$0.8386	\$0.7980	\$0.7880	\$0.7880	\$0.7780	\$0.7680	\$0.7680	\$0.7100	\$0.6850

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

Council member Garivey moved that the property tax rate be increased by the adoption of a tax rate of \$0.6850, which is effectively a 26.47% increase in the tax rate. Seconded by Council member Starkey; motion carried with all members present voting Aye and Council member Castro voting No.

Consider Ordinance 23-X, authorizing the conveyance of a portion of an abandoned alley located in Block 14 of Graham's Addition between Johnson and Jackson Streets in the City of Alvin, Texas, by Special Warranty Deed to Maryln A. Ferranti; authorizing the Mayor to sign related documents; and providing for other matters related thereto.

In 2001, the City vacated, relinquished and abandoned a certain alley located in Block 14 of Graham's Addition between Johnson and Jackson Streets, in Ordinance 01-HH. Maryln A. Ferranti owns a tract of land containing Lots 6A and 6B out of Block 14, Graham's Addition to the City of Alvin, which abuts the 334 foot long and 20-foot-wide alley that was vacated, relinquished, and abandoned in 2001. The portion of the alley abandoned in 2001 is unimproved and not necessary for public use or travel.

Staff recommends approval of Ordinance 23-X.

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

Council member Castro moved to approve Ordinance 23-X, authorizing the conveyance of a portion of an abandoned alley located in Block 14 of Graham's Addition between Johnson and Jackson Streets in the City of Alvin, Texas, by Special Warranty Deed to Maryln A. Ferranti; authorizing the Mayor to sign related documents; and providing for other matters related thereto. Seconded by Council member Vela; motion carried with all members present voting Aye.

Discuss and give staff direction regarding the appointment process for Boards and Commissions.

This is a discussion on the board and commission appointment process.

A DRAFT Board and Commission handbook, along with updated Applications to Serve on a Board or Commission have been created and included in the packet for your review. Any official changes or amendments needed to various ordinances/resolutions stemming from this conversation will be brought back before City Council for formal consideration and adoption at the meeting scheduled for September 21st. Staff would like to have changes made by the September 21st meeting so that board and commission members can be notified in advance of any changes before the December board and commission appointments are made.

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

There was a consensus among Council to move forward with having a workshop to review and interview applicants. Council would also prefer the applicants attend the first Council meeting in December when the appointments are made. Discussion was had on restricting volunteers to serve on only one board at a time and implementing term limits. It was also noted that some of these changes will have to be forwarded to the Charter Review Commission because several Boards and Commissions were created and are dictated by the City Charter.

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; and he reviewed the preliminary list for the September 21, 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.

Mayor Adame mentioned the Alvin Lureran Church is having Oktoberfest and they need volunteers for their Dunking Booth.

ADJOURNMENT

Mayor Adame adjourned the meeting at 8:04 p.m.

PASSED and APPROVED the 21st of September, 2023.

ATTEST:

Gabe Adame, Mayor

Dixie Roberts, City Secretary