

THE STATE OF TEXAS §
COUNTY OF BRAZORIA §
CITY OF MANVEL §



LARRY AKERY, COUNCIL PLACE 1
LORRAINE HEHN, COUNCIL PLACE 2
BRIAN WILMER, COUNCIL PLACE 3
MELISSA SIFUENTES, COUNCIL PLACE 4
JASON ALBERT, COUNCIL PLACE 5
JEROME HUDSON, COUNCIL PLACE 6

DEBRA DAVISON, MAYOR
KYLE JUNG, CITY MANAGER
TAMMY BELL, CITY SECRETARY

**NOTICE OF A CITY COUNCIL MEETING
OF THE CITY OF MANVEL
FEBRUARY 4, 2019**

**NOTICE IS HEREBY GIVEN
6:00 P.M. WORKSHOP – 7:00 P.M. REGULAR SESSION**

Pursuant to Chapter 551, Title 5 of the Texas Government Code, the Texas Open Meetings Act, notice is hereby given that the City of Manvel will convene a regular City Council meeting at the Manvel City Hall, located at 20025 Hwy 6, Manvel Tx 77578 for the purpose of discussing and if appropriate, take action with respect to the following items:

NOTE: The City Council of the City of Manvel reserves the right to discuss any items in Closed Session whenever authorized under the Texas Open Meetings Act, Chapter 551, of the Texas Government Code. The City Council may discuss the items on this agenda in any order.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpreter services must be made 48 hours prior to this meeting. Please contact the City Secretary at 281-489-0630 for further information.

WORKSHOP

Discussion/presentation on the FY 2017-18 audit as presented by Belt Harris Pechacek, LLLP

Discussion/Update by Reaghan Velasquez on the Yellow Out Campaign

Discussion/update from the January 24, 2019 City Council Goal Setting Meeting

Discussion on any subject addressed on the agenda for February 4, 2019

REGULAR SESSION

CALL TO ORDER

INSPIRATIONAL READING – LARRY AKERY

PLEDGE –

Pledge of Allegiance and Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee Texas, one state under God, one and indivisible."

CITIZEN COMMENTS: "COMMENT CARD" REQUIRED

- o Any Manvel Citizen residing within the Manvel City Limits with business before the Council, **not** scheduled on the Agenda as a **public hearing**, (*that has submitted a "comment card"*) may have three (3) minutes to address the City Council.
- o The Council may not participate in any discussion and cannot vote on the subject you present unless it is listed on the agenda as an action item.

PUBLIC HEARING

TO HEAR INPUT FROM THE PUBLIC REGARDING THE INTENTION OF THE CITY OF MANVEL, TEXAS, TO ANNEX CERTAIN TERRITORY BEING APPROXIMATELY 0.9009 ACRES OF LAND SITUATED IN THE H.T. & B. R.R. CO. SURVEY, SECTION 71, ABSTRACT 291, BRAZORIA COUNTY, TEXAS

CITY MANAGER UPDATE

Update on current events and city issues.

REGULAR AGENDA

1. Consideration and possible action to approve a Subdivision variance request for property located at 6225 Del Bello for relief from Chapter 62, Section 62-111, (a) and (c) *Additional Street Requirements*.
2. Consideration and possible action to approve a Subdivision variance request for property located at 4616 & 4626 Cr 94 (Smith Ranch Road) for relief from Chapter 62, Section 62-108, (a) (1), *lots* and for relief from Chapter 62, Section 62-111, (a) and (c) *Additional Street Requirements*.
3. Consideration and possible action to approve a Subdivision variance request for property located at 7202 Palmetto Street for relief from Chapter 62, Section 62-111, (a) and (c) *Additional Street Requirements*.
4. Consideration and possible action to approve a Subdivision variance request for property located at 6602 Kreuzer Road for relief from Chapter 62, Section 62-111, (a) and (c) *Additional Street Requirements*.
5. Consideration and possible action to approve a request by Tamara Phillips Mailloux at 5315 Phillips Drive, Manvel TX., for a variance to the Subdivision Ordinance Section 62-3 (c) *Application and Compliance with Chapter*, and Section 62-111 (a) and (c), *Additional Street Requirements* and authorize the Mayor to execute the Development Agreement.
6. Consideration and possible action to approve an agreement between the City of Manvel, Texas and New Rodeo 288, LTD regarding master plan and approval of plats for The Lakes Section 2 and The Lakes Section 3.
7. Reconsideration and possible action to approve;
FINAL PLAT RODEO PALMS, THE LAKES SECTION 2 BEING A SUBDIVISION OF 34.65 ACRES OUT OF THE H.T. & B.R.R. CO. SURVEY, A-299 AND THE A.C.H. & B. CO. SURVEY, A-459, IN THE CITY OF MANVEL, AND ALSO BEING A PARTIAL REPLAT OF RODEO PALMS SUBDIVISION SECTION ONE AS RECORDED AT VOL. 22, PAGE 133-138, BRAZORIA COUNTY PLAT RECORDS.
8. Consideration and possible action to approve Development Agreement for Waste Water Treatment Plant between the City of Manvel and Brazoria County MUD 29.
9. Consideration and possible action to approve a request for a variance to the Subdivision Ordinance Section 62-111 (c), *Additional Street Requirements* and authorize the Mayor to

execute the Development Agreement between the City of Manvel and JJ Development Co. LLC., in regards to the platting and road construction in the Yanni Palms Development.

10. Consideration and possible action to approve the first of two readings of Ordinance 2019-O-03;

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, PROVIDING FOR THE DISANNEXATION OF A 83.209 ACRE TRACT OF LAND, BEING A PORTION OF QUAIL VALLEY RANCHES, SECTION 1 (RECORDED IN VOLUME 18, PAGES 335-336 OF THE BRAZORIA COUNTY PLAT RECORDS), QUAIL VALLEY RANCHES, SECTION 2 (RECORDED IN VOLUME 19, PAGES 35-36 OF THE BRAZORIA COUNTY PLAT RECORDS), AND A CALLED 3.906 ACRE TRACT CONVEYED TO LINDON SMITH AND JEANNA SMITH IN COUNTY CLERK'S FILE 10-023174 OF THE BRAZORIA COUNTY OFFICIAL RECORDS AND SITUATED IN THE THOMAS SPRAGGINS SURVEY, ABSTRACT 366, BRAZORIA COUNTY, TEXAS; DISANNEXING AND DISCONTINUING SAID PROPERTY FROM THE CORPORATE BOUNDARIES OF THE CITY; CONTAINING CERTAIN FINDINGS; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT.

(Tabled 1/22/2019)

11. Consideration and possible action to approve the first of two readings of Ordinance 2019-O-06;

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL BY AMENDING SECTIONS 8-7 AND 8-9 OF CHAPTER 8, "ANIMALS" TO PROVIDE THAT THE FEES FOR CERTAIN ANIMAL CONTROL SERVICES SHALL BE THOSE APPROVED IN THE MOST RECENT FEE SCHEDULE RESOLUTION ADOPTED BY CITY COUNCIL; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF ANY PROVISION OF THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

12. Consideration and possible action to approve the first of two readings of Ordinance 2019-O-07;

AN ORDINANCE AMENDING CHAPTER 17. "BUILDINGS AND BUILDING REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING ARTICLE IX "IMPACT FEES," SECTION 17-406 TO PROVIDE THAT THE IMPACT FEES SHALL BE THOSE APPROVED IN THE MOST RECENT FEE SCHEDULE RESOLUTION ADOPTED BY CITY COUNCIL; REPEALING PROVISIONS IN CONFLICT THEREWITH; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

13. Consideration and possible action to approve Ordinance 2019-O-08;

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, ORDERING THE HOLDING OF A GENERAL ELECTION ON MAY 4, 2019, FOR THE PURPOSE OF ELECTING TWO COUNCILMEMBERS: ONE EACH FOR, PLACE 4, AND PLACE 6; DESIGNATING THE CITY ELECTION PRECINCTS; DESIGNATING A POLLING PLACE; PROVIDING FOR THE APPOINTMENT OF A PRESIDING ELECTION JUDGE AND ALTERNATE PRESIDING ELECTION JUDGE; APPROVING A JOINT ELECTION CONTRACT AND AUTHORIZING THE MAYOR TO EXECUTE; ESTABLISHING OTHER PROCEDURES FOR CONDUCTING THE ELECTION; PROVIDING FOR THE INCORPORATION OF THE PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

14. Consideration and possible action to approve a *Minor Plat of Brazoria County MUD No. 56 Water Plant*;

BEING A SUBDIVISION OF 3.000 ACRES OF LAND, OUT OF THE OLIVER HALL SURVEY, SECTION NUMBER A-203 MANVEL, BRAZORIA COUNTY, TEXAS.

15. CONSENT AGENDA

All Consent Agenda items listed are considered to be routine by the City Council and will be approved by one motion. There will be no separate discussion of these items unless a City Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in sequence on the Agenda.

- a. Acceptance of the City Council Minutes to date.**
- b. Acceptance of the FY 2017-18 Audit**
- c. Approve *A Minor Plat for Fuentes Minor Plat*;
BEING A 1.7319 ACRE TRACT OF LAND KNOWN AS LOT 2 OF THE MINOR PLAT OF SUBDIVISION 282 ACRES. A MAP OR PLAT THEREOF RECORDED UNDER DOCUMENT NUMBER VOL. (86) 246, PG 292 OF THE OFFICIAL PUBLIC RECORDS, BRAZORIA COUNTY, TEXAS. H.T. & B.R.R. COMPANY SURVEY, ABSTRACT 299 (75,441.56 SQUARE FEET)**
- d. Approve *Preliminary Plat for Meridiana Unit 11 Open Space*;
BEING A SUBDIVISION OF 22.30 ACRES OF LAND, BEING A PART OF THE OLIVER HALL SURVEY, A-203 MANVEL, BRAZORIA COUNTY, TEXAS.**
- e. Approve *Preliminary Plat for Meridiana Unit 17 Open Space*;
BEING A SUBDIVISION OF 3.03 ACRES OF LAND, OUT OF THE OLIVER HALL SURVEY, A-203 MANVEL, BRAZORIA COUNTY, TEXAS.**
- f. Approve *Preliminary Plat for Meridiana Unit 30 Open Space*;
BEING A SUBDIVISION OF 5.97 ACRES OF LAND, OUT OF THE OLIVER HALL SURVEY, A-203 MANVEL, BRAZORIA COUNTY, TEXAS.**
- g. Approve *Preliminary Plat for Meridiana Unit 34 Open Space*;
BEING A SUBDIVISION OF 11.72 ACRES OF LAND, OUT OF THE H.T. & B.R.R. CO. SURVEY, SECTION NUMBER 61, A-282 MANVEL, BRAZORIA COUNTY, TEXAS.**
- h. Approve *Preliminary Plat for Meridiana Unit 39 Open Space*;
BEING A SUBDIVISION OF 24.47 ACRES OF LAND, OUT OF THE H.T. & B.R.R. CO. SURVEY, SECTION NUMBER 55, A-286 AND THE H.T. & B.R.R. CO. SURVEY, SECTION NUMBER 61, A-282 MANVEL, BRAZORIA COUNTY, TEXAS.**
- i. Approve *Preliminary Plat for Meridiana Unit 47 Open Space*;
BEING A SUBDIVISION OF 21.82 ACRES OF LAND, OUT OF THE H.T. & B.R.R. CO. SURVEY, SECTION NUMBER 61, A-282 MANVEL, BRAZORIA COUNTY, TEXAS.**
- j. Approve *Final Plat of Meridiana Briscoe Canal Detention Reserve*;
BEING A SUBDIVISION OF 12.14 ACRES OF LAND, OUT OF THE H.T. & B.R.R. CO. SURVEY, SECTION NUMBER 62, A-484 MANVEL, BRAZORIA COUNTY, TEXAS.**
- k. Approve *Final Plat of Meridiana Manvel Parkway Phase 1*;
BEING A SUBDIVISION OF 3.756 ACRES OF LAND, OUT OF THE H.T. & B.R.R. CO. SURVEY, SECTION NUMBER 61, A-282 MANVEL, BRAZORIA COUNTY, TEXAS.**
- l. Approve *Final Plat of Meridiana Parkway Phase 4*;**

BEING A SUBDIVISION OF 1.183 ACRES OF LAND, OUT OF THE H.T. & B.R.R. CO. SURVEY, SECTION NUMBER 61, A-282 MANVEL, BRAZORIA COUNTY, TEXAS.

m. Approve *Final Plat of Meridiana Retail Detention Reserve*;

BEING A SUBDIVISION OF 3.392 ACRES OF LAND, OUT OF THE H.T. & B.R.R. CO. SURVEY, SECTION NUMBER 62, A-484, AND THE J.M. O'DONNELL SURVEY, A-470 MANVEL, BRAZORIA COUNTY, TEXAS.

EXECUTIVE SESSION

City Council will convene into Executive Session pursuant to Texas Government Code, Section 551.071 - "Consultation with Attorney and Section 551.072 "Deliberation Regarding Real Property" to discuss the following:

DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY.

City Council will convene into Executive Session pursuant to Texas Government Code, Section 551.071 - "Consultation with Attorney and Section 551.072 "Deliberation Regarding Real Property" to discuss the following:

ROW ABANDONMENT – MANVEL TOWN CENTER – 0.0596 ACRES

ROW ABANDONMENT – MANVEL TOWN CENTER – 1.237 ACRES

ROW ABANDONMENT – MANVEL TOWN CENTER - 0.9427 ACRES

REGULAR SESSION

16. Consideration and possible action authorizing the City Manager to purchase a certain tract of land, not to exceed the purchase price directed by City Council, and provided there is an existing funding source in the current budget.

17. Consideration and possible action to approve the second and final reading of Ordinance 2018-O-42;

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF A PORTION OF A 40' CITY UNIMPROVED RIGHT-OF-WAY BEING 0.0596 OF ONE ACRE (2,595 SQUARE FOOT) TRACT OF LAND SITUATED IN THE H.T. & B.R.R. CO., SURVEY, SECTION 71, ABSTRACT NO. 291 OF BRAZORIA COUNTY, TEXAS AND BEING A PORTION OF A 40-FOOT UNIMPROVED ROAD AS DESCRIBED IN EMIGRATION LAND COMPANY SUBDIVISION SECTION 71, A SUBDIVISION PER PLAT RECORDED UNDER VOL. 2, PG. 81-82 OF THE BRAZORIA COUNTY PLAT RECORDS; ABANDONING, AND CLOSING SAID PUBLIC UNIMPROVED RIGHT-OF-WAY; AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY SECRETARY TO ATTEST, RESPECTIVELY, QUITCLAIM DEEDS CONVEYING RESPECTIVE INTERESTS IN SAID ABANDONED RIGHT-OF-WAY TO THE ABUTTING PROPERTY OWNER(S); PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

18. Consideration and possible action to approve the second and final reading of Ordinance 2018-O-43;

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF A PORTION OF A 40' CITY UNIMPROVED RIGHT-OF-WAY BEING A 1.237 ACRE (53,866 SQUARE FOOT) TRACT OF LAND SITUATED IN THE H.T. & B.R.R. CO., SURVEY, SECTION 71,

ABSTRACT NO. 291 OF BRAZORIA COUNTY, TEXAS AND BEING A PORTION OF A 40-FOOT UNIMPROVED ROAD AS DESCRIBED IN EMIGRATION LAND COMPANY SUBDIVISION SECTION 71, A SUBDIVISION PER PLAT RECORDED UNDER VOL. 2, PG. 81-82 OF THE BRAZORIA COUNTY PLAT RECORDS; ABANDONING, AND CLOSING SAID PUBLIC UNIMPROVED RIGHT-OF-WAY; AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY SECRETARY TO ATTEST, RESPECTIVELY, QUITCLAIM DEEDS CONVEYING RESPECTIVE INTERESTS IN SAID ABANDONED RIGHT-OF-WAY TO THE ABUTTING PROPERTY OWNER(S); PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

19. Consideration and possible action to approve the second and final reading of Ordinance 2018-O-44;

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF A PORTION OF A 40' CITY UNIMPROVED RIGHT-OF-WAY BEING A 0.9427 ACRE (41,062 SQUARE FOOT) TRACT OF LAND SITUATED IN THE H.T. & B.R.R. CO., SURVEY, SECTION 71, ABSTRACT NO. 291 OF BRAZORIA COUNTY, TEXAS AND BEING A PORTION OF A 40-FOOT UNIMPROVED ROAD AS DESCRIBED IN EMIGRATION LAND COMPANY SUBDIVISION SECTION 71, A SUBDIVISION PER PLAT RECORDED UNDER VOL. 2, PG. 81-82 OF THE BRAZORIA COUNTY PLAT RECORDS; ABANDONING, AND CLOSING SAID PUBLIC UNIMPROVED RIGHT-OF-WAY; AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY SECRETARY TO ATTEST, RESPECTIVELY, QUITCLAIM DEEDS CONVEYING RESPECTIVE INTERESTS IN SAID ABANDONED RIGHT-OF-WAY TO THE ABUTTING PROPERTY OWNER(S); PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

MAYOR AND COUNCIL COMMENTS

Update on current events and city issues.

Additionally, pursuant to Texas Government Code § 551.0415, City Council Members and city staff may make a report about items of community interest during a meeting of the governing body without having given notice of the report.

Items of community interest include:

- ◆ Expressions of thanks, congratulations, or condolence;
- ◆ Information regarding holiday schedules;
- ◆ An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- ◆ A reminder about an upcoming event organized or sponsored by the governing body;
- ◆ Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- ◆ Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

ADJOURN

CERTIFICATION

I, Tammy Bell, City Secretary for the City of Manvel, do hereby certify that the foregoing Agenda of the City of Manvel is true and correct; and that I posted such notice on the bulletin board at the Manvel City Hall. A place convenient and readily accessible to the public on February 1, 2019 in accordance with the Texas Open Meetings Act (Tex. Gov't. Code §551.001 et.seq). Said notice remained posted for at least 72 hours preceding the scheduled time of the meeting.

TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS



NOTICE TO THE PUBLIC OF POSSIBLE QUORUMS

A quorum of the Manvel Planning Development and Zoning Committee, Manvel Parks and Recreation Board, Manvel Events Task Force, Manvel Branding Task Force, and Manvel Economic Development Corporation may be in attendance at the February 4, 2019 meeting of the Manvel City Council. If such be the case, this notice shall serve as notice of meeting pursuant to the requirements of the Texas Open Meetings Act and subsequent opinions of the Texas Attorney General's Office. There will be no official City business or action of the aforementioned bodies taken during the meeting.