

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

ADRIAN GASPAR, COUNCIL PLACE 1
LORRAINE HEHN, COUNCIL PLACE 2
JOHN COX, COUNCIL PLACE 3
MELODY HANSON, MAYOR PRO-TEM COUNCIL PLACE 4
LARRY AKERY, COUNCIL PLACE 5
LEW SHUFFLER, COUNCIL PLACE 6



DELORES MARTIN, MAYOR
KYLE JUNG, CITY MANAGER
TAMMY BELL, CITY SECRETARY

**NOTICE OF A CITY COUNCIL MEETING
OF THE CITY OF MANVEL
MARCH 14, 2016**

**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 meeting at the Manvel City Hall Meeting Room, located at 20025 Morris Avenue (Hwy 6), Manvel Tx 77578 on March 14, 2016 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 on Resolution 2011-R-10 - Rules of Procedure for Meetings of the City Council.
Direct staff on negotiations procedures of the City Council. (Requested by Council Member Hanson)**

Discussion and direction to staff on scheduling a City Council Planning Retreat.

Update by Progressive Waste Solutions on the CPI-U (Consumer Price Index) adjustment.

Presentation on Shu-Chem SH 6 Water Main Reimbursement Request and Council will provide appropriate direction to the staff.

Discussion on any subject addressed on the agenda for March 14, 2016.

ORDER OF BUSINESS

REGULAR SESSION

CALL TO ORDER

INVOCATION

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

- **A "COMMENT CARD" must be completed and presented to the City Secretary prior to the opening of Citizens Comments.**
- *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 speak to the City Council.*
- *There is a three (3) minute time limit per speaker.*
- *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.*

PROCLAMATION

Fair Housing Month

1. CITY MANAGER UPDATE

Update on current events and city issues.

- a) **City electric rate – contract for 2018-2022**

REGULAR AGENDA

- 2. **Presentation and Consideration and possible action to approve a Professional Services Agreement between the City of Manvel and Burditt Consultants LLC for preparation of a Master Parks Plan and consideration and possible action to approve ordinance 2016-O-09 amending the budget to fund the agreement. (Tabled 2/8/2016, 2/22/2016).**

AN ORDINANCE AMENDING ORDINANCE NO. 2015-O-32 ADOPTING THE CITY FISCAL YEAR 2016 BUDGET ENDING SEPTEMBER 30, 2016, BY AMENDING THE CAPITAL PROJECTS FUND BUDGET FOR THE APPROPRIATION OF ADDITIONAL FUNDS FOR A MASTER PARKS PLAN.

- 3. **Consideration and possible action to appoint the following to the Zoning Board of Adjustment (ZBOA) Board:**
 - Pos # 1 George Collins – Term 3/2016-3/2018
 - Pos # 2 Lewis Rockwell – Term 3/2016-3/2017
 - Pos # 3 Debra Davison – Term 3/2016-3/2018
 - Pos # 4 Candace Crist – Term 3/2016-3/2017
 - Pos # 5 Maureen DelBello – Term 3/2016-3/2018
- 4. **Consideration and possible action on approval to proceed with the City Hall "Front Parking Lot Expansion" project.**
- 5. **Discussion on Capital Improvement Plan Goals and Land Use Assumptions and Capital Improvement Plan for Water & Wastewater Impact Fees.**
- 6. **Consideration and possible action to direct staff on concerns with city policy on infrastructure requirements. (Requested by Council Member Hanson).**
- 7. **Discussion and possible action regarding a liaison to meet with incoming businesses and developers (Requested by Mayor Martin after discussion with Frank Hagdorn and concerned business and property owners).**
- 8. **Update status of amendment to Development Agreement with Sedona Lakes MUD #1 regarding proposed Almost Heaven park. (Requested by Council Member Hanson)**
- 9. **Consideration and possible action to approve the first of two readings of Ordinance 2016-O-05**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS BY AMENDING CHAPTER 17, *BUILDINGS AND BUILDING REGULATIONS*, ARTICLE III, TECHNICAL CODES, SECTION 17-256(3) "AMENDMENTS TO RESIDENTIAL BUILDING CODE," TO AMEND THE LOCAL AMENDMENT PERTAINING TO PERMITTING OF CARPORTS; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION OF ANY PROVISION HEREOF, WITH EACH DAY OF VIOLATION CONSTITUTING A SEPARATE OFFENSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

10. Consideration and possible action to approve Resolution 2016-R-04;

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, ADOPTING A SCHEDULE OF FEES, RATES, DEPOSITS, AND OTHER CHARGES FOR ZONING, PLATTING, BUILDING AND OTHER RELATED MATTERS; AND ADOPTING A SCHEDULE OF FEES FOR FIRE PREVENTION PERMITS ISSUED BY THE CITY; REPEALING ALL RESOLUTIONS IN CONFLICT HERE WITH; AND OTHER RELATED MATTERS. (CARPORTS).

11. Consideration and possible action to approve Resolution 2016-R-05;

A RESOLUTION ADOPTING AN AMENDED PERSONNEL POLICIES AND PROCEDURES HANDBOOK DATED MARCH 14, 2016 FOR ALL CITY EMPLOYEES, TO PROVIDE FOR FLSA 7K EXEMPTION FOR POLICE OFFICER PAY PERIODS TO ALLOW FOR 86 HOUR PAY PERIODS; PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE.

12. Consideration and possible action to approve Ordinance 2016-O-08

AN ORDINANCE ESTABLISHING THE DEPARTMENT OF UTILITIES AS A NEW DEPARTMENT OF THE CITY; AMENDING AND ADOPTING A NEW ORGANIZATION CHART; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

EXECUTIVE SESSION

City Council will convene into Executive Session pursuant to Texas Government Code § 551.071 – "Consultation with Attorney" and Texas Government Code § 551.072 – "Real Property" to discuss;

Acquisition of property at 7240 Corporate Drive, Manvel TX.

City of Manvel v Boundless Enterprises, Inc., NO. CI53600, In the County Court at Law #4, Brazoria County, Texas.

13. Consideration and possible action to approve Ordinance 2016-O-06; a budget amendment regarding acquisition of property at 7240 Corporate Drive, Manvel, TX

AN ORDINANCE AMENDING ORDINANCE NO. 2015-O-32, ADOPTING THE CITY OF MANVEL, TEXAS, GENERAL FUND BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016 TO PROVIDE FOR LAND ACQUISITION.

14. 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 dated February 8, 2016.**
- b. **Acceptance of the City Council Minutes dated February 22, 2016.**
- c. **Approve the second of two readings of Ordinance 2016-O-04;**

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF CITY RIGHT-OF-WAY CONSISTING OF: (1) A 60' BY 290.23' STRIP (17,416 SQ. FT) OF THE "UNOPENED" PORTION OF SPILLANE STREET, RUNNING NORTH FROM STATE HIGHWAY 6 TO THE SOUTHERNMOST PORTION OF LARGE AVENUE, LOCATED WITHIN THE CITY OF MANVEL, BRAZORIA COUNTY, TEXAS; AND (2) AN "UNOPENED" 30' BY 290.23' PORTION OF THE ALLEY (2,900 SQ. FT) RUNNING NORTH FROM STATE HIGHWAY 6 TO THE SOUTHERNMOST PORTION OF LARGE AVENUE, LOCATED WITHIN THE CITY OF MANVEL, BRAZORIA COUNTY, TEXAS; VACATING, ABANDONING, AND CLOSING SAID PUBLIC RIGHT-OF-WAYS; RETAINING A 40 FOOT BY 40 FOOT PORTION OF THE NORTHEASTERN PORTION OF SAID SPILLANE RIGHT-OF-WAY FOR A LIFT STATION UTILITY EASEMENT; 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 OWNERS; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

- d. **Consideration and possible action to approve Acceptance of the Manvel Economic Development Corporation Investment Policy. (Forwarded with favorable recommendation by MEDC on 2/10/2016);**
ORDER DESIGNATING INVESTMENT OFFICER AND ESTABLISHING RULES, POLICIES, AND CODE OF ETHICS FOR THE INVESTMENT OF MEDC FUNDS AND REVIEW OF INVESTMENTS
- e. **Acceptance of the infrastructure improvements for Lakeland Subdivision Section Three Utility Improvements Phase I, and begin the one year maintenance period.**
- f. **Acceptance of the infrastructure improvements for Lakeland Subdivision Section Three Paving Improvements Phase I, and begin the one year maintenance period.**
- g. **Acceptance of the infrastructure improvements for Lakeland Subdivision Section Three Paving Improvements Phase II, and begin the one year maintenance period.**
- h. **Acceptance of the infrastructure improvements for Lakeland Subdivision Section Three Utility Improvements Phase II, and begin the one year maintenance period.**
- i. **Final acceptance of the infrastructure improvements for Pomona Subdivision Section One Detention Improvements and release the associated maintenance bonds.**

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

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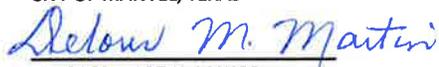
❖ Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

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 March 11, 2016 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



DELORES MARTIN, MAYOR
CITY OF MANVEL, TEXAS

NOTICE TO THE PUBLIC OF POSSIBLE QUORUMS

A quorum of the Manvel Planning Development and Zoning Committee and the Manvel Economic Development Corporation may be in attendance at the March 14, 2016 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.