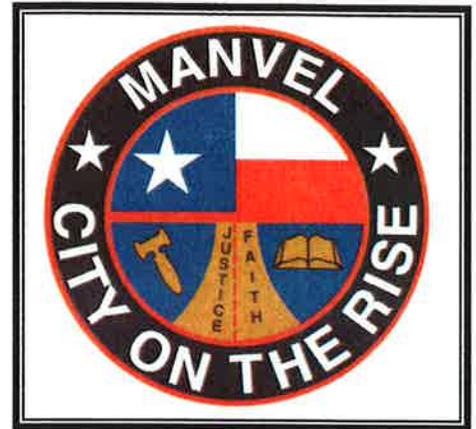


THE STATE OF TEXAS §
COUNTY OF BRAZORIA §
CITY OF MANVEL §

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

MINUTES 2/22/2016

WORKSHOP

Mayor Martin called the workshop of the Manvel City Council to order at 6:01 p.m.
Those in attendance were:

Present: Mayor Delores M Martin
Council Member, Place 1 Adrian Gaspar
Council Member, Place 3 John Cox
Council Member, Place 4 Melody Hanson
Council Member, Place 5 Larry Akery
Council Member, Place 6 Lew Shuffler

Absent: Council Member, Place 2 Lorraine Hehn

Also Present: City Manager Kyle Jung
City Attorney Bobby Gervais
City Secretary Tammy Bell

Presentation by Buck Driggers on proposed Almost Heaven Park Site.

Buck Driggers explained that they are proposing to donate approximately 20 acres for a park site (Almost Heaven) to the city in place of having to build a small strip of road. The value of the land is around \$800,000.00. The value of the road cost is around \$700,000.00.

Direct staff on compensation plan.

Council Member Gaspar stated he does not feel like this was the time for pay increases.
Council Member Cox stated he was ok with the proposed compensation plan as long as the budget could support it and it wouldn't cause a tax increase next year.
Council Member Hanson requested the City Council review the information in greater detail and have further discussion at the next scheduled council meeting.

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)

No discussion on this item. Councilmember Hanson requested this be added to the next scheduled meeting agenda.

Discussion on any subject addressed on the agenda for February 22, 2016.

None

Mayor Martin adjourned the workshop at 7:00 p.m.

ORDER OF BUSINESS

REGULAR SESSION

CALL TO ORDER

Mayor Martin called the meeting of the Manvel City Council to order at 7:06 p.m.

Those in attendance were:

Present: Mayor Delores M Martin
Council Member, Place 1 Adrian Gaspar
Council Member, Place 3 John Cox
Council Member, Place 4 Melody Hanson
Council Member, Place 5 Larry Akery
Council Member, Place 6 Lew Shuffler

Absent: Council Member, Place 2 Lorraine Hehn

Also Present: City Manager Kyle Jung
City Attorney Bobby Gervais
City Secretary Tammy Bell

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

Raymond Ruiz, MEDC Board Member

Spoke on his concerns with the city requiring private funding of public infrastructure.

Johnnie Lowe, 6631 Masters, Manvel Tx

Mr. Lowe echoed the concerns of Mr. Ruiz, and requested the City Council remove the roadblocks to commercial growth in the city.

Brian Wilmer, Manvel Tx

In favor of roads, bet feels the proposed Almost Heaven park site would be a good deal for the city. This offers the city a chance to acquire some green space for the residents. Sooner or later the required road will be built but there is no guarantee the city will be able to acquire green space once it's gone.

PUBLIC HEARING:

TO HEAR INPUT FROM THE PUBLIC REGARDING 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.

Mayor Martin opened the public hearing at 7:20 p.m.

First call for comments – None

Second call for comments – None

Third call for comments – None

Mayor Martin closed the public hearing at 7:22 p.m.

1. CITY MANAGER UPDATE

Update on current events and city issues.

a) Citizens Police Academy

Chief Traylor stated that the Police Department is accepting applications for the Citizens Police Academy. The class will be every Thursday starting April 7, 2016 thru May 26, 2016 from 6:00 p.m. to 9:00 p.m. The class will be held at the Manvel EMS Office. This class will teach the many aspects of police work while getting to know the members of the Manvel Police Department.

REGULAR AGENDA

2. Update of Monthly Financials.

3. Consideration and possible action to approve a Developer Agreement between the City of Manvel and Stripes LLC., in regard to the construction of the "Stripes" establishment located at the northwest corner of S.H.6 and FM 1128.

4. Consideration and possible action to approve the first 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.

5. Consideration and possible action to approve a Minor Plat - Stripes, LLC and City of Manvel (co-applicants);

A SUBDIVISION OF 1.8565 AC./80,869 SQ. FT. OF LAND SITUATED IN THE MARY V O'DONNELL SURVEY, ABSTRACT NO. 470, BEING ALL OF BLOCK 5, TOWN OF MANVEL SUBDIVISION, VOL. 1, PG. 69, B.C.M.R., CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.

Mayor Delores Martin made a motion to approve agenda items #3, #4, and #5. Council Member, Place 3 John Cox seconded the motion.

The motion carried with a vote:

Vote: 5-1

Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 4 Melody Hanson, Council Member, Place 5 Larry Akery, and Council Member, Place 6 Lew Shuffler.

No: Council Member, Place 3 John Cox,

Absent: Council Member, Place 2 Lorraine Hehn

Abstained: None

6. Consideration and possible action to approve an Amending Plat of York Manor;

A SUBDIVISION OF 4.9958 ACRES (217,619 SQ. FT.) IN THE MARY O'DONNELL SURVEY, A-469 ALSO BEING OUT OF THE ALLISON RICHEY GULF COAST HOME COMPANY SUBDIVISION, DIVISION "O" RECORDED IN VOLUME 2, PG 91-92, B.C.P.R. BRAZORIA COUNTY, TEXAS.

Mayor Delores Martin made a motion to approve. Council Member, Place 6 Lew Shuffler seconded the motion.

The motion carried with a vote:

Vote: 6-0

Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 3 John Cox , Council Member, Place 4 Melody Hanson, Council Member, Place 5 Larry Akery, and Council Member, Place 6 Lew Shuffler.

No: None

Absent: Council Member, Place 2 Lorraine Hehn

Abstained: None

7. Consideration and possible action to approve a Minor Plat of Alvin ISD Career & Technical Education Center;

A SUBDIVISION OF 15.741 ACRES OUT OF THE H.T.&B.R.R. CO. SURVEY, SECTION 63, ABSTRACT NO. 283 CITY OF MANVEL BRAZORIA COUNTY, TEXAS.

Mayor Delores Martin made a motion to approve. Council Member, Place 1 Adrian Gaspar seconded the motion.

The motion carried with a vote:

Vote: 6-0

Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 3 John Cox , Council Member, Place 4 Melody Hanson, Council Member, Place 5 Larry Akery, and Council Member, Place 6 Lew Shuffler.

No: None

Absent: Council Member, Place 2 Lorraine Hehn

Abstained: None.

8. Consideration and possible action to approve a Final Plat of Rodeo Palms Palm Shore Section 3;

BEING A SUBDIVISION OF 25.50 ACRES OUT OF THE H.T.&B.R.R. CO. SURVEY, A-299, IN THE CITY OF MANVEL AND ALSO BEING A PARTIAL REPLAT OF "RODEO PALMS, PALM LAKES" AS RECORDED AT VOL 24, PG 329-330, BRAZORIA COUNTY PLAT OF RECORDS.

REASON FOR REPLAT: TO ADJUST THE INTERSECTION OF SANTA BARBARA DRIVE AND RODEO DRIVE.

Mayor Delores Martin made a motion to approve. Council Member, Place 1 Adrian Gaspar seconded the motion.

The motion carried with a vote:

Vote: 6-0

Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 3 John Cox , Council Member, Place 4 Melody Hanson, Council Member, Place 5 Larry Akery, and Council Member, Place 6 Lew Shuffler.

No: None

Absent: Council Member, Place 2 Lorraine Hehn

Abstained: None

9. Consideration and possible action to approve a Professional Services Agreement between the City of Manvel and Burditt for preparation of a Master Parks Plan. (Tabled 2/8/2016).

Mayor Delores Martin made a motion to table. Council Member, Place 1 Adrian Gaspar seconded the motion.

The motion carried with a vote:

Vote: 6-0

Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 3 John Cox , Council Member, Place 4 Melody Hanson, Council Member, Place 5 Larry Akery, and Council Member, Place 6 Lew Shuffler.

No: None

Absent: Council Member, Place 2 Lorraine Hehn

Abstained: None

10. Consideration and possible action to approve a Professional Services Agreement between the City of Manvel and Freese and Nichols for preparation of a Master Wastewater Plan. (Tabled 2/8/2016).

11. Consideration and possible action to approve a Professional Services Agreement between the City of Manvel and Freese and Nichols for preparation of a Master Water Plan. (Tabled 2/8/2016).

Mayor Delores Martin made a motion to reject the Professional Services Agreements for the Master Wastewater Plan and Master Water Plan and direct staff to advertise for RFP's. Council Member, Place 1 Adrian Gaspar seconded the motion.

The motion carried with a vote:

Vote: 6-0

Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 3 John Cox , Council Member, Place 4 Melody Hanson, Council Member, Place 5 Larry Akery, and Council Member, Place 6 Lew Shuffler.

No: None

Absent: Council Member, Place 2 Lorraine Hehn

Abstained: None

12. Consideration and possible action to direct staff on a proposed amendment to Section 17-256 Amendments to Residential Building Code (3) Section R105.2 of said code is hereby amended by adding the following to the list of exemptions: (a) carports (attached) of area less than 400 square feet; and (b) decks of less than 30 inches in height. (Requested by Council Member Gaspar)

Mayor Delores Martin made a motion to direct staff to bring back the necessary amended ordinances reflecting the requested changes for carports. Council Member, Place 1 Adrian Gaspar seconded the motion.

The motion carried with a vote:

Vote: 6-0

Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 3 John Cox, Council Member, Place 4 Melody Hanson, Council Member, Place 5 Larry Akery, and Council Member, Place 6 Lew Shuffler.

No: None

Absent: Council Member, Place 2 Lorraine Hehn

Abstained: None

13. Consideration and possible action to approve Resolution 2016-R-03;

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. (CREDIT CARD CONVENIENCE FEES).

Mayor Delores Martin made a motion to approve. Council Member, Place 1 Adrian Gaspar seconded the motion.

The motion carried with a vote:

Vote: 6-0

Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 3 John Cox, Council Member, Place 4 Melody Hanson, Council Member, Place 5 Larry Akery, and Council Member, Place 6 Lew Shuffler.

No: None

Absent: Council Member, Place 2 Lorraine Hehn

Abstained: None

14. Consideration and possible action to direct staff on the purchase of firefighting equipment for the Manvel Volunteer Fire Department. (Requested by Council Member Akery and Council Member Gaspar).

Mayor Delores Martin made a motion to open for discussion. Council Member, Place 1 Adrian Gaspar seconded the motion.

Council Member Gaspar requested this be tabled to allow him more time to research his request.

Mayor Delores Martin made a motion to table. Council Member, Place 1 Adrian Gaspar seconded the motion.

The motion carried with a vote:

Vote: 6-0

Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 3 John Cox, Council Member, Place 4 Melody Hanson, Council Member, Place 5 Larry Akery, and Council Member, Place 6 Lew Shuffler.

No: None

Absent: Council Member, Place 2 Lorraine Hehn

Abstained: None

15. Consideration and possible action to approve the Third Amendment to Development Agreement between the City of Manvel and MC 288 LLC, Brazoria County MUD 39, and Brazoria County MUD 40.

Mayor Delores Martin made a motion to approve. Council Member, Place 6 Lew Shuffler seconded the motion.

The motion carried with a vote:

Vote: 6-0

Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 3 John Cox, Council Member, Place 4 Melody Hanson, Council Member, Place 5 Larry Akery, and Council Member, Place 6 Lew Shuffler.

No: None

Absent: Council Member, Place 2 Lorraine Hehn

Abstained: None

16. 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 Quarterly Investment Report for the period ending December 31, 2015.**
- c. **Acceptance of the 2015 Racial Profiling Report.**
- d. **Acceptance of second and final reading of Ordinance 2016-O-01;**

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY CHANGING THE ZONING CLASSIFICATION OF A CERTAIN TRACT OF LAND LOCATED AT 2695 COUNTY ROAD 58, MANVEL, TEXAS, SUCH TRACT CONSTITUTING APPROXIMATELY 12.84 ACRES OF LAND, BEING A PART OF THE ALLISON RICHEY GULF COAST HOME COMPANY SUBDIVISION OF SECTION 78, H.T. & B. R. R. SURVEY, ABSTRACT 563, BRAZORIA COUNTY, TEXAS ACCORDING TO THE RECORDED MAP OR PLAT THEREOF IN VOLUME 2 AT PAGE 98 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, FROM OPEN SINGLE FAMILY RESIDENTIAL DISTRICT (OSFR) TO LIGHT COMMERCIAL DISTRICT WITH SPECIFIC USE PERMIT (LC-SUP), PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE #53113 STORAGE FACILITY, PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Mayor Delores Martin made a motion to remove the minutes dated February 8, 2016 from the consent agenda and table for further detail to be added to the Executive Session discussion as requested by Council Member Hanson. Council Member, Place 1 Adrian Gaspar seconded the motion.

Mayor Delores Martin made a motion to approve items b, c, and d of the consent agenda. Council Member, Place 1 Adrian Gaspar seconded the motion.

MINUTES Manvel City Council Meeting February 22, 2016

The motion carried with a vote:

Vote: 6-0

Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 3 John Cox , Council Member, Place 4 Melody Hanson, Council Member, Place 5 Larry Akery, and Council Member, Place 6 Lew Shuffler.

No: None

Absent: Council Member, Place 2 Lorraine Hehn

Abstained: None

MAYOR AND COUNCIL COMMENTS

ADJOURN

Council Member, Place 6 Lew Shuffler made a motion to adjourn at 8:55 p.m. Council Member, Place 1 Adrian Gaspar seconded the motion.

The motion carried with a vote:

Vote: 6-0

Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 3 John Cox , Council Member, Place 4 Melody Hanson, Council Member, Place 5 Larry Akery, and Council Member, Place 6 Lew Shuffler.

No: None

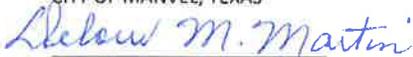
Absent: Council Member, Place 2 Lorraine Hehn

Abstained: None

CERTIFICATION



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 February 22, 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.

