

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 1/25/2016

WORKSHOP

Mayor Martin called the workshop of the Manvel City Council to order at 5:30 p.m.
Those in attendance were:

Present: Mayor Delores M Martin
Council Member, Place 1 Adrian Gaspar
Council Member, Place 2 Lorraine Hehn
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: None

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

Discussion / Presentation by Christof Spieler, PE, LEED AP., on goals for future development in Manvel, identifying opportunities for development, and outlining potential tools for realizing these opportunities.

Discussion on Capital Improvement Plan Goals and Land Use Assumptions and Capital Improvement Plan for Water & Wastewater Impact Fees.

Discussion on any subject addressed on the agenda for January 25, 2016.

There were no agenda items discussed during the workshop.
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 7:13 p.m.
Those in attendance were:

- Present:** Mayor Delores M Martin
Council Member, Place 1 Adrian Gaspar
Council Member, Place 2 Lorraine Hehn
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:** None
- 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

Suzanne Hunneman, 2606 Winston Court, Pearland Tx
Self introduction, running for Justice of the Peace Pct. 2, Place 1

Jimmy DelBello, 6403 DelBello Blvd, Manvel Tx
Spoke on behalf of the importance of the City Council promoting commercial development in the City of Manvel, stating he is tired of paying for Pearland services.

Brian Wilmer, 7824 Jordan Rd, Manvel Tx
Spoke on behalf of future development in the city and his concerns with agenda item #3, he is not in favor of zoning the proposed area all OSFR.

PUBLIC HEARING

TO HEAR INPUT FROM THE PUBLIC REGARDING A REQUEST FOR A PARTIAL REPLAT OF RODEO PALMS PALM LAKES AS RECORDED AT VOL 24 PG 329-330, BRAZORIA COUNTY PLAT RECORDS. TO ADJUST THE INTERSECTION OF SANTA BARBARA DRIVE AND RODEO DRIVE.

Mayor Martin opened the public hearing at 7:24 p.m.
1st call for comments – None
2nd call for comments – None
3rd call for comments – None
Mayor Martin closed the public hearing at 7:27 p.m.

PUBLIC HEARING:

TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY, BY ESTABLISHING THE ZONING CLASSIFICATION OF LAND ANNEXED INTO THE CITY BY ORDINANCE NO. 2015-O-30 (AREA 14) AS OPEN-SINGLE-FAMILY RESIDENTIAL (O-SFR) DISTRICT SAID ANNEXED TRACTS BEING APPROXIMATELY 266.99 ACRES, MORE OR LESS, BEING LOCATED GENERALLY AS FOLLOWS: SOUTH OF CR 59, EAST OF CR 48, NORTH OF THE AMERICAN CANAL AND WEST OF THE SOUTHFORK SUBDIVISION, BRAZORIA COUNTY, TEXAS, (AREA 14); DESCRIBING SUCH TERRITORY; 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 Martin opened the public hearing at 7:27 p.m.
1st call for comments – Dorothy Wynne, against
2nd call for comments – None
3rd call for comments – None
Mayor Martin closed the public hearing at 7:30 p.m.

1. CITY MANAGER UPDATE

Update on current events and city issues.

a) May 7, 2016 General Election

Calendar of election dates distributed to the city council.
Request for CIP project list needed by end of January.

REGULAR AGENDA

Mayor Martin changed the order of the agenda, moving agenda item # 5 up for action before agenda item # 2

2. Consideration and possible action to re-appoint the following to the Building and Standards Commission with a term to expire 12-2017:

Mark Pauley

Scott VanDusen

David Headley

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

The motion carried with a vote:

Vote: 7-0

Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 2 Lorraine Hehn, 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: None

Abstained: None

3. Consideration and possible action to approve the first of two readings of Ordinance 2015-O-40; AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY, BY ESTABLISHING THE ZONING CLASSIFICATION OF

LAND ANNEXED INTO THE CITY BY ORDINANCE NO. 2015-O-30 (AREA 14) AS OPEN-SINGLE-FAMILY RESIDENTIAL (O-SFR) DISTRICT SAID ANNEXED TRACTS BEING APPROXIMATELY 266.99 ACRES, MORE OR LESS, BEING LOCATED GENERALLY AS FOLLOWS: SOUTH OF CR 59, EAST OF CR 48, NORTH OF THE AMERICAN CANAL AND WEST OF THE SOUTHFORK SUBDIVISION, BRAZORIA COUNTY, TEXAS, (AREA 14); DESCRIBING SUCH TERRITORY; 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 approve. Council Member, Place 1 Adrian Gaspar seconded the motion.

The motion carried with a vote:

Vote: 6-1

Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 2 Lorraine Hehn, 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: None

Abstained: None

4. Consideration and possible action to approve an Administrative Service Agreement between the City of Manvel and the Manvel Economic Development Corporation.

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

The motion carried with a vote:

Vote: 7-0

Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 2 Lorraine Hehn, 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: None

Abstained: None

****Mayor Martin changed the order of the agenda, moving agenda item # 5 up for action before agenda item # 2****

5. Consideration and possible action to approve Resolution 2016-R-01;

A RESOLUTION OF THE CITY OF MANVEL, TEXAS ADOPTING A REVISED DESIGN CRITERIA MANUAL CONTAINING SUBDIVISION IMPROVEMENT STANDARDS FOR ALL DEVELOPMENT WITHIN THE CITY OR ITS EXTRATERRITORIAL JURISDICTION, PURSUANT TO AUTHORITY CONTAINED IN CHAPTER 62, SUBDIVISION ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, CHAPTER 212 OF THE TEXAS LOCAL GOVERNMENT CODE, AND OTHER PROVISIONS OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, AS AMENDED OR TO BE AMENDED; AND CONTAINING OTHER MATTERS ON THE SUBJECT.

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

The motion carried with a vote:

Vote: 7-0
Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 2 Lorraine Hehn, 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: None
Abstained: None

6. Consideration and possible action to approve a 150 day maximum extension of the sand pit lease with Cherry Crushed Concrete, Inc., as “Tenant” and joined in by Wesson Sand, Inc. (collectively, the “Existing Lease”) for the mining and excavation of sand at the city sand pit located at A0320 Erastus Little, Tracts 24, 25, 26 (replat 04), 32, 33, 34, 34A, 41, 42, 43, and 51 (approximately 97.0870 acres), Brazoria County, Texas.

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

The motion carried with a vote:

Vote: 7-0
Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 2 Lorraine Hehn, 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: None
Abstained: None

7. Discussion on staffing.

Item to be added to next meeting agenda.

8. 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 January 11, 2016.**
- b. **Acceptance of Infrastructure; Water Distribution, Wastewater Collection and Storm Water Facilities to serve Rodeo Palms, The Colony, Section Five for Brazoria County MUD 29 and start the one year maintenance period.**
- c. **Acceptance of Infrastructure; Excavation, and Paving and Lot Grading to serve Rodeo Palms, The Colony, Section 5 and start the one year maintenance period.**
- d. **Approval of issuance of a certificate of plat approval (by operation of law) for Newport Lake Estates, Phase 1 and 2, as required by Texas Local Govt Code § 212.009(d).**

Mayor Delores Martin made a motion to approve contingent on bonds being received. Council Member, Place 6 Lew Shuffler seconded the motion.

The motion carried with a vote:

Vote: 7-0
Yes: Mayor Delores M Martin, Council Member, Place 1 Adrian Gaspar, Council Member, Place 2 Lorraine Hehn, 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: None
Abstained: None

Mayor Delores Martin recessed the meeting at 8:30 p.m. for executive session.

EXECUTIVE SESSION

- 1) **City Council will convene into Executive Session pursuant to Texas Government Code § 551.071 – “Consultation with Attorney” to discuss the following:**

**Litigation involving code violations at 7240 Corporate Drive, Manvel Tx.
Litigation involving code violations at 5515 Patterson, (CR 88) Manvel Tx.
Litigation involving code violations at 19404 Morris Avenue (HWY 6) Manvel Tx.**

- 2) **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.**

Mayor Delores Martin re-convened the meeting at 9:12 p.m. There was no action taken in executive session.

MAYOR AND COUNCIL COMMENTS

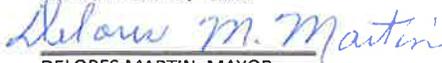
Council Member Shuffler spoke about the CERT program and a POD drill he participated in and encouraged everyone to volunteer when the next training comes around.

ADJOURN

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 January 25, 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.

