



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 4/11/2016

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 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

Presentation by Tim Austin on 380 Agreement to develop regional infrastructure.

Updated the City Council on a meeting they had with the city staff on a proposed chapter 380 agreement that the owners and developers of a tract of land within the City of Manvel are jointly proposing, the area they represent comprising of approximately 1400 acres to become an Economic Development Zone. This would allow Economic Development incentives to be paid to the Districts and/or landowners to reimburse for public improvements. Only new increment from the developments would be committed. City revenues from the base year value (prior to development) is retained by the city. The City would retain a portion of the increment to provide for costs of essential City services. The direct benefits of this proposed agreement would be that infrastructure is financed and built by landowners, conveyed to the city. The City's credit is not at risk. The Development occurs in the City, creates new tax base and rooftops that generate more retail/commercial, thereby increasing City sales tax revenues. When the incentives cease, the City keeps all revenues, and benefits from master planned development.

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Presentation by Sean Stockard on the Brazoria County Alliance.

Mr. Stockard addressed the following:
Defined Economic Development
Described how Economic Development Creates Wealth
Business Retention and Expansion
Entrepreneurial Development
Industrial Recruitment
Status of Economic Development in Brazoria County

Discussion on any subject addressed on the agenda for April 11, 2016.

None

Mayor Martin closed the workshop of the Manvel City Council at 7:42 p.m.

ORDER OF BUSINESS

REGULAR SESSION

CALL TO ORDER

Mayor Martin called the meeting of the Manvel City Council to order at 7:42 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

Beverly Zawacki – 5938 Tammy Drive, Manvel

Mrs. Zawacki stated she was not in favor of the proposed connecting of Curry Rd and Tammy Drive and asked the following;

What is the time line of this? Who makes the decision? Why weren't the residents notified? Will this be permanent or temporary? Will Tammy ever be closed again?

Zora Becker – 5829 Tammy Drive, Manvel

Concerns over connecting road from Tammy and Curry.

Mianna Martin – 5831 Tammy Drive, Manvel Tx

Concerns over Tammy Road cut through to Curry.

Travis Kopbn – Tammy Drive, Manvel Tx

He is a resident of Manvel who pays city taxes and gets no amenities. The city should at least pave their road.

PROCLAMATION

April 2016 – National Safe Digging Month

PUBLIC HEARING

TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, CHAPTER 62 “SUBDIVISIONS” BY ADDING A NEW SUBSECTION 62-119 TO ARTICLE IV PERTAINING TO DEVELOPMENT OF COMMERCIAL TRACTS OF FIVE ACRES OR LESS WITHIN THE ORIGINAL MANVEL TOWNSITE AREA; 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; AND PROVIDING FOR SEVERABILITY.

Mayor Martin opened the public hearing at 7:56 p.m.

1st call for comments “For” or “Against”

None

2nd call for comments “For” or “Against”

None

3rd call for comments “For” or “Against”

None

Mayor Martin closed the public hearing at 7:57 p.m.

1. CITY MANAGER UPDATE

Met with the staff from Burditt to discuss the Comprehensive Parks Plan meeting ideas and schedule. Burditt will be attending the May Parks Board meeting, and are planning to have the first public meeting at the end of June.

REGULAR AGENDA

2. Consideration and possible action to approve Ordinance 2016-O-11;

AN ORDINANCE AMENDING ORDINANCE NO. 2015-O-32 ADOPTING THE CITY FISCAL YEAR 2016 BUDGET ENDING SEPTEMBER 30, 2016, BY AMENDING THE GENERAL FUND BUDGET FOR THE APPROPRIATION OF ADDITIONAL FUNDS FOR THE CONSTRUCTION OF A PORTION OF ROGERS AND HOLLY STREET AND AMENDING THE UTILITY FUND FOR A SALARY ADJUSTMENT; DIRECTING THE BUDGET OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET WITH THE CITY SECRETARY AND WITH THE OFFICE OF THE BRAZORIA COUNTY CLERK; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

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

The motion carried with a vote:

Vote: 5-2

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

No: Council Member, Place 5 Larry Akery, and Council Member, Place 6 Lew Shuffler

Absent: None
Abstained: None

3. Consideration and possible action to approve a Development Agreement between the City of Manvel and Manvel Seafood, Inc.

Mayor Delores Martin made a motion to approve. Council Member, Place 3 John Cox 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

4. Consideration and possible action to approve the first of two readings of Ordinance 2016-O-10; AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, CHAPTER 62 "SUBDIVISIONS" BY ADDING A NEW SUBSECTION 62-119 TO ARTICLE IV PERTAINING TO DEVELOPMENT OF COMMERCIAL TRACTS OF FIVE ACRES OR LESS WITHIN THE ORIGINAL MANVEL TOWNSITE AREA; 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; AND PROVIDING FOR SEVERABILITY.

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

5. Consideration and possible action to approve an engagement agreement with Best Best & Krieger LLP., for special counsel water projects.

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

6. Consideration and possible action to approve Resolution 2016-R-09;

A RESOLUTION ADOPTING A CAPITAL IMPROVEMENT PROGRAM FY 2016-2020 FOR THE CITY OF MANVEL; PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

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. Consideration and possible action to approve Resolution 2016-R-06;

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 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

8. Consideration and possible action to approve Resolution 2016-R-07;

A RESOLUTION CONSENTING TO THE PROPERTY TAX RESALE OF 3.750 ACRES LOCATED OFF OF SCOTT AVENUE NAR, MANVEL, BRAZORIA COUNTY, TEXAS, LEGALLY DESCRIBED AS "A0493 H T & B R R, TRACT 7C (PT), MANVEL TEXAS FOR THE AMOUNT OF TWO THOUSAND FOUR HUNDRED AND SIXTY DOLLARS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

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

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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

9. Consideration and possible action to approve Resolution 2016-R-08;

A RESOLUTION OF THE CITY OF MANVEL, TEXAS FINDING THAT CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMIN. CODE § 25.243 AND TO RECONCILE DOCKET NO. 44572 REVENUES TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

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

10. Consideration and possible action to approve a Minor Plat for Quail Valley Ranches Section 2 Replat No. 1:

BEING A SUBDIVISION OF 3.176 ACRES (138,354 SQ FT) OUT OF THE QUAIL VALLEY RANCHES, SEC 2 SUBDIVISION RECORDED IN VOL. 19, PG. 35-36 OF THE BRAZORIA COUNTY PLAT RECORDS, ALSO BEING OUT OF THE THOMAS SPRAGGINS SURVEY, A-366, IN THE 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: 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

11. Consideration and possible action to approve an Interlocal Agreement between the City of Manvel and Brazoria County concerning temporary construction of extensions of Lira and Spears Roads.

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

The motion carried with a vote:

Vote: 6-1

Yes: 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: Mayor Delores M Martin

Absent: None

Abstained: None

12. Consideration and possible action to approve payment for the following and authorize the City Manager to execute the contract, as required by City of Manvel purchasing policy, Section B, Standard Purchasing Requirements/Procedures, subsection 5. Signature Authority of City Manager. All Purchases requiring an expenditure exceeding \$25,000 must be presented to Council for approval;

- a. TMLIRP in the amount of \$30,276.76 for the 2016-17 Windstorm/ Hail Insurance Coverage.**

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

13. Consideration and possible action to approve a temporary (90 + 90 day renewable) lease with Cherry Crushed Concrete, Inc., for equipment storage and operations 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 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

14. Discussion/Update on City of Manvel welcome monument sign. (Requested by Mayor Martin)

15. CONSENT AGENDA

a. Acceptance of the City Council Minutes dated March 28, 2016.

Mayor Delores Martin made a motion to approve. Council Member, Place 4 John Cox 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 recessed the meeting at 9:41 p.m. for executive session.

EXECUTIVE SESSION

City Council will convene into Executive Session pursuant to Texas Government Code § 551.071 – “Consultation with Attorney” and Texas Government Code § 551.087 – “Economic Development Negotiations” to discuss;

“Development Agreement with WSLD Sedona Lakes VI, L.P., and Sedona Lakes MUD No. 1 of Brazoria County”

Mayor Delores Martin re-convened the meeting at 10:03 p.m. There was no action taken in executive session.

REGULAR AGENDA

16. Consideration and possible action to approve the Third Amendment to Amended and Restated Development Agreement between the City of Manvel and WSLD Sedona Lakes VI, L.P., and Sedona Lakes MUD No. 1 of Brazoria County.

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