



CLUTE CITY HALL COUNCIL CHAMBERS
108 E. MAIN STREET ~ CLUTE, TEXAS 77531

CITY COUNCIL:

MAYOR: CALVIN SHIFLET

MAYOR PRO-TEM: ERICK AGUILAR

COUNCIL MEMBER: JEFF CRISP

COUNCIL MEMBER: NICOLE MADDOX

COUNCIL MEMBER: JOE LOPEZ

COUNCIL MEMBER: FRANCES VAUGHN

STAFF:

CITY MANAGER: CJ SNIPES

CITY CLERK: ROSIE POITEVINT

CITY ATTORNEY: CHRIS DUNCAN

JOINT PUBLIC HEARING & REGULAR COUNCIL MEETING

CITY COUNCIL AND PLANNING & ZONING COMMISSION

THURSDAY, AUGUST 24, 2023 @ 7:00 PM

NOTICE IS HEREBY GIVEN OF A JOINT PUBLIC HEARING BETWEEN CITY COUNCIL AND THE PLANNING & ZONING COMMISSION OF THE CITY OF CLUTE, TEXAS TO BE HELD ON **THURSDAY, AUGUST 24, 2023 @ 7:00 PM** FROM THE COUNCIL CHAMBERS OF CLUTE CITY HALL LOCATED AT 108 MAIN STREET, CLUTE, TEXAS 77531 FOR THE BELOW LISTED ITEMS. THE CITY COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY MATTERS LISTED ON THE AGENDA, AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE, INCLUDING, BUT NOT LIMITED TO SECTIONS 551.071 (CONSULTATION WITH AN ATTORNEY), 551.072 (DELIBERATION ABOUT REAL PROPERTY), 551.073 (DELIBERATION ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATION ABOUT SECURITY DEVICES), 551.087 (ECONOMIC DEVELOPMENT), 418.175.183 (DELIBERATIONS ABOUT HOMELAND SECURITY ISSUES) AND AS AUTHORIZED BY THE TEXAS TAX CODE, INCLUDING BUT NOT LIMITED TO, SECTION 321.3022 (SALES TAX INFORMATION).

THE AGENDA, AGENDA PACKET AND MEETING LINK INFORMATION ARE POSTED ON THE CITY'S WEBSITE AT www.clutetexas.gov

PUBLIC COMMENTS WILL BE ALLOWED IN PERSON AND WILL OCCUR AT THE BEGINNING OF THE MEETING UNDER THE PUBLIC COMMENTS ITEM. TO REGISTER TO SPEAK OR TO SUBMIT WRITTEN COMMENTS, PLEASE EMAIL CITY CLERK ROSIE POITEVINT AT rosie@clutetexas.gov AT LEAST 2 HOURS IN ADVANCE OF THE MEETING.

NO REGISTRATION REQUIRED FOR PUBLIC COMMENTS DURING THE PUBLIC HEARING PORTION OF THE MEETING.

A RECORDING OF THE MEETING VIDEO WILL BE MADE AVAILABLE UPON WRITTEN REQUEST TO THE PUBLIC IN ACCORDANCE WITH THE OPEN MEETINGS ACT.

I. COMMENCEMENT

A. CALL TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL CITY COUNCIL

E. ROLL CALL PLANNING & ZONING COMMISSION

II. JOINT PUBLIC HEARING – REPLAT – 224 E. MAIN STREET

A. LEGAL REQUIREMENTS

- 1) NOTICE OF JOINT PUBLIC HEARING WITH PLANNING AND ZONING COMMISSION FOR A REPLAT FOR PROPERTY LOCATED AT 224 E. MAIN STREET – LEGAL DESCRIPTION: B C I C DIV 14, LOT 587D2-587F, LOT 587D3, ACRES 0.110, A0049 A CALVIT, CLUTE
- 2) NOTE PUBLISHER’ AFFIDAVIT
- 3) NOTE LIST OF PROPERTY OWNERS NOTIFIED BY MAIL

B. OPEN FLOOR FOR DISCUSSION

- 1) THOSE IN FAVOR OF THE REPLAT
 - i. READ LETTERS FROM CITIZENS IN FAVOR OF THE REPLAT
 - ii. HEAR THOSE PRESENT IN FAVOR OF THE REPLAT
- 2) THOSE OPPOSED TO THE REPLAT
 - i. READ LETTERS FROM CITIZENS OPPOSED TO THE REPLAT
 - ii. HEAR THOSE PRESENT OPPOSED TO THE REPLAT
- 3) COMMENTS FROM PLANNING & ZONING COMMISSION
- 4) COMMENTS FROM MAYOR AND CITY COUNCIL
- 5) CLOSE DISCUSSION AND HEAR RECOMMENDATION FROM PLANNING & ZONING COMMISSION
- 6) CONSIDERATION AND POSSIBLE ACTION FROM THE CITY COUNCIL TO APPROVE OR DENY THE RECOMMENDATION FROM THE PLANNING & ZONING COMMISSION FOR THE REPLAT

III. ADJOURN JOINT PUBLIC HEARINGS

A. ADJOURN PLANNING & ZONING COMMISSION PUBLIC HEARING

B. ADJOURN CITY COUNCIL PUBLIC HEARING

IV. CITIZENS/VISITORS COMMENTS

THIS IS AN OPPORTUNITY FOR CITIZENS AND VISITORS TO SPEAK TO COUNCIL RELATING TO AGENDA AND NON-AGENDA ITEMS. SPEAKERS ARE ADVISED THAT COMMENTS CANNOT BE RECEIVED ON MATTERS WHICH ARE THE SUBJECT OF A PUBLIC HEARING ONCE THE PUBLIC HEARING HAS BEEN CLOSED. SPEAKERS ARE REQUIRED TO REGISTER IN ADVANCE AND MUST LIMIT THEIR PRESENTATIONS TO FIVE (5) MINUTES EACH.

V. CONSENT AGENDA

ITEMS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED ROUTINE AND ARE GENERALLY ENACTED IN ONE MOTION. THE EXCEPTION TO THIS RULE IS THAT COUNCIL MEMBERS MAY REQUEST ONE OR MORE ITEMS BE REMOVED FROM THE CONSENT AGENDA FOR SEPARATE ACTION.

A. MINUTES:

- 1) COUNCIL SPECIAL MEETING BUDGET WORKSHOP AUGUST 3, 2023, AT 6:30 P.M.
- 2) JOINT PUBLIC HEARING AND REGULAR COUNCIL MEETING AUGUST 10, 2023, AT 7:00 P.M.

VI. BUSINESS ITEMS

A. PRESENTATION BY TRAVIS QUINN ON THE LAKE JACKSON MASONIC LODGE

B. CONSIDERATION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 43-2023 RATIFYING THE REPLAT APPROVED FOR 736 VINE STREET

C. CONSIDERATION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 44-2023 APPROVING THE REPLAT FOR 224 E. MAIN STREET

D. CONSIDERATION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 45-2023 FOR THE APPROVAL OF LEASING A PORTION OF THE PROPERTY LOCATED AT 105 E. MAIN STREET

E. CONSIDERATION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 46-2023 APPOINTING A CLUTE REPRESENTATIVE TO THE BRAZOSPORT WATER AUTHORITY BOARD

F. CONSIDERATION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 47-2023 APPOINTING MEMBERS TO THE TRAFFIC COMMISSION BOARD

- G. CONSIDERATION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 48-2023 AUTHORIZING THE MAYOR'S SIGNATURE ON THE ROAD AND BRIDGE INTERLOCAL AGREEMENT FOR FY 2023-2024 WITH BRAZORIA COUNTY
- H. CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 2023-010 AN ORDINANCE OF THE CITY OF CLUTE REVISING AND CLARIFYING SECTIONS 6.2 AND 6.3 OF THE CITY'S ZONING CODE AS IT PERTAINS TO FENCING
- I. CONSIDERATION AND POSSIBLE ACTION TO CANCEL THE SEPTEMBER 14, 2023 MEETING

V. CLOSED EXECUTIVE SESSION – 551.087

A. CLOSED EXECUTIVE SESSION AS AUTHORIZED BY THE TEXAS OPEN MEETINGS ACT:
SECTION 551.071, GOVERNMENT CODE – CONSULTATION WITH CITY ATTORNEY: CONCERNING PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS OR OTHER MATTERS IN WHICH IS THE DUTY OF THE ATTORNEY TO THE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH CHAPTER 551, GOVERNMENT CODE:

1. DISCUSSION OF POTENTIAL EMINENT DOMAIN

B. ACTION TAKEN AS A RESULT OF THE CLOSED EXECUTIVE SESSION:

VII. NOTICE/ANNOUNCEMENT OF UPCOMING EVENTS AND MEETINGS

A. LABOR DAY HOLIDAY, CITY OFFICES CLOSED, MONDAY, SEPTEMBER 4, 2023

B. PUBLIC HEARING ON PROPOSED TAX RATE; PUBLIC HEARING ON PROPOSED BUDGET; SPECIAL COUNCIL MEETING TO ADOPT FY 2023-2024 BUDGET ORDINANCE AND ADOPT FY 2023-2024 TAX RATE ORDINANCE, THURSDAY, SEPTEMBER 7, 2023, AT 6:30 P.M.


C. REGULAR COUNCIL MEETING, THURSDAY, SEPTEMBER 14, 2023, AT 7:00 P.M.

D. REGULAR COUNCIL MEETING, THURSDAY, SEPTEMBER 28, 2023, AT 7:00 P.M.

VIII. ADJOURNMENT HEARING

NOTE: IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND PARKING SPACES ARE AVAILABLE. PLEASE NOTE: REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS IN ADVANCE OF THE STATED MEETING TIME. PLEASE CONTACT THE CITY CLERK'S OFFICE AT 979-265-2541 FOR ADDITIONAL INFORMATION.

I, ROSIE POITEVINT, CITY CLERK OF THE CITY DO HEREBY CERTIFY THAT THE ABOVE NOTICE OF MEETING AND AGENDA FOR THE CITY COUNCIL OF THE CITY OF CLUTE, TEXAS WAS POSTED ON **AUGUST 21, 2023, BY 5:00 P.M.** IN A PLACE CONVENIENT AND READILY ACCESSIBLE AT ALL TIMES TO THE GENERAL PUBLIC IN COMPLIANCE WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE.



ROSIE POITEVINT, CITY CLERK