



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, JANUARY 11, 2024 @ 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, JANUARY 11, 2024 @ 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. 1ST – JOINT PUBLIC HEARING – SUP – CHURCH 119 BRAZOSPORT BLVD.

A. LEGAL REQUIREMENTS

- 1) NOTICE OF JOINT PUBLIC HEARING WITH PLANNING AND ZONING COMMISSION FOR A SPECIFIC USE PERMIT FOR PROPERTY LOCATED AT 119 BRAZOSPORT BLVD. LEGAL DESCRIPTION: OAK PARK PLAZA (A0066 J E GROCE) (CLUTE) BLK 5 LOT 4E-4F - BLK 5 LOT 5E ACRES 3.072
- 2) NOTE PUBLISHER' AFFIDAVIT
- 3) NOTE LIST OF PROPERTY OWNERS NOTIFIED BY MAIL

B. OPEN FLOOR FOR DISCUSSION

- 1) THOSE IN FAVOR OF THE SPECIFIC USE PERMIT
 - i. READ LETTERS FROM CITIZENS IN FAVOR OF THE SPECIFIC USE PERMIT
 - ii. HEAR THOSE PRESENT IN FAVOR OF THE SPECIFIC USE PERMIT
- 2) THOSE OPPOSED TO THE SPECIFIC USE PERMIT
 - i. READ LETTERS FROM CITIZENS OPPOSED TO THE SPECIFIC USE PERMIT
 - ii. HEAR THOSE PRESENT OPPOSED TO THE SPECIFIC USE PERMIT
- 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 SPECIFIC USE PERMIT

2ND JOINT PUBLIC HEARING – SUP – GROUND RESIDENCE AT STORAGE FACILITY 921 S. SHANKS ST.

A. LEGAL REQUIREMENTS

- 1) NOTICE OF JOINT PUBLIC HEARING WITH PLANNING AND ZONING COMMISSION FOR A SPECIFIC USE PERMIT FOR PROPERTY LOCATED AT 921 S. SHANKS ST. LEGAL DESCRIPTION: BCIC DIV 14 LOT 566B A0049 A CALVIT, CLUTE ACRES 2.078
- 2) NOTE PUBLISHER' AFFIDAVIT
- 3) NOTE LIST OF PROPERTY OWNERS NOTIFIED BY MAIL

B. OPEN FLOOR FOR DISCUSSION

- 1) THOSE IN FAVOR OF THE SPECIFIC USE PERMIT
 - i. READ LETTERS FROM CITIZENS IN FAVOR OF THE SPECIFIC USE PERMIT
 - ii. HEAR THOSE PRESENT IN FAVOR OF THE SPECIFIC USE PERMIT
- 2) THOSE OPPOSED TO THE SPECIFIC USE PERMIT
 - i. READ LETTERS FROM CITIZENS OPPOSED TO THE SPECIFIC USE PERMIT
 - ii. HEAR THOSE PRESENT OPPOSED TO THE SPECIFIC USE PERMIT
- 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 SPECIFIC USE

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) REGULAR COUNCIL MEETING DECEMBER 14, 2023, AT 7:00 P.M.

VI. BUSINESS ITEMS

- A. PROCLAMATION: SCHOOL CHOICE WEEK JANUARY 21-27, 2024
- B. PRESENTATION: COMMEMORATIVE PRESENTATION TO THE DENTON FAMILY IN RECOGNITION OF THEIR CONTRIBUTIONS TO THE CITY OF CLUTE
- C. CONSIDERATION AND POSSIBLE ACTION ON ANNUAL REVIEW TO RETAIN THE ETHICS POLICY ORDINANCE WITHOUT CHANGES FOR APPOINTED AND ELECTED OFFICIALS, BOARDS AND COMMISSIONS, AND EMPLOYEES WHEN REPRESENTING THE CITY (OR) THE SCHEDULING OF A PUBLIC HEARING DATE FOR ANY POTENTIAL CHANGES
- D. CONSIDERATION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 01-2024 APPROVING WORK AUTHORIZATION/TASK ORDER FOR AGS TO COMPLETE THE SHANKS SIDEWALK EXTENSION
- E. CONSIDERATION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 02-2024 APPROVING AN ANNEXATION POLICY FOR RESIDENTS IN THE CITY'S EXTRA-TERRITORIAL JURISDICTION (ETJ) SEEKING CITY SERVICES
- F. CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 2024-001 FOR A SPECIFIC USE PERMIT FOR A CHURCH LOCATED AT 119 BRAZOSPORT BLVD.
- G. CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 2024-002 FOR A SPECIFIC USE PERMIT FOR A GROUND RESIDENCE AT A STORAGE FACILITY LOCATED AT 921 S. SHANKS ST.

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:
- B. DISCUSSION OF POTENTIAL LITIGATION – PARK INCIDENT
- C. ACTION TAKEN AS A RESULT OF THE CLOSED EXECUTIVE SESSION:

VII. NOTICE/ANNOUNCEMENT OF UPCOMING EVENTS AND MEETINGS

- A. MARTIN LUTHER KING DAY, MONDAY, JANUARY 15, 2024, CITY OFFICES CLOSED
- B. BRAZORIA COUNTY CITIES ASSOCIATION (BCCA) DINNER HOSTED BY CITY OF CLUTE, CLUTE EVENT CENTER, JANUARY 17, 2024, AT 6:30 P.M.
- C. REGULAR CITY COUNCIL MEETING, THURSDAY, JANUARY 25, 2024, AT 7:00 P.M.
- D. CITY COUNCIL MEETING, THURSDAY, FEBRUARY 8, 2024, AT 7:00 P.M.
- E. CITY COUNCIL MEETING, THURSDAY, FEBRUARY 22, 2024, 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 **JANUARY 8, 2024, 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