



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

CITY COUNCIL:

MAYOR: CALVIN SHIFLET

COUNCIL MEMBER: NICOLE MADDOX

MAYOR PRO-TEM: ERICK AGUILAR

COUNCIL MEMBER: JOE LOPEZ

COUNCIL MEMBER: JEFF CRISP

COUNCIL MEMBER: FRANCES VAUGHN

STAFF:

CITY MANAGER: CJ SNIPES

CITY CLERK: ROSIE POITEVINT

CITY ATTORNEY: CHRIS DUNCAN

**JOINT PUBLIC HEARING WITH PLANNING & ZONING
PUBLIC HEARING CITY COUNCIL AS BOARD OF ADJUSTMENTS AND APPEALS
REGULAR COUNCIL MEETING
THURSDAY, AUGUST 8, 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 AND A PUBLIC HEARING WITH COUNCIL ACTING AS THE BOARD OF ADJUSTMENTS AND APPEALS FOLLOWED BY A REGULAR COUNCIL MEETING TO BE HELD ON **THURSDAY, AUGUST 8, 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 ARE POSTED ON THE CITY'S WEBSITE AT www.clutetexas.gov

TO ADDRESS THE COUNCIL DURING PUBLIC COMMENTS, A GENERAL PUBLIC COMMENT FORM MUST BE COMPLETED AND PRESENTED TO THE CITY CLERK BEFORE THE START OF THE COUNCIL MEETING. SPEAKERS MUST OBSERVE THE FIVE (5) MINUTE TIME LIMIT.

NO REGISTRATION IS REQUIRED FOR PUBLIC COMMENTS FOR 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 – REPLAT – 1164 LAKE STREET

A. LEGAL REQUIREMENTS

1. NOTICE OF JOINT PUBLIC HEARING WITH PLANNING AND ZONING COMMISSION FOR A REPLAT FOR PROPERTY LOCATED AT 1164 LAKE STREET. LEGAL DESCRIPTION: DAVIDSON NO 1 (A0066 J E GROCE)(CLUTE) BLK 4 LOT 18
2. NOTE PUBLISHER' AFFIDAVIT
3. NOTE LIST OF PROPERTY OWNERS NOTIFIED BY MAIL

B. OPEN FLOOR FOR DISCUSSION

1. THOSE IN FAVOR OF 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 ON FINAL PLAT
6. CONSIDERATION AND POSSIBLE ACTION FROM THE CITY COUNCIL TO APPROVE OR DENY THE RECOMMENDATION FROM THE PLANNING & ZONING COMMISSION FOR THE FINAL PLAT

2ND JOINT PUBLIC HEARING – SPECIFIC USE PERMIT – CHURCH 1033 #B DIXIE DRIVE

A. LEGAL REQUIREMENTS

1. NOTICE OF JOINT PUBLIC HEARING WITH PLANNING AND ZONING COMMISSION FOR A SPECIFIC USE PERMIT FOR PROPERTY LOCATED AT 1033 #B DIXIE DRIVE. LEGAL DESCRIPTION: B C I C DIV 15 (A0019 S F AUSTIN) LOT 166-167-167D-177A CLUTE ACRES 2.607
2. NOTE PUBLISHER' AFFIDAVIT
3. NOTE LIST OF PROPERTY OWNERS NOTIFIED BY MAIL

B. OPEN FLOOR FOR DISCUSSION

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

III. ADJOURN JOINT PUBLIC HEARINGS

A. ADJOURN PLANNING & ZONING COMMISSION

B. MAYOR ADJOURN JOINT PUBLIC HEARINGS

IV. PUBLIC HEARING – CITY COUNCIL AS BOARD OF ADJUSTMENTS AND APPEALS – VARIANCE - 218 BROCKMAN STREET

A. LEGAL REQUIREMENTS

1. NOTICE OF PUBLIC HEARING
2. NOTE PUBLISHERS' AFFIDAVIT
3. NOTE LIST OF PROPERTY OWNERS NOTIFIED BY MAIL

B. PUBLIC COMMENTS

1. VARIANCE TO ALLOW A PROPOSED USE FOR THE BUILDING/CONSTRUCTION OF TWO HOMES ON NON-CONFORMING LOTS FOR PROPERTY LOCATED 218 BROCKMAN STREET LEGALLY DESCRIBED AS: MAGNESS (A0049 A CALVIT DIV 14 (B C I C)) LOT 307A-307C1-307C2 (CLUTE)

C. CLOSE PUBLIC COMMENTS

D. ACTION TAKEN AS RESULT OF PUBLIC HEARING

1. CONSIDERATION AND POSSIBLE ACTION FOR TO APPROVE OR DENY A VARIANCE REQUEST FOR THE ENCROACHMENT OF THE BUILDING LINE SETBACK ON THE PROPERTY LOCATED AT 218 BROCKMAN STREET LEGALLY DESCRIBED AS: MAGNESS (A0049 A CALVIT DIV 14 (B C I C)) LOT 307A-307C1-307C2 (CLUTE)

E. ADJOURN PUBLIC HEARING

V. 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.

VI. 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) JPH & REGULAR COUNCIL MEETING, JULY 11, 2024
- 2) SPECIAL COUNCIL MEETING, JULY 16, 2024
- 3) 1ST BUDGET WORKSHOP, JULY 23, 2024
- 4) 2ND BUDGET WORKSHOP, JULY 25, 2024

VII. BUSINESS ITEMS

- A. CONSIDERATION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 48-2024 RATIFYING DISASTER DECLARATION FOR TROPICAL STORM/ HURRICANE BERYL
- B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 47-2024 A RESOLUTION OF THE CITY OF CLUTE APPROVING THE PROCUREMENT OF A TEMPORARY PA ASSISTANCE WORK ORDER THROUGH THE NCTCOG PURCHASING COOPERATIVE AND FUTURE RFP/RFQ FOR FEMA FUNDS RECAPTURE RESULTING FROM THE RESPONSE AND RECOVERY EFFORTS RELATED TO THE HURRICANE BERYL DISASTER
- C. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. 49-2024 A RESOLUTION OF THE CITY OF CLUTE APPROVING INTERLOCAL AGREEMENT BETWEEN THE CITY AND BRAZORIA COUNTY FOR THE REMEDIATION OF DEBRIS IN AND ALONG OYSTER CREEK
- D. CONSIDERATION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 50-2023 AUTHORIZING THE MAYOR'S SIGNATURE ON THE INTERLOCAL AGREEMENT FOR FY 2024-2025 WITH BRAZORIA COUNTY FOR ROAD REPAIR

- E. CONSIDERATION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 51-2024 APPROVING THE FINAL PLAT LOCATED AT 1164 LAKE STREET
- F. CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE No. 2024-010 FOR A SPECIFIC USE PERMIT FOR A CHURCH LOCATED AT 1033 #B DIXIE DRIVE

VIII. NOTICE/ANNOUNCEMENT OF UPCOMING EVENTS AND MEETINGS

- A. FINAL BUDGET WORKSHOP – RECORD VOTE ON PRELIMINARY TAX RATE AND SETTING OF PUBLIC HEARINGS FOR TAX RATE AND BUDGET, THURSDAY, AUGUST 15, 2024, AT 6:30 P.M. (RECOMMENDED DATE: SEPTEMBER 12, 2024 AT 6:30 P.M.)
- B. LABOR DAY HOLIDAY, CITY OFFICES CLOSED, MONDAY, SEPTEMBER 2, 2024
- C. PUBLIC HEARING ON BUDGET AND TAX RATE, ROLL CALL VOTES TO ADOPT BUDGET ORDINANCE AND THEN TAX RATE ORDINANCE, THURSDAY, SEPTEMBER 12, 2024, AT 6:30 P.M. AND REGULAR CITY COUNCIL MEETING TO FOLLOW
- D. REGULAR COUNCIL MEETING, THURSDAY, SEPTEMBER 26, 2024, AT 7:00 P.M.

IX. ADJOURNMENT

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 5, 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