



THE FOLLOWING REPRESENTS THE ACTIONS TAKEN BY THE ANGLETON CITY COUNCIL IN THE ORDER THEY OCCURRED DURING THE MEETING. THE CITY COUNCIL OF ANGLETON, TEXAS CONVENED IN A MEETING ON TUESDAY, MAY 24, 2022 AT 6:00 P.M., IN THE ANGLETON CITY HALL COUNCIL CHAMBERS, 120 S. CHENANGO, ANGLETON, TEXAS.

DECLARATION OF A QUORUM AND CALL TO ORDER

With a quorum present, Mayor Perez called the Council Meeting to order at 6:00 P.M.

PRESENT

Mayor Jason Perez
Mayor pro-tem John Wright
Council Member Cecil Booth
Council Member Mark Gongora
Council Member Mikey Svoboda
Council Member Travis Townsend

PLEDGE OF ALLEGIANCE

Mayor Perez led the Pledge of Allegiance.

INVOCATION

Council Member Booth led the invocation.

CITIZENS WISHING TO ADDRESS CITY COUNCIL

There were no speakers.

CEREMONIAL PRESENTATIONS

1. Ceremonial Presentation of May Keep Angleton Beautiful Yard of the Month and Business of the Month.

Yard of the Month was presented to Brian and Dana Ernst at 2 Pecan Place and Business of the Month was presented to Angleton Veterinary Clinic, Dr. Sherry Clark, at 1717 E Mulberry.

2. Presentation of the TXU Leadership Sustainability Award.

The Leadership in Sustainability Award was presented to Megan Mainer, Director of Parks & Recreation.

CONSENT AGENDA

The following were enacted with one motion.

Item 3 was pulled for discussion.

Item 4 was pulled for discussion.

5. Discussion and possible action on a resolution denying the distribution cost recovery factor rate request of Texas-New Mexico power company made on or about April 5, 2022; authorizing participation in a coalition of similarly situated cities; authorizing participation in related rate proceedings; requiring the reimbursement of municipal rate case expenses; authorizing the retention of special counsel; finding that the meeting complies with the open meetings act; making other findings and provisions related to the subject; and declaring an effective date.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Booth, Council approved Resolution No. 20220524-005. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

6. Discussion and possible action on a resolution designating authorized signatories for contractual documents and documents for requesting funds pertaining to the General Land Office Community Development Block Grant – Mitigation Supplemental Program (CDBG-MIT Supplemental) Contract # 22-119-002-D360 and providing that this resolution shall become effective from and after its passage.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Booth, Council approved Resolution No. 20220524-006. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

7. Discussion and possible action on a resolution designating authorized adopting/reaffirming the Civil Right Policies and Procedures for the General Land Office Community Development Block Grant – Mitigation Supplemental Program (CDBG-MIT Supplemental) Contract # 22-119-002-D360 and providing that this resolution shall become effective from and after its passage.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Booth, Council approved Resolution No. 20220524-007. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

Item 8 was pulled for discussion.

Item 9 was pulled for discussion.

10. Discussion and possible action on a resolution adopting a policy and procedure for contacting our medically fragile residents during and after a disaster or other event that may have a negative impact on the community.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Booth, Council approved Resolution No. 20220524-010. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

11. Discussion and possible action on a letter to the Texas General Land Office regarding the creation of a City Hazard Mitigation Action Plan.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Booth, Council approved the letter to the Texas General Land Office. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

12. Discussion and possible action on an ordinance amending the Parks and Recreation tables in the fee schedule in the consolidated schedule of fees of the code of ordinances of the City of Angleton, Texas, revising and providing for an increase in the rates to be charged for membership by the City of Angleton; providing for repeal of conflicting ordinances; providing severability clause; providing for an open meetings clause; providing a penalty; and providing an effective date.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Booth, Council approved Ordinance No. 20220524-012. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

13. Discussion and possible action on Angleton Recreation Center hours of operation.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Booth, Council approved the Angleton Recreation Center hours of operation. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

14. Discussion and possible action on the Parks & Recreation Standards Manual.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Booth, Council approved the Parks & Recreation Standards Manual. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

15. Discussion and possible action on a variance to waive fees for the Juneteenth Mass Gatherings Permit.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Booth, Council approved the variance to waive fees for the Juneteenth Mass Gathering Permit. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

Item 16 was pulled for discussion.

17. Discussion and possible action on the Quarterly Investment Reports for December 2021.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Booth, Council approved the Quarterly Investment Reports for December 2021. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

18. Discussion and possible action to approve the Quarterly Investment Reports for March 2022.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Booth, Council approved the Quarterly Investment Reports for March 2022. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

19. Discussion and possible action on a waiver of all permitting and building fees associated with the reconstruction of a residential structure at 317 N. Parrish Street.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Booth, Council approved to waiver all permitting and building fees. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

Item 20 was pulled for discussion.

REGULAR AGENDA

3. Discussion and possible action on an agreement with JustFOIA for public information requests management software.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Gongora, Council approved the agreement with JustFOIA. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

Council was directed to return with the fee schedule.

4. Discussion and possible action on a resolution appointing the Planning and Zoning Commission as the Capital Improvements Advisory Committee and appointing a representative that resides in the extra-territorial jurisdiction of the City of Angleton, Texas who is not an employee or official of a political subdivision or governmental entity as an ad hoc voting member of the Planning and Zoning Commission when it acts as the Capital Improvements Advisory Committee; providing for repeal; and providing for an effective date.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Gongora, Council approved Resolution No. 20220524-004, appointing Williams Tigner as the ETJ Member. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

8. Discussion and possible action on resolution extending the disaster declaration signed by the Mayor on March 17, 2020, through June 11, 2022; repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Booth, Council approved Resolution No. 20220524-008. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

9. Discussion and possible action on a resolution extending the disaster declaration signed by the Mayor on March 17, 2020, through July 10, 2022; repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Booth, Council approved Resolution No. 20220524-009. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

16. Discussion and possible action on a perpetual sidewalk easement agreement with Robert R. Jones, due to tree roots making the sidewalk impassable and dangerous.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Booth, Council approved the perpetual sidewalk easement agreement. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

20. Discussion and possible action on an interlocal agreement with South Central Planning and Development Commission (SCPDC) through its agent, the Capital Area Council of Governments (CAPCOG), for the provision of My Government Online software for the Development Services Department.

Upon a motion by Council Booth and seconded by Council Member Svoboda, Council approved the interlocal agreement with South Central Planning and Development Commission (SCPDC) through its agent, the Capital Area Council of Governments (CAPCOG). The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

PUBLIC HEARINGS AND ACTION ITEMS

22. Conduct a public hearing to determine whether the structure located on the property at 320 W. Peach Street, Angleton, Brazoria County, Texas 77515 complies Chapter 5 - Buildings and Building Regulations and Chapter 11 - Housing of the Code of Ordinances; and whether such structure shall be demolished in accordance with Chapter 5 - Buildings and Building Regulations, Article XII - Substandard Buildings, Sec. 5-572 - "Authority regarding substandard building" of the Code of Ordinances.

Upon a motion by Council Member Booth and seconded by Council Member Gongora, Council opened the public hearing. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

The public hearing was conducted and upon a motion by Mayor pro-tem Wright and seconded by Council Member Gongora, Council closed the public hearing. Council Member Townsend was off the dais.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Svoboda, Council required the owner to submit a written plan of action by 5:30 P.M. on June 1, 2022 to be completed in 90 days and return to review. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

21. Conduct a public hearing in accordance to determine whether the structure located on the property at 316 W. Rogers Street, Angleton, Brazoria County, Texas 77515 complies Chapter 5 - Buildings and Building Regulations and Chapter 11 - Housing of the Code of Ordinances; and whether such structure shall be demolished in accordance with Chapter 5 - Buildings and Building Regulations, Article XII - Substandard Buildings, Sec. 5-572 - "Authority regarding substandard building" of the Code of Ordinances.

Upon a motion by Council Member Booth and seconded by Council Member Gongora, Council opened the public hearing. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

The public hearing was conducted and upon a motion by Council Member Booth and seconded by Council Member Gongora, Council closed the public hearing. Council Member Townsend was off the dais.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Svoboda, Council required the owner to submit a written plan of action by 5:30 P.M. on June 1, 2022 to be completed in 90 days and return to Council for review. The motion passed on a 6-0 vote.

23. Conduct a public hearing in to determine whether the structure, located on the property at 504 Farrer Street, Angleton, Brazoria County, Texas complies with Chapter 5 - Buildings and Building Regulations and Chapter 11 - Housing of the Code of Ordinances; and whether such structure shall be demolished in accordance with Chapter 5 - Buildings and Building Regulations, Article XII - Substandard Buildings, Sec. 5-572 - "Authority regarding substandard building" of the Code of Ordinances.

Upon a motion by Council Member Booth and seconded by Mayor pro-tem Wright, Council opened the public hearing. The motion passed on a 5-0 vote. Council Member Townsend was absent.

The public hearing was conducted and upon a motion by Council Member Booth and seconded by Mayor pro-tem Wright, Council closed the public hearing. The motion passed on a 5-0 vote. Council Member Townsend was absent.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Svoboda, Council deemed the structure substandard and have it demolished within 30 days. The motion passed on a 6-0 vote.

24. Conduct a public hearing, discussion, and possible action on an ordinance rezoning an approximate 2.748 acres in the J. De J. Valderes Survey, Abstract No. 380, City of Angleton, Brazoria County, Texas, from the Commercial General (C-G) District to the Single Family Residential-7.2 (SF-7.2) District.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Gongora, Council opened the public hearing. The motion passed on a 6-0 vote.

The public hearing was conducted and upon a motion by Mayor pro-tem Wright and seconded by Council Member Booth, Council closed the public hearing. The motion passed on a 6-0 vote.

Upon a motion by Council Member Booth and seconded by Mayor pro-tem Wright, Council approved Ordinance 20220524-024. The motion passed on a 6-0 vote.

25. Conduct a public hearing, discussion, and possible action on an ordinance authorizing a Specific Use Permit for use of a recreational vehicle as a residence on property described as Lot 24, Block 134, of the Lorraine Subdivision.

Upon a motion by Mayor Perez opened the public hearing without objection.

Upon a motion by Mayor Perez closed the public hearing without objection.

Upon a motion by Council Member Booth and seconded by Council Member Svoboda, Council approved Ordinance 20220524-025 for 6 months. The motion passed on a 5-1 vote. Council Member Townsend voted against.

26. Conduct a public hearing, discussion, and possible action on an ordinance annexing an approximate 20.00 acres into the City of Angleton and an annexation service plan.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Townsend, Council opened the public hearing. The motion passed on a 6-0 vote.

The public hearing was conducted and upon a motion by Mayor pro-tem Wright and seconded by Council Member Booth, Council closed the public hearing. The motion passed on a 6-0 vote.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Gongora, Council opened the public hearing. The motion passed on a 6-0 vote.

Council directed staff to return on August 9, 2022.

27. Conduct a public hearing, discussion, and possible action on the preliminary replat of Riverwood Ranch Sections 3 & 4.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Gongora, Council opened the public hearing. The motion passed on a 6-0 vote.

The public hearing was conducted and upon a motion by Mayor pro-tem Wright and seconded by Council Member Gongora, Council closed the public hearing. The motion passed on a 6-0 vote.

Upon a motion by Council Member Booth and seconded by Council Member Svoboda, Council approved the preliminary replat of Riverwood Ranch Sections 3 & 4 subject to the following City Engineers comments:

1. Please provide a revised preliminary to incorporate the minor textual and format items noted on the attached preliminary plat PDF.
2. The Angleton Drainage District (A.D.D.) approval will be required as part of the Construction Plans and Final Plat approval.
3. ~~A Variance Request was provided by Mr. Michael Foley regarding A Traffic Impact Analysis (TIA) for the proposed subdivision. Unfortunately, the request has been denied based on the threshold requirement for exceeding peak hour trips (>100 VHP) as listed in the Angleton LDC Sec. 23-25. This is interpreted from the number of trips generated from the overall development (i.e. Riverwood Ranch Section 1-4) and not per driveway. Therefore a TIA will be required for the proposed Subdivision and a scoping meeting will be coordinated accordingly to review this information.~~
4. ~~A Geotechnical Report, (PSI Intertek, dated December 6, 2019) has been provided for the proposed overall subdivision; however, an amended report will be required to include additional geotechnical borings for providing recommendations for the proposed paving and detention pond area within Section 3 & 4. The current boring spacings provided do not meet City of Angleton Construction Manual requirements.~~
5. Pending Planning and Zoning and City Council approval, a Final Plat and Construction Plans shall be prepared in accordance to the Developer's Agreement and in accordance to the Angleton Land Development Code (LDC) and processes.

The motion passed on a 4-2 vote. Mayor pro-tem Wright and seconded by Council Member Townsend voted against.

Mayor Perez recessed the Council Meeting at 9:08 P.M.

Mayor Perez reconvened the Council Meeting back to order at 9:19 P.M.

REGULAR AGENDA

28. Discussion and possible action on an ordinance authorizing the issuance and sale of the City of Angleton, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2022; levying a tax and providing for the security and payment thereof; and enacting other provisions relating thereto.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Gongora, Council approved Ordinance No. 20220524-028. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

29. Discussion and possible action on the sale of property within the City limits.

Council directed the City Manager to survey and appraise the property.

30. Discussion and possible action on the Houston-Galveston Area Council (H-GAC) Transportation Improvement Program Grant (TIP) for Henderson Road Improvement Project

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Gongora, Council authorized the City Manager to pursue the H-GAC Transportation Improvement Program Grant. The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

31. Discussion and possible action on Riverwood Ranch private park.

Upon a motion by Mayor pro-tem Wright and seconded by Council Member Gongora, Council denied the request for credit of the private park towards dedication requirement or payment in lieu of dedication. The motion passed on a 3-2 vote. Council Member Townsend was off the dais. Mayor Perez and Council Member Booth voted against.

32. Discussion and possible action on the Austin Colony Development Agreement.

This item was pulled from the agenda.

33. Discussion and possible action on Heritage Park Section Three Final Plat.

Upon a motion by Council Member Booth and seconded by Mayor pro-tem Wright, Council approved the final plat with the following conditions:

1. The Angleton Drainage District provided a letter of approval, dated April 26, 2022, with stipulations noted and is provided as an attachment in this review. No additional action is required.
2. Prior to bidding of the project, a geotechnical report shall be provided for review of the recommendations provided for the proposed streets and other pertinent recommendations for the proposed Subdivision. Upon review of the report, the applicable plan sheets and details shall be revised to include this information.
3. Coordination shall be made with Fire Department review of the proposed street layout and cul-de-sac for fire access to the Subdivision.
4. Prior to acceptance of the Subdivision, the existing lift station (LS#36) shall be reviewed with Public Works to verify the configuration of the lift station pumping and control settings have been adjusted accordingly to accommodate wastewater from Section 3.
5. Coordination shall be made with Development Services regarding the condition and maintenance of the existing detention pond prior acceptance of the Subdivision.
6. Receipt of construction plans and plat that reflect no attachment to the Heritage Park subdivision or detention pond.
7. Subdivision name change.
8. City Attorney review.

The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

34. Discussion and possible action to provide staff direction on amending the public acceptance process.

Upon a motion by Council Member Booth and seconded by Mayor pro-tem Wright, Council approved the public acceptance process with the following:

1. A two-year maintenance bond.
2. The maintenance bond be 100% of the cost of the public improvements.
3. The acceptance be a staff administered process.
- 4.

The motion passed on a 5-0 vote. Council Member Townsend was off the dais.

ADJOURNMENT

The meeting was adjourned at 10:55 P.M.

These minutes were approved by Angleton City Council on this the 14th day of June, 2022.

CITY OF ANGLETON, TEXAS

Frances Aguilar, TRMC, MMC
City Secretary