



**CITY OF ANGLETON, TEXAS
PUBLIC NOTICE OF A CITY COUNCIL MEETING
TUESDAY, FEBRUARY 05, 2019
@ 6:00 P.M.
120 S. CHENANGO STREET ANGLETON, TEXAS 77515**

Notice is hereby given pursuant to V.T.C.A., Government Code, Chapter 551, that the City Council for City of Angleton will conduct a meeting, open to the public, on Tuesday, February 05, 2019, at 6:00 p.m., at the City of Angleton Council Chambers located at 120 S. Chenango Street Angleton, Texas 77515.

AGENDA

1. Declaration of a quorum and call the meeting to order. (Jason Perez, Mayor)
2. Pledge of Allegiance. (Williams Tigner, Council Member)
3. Invocation. (Cody Vasut, Council Member)
4. Citizens wishing to address the City Council.

All speakers should address City Council from the podium.

The Presiding Officer may permit limited public comment. The Presiding Officer may establish time limits based upon the number of speaker requests, the length of the agenda, and to ensure meeting efficiency, and may include a cumulative time limit.

Public Hearing Items: Applicants are limited to ten (10) minute presentations with a five (5) minute rebuttal if needed. Remaining speakers are limited to thirty (30) total minutes of testimony time, with three (3) minutes assigned per speaker. The presiding officer may extend these times as deemed necessary.

CONSENT AGENDA:

5. City Council meeting minutes from;
 - a. January 22, 2019 (Scott Albert)

REGULAR AGENDA:

6. Discussion and possible action regarding Ordinance No. 1-02-2019 dedicating a 10.0 foot wide public utility easement in the I.T. Tinsley survey, Abstract 375, in a public alley that was dedicated to the City of Angleton in the Angleton Townsite subdivision plat, adjoining the length of the East property line of Lot 11, Block 104, Angleton Townsite Subdivision, as recorded in the Brazoria County Clerk's File No. 16-019959, and that was partially vacated by the City of Angleton by Ordinance No. 2-01-2019 on January 22, 2019, between the North right-of-way of West Munson Street a distance of approximately 140.0 feet to the Southern right-of-way of a 20-foot public alley that parallels west Munson Street. (Randy Anderson)
7. Discussion and possible action regarding an Interlocal Agreement between the City of Angleton and Baileys Prairie regarding the development of property located in the ETJ of both jurisdictions west of SH 288, south of Sebesta Road, and north of CR 290/Union Pacific Railroad R.O.W. (Randy Anderson)

EXECUTIVE SESSION AGENDA:

8. Council will adjourn into Executive Session as authorized by Texas Government Code:
 - Section 551.072 (Deliberations about Real Property) to discuss the purchase, exchange, lease, or value of real property;
 - Section 551.071 (Consultation with the City Attorney).
9. Adjournment

The City Council reserves the right to meet in Executive Session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551 of the Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices) and 551.087 (economic development). The description of an item in "Executive Sessions" constitutes the written interpretation by the City Attorney of Chapter 551 of the Texas Government Code and his determination that said item may be legally discussed in Closed Meeting in compliance with Chapter 551 of the Texas Government Code.

In compliance with the Americans with Disabilities Act, the City of Angleton will provide reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 24 hours before the meetings. Please contact Scott Albert, City Manager, at 979-849-4364, extension 2112.

CERTIFICATION

I certify that copies of this agenda of items to be considered by the City of Angleton City Council were posted in the following location:

City Hall Bulletin Board: Date: _____ Time: _____

Scott Albert, City Manager



**CITY OF ANGLETON
TUESDAY, JANUARY 22, 2019
CITY COUNCIL CALLED MEETING MINUTES**

MINUTES OF A CALLED MEETING OF THE ANGLETON CITY COUNCIL THAT WAS HELD ON TUESDAY, JANUARY 22, 2019, AT 6:00 PM AT ANGLETON CITY HALL COUNCIL CHAMBERS, 120 S. CHENANGO, ANGLETON, TEXAS.

AGENDA

1. Declaration of a quorum and call the meeting to order.
2. Pledge of Allegiance.
3. Invocation.
4. Citizens wishing to address the City Council.

Larry Shaefer addressed council regarding the animal ordinance and new restaurant rules.

CONSENT AGENDA:

5. City Council meeting minutes from;
 - a. January 8, 2019
6. Accounts Payable Report for November 2018.
7. Financial Reports for November 2018.
8. Approving an emergency expenditure to repair a wastewater line at 1828 S. Velasco.

9. Resolution No. 1-01-2019 authorizing the City Manager Scott Albert to perform any and all duties of the City Secretary until such time as a permanent City Secretary is appointed.

Upon a motion by Council Member Wright and seconded by Council Member Tigner, Council approved the consent agenda.

Motion passed.

REGULAR AGENDA:

10. Discussion and possible action regarding a joint contract for election services with Brazoria County.

Upon a motion by Council Member Wright and seconded by Council Member Tigner, Council approved the contract for election services with Brazoria County.
Motion passed.

11. Discussion and possible action regarding Ordinance No. 1-01-2019 ordering a General Election to be held on the 4th day of May, 2019, for the purpose of electing a Mayor and Council person to Position Two (2) and Council person to Position Four (4) and designating the polling places and providing that all persons desiring to have their name placed on the official ballot as a candidate file an application not later than 5:00 p.m. on February 15, 2019, for the General Election with the City Secretary and providing for a joint election with any entity contracting with Brazoria County for the May 4, 2019 election and providing for the place of such election to be held and providing for early voting.

Upon a motion by Mayor Pro Tem McDaniel and seconded by Council Member Sillavan, Council approved Ordinance No. 1-01-2019.
Motion passed.

12. Discussion and possible action regarding a proposal from GreenPlay LLC for the development of a Comprehensive Parks & Recreation Master and Strategic Plan.

Upon a motion by Mayor Pro Tem McDaniel and seconded by Council Member Wright, Council approved the proposal from GreenPlay.

Motion passed.

13. Discussion and possible action regarding Ordinance No. 2-01-2019 vacating the Western 10 feet of a 20-foot wide public alley right-of-way located in the I.T. Tinsley survey, Abstract 375, dedicated to the City of Angleton in the Angleton Townsite subdivision plat, adjoining the length of the East Property Line of Lot 11, Block 104, Angleton Townsite Subdivision, as recorded in the Brazoria County Clerk's File No. 16-019959 between the north right-of-way of West Munson Street a distance of approximately 140.0 feet to the Southern right-of-way of a 20-foot public alley that parallels West Munson street, authorizing the sale of such vacated alley right-of-way to one or more abutting property owners who own the underlying fee simple.

Upon a motion by Council Member Wright and seconded by Council Member Tigner, Council approved Ordinance No. 2-01-2019.

Motion passed.

WORK SESSION AGENDA:

Discussion regarding the City's ISO rating and audit of the City's Building Codes.

General Discussion

DEPARTMENT REPORTS FOR NOVEMBER:

General Discussion

EXECUTIVE SESSION AGENDA:

14. Council will adjourn into Executive Session as authorized by Texas Government Code:

- Section 551.072 (Deliberations about Real Property) to discuss the purchase, exchange, lease, or value of real property;

Council did not adjourn into Executive Session.

15. Adjournment – since there was no further action or discussion the meeting was adjourned.

Minutes approved by City Council on _____

Jason Perez, Mayor _____

Scott Albert, City Manager _____



CITY COUNCIL AGENDA ITEM
Meeting Date: February 5, 2019

Discussion and action regarding the dedication of a 10-foot utility easement adjoining the property addressed as 216 West Munson Street.

Consent item Discussion item
 Discussion and possible action Public Hearing

REQUESTED BY: Randy Anderson, Assistant City Manager

EXECUTIVE SUMMARY:

On January 22, 2019, the City Council approved Ordinance Number 2-01-2019 to vacate the western half of a 20-foot alley at 216 West Munson Street on the basis that the alley was not being used for access or as a utility corridor.

Immediately after this ordinance was adopted, it was discovered that an 8-inch sanitary sewer main is located in the eastern half of this alley right-of-way. This ordinance would cover the 8-inch line with a 10-foot wide utility easement. The sewer line is located close enough to the former alley centerline to require that 5-feet of the proposed utility easement be located on the western half of the alley vacated by Ordinance Number 2-01-2019. Jim Luna, the owner of the adjoining property, was made aware of this situation immediately and verbally consented to the easement since the 5-feet of the easement on his lot would coincide with a required 5-foot building setback and would not affect his plans to construct a home at 216 West Munson Street.

The Quit Claim deed approved with Ordinance Number 2-01-2019 has been executed, but has not been recorded. If the ordinance dedicating a 10-foot utility easement is approved, staff proposes to record the half-alley vacation, the 10-foot utility dedication, and the Quit Claim together so that the public records for all of these actions reside in the same location of the public records.

Attached with this report is an Exhibit that shows the western half of the alley vacated by Ordinance Number 2-01-2019 with yellow shading all the way from Lot 11 to the former center-line of the alley. The proposed Utility Easement is depicted in red shading to be located 5-feet on each side of the former alley center-line, thereby creating a 10-foot wide Utility Easement.

City Council Action: Staff recommends that City Council approve the attached ordinance to dedicate a 10-foot wide Utility Easement.

Randy Anderson, Assistant City Manager
Name

February 5, 2019
Date

ORDINANCE NO. 1-02-2019

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, DEDICATING A 10.0 FOOT WIDE PUBLIC UTILITY EASEMENT IN THE I. T. TINSLEY SURVEY, ABSTRACT 375, IN A PUBLIC ALLEY THAT WAS DEDICATED TO THE CITY OF ANGLETON IN THE ANGLETON TOWNSITE SUBDIVISION PLAT, ADJOINING THE LENGTH OF THE EAST PROPERTY LINE OF LOT 11, BLOCK 104, ANGLETON TOWNSITE SUBDIVISION, AS RECORDED IN THE BRAZORIA COUNTY CLERK'S FILE NO. 16-019959, AND THAT WAS PARTIALLY VACATED BY THE CITY OF ANGLETON BY ORDINANCE NO. 2-01-2019 ON JANUARY 22, 2019, BETWEEN THE NORTH RIGHT-OF-WAY OF WEST MUNSON SREET A DISTANCE OF APPROXIMATELY 140.0 FEET TO THE SOUTHERN RIGHT-OF-WAY OF A 20-FOOT PUBLIC ALLEY THAT PARALLELS WEST MUNSON STREET, PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

* * * * *

WHEREAS, the City of Angleton, Texas ("City") owned in fee simple a 20-foot wide alley conveyed by the Angleton Townsite Plat adjoining the length of Lot 11, Block 104, north of the right-of-way of West Munson Street, a distance of approximately 140.0 feet to the right-of-way of another 20-foot wide alley that parallels West Munson Street, as described in Brazoria County Clerk File No. 16-0199559, as depicted by **Exhibit A**, attached hereto; and

WHEREAS, the City vacated the western 10-feet of the said alley by Ordinance Number 2-01-2019 on January 22, 2019 because the right-of-way described above was not being used by the public for ingress or egress, and did not contain any known utility service; and

WHEREAS, the vacation of the said public alley right-of-way would not result in any adverse impact on the properties that adjoin the said right-of-way and would help to facilitate the development of the adjoining property west of the alley; and

WHEREAS, the City desired to vacate and sell the vacated public alley right-of-way to allow the full development of the adjoining vacant property; and

WHEREAS, the City, after vacating the right-of-way, discovered that an 8-inch sanitary sewer main is located a short distance east of the former center-line of the said alley right-of-way, and that the previous vacation should have been subject to the dedication of a 10-foot utility easement centered on the former center-line of the alley right-of-way in order to maintain the utility; and

WHEREAS, the affected property owner, Jim Luna, upon being made aware of the need for the utility easement, verbally consented to grant a 5-foot utility easement along the former center-line of the alley right-of-way, in order to create a 10-foot wide utility easement, after determining the said dedication of 5-feet would coincide with the required 5-foot side building setback;

WHEREAS, the eastern half of the alley retained by the City would be designated as a 5-foot utility easement and a 10-foot alley right-of-way that can eventually be vacated to the adjoining owners in accordance with the requirements of Ordinance Number 2-01-2019 and this ordinance;

NOW, THEREFORE BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF ANGLETON

SECTION 1. The City Council of the City of Angleton, Texas, hereby dedicates a 10-foot wide utility easement in the existing, and former alley right-of-way that was conveyed to the City by the Angleton Townsite Subdivision Plat adjoining the length of Lot 10, Block 104, between the north public right-of-way boundary of West Munson Street and south public alley right-of-way of the alley located immediately north of Lot 10, Block 104, paralleling West Munson Street, as depicted in the official property records of Brazoria County, Texas, as depicted by **Exhibit A**, attached hereto.

SECTION 2. One-half (5-feet) of the utility easement shall be located west of the former center-line of the original alley right-of-way. The other 5-feet of the 10-foot utility easement, shall be located east of the former center-line of the alley right-of-way, as depicted by **Exhibit A**, attached hereto.

SECTION 3. The expense to record the utility easement shall be borne in full by the City of Angleton.

SECTION 4. In the event that the property owner(s) adjoining the east side of the said half alley right-of-way decide to abandon the remainder of the alley right-of-way, the said property owner(s) shall reimburse the applicant, Belinda and Jim Luna, or their assigns, **\$297.69**, or the pro-rata share thereof if multiple owners of involved, for the surveying the entire length of the said alley and shall be responsible for the expense to record the vacation of the said right-of-way vacation, and any other consideration determined to be appropriate by the City Council, and shall recognize the existence of the 5-foot utility easement conveyed by this ordinance.

SECTION 5. In the event that any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall be for any reason be adjudged as invalid or unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional. The City Council declares that the ordinance would have passed the ordinance withstanding the omission of any part, or parts, declared to be unconstitutional or invalid.

SECTION 6: is considered are open to the public and that notice of the time, place and purpose thereof was given in accordance with the provisions of the Texas Government Code – Chapter 551, as amended, and that a quorum of the City Council was present.

SECTION 7: That this Ordinance shall be effective immediately upon its adoption.

PASSED, APPROVED, and ADOPTED this the 5 day of February, 2019.

Mayor Jason Perez

ATTEST:

Scott Albert, City Manager

EXHIBIT A

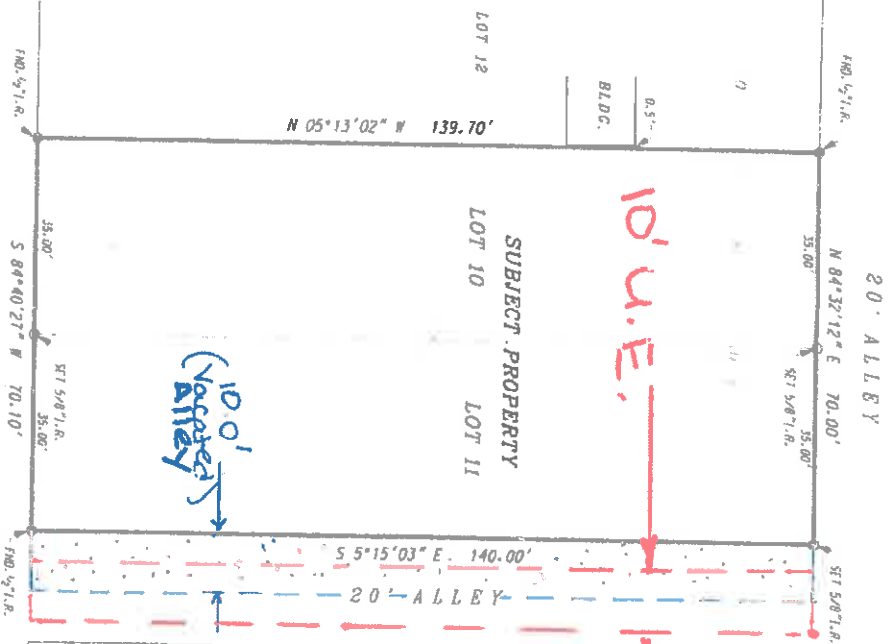
(See Attached Exhibit)

ERSKINE STREET
(70' R.O.W.)

- NOTES:
1. ALL COORDINATE AND BEARINGS ARE RELATIVE TO THE TEXAS STATE PLANNED COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83.
 2. ALL DISTANCES ARE HORIZONTAL, SURFACE LEVEL, LENGTHS.
 3. THIS PROPERTY IS LOCATED WITHIN THE LIMITS OF ZONE 7A PER FEMA FLOOD INSURANCE RATE MAP NUMBER 48099D0045M, DATED JUNE 5, 1989.
 4. NO TITLE COMMITMENT WAS PROVIDED FOR THIS SURVEY. THERE MAY BE TIES OR RECORDS WHICH AFFECT THIS PROPERTY, NOT SHOWN HEREON.
 5. BUILDING LINES MAY BE SUBJECT TO THE CITY OF ANGLETON BUILDING RESTRICTIONS.
 6. IMPROVEMENT ON SUBJECT PROPERTY NOT SHOWN PER OWNER'S RECORDS. SHOWN ARE TO BE TOWN OWN.
1. ERBY SINGLETARY, REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THE ABOVE PLAT IS A TRUE REPRESENTATION OF A SURVEY MADE UNDER MY SUPERVISION, ON THE GROUND, AND THAT THERE ARE NO EXCESSIVE NOR INTERUSIONS ON THIS PROPERTY, EXCEPT AS SHOWN. DATE SURVEYED: MAY 22, 2017



Erby Singletary
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NUMBER 4808



MUNSON STREET (70' R.O.W.)



- LEGEND
- LAND PIPE/IRON ROD
 - SET 5/8" IRON ROD
 - POWER POLE
 - OVERHEAD WIRE
 - TELEPHONE PEDestal
 - |— WATER METER
 - |— CHAIN LINK FENCE
 - |— BUILDING L.I.N.
 - |— EASEMENT

SURVEY PLAT
OF
LOTS 10 & 11, BLK 104

IN THE
CITY OF ANGLETON
RECORDED IN
COUNTY CLERK'S FILE NO 16-01985B
OF THE
BRAZORIA COUNTY OFFICIAL RECORDS
IN THE
I. T. TINSLEY SURVEY
ABSTRACT 375
CITY OF ANGLETON
BRAZORIA COUNTY, TEXAS
FOR
JIM LUNA

216 W. MUNSON STREET

Doyle & Wachstetter, Inc.
SURVEYING, ENGINEERING, MAPPING, GPS/GIS
1400 W. WILSON WAY, SUITE 100
DALLAS, TEXAS 75203
PHONE: 972-382-1100 FAX: 972-382-1101
WWW.DOYLEANDWACHSTETTER.COM



CITY COUNCIL AGENDA ITEM
Meeting Date: February 5, 2019

Discussion and action regarding an Interlocal Agreement between the City of Angleton and Baileys Prairie regarding the development of property located in the ETJ of both jurisdictions west of SH 288, south of Sebesta Road, and north of CR 290/Union Pacific Railroad R.O.W.

Consent item Discussion item
 Discussion and possible action Public Hearing

REQUESTED BY: Randy Anderson, Assistant City Manager

EXECUTIVE SUMMARY:

The property described above is depicted below on the map excerpt from the Angleton Annexation and ETJ Map. The area enclosed by the blue dashes is in the Angleton ETJ. The area in the orange dashes is in the Baileys Prairie ETJ. The boundary between the two communities was established by an Interlocal Agreement in 1994. The area shaded grey is the corporate boundaries of Baileys Prairie. All cross-hatched areas are located in the Angleton Corporate Boundaries and ETJ. All shaded areas (all colors), represent properties in the corporate boundaries of Angleton, with the numbers being references to a map table that indicates when each was annexed into the City.

A development is proposed to be located primarily in the Angleton ETJ portion of this area, but a portion of the land owned by that developer extends to CR 290. Most of the developed portion of the property would be located north of the ETJ boundary, but there may some overlap to the south. The purpose of the proposed Interlocal Agreement is not to amend any terms or boundaries established in the 1994 agreement, but to designate the City of Angleton as the lead agency in the development of the project in terms of platting, site planning, utility service, and other City services. Baileys Prairie would have a seat throughout the development process, particularly if any portion of the development crosses the ETJ boundary. It's the understanding of the City that the Village Council approved "in principal" the essential terms of the Interlocal Agreement and instructed the Village Attorney to work with the City Attorney to create the proposed Interlocal Agreement.

The proposed Interlocal Agreement is being drafted by the City Attorney, in consultation with the Village Attorney. The proposed agreement will be provided to Council prior to the meeting as soon as its available.

City Council Action: Staff recommends that City Council approve the proposed Interlocal Agreement to and authorize the City Manager to execute the agreement on behalf of the City of Angleton.

Randy Anderson, Assistant City Manager
Name

February 5, 2019
Date

Location of the Affected ETJ of Baileys Prairie and Angleton

