

THE STATE OF TEXAS §
COUNTY OF BRAZORIA §
CITY OF MANVEL §



**MINUTES
HOME RULE CHARTER REVIEW COMMISSION MEETING
OF THE CITY OF MANVEL**

July 20, 2021

6:30 P.M.

MINUTES 7-20-2021

Regular Session

Call To Order

The meeting was called to order at 6:32 p.m.

ROLL CALL

Chad Bell - ABSENT
Lois Chesik
Steve Davison
Kim Faught
Gabe Garza
Raf Lopez
Nicole Mitchell
Ed Perry
Alina Rogers
Robina Spruill
Brian Vaughn

Others present:

Bobby Gervais – City Attorney
Kyle Jung – City Manager
Tammy Bell – City Secretary
Chris Thomas – Finance Director

Pledge

Pledge of Allegiance and Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee Texas, one state under God, one and indivisible.

Citizen Comments

Adrian Gaspar

Concerned that it's one-sided. Would like to see City Council at these meetings.

Thinks that Directors should be able to work for the council. City Manager can hire, but have them respond to council.

Regular Agenda

1. DISCUSSION/CONSIDERATION

The Committee will hear presentations, discuss and may consider recommendations to the City Council on the following items:

Review of the current Charter and any other matters relating to potential Charter amendments

Commission member Mitchell suggested going through the charter section by section.

Article I

Commission member - Do we want to keep 6 council member as the City grows or is that something we need to look at?

Bobby Gervais – it's actually 7. The Mayor is a voting member of council.

Commission member - Should we look at having the Mayor be a tie-breaker voter instead of having a vote in all matters?

Commission member – Wants to have a historical view of previous charters and what changes have been made in the past

Previous:

Kyle Jung – Previously, number of terms reduced to three, three year terms instead of four.

Bobby Gervais –

Repeal prohibition against city employees running for city elective office. Due to state law.

Require city council to discuss separation pay and any employment agreement with the City Manager – DID NOT PASS

Repeal job forfeiture provision for city employees running for city office.

Council should have a goal setting retreat every year prior to April 30th

Change the time interval for mandatory appointment of the charter commission. Originally every fifth year, now it's every fifth year after the last one.

All agree to leave a council-manager form of government.

Article II

Brief discussion on powers of the city in regards to land purchasing

Discussion on City Center property – city went out for debt issuance which has strict requirements where citizens can oppose via notice during a 45 day waiting period

Bought 115 acres that the C12 ditch runs through, design is for ~80 acre detention which will alleviate flooding – design will include walking trail around the property

More on overall plans for the Manvel City Center

Article II 2.05

Table this section to be reviewed when the Mayor vote is discussed

Discussed having a member be the consistent note taker during meetings so nothing is missed.

Article II 2.01

Commission member wanted clarification on surety bonds for city employees.

Bobby Gervais – not uncommon to see theft in cities with employees that deal with large amounts of money. Protects the city.

Article II 2.03a

Commission member wanted clarification on “with or without the consent of owners or inhabitants of such territory”

Bobby Gervais – largely preempted by state law now. You do need consent to annex.

Should we change that so it's in line with state law?

Kyle Jung – the city already has the authority to annex places like Southfork, Pomona. Already a strategic development agreement in place between developer and city. Because of the way that the state law has already set up the way strategic partnerships can work, it's almost like there's been authority given but it's delayed on implementation of it. State legislature has changed annexation law almost completely. With the exceptions of petitions for annexation, I don't know that the city will annex anything ever again.

Commission member - So terminology as it's written has to remain in order to stay compliant with state law?

Bobby Gervais – yes.

Kyle Jung – the whole idea of annexation is that you have areas outside the city being developed that will eventually be inside the city limits. There was a change in the state legislature about what ETJs and development outside the city limits actually are. In larger city's, they'll die off because most of the people and money are going outside of the suburbs into the unincorporated areas.

SECTION I

Commission member - In addressing the number of council members, do we want to wait to address this until we know about the population growth? Do we know the census numbers yet?

Discussion on single member districts and at-large candidates

Kyle Jung- Single member districts – you assign council members to specific districts

At-large represents the city as a whole

In a single member district, it's argued that these positions are like mayors for their districts

You have competing districts with a limited amount of money

At-large you are looking at benefitting the city as a whole, not just your district

Commission member - Is there a limit to number of at-large council members?

Bobby Gervais - Most councils are 5 or 7 – not even numbers

Commission member – I think if we have single person districts, we can take care of our people. I feel like the older citizens of Manvel have been pushed off to the side. You have a guy who has no

clue what it takes to run five acres, so these ordinances that are being put in about dirt loads, they're wanting me to get an engineer to figure out what one load of dirt will do to water shedding, they're wanting me to get a construction permit. They don't understand what it means to have property.

Commission member - If you have at-large, you are voting for them, so my thought would be that you have more opportunity than just voting for your one district, and you might not have control over who is running in your district because it depends on how it's broken out.

Kyle Jung – the city has done limited purpose annexations in Pomona, Sedona Lakes, and Southfork. The people that live in those subdivisions can vote in elections, but not vote. So the people that vote in the ETJ would also have to be included in those districts. So all of Sedona and one person, that equals one district, so what you'll have is a very limited number of people that can run (people that are barely in the city limits on a leg or single road at the border of ETJ and City limits) representing an entire district of people that can vote, but can't run. Huge populations outside of city limits that have to be included in districts.

Commission member – if I talk to council member A, B, or C and they have no clue about what it means to live on acreage – they only know about Lakeland or Pomona – I don't know if when you break up districts if it's by defined boundaries, or?

Bobby Gervais – it's by the number of people and composition. So that's why every time the consensus comes out you have to redistrict. You have to spend \$30,000 to bring in a consultant to look at your ethnic makeup to make sure that you're not packing or spreading out representation that would be against the voting rights act. That has to be done every 10 years if you have single member districts.

Commission member – asked about the place numbers for council

Bobby Gervais – it staggers the terms and is for the ballot

2. Approval of meeting minutes to date.

Motion by Commission Member Steve Davison to adjourn. Seconded by Robina Spruill.

Motion carries with a vote of 10-0, with one absent

Commission member encourages people to attend council meetings.

Adjourn

Commission member Gabe Garza made a motion to adjourn the meeting. Seconded by Lois Chessick.

Motion carries with a vote of 10-0, with one absent
Meeting adjourned at 7:34 p.m.

CERTIFICATION


TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS