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

LARRY AKERY, COUNCIL PLACE 1
LORRAINE HEHN, COUNCIL PLACE 2
NICCOLE TYSON, COUNCIL PLACE 3
DAN DAVIS, COUNCIL PLACE 4
JASON ALBERT, COUNCIL PLACE 5
JEROME HUDSON, COUNCIL PLACE 6

DEBRA DAVISON, MAYOR
KYLE JUNG, CITY MANAGER
TAMMY BELL, CITY SECRETARY

MINUTES 3/21/2022

Workshop Session

Mayor Davison called the workshop of the Manvel City Council to order at 6:01 p.m.
Those in attendance were:

Present: Mayor Debra Davison
City Council Member Place 1 Larry Akery
City Council Member Place 2 Lorraine Hehn
City Council Member Place 3 Niccole Tyson
City Council Member Place 6 Jerome Hudson
City Council Member Place 5 Jason Albert
City Council Member Place 4 Dan Davis

Absent:

Also Present: Kyle Jung, City Manager
Dan Johnson, Assistant City Manager/City Engineer
Robert Gervais, City Attorney
Tammy Bell, City Secretary
Keith Traylor, Chief of Police
Chris Thomas, Director of Finance
Jessica Rodriguez, Director of Development Services
Gilbert Salas, Director of Community Services
Chad Dumont, HR Manager

Presentation/Update by Freese and Nichols on the Water and Wastewater Rate Study.

Presentation by Richard Weatherly of Freese and Nichols.
Discussion of customer rates - the City set them at a healthy rate 20 years ago (2002), but it's at the point now where they need to be increased to cover expenses.
The goal of the study is to ensure the financial stability of the city's water and sewer fund and to ensure sufficient revenues for the capital program.

Discussion on the establishment of a name for the 160 acres. (Requested by Council Member Davis)

Council Member Davis - Town Center vs City Center can be very confusing.
Council Member Hehn - Suggested using the PIO to help facilitate the naming process
Council Member Albert - It is going to be the Municipal Center so why not call it the City Center. Prefers to keep the name as the City Center.
Council Member Davis suggests reaching out to the school's to have their student councils come up with a name to submit.

Discussion on any subject listed on the Agenda dated March 21, 2022.

General Discussion on agenda items;
Item #1
Item #9b - Rules of Procedures. Request for Council to review the entire rules of procedures and discuss at the next meeting.
Consent Agenda Item 9 - Noise Ordinance

Regular Session

Call To Order

Mayor Davison called the meeting of the Manvel City Council to order at 7:03 p.m.
Those in attendance were:

Present:
Mayor Debra Davison
City Council Member Place 1 Larry Akery
City Council Member Place 3 Niccole Tyson
City Council Member Place 6 Jerome Hudson
City Council Member Place 4 Dan Davis
City Council Member Place 5 Jason Albert
City Council Member Place 2 Lorraine Hehn

Absent:

Also Present:
Kyle Jung, City Manager
Dan Johnson, Assistant City Manager/City Engineer
Robert Gervais, City Attorney
Tammy Bell, City Secretary
Keith Traylor, Chief of Police
Chris Thomas, Director of Finance
Jessica Rodriguez, Director of Development Services
Gilbert Salas, Director of Community Services
Chad Dumont, HR Manager

Inspirational Reading - Council Member Albert

Pledge

Citizen Comments: "Comment Card" Required

Donald Atkinson -
Meridiana @ Hwy 6 intersection - constantly getting destroyed. Asking Council to reach out to the county or TXDOT or whoever is responsible to get it fixed.
Meridiana @ Jordan intersection - dangerous. Asking that a four-way stop be put in.
Noise ordinance - speaking against it, especially in regards to Cameron Recycling - says the noise is to be expected and this is a business that citizens utilize.

Presentation

Proclamation - April 2022 - Fair Housing Month

Public Hearing

TO HEAR COMMENTS ON A REQUEST FOR CLOSURE AND ABANDONMENT OF A TRACT OF LAND CONTAINING 0.913 ACRES (39,755 SQUARE FEET) LOCATED IN THE H.T. & B.R.R. CO. SURVEY, ABSTRACT NUMBER (NO.) 283 AND THE M.V. O'DONNELL SURVEY, ABSTRACT NO. 470, BRAZORIA COUNTY, TEXAS; SAID 0.913 ACRE TRACT BEING A PORTION OF OLEANDER STREET (60 FEET UNIMPROVED RIGHT-OF-WAY (R.O.W.) AS DEDICATED IN DR. A.A. LUTHER SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME (VOL.) 1, PAGE (PG.) 71, BRAZORIA COUNTY PLAT RECORDS (B.C.P.R.).

Opened at 7:15 p.m.
1st call for comments - None
2nd call for comments - None
3rd call for comments - None
Closed at 7:16 p.m.

City Manager Update

Covid Update in the City;
6231 Covid cases -up 9 since the last city council meeting
5 confirmed cases - down 12 from the last city council meeting
1 probable case - down 4 from the last city council meeting
0 new deaths

Met this morning with C&R #3. They are willing to help the city to get started. They will have a bulldozer available for use for the digging of the first stage of the South Manvel Detention facility. Phase 1 is the improvement of the C12 ditch and removal of the "overburden".
Between the drainage districts and the city, if we can work together to not have to contract this work out, we could save hundreds of thousands of dollars.

Executive Session

City Council will convene into Executive Session pursuant to Texas Government Code, Section 551.071: Consultation with Attorney, and Texas Government Code, Section 551.072: "Deliberation Regarding Real Property" to discuss the following:
Purchasing Opportunity

City Council will convene into Executive Session pursuant to Texas Government Code, Section 551.071: Consultation with Attorney, and Texas Government Code, Section 551.072: "Deliberation Regarding Real Property" to discuss the following:
Deliberate the purchase, exchange, lease, or value of real property.
ROW abandonment - Portion of unimproved Oleander Street

Mayor Davison recessed the meeting at 7:25 p.m. for executive session.
Mayor Davison re-convened the meeting at 8:00 p.m.
There was no action taken during the executive session.

Regular Agenda

1. Consideration and possible action to approve the FY 21-22 Audit.

   Council Member Albert made the motion to approve. Mayor Davison seconded the motion.
   The motion carried with a vote: 7/0
   Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson
   No: None
   Absent: None
   Abstained: None

2. Consideration and possible action to approve Final Plat for Meridiana Section 54A; BEING A SUBDIVISION OF 8.916 ACRES OUT OF THE OLIVER HALL SURVEY, ABSTRACT 203, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS. (FAVORABLE RECOMMENDATION BY PD&Z FAILED 0/5)

   Council Member Dan Davis made the motion to approve. Council Member Jason Albert seconded the motion.
   The motion FAILED with a vote: 0/7
   Yes: None
   No: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson
   Absent: None
   Abstained: None

3. Consideration and possible action to direct staff to provide Applicants written statements of the conditions for any conditional approvals, and the reasons for disapproval of any plans or plats that were not approved, per Texas Local Government Code §212.0091.

   Council Member Dan Davis made the motion to approve. Council Member Niccole Tyson seconded the motion.
   The motion carried with a vote: 7/0
   Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson
   No: None
   Absent: None
   Abstained: None

4. Consideration and possible action to approve Resolution 2022-R-02; A RESOLUTION BY THE CITY OF MANVEL, TEXAS SUSPENDING THE MAY 2, 2022 EFFECTIVE DATE OF THE PROPOSAL BY CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS – TEXAS COAST DIVISION TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2021 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

Council Member Jason Albert made the motion to approve. Council Member Jerome Hudson seconded the motion.
The motion carried with a vote: 7/0

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson
No: None
Absent: None
Abstained: None

5. Consideration and possible action regarding payment to Keep Pearland Beautiful. (Requested by Mayor Davison)

Request to increase the contribution from $10,000.00 per year to $25,000.00 per year.
Action tonight would be to pay an additional $15,000.00 to make up the year.
Manvel residents will NOT be charged for use of the facility.

Mayor Davison made the motion to approve. Council Member Dan Davis seconded the motion.
The motion carried with a vote: 7/0

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson
No: None
Absent: None
Abstained: None

6. Consideration and possible action to approve the first of two readings of Ordinance 2022-O-09; AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF 60' CITY RIGHT-OF-WAY CONSISTING OF APPROXIMATELY 0.913 ACRES OF LAND, BEING THE UNIMPROVED PORTION OF OLEANDER STREET LOCATED BETWEEN LEWIS LANE (IMPROVED) AND CANAAN ROAD (UNIMPROVED), IN THE CITY OF MANVEL, BRAZORIA COUNTY, TEXAS; VACATING, ABANDONING, AND CLOSING SAID PUBLIC RIGHT-OF-WAY; AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY SECRETARY TO ATTEST, RESPECTIVELY, QUITCLAIM DEEDS CONVEYING RESPECTIVE INTERESTS IN SAID ABANDONED RIGHT-OF-WAY TO THE ABUTTING PROPERTY OWNER(S); PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.
(Forwarded with favorable recommendation by PD&Z 5/0)

Mayor Davison made the motion to approve. Council Member Jerome Hudson seconded the motion.
The motion carried with a vote: 7/0

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson
No: None
Absent: None

Abstained: None

7. Consideration and possible action to direct staff on creating new positions and hiring additional employees.

Kyle provided the following list of potential new positions;
IT Tech for Police Dept
Community Relations Officer PD
Capital Projects Inspector
HR Specialist
Administrative Assistant for legal and admin

184,000.00 half year cost estimate. Would be a $400,000.00 impact to next years budget.
Mayor would like to see a projection of a 5 - 10 year plan/organization chart of what things should look like.
Jason agrees. He would also like to see a specific plan on how the Chief intends to recruit and retain police over the next 24 months. Would like to see a staffing road map. Jason is in favor of a Community Relations Officer, but also thinks there should be a stand-alone recruiter.
To Kyle - should we be looking for a paralegal?
Bobby - doesn't need to be a paralegal.
Dan Davis - is there an intent to bring all inspections in house?
Dan Johnson - not anticipating that at all. That's a different discussion.

No action taken. Staff will include these costs in the next meeting budget amendment.

8. Consideration and possible action to direct staff on the following items as requested by Council Member Albert;
a. Discussion and possible action on multiple reports of staff failures to engage city customers, including but not limited to updates on Michael Johnson's repeated complaints of lack of enforcement actions. (Agenda item tabled at the 3/7/22 City Council Meeting)

Council Member Jason Albert asked staff to explain the situation from their side.
Jessica Rodriguez explained her history with the situation before code enforcement was moved over to PD.
Chief Traylor explained the police department's history with the situation.

No action taken.

9. Consideration and possible action to direct staff on the following items as requested by Council Member Davis;
a. Temporary waiving of fees and other administrative costs.
b. Amending the Council Rules of Procedures to change the order of the agenda. (Request to move Consent Agenda before Regular Agenda).

a) Temporary waiving of fees - what, if anything, can we do to help alleviate the financial burden of our citizens during these financially trying times. One idea would be waiving late fees for water bills.
Kyle - about 60 customers a month with late fees and most of them are repeat. Doesn't see many places where we could reduce fees, but it will be looked into.
Lorraine - Campaign to encourage people with needs come to the city to talk to the Council.
Mayor suggested the city push out information on programs available to citizens in need.

2. Concurrence with the City Manager's decision to hire Joe A. Murray as the City Fire Marshal, as required by the City Charter.

Council Member Davis pulled this item from the Consent Agenda.
Joe Murray introduced himself to Council.
Council Member Jason Albert made the motion to approve. Council Member Jerome Hudson seconded the motion.
The motion carried with a vote: 7/0

Yes:	Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson
No:	None
Absent:	None
Abstained:	None

9. Approve the second and final reading of Ordinance 2022-O-08;
AN ORDINANCE AMENDING CHAPTER 44 "OFFENSES AND MISCELLANEOUS PROVISIONS" OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING ARTICLE IX "NOISE REGULATION"; PROVIDING FOR EXEMPTIONS AND DEFENSES; REPEALING PROVISIONS IN CONFLICT THEREWITH; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED $2,000.00 PER DAY FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

Council Member Davis pulled this item from the Consent Agenda.

Dan Davis - Studies show averaged time is used more over our choice of using continuous. Why are we doing it this way?
Kyle - Because then an officer would be forced to sit for an hour and average out the time.
Dan Davis - Can we add certain language to protect schools
Kyle - Doesn't think it's needed
Dan Davis - permitting - can a permit allow extending the hours of 9 p.m. for events
There is a special events permit that outlines requirements and allows for extended hours

Council Member Dan Davis made the motion to approve as amended. Council Member Lorraine Hehn seconded the motion.
The motion carried with a vote: 7/0

Yes:	Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson
No:	None
Absent:	None
Abstained:	None

Consent Agenda

1. Approve the meeting minutes to date.

3. Approval of the 8/2/2021 (First approved on 3/15/2021) revised/restated;
ROAD CONSTRUCTION AGREEMENT BETWEEN THE CITY OF MANVEL, TEXAS,

BRAZORIA COUNTY, TEXAS, GULF COAST WATER AUTHORITY, VDB PARTNERS LTD., AND ASHTON HOUSTON RESIDENTIAL LLC.

4. Approve Final Plat for Meridiana Section 53;
BEING A SUBDIVISION OF 14.86 ACRES OUT OF THE OLIVER HALL SURVEY, ABSTRACT 203, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.
(FORWARDED WITH FAVORABLE RECOMMENDATION BY PDZ 5/0)

5. Approve Final Plat for Brazoria County MUD No. 56 Water Plant Replat No. 1 and Extension;
BEING A SUBDIVISION OF 4.828 ACRES OUT OF THE OLIVER HALL SURVEY, ABSTRACT 203; AND ALSO BEING A REPLAT OF BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 56 WATER PLANT, AS RECORDED IN BRAZORIA COUNTY PLAT RECORDS DOCUMENT NO. 2020047954, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.
(FORWARDED WITH FAVORABLE RECOMMENDATION BY PDZ 5/0)

6. Approve Final Plat for Meridiana Detention Reserve M-2;
BEING A SUBDIVISION OF 4.644 ACRES OUT OF THE H.T. & B.R.R. CO. SURVEY, SECTION 61, ABSTRACT 282, AND THE OLIVER HALL SURVEY, ABSTRACT 203; CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.
(FORWARDED WITH FAVORABLE RECOMMENDATION BY PDZ 5/0)

7. Approve Final Plat for Meridiana Detention Reserve N-2;
BEING A SUBDIVISION OF 7.081 ACRES OUT OF THE OLIVER HALL SURVEY, ABSTRACT 203, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.
(FORWARDED WITH FAVORABLE RECOMMENDATION BY PDZ 5/0)

8. Approve Meridiana Section 39A Amending Plat No. 1;
BEING A SUBDIVISION OF 0.6423 ACRES OUT OF THE H.T. AND B.R.R. CO. SURVEY, SECTION 55, A-286, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS; ALSO BEING AN AMENDING PLAT OF LOTS 11, 12, 53 AND 54 IN BLOCK 1 IN MERIDIANA SECTION 39A AS RECORDED UNDER BRAZORIA COUNTY, PLAT RECORDS 2021080365, BRAZORIA COUNTY, TEXAS.
(FORWARDED WITH FAVORABLE RECOMMENDATION BY PDZ 5/0)

9. Acceptance of the infrastructure improvements for Pomona WWTP Phase 3 to begin the two-year maintenance period.

Council Member Jason Albert made the motion to approve the consent agenda (not including items 2 & 9, which were moved to Regular Agenda). Council Member Jerome Hudson seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

Mayor and Council Comments

Adjourn

Council Member Dan Davis made the motion to approve. Council Member Jerome Hudson seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

The meeting adjourned at 9:11 p.m.

CERTIFICATION

DEBRA DAVISON, MAYOR
CITY OF MANVEL, TEXAS

TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS

CITY OF MANVEL, TEXAS
CORPORATE SEAL