

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



LARRY AKERY, COUNCIL PLACE 1
DAVID LANDS, COUNCIL PLACE 2
HARRY OPLIGER, COUNCIL PLACE 3
ED PERRY, COUNCIL PLACE 4
CRYSTAL SARMIENTO, COUNCIL PLACE 5
JEROME HUDSON, COUNCIL PLACE 6

DAN DAVIS, MAYOR
DAN JOHNSON, INTERIM CITY MANAGER
TAMMY BELL, CITY SECRETARY

MISSION STATEMENT: "The City of Manvel will continue to be a unique, vibrant, growth-managed community that will meet the needs of its citizens through the efforts of local government and civic-minded individuals by promoting well-planned development, cost-effective professional management, and competent and responsive municipal services."

MINUTES 8/21/2023

Workshop Session

Mayor Davis called the workshop of the Manvel City Council to order at 5:00 p.m.
Those in attendance were:

Present: Mayor Dan Davis
City Councilmember Place 1 Larry Akery
City Councilmember Place 2 David Lands
City Councilmember Place 3 Harry Opliger
City Councilmember Place 5 Crystal Sarmiento
City Councilmember Place 6 Jerome Hudson

Absent: City Councilmember Place 4 Ed Perry

Also Present: Dan Johnson, Interim City Manager/City Engineer
Robert Gervais, City Attorney
Tammy Bell, City Secretary
Keith Traylor, Chief of Police
Robbie Hall, Director of Public Works
Rosa Donaire, Finance Manager
Jessica Rodriguez, Director of Development Services
Jose Abraham, City Planner
Joe Murray, Fire Marshal
Chad Dumont, HR Manager
Brooke Cyphers, Public Information Officer

Discussion on the Fiscal Year 2023-2024 Proposed Budget.

General Discussion

Mayor asked about the 3% COLA increase - What framework would be in place for the other 3%?

Chief spoke on behalf of the police department. Dan Johnson stated we are working on the parameters for the rest of the staff.

Pay Increase 3% COLA + 3% performance - Council consensus - in support

Staff positions- Council consensus - in support

Supplemental Requests - Council consensus - in support

Councilmember Sarmiento asked what the results were of the staff survey on dependent insurance.

19 employees - Over 5 years - covered with 100

4 in between 3-5 year range

28 - in the zero to 1 year range

Insurance dependent coverage - Council consensus - in support

Councilmember Sarmiento reiterates that we need to take care of our staff.

Tax Rate Discussion

The Mayor's preference is the no new revenue rate, suggesting we use more of the TIRZ Clawback funds and the fund balance to "buy down" the tax rate. In order to make it where people don't see a raise in their taxes, the rate would need to be around 51-52 cents. Suggests bringing the fund balance reserve down from 47% to 40%.

Dan Johnson - First ten years of clawback amounts to around \$250,000. The next ten years is more because the amount per home went up. For 2023, the amount is around \$600,000. \$800,000 is the full amount in the TIRZ account.

Councilmember Sarmiento - Was a 5-2 vote on setting the preliminary rate. Doesn't want to go up on taxes but wants to do what is right for the city as a council member. If we can come up with a strong plan, she is all for adopting a lower rate, but it has to make sense in being able to move things forward in a responsible manner. What will it look like to lower the rate as suggested by the Mayor?

Councilmember Lands - Would like to see what the numbers would look like if we pull \$500,000 from the TIRZ and \$500,000 from Fund Balance.

Councilmember Opliger - Permit forecast shows things slowing down.

Councilmember Sarmiento - Is the suggestion by the Mayor actually doable?

Dan Johnson - We don't know.

Adjourned at 6:07 p.m.

Discussion on any topic as listed on the current agenda.

Regular Session

Call To Order

Mayor Davis called the meeting of the Manvel City Council to order at 6:13 p.m.

Those in attendance were:

Present: Mayor Dan Davis
City Councilmember Place 1 Larry Akery
City Councilmember Place 2 David Lands
City Councilmember Place 3 Harry Opliger
City Councilmember Place 5 Crystal Sarmiento
City Councilmember Place 6 Jerome Hudson

Absent: City Councilmember Place 4 Ed Perry

Also Present: Dan Johnson, Interim City Manager/City Engineer
Robert Gervais, City Attorney
Tammy Bell, City Secretary
Keith Traylor, Chief of Police
Robbie Hall, Director of Public Works
Rosa Donaire, Finance Manager
Jessica Rodriguez, Director of Development Services
Jose Abraham, City Planner
Joe Murray, Fire Marshal
Chad Dumont, HR Manager
Brooke Cyphers, Public Information Officer

Invocation

Pastor Liston from New Hope

Inspirational Reading - Councilmember Sarmiento

Pledge

Presentations

Park Naming Ceremony for:
Akery Lake
Delores Martin Park
Buddy Williams Park

Proclamation:

National Preparedness Month - September 2023

Public Comments: "Comment Card" Required

Rachel - Online comment read by the Mayor. Against a tax increase.

Carmen Blankenship - Feels like cutting taxes will be detrimental to the city.

Jared Jennings - 17 Superio Drive - Against a tax increase.

Tom Denowski - 31 Palmero Way - Concerns with work that is being done by TxDot causing cut thru traffic through Rodeo Palms. Needs guidance on who the contact person with the city is for proper temporary signage.

City Manager Update

- a. Update on Budget Town Hall
 - b. Update on Fencing Permit
- Budget Town Hall - Monday, August 28th.
Chief Traylor spoke about the Cadet Program.

Consent Agenda

1. Acceptance of the meeting minutes to date.
2. Final acceptance of infrastructure improvements for Pomona Section 17 and release the associated maintenance bond.
3. Acceptance of infrastructure improvements for Meridiana Section 54B to begin the Two-Year Maintenance Period.
4. Approve a consent to Brazoria County Municipal Utility District (BCMUD) No. 25 to serve water and sanitary sewer utilities outside the boundary of BCMUD No. 25 for 13.82 acres of land located in the City Limits on the southwest corner of Magnolia Parkway and Kirby Drive.

August 21, 2023 MANVEL CITY COUNCIL MEETING MINUTES

5. Approve the Road & Bridge Interlocal Agreement Fiscal Year 2023-2024, between Brazoria County and the City of Manvel.
6. Approve a burn ban for 30 days, authorizing the Fire Marshal and or Mayor to lift it early should the Keetch-Byram Drought Index, as monitored and reported by the Texas Forest Service, reach and maintain 400 or less for five consecutive days.

Councilmember Harry Opliger made the motion to approve. Councilmember Jerome Hudson seconded the motion.

The motion carried with a vote: 6/0

Yes: City Councilmember Place 6 Jerome Hudson, City Councilmember Place 1 Larry Akery, City Councilmember Place 3 Harry Opliger, City Councilmember Place 5 Crystal Sarmiento, Mayor Dan Davis, City Councilmember Place 2 David Lands
No: None
Absent: City Councilmember Place 4 Ed Perry
Abstained: None

Items Removed from Consent Agenda

None.

Regular Agenda

1. Update by Mayor Davis on meeting with Brazoria County C&R 3 and possible direction to staff to begin development of a request for proposals for the excavation of the site for Akery Lake Working on the interlocal with C&R 3.
Dan Johnson - staff is looking for the go-ahead to put together an RFP/RFQ. This is not a project that C&R 3 could take on as a drainage project and it would take too long. Perhaps partnering with a sand mining operation as this seems like the best option to move forward.
Direction to staff is to proceed with getting RFP/RFQ.

2. Consideration and possible action to approve the first of two readings of Ordinance 2023-O-28; AN ORDINANCE AMENDING CHAPTER 59. "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES" ARTICLE III. - *PUBLIC RIGHTS-OF-WAY*, SECTION 59-50. *TREE TRIMMING AMENDING PROVISIONS PERTAINING TO TREE TRIMMING IN THE RIGHT-OF-WAY*.

AN ORDINANCE AMENDING CHAPTER 59. "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES" OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING ARTICLE III. - *PUBLIC RIGHTS-OF-WAY*, SECTION 59-50. *TREE TRIMMING* TO AMEND THE PROVISIONS PERTAINING TO TREE TRIMMING IN THE RIGHT-OF-WAY; 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.

In researching, the 13ft clearance should actually be 15ft. Homeowners will be given a 24 hour notice if a tree on their property is to be cut.

Councilmember Jerome Hudson made the motion to approve. Councilmember Harry Opliger seconded the motion.

The motion carried with a vote: 5/1

Yes: City Councilmember Place 6 Jerome Hudson, City Councilmember Place 1 Larry Akery, City Councilmember Place 3 Harry Opliger, City Councilmember Place 5 Crystal Sarmiento, Mayor Dan Davis
No: City Councilmember Place 2 David Lands
Absent: City Councilmember Place 4 Ed Perry
Abstained: None

3. Consideration and possible action to approve the first of two readings of Ordinance 2023-O-29; AN ORDINANCE AMENDING CHAPTER 33 "FOOD AND FOOD HANDLERS," SECTION 33-3(2)(A)(5) TO FURTHER DEFINE WHAT CONSTITUTES A "FOOD ESTABLISHMENT"; AMENDING SECTION 33-51 PERTAINING TO GREASE TRAP REQUIREMENTS.

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL BY AMENDING CHAPTER 33 "FOOD AND FOOD HANDLERS," SECTION 33-3(2)(A)(5) TO FURTHER DEFINE WHAT CONSTITUTES A "FOOD ESTABLISHMENT"; AMENDING SECTION 33-51 PERTAINING TO GREASE TRAP REQUIREMENTS; 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.

No action taken.

4. Consideration and possible action to approve Ordinance 2023-O-30; AMENDING THE CITY FISCAL YEAR 2023 BUDGET ENDING SEPTEMBER 30, 2023, BY AMENDING THE GENERAL FUND BUDGET TO ACCOUNT FOR EMERGENCY ROAD RECONSTRUCTION OF 200 FT OF PALM DESERT STREET.

AN ORDINANCE AMENDING ORDINANCE NO. 2022-O-24 AMENDING THE CITY FISCAL YEAR 2023 BUDGET ENDING SEPTEMBER 30, 2023, BY AMENDING THE GENERAL FUND BUDGET TO ACCOUNT FOR EMERGENCY ROAD RECONSTRUCTION OF 200 FT OF PALM DESERT STREET. DIRECTING THE BUDGET OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET WITH THE CITY SECRETARY AND WITH THE OFFICE OF THE BRAZORIA COUNTY CLERK AND PROVIDING THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

Mayor Dan Davis made the motion to approve. Councilmember Harry Opliger seconded the motion.

The motion carried with a vote: 6/0

Yes: City Councilmember Place 6 Jerome Hudson, City Councilmember Place 1 Larry Akery, City Councilmember Place 3 Harry Opliger, City Councilmember Place 5 Crystal Sarmiento, Mayor Dan Davis, City Councilmember Place 2 David Lands
No: None
Absent: City Councilmember Place 4 Ed Perry
Abstained: None

5. Consideration and possible action to approve Resolution 2023-R-22; A RESOLUTION ADOPTING AN AMENDED PERSONNEL POLICIES AND PROCEDURES HANDBOOK DATED AUGUST 22, 2023 FOR ALL CITY EMPLOYEES; PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE.

Councilmember Jerome Hudson made the motion to approve. Councilmember David Lands seconded the motion.

The motion carried with a vote: 6/0

Yes: City Councilmember Place 6 Jerome Hudson, City Councilmember Place 1 Larry Akery, City Councilmember Place 3 Harry Opliger, City Councilmember Place 5 Crystal Sarmiento, Mayor Dan Davis, City Councilmember Place 2 David Lands
No: None
Absent: City Councilmember Place 4 Ed Perry
Abstained: None

Executive Session

City Council will convene into Executive Session pursuant to Texas Government Code, Sec. 551.072. "deliberation regarding purchase, exchange, lease or value of real property"

Deliberations regarding public safety site in Rodeo Palms.

City Council will convene into Executive Session pursuant to Texas Government Code, Sec. 551.074. "Personnel Matters - to deliberate the appointment, employment, evaluation, and duties of a public officer or employee".

City Manager Search

Mayor Dan Davis convened the meeting into Executive Session at 7:09 p.m.

Mayor Dan Davis reconvened the meeting from Executive Session at 8:32 p.m.

No action was taken.

Mayor and Council Comments

Adjourn

Councilmember Jerome Hudson made the motion to adjourn the meeting at 8:35 p.m.
Councilmember Larry Akery seconded the motion.

The motion carried with a vote: 6/0

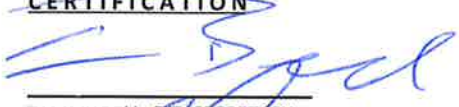
Yes: City Councilmember Place 6 Jerome Hudson, City Councilmember Place 1 Larry Akery, City Councilmember Place 3 Harry Opliger, City Councilmember Place 5 Crystal Sarmiento, Mayor Dan Davis, City Councilmember Place 2 David Lands

No: None

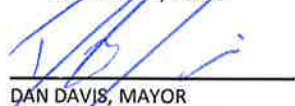
Absent: City Councilmember Place 4 Ed Perry

Abstained: None

CERTIFICATION



TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS



DAN DAVIS, MAYOR
CITY OF MANVEL, TEXAS

