

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 10/16/2023

### Workshop Session -5:00 p.m.

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 3 Harry Opliger  
City Councilmember Place 4 Ed Perry  
City Councilmember Place 5 Crystal Sarmiento

**Absent:** City Councilmember Place 2 David Lands  
City Councilmember Place 6 Jerome Hudson

**Also Present:** Dan Johnson, City Manager  
Robert Gervais, City Attorney  
Tammy Bell, City Secretary  
Keith Traylor, Chief of Police  
Rosa Donaire, Finance Manager  
Jessica Rodriguez, Director of Development Services  
Robbie Hall, Public Works Director  
Chad Dumont, HR Manager  
Brooke Cyphers, Public Information Officer

### Executive Session

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 Employment Agreement*

Mayor Davis recessed the meeting into executive session at 5:04 p.m.  
Mayor Davis reconvened the meeting of the City Council at 6:17 p.m.  
There was no action taken during the executive session.

**Workshop Session**

Discussion on Water Reclamation Facility (WRF).

Discussion on any subject listed on the agenda dated October 16, 2023.

No discussion was had on workshop items.

**Regular Session - 6:00 p.m.**

**Call To Order**

Mayor Davis called the meeting of the Manvel City Council to order at 6:17 p.m.

Those in attendance were:

**Present:** Mayor Dan Davis  
City Councilmember Place 1 Larry Akery  
City Councilmember Place 3 Harry Opliger  
City Councilmember Place 4 Ed Perry  
City Councilmember Place 5 Crystal Sarmiento

**Absent:** City Councilmember Place 2 David Lands  
City Councilmember Place 6 Jerome Hudson

**Also Present:** Dan Johnson, City Manager  
Robert Gervais, City Attorney  
Tammy Bell, City Secretary  
Keith Traylor, Chief of Police  
Rosa Donaire, Finance Manager  
Jessica Rodriguez, Director of Development Services  
Robbie Hall, Public Works Director  
Chad Dumont, HR Manager  
Brooke Cyphers, Public Information Officer

**Invocation**

Brandon Kennard

**Inspirational Reading - Councilmember Lands**

**Pledge**

**Presentations**

*H-E-B Leadership Recognition*

Brandon Knauth, Area Community Coordinator

H-E-B Grand Opening October 25th. First in the area to feature award winning True Texas BBQ.

*Proclamation*

Chamber of Commerce Week October 16, 2023 - October 20, 2023

Cary Perrin, Alvin-Manvel Area Chamber of Commerce and a representative from the Brazoria County Hispanic Chamber of Commerce were in attendance to receive the proclamation.

**Public Comments: "Comment Card" Required**

Abby Sarmiento, Manvel Jr High student - addressed concern over lack of sidewalks in Manvel along Highway 6

**City Manager Update**

Dan Johnson, City Manager -

Update on 288 project. Confirmed north bound lane will remain open in front of Del Bello/Toyota dealership. Also confirmed that the entrance to Del Bello will never be blocked.

Elevated storage tank project being advertised with a mandatory pre-bid conference coming up.

MEDC considering paying half the costs for grease traps at Billy Dano's and Elevate Nutrition.

SMDA moving forward in talks about bond issuance.

Joint Council and PD&Z meeting upcoming to discuss zoning ordinance changes.

**Consent Agenda**

1. Acceptance of the meeting minutes to date.
2. Consideration and possible action to approve acceptance of infrastructure improvements for Valencia Section 1 to begin the Two-Year Maintenance Period.

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

The motion carried with a vote: 5/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento

No: None

Absent: City Councilmember Place 2 David Lands, City Councilmember Place 6 Jerome Hudson

Abstained: None

**Items Removed from Consent Agenda**

None

**Regular Agenda**

1. Consideration and possible action to appoint Daniel S. Johnson as City Manager, approve an Agreement of Employment, and authorize the Mayor to execute said agreement.

**Grouped with item 2.**

2. Consideration and possible action to set the amount of the surety bond for the City Manager Position as required by Article V Sec. 5.02 (d) in the City Charter.

Mayor Davis made the motion to table. Councilmember Ed Perry seconded the motion.

The motion carried with a vote: 5/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento

No: None

Absent: City Councilmember Place 2 David Lands, City Councilmember Place 6 Jerome Hudson

Abstained: None

3. Consideration and possible action to approve Ordinance 2023-O-39;  
AN ORDINANCE AMENDING ORDINANCE NO. 2023-O-32 AMENDING THE CITY FISCAL YEAR 2024 BUDGET ENDING SEPTEMBER 30, 2024, BY AMENDING THE GENERAL FUND BUDGET AND CAPITAL PROJECTS FUND BUDGET TO ACCOUNT FOR THE REALIGNMENT OF THE CLARK ROAD BRIDGE. 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.

Realignment of Clark/Jordan bridge. \$410,000 is being requested.

**Grouped with number 4.**

4. Consideration and possible action to approve Resolution 2023-R-27  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, APPROVING AN "ADVANCE FUNDING AGREEMENT FOR LOCALLY FUNDED PROJECT OFF-SYSTEM" WITH TXDOT FOR THE REALIGNMENT OF CLARK ROAD ON BOTH SIDES OF THE CLARK ROAD BRIDGE AT BRAZOS RIVER AUTHORITY CANAL, WITH LOCAL SHARE FOR THIS PORTION OF THE PROJECT IN THE APPROXIMATE AMOUNT OF \$410,000.00, AS SHOWN IN ATTACHED EXHIBIT A.

Agreement that is in conjunction with item 3.

Councilmember Opliger made the motion to approve agenda item 3 and 4. Councilmember Sarmiento seconded the motion.

**The motion carried with a vote: 5/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento

No: None

Absent: City Councilmember Place 2 David Lands, City Councilmember Place 6 Jerome Hudson

Abstained: None

5. Consideration and possible action to approve an Interlocal Agreement between Brazoria County and the City of Manvel for assistance with labor and equipment for repairing the following roads;  
Wilson - From Hwy 6 to Lewis Lane  
Dogwood - From McCoy to Masters (FM1128)  
Tankersley - From McCoy to Masters (FM1128)  
Charlotte - From McCoy to Masters (FM1128)

Councilmember Sarmiento asks about the other roads. Dan Johnson says they are in the works and the list of roads will be provided soon as well as a possible timeline. Asks Council if they would be interested in looking into putting a thin overlay on Iowa Ln.

Councilmember Sarmiento made the motion to approve. Councilmember Opliger seconded the motion.

**The motion carried with a vote: 5/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento

No: None

Absent: City Councilmember Place 2 David Lands, City Councilmember Place 6 Jerome Hudson

Abstained: None

6. Consideration and possible action on the appointments of the Business Advisory Task Force positions #1, #2, #3, #4, #5, and two alternates with a term to expire in October 2025.

Mayor Davis clarifies that he does not wish to be an alternate, that he was just testing the application process out.

The following introduced themselves to Council:

Richard Drake, applicant. Owns the mansion on Magnolia Pkwy. Renters Warehouse owner.

Thag Adhikari, applicant. IT industry.

Mayor Davis made the motion to appoint Thag Adhikari, Paresh Motiwala, Jason Black, Becky Whatley, and Richard Drake to positions 1, 2, 3, 4, and 5; and Venkataratnam Ramachandran and Jason Hoelscher to the alternate positions. Councilmember Sarmiento seconded the motion.

**The motion carried with a vote: 5/0**

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

7. Consideration and possible action to appoint Jacob Dubois to the Animal Advisory Board Position #4 with a term to expire March 2024.

Councilmember Opilger made the motion to appoint Jacob Dubois to the Animal Advisory Board Position #4. Councilmember Perry seconded the motion.

**The motion carried with a vote: 5/0**

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

8. Consideration and possible action to approve the second and final reading of Ordinance 2023-O-37;

AN ORDINANCE AMENDING CHAPTER 35 "LICENSES AND SPECIAL BUSINESS REGULATIONS" BY AMENDING ARTICLE X "MOBILE FOOD VENDORS" TO REVISE THE REGULATIONS PERTAINING TO MOBILE FOOD UNITS (MFUs);

*AN ORDINANCE AMENDING CHAPTER 35 "LICENSES AND SPECIAL BUSINESS REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING ARTICLE X "MOBILE FOOD VENDORS" TO REVISE THE REGULATIONS PERTAINING TO MOBILE FOOD UNITS (MFUs); 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.*

Dan Johnson highlighted the changes. Shared that they are working on integrating the 2021 TFER as we are still on 2015.

Mayor Davis asks that staff looks into making sure sales tax is being captured within the city with MFUs. Asks that since this is tied to special events, how would that work for an ice cream truck.

Jessica Rodriguez confirms that ice cream trucks are not allowed.

Council would like this changed and Chief Traylor is on board to make that happen.

Mayor Davis made the motion to amend section 35-314 of the ordinance to include item 7: Ice Cream Trucks. Councilmember Sarmiento seconded the motion.

**The motion carried with a vote: 5/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento  
No: None

**October 16, 2023 MANVEL CITY COUNCIL MEETING MINUTES**

Absent: City Councilmember Place 2 David Lands, City Councilmember Place 6 Jerome Hudson

Abstained: None

Councilmember Sarmiento made the motion to approve Ordinance 2023-O-37 as amended. Councilmember Perry seconded the motion.

**The motion carried with a vote: 5/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento

No: None

Absent: City Councilmember Place 2 David Lands, City Councilmember Place 6 Jerome Hudson

Abstained: None

9. Consideration and possible action to approve the second and final reading of Ordinance 2023-O-38;

AN ORDINANCE AMENDING CHAPTER 35 "LICENSES AND SPECIAL BUSINESS REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING ARTICLE XII "SPECIAL EVENTS" PERTAINING TO THE REGULATION OF SPECIAL EVENTS WITHIN THE CITY; 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.

Jessica Rodriguez overviews the changes.

Mayor Davis - this is a step in the right direction, but wants to see some further changes after the holidays. Did not see anything in the current ordinance for small, nonrecurring events. Also would like to see something addressing private events on private property. Mayor feels that the 10-page application is intimidating and has received feedback on this from people in the community.

Councilmember Sarmiento made the motion to approve. Councilmember Opliger seconded the motion.

**The motion carried with a vote: 5/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento

No: None

Absent: City Councilmember Place 2 David Lands, City Councilmember Place 6 Jerome Hudson

Abstained: None

10. Consideration and possible action to direct staff on engaging with the school district to add a pedestrian walking area from the High School to Weekley's Shaved Ice.

Dan Johnson, has talked with AISD about this. Working on securing a meeting date with AISD to discuss this.

Chief Traylor is hesitant on putting a crosswalk here.

Councilmember Sarmiento shared that she spoke with TXDOT representatives in Austin and was told there are grant opportunities available for this.

No action taken.

11. Consideration and possible action to approve Resolution 2023-R-28

A RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE SOUTH MANVEL DEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER THREE, CITY OF MANVEL, TEXAS; AND MAKING CERTAIN FINDINGS RELATING THERETO.

Joe Morrow, Hilltop Securities - provided an overview to council. Shares that it will be capped at 20 million.

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

**The motion carried with a vote: 5/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento

No: None

Absent: City Councilmember Place 2 David Lands, City Councilmember Place 6 Jerome Hudson

Abstained: None

**Mayor and Council Comments**

Mayor Davis wants to add a discussion item to the next agenda to share what he, other councilmembers, and Tammy Bell, City Secretary, learned at the Annual TML Conference.

**Adjourn**

Mayor Davis made the motion to adjourn the meeting at 8:14 p.m. Councilmember Sarmiento seconded the motion.

**The motion carried with a vote: 5/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento

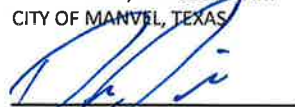
No: None

Absent: City Councilmember Place 2 David Lands, City Councilmember Place 6 Jerome Hudson

Abstained: None

**CERTIFICATION**

  
TAMMY BELL, CITY SECRETARY  
CITY OF MANVEL, TEXAS

  
DAN DAVIS, MAYOR  
CITY OF MANVEL, TEXAS

