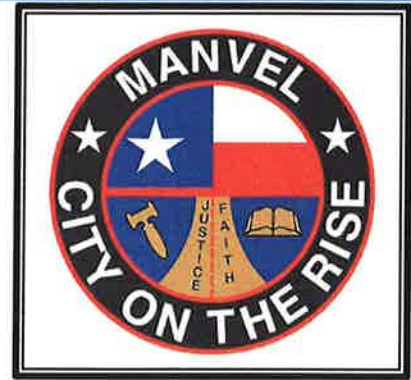


February 5, 2024 MANVEL CITY COUNCIL MEETING MINUTES

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, 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 2/5/2024

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 4 Ed Perry
City Councilmember Place 5 Crystal Sarmiento
City Councilmember Place 6 Jerome Hudson

Absent: City Councilmember Place 3 Harry Opliger

Also Present: Dan Johnson, City Manager
Bobby Gervais, City Attorney
Keith Traylor, Chief of Police
Tammy Bell, City Secretary
Rosie Donaire, Finance Director
Robbie Hall, Director of Public Works
Chad Dumont, Director of Human Resources
Adwale Taiwo, Capital Projects Manager

Update by the Croix Park Task Force on the Gardens at Croix Park

Adewale Taiwo - Phase 2 came in under budget. Next is planting and irrigation.

Croix Park Task Force members, Paul Sofka, Ellen Naegeli & Glen Olson addressed the council.

Discussion on any topic as listed on the current agenda.

General Discussion on the following agenda items:

Regular Agenda Items 3, 4, 5, 6, 8; Consent Agenda Item 7

Mayor Davis adjourned the Workshop at 5:50 p.m.

February 5, 2024 MANVEL CITY COUNCIL MEETING MINUTES

Regular Session

Call To Order

Mayor Davis called the meeting of the Manvel City Council to order at 6:01 p.m.

Those in attendance were:

Present: Mayor Dan Davis
City Councilmember Place 2 David Lands
City Councilmember Place 4 Ed Perry
City Councilmember Place 6 Jerome Hudson
City Councilmember Place 5 Crystal Sarmiento
City Councilmember Place 1 Larry Akery

Absent: City Councilmember Place 3 Harry Opliger

Also Present: Dan Johnson, City Manager
Bobby Gervais, City Attorney
Keith Traylor, Chief of Police
Tammy Bell, City Secretary
Rosie Donaire, Finance Director
Robbie Hall, Director of Public Works
Chad Dumont, Director of Human Resources
Adwale Taiwo, Capital Projects Manager

Invocation

Inspirational Reading - Councilmember Lands

Pledge

Presentations

Proclamation

Black History Month - February 2024

Public Comments: "Comment Card" Required

Cynthia Cortina - Against the agreement with the Houston Humane Society
Julie Bradley - Against the agreement with the Houston Humane Society
Derek Hehn - Against the agreement with the Houston Humane Society
Lorraine Hehn - Against the agreement with the Houston Humane Society
Elisabeth Laprairie - Against the agreement with the Houston Humane Society (emailed)
Lauren Quinn - Against the agreement with the Houston Humane Society (emailed)
Christine Stephenson - Against the agreement with the Houston Humane Society
Rebecca Quinn - Against the agreement with the Houston Humane Society
Adrian Gaspar - In favor of the Houston Humane Society Agreement

City Manager Update

- Staffing
- Traffic Study CR 58 @ Rodeo Palms
- FY 2024 2025 Budget Calendar
- Wastewater Seasonal Average Billing
- Eggstravaganza Event

Consent Agenda

1. Approve the second and final reading of Ordinance 2024-O-01;
*AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING
ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 0.7796*

February 5, 2024 MANVEL CITY COUNCIL MEETING MINUTES

ACRES LOCATED AT 19201 MORRIS AVE, MANVEL, TEXAS (ABUTTING STARBUCKS LOCATED AT 7326 BLUEWATER ST, MANVEL, TX), FROM LIGHT COMMERCIAL DISTRICT/ STATE HIGHWAY 6 OVERLAY DISTRICT (LC/SH6) TO LIGHT COMMERCIAL DISTRICT/STATE HIGHWAY 6 OVERLAY DISTRICT WITH SPECIFIC USE PERMIT (LC/SH6-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR 441310 "AUTOMOTIVE PARTS AND ACCESSORIES STORES"; PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF. (Forwarded with favorable recommendation by PD&Z 1/8/2024 - 6/0)

2. Acceptance of the meeting minutes to date.
3. Consideration and possible action to approve Resolution 2024-R-03;
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, APPROVING AS A PROJECT OF THE MANVEL ECONOMIC DEVELOPMENT CORPORATION CERTAIN PROJECT NUMBER 2023-01 APPROVING AN EXPENDITURE OF UP TO \$7,213.75 TO BE PAID TO CO-APPLICANTS MANVEL RETAIL AND BILLY DANO'S DONUTS INC. to CONSTRUCT A NEW GREASE TRAP TO SERVE A RETAIL STRIP CENTER AT 19931 MORRIS AVENUE, A COMMERCIALY TARGETED AREA, WHICH WILL FURTHER ECONOMIC DEVELOPMENT AND RETAIN JOBS IN the CITY OF MANVEL; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT; PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.
4. Acceptance of the Racial Profiling Report
5. Acceptance of infrastructure improvements for Meridiana Detention Basin A-2 and Detention Basin B-2 to begin the Two-Year Maintenance Period.
6. Final acceptance of infrastructure improvements for Manvel Town Center Waterline Interconnect and release the associated maintenance bond.
7. Acceptance of the Special Warranty Deed from Brazoria County MUD No. 43;
Being a 1.785 acre tract of land located in Brazoria County, Texas, described as Reserve D on the plat of Del Bello Lakes Section 8, recorded in the Official Public Records of Brazoria County, Texas, under Clerk's File Number 2023017218 ("Property").

Councilmember Hudson made the motion to approve. Councilmember Akery seconded the motion.

The motion carried with a vote: 6/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: City Councilmember Place 3 Harry Opliger

Abstained: None

Items Removed from Consent Agenda

None

Regular Agenda

1. Consideration and possible action to approve the contract for Planning Services - Comprehensive Plan, Thoroughfare Plan (Update), and Strategic Plan between Kendigt Keast Collaborative (KKC) and the City of Manvel and authorize the City Manager to execute said contract.

Brooke Cyphers addressed the Council.

Gary, Representative from Kendig Keast, addressed the Council.

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

The motion carried with a vote: 6/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: City Councilmember Place 3 Harry Opliger

Abstained: None

2. Consideration and possible action to approve an Animal Transfer Agreement between the Houston Humane Society and the City of Manvel and authorize the City Manager to execute said agreement.

Chief Traylor provided an overview to Council and introduced Christine, Animal Behavior Specialist, at Houston Humane Society who provided an overview of the services offered at the Houston Humane Society. She also addressed the euthanasia concerns.

Animal Control Officer John Sherman addressed the Council.

Councilmember Sarmiento made the motion to approve with condition to require reporting.

Mayor Davis seconded the motion.

The motion FAILED with a vote: 2/4

Yes: Mayor Dan Davis, City Councilmember Place 5 Crystal Sarmiento

No: City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 4 Ed Perry, City Councilmember Place 6 Jerome Hudson

Absent: City Councilmember Place 3 Harry Opliger

Abstained: None

Councilmember Lands made the motion to reconsider. Councilmember Hudson seconded the motion.

The motion carried with a vote: 6/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: City Councilmember Place 3 Harry Opliger

Abstained: None

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

The motion carried with a vote: 6/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

February 5, 2024 MANVEL CITY COUNCIL MEETING MINUTES

Absent: City Councilmember Place 3 Harry Opliger

Abstained: None

3. Consideration and possible action to appoint Evan DuVall as the city's *Zoning official*, to administer and enforce the zoning regulations of the city (section 77-3 of The City Code).

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

The motion carried with a vote: 6/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: City Councilmember Place 3 Harry Opliger

Abstained: None

4. Consideration and possible action to approve Resolution 2024-R- 04;
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, ADOPTING PROCEDURES FOR POST-ISSUANCE COMPLIANCE (THE "POST-ISSUANCE REQUIREMENTS") CONTAINED IN SECTIONS 103 AND 141 THROUGH 150 OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, AND THE APPLICABLE TREASURY REGULATIONS PROMULGATED THEREUNDER.

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

The motion carried with a vote: 6/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: City Councilmember Place 3 Harry Opliger

Abstained: None

5. Consideration and possible action to approve Ordinance 2024-O-10;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, ORDERING THE HOLDING OF A GENERAL ELECTION ON MAY 4, 2024, FOR THE PURPOSE OF ELECTING TWO COUNCILMEMBERS: ONE EACH FOR, PLACE 1, AND PLACE 2; DESIGNATING THE CITY ELECTION PRECINCTS; DESIGNATING A POLLING PLACE; PROVIDING FOR THE APPOINTMENT OF A PRESIDING ELECTION JUDGE AND ALTERNATE PRESIDING ELECTION JUDGE; APPROVING A JOINT ELECTION CONTRACT AND AUTHORIZING THE MAYOR TO EXECUTE; ESTABLISHING OTHER PROCEDURES FOR CONDUCTING THE ELECTION; PROVIDING FOR THE INCORPORATION OF THE PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

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

The motion carried with a vote: 6/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: City Councilmember Place 3 Harry Opliger

Abstained: None

6. Consideration and possible action to approve Ordinance 2024-O-11;
AN ORDINANCE AMENDING ORDINANCE NO. 2023-O-32 AMENDING THE CITY FISCAL YEAR 2024 BUDGET ENDING SEPTEMBER 30, 2024, BY AMENDING THE CAPITAL PROJECTS FUND BUDGET TO ACCOUNT FOR ADDITIONAL FUNDS NEEDED FOR THE POLICE STATION CONSTRUCTION. 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 Davis made the motion to approve. Councilmember Akery seconded the motion.

The motion carried with a vote: 6/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: City Councilmember Place 3 Harry Opliger

Abstained: None

7. Consideration and possible action to award Flintco the contract for the construction of the Manvel Police Station in the amount of \$21,250,000 and authorize the City Manager to execute the contract.

Adewale Taiwo introduced the agenda item.

Mickey from Flintco addressed the Council. Approximate timeline for construction is 16 months.

Councilmember Akery made the motion to approve. Councilmember Perry seconded the motion.

The motion carried with a vote: 6/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: City Councilmember Place 3 Harry Opliger

Abstained: None

8. Consideration and possible action on the acceptance of a Special Warranty Deeds from Brazoria County Municipal Utility District No. 42 transferring the water and wastewater plants to the City of Manvel, approving Utility Conveyance and Security agreements and related easement assignments, authorizing the Mayor to execute all documents needed for this transfer.
- MUD 42 Water Plant - Utility Conveyance and Security Agreement
 - MUD 42 Water Plant - Special Warranty Deed
 - MUD 42 WWTP - Utility Conveyance and Security Agreement
 - MUD 42 WWTP - Special Warranty Deed
 - Related easement assignments

***Moved to the beginning of the Regular Agenda before item 1**

JoBeth Prochaska addressed the council.

February 5, 2024 MANVEL CITY COUNCIL MEETING MINUTES

Councilmember Hudson made the motion to approve. Councilmember Perry seconded the motion.

The motion carried with a vote: 6/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: City Councilmember Place 3 Harry Opliger

Abstained: None

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".

Daniel S Johnson, City Manager and Robert Gervais, City Attorney

Mayor Davis convened the meeting into Executive Session at 8:43 p.m.

Mayor Davis reconvened the meeting out of Executive Session at 11:15 p.m.

No action taken.

Regular Agenda

9. Consideration and possible action regarding compensation and terms of employment of the City Attorney.

Mayor Davis made the motion to table. Councilmember Hudson seconded the motion.

The motion carried with a vote: 6/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: City Councilmember Place 3 Harry Opliger

Abstained: None

Mayor and Council Comments

Adjourn

Mayor Davis made the motion to adjourn the meeting at 11:16 p.m. Councilmember Hudson seconded the motion.

The motion carried with a vote: 6/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: City Councilmember Place 3 Harry Opliger

Abstained: None

CERTIFICATION


TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS


DAN DAVIS, MAYOR
CITY OF MANVEL, TEXAS

