

**February 20, 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 2/20/2024**

### **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 2 David Lands  
City Councilmember Place 3 Harry Opliger  
City Councilmember Place 4 Ed Perry  
City Councilmember Place 5 Crystal Sarmiento  
City Councilmember Place 6 Jerome Hudson

**Absent:** None

**Also Present:** Dan Johnson, City Manager  
Robert Gervais, City Attorney  
Keith Traylor, Chief of Police  
Tammy Bell, City Secretary  
Rosie Donaire, Finance Director  
Robbie Hall, Public Works Director  
Chad Dumont, HR Director  
Evan Duvall, Zoning Official

### **EXECUTIVE SESSION**

City Council will convene into Executive Session pursuant to Texas Government Code, section 551.072: "Deliberations regarding real property," to discuss the following:

*Deliberate the possible purchase, exchange, lease, or value of real property*

## **February 20, 2024 MANVEL CITY COUNCIL MEETING MINUTES**

City Council will convene into Executive Session pursuant to Texas Government Code, Section 551.071: "Consultation with Attorney," to discuss the following:

*Valencia Development Agreement*  
*Certificate of Obligation Publication*

Mayor Davis convened the meeting into Executive Session at 5:01 p.m.

Mayor Davis reconvened the Workshop Session at 6:14 p.m.

No action was taken during Executive Session.

Executive Session topic "Valencia Development Agreement" left open to be discussed during the Regular Meeting's Executive Session.

Mayor Davis closed the Workshop Session at 6:15 p.m.

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

#### **Call To Order**

Mayor Davis called the meeting of the Manvel City Council to order at 6:15 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 4 Ed Perry  
City Councilmember Place 5 Crystal Sarmiento  
City Councilmember Place 6 Jerome Hudson

**Absent:** None

**Also Present:** Dan Johnson, City Manager  
Robert Gervais, City Attorney  
Keith Traylor, Chief of Police  
Tammy Bell, City Secretary  
Rosie Donaire, Finance Director  
Robbie Hall, Public Works Director  
Chad Dumont, HR Director  
Evan Duvall, Zoning Official

#### **Invocation**

#### **Inspirational Reading - Councilmember Opliger**

#### **Pledge**

#### **Presentations**

Proclamation - Latrista Brown, S.C.A.R.F., Inc.

#### **Public Hearing**

TO HEAR INPUT FROM THE PUBLIC ON AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 11.665 ACRES LOCATED AT 11800 MAGNOLIA PKWY, MANVEL, TEXAS, FROM LIGHT COMMERCIAL DISTRICT TO LIGHT COMMERCIAL DISTRICT WITH SPECIFIC USE PERMIT (LC-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR 611210 "JUNIOR COLLEGES"; 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.

## **February 20, 2024 MANVEL CITY COUNCIL MEETING MINUTES**

Opened at 6:28 p.m.  
1st call for comments - Lorraine Hehn  
2nd call for comments - None  
3rd call for comments - None  
Closed at 6:30 p.m.

### **\*\*\*CANCELED\*\*\***

TO HEAR INPUT FROM THE PUBLIC REGARDING A PROPOSED ORDINANCE (2024-O-09) OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATE 4.0248 ACRE TRACT OF LAND, LOCATED AT 19804 MORRIS AVENUE SUITE 160, MANVEL, TX, FROM LIGHT COMMERCIAL DISTRICT TO LIGHT COMMERCIAL DISTRICT WITH SPECIFIC USE PERMIT (LC/SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE CODE 621493 "FREESTANDING AMBULATORY SURGICAL AND EMERGENCY CENTERS"; 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.

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

Dorothy Wynne - spoke against the agreement with Houston Humane Society  
Cindy Cortinas - spoke against the agreement with Houston Humane Society  
Julie Bradley - spoke against the agreement with Houston Humane Society  
Angela Greudsmacher (sp) - spoke against the agreement with Houston Humane Society  
Ashley Russel - spoke against the agreement with Houston Humane Society  
Drew Phillips, online comment read by Mayor - issues with staffing, budget, and water/sewer rates  
Sarah Harpman, online comment read by Mayor - issues with staffing, budget  
Lorraine Hehn - spoke against the agreement with Houston Humane Society  
Jan Benningfield, online comment read by Mayor - against the agreement with Houston Humane Society  
Lauren Quinn, online comment read by Mayor - against the agreement with Houston Humane Society  
Emily Tade-Hensley, online comment read by Mayor - against the agreement with Houston Humane Society  
Deedee King, online comment read by Mayor - spoke in favor of the agreement with Houston Humane Society  
Adrian Gaspar, online comment read by Mayor - spoke in favor of the agreement with Houston Humane Society

### **City Manager Update**

1. City Council May Election Update (City Secretary)
  2. Wastewater Averaging Update (Finance)
  3. March 4 – City Council Retreat – Mission, Vision, Values
  4. Work Schedule Adjustment
  5. Capital Projects Update
1. City Council May Election Update (City Secretary)
    - Filed for Place 2: Incumbent David Lands and Robina Spruill
    - Filed for Place 1: Incumbent Larry Akery and Preston Bonner
  2. Wastewater Averaging Update (Finance)
  3. March 4 – City Council Retreat – Mission, Vision, Values
  4. Work Schedule Adjustment
    - Transitioning to 9/80 schedule at the end of the month
  5. Capital Projects Update
    - Croix Park Phase 2 - nearing completion
    - Police Station - City Attorney working on contract

## February 20, 2024 MANVEL CITY COUNCIL MEETING MINUTES

Public Works Facility - working on contract  
Elevated Storage Tank - notice to proceed is March 25th  
Water reclamation facility - pre-bid meeting on 2/14. Proposals due back March 27th.  
Franchise Agreement, CenterPoint - hoping to have it back next meeting

### Consent Agenda

1. Acceptance of the meeting minutes to date.
2. Approve Resolution 2024-R-02;  
A RESOLUTION OF THE CITY OF MANVEL, TEXAS FINDING THAT THE STATEMENT OF INTENT OF CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TO CHANGE RATES FILING WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.
3. Approve Resolution 2024-R-05;  
A RESOLUTION UPDATING THE SIGNATURE CARDS DESIGNATING CITY OFFICIALS AS SIGNATORIES AT FIRST STATE BANK FOR THE CITY'S BANK ACCOUNTS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.
4. Acceptance of infrastructure for Meridiana Section 14A to begin the 2-year maintenance period.
5. Acceptance of infrastructure for Valencia Lake "D" to begin the 2-year maintenance period.
6. Final acceptance of infrastructure for Pomona WWTP Phase 3 and release of Maintenance Bond.
7. Final acceptance of infrastructure for Pursley Boulevard Phase 7, and release of Maintenance Bond.

Councilmember Hudson made the motion to approve the Consent Agenda. Councilmember Opliger seconded the motion.

#### **The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

### Items Removed from Consent Agenda

None

### Regular Agenda

1. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-08;  
*AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 11.665 ACRES LOCATED AT 11800 MAGNOLIA PKWY, MANVEL, TEXAS, FROM LIGHT*

## **February 20, 2024 MANVEL CITY COUNCIL MEETING MINUTES**

*COMMERCIAL DISTRICT TO LIGHT COMMERCIAL DISTRICT WITH SPECIFIC USE PERMIT (LC-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR 611210 "JUNIOR COLLEGES"; 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 on 2/12/2024 with a vote of 5/0 with 1 abstention)*

Evan Duvall, Zoning Official, provided an overview to Council. Staff is recommending approval with one condition, being:

All building, fire, and engineering comments must be addressed during the permitting process.

Dr. Robert Exley, President of ACC, provided an overview of what the college will offer at this site.

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

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

2. Consideration and possible action to approve a variance request seeking to vary Chapter 35, Section 35-22. Prohibited Sales, for a property located at 19710 Morris Avenue (State Highway 6) in Meridiana's Open-Planned Unit Development / State Highway 6 Overlay District (O-PUD/SH6).

Evan Duvall, Zoning Official, provided an overview to Council. Staff recommends approval with one condition, being; variance is granted for restaurants with on-premises beer/wine and/or mixed beverages only.

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

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

3. 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. (Tabled at the 2/5/2024 City Council Meeting)

Chief Traylor, spoke with Lorraine Hehn and asked her to help come up with some procedures.

## **February 20, 2024 MANVEL CITY COUNCIL MEETING MINUTES**

Is open to utilizing the foster programs, rescue groups, etc. but there needs to also be an agreement in place with HHS.

Animal Control Officer Sherman addressed Council. Is comfortable utilizing HHS.

Mayor Davis calls on the community to do their part.

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

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

4. Consideration and possible action to approve the amended Planning Development and Zoning Commission Bylaws. (Forwarded with favorable recommendation by PD&Z on 2/12/2024 with a vote of 6/0)

Robert Gervais provided an overview of the changes/updates to Council.

Councilmember Perry made the motion to approve with an effective date 3/15/2024. Councilmember Hudson seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

### **Executive Session**

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

- *Performance Review for Robert Gervais, City Attorney*
- *Discussion on applicants for the appointment of Planning Development and Zoning Commission Board Members*
- *Discussion on applicants for the appointment of Manvel Economic Development Corporation Board Members*

Mayor Davis convened the meeting into Executive Session at 8:15 p.m.

\*Workshop Executive Session was also continued for Valencia Development Agreement.

Discussion on applicants for Planning Development and Zoning, and Manvel Economic Development Corporation Board Members.

No action was taken during Executive Session.

Mayor Davis closed the Workshop Executive Session at 9:34 p.m.

The Executive Session was left open to discuss the Performance Review for the City Attorney after action was taken on Regular Agenda items 6 and 7.

## **February 20, 2024 MANVEL CITY COUNCIL MEETING MINUTES**

**\*\*Action on Regular Agenda items 6 and 7 taken at this point. See Regular Agenda items 6 and 7 for motions and votes.\*\***

Mayor Davis recessed the meeting at 9:36 p.m. to continue the Executive Session regarding the performance review for the City Attorney.

Mayor Davis reconvened the meeting out of Executive Session at 11:07 p.m.

No action was taken during Executive Session.

### **Regular Agenda**

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

Mayor Davis made the motion to approve a 2.4% salary increase. Councilmember Akery seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

6. Consideration and possible action on the appointments of the Manvel Economic Development Corporation Board Positions #1, #2, and #3 with a 2-year term to expire March 2026.

Moved ahead of Regular Agenda item #5.

Mayor Davis made the motion to appoint Kris Durrett II to Position #1, Martina McNickles to Position #2, and Donald Atkinson to Position #3. Councilmember seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

7. Consideration and possible action on the appointments of the Planning Development and Zoning Commission Board Positions #5, #6, and #7 with a 2-year term to expire in March 2026.

Moved ahead of Regular Agenda item #5.

Mayor Davis made the motion to appoint Christy Kennard to Position #5, Delores Martin to Position #6, and William Richardson to Position #7. Councilmember Akery seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry

**February 20, 2024 MANVEL CITY COUNCIL MEETING MINUTES**

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

No: None

Absent: None

Abstained: None

**Mayor and Council Comments**

**Adjourn**

Mayor Davis made the motion to adjourn the meeting at 11:08 p.m. Councilmember Akery seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

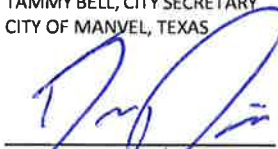
No: None

Absent: None

Abstained: None

**CERTIFICATION**

  
TAMMY BELL, CITY SECRETARY  
CITY OF MANVEL, TEXAS

  
DAN DAVIS, MAYOR  
CITY OF MANVEL, TEXAS

