

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 4/1/2024

Workshop Session

Mayor Davis called the workshop of the Manvel City Council to order at 5:01 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 (Arrived at 5:11 p.m.)
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
Rosa Donaire, Finance Director
Robbie Hall, Director of Public Works
Chad Dumont, Director of Personnel
Evan Duvall, Zoning Official
Brooke Cyphers, Public Information Officer

Presentation/Discussion on the Fiscal Year 2022-2023 Audit as presented by Belt Harris Pechacek, LLLP.

Update provided by Stephanie Harris.

Discussion on Accessory Dwelling Units (ADU's).

Council discusses ADUs and are open to allowing them, with specific guidelines/rules in place.

City Attorney Robert Gervais suggests that Council provide PD&Z with some bullet points to work off of to get an ordinance created for them to approve and recommend to Council.

Discussion on the Design Criteria Manual (including fencing requirements).

Mayor suggests Council move forward with the changes for the DCM for fencing, Fire Marshal, some others, but let's maybe have a future agenda item to talk a little bit more about the pump detention piece.

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 6:14 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 6 Jerome Hudson
City Councilmember Place 5 Crystal Sarmiento

Absent: None

Also Present: Dan Johnson, City Manager
Robert Gervais, City Attorney
Keith Traylor, Chief of Police
Tammy Bell, City Secretary
Rosa Donaire, Finance Director
Robbie Hall, Director of Public Works
Chad Dumont, Director of Personnel
Evan Duvall, Zoning Official
Brooke Cyphers, Public Information Officer

Invocation

Inspirational Reading - Councilmember Sarmiento

Pledge

Presentations

Proclamations

National Public Safety Telecommunicators Week - April 14-20, 2024

Fair Housing Month - April, 2024

National Child Abuse Prevention Month - April, 2024

Certificates

Teen Court

Manvel FFA Chapter

Public Hearing

TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 457.0 ACRES OF LAND GENERALLY LOCATED EAST OF STATE HIGHWAY 288, NORTH OF HIGHWAY 6, GENERALLY SOUTH OF DEL BELLO BOULEVARD, AND WEST OF FARM TO MARKET 1128, FROM SINGLE-FAMILY RESIDENTIAL DISTRICT AND PLANNED UNIT DEVELOPMENT (PUD) TO PLANNED UNIT DEVELOPMENT (PUD) AND AMENDMENTS TO THE VALENCIA PLANNED UNIT DEVELOPMENT; 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.

Mayor Davis opened the Public Hearing at 6:45 p.m.

1st call for comments - None

2nd call for comments - None

3rd call for comments - None

Mayor Davis closed the Public Hearing at 6:45 p.m.

Public Comments: "Comment Card" Required

Paul Moore, Charlotte Drive - Noise complaint about church.

Martina McNickels - comments about ADUs

City Manager Update

PD Groundbreaking - Wednesday, April 3rd

Chad Dumont - changes to the personnel policy upcoming

Consent Agenda

1. Acceptance of the meeting minutes to date.
2. Approve the second and final reading of Ordinance 2024-O-15;
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, CHAPTER 71. "UTILITIES" BY AMENDING SECTION 71-5 SEWER, TO PROVIDE FOR AVERAGE BILLING; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF ANY PROVISION OF THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.
3. Approve the second and final reading of Ordinance No. 2024-O-03;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF CITY RIGHT-OF-WAY CONSISTING OF A 2.713 ACRE TRACT OF LAND IN THE H.T & B.R.R. CO. SURVEY, SECTION 62, ABSTRACT NO. 484, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF BISSELL ROAD (50 FOOT WIDE) LOCATED WEST OF MERIDIANA PARKWAY AND EAST OF THE GCWA CANAL; 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 6/0)

April 1, 2024 MANVEL CITY COUNCIL MEETING MINUTES

4. Approve the second and final reading of Ordinance No. 2024-O-13;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 1,735 ACRES of land GENERALLY LOCATED EAST OF STATE HIGHWAY 288 AND SOUTH OF HIGHWAY 6 FROM OPEN PLANNED UNIT DEVELOPMENT (O-PUD) TO PLANNED UNIT DEVELOPMENT (PUD) FOR THE MERIDIANA PLANNED UNIT DEVELOPMENT AND RENAMING THIS DEVELOPMENT FROM SEVEN OAKS RANCH TO THE MERIDIANA DEVELOPMENT; 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 6/0)
5. Acceptance of infrastructure improvements for Manvel Town Center Private Paving 1A to begin the Two-Year Maintenance Period.
6. Final acceptance of infrastructure improvements for Manvel Town Center Public Utilities Phase 1 B and release the associated maintenance bond.
7. Final acceptance of infrastructure improvements for Manvel Town Center Water Plant and release the associated maintenance bond.
8. Acceptance of infrastructure improvements for Pomona Section 25 to begin the Two-Year Maintenance Period.

Councilmember Hudson made the motion to approve the Consent Agenda. 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

Items Removed from Consent Agenda - None

Regular Agenda

1. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-12;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 457.0 ACRES OF LAND GENERALLY LOCATED EAST OF STATE HIGHWAY 288, NORTH OF HIGHWAY 6, GENERALLY SOUTH OF DEL BELLO BOULEVARD, AND WEST OF FARM TO MARKET 1128, FROM SINGLE-FAMILY RESIDENTIAL DISTRICT AND PLANNED UNIT DEVELOPMENT (PUD) TO PLANNED UNIT DEVELOPMENT (PUD) AND AMENDMENTS TO THE VALENCIA PLANNED UNIT DEVELOPMENT; 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 4/1)

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

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Larry Akery, City

April 1, 2024 MANVEL CITY COUNCIL MEETING MINUTES

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 on a subdivision variance request seeking to vary Chapter 62, Sections 62-108(a) (4, 5, and 11), lot dimensions, residential lots not served by public water and sewer, and a flag or key-shaped lot, for an approximate 0.9445-acre tract of land generally located 475 feet southwest from the southwest corner of Patterson Road and Chocolate Bayou Road (PID 711015).

Evan Duvall - City staff is not recommending approval of this variance request to Chapter 62, Sections 62-108(a)(4, 5, and 11), lot dimensions, residential lots not served by public water and sewer less than one acre, and a flag or key shaped lot as this property was previously created in a non-conforming configuration.

If Council goes against staff's recommendation, the following conditions are recommended:

1. This agreement is for single family residential development only and including all accessory structures and does not apply to any other development
2. All right-of-way required for Patterson road should be dedicated by separate instrument prior to any plat or plat process with the city
3. Go through the ZBOA for an approval of the less than one acre lot in the open single family district

Applicant, Mary, spoke to Council.

Mayor Davis made the motion to approve with the three conditions. 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

3. Consideration and possible action to approve a subdivision variance request seeking to vary Chapter 62, Section 62-116(a), structures near pipelines, for an approximately 0.2311-tract of land located at 9706 Soto Street (PID 702290) and authorize the Mayor to execute the Development Agreement.

Evan Duvall - The City staff is recommending conditional approval of this variance request to Chapter 62, Sections 62-116 structures near pipelines as it will not be detrimental to the public.

Recommended conditions of approval.

1. This Variance is only for the 20' x 16' patio cover as approved in permit #24-000152.
2. No other permanent structures can encroach into this required building line setback.

Councilmember Hudson made the motion to approve with conditions. 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

April 1, 2024 MANVEL CITY COUNCIL MEETING MINUTES

Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

4. Consideration and possible action to approve the Fiscal Year 2022-2023 Audit as presented by Belt Harris Pechacek, LLLP.

Councilmember Perry 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

5. Consideration and possible action to direct staff regarding Accessory Dwelling Units (ADU's).

Mayor Davis made the motion motion to direct staff to prepare guidelines and a checklist to ultimately present before Council and PD&Z. 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

6. Consideration and possible action to direct staff on amending the Design Criteria Manual.

Mayor Davis made the motion to direct staff to move forward with drafting a changes to the DCM. 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

7. Consideration and possible action to approve Ordinance 2024-O-18;
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 TO FUND THE INSTALLATION OF THE FLOCK CAMERAS ON ALL ENTRY POINTS OF THE CITY. 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.

Rosa Donaire and Dan Johnson presented to Council.

Councilmember Sarmiento made the motion to approve. Councilmember Perry 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

8. Consideration and possible action to approve Resolution 2024-R-11;
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL SUPPORTING MANVEL POLICE DEPARTMENT'S PARTICIPATION IN THE EXPLORER CLUB PROGRAM.

Chief Traylor presented the agenda item to council.

Mayor Davis made the motion to approve. 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

Mayor and Council Comments

Councilmember Lands - starting a \$5,000 scholarship in memory of his late father for Manvel High School students entering Engineering field. It will be called the Jack F. Lands Jr Memorial Scholarship Fund.

Adjourn

Councilmember Hudson made the motion to adjourn the meeting at 7:49 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