

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 4/15/2024

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

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, Public Works Director
Evan Duvall, Zoning Official
Elaheh Roohbakhsh, Associate Planner
Chris Day, Patrol Captain
Brooke Cyphers, Public Information Officer

Update on debt issuance for the Wastewater Regional Facilities, Streets, and Sidewalk Improvements.

Joe Morrow provided the update.

April 15, 2024 MANVEL CITY COUNCIL MEETING MINUTES

Presentation on WeBUILT (We Build Unique Independent Lives Together) Development.

Anne Wilkinson, Director of WeBUILT
Eric Clement, President of Living Hope
Sherrie Clement, Executive Director of Living Hope
Scott Sheritan, Daniel Scott Engineering
Becky Dawson, B&D Community Design Studio

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 6:17 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 6 Jerome Hudson
City Councilmember Place 5 Crystal Sarmiento City
Councilmember Place 4 Ed Perry

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, Public Works Director
Evan Duvall, Zoning Official
Elaheh Roohbakhsh, Associate Planner
Chris Day, Patrol Captain
Brooke Cyphers, Public Information Officer

Invocation

Inspirational Reading - Councilmember Perry

Pledge

Presentations

Proclamations

Mountain on Masters Road Fun Run - April 27, 2024
Professional Municipal Clerks Week - May 5-11, 2024
Military Appreciation Month - May 2024
Motorcycle Safety Awareness Month - May 2024

Staff Recognition

Scott Karpowicz - 15 years of dedicated service to the City of Manvel
Tammy Bell - 20 years of dedicated service to the City of Manvel

Public Hearing Presentation

Overview of proposed Ordinance 2024-O-12

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 AN APPROXIMATELY 13.08 ACRE TRACT OF LAND LOCATED AT 21708 HIGHWAY 288, MANVEL, TEXAS (DESCRIBED AS RESERVE "A" OF MANVEL TOWN CENTER PHASE ONE B), FROM PLANNED UNIT DEVELOPMENT AND STATE HIGHWAY 6 OVERLAY DISTRICT (PUD-SH6) TO PLANNED UNIT DEVELOPMENT AND STATE HIGHWAY 6 OVERLAY DISTRICT WITH SPECIFIC USE PERMIT (PUD-SH6-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR 621493 "AMBULATORY HEALTH CARE SERVICES" TO BE LOCATED WITHIN THE TOWN CENTER 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 6:51 p.m.
1st call for comments - Mary Ann Atkinson, in favor
2nd call for comments - None
3rd call for comments - None
Mayor Davis closed the Public Hearing at 6:52 p.m.

Public Comments: "Comment Card" Required

Kathryn Ducomus - Not in favor of WeBuilt being in a residential area.
Jan Weede - 6703 Crestridge - Not in favor of Webuilt being in a residential area.
Waylon Sheffield - 6225 Louisiana St - Not in favor of WeBuilt being on Louisiana Street.
Warron Savoy - Not in favor of WeBuilt being in a residential area. Will tear up the roads and bring down property values.
Janelle Hart - 6830 Louisiana Street - Not in favor of the WeBuilt project in a residential area. Supports the concept just not the proposed location.
Jamie Sohrt - 6625 Louisiana Street - Not in favor of the WeBuilt project due to drainage issues in the proposed area.
Chang - 6628 Louisiana Street - Not in favor of the WeBuilt project being built in her backyard.
Garrett Knox - Trees - Currently writing a book "Big Trees in Manvel". Has concerns over trees taken down on the property where the public works building is going up. We need a good strong ordinance protecting the trees.
Brian Wilmer - Speaking in favor of a Tree Preservation Ordinance.
Mary Ann Atkinson - In favor of a Tree Preservation Ordinance not only in commercial areas, but also in residential areas.
Saleem Madka - Owner of the Little Rascals - Prop 2 that was approved in the last election to offer tax relief to daycare owners. Unable to raise rates, this exemption would help current daycare to stay in business.
Debra Tate - No longer at the meeting

City Manager Update

Akery Lake Update - Slope paving started this week.
Rodeo Drive - Staff has done some painting of crosswalks
Public Works and Police Station both had NTP issued last week. Projects are getting off to a great start.
Compliments last week to Tristian in the Utility Billing Department for outstanding service.

Consent Agenda

1. Acceptance of the meeting minutes to date.
2. Approve the second and final reading 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)
3. Consideration and possible action to approve Resolution 2024-R-12;
A RESOLUTION BY THE CITY OF MANVEL, TEXAS SUSPENDING THE WATER AND WASTEWATER RATE INCREASES PROPOSED BY UNDINE, LLC. FOR THEIR CUSTOMERS IN THE BRANDI ESTATES SUBDIVISION FOR NINETY (90) DAYS, THE MAXIMUM PERIOD ALLOWED BY LAW; REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.
4. Consideration and possible action to approve Resolution 2024-R-13;
A RESOLUTION BY THE CITY OF MANVEL, TEXAS SUSPENDING THE MAY 11, 2024 EFFECTIVE DATE OF THE PROPOSAL BY UNIVERSAL NATURAL GAS, LLC D/B/A UNIVERSAL NATURAL GAS, INC. TO IMPLEMENT GRIP INTERIM RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2023 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.
5. Acceptance of infrastructure improvements for Manvel East Retail Center to begin the Two-Year Maintenance Period.
6. Acceptance of infrastructure improvements for Meridiana 24A to begin the Two-Year Maintenance Period.
7. Acceptance of infrastructure improvements for Meridiana Section 24B to begin the Two-Year Maintenance Period.
8. Acceptance of infrastructure improvements for Meridiana Section 5 East to begin the Two-Year Maintenance Period.

Councilmember Crystal Sarmiento made the motion to approve. Councilmember Jerome 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

Items Removed from Consent Agenda

None

Executive Session

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

- *Certificate of Obligation Publication*
- *Legal advice on Public Improvement Districts (PID)*

Mayor Davis convened the meeting into Executive Session at 7:40 p.m.

Mayor Davis reconvened the meeting out of Executive Session at 8:19 p.m.

No action was taken during Executive Session.

Regular Agenda

1. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-17;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATELY 13.08 ACRE TRACT OF LAND LOCATED AT 21708 HIGHWAY 288, MANVEL, TEXAS (DESCRIBED AS RESERVE "A" OF MANVEL TOWN CENTER PHASE ONE B), FROM PLANNED UNIT DEVELOPMENT AND STATE HIGHWAY 6 OVERLAY DISTRICT (PUD-SH6) TO PLANNED UNIT DEVELOPMENT AND STATE HIGHWAY 6 OVERLAY DISTRICT WITH SPECIFIC USE PERMIT (PUD-SH6-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR 621493 "AMBULATORY HEALTH CARE SERVICES" TO BE LOCATED WITHIN THE TOWN CENTER 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 7/0).

*Moved to before the Executive Session.

Councilmember Opliger 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 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 Ordinance 2024-O-19;
AN ORDINANCE AUTHORIZING ISSUANCE OF UP TO \$50,000,000 CITY OF MANVEL, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2024; PRESCRIBING THE TERMS AND CONDITIONS THEREOF; PROVIDING FOR THE PAYMENT THEREOF; MAKING OTHER PROVISIONS REGARDING SUCH CERTIFICATES AND MATTERS INCIDENT THERETO; AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYING AGENT REGISTRAR AGREEMENT.

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

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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 Ordinance 2024-O-20;
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 TRANSFER FUNDS FROM COMMUNITY DEVELOPMENT SERVICES TO COURTS FOR A CLERK POSITION, TO TRANSFER FUNDS TO THE LIBRARY FOR REPAIRS FROM THE ADMINISTRATION DEPARTMENT, AND TO FUND THE ADDITIONAL COST ON THE ELEVATED WATER STORAGE TOWER FROM THE GENERAL FUND BALANCE. 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 would like something on the next agenda to consider a mid-year budget amendment to hire the following positions:

Legal Assistant to focus on Open Records
HR Generalist for HR
Economic Development Coordinator, paid for by EDC
Executive Assistant for City Manager
PIO for Police
Parks person

Councilmember Sarmiento does not want to see the Permits position doesn't go unfilled either.

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 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. Update by Waste Connections on the CPI Rate Adjustment (Authorized under the Franchise Agreement)

*Moved to before the Executive Session.

Zack with Waste Connections present. 95 cent increase. The CPI Rate Adjustment is dictated by the government.

5. Consideration and possible action to approve;
SECOND AMENDMENT TO INTERLOCAL AND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MANVEL, TEXAS AND BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 43

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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

6. Consideration and possible action to approve a Funding Agreement between the City of Manvel, Texas, and Rodeo Palms Community Association, Inc to provide the terms between the CITY and ASSOCIATION with regards to the CITY painting certain lanes and street markings on the street by the entrance to the gate house in Rodeo Palms subdivision.

Changes the Mayor would like to see:

Amount not to exceed \$1,000

Scope of Services

Article 4.02 - invoice paid within 30 days of issuance

Mayor Davis made the motion to amend section 4.02 to say "Association shall pay invoice within 30 dates of invoice issue date". 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

Mayor Davis made an amendment motion for section 3.03 to say "The approximate cost for the work is not to exceed \$1,000". 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

Mayor Davis made the motion to approve as amended. 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

7. Consideration and possible action to approve a Signal and Crossing Surface License Agreement between The City of Manvel, and BNSF Railway Company.

Councilmember Sarmiento 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 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 decline the default increase in rates for the 2024 CPI Adjustment to Municipal Telecommunications Right-Of-Way Access Line Rates.

Mayor Davis made the motion to decline default increase in rates. 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

9. Consideration and possible action to direct staff on a Tree Preservation Ordinance as requested by Council Member Lands and Council Member Akery.

All councilmembers in agreeance about preserving trees and having a stronger and more detailed ordinance. Possibility for incentives to developers who preserve tree discussed. Mayor wants to make sure that it's flexible for certain extenuating circumstances.

Mayor Davis directs staff to work with Councilmember Lands and Akery to draft something up to present to Council.

10. Consideration and possible action to direct staff on creating a checklist for new businesses. Create a how-to manual for businesses wanting to develop in the city.

Mayor directs Councilmember Sarmiento and Lands to get with City Manager and department heads to discuss ways we can make it easier to do business in Manvel.

11. Consideration and possible action to schedule a Planning Session Meeting of City Council on April 29, 2024.

Mayor Davis 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 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

April 15, 2024 MANVEL CITY COUNCIL MEETING MINUTES

Absent: None

Abstained: None

12. Consideration and possible action to approve a Special Called City Council Meeting on May 13, 2024, for the Canvass of the May 4, 2024, General Election.

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

Lone Star Pawz grand opening - 4/20 beginning at 10 a.m.

Adjourn

Mayor Davis made the motion to adjourn the meeting at 9:37 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

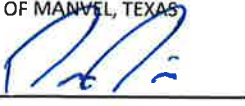
No: None

Absent: None

Abstained: None

CERTIFICATION


TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS


DAN DAVIS, MAYOR
CITY OF MANVEL, TEXAS

