July 1, 2024 CITY COUNCIL MEETING AGENDA

THE STATE OF TEXAS §
COUNTY OF BRAZORIA §
CITY OF MANVEL §

KEITH BONNER, 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

NOTICE OF A CITY COUNCIL MEETING OF THE CITY OF MANVEL
July 1, 2024

NOTICE IS HEREBY GIVEN
5:00 P.M. WORKSHOP – 6:00 P.M. REGULAR SESSION

Pursuant to Chapter 551, Title 5 of the Texas Government Code, the Texas Open Meetings Act, notice is hereby given that the Manvel City Council will convene a regular meeting at the Manvel City Hall, located at **20031 Hwy 6, Manvel Tx 77578** for the purpose of discussing and if appropriate, take action with respect to the following items:

NOTE: The City Council of the City of Manvel reserves the right to discuss any items in Closed Session whenever authorized under the Texas Open Meetings Act, Chapter 551, of the Texas Government Code. The City Council may discuss the items on this agenda in any order.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpreter services must be made 48 hours prior to this meeting. Please contact the City Secretary at 281-489-0630 x6 for further information.

CITY OF MANVEL MISSION STATEMENT

The City of Manvel is a safe and responsible community, embracing the values of our past, present, and future citizens.

Workshop Session - 5:00 pm

Budget Presentation - Public Safety

EXECUTIVE SESSION
City Council will convene into Executive Session pursuant to Texas Government Code, Section 551.072: "Deliberation regarding real property", to discuss the following:
Deliberate the purchase, exchange, lease, or value of real property

Discussion on any topic as listed on the current agenda.

Regular Session - 6:00 pm

Call To Order

Invocation

Inspirational Reading - Councilmember Opliger

Pledge

Pledge of Allegiance and Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee Texas, one state under God, one and indivisible.

Public Hearing

*****CANCELED*****

TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING CHAPTER 77 - ZONING, OF THE CODE OF ORDINANCES, PROVIDING FOR THE REGULATION OF ACCESSORY DWELLING UNITS; PROVIDING FOR THE CREATION AND MODIFICATION OF DEFINITIONS RELATED TO THE REGULATION OF ACCESSORY DWELLING UNITS, SECTION 77-3, DEFINITIONS; PROVIDING FOR AMENDMENTS TO SECTION 77-27, OPEN SINGLE-FAMILY RESIDENTIAL (O-SFR) DISTRICT; PROVIDING FOR AMENDMENTS TO SECTION 77-28, SINGLE-FAMILY RESIDENTIAL (SFR) DISTRICT; PROVIDING FOR AMENDMENTS TO SECTION 77-37, 77-38 - RESERVED, BY ESTABLISHING SECTION 77-37 - ACCESSORY DWELLING UNIT (ADU); PROVIDING FOR THE ESTABLISHMENT OF SECTION 77-38 – RESERVED; AND 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 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 AN APPROXIMATELY 20.41 ACRE TRACT OF LAND LOCATED AT 17221 STATE HIGHWAY 6, SUITE 103, MANVEL, TEXAS (DESCRIBED AS RESERVE "B" OF MANVEL TOWN CENTER SECTION ONE), 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 812113, "NAIL SALONS" 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.

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 AN APPROXIMATELY 1.5491 ACRE TRACT OF LAND GENERALLY LOCATED EAST OF 17518 MORRIS AVENUE (STATE HIGHWAY 6), MANVEL, TEXAS FROM LIGHT COMMERCIAL AND STATE HIGHWAY 6 OVERLAY DISTRICT LC-SH6) TO LIGHT COMMERCIAL 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"; 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

o Members of the public with business before the board, NOT scheduled on the agenda as a public hearing (that have submitted a public comment card) may have three (3) minutes to address the board. o The board may not participate in any discussion and cannot vote on the subject you present unless it is listed on the agenda as an action item.

City Manager Update

Update on current events and city issues.

Consent Agenda

1. Acceptance of the meeting minutes to date.

2. Approve Resolution 2024-R-23;
   RESOLUTION OF THE CITY OF MANVEL, TEXAS GIVING CONSENT TO THE SALE AND ISSUANCE OF BONDS BY BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 56 OF BRAZORIA COUNTY.

3. Approve Resolution 2024-R-24;
   A RESOLUTION OF THE CITY OF MANVEL, TEXAS GIVING CONSENT TO THE SALE AND ISSUANCE OF BONDS BY BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 39 OF BRAZORIA COUNTY.

4. Approve Resolution 2024-R-25;
   A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, ADOPTING THE BRAZORIA COUNTY HAZARD MITIGATION PLAN 2023.

5. Approve the second and final reading of Ordinance 2024-O-23;
   AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING SECTION 41-4 "SCHOOL ZONES" OF THE CODE OF ORDINANCES TO REVISE THE PROVISIONS PERTAINING TO TIMES AND PLACES FOR SCHOOL ZONES; AUTHORIZING THE ENFORCEMENT OF ALL STATE REGULATIONS; AUTHORIZING THE PLACEMENT OF SIGNS INDICATING THE SPEED LIMITS ON THE STREETS AND PORTIONS OF STREETS DESIGNATED HEREIN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR CONFLICT HEREWITH; PROVIDING A PENALTY OF AN AMOUNT OF NOT LESS THAN ONE DOLLAR ($1) OR MORE THAN TWO HUNDRED DOLLARS ($200) FOR VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

6. Acceptance of Special Warranty Deed from Pomona Phase 2A, LLC., being 1.225 acres located in the A.C.H.& B.R.R. Co. Survey Section 89, Abstract 417, BC, Texas, being a portion of Lot 24 of Section 89 of the Allison Richey Gulf Coast Home Company, Part of Suburban Gardens a subdivision of record in Volume 2, Page 98, of the Plat Records of said Brazoria County, Texas.

7. Acceptance of Special Warranty Deed from Pomona Phase 2A, LLC., being 3.308 acres located in the A.C.H.& B.R.R. Co. Survey Section 89, Abstract 417, BC, Texas, being a portion of Lot 29 of Section 89 of the Allison Richey Gulf Coast Home Company, Part of Suburban Gardens a subdivision of record in Volume 2, Page 98, of the Plat Records of said Brazoria County, Texas.

Items Removed from Consent Agenda

Regular Agenda

1. Consideration and possible action authorizing the City Manager to purchase a certain tract of land, not to exceed the purchase price directed by City Council, and provided there is an existing funding source in the current budget.

2. Consideration and possible action to approve the Contract for Planning Services between Manvel EDC and Next Move Group for an Economic Development Strategic Plan. (Forwarded with favorable recommendation by MEDC - Vote 5/0)

3. Consideration and possible action to approve the first of two readings of Ordinance No. 2024-O-25;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATELY 20.41 ACRE TRACT OF LAND LOCATED AT 17221 STATE HIGHWAY 6, SUITE 103, MANVEL, TEXAS (DESCRIBED AS RESERVE "B" OF MANVEL TOWN CENTER SECTION ONE), 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 812113, "NAIL SALONS" 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. (*Approved with conditions by PD&Z on 6-24-2024 - Vote 7-0)*

4. Consideration and possible action to approve the first of two readings of Ordinance No. 2024-O-26;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATELY 1.5491 ACRE TRACT OF LAND GENERALLY LOCATED EAST OF 17518 MORRIS AVENUE (STATE HIGHWAY 6), MANVEL, TEXAS FROM LIGHT COMMERCIAL AND STATE HIGHWAY 6 OVERLAY DISTRICT LC-SH6) TO LIGHT COMMERCIAL 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"; 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. (Approved by PD&Z on 6/24 – Vote 7/0)

5. Consideration and possible action to approve the first of two readings of Ordinance No. 2024-O-27;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING CHAPTER 8. ANIMALS, BY ADOPTING NEW PROVISIONS GOVERNING ANIMALS; ADDING A NEW ARTICLE II. KENNELS AND CATTERIES; ADDING A NEW ARTICLE III. ANIMAL RESCUER PERMIT; ADDING A NEW ARTICLE IV. ANIMAL SELLER PERMIT; ADDING A NEW ARTICLE V. PETTING ZOOS; PROVIDING A PENALTY 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 AND AN EFFECTIVE DATE.

6. Consideration and possible action to approve Resolution 2024-R-22;
A RESOLUTION OF THE CITY OF MANVEL, TEXAS, CALLING A PUBLIC HEARING TO BE HELD JOINTLY BY THE CITY COUNCIL AND THE PLANNING, DEVELOPMENT AND ZONING COMMISSION IN REGARD TO SEVERAL REGULATORY CHANGES TO THE ZONING ORDINANCE; PRESCRIBING THE TYPE OF NOTICE TO BE GIVEN OF THE TIME AND PLACE OF THE JOINT PUBLIC HEARING; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

7. Consideration and possible action to fill the vacancy on the Manvel Parks Board.

8. Consideration and possible action to authorize the expenditure for furniture, fixtures, and equipment for the new Public Safety Building from funds allocated in the current FY 2023-2024 budget.

9. Update on the status of the TFER Ordinance.

Mayor and Council Comments

Update on current events and city issues.
Additionally, pursuant to Texas Government Code § 551.0415, City Council Members and city staff may make a report about items of community interest during a meeting of the governing body without having given notice of the report.
Items of community interest include:

- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

Adjourn

CITY OF MANVEL SEAL 1960 TEXAS

CERTIFICATION

I, Tammy Bell, City Secretary for the City of Manvel, do hereby certify that the foregoing Agenda of the Manvel City Council is true and correct and that I posted such notice on the bulletin board at the Manvel City Hall; a place convenient and readily accessible to the public on 06/28/2024 in accordance with the Texas Open Meetings Act (Tex. Gov't. Code §551.001 et.seq). Said notice remained posted for at least 72 hours preceding the scheduled time of the meeting.

TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS

THE STATE OF TEXAS §
COUNTY OF BRAZORIA §
CITY OF MANVEL §

KEITH BONNER, 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 is a safe and responsible community, embracing the values of our past, present, and future citizens."

MINUTES 6/3/2024

Workshop Session 5:30 p.m.
The workshop of the Manvel City Council was called to order at 5:30 p.m.
Those in attendance were:

Present: City Councilmember Place 1 Keith Bonner
City Councilmember Place 2 David Lands
City Councilmember Place 3 Harry Opliger
City Councilmember Place 4 Ed Perry
City Councilmember Place 6 Jerome Hudson

Absent: Mayor Dan Davis
City Councilmember Place 5 Crystal Sarmiento

Also Present: Daniel Johnson, City Manager
Robert Gervais, City Attorney
Keith Traylor, Chief of Police
Rosa Donaire, Finance Director
Tammy Bell, City Secretary

Consideration and possible action to appoint a Councilmember to preside the 6/3/2024 Council Meeting.

Councilmember Hudson made the motion to appoint Councilmember Perry to preside over the meeting. Councilmember Opliger seconded the motion.

The motion carried with a vote: 5/0

Yes: City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 6 Jerome Hudson
No: None
Absent: Mayor Dan Davis, City Councilmember Place 5 Crystal Sarmiento
Abstained: 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:
Litigation; settlement offer; of a matter in which the duty of the attorney requires it.
Danielle Bryan v City of Manvel, CAUSE NO. 126070-CV)

Councilmember Perry convened the meeting into Executive Session at 5:32 p.m.
Councilmember Perry reconvened the meeting out of Executive Session at 5:49 p.m.
No action was taken during the Executive Session.

WORKSHOP CONTINUED
Discussion on any topic as listed on the current agenda.

Spring Haul, Saturday, June 8th.
Chad Dumont - tattoo policy verbiage for defining obscene added, adding zero cost retiree benefits for retirees from age 60-65.

The Workshop closed at 5:56 p.m.

Regular Session

Call To Order

Councilmember Perry called the meeting of the Manvel City Council to order at 6:03 p.m.
Those in attendance were:

Present:	City Councilmember Place 1 Keith Bonner
	City Councilmember Place 2 David Lands
	City Councilmember Place 3 Harry Opliger
	City Councilmember Place 4 Ed Perry
	City Councilmember Place 6 Jerome Hudson
Absent:	Mayor Dan Davis
	City Councilmember Place 5 Crystal Sarmiento
Also Present:	Daniel Johnson, City Manager
	Robert Gervais, City Attorney
	Keith Traylor, Chief of Police
	Rosa Donaire, Finance Director
	Tammy Bell, City Secretary

Invocation

Inspirational Reading - Councilmember Bonner

Pledge

Presentations

Proclamation;
Juneteenth - June 19, 2024

Public Comments: "Comment Card" Required
City Manager Update

- June 8, 2024 - Waste Connections City Clean-up Day
- July 4, 2024 - Fourthfest @ AISD Freedom Field, Iowa Colony (Festivities 6:00 pm - Fireworks 9:15 pm)
- Update on WeBUILT Community

Tammy Bell, City Secretary, provided the update on Spring Haul and Fourthfest
Dan Johnson - WeBUILT Community has chosen to go in another direction with their development
Thanks to Southfork dealership for flowerbeds out front at City Hall.

Consent Agenda

1. Acceptance of the meeting minutes to date.

2. Acceptance of infrastructure improvements for Bridge, Paving, and Appurtenances to Serve Kirby Drive for MUD 40 to begin the Two-Year Maintenance Period.

3. Acceptance of infrastructure improvements for Water, Sanitary Sewer, and Drainage Facilities and Paving and Appurtenances to Serve Pomona Section 26 for MUD 40 to begin the Two-Year Maintenance Period.

Councilmember Hudson made the motion to remove Consent Agenda Items 4 and 5. Councilmember Bonner seconded the motion.
The motion carried with a vote: 5/0
Yes: City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 6 Jerome Hudson
No: None
Absent: Mayor Dan Davis, City Councilmember Place 5 Crystal Sarmiento
Abstained: None

Councilmember Opliger made the motion to approve the Consent Agenda. Councilmember Hudson seconded the motion.
The motion carried with a vote: 5/0
Yes: City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 6 Jerome Hudson
No: None
Absent: Mayor Dan Davis, City Councilmember Place 5 Crystal Sarmiento
Abstained: None

Items Removed from Consent Agenda

4. Acceptance of Deed from Pomona Phase 2A, LLC;
BEING 3.308 ACRES LOCATED IN THE A.C.H.&B.R.R CO, SURVEY, SECTION 89 ABSTRACT 417, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOT 29 OF SECTION 89 OF THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS, A SUBDIVISION OF RECORD IN VOLUME 2, PAGE 98, OF THE PLAT OF RECORDS OF BRAZORIA COUNTY. SAID 3.08 ACRE TRACT ALSO BEING A PORTION OF A RESIDUE OF THAT CERTAIN CALLED 223.682 ACRE TRACT (DESCRIBED AS TRACT 5, PART 2) CONVEYED TO POMONA PHASE 2A, LLC.

5. Acceptance of Deed from Pomona Phase 2A, LLC;
BEING 1.225 ACRES LOCATED IN THE A.C.H.&B.R.R CO, SURVEY, SECTION 89 ABSTRACT 417, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOT 24 OF SECTION 89 OF THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS, A SUBDIVISION OF RECORD IN VOLUME 2, PAGE 98, OF THE PLAT OF RECORDS OF BRAZORIA COUNTY. SAID 1.225 ACRE TRACT ALSO BEING ALL OF THAT CERTAIN CALLED 1.225 ACRE TRACT (DESCRIBED AS TRACT 5, PART 6) CONVEYED TO POMONA PHASE 2A, LLC.

Councilmember Opliger made the motion to table items 4 and 5. Councilmember Hudson seconded the motion.

The motion carried with a vote: 4/0

Yes: City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 6 Jerome Hudson

No: None

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

Abstained: None

Regular Agenda

1. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-22; AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, CHAPTER 65. "TAXATION," BY AMENDING ARTICLE II. *PROPERTY TAX*, TO ADOPT AN EXEMPTION FROM PROPERTY TAXES FOR RESIDENCE HOMESTEADS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR ADMINISTRATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY.

   Rosa Donaire, Finance Director, provided an overview to Council.
   Flat $20,000 exemption being brought forward. $112 savings for each resident.
   Councilmember Bonner has hesitations on the exemption and questions whether this is the right time to do something like this.
   Councilmember Perry shares Councilmember Bonner's concerns. Doesn't want this to be implemented and then wind up having to cut services or staff. Wonders if we should wait a couple years until more sales tax dollars are coming in. Rosa Donaire agrees with this and does feel waiting would be better.
   The decision is made not to make a decision at this time.

   No action taken.

2. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-23; AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING SECTION 41-4 "SCHOOL ZONES" OF THE CODE OF ORDINANCES TO REVISE THE PROVISIONS PERTAINING TO TIMES AND PLACES FOR SCHOOL ZONES; AUTHORIZING THE ENFORCEMENT OF ALL STATE REGULATIONS; AUTHORIZING THE PLACEMENT OF SIGNS INDICATING THE SPEED LIMITS ON THE STREETS AND PORTIONS OF STREETS DESIGNATED HEREIN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR CONFLICT HEREWITH; PROVIDING A PENALTY OF AN AMOUNT OF NOT LESS THAN ONE DOLLAR ($1) OR MORE THAN TWO HUNDRED DOLLARS ($200) FOR VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

   This sets the school zones for the new Barbara Bennett Elementary School.

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

   The motion carried with a vote: 5/0

   Yes: City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 6 Jerome Hudson

   No: None

Absent: Mayor Dan Davis, City Councilmember Place 5 Crystal Sarmiento
Abstained: None

3. Consideration and possible action to approve Resolution 2024-R-16;
A RESOLUTION ADOPTING AN AMENDED PERSONNEL POLICIES AND PROCEDURES HANDBOOK DATED MAY 20, 2024, FOR ALL CITY EMPLOYEES; PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE.

Chad Dumont - revised verbiage on tattoo policy, parental guidelines (9 months to 1 year language), and added retiree benefits to extend benefits for ages 60-65
Robert Gervais - the date listed on the policy will be June 3, 2024 - not May 20, 2024

Councilmember Bonner made the motion to approve. Councilmember Lands seconded the motion.
The motion carried with a vote: 5/0
Yes: City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 6 Jerome Hudson
No: None
Absent: Mayor Dan Davis, City Councilmember Place 5 Crystal Sarmiento
Abstained: None

4. Consideration and possible action to approve the reappointment of Kim Bickham to the TIRZ 3 board, along with the appointment of Melody Hanson to fill the board's vacant seat.

Voted on with Regular Agenda Item #5.

5. Consideration and possible action to approve the reappointment of Kim Bickham to the SMDA (South Manvel Development Authority) board, along with the appointment of Melody Hanson and Dan Davis Jr. to fill the board's vacant seat.

Councilmember Opliger made the motion to approve Regular Agenda items 4 and 5. Councilmember Hudson seconded the motion.
The motion carried with a vote: 5/0
Yes: City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 6 Jerome Hudson
No: None
Absent: Mayor Dan Davis, City Councilmember Place 5 Crystal Sarmiento
Abstained: None

6. Consideration and possible action to approve the settlement agreement in the *Danielle Bryan v City of Manvel, CAUSE NO. 126070-CV) case.*

Councilmember Opliger made the motion to approve. Councilmember Lands seconded the motion.
The motion carried with a vote: 5/0
Yes: City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 6 Jerome Hudson
No: None
Absent: Mayor Dan Davis, City Councilmember Place 5 Crystal Sarmiento
Abstained: None

7. Consideration and possible action on the Facility Use Policy.

Councilmember Bonner made the motion to table. Councilmember Hudson seconded the motion.

The motion carried with a vote: 5/0

Yes: City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 6 Jerome Hudson

No: None

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

Abstained: None

Mayor and Council Comments

Juneteeth Celebration June 15th from 4-8 p.m. at the Pearland Town Center

Adjourn

Councilmember Bonner made the motion to adjourn the meeting at 6:52 p.m. Councilmember Hudson seconded the motion.

The motion carried with a vote: 5/0

Yes: City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 6 Jerome Hudson

No: None

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

Abstained: None

CERTIFICATION

_____
TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS

_____
DAN DAVIS, MAYOR
CITY OF MANVEL, TEXAS

THE STATE OF TEXAS §
COUNTY OF BRAZORIA §
CITY OF MANVEL §

KEITH BONNER, 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 is a safe and responsible community, embracing the values of our past, present, and future citizens."

MINUTES 6/17/2024

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 Keith Bonner
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
Tammy Bell, City Secretary
Rosa Donaire, Finance Director
Robbie Hall, Public Works Director
Chad Dumont, Personnel Director
Rick Alvarado, Police Sergeant
Brooke Cyphers, Public Information Officer

Presentation by Park Naturalist, Katie Boughal on Creating Natural Areas in Parks.

Discussion/Direction on Fiscal Year 2024-2025 Budget.

Dan Johnson -
Staff budget presentations starting in July. Asks Council to start thinking about their asks for the budget.

Councilmember Sarmiento asks that we look into how to bring more businesses in, specifically small businesses.
Councilmember Perry concurs with Councilmember Sarmiento.
Councilmember Opliger would like to focus on streets and try to move away from relying on the county.
Councilmember Lands wants to focus on the PD's requests.
Councilmember Bonner wants to look into a new library. Would like to start planning for a possible senior center.
Mayor Davis wants to do whatever we need to do to not increase taxes. Wants this budget to focus on building trust. Wants to see a City Hall mural, a flag drop-off box, wrapped utility boxes, monument signs for the entrances to the city. Then, with the revenue we do have, figuring out how to strategically fill positions, as well as determining what we can do with the 900,000 from the sale of land. Lastly, would like to see what efforts the city made to creatively save money.

Dan Johnson shared that we are working on monument signs and will be sending mock-ups soon.

Tammy Bell shared what the EDC is working on utilizing a consultant to put together a strategic plan for the EDC.

Discussion on any topic as listed on the current agenda.

General Discussion on Regular Agenda Items 4, 5, 6, and 7

Regular Session
Call To Order
Mayor Davis called the meeting of the Manvel City Council to order at 6:02 p.m.
Those in attendance were:

Present:	Mayor Dan Davis
	City Councilmember Place 1 Keith Bonner
	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
	Tammy Bell, City Secretary
	Rosa Donaire, Finance Director
	Robbie Hall, Public Works Director
	Chad Dumont, Personnel Director
	Rick Alvarado, Police Sergeant
	Brooke Cyphers, Public Information Officer

Invocation

Inspirational Reading - Councilmember Lands

Pledge

Presentations

Certificate of Appreciation for the Alvin Animal Shelter

Public Comments: "Comment Card" Required
The following spoke in favor of the 10% homestead exemption:
Melody Hanson
Dan Davis, Sr.
Kelly Clawson

Chad Thuman - Wolf Airpark - has started a community drainage system. Also started the construction of 5 new hangers. Here to ask that Belcher leading to Wolf Airpark be paved.

City Manager Update
ADU public hearing dates set - PD&Z on 6/24 and City Council on 7/1/24.
Camino - The software is being tested by staff, and we hope to have it live soon.
City Center - 160 acres - PGAL is working on this proposed update and the city hall expansion project.
Akery Lake - We have Gage Engineering working on the E&R contract and bidding options regarding parameters for bidding.
CenterPoint Gas Franchise is close to being ready for council approval.

Consent Agenda

1. Acceptance of the meeting minutes to date.

2. Approve Interlocal Agreement between the City of Manvel and Brazoria County Health Department.

3. Acceptance of infrastructure improvements for Water Distribution, Wastewater Collection, Stormwater Facilities and Paving to serve Meridiana Section Thirteen-A for Brazoria County Municipal Utility District No. 57, Brazoria County, Texas to begin the Two-Year Maintenance Period.

4. Final acceptance of infrastructure improvements for Phase 1 Detention and Drainage Facilities to Serve Del Bello Lakes and release the associated maintenance bond.

Council Member Bonner made the motion to remove item 5 from the consent agenda. Council Member Hudson seconded the motion.
The motion carried with a vote: 7/0
Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, 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

Councilmember Hudson made the motion to approve the Consent Agenda as amended. Councilmember Bonner seconded the motion.
The motion carried with a vote: 7/0
Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, 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
Consent Agenda Item #5 Removed from the Consent Agenda.

5. Approve the second and final reading of Ordinance 2024-O-22;
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, CHAPTER 65. "TAXATION," BY AMENDING ARTICLE II. *PROPERTY TAX*, TO ADOPT AN EXEMPTION FROM PROPERTY TAXES FOR RESIDENCE HOMESTEADS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR ADMINISTRATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY.

The Mayor and Councilmembers Bonner, Perry, Sarmiento, Lands all spoke on this item, ultimately in favor of the 10% exemption.

Mayor Dan Davis made the motion to approve 2024-O-22 at 10%. Councilmember Sarmiento seconded the motion.
The motion carried with a vote: 7/0
Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, 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

Regular Agenda

1. Concur with the City Manager's decision to hire Jose Abraham as Director of Development Services, as required by the City Charter.

Mayor Davis 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 Keith Bonner, 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. Discussion on the preliminary listing of streets, sidewalks, and drainage.

Will start with asphalting all gravel roads.
Mayor would like to see Newport turn lane and Rodeo Kirby light prioritized.
Wilson is being done by the county.
Council good with Phase 1.

3. Consideration and possible action on the Parks Board Appointments.

Mayor Davis made the motion to appoint Linda Dune, Alexandra MacMillan, Brian Wilmer, Larry Akery, Byron Sarmiento, Mary Ann Atkinson, and Ellen Naegeli; Paul Sofka and Luis Leija as alternates; and Keith Bonner as ex-officio. Councilmember Hudson seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, 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 Resolution 2024-R-19;
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, APPROVING A MULTIPLE USE AGREEMENT WITH TXDOT FOR THE PLACEMENT OF FLOCK CAMERAS ON STATE RIGHTS OF WAY (SH6, SH288, AND FM1128); PROVIDING THAT THE MAYOR IS AUTHORIZED TO EXECUTE THE AGREEMENT ANY AND ALL DOCUMENTS ASSOCIATED WITH THE PROJECT.

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

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, 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 approve Resolution 2024-R-20;
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 2024-01 – HJR HWY 6 APPROVING AN EXPENDITURE OF UP TO $400,000.00 FOR ASSISTANCE TO BRING UTILITIES FORM THE NORTH SIDE OF HIGHWAY 6 TO THE SOUTH SIDE FOR PROPERTY LOCATED ACROSS MANVEL TOWN CENTER BEING 3.76 ACRES TO FURTHER ECONOMIC DEVELOPMENT AND RETAIN JOBS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT; PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

Councilmember Bonner 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 Keith Bonner, 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 Resolution 2024-R-21;
RESOLUTION ADOPTING CITY OUTDOOR FACILITY USE POLICY

Mayor Davis made the motion to amend to include language regarding pay for security to be coordinated with MPD as well as changing the city of Bryan reference to Manvel. Seconded by

Councilmember Opliger.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, 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

Mr. Bonner would like to see porta-cans added under the Waste Management section.

Councilmember Bonner made an amending motion to add porta-cans to the Waste Management section of the policy. Councilmember Opliger seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, 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

Councilmember Bonner 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 Keith Bonner, 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 Brazoria County CDBG and HOME Program for Federal FY 2025-2027.

Mayor Davis made the motion that the City of Manvel remain in the Brazoria County CDBG and HOME Program for federal FY 2025-2027. Councilmember Perry seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, 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. Discussion on regulations pertaining to sex offenders.

Wants to see the 1,000ft distance increased to 2,000ft.
Sargeant Alvarado spoke on the matter and provided his expertise.
We can be more stringent than the state's distance requirement of 500ft, but not less.

Mayor suggests staff research the subject and our ordinances and come back with suggested changes at the second meeting in July.

Executive Session

City Council will convene into Executive Session pursuant to Texas Government Code, Sec. 551.087 – deliberation regarding economic development negotiation and *Section 551.071:* "Consultation with Attorney," .

Discuss MUD 61 Agreement

Discuss 380 Agreement with MUD 83 and Hillwood Enterprises

Mayor Davis convened the meeting into Executive Session at 7:38 p.m.
Mayor Davis reconvened the meeting out of Executive Session at 8:30 p.m.
No action taken during Executive Session.

Mayor and Council Comments

Mayor Davis asks Dan Johnson for an update on the TFER at the next meeting as well as an animal ordinance update.

Adjourn

Mayor Davis made the motion to adjourn the meeting at 8:33 p.m. Councilmember Opliger seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, 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

RESOLUTION NO. 2024-R-23

**RESOLUTION OF THE CITY OF MANVEL, TEXAS
GIVING CONSENT TO THE SALE AND ISSUANCE OF BONDS BY
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 56 OF BRAZORIA COUNTY**

WHEREAS, --- Utility District No. 56 of Brazoria County (the "District") was heretofore duly created by Order of the Texas Commission on Environmental Quality ("TCEQ"), dated August 16, 2007; and

WHEREAS, The District is located within the extraterritorial jurisdiction of the City of Manvel, Texas (the "City"); and

WHEREAS, pursuant to V.T.C.A. Local Government Code, Section 42.042 and by Resolution No. 2007-R-02, dated January 8, 2007 (the "Consent Resolution"), the City consented to the creation of the District; and

WHEREAS, as condition of the Consent Resolution, the City must consent to the sale and issuance of bonds by the District; and

WHEREAS, the City has received and reviewed a draft Preliminary Official Statement, a draft Notice of Sale, and a draft debt service schedule; and

WHEREAS, the City Council of the City desires to adopt Resolution No. 2024-R-23 (the "Resolution"), as set forth herein, for the purpose of acknowledging its receipt and review of the draft Preliminary Official Statement, a draft Notice of Sale, and a draft debt service schedule and consenting to the sale and issuance of road bonds by the District pursuant thereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS:

Section 1. The facts and recitals set forth in the preamble of this Resolution are hereby found to be true and correct.

Section 2. Pursuant to Section 4.05 of Exhibit "B" and Exhibit "C" to the Consent Resolution, the City Council of Manvel, Texas hereby specifically (1) acknowledges its receipt and review of a draft Preliminary Official Statement, a draft Notice of Sale, and a draft debt service schedule; (2) declares that, based upon representation made by the District, the District is in compliance with the Consent Resolution, as well as all exhibits thereto; and (3) consents to the sale and issuance of road bonds by the District.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

PASSED AND APPROVED this _____ day of _____, 2024.

_____
Mayor

ATTEST:

_____
City Secretary

APPROVED AS TO FORM:

_____
City Attorney

[SEAL]

ABHR

HOUSTON
3200 Southwest Freeway,
Suite 2600
Houston, TX 77027
(713) 860-6400

Direct Line: (713) 860-6467
Direct Fax: (713) 860-6667

ksherborne@abhr.com

Katie Sherborne
Of Counsel

June 17, 2024

VIA E-MAIL AND REGULAR MAIL

Mr. Daniel S. Johnson
City Manager
City of Manvel
P.O. Box 187
Manvel, TX 77578

Re: Brazoria County Municipal Utility District No. 56

Dear Mr. Johnson:

The Board of Directors of the referenced District plans to sell $11,900,000 Unlimited Tax Bonds on June 26, 2024, to fund on July 11, 2024. The City consent conditions provide for "level debt service" on the bonds. Because we never know exactly what the debt service will be until we open the bids, the consent conditions allow for prior approval based on the predicted debt service on the bonds.

Please find attached (i) the Preliminary Official Statement for the bonds (note that the summary of costs for the bond issue is on page 21), (ii) a cash flow analysis by the District's financial advisor, and (iii) the current consent conditions from the City's consent resolution relating to the District. The District respectfully requests that, based on the attached, the City concurs that the level debt service requirement is substantially met as required by the consent conditions. An affirmation from you or the appropriate City official will be sufficient. I've attached a simple affirmation for execution for your convenience. The District will be authorized to sell and close on the bonds without the concurrence but might have to incur expense in rejecting and re-bidding the bonds if the actual interest rates do not meet technical level debt service requirements.

CENTRAL TEXAS
919 Congress Avenue, Suite 1500
Austin, TX 78701
(512) 518-2424

NORTH TEXAS
3100 McKinnon Street, Suite 1100
Dallas, TX 75201
(972) 823-0800

abhr.com

If you have any questions or comments, please let me know. Thanks very much.

Sincerely,

Katie Sherborne
Attorney for the District

Enclosures
cc: Bobby Gervais, City Attorney (via e-mail)

The City of Manvel, Texas has received the proposed debt service schedule for the $11,900,000 Brazoria County Municipal Utility District No. 56 Unlimited Tax Bonds, Series 2024, and acknowledges compliance with the applicable level debt service consent conditions relating to issuance.

_____
City Manager, City of Manvel, Texas

BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 56
(BRAZORIA COUNTY, TEXAS)

PRELIMINARY OFFICIAL STATEMENT
DATED: MAY 16, 2024

$11,900,000
UNLIMITED TAX BONDS
SERIES 2024

BIDS TO BE SUBMITTED: 10:00 A.M., CENTRAL TIME
WEDNESDAY, JUNE 26, 2024

BONDS TO BE AWARDED: 2:00 P.M., CENTRAL TIME
WEDNESDAY, JUNE 26, 2024

BAIRD

Financial Advisor

This Preliminary Official Statement and the information contained herein are subject to completion or amendment. These securities may not be sold nor may offers to buy be accepted prior to the time the Official Statement is delivered in final form. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or the solicitation of an offer to buy nor shall there be any of these securities in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of any such jurisdiction.

PRELIMINARY OFFICIAL STATEMENT DATED MAY 16, 2024

This Preliminary Official Statement is subject to completion and amendment and is intended for the solicitation of initial bids to purchase the Bonds (herein defined). Upon the sale of the Bonds, the Official Statement will be completed and delivered to the Initial Purchaser (herein defined).

IN THE OPINION OF BOND COUNSEL, UNDER EXISTING LAW, INTEREST ON THE BONDS IS EXCLUDABLE FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES AND INTEREST ON THE BONDS IS NOT SUBJECT TO THE ALTERNATIVE MINIMUM TAX ON INDIVIDUALS; HOWEVER, SUCH INTEREST IS TAKEN INTO ACCOUNT IN DETERMINING THE ANNUAL ADJUSTED FINANCIAL STATEMENT INCOME OF APPLICABLE CORPORATIONS FOR THE PURPOSE OF DETERMINING THE ALTERNATIVE MINIMUM TAX IMPOSED ON CORPORATIONS. SEE "TAX MATTERS" FOR A DISCUSSION OF THE OPINION OF BOND COUNSEL.

*The Bonds will **not** be designated as "qualified tax-exempt obligations" for financial institutions.*

NEW ISSUE—Book Entry Only **NOT RATED**

$11,900,000
UNLIMITED TAX BONDS
SERIES 2024

BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 56

(A Political Subdivision of the State of Texas, located within Brazoria County)

Dated: July 1, 2024
Interest Accrues from: Date of Delivery **Due: September 1, as shown on inside cover**

The $11,900,000 Brazoria County Municipal Utility District No. 56 Unlimited Tax Bonds, Series 2024 (the "Bonds") are obligations of Brazoria County Municipal Utility District No. 56 (the "District") and are not obligations of the State of Texas; Brazoria County, Texas; the City of Manvel, Texas; or any political subdivision or entity other than the District. Neither the full faith and credit nor the taxing power of the State of Texas; Brazoria County, Texas; the City of Manvel, Texas; nor any entity other than the District is pledged to the payment of the principal of or the interest on the Bonds.

Principal of the Bonds is payable upon presentation at the principal payment office of the paying agent/registrar, initially, BOKF, NA, Dallas, Texas (the "Paying Agent/Registrar"). Interest accrues from the initial date of delivery (expected on July 24, 2024) (the "Date of Delivery"), and is payable March 1, 2025, and on each September 1 and March 1 thereafter (each an "Interest Payment Date") until the earlier of maturity or redemption. Interest on the Bonds will be payable by check dated as of the Interest Payment Date and mailed by the Paying Agent/Registrar to registered owners as shown on the records of the Paying Agent/Registrar at the close of business on the 15th calendar day of the month next preceding each Interest Payment Date. The Bonds are fully registered bonds in principal denominations of $5,000 or any integral multiple thereof.

The Bonds will be registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the Bonds. Beneficial owners of the Bonds will not receive physical certificates representing the Bonds, but will receive a credit balance on the books of the nominees of such beneficial owners. So long as Cede & Co. is the registered owner of the Bonds, the principal of and interest on the Bonds will be paid by the Paying Agent/Registrar directly to DTC, which will, in turn, remit such principal and interest to its participants for subsequent disbursement to the beneficial owners of the Bonds as described herein. See "THE BONDS – Book-Entry-Only System."

See "PRINCIPAL AMOUNTS, MATURITIES, INTEREST RATES AND INITIAL REOFFERING YIELDS" on inside cover page.

The Bonds are the third series of bonds issued by the District out of an aggregate of $141,315,000 principal amount of unlimited tax bonds authorized by the District's voters for the purpose of acquiring or constructing water, wastewater, and drainage facilities to serve the District (the "Utility System") and for the refunding of such bonds. The voters of the District have authorized the issuance of an aggregate of $61,925,000 principal amount of unlimited tax bonds for the purpose of acquiring or constructing road improvements to serve the District (the "Road System") and for the refunding of such bonds. The voters of the District have authorized the issuance of an aggregate of $32,240,000 principal amount of unlimited tax bonds for the purpose of acquiring or constructing parks and recreational facilities to serve the District (the "Park System") and for the refunding of such bonds. Following the issuance of the Bonds, $107,285,000 principal amount of unlimited tax bonds for the purpose of acquiring or constructing the Utility System and for the refunding of such bonds, $49,250,000 principal amount of unlimited tax bonds for the purpose of acquiring or constructing the Road System and for the refunding of such bonds, and $32,240,000 principal amount of unlimited tax bonds for the purpose of acquiring or constructing the Park System and for the refunding of such bonds will remain authorized but unissued. See "THE BONDS – Authority for Issuance."

The Bonds, when issued, will constitute valid and binding obligations of the District and will be payable from the proceeds of a continuing direct annual ad valorem tax, without legal limitation as to rate or amount, levied upon all taxable property within the District, as further described herein. See "THE BONDS – Source of Payment." Investment in the Bonds is subject to special risk factors as described herein. See "RISK FACTORS."

The Bonds are offered when, as and if issued by the District and accepted by the winning bidder for the Bonds (the "Initial Purchaser"), and subject to the approval of the Attorney General of Texas and of Allen Boone Humphries Robinson LLP, Bond Counsel. Certain legal matters will be passed on for the District by Orrick, Herrington & Sutcliffe LLP, Houston, Texas, Disclosure Counsel. Delivery of the Bonds is expected on or about July 24, 2024.

PRINCIPAL AMOUNTS, MATURITIES, INTEREST RATES AND INITIAL REOFFERING YIELDS

$11,900,000 Unlimited Tax Bonds, Series 2024

Maturity September 1	Principal Amount	Interest Rate	Initial Reoffering Yield (a)	CUSIP No. _____ (b)	Maturity September 1	Principal Amount	Interest Rate	Initial Reoffering Yield (a)	CUSIP No. _____ (b)
2025	$ 235,000	____%	____%	___	2037 (c)	$ 485,000	____%	____%	___
2026	300,000	____%	____%	___	2038 (c)	510,000	____%	____%	___
2027	315,000	____%	____%	___	2039 (c)	530,000	____%	____%	___
2028	325,000	____%	____%	___	2040 (c)	555,000	____%	____%	___
2029	340,000	____%	____%	___	2041 (c)	580,000	____%	____%	___
2030	355,000	____%	____%	___	2042 (c)	605,000	____%	____%	___
2031 (c)	375,000	____%	____%	___	2043 (c)	635,000	____%	____%	___
2032 (c)	390,000	____%	____%	___	2044 (c)	660,000	____%	____%	___
2033 (c)	410,000	____%	____%	___	2045 (c)	690,000	____%	____%	___
2034 (c)	425,000	____%	____%	___	2046 (c)	725,000	____%	____%	___
2035 (c)	445,000	____%	____%	___	2047 (c)	755,000	____%	____%	___
2036 (c)	465,000	____%	____%	___	2048 (c)	790,000	____%	____%	___

(a) Information with respect to the initial reoffering yields of the Bonds is the responsibility of the Initial Purchaser. Initial reoffering yields represent the initial offering price, which may be changed for subsequent purchasers. The initial yield indicated above represents the lower of the yields resulting when priced to maturity or to the first call date.

(b) CUSIP numbers will be assigned to the Bonds by CUSIP Global Services, managed by FactSet Research Systems Inc. on behalf of the American Bankers Association and are included solely for the convenience of the owners of the Bonds.

(c) Bonds maturing on September 1, 2031, and thereafter, shall be subject to redemption and payment at the option of the District, in whole, or from time to time in part, on July 1, 2030, or on any date thereafter, at the par value thereof plus accrued interest to the date fixed for redemption. In addition, the Initial Purchaser may designate one or more maturities as term bonds.

USE OF INFORMATION IN OFFICIAL STATEMENT

For purposes of compliance with United States Securities and Exchange Commission (the "SEC") Rule 15c2-12 of the Securities Exchange Act (the "Rule"), as amended, and in effect on the date of this Preliminary Official Statement, this document constitutes an "official statement" of the District with respect to the Bonds that has been deemed "final" by the District as of its date except for the omission of no more than information permitted by the Rule.

This document, when further supplemented by adding additional information specifying the interest rates and certain other information relating to the Bonds shall constitute a "final official statement" of the District with respect to the Bonds, as such term is defined in the Rule.

No dealer, broker, salesman or other person has been authorized to give any information or to make any representations other than those contained in this Official Statement, and, if given or made, such other information or representations must not be relied upon as having been authorized by the District or the Initial Purchaser (herein defined).

All of the summaries of the statutes, resolutions, orders, contracts, audited financial statements, engineering and other related reports set forth in this Official Statement are made subject to all of the provisions of such documents. These summaries do not purport to be complete statements of such provisions and reference is made to such documents, copies of which are available from Bond Counsel (herein defined), for further information.

The Financial Advisor (herein defined) has provided the following sentence for inclusion in this Official Statement. The Financial Advisor has reviewed the information in this Official Statement in accordance with, and as part of, its responsibility to the District and, as applicable, to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the Financial Advisor does not guarantee the accuracy or completeness of such information.

This Official Statement is not to be used in connection with an offer to sell or the solicitation of an offer to buy in any state in which such offer or solicitation is not authorized or in which the person making such offer or solicitation is not qualified to do so or to any person to whom it is unlawful to make such offer or solicitation.

This Official Statement contains, in part, estimates, assumptions, and matters of opinion which are not intended as statements of fact, and no representation is made as to the correctness of such estimates, assumptions, or matters of opinion, or that they will be realized. Any information and expressions of opinion herein contained are subject to change without notice, and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the District or other matters described herein since the date hereof. However, the District has agreed to keep this Official Statement current by amendment or sticker to reflect material changes in the affairs of the District, and to the extent that information actually comes to its attention, other matters described in the Official Statement until delivery of the Bonds to the Initial Purchaser and thereafter only as specified in "CONTINUING DISCLOSURE OF INFORMATION" and "OFFICIAL STATEMENT – Updating of Official Statement."

References to web site addresses presented herein are for informational purposes only and may be in the form of a hyperlink solely for the reader's convenience. Unless specified otherwise, such web sites and the information or links contained therein are not incorporated into, and are not part of, this official statement for any purpose.

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APPENDIX A - FINANCIAL STATEMENTS OF THE DISTRICT

SALE AND DISTRIBUTION OF THE BONDS

Award of the Bonds

After requesting competitive bids for the Bonds, the District has accepted the bid resulting in the lowest net interest cost, which was tendered by _____ (the "Initial Purchaser"). The Initial Purchaser has agreed to purchase the Bonds, bearing the interest rates shown under "PRINCIPAL AMOUNTS, MATURITIES, INTEREST RATES AND INITIAL REOFFERING YIELDS" on the inside cover page of this Official Statement, at a price of _____% of the principal amount thereof, which resulted in a net effective interest rate of _____% calculated pursuant to Chapter 1204, Texas Government Code, as amended.

No assurance can be given that any trading market will be developed for the Bonds after their sale by the District to the Initial Purchaser. The District has no control over the price at which the Bonds are subsequently sold, and the initial yields at which the Bonds are priced and reoffered are established by and are the sole responsibility of the Initial Purchaser.

Prices and Marketability

Subject to certain hold-the-offering-price requirements described in the Official Notice of Sale (herein defined), the District has no control over the reoffering yields or prices of the Bonds or over trading of the Bonds in the secondary market. Moreover, there is no assurance that a secondary market will be made in the Bonds. If there is a secondary market, the difference between the bid and asked prices of the Bonds may be greater than the difference between the bid and asked prices of bonds of comparable maturity and quality issued by more traditional municipal entities, as bonds of such entities are more generally bought, sold or traded in the secondary market.

Subject to certain hold-the-offering-price requirements described in the Official Notice of Sale, the prices and other terms with respect to the offering and sale of the Bonds may be changed from time-to-time by the Initial Purchaser after the Bonds are released for sale, and the Bonds may be offered and sold at prices other than the initial offering prices, including sales to dealers who may sell the Bonds into investment accounts.

IN CONNECTION WITH THIS OFFERING, THE INITIAL PURCHASER MAY OVER-ALLOT OR EFFECT TRANSACTIONS WHICH STABILIZE OR MAINTAIN THE MARKET PRICE OF THE BONDS AT A LEVEL ABOVE THAT WHICH MIGHT OTHERWISE PREVAIL IN THE OPEN MARKET. SUCH STABILIZING, IF COMMENCED, MAY BE DISCONTINUED AT ANY TIME.

Securities Laws

No registration statement relating to the Bonds has been filed with the United States Securities and Exchange Commission under the Securities Act of 1933, as amended, in reliance upon exemptions provided thereunder. The Bonds have not been registered or qualified under the Securities Act of Texas in reliance upon various exemptions contained therein; nor have the Bonds been registered or qualified under the securities acts of any other jurisdictions. The District assumes no responsibility for registration or qualification of the Bonds under the securities laws of any jurisdiction in which the Bonds may be offered, sold, or otherwise transferred. This disclaimer of responsibility for registration or qualification for sale or other disposition of the Bonds should not be construed as an interpretation of any kind with regard to the availability of any exemption from securities registration or qualification provisions.

MUNICIPAL BOND INSURANCE AND RATING

The District has made applications to Build America Mutual Assurance Company and Assured Guaranty Municipal Corp. for a commitment for municipal bond guaranty insurance on the Bonds. **THE PURCHASE OF SUCH INSURANCE IS MANDATORY, and the payment of all associated costs, including the premium charged by the insurance company and fees charged by rating companies, will be at the expense of the Initial Purchaser.**

No application has been made for a municipal bond rating on the Bonds. Furthermore, it is not expected that the District would have been successful in obtaining an investment grade rating on the Bonds had such application been made.

OFFICIAL STATEMENT SUMMARY

The following material is a summary of certain information contained herein and is qualified in its entirety by the more detailed information and financial statements appearing elsewhere in this Official Statement. The summary should not be detached and should be used in conjunction with the more complete information contained herein. A full review should be made of this entire Official Statement and of the documents summarized or described herein.

THE BONDS

The District ..... Brazoria County Municipal Utility District No. 56 (the "District"), a political subdivision of the State of Texas, is located in Brazoria County, Texas. See "THE DISTRICT."

The Bonds ..... The $11,900,000 Brazoria County Municipal Utility District No. 56 Unlimited Tax Bonds, Series 2024 (the "Bonds") are dated July 1, 2024, and mature on September 1 in the years and in the principal amounts as shown on the inside cover page.

Interest on the Bonds accrues from the initial date of delivery (expected on July 24, 2024) (the "Date of Delivery"), at the rates set forth on the inside cover page and is payable March 1, 2025, and each September 1 and March 1 thereafter until the earlier of stated maturity or redemption. See "THE BONDS."

Redemption ..... The Bonds that mature on or after September 1, 2031, are subject to redemption, in whole or from time to time in part, on July 1, 2030, or on any date thereafter, at the par value thereof plus accrued interest to the date fixed for redemption. See "THE BONDS – Redemption of the Bonds."

Book-Entry-Only System ..... The Bonds will be initially registered and delivered only to Cede & Co., the nominee of The Depository Trust Company, New York, New York ("DTC"), pursuant to the Book-Entry-Only System described herein. Beneficial ownership of the Bonds may be acquired in principal denominations of $5,000 or integral multiples thereof. No physical delivery of the Bonds will be made to the Beneficial Owners (herein defined) thereof. Principal of and interest on the Bonds will be payable by BOKF, NA, Dallas, Texas (the "Paying Agent/Registrar"), to Cede & Co., which will make distribution of the amounts so paid to the participating members of DTC for subsequent payment to the Beneficial Owners of the Bonds. See "THE BONDS—Book-Entry-Only System."

Authority for Issuance ..... The Bonds are the third series of bonds issued by the District out of an aggregate of $141,315,000 principal amount of unlimited tax bonds authorized by the District's voters for the purpose of acquiring or constructing water, wastewater, and drainage facilities to serve the District (the "Utility System") and for the refunding of such bonds. The voters of the District have authorized the issuance of an aggregate of $61,925,000 principal amount of unlimited tax bonds for the purpose of acquiring or constructing road improvements to serve the District (the "Road System") and for the refunding of such bonds. The voters of the District have authorized the issuance of an aggregate of $32,240,000 principal amount of unlimited tax bonds for the purpose of acquiring or constructing parks and recreational facilities to serve the District (the "Park System") and for the refunding of such bonds.

Following the issuance of the Bonds, $107,285,000 principal amount of unlimited tax bonds for the purpose of acquiring or constructing the Utility System and for the refunding of such bonds, $49,250,000 principal amount of unlimited tax bonds for the purpose of acquiring or constructing the Road System and for the refunding of such bonds and $32,240,000 principal amount of unlimited tax bonds for the purpose of acquiring or constructing the Park System and for the refunding of such bonds will remain authorized but unissued.

The Bonds are issued pursuant to: an order of the Texas Commission on Environmental Quality (the "TCEQ"); the general laws of the State of Texas, including Chapters 49 and 54 of the Texas Water Code, as amended, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution; a resolution adopted by the Board of Directors of the District (the "Board") on the date of the sale of the Bonds (the "Bond Resolution"); and an election held within the boundaries of the District on November 6, 2007.

Outstanding Bonds.....The District has previously issued two (2) series of bonds for the purpose of acquiring or constructing the Utility System, and two (2) series of bonds for the purpose of acquiring or constructing the Road System, of which $34,805,000 principal amount remains outstanding as of the Date of Delivery (the "Outstanding Bonds"). See THE BONDS – Outstanding Bonds."

Source of Payment.....The District is authorized to levy taxes to pay debt service on bonds issued for the Utility System and such taxes are unlimited as to rate or amount. The Bonds are payable from a continuing direct annual ad valorem tax, unlimited as to rate or amount, levied against all taxable property within the District. The Bonds are obligations of the District and are not obligations of the State of Texas; Brazoria County, Texas; the City of Manvel, Texas; or any entity other than the District. See "THE BONDS – Source of Payment."

Payment Record.....The Bonds are the third series of unlimited tax bonds issued by the District for the purpose of constructing or acquiring the Utility System. See "THE BONDS – Source of Payment."

Short-Term Debt.....The District issued its $6,028,000 Bond Anticipation Note, Series 2023 (the "BAN"), dated December 20, 2023. The BAN matures on December 18, 2024, and accrues interest at a rate of 5.62% per annum, calculated on the basis of a 365-day year. The District will use a portion of the proceeds from the sale of the Bonds to redeem the BAN prior to its maturity. Proceeds from the BAN were used to reimburse the Developer (herein defined) for a portion of the improvements and related costs shown under "THE BONDS – Use and Distribution of Proceeds of the Bonds."

Use of Proceeds of the Bonds.....Proceeds from the sale of the Bonds will be used by the District to redeem the BAN, the proceeds of which were used to reimburse the Developer for a portion of the improvements and related costs shown under "THE BONDS – Use and Distribution of Proceeds of the Bonds." Additionally, proceeds from the sale of the Bonds will also be used to reimburse the Developer for the improvements and related costs that were not reimbursed by the BAN and to pay: twelve (12) months of capitalized interest, BAN interest, developer interest, and other certain costs associated with the issuance of the Bonds. See "THE BONDS – Use and Distribution of Proceeds of the Bonds."

Not Qualified Tax-Exempt Obligations.....The Bonds will **not** be designated as "qualified tax-exempt obligations" within the meaning of Section 265(b) of the Internal Revenue Code of 1986, as amended.

Municipal Bond Insurance and Rating.....The District has made applications to Build America Mutual Assurance Company and Assured Guaranty Municipal Corp. for a commitment for municipal bond guaranty insurance on the Bonds. **THE PURCHASE OF SUCH INSURANCE IS MANDATORY, and the payment of all associated costs, including the premium charged by the insurance company and fees charged by rating companies, will be at the expense of the Initial Purchaser.**

No application has been made for a municipal bond rating on the Bonds. Furthermore, it is not expected that the District would have been successful in obtaining an investment grade rating on the Bonds had such application been made. See "MUNICIPAL BOND INSURANCE AND RATING."

Bond Counsel.....Allen Boone Humphries Robinson LLP, Houston, Texas.

Disclosure Counsel ..... Orrick, Herrington & Sutcliffe LLP, Houston, Texas.

Financial Advisor ..... Robert W. Baird & Co. Incorporated, Houston, Texas.

THE DISTRICT

Description ..... The District is a political subdivision of the State of Texas, located approximately 22 miles south of the central business district of the City of Houston, Texas. The District lies entirely within the corporate limits of the City of Manvel, Texas. The District is a municipal utility district created by an order of the TCEQ effective August 16, 2007. The district operates in accordance with Chapters 49 and 54 of the Texas Water Code, as amended, and other statutes of Texas applicable to municipal utility districts. The District consists of approximately 685.58 acres. See "THE DISTRICT."

Development within the District ..... The District is one of three municipal utility districts that make up the approximately 3,000-acre master-planned community known as Meridiana. To date, approximately 371.11 acres (1,061 lots) within the District have been developed as the residential subdivision of Meridiana, Sections 27, 28A, 28B, 29, 30A, 30B, 31A, 32A, 32B, 33A, 33B, 39A, 39B, 43-53, 54A, and 54B. In addition, approximately 28 acres have been developed as Alvin ISD Junior High School.

As of May 1, 2024, there were 804 completed homes, 73 homes under construction, and 184 vacant developed lots. The remaining land within the District consists of approximately 73.05 undeveloped but developable acres and approximately 213.10 undevelopable acres consisting of easements, rights of way and greenbelts. See "PRINCIPAL LANDOWNERS/DEVELOPER," "DEVELOPMENT OF THE DISTRICT," and "THE DISTRICT."

Developer ..... Land within the District is being developed by Rise Communities, LLC (the "Developer"). See "PRINCIPAL LANDOWNERS/DEVELOPER" and "DEVELOPMENT OF THE DISTRICT."

Homebuilders Within the District ..... Homebuilders who are active in the District include David Weekley Homes, Highland Homes, Perry Homes, Drees Custom Homes, Coventry Homes, Chesmar Homes, Shea Homes, New Mark Homes, Westin Homes, Toll Brothers, and Tri Coast Homes. Prices of new homes being constructed in the District range from the $300,000s to over $1 million. See "PRINCIPAL LANDOWNERS/DEVELOPER – Homebuilders Within the District."

RISK FACTORS

THE DISTRICT'S TAX IS LEVIED ONLY ON THE PROPERTY LOCATED WITHIN THE DISTRICT. THEREFORE, THE INVESTMENT SECURITY AND QUALITY OF THE BONDS IS DEPENDENT UPON THE SUCCESSFUL DEVELOPMENT OF PROPERTY LOCATED WITHIN THE DISTRICT AND THE PAYMENT AND COLLECTION OF TAXES LEVIED THEREON.

THE BONDS ARE SUBJECT TO CERTAIN INVESTMENT RISKS. PROSPECTIVE PURCHASERS SHOULD REVIEW THIS ENTIRE OFFICIAL STATEMENT, PARTICULARLY THE SECTION OF THIS OFFICIAL STATEMENT ENTITLED "RISK FACTORS," BEFORE MAKING AN INVESTMENT DECISION.

SELECTED FINANCIAL INFORMATION (UNAUDITED)

2023 Certified Taxable Assessed Valuation	$ 264,835,688	(a)
2024 Preliminary Taxable Assessed Valuation	$ 389,553,363	(b)
Estimated Taxable Assessed Valuation as of June 1, 2024	$ 434,093,060	(c)
Direct Debt:		
The Outstanding Bonds	$ 34,805,000	
The Bonds	11,900,000	
Total	$ 46,705,000	
Estimated Overlapping Debt	$ 30,447,572	(d)
Total Direct and Estimated Overlapping Debt	$ 77,152,572	(d)
Direct Debt Ratios:		
As a percentage of the 2023 Certified Taxable Assessed Valuation	17.64 %	
As a percentage of the 2024 Preliminary Taxable Assessed Valuation	11.99	
As a percentage of the Estimated Taxable Assessed Valuation as of June 1, 2024	10.76 %	
Direct and Estimated Overlapping Debt Ratios:		
As a percentage of the 2023 Certified Taxable Assessed Valuation	29.13 %	
As a percentage of the 2024 Preliminary Taxable Assessed Valuation	19.81 %	
As a percentage of the Estimated Taxable Assessed Valuation as of June 1, 2024	17.77 %	
Road System Debt Service Fund Balance (as of May 16, 2024)	$ 725,784	(e)
Utility System Debt Service Fund Balance (as of May 16, 2024)	$ 1,949,288	(f)
Road System Capital Projects Fund (as of May 16, 2024)	$ 267,151	
Utility System Capital Projects Fund (as of May 16, 2024)	$ 64,253	
General Fund Balance (as of May 16, 2024)	$ 648,087	
2023 Tax Rate per $100 of Taxable Assessed Valuation		
Utility System Debt Service	$ 0.50	
Road System Debt Service	0.30	
Maintenance and Operations	0.10	
Total	$ 0.90	
Average Annual Debt Service Requirement on the Outstanding Bonds and the Bonds (2024-2048)	$ 3,074,791	(g)
Maximum Annual Debt Service Requirement on the Outstanding Bonds and the Bonds (2047)	$ 3,326,063	(g)
Debt Service Tax Rate per $100 of Taxable Assessed Valuation Required to Pay the Average Annual Debt Service Requirement on the Outstanding Bonds and the Bonds (2024-2048) at 95% Tax Collections:		
Based on the 2023 Certified Taxable Assessed Valuation	$ 1.23	
Based on the 2024 Preliminary Taxable Assessed Valuation	$ 0.84	
Based on the Estimated Taxable Assessed Valuation as of June 1, 2024	$ 0.75	
Debt Service Tax Rate per $100 of Taxable Assessed Valuation Required to Pay the Maximum Annual Debt Service Requirement on the Outstanding Bonds and the Bonds (2047) at 95% Tax Collections:		
Based on the 2023 Certified Taxable Assessed Valuation	$ 1.33	
Based on the 2024 Preliminary Taxable Assessed Valuation	$ 0.90	
Based on the Estimated Taxable Assessed Valuation as of June 1, 2024	$ 0.81	
Single-Family Homes (including 73 under construction) as of May 1, 2024	877	

(a) As certified by the Brazoria County Appraisal District (the "Appraisal District") as of January 1, 2023. See "TAXING PROCEDURES."

(b) Provided by the Appraisal District as the preliminary value as of January 1, 2024. This value represents the preliminary determination of the taxable value in the District as of January 1, 2024, provided by the Appraisal District. No taxes will be levied on this preliminary value, which is subject to review and downward adjustment. See "TAXING PRODECURES."

(c) As of June 1, 2024, provided by the Appraisal District for information purposes only. Represents new construction within the District as of June 1, 2024. This estimate is based upon the same unit value used in the taxable assessed valuation. No taxes will be levied on this estimate. See "TAXING PROCEDURES."

(d) See "DISTRICT DEBT – Estimated Direct and Overlapping Debt Statement."

(e) Neither Texas law nor the Bond Resolution (herein defined) requires that the District maintain any particular sum in the Road System Debt Service Fund (herein defined). Funds in the Road System Debt Service Fund are not available to pay debt service on bonds issued for the Utility System (herein defined), such as the Bonds.

(f) In addition to this amount, twelve (12) months of capitalized interest on the Bonds will be deposited into the Utility System Debt Service Fund (herein defined) upon closing of the Bonds. Neither Texas law nor the Bond Resolution requires that the District maintain any particular sum in the Utility System Debt Service Fund. Monies in the Utility System Debt Service Fund cannot be used to pay debt service on bonds issued by the District for the Road System.

(g) Requirement of debt service on the Bonds. Debt service on the Bonds is an estimate based on the Bonds being sold at an average annual interest rate of 4.50%. See "DISTRICT DEBT – Pro-Forma Debt Service Requirement Schedule."

BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 56

(A Political Subdivision of the State of Texas, located within Brazoria County)

$11,900,000
UNLIMITED TAX BONDS
SERIES 2024

INTRODUCTION

This Official Statement provides certain information in connection with the issuance by Brazoria County Municipal Utility District No. 56 (the "District") of its $11,900,000 Unlimited Tax Bonds, Series 2024 (the "Bonds").

The Bonds are issued pursuant to: an order of the Texas Commission on Environmental Quality (the "TCEQ"); the general laws of the State of Texas, including Chapters 49 and 54 of the Texas Water Code, as amended, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution; a resolution adopted by the Board of Directors of the District (the "Board") on the date of the sale of the Bonds (the "Bond Resolution"); and an election held within the boundaries of the District on November 6, 2007.

Certain capitalized terms used in this Official Statement have the same meanings assigned to such terms in the Bond Resolution, except as otherwise indicated herein.

There follow in this Official Statement descriptions of the Bonds, the Developer (herein defined), the Bond Resolution and certain information about the District and its finances. All descriptions of documents contained herein are only summaries and are qualified in their entirety by reference to each such document. Copies of such documents may be obtained from Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas 77027, upon payment of the costs of duplication therefor.

RISK FACTORS

General

The Bonds, which are obligations of the District and not of the State of Texas (the "State"), Brazoria County, Texas (the "County"); the City of Manvel, Texas (the "City"); or any political subdivision other than the District, will be secured by a continuing direct annual ad valorem tax, without legal limitation as to rate or amount, levied against all taxable property located within the District. Therefore, the ultimate security for payment of the principal of and interest on the Bonds depends upon the ability of the District to collect from the property owners within the District taxes levied against all taxable property located within the District, or, in the event taxes are not collected and foreclosure proceedings are instituted by the District, upon the value of the taxable property with respect to taxes levied by the District and by other taxing authorities. The District makes no representations that over the life of the Bonds the property within the District will maintain a value sufficient to justify continued payment of taxes by the property owners. The potential increase in taxable valuation of District property is directly related to the economics of the residential housing industry, not only due to general economic conditions, but also due to the particular factors discussed below. See "DEVELOPMENT OF THE DISTRICT," "TAX DATA," and "TAXING PROCEDURES."

Effects of Hurricane Harvey

The Houston area, including the District, experienced historic levels of rainfall and widespread flooding following landfall of Hurricane Harvey on August 25, 2017, and during Tropical Storm Imelda on September 19, 2019. No facilities or homes had been built prior to Hurricane Harvey, but had been built prior to Tropical Storm Imelda. According to the District's engineer, Tropical Storm Imelda did not cause damage to the District's water, sanitary sewer and drainage facilities, and there was no interruption of water and sewer service in the District. Further, to the best knowledge of the District, there was no structural flooding or other material damage caused by Hurricane Harvey or Tropical Storm Imelda. The District is located near the Texas Gulf Coast and, as it has in the past, could be impacted by high winds and flooding caused by a hurricane, tornado, tropical storm, or other adverse weather event.

The District cannot predict the effect that additional extreme weather events may have upon the District and the Houston area. Additional extreme weather events have the potential to cause damage within the District and the Houston area generally could have a negative effect on taxable assessed valuations in the District and the economy of the District and the region. See "TAXING PROCEDURES – Valuation of Property for Taxation."

Potential Effects of Oil Price Fluctuations on the Houston Area

The sudden change in oil prices in the U.S. and globally, which at times have led to the lowest such prices in three decades, may lead to adverse conditions in the oil and gas industry, including but not limited to reduced revenues, declines in capital and operating expenditures, business failures, and layoffs of workers. The economy of the Houston area has, in the past,

been particularly affected by adverse conditions in the oil and gas industry, and such conditions and their spillover effects into other industries could result in declines in the demand for residential and commercial property in the Houston area and could reduce or negatively affect property values or homebuilding activity within the District. As previously stated, the Bonds are secured by an unlimited ad valorem tax, and a reduction in property values may require an increase in the ad valorem tax rate required to pay the Bonds as well as the District's share of operations and maintenance expenses payable from ad valorem taxes.

Factors Affecting Taxable Values and Tax Payments

Economic Factors: The rate of development of the District is directly related to the vitality of the residential housing industry. New residential housing construction can be significantly affected by factors such as interest rates, construction costs, and consumer demand. Decreased levels of home construction activity would restrict the growth of property values in the District. The District cannot predict the pace or magnitude of any future development or home construction in the District.

Principal Landowner/Developer: There is no commitment by or legal requirement of the principal landowners/developers or any other landowner to the District to proceed at any particular rate or according to any specified plan with the development of land in the District, or of any homebuilder to proceed at any particular pace with the construction of homes in the District. Moreover, there is no restriction on any landowner's right to sell its land. Therefore, the District can make no representation about the probability of future development, if any, or the rate of future home construction activity in the District. Failure to construct taxable improvements on developed lots would restrict the rate of growth of taxable values in the District and result in higher tax rates. See "DEVELOPMENT OF THE DISTRICT," "PRINCIPAL LANDOWNERS/DEVELOPERS," and "TAX DATA – Principal Taxpayers."

Dependence on Principal Taxpayers: The ability of any principal landowner to make full and timely payments of taxes levied against its property by the District and similar taxing authorities will directly affect the District's ability to meet its debt service obligations. As illustrated in this Official Statement under the caption "TAX DATA – Principal Taxpayers," the District's principal taxpayers in 2023 own approximately 15.11% of the District's total 2023 Certified Taxable Assessed Valuation of property located within the District. GR-M1 Ltd., an entity associated with Rise Communities, LLC (the "Developer"), owns approximately 2.51% of the District's total 2023 Certified Taxable Assessed Valuation of property located within the District. In the event that the Developer, any other taxpayer, or any combination of taxpayers, should default in the payment of taxes in an amount which exceeds the surpluses in the Districts debt service funds, the ability of the District to make timely payment of debt service on the Bonds and on the Outstanding Bonds (herein defined) will be dependent on its ability to enforce and liquidate its tax liens, which is a time-consuming process. Failure to recover or borrow funds in a timely fashion could result in an excessive District tax rate. The District is not required by law or the Bond Resolution to maintain any specified amount of surplus in its interest and sinking fund. See "TAX DATA – Principal Taxpayers" and "TAXING PROCEDURES – Levy and Collection of Taxes."

Maximum Impact on District Tax Rates: Assuming no further development or home construction, the value of the land and improvements currently within the District will be the major determinant of the ability or willingness of property owners to pay their taxes. The 2023 Certified Taxable Assessed Valuation is $264,835,638, the 2024 Preliminary Taxable Assessed Valuation as of January 1, 2024, is $389,553,363, and the Estimated Taxable Assessed Valuation as of June 1, 2024, is $434,093,060. After issuance of the Bonds, the estimated maximum annual debt service requirement on the Bonds and on the Outstanding Bonds is $3,326,063 (2047) and the estimated average annual debt service requirement on the Bonds and on the Outstanding Bonds is $3,074,791 (2024-2048). Assuming no increase to nor decrease from the 2023 Certified Taxable Assessed Valuation, tax rates of $1.33 and $1.23 per $100 of taxable assessed valuation at a 95% tax collection rate would be necessary to pay the estimated maximum annual debt service requirement schedule and the average annual debt service schedule, respectively. Assuming no increase to nor decrease from the 2024 Preliminary Taxable Assessed Valuation, tax rates of $0.90 and $0.84 per $100 of taxable assessed valuation at a 95% tax collection rate would be necessary to pay the estimated maximum annual debt service requirement and the estimated average annual debt service requirement, respectively. Assuming no increase to nor decrease from the Estimated Taxable Assessed Valuation as of June 1, 2024, tax rates of $0.81 and $0.75 per $100 of taxable assessed valuation at 95% tax collection rate would be necessary to pay the estimated maximum annual debt service requirement and the estimated average annual debt service requirement, respectively.

The District can make no representation that the taxable property values in the District will increase in the future or will maintain a value sufficient to support the proposed District tax rate or to justify continued payment of taxes by property owners. The District has levied a total tax rate of $0.90 per $100 of assessed valuation for the 2023 tax year. Such tax is composed of the following: a maintenance and operations tax rate of $0.10 per $100 of assessed valuation; a Utility System (herein defined) debt service tax rate of $0.50 per $100 of assessed valuation; and a Road System (herein defined) debt service tax rate of $0.30 per $100 of assessed valuation.

Competitive Nature of Residential Housing Market

The housing industry in the greater Houston area is very competitive, but the District can give no assurance that the building programs which are planned by any home builder(s) will be continued or completed. The respective competitive position of the homebuilders listed herein and any other developer or homebuilder(s) which might attempt future home building or development projects in the District, the sale of developed lots or in the construction and sale of single-family residential units, are affected by most of the factors discussed in this section, and such competitive positions are directly related to tax revenues received by the District and the growth and maintenance of taxable values in the District.

Tax Collection Limitations

The District's ability to make debt service payments may be adversely affected by its inability to collect ad valorem taxes. Under Texas law, the levy of ad valorem taxes by the District constitutes a lien in favor of the District on a parity with the liens of all other state and local taxing authorities on the property against which taxes are levied, and such lien may be enforced by foreclosure. The District's ability to collect ad valorem taxes through such foreclosure may be impaired by (a) cumbersome, time-consuming and expensive collection procedures, (b) a bankruptcy court's stay of tax collection procedures against a taxpayer, (c) market conditions limiting the proceeds from a foreclosure sale of taxable property, or (d) the taxpayer's right to redeem the property within two years of foreclosure for residential homestead and agricultural use property and within six (6) months of foreclosure for other property. While the District has a lien on taxable property within the District for taxes levied against such property, such lien can be foreclosed only in a judicial proceeding. Moreover, the value of property to be sold for delinquent taxes and thereby the potential sales proceeds available to pay debt service on the Bonds, may be limited by among other factors, the existence of other tax liens on the property, by the current aggregate tax rate being levied against the property, or by the taxpayers' right to redeem residential or agricultural use property within two (2) years of foreclosure and all other property within six (6) months of foreclosure. Finally, a bankruptcy court with jurisdiction over bankruptcy proceedings initiated by or against a taxpayer within the District pursuant to Federal Bankruptcy Code could stay any attempt by the District to collect delinquent ad valorem taxes assessed against such taxpayer. See "TAXING PROCEDURES."

Registered Owners' Remedies and Bankruptcy

In the event of default in the payment of principal of or interest on the Bonds, the registered owners of the Bonds (the "Registered Owners") have a right to seek a writ of mandamus requiring the District to levy sufficient taxes each year to make such payments. Except for mandamus, the Bond Resolution does not specifically provide for remedies to protect and enforce the interests of the Registered Owners. There is no acceleration of maturity of the Bonds in the event of default and, consequently, the remedy of mandamus may have to be relied upon from year to year. Although the Registered Owners could obtain a judgment against the District, such a judgment could not be enforced by a direct levy and execution against the District's property. Further, the Registered Owners cannot themselves foreclose on property within the District or sell property within the District in order to pay the principal of and interest on the Bonds. Since there is no trust indenture or trustee, the Registered Owners would have to initiate and finance the legal process to enforce their remedies. The enforceability of the rights and remedies of the Registered Owners may be limited further by laws relating to bankruptcy, reorganization or other similar laws of general application affecting the rights of creditors of political subdivisions such as the District. In this regard, should the District file a petition for protection from creditors under federal bankruptcy laws, the remedy of mandamus or the right of the District to seek judicial foreclosure of its tax lien would be automatically stayed and could not be pursued unless authorized by a federal bankruptcy judge.

Marketability

The District has no understanding (other than the initial reoffering yields) with the winning bidder of the Bonds (the "Initial Purchaser") regarding the reoffering yields or prices of the Bonds and has no control over the trading of the Bonds in the secondary market. Moreover, there is no assurance that a secondary market will be made for the Bonds. If there is a secondary market, the difference between the bid and asked price of the Bonds may be greater than the bid and asked spread of other bonds generally bought, sold, or traded in the secondary market. See "SALE AND DISTRIBUTION OF THE BONDS."

Future Debt

The District reserves in the Bond Resolution the right to issue the remaining $107,285,000 of unlimited tax bonds authorized but unissued for the purpose of acquiring or constructing water, wastewater, and drainage facilities to serve the District (the "Utility System") and for the refunding of such bonds; $49,250,000 of unlimited tax bonds authorized but unissued for the purpose of acquiring or constructing road improvements to serve the District (the "Road System") and for the refunding of such bonds; and $32,240,000 of unlimited tax bonds authorized but unissued for the purpose of acquiring or constructing parks and recreational facilities to serve the District (the "Park System") and for the refunding of such bonds, and such additional bonds as may hereafter be approved by the voters of the District. See "THE BONDS – Issuance of Additional Debt." The District has also reserved the right to issue certain other additional bonds, special project bonds, and other obligations described in the Bond Resolution authorized by the voters of the District, which may be issued by the

District from time to time as needed. Issuance of the remaining $107,285,000 of unlimited tax bonds for the purpose of acquiring or constructing the Utility System and for the refunding of such bonds, as well as the remaining $32,240,000 of unlimited tax bonds for the purpose of acquiring or constructing the Park System and for the refunding of such bonds, is subject to approval by the TCEQ. Further, the principal amount of bonds issued by the District for the Park System may not exceed one percent of the District's certified taxable assessed valuation, unless the District meets certain financial feasibility requirements under the TCEQ rules, in which case the outstanding principal amount of such bonds issued by the District may exceed an amount equal to one percent but not greater than three percent of the value of the taxable property in the District.

Following the issuance of the Bonds, the District will owe the Developer approximately $10,544,000 for expenditures relating to the acquisition or construction of the Utility System, the Road System, and the Park System serving the District. If additional bonds are issued in the future and property values have not increased proportionately, such issuance may increase gross debt-property valuation ratios and thereby adversely affect the investment quality or security of the Bonds. See "THE BONDS – Issuance of Additional Debt."

Continuing Compliance with Certain Covenants

The Bond Resolution contains covenants by the District intended to preserve the exclusion from gross income of interest on the Bonds. Failure of the District to comply with such covenants on a continuous basis prior to maturity of the Bonds could result in interest on the Bonds becoming taxable retroactively to the date of original issuance. See "TAX MATTERS."

Environmental Regulations

Wastewater treatment, water supply, storm sewer facilities and construction activities within the District are subject to complex environmental laws and regulations at the federal, state and local levels that may require or prohibit certain activities that affect the environment, such as:

- Requiring permits for construction and operation of water wells, wastewater treatment and other facilities;
- Restricting the manner in which wastes are treated and released into the air, water and soils;
- Restricting or regulating the use of wetlands or other properties; or
- Requiring remedial action to prevent or mitigate pollution.

Sanctions against a municipal utility district or other type of special purpose district for failure to comply with environmental laws and regulations may include a variety of civil and criminal enforcement measures, including assessment of monetary penalties, imposition of remedial requirements and issuance of injunctions to ensure future compliance. Environmental laws and compliance with environmental laws and regulations can increase the cost of planning, designing, constructing and operating water production and wastewater treatment facilities. Environmental laws can also inhibit growth and development within the District. Further, changes in regulations occur frequently, and any changes that result in more stringent and costly requirements could materially impact the District.

Air Quality Issues: Air quality control measures required by the United States Environmental Protection Agency (the "EPA") and the TCEQ may impact new industrial, commercial and residential development in the Houston area. Under the Clean Air Act ("CAA") Amendments of 1990, the eight-county Houston-Galveston-Brazoria area ("HGB Area")—Harris, Galveston, Brazoria, Chambers, Fort Bend, Waller, Montgomery and Liberty Counties—has been designated a nonattainment area under two separate federal ozone standards: the eight-hour ozone standard of 75 ppb promulgated by the EPA in 2008 (the "2008 Ozone Standard"), and the EPA's most-recent promulgation of an even lower, 70 ppb eight-hour ozone standard in 2015 (the "2015 Ozone Standard"). While the State of Texas has been able to demonstrate steady progress and improvements in air quality in the HGB Area, the HGB Area remains subject to CAA nonattainment requirements.

The HGB Area is currently designated as a "severe" nonattainment area under the 2008 Ozone Standard, with an attainment deadline of July 20, 2027. If the EPA ultimately determines that the HGB Area has failed to meet the attainment deadline based on the relevant data, the area is subject to reclassification to a nonattainment classification that provides for more stringent controls on emissions from the industrial sector. In addition, the EPA may impose a moratorium on the awarding of federal highway construction grants and other federal grants for certain public works construction projects if it finds that an area fails to demonstrate progress in reducing ozone levels.

The HGB Area is currently designated as a "moderate" nonattainment area under the 2015 Ozone Standard, with an attainment deadline of August 3, 2024. For purposes of the 2015 Ozone Standard, the HGB Area consists of only six counties: Brazoria, Chambers, Fort Bend, Galveston, Harris, and Montgomery Counties.

In order to demonstrate progress toward attainment of the EPA's ozone standards, the TCEQ has established a state implementation plan ("SIP") for the HGB Area setting emission control requirements, some of which regulate the inspection and use of automobiles. These types of measures could impact how people travel, what distances people are willing to travel, where people choose to live and work, and what jobs are available in the HGB Area. These SIP requirements can

negatively impact business due to the additional permitting/regulatory constraints that accompany this designation and because of the community stigma associated with a nonattainment designation. It is possible that additional controls will be necessary to allow the HGB Area to reach attainment with the ozone standards by the EPA's attainment deadlines. These additional controls could have a negative impact on the HGB Area's economic growth and development.

Water Supply & Discharge Issues: Water supply and discharge regulations that municipal utility districts, including the District, may be required to comply with involve: (1) groundwater well permitting and surface water appropriation; (2) public water supply systems; (3) wastewater discharges from treatment facilities; (4) storm water discharges; and (5) wetlands dredge and fill activities. Each of these is addressed below:

Certain governmental entities regulate groundwater usage in the HGB Area. A municipal utility district or other type of special purpose district that (i) is located within the boundaries of such an entity that regulates groundwater usage, and (ii) relies on local groundwater as a source of water supply, may be subject to requirements and restrictions on the drilling of water wells and/or the production of groundwater that could affect both the engineering and economic feasibility of district water supply projects.

Pursuant to the federal Safe Drinking Water Act ("SDWA") and the EPA's National Primary Drinking Water Regulations ("NPDWRs"), which are implemented by the TCEQ's Water Supply Division, a municipal utility district's provision of water for human consumption is subject to extensive regulation as a public water system. Municipal utility districts must generally provide treated water that meets the primary and secondary drinking water quality standards adopted by the TCEQ, the applicable disinfectant residual and inactivation standards, and the other regulatory action levels established under the agency's rules. The EPA has established NPDWRs for more than ninety (90) contaminants and has identified and listed other contaminants which may require national drinking water regulation in the future. Further, the EPA has established a NPDWR for six (6) Per- and Polyflouroalkyl Substances ("PFAS"), which requires public water systems to perform certain monitoring and remediation measures. Public water systems may be subject to additional PFAS regulation in the future, which could increase the cost of constructing, operating, and maintaining water production and distribution facilities.

Texas Pollutant Discharge Elimination System ("TPDES") permits set limits on the type and quantity of discharge, in accordance with state and federal laws and regulations. The TCEQ reissued the TPDES Construction General Permit (TXR150000) ("CGP"), with an effective date of March 5, 2023, which is a general permit authorizing the discharge of stormwater runoff associated with small and large construction sites and certain non-stormwater discharges into surface water in the state. The CGP has a 5-year permit term, and is then subject to renewal. Moreover, the Clean Water Act ("CWA") and Texas Water Code require municipal wastewater treatment plants to meet secondary treatment effluent limitations and more stringent water quality-based limitations and requirements to comply with the Texas water quality standards. Any water quality-based limitations and requirements with which a municipal utility district must comply may have an impact on the municipal utility district's ability to obtain and maintain compliance with TPDES permits.

The District's stormwater discharges currently maintain permit coverage through the Municipal Separate Storm System Permit (the "Current Permit") issued to the Storm Water Management Joint Task Force consisting of Harris County, Harris County Flood Control District, the City of Houston, and the Texas Department of Transportation. In the event that at any time in the future the District is not included in the Current Permit, it may be required to seek independent coverage under the TCEQ's General Permit for Phase II (Small) Municipal Separate Storm Sewer Systems (the "MS4 Permit"), which authorizes the discharge of stormwater to surface water in the state from small municipal separate storm sewer systems. If the District's inclusion in the MS4 Permit were required at a future date, the District could incur substantial costs to develop, implement, and maintain the necessary plans as well as install or implement best management practices to minimize or eliminate unauthorized pollutants that may otherwise be found in stormwater runoff in order to comply with the MS4 Permit.

Operations of utility districts, including the District, are also potentially subject to requirements and restrictions under the CWA regarding the use and alteration of wetland areas that are within the "waters of the United States." The District must obtain a permit from the United States Army Corps of Engineers ("USACE") if operations of the District require that wetlands be filled, dredged, or otherwise altered.

In 2023, the Supreme Court of the United States issued its decision in *Sackett* v. EPA, which clarified the definition of "waters of the United States" and significantly restricted the reach of federal jurisdiction under the CWA. Under the *Sackett* decision, "waters of the United States" includes only geographical features that are described in ordinary parlance as "streams, oceans, rivers, and lakes" and to adjacent wetlands that are indistinguishable from such bodies of water due to a continuous surface connection. Subsequently, the EPA and USACE issued a final rule amending the definition of "waters of the United States" under the CWA to conform with the Supreme Court's decision.

While the *Sackett* decision and subsequent regulatory action removed a great deal of uncertainty regarding the ultimate scope of "waters of the United States" and the extent of EPA and USACE jurisdiction, operations of municipal utility districts, including the District, could potentially be subject to additional restrictions and requirements, including additional permitting requirements, in the future.

Changes in Tax Legislation

Certain tax legislation, whether currently proposed or proposed in the future, may directly or indirectly reduce, or eliminate the benefit of the exclusion of interest on the Bonds from gross income for federal income tax purposes. Any proposed legislation, whether or not enacted, may also affect the value and liquidity of the Bonds. Prospective purchasers of the Bonds should consult with their own tax advisors with respect to any proposed, pending, or future legislation.

Potential Impact of Natural Disaster

The District is located near the Texas Gulf Coast and, as it has in the past, could be impacted by wide-spread fires, earthquakes, or weather events such as hurricanes, tornadoes, tropical storms, or other severe weather events that could produce high winds, heavy rains, hail, and flooding. In the event that a natural disaster should damage or destroy improvements and personal property in the District, the assessed value of such taxable properties could be substantially reduced, resulting in a decrease in the taxable assessed value of the District or an increase in the District's tax rates.

There can be no assurance that a casualty will be covered by insurance (certain casualties, including flood, are usually excepted unless specific insurance is purchased), that any insurance company will fulfill its obligation to provide insurance proceeds, or that insurance proceeds will be used to rebuild, repair, or replace any taxable properties in the District that were damaged. Even if insurance proceeds are available and damaged properties are rebuilt, there could a lengthy period in which assessed values in the District would be adversely affected. There can be no assurance the District will not sustain damage from such natural disasters.

National Weather Service Atlas 14 Rainfall Study

The National Weather Service recently completed a rainfall study known as NOAA Atlas 14, Volume 11 Precipitation-Frequency Atlas of the United States ("Atlas 14"). Floodplain boundaries within the District may be redrawn based on the Atlas 14 study based on a higher statistical rainfall amount, resulting in interim floodplain regulations applying to a larger number of properties and consequently leaving less developable property within the District. Such regulations could additionally result in higher insurance rates, increased development fees, and stricter building codes for any property located within the expanded boundaries of the floodplain.

Specific Flood Type Risks

The District may be subject to the following flood risks:

Ponding (or Pluvial) Flood: Ponding, or pluvial, flooding occurs when heavy rainfall creates a flood event independent of an overflowing water body, typically in relatively flat areas. Intense rainfall can exceed the drainage capacity of a drainage system, which may result in water within the drainage system becoming trapped and diverted onto streets and nearby property until it is able to reach a natural outlet. Ponding can also occur in a flood pool upstream or behind a dam, levee or reservoir.

Riverine (or Fluvial) Flood: Riverine, or fluvial, flooding occurs when water levels rise over the top of river, bayou or channel banks due to excessive rain from tropical systems making landfall and/or persistent thunderstorms over the same area for extended periods of time. The damage from a riverine flood can be widespread. The overflow can affect smaller rivers and streams downstream, or may sheet-flow over land. Flash flooding is a type of riverine flood that is characterized by an intense, high velocity torrent of water that occurs in an existing river channel with little to no notice. Flash flooding can also occur even if no rain has fallen, for instance, after a levee, dam or reservoir has failed or experienced an uncontrolled release, or after a sudden release of water by a debris or ice jam. In addition, planned or unplanned controlled releases from a dam, levee or reservoir also may result in flooding in areas adjacent to rivers, bayous or drainage systems downstream.

Bond Insurance Risk Factors

The purchase of a bond insurance policy to guarantee the scheduled payment of principal and interest on the Bonds is mandatory. The following are risk factors relating to bond insurance.

In the event of default of the payment of principal or interest with respect to the Bonds when all or some becomes due, any owner of the Bonds shall have a claim under the applicable Bond Insurance Policy (the "Policy") for such payments. However, in the event of any acceleration of the due date of such principal by reason of mandatory or optional redemption or acceleration resulting from default or otherwise, other than any advancement of maturity pursuant to a mandatory sinking fund payment, the payments are to be made in such amounts and at such times as such payments would have been due had there not been any such acceleration. The Policy does not insure against redemption premium, if any. The payment of principal and interest in connection with mandatory or optional prepayment of the Bonds by the District which is

recovered by the District from the bond owner as a voidable preference under applicable bankruptcy law is covered by the insurance policy, however, such payments will be made by the Insurer at such time and in such amounts as would have been due absence such prepayment by the District unless the Bond Insurer chooses to pay such amounts at an earlier date.

Under most circumstances, default of payment of principal and interest does not obligate acceleration of the obligations of the Bond Insurer without appropriate consent. The Bond Insurer may direct and must consent to any remedies and the Bond Insurer's consent may be required in connection with amendments to any applicable bond documents.

In the event the Bond Insurer is unable to make payment of principal and interest as such payments become due under the Policy, the Bonds are payable solely from the moneys received pursuant to the applicable bond documents. In the event the Bond Insurer becomes obligated to make payments with respect to the Bonds, no assurance is given that such event will not adversely affect the market price of the Bonds or the marketability (liquidity) for the Bonds.

The long-term ratings on the Bonds are dependent in part on the financial strength of the Bond Insurer and its claim paying ability. The Bond Insurer's financial strength and claims paying ability are predicated upon a number of factors which could change over time. No assurance is given that the long-term ratings of the Bond Insurer and of the ratings on the Bonds insured by the Bond Insurer will not be subject to downgrade and such event could adversely affect the market price of the Bonds or the marketability (liquidity) for the Bonds. See "MUNICIPAL BOND INSURANCE."

The obligations of the Bond Insurer are contractual obligations and in an event of default by the Bond Insurer, the remedies available may be limited by applicable bankruptcy law or state law related to insolvency of insurance companies.

Neither the District nor the Initial Purchaser have made independent investigation into the claims paying ability of the Bond Insurer and no assurance or representation regarding the financial strength or projected financial strength of the Bond Insurer is given. Thus, when making an investment decision, potential investors should carefully consider the ability of the District to pay principal and interest on the Bonds and the claims paying ability of the Bond Insurer, particularly over the life of the investment.

THE BONDS

General

The following is a description of some of the terms and conditions of the Bonds, which description is qualified in its entirety by reference to the Bond Resolution.

The Bonds are dated July 1, 2024, and will accrue interest from the initial date of delivery (expected on July 24, 2024) with interest payable March 1, 2025, and each September 1 and March 1 thereafter (each an "Interest Payment Date") until the earlier of maturity or redemption. The Bonds are fully-registered bonds maturing on September 1 of the years shown under "PRINCIPAL AMOUNTS, MATURITIES, INTEREST RATES AND INITIAL REOFFERING YIELDS" on the inside cover page of this Official Statement. Principal of the Bonds will be payable to the Registered Owners at maturity or redemption upon presentation at the principal payment office of the paying agent/registrar, initially, BOKF, NA, Dallas, Texas (the "Paying Agent/Registrar"). Interest on the Bonds will be payable by check, dated as of the Interest Payment Date, and mailed by the Paying Agent/Registrar to Registered Owners as shown on the records of the Paying Agent/Registrar at the close of business on the 15th calendar day of the month next preceding the Interest Payment Date (the "Record Date") or by such other customary banking arrangements as may be agreed upon by the Paying Agent/Registrar and a Registered Owner at the risk and expense of such Registered Owner.

Book-Entry-Only System

This section describes how ownership of the Bonds is to be transferred and how the principal of and interest on the Bonds are to be paid to and credited by The Depository Trust Company, New York, New York ("DTC"), while the Bonds are registered in its nominee's name. The information in this section concerning DTC and the Book-Entry-Only System has been provided by DTC for use in disclosure documents such as this Official Statement. The District believes the source of such information to be reliable, but takes no responsibility for the accuracy or completeness thereof.

The District cannot and does not give any assurance that (1) DTC will distribute payments of debt service on the Bonds, or redemption or other notices, to DTC Participant, (2) DTC Participants or others will distribute debt service payments paid to DTC or its nominee (as the registered owner of the Bonds), or redemption or other notices, to the Beneficial Owners, or that they will do so on a timely basis, or (3) DTC will serve and act in the manner described in this Official Statement. The current rules applicable to DTC are on file with the Securities and Exchange Commission, and the current procedures of DTC to be followed in dealing with DTC Participants are on file with DTC.

DTC will act as securities depository for the Bonds. The Bonds will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be required by an authorized representative of DTC. One fully-registered Bond certificate will be issued for each of the Bonds, each in the aggregate principal amount of such issue, and will be deposited with DTC.

DTC, the world's largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.6 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments (from over 100 countries) that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC is the holding company for DTC, National Securities Clearing Corporation and Fixed Income Clearing Corporation, all of which are registered clearing agencies. DTCC is owned by the users of its regulated subsidiaries. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has a Standard & Poor's rating of "AA+." The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC's records. The ownership interest of each actual purchase of each Bond ("Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Securities, except in the event that use of the book-entry system for the Bonds is discontinued.

To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time.

Redemption notices shall be sent to DTC. If less than all of the Bonds within an issue are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to Securities unless authorized by a Direct Participant in accordance with DTC's MMI Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to Issue as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Securities are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Redemption proceeds, principal and interest payments on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the District or Paying Agent/Registrar, on payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participant and not of DTC, Paying Agent/Registrar or the District, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, principal and interest payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the District or Paying Agent/Registrar, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice to the District or the Paying Agent/Registrar. Under such circumstances, in the event that a successor depository is not obtained, Bond certificates are required to be printed and delivered.

The District may decide to discontinue use of the system of book-entry-only transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered to DTC.

The information in the section concerning DTC and DTC's book-entry system has been obtained from sources that the District believes to be reliable, but Issuer takes no responsibility for the accuracy thereof.

Successor Paying Agent/Registrar

Provision is made in the Bond Resolution for replacing the Paying Agent/Registrar. If the District replaces the Paying Agent/Registrar, such Paying Agent/Registrar shall, promptly upon the appointment of a successor, deliver the Paying Agent/Registrar's records to the successor Paying Agent/Registrar, and the successor Paying Agent/Registrar shall act in the same capacity as the previous Paying Agent/Registrar. Any successor Paying Agent/Registrar selected by the District shall be a commercial bank; a trust company organized under the laws of the State of Texas; or other entity duly qualified and legally authorized to serve and perform the duties of the Paying Agent/Registrar for the Bonds.

Registration, Transfer and Exchange

In the event the Book-Entry-Only System is discontinued, the Bonds are transferable only on the bond register kept by the Paying Agent/Registrar upon surrender at the corporate trust office of the Paying Agent/Registrar in Dallas, Texas. A Bond may be assigned by the execution of an assignment form on the Bonds or by other instrument of transfer and assignment acceptable to the Paying Agent/Registrar. At any time after the date of initial delivery, any Bond may be transferred upon its presentation and surrender at the designated offices of the Paying Agent/Registrar, duly endorsed for transfer or accompanied by an assignment duly executed by the Initial Purchaser.

The Bonds are exchangeable upon presentation at the designated office(s) of the Paying Agent/Registrar, for an equal principal amount of Bonds of the same maturity in authorized denominations. To the extent possible, new Bonds issued in exchange or transfer of Bonds will be delivered to the Registered Owner or assignee of the Registered Owner within not more than three (3) business days after the receipt by the Paying Agent/Registrar of the request in proper form to transfer or exchange the Bonds. New Bonds registered and delivered in an exchange or transfer shall be in the denomination of $5,000 in principal amount for a Bond, or any integral multiple thereof for any one maturity and shall bear interest at the same rate and be for a like aggregate principal or maturity amount as the Bond or Bonds surrendered for exchange or transfer. Neither the Paying Agent/Registrar nor the District is required to issue, transfer, or exchange any Bond during a period beginning at the opening of business on a Record Date and ending at the close of business on the next succeeding Interest Payment Date or to transfer or exchange any Bond selected for redemption, in whole or in part, beginning fifteen (15) calendar days prior to, and ending on the date of the mailing of notice of redemption, or where such redemption is scheduled to occur within thirty (30) calendar days. No service charge will be made for any transfer or exchange, but the District or Paying Agent/Registrar may require payment of a sum sufficient to cover any tax or governmental charge payable in connection therewith.

Redemption of the Bonds

Bonds maturing on September 1, 2031, and thereafter shall be subject to redemption and payment at the option of the District, in whole or from time to time in part, on July 1, 2030, or on any date thereafter, at the par value thereof plus accrued interest to the date fixed for redemption. Notice of the exercise of the reserved right of redemption will be given at least thirty (30) days prior to the redemption date by sending such notice by first class mail to the Registered Owner of each Bond to be redeemed in whole or in part at the address shown on the bond register. If less than all of the Bonds are redeemed at any time, the maturities of the Bonds to be redeemed shall be selected by the District. If less than all of the Bonds of a certain maturity are to be redeemed, the particular Bonds or portions thereof to be redeemed will be selected by the Paying Agent/Registrar prior to the redemption date by such random method as the Paying Agent/Registrar deems fair and appropriate in integral multiples of $5,000 within any one maturity.

Mutilated, Lost, Stolen or Destroyed Bonds

In the event the Book-Entry-Only System is discontinued, the District has agreed to replace mutilated, destroyed, lost or stolen Bonds upon surrender of the mutilated Bonds to the Paying Agent/Registrar, or receipt of satisfactory evidence of such destruction, loss or theft, and receipt by the District and Paying Agent/Registrar of security or indemnity as may be required by either of them to hold them harmless. The District may require payment of taxes, governmental charges and other expenses in connection with any such replacement.

Authority for Issuance

The Bonds are the third series of bonds issued by the District out of an aggregate of $141,315,000 principal amount of unlimited tax bonds authorized by the District's voters for the purpose of acquiring or constructing the Utility System and for the refunding of such bonds. The voters of the District have authorized the issuance of an aggregate of $61,925,000 principal amount of unlimited tax bonds for the purpose of acquiring or constructing the Road System and for the refunding

of such bonds. The voters of the District have authorized the issuance of an aggregate of $32,240,000 principal amount of unlimited tax bonds for the purpose of acquiring or constructing the Park System and for the refunding of such bonds.

Following issuance of the Bonds, $107,285,000 principal amount of unlimited tax bonds for the purpose of acquiring or constructing the Utility System and for the refunding of such bonds, $49,250,000 principal amount of unlimited tax bonds for the purpose of acquiring or constructing the Road System and for the refunding of such bonds, and $32,240,000 principal amount of unlimited tax bonds for the purpose of acquiring or the Park System and for the refunding of such bonds will remain authorized but unissued.

The Bonds are issued pursuant to: an order of the TCEQ; the general laws of the State of Texas, including Chapters 49 and 54 of the Texas Water Code, as amended, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution; the Bond Resolution; and an election held within the boundaries of the District on November 6, 2007.

Short-Term Debt

The District issued its $6,028,000 Bond Anticipation Note, Series 2023 (the "BAN"), dated December 20, 2023. The BAN matures on December 18, 2024, and accrues interest at a rate of 5.62% per annum, calculated on the basis of a 365-day year. The District will use a portion of the proceeds from the sale of the Bonds to redeem the BAN prior to its maturity. Proceeds from the BAN were used to reimburse the Developer for a portion of the improvements and related costs shown under "THE BONDS – Use and Distribution of Proceeds of the Bonds."

Issuance of Additional Debt

The District may issue additional bonds with the approval of the TCEQ, necessary to provide improvements and facilities consistent with the purposes for which the District was created. The District's voters have authorized the issuance of an aggregate of $141,315,000 of unlimited tax bonds for the purpose of acquiring or constructing the Utility System and for the refunding of such bonds, $61,925,000 of unlimited tax bonds for the purpose of acquiring or constructing the Road System and for the refunding of such bonds, and $32,240,000 of unlimited tax bonds for the purpose of acquiring or constructing the Park System and for the refunding of such bonds. The District could authorize additional amounts of Utility System bonds, Road System bonds, or Park System Bonds. The Bonds are the third series of bonds issued by the District for the purpose of acquiring or constructing the Utility System and for the refunding of such bonds. Following issuance of the Bonds, $107,285,000 principal amount of unlimited tax bonds for the purpose of acquiring or constructing the Utility System and for the refunding of such bonds, $49,250,000 principal amount of unlimited tax bonds for the purpose of acquiring or constructing the Road System and for the refunding of such bonds, and $32,240,000 principal amount of unlimited tax bonds for the purpose of acquiring or constructing the Park System and for the refunding of such bonds will remain authorized but unissued. The Bond Resolution imposes no limitation on the amount of additional parity bonds which may be issued by the District (if authorized by the District's voters and approved by the TCEQ).

Following the issuance of the Bonds, the District will owe the Developer approximately $10,544,000 for expenditures relating to the acquisition or construction of the Utility System, the Road System, and the Park System. If additional bonds are issued in the future and property values have not increased proportionately, such issuance may increase gross debt-property valuation ratios and thereby adversely affect the investment quality or security of the Bonds.

The District is also authorized by statute to engage in fire-fighting activities, including the issuing of bonds payable from taxes for such purposes. Before the District could issue such bonds, the following actions would be required: (a) authorization of a detailed fire protection plan; (b) approval of the fire plan by the TCEQ; (c) approval of the fire plan by the voters of the District; and (d) approval of bonds, if any, by the Attorney General of Texas. The Board has adopted neither a fire plan nor called an election for such purposes. If additional debt obligations are issued in the future by the District, such issuance may increase gross debt/property ratios and might adversely affect the investment security of the Bonds.

The District is authorized by statute to develop parks and recreational facilities, including the issuing of bonds payable from taxes for such purpose. The District prepared a parks master plan, and on November 6, 2007, and November 3, 2009, the District's voters authorized an aggregate of $32,240,000 in unlimited tax bonds for the purpose of acquiring or constructing parks and recreational facilities to serve the District and for the refunding of such bonds. Before the District could issue park bonds payable from taxes, the following actions would be required: (a) approval of the park bond application for the issuance of bonds by the TCEQ; and (b) approval of the bonds by the Attorney General of Texas. The principal amount of outstanding park bonds issued by the District may not exceed one percent (1 %) of the District's taxable assessed valuation unless the District meets certain financial feasibility requirements under the TCEQ rules, in which case the outstanding principal amount of such bonds issued by the District may exceed an amount equal to one percent (1 %) but not more than three percent (3 %) of the value of the taxable property in the District. The District has not considered the preparation of a parks bond application at this time.

Source of Payment

The Bonds are payable from a continuing direct annual ad valorem tax, without legal limitation as to rate or amount, levied against all taxable property located within the District.

In the Bond Resolution, the District covenants to levy a sufficient tax to pay principal of and interest on the Bonds, with full allowance being made for delinquencies, costs of collections, Paying Agent/Registrar fees, and fees of the Brazoria County Appraisal District (the "Appraisal District"). Tax proceeds, after deduction for collection costs, will be placed in the Utility System Debt Service Fund (herein defined) and used solely to pay principal of and interest on the Bonds, any additional bonds payable from taxes which may be issued for the Utility System, and fees of the Paying Agent/Registrar. Amounts on deposit in the Utility System Debt Service Fund may not be used to pay debt service on bonds issued by the District for the Road System or Park System.

The Bonds are obligations solely of the District and are not the obligations of the State of Texas; the County; the City; or any entity other than the District.

Funds

The Bond Resolution confirms the District's fund for debt service on the Bonds and any additional unlimited tax bonds issued by the District for the Utility System (the "Utility System Debt Service Fund"). Upon closing, twelve (12) months of capitalized interest on the Bonds will be deposited from the proceeds from sale of the Bonds into the Utility System Debt Service Fund. The Utility System Debt Service Fund, which constitutes a trust fund for the benefit of the owners of the Bonds and any additional unlimited tax bonds issued by the District for the Utility System, is to be kept separate from all other funds of the District, and is to be used for payment of debt service on the Bonds and any of the District's other duly authorized bonds issued for the Utility System payable in whole or in part from taxes. Amounts on deposit in the Utility System Debt Service Fund may also be used to pay the fees and expenses of the Paying Agent/Registrar, to defray the expenses of assessing and collecting taxes levied for payment of interest on and principal of the Bonds and any additional bonds for the Utility System payable in whole or in part from taxes, and to pay any tax anticipation notes issued, together with interest thereon, as such tax anticipation notes become due. Amounts on deposit in the Utility System Debt Service Fund may not be used to pay debt service on bonds issued by the District for the Road System.

No Arbitrage

The District will certify, on the date of delivery of the Bonds, that based upon all facts and estimates now known or reasonably expected to be in existence on the date the Bonds are delivered and paid for, the District reasonably expects that the proceeds of the Bonds will not be used in a manner that would cause the Bonds, or any portion of the Bonds, to be "arbitrage bonds" under the Internal Revenue Code of 1986, as amended (the "Code"), and the regulations prescribed thereunder. Furthermore, all officers, employees and agents of the District have been authorized and directed to provide certifications of facts and estimates that are material to the reasonable expectations of the District as of the date the Bonds are delivered and paid for. In particular, all or any officers of the District are authorized to certify to the facts and circumstances and reasonable expectations of the District on the date the Bonds are delivered and paid for regarding the amount and use of the proceeds of the Bonds. Moreover, the District covenants that it shall make such use of the proceeds of the Bonds, regulate investment of proceeds of the Bonds and take such other and further actions and follow such procedures, including, without limitation, calculating the yield on the Bonds, as may be required so that the Bonds shall not become "arbitrage bonds" under the Code and the regulations prescribed from time to time thereunder.

Defeasance

The Bond Resolution provides that the District may discharge its obligations to the Registered Owners of any or all of the Bonds to pay principal, interest and redemption price thereon in any manner permitted by law. Under current Texas law, such discharge may be accomplished either (i) by depositing with the Comptroller of Public Accounts of the State of Texas a sum of money equal to the principal of, premium, if any, and all interest to accrue on the Bonds to maturity or redemption or (ii) by depositing with any place of payment (paying agent) of the Bonds or other obligations of the District payable from revenues or from ad valorem taxes or both, amounts sufficient to provide for the payment and/or redemption of the Bonds; provided that such deposits may be invested and reinvested only in (a) direct noncallable obligations of the United States of America, (b) noncallable obligations of an agency or instrumentality of the United States, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the governing body of the District adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (c) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the governing body of the District adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and which mature and/or bear interest payable at such times and in such amounts as will be sufficient to provide for the scheduled payment and/or redemption of the Bonds.

Upon such deposit as described above, such Bonds shall no longer be regarded as outstanding or unpaid. After firm banking and financial arrangements for the discharge and final payment or redemption of the Bonds have been made as described above, all rights of the District to initiate proceedings to call the Bonds for redemption or take any other action amending the terms of the Bonds are extinguished; provided, however, that the right to call the Bonds for redemption is not

extinguished if the District: (i) in the proceedings providing for the firm banking and financial arrangements, expressly reserves the right to call the Bonds for redemption; (ii) gives notice of the reservation of that right to the owners of the Bonds immediately following the making of the firm banking and financial arrangements; and (iii) directs that notice of the reservation be included in any redemption notices that it authorizes.

There is no assurance that the current law will not be changed in the future in a manner which would permit investments other than those described above to be made with amounts deposited to defease the Bonds.

Legal Investment and Eligibility to Secure Public Funds in Texas

The following is an excerpt from Section 49.186 of the Texas Water Code, and is applicable to the District:

> "(a) All bonds, notes, and other obligations issued by a district shall be legal and authorized investments for all banks, trust companies, building and loan associations, savings and loan associations, insurance companies of all kinds and types, fiduciaries, and trustees, and for all interest and sinking funds and other public funds of the state, and all agencies, subdivisions, and instrumentalities of the state, including all counties, cities, towns, villages, school districts, and all other kinds and types of districts, public agencies, and bodies politic.
>
> (b) A district's bonds, notes, and other obligations are eligible and lawful security for all deposits of public funds of the state, and all agencies, subdivisions, and instrumentalities of the state, including all counties, cities, towns, villages, school districts, and all other kinds and types of districts, public agencies, and bodies politic, to the extent of the market value of the bonds, notes, and other obligations when accompanied by any unmatured interest coupons attached to them."

The Public Funds Collateral Act (Chapter 2257, Texas Government Code) also provides that bonds of the District (including the Bonds) are eligible as collateral for public funds.

No representation is made that the Bonds will be suitable for or acceptable to financial or public entities for investment or collateral purposes. No representation is made concerning other laws, rules, regulations, or investment criteria which apply to or which might be utilized by any of such persons or entities to limit the acceptability or suitability of the Bonds for any of the foregoing purposes. Prospective purchasers are urged to carefully evaluate the investment quality of the Bonds as to the suitability or acceptability of the Bonds for investment or collateral purposes.

Registered Owners' Remedies

Pursuant to Texas law, the Bond Resolution provides that, in the event the District defaults in the payment of the principal of or interest on any of the Bonds when due, fails to make payments required by the Bond Resolution into the debt service fund, or defaults in the observance or performance of any of the other covenants, conditions or obligations set forth in the Bond Resolution, any Registered Owner shall be entitled to seek a writ of mandamus from a court of competent jurisdiction compelling and requiring the District to make such payments or to observe and perform such covenants, obligations or conditions. Such right is in addition to other rights the Registered Owners may be provided by the laws of the State of Texas.

In the event of default in the payment of principal of or interest on the Bonds, the Registered Owners may seek a writ of mandamus requiring the District to levy adequate taxes to make such payments. Except for the remedy of mandamus, the Bond Resolution does not specifically provide for remedies to a Registered Owner in the event of a District default, nor does it provide for the appointment of a trustee to protect and enforce the interests of the Registered Owners. There is no acceleration of maturity of the Bonds in the event of default and, consequently, the remedy of mandamus may have to be relied upon from year to year. Although the Registered Owners could obtain a judgment against the District, such a judgment could not be enforced by direct levy and execution against the District's property. Further, the Registered Owners cannot themselves foreclose on the property of the District or sell property within the District in order to pay the principal of or interest on the Bonds. The enforceability of the rights and remedies of the Registered Owners may be further limited by laws relating to bankruptcy, reorganization or other similar laws of general application affecting the rights of creditors of political subdivisions such as the District. For example, a Chapter 9 bankruptcy proceeding by the District could delay or eliminate payment of principal or interest to the Registered Owners.

Use and Distribution of Proceeds of the Bonds

Proceeds from the sale of the Bonds will be used by the District to redeem the BAN, the proceeds of which were used to reimburse the Developer for a portion of the improvements and related costs as shown below. Additionally, proceeds from the sale of the Bonds will be used to reimburse the Developer for the improvements and related costs that were not reimbursed by the BAN and to pay: twelve (12) months of capitalized interest, BAN interest, developer interest, and other certain costs associated with the issuance of the Bonds.

Non-construction costs are based upon either contract amounts or estimates of various costs by the Engineer (herein defined) and the Financial Advisor (herein defined). The actual amounts to be reimbursed by the District and the non-construction costs will be finalized after the sale of the Utility Bonds and completion of agreed-upon procedures by the District's auditor.

Construction Costs	District's Share
A. Developer Contribution Items	
1. Lift Station No. 1 – Phase 2	$ 303,889
2. Lift Station No. 2	635,118
3. Meridiana Section 28A - W, WW, & D	713,223
4. Meridiana Section 28B - W, WW, & D	801,404
5. Meridiana Section 46 - W, WW, & D	411,499
6. Meridiana Section 47 - W, WW, & D	831,843
7. Meridiana Section 48 - W, WW, & D	600,061
8. Meridiana Section 49 - W, WW, & D	555,304
9. Observation Way, Phase 1 - W, WW, & D	518,338
10. Observation Way, Phase 2 - W, WW, & D	251,561
11. Meridiana Parkway, Phase 4 and Manvel Parkway, Phase 1	1,097,436
12. Meridiana, Detention Basin "U"	691,854
13. Engineering and Geotechnical Testing (Items 1- 12)	907,141
14. SWPPP Compliance (Items 3-8, 11, and 12)	84,110
Total Developer Contribution Items	$ 8,402,781
B. District Items	
1. Land Acquisition Cost:	
Lift Station No. 2	$ 2,045
Total District Items	$ 2,045
Total Construction Costs	$ 8,404,826
Less Surplus Funds Available	$ (240,732)
NET CONSTRUCTION COSTS (68.61% of BIR)	$ 8,164,094
Non-Construction Costs	
A. Legal Fees	$ 278,000
B. Fiscal Agent Fees	238,000
C. Interest	
1. Capitalized Interest (12 Months at 6.25%)	743,750
2. Developer Interest (6.25%)	1,485,273
2. BAN Interest (12 Months at 5.50%)	331,540
D. Bond Discount (3.00%)	357,000
E. Bond Issuance Expenses	57,147
F. BAN Issuance Expenses	145,321
G. Bond Application Report Expense	60,625
H. Attorney General Fee (0.10% or $9,500 max)	9,500
I. TCEQ Bond Issuance Fee (0.25%)	29,750
Total Non-Construction Costs	$ 3,735,906
TOTAL UTILITY BOND ISSUE REQUIREMENT	**$ 11,900,000**

In the instance that approved estimated amounts exceed the actual costs, the difference comprises a surplus which may be expended for approved uses in accordance with the rules of the TCEQ. However, the District cannot and does not guarantee the sufficiency of such funds for such purposes.

THE DISTRICT

Authority

The District was created by order of the TCEQ, dated August 16, 2007, and by a confirmation election held within the District on November 6, 2007, and operates pursuant to Article XVI, Section 59 and Article III, Section 52 of the Constitution of the State of Texas, and Chapters 49 and 54, Texas Water Code, as amended.

The District is empowered, among other things, to purchase, construct, operate, and maintain all works, improvements, facilities, and plants necessary for the supply of water; the collection, transportation, and treatment of wastewater; and the control and diversion of storm water.

The District also is authorized to acquire, construct, develop and maintain park and recreational facilities using operating revenues or by issuing bonds payable from taxes, and to construct roads. In addition, the District is authorized, upon TCEQ and voter approval, to establish, operate and maintain a fire department, independently or with one or more other conservation and reclamation districts, and provide such facilities and services to the customers of the District.

Description

The District encompasses approximately 685 acres and is located wholly within the County, approximately 22 miles south of the Central Business District of the City of Houston, Texas. The District lies approximately 1.5 miles south of the intersection of State Highway 6 and Highway 288. The District is located within the corporate city limits of the City of Manvel, Texas.

Management of the District

The District is governed by its Board, consisting of five directors who have control over and management supervision of all affairs of the District. All of the directors own property in the District. The directors serve staggered, four-year terms. Elections are held in even-numbered years in May. The current members and officers of the Board are listed below:

Name	Title	Term Expires May
Lance E. Taylor	President	2028
Michael Albrecht	Vice President	2026
Tamu Williams	Secretary	2028
David Rivera	Assistant Secretary	2026
Sandra Harrell	Assistant Vice President	2026

Investment Policy

The District has adopted an Investment Policy (the "Policy") as required by the Public Funds Investment Act, Chapter 2256, Texas Government Code (the "Act"). The District's goal is to preserve principal and maintain liquidity in a diversified portfolio while securing a competitive yield on its portfolio. Funds of the District are to be invested only in accordance with the Policy. The Policy states that the funds of the District may be invested in short term obligations of the U.S. or its agencies or instrumentalities, in certificates of deposits insured by the Federal Deposit Insurance Corporation ("FDIC") and secured by collateral authorized by the Act, and in TexPool and TexStar, which are public funds investment pools rated in the highest rating category by a nationally recognized rating service. The District does not currently own, nor does it anticipate, the inclusion of long term securities or derivative products in the portfolio.

Consultants

Although the District does not have a general manager or any other full-time employees, it has contracted for utility system operating, bookkeeping, tax assessing and collecting, auditing, engineering, and legal services as follows:

Tax Assessor/Collector: The tax assessor/collector for the District is Assessments of the Southwest, Inc.

Bookkeeper: The District's bookkeeper is Myrtle Cruz, Inc.

Utility System Operator: The District's water and sewer system is operated by Si Environmental LLC.

Auditor: The District engaged McGrath & Co., PLLC to audit its financial statements for the fiscal year ended March 31, 2024. McGrath & Co., PLLC was not requested to perform any updating procedures subsequent to the date of its audit opinion on the March 31, 2023, financial statements. See "APPENDIX A" for a copy of the District's audited financial statements for the fiscal year ended March 31, 2023.

Engineer: The District's engineer is Edminster, Hinshaw, Russ and Associates, Inc. (the "Engineer"). Such firm acts as engineer for many residential and commercial developments in Texas.

General and Bond Counsel: The District has engaged Allen Boone Humphries Robinson LLP, Houston, Texas, as general counsel to the District and as bond counsel ("Bond Counsel") in connection with the issuance of the Bonds. The fees to be paid Bond Counsel in connection with the issuance of the Bonds are contingent upon the sale and delivery of the Bonds. See "LEGAL MATTERS."

Disclosure Counsel: The District has engaged Orrick, Herrington & Sutcliffe LLP, Houston, Texas, as disclosure counsel ("Disclosure Counsel") to the District in connection with the issuance of the Bonds. The fees to be paid Disclosure Counsel in connection with the issuance of the Bonds are contingent upon the sale and delivery of the Bonds.

Financial Advisor: Robert W. Baird & Co. Incorporated serves as financial advisor ("Financial Advisor") to the District in connection with the issuance of the Bonds. The Financial Advisor's fee for services rendered with respect to the sale of the Bonds is contingent upon the issuance and delivery of the Bonds. The Financial Advisor is not obligated to undertake, and has not undertaken to make, an independent verification or to assume responsibility for the accuracy, completeness, or fairness of the information in this Official Statement.

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DEVELOPMENT OF THE DISTRICT

To date, approximately 371.11 acres (1,061 lots) within the District have been developed into the single-family subdivisions Meridiana, Sections 27, 28A, 28B, 29, 30A, 30B, 31A, 32A, 32B, 33A, 33B, 39A, 39B, 43-53, 54A, and 54B. In addition, 28 acres have been developed as Alvin ISD Junior High School.

As of May 1, 2024, there were 804 completed homes, 73 homes under construction, and 184 vacant developed lots. The remaining land within the District consists of approximately 73.05 undeveloped but developable acres and approximately 213.10 undevelopable acres consisting of easements, rights of way and greenbelts.

Status of Development within the District

The following is a status of construction of single-family housing within the District as of May 1, 2024:

	Type of Development	Section Acreage	Platted Lots	Completed Homes	Homes Under Construction	Developed Vacant Lots
Meridiana – Section 27	Single-Family	16.20	52	52	0	0
Meridiana – Section 28A	Single-Family	13.80	45	45	0	0
Meridiana – Section 28B	Single-Family	14.30	39	23	13	3
Meridiana – Section 29	Single-Family	9.20	15	11	4	0
Meridiana – Section 30A	Single-Family	17.20	54	34	0	20
Meridiana – Section 30B	Single-Family	11.30	42	0	1	41
Meridiana – Section 31A	Single-Family	10.30	22	21	0	1
Meridiana – Section 32A	Single-Family	1.00	4	0	0	4
Meridiana – Section 32B	Single-Family	0.20	2	0	0	2
Meridiana – Section 33A	Single-Family	13.60	47	41	5	1
Meridiana – Section 33B	Single-Family	9.90	40	19	8	13
Meridiana – Section 39A	Single-Family	12.40	66	66	0	0
Meridiana – Section 39B	Single-Family	12.40	50	50	0	0
Meridiana – Section 43	Single-Family	19.90	53	52	1	0
Meridiana – Section 44	Single-Family	26.50	72	72	0	0
Meridiana – Section 45	Single-Family	10.40	34	34	0	0
Meridiana – Section 46	Single-Family	13.00	29	29	0	0
Meridiana – Section 47	Single-Family	21.82	63	63	0	0
Meridiana – Section 48	Single-Family	22.47	64	64	0	0
Meridiana – Section 49	Single-Family	19.82	27	24	2	1
Meridiana – Section 50	Single-Family	20.10	69	46	13	10
Meridiana – Section 51	Single-Family	7.20	10	1	1	8
Meridiana – Section 52	Single-Family	21.90	44	15	8	21
Meridiana – Section 53	Single-Family	14.90	38	21	8	9
Meridiana – Section 54A	Single-Family	8.90	21	12	5	4
Meridiana – Section 54B	Single-Family	22.40	59	9	4	46
Totals		371.11	1,061	804	73	184

Under Development	371.11
Schools	28.32
Undevelopable	213.10
Remaining Developable Acres:	73.05
Service Area Total:	685.58

PRINCIPAL LANDOWNERS/DEVELOPER

Role of the Developer

In general, the activities of a developer in a municipal utility district such as the District include purchasing the land within the District, designing the subdivision, designing the utilities and streets to be constructed in the subdivision, designing any community facilities to be built, defining a marketing program and building schedule, securing necessary governmental approvals and permits for development, arranging for the construction of roads and the installation of utilities (including, in some cases, water, wastewater, and drainage facilities pursuant to the rules of the TCEQ, as well as gas, telephone, and electric service) and selling improved lots and commercial reserves to builders, developers, or other third parties. In most instances, the developer will be required to pay up to thirty percent of the cost of constructing certain of the water, wastewater, and drainage facilities in a utility district pursuant to the rules of the TCEQ. The relative success or failure of a developer to perform such activities in development of the property within a utility district may have a profound effect on the security of the unlimited tax bonds issued by a district. A developer is generally under no obligation to a district to develop the property which it owns in a district. Furthermore, there is no restriction on a developer's right to sell any or all of the land which it owns within a district. In addition, a developer is ordinarily a major taxpayer within a municipal utility district during the development phase of the property.

Prospective purchasers of the Bonds should note that the prior real estate experience of a developer should not be construed as an indication that further development within the District will occur, or construction of taxable improvements upon property within the District will occur, or that marketing or leasing of taxable improvements constructed upon property within the District will be successful. Circumstances surrounding development within the District may differ from circumstances surrounding development of other land in several respects, including the existence of different economic conditions, financial arrangements, homebuilders, geographic location, market conditions, and regulatory climate.

Neither the Developer, nor any affiliate entity, is obligated to pay principal of or interest on the Bonds. Furthermore, none of the Developer or its affiliate entities has a binding commitment to the District to carry out any plan of development, and the furnishing of information relating to the proposed development by the Developer or its affiliate entities should not be interpreted as such a commitment. Prospective purchasers are encouraged to inspect the District in order to acquaint themselves with the nature of development that has occurred or is occurring within the District's boundaries.

Principal Landowner/Developer

GR-M1 Ltd. was formed by the Developer for the purpose of acquiring and holding for investment and sale tracts of land, including the land in the District. The Developer has determined the overall development plan for such land in the District and arranged for the construction of water, sanitary sewer and road facilities within the District. GR-M1 Ltd. plans to use equity contributions to fund the development of Meridiana.

Rise Communities LLC is a developer and manager of master-planned, large-scale communities. In addition to developing Meridiana, Rise Communities LLC is also developing Cane Island, an 1,100-acre master-planned community located in the City of Katy, Texas.

Homebuilders within the District

Homebuilders who are active in the District include David Weekley Homes, Highland Homes, Perry Homes, Drees Custom Homes, Coventry Homes, Chesmar Homes, Shea Homes, New Mark Homes, Westin Homes, Toll Brothers, and Tri Coast Homes. Prices of new homes being constructed in the District range from the $300,000s to over $1 million.

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THE UTILITY SYSTEM

Regulation

According to the Engineer, the water distribution and wastewater collection lines constructed by the District have been designed in accordance with accepted engineering practices and the requirements of all governmental agencies having regulatory or supervisory jurisdiction over the construction and operation of such facilities including, among others, the TCEQ, the City, and the County. According to the District's Engineer, the design of all such completed facilities has been approved by all required governmental agencies.

Operation of the District's waterworks and sewer treatment facilities is subject to regulation by, among others, the Environmental Protection Agency and the TCEQ. In many cases, regulations promulgated by these agencies have become effective only recently and are subject to further development and revisions.

Water, Sanitary Sewer and Drainage System

Water Supply: The District owns one water plant. Phase One of the Water Plant consists of a 1,600 gallon-per minute ("gpm") well, 30,000 gallons of hydropneumatic tank capacity, a 500,000 gallon ground storage tank and 4,800 gpm of booster pump capacity. According to EHRA., the District's engineer (the "Engineer"), phase one of the water plant is capable of serving 2,040 equivalent single family connections ("esfc") in the District.

Wastewater Treatment: The District is provided capacity from Brazoria Co. MUD No. 55's ("MUD 55") wastewater treatment facility which has a total capacity of 480,000 gallons per day ("gpd") which can serve a total of 2,000 esfcs and currently only serves 1,956 esfcs. Per the Operator's reports, the MUD 55 wastewater treatment plant is only operating at 18.3% of its design flow rate. The District's wastewater treatment facility has a total capacity of 399,000 gpd which can serve up to 1,266 esfcs.

MUD 55 plans to ultimately expand the plant to a 960,000 gpd wastewater treatment facility. According to the Engineer, the ultimate phase of the facility will be adequate to serve 3,200 esfcs.

100 Year Flood Plain

According to the FEMA Map No. 48039C0110K, Panel 110 of 925, and Map No. 48039C0120K, Panel 120 of 850, dated December 20, 2020, approximately 157 acres within the District are located in the 100-year flood plain and are not considered to be developable.

THE ROAD SYSTEM

The Road System serves residents of the District by providing access to the major thoroughfares and collectors within the Meridiana development and surrounding area. The major thoroughfares and collectors serving the District include Meridiana Parkway, Pursley Boulevard and Cumulus Drive. The District will finance, design and construct the Road System in phases as development progresses. The Road System will ultimately be owned, operated and maintained by the City as the phases are constructed and accepted by the City. The District does not intend to maintain or operate the roads once they are accepted by the City.

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General Fund Operating Statement

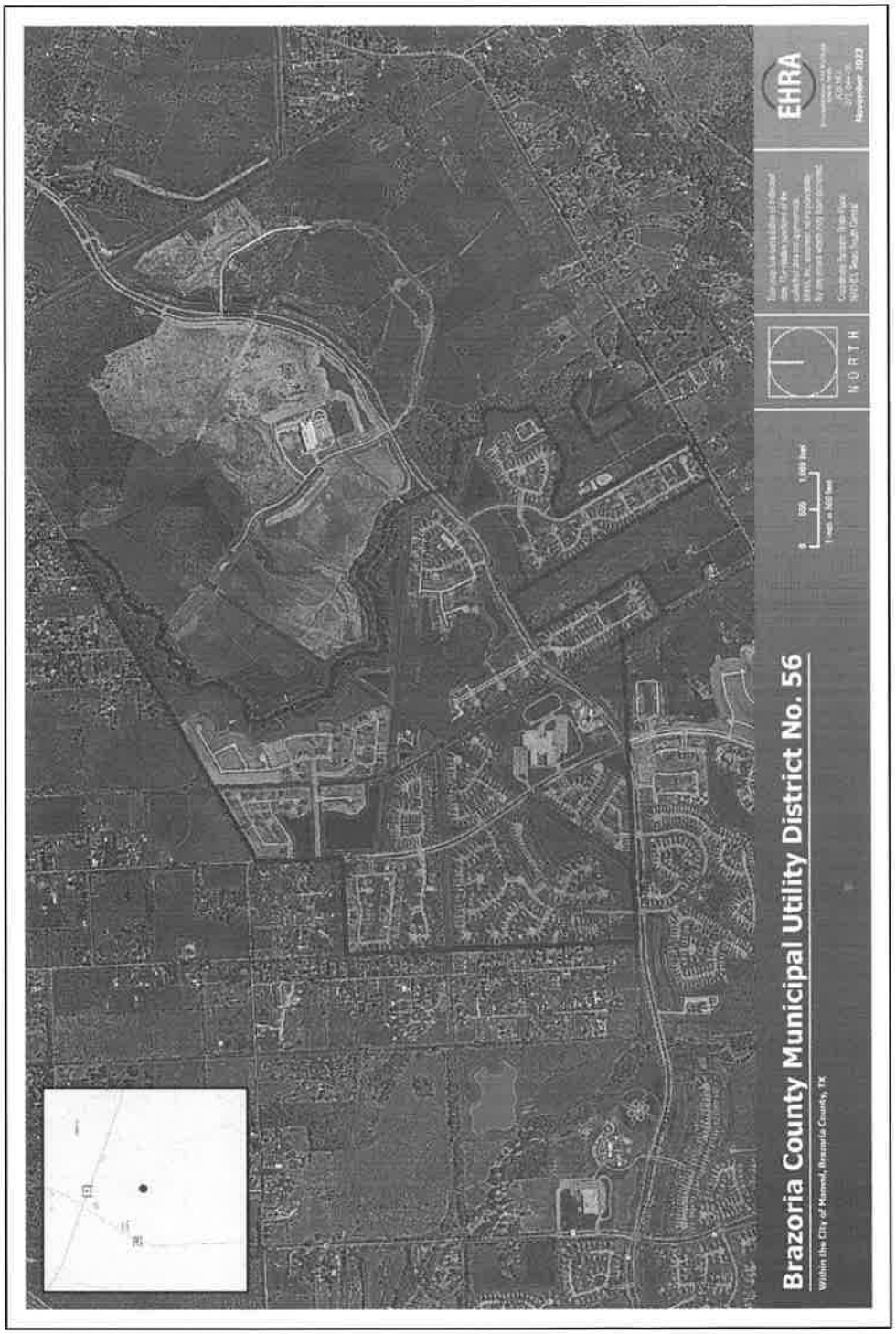
The following statement sets forth in condensed form the historical results of operation of the District's System. Such summary has been prepared by the Financial Advisor for inclusion herein, based upon information obtained from the District's audited financial statements for fiscal years ended March 31, 2020, through March 31, 2023. Reference is made to such statement for further and more complete information. See "APPENDIX A." The figures for the period May 16, 2024, are unaudited and have been obtained from the District's bookkeeper.

	Fiscal Year End March 31,				
	2024 (a)	2023	2022	2021	2020
REVENUES					
Water Service	$ 29,304	$ 223,600	$ 105,659	$ 43,122	$ 625
Sewer Service	26,063	159,162	82,876	25,692	383
Property Taxes	5,754	218,192	185,795	26,796	15,519
Penalties & Interest	900	14,500	5,033	907	-
Tap Connection & Inspection	46,067	578,471	431,731	91,001	-
Groundwater Pumpage Fees	-	1,718	560	171	3
Impact Fees	-	-	-	-	697,444
Miscellaneous	-	37,418	17,355	5,677	110
Investment Revenues	1,817	5,054	101	529	233
TOTAL REVENUES	$ 109,904	$ 1,238,115	$ 829,110	$ 193,895	$ 714,317
EXPENSES					
Current					
Professional Fees	$ 10,566	$ 328,177	$ 272,935	$ 184,700	$ 127,459
Contracted Services	50,259	479,292	316,938	102,144	15,952
Repairs and Maintenance	17,579	216,752	182,058	54,205	23,040
Utilities	7,468	43,244	-	-	137
Administrative	1,633	81,669	44,687	29,520	15,909
Other	7,754	13,119	17,193	6,764	2,501
Capital Contribution	-	-	-	-	137,820
Capital Outlay	-	94,870	-	-	-
TOTAL EXPENSES	$ 95,258	$ 1,257,123	$ 833,811	$ 377,333	$ 322,818
Revenues Over (Under) Expenses	$ 14,646	$ (19,008)	$ (4,701)	$ (183,438)	$ 391,499

(a) Unaudited. Provided by the Bookkeeper.

AERIAL PHOTOGRAPH OF THE DISTRICT

(November 2023)



PHOTOGRAPHS TAKEN WITHIN THE DISTRICT

(May 2024)

PHOTOGRAPHS TAKEN WITHIN THE DISTRICT

(May 2024)

DISTRICT DEBT

Pro-Forma Debt Service Requirement Schedule

The following schedule sets forth the principal and estimated interest requirements for the Outstanding Bonds and the principal and estimated interest requirements for the Bonds, with an estimated annual interest rate of 4.50%. Totals may not sum due to rounding.

Calendar Year	Outstanding Debt Service (a)	Plus: The Bonds Principal	Plus: The Bonds Interest	Plus: The Bonds Debt Service	Total Debt Service
2024	$ 1,550,406	$ –	$ –	$ –	$ 1,550,406
2025	2,444,000	235,000	590,538	825,538	3,269,538
2026	2,440,063	300,000	524,925	824,925	3,264,988
2027	2,417,888	315,000	511,425	826,425	3,244,313
2028	2,405,375	325,000	497,250	822,250	3,227,625
2029	2,395,125	340,000	482,625	822,625	3,217,750
2030	2,382,025	355,000	467,325	822,325	3,204,350
2031	2,362,294	375,000	451,350	826,350	3,188,644
2032	2,355,794	390,000	434,475	824,475	3,180,269
2033	2,358,019	410,000	416,925	826,925	3,184,944
2034	2,355,094	425,000	398,475	823,475	3,178,569
2035	2,365,019	445,000	379,350	824,350	3,189,369
2036	2,378,988	465,000	359,325	824,325	3,203,313
2037	2,385,031	485,000	338,400	823,400	3,208,431
2038	2,392,956	510,000	316,575	826,575	3,219,531
2039	2,407,944	530,000	293,625	823,625	3,231,569
2040	2,424,569	555,000	269,775	824,775	3,249,344
2041	2,431,825	580,000	244,800	824,800	3,256,625
2042	2,445,113	605,000	218,700	823,700	3,268,813
2043	2,457,444	635,000	191,475	826,475	3,283,919
2044	2,460,575	660,000	162,900	822,900	3,283,475
2045	2,474,088	690,000	133,200	823,200	3,297,288
2046	2,487,950	725,000	102,150	827,150	3,315,100
2047	2,501,538	755,000	69,525	824,525	3,326,063
2048	–	790,000	35,550	825,550	825,550
Total	$ 57,079,119	$ 11,900,000	$ 7,890,663	$ 19,790,663	$ 76,869,791

Average Annual Debt Service Requirement (2024-2048) ..... $ 3,074,791

Maximum Annual Debt Service Requirement (2047) ..... $ 3,326,063

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Bonded Indebtedness

2023 Certified Taxable Assessed Valuation	$ 264,835,688	(a)
2024 Preliminary Taxable Assessed Valuation	$ 389,553,363	(b)
Estimated Taxable Assessed Valuation as of June 1, 2024	$ 434,093,060	(c)
Direct Debt:		
The Outstanding Bonds	$ 34,805,000	
The Bonds	11,900,000	
Total	$ 46,705,000	
Estimated Overlapping Debt	$ 30,447,572	(d)
Total Direct and Estimated Overlapping Debt	$ 77,152,572	(d)
Direct Debt Ratios:		
As a percentage of the 2023 Certified Taxable Assessed Valuation	17.64 %	
As a percentage of the 2024 Preliminary Taxable Assessed Valuation	11.99	
As a percentage of the Estimated Taxable Assessed Valuation as of June 1, 2024	10.76 %	
Direct and Estimated Overlapping Debt Ratios:		
As a percentage of the 2023 Certified Taxable Assessed Valuation	29.13 %	
As a percentage of the 2024 Preliminary Taxable Assessed Valuation	19.81 %	
As a percentage of the Estimated Taxable Assessed Valuation as of June 1, 2024	17.77 %	
Road System Debt Service Fund Balance (as of May 16, 2024)	$ 725,784	(e)
Utility System Debt Service Fund Balance (as of May 16, 2024)	$ 1,949,288	(f)
Road System Capital Projects Fund (as of May 16, 2024)	$ 267,151	
Utility System Capital Projects Fund (as of May 16, 2024)	$ 64,253	
General Fund Balance (as of May 16, 2024)	$ 648,087	
2023 Tax Rate per $100 of Taxable Assessed Valuation		
Utility System Debt Service	$ 0.50	
Road System Debt Service	0.30	
Maintenance and Operations	0.10	
Total	$ 0.90	
Average Annual Debt Service Requirement on the Outstanding Bonds and the Bonds (2024-2048)	$ 3,074,791	(g)
Maximum Annual Debt Service Requirement on the Outstanding Bonds and the Bonds (2047)	$ 3,326,063	(g)
Debt Service Tax Rate per $100 of Taxable Assessed Valuation Required to Pay the Average Annual Debt Service Requirement on the Outstanding Bonds and the Bonds (2024-2048) at 95% Tax Collections:		
Based on the 2023 Certified Taxable Assessed Valuation	$ 1.23	
Based on the 2024 Preliminary Taxable Assessed Valuation	$ 0.84	
Based on the Estimated Taxable Assessed Valuation as of June 1, 2024	$ 0.75	
Debt Service Tax Rate per $100 of Taxable Assessed Valuation Required to Pay the Maximum Annual Debt Service Requirement on the Outstanding Bonds and the Bonds (2047) at 95% Tax Collections:		
Based on the 2023 Certified Taxable Assessed Valuation	$ 1.33	
Based on the 2024 Preliminary Taxable Assessed Valuation	$ 0.90	
Based on the Estimated Taxable Assessed Valuation as of June 1, 2024	$ 0.81	
Single-Family Homes (including 73 under construction) as of May 1, 2024	877	

(a) As certified by the Appraisal District as of January 1, 2023. See "TAXING PROCEDURES."

(b) Provided by the Appraisal District as the preliminary value as of January 1, 2024. This value represents the preliminary determination of the taxable value in the District as of January 1, 2024, provided by the Appraisal District. No taxes will be levied on this preliminary value, which is subject to review and downward adjustment. See "TAXING PRODECURES."

(c) As of June 1, 2024, provided by the Appraisal District for information purposes only. Represents new construction within the District as of June 1, 2024. This estimate is based upon the same unit value used in the taxable assessed valuation. No taxes will be levied on this estimate. See "TAXING PROCEDURES."

(d) See "DISTRICT DEBT – Estimated Direct and Overlapping Debt Statement."

(e) Neither Texas law nor the Bond Resolution requires that the District maintain any particular sum in the Road System Debt Service Fund. Funds in the Road System Debt Service Fund are not available to pay debt service on bonds issued for the Utility System, such as the Bonds.

(f) In addition to this amount, twelve (12) months of capitalized interest on the Bonds will be deposited into the Utility System Debt Service Fund upon closing of the Bonds. Neither Texas law nor the Bond Resolution requires that the District maintain any particular sum in the Utility System Debt Service Fund. Monies in the Utility System Debt Service Fund cannot be used to pay debt service on bonds issued by the District for the Road System.

(g) Requirement of debt service on the Bonds. Debt service on the Bonds is an estimate based on the Bonds being sold at an average annual interest rate of 4.50%. See "DISTRICT DEBT – Pro-Forma Debt Service Requirement Schedule."

Estimated Direct and Overlapping Debt Statement

Other governmental entities whose boundaries overlap the District have outstanding bonds payable from ad valorem taxes. The following statement of direct and estimated overlapping ad valorem tax debt was developed from information contained in *Texas Municipal Reports* published by the Municipal Advisory Council of Texas, or other available information. Except for the amount relating to the District, the District has not independently verified the accuracy or completeness of such information, and no person is entitled to rely upon such information as being accurate or complete. Furthermore, certain of the entities listed below may have issued additional bonds since the dates stated in this table, and such entities may have programs requiring the issuance of substantial amounts of additional bonds, the amount of which cannot presently be determined. Political subdivisions overlapping the District are authorized by Texas law to levy and collect ad valorem taxes for operation, maintenance, or general revenue purposes in addition to taxes for payment of their debt, and some are presently levying and collecting such taxes.

Taxing Jurisdiction	Outstanding Debt as of April 30, 2024	Estimated Overlapping Percent	Estimated Overlapping Amount
Brazoria County, Texas	$ 202,278,313	0.52%	$ 1,043,511
Alvin Independent School District	918,045,000	1.78%	16,384,696
Alvin Community College District	19,520,000	1.31%	254,954
City of Manvel	98,275,000	12.99%	12,764,411
Total Estimated Overlapping Debt			$ 30,447,572
The District			$ 46,705,000 (a)
Total Direct & Estimated Overlapping Debt			$ 77,152,572 (a)

(a) Includes the Bonds and the Outstanding Bonds.

Debt Ratios

	Percentage of 2023 Certified Taxable Assessed Valuation	Percentage of 2024 Preliminary Taxable Assessed Valuation	Percentage of Estimate of Value June 1, 2024
Direct Debt (a)	17.64%	11.99%	10.76%
Total Direct and Estimated Overlapping Debt (a)	29.13%	19.81%	17.77%

(a) Includes the Bonds and the Outstanding Bonds.

TAXING PROCEDURES

Authority to Levy Taxes

The Board is authorized to levy an annual ad valorem tax, without legal limitation as to rate or amount, on all taxable property within the District in sufficient amount to pay the principal of and interest on the Bonds and any additional utility bonds payable from taxes which the District may hereafter issue (see "RISK FACTORS – Future Debt"), and to pay the expenses of assessing and collecting such taxes. The Board is also authorized to levy an annual ad valorem tax, without legal limitation as to rate or amount, on all taxable property within the District in sufficient amount to pay the principal of and interest on any road payable from taxes which the District may hereafter issue, and to pay the expenses of assessing and collecting such taxes. The District agrees in the Bond Resolution to levy such a tax from year to year as described more fully above under "THE BONDS – Source of Payment." Under Texas law, the Board may also levy and collect annual ad valorem taxes for the operation and maintenance of the District and the Utility System and for the payment of certain contractual obligations. See "TAX DATA – Maintenance Tax."

Property Tax Code and County-Wide Appraisal District

Title I of the Texas Tax Code (the "Property Code") specifies the taxing procedures of all political subdivisions of the State of Texas, including the District. Provisions of the Property Code are complex and are not fully summarized herein. The Property Code requires, among other matters, county-wide appraisal and equalization of taxable property values and establishes in each county of the State of Texas an appraisal district with the responsibility for recording and appraising property for all taxing units within a county and an appraisal review board with responsibility for reviewing and equalizing the values established by the appraisal district. The Appraisal District has the responsibility of appraising property for all taxing units within the County, including the District. Such appraisal values will be subject to review and change by the Brazoria County Appraisal Review Board (the "Appraisal Review Board"). The appraisal roll, as approved by the Appraisal Review Board, will be used by the District in establishing its tax rolls and tax rate.

Property Subject to Taxation by the District

Except for certain exemptions provided by Texas law, all real property, tangible personal property held or used for the production of income, mobile homes and certain categories of intangible personal property with a tax situs in the District are subject to taxation by the District. Principal categories of exempt property include, but are not limited to: property owned by the State of Texas or its political subdivisions, if the property is used for public purposes; property exempt from ad valorem taxation by federal law; certain household goods, family supplies and personal effects; certain goods, wares, and merchandise in transit; certain farm products owned by the producer; certain property of charitable organizations, youth development associations, religious organizations, and qualified schools; designated historical sites; and most individually-owned automobiles. In addition, the District may by its own action exempt residential homesteads of persons 65 years or older and certain disabled persons, to the extent deemed advisable by the Board. The District may be required to offer such exemptions if a majority of voters approve same at an election. The District would be required to call an election upon petition by twenty percent (20%) of the number of qualified voters who voted in the preceding election. The District is authorized by statute to disregard exemptions for the disabled and elderly if granting the exemption would impair the District's obligation to pay tax supported debt incurred prior to adoption of the exemption by the District. Furthermore, the District must grant exemptions to disabled veterans or the surviving spouse or children of a deceased veteran who died while on active duty in the armed forces, if requested, but only to the maximum extent of between $5,000 and $12,000 depending upon the disability rating of the veteran claiming the exemption. A veteran who receives a disability rating of 100% is entitled to an exemption for the full value of the veteran's residence homestead. Furthermore, qualifying surviving spouses of persons 65 years of age and older are entitled to receive a resident homestead exemption equal to the exemption received by the deceased spouse. Additionally, subject to certain conditions, the surviving spouse of a disabled veteran who is entitled to an exemption for the full value of the veteran's residence homestead is also entitled to an exemption from taxation of the total appraised value of the same property to which the disabled veteran's exemption applied. A partially disabled veteran or certain surviving spouses of partially disabled veterans are entitled to an exemption from taxation of a percentage of the appraised value of their residence homestead in an amount equal to the partially disabled veteran's disability rating if the residence homestead was donated by a charitable organization. This exemption will also apply to a residence homestead that was donated by a charitable organization at some cost to such veterans. Also, the surviving spouse of a member of the armed forces who was killed in action is entitled to an exemption of the total appraised value of the surviving spouse's residence homestead if the surviving spouse has not remarried since the service member's death and said property was the service member's residence homestead at the time of death. Such exemption may be transferred to a subsequent residence homestead of the surviving spouse, if the surviving spouse has not remarried, in an amount equal to the exemption received on the prior residence in the last year in which such exemption was received.

The surviving spouse of a first responder who is killed or fatally injured in the line of duty is entitled to an exemption of the total appraised value of the surviving spouse's residence homestead if the surviving spouse has not remarried since the first responder's death, and said property was the first responder's residence homestead at the time of death. Such exemption would be transferred to a subsequent residence homestead of the surviving spouse, if the surviving spouse has not remarried, in an amount equal to the exemption received on the prior residence in the last year in which such exemption was received.

Residential Homestead Exemptions: The Property Tax Code authorizes the governing body of each political subdivision in the State to exempt up to twenty percent (20%) of the appraised market value of residential homesteads from ad valorem taxation. Where ad valorem taxes have previously been pledged for the payment of debt, the governing body of a political subdivision may continue to levy and collect taxes against the exempt value of the homesteads until the debt is discharged, if the cessation of the levy would impair the obligations of the contract by which the debt was created. The adoption of a homestead exemption may be considered each year, but must be adopted by before July 1. The District has never adopted a homestead exemption. See "TAX DATA."

Freeport Goods and Goods-in-Transit Exemption: A "Freeport Exemption" applies to goods, wares, ores, and merchandise other than oil, gas, and petroleum products (defined as liquid and gaseous materials immediately derived from refining petroleum or natural gas), and to aircraft or repair parts used by a certified air carrier acquired in or imported into Texas which are destined to be forwarded outside of Texas and which are detained in Texas for assembling, storing, manufacturing, processing or fabricating for less than 175 days. Although certain taxing units may take official action to tax such property in transit and negate such exemption, the District does not have such an option. A "Goods-in-Transit" Exemption is applicable to the same categories of tangible personal property which are covered by the Freeport Exemption, if, for tax year 2013 and prior applicable years, such property is acquired in or imported into Texas for assembling, storing, manufacturing, processing, or fabricating purposes and is subsequently forwarded to another location inside or outside of Texas not later than 175 days after acquisition or importation, and the location where said property is detained during that period is not directly or indirectly owned or under the control of the property owner. For tax year 2012 and subsequent years, such Goods-in-Transit Exemption includes tangible personal property acquired in or imported into Texas for storage purposes only if such property is stored under a contract of bailment by a public warehouse operator at one or more public warehouse facilities in Texas that are not in any way owned or controlled by the owner of such property for the account of the person who acquired or imported such property. A property owner who receives the Goods-in-Transit Exemption is

not eligible to receive the Freeport Exemption for the same property. Local taxing units such as the District may, by official action and after public hearing, tax goods-in-transit property. A taxing unit must exercise its option to tax goods-in-transit property before January 1 of the first tax year in which it proposes to tax the property at the time and in the manner prescribed by applicable law. The District has taken official action to allow taxation of all such goods-in-transit personal property for all prior and subsequent years.

Tax Abatement

The County may designate all or part of the area within the District as a reinvestment zone. Thereafter, the County, the City and the District, at the option and discretion of each entity, may enter into tax abatement agreements with owners of property within the zone. Prior to entering into a tax abatement agreement, each entity must adopt guidelines and criteria for establishing tax abatement which each entity will follow in granting tax abatement to owners of property. The tax abatement agreements may exempt from ad valorem taxation by each of the applicable taxing jurisdictions, including the District, for a period of up to ten (10) years, all or any part of any increase in the assessed valuation of property covered by the agreement over its assessed valuation in the year in which the agreement is executed on the condition that the property owner make specified improvements or repairs to the property in conformity with the terms of the tax abatement. Each taxing jurisdiction has discretion to determine terms for its tax abatement agreements without regard to the terms approved by the other taxing jurisdictions. At this time, the County has not designated any of the area within the District as a reinvestment zone.

Valuation of Property for Taxation

Generally, property in the District must be appraised by the Appraisal District at market value as of January 1 of each year. Once an appraisal roll is prepared and finally approved by the Appraisal Review Board, it is used by the District in establishing its tax rolls and tax rate. Assessments under the Property Code are to be based on one hundred percent (100%) of market value, as such is defined in the Property Code. Nevertheless, certain land may be appraised at less than market value, as such is defined in the Property Code. The Texas Constitution limits increases in the appraised value of residence homesteads to 10 percent annually regardless of the market value of the property.

The Property Code permits land designated for agricultural use, open space or timberland to be appraised at its value based on the land's capacity to produce agricultural or timber products rather than at its fair market value. The Property Code permits under certain circumstances that residential real property inventory held by a person in the trade or business be valued at the price all of such property would bring if sold as a unit to a purchaser who would continue the business. Provisions of the Property Code are complex and are not fully summarized here. Landowners wishing to avail themselves of the agricultural use, open space or timberland designation or residential real property inventory designation must apply for the designation and the appraiser is required by the Property Code to act on each claimant's right to the designation individually. A claimant may waive the special valuation as to taxation by one political subdivision while claiming it for another. If a claimant receives the agricultural use designation and later loses it by changing the use of the property or selling it to an unqualified owner, the District can collect taxes based on the new use, including taxes for the previous three years for agricultural use, open space land, and timberland.

The Property Code requires the Appraisal District to implement a plan for periodic reappraisal of property to update appraisal values. The plan must provide for appraisal of all property in the Appraisal District at least once every three years. It is not known what frequency of reappraisals will be utilized by the Appraisal District or whether reappraisals will be conducted on a zone or county-wide basis. The District, however, at its expense, has the right to obtain from the Appraisal District a current estimate of appraised values within the District or an estimate of any new property or improvements within the District. While such current estimate of appraised values may serve to indicate the rate and extent of growth of taxable values within the District, it cannot be used for establishing a tax rate within the District until such time as the Appraisal District chooses to formally include such values on its appraisal roll.

The Property Tax Code provides for a temporary exemption from ad valorem taxation of a portion of the appraised value of certain property that is at least 15% physically damaged by a disaster and located within an area declared to be a disaster area by the Governor of the State of Texas. This temporary exemption is automatic if the disaster is declared prior to a taxing unit, such as the District, adopting its tax rate for the tax year. A taxing unit, such as the District, may authorize the exemption at its discretion if the disaster is declared after the taxing unit has adopted its tax rate for the tax year. The amount of the exemption is based on the percentage of damage and is prorated based on the date of the disaster. Upon receipt of an application submitted within the eligible timeframe by a person who qualifies for a temporary exemption under the Property Tax Code, the Appraisal District is required to complete a damage assessment and assign a damage assessment rating to determine the amount of the exemption. The temporary exemption amounts established in the Property Tax Code range from 15% for property less than 30% damaged to 100% for property that is a total loss. Any such temporary exemption granted for disaster-damaged property expires on January 1 of the first year in which the property is reappraised.

During the 2nd Special Session, convened on June 27, 2023, the Texas Legislature passed Senate Bill 2 ("SB 2"), which, among other things, includes provisions that prohibit an appraisal district from increasing the appraised value of real property during the 2024 tax year on non-homestead properties (the "Subjected Property") whose appraised values are not more than $5,000,000 (the "Maximum Property Value") to an amount not to exceed the lesser of: (1) the market value of the Subjected Property for the most recent tax year that the market value was determined by the appraisal office or (2) the sum of: (a) 20 percent of the appraised value of the Subjected Property for the preceding tax year; (b) the appraised value of the Subjected Property for the preceding tax year; and (c) the market value of all new improvements to the Subjected. After the 2024 tax year, through December 31, 2026, the Maximum Property Value may be increased or decreased by the product of the preceding state fiscal year's increase or decrease in consumer price index, as applicable, to the Maximum Property Value. SB 2 was signed into law by the Governor on July 22, 2023. The provisions described hereinabove took effect January 1, 2024, after the constitutional amendment proposed by H.J.R. 2, 88th Legislature, 2nd Called Session, 2023, was approved by voters at an election held on November 7, 2023.

District and Taxpayer Remedies

Under certain circumstances, taxpayers and taxing units, including the District, may appeal orders of the Appraisal Review Board by filing a timely petition for review in district court. In such event, the property value in question may be determined by the court, or by a jury, if requested by any party. Additionally, taxing units may bring suit against the Appraisal District to compel compliance with the Property Code.

The Property Code sets forth notice and hearing procedures for certain tax rate increases by the District and provides for taxpayer referenda which could result in the repeal of certain tax increases. The Property Code also establishes a procedure for notice to property owners of reappraisals reflecting increased property values, appraisals that are higher than renditions and appraisals of property not previously on an appraisal roll.

Levy and Collection of Taxes

The District is responsible for the levy and collection of its taxes unless it elects to transfer such functions to another governmental entity. The rate of taxation is set by the Board, after the legally required notice has been given to owners of property within the District, based upon: a) the valuation of property within the District as of the preceding January 1, and b) the amount required to be raised for debt service, maintenance purposes, and authorized contractual obligations. Taxes are due October 1, or when billed, whichever comes later, and become delinquent if not paid before February 1 of the year following the year in which imposed. A delinquent tax incurs a penalty of six percent (6%) of the amount of the tax for the first calendar month it is delinquent, plus one percent (1%) for each additional month or portion of a month the tax remains unpaid prior to July 1 of the year in which it becomes delinquent. If the tax is not paid by July 1 of the year in which it becomes delinquent, the tax incurs a total penalty of twelve percent (12%) regardless of the number of months the tax has been delinquent and incurs an additional penalty for collection costs of an amount established by the District and a delinquent tax attorney. A delinquent tax on personal property incurs an additional penalty, in an amount established by the District and a delinquent tax attorney, 60 days after the date the taxes become delinquent. The delinquent tax accrues interest at a rate of one percent (1%) for each month or portion of a month it remains unpaid. The Property Tax Code makes provisions for the split payment of taxes, discounts for early payment and the postponement of the delinquency date of taxes under certain circumstances which, at the option of the District, which may be rejected by taxing units. The District's tax collector is required to enter into an installment payment agreement with any person who is delinquent on the payment of tax on a residence homestead for payment of tax, penalties and interest, if the person requests an installment agreement and has not entered into an installment agreement with the collector in the preceding 24 months. The installment agreement must provide for payments to be made in monthly installments and must extend for a period of at least 12 months and no more than 36 months. Additionally, the owner of a residential homestead property who is (i) sixty-five (65) years of age or older, (ii) disabled, or (iii) a disabled veteran, is entitled by law to pay current taxes on a residential homestead in installments without penalty or to defer the payment of taxes during the time of ownership. In the instance of tax deferral, a tax lien remains on the property and interest continue to accrue during the period of deferral.

Tax Payment Installments After Disaster

Certain qualified taxpayers, including owners of residential homesteads, located within a designated disaster area or emergency area and whose property has been damaged as a direct result of the disaster or emergency, are entitled to enter into a tax payment installment agreement with a taxing jurisdiction, such as the District, if the taxpayer pays at least one-fourth of the tax bill imposed on the property by the delinquency date. The remaining taxes may be paid without penalty or interest in three equal installments within six months of the delinquency date.

Additionally, the Property Tax Code authorizes a taxing jurisdiction such as the District, solely at the jurisdiction's discretion to adopt a similar installment payment option for taxes imposed on property that is located within a designated disaster area or emergency area and is owned or leased by certain qualified business entities, regardless of whether the property has been damaged as a direct result of the disaster or emergency.

Rollback of Operation and Maintenance Tax Rate

Chapter 49 of the Texas Water Code, as amended, classifies districts differently based on the current operation and maintenance tax rate or on the percentage of build-out that the district has completed. Districts that have adopted an operation and maintenance tax rate for the current year that is 2.5 cents or less per $100 of taxable value are classified as "Special Taxing Units." Districts that have financed, completed, and issued bonds to pay for all improvements and facilities necessary to serve at least 95% of the projected build-out of the district are classified as "Developed Districts." Districts that do not meet either of the classifications previously discussed can be classified herein as "Developing Districts." The impact each classification has on the ability of a district to increase its maintenance and operations tax rate is described for each classification below. Debt service and contract tax rates cannot be reduced by a rollback election held within any of the districts described below.

Special Taxing Units: Special Taxing Units that adopt a total tax rate that would impose more than 1.08 times the amount of the total tax imposed by such district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district, subject to certain homestead exemptions, are required to hold an election within the district to determine whether to approve the adopted total tax rate. If the adopted total tax rate is not approved at the election, the total tax rate for a Special Taxing Unit is the current year's debt service and contract tax rate plus the operation and maintenance tax rate that would impose 1.08 times the amount of operation and maintenance tax imposed by the District in the preceding tax year on a residence homestead appraised at the average appraised value of a resident homestead in the District in that year, subject to certain homestead exemptions.

Developed Districts: Developed Districts that adopt a total tax rate that would impose more than 1.035 times the amount of the total tax imposed by the district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district, subject to certain homestead exemptions, plus any unused increment rates, as calculated and described in Section 26.013 of the Tax Code, are required to hold an election within the district to determine whether to approve the adopted total tax rate. If the adopted total tax rate is not approved at the election, the total tax rate for a Developed District is the current year's debt service and contract tax rate plus the operation and maintenance tax rate that would impose 1.035 times the amount of operation and maintenance tax imposed by the district in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in the district in that year, subject to certain homestead exemptions, plus any unused increment rates. In addition, if any part of a Developed District lies within an area declared for disaster by the Governor of Texas or President of the United States, alternative procedures and rate limitations may apply for a temporary period. If a district qualifies as both a Special Taxing Unit and a Developed District, the district will be subject to the operation and maintenance tax threshold applicable to Special Taxing Units.

Developing Districts: Districts that do not meet the classification of a Special Taxing Unit or a Developed District can be classified as Developing Districts. The qualified voters of these districts, upon the Developing District's adoption of a total tax rate that would impose more than 1.08 times the amount of the total tax imposed by such district in the preceding tax year on a residence homestead appraised at the average appraised value of a residence homestead in the district, subject to certain homestead exemptions, are authorized to petition for an election to reduce the operation and maintenance tax rate. If an election is called and passes, the total tax rate for Developing Districts is the current year's debt service and contract tax rate the operation and maintenance tax rate that would impose 1.08 times the amount of operation and maintenance tax imposed by the District in the preceding tax year on a residence homestead appraised at the average appraised value of a resident homestead in the District in that year, subject to certain homestead exemptions.

The District: A determination as to the District's status as a Special Taxing Unit, Developed District or Developing District will be made by the Board of Directors on an annual basis. For the 2023 tax year, the Board of Directors designated the District as a Developing District. The District cannot give any assurances as to what its classification will be at any point in time or whether the District's future tax rates will result in a total tax rate that will reclassify the District into a new classification and new election calculation.

District's Rights in the Event of Tax Delinquencies

Taxes levied by the District are a personal obligation of the owner of the property as of January 1 of the year in which the tax is imposed. On January 1 of each year, a tax lien attaches to property to secure the payment of all taxes, penalties and interest ultimately imposed for the year on the property. The lien exists in favor of the State and each taxing unit, including the District, having the power to tax the property. The District's tax lien is on a parity with the tax liens of other such taxing units. A tax lien on real property takes priority over the claims of most creditors and other holders of liens on the property encumbered by the tax lien, whether or not the debt or lien existed before the attachment of the tax lien; however, whether a lien of the United States is on a parity with or takes priority over a tax lien of the District is determined by federal law. Personal property, under certain circumstances, is subject to seizure and sale for the payment of delinquent taxes, penalty and interest.

At any time after taxes on property become delinquent, the District may file suit to foreclose the lien securing payment of the tax, to enforce personal liability for the tax, or both. In filing a suit to foreclose a tax lien on real property, the District must join other taxing units that have claims for delinquent taxes against all or part of the same property. Collection of delinquent taxes may be adversely affected by the amount of taxes owed to other taxing units, by the effects of market conditions on the foreclosure sale price, by taxpayer redemption rights or by bankruptcy proceedings which restrict the collection of taxpayer debts. A taxpayer may redeem property within two years for residential and agricultural property and six months for commercial property and all other types of property after the purchaser's deed at the foreclosure sale is filed in the county records.

TAX DATA

General

All taxable property within the District is subject to the assessment, levy and collection by the District of a continuing, direct annual ad valorem tax without legal limitation as to rate or amount, sufficient to pay principal of and interest on the Bonds (see "TAXING PROCEDURES"). The Board has in its Bond Resolution covenanted to assess and levy for each year that all or any part of the Bonds remain outstanding and unpaid a tax ample and sufficient to produce funds to pay the principal of and interest on the Bonds (see "RISK FACTORS" and "THE BONDS"). The District has levied a total tax rate of $0.90 per $100 of assessed valuation for the 2023 tax year. Such rate is composed of: a maintenance and operations tax rate of $0.10 per $100 of assessed valuation; a Utility System debt service tax rate of $0.50 per $100 of assessed valuation; and a Road System debt Service tax rate of $0.30 per $100 of assessed valuation.

Tax Rate Limitation

Debt Service:	Unlimited (no legal limit as to rate or amount).
Maintenance:	$1.50 per $100 taxable assessed valuation.

Maintenance Tax

The Board has the statutory authority to levy and collect an annual ad valorem tax for maintenance of the District's improvements if such maintenance tax is authorized by vote of the District's electors. The Board is authorized by the District's voters to levy such maintenance tax in an amount not to exceed $1.50 per $100 of assessed valuation. Such tax, when levied, is in addition to taxes which the District is authorized to levy for paying principal of and interest on the Bonds and any parity bonds which may be issued in the future. See "Tax Rate Distribution" herein.

Additional Penalties

The District has contracted with a delinquent tax attorney to collect certain delinquent taxes. In connection with that contract, the District can establish an additional penalty of twenty percent (20%) of the tax to defray the costs of collection. This 20% penalty applies to taxes that either: (1) become delinquent on or after February 1 of a year, but not later than June 1 of that year, and that remain delinquent on April 1 (for personal property) and July 1 (for real property) of the year in which they become delinquent or (2) become delinquent on or after June 1, pursuant to the Texas Tax Code.

Tax Rate Calculations

The tax rate calculations set forth below are presented to indicate the tax rates per $100 of taxable assessed valuation which would be required to meet certain debt service requirements of the Bonds if no growth in the District's tax base occurs beyond the 2023 Certified Taxable Assessed Valuation ($264,835,688), the 2024 Preliminary Taxable Assessed Valuation ($389,553,363), or the Estimated Taxable Assessed Valuation as of June 1, 2024 ($434,093,060). The calculations assume collection of 95% of taxes levied the Outstanding Bonds, the sale of the Bonds but not the sale of any additional bonds by the District.

Estimated Average Annual Debt Service Requirement (2024-2048)	$ 3,074,791
Debt Service Tax Rate of $1.23 on the 2023 Certified Taxable Assessed Valuation	$ 3,094,605
Debt Service Tax Rate of $0.84 on the 2024 Preliminary Taxable Assessed Valuation	$ 3,108,636
Debt Service Tax Rate of $0.75 on the Estimated Taxable Assessed Valuation as of June 1, 2024	$ 3,092,913
Estimated Maximum Annual Debt Service Requirement (2047)	$ 3,326,063
Debt Service Tax Rate of $1.33 on the 2023 Certified Taxable Assessed Valuation	$ 3,346,199
Debt Service Tax Rate of $0.90 on the 2024 Preliminary Taxable Assessed Valuation	$ 3,330,681
Debt Service Tax Rate of $0.81 on the Estimated Taxable Assessed Valuation as of June 1, 2024	$ 3,340,346

Estimated Overlapping Taxes

Property within the District is subject to taxation by several taxing authorities in addition to the District. Under Texas law, if ad valorem taxes levied by a taxing authority become delinquent, a lien is created upon the property which has been taxed. A tax lien on property in favor of the District is on a parity with tax liens of other taxing jurisdictions. In addition to ad valorem taxes required to make debt service payments on bonded debt of the District and of such other jurisdictions (see "DISTRICT DEBT – Estimated Direct and Overlapping Debt Statement"), certain taxing jurisdictions are authorized by Texas law to assess, levy and collect ad valorem taxes for operation, maintenance, administrative and/or general revenue purposes.

Set forth below is an estimation of all taxes per $100 of assessed valuation levied by such jurisdictions. No recognition is given to local assessments for civic association dues, emergency medical service contributions, fire department contributions or any other charges made by entities other than political subdivisions. The following chart includes the 2023 taxes per $100 of assessed valuation levied by all such taxing jurisdictions. No prediction can be made of the tax rates that will be levied in future years by the respective taxing jurisdictions.

Taxing Jurisdictions	2023 Tax Rate Per $100 of A.V.
The District	$ 0.900000
Brazoria County	0.270664
Alvin Independent School District	1.192300
Alvin Community College District	0.151264
City of Manvel, Texas	0.560000
Brazoria County ESD No. 3	0.077385
Brazoria County Drainage District No. 5	0.100472
Brazoria County Road and Bridge Fund	0.043284
Total	$ 3.295369

Historical Tax Collections

Tax Year	Assessed Valuation	Tax Rate Per $100 (a)	Adjusted Levy	% of Collections Current Year	For the Current Year Ended September 30	% of Collections as of 04/30/2024
2019	$ 2,002,407	0.775	$ 15,519	100.00%	2019	100.00%
2020	3,328,706	0.805	26,796	100.00%	2020	100.00%
2021	21,434,763	0.900	192,913	98.92%	2021	100.00%
2022	98,156,134	0.900	883,405	97.91%	2022	99.36%
2023	264,835,688	0.900	2,383,521	96.48%	2023	96.48%

(a) Tax rate per $100 of taxable value. See "Tax Rate Distribution" below.

Tax Rate Distribution

	2023	2022	2021	2020	2019
Utility System Debt Service	$ 0.500	$ 0.670	$ –	$ –	$ –
Road System Debt Service	0.300	–	–	–	–
Maintenance & Operations	0.100	0.230	0.900	0.805	0.775
Total	$ 0.900	$ 0.900	$ 0.900	$ 0.805	$ 0.775

Taxable Assessed Valuation Summary

The following represents the types of property comprising the District assessed taxable value for each of the 2019-2023 tax years.

Type of Property	2023 Assessed Valuation	2022 Assessed Valuation	2021 Assessed Valuation	2020 Assessed Valuation	2019 Assessed Valuation
Land	$ 86,039,631	$ 31,710,616	$ 19,883,292	$ 3,697,514	$ 3,581,922
Improvements	241,822,713	105,326,930	32,660,840	203,190	203,190
Personal Property	1,469,630	738,080	110,700	-	-
Exemptions	(64,496,286)	(39,619,492)	(31,220,069)	(571,998)	(1,782,705)
Total	$ 264,835,688	$ 98,156,134	$ 21,434,763	$ 3,328,706	$ 2,005,407

Principal Taxpayers

The following are the principal taxpayers in the District as shown on the District's certified appraisal rolls for the 2023 tax year.

Taxpayer	Assessed Taxable Valuation 2023 Tax Roll	% of Tax Roll
Perry Homes LLC (a)	$ 10,604,749	4.00%
Drees Custom Homes LP (a)	6,662,655	2.52%
GR-M1 LTD (b)	6,647,947	2.51%
Chesmar Homes LLC (a)	4,153,052	1.57%
Shea Homes Houston LLC (a)	2,773,280	1.05%
Enclave Serenity LLC	2,217,460	0.84%
Westin Homes and Properties LP	1,802,870	0.68%
Gracemark Homes-Meridiana (a)	1,742,440	0.66%
DFH Coventry LLC (a)	1,710,758	0.65%
Weekley Homes LLC (a)	1,696,840	0.64%
Total	$ 40,012,051	15.11%

(a) See "PRINCIPAL LANDOWNERS/DEVELOPER – Homebuilders within the District."
(b) See "PRINCIPAL LANDOWNERS/DEVELOPER."

LEGAL MATTERS

Legal Opinions

Delivery of the Bonds will be accompanied by the approving legal opinion of the Attorney General of Texas to the effect that the Bonds are valid and legally binding obligations of the District under the Constitution and laws of the State of Texas payable from the proceeds of an annual ad valorem tax levied, without legal limit as to rate or amount, upon all taxable property within the District and based upon their examination of a transcript of certified proceedings relating to the issuance and sale of the Bonds; the approving legal opinion of Bond Counsel, to a like effect, and to the effect that, under existing law, interest on the Bonds is excludable from gross income for federal income tax purposes and interest on the Bonds is not subject to the alternative minimum tax on individuals; however, such interest is taken into account in determining the annual adjusted financial statement income of applicable corporations for the purpose of determining the alternative minimum tax imposed on corporations.

Bond Counsel has reviewed the information appearing in this Official Statement under "THE BONDS (except for information under the subheadings "Book-Entry-Only System" and "Use and Distribution of Bond Proceeds"), "THE DISTRICT – Authority," "TAXING PROCEDURES," "LEGAL MATTERS," "TAX MATTERS" and "CONTINUING DISCLOSURE OF INFORMATION" solely to determine whether such information, insofar as it relates to matters of law, is true and correct and whether such information fairly summarizes matters of law and the provisions of the documents referred to therein. Bond Counsel has not, however, independently verified any of the factual information contained in this Official Statement nor has it conducted an investigation of the affairs of the District for the purpose of passing upon the accuracy or completeness of this Official Statement. No person is entitled to rely upon Bond Counsel's limited participation as an assumption of responsibility for or an expression of opinion of any kind with regard to the accuracy or completeness of any information contained herein.

Allen Boone Humphries Robinson LLP, also serves as general counsel to the District on matters other than the issuance of bonds. The legal fees paid to Bond Counsel for services rendered in connection with the issuance of the Bonds are based on a percentage of the bonds actually issued, sold and delivered and, therefore, such fees are contingent upon the sale and delivery of the Bonds.

The various legal opinions to be delivered concurrently with the delivery of the Bonds express the professional judgment of the attorneys rendering the opinions as to the legal issues explicitly addressed therein. In rendering a legal opinion, the attorney does not become an insurer or guarantor of the expression of professional judgment, of the transaction opined upon, or of the future performance of the parties to the transaction, nor does the rendering of an opinion guarantee the outcome of any legal dispute that may arise out of the transaction.

No-Litigation Certificate

The District will furnish the Initial Purchaser a certificate, executed by the President and Secretary of the Board, and dated as of the date of delivery of the Bonds, that to their knowledge, no litigation is pending or threatened affecting the validity of the Bonds, or the levy and/or collection of taxes for the payment thereof, or the organization or boundaries of the District, or the title of the officers thereof to their respective offices.

No Material Adverse Change

The obligations of the Initial Purchaser to take and pay for the Bonds, and of the District to deliver the Bonds, are subject to the condition that, up to the time of delivery of and receipt of payment for the Bonds, there shall have been no material adverse change in the condition (financial or otherwise) of the District subsequent to the date of sale from that set forth or contemplated in the Preliminary Official Statement, as it may have been supplemented or amended through the date of sale.

TAX MATTERS

In the opinion of Allen Boone Humphries Robinson LLP, Bond Counsel, under existing law, interest on the Bonds is excludable from gross income for federal income tax purposes and interest on the Bonds is not subject to the alternative minimum tax on individuals; however, such interest is taken into account in determining the annual adjusted financial statement income of applicable corporations (as defined in section 59(k) of the Internal Revenue Code of 1986, as amended (the "Code")) for the purpose of determining the alternative minimum tax imposed on corporations.

The Code imposes a number of requirements that must be satisfied for interest on state or local obligations, such as the Bonds, to be excludable from gross income for federal income tax purposes. These requirements include limitations on the use of proceeds and the source of repayment, limitations on the investment of proceeds prior to expenditure, a requirement that excess arbitrage earned on the investment of proceeds be paid periodically to the United States and a requirement that the issuer file an information report with the Internal Revenue Service (the "Service"). The District has covenanted in the Bond Resolution that it will comply with these requirements.

Bond Counsel's opinion will assume continuing compliance with the covenants of the Bond Resolution pertaining to those sections of the Code which affect the exclusion from gross income of interest on the Bonds for federal income tax purpose, and in addition, will rely on representations by the District and the Initial Purchaser with respect to matters solely within the knowledge of the District and the Initial Purchaser, respectively, which Bond Counsel has not independently verified. If the District should fail to comply with the covenants in the Bond Resolution or if the foregoing representations should be determined to be inaccurate or incomplete, interest on the Bonds could become taxable from the date of delivery of the Bonds, regardless of the date on which the event causing such taxability occurs.

Under the Code, taxpayers are required to report on their returns the amount of tax-exempt interest, such as interest on the Bonds, received or accrued during the year. Payments of interest on tax-exempt obligations such as the Bonds are in many cases required to be reported to the Service. Additionally, backup withholding may apply to any such payments to any owner who is not an "exempt recipient" and who fails to provide certain identifying information. Individuals generally are not exempt recipients, whereas corporations and certain other entities generally are exempt recipients.

Except as stated above, Bond Counsel will express no opinion as to any federal, state or local tax consequences resulting from the ownership of, receipt of interest on, or disposition of, the Bonds.

Prospective purchasers of the Bonds should be aware that the ownership of tax-exempt obligations may result in collateral federal income tax consequences to financial institutions, life insurance and property and casualty insurance companies, certain S corporations with Subchapter C earnings and profits, individual recipients of Social Security or Railroad Retirement benefits, taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry tax-exempt obligations, taxpayers owning an interest in a FASIT that holds tax-exempt obligations, and individuals otherwise qualifying for the earned income credit. In addition, certain foreign corporations doing business in the United States may be subject to the "branch profits tax" on their effectively-connected earnings and profits, including tax-exempt interest such as interest on the Bonds. These categories of prospective purchasers should consult their own tax advisors as to the applicability of these consequences.

Bond Counsel's opinions are based on existing law, which is subject to change. Such opinions are further based on Bond Counsel's knowledge of facts as of the date hereof. Bond Counsel assumes no duty to update or supplement its opinions to reflect any facts or circumstances that may thereafter come to Bond Counsel's attention or to reflect any changes in any law that may thereafter occur or become effective. Moreover, Bond Counsel's opinions are not a guarantee of result and are not binding on the Service; rather, such opinions represent Bond Counsel's legal judgment based upon its review of existing law and in reliance upon the representations and covenants referenced above that it deems relevant to such opinions. The Service has an ongoing audit program to determine compliance with rules that relate to whether interest on state or local obligations is includable in gross income for federal income tax purposes. No assurance can be given whether or not the Service will commence an audit of the Bonds. If an audit is commenced, in accordance with its current published procedures the Service is likely to treat the District as the taxpayer and the owners of the Bonds may not have a right to participate in such audit. Public awareness of any future audit of the Bonds could adversely affect the value and liquidity of the Bonds during the pendency of the audit regardless of the ultimate outcome of the audit.

Tax Accounting Treatment of Original Issue Discount Bonds

The issue price of certain of the Bonds (the "Original Issue Discount Bonds") may be less than the stated redemption price at maturity. In such case, under existing law, and based upon the assumptions hereinafter stated (a) the difference between (i) the stated amount payable at the maturity of each Original Issue Discount Bond and (ii) the issue price of such Original Issue Discount Bond constitutes original issue discount with respect to such Original Issue Discount Bond in the hands of any owner who has purchased such Original Issue Discount Bond at the initial public offering price in the initial public offering of the Bonds; and (b) such initial owner is entitled to exclude from gross income (as defined in Section 61 of the Code) an amount of income with respect to such Original Issue Discount Bond equal to that portion of the amount of such original issue discount allocable to the period that such Original Issue Discount Bond continues to be owned by such owner.

In the event of the redemption, sale or other taxable disposition of such Original Issue Discount Bond prior to stated maturity, however, the amount realized by such owner in excess of the basis of such Original Issue Discount Bond in the hands of such owner (adjusted upward by the portion of the original issue discount allocable to the period for which such Bond was held by such initial owner) is includable in gross income. (Because original issue discount is treated as interest for federal income tax purposes, the discussion regarding interest on the Bonds under the caption "TAX MATTERS" generally applies, except as otherwise provided below, to original issue discount on an Original Issue Discount Bond held by an owner who purchased such Bond at the initial offering price in the initial public offering of the Bonds, and should be considered in connection with the discussion in this portion of the Official Statement.)

The foregoing is based on the assumptions that (a) the Initial Purchaser has purchased the Bonds for contemporaneous sale to the general public and not for investment purposes, and (b) all of the Original Issue Discount Bonds have been offered, and a substantial amount of each maturity thereof has been sold, to the general public in arm's-length transactions for a cash price (and with no other consideration being included) equal to the initial offering prices thereof stated on the cover page of this Official Statement, and (c) the respective initial offering prices of the Original Issue Discount Bonds to the general public are equal to the fair market value thereof. Neither the District nor Bond Counsel warrants that the Original Issue Discount Bonds will be offered and sold in accordance with such assumptions.

Under existing law, the original issue discount on each Original Issue Discount Bond is accrued daily to the stated maturity thereof (in amounts calculated as described below for each six-month period ending on the date before the semiannual anniversary dates of the Bonds and ratably within each such six-month period) and the accrued amount is added to an initial owner's basis for such Bond for purposes of determining the amount of gain or loss recognized by such owner upon redemption, sale or other disposition thereof. The amount to be added to basis for each accrual period is equal to (a) the sum of the issue price plus the amount of original issue discount accrued in prior periods multiplied by the yield to stated maturity (determined on the basis of compounding at the close of each accrual period and properly adjusted for the length of the accrual period) less (b) the amounts payable as current interest during such accrual period on such Bond.

The federal income tax consequences of the purchase, ownership, and redemption, sale or other disposition of Original Issue Discount Bonds which are not purchased in the initial offering at the initial offering price may be determined according to rules which differ from those described above. All owners of Original Issue Discount Bonds should consult their own tax advisors with respect to the determination for federal, state and local income tax purposes of interest accrued upon redemption, sale or other disposition of such Bonds and with respect to the federal, state, local and foreign tax consequences of the purchase, ownership and redemption, sale or other disposition of such Bonds.

NOT Qualified Tax-Exempt Obligations

The Bonds are **NOT** "qualified tax-exempt obligations" for financial institutions.

CONTINUING DISCLOSURE OF INFORMATION

In the Bond Resolution, the District has made the following agreement for the benefit of the holders and beneficial owners of the Bonds. The District is required to observe these agreements so long as it remains obligated to advance funds to pay the Bonds. Under the agreement, the District will be obligated to provide certain updated financial information and operating data annually, as well as timely notice of specified events, to the Municipal Securities Rulemaking Board or any successor to its function as a repository (the "MSRB"), through its Electronic Municipal Market Access ("EMMA") system.

Annual Reports

The District will provide certain updated financial information and operating data to the MSRB. The information to be updated with respect to the District includes all quantitative financial information and operating data with respect to the District of the general type included in this Official Statement included under the headings "DISTRICT DEBT" (except for the subheading "– Estimated Direct and Overlapping Debt Statement"), "TAX DATA," and in "APPENDIX A." The District will update and provide this information within six months after the end of each of its fiscal years ending in or after 2024. The District will provide the updated information to the MSRB.

Any information so provided shall be prepared in accordance with generally accepted accounting principles or other such principles as the District may be required to employ from time to time pursuant to state law or regulation, and audited if the audit report is completed within the period during which it must be provided. If the audit report is not complete within such period, then the District shall provide unaudited financial statements for the applicable fiscal year to the MSRB within such six-month period, and audited financial statements when and if the audit report becomes available. The District's current fiscal year end is March 31. Accordingly, it must provide updated information by the last day in September in each year, unless the District changes its fiscal year. If the District changes its fiscal year, it will notify the MSRB of the change.

Event Notices

The District will provide timely notices of certain events to the MSRB, but in no event will such notices be provided to the MSRB in excess of ten business days after the occurrence of an event. The District will provide notice of any of the following events with respect to the Bonds: (1) principal and interest payment delinquencies; (2) non-payment related defaults, if material; (3) unscheduled draws on debt service reserves reflecting financial difficulties; (4) unscheduled draws on credit enhancements reflecting financial difficulties; (5) substitution of credit or liquidity providers, or their failure to perform; (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax-exempt status of the Bonds, or other material events affecting the tax-exempt status of the Bonds; (7) modifications to rights of beneficial owners of the Bonds, if material; (8) bond calls, if material, and tender offers; (9) defeasances; (10) release, substitution, or sale of property securing repayment of the Bonds, if material; (11) rating changes; (12) bankruptcy, insolvency, receivership or similar event of the District or other obligated person within the meaning of the Rule; (13) consummation of a merger, consolidation, or acquisition involving the District or other obligated person within the meaning of the Rule or the sale of all or substantially all of the assets of the District or other obligated person within the meaning of the Rule, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; (14) appointment of a successor or additional trustee or the change of name of a trustee, if material; (15) incurrence of a financial obligation of the District or obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the District or obligated person, any of which affect security holders, if material; and (16) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of the financial obligation of the District or obligated person, any of which reflect financial difficulties. The term "material" when used in this paragraph shall have the meaning ascribed to it under federal securities laws. Neither the Bonds nor the Bond Resolution makes any provision for debt service reserves or liquidity enhancement. Neither the Bonds nor the Bond Resolution makes any provision for debt service reserves or liquidity enhancement. The terms "obligated person" and "financial obligation" when used in this paragraph shall have the meanings ascribed to them under SEC Rule 15c2-12 (the "Rule"). In addition, the District will provide timely notice of any failure by the District to provide information, data, or financial statements in accordance with its agreement described above under "Annual Reports."

Availability of Information from EMMA

The District has agreed to provide the information only to the MSRB. The MSRB has prescribed that such information must be filed via EMMA. The MSRB makes the information available to the public without charge and investors will be able to access continuing disclosure information filed with the MSRB at www.emma.msrb.org.

Limitations and Amendments

The District has agreed to update information and to provide notices of material events only as described above. The District has not agreed to provide other information that may be relevant or material to a complete presentation of its financial results of operations, condition, or prospects or agreed to update any information that is provided, except as described above. The District makes no representation or warranty concerning such information or concerning its usefulness to a decision to invest in or sell bonds at any future date. The District disclaims any contractual or tort liability for damages resulting in whole or in part from any breach of its continuing disclosure agreement, or from any statement made pursuant to its agreement, although holders and beneficial owners of Bonds may seek a writ of mandamus to compel the District to comply with its agreement.

The District may amend its continuing disclosure agreement to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or operations of the District but only if the agreement, as amended, would have permitted an underwriter to purchase or sell Bonds in the offering described herein in compliance with the Rule, taking into account any amendments and interpretations of the Rule to the date of such amendment, as well as changed circumstances, and either the holders of a majority in aggregate principal amount of the outstanding Bonds consent or any person unaffiliated with the District (such as nationally recognized bond counsel) determines that the amendment will not materially impair the interests of the beneficial owners of the Bonds. The District may also amend or repeal the agreement if the SEC amends or repeals the applicable provisions of such rule or a court of final jurisdiction determines that such provisions are invalid, but in either case only to the extent that its right to do so would not prevent the Initial Purchaser from lawfully purchasing the Bonds in the offering described herein. If the District so amends the agreement, it has agreed to include with any financial information or operating data next provided in accordance with its agreement described above under "Annual Reports" an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information and operating data so provided.

Compliance with Prior Undertakings

During the past five years, the District is in compliance in all material respects with its previous continuing disclosure undertakings made pursuant to SEC Rule 15c2-12.

OFFICIAL STATEMENT

General

The information contained in this Official Statement has been obtained primarily from the Developer, the District's records, the Engineer, the Tax Assessor/Collector and other sources believed to be reliable; however, no representation is made as to the accuracy or completeness of the information contained herein, except as described below. The summaries of the statutes, resolutions and engineering and other related reports set forth herein are included subject to all of the provisions of such documents. These summaries do not purport to be complete statements of such provisions and reference is made to such documents for further information.

Experts

The information contained in the Official Statement relating to engineering and to the description of the Utility System, and, in particular, that engineering information included in the sections entitled "THE DISTRICT – Description," "THE UTILITY SYSTEM," and "THE ROAD SYSTEM" has been provided by Edminster, Hinshaw, Russ and Associates, Inc. and has been included herein in reliance upon the authority of said firm as experts in the field of civil engineering.

The information contained in the Official Statement relating to assessed valuations of property generally and, in particular, that information concerning collection rates and valuations contained in the sections captioned "TAX DATA" and "DISTRICT DEBT" was provided by Assessments of the Southwest, Inc. and the Appraisal District. Such information has been included herein in reliance upon Assessments of the Southwest, Inc.'s authority as an expert in the field of tax collection and the Appraisal District's authority as an expert in the field of tax assessing.

Certification as to Official Statement

The District, acting by and through its Board in its official capacity and in reliance upon the experts listed above, hereby certifies, as of the date hereof, that to the best of its knowledge and belief, the information, statements and descriptions pertaining to the District and its affairs herein contain no untrue statements of a material fact and do not omit to state any material fact necessary to make the statements herein, in light of the circumstances under which they were made, not misleading. The information, descriptions and statements concerning entities other than the District, including particularly other governmental entities, have been obtained from sources believed to be reliable, but the District has made no independent investigation or verification of such matters and makes no representation as to the accuracy or completeness thereof.

Updating of Official Statement

If, subsequent to the date of the Official Statement, the District learns, through the ordinary course of business and without undertaking any investigation or examination for such purposes, or is notified by the Initial Purchaser, of any adverse event which causes the Official Statement to be materially misleading, and unless the Initial Purchaser elects to terminate its obligation to purchase the Bonds, the District will promptly prepare and supply to the Initial Purchaser an appropriate amendment or supplement to the Official Statement satisfactory to the Initial Purchaser; provided, however, that the obligation of the District to so amend or supplement the Official Statement will terminate when the District delivers the Bonds to the Initial Purchaser, unless the Initial Purchaser notify the District in writing on or before such date that less than all of the Bonds have been sold to ultimate customers, in which case the District's obligations hereunder will extend for an additional period of time (but not more than 90 days after the date the District delivers the Bonds) until all of the Bonds have been sold to ultimate customers.

CONCLUDING STATEMENT

The information set forth herein has been obtained from the District's records, audited financial statements and other sources which are considered to be reliable. There is no guarantee that any of the assumptions or estimates contained herein will ever be realized. All of the summaries of the statutes, documents and resolutions contained in this Official Statement are made subject to all of the provisions of the provisions of such statutes, documents and resolutions. These summaries do not purport to be complete statements of such provisions and reference is made to such summarized documents for further information. Reference is made to official documents in all respects.

This Official Statement was approved by the Board of Directors of Brazoria County Municipal Utility District No. 56 as of the date shown on the cover page.

/s/ _____
President, Board of Directors
Brazoria County Municipal Utility District No. 56

ATTEST:

/s/ _____
Secretary, Board of Directors
Brazoria County Municipal Utility District No. 56

APPENDIX A

FINANCIAL STATEMENTS OF THE DISTRICT

Brazoria County Municipal Utility District No. 56

Combined Debt Service Tax Rate Analysis - No Growth Scenario

Proposed $11,900,000 Series 2024 Bond Issue at 6.250% Interest Rate

Year Ending 12/31	Beginning Fund Balance as of 10/12/2023	Fund Interest Earnings @ 2.000%	Capitalized Interest	Prior Year Taxable AV	AV Growth Percentage	Tax Rate / $100 of Assessed Value	Tax Collections @ 98.00%	Total Funds Available	Current Debt Service	Proposed Debt Service Series 2024	Total Debt Service	Ending Balance	Debt Service Coverage %
2023	1,569,431	6,888	-	98,233,479			-	1,576,319		-		1,576,319	58.531%
2024	1,576,319	31,526	743,750	259,831,611	164.504%	0.800000	2,037,080	4,388,675	2,507,181	185,938	2,693,119	1,695,556	49.902%
2025	1,695,556	-	-	383,100,050	47.442%	0.950000	3,566,661	5,262,218	2,444,000	953,750	3,397,750	1,864,468	54.907%
2026	1,864,468	-	-	383,100,050		0.950000	3,566,661	5,431,129	2,440,063	955,625	3,395,688	2,035,442	60.409%
2027	2,035,442	-	-	383,100,050		0.950000	3,566,661	5,602,103	2,417,888	951,563	3,369,450	2,232,653	66.502%
2028	2,232,653	-	-	383,100,050		0.950000	3,566,661	5,799,315	2,405,375	951,875	3,357,250	2,442,065	72.976%
2029	2,442,065	-	-	383,100,050		0.950000	3,566,661	6,008,726	2,395,125	951,250	3,346,375	2,662,351	79.790%
2030	2,662,351	-	-	383,100,050		0.950000	3,566,661	6,229,013	2,382,025	954,688	3,336,713	2,892,300	87.271%
2031	2,892,300	-	-	383,100,050		0.950000	3,566,661	6,458,962	2,362,294	951,875	3,314,169	3,144,793	95.040%
2032	3,144,793	-	-	383,100,050		0.950000	3,566,661	6,711,454	2,355,794	953,125	3,308,919	3,402,536	102.760%
2033	3,402,536	-	-	383,100,050		0.950000	3,566,661	6,969,197	2,358,019	953,125	3,311,144	3,658,053	110.617%
2034	3,658,053	-	-	383,100,050		0.950000	3,566,661	7,224,715	2,355,094	951,875	3,306,969	3,917,746	118.026%
2035	3,917,746	-	-	383,100,050		0.950000	3,566,661	7,484,407	2,365,019	954,375	3,319,394	4,165,014	124.914%
2036	4,165,014	-	-	383,100,050		0.950000	3,566,661	7,731,675	2,378,988	955,313	3,334,300	4,397,375	131.669%
2037	4,397,375	-	-	383,100,050		0.950000	3,566,661	7,964,037	2,385,031	954,688	3,339,719	4,624,318	138.227%
2038	4,624,318	-	-	383,100,050		0.950000	3,566,661	8,190,979	2,392,956	952,500	3,345,456	4,845,523	144.139%
2039	4,845,523	-	-	383,100,050		0.950000	3,566,661	8,412,185	2,407,944	953,750	3,361,694	5,050,491	149.525%
2040	5,050,491	-	-	383,100,050		0.950000	3,566,661	8,617,152	2,424,569	953,125	3,377,694	5,239,459	154.901%
2041	5,239,459	-	-	383,100,050		0.950000	3,566,661	8,806,120	2,431,825	950,625	3,382,450	5,423,670	159.691%
2042	5,423,670	-	-	383,100,050		0.950000	3,566,661	8,990,331	2,445,113	951,250	3,396,363	5,593,969	163.944%
2043	5,593,969	-	-	383,100,050		0.950000	3,566,661	9,160,630	2,457,444	954,688	3,412,131	5,748,499	168.518%
2044	5,748,499	-	-	383,100,050		0.950000	3,566,661	9,315,161	2,460,575	950,625	3,411,200	5,903,961	172.204%
2045	5,903,961	-	-	383,100,050		0.950000	3,566,661	9,470,622	2,474,088	954,375	3,428,463	6,042,160	175.478%
2046	6,042,160	-	-	383,100,050		0.950000	3,566,661	9,608,821	2,487,950	955,313	3,443,263	6,165,559	178.455%
2047	6,165,559	-	-	383,100,050		0.950000	3,566,661	9,732,220	2,501,538	953,438	3,454,975	6,277,245	658.165%
2048	6,277,245	-	-	383,100,050		0.950000	3,566,661	9,843,907	-	953,750	953,750	8,890,157	934.883%
2049	8,890,157	-	-	383,100,050		0.950000	3,566,661	12,456,818	-	950,938	950,938	11,505,880	
Totals		**38,414**	**743,750**				**91,203,616**		**58,035,894**	**24,013,438**	**82,049,331**		
					Average Tax Rate:	**0.944231**							

EXHIBIT B
CONSENT CONDITIONS

(a) The District may issue bonds, including refunding bonds, only for the purpose of purchasing, refinancing, designing and constructing, or otherwise acquiring waterworks systems, sanitary sewer systems, storm sewer systems, drainage facilities, and fire, parks and recreational facilities, and streets and thoroughfares, or parts of such systems or facilities, and to make any and all necessary purchases, constructions, improvements, extensions, additions, and repairs thereto, and to purchase or acquire all necessary land, right-of-way, easements, sites, equipment, buildings, plants, structures, and facilities therefor, and to operate and maintain same, and to sell water, sanitary sewer, and other services within or without the boundaries of the District. No bonds will be issued with a final maturity date more than 25 years from the date of issuance, and the first principal maturity must occur within three years of the date of issuance. The Bonds shall have level debt service requirements. Level debt service shall mean that during the period beginning with the calendar year of the first principal payment on a bond issue and ending in the calendar year of the final scheduled maturity of said issue, the spread from the greatest debt service in a calendar year during said period to the least debt service in a calendar year during said period shall not be more than $15,000. The intent may be demonstrated by submitting a proposed Notice of Sale and estimated bid using the proposed maturity pattern that shows coupons, interest and total debt service requirements that meets the required standard above to the City for prior approval. Having shown intent to comply by getting approval of the structure by the City in advance of advertising for sale will be sufficient in the event the actual results of a competitive sale return debt service payments that otherwise would not meet the standard of $15,000 difference between maximum and minimum annual debt service payments. Such bonds must provide that the District reserves the right to redeem said bonds on any date subsequent to the 10th anniversary of the date of issuance (or any earlier date at the discretion of the District) without premium, and none of such bonds, other than refunding bonds, will be sold for less than 97 percent of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, will not exceed two percent above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one-month period next preceding the date notice of the sale of such bonds is given, and that bids for the bonds will be received not more than 45 days after notice of sale of the bonds is given. No bonds of the District may be issued without specific City consent if the City has given notice to the District that it intends to dissolve the District in accordance with applicable law within 120 or fewer days after such notice.

(b) Any refunding bonds of the District must provide for level debt service savings (annual savings must be approximately equal for each year with no more than $7,500 between the maximum and minimum savings per year), a minimum of three percent present value savings, and no maturity beyond the latest maturity of the refunded bonds, unless approved by the City in writing prior to the sale thereof.

(c) Before the commencement of any construction within the District, its directors, officers, or developers and landowners will submit to the City, or to its designated representative, all plans and specifications for the construction of water, sanitary sewer and drainage facilities to serve the District and obtain the approval of such plans and specifications. All water wells, water meters, flushing valves, valves, pipes, and appurtenances thereto, installed or used within the District, will conform to the standard specifications of the City. All water service lines and sewer service lines, lift stations, and appurtenances thereto, installed or used within the District will comply with the City's standard plans and specifications as amended from time to time. The construction of the District's water, sanitary sewer, and drainage facilities will be in accordance with the approved plans and specifications and with applicable standards and specifications of the City; and during the progress of the construction and installation of such facilities, the City may make periodic on-the-ground inspections.

(d) Before the expenditure by the District of bond proceeds for the acquisition, construction or development of recreational facilities, the District shall obtain and maintain on file, from a registered landscape architect, registered professional engineer or a design professional allowed by law to engage in architecture, a certification that the recreational facilities, as constructed, conform to the applicable recreational facilities design standards and specifications of the City of Manvel and shall submit a copy of the certification and the "as built" plans and specifications for such recreational facilities to the City of Manvel.

(e) Before the expenditure by the District of bond proceeds for the acquisition; construction or development of facilities for fire-fighting and/or public safety services, the District shall obtain and maintain on file, from a registered architect, registered professional engineer or a design professional allowed by law to engage in facility design and construction, a certification that the facilities for fire-fighting and/or public safety services, as constructed, conform to the applicable fire-fighting facilities design standards and specifications of the City of Manvel and shall submit a copy of the certification and the "as built" plans and specifications for such facilities for fire fighting and/or public safety services to the City of Manvel.

(f) The District will agree to engage a sewage plant operator holding a valid certificate of competency issued under the direction of the Texas Commission on Environmental Quality, or such successor agency as the legislature may establish ("TCEQ"), as required by Section 26.0301, Texas Water Code, as may be amended from time to time. The District will agree to make periodic analyses of its discharge pursuant to the provisions of Order No. 69-1219-1 of the Texas Water Quality Board (predecessor agency to the TCEQ) and further to send copies of all such effluent data to the City of Manvel as well as to the TCEQ. The District will agree that representatives of the City of Manvel may supervise the continued operations of the sewage treatment facility by making periodic inspections thereof.

(g) The District, its board of directors, officers, developers, and/or landowners will not permit the construction, or commit to any development within, the District that will result in a wastewater flow to the serving treatment facility which exceeds that facility's legally permitted average daily flow limitations or the District's allocated capacity therein.

(h) Prior to the sale of any lot or parcel of land, the owner or the developer of the land included within the limits of the District will obtain the approval of the City of Manvel of a plat which will be duly recorded in the Real Property Records of Brazoria County, Texas, and otherwise comply with the rules and regulations of the City of Manvel.

From:	Rosa Donaire
To:	Tammy Bell; Dan Johnson
Subject:	RE: Brazoria County MUD No. 56 Letter to City of Manvel RE Sale of $11,900,000 Unlimited Tax Bonds.pdf
Date:	Wednesday, June 26, 2024 2:11:25 PM
Attachments:	image001.png image002.png image003.png image004.png image005.png

---

I have reviewed the bond and meets the consent conditions. Please approve.

Thanks,

Rosie Donaire
Finance Director
City of Manvel
rosa.donaire@cityofmanvel.com
(713)936-0282

RESOLUTION NO. 2024-R-24

**RESOLUTION OF THE CITY OF MANVEL, TEXAS
GIVING CONSENT TO THE SALE AND ISSUANCE OF BONDS BY
BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 39 OF BRAZORIA COUNTY**

WHEREAS, --- Utility District No. 39 of Brazoria County (the "District") was heretofore duly created by Order of the Texas Commission on Environmental Quality ("TCEQ"), dated January 23, 2007; and

WHEREAS, The District is located within the extraterritorial jurisdiction of the City of Manvel, Texas (the "City"); and

WHEREAS, pursuant to V.T.C.A. Local Government Code, Section 42.042 and by Resolution No. 2006-R-05, dated May 8, 2006 (the "Consent Resolution"), the City consented to the creation of the District; and

WHEREAS, as condition of the Consent Resolution, the City must consent to the sale and issuance of bonds by the District; and

WHEREAS, the City has received and reviewed a draft Preliminary Official Statement, a draft Notice of Sale, and a draft debt service schedule; and

WHEREAS, the City Council of the City desires to adopt Resolution No. 2024-R-24 (the "Resolution"), as set forth herein, for the purpose of acknowledging its receipt and review of the draft Preliminary Official Statement, a draft Notice of Sale, and a draft debt service schedule and consenting to the sale and issuance of road bonds by the District pursuant thereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS:

Section 1. The facts and recitals set forth in the preamble of this Resolution are hereby found to be true and correct.

Section 2. Pursuant to Section 4.05 of Exhibit "B" and Exhibit "C" to the Consent Resolution, the City Council of Manvel, Texas hereby specifically (1) acknowledges its receipt and review of a draft Preliminary Official Statement, a draft Notice of Sale, and a draft debt service schedule; (2) declares that, based upon representation made by the District, the District is in compliance with the Consent Resolution, as well as all exhibits thereto; and (3) consents to the sale and issuance of road bonds by the District.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

PASSED AND APPROVED this _____ day of _____, 2024.

_____
Mayor

ATTEST:

_____
City Secretary

APPROVED AS TO FORM:

_____
City Attorney

[SEAL]

From: Rosa Donaire
To: Tammy Bell
Subject: RE: Mud 39
Date: Wednesday, June 26, 2024 4:33:36 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png

I have reviewed the bond and meets the consent conditions. Please approve.

Thanks,

Rosie Donaire
Finance Director
City of Manvel
rosa.donaire@cityofmanvel.com
(713)936-0282

From: Tammy Bell <tbell@cityofmanvel.com>
Sent: Wednesday, June 26, 2024 2:35 PM
To: Rosa Donaire <Rosa.Donaire@cityofmanvel.com>
Subject: RE: Mud 39

Here you go – the consent conditions are under exhibit C.

Tammy Bell
City Secretary

Direct: 832-336-4064
20031 Highway 6, Manvel, TX 77578
https://www.cityofmanvel.com/

The City of Manvel is a safe and responsible community, embracing the values of our past, present, and future citizens.

May your path exceed your dreams!!
The will of God will never take you where the Grace of God will not protect you.

ATTENTION PUBLIC OFFICIALS: *A "Reply to All" of this e-mail could lead to a violation of the Texas Open Meetings Act. A "Forward" of this e-mail to another public official could also lead to violations of the Texas Open Meetings Act if a quorum is eventually involved. Please reply only to the sender.*
This message, as well as any files or documents attached to it, contains information that may be privileged, confidential, and exempt from disclosure under applicable law. It is intended only for the use of the person or entity to which it is addressed. Unless you are the addressee (or authorized to receive for the addressee), you are hereby notified that the copying, distribution, or other use of this message is strictly prohibited. You may not use, copy or disclose to anyone the message or any information contained in the message. If you have received this message in error, please advise the sender immediately by reply e-mail, telephone or fax and destroy all forms of this message.

From: Rosa Donaire <Rosa.Donaire@cityofmanvel.com>
Sent: Wednesday, June 26, 2024 2:12 PM
To: Tammy Bell <tbell@cityofmanvel.com>
Subject: Mud 39

I only need Mud 39 consent conditions.

Thanks,
Rosie

RESOLUTION NO. 2024-R-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, ADOPTING THE BRAZORIA COUNTY HAZARD MITIGATION PLAN 2023.

* * * * * * * * *

WHEREAS, the City of Manvel recognizes the threat that natural hazards pose to people and property within its jurisdiction; and

WHEREAS, Brazoria County has prepared a multi-hazard mitigation plan, hereby known as the **Brazoria County Hazard Mitigation Plan 2023** in accordance with federal laws, including the *Robert T. Stafford Disaster Relief and Emergency Assistance Act*, as amended; the *National Flood Insurance Act of 1968,* as amended; and the *National Dam Safety Program Act*, as amended; and

WHEREAS, the **Brazoria County Hazard Mitigation Plan 2023** identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in its jurisdiction from the impacts of future hazards and disasters; and

WHEREAS, adoption by the City of Manvel demonstrates its commitment to hazard mitigation and achieving the goals outlined in the **Brazoria County Hazard Mitigation Plan 2023**; now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS:

Section 1. That the City of Manvel hereby adopts the **Brazoria County Hazard Mitigation Plan 2023**.

Section 2. While content related to the City of Manvel may require revisions to meet the plan approval requirements, changes occurring after adoption will not require the City of Manvel to re-adopt any further iterations of the plan. Subsequent plan updates following the approval period for this plan will require separate adoption resolutions.

PASSED, APPROVED, AND RESOLVED this the _____day of _____, 2024.

_____

Dan Davis, Mayor

ATTEST:

_____

Tammy Bell, City Secretary

APPROVED AS TO FORM:

_____

Robert Gervais, City Attorney

CITY COUNCIL DATA SHEET

MEETING DATE: June 3, 2024

Agenda: **Regular** ☑ **Consent** ☐

TOPIC:

Amended Section 41-4 "School Zones" to codify language adding school zones along Meridiana Parkway and North Inspiration Way.

BACKGROUND:

Barbara Bennett Elementary School is opening in the fall semester of 2024. These school zones are necessary to protect children and to control traffic along the perimeter of the school.

RECOMMENDATION:

Recommendation is approval of the amended language to section 41-4 "School Zones" to the city ordinances of the City of Manvel

ATTACHMENTS:

Amended Ordinance

FUNDING ISSUES

☑ Not applicable
☐ Not budgeted
☐ Full amount already budgeted
☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER	FINANCE DIRECTOR APPROVAL ☐
Keith Traylor	CITY MANAGER APPROVAL: ☐

ORDINANCE NO. 2024-O-23

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING SECTION 41-4 "SCHOOL ZONES" OF THE CODE OF ORDINANCES TO REVISE THE PROVISIONS PERTAINING TO TIMES AND PLACES FOR SCHOOL ZONES; AUTHORIZING THE ENFORCEMENT OF ALL STATE REGULATIONS; AUTHORIZING THE PLACEMENT OF SIGNS INDICATING THE SPEED LIMITS ON THE STREETS AND PORTIONS OF STREETS DESIGNATED HEREIN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR CONFLICT HEREWITH; PROVIDING A PENALTY OF AN AMOUNT OF NOT LESS THAN ONE DOLLAR ($1) OR MORE THAN TWO HUNDRED DOLLARS ($200) FOR VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

* * * * *

WHEREAS, the Texas Transportation Code § 545.356, provides that, upon the basis of an engineering and traffic investigation, the governing body of a City may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an Ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street of highway; and

WHEREAS, the Texas Transportation Code § 545.357, provides that, the governing body of a municipality hereby determines that the prima facie speed limits for school zones, hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof; and

WHEREAS, consistent with the above-cited authority, the City of Manvel has established prima facie speed limits for school zones and adopted Sec.41-4 of The City Code to govern speeds in school zones in the City of Manvel; and

WHEREAS, based on engineering and traffic discussions and analysis between the city engineer, chief of police and AISD representatives, it is recommended that certain times for

school zones in section 41-4 be adjusted and the ordinance amended, in the interest of health, safety and welfare; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS:

Section 1. The facts and matters contained in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The Code of Ordinances of the City of Manvel, Chapter 41. "Traffic and Motor Vehicles," Section 41-4 "School Zones" Texas is hereby amended to read and provide as follows:

"**Chapter 41 - TRAFFIC AND MOTOR VEHICLES**

. . .

Sec. 41-4. School Zones.

(a) No person shall operate a vehicle at a speed greater than 20 miles per hour on any day that school is in session between 6:45 a.m. and 9:00 a.m. and between 2:30 p.m. and 5:00 p.m. when passing through the following properly marked school zone in the city:

Large Road 125 feet east, from the centerline of Masters Road to a point 170 feet east of School Road.

School Road 170 feet south of Large Road north to the intersection of Lewis Lane.

Lewis Lane from Masters Road approximately 1,000 feet east of the centerline of its intersection of School Road.

Lewis Lane from McCoy to Masters Road.

McCoy Road from its intersection with Morris Avenue, north to its intersection with Charlotte Street.

Meridiana Parkway from the centerline of Morris Avenue south approximately 250 feet.

(b) No person shall operate a vehicle at a speed greater than 20 miles per hour on any day that school is in session between 7:15 a.m. and 9:00 a.m. and between 2:30 p.m. and 5:00 p.m. when passing through the following properly marked school zone in the city:

Along Palm Desert Drive from 120 feet west of its intersection with Garden Ridge Court, to County Road 48.

North Inspiration Way at its centerline of Seagrass Drive approximately 393 feet Northwest and southeast to the intersection of Meridiana Parkway.

Seagrass Drive from its centerline of North Inspiration Way approximately 40 feet.

(c) No person shall operate a vehicle at a speed greater than 25 miles per hour when passing through the following properly marked school zone in the city, between the hours of 6:45 a.m. to 8:45 a.m. and 2:30 p.m. to 4:30 p.m. when school zone sign is flashing:

Along Masters Road from a point 200 feet north of the centerline of Large Road to the point 232 feet to the south of the centerline of Cedar Street, a distance of approximately 0.421 miles.

(d) No person shall operate a vehicle at a speed greater than 35 miles per hour when passing through the following properly marked school zone in the city, between the hours of 6:45 a.m. to 8:45 a.m. and 2:30 p.m. to 3:30 p.m. when school zone sign is flashing:

Morris Avenue a distance of 1,830 feet from Wilson Road to a point 1,150 feet west of McCoy Road.

(e) No person shall operate a vehicle at a speed greater than 20 miles per hour on any day that school is in session between 7:15 a.m. and 9:00 a.m. and between 2:30 p.m. and 5:00 p.m. when passing through the following properly marked school zones in the city:

County Road 58 from a point on the west side of County Road 48 to a point 1,000 feet east of County Road 48.

County Road 48 from the centerline of County Road 58 to a point 1,000 feet north of County Road 58.

County Road 48 from a point of the center line of County Road 58 south 2,000 feet.

(f) No person shall operate a vehicle at a speed greater than 35 miles per hour on any day that school is in session between 7:15 a.m. and 9:00 a.m. and between 2:30 p.m. and 5:00 p.m. when passing through the following properly marked school zone in the city:

County Road 48 from 1,000 feet north of the centerline of County Road 58 to a point 800 feet north.

County Road 48 from 2,000 feet south of the centerline of County Road 58 to a point 1,700 feet south.

(g) No person shall operate a vehicle at a speed greater than 20 miles per hour on any day that school is in session between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 5:00 p.m. when passing through the following properly marked school zones in the city:

Pursley Boulevard from its intersection of Meridiana Parkway approximately 2,250 feet north.

(h) No person shall operate a vehicle at a speed greater than 25 miles per hour on any day that school is in session between 7:00 a.m. and 9:00 a.m. and between [~~4:00~~] 2:30 p.m. and 5:00 p.m. when passing through the following properly marked school zones in the city:

Meridiana Parkway at its Centerline of Pursley Boulevard approximately 235 feet east and approximately 235 feet west.

Meridiana Parkway at its Centerline of North Inspiration Way approximately 200 feet to the North and approximately 200 feet to the south.

All state regulations prohibiting the use of wireless communication devices on the streets and portions of streets properly designated herein, and during the hours designated herein, and property marked shall be strictly enforced."

Section 3. The City Manager, or his designated representative, is hereby authorized and directed to place or cause to be placed appropriate traffic control devices to effectuate the establishment of the school zone speed limit and other speed limit.

Section 4. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 5. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence violate any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount of not less than one dollar ($1) or more than Two Hundred Dollars ($200), or higher amount as permitted by law.

Section 6. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Manvel, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED on first reading this _____ day of _____, 2024.

PASSED, APPROVED, AND ADOPTED on second and final reading this _____, day of _____, 2024.

_____
Dan Davis, Mayor

Attest:

_____
Tammy Bell, City Secretary

APPROVED AS TO FORM:

_____
Robert Gervais, City Attorney

MANVEL
CITY COUNCIL
DATA SHEET

MEETING DATE: July 1, 2024

TOPIC: Public hearing regarding amending the zoning ordinance by changing the zoning classification of 20.41 acre tract of land located at 17221 State Highway 6, Manvel, TX from Planned Unit Development District and State Highway 6 Overlay District (PUD/SH6) to Planned Unit Development District and State Highway 6 Overlay District with a Specific Use Permit (PUD/SH6-SUP); providing for the granting of a Specific Use Permit with conditions to authorize the use of property for NAICS use **812113** "Nail Salons" within the Town Center Planned Unit Development.

BACKGROUND: The subject site is located at 17211 State Highway 6, Suite 103, within the Town Center Planned Unit Development. The subject site, with approximately 20.41 acres, is located within the Planned Unit Development District and State Highway 6 Overlay District (PUD-HW6). The applicant, Tom Tran, is requesting a Specific Use Permit (SUP) to open a Milano Nail Spa. A Nail Salon is classified as NAICS Use No. 812113, "Nail Salons," which is allowed in the Town Center Planned Unit Development with approval of a Specific Use Permit.

The SUP application with a proposed floor plan and site plan was submitted with the application for this Specific Use Permit. This Nail Salon will have a typical plan for these types of uses with a reception area, two manicure areas, four pedicure areas, facial and wax rooms, eyebrow area, utility areas, and bathrooms. This proposal does not intend to make any exterior improvements to the property. If this Specific Use Permit is approved, Milano Nail Spa can be located within 17221 Highway 6 and tenant improvements can be approved for this use if all building code requirements are satisfied.

The subject site being located along a major thoroughfare, makes it an appropriate location for the proposed use and hence aligns with the Comprehensive plan goals. The proposed use is not anticipated to be injurious to the use and enjoyment of neighboring property, nor significantly diminish or impair property values in the vicinity.

The Planning, Development, and Zoning Commission unanimously recommended approval to City Council at the June 24, 2024, regular meeting.

RECOMMENDATION: City staff recommends conditional approval with two (2) conditions as proposed by staff and listed in the Staff Report.

ATTACHMENTS: Staff Report and Ordinance No. 2024-O-25

FUNDING ISSUES

_X_ Not applicable
___ Not budgeted
___ Full amount already budgeted
___ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER Ian Knox	**FINANCE DIRECTOR APPROVAL _____** **CITY MANAGER APPROVAL _____**

City Council
Specific Use Permit Request

Agenda of:	July 1, 2024	**Initiated By:**	Ian Knox SAFEbuilt
Department:	Development Services	**Presented By:**	Ian Knox SAFEbuilt

Subject/Proceeding
Specific Use Permit (SUP) request to establish a 6,050 square-foot Nail Salon within the town center development. This proposed nail salon will be directly east of the grocery store (HEB) and will be part of a 9,106 square-foot retail strip center building. This proposed nail salon is located on a 20.51-acre reserve located at 17221 State Highway 6, Suite 103, Manvel, TX within the Planned Unit Development and State Highway 6 Overlay District. This nail salon will offer a variety of services including, manicures, pedicures, waxing and eye lash services.

Recommended Action
A Public Hearing followed by consideration and action from City Council.

Executive Summary
The subject site is located at 17221 State Highway 6, Suite 103, within the Town Center Planned Unit Development and the Highway 6 Overlay District. This request is for a nail salon is classified as NAICS Use No. **812113**, "Nail Salons" which is allowed within Planned Unit Development (Town Center) and Highway 6 Overlay District with the approval of a Specific Use Permit.

Staff Report

<u>Zoning Ordinance Provisions for Specific Use Permits</u>
In Section 77-50 (a) *Uses Requiring Specific Use Permit*, of the Zoning Ordinance it states “certain uses of land, buildings or structures may not be appropriate under all circumstances in any given zoning district but may be appropriate where adequate precautions can be taken to assure compatibility with surrounding uses, public need, and the orderly development of the city as a whole. This section provides City Council and Planning, Development, and Zoning the opportunity to deny or to conditionally approve those uses for which specific use permits are required. These uses generally have unusual characteristics or are of a public or semipublic character often essential or desirable for the general convenience and welfare of the community. However, because of the nature of use, the importance of the use’s relationship to the comprehensive plan, or possible adverse impact on neighboring properties of the use, review, evaluation, and exercise of planning judgement relative to the location and site plan of the proposed use are required.”

In Section 77-50 (b) of the Zoning Ordinance it further states, “the City Council, after receiving the recommendation of the planning, development and zoning commission, may by ordinance, grant a specific use permit for the permitted uses, as herein qualified by the permitted use table, in locations and zoning districts to permit a use where they are not otherwise permitted by this article,

and may impose any appropriate conditions and safeguards to protect property and property values, and in the interest of health, safety or welfare."

General Site Information

The following is a summary of general site information.

Surrounding Property Zoning	**North:** Planned Unit Development (Town Center)/Exterritorial Jurisdiction **South:** Light Commercial District (LC), Planned Unit Development (Town Center) & Highway 6 Overlay District **East:** Highway 288 and Planned Unit Development (Town Center) **West:** Planned Unit Development (Town Center) & Highway 6 Overlay District
Surrounding Land Use	**North:** Town Center Commercial Development **South:** Town Center Commercial Development and Parking **East:** Highway 288 **West:** Grocery Store, General Retail and commercial within the Town-Center Planned Unit Development.

Overview

The applicant intends to develop a roughly 6,050 square-foot portion of a 9,106 square-foot commercial strip center that is currently under construction, east of the existing grocery store (HEB). This development will utilize the existing driveways and access established for the Town Center Development.

Staff Recommended Conditions of Approval:

1. All waiting and/or lobby areas shall maintain an unobstructed view from the outside; and

2. All doors shall remain unlocked and accessible during normal business hours.

Comprehensive Plan

The vision statement in the 2015 Comprehensive Plan seeks to maintain its rural character and small-town values while managing its growth by: "Benefiting from our strategic location by encouraging well planned quality retail, commercial and residential development that reflects and enhances our small-town quality of life". The subject site being located along a major thoroughfare, makes it an appropriate location for the proposed use and hence aligns with the Comprehensive plan goals. The proposed use is not anticipated to be injurious to the use and enjoyment of neighboring property, nor significantly diminish or impair property values in the vicinity.

Parking Analysis

This location is part of an under 9,106 square-foot construction retail commercial building. The Town Center development shares parking between multiple parcels and development at a minimum parking standard of five (5) per 1,000 square feet. There are plenty of parking spaces for the proposed use and other uses proposed in this commercial development.

Public Hearing

The Notice of Public Hearing was published in the newspaper of general circulation. All property owners within 200 feet of the property were notified. At the time of writing this report, the staff has received no informational inquiry and is not aware of any opposition to the request.

Staff Recommendation

Based on the above discussion, staff recommend conditional approval of this SUP request for the subject site to allow NAICS Use No. 812113, "Nail Salons," as it will not cause any adverse impacts, and will provide necessary services to the City of Manvel. Staff recommends two (2) conditions of approval for the proposed nail salon.

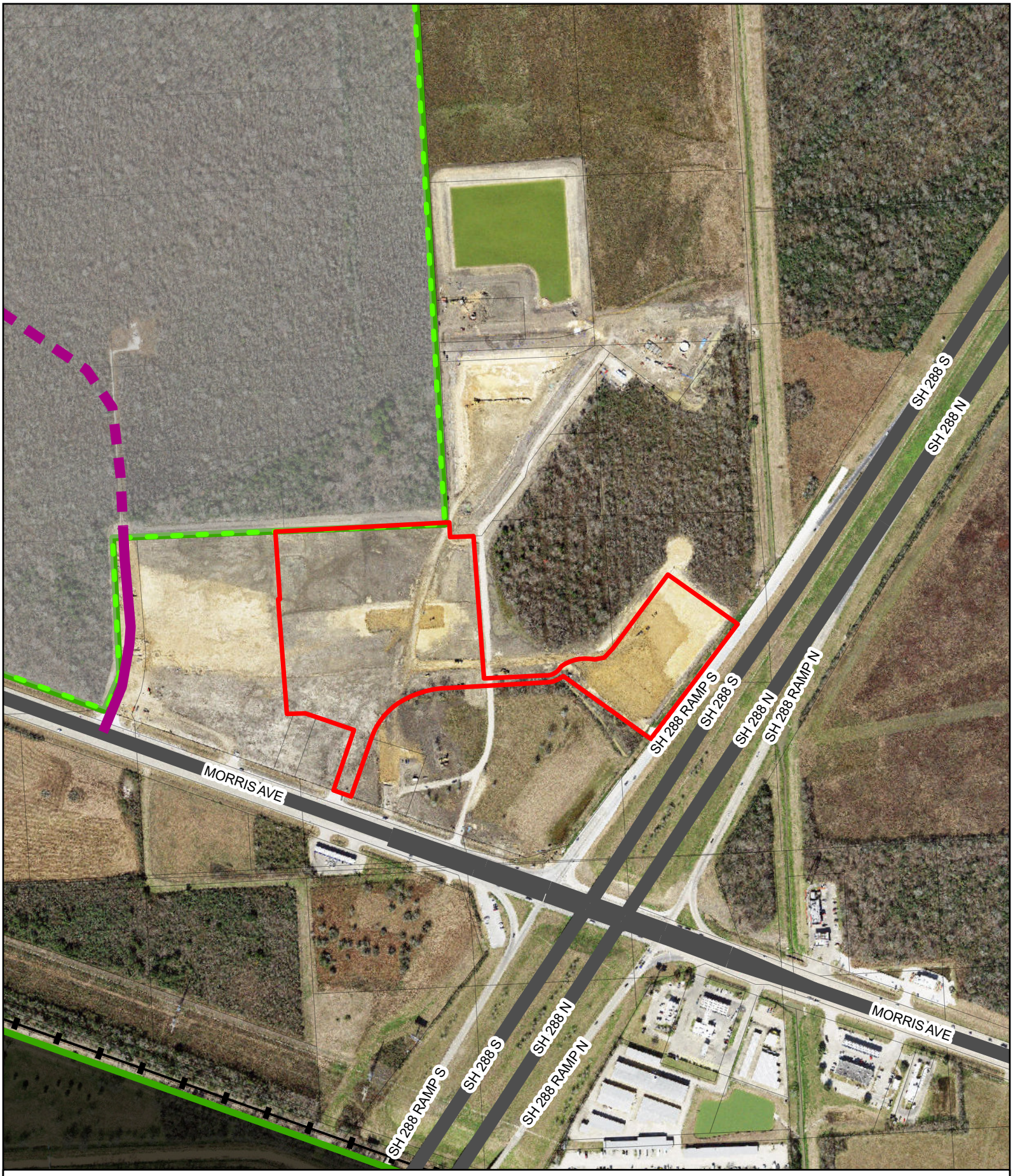
Recommended Conditions.

1. All waiting and/or lobby areas shall maintain an unobstructed view from the outside; and

2. All doors shall remain unlocked and accessible during normal business hours.

Attached Exhibits

1. Aerial Vicinity Map,
2. Zoning Vicinity Map,
3. Major Thoroughfare Plan Map,
4. Application,
5. Site Plan,
6. Proposed Floor Plan.



17221 State Highway 6 Suit C

Parkway (120' ROW)

Proposed Parkway (120' ROW)

Major Thoroughfare (120' ROW)

PID:709378

City of Manvel ETJ

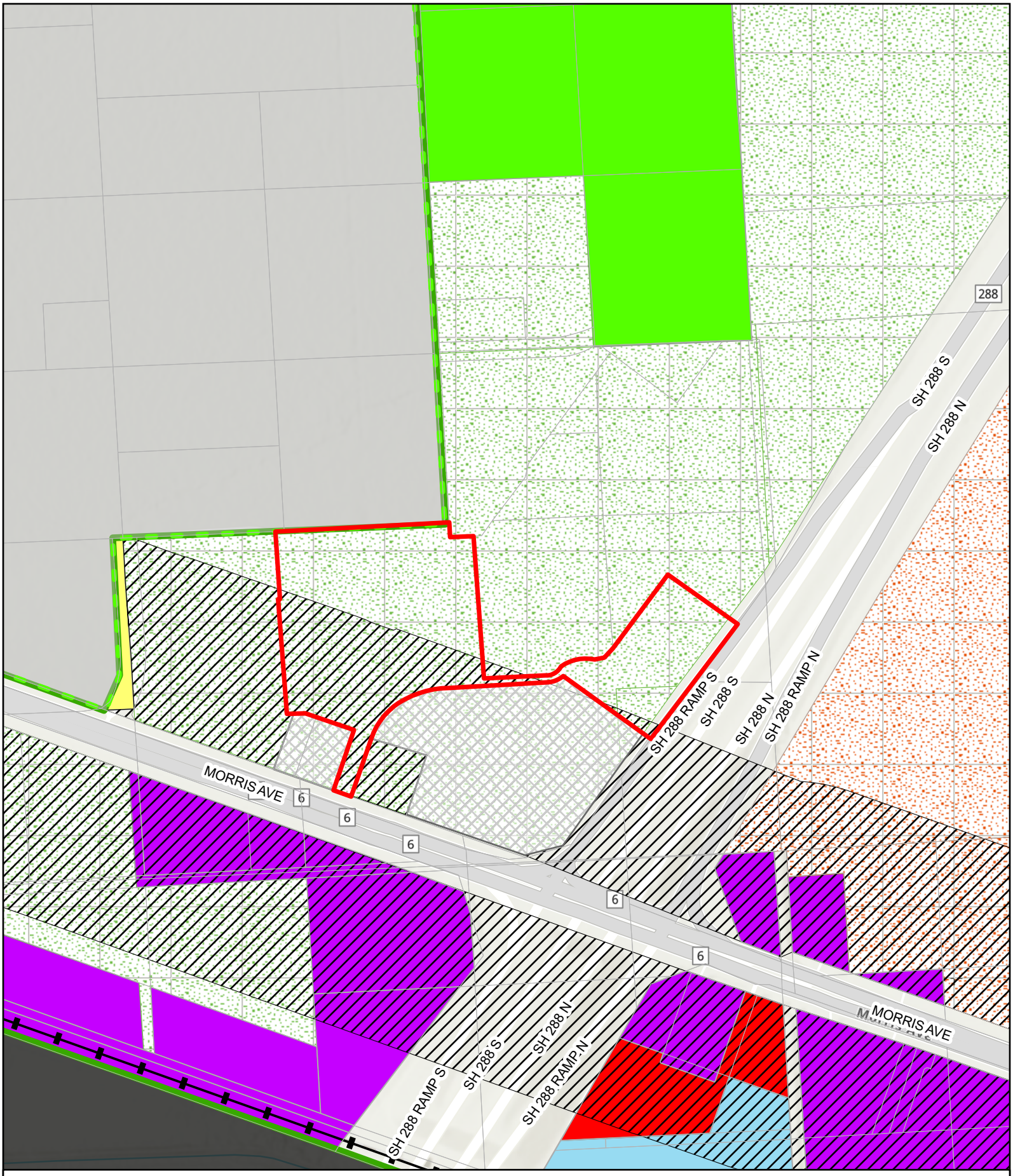
City of Manvel City Limits

US Feet

0 225 450 900 1,350 1,800

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Manvel will not accept liability of any kind in conjunction with its use.

Date: May 2024
Reference: 2024048
Data Source: City of Manvel, Brazoria County Open Data



17221 State Highway 6 Suit C

PID:709378
City of Manvel ETJ
City of Manvel City Limits
Heavy Commercial District
Light Commercial District
Multi-Family District
Planned Unit Development
Open Single-Family Residential District
Single-Family Residential District
Open - Planned Unit Development

US Feet
0 225 450 900 1,350 1,800

N W E S

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Manvel will not accept liability of any kind in conjunction with its use.

Date: May 2024
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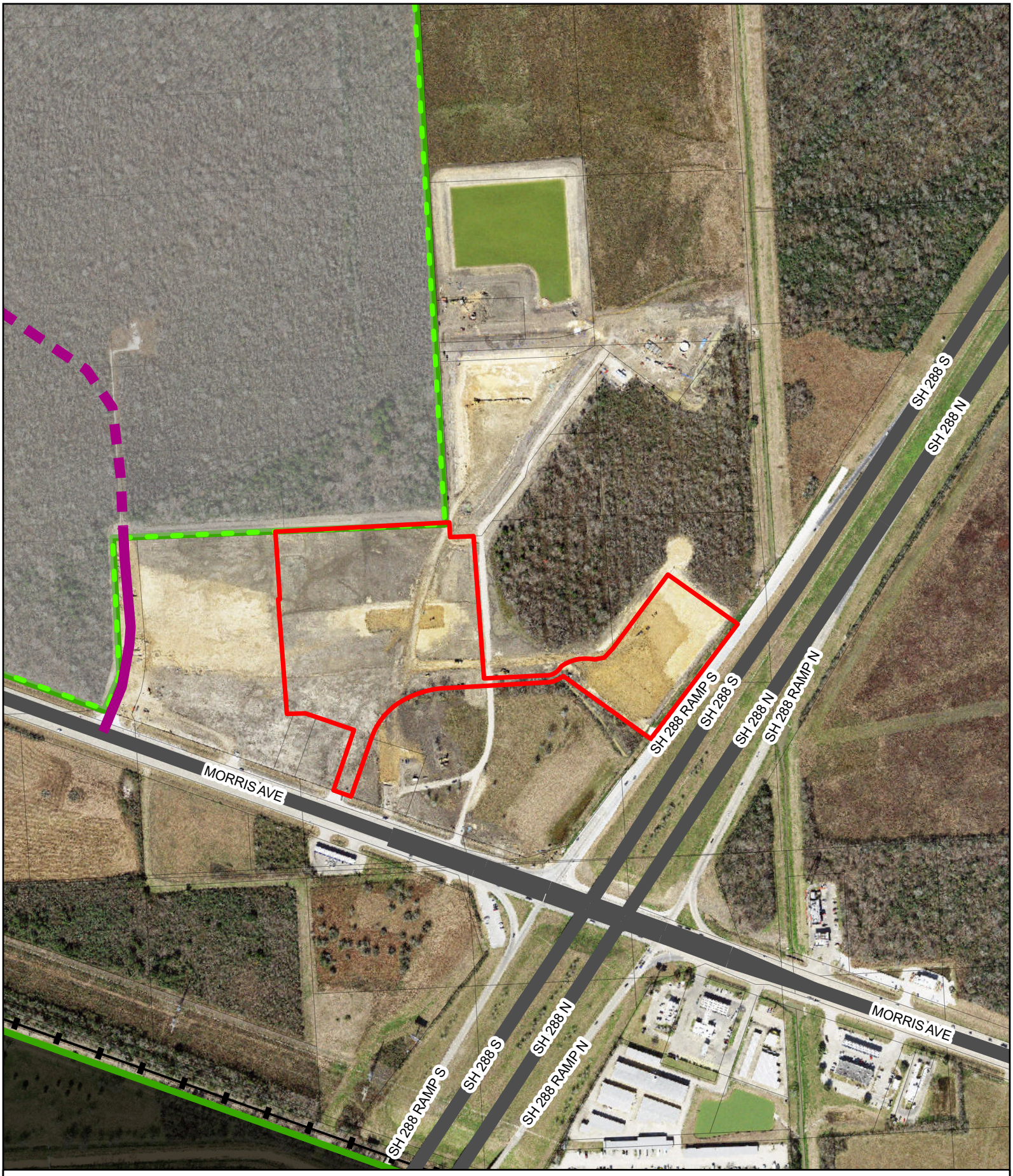

17221 State Highway 6 Suit C

Parkway (120' ROW)

Proposed Parkway (120' ROW)

Major Thoroughfare (120' ROW)

PID:709378

City of Manvel ETJ

City of Manvel City Limits

US Feet

0 225 450 900 1,350 1,800

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Date: May 2024
Reference: 2024048
Data Source: City of Manvel, Brazoria County Open Data

DEVELOPMENT SERVICES
20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-489-0634

SPECIFIC USE PERMIT APPLICATION

PROJECT INFORMATION

Project Name: MILANO NAIL SPA

Project Location/Address: 17221 STATE HWY 6, STE 103, MANVEL, TX 77578

Legal Description: _____

Current Zoning: _____ Proposed Land Use: _____ NAICS No.: _____

Parcel/Tax ID# (s): _____ Total Acreage: _____

APPLICANT INFORMATION

Applicant Name: TOM TRAN - THUC LE

Company Name: T&L DESIGNS

Address: 13115 PENTACLE LN City: HOUSTON State: TX Zip: 77085

Phone #: 832 367 3670 Email: lekhanh03@yahoo.com

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT, and I, the undersigned, am authorized to make this application on behalf of the owner(s). I understand that this application will expire one year from the date submitted.

Applicant Signature (**REQUIRED**) Date: 05/14/24

PROPERTY OWNER INFORMATION

Owner(s) Name: TOM TRAN

Address: 17221 STATE HWY 6 #103 City: Manvel State: TX Zip: 77578

Phone #: 832 367 3670 Email: lekhanh03@yahoo.com

PROPERTY OWNER'S AUTHORIZATION **(Required – If owner is also the applicant, must sign as both)**:

I am the owner of the property for which this application is being made. I authorize the above person (Applicant) to submit this application and to correspond with the City of Manvel regarding this application on my behalf.

Tom Tran

Owner's Signature (**REQUIRED**) Date: 05/14/24

DEVELOPMENT SERVICES
20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-489-0634

SUBMITTAL CHECKLIST

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the nature of the development; however, it is incumbent upon the applicant to inquire about these exceptions for your project **before** submitting an application. Answers to specific use permit applications can be obtained by attending a pre-development meeting with our Development Review Committee (DRC) prior to submitting a formal application. Please call the phone number on the application to schedule an appointment. Submit application and accompanying documents to the Permits and Inspections at the address above Monday through Thursday between the hours of 7:30 a.m. and 5:30 p.m. and Friday between the hours of 7:30 a.m. and 11:30 a.m.

SPECIFIC USE PERMIT SUBMITTAL CHECKLIST ITEMS	REQUIRED (PLEASE CHECK)
Completed Specific Use Permit Application (with all signatures)	
Two (2) Copies of a Conceptual Plan (building, parking, landscaping, etc. locations)	✓
Two (2) Legal Descriptions of Property (metes & bounds description if not platted)	
Two (2) Copies of Recorded Plat (if platted)	
Two (2) Applicant Letters of Request	
Traffic Impact Analysis, (if applicable)	
Paid Application Fee	

APPLICANT CERTIFICATION

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if it is deemed incomplete.

Applicant Signature

05/14/24
Date

DEVELOPMENT SERVICES
20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-489-0634

LETTER OF AUTHORIZATION

Have property owner complete and sign, if applicant differs from property owner.

TOM TRAN
Owner Name

17221 STATE HWY 6 #103
Owner Address

Manvel, TX 77578
Owner City, State Zip

05/14/24
Date

Building and Inspections
20025 Highway 6
Manvel, TX 77578

Dear City of Manvel Permits and Inspections,

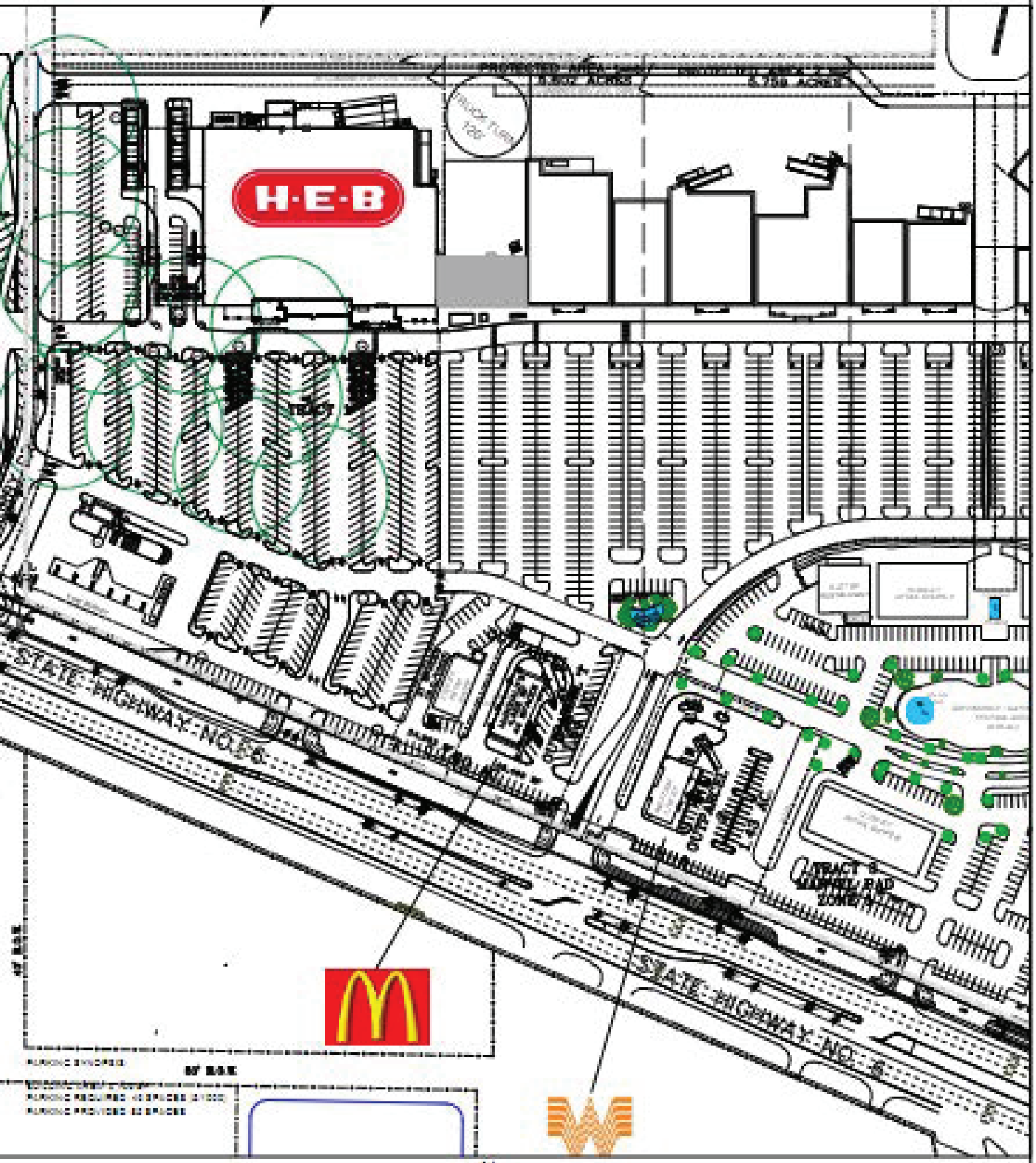
I, TOM TRAN, certify that I am the owner of the project property located at 17221 STATE HWY 6, SUITE 103 and that the forgoing statements and answers made and all data, information, and evidence herewith submitted are in all respects to the best of my knowledge and belief, true, and correct. I appoint THUC LE with the company T & L DESIGNS (if applicable) to act as my representative for this project. I agree to be responsible for payment of bills due to the City of Manvel related to this application. Furthermore, I understand that any material misrepresentation of this application, failure to comply with ordinances, and /or failure to remit payment for services can lead to delays in this project – up to and including rejecting the project and forfeiting any fees paid.

Please contact me directly at 832-367-3670 if you have any questions.
832-726-2292

Sincerely,

Owner Name TOM TRAN

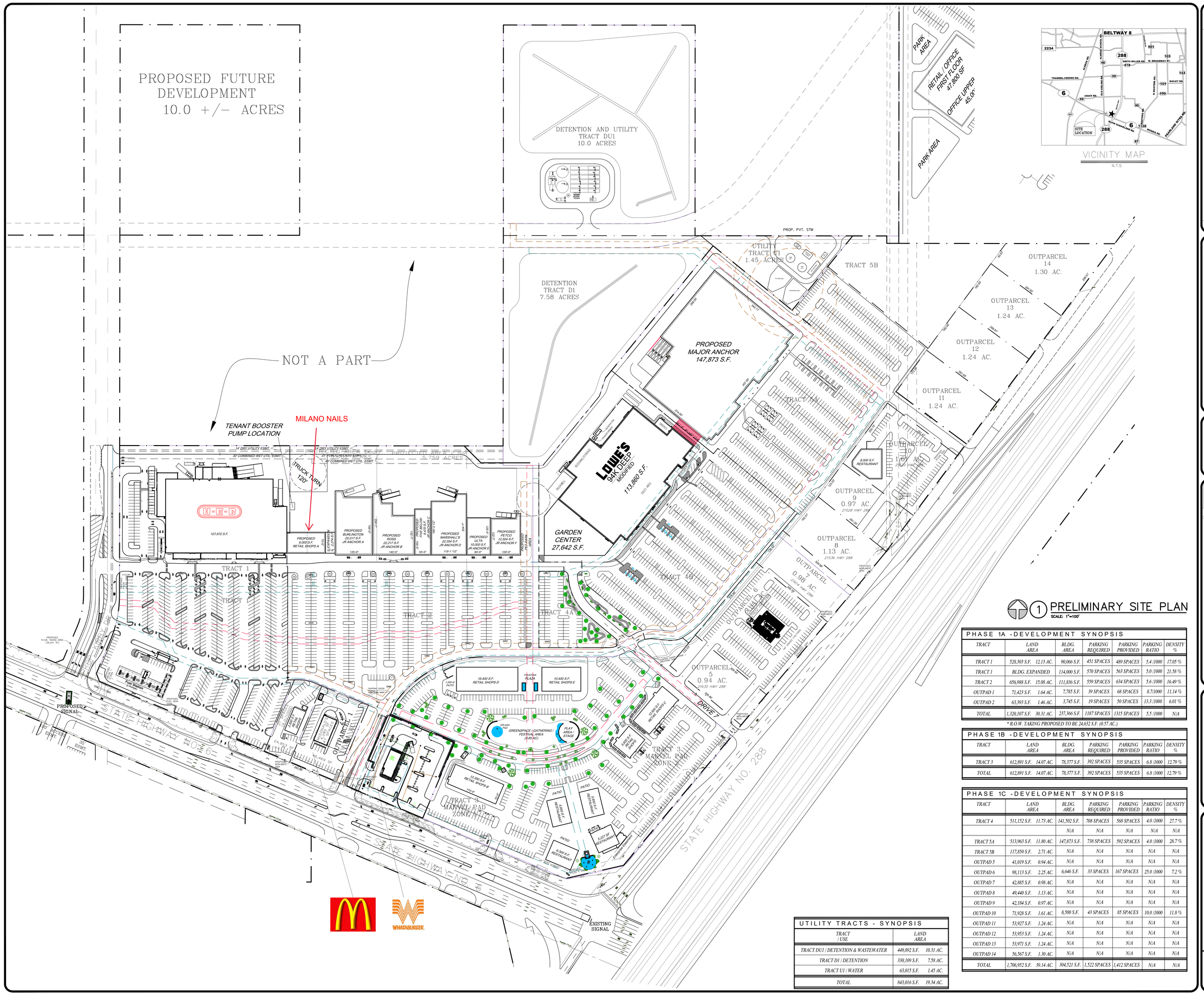
Owner Signature Tom Tran



SHADED AREA INDICATES SCOPE OF WORK INCLUDED IN THESE DOCUMENTS

N

PARTIAL ENLARGED VICINITY MAP



1 PRELIMINARY SITE PLAN
SCALE: 1"=100'

PHASE 1A - DEVELOPMENT SYNOPSIS						
TRACT	LAND AREA	BLDG. AREA	PARKING REQUIRED	PARKING PROVIDED	PARKING RATIO	DENSITY %
TRACT 1	528,303 S.F. 12.13 AC.	90,066 S.F.	451 SPACES	489 SPACES	5.4 /1000	17.05 %
TRACT 1	BLDG. EXPANDED	114,000 S.F.	570 SPACES	563 SPACES	5.0 /1000	21.58 %
TRACT 2	656,988 S.F. 15.08 AC.	111,836 S.F.	559 SPACES	634 SPACES	5.6 /1000	16.49 %
OUTPAD 1	71,423 S.F. 1.64 AC.	7,785 S.F.	39 SPACES	68 SPACES	8.7/1000	11.14 %
OUTPAD 2	63,393 S.F. 1.46 AC.	3,745 S.F.	19 SPACES	50 SPACES	13.3 /1000	6.01 %
TOTAL	1,320,107 S.F. 30.31 AC.	237,366 S.F.	1187 SPACES	1315 SPACES	5.5 /1000	N/A

* R.O.W. TAKING PROPOSED TO BE 24,632 S.F. (0.57 AC.)

PHASE 1B - DEVELOPMENT SYNOPSIS						
TRACT	LAND AREA	BLDG. AREA	PARKING REQUIRED	PARKING PROVIDED	PARKING RATIO	DENSITY %
TRACT 3	612,891 S.F. 14.07 AC.	78,377 S.F.	392 SPACES	535 SPACES	6.8 /1000	12.79 %
TOTAL	612,891 S.F. 14.07 AC.	78,377 S.F.	392 SPACES	535 SPACES	6.8 /1000	12.79 %

PHASE 1C - DEVELOPMENT SYNOPSIS						
TRACT	LAND AREA	BLDG. AREA	PARKING REQUIRED	PARKING PROVIDED	PARKING RATIO	DENSITY %
TRACT 4	511,152 S.F. 11.73 AC.	141,502 S.F.	708 SPACES	568 SPACES	4.0 /1000	27.7 %
		N/A	N/A	N/A	N/A	N/A
TRACT 5A	513,963 S.F. 11.80 AC.	147,873 S.F.	738 SPACES	592 SPACES	4.0 /1000	28.7 %
TRACT 5B	117,850 S.F. 2.71 AC.	N/A	N/A	N/A	N/A	N/A
OUTPAD 5	41,019 S.F. 0.94 AC.	N/A	N/A	N/A	N/A	N/A
OUTPAD 6	98,113 S.F. 2.25 AC.	6,646 S.F.	33 SPACES	167 SPACES	25.0 /1000	7.2 %
OUTPAD 7	42,885 S.F. 0.98 AC.	N/A	N/A	N/A	N/A	N/A
OUTPAD 8	49,440 S.F. 1.13 AC.	N/A	N/A	N/A	N/A	N/A
OUTPAD 9	42,184 S.F. 0.97 AC.	N/A	N/A	N/A	N/A	N/A
OUTPAD 10	71,928 S.F. 1.61 AC.	8,500 S.F.	43 SPACES	85 SPACES	10.0 /1000	11.8 %
OUTPAD 11	53,927 S.F. 1.24 AC.	N/A	N/A	N/A	N/A	N/A
OUTPAD 12	53,953 S.F. 1.24 AC.	N/A	N/A	N/A	N/A	N/A
OUTPAD 13	53,971 S.F. 1.24 AC.	N/A	N/A	N/A	N/A	N/A
OUTPAD 14	56,567 S.F. 1.30 AC.	N/A	N/A	N/A	N/A	N/A
TOTAL	1,706,952 S.F. 39.14 AC.	304,521 S.F.	1,522 SPACES	1,412 SPACES	N/A	N/A

UTILITY TRACTS - SYNOPSIS	
TRACT / USE	LAND AREA
TRACT DU1 / DETENTION & WASTEWATER	449,892 S.F. 10.31 AC.
TRACT D1 / DETENTION	330,109 S.F. 7.58 AC.
TRACT U1 / WATER	63,015 S.F. 1.45 AC.
TOTAL	843,016 S.F. 19.34 AC.

NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.
RAY A. DUERER
Date: 04/04/2024

CDA Architects
Member American Institute of Architects
20445 State Hwy 249, Suite 200
Houston, Texas 77070
832/678-9240 Fax 832/678-9240

weitzman
1800 BERING, SUITE 550
HOUSTON, TEXAS

PRELIMINARY SITE PLAN

SHOPPING CENTER
STATE HWY 6 & STATE HWY 288
MANVEL, TEXAS

SCALE: AS INDICATED
PROJECT: 13090
DATE:
SHEET NO. SP-52

MANVEL TOWN CENTER | HWY 288 & SH-6, MANVEL, TX 77578

Current Tenants

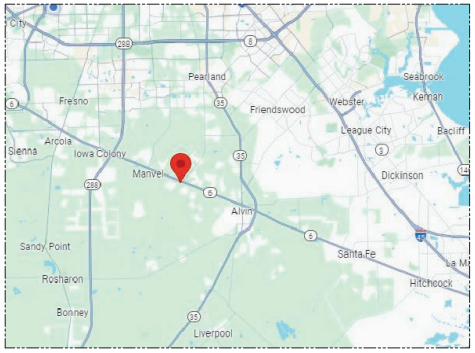
1	H-E-B	108,000 sf
Retail A		
2	Great Clips	1,100 sf
3	Milano Nails	5,000 sf
4	Marble Slab	1,500 sf
5	AT&T*	1,400 sf
Proposed Anchors		
6	Burlington*	25,017 sf
7	Ross*	22,217 sf
8	Five Below*	8,470 sf
9	Marshall's*	22,354 sf
10	Ulta*	10,000 sf
11	Petco*	12,504 sf
12	Lowe's*	113,860 sf
13	Target*	147,873 sf
Restaurant Space		
14	Restaurant	5,850 sf
15	Restaurant	5,850 sf
16	Restaurant	6,300 sf
17	Restaurant	5,227 sf

Retail B		
18	Chipotle	2,430 sf
19	Eye Trends	2,000 sf
20	Available	2,350 sf
21	Jersey Mike's	1,400 sf
22	Aki Steak & Sushi	4,000 sf
Retail C		
23	Dave's Hot Chicken*	2,400 sf
24	MH Go Health	2,600 sf
25	Available	2,000 sf
26	Verizon	3,500 sf
Retail D		
27	Bath & Body Works*	2,400 sf
28	Memorial Hermann	9,000 sf
29	Available	5,000 sf

Retail E		
30	Available	10,400 sf
Retail F		
31	Smoothie King	1,200 sf
32	Ramen Restaurant*	2,000 sf
33	Five Guys*	2,400 sf
Outparcels		
1A	Heartland Dental	3,500 sf
1B	McDonald's	4,456 sf
2	Whataburger	3,745 sf
5	Chase Bank*	0.88 ac
6	Available	2.11 ac
7	Available	0.92 ac
8	Available	1.10 ac
9	Available	0.97 ac
10	Available	1.61 ac
11	Available	1.42 ac
12	Available	1.25 ac
13	Available	1.70 ac
14	Available	1.32 ac

The information was obtained from sources deemed reliable; however, Weitzman has not verified it and makes no guarantees, warrranties or representations as to the completeness or accuracy thereof. The presentation of this real estate informationis subject to errors; omissions; change of price; prior sale or lease, or withdrawal without notice. You and your advisors shoud conduct a careful independent investigation of the property to determine if it is suitable for your intended purpose.

weitzman®



1 EXIST. SITE PLAN
NTS

DOOR SCHEDULE

MARK	SIZE	DESCRIPTION	FRAME	HARDWARE & REMARKS
A	3'-0" x 7'-0" x 1 3/4"	EXIST. GLASS STORE FRONT WITH 1/4" SAFETY IMPACTED RESISTANT GLASS	ALUM.	EXISTING DOUBLE CYLINDER LOCK SET, THUMB LATCH ON THE INSIDE, PUSH BAR/PULL HANDLE, ALUM. THRESHOLD & WEATHERSTRIP, 1/2" MAX @ THRESHOLD/LEVEL. INSTALL SIGN: "THIS DOOR IS TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED". W/PANIC HARDWARE
B	3'-0" x 6'-8" x 1 3/4"	WOOD DOOR.	WOOD	PASSAGE SET ONLY & LEVER HANDLE.
C	3'-0" x 6'-8" x 1 3/4"	WOOD DOOR	WOOD	PRIVACY LOCK SET WITH DOOR CLOSER & LEVER HANDLE.
D	3'-0" x 7'-0" x 1 3/4"	HOLLOW METAL DOOR	METAL	EXIST. KEY LOCKSET DOOR LEVER METAL THRESHOLD & WEATHERSTRIPPING- 1/2" MAX @ LEVEL THRESHOLD. INSTALL SIGN "THIS DOOR IS TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED", WITH PANIC HARDWARE

NOTES:

- DOOR LATCH SHALL RELEASE WHEN SUBJECTED TO A 5-POUND FORCE FOR INTERIOR AND A 8.5-POUND FORCE FOR EXTERIOR DOOR FROM INSIDE WITHOUT THE USE OF A KEY OR ANY SPECIAL FORCE.
- THE LATCH SHALL HAVE THE LEVER AND SHALL BE MOUNTED AT 40 INCHES ABOVE FINISH FLOOR (A.F.F.); EXCEPT AT ACCESSIBLE STALLS WHICH SHALL BE MOUNTED BETWEEN 34" TO 36" A.F.F.
- ELECT. SWITCHES SHALL BE MOUNTED AT 42" A.F.F.
- RECEPTACLES ON WALL SHALL BE MOUNTED A MIN. OF 15" A.F.F.
- ALL EXIT DOOR TO BE OPENABLE FROM INSIDE WITHOUT THE USE OF A KEY, SPECIAL KNOWLEDGE AND EFFORT.
- ALL LOCKSETS TO BE "SCHLAGE" BRUSHED CHROME, LEVER TYPE (A.D.A.).

1ST FLOOR ROOM FINISH SCHEDULE

AREA	FLOORS: V/C TILE/BY OWNER	FLOORS: CARPET	FLOORS: 12"x12" CERAMIC TILE	BASE: 6" VINYL COVE	BASE: 4" VINYL COVE	BASE: TILE BASE	WALLS: GYP BOARD PAINTED	WALLS: WOOD PANEL	WALLS: 6"x6" CERAMIC TILE	WALLS: WALL PAPER BORDER @ TOP	CEILING: 2' x 2' LAYIN CLG.	CEILING: GYP BOARD CEILING	CEILING: EXPOSED TO ROOF DECK	HEIGHT	REMARKS
RECEPTION	●				●		●					●		12'-0"	ALL CEILING HEIGHT WILL BE VERIFY WITH OWNER
MANICURE #1 & #2	●				●		●					●		12'-0"	ALL CEILING HEIGHT WILL BE VERIFY WITH OWNER
PEDICURE#1,2,3&#4	●				●		●					●		12'-0"	ALL CEILING HEIGHT WILL BE VERIFY WITH OWNER
WAITING AREA	●				●		●					●		12'-0"	ALL CEILING HEIGHT WILL BE VERIFY WITH OWNER
MEN&WOMEN R/R	●				●		●					●		8'-0"	WAINSCOT 48" HIGH OF F.R.P.
UNISEX R/R	●				●		●					●		8'-0"	ALL REST ROOM TO BE OFF WHITE
FACIAL	●				●		●					●		8'-0"	ALL CEILING HEIGHT WILL BE VERIFY WITH OWNER
WAX	●				●		●					●		8'-0"	ALL CEILING HEIGHT WILL BE VERIFY WITH OWNER

MEZZANINE FINISH SCHEDULE

AREA	FLOORS: V/C TILE/BY OWNER	FLOORS: CARPET	FLOORS: 12"x12" CERAMIC TILE	BASE: 6" VINYL COVE	BASE: 4" VINYL COVE	BASE: TILE BASE	WALLS: GYP BOARD PAINTED	WALLS: WOOD PANEL	WALLS: 6"x6" CERAMIC TILE	WALLS: WALL PAPER BORDER @ TOP	CEILING: 2' x 2' LAYIN CLG.	CEILING: GYP BOARD CEILING	CEILING: EXPOSED TO ROOF DECK	HEIGHT	REMARKS
UTILITY ROOM	●				●		●					●		12'-0"	ALL CEILING HEIGHT WILL BE VERIFY WITH OWNER

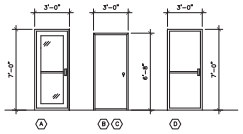
SECTION 2509- USE OF GYPSUM IN SHOWERS AND WATER CLOSETS:

WHEN GYPSUM IS USED AS A BASED FOR TILE OR WALL PANELS FOR TUB, SHOWER OR WATER CLOSET COMPARTMENT WALLS (SEE SECTION 1210.2) WATER-RESISTANT GYPSUM BACKING BOARD SHALL BE USED. REGULAR GYPSUM WALLBOARD IS PERMITTED UNDER TILE OR WALL PANELS IN OTHER WALL AND CEILING AREAS WHEN INSTALLED IN ACCORDANCE WITH TABLE 2509.2. WATER RESISTANT GYPSUM BOARD SHALL NOT BE USED IN THE FOLLOWING LOCATIONS.

1. OVER A VAPOR RETARDER.
2. IN AREAS SUBJECT TO CONTINUOUS HIGH HUMIDITY, SUCH AS SAUNAS, STEAM ROOMS OR GANG SHOWER ROOM.
3. ON CEILINGS WHERE FRAME SPACING EXCEEDS 12 INCHES (305mm) ON CENTER.

GENERAL NOTES:

1. ALL WORK UNDER THIS CONTRACT SHALL COMPLY WITH THE PROVISIONS OF THE SPECIFICATIONS AND DRAWINGS. CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE LOCAL, STATE AND NATIONAL ORDINANCES AND REGULATIONS.
2. THE CONTRACTOR SHALL OBTAIN ALL PERMITS NECESSARY FOR ALL TRADES, FOR PROPER EXECUTION OF WORK UNDER THIS CONTRACT. THE CONTRACTOR SHALL OBTAIN AND PAY FOR ALL PERMITS REQUIRED FOR THIS PROJECT.
3. CONTRACTOR SHALL OBTAIN AND SUBMIT ALL REQUIRED CERTIFICATES OF INSURANCE TO THE OWNER'S AND LANDLORD'S REPRESENTATIVE PRIOR TO COMMENCEMENT OF ANY WORK.
4. THE REQUIREMENTS OF THE TENANT'S CRITERIA FOR DESIGN AND CONSTRUCTION FOR THIS BUILDING SHALL BE MADE PART OF THIS CONTRACT.
5. THE CONTRACTOR SHALL MAKE HIMSELF FAMILIAR WITH THE JOB SITE CONDITIONS. OMISSION OF SPECIFIC DETAILS, DATA OR DRAWINGS SHALL NOT RELIEVE CONTRACTOR OF ANY RESPONSIBILITIES FOR A COMPLETE WORKING PROJECT AND SYSTEMS. THE CONTRACTOR SHALL THOROUGHLY AQUAINT HIMSELF WITH THE CONSTRUCTION REQUIREMENTS AND DETAILS BEFORE SUBMITTING HIS BID, AS NO ALLOWANCES WILL BE ALLOWED BECAUSE OF THE CONTRACTOR'S UNFAMILIARITY WITH THE JOB SITE CONDITIONS AND PROJECT REQUIREMENTS.
6. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AT THE JOB SITE. CONTRACTOR SHALL REPORT ANY DISCREPANCIES AND/OR UNUSUAL CONDITIONS NOT SHOWN OR ANTICIPATED TO THE OWNER'S REPRESENTATIVE PRIOR TO FINALIZING BIDS AND COMMENCEMENT OF ANY CONSTRUCTION.
7. ALL WORK UNDER THIS CONTRACT SHALL BE PERFORMED BY COMPETENT WORKMEN AND EXECUTED IN A NEAT WORKMEN LIKE MANNER. THE TENANT SHALL REQUIRE EXTENDED WARRANTIES ON SOME EQUIPMENT.
8. ALL PENETRATIONS MADE IN EXTERIOR WALLS OF BUILDINGS FOR CONDUIT, PIPING, WINDOWS AND DOORS SHALL BE SEALED WITH POLYSULFIDE.
9. NO PENETRATION SHALL OCCUR WITHIN 12" OF ANY OTHER ROOF PENETRATIONS, EXPANSION JOINT OR EDGE DETAIL.
10. ALL ROOF OPENINGS REQUIRED WATER TIGHT TEMPORARY COVER UNTIL THE UNIT IS COMPLETED.
11. ALL MATERIALS FOR PARTITIONS, WALLS, CEILINGS AND FINISHES SHALL BE APPROVED NON-COMBUSTIBLE MATERIALS.
12. ALL DEMISING WALLS SHALL BE FIRE CODE RATED TYPE "X" SHEET ROCK, TAPED, FLOATED AND SEALED AIR TIGHT TO ROOF DECK ABOVE. ANY PENETRATIONS IN FIRE WALLS TO BE PROPERTY SEALED.
    ALSO CAUK & SEAL ELECTRICAL TELEPHONE , OUTLETS
13. THE CONTRACTOR SHALL CUT AND EXCAVATE ANY CONCRETE REQUIRED FOR ELECTRICAL, PLUMBING OR PIPING INSTALLATION REQUIRED BY VENDORS OR SHOWN ON DRAWINGS, BACK FILL WITH SAND COMPACTED TO 95 PROCTOR NEW REINFORCING INSTALLED AND REPOUR USING 3000 PSI CONCRETE TO MATCH WITH EXISTING SLAB.
14. COUNTER, SHELVES AND CABINETS BY G.C.
15. ANY ALTERATIONS TO THE ROOF MEMBRANE OF THE PREMISES SHALL BE MADE BY THE LANDLORD'S ROOFING CONTRACTOR AT THE TENANT'S EXPENSE. CONTACT LANDLORD FOR HIS ROOFING CONTRACTOR.



DOOR DETAILS
SCALE : 1/4" = 1'-0"

WALL LEGEND:

- EXISTING WALL
- EXISTING ONE HOUR WALL.
- INTERIOR WALLS SEE DETAILS
- EXIST. GLASS STORE FRONT IN ALUMINUM FRAME.

ADOPTED CODE

- 2021 IBC : INTERNATIONAL BUILDING CODE
- 2021 IMC : INTERNATIONAL MECHANICAL CODE
- 2021 IPC : INTERNATIONAL PLUMBING CODE
- 2020 NEC : NATIONAL ELECTRICAL CODE
- 2021 IECC : INTERNATIONAL ENERGY CONSERVATION CODE OR ASHRASE 90.1-2013
- 2021 IFC : INTERNATIONAL FIRE CODE

CODE ANALYSIS - IBC - 2021

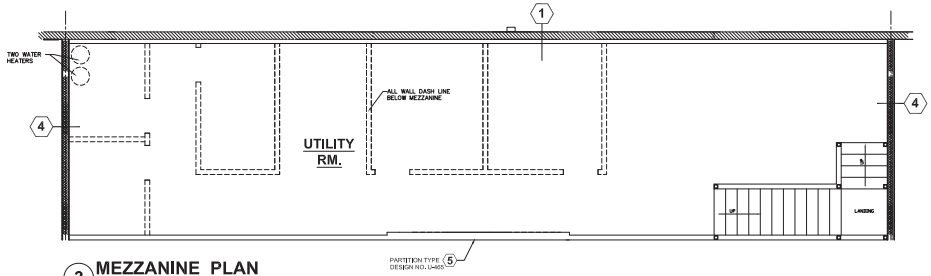
- CONSTRUCTION TYPE : 2B
- OCCUPANCY CLASSIFICATION : GROUP B
- FIRE RESISTANCE RATING OF THE WALLS SHALL BE 1 HOUR. (U465)
- THE MINIMUM MATERIAL CLASSIFICATION REQUIRED CLASS A
- FOR THE AREA WHERE THE MATERIALS ARE PROPOSED PER SECTION 803.5 AND TABLE 803.5
- THE LICENSED SPRINKLER COMPANY SHALL PROVIDE FIRE SPRINKLER DRAWINGS AND SPECIFICATIONS FOR REVIEW AND APPROVED PRIOR TO SYSTEM INSTALLTION/ALTERATIONS
- THE LICENSED FIRE ALARM COMPANY SHALL PROVIDE FIRE ALARM DRAWINGS AND SPECIFICATIONS FOR REVIEW AND APPROVED PRIOR TO SYSTEM INSTALLTION/ALTERATIONS
- OCCUPANT LOAD ANALYSIS :

1. OCCUPANT LOAD

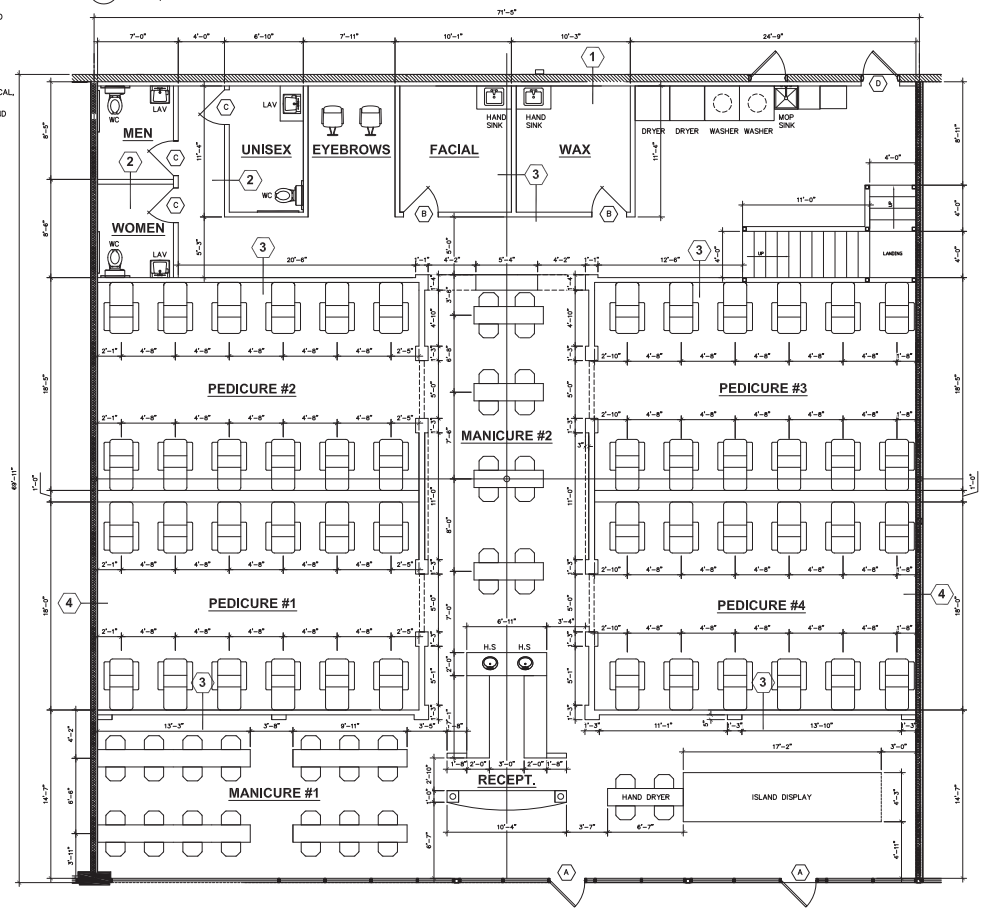
1ST FLOOR = 4900 SF. / 100 = 49 O.L

MEZZANINE FLOOR = 1190 SF. / 200 = 6 O.L

TOTAL = 6090 SF. = 55 OCCUPANT LOAD



3 MEZZANINE PLAN
SCALE: 3/16" =1'-0"



PROVIDE SIGN "THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED, " WITH 1" HIGH LETTERS CONTRASTING TO BACK GROUND

2 1ST FLOOR PLAN
SCALE: 3/16" =1'-0"

T & L DESIGNS

13115 PENTACLE LN.
HOUSTON, TEXAS 77085
(832) 367-3670 TEL

CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS DRAWING IS CONFIDENTIAL AND SHALL NOT BE DISCLOSED, DUPLICATED, OR RETAINED EXCEPT AS PERMITTED BY T & L DESIGNS

MILANO NAIL SPA
17221 STATE HWY 6, #C
MANVEL TX 77578

REVISIONS

DATE	ISSUED FOR
04-30-24	PERMITS

STATE OF TEXAS
PAUL W. LIN
127200
LICENSED PROFESSIONAL ENGINEER

04/30/2024

PAUL W. LIN
Engineering Services.

13115 PENTACLE LN
HOUSTON, TX 77081
CEL. : (832) 367 - 3670

TBPE REGISTRATION # F-22284

DRAWN BY: T.L. CHECKED BY: P.L

DRAWN: TL CHECKED:

PROJ. NO.:

SHEET: A1

ORDINANCE NO. 2024-O-25

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATELY 20.41 ACRE TRACT OF LAND LOCATED AT 17221 STATE HIGHWAY 6, SUITE 103, MANVEL, TEXAS (DESCRIBED AS RESERVE "B" OF MANVEL TOWN CENTER SECTION ONE), 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 812113, "NAIL SALONS" 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.

* * * * * * * * *

WHEREAS, Manvel Town Center, LTD., is the owner (the "Owner") of Reserve B of Manvel Town Center Section One, a 20.41-acre reserve located at 17221 State Highway 6, Manvel, Suite 103, Texas, such tract situated in the H.T. & B.R.R. CO. Survey, Section 71, Abstract 291, Brazoria County, Texas, also being a partial replat of lots 31, 36, 37, 42, 49, 50, 57, 58, all of lot 41 of the emigration land company subdivision, Section 71 Recorded in Volume 2, PG. 81-82, of the Plat Records of Brazoria County Texas, a map and description of which is attached hereto as Exhibit "A"; and

WHEREAS, the 20.41-acre tract is currently zoned Planned Unit Development District and Highway 6 Overlay District (PUD-SH6; and

WHEREAS, the applicant, Tom Tran, has filed an application to change the zoning classification of the 20.41-acre tract to Planned Unit Development District and

Highway 6 Overlay District (PUD-SH6) allowing the proposed use of the property for NAICS use **812113**, **"NAIL SALONS**"; and

WHEREAS, the Planning, Development, and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on such request; and

WHEREAS, the Planning, Development, and Zoning Commission has recommended in its report the approval of such request, and the City Council deems it appropriate to approve said amendment to the zoning and specific use permit; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The zoning classification of a certain 20.41-acre tract of land located at 17221 State Highway 6, Suite 103, Manvel, Texas, Reserve B of Town Center Section One, a 20.41-acre reserve, such tract situated in the H.T. & B.R.R. CO. Survey, Section 71, Abstract 291, Brazoria County, Texas, also being a partial replat of lots 31, 36, 37, 42, 49, 50, 57, 58, all of lot 41 of the emigration land company subdivision, Section 71 Recorded in Volume 2, PG. 81-82, of the Plat Records of Brazoria County Texas, a map and description of which is attached hereto as Exhibit "A"; shall be changed from Planned Unit Development and State Highway 6 Overlay District (PUD-SH6) to Planned Unit Development and State Highway 6 Overlay District with a Specific Use Permit

District (PUD-SH6-SUP), for uses as permitted within such zone classification, subject to the regulations, regulations, and conditions hereinafter set forth:

1. **NAIL SALONS**– (NAICS **812113**)

Section 3. The request meets the criteria set forth in Section 77-50 of the City of Manvel Zoning Ordinance for a Specific Use Permit. The City of Manvel Zoning Ordinance is hereby further amended by granting a Specific Use Permit authorizing use of the Property for the NAICS use listed in Section 2, above.

Section 4. The City Council hereby finds it appropriate to impose the conditions to the granting of the Specific Use Permit as shown in Exhibit "B", attached hereto and incorporated herein as if set out in full. This proposed use of a "Nail Salons" and site may not be changed or expanded except by amendment of this Specific Use Permit.

Section 5. The Specific Use Permit issued under this ordinance, or a specific use listed herein, shall expire one year after its date of issuance if construction or if the listed use authorized hereunder is not substantially under way or in use prior to the expiration of said one year period. If, prior to the expiration of such one-year period, the owner of the property to which the Specific Use Permit applies in writing, for an extension, the City Council may, after recommendation from the Planning, Development, and Zoning Commission, grant such extension for one additional year.

Section 6. The Zoning District Map of the City of Manvel shall be revised and amended to show the designation of said tract, as described and as provided in Section 2, above, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

Section 7. The City Council hereby finds and determines that said rezoning comports to the City's Comprehensive Land Use Plan. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Manvel, save and except the change in zoning classification of said tract(s) as described above.

Section 8. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Manvel, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 9. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed $2,000.00. Each day of violation shall constitute a separate offense.

Section 10. Revocation. This Specific Use Permit may be revoked or modified by the City Council, in whole or in part, after notice and hearing, for either of the following reasons:

(1) The Specific Use Permit was obtained or extended by misrepresentation, fraud or deception: or

(2) That one of more of the conditions imposed by the permit has not been met or has been violated.

PASSED AND APPROVED on first reading this _____ day of _____, 2024.

PASSED, APPROVED, AND ADOPTED on second and final reading this _____ day of _____, 2024.

_____

_____

Dan Davis, Mayor

ATTEST:

_____

Tammy Bell, City Secretary

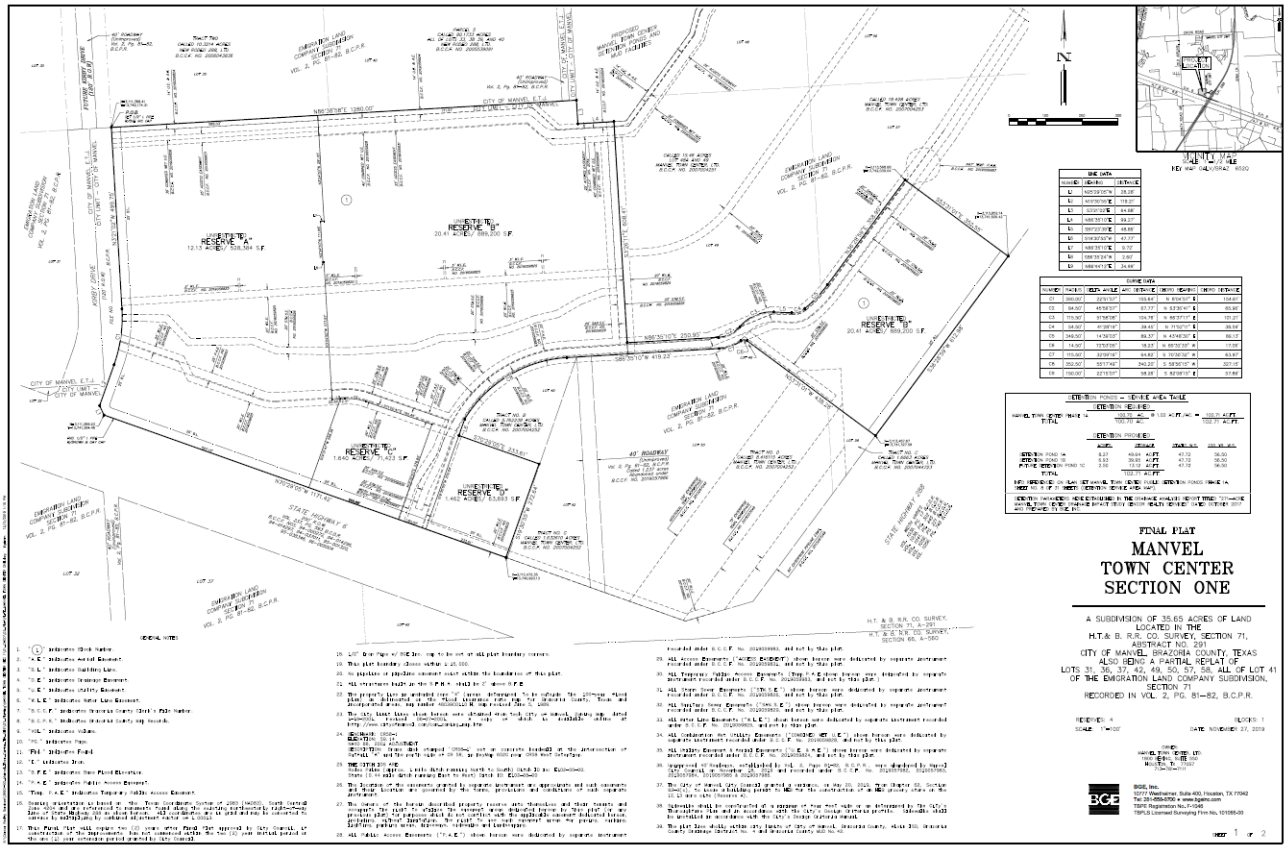
APPROVED AS TO FORM:

_____

Robert Gervais, City Attorney

Exhibit A

Reserve B of Town Center Section One, a 20.41-acre reserve, such tract situated in the H.T. & B.R.R. CO. Survey, Section 71, Abstract 291, Brazoria County, Texas, also being a partial replat of lots 31, 36, 37, 42, 49, 50, 57, 58, all of lot 41 of the emigration land company subdivision, Section 71 Recorded in Volume 2, PG. 81-82, of the Plat Records of Brazoria County Texas



STATE OF TEXAS
COUNTY OF BRAZORIA

We, MANVEL TOWN CENTER, LTD., a Texas limited partnership acting by and through Manvel Town Center One, L.C., a Texas limited liability company, its general partner, represented herein by G. Steven Chandler, Vice President, owner of the property subdivided, in this plat of MANVEL TOWN CENTER SECTION ONE, do hereby make subdivision of said property for and behalf of said corporation, according to the lines, lots, building lines, streets, alleys, parks and easements as shown hereon and dedicate for public use, the streets, alleys, parks and easements as shown hereon forever, except those areas indicated as private easements or created under separate instrument and do hereby waive all claims for damages occasioned by the establishment of grades as approved for the streets and drainage easements dedicated, or occasioned by the alteration of the surface, or any portion of the streets or drainage easements to conform to such grades, and do hereby bind ourselves, our heirs, successors and assigns to warrant and defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11' 6") for ten feet (10' 0") perimeter ground easements or seven feet, six inches (7' 6") for fourteen feet (14' 0") perimeter ground easements or five feet, six inches (5' 6") for sixteen feet (16' 0") perimeter ground easements, from a plane sixteen feet (16' 0") above the ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted, hereon, whereby the aerial easement totals twenty one feet, six inches (21' 6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10' 0") for ten feet (10' 0") back-to-back ground easements, or eight feet (8' 0") for fourteen feet (14' 0") back-to-back ground easements or seven feet (7' 0") for sixteen feet (16' 0") back-to-back ground easements, from a plane sixteen feet (16' 0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement total thirty feet (30' 0") in width.

In Testimony, hereto, the MANVEL TOWN CENTER, LTD., a Texas limited partnership acting by and through Manvel Town Center One, L.C., a Texas limited liability company, its general partner, has caused these presents to be signed by G. Steven Chandler, its Vice President, thereunto authorized, this ______ day of __________________, 2019.

MANVEL TOWN CENTER, LTD.,
a Texas limited partnership

By: Manvel Town Center One, L.C.,
a Texas limited liability company,
general partner

By: ____________________
G. Steven Chandler
Vice President

STATE OF Texas
COUNTY OF Harris

BEFORE ME, the undersigned authority, on this day personally appeared G. Steven Chandler, Vice President of Manvel Town Center One, L.C., a Texas limited liability company, general partner of MANVEL TOWN CENTER, LTD., a Texas limited partnership, known to me, to be the person whose name is subscribed to the foregoing instruments, and acknowledged to me that the same was the act of said corporation, for the purposes and considerations therein expressed, and in the capacities therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 3rd day of December, 2019.

Erin Rush
Printed Name: Erin Rush
Notary Public in and for the State of Texas
Commission Expires: 1/15/22

ERIN RUSH
My Notary ID # 129677739
Expires January 15, 2022

This is to certify that I, Chris Jordan, a Registered Public Land Surveyor of the State of Texas, have platted the above subdivision from an actual survey on the ground; that all block corners, lot corners and permanent referenced monuments have been set, that permanent control points will be set at completion of construction and that this plat correctly represents that survey made by me.

STATE OF TEXAS
REGISTERED
CHRIS JORDAN
6750
PROFESSIONAL
LAND SURVEYOR

12/3/19
Chris Jordan, R.P.L.S.
Texas Registration No. 6750

CITY OF MANVEL APPROVALS

Debra Davison Mayor	George Griffith Planning, Development & Zoning Commission
Larry Akery Council Member	Kyle Maraschin Planning, Development & Zoning Commission
Lorraine Hehn Council Member	Nicole Liston-Tyson – Secretary Planning, Development & Zoning Commission
Brian Wilmer Council Member	Alina Rogers Planning, Development & Zoning Commission
Dan Davis Council Member	Debbie Harrison – Vice Chair Planning, Development & Zoning Commission
Jason Albert Council Member	Dorothy Wynne – Chair Planning, Development & Zoning Commission
Jerome Hudson Council Member	Muhammad Alam Planning, Development & Zoning Commission

BRAZORIA DRAINAGE DISTRICT NO. 4

APPROVED BY THE BOARD OF COMMISSIONERS ON 12/03/19

____
Brazoria Drainage District No. 4

____
District Engineer

The above have signed these plans and/or plat based on the recommendation of the DISTRICT'S Engineer who has reviewed all sheets provided and found them to be in general compliance with the DISTRICT'S "Rules, Regulations, and Guidelines". This approval is only valid for three hundred sixty-five (365) calendar days. After that time re-approval is required. Please note, this does not necessarily mean that all the calculations provide in these plans and/or plats have been completely checked and verified. Plans submitted have been prepared, signed and sealed by a Professional Engineer licensed to practice engineering in the State of Texas and plat has been signed and sealed by a Registered Professional Land Surveyor licensed to practice in the State of Texas, which conveys the engineer's and/or surveyor's responsibility and accountability.

BRAZORIA DRAINAGE DISTRICT NO. 4 NOTES:

1. Any Governmental Body, for purposes of drainage work, may use Drainage Easements and Fee Strips provided the District is properly notified.
2. Permanent structures, including fences and permanent landscaping, shall not be erected in drainage easement strips.
3. Maintenance of detention facilities is the sole responsibility of the owner of the property. The District will provide maintenance of regional facilities owned and constructed by District, or sub-regional facilities constructed by developer(s) for which ownership has been transferred to the District with the District's approval. The District is responsible only for the maintenance of facilities owned by the District unless the District specifically contracts or agrees to maintain other facilities.
4. Contractor shall notify the District in writing at least forty-eight (48) hours before placing any concrete for drainage structures.
5. The District's personnel shall have the right to enter upon the property for inspection at any time during construction and as may be warranted to ensure the detention facility of operating properly.
6. Appropriate cover for the side slopes, bottom and maintenance berm shall be established prior to acceptance of the construction by the District. At least 95% germination of the grass must be established prior to acceptance of construction by the District.
7. No building permit shall be issued for any lot within the development until the detention facility has been constructed and approved by the District.
8. The District's approval of the Final Drainage Plan (and Final Plat if required) does not affect the property rights of third parties. The Developer is responsible for obtaining and maintaining any and all easements, Fee Strips and/or any other rights-of-ways across third parties properties for the purposes of moving excess runoff to the District's drainage facilities as contemplated by the Final Drainage Plan and Final Plat.

VICINITY MAP
SCALE: 1"=1/2 MILE
KEY MAP GALV/BRAZ 652Q

DESCRIPTION OF A 35.65 ACRE TRACT OF LAND SITUATED
IN THE H.T.& B. R.R. CO. SURVEY, SECTION 71, ABSTRACT NO. 291
CITY OF MANVEL
BRAZORIA COUNTY, TEXAS

BEING a 35.65 acre (1,552,697 square foot) tract of land situated in the H.T.& B. R.R. Co. Survey, Section 71, Abstract No. 291 City of Manvel, of Brazoria County, Texas and being a portion of Lot 36, Lot 37, Lot 42, Lot 49, Lot 50, Lot 57, Lot 58, all of Lot 41 and all of the area of a 40-foot roadway between said Lot 41 and Lot 49, and a portion of the 40-foot roadway between said Lot 42 and said Lot 50 and Lot 32 and said Lot 37 of the EMIGRATION LAND COMPANY SUBDIVISION SECTION 71, a subdivision plat filed for record in Volume 2, Page 81-82 of the Brazoria County Plat Records, being a portion of a called 6.32 acre tract, a called 4.00 acre tract and a 15.46 acre tract all described in an instrument to Manvel Town Center, Ltd. recorded under Brazoria County Clerk's File Number (B.C.C.F. No.) 2007004251, being all of a called 3.522799 acre tract described as Tract No. A, a portion of a called 5.762238 acre tract described as Tract No. B, a portion of a called 1.632810 acre tract described as Tract No. C, a portion of a called 8.416515 acre tract described as Tract No. D and all of a called 10.319846 acre tract all described in an instrument to Manvel Town Center, Ltd. recorded under B.C.C.F. No. 2007004252, being a portion of a called 1.663 acre tract described in an instrument to Manvel Town Center, Ltd. recorded under B.C.C.F. No. 2017044723 and a portion of a called 18.428 acre tract of land described in an instrument to Manvel Town Center recorded under B.C.C.F. No. 2007004253, said 35.65 acre tract of land described by metes and bounds as follows, with all bearings based on the Texas Coordinate System of 1983 (NAD83), South Central Zone 4204 and referenced to the East line of Lots 18, 19 & 20 of the EMIGRATION LAND COMPANY SUBDIVISION SECTION 71 of the H.T.& B.R.R. Co. Survey, Abstract 291 having a bearing of S 03°21'02" E as cited herein:

COMMENCING at a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the common West corner of said Lot 36 and Lot 35 of said EMIGRATION LAND COMPANY SUBDIVISION SECTION 71, same being the common West corner of said 6.32 acre tract and a called 10.3214 acre tract of land described in an instrument to New Rodeo 288, Ltd. recorded under B.C.C.F. No. 2006043836, lying on the East right-of-way line of a 40-foot roadway between said Lot 36 and Lot 31 of said EMIGRATION LAND COMPANY SUBDIVISION;

THENCE, N 86°38'58" E, a distance of 40.00 feet along and with the common line of said Lot 35 and said Lot 36, same being the common line of said 6.32 acre tract and said 10.3214 acre tract to a 1/2-inch iron pipe with cap stamped "BGE INC" found for the POINT OF BEGINNING and the Northwest corner of the herein described tract;

THENCE, N 86°38'58" E, along the common line between said Lot 35 and said Lot 36, said Lot 41 and Lot 40 of said EMIGRATION LAND COMPANY SUBDIVISION SECTION 71 and the common line of said 10.319846 acre tract and a called 90.1733 acre tract described as Parcel 5 in an instrument to New Rodeo 288, Ltd. recorded under B.C.C.F. No. 2005039091 and over across said 40-foot Roadway, at a distance of 599.58 feet, 0.68 feet right pass a found disturbed 1/2-inch iron rod and continuing for a total distance of 1,280.00 feet, to a 1/2-inch iron pipe with a cap stamped "Brown & Gay" found on the Easterly line of said 40-foot Roadway, same being the Westerly line of said 15.46 acre tract, being the Northwest corner of said Lot 49, the Southwest corner of Lot 48 of said EMIGRATION LAND COMPANY SUBDIVISION and the most Northerly corner of the herein described tract;

THENCE, S 03°21'02" E, a distance of 64.88 feet along and with the Easterly line of said 40-foot roadway and the Westerly line of said 15.46 acre tract to an interior corner of the herein described tract;

THENCE, over and across said Lots 49 and 57, said 15.46 acre tract and said 18.428 acre tract, the following courses and distances:

N 86°35'30" E, a distance of 99.27 feet to a point for corner;

S 03°26'11" E, a distance of 930.41 feet to an interior corner of the herein described tract;

N 86°35'30" E, a distance of 250.95 feet to the beginning of a tangent curve to the left;

In a Northeasterly direction, along said curve to the left, an arc distance of 87.77 feet, having a radius of 84.50 feet, a central angle of 45°56'56" and a chord which bears N 63°36'42" E, a distance of 85.96 feet to a point of reverse curvature to the right;

In a Northeasterly direction, along said curve to the right, an arc distance of 104.76 feet, having a radius of 115.50 feet, a central angle of 51°58'08" and a chord which bears N 66°37'17" E, a distance of 101.21 feet to a point for corner;

S 87°23'39" E, a distance of 48.99 feet to the beginning of a tangent curve to the left;

In an Easterly direction, along said curve to the left, an arc distance of 39.45 feet, having a radius of 54.50 feet, a central angle of 41°28'19" and a chord which bears N 71°52'11" E, a distance of 38.59 feet to a point of compound curvature to the left;

In a Northeasterly direction, along said curve to the left, an arc distance of 89.37 feet, having a radius of 349.50 feet, a central angle of 14°39'04" and a chord which bears N 43°48'30" E, a distance of 89.13 feet to a point for corner;

N 36°28'58" E, a distance of 358.90 feet to the most Northerly Northeast corner of the herein described tract;

S 53°31'00" E, a distance of 352.55 feet to the most Southerly Northeast corner of the herein described tract, lying on the Northwest right-of-way line of State Highway No. 288 (SH 288)(width varies) as described in instruments to the State of Texas recorded in Volume 1036, Page 17 of the Brazoria County Deed Records (B.C.D.R.), Volume 1038, Page 382 B.C.D.R., Volume 1041, Page 445 B.C.D.R., Volume 1056, Page 221 B.C.D.R. and Volume 1056, Page 748 B.C.D.R.;

THENCE, S 36°28'58" W, a distance of 612.98 feet along and with said Northwest right-of-way line to the most Northerly Southeast corner of the herein described tract;

THENCE, over and across said Lots 42, 49, 50 and 58, said 1.663 acre tract, said 8.416515 acre tract, said 15.46 acre tract, said 1.632810 acre tract and said 5.762238 acre tract and said 40-foot roadway, the following courses and distances:

N 53°31'00" W, a distance of 438.28 feet to the beginning of a tangent curve to the left;

In a Westerly direction, along said curve to the left, an arc distance of 18.23 feet, having a radius of 14.50 feet, a central angle of 72°03'05" and a chord which bears N 89°32'33" W, a distance of 17.06 feet to a point of reverse curvature to the right;

In a Westerly direction, along said curve to the right, an arc distance of 64.82 feet, having a radius of 115.50 feet, a central angle of 32°09'16" and a chord which bears S 70°30'32" W, a distance of 63.97 feet to a point of tangency;

S 86°35'10" W, a distance of 419.23 feet to the beginning of a tangent curve to the left;

In a Southwesterly direction, along said curve to the left, an arc distance of 340.20 feet, having a radius of 352.50 feet, a central angle of 55°17'48" and a chord which bears S 58°56'15" W, a distance of 327.15 feet to a point for corner;

S 19°30'58" W, a distance of 47.77 feet to an interior corner of the herein described tract;

S 70°29'08" E, a distance of 233.61 feet to a point for corner;

S 19°30'58" W, a distance of 272.64 feet to the most Southerly Southeast corner of the herein described tract, lying on the Northeast right-of-way line of State Highway 6 (SH 6)(200 foot width) as described in instruments to the State of Texas recorded under B.C.C.F. Nos. 94-003272, 94-014296, 94-014297, 94-037011, 95-001326, 96-038346 and 96-035004;

THENCE, N 70°29'08" W, along and with the said Northeast right-of-way line, at a distance of 1,142.88 feet pass a 1/2-inch iron pipe with cap stamped "BGE INC" found for the Southwest corner of said 3.522799 acre tract, lying on the East right-of-way line of a 40-foot roadway and continuing over and across said 40-foot roadway for a total distance of 1,171.42 feet to the most Southerly Southwest corner of the herein described tract;

THENCE, over and across said 40-foot roadway, said Lot 31 and said Lot 36, said 4.00 acre tract, said 6.32 acre tract and said 8.9089 acre tract, the following courses and distances:

N 20°29'08" W, a distance of 28.28 feet to the most Northerly Southwest corner of the herein described tract;

N 19°30'58" E, a distance of 119.21 feet to the beginning of a tangent curve to the left;

In a Northerly direction, along said curve to the left, an arc distance of 155.64 feet, having a radius of 390.00 feet, a central angle of 22°51'57" and a chord which bears N 08°04'57" E, a distance of 154.61 feet to a point for corner;

N 03°21'02" W, a distance of 498.75 feet to the POINT OF BEGINNING and containing 35.65 acres (1,552,697 square feet) of land.

FINAL PLAT
MANVEL TOWN CENTER SECTION ONE

A SUBDIVISION OF 35.65 ACRES OF LAND
LOCATED IN THE
H.T.& B. R.R. CO. SURVEY, SECTION 71,
ABSTRACT NO. 291
CITY OF MANVEL, BRAZORIA COUNTY, TEXAS
ALSO BEING A PARTIAL REPLAT OF
LOTS 31, 36, 37, 42, 49, 50, 57, 58, ALL OF LOT 41
OF THE EMIGRATION LAND COMPANY SUBDIVISION,
SECTION 71
RECORDED IN VOL. 2, PG. 81–82, B.C.P.R.

RESERVES: 4 BLOCKS: 1
SCALE: 1"=100' DATE: NOVEMBER 27, 2019

OWNER:
MANVEL TOWN CENTER, LTD.
1600 BERING, SUITE 550
HOUSTON, TX 77057
713-781-7111

BGE, Inc.
10777 Westheimer, Suite 400, Houston, TX 77042
Tel: 281-558-8700 • www.bgeinc.com
TBPE Registration No. F-1046
TBPLS Licensed Surveying Firm No. 101065-00

SHEET 2 OF 2

Exhibit B

Recommended Conditions:

1. All waiting and/or lobby areas shall maintain an unobstructed view from the outside; and

2. All doors shall remain unlocked and accessible during normal business hours.

MANVEL
CITY COUNCIL
DATA SHEET

MEETING DATE: July 1, 2024

TOPIC: Public hearing regarding amending the zoning ordinance by changing the zoning classification of 1.5491-acre tract of generally located east of 17518 Highway 6, or roughly 1,300 feet southeast of the southeast corner of Morris Avenue (State Highway 6) and Highway 288 from Light Commercial District and State Highway 6 Overlay District to Light Commercial District and 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 NAICS use 621493 “Ambulatory Health Care Services.”

BACKGROUND: The subject site is generally located east of 17518 Morris Avenue (State Highway 6), Property ID #167427, within the Light Commercial and State Highway 6 Overlay District. The applicant, BB+W Architects is requested a Specific Use Permit (SUP) to open a 24-hour emergency center. An emergency center is classified with the NAICS No. 621493, "Ambulatory Health Care Services," which is allowed in the Light Commercial District with approval of a Specific Use Permit.

The SUP application with a proposed floor plan and site plan was submitted with the application for this Specific Use Permit. This Emergency Center will have a typical floor plan for these types of uses with a waiting lobby, nurses station, front desk area and six (6) treatment rooms, two (2) exam rooms, and X-ray and CT scan services. The second floor is mainly offices, and administrative areas. If this Specific Use Permit is approved, Manvel Emergency Center can be located at this location and a plat, civil and building plans can be submitted for approval through the permitting process.

The subject site being located along a major thoroughfare, makes it an appropriate location for the proposed use and hence aligns with the Comprehensive plan goals. The proposed use is not anticipated to be injurious to the use and enjoyment of neighboring property, nor significantly diminish or impair property values in the vicinity.

The Planning, Development, and Zoning Commission unanimously recommended approval to City Council at the June 24, 2024, regular meeting.

RECOMMENDATION: City staff recommends conditional approval with five (5) conditions as proposed by staff and listed in the Staff Report.

ATTACHMENTS: Staff Report and Ordinance No. 2024-O-26

FUNDING ISSUES

_X_ Not applicable
___ Not budgeted
___ Full amount already budgeted
___ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER Ian Knox	**FINANCE DIRECTOR APPROVAL _____** **CITY MANAGER APPROVAL _____**

City Council
Specific Use Permit Request

Agenda of:	June 24, 2024	**Initiated By:**	Ian Knox SAFEbuilt
Department:	Development Services	**Presented By:**	Ian Knox SAFEbuilt

Subject/Proceeding
Specific Use Permit (SUP) request to establish a 24-hour Emergency Center a build a new 7,963 square-foot two-story building on a 1.5-acre tract of land. This tract of land is located within the Light Commercial District and State Highway 6 Overlay District.

Recommended Action
A Public Hearing followed by consideration and action from the Commission to provide a recommendation to the City Council.

Executive Summary
The subject site is generally located east of 17518 Highway 6, Property ID #167427, within the Light Commercial and the Highway 6 Overlay Districts. This request is for a new emergency service center that will provide 24-hour service for seven days a week. The plans show two exam rooms, six (6) treatment rooms, and an imaging department with both X-Ray and CT scan services. The second floor is mainly shared offices, conference rooms and administrative areas for staff. An Emergency Center is classified as NAICS Use No. 621493, "Ambulatory Health Care Services" which is allowed in Light Commercial District and Highway 6 Overlay District with the approval of a Specific Use Permit.

<u>Zoning Ordinance Provisions for Specific Use Permits</u>
In Section 77-50 (a) *Uses Requiring Specific Use Permit*, of the Zoning Ordinance it states “certain uses of land, buildings or structures may not be appropriate under all circumstances in any given zoning district, but may be appropriate where adequate precautions can be taken to assure compatibility with surrounding uses, public need, and the orderly development of the city as a whole. This section provides City Council and Planning, Development, and Zoning the opportunity to deny or to conditionally approve those uses for which specific use permits are required. These uses generally have unusual characteristics or are of a public or semipublic character often essential or desirable for the general convenience and welfare of the community. However, because of the nature of use, the importance of the use’s relationship to the comprehensive plan, or possible adverse impact on neighboring properties of the use, review, evaluation, and exercise of planning judgement relative to the location and site plan of the proposed use are required.”

In Section 77-50 (b) of the Zoning Ordinance it further states, “the City Council, after receiving the recommendation of the planning, development and zoning commission, may by ordinance, grant a specific use permit for the permitted uses, as herein qualified by the permitted use table, in locations and zoning districts to permit a use where they are not otherwise permitted by this article,

and may impose any appropriate conditions and safeguards to protect property and property values, and in the interest of health, safety or welfare."

General Site Information

The following is a summary of general site information.

Surrounding Property Zoning	**North:** O-PUD & State Highway 6 Overlay District. **South:** Light Commercial District (LC) & Highway 6 Overlay District **East:** Light Commercial District (LC) & Highway 6 Overlay District **West:** Light Commercial District (LC) & Highway 6 Overlay District
Surrounding Land Use	**North:** Vacant **South:** Vacant **East:** Vacant **West:** Sonic

Overview

The applicant intends to develop a roughly 7,963 square-foot new two-story building for a 24-hour emergency center. This development will develop a new parking lot that will have thirty (30) parking spaces. This emergency center is planned to be open from 24 hours Monday through Sunday, and these hours will have to be approved by this Specific Use Permit, as normally medical facilities are conditioned to be opened from 8:00 AM to 10:00 PM.

Comprehensive Plan

The vision statement in the 2015 Comprehensive Plan seeks to maintain its rural character and small-town values while managing its growth by: "Benefiting from our strategic location by encouraging well planned quality retail, commercial and residential development that reflects and enhances our small-town quality of life". The subject site being located along a major thoroughfare, makes it an appropriate location for the proposed use and hence aligns with the Comprehensive plan goals. The proposed use is not anticipated to be injurious to the use and enjoyment of neighboring property, nor significantly diminish or impair property values in the vicinity.

Parking Analysis

This proposed location is a vacant 1.5-acre triangle parcel of land. This new two-story building will be 7,963 square and must be provide at least 27 parking spaces (1/300 SF for medical uses). The proposed site plan shows 30 parking spaces and provides adequate parking spaces for the proposed use.

Public Hearing

The Notice of Public Hearing was published in the newspaper of general circulation. All property owners within 200 feet of the property were notified. At the time of writing this report, the staff has received no informational inquiry and is not aware of any opposition to the request.

Staff Recommendation

Based on the above discussion, staff recommend conditional approval of this SUP request for the subject site to allow NAICS Use No. 621493, " Ambulatory Health Care Services," as it will not cause any adverse impacts, and will provide necessary twenty-four-hour medical services to the City of Manvel. The closest emergency rooms are currently located in Alvin (approximately 8 miles from city center) and the City of Pearland (approximately 6 miles from city center), which this facility could significantly cut the time for emergency services in the city.

Recommended Conditions of Approval.

1. The facility is permitted to be open for twenty-four (24) hours.

2. All waiting and/or lobby areas shall maintain an unobstructed view from the outside; and

3. All doors shall remain unlocked and accessible during normal business hours.

4. All dry detention ponds shall have minimum 15 feet maintenance berm around all sides of the pond.

   a) Unless an Engineering Criteria Manual Deviation is approved for less than 15 feet for dry detention (shows 10 feet). This has been discussed with the City Engineer.

5. All development requirements must be satisfied during the permitting process.

Attached Exhibits

1. Aerial Vicinity Map,
2. Zoning Vicinity Map,
3. Major Thoroughfare Plan Map,
4. Site Plan
5. Concept Plans.
6. Application Package.

Manvel Medical Emergency Room

Manvel ER Room

Parcels

City of Manvel ETJ

City of Manvel City Limits

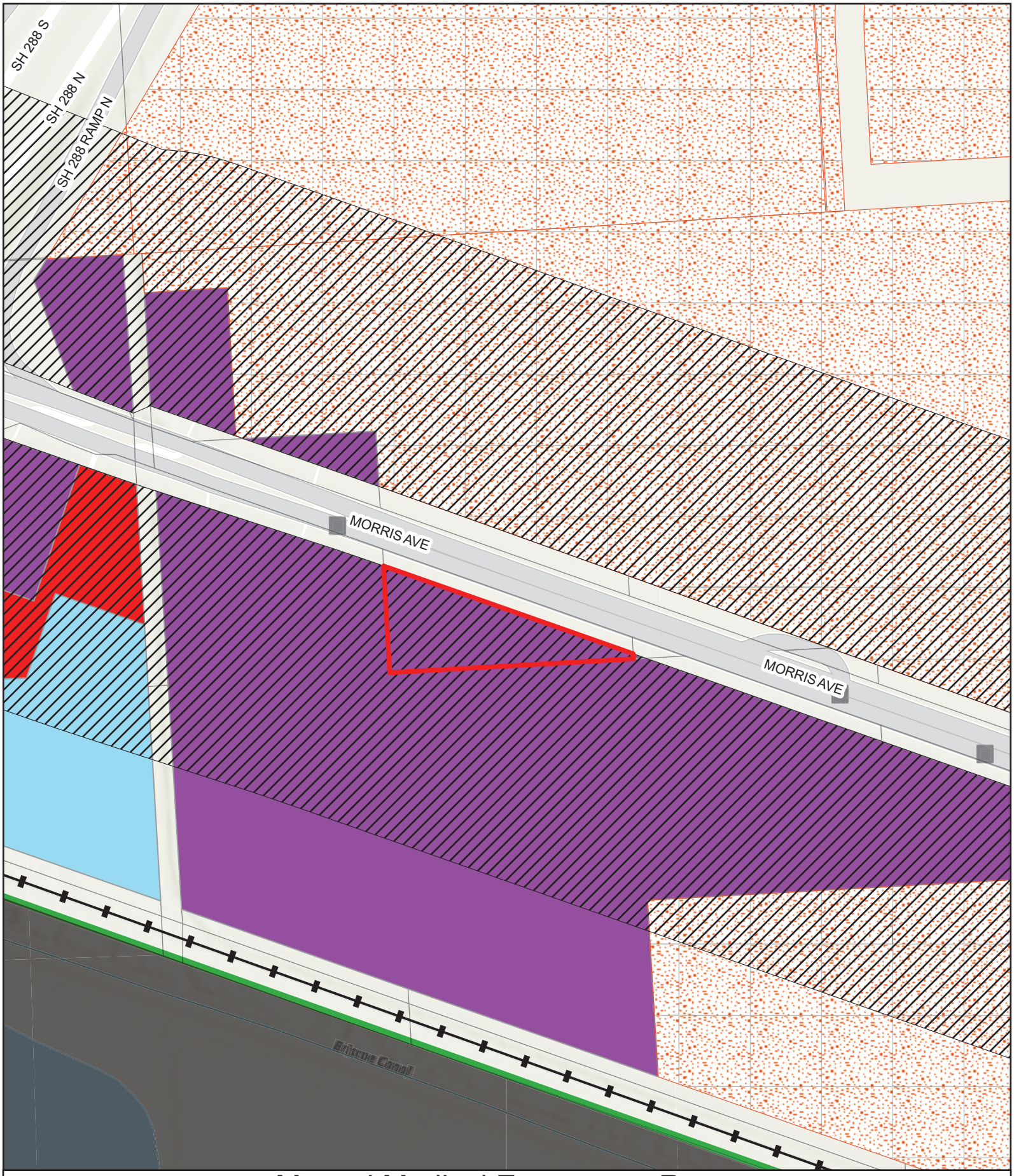
US Feet

0 150 300 600 900 1,200

N W E S

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Manvel will not accept liability of any kind in conjunction with its use.

Date: May 2024
Reference: 2024043
Data Source, City of Manvel, Brazoria County Open Data



Manvel Medical Emergency Room

Railroad
Heavy Commercial District
Light Commercial District
Multi-Family District
Planned Unit Development
Open - Planned Unit Development
Specific Use Permits-current
State Highway 6 Overlay District
Parcels
City of Manvel ETJ
City of Manvel City Limits
Manvel ER Room

0 150 300 600 900 1,200 US Feet

N W E S

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Date: May 2024
Reference: 2024043
Data Source, City of Manvel, Brazoria County Open Data

Manvel Medical Emergency Room

Parkway (120' ROW)
Proposed Parkway (120' ROW)
Major Thoroughfare (120' ROW)
Railroad
Manvel ER Room
Parcels
City of Manvel ETJ
City of Manvel City Limits

US Feet
0 150 300 600 900 1,200

N W E S

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Date: May 2024
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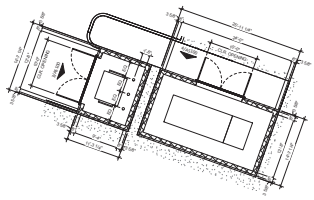
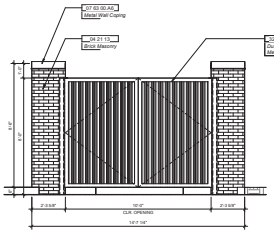
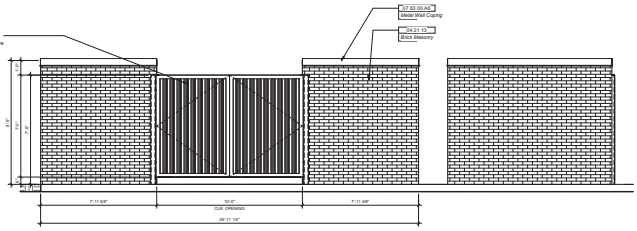


2 DUMPSTER AND GENERATOR ENCLOSURE
SCALE: 1/8" = 1'-0" - (1) A3100



3 DUMPSTER FRONT ELEVATION
SCALE: 3/8" = 1'-0" - (2) A3100

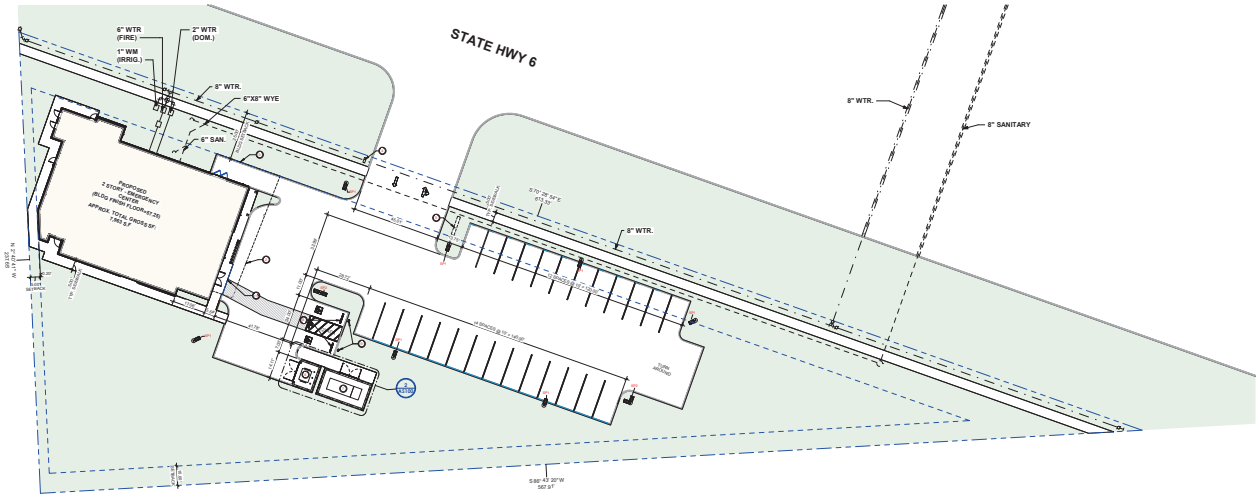


4 GENERATOR FRONT ELEVATION AND DUMPSTER SIDE ELEVATION
SCALE: 3/8" = 1'-0" - (2) A3100

SITE PLAN KEYED NOTES	
1	ZERO CURB, RE: CIVIL DRAWINGS.
2	MANUFACTURER'S STANDARD CANOPY.
3	AMBULANCE DROP OFF CANOPY. FINISH FACE OF AMBULANCE CANOPY MUST NOT ENCROACH INTO BUILDING SETBACK.
4	DIRECTIONAL SIGNAGE, BY OTHERS.
5	MONUMENT SIGN, BY OTHERS. COORDINATE EXACT LOCATION WITH OWNER'S SIGNAGE CONSULTANT AND ENSURE THERE IS NO CONFLICT WITH ANY UTILITIES IN THIS AREA.
6	DUMPSTER ENCLOSURE
7	GENERATOR ENCLOSURE
8	PRECAST CONCRETE WHEEL STOPS.
9	ACCESSIBLE PARKING SIGNAGE ON 2"x12" METAL POST, RE: 2/AS600.

PARKING SYNOPSIS

TYPE	QTY.	COMMENTS
ACCESSIBLE	2	
STANDARD	28	
Grand total	30	



1 SITE PLAN
SCALE: 1" = 20'-0" - (2) A300

BB+W ARCHITECTS

24080 Hwy 59 North, Ste. 150 Phone: 281-901-0530
Kingwood, TX 77339 Contact@BBWArchitects.com

SEALS:

ARCHITECT: SERGIU R. BURCA, AIA

NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.

DATE:

CONSULTANT:

MANVEL EMERGENCY CENTER

17518 Hwy 6, Manvel, TX 77578

Construction Documents Package

NOTE:

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Contractor shall verify all existing conditions prior to proceeding with construction. Notify **BB&W Architects, LLC** immediately of any discrepancies or conflicts. All dimensions to face of finish, U.N.O.

Date	Nr.	Description
05/24/2024		Permit & Pricing

PROJECT NR.: 23032
ISSUE DATE: Issue Date
PRINT DATE:
CLIENT: Brazos Real Property Holdings, LLC

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SHEET TITLE:
ARCHITECTURAL SITE PLAN

AS100

SYMBOL LEGEND:

NOTE:
1. KEYNOTES DESIGNATE SPECIFICATION SECTION NUMBERS. SINCE SPECIFICATION SECTIONS MAY VARY FROM PROJECT TO PROJECT, IF SPECIFIC SECTION NUMBER IS NOT FOUND, REFER TO THE PARENT SECTION.

KEYNOTE* (DIVISION 00)
RE: SPECIFICATIONS

REVISION TAG

DUPLEX OUTLET

QUAD OUTLET

TELEPHONE OUTLET

DATA OUTLET

TELE/DATA OUTLET

EXIST. PARTITION

DEMO PARTITION

NEW PARTITION (NON-RATED)

RE: WALL TYPES ON SHEET G.1000

SMOKE PARTITION

SMOKE ZONE (SMOKE BARRIER)

1-HR PARTITION

2-HR PARTITION

Other Walls:

SMOKE PARTITION

SMOKE ZONE (SMOKE BARRIER)

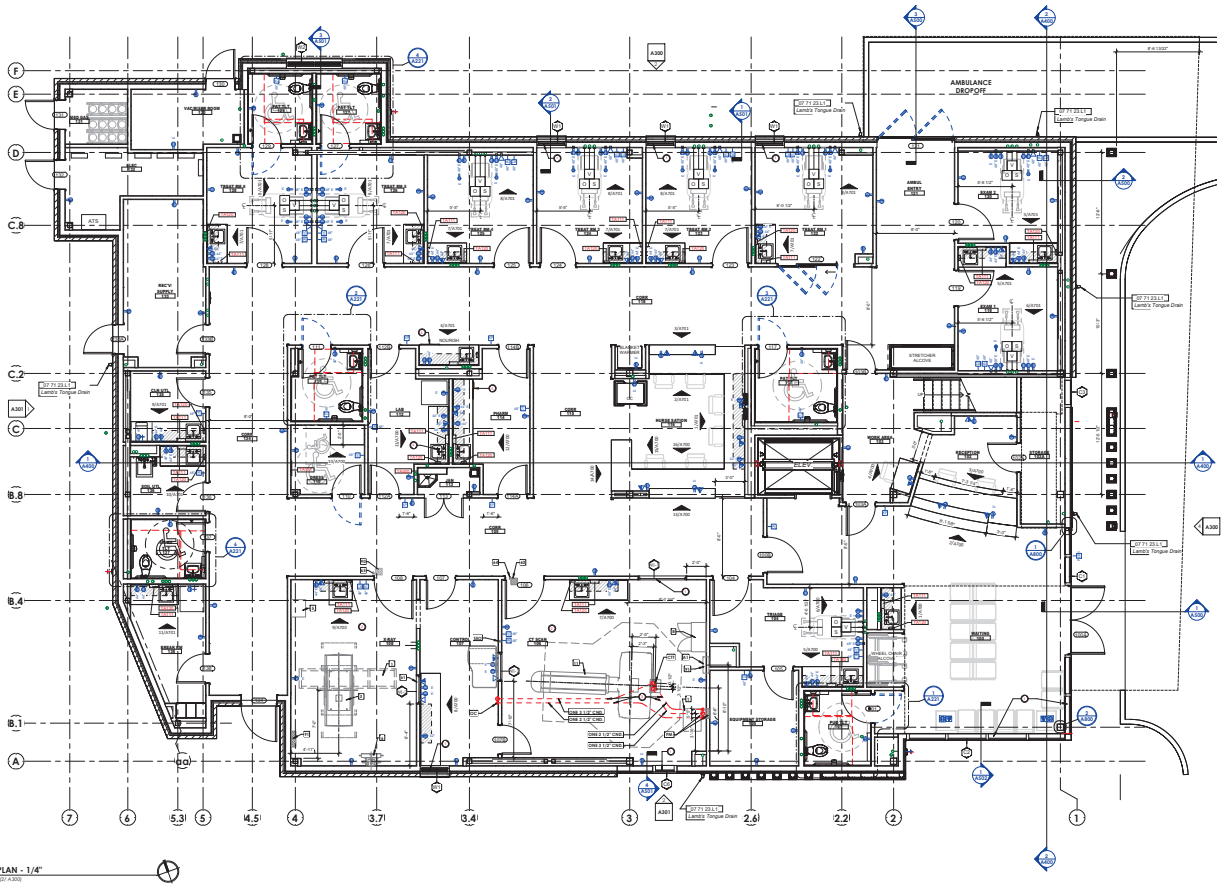
1-HR PARTITION

2-HR PARTITION

THERMAL ENVELOPE

FLOOR PLAN KEYED NOTES

1	GC TO PROVIDE MANUAL MECHO SHADES AT ALL WINDOWS/STOREFRONTS/CURTAINWALLS, TYP.
2	REFER TO VENDOR IMAGING EQUIP. DRAWINGS. COORDINATE BLOCKING RQMTS., DIMENSIONING AND MEP SYSTEM RQMTS. LEAD LINED WALLS IN THIS ROOM PER PHYSICIST'S REPORT (1/16" TO 8'-0" A.F.F., U.N.O.) RE: SPECIFICATIONS
3	REFER TO IMAGING DRAWINGS FOR BELOW AND/OR FLUSH FLOOR SURFACE, AND/OR ABOVE CEILING CONDUIT/DUCT REQUIREMENTS. GC TO ENSURE THERE ARE NO CONFLICTS WITH OTHER TRADES/WORK. CONDUITS AND DUCT ABOVE CEILING OR BELOW FINISHED FLOOR MUST BE INSTALLED AS NEAR AS POSSIBLE TO CEILING OR FLOOR TO REDUCE RUN LENGTH.
4	PROVIDE FAUCET MOUNTED EYEWASH. REFER TO MEP DRAWINGS FOR MORE INFORMATION.
5	OWNER PROVIDED UNDER COUNTER REFRIGERATOR.



1 FIRST FLOOR PLAN - 1/4"
SCALE: 1/4" = 1'-0" - 20 A300

BB+W ARCHITECTS
24080 Hwy 59 North, Ste. 150 Phone: 281-901-0530
Kingwood, TX 77339 Contact@BBWArchitects.com

SEALS:

ARCHITECT: SERGIU R. BURCA, AIA
NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.

DATE:

CONSULTANT:

MANVEL EMERGENCY CENTER

17518 Hwy 6, Manvel, TX 77578

Construction Documents Package

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Date	Nr.	Description
05/24/2024		Permit & Pricing

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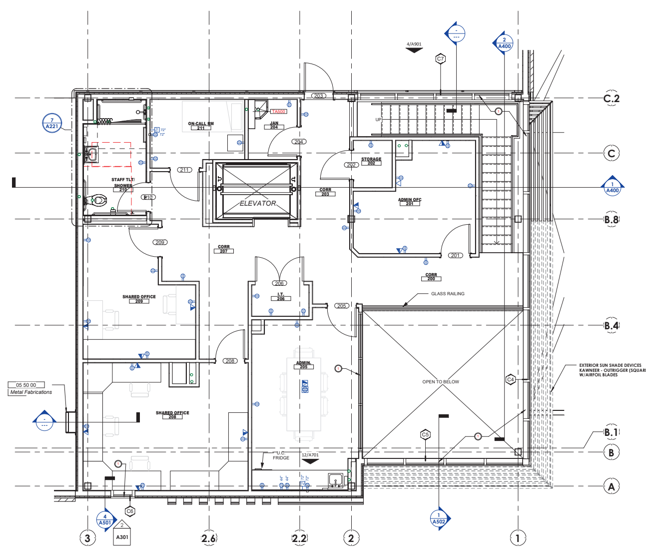
SHEET TITLE:
FIRST FLOOR PLAN

A121

	FLOOR PLAN KEYED NOTES
1	GC TO PROVIDE MANUAL MECHO SHADES AT ALL WINDOWS/STOREFROTNS/CURTAINWALLS, TYP.
2	REFER TO VENDOR IMAGING EQUIP. DRAWINGS. COORDINATE BLOCKING RQMTS., DIMENSIONING AND MEP SYSTEM RQMTS. LEAD LINED WALLS IN THIS ROOM PER PHYSICIST'S REPORT (1/16" TO 8'-0" A.F.F., U.N.O.) RE: SPECIFICATIONS
3	REFER TO IMAGING DRAWINGS FOR BELOW AND/OR FLUSH FLOOR, SURFACE, AND/OR ABOVE CEILING CONDUIT/DUCT REQUIREMENTS. GC TO ENSURE THERE ARE NO CONFLICTS WITH OTHER TRADES/WORK. CONDUITS AND DUCT ABOVE CEILING OR BELOW FINISHED FLOOR MUST BE INSTALLED AS NEAR AS POSSIBLE TO CEILING OR FLOOR TO REDUCE RUN LENGTH.
4	PROVIDE FAUCET MOUNTED EYEWASH. REFER TO MEP DRAWINGS FOR MORE INFORMATION.
5	OWNER PROVIDED UNDER COUNTER REFRIGERATOR.



1 | SECOND FLOOR PLAN - 1/4"
SCALE: 1/4" = 1'-0" - (2/ A300)

BB+W ARCHITECTS
24080 Hwy 59 North, Ste. 150 Phone: 281-901-0331
Kingwood, TX 77339 Contact@BBWArchitects.com

SEALS:

ARCHITECT: SERGIU R. BURCA, AIA
NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.

DATE:

CONSULTANT:

MANVEL EMERGENCY CENTER

17518 Hwy 6, Manvel, TX 77578

Construction Documents Package

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Date	Nr.	Description
05/24/2024		Permit & Pricing

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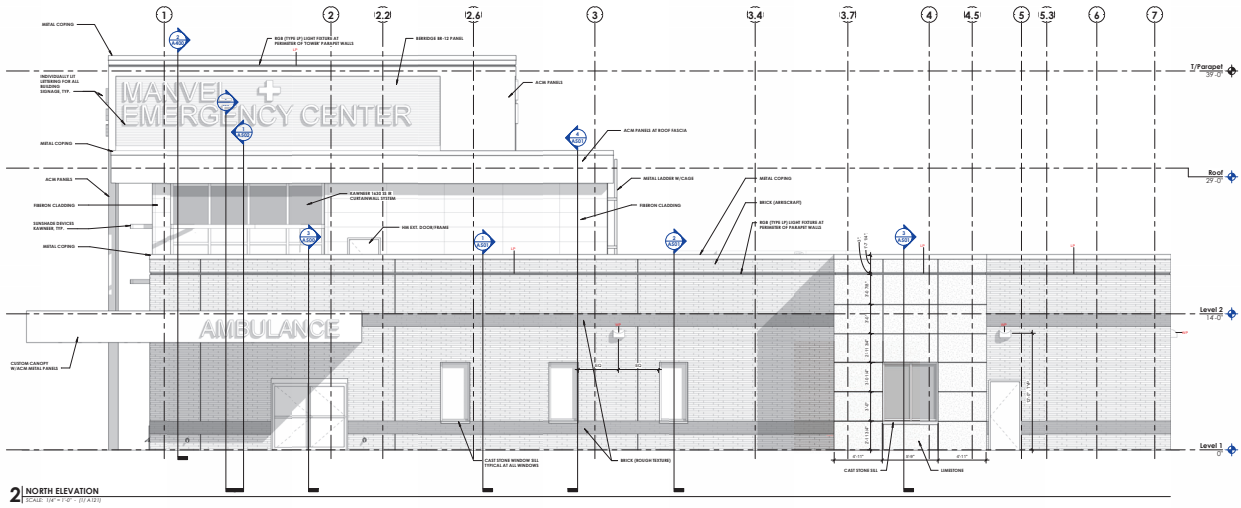
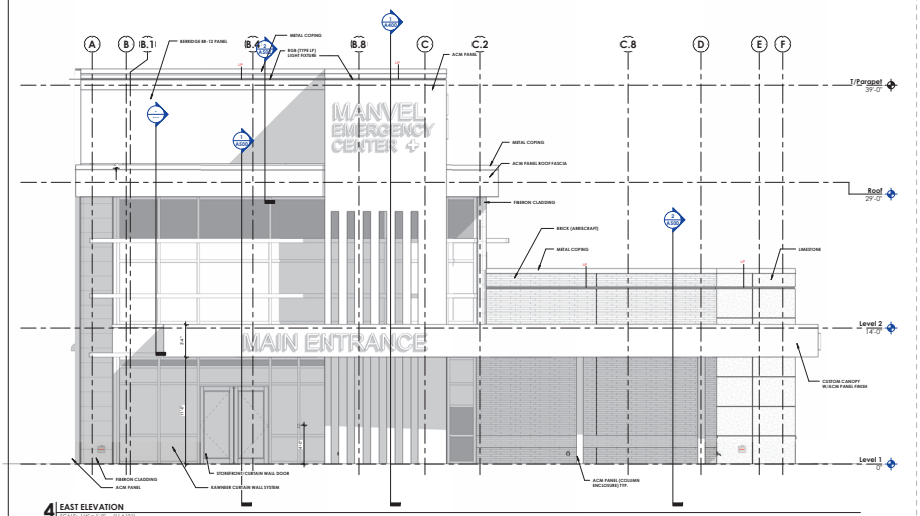
SHEET TITLE:
SECOND FLOOR PLAN

A122



2 NORTH ELEVATION
SCALE: 1/4" = 1'-0" - (1/A121)



4 EAST ELEVATION
SCALE: 1/4" = 1'-0" - (1/A121)

EXTERIOR FINISH SELECTIONS	
ALUMINUM STOREFRONT/CURTAIN WALL WINDOW SYSTEM	KAWNEER COLOR/FINISH: CLEAR ANODIZED (SEE SCHEDULES ON SHEET A700 FOR MORE INFORMATION)
ALUMINUM SUNSHADE DEVICES	KAWNEER COLOR/FINISH: CLEAR ANODIZED OUTRIGGER (SQUARE) W/ ARFOIL BLADES
ACM METAL PANEL	ALUCOBOND FINISH: METALLIC FINISH - COLOR: (TBD)
BRICK	ARRISCRAFT SPRAR SERIES BRICK (COLOR: BURNT AMBER FOR BOTH SMOOTH AND ROUGH TEXTURES)
CAST STONE MASONRY	CANAMASA MASONRY SYSTEMS (COLOR: TO BE SELECTED FROM MANUF. COLOR SAMPLES)
CANOPY SOFFIT/EXT. SOFFIT/ EXT. WALL CLADDING	FIBERON CLADDING WILDWOOD SIDING COLLECTION - COLOR: TUPELO
LIMESTONE	ES STONE INDUSTRIES BOTTOM LEDGE COTTONWOOD (BLASTED - COLOR: SILVERDALE
PAINT HM DOOR/FRAMES/PAINT OVER CMU EXTERIOR PAINT (SST P1-1)	SHERWIN-WILLIAMS COLOR: TBD
PAINT DUMPSTER/GENERATOR ENCLOSURE GATES AND FRAMES EXTERIOR PAINT (SST P1-2)	SHERWIN-WILLIAMS COLOR: SW7005 PURE WHITE

BB+W ARCHITECTS
24080 Hwy 59 North, Ste. 150 Phone: 281-901-0530
Kingwood, TX 77339 Contact@BBWarchitects.com

SEALS:

ARCHITECT: SERGIU R. BURCA, AIA
NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.
DATE:

CONSULTANT:

MANVEL EMERGENCY CENTER

17518 Hwy 6, Manvel, TX 77578

Construction Documents Package

NOTE:
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Contractor shall verify all existing conditions prior to proceeding with construction. Notify **BB&W Architects, LLC** immediately of any discrepancies or conflicts. All dimensions to face of finish, U.N.O.

Date	Nr.	Description
05/24/2024		Permit & Pricing

PROJECT NR.: 23022
ISSUE DATE: Issue Date
PRINT DATE:
CLIENT: Brazos Real Property Holdings, LLC

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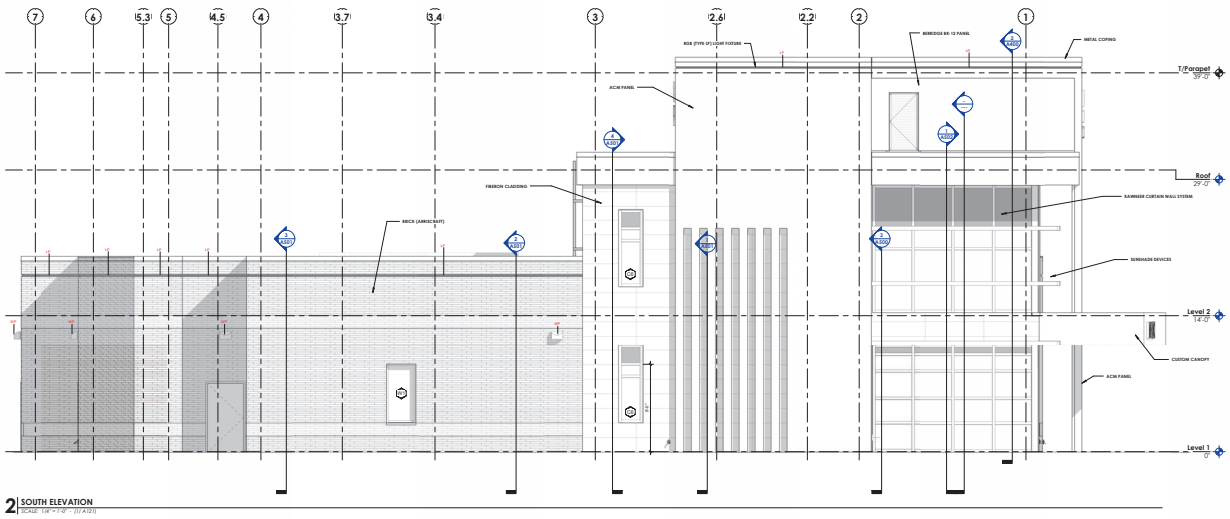
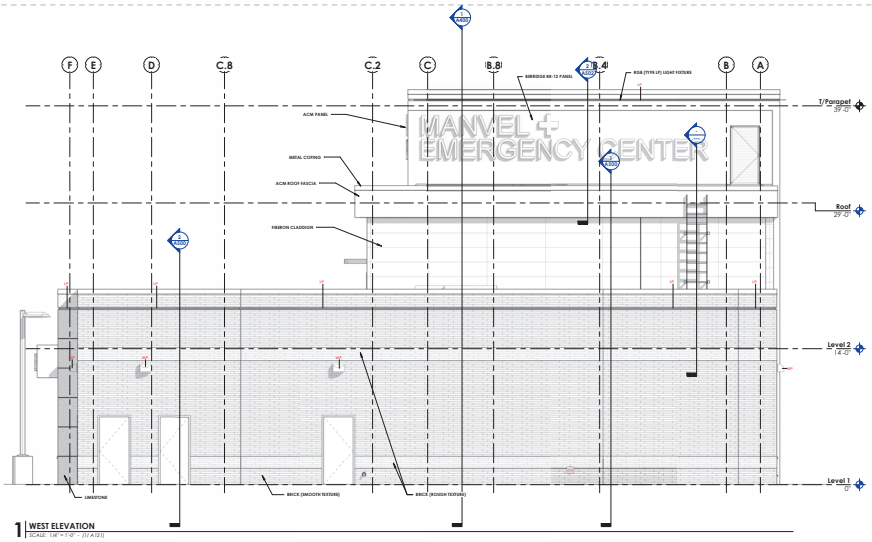
SHEET TITLE:
EXTERIOR ELEVATIONS

A300



2 SOUTH ELEVATION
SCALE: 1/4" = 1'-0" - (1/ A121)



1 WEST ELEVATION
SCALE: 1/4" = 1'-0" - (1/ A121)

EXTERIOR FINISH SELECTIONS	
ALUMINUM STOREFRONT/CURTAIN WALL WINDOW SYSTEM	KAWNEER COLOR/FINISH: CLEAR ANODIZED (SEE SCHEDULES ON SHEET A701 FOR MORE INFORMATION)
ALUMINUM SUNSHADE DEVICES	KAWNEER COLOR/FINISH: CLEAR ANODIZED OUTRIGGER (SQUARE) W/ ARPOX BLADES
ACM METAL PANEL	ALUCOBOND FINISH: METALLIC FINISH - COLOR: (TBD)
BRICK	AMRICRAFT LINEAR SERIES BRICK (COLOR: BURNT AMBER FOR BOTH SMOOTH AND ROUGH TEXTURES)
CAST STONE MASONRY	CANAMERA MASONRY SYSTEMS (COLOR: TO BE SELECTED FROM MANUF. COLOR SAMPLES)
CANOPY SOFFIT/EXT. SOFFIT/ EXT. WALL CLADDING	FIBRON CLADDING WOODWOOD SIDIN COLLECTION - COLOR: TUPACO
LIMESTONE	US STONE INDUSTRIES BOTTOM LEDGE COTTONWOOD (BLASTED - COLOR: SILVERDALE
PAINT MB DOOR FRAMES/PAINT OVER CMU EXTERIOR PAINT (SEET P1-1)	SHERWIN-WILLIAMS COLOR: TBD
PAINT DUMPSTER/GENERATOR ENCLOSURE GATES AND FRAMES EXTERIOR PAINT (SEET P1-2)	SHERWIN-WILLIAMS COLOR: SW7005 PURE WHITE

BB+W ARCHITECTS
24080 Hwy 59 North, Ste. 150 Phone: 281-901-0530
Kingwood, TX 77339 Contact@BBWArchitects.com

SEALS:

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NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.

DATE:

CONSULTANT:

MANVEL EMERGENCY CENTER

17518 Hwy 6, Manvel, TX 77578

Construction Documents Package

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Date	Nr.	Description
05/24/2024		Permit & Pricing

PROJECT NR.: 23032
ISSUE DATE: Issue Date
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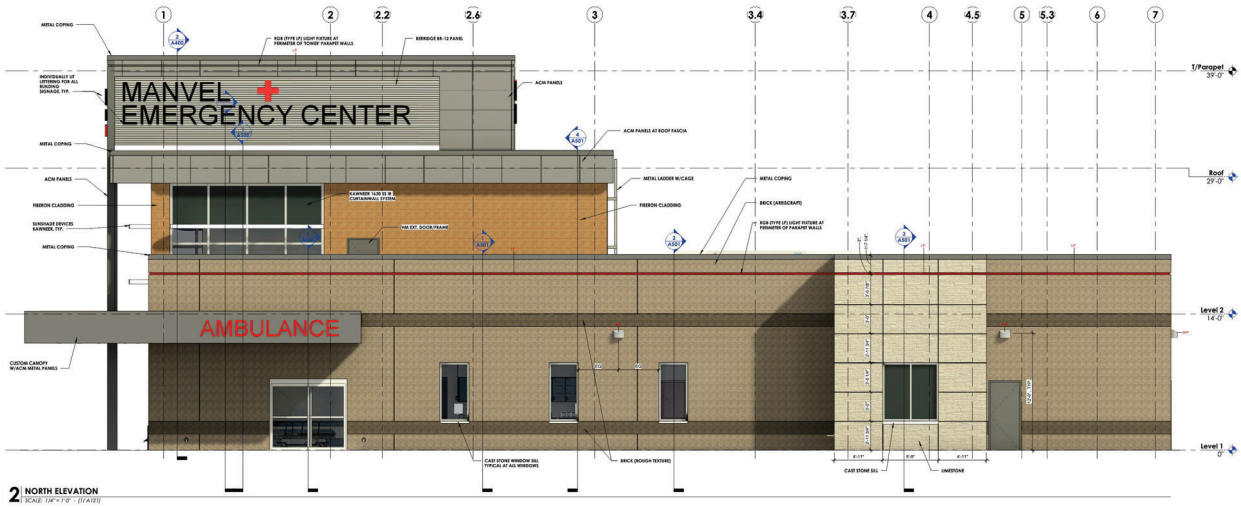
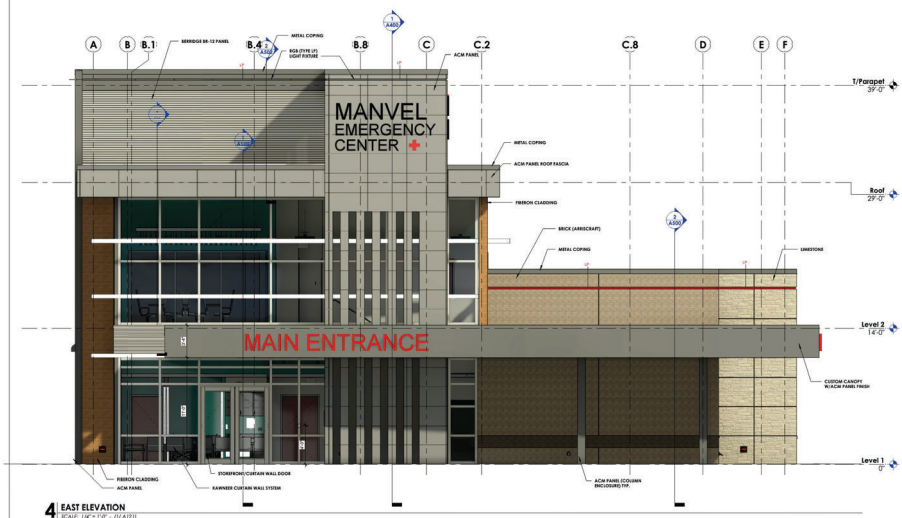
SHEET TITLE:
EXTERIOR ELEVATIONS

A301

MANVEL
EMERGENCY
CENTER
MANVEL
AMBULANCE
AMBULANCE



2 NORTH ELEVATION
SCALE: 1/4" = 1'0" - (1/A121)



4 EAST ELEVATION
SCALE: 1/4" = 1'0" - (1/A121)

EXTERIOR FINISH SELECTIONS		
ALUMINUM STOREFRONT/CURTAIN WALL WINDOW SYSTEM	KAWNEER	COLOR/FINISH: CLEAR ANODIZE (SEE SCHEDULES ON SHEET A701 FOR MORE INFORMATION)
ALUMINUM SINGNAGE DEVICES	KAWNEER	COLOR/FINISH: CLEAR ANODIZE OUTRIGGER (SQUARE) W/ AIRFOIL BLADES
ACM METAL PANEL	ALUCOBOND	FINISH: METALLIC FINISH - COLOR: (TBD)
BRICK	ARRISCRAFT	LINEAR SERIES BRICK (COLOR: BURNT UMBER FOR BOTH SMOOTH AND ROUGH TEXTURES)
CAST STONE MASONRY	CANARATA MASONRY SYSTEMS	(COLOR: TO BE SELECTED FROM MANUF. COLOR SAMPLES)
CANOPY SOFFIT/EXT. SOFFIT/ EXT. WALL CLADDING	FIBERON CLADDING	WILDWOOD BERN COLLECTION - COLOR: TEPELO
LIMESTONE	US STONE INDUSTRIES	BOTTOM LEDGE COTTONWOOD (SLASTB) - COLOR: SILVERDALE
PAINT HM DOOR/FRAME/PAINT OVER CMU EXTERIOR PAINT (SEE P1-1)	SHERWIN-WILLIAMS	COLOR: TBD
PAINT DUMPSTER/GENERATOR ENCLOSURE GATES AND FRAMES EXTERIOR PAINT (SEE P1-2)	SHERWIN-WILLIAMS	COLOR: SW7005 PURE WHITE

BB+W ARCHITECTS
24060 Hwy 59 North, Ste. 150 Phone: 281-901-0331
Kingwood, TX 77339 Contact@BBWArchitects.com

SEALS:

ARCHITECT: SERGIO R. BUBCA, AIA
NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.

DATE:

CONSULTANT:

MANVEL EMERGENCY CENTER

17518 Hwy 6, Manvel, TX 77578

Construction Documents Package

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Date	Nr.	Description
05/24/2024		Permit & Pricing

PROJECT NR.: 23032
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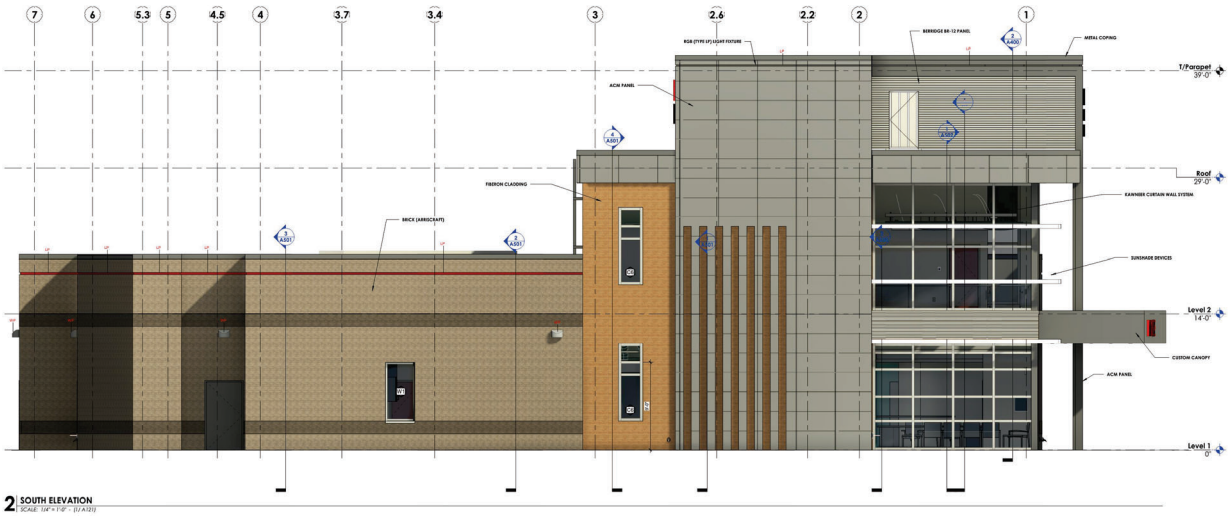
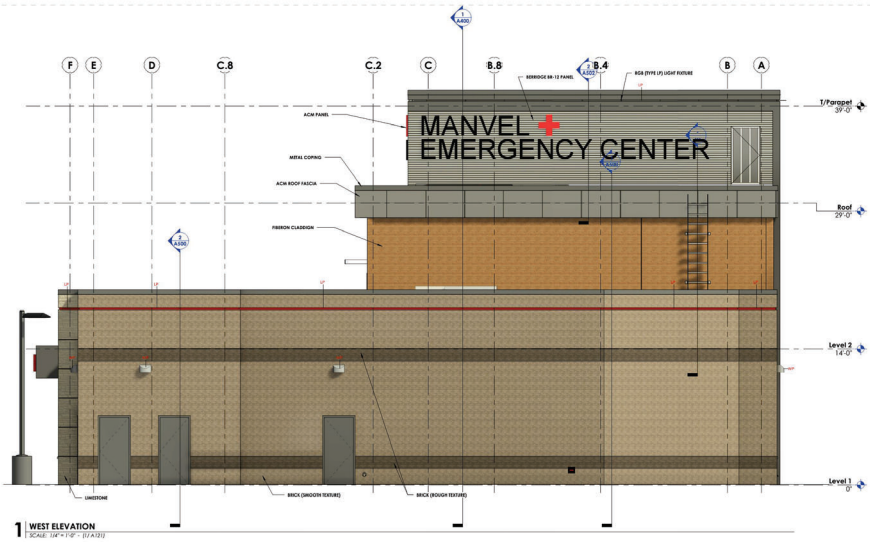


2 SOUTH ELEVATION
SCALE: 1/4" = 1'-0" - (1/ A121)



1 WEST ELEVATION
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PAINT DUMPSTER/GENERATOR ENCLOSURE GATES AND FRAMES EXTERIOR PAINT (EXT P1-2)	SHERWIN-WILLIAMS COLOR: SW7005 PURE WHITE

BB+W ARCHITECTS
24060 Hwy 59 North, Ste. 150 Phone: 281-901-0331
Kingwood, TX 77339 Contact@BBWArchitects.com

SEALS:

ARCHITECT: SERGIO R. BURCA, AIA
NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.

DATE:

CONSULTANT:

MANVEL EMERGENCY CENTER

17518 Hwy 6, Manvel, TX 77578

Construction Documents Package

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Date	Nr.	Description
05/24/2024		Permit & Pricing

PROJECT NR.: 23032
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SHEET TITLE:
EXTERIOR ELEVATIONS

A301

DEVELOPMENT SERVICES
20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-489-0634

SPECIFIC USE PERMIT APPLICATION

PROJECT INFORMATION

Project Name: Manvel Medical Emergency Room

Project Location/Address: Parcel SE of 17518 Hwy 6, Manvel, TX 77578

Legal Description: 1.5491 Ac. being portion of Lot 233, Emigration Land Company Subdivision

Current Zoning: light commercial Proposed Land Use: medical NAICS No.: _____

Parcel/Tax ID# (s): 167427 Total Acreage: 1.5491

APPLICANT INFORMATION

Applicant Name: Stephen Wang

Company Name: BB+W Architects, LLC

Address: 24080 Hwy 59 N, Suite 150 City: Kingwood State: TX Zip: 77339

Phone #: 281-213-5650 Email: swang@bbwarchitects.com

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT, and I, the undersigned, am authorized to make this application on behalf of the owner(s). I understand that this application will expire one year from the date submitted.

Jean M. Joseph 05/07/24

Applicant Signature (**REQUIRED**) Date

PROPERTY OWNER INFORMATION

Owner(s) Name: Jean Joseph

Address: 1006 W 22nd st City: Houston State: TX Zip: 77008

Phone #: 5617185509 Email: JeanJoseph.md@gmail.com

PROPERTY OWNER'S AUTHORIZATION **(Required – If owner is also the applicant, must sign as both)**:

I am the owner of the property for which this application is being made. I authorize the above person (Applicant) to submit this application and to correspond with the City of Manvel regarding this application on my behalf.

Jean M. Joseph 05/07/24

Owner's Signature (**REQUIRED**) Date

DEVELOPMENT SERVICES
20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-489-0634

SUBMITTAL CHECKLIST

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the nature of the development; however, it is incumbent upon the applicant to inquire about these exceptions for your project **before** submitting an application. Answers to specific use permit applications can be obtained by attending a pre-development meeting with our Development Review Committee (DRC) prior to submitting a formal application. Please call the phone number on the application to schedule an appointment. Submit application and accompanying documents to the Permits and Inspections at the address above Monday through Thursday between the hours of 7:30 a.m. and 5:30 p.m. and Friday between the hours of 7:30 a.m. and 11:30 a.m.

SPECIFIC USE PERMIT SUBMITTAL CHECKLIST ITEMS	REQUIRED (PLEASE CHECK)
Completed Specific Use Permit Application (with all signatures)	✓
Two (2) Copies of a Conceptual Plan (building, parking, landscaping, etc. locations)	✓
Two (2) Legal Descriptions of Property (metes & bounds description if not platted)	✓
Two (2) Copies of Recorded Plat (if platted)	
Two (2) Applicant Letters of Request	✓
Traffic Impact Analysis, (if applicable)	N/A
Paid Application Fee	✓

APPLICANT CERTIFICATION

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if it is deemed incomplete.

Applicant Signature

5/12/24
Date

DEVELOPMENT SERVICES
20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-489-0634

LETTER OF AUTHORIZATION

Have property owner complete and sign, if applicant differs from property owner.

Jean Joseph
Owner Name

1006 W 22nd st
Owner Address

Houston, TX 77008
Owner City, State Zip

04/19/24
Date

Building and Inspections
20025 Highway 6
Manvel, TX 77578

Dear City of Manvel Permits and Inspections,

I, Jean Joseph, certify that I am the owner of the project property located at Manvel, TX 77578 and that the forgoing statements and answers made and all data, information, and evidence herewith submitted are in all respects to the best of my knowledge and belief, true, and correct. I appoint Stephen Wang with the company BB+W Architects, LLC (if applicable) to act as my representative for this project. I agree to be responsible for payment of bills due to the City of Manvel related to this application. Furthermore, I understand that any material misrepresentation of this application, failure to comply with ordinances, and /or failure to remit payment for services can lead to delays in this project – up to and including rejecting the project and forfeiting any fees paid.

Please contact me directly at 5617185509 if you have any questions.

Sincerely,

Owner Name Jean Joseph

Owner Signature *Jean Joseph* 05/07/24

EXHIBIT "A"

1.5491 ACRES OF LAND LOCATED IN THE H. T. & B. R.R. COMPANY SURVEY, SECTION 65, ABSTRACT 285, BRAZORIA COUNTY, TEXAS, BEING THAT PORTION OF LOT 233, EMIGRATION LAND COMPANY SUBDIVISION AS SHOWN ON THE PLAT THEREOF RECORDED IN VOLUME 2, PAGE 81, PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, LIEING SOUTHERLY OF STATE HIGHWAY 6 RIGHT-OF-WAY, AND BEING THE RESIDUE OF A CALLED 2.323 ACRE TRACT CONVEYED IN DEED FROM LOWELL E. ROBERTS AND WIFE, JANIE L. ROBERTS TO TWO THIRTY-THREE ASSOCIATES, LTD., DATED DECEMBER 30, 1982, AS RECORDED IN VOLUME 1686, PAGE 947, DEED RECORDS OF BRAZORIA COUNTY, TEXAS, SAVE AND EXCEPT THAT CALLED 0.769 ACRE TAKEN FOR THE WIDENING OF SAID STATE HIGHWAY 6 AS SHOWN ON RIGHT-OF-WAY SKETCH CSJ0192-02 DATED MARCH 1990 (THIS TAKING IS AS YET UNRECORDED), SAID 1.5491 ACRES BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND ON THE NORTHERLY RIGHT-OF-WAY LINE OF A 40.00 FOOT ROAD, DEDICATED PER ABOVE SAID PLAT (ROAD NOT IN) FOR THE SOUTHWEST CORNER OF SAID LOT 233, THE SOUTHWEST CORNER OF SAID 2.323 ACRE TRACT, AND THE SOUTHEAST CORNER OF A CALLED 6.48587 ACRE TRACT (LOT 234) CONVEYED IN DEED FROM WILLIAM M. MATHEWS, ET UX, TO JAMES W. GUSTAFSON, TRUSTEE, DATED JULY 10, 1974, AS RECORDED IN VOLUME 1211, PAGE 560, DEED RECORDS OF BRAZORIA COUNTY, TEXAS;

THENCE NORTH 02° 40' 44" WEST, WITH THE WESTERLY LINE OF SAID LOT 233 AND SAID 2.323 ACRE TRACT, SAME BEING THE EASTERLY LINE OF SAID LOT 234 AND SAID 6.48587 ACRE TRACT, A DISTANCE OF 237.65 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY 6 (200 FEET WIDE);

THENCE SOUTH 70° 28' 54" EAST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 613.33 (CALLED NORTH 70° 28' 57" WEST, 614.83 PER ABOVE SAID RIGHT-OF-WAY SKETCH) TO A HIGHWAY MONUMENT DISK IN CONCRETE FOR CORNER;

THENCE SOUTH 86° 43' 20" WEST, WITH THE SOUTHERLY LINE OF SAID LOT 233, SAME BEING THE NORTHERLY RIGHT-OF-WAY LINE OF SAID 40.00 FOOT DEDICATED ROAD A DISTANCE OF 567.91 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.5491 ACRES OF LAND.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

Brazos Real Property Holdings, LLC.

1006 West 22nd Street

Houston, TX 77008

(561)718-5509

May 7, 2024

City of Manvel
20031 Hwy 6
Manvel, TX 77578

RE: Applicant Letter of Request for Special Use Permit

To Whom It May Concern:

I am pleased to submit this letter of request on behalf of Brazos Real Property Holdings, LLC for a Special Use Permit for approximately 1.5 acre property located SE of 17518 Hwy 6, Manvel, TX 77578.

Brazos Real Property Holdings, LLC intends to construct a ground-up one-story building with a partial 2nd floor to introduce a freestanding emergency center of approximately 7,963 SF in the Manvel area. The new emergency center will provide service 24-hours a day, 7 days a week. The project is composed of 2 exam rooms, 6 treatment rooms, and an imaging department with both X-Ray and CT Scan services.

The shell building construction will be a Type II-B with no requirement for fireproofing since the entire building will be sprinklered. The emergency center will comply with Manvel's adopted 2021 codes (IBC, IFC, IMC, IPC, IECC), 2020 National Electrical Code, 2012 Texas Accessibility Standards, and Chapter 131 Freestanding Emergency Medical Care Facilities Licensing Rules.

Brazos Real Property Holdings, LLC hereby appreciates in advance your consideration for our application as we intend to provide quality and prompt medical services to the residents of the Manvel area. We look forward to hearing from you soon.

Best regards,

Jean M. Joseph M.D.

(561)718-5509

ORDINANCE NO. 2024-O-26

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATELY 1.5491 ACRE TRACT OF LAND GENERALLY LOCATED EAST OF 17518 MORRIS AVENUE (STATE HIGHWAY 6), MANVEL, TEXAS FROM LIGHT COMMERCIAL AND STATE HIGHWAY 6 OVERLAY DISTRICT LC-SH6) TO LIGHT COMMERICAL 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"; 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.

* * * * * * * * *

WHEREAS, Jean Joseph, is the owner (the "Owner") of a certain 1.5491-acre tract of land generally located east of 17518 Morris Avenue (State Highway 6), Manvel, Texas, being part of lot 233 of the emigration land company subdivision H.T. & B.R.R. CO. Survey, Section 65, Abstract 285, Brazoria County, Texas, according to plat recorded in Volume 2, Page 81, Plat Records, and being the same land described in a deed to Surya Acquisitions, LLC, recorded in Clerk's file 2007-045744 a map and description of which is attached hereto as Exhibit "A"; and

WHEREAS, the 1.5491-acre tract is currently zoned Light Commercial District and Highway 6 Overlay District (LC-SH6); and

WHEREAS, the applicant, BB+W Architects, has filed an application to change the zoning classification of the 1.5491-acre tract to Light Commercial District and Highway 6 Overlay District with a Specific Use Permit (LC-SH6-SUP) allowing the

proposed use of the property for NAICS use 621493 “Ambulatory health Care Services”; and

WHEREAS, the Planning, Development, and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on such request; and

WHEREAS, the Planning, Development, and Zoning Commission has recommended in its report the approval of such request, and the City Council deems it appropriate to approve said amendment to the zoning and specific use permit; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The zoning classification of a certain 1.5491-acre tract of land located generally located east of 17518 Morris Avenue (State Highway 6), Manvel, Texas, being part of lot 233 of the emigration land company subdivision H.T. & B.R.R. CO. Survey, Section 65, Abstract 285, Brazoria County, Texas, according to plat recorded in Volume 2, Page 81, Plat Records, and being the same land described in a deed to Surya Acquisitions, LLC, recorded in Clerk’s file 2007-045744, a map and description of which is attached hereto as Exhibit “A” attached hereto, shall be changed from Light Commercial and State Highway 6 Overlay District (LC-SH6) to Light Commercial and State Highway 6 Overlay District with a Specific Use Permit (LC-SH6-

SUP)), for uses as permitted within such zone classification, subject to the regulations, regulations, and conditions hereinafter set forth:

1. Ambulatory Health Care Services– (NAICS 621493)

Section 3. The request meets the criteria set forth in Section 77-50 of the City of Manvel Zoning Ordinance for a Specific Use Permit. The City of Manvel Zoning Ordinance is hereby further amended by granting a Specific Use Permit authorizing use of the Property for the NAICS use listed in Section 2, above.

Section 4. The City Council hereby finds it appropriate to impose the conditions to the granting of the Specific Use Permit as shown in Exhibit "B", attached hereto and incorporated herein as if set out in full. This proposed use of a "Ambulatory Health Care Services" and site may not be changed or expanded except by amendment of this Specific Use Permit.

Section 5. The Specific Use Permit issued under this ordinance, or a specific use listed herein, shall expire one year after its date of issuance if construction or if the listed use authorized hereunder is not substantially under way or in use prior to the expiration of said one year period. If, prior to the expiration of such one-year period, the owner of the property to which the Specific Use Permit applies in writing, for an extension, the City Council may, after recommendation from the Planning, Development, and Zoning Commission, grant such extension for one additional year.

Section 6. The Zoning District Map of the City of Manvel shall be revised and amended to show the designation of said tract, as described and as provided in Section 2, above, with the appropriate reference thereon to the number and effective date of this Ordinance and a brief description of the nature of the change.

Section 7. The City Council hereby finds and determines that said rezoning comports to the City's Comprehensive Land Use Plan. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Manvel, save and except the change in zoning classification of said tract(s) as described above.

Section 8. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Manvel, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 9. Any person who shall intentionally, knowingly, recklessly or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed $2,000.00. Each day of violation shall constitute a separate offense.

Section 10. Revocation. This Specific Use Permit may be revoked or modified by the City Council, in whole or in part, after notice and hearing, for either of the following reasons:

(1) The Specific Use Permit was obtained or extended by misrepresentation, fraud or deception: or

(2) That one of more of the conditions imposed by the permit has not been met or has been violated.

PASSED AND APPROVED on first reading this _____ day of _____, 2024.

PASSED, APPROVED, AND ADOPTED on second and final reading this _____ day of _____, 2024.

_____

_____

Dan Davis, Mayor

ATTEST:

_____

Tammy Bell, City Secretary

APPROVED AS TO FORM:

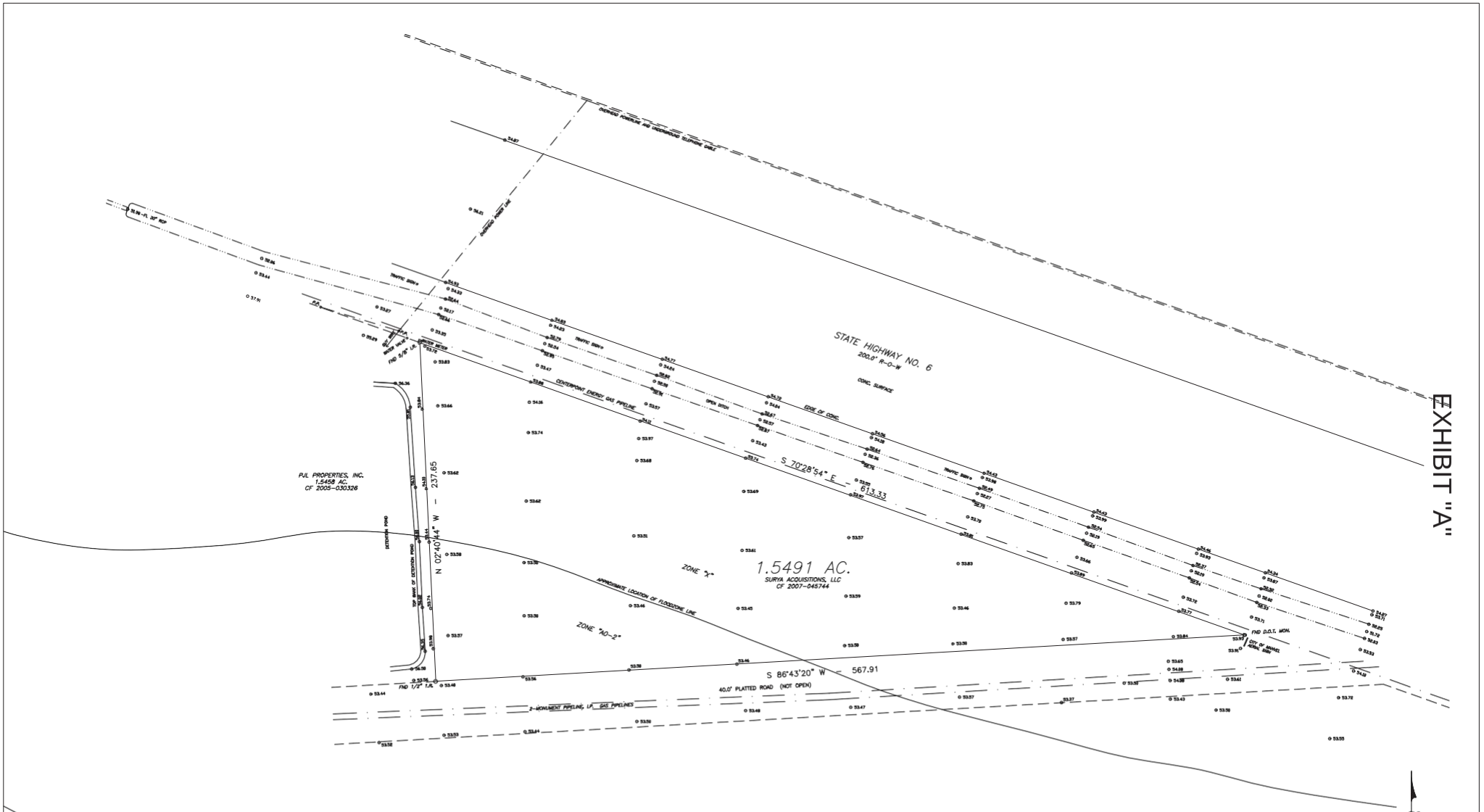
_____

Robert Gervais, City Attorney

Exhibit A

Certain 1.5491-acre tract of land generally located east of 17518, Manvel, Texas, being part of lot 233 of the emigration land company subdivision H.T. & B.R.R. CO. Survey, Section 65, Abstract 285, Brazoria County, Texas, according to plat recorded in Volume 2, Page 81, Plat Records, and being the same land described in a deed to Surya Acquisitions, LLC, recorded in Clerk's file 2007-045744.

EXHIBIT "A"



TOPOGRAPHIC SURVEY OF 1.5491 ACRES OF LAND, BEING A PART OF LOT 233 OF THE EMIGRATION LAND COMPANY SUBDIVISION OF THE H. T. & B. R.R. CO. SURVEY, SECTION 65, ABSTRACT 285, BRZORIA COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 2, PAGE 81, PLAT RECORDS, AND BEING THE SAME LAND DESCIBED IN A DEED TO SURYA ACQUISITIONS, LLC, RECORDED IN CLERK'S FILE 2007-045744.

PREPARED FROM A SURVEY MADE ON THE GROUND IN MARCH, 2008

STEVE D. ADAMS RPLS# 3666

ELEVATIONS BASED ON USGS "Z 1277", PUBLISHED ELEVATION 55.42', NAVD '88.

THIS PROPERTY LIES PARTLY IN ZONE "X" AND PARTLY IN ZONE "AO", DEPTH 2', PER FEMA PANEL 480076 0110 H, DATED JUNE 5, 1986.

SCALE 1"=30'

BEARING BASE – DEED CALLS IN CF 2007-045744

ADAMS SURVEYING CO.

SURVEYOR:

STEVE D. ADAMS
STEPHEN D. ADAMS, JR.
P.O. BOX 114
ALVIN, TEXAS 77512
281/331-3523

FIELD BOOK	189 & LF 39
PAGE	30 & 18
DATE	MARCH 5, 2008
DRAWN BY	SDA, JR.

CF - SHAKTA286

Exhibit B

Conditions of Approval:

1. The facility is permitted to be open for twenty-four (24) hours.
2. All waiting and/or lobby areas shall maintain an unobstructed view from the outside; and
3. All doors shall remain unlocked and accessible during normal business hours.
4. All dry detention ponds shall have minimum 15 feet maintenance berm around all sides of the pond.

    a) Unless an Engineering Criteria Manual Deviation is approved for less than 15 feet for dry detention (shows 10 feet).

5. All development requirements must be satisfied during the permitting process.

CITY COUNCIL DATA SHEET

MEETING DATE: July 1, 2024

Agenda: **Regular** ☑ **Consent** ☐

TOPIC:

Updated and amended ordinance Chapter 8 Animals

BACKGROUND:

This ordinance was reviewed and amended to strengthen the regulations pertaining to Chapter 8 Animals to allow specific regulations to regulate animals within the City of Manvel. There are several amendments that require pet owners to register, spay and neuter and microchip their animals. These regulations will assist the animal control division to be able to identify owners of animals for re-homing, will prevent unwanted litters which create animal abandonment and will relieve the overcrowded animal shelters.

RECOMMENDATION:

Recommendation for review and approval

ATTACHMENTS:

Amended Ordinance Chapter 8 - Animals

FUNDING ISSUES

☐ Not applicable
☐ Not budgeted
☐ Full amount already budgeted
☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER	FINANCE DIRECTOR APPROVAL ☐
Keith Traylor	CITY MANAGER APPROVAL: ☐

ORDINANCE NO. 2024-O-27

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING CHAPTER 8. *ANIMALS*, BY ADOPTING NEW PROVISIONS GOVERNING ANIMALS; ADDING A NEW ARTICLE II. *KENNELS AND CATTERIES*; ADDING A NEW ARTICLE III. *ANIMAL RESCUER PERMIT*; ADDING A NEW ARTICLE IV. *ANIMAL SELLER PERMIT;* ADDING A NEW ARTICLE V. *PETTING ZOOS;* PROVIDING A PENALTY 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 AND AN EFFECTIVE DATE.

WHEREAS, the Manvel Police Department oversees animal control and enforces violations of the City Code concerning animals; and

WHEREAS, the City Council deems it in the best interest of the City of Manvel to adopt new provisions governing animals within the City; **now, therefore,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS:

Section 1. Chapter 8. *Animals* of **The Code of Ordinances of the City of Manvel** is hereby amended to read and provide as follows:

"**CHAPTER 8. ANIMALS**

ARTICLE I. - IN GENERAL

Sec. 8-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adequate Shelter means a clean and sturdy structure:

(1) That allows the dog protection from rain, hail, sleet, snow, and subfreezing temperatures; and

(2) With dimensions that allow the dog while in the shelter to stand erect, sit, turn around, and lie down in a normal position.

Animal means any living creature, including but not limited to, mammals, reptiles, fish, fowl, and birds, but excluding human beings.

Animal holding facility means any facility used [~~by~~] within the [~~city~~] City of Manvel to house or keep animals. This facility may be either a public or private facility.

Collar means a band of constructed nylon, leather, or similar material, specifically designed to be placed around the neck of a dog.

Cattery means any building, structure, enclosure premises or lot whereupon, or within which, more than four cats, four (4) months of age or older, are kept or maintained for any purpose whatever, except a veterinary hospital operated by a graduate veterinarian duly licensed by the state board or veterinary examiners, or the impound facility operated by the city.

[~~Dangerous animal~~ ~~means any nonhuman primate, skunk, raccoon, jaguar, leopard, lynx, tiger, lion, ocelot, bobcat, cheetah, mountain lion, wildcat, panther, bear, wolf, coyote, fox, poisonous reptile, or any wild animal capable of or inclined to do serious bodily harm to humans or other animals, or any hybrid of a dangerous animal.~~]

Electronic Training Collars means a collar used chiefly on a dog that typically delivers a mild shock or sometimes a vibration or sound upon receiving a signal from a remote transmitter and is used specifically to train a dog to respond to commands, stop unwanted behaviors.

Fence means to enclose with a fence.

Fighting animal means any dog, rooster, or other animal that has been trained, used, exhibited, purchased, sold, or kept for the purpose of fighting with another animal.

Harness means a set of straps constructed of nylon, leather, or similar material, specifically designed to restrain or control a dog.

Livestock means cattle, horses, mules, donkeys, goats, sheep, and swine.

Menacing conduct means growling, snarling, snapping, charging, or any other threat display employed by the species of animal, or any other conduct that would lead a reasonable person to be apprehensive that an attack by the animal is imminent.

Micro-chip means a computer chip that is preprogrammed with a unique alphanumeric combination code which is inserted into the animal.

Neglect an animal means to fail to provide appropriate food, water, shelter, and veterinary care for the animal.

Nuisance animal means an animal that:

(1) Molests people;

(2) Attacks other animals;

(3) Is repeatedly at large;

(4) Damages private or public property other than that of the animal's owner;

(5) Repeatedly barks, yelps, whines, howls or makes any other sound loud and long enough to unreasonably disturb the peace of other people in the neighborhood;

(6) Creates an offensive odor;

(7) Creates a health hazard; or

(8) Deposits body waste upon public property or private property other than that of the animal's owner.

Own means to possess, harbor, keep, give food, water, or shelter, or own any animal, or to permit an animal to remain on premises subject to that person's ownership, custody, possession, or control.

Owner means any person who owns, or who has custody or control of a dog as defined herein, an animal.

Properly Fitted means, with respect to a [~~al~~]collar or harness. A collar or harness that : [~~;~~]

(1) Is appropriately sized for the dog based on the dog's measurements and weight;

(2) Does not choke the dog or impede the dog's normal breathing or swallowing; and

(3) Is attached around the dog in a manner that does not allow for escape and does not cause pain or injury to the dog.

Restraint means a tether, length of rope, chain, leash, cable, lead or other material used to control an animal so that the animal may not roam at will, or run at large.

Running at large means the going upon public or private property, other than the property of the owner of the animal, by an animal without the owner or person in charge thereof having direct, clearly effective, physical control over the animal.

(a) Not completely confined by a building, wall, fence or other enclosure of sufficient strength, or construction to restrain the animal confined thereby, to the premises of the owner. An electronic or invisible fence shall not be considered a fence or other enclosure of sufficient strength or construction to restrain the animal confined thereby in compliance with this section.

(b) Not completely restrained by a leash or tether sufficiently strong to prevent the animal from escaping and which restricts the animal to the owner's premises in such a manner that it shall not have access to within ten feet of any sidewalk or entry to the home or any mail box at the home.

Spay means surgery performed on female animals in which the ovaries and uterus are removed, preventing an animal from having estrus (heat) cycles and eliminating the ability to become pregnant.

Stray animal means an animal running at large, not on a leash, the owner of which is unknown to the person enforcing this chapter concerning said animal.

Unaltered dog or cat means a dog or cat that has not been spayed or neutered.

Unreasonable noise means and shall include continued barking for long periods of time, or repeated barking, but the term "unreasonable noise" is not restricted to barking.

Veterinarian means any person who is duly licensed to practice as a doctor of veterinary medicine by the licensing authority of any one or more of the 50 United States or the District of Columbia, provided that such person is acting within the course and scope of his license and practicing in a state or district in which such license is recognized for the practice of veterinary medicine.

Vicious animal means a member of any species of animal or any individual animal that has a dangerous disposition likely to be harmful to humans or other animals. The term vicious animal shall include but is not limited to any animal that molests, threatens, attacks, or bites any person, vehicle, or other animal.

Wild animal means any nonhuman primate, skunk, raccoon, jaguar, leopard, lynx, tiger, lion, ocelot, bobcat, cheetah, mountain lion, wildcat, panther, bear, wolf, coyote, fox, poisonous reptile,

or any wild animal capable of or inclined to do serious bodily harm to humans or other animals, or any hybrid of a dangerous animal.

Sec. 8-2. - Findings of fact.

The city council finds that the keeping, harboring, or possession of any animal in violation of this chapter constitutes a nuisance that endangers the people of the city and their property, disturbs the peace, impairs the use and enjoyment of public and private property, and impairs the value and marketability of public and private property.

Sec. 8-3. - Nuisance animals.

The keeping, harboring, or possession of any of the following animals is hereby found and declared to be a nuisance:

(1) Any animal that molests, threatens, attacks, or bites any person, vehicle, or other animal, without deliberate provocation;

(2) Any animal that damages private or public property that does not belong to the owner of the animal;

(3) Any animal that makes unreasonable noise or noise that would be offensive to a reasonable person, that can be heard in a public place or on private property not owned, possessed, or controlled by the owner of the animal;

(4) Any vicious animal;

(5) Any [~~dangerous~~] wild animal;

(6) Any livestock running at large;

(7) Any dog or cat over six months old running at large that is not wearing a current, valid rabies vaccination tag;

(8) Any abandoned animal;

(9) Any stray animal;

(10) Any fighting animal;

(11) Any animal that is kept in such a way as to produce a foul odor that would be offensive to a reasonable person and that can be smelled on public property or on private property not owned, possessed, or controlled by the owner of the animal;

(12) Any neglected animal;

(13) Any animal treated by its owner in a manner that includes the elements of the offense of cruelty to animals;

(14) Any animal that is in violation of this chapter or that is kept, harbored, or possessed in violation of this chapter;

Sec. 8-4. - Additional animal nuisances.

The following are also found and declared to be nuisances:

(1) The neglect of an animal by its owner;

(2) Cruelty to an animal;

(3) The abandonment of an animal by its owner;

(4) The release of any confined animal without the consent of its owner; and

(5) Any violation of this chapter.

Sec. 8-5. - Prohibition of nuisances.

(a) No person shall commit a nuisance as declared in this chapter.

(b) No person shall permit any animal owned by that person to be a nuisance as declared in this chapter.

(c) No person shall own any animal that is a nuisance as declared in this chapter.

Sec. 8-6. - Vicious animals.

An officer enforcing this chapter shall treat an animal as a vicious animal under this chapter if:

(1) The officer observes that animal displaying vicious conduct or menacing conduct, and the animal is not confined in a way that prevents it from escaping and prevents it from harming people and property.

(2) Any officer of the city receives an affidavit or sworn complaint stating that the animal has displayed vicious conduct or menacing conduct, and stating:

a. Where, when, and how such conduct occurred;

b. A description of the animal; and

c. If known, the name and address of the owner.

(3) The officer enforcing this chapter has reasonable grounds to believe that affidavit or complaint.

Sec. 8-7. - Confinement, impoundment, burial and destruction of animals.

(a) As authorized in this section, any officer enforcing this chapter may confine, impound, or destroy any animal that violates this chapter or that is being kept, harbored, owned, or possessed in violation of this chapter.

(b) The officer shall notify the owner of the animal to confine or remove the animal or to take such other action as necessary to cure the violation, if:

(1) The owner is known to the officer;

(2) The owner is available to receive such notice; and

(3) In the officer's discretion, it is not reasonably necessary for the officer to immediately confine, impound, or destroy the animal in order to protect the safety or property of any person.

(c) The officer may immediately confine, impound, or destroy the animal without first notifying the owner as provided in subsection (b) of this section if:

(1) The owner is not known to the officer;

(2) The owner is not available to receive such notice; or

(3) The officer believes, in his discretion, that such action is reasonably necessary to protect the safety or property of any person.

(d) The officer may confine, impound, or destroy the animal, if the owner has not complied with the notice provided by subsection (b) of this section.

(e) The officer shall not destroy an animal under subsection (b), (c), or (d) of this section, if in the officer's discretion, confinement, or impoundment can be accomplished without risk to the safety or property of any person.

(f) Any officer enforcing this chapter may, in his discretion, select the place of impoundment of an animal in violation of this chapter or being kept in violation of this chapter, unless the city council has designated such place or places.

(g) Upon impounding an animal, an officer enforcing this chapter shall:

(1) Notify the owner of the animal of such impoundment; and

(2) File a report with the police department of the city, which shall keep the report for 30 days. The report shall include a description of the animal, where and when it was picked up, the name and address of the owner, if known, and a description of the violation.

(h) The owner of an impounded animal may reclaim possession of the animal only by paying all fees required by this chapter and by registering the animal. If the animal has not yet received its required vaccination(s), then the owner may be cited for possessing an animal without required rabies vaccination. (sec.8-8) The owner of the animal may show proof of rabies vaccination to the Municipal Court within 10 business days after receiving the citation. After showing proof of vaccination to the Municipal Court, the court may, at their discretion wave the fines assed to the violation. [~~reclaim possession of the animal only upon vaccination(s) by the city or the city's provider, if offered, or by providing proof of a pre-paid rabies vaccination certificate from a licensed veterinarian, with the agreement that the animal be in full compliance with this chapter within five days.~~]

(i) An impounded animal shall be kept for a period of 72 hours. If an animal has not been reclaimed by its owner within 72 hours, the animal shall then become the property of the City of Manvel and

may be released to another person, shelter or rescue group, as provided in subsection (j) of this section [~~or shall be destroyed~~].

(j) [~~In lieu of destruction, an~~] An officer enforcing this chapter, may in his sole discretion release the animal to a person who:

(1) Agrees to keep the animal in compliance with all laws;

(2) Demonstrates to the officer's reasonable satisfaction that the person has the ability and any and all equipment necessary to keep the animal in compliance with all laws; and

(3) Pays all fees required by this chapter.

(k) There is hereby levied upon any person to whom an impounded animal is released:

(1) A fixed pound fee in the amount set by the most recent fee schedule resolution adopted by city council;

(2) A proportionate charge of the fixed pound fee in the amount set by the most recent fee schedule resolution adopted by city council for any portion of a day; plus

(3) An amount equal to any expenses actually incurred by the city in excess of the foregoing fees, for the capture, impoundment, care, and maintenance of any animal impounded under the terms of this chapter.

All fees shall be received by the [~~animal control officer or his designee~~] City of Manvel. Any person receiving fees paid for impoundment of an animal shall deliver the same to the city [~~resource manager~~] finance director, who shall deposit said fees in the animal control fund, for the improvement of the animal control. In addition, if the animal is impounded with a veterinarian, the person redeeming the animal shall pay all the actual charges of the veterinarian.

(l) When an animal is found dead along public thoroughfares, including rights-of-way or common areas, and is determined to be a hazard to public safety and/or health, the owner of said animal will be notified and made responsible for immediate, within one day, removal and burial. If the animal is not removed by the owner, the city will remove and bury the remains and assess fees in the amount set by the most recent fee schedule resolution adopted by city council. If ownership of the animal cannot be determined, city assets will be dispatched to remove and dispose of the remains by the most expeditious means. On a case-by-case basis, city assets may also be used for removal of animal remains from property when ownership of the animal cannot be determined and the animal is not connected with the property where found. The fees previously established will apply and be assessed to the owner of the animal if and when ownership is established.

Sec. 8-8. – [~~Rabies.~~] Vaccination required.

(a) Any dog or cat older than three months of age that is not wearing a valid, current rabies vaccination tag is hereby found and declared to be a nuisance and in violation of this chapter.

(b) No person shall keep, harbor, or possess a dog or cat older than [~~three~~] four months of age without a valid, current rabies vaccination and the city collar tag worn on a collar by the animal.

(c) No person shall fail to keep accurate records of the rabies vaccinations of any dog or cat older than [~~three~~] four months of age that is owned by such person. No person shall fail to permit an officer enforcing this chapter to examine such records on request.

(d) Any animal that bites or scratches a person and that is not wearing a valid, current rabies vaccination tag shall be impounded. Such animal shall remain impounded for observation for ten days and shall not be destroyed or released within that time. If the animal dies while impounded, then it shall be tested for rabies. If the animal does not die within ten days of impoundment, and if a veterinarian certifies that it does not have rabies, then it is subject to reclamation, release, or destruction as provided in section 8-7. However, it may not be reclaimed or released without receiving a rabies vaccination at the expense of the person receiving the animal.

(e) No person shall fail to keep accurate records of the rabies vaccinations of any dog or cat over [~~six~~] four months old that is owned by such person. No person shall fail to permit an officer enforcing this chapter to examine such records on request.

Sec. 8-9. - Registration and Micro-Chipping.

(a) The owner of a dog or cat older than three months of age shall have the animal registered through the Manvel Police Department, and renew said registration annually. The cost of registration for each animal shall be in the amount set by the most recent fee schedule resolution adopted by city council. The owner shall show the following in order to register an animal:

(1) A current certificate of rabies vaccine;

(2) The address, name of owner and telephone number of the owner; and

(3) A description of the animal.

(b) *Microchip requirements.* It shall be unlawful for the owner or custodian of any canine or feline, including ferrets, to keep such canine, feline or ferret within the corporate limits of the City without first having the animal microchipped by a veterinarian of the owner's choice. The owner shall complete a form available at the City of Manvel Police Department providing necessary owner and pet information. The owner shall provide proof that the microchip is registered with the microchip company and the information associated with the microchip is correct and current. All animals adopted from the designated adoption agency shall be microchipped unless such procedure is determined by a licensed veterinarian to be adverse to the animal's health.

(c) Micro-chip registration of all canines, felines, or ferrets within the city shall be updated by the owner, when applicable, within thirty (30) days of any change in owner information.

(d) Exemptions – The micro-chipping provisions of this section shall not apply to the following:

(1) Canine and feline animals under the age of three (3) months if kept within an enclosure.

(2) Canine and Feline animals brought to the city exclusively for the purpose of entering in any "dog or cat" show or exhibition.
(3) Canine and Feline animals brought to the city exclusively for the purpose of attending a licensed boarding facility.
(4) Canine or Feline animals in possession of a licensed Animal Rescuer.

Sec. 8-10. Hearing to Determine Nuisance Animal.

(a) Within ten (10) days of impoundment, the court shall hold a bench hearing to determine whether the animal is a Nuisance Animal. The court shall follow the procedures set forth in V.T.C.A., Health and Safety Code § 822.0423.

(b) If the court finds that the animal, while off its owner's property, injured or killed a domestic animal, the court shall deem the animal a Nuisance Animal. The court shall also issue at least one (1) of the following orders:

(1) Order the animal to be destroyed;

(2) Prohibit the owner from owning the same type of domestic animal as the Nuisance Animal while the owner lives in the city limits;

(3) Order that the animal be placed in the custody of the City of Manvel so that the animal will be placed for adoption, with specific restrictions;

(4) Order the City of Manvel to release the animal to its owner with a written notification to the owner that the owner must do one (1) or more of the following within a designated time:

a. Microchip the animal;
b. Sterilize the animal;
c. Place and keep a red collar on the animal with the wording "caution";
d. Register the animal yearly with the City of Manvel;
e. Restrain the animal at all times on a leash or within a secure enclosure;
f. Provide the City of Manvel annual proof of liability insurance for the duration of the Nuisance Animal's life, in an amount not less than one hundred thousand dollars ($100,000.00) per incident, to cover expenses for injured or killed domestic animals that the Nuisance animal may cause in the future;
g. Retrieve the Nuisance Animal from the City of Manvel only when the owner has paid all costs for the impoundment of the animal;
h. Retrieve the Nuisance Animal from the City of Manvel only when the owner has provided the Animal Control department with proof that the animal will be kept in a secure enclosure.

(c) Placing the Nuisance Animal for adoption or transferring ownership does not affect the Nuisance Animal designation or the requirements ordered by the court.

(d) Restitution. The court may order the owner of the Nuisance Animal to pay restitution to the owner of the animal that was injured or killed. If the owner cannot pay restitution, the court may order the owner to perform community service.

(e) No finding. The court shall not deem the animal a Nuisance if:

(1) The damage or attack happened in an enclosure in which the animal was being kept;

(2) The animal was protecting its offspring, itself, or another animal; or

(3) The animal was protecting a person.

(f) Appeal. An owner may appeal the decision of the court in the same manner as provided for in V.T.C.A., Health and Safety Code § 822.0424.

Sec. 8-11. Violations.

(a) An owner violates this division if:

(1) After being deemed a Nuisance Animal, while not on its owner's property, the animal injures or kills another domestic animal; or

(2) An animal that has not been deemed a Nuisance, while not on its owner's property, injures or kills another domestic animal and the owner of the animal had knowledge that the animal had injured or killed, or attempted to injure or kill another domestic animal before.

(3) The owner does not follow the court's orders.

(b) If the Nuisance Animal is found running at large or if the animal owner does not follow the court's orders, the animal shall be impounded at the shelter.

(1) Within ten (10) days of impoundment, the court shall hold a hearing to determine if the animal should be returned to the owner or if one (1) or more of the options listed in this section should be ordered;

(2) The court shall follow the same notice provisions as in section 8-8.

Sec. 8-12. Vicious Dogs – Disposition.

(a) If it is determined by the Animal Control Officer that any dog is a vicious dog, the Animal Control Officer may order the person who owns or has custody of the dog to keep the dog at all times securely confined within the private property of such owner or person having the custody of the dog. The dog must be kept in such manner as the Animal Control Officer may direct to prevent it from biting or having the opportunity of biting any person, including persons lawfully on the premises where the dog is confined, and a sign of sufficient size and design to warn persons shall be clearly posted at every entrance, until after further order of the Animal Control Officer. If, after proper notice, the dog is found running at large, the Animal Control Officer shall capture and may confine the dog for observation and evaluation.

(b) If the Animal Control Officer determines any dog to be both vicious and a perilous threat to human safety after it has first bitten someone, the dog shall be evaluated by an Animal Behavioral Specialist. Only after the animal has been evaluated and is deemed non-rehabilitative, the owner of said animal will be contacted and notified the animal shall be destroyed after the ten-day rabies observation period.

(c) For cases arising under this subsection (b), the Animal Control Officer shall notify the dog's owner that the dog has been determined to be a vicious dog or the dog is to be destroyed. The owner shall have five (5) days after receipt of the notice to appeal the decision of the Animal Control Officer to the judge of the municipal court.

(d) The Animal Control Officer shall notify the owner of the dog in writing and deliver such writing either in person or through certified mail. If the certified mail is returned "refused" or "unclaimed", the notice shall be valid and deemed delivered.

Sec. 8-13. Determination of Viciousness.

(a) In determining whether or not a dog is vicious, the Animal Control Officer shall be guided by the following:

(1) Whether or not the dog has bitten any person at any time other than the occasion which is currently being investigated;

(2) The circumstances surrounding the occasion indicating the temper or ferocity of the dog;

(3) The reputation of the dog in the community with regard to its temper or ferocity; and

(4) Its general menace to the public;

(5) An evaluation of the animal through a certified Animal Behavioral Specialist.

(b) This section shall be operative even though the dog in question has been vaccinated as required by this chapter.

(c) This section shall not apply to a dog guarding property against trespassers.

Sec. 8-14. Animal Bite or Scratch; report confinement, observation, and destruction of animal.

(a) A person who knows of an animal bite or scratch to an individual, or who knows of an animal that the person suspects is rabid, shall report the incident or animal to the Animal Control Officer if the City of Manvel is the location in which the person lives, in which the animal is located, or in which the bite or scratch occurred.

(b) The report must include:

(1) The name and address of the victim and of the animal's owner, if known; and

(2) Any other information that may help in locating the victim or animal.

(c) The Animal Control Officer shall investigate a report filed under this section.

(d) Should any person be bitten or scratched by any animal and a report is made under this section, the Animal Control Officer shall have the authority to immediately retrieve the animal or require the owner to place it with a licensed veterinarian or the Houston Humane Society Shelter for confinement and observation for at least ten (10) days. Any and all fees, including transport fees and expenses shall be billable to and be paid by the owner of, or person responsible for, the animal.

(1) Should the Animal Control Officer decide that it is not necessary to retrieve the animal and place it under confinement and observation with a licensed veterinarian, the person responsible for such animal shall be notified to keep such animal confined and under observation by a licensed veterinarian for not less than ten (10) days after the person was bitten or scratched. The veterinarian shall not release the animal until the local rabies control authority approves the release. Any animal over four (4) months of age that did not have a current rabies vaccination at the time of the bite or scratch shall not be eligible for a home quarantine.

(2) Upon the failure of the person responsible for such animal to comply with such notice, the Animal Control Officer shall cause such animal to be confined and placed under observation with a veterinarian duly licensed to practice in the state or the Houston Humane Society. The owner or owners of such animal shall be responsible for any actual expenses incurred for treatment, veterinary fee and lodging fees.

(e) If any animal dies while under observation, the head will be sent to the Texas Department of Health Rabies Lab.

(f) If, after the ten-day observation period, the animal does not show signs of rabies, the veterinarian or the Animal Control Officer shall release the animal if the owner has an unexpired rabies vaccination certificate for the animal or if the animal is vaccinated against rabies at the owner's expense.

Sec.8-15. Destruction of Rabid Animals.

The chief of police or any police officer of this city shall have the right to destroy any animal suspected of being rabid within the city limits.

Sec. 8-16 [~~8-9~~]. - Registration fee.

The owner of a dog or cat older than three months of age shall have the animal registered through the city police department, and renew said registration annually. The cost of registration for each animal shall be in the amount set by the most recent fee schedule resolution adopted by city council. The owner shall show the following in order to register an animal:

(a) [~~(1)~~] A current certificate of rabies vaccine;

(b) [~~(2)~~] The address, name of owner and telephone number of the owner; and

(c) [~~(3)~~] A description of the animal.

Sec. 8-17. Restrictions on Unsterilized Dogs and Cats.

(a) An owner of a dog or cat commits an offense if the animal is not spayed or neutered.

(b) It is a defense to prosecution under Subsection (a) that:

(1) the animal is under six (6) months of age;

(2) a licensed veterinarian certifies that the dog or cat should not be spayed or neutered for health reasons or is permanently non-fertile:

(3) the animal is being held for sale by a retail pet store or for adoption by animal services or an animal welfare organization;

(4) the animal is a competition cat or competition dog; or

(5) the owner holds a valid intact animal permit issued under Section 8-16 of this chapter for the animal.

Sec. 8-18. Intact Animal Permit.

(a) A person commits an offense if he owns an intact dog or cat without a valid intact animal permit for the dog or cat. A separate breeder/seller permit is required for each dog or cat that the person keeps unsterilized for breeding/selling purposes.

(b) An intact animal permit may only be issued for a dog or cat:

(1) that is currently in compliance with the City of Manvel vaccination requirements as listed on the Intact Animal Permit application;

(2) that is currently in compliance with the registration requirements of Section 8-9 of this chapter; and

(c) To obtain an intact animal permit, a person must submit an application to the City of Manvel Permits Department (on a form provided by the City of Manvel Animal Control for that purpose).

(d) An intact animal permit expires one year after the date of issuance and may be renewed by applying in accordance with Subsection (c) of this section. If the permits department does not receive an application for a permit renewal within 45 days after the expiration of the permit, a late fee will be added to the permit fee as listed in the adopted fee schedule.

(e) An intact animal permit is not transferable.

(f) A permittee commits an offense if he allows a permitted female dog or cat to have a litter without having the separate breeder/seller permit listed under this section.

Sec. 8-19 [~~8-10~~]. - Enforcement.

Any police officer or code enforcement officer of the city may enforce this chapter.

Sec. 8-20 [~~8-11~~]. - Penalty.

Any person who violates this chapter shall be punished by a fine of not more than $500.00 plus any cost; provided however that for any violation governing public health and sanitation, the fine may not exceed $2,000.00. Each day or any part thereof that said violation occurs or continues shall constitute a separate offense.

Sec. 8-21 [~~8-12~~]. - Animal shelter advisory committee.

(a) There is hereby established an animal shelter advisory committee.

(b) The committee shall consist of four members and be composed of at least one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of an animal shelter (operator), and one representative from an animal welfare organization.

(c) The members shall be appointed by the city council and shall serve two-year terms.

(d) Three members shall constitute a quorum. The affirmative vote of three members (the majority of the committee) is required for any action of the committee.

(e) The committee shall meet at least three times a year.

(f) Appointments to fill vacancies shall be made by the city council and in every case shall be for the unexpired term only of the member whose position has been vacated.

(g) The committee shall act in an advisory capacity to the city council, city manager, and relevant departments and entities of the City of Manvel in animal shelter matters. Specifically, the committee shall be empowered to do any or all of the following:

(1) Act in an advisory capacity in all matters pertaining to animal shelters within the city and assist animal shelters located in the city to comply with V.T.C.A., Texas Health and Safety Code ch. 823;

(2) Make recommendations to the city council and city manager on animal shelter standards and operations within the city;

(3) With proper authorization from the city council, seek grants and sponsorships for animal shelter operations and activities from public and private sources and donors;

(4) Review the safety records of animal shelter operations based on safety inspections and reports;

(5) Perform any other duties or tasks as may be assigned by the city council.

Sec. 8-22 [~~8-13~~]. - Chaining and tethering prohibitions.

Staking, tying or tethering:

(a) [~~(1)~~] An owner may not leave a dog outside and unattended by use of a restraint unless the owner provides the dog access to:

1. [~~a.~~] Adequate shelter;

2. [~~b.~~] An area that allows the dos to avoid standing water;

3. [~~c.~~] Shade from direct sunlight; and

4. [~~d.~~] Potable water.

(b) [~~(2)~~] An owner may not restrain a dog outside and unattended by use of a restraint that;

1. [~~a.~~] Is a chain;

2. [~~b.~~] Has weights attached;

3. [~~c.~~] Is shorter in length than the greater of:

i. [~~1.~~] Five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail, or;

ii. [~~2.~~] Ten feet;

4. [~~d.~~] Is not attached to a properly fitted volar or harness; or

5. [~~e.~~] Causes pain or injury to the dog.

(c) [~~(3)~~] A person commits an offense if the person knowingly violates this section. The restraint of each dog that is in violation is a separate offense.

Sec. 8-23 [~~8-14~~]. - Exceptions.

(a) It is an exception to the application to this section that:

(1) The owner uses a restraint on the dog in a public camping or recreational area in compliance with the requirements of the public camping or recreational area as defined by a federal, state, or local authority or jurisdiction;

(2) The owner uses a restraint on the dog while the owner and dog engage in, or actively train for an activity conducted under a valid license issued by the state provided the activity is associated with the use or presence of a dog;

(3) The owner uses a restraint on the dog while the owner and dog engage in conduct directly related to the business of shepherding or herding cattle or livestock;

(4) The owner uses a restraint on the dog while the owner and dog engage in conduct directly related to the business of cultivating agricultural products;

(5) The owner leaves the dog unattended in an open-air truck bed only for the time necessary for the owner to complete a temporary task that requires the dog to be left unattended in the truck bed.

(6) The owner uses a restraint on the dog while the owner and dog are engaged in, or actively training for, hunting or field trialing.

(b) Section 8-22 [~~Section 8-13~~] does not apply to a restraint attached to a trolley system that allows a dog to move along a running line for a distance equal to or greater that the lengths specified under that subdivision.

(c) This subchapter does not prohibit a person from walking a dog with a handheld leash.

Sec. 8-24 [~~8-15~~]. - Running at large prohibited.

(a) An owner of an animal shall ensure that such animal does not run at large in violation of this chapter.

(b) It shall be unlawful for any person owning, keeping or having any animal in their possession or control to allow it to run at large.

(c) The provisions of this section shall not apply if:

(1) The animal is under physical restraint by the owner;

(2) The animal is participating in obedience training or competition, dog shows, field trails or performing acts such as herding under the control and supervision of an owner.

(3) The animal has an electronic training collar affixed to the body. Electronic training collars are an acceptable means of meeting the aforementioned Code requirement in city parks and designated dog parks, if the animal is at all times responsive to the owner's command; however, such training collars are unacceptable in city parks when organized activities or sporting events are underway.

(d) Each time an animal runs at large in violation of this section shall be a violation. Each violation shall be considered a separate punishable offense.

Sec. 8-25 [~~8-16~~]. - Animal waste removal.

(a) It shall be unlawful for any person to fail to immediately remove and dispose of, in a sanitary manner, feces left by a dog being handled by that person on property, public or private, other than the premises of the owner or handler of such dog.

(b) It shall be unlawful for any person to walk a dog on public property or the private property of someone other than the owner or handler of such dog without having in their possession a container or other instrument suitable for the removal and disposal of the dog's feces in a sanitary manner.

(c) This section shall not, however apply to handicapped persons using guide dogs or to peace officers while using animals in the discharge of emergency law enforcement activities.

Secs. 8-26—8-39. Reserved.

ARTICLE II. – KENNELS AND CATTERIES

Sec. 8-40. Definitions.

The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them:

Animal rescuer means any person operating a rescue organization or shelter must register with Animal Control, providing documents as may be required for proof of rescuer status, in order to fit within the exceptions to microchipping and permitting in this chapter.

Cattery means any building, structure, enclosure premises or lot whereupon, or within which, more than four (4) cats, four (4) months of age or older, are kept or maintained for any purpose whatever, except a veterinary hospital operated by a graduate veterinarian duly licensed by the state board of veterinary examiners, or the impound facility operated by the City.

Class I kennel means any building, structure, enclosure or premises whereupon, or within which, five (5) to eight (8) dogs, four (4) months of age or older, are kept or maintained. One-half (½) acre minimum is required.

Class II kennel means any building, structure, enclosure or premises whereupon, or within which, nine (9) or more dogs, four (4) months of age or older, are kept or maintained. One-acre minimum is required.

Non-microchipped animal means any dog or cat which has no microchip or the owner information with the microchip company or animal control is not valid.

Unaltered and *unspayed* means a condition that exists in an animal which permits the producing of offspring.

Sec. 8-41. Licensing of Kennels and Catteries.

(a) No person shall operate or maintain a kennel or a cattery as those terms are defined in section 8-23, without first obtaining approval from a City Animal Control Officer, after which the appropriate license will be obtained from the Animal Control Department. Such license shall be valid for a period of two (2) years from the date of issuance, except that the Animal Control Official may, in his/her discretion, limit the duration of the license to one (1) year when he/she deems such limitation to be appropriate. Said license shall be renewed prior to the date of expiration. Where a kennel license has been issued and is in effect, all animals contained in such kennel shall also be licensed/registered in accordance with the rules and regulations set forth herein.

(b) An application for a kennel or cattery license shall be filed with the Animal Control Department. Said application form, when completed, shall contain such information as may reasonably be required by the animal control official for the purposes of enforcement of this chapter, including, but not limited to:

(1) The name, address and current home telephone number of the caretaker of the subject kennel or cattery; and

(2) A separate name, address and current telephone number for emergency use when such caretaker is absent from the subject kennel or cattery.

Where a kennel or cattery is sought to be operated upon leased or rented premises, a letter of consent from the owner of the premises to the effect that the kennel or cattery may be maintained and operated on such premises shall be submitted to the Animal Control Department at the time the application for the kennel or cattery license is submitted.

(c) After receipt of a kennel or cattery license application, the Animal Control Officer and the City Health Official shall make an inspection of the premises of the kennel or cattery for which a license is requested. No kennel or cattery license shall be issued nor shall any such license be renewed, unless and until the kennel or cattery, in the opinion of the Health Official, satisfies the applicable laws and regulations of the state, and the applicable ordinances of the City, including but not limited to the Zoning Ordinance. Notwithstanding any other provision of this chapter, the Health Official or the animal control official may, in their respective discretion, limit the numbers of dogs or cats over the age of four (4) months which are kept or maintained in any kennel or cattery, and such limitation may be imposed at such time as an application for an initial kennel or cattery license is considered or at such time as an application for renewal of a kennel or cattery license is considered.

(d) Notwithstanding any other provision of this chapter, the Health Official and Animal Control Official are hereby authorized to enter upon and inspect the premises of any kennel or cattery located in the city for the purpose of determining whether such kennel or cattery is in compliance with the provisions of this article. As a condition of the issuance of a kennel or cattery license, each owner and operator of a kennel or cattery shall agree to allow such entry and inspection and such agreement shall be made a part of the license application. Such inspections shall be made during reasonable hours at times when the owner or operator of the kennel or cattery is present on the kennel or cattery premises, and with such frequency as the Health Official or Animal Control official shall deem appropriate. Willful refusal on the part of a kennel or cattery owner or operator to allow such inspection shall be grounds for summary denial of an application for a kennel or cattery license or for summary suspension or revocation of a kennel or cattery license.

(e) A non-profit animal rescuer shall not be required to pay a fee for the licenses required of this article; provided, however, that all other provisions of this article shall be applicable to any such nonprofit corporation.

(f) A violation of this section shall be punishable as follows: Any person who violates any part of this chapter shall, upon conviction, be guilty of a misdemeanor. Such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this section is committed, continued or permitted.

Sec. 8-41. Denial, suspension, revocation and appeal of kennel or cattery license.

The health official or animal control official may, in his/her discretion, deny any application for a kennel or cattery license whether such application is for an original license or renewal of a license, and may suspend or revoke any kennel or cattery license if it is found a kennel or cattery fails to meet any or all of the standards for kennels set forth in this chapter or is in violation of any law of the state.

Sec. 8-42. Notice.

When such denial, suspension or revocation occurs, the health official or animal control official shall prepare a written notice of such denial, suspension or revocation which shall contain a brief statement of the reason or reasons for such denial, suspension or revocation. The health official or animal control official shall serve such notice upon the applicant or licensee by hand-delivery or by registered or certified mail, postage prepaid, return receipt requested. Denial, suspension or revocation shall be effective thirty (30) days after service of such notice. Where an application for a kennel or cattery license is denied or where a kennel or cattery license issued pursuant to this article is revoked, no application for a new license for such kennel or cattery shall be considered for a period of one (1) year from the effective date of such denial or revocation; provided, however, that for good cause shown the chief of police may direct that there be a lesser period of time before such application will be considered.

Sec. 8-43. Appeal.

An animal owner may appeal the decision of the chief of police, or designee to revoke a license of a dog or cat as a result of the informal hearing held by the chief of police or designees, by writing and requesting that the decision be appealed to and reviewed by the chief of police, or designee. The chief of police's decision on the appeal of the revocation shall be final, and not be subject to further appeal.

Secs. 8-44—8-50. Reserved.

ARTICLE III. - ANIMAL RESCUER PERMIT

Sec. 8-51. Animal Rescuer Permitting and Licensing.

(a) Any person or entity engaged in the rescue of animals, shall first obtain a rescue permit from the City Animal Control Department and shall meet all requirements for a kennel/cattery license.

(1) For a rescuer primarily maintaining five (5) to eight (8) dogs or cats outside, a class I kennel/cattery license is required, and the minimum land requirement shall be one-half (½) acre to one (1) acre in size.

(2) For a rescuer primarily maintaining nine (9) or more dogs or cats outside, a class II kennel/cattery license is required, and the minimum land requirement shall be one (1) acre.

(b) The fee for a kennel/cattery permit as a rescue facility shall be as stated in the City of Manvel approved fee schedule.

(c) Personal dogs or cats (not for adoption or sale) shall be microchipped in accordance with this chapter.

(d) A permitted rescuer obtaining animals from a shelter shall not be subject to the payment of impound fees and charges, but shall be subject to any spay/neuter fees by a properly licensed veterinarian.

(e) All rescued dogs and rescued cats older than four (4) months must be spayed/neutered, unless a licensed veterinarian prohibits for reason of medical necessity, prior to releasing to an adopting party. In any event, the animal must be altered within thirty (30) days of receipt by the rescuer.

(f) Accurate and complete records of all animals shall be maintained by the animal rescuer on forms which will be made available to the city of animal control for inspection upon request.

(g) Administration of the animal rescue program shall be the responsibility of the animal control official who shall have the authority to issue and revoke animal rescue permits.

Secs. 8-51—8-54. Reserved.

ARTICLE IV. - ANIMAL SELLER PERMIT

Sec. 8-55. Permit required.

(a) Any person engaged in the sale of animals, shall first obtain a seller permit from the city Animal Control Department and shall meet all requirements for such permit.

(1) Applicant must provide proof of rabies inoculation as required by this chapter.

(2) No more than one prior permit granted to household in prior twelve (12) months.

(b) The fee for a seller permit shall be as stated in the City of Manvel fee schedule resolution.

(c) Seller permit does not apply to kennel/cattery and is limited to one (1) animal or litter.

Secs. 8-56—8-59. Reserved.

ARTICLE V. - PETTING ZOO REQUIREMENTS

Sec. 8-60. Notification.

Any animal exhibitor who will be operating a petting zoo at any event within the city must notify, in writing, the animal control division of the city police department no less than five (5)

days before the event. This written notification must consist of the date, time and location of the petting zoo, the number and species of animals that will be present, proof of insurance and proof of a USDA license where applicable. The notice must be submitted in duplicate (two (2) copies), with one (1) copy to be kept on file with the animal control department and one (1) copy to be forwarded to the city health official for review.

Sec. 8-61. General requirements.

The petting zoo must comply with the following requirements:

(a) A minimum of two (2) hand washing stations must be visible, easily accessible and operating at all times that the petting zoo is open to the public.

(b) A fence barrier must be constructed so as to prevent the public's direct contact with the animals outside the barrier. This barrier must be sanitized three (3) times daily (prior to opening, midway through the event and upon closing). The operator may be required to sanitize the fence barrier more often when determined to be necessary by the health official.

(c) The operator of the petting zoo must have appropriate informational and educational materials available to the public. Such materials shall inform the participants of the petting zoo of the dangers associated with lack of hand washing after contact with animals. This information should consist of, at a minimum, signs and brochures.

(d) Animal containment areas must be covered with straw or an approved, equally absorbent material. The area must be completely raked and sanitized nightly. The operator may be required to rake and sanitize the containment area more often when determined to be necessary by the health official.

(e) A commercial dumpster must be obtained and emptied at least every forty-eight (48) hours to reduce the amount of odor or the attraction of flies and other nuisances.

(f) No animal which is sick, injured, in heat or pregnant shall be allowed in the zoo.

(g) No food or drinks will be allowed within the fenced-in barrier. A sign with a minimum of one-inch lettering must be posted at every entrance gate, stating "No Food or Drinks Allowed Beyond this Point."

(h) No exotic cats, primates or any other animal that is recognized by the city animal control official as possibly posing an unacceptable level of risk to the public will be allowed.

Sec. 8-62. Permit process.

A permit to operate the petting zoo will be issued upon the following:

(a) Submission of the completed paperwork to the animal control department.

(b) Inspection and approval of the petting zoo facilities and animals by the city animal control department and city health official, certifying that the petting zoo meets the

minimum requirements as set forth in this chapter, the state, the USDA, and any other applicable laws.

(c) Inspection and approval of the petting zoo facilities by the city building official or Code Enforcement and Fire Marshal, certifying that the facility is not in violation of any applicable fire or building ordinances. It is the responsibility of the operator of the petting zoo to schedule the appropriate inspections and post the inspection report forms in a place where they are available for inspection by the city health official and animal control official. All inspections are to be scheduled by the operator at least forty-eight (48) hours prior to the event.

(d) Payment of all applicable fees to the city.

Sec. 8-63. Fees.

The required permit fee is set out in the City of Manvel fee schedule. The permit fee is due payable to the city after approval of the permit application by all applicable city departments. The city is not responsible for cancellation of any events by the event coordinator, weather, or any other causes. All permit fees are non-refundable.

Sec. 8-64. Permit.

Upon completion of all requirements set forth in this article, a permit will be issued in the name of the business and must be posted in a place that is visible to the general public.

Sec. 8-65. Violations.

If a petting zoo holding a valid permit issued by the city is found upon inspection by the city animal control official or health official to be out of compliance with any provision set forth in this chapter, then the permit can be revoked and the operation of the business must cease immediately. Upon revocation, a hearing with the chief of police, or designee, may be requested by the business owner within ten (10) days of the revocation to review the revocation of the permit.

No petting zoo may operate within the city limits without a valid permit."

Section 2. **Repealer**. All ordinances or parts of ordinances inconsistent or in conflict herewith, are, to the extent of such inconsistency or conflict, hereby repealed.

Section 3. **Severability**. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other

than the part declared to be invalid or unconstitutional; and the City Council of the City of Manvel, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 4. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be fined in an amount not to exceed $500.00; provided however that for any violation governing public health and sanitation, the fine may not exceed $2,000.00. Each day of violation shall constitute a separate offense.

PASSED AND APPROVED on first reading this _____ day of _____, 2024.

PASSED, APPROVED, AND ADOPTED on second and final reading this _____ day of _____, 2024.

_____
Dan Davis, Mayor

Attest:

_____
Tammy Bell, City Secretary

APPROVED AS TO FORM:

_____
Robert Gervais, City Attorney

RESOLUTION NO. 2024-R-22

A RESOLUTION OF THE CITY OF MANVEL, TEXAS, CALLING A PUBLIC HEARING TO BE HELD JOINTLY BY THE CITY COUNCIL AND THE PLANNING, DEVELOPMENT AND ZONING COMMISSION IN REGARD TO SEVERAL REGULATORY CHANGES TO THE ZONING ORDINANCE; PRESCRIBING THE TYPE OF NOTICE TO BE GIVEN OF THE TIME AND PLACE OF THE JOINT PUBLIC HEARING; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the City Council of the City of Manvel intends to conduct a public hearing to be held jointly with the Planning, Development, and Zoning Commission to consider approving several regulatory changes to the Zoning Ordinance; and

WHEREAS, section 211.007(c) of the **Texas Local Government Code** requires written notice of the public hearing before the Zoning Commission to each property owner within 200 feet of an area of a proposed zoning change; and

WHEREAS, the City of Austin v Acuna case applies the notice requirement of § 211.007(c) of the **Texas Local Government Code** to each property owner within 200 feet of an area subject to a global regulatory change to a city's zoning ordinance; and

WHEREAS, section 211.007(d) provides, however, that the Planning, Development, and Zoning Commission and City Council may hold a joint public hearing, and the City Council may prescribe the type of notice to be given of the time and place of the hearing, instead of sending notice to each property owner within 200 feet as required by 211.007(c); and

WHEREAS, to promote efficiency and to save time, the City Council deems it in the best interest of the City of Manvel to hold a joint public hearing with the Planning, Development, and Zoning Commission, and to prescribe the type of notice to be given of the time and place of the hearing, consistent with section 211.007(d);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS:

SECTION 1: That the City Council of the City of Manvel hereby calls a public hearing to be held jointly with the Planning, Development, and Zoning Commission to consider approving the several regulatory changes to the Zoning Ordinance.

SECTION 2: In accordance with section 211.007(d) of the **Texas Local Government Code**, the City Council, by two-thirds vote, prescribes that notice of the joint public hearing shall be by publication in a newspaper of general circulation in the City of Manvel at least 10 calendar days in advance of the public hearing. The city secretary is directed to publish notice according to this resolution.

SECTION 3: The Public Hearing shall be conducted on the 22nd of July, 2024 at 6:00 p.m. at City Hall, 20031 Morris Ave (Hwy 6), Manvel, Texas.

<u>SECTION 4:</u> That this Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this _____th day of _____, 2024.

_____
Dan Davis, Mayor
City of Manvel, Texas

ATTEST:

_____
Tammy Bell, City Secretary

CITY COUNCIL DATA SHEET

MEETING DATE: July 1, 2024

Agenda: **Regular** ☑ **Consent** ☐

TOPIC:

Approval of partial expenses to fund part of the FF&E budget for the Manvel Police Department.

BACKGROUND:

Requesting approval of expenditures to partially fund the FF&E budget for the following equipment:

Equipment	Source	Cost
Site Security	DataVox	$ 522,653.03
Audio Visual	DataVox	$ 349,257.81
Networking	DataVox	$ 199,014.98
Multi Tech Discount	DataVox	$ -22,000.00
Southwest Solutions	Storage Solutions / Lockers	$ 531,173.00
Total		$ 1,580,098.82

RECOMMENDATION:

Approval of expendatures

ATTACHMENTS:

FUNDING ISSUES

☐ Not applicable
☐ Not budgeted
☐ Full amount already budgeted
☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER	FINANCE DIRECTOR APPROVAL ☐
Keith Traylor	CITY MANAGER APPROVAL: ☐