

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 5/20/2024

Workshop Session 5:00-5:30 P.M.

Mayor Davis called the workshop of the Manvel City Council to order at 5:00 p.m.
Those in attendance were:

Present: Mayor Dan Davis
City Councilmember Place 1 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

Absent: None

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

Mayor Davis convened the meeting into Executive Session at 5:00 p.m.

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

WORKSHOP CONTINUED

Mayor Davis reconvened the meeting out of Executive Session at 5:27 p.m.
There was no action taken during Executive Session.

Discussion on any topic as listed on the current agenda.

Recognition / Reception 5:30 p.m. - 6:00 p.m.

Ceremonial Oaths;

Keith Bonner - Councilmember, Place 1

David Lands - Councilmember, Place 2

Mayor Davis officiated.

Recognize Larry Akery - Council Member 2018-2024

Regular Session - 6:00 p.m.

Call To Order

Mayor Davis called the meeting of the Manvel City Council to order at 6:00 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 4 Ed Perry
City Councilmember Place 5 Crystal Sarmiento
City Councilmember Place 6 Jerome Hudson

Absent: None

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

Invocation

Inspirational Reading - Councilmember Sarmiento

Pledge

Presentations

Proclamation;
Flood Awareness Week - May 20-24, 2024

Public Comments: "Comment Card" Required

Melissa Charba - 6506 Jordan

Concerned about the trees being taken down in front of her property for the Clark/Jordan realignment

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Public Comments Continued:

Katie Smith - Manvel Library

Spoke about the Summer Reading Program and Summer Reading Kick-off Party on June 1st.

City Manager Update

Clark Bridge alignment project has started. Staff is talking to TxDOT to see if there is anything that can be done to save the trees.

The water main break last week was bad but it could have been worse. Since we have a second water plant, only 1 subdivision was impacted without water, the rest of the areas still had water with low pressure.

Consent Agenda

1. Acceptance of the meeting minutes to date.
2. Consideration and possible action to approve Resolution 2024-R-17;
A RESOLUTION OF THE CITY OF MANVEL, TEXAS FINDING THAT CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC'S REQUESTED INCREASE TO ITS ELECTRIC TRANSMISSION AND DISTRIBUTION RATES AND CHARGES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND GCCC LEGAL COUNSEL.
3. Consideration and possible action to approve Resolution 2024-R-18;
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, APPROVING AS A PROJECT OF THE MANVEL ECONOMIC DEVELOPMENT CORPORATION CERTAIN PROJECT NUMBER 2023-02 – APPROVING AN EXPENDITURE OF UP TO \$12,500.00 FOR THE MAXFIT GYM BUSINESS SIGN PROJECT TO PROVIDE FOR A DISTINCTIVE BUSINESS SIGN 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.
5. Final acceptance of infrastructure improvements for Meridiana Parkway Bridge Phase 5 and release of associated maintenance bonds.
6. Final acceptance of infrastructure improvements for Meridiana Parkway Bridge Phase 7 and release of associated maintenance bonds.

Mayor Davis made the motion to remove consent agenda item #4. Councilmember Sarmiento seconded the motion.

The motion carried with a vote: 7/0

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

No: None

Absent: None

Abstained: None

Councilmember Jerome Hudson made the motion to approve the Consent Agenda. Councilmember Ed Perry seconded the motion.

The motion carried with a vote: 7/0

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

No: None

Absent: None

Abstained: None

Items Removed from Consent Agenda

4. Acceptance of the Capital Improvements Advisory Committee (CIAC) Report and recommendation to have the Impact Fee Study updated after 4 years instead of 5 years as recommended by the Capital Improvements Advisory Committee with a 5/0 vote.

Study update is ~\$150,000

CIAC recommended a reduction from 5 years to 4 years to the study.

Mayor Davis wants to look at including drainage and road impact fee studies included for new development.

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

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 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. Consideration and possible action on the appointment of a Mayor Pro-Tem to serve for one year.

Mayor Davis made the motion to appoint Crystal Sarmiento as Mayor Pro-Tem. 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

2. 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.

Council would like staff to reevaluate the maternity/paternity leave to look at the possibility of allowing paid time off earlier than the one-year requirement that FMLA has in their guidelines.

Update language in tattoo policy to reflect what the Police Department has in theirs, and include profane language.

Mayor Davis made the motion to table. Mayor Pro-Tem Sarmiento seconded the motion. The motion carried with a vote: 7/0

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

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

No: None
Absent: None
Abstained: None

3. Consideration and possible action to approve Ordinance 2024-O-21;
AN ORDINANCE AMENDING ORDINANCE NO. 2023-O-32 AMENDING THE CITY FISCAL YEAR 2024 BUDGET ENDING SEPTEMBER 30, 2024, BY AMENDING THE CAPITAL FUND BUDGET TO RECOGNIZE GRANT REVENUE FOR FM1128 WATER/SEWER LINE EXTENSION AND SEWER IMPROVEMENTS, TO RECOGNIZE BOND PROCEEDS TO FUND WATER RECLAMATION FACILITY AND OTHER PROJECTS AND BY AMENDING THE GENERAL FUND BUDGET TO RECOGNIZE ADDITIONAL COURT FINES REVENUE AND FUND ADDITIONAL PROSECUTOR COSTS. DIRECTING THE BUDGET OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET WITH THE CITY SECRETARY AND WITH THE OFFICE OF THE BRAZORIA COUNTY CLERK AND PROVIDING THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

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

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 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 award the contract for the Masters Road Utility Improvements and McCoy Road Lift Station Consolidation Project for \$2,081,455 to Materials Tech and authorize the City Manager to execute the contract.

Dan Johnson -

Water from PD up to new Public Works

Sewer from Terra Estates up to PD and new Public Works

Mayor Pro-Tem Sarmiento wants to see these big contractors utilizing local businesses as their subcontractors. What would it take to make this a requirement in the RFQ/RFP process, like requiring a certain percentage of local businesses to be subcontractors for projects, granted they are vetted.

Councilmember Lands 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

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5. Consideration and possible action to award the contract for the Central Water Reclamation Facility Project for \$40,000,000 to CSA Construction, Inc. and authorize the City Manager to execute the contract.

Dan Johnson -

Wastewater treatment plant on Corporate that will utilize ultraviolet light and natural gas generator over chlorine and diesel generator.

Mayor asks staff to make sure we don't have any obligation to build right-of-way out. Project build out time is 30 months.

Councilmember Bonner asks if this will require new staff. Robbie Hall said yes, likely two, one of which they will be submitting in this year's budget.

Mayor Pro-Tem Sarmiento made the motion to approve. Councilmember Hudson seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 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 authorize the City Manager to pursue available CDBG Funds and execute the agreement between Brazoria County and the City.

Opportunity identified - looping two dead end waterlines on King and Bissell

Robert Gervais, City Attorney - low, but not no risk in accepting these funds. Feels confident in going for this particular grant.

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

7. Consideration and possible action to approve the reappointment of James McClain, Amanda Hoffpaur, and Jacob Duboise to the Animal Advisory Board along with the appointment of Chad Dumont to fill the board's vacant seat.

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

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8. Consideration and possible action to approve the reappointment of Aaron Bell, Martin Vela, Mark Pauley, and David Headley to the Building and Standards Commission.

Councilmember Opliger 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

9. Consideration and possible action to approve the reappointment of Paul Sofka, Ellen Naegeli, Leslie Calvert, and Brian Wilmer to the Croix Park Task Force, along with the appointment of Larry Akery to fill the board's vacant seat.

Councilmember Hudson 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

10. Consideration and possible action to direct staff on a Homestead Exemption.

Rosa Donaire, Finance Director presented the item to Council.

2.5% is a savings of \$46.66 per household with a revenue loss for the city of \$238,073

5% is a savings of \$93.33 per household with a revenue loss for the city of \$476,147

10% is a savings of \$186.65 per household with a revenue loss for the city of \$952,294.

The Mayor feels strongly that we should do something and suggests taking a phased approach to the exemption, starting with 5% then taking a two-year break before increasing it to allow the city to recoup.

Mayor Davis made the motion to direct staff to put together a Homestead Exemption ordinance at 5%. 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

11. Consideration and possible action to direct staff on requirements for roofing inspections. (Requested by Councilmember Opliger and Councilmember Lands).

Councilmember Opliger does not see the value in permitting re-roofing, and the \$50 fee. Does not see anything about a re-roofing permit in the code of ordinances.

There is back and forth on reasons why a permit and inspection is necessary and protective to the

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homeowner and neighbors.

Councilmember Opliger concedes that if it is going to be required, can we have something that outlines this in the code or online.

Dan Johnson will get with staff and do some research then send an email out.

No action taken.

12. Consideration and possible action to direct staff on the Facility Use Policy.

Robert Gervais, City Attorney -

Possibility of opening the City Council Chambers, conference room, back parking lot to people like non-profits or fundraisers

Would need staffing for after hours, and what would the rate of pay be? Would there be a fee?

Mayor Davis not in favor of allowing the conference room to be used.

Mayor directs staff to go over registration process, cost for cleanup, afterhours and weekends city employee/cost of their time.

Councilmember Bonner strongly suggests a fee. No action taken.

13. 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.

Mayor Davis made the motion to Authorize City Manager to purchase 7246 Masters Rd with option period of 45 days. 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

Mayor and Council Comments

Streets/Sidewalk repair list should be on the second meeting in June.

Mayor wants to discuss underground powerline requirements at a future date.

Adjourn

Mayor Davis made the motion to adjourn the meeting at 9:22 p.m. 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 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento

No: None

Absent: None

Abstained: None

CERTIFICATION

TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS

DAN DAVIS, MAYOR
CITY OF MANVEL, TEXAS

