

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 7/15/2024

Workshop Session

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

Those in attendance were:

Present: Mayor Dan Davis
City Councilmember Place 1 Keith Bonner
City Councilmember Place 2 David Lands
City Councilmember Place 3 Harry Opliger
City Councilmember Place 5 Crystal Sarmiento (Arrived late)
City Councilmember Place 6 Jerome Hudson

Absent: City Councilmember Place 4 Ed Perry

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

Budget Presentations:

Public Works
City Secretary

Robbie Hall, Public Works Director, presented the Public Works budget presentation.
Tammy Bell, City Secretary, presented the City Secretary/Municipal Court/Public Information Office budget presentations.

Presentation/update by Kendig Keast on Future Manvel Survey and Manvel Today Report.
Jennifer Mak, Architect and Senior Urban Designer for Kendig Keast provided the update.

Discussion on any item as listed on the agenda.

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

Absent: City Councilmember Place 4 Ed Perry

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

Invocation

Inspirational Reading - Mayor Davis

Pledge

Presentations

Recognition of Captain Robert McClain for graduating from Leadership Command College at Bill Blackwood Law Enforcement Management Institute Of Texas (LEMIT).

Servant Leadership Award for Ruth Ann Dietz

Public Comments: "Comment Card" Required

Alfred Froberg - Compliments to Mayor Davis for the outstanding communication through the events of Hurricane Beryl.

City Manager Update

Update on Hurricane Beryl.

Consent Agenda

1. Acceptance of the meeting minutes to date.
2. Approve second and final reading 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;

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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. City Council approved the first reading on 7/1/24 - Vote 7/0).*

3. Acceptance of infrastructure improvements for Sanitary Sewer Force Main Phase 1 to Serve Valencia for Brazoria County Municipal Utility District No. 83 to begin the Two-Year Maintenance Period.

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

The motion carried with a vote: 6/0

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 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: City Councilmember Place 4 Ed Perry

Abstained: None

Items Removed from Consent Agenda

None

Regular Agenda

1. 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 with conditions by PD&Z on 6-24-2024 - Vote 7-0) (Tabled by City Council on 7/1/2024)*

Ian Knox, SafeBuilt/BBG, presented the item to Council.

The applicant, Amir Bashiri, provided an overview of the ER to Council.

Councilmember Bonner has concerns about the ingress and egress and a curb cut with TxDOT.

Mayor asks what insurances they can take. They can only take private insurances because by regulation they cannot obtain a CMS. The plan is to turn into a hospital so they can acquire a CMS certification so they can take medicare/medicaid patients.

Other items discussed were drainage, the ambulance ordinance, staffing, viability, community involvement, the flood zone of the property.

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

The motion carried with a vote: 6/0

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 5 Crystal Sarmiento, City Councilmember

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Place 6 Jerome Hudson
No: None
Absent: City Councilmember Place 4 Ed Perry
Abstained: None

2. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-30; AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL BY AMENDING CHAPTER 33 "FOOD AND FOOD HANDLERS" TO ADOPT THE 2021 TEXAS FOOD ESTABLISHMENT RULES (TFER), WITH LOCAL AMENDMENTS CONSISTENT THEREWITH, REGULATING FOOD ESTABLISHMENTS; AMENDING CHAPTER 35 "FOOD AND FOOD HANDLERS" TO AMEND DEFINITIONS AND OTHER PROVISIONS TO MAKE THE RULES PERTAINING TO MOBILE FOOD VENDORS CONSISTENT WITH ADOPTION OF THE 2021 TFER; REPEALING PROVISIONS IN CONFLICT THEREWITH; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

2021 Amendment does not require letter scoring system for restaurants. If council wants the letter scoring system, then a local amendment needs to be done.

Mayor asks this to be on the Regular Agenda for second reading.

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

The motion carried with a vote: 6/0

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 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson
No: None
Absent: City Councilmember Place 4 Ed Perry
Abstained: None

3. Consideration and possible action to approve on first reading, Ordinance E-2024-O-31; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, PROVIDING FOR PRICE CONTROLS DURING THE DECLARED STATE OF DISASTER FOR HURRICANE BERYL; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR A VIOLATION OF ANY PROVISION HEREOF.

No action taken.

4. Consideration and possible action to authorize the City Manager to negotiate and execute the Debris Clean Up and Debris Monitoring Agreements.

Cost estimate from Crowder gulf for debris removal: \$600,000 for 30,000 cubic yards
Debris Tech (Administrative side/paperwork) - \$250,000
Disposal cost - \$9 or \$10/yd, so at 30,000 cubic yards, that's \$300,000
FEMA will reimburse up to 75% of the cost.

Councilmember Sarmiento made the motion to authorize the City Manager to negotiate and execute the Debris Clean Up and Debris Monitoring Agreements. Councilmember Hudson seconded the motion.

The motion carried with a vote: 6/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry

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Opliger, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: City Councilmember Place 4 Ed Perry

Abstained: None

Executive Session

Section 551.074: Personnel Matters; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

Discuss complaints against Mayor and city personnel for inaction on the situation with residents on Mississippi St.

Mayor Davis convened the meeting into Executive Session at 8:01 p.m.

Mayor Davis reconvened the meeting out of Executive Session at 9:13 p.m.

There was no action taken during Executive Session.

Regular Agenda

5. Discussion on Zoning Ordinance, Article II - District Regulations, Section 77-50 (e) 10: Directional Lighting (requested by Councilmember Bonner and Councilmember Sarmiento).

No action taken.

6. Discussion on the situation with residents on Mississippi St.

No action taken.

Mayor and Council Comments

Adjourn

Councilmember Bonner made the motion to adjourn the meeting at 9:14 p.m. Councilmember Hudson seconded the motion.

The motion carried with a vote: 6/0

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 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: City Councilmember Place 4 Ed Perry

Abstained: None

CERTIFICATION


TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS


DAN DAVIS, MAYOR
CITY OF MANVEL, TEXAS

