

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 8/19/2024

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
Keith Traylor, Chief of Police
Tammy Bell, City Secretary

Hurricane Beryl After Action Discussion.

Dan Johnson provided the update.

Discussion on FY 2024-2025 Budget

Dan Johnson provided the update.

Thinks we will be able to squeeze enough money out of the budget to get three more public works employees.

Chief Traylor speaks on the difficulties of finding equipment for the new police vehicles.

Tammy Bell provided the update on the budget timeline.

September 3rd, budget hearing at 6 pm.

September 16th, tax rate hearing, then adopt budget and tax rate.

Discussion on any topic as listed on the current agenda.

Dan Johnson explained the agenda item for the Acting City Manager. Six department heads will rotate as acting for one month at a time, so they will be acting City Managers twice a year. Councilmember Sarmiento wants to see the Assistant City Manager filled. Mayor Davis questions if the position is needed.

Mayor Davis opens the discussion on ADUs (Agenda Item 2). Councilmember Lands questions why we are regulating the rural side of this. He also questions if all the HOAs are aware that we are considering passing this.

Mayor Davis adjourned the workshop at 5:57 p.m.

Regular Session

Call To Order

Mayor Davis called the meeting of the Manvel City Council to order at 6:07 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
Keith Traylor, Chief of Police
Tammy Bell, City Secretary

Invocation

Inspirational Reading - Councilmember Sarmiento

Pledge

Presentations

Proclamation
National Dog Month - August 2024
National Preparedness Month - September 2024

Public Hearing

TO HEAR COMMENTS FROM THE PUBLIC REGARDING AN ORDINANCE GRANTING TO CENTERPOINT ENERGY RESOURCES CORP., DBA CENTERPOINT ENERGY TEXAS GAS OPERATIONS, THE RIGHT, PRIVILEGE AND FRANCHISE TO CONSTRUCT, INSTALL, EXTEND, REMOVE, REPLACE, ABANDON, OPERATE AND MAINTAIN ITS FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF MANVEL, TEXAS FOR THE TRANSPORTATION, DELIVERY, SALE AND DISTRIBUTION OF NATURAL GAS; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Mayor Davis opened the Public Hearing at 6:21 p.m.

1st call for comments - None

2nd call for comments - None

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3rd call for comments - None

Mayor Davis closed the Public Hearing at 6:21 p.m.

TO HEAR COMMENTS FROM THE PUBLIC REGARDING AN ORDINANCE GRANTING TO CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PRIVILEGE AND FRANCHISE TO USE THE PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF MANVEL, TEXAS FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE COMPANY'S ELECTRIC UTILITY FACILITIES TO CONDUCT AN ELECTRIC DELIVERY BUSINESS WITHIN THE CITY OF MANVEL, TEXAS.

Mayor Davis opened the Public Hearing at 6:22 p.m.

1st call for comments - None

2nd call for comments - None

3rd call for comments - None

Mayor Davis closed the Public Hearing at 6:22 p.m.

Public Comments: "Comment Card" Required

Paul Sofka - Chairperson of Croix Park Task Force

Spoke in favor of the Croix Park renovation and thanked the council for their part in making this possible.

City Manager Update

Parks Board's first meeting was August 16th.

The water tower design is complete.

Had monthly meetings with BDD4, the Chamber, and Meridiana

The next Farmer's Market is September 7th.

Consent Agenda

1. Acceptance of the meeting minutes to date.
2. Acceptance of infrastructure improvements for Water, Sewer, and Drainage Facilities, and Paving and Appurtenances to Serve Del Bello Lakes Section 9 for MUD 43 to begin the Two-Year Maintenance Period.

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

Items Removed from Consent Agenda

None

Regular Agenda

1. Consideration and possible action to fill the unexpired term for Position 6 of the Manvel Economic Development Corporation Board.

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Councilmember Sarmiento made the motion to appoint Derek Dalmolin to fill the unexpired term. 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

2. Consideration and possible action to approve the second and final reading of Ordinance 2024-O-24;

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, BY ESTABLISHING A NEW SECTION 77-37 - ACCESSORY DWELLING UNIT (ADU); 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. *(Forwarded with 7/0 favorable recommendation with conditions by PD&Z on July 22, 2024. First reading was approved 7/0 by City Council on 8/5/2024)*

The stove size requirement was struck as requested.

Mayor Davis asks about the registration and permitting process. Dan Johnson: This is still being worked through.

Councilmember Sarmiento asks about the fines. Robert Gervais: Can be up to \$2,000 a day for each violation.

Councilmember Bonner is concerned about Code Enforcement being inundated by this. Is concerned that people are going to take advantage of this.

Mayor Davis feels the value outweighs the concerns and is in support of this.

Councilmember Bonner also asks about how this will affect density with those who would add ADUs to their property.

Councilmember Opliger is strongly in favor of allowing ADUs.

Councilmember Sarmiento is also in favor of allowing ADUs.

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

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3. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-32; AN ORDINANCE GRANTING TO CENTERPOINT ENERGY RESOURCES CORP., DBA CENTERPOINT ENERGY TEXAS GAS OPERATIONS, THE RIGHT, PRIVILEGE AND FRANCHISE TO CONSTRUCT, INSTALL, EXTEND, REMOVE, REPLACE, ABANDON, OPERATE AND MAINTAIN ITS FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF MANVEL, TEXAS FOR THE TRANSPORTATION, DELIVERY, SALE AND DISTRIBUTION OF NATURAL GAS; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

This item was voted on in conjunction with Regular Agenda Item #4

4. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-33; AN ORDINANCE GRANTING TO CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, PRIVILEGE AND FRANCHISE TO USE THE PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF MANVEL, TEXAS FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE COMPANY'S ELECTRIC UTILITY FACILITIES TO CONDUCT AN ELECTRIC DELIVERY BUSINESS WITHIN THE CITY OF MANVEL, TEXAS.

Robert Gervais—After over a decade, we have been able to work with CenterPoint to reach an agreement on these franchise agreements.

Kyle, Director for Texas Coast of Natural Gas Operations, shares that he is thankful to be a part of this community.

Jason, with CenterPoint, shares in his thanks as well to the City.

Mayor Davis made the motion to approve Regular Agenda Items 4 and 5. Councilmember Perry 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 4 Ed Perry, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: City Councilmember Place 5 Crystal Sarmiento

5. Consideration and possible action to approve Resolution 2024-R-27; 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.

Councilmember Bonner made the motion to approve. 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

6. Consideration and possible action to appoint Jose Abraham as the City's *Zoning Official*, to administer and enforce the zoning regulations of the city (section 77-3 of The City Code).

Councilmember Lands 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 City Manager's designation of a 6-month rotational schedule designating an acting city manager to perform the duties in case of his absence or disability, as required by Section 5.02 (f) of the City Charter.

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

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 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. Consideration and possible action to approve the Tenth Amendment to the Amended and Restated Development Agreement between Sedona Lakes, Municipal Utility District No. 1 Brazoria County, and The City of Manvel.

Adam France, Senior Planner with BGE, provided an overview.

A couple of high-level items are updating the Master Plan, an allowance for construction phasing of the northernmost detention pond adjacent to Mustang Bayou, and then allowing for access to the lift station adjacent to that pond to be provided by a temporary access easement until such a time or right away can be built and dedicated.

Mayor Davis feels it is conspicuous that this amendment is being proposed at the same time as the lands are being marketed publicly. Adam shared that this is just one step in the process to get this property to the point of being able to be developed.

Dan Johnson shares that this is a big piece of property with many external and peripheral encumbrances. It is also involved in a five-party agreement.

Jim Forest, 2622 Joshua Tree Lane in Sedona Lakes, President of the MUD board spoke. Shares that the MUD board is in support of this. Is concerned with access to the property and confirms that the land is for sale. Dan Johnson shares that the issues come down to money.

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Mayor Davis does not feel that Ashton Woods is being a good partner. Asks that we have representatives from all five in the five-party agreement come together in the future.
Adam France agrees to coordinate the meeting of those involved in the five-party agreement.

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

9. Consideration and possible action to direct staff on a light ordinance for residential areas.

Chief Traylor shares we would have to be able to prove through a court when it goes to court that they intentionally directed this light yeah in a way to annoy year, harass or alarm, which can be done. We just have to be very careful in how we write it to make sure we are specific in that and that way it can cover.

Councilmember Sarmiento explains that she would like this to be specific towards intentional nuisance and not just light bleeding onto others' property.

Chief Traylor states he can have something drafted for the next meeting.

10. Consideration and possible action to direct staff on a Music Festival.

Councilmember Lands and Councilmember Bonner met with city staff to discuss this item. They are seeking Council's blessing to move forward with putting on a city Music Festival.

The funds would come out of the Hotel Occupancy Tax Fund, which is a separate fund from the General Fund. They are wanting the first festival to be in October 2025 at the city's 160 acres.

The consensus of council is that they would like to see this pushed forward.

Executive Session

Council will convene into an Executive Session in accordance with the Texas Government Code, pursuant to **Section 551.071**: Consultation with Attorney.

Discuss Interlocal and Development Agreement by and between the City of Manvel, Brazoria County Municipal Utility District NO. 83, and Hillwood Enterprises, L.P.

Council will convene into an Executive Session in accordance with the Texas Government Code, pursuant to **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.

Mayor Davis convened the meeting into Executive Session at 8:05 p.m.

Mayor Davis reconvened the meeting out of Executive Session at 9:12 p.m.

There was no action taken during Executive Session.

Mayor and Council Comments

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Adjourn

Mayor Davis made the motion to adjourn the meeting at 9:13 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 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

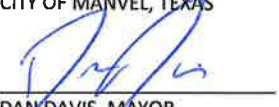
No: None

Absent: None

Abstained: None

CERTIFICATION


TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS


DAN DAVIS, MAYOR
CITY OF MANVEL, TEXAS

