

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 9/3/2024

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

Absent: City Councilmember Place 2 David Lands

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

Presentation on the Camino Software.

Lenise Centeno with Camino provided the presentation.

Discussion on the FY 2024-2025 Budget.

Budget Town Hall, Monday, September 9th

Final budget presentation, Monday, September 16th

Discussion on any topic as listed on the current agenda.

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

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

Pending or contemplated litigation; a settlement offer; of a matter in which the duty of the attorney requires it.

Freddie Douglas v. City of Manvel, Texas et al - Case No. 3:24-cv-00244

John Marks v. City of Manvel, Texas et al - Case No. 3:24-cv-00243

Mayor Davis convened the meeting into Executive Session at 5:42 p.m. for the 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

Mayor Davis recessed the Executive Session at 6:07 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: City Councilmember Place 1 Keith Bonner
City Councilmember Place 3 Harry Opliger
City Councilmember Place 4 Ed Perry
City Councilmember Place 6 Jerome Hudson
City Councilmember Place 5 Crystal Sarmiento
Mayor Dan Davis

Absent: City Councilmember Place 2 David Lands

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

Invocation

Inspirational Reading - Councilmember Hudson

Pledge

Presentations

Proclamation

Patriot Day - September 11, 2024

Staff Recognition

Michelle Vela - 15 years of dedicated service to the City of Manvel

Staff Presentations on Public Hearing Items

Evan Duvall, BBG Consulting, provided the presentation.

Public Hearing

TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING ORDINANCE NO. 2020-O-14, PERTAINING TO ZONING AND DEVELOPMENT RELATED PROVISIONS AND REQUIREMENTS FOR DEL BELLO LAKES PLANNED UNIT DEVELOPMENT (PUD) TO AUTHORIZE NAICS USE CODE 4411 "MOTOR VEHICLE DEALER" FOR THE COMMERCIAL PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF HIGHWAY 288 AND DEL BELLO BOULEVARD; PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Mayor Davis opened the Public Hearing at 6:18 pm.

1st call for comments -

Monica Britton, 4415 Meadow Shore Lane - against the dealership and requests the city think of the residents and put some safeguards in place should this pass

Geneva Rivera, 5803 Dancing Oaks Ct - requested a list of what the developer is requesting so the community can offer input as a whole

Dr. Milton Shepard, 5702 Dancing Oaks Ct - Safety concerns dealing with traffic

Dr. Pamela Hardy Shepherd, 5702 Dancing Oaks Court - emphasizes the urgency from a public health perspective and an environmental frame. There is already a toxic load in the neighborhood, and adding a dealership would only compound it.

Anthony Rivera, 5803 Dancing Oaks Ct - wanted clarification on whether this would only be for a car dealership or if it would potentially open it up to other commercial or industrial uses.

Billy Zeporteza - 5706 Dancing Oak Courts - with TCEQ for 27 years. Asks the council to consider the long-term impacts this will have on the community. Concerns over safety and traffic concerns, noise pollution, and the environmental impact car dealerships can have. Expresses that they require vast expanses of asphalt for parking lots, leading to increased runoff and reduced green space. This could exacerbate flooding issues and harm the natural landscape of the community. Additionally, the constant washing and maintenance of vehicles would add chemicals to the water system, creating potential environmental hazards. Finally, she shares her concern over the decrease in property values from allowing a dealership.

2nd call for comments - None

3rd call for comments - None

Mayor Davis closed the Public Hearing at 6:37 pm.

CANCELED - APPLICANT REQUESTED THAT STAFF PULL THEIR APPLICATION
TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY, BY CHANGING THE ZONING CLASSIFICATION OF AN APPROXIMATE 3 ACRE PORTION OF A 19.99 ACRE TRACT OF LAND GENERALLY LOCATED 40 FEET EAST OF THE SOUTHEAST INTERSECTION OF CR 58 AND RODEO DR (AT 3404 CR 58), MANVEL, TEXAS FROM SINGLE-FAMILY RESIDENTIAL (SFR) DISTRICT TO LIGHT COMMERCIAL (LC) DISTRICT 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.

TO HEAR INPUT FROM THE PUBLIC REGARDING REAUTHORIZATION OF BUILDING PERMIT FEES TO BE INCLUDED IN THE FISCAL YEAR 2024-2025 BUDGET ADOPTION ORDINANCE REAUTHORIZING ALL CITY FEES CHARGED AS A CONDITION OF CONSTRUCTING, RENOVATING, OR REMODELING A RESIDENTIAL OR COMMERCIAL STRUCTURE.

September 3, 2024 MANVEL CITY COUNCIL MEETING MINUTES

Mayor Davis opened the Public Hearing at 6:39 p.m.

Bobby Gervais provided a presentation on the Public Hearing. This is a new legislative requirement.

1st call for comments - None

2nd call comments - None

3rd call for comments - Geneva Rivera requested an explanation.

Mayor Davis closed the Public Hearing at 6:41 p.m.

To hear input from the public regarding comments for or against the following;

THE PROPOSED ANNUAL BUDGET FOR THE FISCAL YEAR OF OCTOBER 1, 2024 TO SEPTEMBER 30, 2025. THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$716,759.58 OR 6.33% AND OF THAT AMOUNT, \$890,248.94 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.

Mayor Davis opened the Public Hearing at 6:42 p.m.

Rosa Donaire provided the presentation.

1st call for comments - None

2nd call for comments - None

3rd call for comments - None

Mayor Davis closed the Public Hearing at 6:42 p.m.

Public Comments: "Comment Card" Required

Ramji Ramachandran, 9819 Chapman Trail - Presentation on Sewa Golf Tournament on September 14th.
Rashmi Singh with the Houston Chapter of the SAA International. This is for Hurricane Beryl relief specifically for Brazoria County residents.

Linda Dune, 6655 Cemetery Road - In support of the light ordinance as written.

City Manager Update

Animal Ordinance is planned to come back for the second reading at the September 16th meeting.
Second Manvel Market Saturday, September 7th.

Consent Agenda

1. Acceptance of the meeting minutes to date.
2. Approve an Interlocal Agreement between Brazoria County, Texas, and the City of Manvel.
3. Approve second and final reading 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.
4. Approve second and final reading 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

September 3, 2024 MANVEL CITY COUNCIL MEETING MINUTES

CONSTRUCTION, OPERATION AND MAINTENANCE OF THE COMPANY'S ELECTRIC UTILITY FACILITIES TO CONDUCT AN ELECTRIC DELIVERY BUSINESS WITHIN THE CITY OF MANVEL, TEXAS.

5. Acceptance of infrastructure improvements for Water, Sanitary, Sewer, and Drainage Facilities, and Paving & Appurtenances to Serve Del Bello Lakes Section 9 for Brazoria County Municipal Utility District No. 43, Brazoria County, Texas to begin the Two-Year Maintenance Period
6. Acceptance of infrastructure improvements for Water Distribution, Wastewater Collection, Storm Water Facilities and Paving to serve Meridiana Section Fourteen-B for Brazoria County Municipal Utility District No. 57, Brazoria County, Texas 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 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: City Councilmember Place 2 David Lands

Abstained: None

Items Removed from Consent Agenda - None

Mayor Davis convened the meeting back into Executive Session at 6:56 p.m. for Executive Session pursuant to Texas Government Code, Section 551.071: "Consultation with Attorney", to discuss the following:

Pending or contemplated litigation; a settlement offer; of a matter in which the duty of the attorney requires it.

Freddie Douglas v. City of Manvel, Texas et al - Case No. 3:24-cv-00244

John Marks v. City of Manvel, Texas et al - Case No. 3:24-cv-00243

Mayor Davis reconvened the meeting out of Executive Session at 8:18 p.m.

There was no action taken during the Executive Session.

Regular Agenda

1. Consideration and possible action to schedule the adoption date for the Fiscal Year 2024-2025 Budget for September 16, 2024.

Councilmember Perry made the motion to schedule the adoption date for September 16, 2024. 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 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: City Councilmember Place 2 David Lands

Abstained: None

September 3, 2024 MANVEL CITY COUNCIL MEETING MINUTES

2. Consideration and possible action to approve a Commercial Buyer/Tenant Representation Agreement between the City of Manvel and Boatman Realty, David Smith, and authorize the City Manager to execute the agreement.

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

No: None

Absent: City Councilmember Place 2 David Lands

Abstained: None

3. Consideration and possible action to direct staff on land acquisition.

Mayor Davis made the motion to direct staff to work with broker David Smith of Boatman Realty to pursue an acquisition of land as discussed in executive session and based off of the pricing that was discussed in executive session. 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 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: City Councilmember Place 2 David Lands

Abstained: None

4. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-36; AN ORDINANCE AMENDING CHAPTER 44 "OFFENSES AND MISCELLANEOUS PROVISIONS" OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY ADOPTING A NEW ARTICLE XI "LIGHT TRESPASS" TO PROVIDE OUTDOOR LIGHTING STANDARDS AND REGULATIONS THAT DECREASE LIGHT POLLUTION WITHIN THE CITY AND PROTECT PROPERTIES FROM LIGHT TRESPASS; 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.

Chief Traylor and Jose Abraham provided a presentation on the ordinance.

Councilmember Bonner asks if there is "grandfather" language in this where someone can get away with violating the ordinance.

Chief Traylor explains how the Police Department will now be able to issue citations for this with the new language that helps clarify the intent to annoy, harass, or alarm.

Councilmember Sarmiento made the motion to approve. 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 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

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Absent: City Councilmember Place 2 David Lands

Abstained: None

Mayor and Council Comments

Adjourn

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

The motion carried with a vote: 6/0

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

Abstained: None

CERTIFICATION



TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS



DAN DAVIS, MAYOR
CITY OF MANVEL, TEXAS

