

**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
October 21, 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

Executive Session

Council will convene into Executive Session in accordance with the **Texas Government Code**, pursuant to **Section 551.071**: Consultation with attorney and **Section 551.089**: Deliberation regarding security devices or security audits, to discuss (1) security assessments or deployments relating to information resources technology;(2) network security information as described by Section 2059.055(b); or (3) the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices.

Council will convene into Executive Session pursuant to Texas Government Code, Sec. 551.074. *“Personnel Matters - to deliberate the appointment, employment, evaluation, and duties of a public officer or employee”.*

Yearly Performance Review for Bobby Gervais, City Attorney

WORKSHOP SESSION CONTINUED

Discussion on any item as listed on the agenda.

Regular Session

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.

Presentations

Proclamation

Opossum Day - October 17, 2024

Certificate of Appreciation

Scott Sayers - 5 years of dedicated service to the Well Food Pantry

Staff Recognition

5 years of dedicated service to the City of Manvel

Dylan Debonis

Tanner Truitt

Gina Rodriguez

Staff Presentation on Public Hearing Item(s)

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 APPROXIMATE 6.910 ACRES BOUNDED BY OLD MASSEY RANCH ROAD (NORTH), THE BRISCOE CANAL (EAST), AND RESIDENTIALLY DEVELOPED PROPERTIES (SOUTH AND EAST), FROM HUD-CODE MANUFACTURED HOME DISTRICT (HCMH) TO HUD-CODE MANUFACTURED HOME DISTRICT WITH SPECIFIC USE PERMIT (HCMH-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE 813110 "RELIGIOUS ORGANIZATIONS"; 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. Approve the second and final reading 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 (LC/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, first reading approved by Council on 9/16/2024, Vote 7-0)
2. Approve second and final reading of Ordinance 2024-O-43;
AN ORDINANCE AMENDING CHAPTER 44 “OFFENSES AND MISCELLANEOUS PROVISIONS” OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING ARTICLE VIII. “SEXUAL OFFENDERS” TO REVISE REGULATIONS PERTAINING TO SEXUAL OFFENDERS; 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.
3. Approve an Interlocal Agreement between Brazoria County and the City of Manvel (IS25-002) for FY 25 Road Repair Assistance.
4. Acceptance of infrastructure improvements for Pomona Parkway Pedestrian Crosswalks Phase 2 to Serve Brazoria County Municipal Utility District No. 39, Brazoria County, Texas to begin the Two-Year Maintenance Period.
5. Acceptance of infrastructure improvements for Lake “A” to Serve Valencia for Brazoria County Municipal Utility District No. 83, Brazoria County, Texas. to begin the Two-Year Maintenance Period.
6. Acceptance of infrastructure improvements for Paving and Appurtenances to Serve Pomona Section 28 for Brazoria County Municipal Utility District No. 40, Brazoria County, Texas to begin the Two-Year Maintenance Period.
7. Acceptance of infrastructure improvements for Water, Sanitary Sewer and Drainage Facilities to Serve Pomona Section 28 for Brazoria County Municipal Utility District No. 40, Brazoria County, Texas to begin the Two-Year Maintenance Period.
8. Acceptance of the meeting minutes to date.

Items Removed from Consent Agenda

Regular Agenda

1. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-35;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY 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. *(Favorable recommendation by PD&Z failed on 10/15/2024, Vote 1-5) *The applicant has requested postponement of action by Council on this item until the 11/4/2024 City Council meeting.*
2. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-41;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATE 6.910 ACRES BOUNDED BY OLD MASSEY RANCH ROAD (NORTH), THE BRISCOE CANAL (EAST), AND RESIDENTIALLY DEVELOPED PROPERTIES (SOUTH AND EAST), FROM HUD-CODE MANUFACTURED HOME DISTRICT (HCMH) TO HUD-CODE MANUFACTURED HOME DISTRICT WITH SPECIFIC USE PERMIT (HCMH-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE 813110 "RELIGIOUS ORGANIZATIONS"; 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. *(Forwarded with favorable recommendation by PD&Z on 10/15/24, Vote 6-0).*
3. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-42;
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, CHAPTER 71. "UTILITIES" BY ADOPTING NEW RATES FOR WATER AND SEWER; MAKING OTHER CHANGES TO THE ORDINANCE GOVERNING THE PROVISION OF UTILITIES WITHIN THE CITY OF MANVEL; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 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. *(Postponed at the 10/7/2024 City Council Meeting)*

4. Consideration and possible action to approve Resolution 2024-R-33;
A RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE SOUTH MANVEL DEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER THREE, CITY OF MANVEL, TEXAS; AND MAKING CERTAIN FINDINGS RELATING THERETO.
5. Consideration and possible action to approve Resolution 2024-R-34;
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, APPROVING AN "ADVANCE FUNDING AGREEMENT FOR LOCALLY FUNDED PROJECT OFF-SYSTEM" WITH TXDOT FOR THE REPLACEMENT OF THE BRIDGE AND APPROACHES ON IOWA LANE AT THE GULF COAST WATER AUTHORITY CANAL, WITH LOCAL SHARE FOR THIS PORTION OF THE PROJECT IN THE ESTIMATED AMOUNT OF \$86,270.59.
6. Consideration and possible action regarding compensation of the City Attorney.

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 salutory 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 salutory 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

CERTIFICATION

I, Alyssa Deaton, Assistant 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 10/18/2024 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.



ALYSSA DEATON, ASSISTANT CITY SECRETARY
CITY OF MANVEL, TEXAS



Proclamation

OFFICE OF THE MAYOR
CITY OF MANVEL

Whereas, the City of Manvel celebrates its natural surroundings and the diverse wildlife that contributes to the beauty and ecological balance of our community; and

Whereas, the opossum, North America's only marsupial, plays an important role in maintaining a healthy environment by controlling pests, including ticks and insects, and helping to clean up our ecosystem; and

Whereas, opossums are often misunderstood despite their contributions to our local ecosystem, and it is important to raise awareness about the benefits they bring to our community and their gentle nature; and

Whereas, Opossum Day offers an opportunity for residents of Manvel to learn more about these unique animals, appreciate their role in our environment, and celebrate their place in the local wildlife population; and

Whereas, the City of Manvel recognizes the importance of respecting and coexisting with wildlife to maintain the environmental harmony that enhances our quality of life;

Now, Therefore, I, Dan Davis, by virtue of the authority vested in me as Mayor of the City of Manvel, Texas, do hereby proclaim October 17, 2024 as

"Opossum Day"

in the City of Manvel, Texas and I encourage all citizens to take part in educational activities and initiatives that promote understanding and appreciation of our local wildlife, including the fascinating opossum, as we continue to celebrate the natural beauty of our community.

In witness thereof, I have hereunto set my hand and caused the seal of the City of Manvel to be affixed.

Dan Davis, Mayor
October 21, 2024



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: October 21, 2024

TOPIC: Consideration and action on an amendment to 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), 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, nurse's 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. However, the City Council expressed concerns regarding the median directly across from the main proposed entrance to the site and requested that the applicant provide additional information and exhibits related to the development. The proposed use is not anticipated to be injurious to the use and enjoyment of neighboring properties, nor significantly diminish or impair property values in the vicinity.

A public hearing for this request was held by the Planning, Development, and Zoning Commission (PD&Z) on June 24, 2024, and one was held by the City Council on July 1, 2024.

City Council (CC) Meetings Overview:

July 1, 2024: The CC held a public hearing at which no public input was received.

During the regular meeting of the City Council, the applicant's request was tabled after the applicant had to leave before their request could be heard.

July 15, 2024: At the regular meeting, the CC tabled the request again, seeking additional information.

September 16, 2024: Representatives from Manvel ER provided a presentation addressing the Council's prior concerns, including parking, building location, TxDOT turn lane, and detention. Staff recommended adding a condition to void the SUP if significant alterations were made to the site plan, and that the site plan be included as an exhibit to the ordinance, along with a condition for TxDOT approval of the turn lane.

STAFF RECOMMENDATION: City staff recommend approval with the following conditions.

- 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 a minimum of 15 feet of 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.



PD&Z COMMISSION RECOMMENDATION:

The PD&Z Commission recommended conditional approval of Ordinance No. 2024-O-26 with a vote of seven (7) "Yeas" to zero (0) "Nays" at their June 24, 2024, meeting.

CC SEPTEMBER 16, 2024 MEETING:

The CC made the motion to conditional approval of Ordinance No. 2024-O-26 with a vote of seven (7) "Yeas" to zero (0) "Nays" at their September 16, 2024, meeting.

ADDITIONAL RECOMMENDED CONDITIONS OF APPROVAL:

- 1) The site development shall generally conform to the attached site plan. However, changes necessary to conform to any adopted City of Manvel codes and ordinances shall be made part of the construction plan and building permit review process;
- 2) Prior to any issuance of a building permit, the applicant shall obtain formal approval from TxDOT for the proposed turn lane. The SUP shall be conditional on receiving this approval, and no development may commence without it.

Note: The previously submitted drainage area map indicated a 10-foot maintenance berm around the proposed pond. As the applicant has recently updated the document to specify a 15-foot maintenance berm, staff has removed the previously recommended

condition regarding the berm's dimensions.

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

FUNDING ISSUES

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

SUBMITTING STAFF MEMBER
Ellie Roohbakhsh

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____





City Council Specific Use Permit Request

Agenda of:	October 21, 2024	Initiated By:	Ellie Roohbakhsh Assistant Planner
Department:	Development Services	Presented By:	Ellie Roohbakhsh Assistant Planner

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.

Exhibits

Zoning Vicinity Map, Aerial Vicinity Map, Major Thoroughfare Plan Map, Survey, Proposed Site Plan (Conceptual Plan), Proposed Elevations, Paving and Drainage Plan, Drainage Area Map, Application, Letter of Authorization, Letter of Request, and Public Hearing Notice.

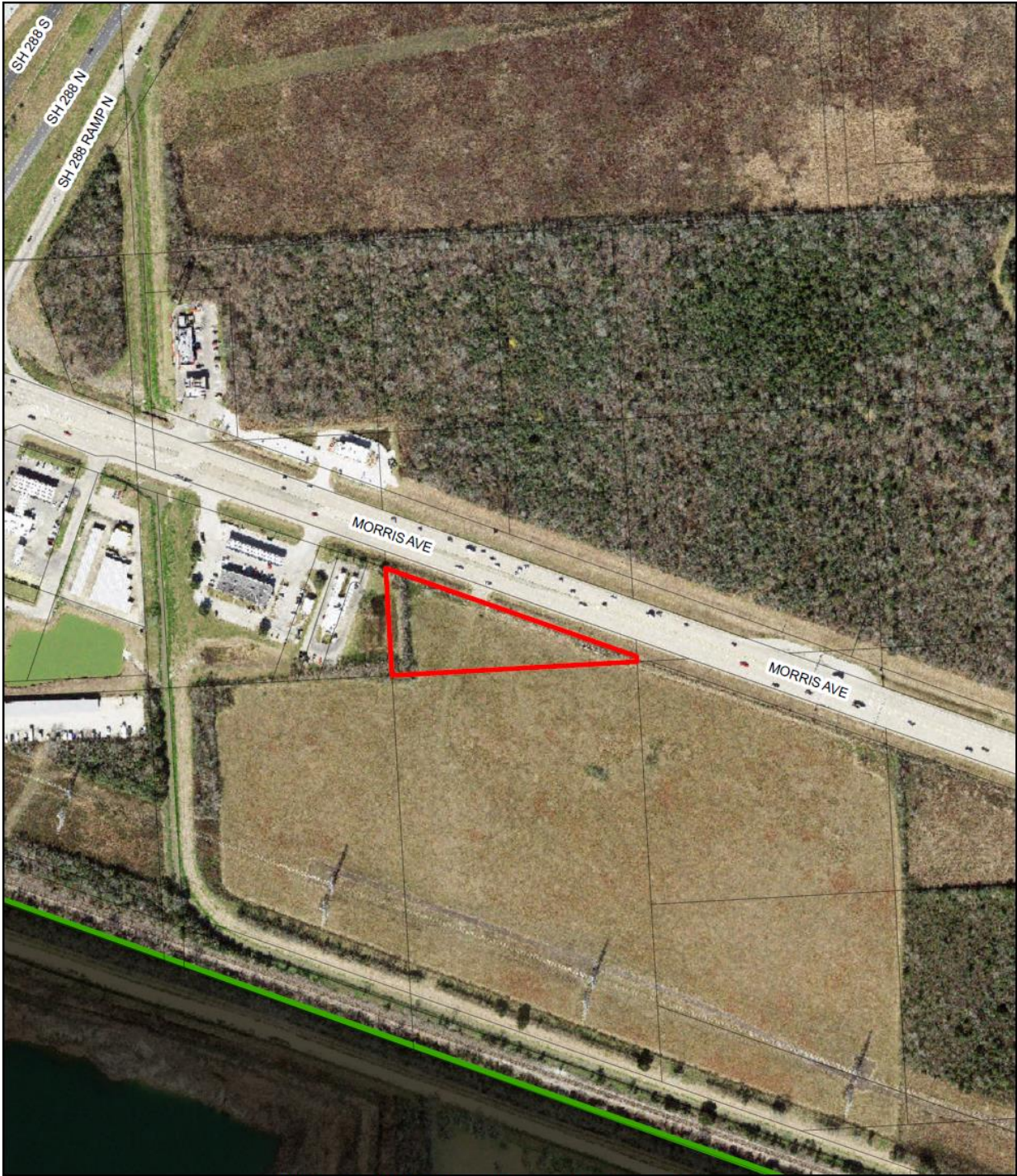
Recommended Action

A Public Hearing followed by consideration and action from the City Council to approve Ordinance No. 2024-O-26.

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. At the July 1st regular meeting of the City Council, the request was tabled after the applicant had to leave before his request was heard. Additionally, at the July 15th regular meeting of the City Council, the request was tabled at the request of City Council for additional information. At the September 16, 2024, City Council meeting, representatives from Manvel ER provided a presentation and staff recommended adding a condition to void the SUP if significant alterations were made to the site plan, and that the site plan be included as an exhibit to the ordinance, along with a condition for TxDOT approval of the turn lane. The requested SUP was conditionally approved.

Aerial Vicinity Map



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.

Manvel Medical Emergency Room

-  Manvel ER Room
-  Parcels

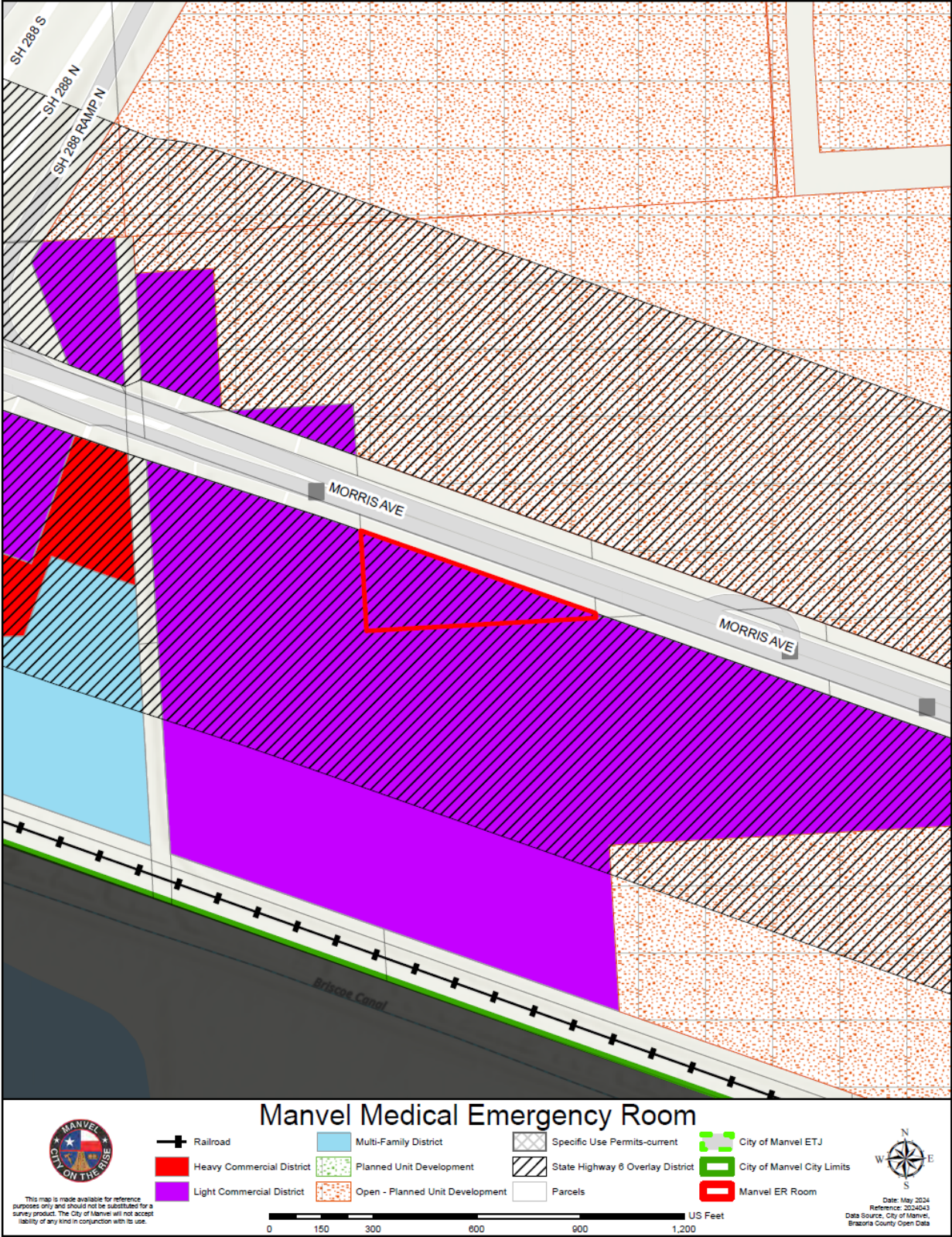
-  City of Manvel ETJ
-  City of Manvel City Limits



Date: May 2024
Reference: 2024040
Data Source: City of Manvel,
Brazoria County Open Data

0 150 300 600 900 1,200 US Feet

Zoning Vicinity Map



Staff Report

Zoning Ordinance Provisions for Specific Use Permits

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.

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 a minimum of 15 feet of 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.

Planning, Development and Zoning Commission Public Hearing

The Notice of Public Hearing at the Planning Development and Zoning (PD&Z) Commission was published in the newspaper of general circulation. All property owners within 200 feet of the property were notified. No one spoke in favor or opposition of the proposed SUP at the Public Hearing held on June 24, 2024, at the PD&Z Commission regular meeting.

Planning, Development and Zoning Commission Recommendation

The PD&Z Commission recommended approval of Ordinance No. 2024-O-26 with a vote of seven (7) "Yeas" to zero (0) "Nays" at their June 24, 2024, meeting.

City Council 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, no information inquiries have been received and staff is not aware of opposition.

City Council Meetings Overview

July 1, 2024: During the regular meeting of the City Council, the applicant's request was tabled after the applicant had to leave before their request could be heard.

July 15, 2024: At the regular meeting, the City Council tabled the request again, seeking additional information.

September 16, 2024: Representatives from Manvel ER provided a presentation addressing the Council's prior concerns, including parking, building location, TxDOT turn lane, and detention. Staff recommended adding a condition to void the SUP if significant alterations were made to the site plan, and that the site plan be included as an exhibit to the ordinance, along with a condition for TxDOT approval of the turn lane.

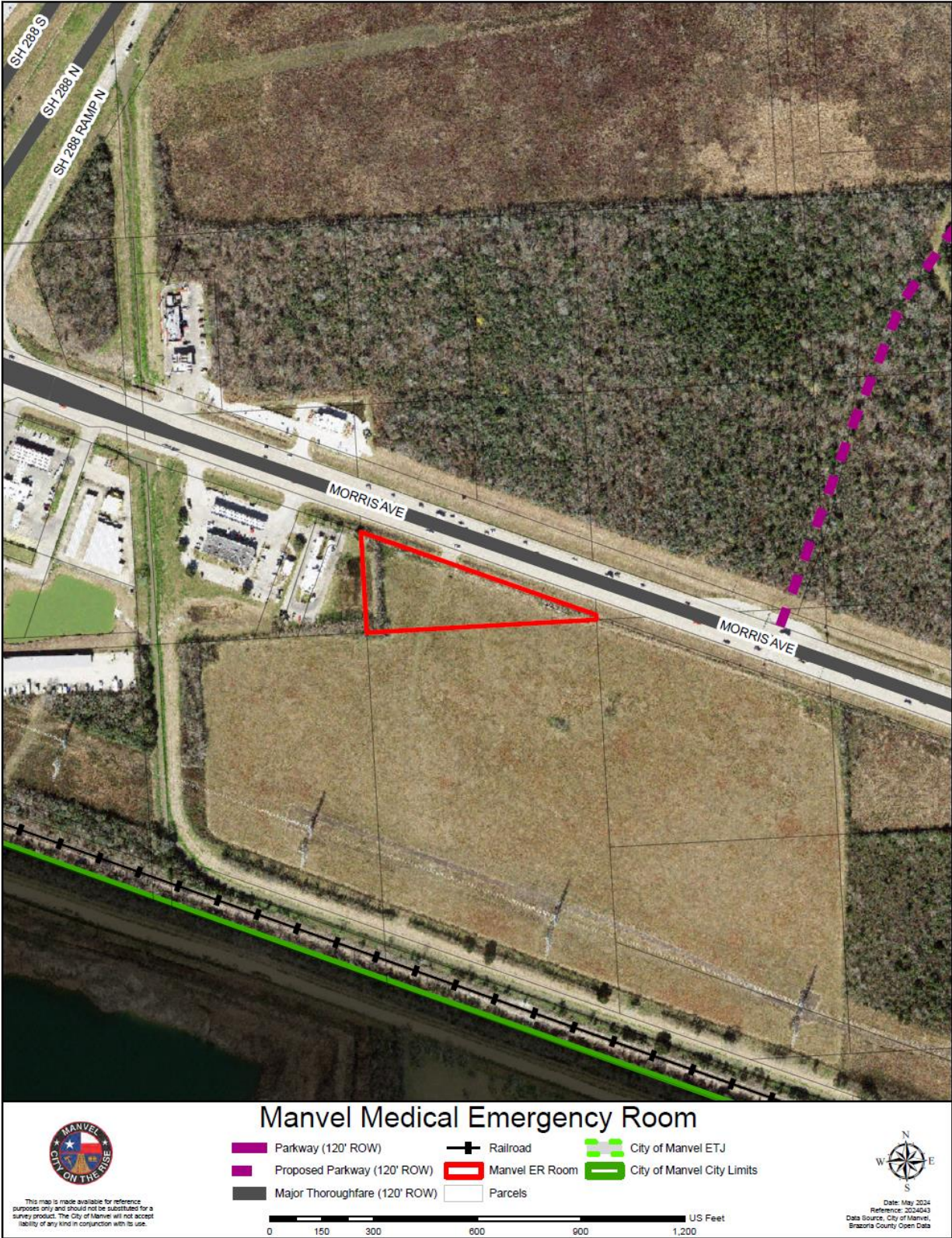
The requested SUP was conditionally approved. The City Council approved the Ordinance No. 2024-O-26 with a vote of seven (7) "Yeas" to zero (0) "Nays" at their September 16, 2024, meeting.

Additional Recommended Conditions of Approval.

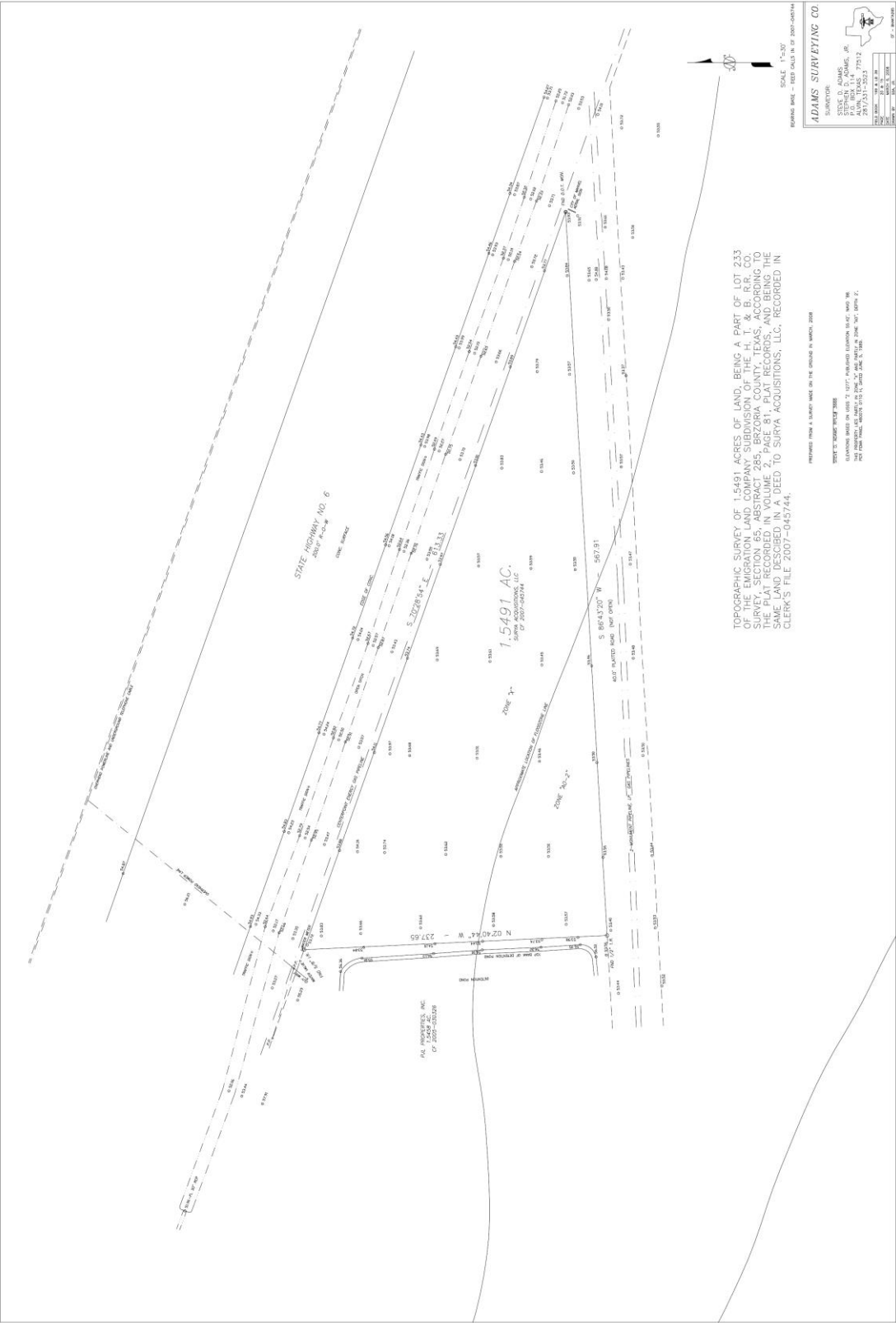
1. The site development shall generally conform to the attached site plan. However, changes necessary to conform to any adopted City of Manvel codes and ordinances shall be made part of the construction plan and building permit review process;
2. Prior to any issuance of a building permit, the applicant shall obtain formal approval from TxDOT for the proposed turn lane. The SUP shall be conditional on receiving this approval, and no development may commence without it.

Note: The previously submitted drainage area map indicated a 10-foot maintenance berm around the proposed pond. As the applicant has recently updated the document to specify a 15-foot maintenance berm, staff has removed the previously recommended condition regarding the berm's dimensions.

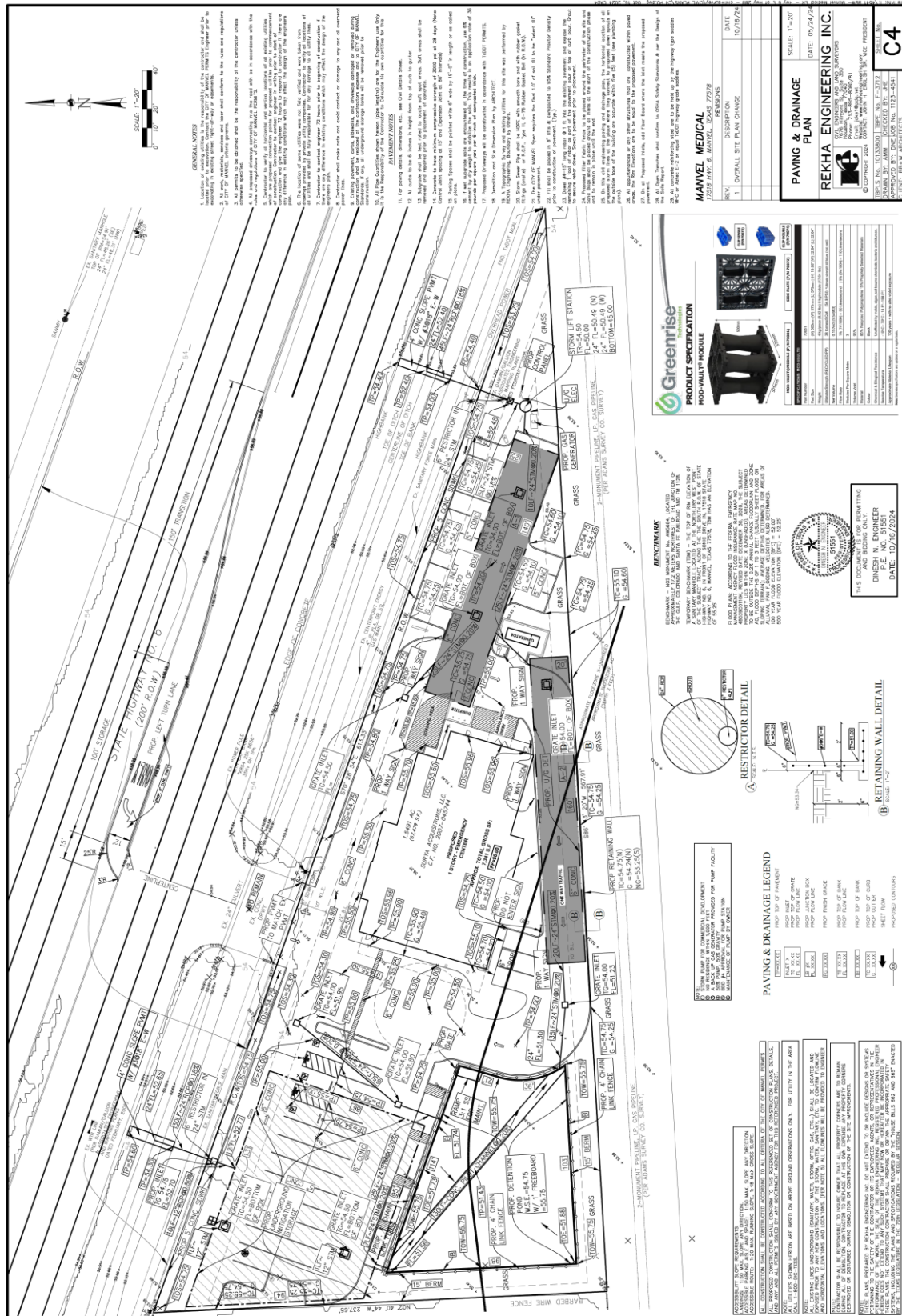
Major Thoroughfare Plan Map

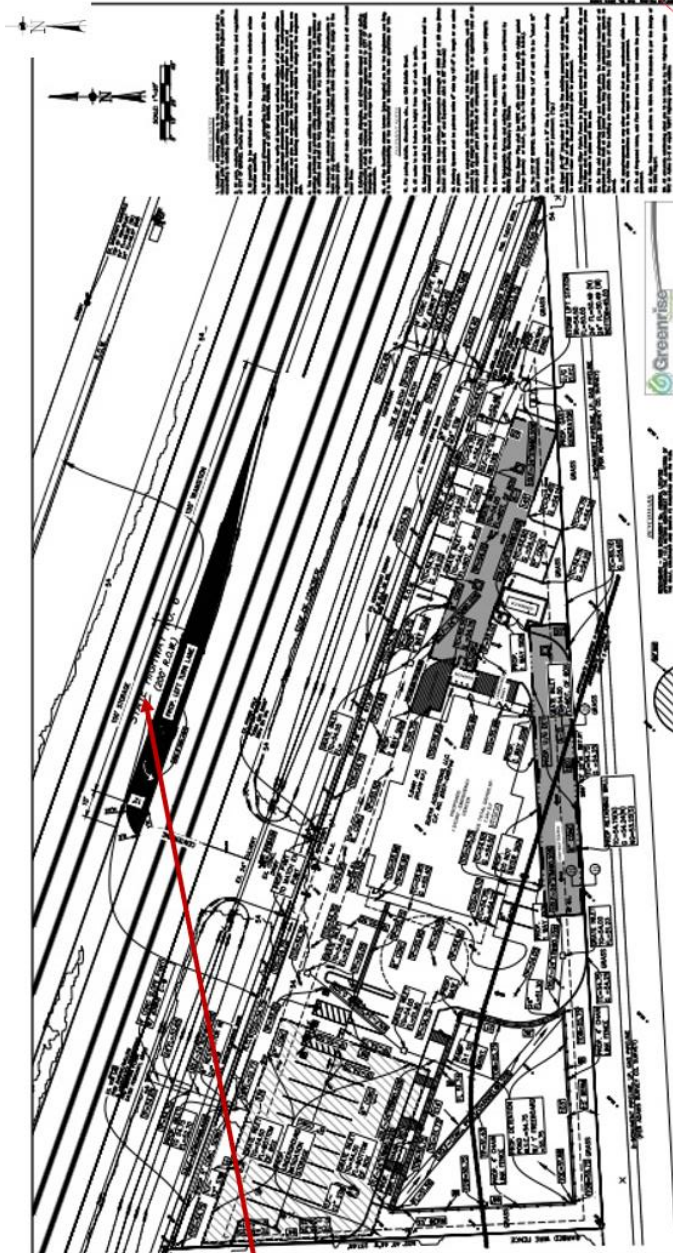


Property Survey



Proposed Detention Plan





**Proposed
Median
Cross Over**
* Pending TXDot final approval

Application



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

Application



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

Date

Letter Of Authorization



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

Letter Of Request

**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, IFB, 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

Public Hearing Notice

Public Hearing Notice to run on Sunday 06/09/2024

A PUBLIC HEARING WILL BE HELD AT MANVEL CITY HALL, 20031 HWY 6, MANVEL, TX, 77578 AT 6:00 P.M. ON MONDAY, JUNE 24, 2024, BEFORE THE MANVEL PLANNING, DEVELOPMENT, AND ZONING COMMISSION AND AT 6:00 P.M. ON MONDAY, JULY 1, 2024, BEFORE THE MANVEL CITY COUNCIL TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATE 6.910 ACRES BOUNDED BY OLD MASSEY RANCH ROAD (NORTH) AND THE BRISCO CANAL (EAST), MANVEL, TEXAS, FROM HUD-CODE MANUFACTURED HOME DISTRICT (HCMH) TO HUD-CODE MANUFACTURED HOME DISTRICT WITH SPECIFIC USE PERMIT (HCMH-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE 813110 "RELIGIOUS ORGANIZATIONS"; 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. /S/ TAMMY BELL, CITY SECRETARY.



Request for Specific Use Permit

Manvel City Council Meeting
October 21, 2024



Design, Engineering, and Construction

Architect
BB+W
ARCHITECTS

Civil Engineer & Land Surveyors

 **REKHA ENGINEERING, INC.**
CONSULTING ENGINEERS AND LAND SURVEYORS

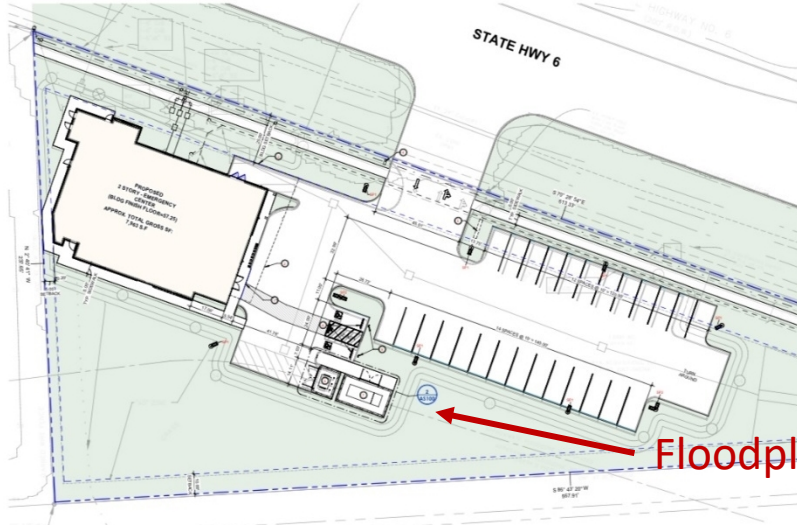
General Contractor

 **O'DONNELL SNIDER**
CONSTRUCTION



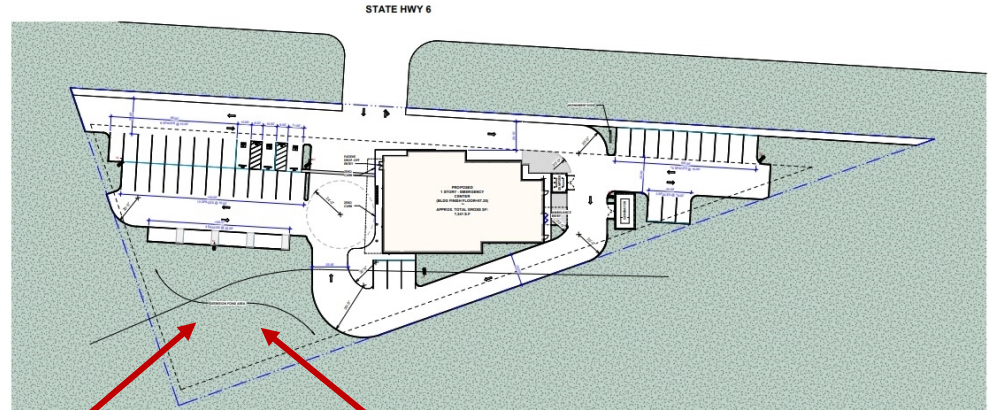
Previous Site Plan Parking Stall Count

26



*Revised Site Plan Parking Stall Count

45



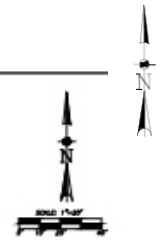
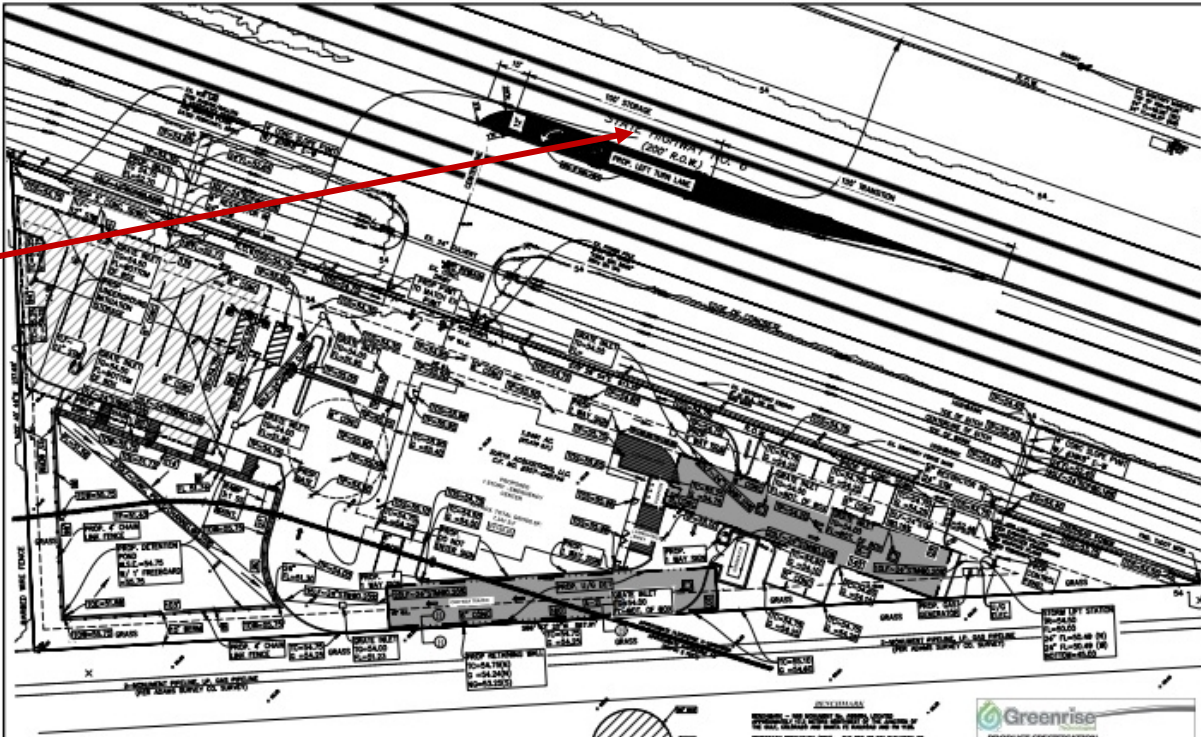
Floodplain Zone

Detention Pond

*Adjustments may still happen to the site plan based on AHJs comments as they are received.

Proposed
Median
Cross Over

*Pending TXDot final
approval



1. The purpose of this plan is to show the location and extent of the proposed median cross over and to show the location and extent of the proposed lot 1, lot 2, lot 3, lot 4, lot 5, lot 6, lot 7, lot 8, lot 9, lot 10, lot 11, lot 12, lot 13, lot 14, lot 15, lot 16, lot 17, lot 18, lot 19, lot 20, lot 21, lot 22, lot 23, lot 24, lot 25, lot 26, lot 27, lot 28, lot 29, lot 30, lot 31, lot 32, lot 33, lot 34, lot 35, lot 36, lot 37, lot 38, lot 39, lot 40, lot 41, lot 42, lot 43, lot 44, lot 45, lot 46, lot 47, lot 48, lot 49, lot 50, lot 51, lot 52, lot 53, lot 54, lot 55, lot 56, lot 57, lot 58, lot 59, lot 60, lot 61, lot 62, lot 63, lot 64, lot 65, lot 66, lot 67, lot 68, lot 69, lot 70, lot 71, lot 72, lot 73, lot 74, lot 75, lot 76, lot 77, lot 78, lot 79, lot 80, lot 81, lot 82, lot 83, lot 84, lot 85, lot 86, lot 87, lot 88, lot 89, lot 90, lot 91, lot 92, lot 93, lot 94, lot 95, lot 96, lot 97, lot 98, lot 99, lot 100.



Brazoria County Emergency Services District #3



- Clarifications on the information from the last meeting about BCESD #3 (NOT Manvel EMS).
- Manvel ER met with Brazoria County ESD #3 on Thursday, October 17th, 2024 to discuss Manvel ER.

Community Involvement



Community Involvement



- Alvin-Manvel Chamber of Commerce
- Sponsor Manvel High School Volleyball
- Manvel Police Association
 - Shop with a Cop
- Working with HOSA to establish annual scholarship & CPR training
- Bronze Sponsor of Bike Around The Bay
- Galveston Bay Foundation



We respectfully request
that you approve the
Specific Use Permit for
Manvel ER tonight.





THANK YOU!



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 (LC/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.

ADAMS' SURVEYING CO.

STEVE D. ADAMS
STEPHEN D. ADAMS, JR.
 P.O. BOX 114
 ALVINE, TEXAS 77512
 281/331-3523



FIELD BOOK	100 & UP 30
PAGE	20 & 16
DATE	MARCH 6, 2008
EXPIRY BY	90% JR.

CF - BNACTORS

TOPOGRAPHIC SURVEY OF 1.5491 ACRES OF LAND, BEING A PART OF LOT 2333 OF THE EMGRATION LAND COMPANY SUBDIVISION OF THE T. & B. R.R. CO. SURVEY, SECTION 65, ABSTRACT 285, BROWARD COUNTY, TEXAS, ACCORDING TO THE 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.

PREPARED FROM A SURVEY MADE ON THE GROUND IN MARCH, 2008

STEVE D. ADAMS, M.D., FRCPC

ELEVATIONS BASED ON USGS "2 1277", PUBLISHED ELEVATION 55.42', NAD 86.
THIS PROPERTY LIES PARTLY IN ZONE "C" AND PARTLY IN ZONE "A0", DEPTH 2'.
PER FEMA PANEL 480078 0110 H, DATED JUNE 5, 1989.

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.

ORDINANCE NO. 2024-O-43

AN ORDINANCE AMENDING CHAPTER 44 “OFFENSES AND MISCELLANEOUS PROVISIONS” OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING ARTICLE VIII. “SEXUAL OFFENDERS” TO REVISE REGULATIONS PERTAINING TO SEXUAL OFFENDERS; 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.

WHEREAS, the City Council of the City of Manvel, Texas, determines it in the best interest of the health, safety, and welfare of the citizens of the City to amend Chapter 44 of the City Code by revising regulations that pertain to sexual offenders; and

WHEREAS, the City Council finds that the adoption of this ordinance is in the best interest of the citizens of Manvel; 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. Chapter 44 of the Code of Ordinances of the City of Manvel is hereby amended by amending *Article VIII “Sexual Offenders”* to read and provide as follows:

“Chapter 44 - OFFENSES AND MISCELLANEOUS PROVISIONS

...

ARTICLE VIII. - SEXUAL OFFENDERS

Sec. 44-155. - Findings and Intent.

(a) The city finds that repeat sexual offenders, sexual offenders that use physical violence and sexual offenders who prey on children are sexual predators who present an extreme threat to the public safety. Sexual offenders are extremely likely to use physical violence and to repeat their

offenses and most sexual offenders commit many offences, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes.

(b) This makes the cost of sexual offender victimization to society at large, while incalculable, clearly exorbitant.

(c) It is the intent of this article to serve the city's compelling interest to promote, protect and improve the health, safety and welfare of the citizens of the city by creating areas around locations where children regularly congregate in concentrated numbers wherein certain sexual offenders and sexual predators are prohibited from establishing temporary or permanent residences.

Sec. 44-156. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Permanent residence means a place where the person abides, lodges or resides for 14 or more consecutive days.

Property owner means any owner of record, person who has contractual responsibility for the property, or person who has the legal right of possession of the property. There shall be a rebuttable presumption in prosecution under this chapter that the person who is listed on the tax records for the county wherein the property is situated is the property owner. There shall be a rebuttable presumption in prosecutions under this chapter that the person listed on the account for utility services furnished by the City of Pearland is the person who has the legal right of possession of the property.

Public park means any land designated for public recreation that is owned, leased or maintained by the City of Manvel.

Temporary residence means a place where the person abides, lodges or resides for a period of 14 or more days in the aggregate during any calendar year and which is not the person's permanent address, or a place where the person routinely abides, resides or lodges for a period of four or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.

Sec. 44-157. - Sexual offenders residence prohibition; penalties; exceptions.

(a) If a person is required to register on the Department of Public Safety's Sex Offender Database because of a violation involving a victim who was less than seventeen (17) years of age, it is unlawful for that person to establish a permanent residence or temporary residence within two thousand (2,000) feet of any premises where children commonly gather, including a playground, school, day care facility, video arcade facility, public or private youth center, or public swimming pool, as those terms are defined in V.T.C.A, Health and Safety Code § 481.134. It shall be prima facie evidence that this chapter applies to such a person if the person's

record appears on the database and the database indicates that the victim was less than seventeen (17) years of age.

(b) If a person is required to register on the Department of Public Safety's Sex Offender Database because of a violation involving a victim who was less than seventeen (17) years of age, it is unlawful for that person to maintain a permanent residence or temporary residence within two thousand (2,000) feet of any premises where children commonly gather, including a playground, school, day care facility, video arcade facility, public or private youth center, or public swimming pool, as those terms are defined in V.T.C.A, Health and Safety Code § 481.134. It shall be prima facie evidence that this chapter applies to such a person if the person's record appears on the database and the database indicates that the victim was less than seventeen (17) years of age.

(c) For the purpose of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the permanent or temporary residence to the nearest property line of the premises where children commonly gather, as described herein, or in the case of multiple residences on one property, measuring from the nearest wall of the building or structure occupied or the parking/driveway, whichever is closer to the nearest property line of the premises where children commonly gather, as described herein.

(d) Each day that a permanent residence or temporary residence is maintained in violation of section 44-156 shall constitute a separate violation.

(e) Penalty. Any person violating a provision of this chapter shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine in accordance with the general penalty section 1-11 of the Code of Ordinances.

(f) Defenses. Nothing in this ordinance shall be interpreted to modify or reduce the state's child safety ban. A person, as described in subsections (a) or (b), residing within two thousand (2,000) feet of those places where children commonly gather does not commit a violation of this chapter if any of the following apply:

(1) The person established the permanent or temporary residence and has complied with all the sex offender registration laws of the State of Texas and City of Manvel, prior to the date of the adoption of this ordinance.

(2) The person was a minor when he/she committed the offense and was not convicted as an adult.

(3) The person is a minor.

(4) The premises where children commonly gather, as specified herein, within two thousand (2,000) feet of the person's permanent or temporary residence was opened after the person established the permanent or temporary residence and complied with all sex offender registration laws of the State of Texas.

(5) The person provides adequate documentation showing that the information on the database is incorrect and that, if corrected, this chapter would not apply to the person.

~~[It is unlawful for any person who has been convicted of a violation of V.T.C.A., Penal Code §§ 43.25, 43.26, 21.08, 21.11, 22.011, 22.021, 25.02, regardless of whether the adjudication was deferred, in which the victim of the offense was less than 16 years of age, to establish a permanent residence or temporary residence within 1,000 feet of any premises where children commonly gather, including but not limited to, a school, day care facility, playground, public or private youth center, public swimming pool, or video arcade facility, as those terms are defined in V.T.C.A., Health and Safety Code § 481.134.~~

~~(1) Requirement procedure. For the purpose of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the permanent or temporary residence to the nearest property line of the premises where children commonly gather, as described herein.~~

~~(2) Exceptions. A person residing within 1,000 feet of those places where children commonly gather, as specified herein does not commit a violation of this article if any of the following apply:~~

~~a. The person established the permanent or temporary residence and has complied with all the sex offender registration laws of the state, prior to the date of the adoption of the ordinance from which this article is derived;~~

~~b. The person was a minor when he committed the offense and was not convicted as an adult;~~

~~c. The person is a minor; or~~

~~d. The premises where children commonly gather, as specified herein, within 1,000 feet of the person's permanent or temporary residence was opened after the person established the permanent or temporary residence and complied with all sex offender registration laws of the state.]~~

Sec. 44-158. - Property owner prohibitions; ~~[owners prohibited from renting real property to sexual offenders;]~~ penalties.

(a) It is unlawful to let or rent any place, structure or part thereof, manufactured home, trailer, or other conveyance, with the knowledge that it will be used as a permanent residence or temporary residence by any person prohibited from establishing such permanent residence or temporary residence pursuant to the terms of this article, if such place, structure or part thereof, manufactured home, trailer, or other conveyance, is located within 2,000 ~~[1,000]~~ feet of any premises where children commonly gather, including but not limited to, a school, day care facility, playground, public or private youth center, public swimming pool, or video arcade facility, as those terms are defined in V.T.C.A., Health and Safety Code § 481.134.

(b) It is unlawful for a property owner to knowingly allow a person who is prohibited from establishing a permanent residence or temporary residence pursuant to the terms of this chapter to establish a permanent residence or temporary residence on his or her property if such property is located within two thousand (2,000) feet, as defined in section 44-156, of any premises where children commonly gather, including a playground, school, day care facility, video arcade facility, public or private youth center, or public swimming pool, as those terms are defined in V.T.C.A., Health and Safety Code § 481.134. It shall be prima facie evidence that this section applies to such a person if the person's record appears on the database and the database indicates that the victim was less than seventeen (17) years of age.

(c) It is unlawful for a property owner to knowingly allow a person who is prohibited from establishing a permanent residence or temporary residence pursuant to the terms of this chapter to maintain a permanent residence or temporary residence on his or her property if such property is located within two thousand (2,000) feet, as defined in section 20-83(b), of any premises where children commonly gather, including a playground, school, day care facility, video arcade facility, public or private youth center, or public swimming pool, as those terms are defined in V.T.C.A., Health and Safety Code § 481.134. It shall be prima facie evidence that this section applies to such a person if the person's record appears on the database and the database indicates that the victim was less than seventeen (17) years of age.

(d) Each day that a property owner allows a permanent residence or temporary residence to be maintained in violation of section 44-156 shall constitute a separate violation.

(e) Penalty. Any property owner violating a provision of this chapter shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine in accordance with the general penalty section 1-11 of the Code of Ordinances.

Sec. 44-159. – ~~[Reserved.]~~ Sex offenders prohibited from entering public parks.

It is unlawful for any person to enter a public park if the person is required by law to register on the Department of Public Safety's Sex Offender Database because of a violation involving a victim who was less than seventeen (17) years of age.”

Section 3. 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 described above.

Section 4. 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 5. 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.

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

STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

INTERLOCAL AGREEMENT
BETWEEN BRAZORIA COUNTY AND THE CITY OF MANVEL
IS25-0002

This Agreement is made between BRAZORIA COUNTY and the CITY OF MANVEL hereinafter referred to as the COUNTY and CITY respectively.

RECITALS

WHEREAS, the CITY wishes to repair all roads as listed on Exhibit “A”; and

WHEREAS, the CITY has requested the COUNTY’S assistance to providing labor and equipment to repair all roads as listed on Exhibit “A”; and

WHEREAS, the COUNTY has agreed to utilize Brazoria County Road & Bridge equipment and employees to perform this work pursuant to the authority of Tex. Transp. Code §251.012, and the Interlocal Cooperation Act, Tex. Gov. Code Sec. 791.001 et. Seq., subject to the conditions and limitations of this Agreement;

NOW THEREFORE, the CITY and COUNTY agree as follows:

- 1.01 COUNTY agrees to supply such equipment as may be necessary together with operators to repair all roads listed on Exhibit “A”.
- 1.02 The CITY agrees to pay for material needed in the project directly to supplier, and in the event COUNTY costs in performing above-described work exceed \$10,000.00, the CITY shall pay, from the point in time that COUNTY’S costs equal the sum \$10,000.00, the labor costs and the hourly value of equipment used, plus any other costs associated with the use of the equipment. Though it is contemplated by this agreement that CITY will obtained the necessary design and engineering studies required by the project prior to the commencement of the work, CITY agrees to pay the reasonable cost of any design or engineering work obtained by COUNTY if it exceeds the sum of \$10,000.00. The value of equipment shall be those hourly rates which have been previously established by the COUNTY for each item of its equipment, multiplying the same by the number of hours, such equipment has been utilized in excess of the point in time when COUNTY’s costs equaled the sum of \$10,000.00. COUNTY equipment utilized on site for the project shall be charged to CITY on a daily rate for each day it is on-site.

- 1.03 The parties intend that COUNTY, in performing such services, shall act as an independent contractor and shall have control of the work and the manner in which it is performed. COUNTY is not considered an agent or employee of CITY.
- 1.04 Each party agrees that payments for the performance of governmental functions or services shall be from current revenues available to the paying party and further that such payments shall fairly compensate the performing party for the service it supplies provides for the other party's benefit.
- 1.05 COUNTY does not warrant the suitability for this project of any material purchased by CITY from a third party which maintains a continuing contract with COUNTY. Any cost estimate made connection with this project is only an estimate and is not warranty of the final cost of the project.
- 1.06 To the extent permitted by law, CITY agrees to assume the risk of, fully indemnify, hold harmless and defend COUNTY, its agent, officers and employees from any and all loss, damage, cost demands and causes of action of any manner from the performance of the above referenced work.
- 1.07 COUNTY executes this Agreement by and through the County Judge acting pursuant to Order of the Commissioners Court so authorizing, and the CITY executes this Agreement by and through the Mayor or City Manager acting pursuant to authorizations of its City Council.
- 1.08 Nothing herein shall be constructed to make either party purchaser or consumer of goods or services from the other.
- 1.09 Nothing herein shall be constructed to create any rights in third parties.
- 1.10 Misspelling of one or more words in this agreement shall not void this agreement. Such misspelled words shall be read so as to have the meaning apparently intended by the parties.

IN TESTIMONY OF WHICH, witness our signatures on the execution dates herein below.

By: _____

CITY OF MANVEL
MAYOR

By: _____

BRAZORIA COUNTY
COUNTY JUDGE

Date signed: _____

Date signed: _____

City of Manvel
Interlocal Agreement Project Request Summary FY-25

STREET/LOCATION	LIMITS (TO - FROM)	LENGTH (FT)	WIDTH (FT)	WORK DESCRIPTION (Major Street Projects and/or Ditch Digging ONLY)	FOR OFFICE USE ONLY
Alleluia Trail	From Mason Rd to END	4,000	26	Reclaim and overlay with emulsion injected paving	
Kirchner Rd	From Clark Rd to END	3,300	26	Reclaim and overlay with emulsion injected paving	
Mason Rd	From CR 181 to END	1,290	26	Reclaim and overlay with emulsion injected paving	
Burnett Rd	From Kirchner Rd to END	1,290	26	Reclaim and overlay with emulsion injected paving	

Note: Must have Mayoral approval

Return to: County Engineer's Office

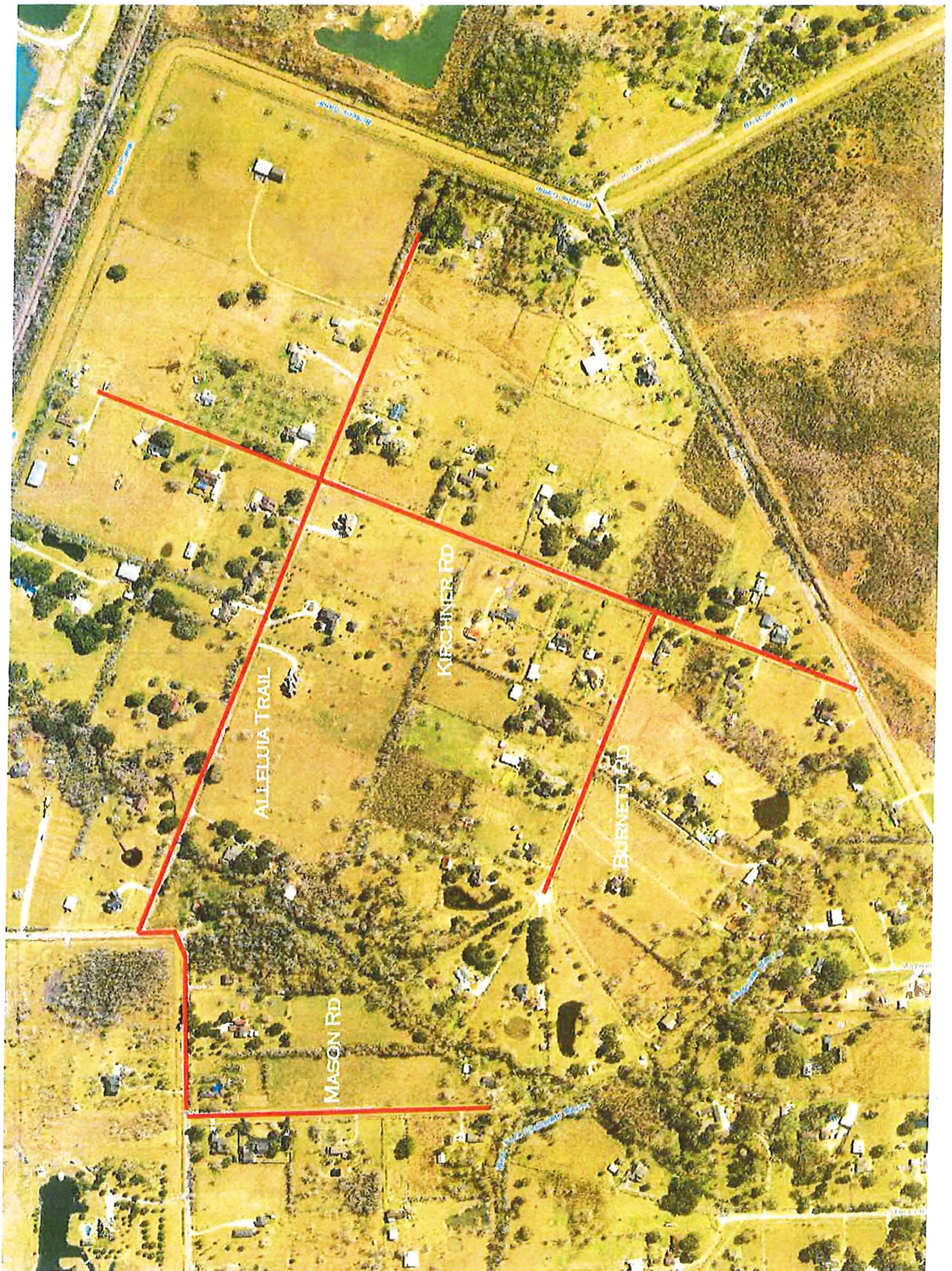
Engineer-interlocals@brazoriacountytx.gov

Approved By: Mayor

10/31/2024

Date

Exhibit 'A'





MANVEL CITY COUNCIL DATA SHEET

MEETING DATE:

TOPIC: Acceptance of infrastructure improvements for Pomona Parkway Pedestrian Crosswalks Phase 2 to Serve Brazoria County Municipal Utility District No. 39, Brazoria County, Texas to begin the Two-Year Maintenance Period.

BACKGROUND: City Staff has approved the final walk through on this project for the civil site work. The applicant has submitted the Two-Year Maintenance Bond with the City Secretary's Office and the As-Built Construction Plans have been submitted to Development Services Department.

STAFF RECOMMENDATION: Staff recommends City Council accept the infrastructure improvements for this project to begin the Two-Year Maintenance Period.

ATTACHMENTS: N/A

FUNDING ISSUES

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

SUBMITTING STAFF MEMBER
Robbie Hall

FINANCE DIRECTOR APPROVAL Yes

CITY MANAGER APPROVAL Yes



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE:

TOPIC: Acceptance of infrastructure improvements for Lake "A" to Serve Valencia for Brazoria County Municipal Utility District No. 83, Brazoria County, Texas. to begin the Two-Year Maintenance Period.

BACKGROUND: City Staff has approved the final walk through on this project for the civil site work. The applicant has submitted the Two-Year Maintenance Bond with the City Secretary's Office and the As-Built Construction Plans have been submitted to Development Services Department.

STAFF RECOMMENDATION: Staff recommends City Council accept the infrastructure improvements for this project to begin the Two-Year Maintenance Period.

ATTACHMENTS: N/A

FUNDING ISSUES

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

SUBMITTING STAFF MEMBER
Robbie Hall

FINANCE DIRECTOR APPROVAL Yes

CITY MANAGER APPROVAL Yes



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE:

TOPIC: Acceptance of infrastructure improvements for Paving and Appurtenances to Serve Pomona Section 28 for Brazoria County Municipal Utility District No. 40, Brazoria County, Texas to begin the Two-Year Maintenance Period.

BACKGROUND: City Staff has approved the final walk through on this project for the civil site work. The applicant has submitted the Two-Year Maintenance Bond with the City Secretary's Office and the As-Built Construction Plans have been submitted to Development Services Department.

STAFF RECOMMENDATION: Staff recommends City Council accept the infrastructure improvements for this project to begin the Two-Year Maintenance Period.

ATTACHMENTS: N/A

FUNDING ISSUES

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

SUBMITTING STAFF MEMBER
Robbie Hall

FINANCE DIRECTOR APPROVAL Yes

CITY MANAGER APPROVAL Yes



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE:

TOPIC: Acceptance of infrastructure improvements for Water, Sanitary Sewer and Drainage Facilities to Serve Pomona Section 28 for Brazoria County Municipal Utility District No. 40, Brazoria County, Texas to begin the Two-Year Maintenance Period.

BACKGROUND: City Staff has approved the final walk through on this project for the civil site work. The applicant has submitted the Two-Year Maintenance Bond with the City Secretary's Office and the As-Built Construction Plans have been submitted to Development Services Department.

STAFF RECOMMENDATION: Staff recommends City Council accept the infrastructure improvements for this project to begin the Two-Year Maintenance Period.

ATTACHMENTS: N/A

FUNDING ISSUES

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

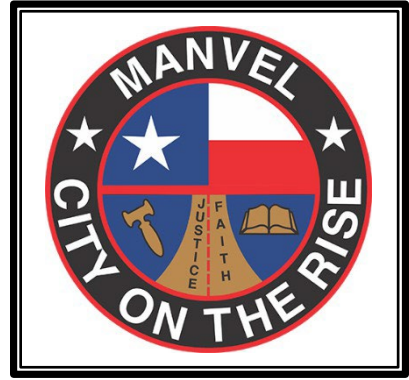
SUBMITTING STAFF MEMBER
Robbie Hall

FINANCE DIRECTOR APPROVAL Yes

CITY MANAGER APPROVAL Yes

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 10/7/2024

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 4 Ed Perry
City Councilmember Place 5 Crystal Sarmiento (Arrived Late)
City Councilmember Place 6 Jerome Hudson

Absent: None

Also Present: Dan Johnson, City Manager
Bobby Gervias, City Attorney
Keith Traylor, Chief of Police
Jose Abraham, Director of Development Services
Tammy Bell, City Secretary
Rosie Donaire, Director of Finance
Robbie Hall, Director of Public Works
Brooke Cyphers, Public Information Officer

Executive Session

City Council will convene into Executive Session pursuant to Texas Government Code, Sec. 551.074. *"Personnel Matters - to deliberate the appointment, employment, evaluation, and duties of a public officer or employee"*.

Yearly Performance Review for Daniel S Johnson, City Manager

WORKSHOP SESSION CONTINUED

Discussion on any item as listed on the agenda.

Mayor Davis convened the Workshop into Executive Session at 5:01 p.m.

Mayor Davis reconvened the Workshop out of Executive Session at 6:08 p.m., to be continued later in the meeting.

Regular Session

Call To Order

Mayor Davis called the meeting of the Manvel City Council to order at 6:08 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
Bobby Gervias, City Attorney
Keith Traylor, Chief of Police
Jose Abraham, Director of Development Services
Tammy Bell, City Secretary
Rosie Donaire, Director of Finance
Robbie Hall, Director of Public Works
Brooke Cyphers, Public Information Officer

Invocation

Inspirational Reading - Councilmember Opliger

Councilmember Lands provided the Inspirational Reading.

Pledge

Presentations

Proclamation

Chamber of Commerce Week - October 14, 2024 - October 18, 2024
National Colonial Heritage Month - October 2024

Servant Leadership Award

Karen Kinlaw

Croix Park Task Force Recognition

Paul Sofka
Ellen Naegeli
Leslie Culvert
Brian Wilmer
Larry Akery
Go Native - Lead Consultant

Manvel Market Recognition

Colleen Cicchetto

Public Comments: "Comment Card" Required

Christine Rohr, 4051 Champagne Way - spoke about the Animal Ordinance, specifically about TNR. Does not like that we are sending animals to Houston Humane Society.

Cindy Guire, 8925 Briarcrest - spoke about the Animal Ordinance. No ordinances she researched restrict rescues. They have and support TNRs. The ordinance needs to be scrapped. Hoarding animals will not be solved by this ordinance.

Cindy Cortinas, 7204 Carpenter Rd - regulating rescues is not the way to get help from rescues. TNR is her passion. TNR is the way in her opinion.

Tim Black, 5115 Furnace Rd - spoke about the Animal Ordinance. Also spoke about concerns over money and budget and land purchases in the city.

City Manager Update

The Chamber Leadership Academy - Robbie and Rosie are enrolled

Teen Court is back in Session

MEDC 10/9

City offices closed October 14

State of Alvin pushed back

Consent Agenda

1. Acceptance of the meeting minutes to date.
2. Approve Resolution 2024-R-31;
A RESOLUTION DESIGNATING A REPRESENTATIVE AND ALTERNATE HOUSTON-GALVESTON AREA COUNCIL 2025 GENERAL ASSEMBLY.
3. Acceptance of infrastructure improvements for Booster Pump Upgrades for Brazoria County Municipal Utility District No. 29, Brazoria County, Texas to begin the Two-Year Maintenance Period
4. Acceptance of infrastructure improvements for Water Distribution, Storm Water Facilities, and Paving to serve Cadence Drive Phase 2 for Brazoria County Municipal Utility District No. 57, Brazoria County, Texas, to begin the Two-Year Maintenance Period.
5. Acceptance of infrastructure improvements for Commercial Lake to Serve Valencia for Brazoria County Municipal Utility District No. 83, Brazoria County, Texas to begin the Two-Year Maintenance Period.
6. Acceptance of infrastructure improvements for Lake "B" to Serve Valencia for Brazoria County Municipal Utility District No. 83, Brazoria County, Texas to begin the Two-Year Maintenance Period.

Councilmember Hudson made the motion to approve the Consent Agenda. 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

Items Removed from Consent Agenda

None

Regular Agenda

1. Consideration and possible action to approve the second and final reading of Ordinance 2024-O-37;

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, REPEALING THE CURRENT CHAPTER 8. *ANIMALS*, AND ADOPTING A NEW CHAPTER 8. *ANIMALS*; ADDING A NEW ARTICLE II. *ANIMAL SELLER PERMIT*; ADDING A NEW ARTICLE III. *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.

Keith Traylor, Chief of Police, provided an overview of the updates.
Animal Control Officer Sherman answered Council questions.

The four amendments discussed by council and staff are:

- 1) delete the definition of colony caretaker in section 8.1
- 2) change 8.9(2) from requirement to recommendation for microchips
- 3) removed 8.9 #4 in its entirety
- 4) 8.7, change language to refer to section 8.6 instead of chapter

Mayor Davis made the motion to approve the four amendments as discussed. 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

Mayor Davis made the motion to approve as amended. 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

2. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-42; AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, CHAPTER 71. "UTILITIES" BY ADOPTING NEW RATES FOR WATER AND SEWER; MAKING OTHER CHANGES TO THE ORDINANCE GOVERNING THE PROVISION OF UTILITIES WITHIN THE CITY OF MANVEL; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 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.

Rosie Donaire—Staff is requesting a rate increase of 6.3%, as recommended by the Freese and Nichols study from 2022.

Proposed changes:

Residential base rate for water - 32.59 to 34.65

Residential base rate for wastewater - 39.11 to 41.58

Commercial base rate for water - 39.11 to 41.58

Commercial base rate for wastewater - 45.63 to 48.51

This would go into effect for the November bill, which is October consumption.

The per-1,000-gallon rate will increase by 34 cents.

Mayor Davis wants more data to make an informed decision.

Councilmember Bonner made the motion to postpone until the next regular scheduled council meeting. Mayor Davis 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

3. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-43; AN ORDINANCE AMENDING CHAPTER 44 "OFFENSES AND MISCELLANEOUS PROVISIONS" OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING ARTICLE VIII. "SEXUAL OFFENDERS" TO REVISE REGULATIONS PERTAINING TO SEXUAL OFFENDERS; 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.

Sergeant Alvarado provided the updates.

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

4. Consideration and possible action to approve Resolution 2024-R-29; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, ADOPTING GUIDELINES AND CRITERIA FOR THE NAMING OF PUBLIC FACILITIES.

Councilmember 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

October 7, 2024 MANVEL CITY COUNCIL MEETING MINUTES

No: None
Absent: None
Abstained: None

5. Consideration and possible action to approve Resolution 2024-R-32;
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL NOMINATING CANDIDATES FOR A POSITION ON THE BOARD OF DIRECTORS OF THE BRAZORIA COUNTY APPRAISAL DISTRICT.

Tammy Bell, City Secretary, provided the overview. This is for choosing people to be on the ballot.

Current Members:

Tommy King
Patrick O'Day
Gayle Robinson
George Sanders
Susan Spoor

Councilmember Bonner spoke in favor of Patrick O'Day.

Mayor Davis made the motion to nominate Patrick O'Day and George Sanders. Councilmember Bonner seconded the motion.

The motion carried with a vote: 6/1

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, City Councilmember Place 6 Jerome Hudson
No: City Councilmember Place 3 Harry Opliger
Absent: None
Abstained: None

6. Consideration and possible action to approve requested variances to requirements of the Manvel Town Center Planned Unit Development (PUD), provided in Exhibit E of Ordinance 2017-O-33, Section IV. Project/Plan Description pertaining to:
- (Section IV (C) (5)) - Minimum parking requirements.
 - (Section IV (C) (8)) - Allowance for open storage; and
 - (Section IV (E) (4) (c)) - Lettering height for wall-mounted signage.

****Moved to after Regular Agenda Item 3****

Ellie Roohbakhsh, Associate Planner, provided the overview.

The applicant is requesting three variances:

- 1) Parking reduction from 5 to 4 spaces per 1,000 sqft for gross leasable floor area and 2 spaces per 1,000 for the outdoor garden center component.
- 2) Open Storage - Requesting 12% for long-term and seasonal storage for inventory, equipment, vehicles, or other business-related property.
- 3) Signage height to permit a maximum height of 120" for main Lowe's sign.

Staff recommends approval of the requested variances.

Steve Chandler, Weitzman, and Todd Bartock of Lowe's introduced themselves. Todd shared that they are looking at Q3 2025 opening. This should provide a few hundred job opportunities.

October 7, 2024 MANVEL CITY COUNCIL MEETING MINUTES

Mayor Davis made the motion to approve the variances as requested. 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

7. Consideration and possible action to approve an Interlocal Agreement for the Use of a Communication Tower between Brazoria County on behalf of the Sheriff's Office and the City of Manvel.

This device will allow citizens to contact their own water meter to see water leaks, for instance. This will also help with billing because it receives meter reading data from the device.

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

8. Consideration and possible action regarding compensation of the City Manager.

Mayor Davis convened the meeting back into the Executive Session from the Workshop at 8:25 p.m.

Mayor Davis reconvened the meeting out of Executive Session at 11:20 p.m.

No action was taken during the Executive Session.

Mayor Davis made the motion to approve a 5% performance-based incentive. 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

Mayor and Council Comments

Adjourn

Mayor Davis made the motion to adjourn the meeting at 11:21 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



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: October 21, 2024

TOPIC: A request by Garrett Nondorf, with permission from the Del Bello Lakes Subdivision owner/developer, to amend Ordinance No. 2020-O-14 which pertains 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.

BACKGROUND: Ordinance No. 2017-O-45 created the Del Bello Lakes Planned Unit Development District (PUD). This Planned Unit Development was previously amended twice to include (1) temporary signage allowance for the residential development (Ordinance No. 2020-O-2) and (2) specific signage regulations for the Keating Toyota site. The applicant is requesting a PUD amendment to allow a second Motor Vehicle Dealership use within the 30-acre commercial tract on the south side of Del Bello Road. The PUD allowance for Motor Vehicle Dealership uses is limited to the tract on the north of Del Bello Road, which allowed the existing Toyota dealership.

This request was submitted in August 2024. The applicant has provided with a concept site plan for the that entire 30-acre tract with approximate 16-acre car dealership along the SH 288 frontage and other retail uses on the remaining 14-acre tract. According to this conceptual plan the car dealership includes two roughly 30,000 square-foot buildings, and an associated car wash for the dealership. The site plan also depicts five pad sites for restaurants with drive-throughs along Del Bello Road and other commercial uses, and an interior parcel on the remaining acreage.

The applicant has indicated that the tract is more suited for a car dealership and that they have not received much interest from other commercial businesses such as restaurants and offices. They have also indicated that they have two potential buyers interested in developing a car dealership at this location. They have argued that if the PUD amendment is not approved, the tract shall remain vacant or a long time. The applicant has also stated that the amount of sales tax provided to the City of Manvel would be limited as the state of Texas dictates the portions of sales tax that go to cities. In general, sales tax is provided for part sales and services at the dealerships.

A public hearing for this request was held by the Planning, Development, and Zoning Commission (PD&Z) on August 26, 2024 and one was held by the City Council on September 3, 2024. Following these public hearings, the applicant has reached out the staff and confirmed that the requested allowance for the car dealership only applies to 16 acres out of the 30-acre commercial tract as shown in the proposed concept site

plan. The applicant is also proposing certain design features such as landscaping buffer, masonry wall, and outdoor lighting measures to address public comments and concerns.

POINTS TO CONSIDER:

- Del Bello Lakes Planned Unit Development is predominantly residential with very limited commercial acreage allocation. An approximate 81% of the acreage is allocated for residential lots, associated infrastructure and amenities. The commercial acreage is limited to roughly 19% of the total acreage (approximately 50 acres).
- Out of the total 50 acres allocated for commercial, 16.97 acres used by the existing car dealership, which is an approximate 35.94% of the total commercial allowance (Table 1 below).
- Approval of this proposed amendment to allow a car dealership on 16 acres will result in a total of 33.97 acres (including the existing Toyota dealership) dedicated for motor vehicle sales use. This constitutes approximately 67.94% of the commercial allocation and will result in reduced variety of other retail uses. The PUD was created with an expectation that the only one car dealership will be allowed, and that the remaining commercial acreage would include other retail sales and service uses needed to serve the residents.
- Due to the location of the subject site along a major thoroughfare, the proposed amendment is not anticipated to create any traffic related concerns.
- The detention capacity for the subject site was considered in the overall drainage plan and calculation for Del Bello Lakes development. Therefore, an on-site detention will not be required.



Table 1: Del Bello PUD - Analysis of Commercial Acreage		
Use	Acres	Percentage
Existing Motor Vehicle Dealership.	17.97	35.94%
Proposed Motor Vehicle Dealership	16	32.00%
Remaining Commercial*	16.03	32.06%

PUBLIC HEARING COMMENTS FROM THE AUGUST 26, 2024, PD&Z MEETING:

During the public hearing held at the August 26, 2024 PD&Z meeting, 14 members of the public spoke regarding this PUD amendment; 12 members were against the requested PUD amendment and two members were not opposed to the request. Following is a summary of the comments from the members of the public.

Concerns mentioned during the PD&Z public hearing:

1. Lighting: The members of the public were concerned with the lighting at the proposed dealership. Several suggestions included a lower color temperature to be less bright for the existing dealership. Another suggestion was stating the hours for dealership lighting and after-hours lighting.
2. Traffic: There were several concerns regarding test drives within the adjacent neighborhoods, and car haulers driving down roads causing damage (Iowa Lane

for example). Some members spoke about not wanting more traffic on Del Bello Boulevard and other roads. There was also a concern of safety of those on speeding test drives or not paying attention through neighborhoods where children and pets are located.

3. Drainage: There were concerns regarding the required detention for this proposed development, and that development of this could cause drainage/flooding issues.
Note: Based on the detention calculation in the Detention and Drainage Facilities Plan for the Del Bello Lakes Development, the provided detention has sufficient capacity to accommodate the subject site.
4. Noise: There was a complaint regarding the noise that the dealership produces, including using the alarms to find vehicles on the lot.
5. Property values: There were concerns that having another dealership could reduce the values for homes in the area.
6. Community benefit: There were suggestions that any development should benefit the community, such as commercial uses including restaurants or family friendly businesses such as a YMCA. Several members spoke that the dealership would provide less benefit for the new car dealership being added for this area.

Comments for those neutral for proposed PUD amendment:

1. "With the car dealership, at least we know what we are getting, and that they will be closed on Sunday." A strip center could have later hours and they believe that traffic will be reduced when 288 construction is complete. They suggested having a lower color temperature for lighting.
2. Prefer to have one owner instead of a strip center with restaurants, dry cleaners, could be much worse. They were for the dealership, but recommended having hours tied to the lighting, and some concern with traffic on Del Bello.
3. Neutral, they feel something could be done with the lighting plans to address concerns.

PUBLIC HEARING COMMENTS FROM SEPTEMBER 3, 2024, COUNCIL MEETING:

During the public hearing held at the August 26, 2024 PD&Z meeting, 6 members of the public spoke regarding the requested PUD amendment. Following is a summary of the comments from the members of the public.

1. Noise: Concerns were mentioned regarding the noise of another dealership, especially in the late night.
2. Health: Concerned with the health effects of operations of a new dealership and required tanks.
3. Traffic: Concerns with more traffic in neighborhoods and stop signs being ran,

worried about children and pets' safety.

4. Clarification question: Provide more information to residents to get a meeting consensus prior to meeting. Clarification on NAICS Code 4410 and uses for the property.
5. Landscape buffer: Recommend including a landscape buffer with trees to buffer residents, if approved.

SEPTEMBER 23, 2024, PD&Z MEETING:

The requested PUD amendment was included on the September 23, 2024 agenda as a workshop item as well as an action item. The applicant, due to an urgent family event, requested to reschedule their item, therefore, no action was taken. However, the item was discussed as a workshop item so that the Commission had an opportunity to refresh their memory and ask questions. However, since the applicant had not provided any update and were not able to attend the meeting, the discussion was limited to the original request.

October 15, 2024, PD&Z meeting:

The applicant presented the requested PUD Amendment and clarified that the revision specifies the allowance for motor vehicle sales use, limited to 16 acres as indicated in the concept plan.

KEY CONCERNS AND RESPONSES PROVIDED BY THE APPLICANT:

- Drainage
The applicant mentioned that Mr.  Rusk from LJA Engineering confirmed that the detention provided for the Del Bello Lakes Development has sufficient capacity to accommodate the subject site. Therefore, no additional detention is required for the commercial development.
- Noise Mitigation:
The property owner has agreed to construct a 6-foot composite wood wall along the boundary between the 16-acre commercial area and the residential properties to reduce noise. The existing residential backyard fence will remain in place.
- Foliage:
Trees will be planted at 30-foot intervals along the boundary of the 16-acre site. A mix of evergreen tree species will be used, and a 25-foot landscape setback will be provided to further buffer the residential areas from the commercial use.
- Lighting:
All lighting will comply with Manvel's new lighting standards and will meet or exceed the mitigation strategies used at the car dealership north of Del Bello Blvd. A photometric plan is currently being prepared to ensure compliance.

STAFF RECOMMENDATION: Staff does not recommend approval of Ordinance No. 2024-O-35 as the proposed amendments to the Del Bello Planned Unit Development (PUD) as the proposed land uses do not provide for sufficient variation in commercial designated areas within this development.

Recommended Conditions if the PD&Z is considering Approval:

Per the request of the applicant, staff recommends tabling of this request to allow the applicant to address concerns, including the following previous conditions:

1. Motor Vehicle Sales use on the southside of del bello road shall be limited to 16 acres of land as shown in the proposed concept plan.
2. Only motor vehicle sales use which primarily sells new cars shall be permitted.
3. A minimum 25-foot landscaping buffer shall be provided between the car dealership and abutting residential lots with a minimum of one tree planted every twenty feet.
4. A minimum 6-foot-tall masonry fence shall be installed within the landscape buffer.
5. Outdoor lighting shall be shielded and shall conform with the Illuminating Engineering Society of North America ("IES") criteria for full cut-off fixtures, which is 100 percent of light output below 90 degrees, and 90 percent of light output below 80 degrees from a vertical line through the fixture.
6. Outdoor lighting shall be deflected, shaded, and focused away from abutting properties and shall not be a nuisance to abutting properties, and shall be designed so that any overspill of lighting onto abutting properties shall not exceed three-tenths foot-candles, measured vertically and horizontally.



PD&Z RECOMMENDATION: On October 15, 2024, the Planning, Development, and Zoning (PD&Z) Commission recommended the following additional conditions to the staff conditions:

1. Engineered 8ft masonry wall requirement instead of 6ft,
2. Change staff recommendation number 3 to a minimum of 45 feet instead of 25 feet with one tree every 20 feet,
3. Add dimmable to staff recommendation number 6,
4. The dealership must accommodate any vehicle transport deliveries on property.

A motion to recommend approval of Ordinance No. 2024-O-35 to the City Council failed with a vote of one (1) "Yeas" to five (5) "Nays" at their October 15, 2024, meeting. Therefore, the Planning, Development, and Zoning commission is not recommending approval of Ordinance No. 2024-O-35 that pertains to the requested Del Bello Lakes PUD amendment.

ATTACHMENTS Ordinance No. 2024-O-35, Application packet.

FUNDING ISSUES

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

SUBMITTING STAFF MEMBER

Ellie Roohbakhsh

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____



ORDINANCE NO. 2024-O-35

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY 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.

* * * * *

WHEREAS, 288 Associates, L.P. is the owner (the “Owner”) of land in the general area of the northwest corner of the intersection of Hwy 288 and west of SH 6 comprising approximately 267.726 acres and mostly within the boundaries of Brazoria County Municipal Utility District No. 43; and

WHEREAS, the development is named the Del Bello Lakes development; and

WHEREAS, in 2017 the 267.726 acres was re-zoned from Open Planned Unit Development (O-PUD) District to the Planned Unit Development (PUD) District and a PUD Document was approved regarding development regulations; and,

WHEREAS, the owner has made an application for amendment of the Planned Unit Development District to amend the PUD document provisions relating to the NACIS code 4411 for “Motor Vehicle Dealers” within the commercial district;

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 said development plan amendment; and

WHEREAS, the Planning, Development, and Zoning Commission has recommended in its report the approval/denial of such request, and the City Council deems it appropriate to approve said rezoning and development plan amendments; 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 Planned Unit Development (PUD) District for Del Bello Lakes, which was approved by Ordinance 2020-O-14, is hereby amended by allowing NAICS code 4411 “Motor Vehicle Dealer” within the commercial district within the Del Bello Lakes Planned Unit Development (PUD) is hereby attached as Exhibit “A”.

Section 3. The City Council has reviewed the amended development plan attached hereto as Exhibit “A” (the “Development Plan”) and complies with the findings in accordance with following Section 77-29(o)(5) of the City’s Zoning Ordinance.

Section 4: The Zoning District Map of the City of Manvel shall be revised and amended to show the designation of said land, 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 5. Development of the Property shall strictly comply with the **Del Bello Lakes Planned Unit Development (PUD)**, attached hereto as Exhibit “A” and made a part of hereof for all purposes.

Section 6. The City Council hereby finds and determines that said rezoning comports to the City's comprehensive land use plan, and to the extent of any conflict, amends said 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 tracts as described above.

Section 7. 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 8. 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.

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

**DEVELOPMENT SERVICES DEPARTMENT**

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

REZONING APPLICATION**PROJECT INFORMATION**

Project Name: PID 173460
Project Location/Address: SE Corner of Hwy 288 + Del Bello Blvd
Legal Description: _____
Current Zoning: Light Commercial Proposed Zoning: Light Comm. w/ Car Dealership Allowed
Parcel/Tax ID# (s): 173460 Total Acreage: 30.36 Proposed Land Use: Car Dealership

APPLICANT INFORMATION

Applicant Name: Garrett Nandorf
Company Name: 288 Associates LP
Address: One Greenway Plaza, Ste 750 City: Houston State: TX Zip: 77046
Phone #: 713-623-6000 Email: G.Nandorf@FlagshipCo.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.

[Signature] 6/14/2024
Applicant Signature (REQUIRED) Date

PROPERTY OWNER INFORMATION

Owner(s) Name: 288 Associates, LP
Address: One Greenway Plaza, Ste 750 City: Houston TX State: TX Zip: 77046
Phone #: 713-623-6000 Email: DMarberg@Flagshipco.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.

[Signature] 6/14/2024
Owner's Signature (REQUIRED) Date



DEVELOPMENT SERVICES DEPARTMENT

20025 HIGHWAY 6

MANVEL, TX 77578

P: 281-489-0630

F: 281-489-0634

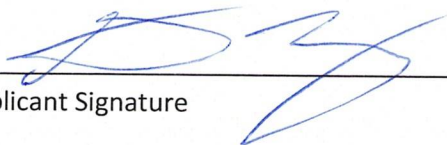
SUBMITTAL CHECKLIST

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 rezoning 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.

REZONING SUBMITTAL CHECKLIST ITEMS	REQUIRED (PLEASE CHECK)
Completed Rezoning Application (with all signatures)	✓
One (1) Legal Description of Property (metes & bounds description if not platted)	✓
One (1) Copy of Recorded Plat (if platted)	N/A
One (1) Applicant Letter 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

6/14/2024
Date



DEVELOPMENT SERVICES DEPARTMENT

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.

288 Associates, LP
Owner Name

One Greenway Plaza, Ste 750
Owner Address

Houston, TX 77046
Owner City, State Zip

6/14/2024
Date

Development Services
20025 Highway 6
Manvel, TX 77578

Dear City of Manvel Development Services,

I, 288 Associates, LP, certify that I am the owner of the project property located at SE Corner of Hwy 288 + Del Bello Blvd 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 Garrett Nondorf with the company _____ (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 DMinberg@Flagshipco.com if you have any questions.

Sincerely,

David Minberg on behalf of
Owner Name 288 Associates, LP

Owner Signature [Signature] Managing Partner

PUD Amendment Request for Ordinance No. 2017-O-45

Dear Mr. Duval,

I am writing to propose an amendment to the Public Utility District (PUD) Agreement (Ordinance No. 2017-O-45) to allow for the specific zoning use of car dealerships within the PUD south of Del Bello Blvd.

Please find attached a letter addressing three items:

1. Reasoning for why the PUD amendment is being requested,
2. Support for why the applicant/property owner is petitioning to amend the PUD, and
3. Suggested changes to language in the adopted PUD document.

Respectfully,

Garrett Nondorf, Owner's Representative

Letter to Manvel PD&Z

As an owner of property in Manvel for more than twenty years, we have observed the incredible growth the City has experienced in the past decade. This encouraging trend has and will continue to lead to greater opportunities both culturally and financially, and we look forward to being a small part of that.

In our section of the City, at Hwy 288 & Del Bello Blvd, we have begun to see the symptoms of growth pop up around us with the development of the Del Bello Lakes community and a Toyota car dealership. As we look forward to what is next in the area and choose viable users for our 30-acre land tract, we must assess how long it will take for the surrounding growth to mature and be able to sustain businesses that will thrive.

In performing this assessment, it has become clear to us that there are significantly more households required to support many services beyond more than just convenience stores and gas stations. Citizens want a vibrant city, not one where buildings sit vacant and land sits empty. It is our goal to move this portion of the city towards that vibrant and thriving end. Towards that purpose, we have identified car dealerships as both a viable use for this specific land and an accretive business interest for the City. Ordinance 2017-O-45 currently does not allow for the use of car dealerships south of Del Bello Blvd and that is why we are applying to amend the PUD agreement.

By amending the PUD Agreement to include car dealerships as an allowable land use, we can foster a diverse and dynamic mix of commercial enterprises that cater to the needs and preferences of Manvel residents. This amendment would align with the long-term vision and goals outlined in the city's 2015 comprehensive plan, promoting sustainable growth and prosperity while preserving the unique character and identity of Manvel. Without allowing for car dealerships in the PUD, the site's viable options for development will be extremely limited and it will continue to sit vacant for the foreseeable future.

As Manvel has strived to build and maintain City systems and infrastructure during the recent extended period of population growth, water and sewer availability has become a closely watched resource. Car dealerships have very low water & sewer requirements on a per square foot basis and placing a dealership here would limit the impact on the City's water & sewer capacity. The trunk water and sewer are already in place to the boundary of the commercial site and ready for connection. Additionally, outfall drainage and detention are already in place so there is no additional detention needed to develop the commercial sites. Any interior drainage would comply with city regulations.

Safety and security is the primary concern in regard to lighting at the property. However, we recognize the importance of not disturbing neighboring homes with light pollution. To that end, the dealership user would comply with all city restrictions. Additionally, the use of House Side Shields and appropriate pole heights would be part of this plan.

The existing car dealership has been a good neighbor in the community. Their employees volunteer at local charities and events and the business donates to multiple Manvel charitable causes. That includes the donation of cars to Manvel PD for use in sting operations and the Shop with a Cop charity event during Christmas. The dealership also employs Manvel PD to prevent crime, having

them on duty every day from 10 in the evening to 6 in the morning. We believe they will continue to be a good neighbor and be amenable to requests from the City in order to create another location at this site should they wish to be the user at our site.

The car dealership has generated economic value for Manvel in the form of new jobs, new residents, and increased tax revenue. Of the more than 150 employees at the existing dealership, nearly half of them now have homes in Manvel. While the direct sales tax paid by car dealerships is generally low relative to their total sales, the economic growth and indirect sales tax dollars received can surpass that of another commercial use on the site paying standard sales tax rates to the City.

The dealership currently operating at the northeast corner has said over 70% of their business comes from out-of-town customers, pulling consumers in from Sugar Land, Gulf Freeway, Clear Lake, League City, and the Med Center. This ability to attract consumers from other towns also generates ancillary businesses nearby to take advantage of the larger customer base. With the success that this dealership has had at their location north of Del Bello, there is demonstrable demand for more automobile sales in this area, which will lead to more jobs, more local businesses, and higher income for the City.

For the reasons stated above, we propose that the language currently listed under “Automobile Sales” in the PUD Agreement be amended from:

Automobile Sales (Permitted on commercial property located north of Del Bello Blvd ONLY)
441 2017 NAICS Code Motor Vehicle and Parts Dealers (No Specific Use Permit is required for this use)

To:

Automobile Sales (Permitted on commercial property located north of Del Bello Blvd and on the specified 16 acre tract south of Del Bello Blvd ONLY)
441 2017 NAICS Code Motor Vehicle and Parts Dealers (No Specific Use Permit is required for this use)

I respectfully request that the City of Manvel Planning, Development, and Zoning Department consider this proposal and undertake the necessary steps to amend the PUD Agreement accordingly. I am available to discuss this matter further and provide any additional information or support as needed.

Thank you for your attention to this matter and we look forward to a favorable outcome that will benefit our community as a whole.

Respectfully,

Garrett Nondorf, Owner’s Representative

DETENTION CALCULATIONS:

EXAMPLE:

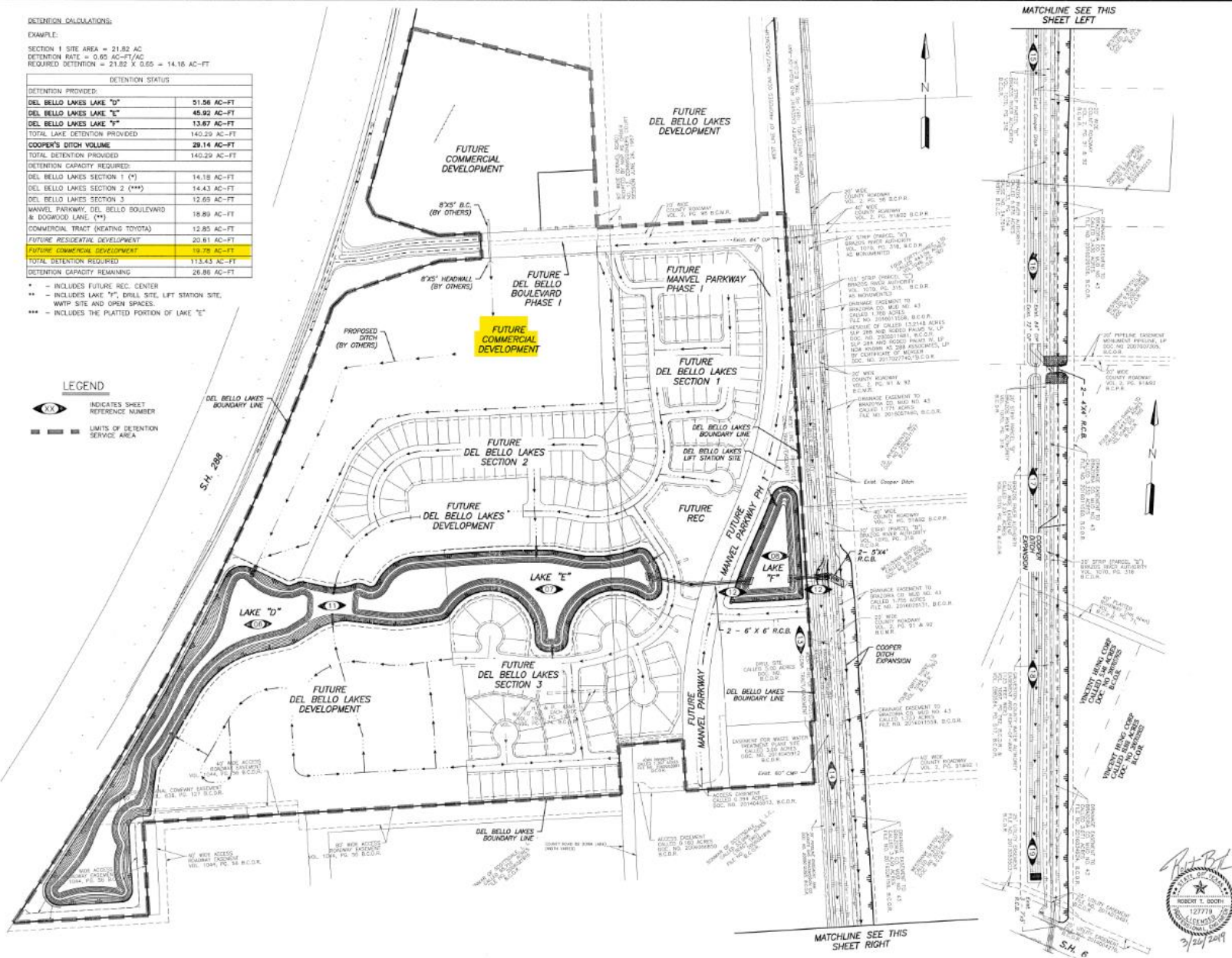
SECTION 1 SITE AREA = 21.82 AC
DETENTION RATE = 0.05 AC-FT/AC
REQUIRED DETENTION = 21.82 X 0.05 = 14.18 AC-FT

DETENTION STATUS	
DETENTION PROVIDED:	
DEL BELLO LAKES LAKE "D"	51.56 AC-FT
DEL BELLO LAKES LAKE "E"	45.92 AC-FT
DEL BELLO LAKES LAKE "F"	13.67 AC-FT
TOTAL LAKE DETENTION PROVIDED	140.29 AC-FT
COOPER'S DITCH VOLUME	29.14 AC-FT
TOTAL DETENTION PROVIDED	140.29 AC-FT
DETENTION CAPACITY REQUIRED:	
DEL BELLO LAKES SECTION 1 (**)	14.18 AC-FT
DEL BELLO LAKES SECTION 2 (***)	14.43 AC-FT
DEL BELLO LAKES SECTION 3	12.69 AC-FT
MANUEL PARKWAY, DEL BELLO BOULEVARD & DOGWOOD LANE (**)	18.89 AC-FT
COMMERCIAL TRACT (HEATING TOYOTA)	12.85 AC-FT
FUTURE RESIDENTIAL DEVELOPMENT	20.61 AC-FT
FUTURE COMMERCIAL DEVELOPMENT	19.79 AC-FT
TOTAL DETENTION REQUIRED	113.43 AC-FT
DETENTION CAPACITY REMAINING	26.86 AC-FT

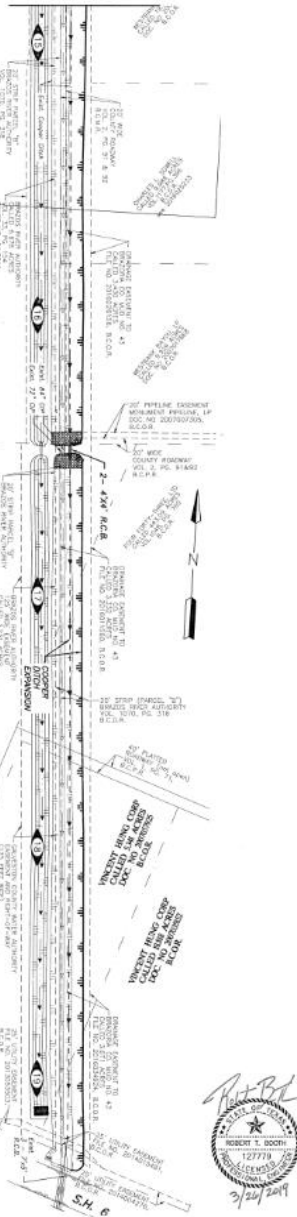
- * - INCLUDES FUTURE REC. CENTER
** - INCLUDES LAKE "F", DRILL SITE, LIFT STATION SITE, WWP SITE AND OPEN SPACES.
*** - INCLUDES THE PLATTED PORTION OF LAKE "E"

LEGEND

- INDICATES SHEET REFERENCE NUMBER
LIMITS OF DETENTION SERVICE AREA



MATCHLINE SEE THIS SHEET LEFT



BOOK DESCRIPTION:

A BRICK DISK STAMPED "CORN-1" SET ON A CONCRETE HEADWALL AT THE INTERSECTION OF CULVERT "2" AND THE NORTH SIDE OF CR. 58. A KEY MAP SHOWS NEAR CROSS WEST DETENTION.

ELEVATION = 59.14 FEET, NAVD-83 (2001 ADJ.) (CR 1.85 FEET FOR NAVD-83 (1988 ADJ.))

PROJECT INFO:

A 5/8" HIGH ROD WITH AN ALUMINUM THROF DISC LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF A DRAINAGE ACCESS ROAD AND SH 6. THE POINT IS LOCATED 4'-7" - 315 FEET WEST OF THE INTERSECTION OF DRAINAGE CRANE AND SH 6.

ELEVATION = 52.08 FEET, NAVD-83 (2001 ADJ.) (B.C. LEAD DATING)

SURFACE COORDINATES: N 13730263.303 E 3122641.288

FLOODPLAIN INFO:

BY GRAPHICAL PLOTTING, THE SUBJECT TRACT DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA. THE SUBJECT TRACT DOES LIE WITHIN ZONE "2" (UNDESIGNED, ON THE FIRM MAP). ZONE "2" (UNDESIGNED) IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 100-YEAR FLOODPLAIN" AS SHOWN ON THE FEDERAL FLOODPLAIN MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS FOR BRAZORIA COUNTY, TEXAS AND INCORPORATED AREAS, MAP NO. 4805030101N, EFFECTIVE DATE: JUNE 5, 1989.

THE DEL BELLO LAKES DEVELOPMENT IS ENTIRELY OUTSIDE THE LIMITS OF THE FLOODPLAIN AND THE 100-YEAR FLOODPLAIN.

NOTES:

1. THE PROPOSED SWALES SHOWN ARE TEMPORARY SWALES TO DRAIN UNDEVELOPED AREAS UNTIL THEY ARE DEVELOPED AS A LATER DATE.
2. PROPOSED TEMPORARY SWALES SHALL HAVE A MAXIMUM 3:1 SIDE SLOPE.

DRAINAGE RECORD DRAWING

I, ROBERT T. BOOTH, hereby certify that this drawing reflects the improvements constructed and the location and space and that the construction was in substantial compliance with the contract documents.

CONTRACT NO. 114-11
DATE: 3/24/2019

BRAZORIA COUNTY M.U.D. NO. 43

PHASE I DETENTION AND DRAINAGE FACILITIES TO SERVE DEL BELLO LAKES

DETENTION SERVICE AREA

LJA Engineering, Inc.

2020 Shapers Drive
Suite 400
Houston, Texas 77042
Phone 713.853.5330
Fax 713.853.5200
FIRM #1380

LJA PROJECT NO.: 2197-1812

SUBMITTED: 12/7/19

DESIGNED BY: GLE

DATE: APR 2019

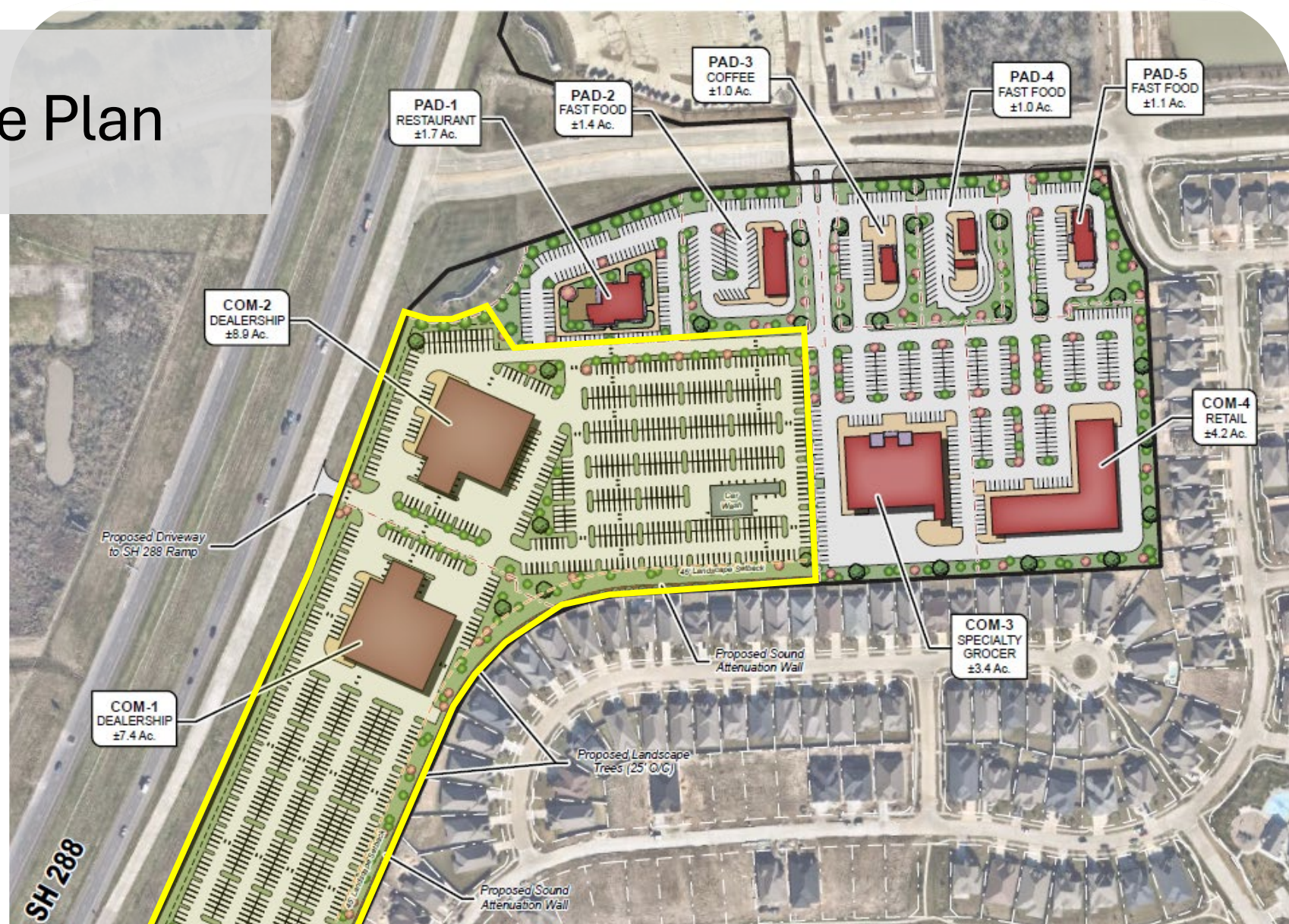
SHEET NO. 05 OF 22 SHEETS

LJA CITY DWG NO.

F & NO.



Concept Site Plan



Proposed Amendment Language: Automobile Sales (Permitted on commercial property located north of Del Bello Blvd and on the specified 16+/- acre tract south of Del Bello Blvd as identified on "Exhibit A" and highlighted therein ONLY)

Boundary Wall

- The property owner shall agree to construct a wall to reduce noise along the boundary of the 16 acres where the residential and commercial abut.
- The wall shall be 6' in height and be constructed of composite wood material.
- The existing fence along the residential backyards will remain in place.



Lighting

- Lighting will meet every requirement of Manvel's newly released light standards, and will meet or exceed existing lighting mitigation strategies at the car dealership north of Del Bello Blvd.
- A photometric plan is currently being prepared.



Foliage

- Trees shall be planted at 30' on center along the 16-acre boundary.
- A mix of evergreen tree species shall be used.
- A 25' Landscape Setback will provide further distance from the homes to the commercial usage.



Drainage & Detention

- The residential and commercial property owners had an agreement where the residential developers would construct the necessary detention for all the land within BCMUD 43 including the commercial sites. That outfall drainage and detention is already in place so there is no additional detention needed to develop the commercial sites. In addition, the trunk water and sewer are also in place to the boundary of the commercial site ready for connection. The connection points are along Del Bello Blvd.
- The key is that all developed flow from both commercial sites needs to be conveyed to the southern pond. That is where the detention is located for these sites. The sanitary sewer can be run in multiple different ways to accommodate the site plan but the connection to the system is along Del Bello Blvd.

- *Michael Rusk, PE*

LJA Engineering



MANVEL CITY COUNCIL DATA SHEET

MEETING DATE: October 21, 2024

TOPIC: Public Hearing followed by consideration of a request to change the zoning classification of an approximate 6.910-acre tract of land bounded by Old Massey Ranch Road (north), the Briscoe Canal (east) and residentially developed properties (south and west), in the HUD-Code Manufactured Home District (HCMH) to HUD-Code Manufactured Home District with a Specific Use Permit (HCMH-SUP) to authorize NAICS use 813110 "Religious Organizations."

BACKGROUND: The subject property, with approximately 6.910 acres, identified by Property ID #171785, is located along the southern side of Old Massey Ranch Road, abutting Briscoe Canal, on the east side. In 2020, the subject site was rezoned from HUD-Code Manufactured Home District (HCMH) District to HUD-Code Manufactured Home District (HCMH) District with a Specific Use Permit (SUP) allowing NAICS use 813110 – Religious Organizations (Ordinance No. 2020-O-28). However, the SUP expired in September 2021 due to the inactivity or substantial progress in initiating the authorized use within the required one-year period.

The applicant, Bob N. Stewart, on behalf of International Victory Christian Church, indicated that the owner experienced financial difficulties during that time, leading to the abandonment of the development process and allowing the SUP and associated variance to lapse. The applicant has indicated that they are now in a better financial position and wishes to restart the project, beginning with reapplying for the same SUP to establish International Victory Christian Church on this vacant land.

The proposed site plan (attached as exhibits) shows the 6,336 square-foot church building, including a driveway access on Old Massey Ranch Road, a parking lot, and a drainage pond to support the development. The site plan also outlines future phases of development, which include additional driveways, parking spaces, and buildings, contingent on securing further financing.

Please note that a detailed review of site and building construction plans will occur during the platting and permitting process. Surrounding land uses remain largely unchanged since the previous SUP approval, except for the development of the Massey Oaks Subdivision to the east, located in the City of Pearland. Since Old Massey Ranch Road is a County Road, the requirements for sidewalks and road improvements will align with Brazoria County's minimum standards.

The proposed use is not expected to have any negative impact on nearby properties, given the following:

1. The proximity to nearby residential lots is mitigated by the larger lot sizes on the

west and south, and the Briscoe Canal on the east side adds distance from the Massey Oaks Subdivision.

2. The proposed use may slightly change traffic patterns on Old Massey Ranch Road, but given its status as a major thoroughfare, these changes are not expected to be significant.
3. Surrounding properties to the west and south are zoned HCMH or are outside the City of Manvel and are not restricted to residential use, allowing for potential commercial development.

The proposed use meets all approval criteria provided in Section 77-50(e) of the code of ordinances, ensuring the use is in harmony with adjacent properties and will not negatively impact the general area. 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.



STAFF RECOMMENDATION: City staff recommends approval of the requested SUP with five (5) conditions as listed in the Staff Report.

PD&Z DISCUSSION: On October 15, 2024, the Planning, Development, and Zoning Commission held a public hearing at which no public input was received. The PD&Z Commission generally discussed regarding the address of the property, and the Commission requested clarification on the zoning district of the abutting properties. Staff explained that the owner would contact CenterPoint Energy to obtain an address for the property. Additionally, staff clarified that the properties to the north and east of the subject site are located in the City of Pearland and are not within the City of Manvel.

PD&Z RECOMMENDATION: The PD&Z Commission recommended approval of Ordinance No. 2024-O-41 with a vote of six (6) "Yeas" to zero (0) "Nays" at their October 15, 2024, meeting.

ATTACHMENTS: Staff Report and Ordinance No. 2024-O-041

FUNDING ISSUES

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

SUBMITTING STAFF MEMBER
Ellie Roohbakhsh

FINANCE DIRECTOR APPROVAL _____

CITY MANAGER APPROVAL _____



City Council Specific Use Permit Request

Agenda of:	October 21, 2024	Initiated By:	Ellie Roohbakhsh Assistant Planner
Department:	Development Services	Presented By:	Ellie Roohbakhsh Assistant Planner

Subject/Proceeding

Specific Use Permit (SUP) to allow a religious use on an undeveloped 6.910-acre tract of land bounded by Old Massey Ranch Road (north), the Briscoe Canal (east) and residentially developed properties (south and west), in the HUD-Code Manufactured Home District (HCMH).

Exhibits

Zoning Vicinity Map, Aerial Vicinity Map, Major Thoroughfare Plan Map, Metes and Bounds description, Proposed Site Plan (Conceptual Plan), Application, Letter of Authorization, Letter of Request, and Public Hearing Notice.

Recommended Action

A Public Hearing followed by consideration and action from the City Council to approve Ordinance No. 2024-O-41.

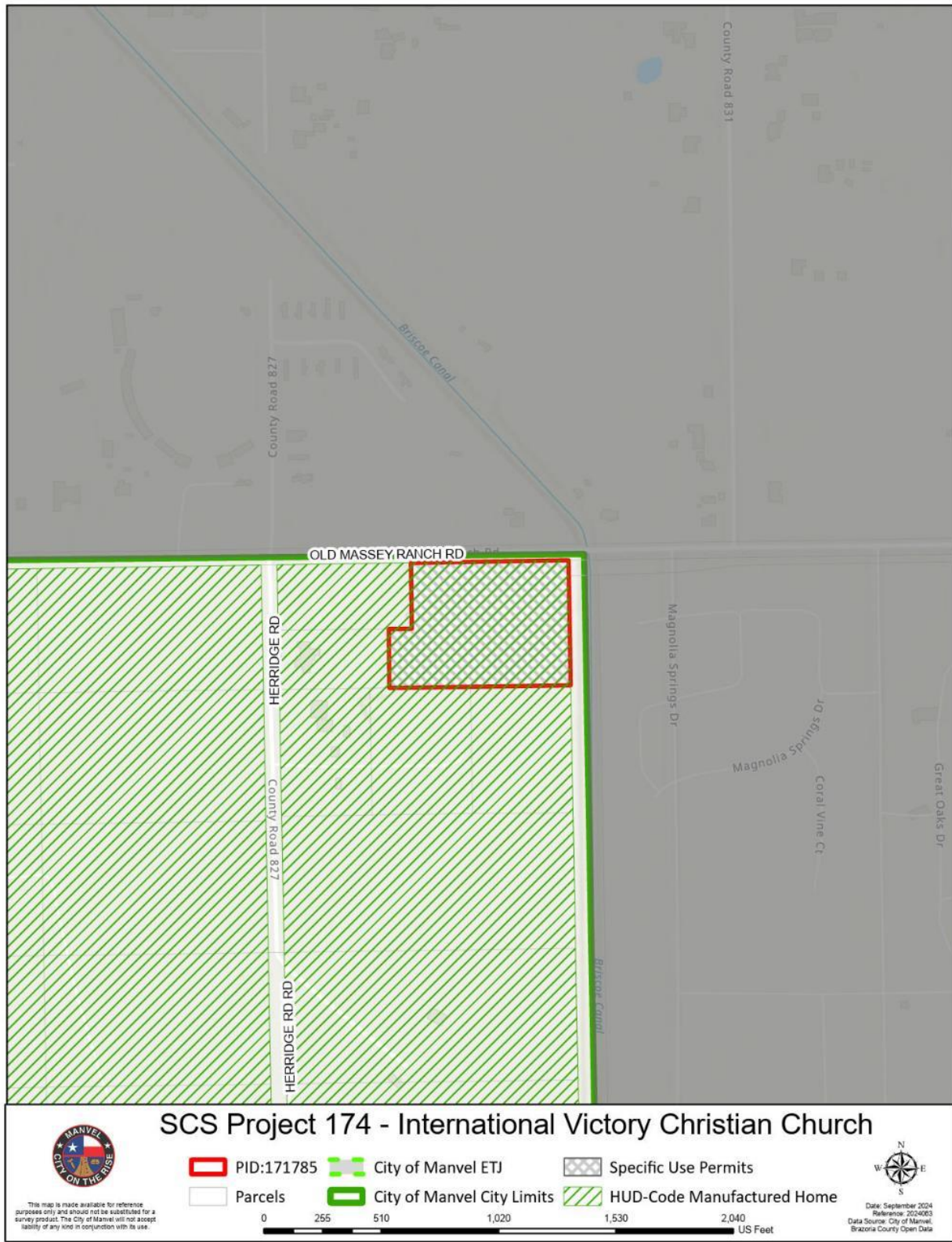
Executive Summary

The subject property, with approximately 6.910 acres, identified by Property ID #171785, is located along the southern side of Old Massey Ranch Road, abutting Briscoe Canal, on the east side. In 2020, the subject site was rezoned from HUD-Code Manufactured Home District (HCMH) District to HUD-Code Manufactured Home District (HCMH) District with a Specific Use Permit (SUP) allowing NAICS use 813110 – Religious Organizations (Ordinance No. 2020-O-28). However, the SUP expired in September 2021 due to inactivity in terms of construction or substantial progress in initiating the authorized use within the required one-year period. Therefore, the same applicant, Bob N. Stewart on behalf of International Victory Christian Church, with the permission of property owner, Pastor Michael Liga, is seeking approval of the same SUP to establish a Church use on this vacant and undeveloped land. Staff overview of the proposed SUP is contained in the attached Staff Report section.

Aerial Vicinity Map



Zoning Vicinity Map



Zoning Ordinance Provisions for Specific Use Permits

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: City of Pearland South: HUD-Code Manufactured Home District (HCMH) East: City of Pearland West: HUD-Code Manufactured Home District (HCMH)
Surrounding Land Use	North: Single-Family Residential and Vacant/Undeveloped South: Single-Family Residential East: The Briscoe Canal and Massey Oaks Subdivision (City of Pearland) West: Single-Family Residential and Utility Site

Overview

The subject property is an approximately 6.910-acre tract located on Old Massey Ranch Road, identified by Property ID #171785. Old Massey Ranch Road is classified as a proposed Major Thoroughfare with a minimum right-of-way width of 100 feet. The site is currently undeveloped and bordered by the Briscoe Canal to the east, Old Massey Ranch Road to the north, and utility and residential properties to the west and south. The property is zoned HUD-Code Manufactured Home District (HCMH), a designation it has held since the City Council adopted zoning regulations.

Although the Specific Use Permit (SUP) for NAICS use 813110 – “Religious Organizations” was originally approved on September 8, 2020, with 14 conditions, it expired per Section 77-50(h) of the

City's Zoning Ordinance. This section states that an SUP expires one year from the date of issuance if substantial construction or authorized use has not commenced. The applicant, Bob N. Stewart, on behalf of International Victory Christian Church, indicated that the owner experienced financial difficulties during that time, leading to the abandonment of the development process and allowing the SUP and associated variance to lapse.

The owner has indicated that they are now in a better financial position and wishes to restart the project, and hence this application. The proposed site plan (attached as exhibits) shows the 6,336 square-foot church building, including a driveway access on Old Massey Ranch Road, a parking lot, and a drainage pond to support the development. The site plan also outlines future phases of development, which include additional driveways, parking spaces, and buildings, contingent on securing further financing.

Please note that a detailed review of site and building construction plans will occur during the platting and permitting process. Surrounding land uses remain largely unchanged since the previous SUP approval, except for the development of the Massey Oaks Subdivision to the east, located in the City of Pearland. Since Old Massey Ranch Road is a County Road, the requirements for sidewalks and road improvements will align with Brazoria County's minimum standards.

The proposed use is not expected to have any negative impact on nearby properties, given the following:

1. The proximity to nearby residential lots is mitigated by the larger lot sizes on the west and south, and the Briscoe Canal on the east side adds distance from the Massey Oaks Subdivision.
2. The proposed use may slightly change traffic patterns on Old Massey Ranch Road, but given its status as a major thoroughfare, these changes are not expected to be significant.
3. Surrounding properties to the west and south are zoned HCMH or are outside the City of Manvel and are not restricted to residential use, allowing for potential commercial development.

The proposed use meets all approval criteria provided in Section 77-50(e) of the code of ordinances, ensuring the use is in harmony with adjacent properties and will not negatively impact the general area.

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.

Staff Recommendation

Staff recommends approval of the Specific Use Permit with the following conditions:

Recommended Conditions of Approval.

1. A plat shall be prepared and approved in conformance with Chapter 62 – *Subdivisions*, prior to developing the subject site for the proposed AutoZone;
2. The site development shall generally conform to the attached site plan. However, changes necessary to conform to any adopted City of Manvel codes and ordinances shall be made part of the construction plan and building permit review process;
3. Outdoor lighting shall be shielded and shall conform with the Illuminating Engineering Society of North America ("IES") criteria for full cut-off fixtures, which is 100 percent of light output below 90 degrees, and 90 percent of light output below 80 degrees from a vertical line through the fixture;
4. Outdoor lighting shall be deflected, shaded, and focused away from abutting properties and shall not be a nuisance to abutting properties, and shall be designed so that any overspill of lighting onto abutting properties shall not exceed three-tenths foot-candles, measured vertically and horizontally;
5. Buildings shall be designed in conformance with all adopted technical codes, including Building and Fire Codes.

Planning, Development and Zoning Commission Public Hearing

The Notice of Public Hearing at the Planning Development and Zoning (PD&Z) Commission was published in the newspaper of general circulation. All property owners within 200 feet of the property were notified. No one spoke in favor or opposition of the proposed SUP at the Public Hearing held on October 15, 2024 at the PD&Z Commission regular meeting.

Planning, Development and Zoning Commission Discussion

At the October 15, 2024, Planning, Development, and Zoning Commission meeting, there was a general discussion regarding the address of the property, and the Commission requested clarification on the zoning district of the abutting properties. Staff explained that the owner will contact CenterPoint Energy to obtain an address for the property. Additionally, staff clarified that the properties to the north and east of the subject site are located in the City of Pearland and are not within the City of Manvel.

Planning, Development and Zoning Commission Recommendation

The PD&Z Commission recommended approval of Ordinance No. 2024-O-41 with a vote of six (6) "Yeas" to zero (0) "Nays" at their October 15, 2024, meeting.

City Council 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, no information inquiries have been received and staff is not aware of opposition.

Attached Exhibits

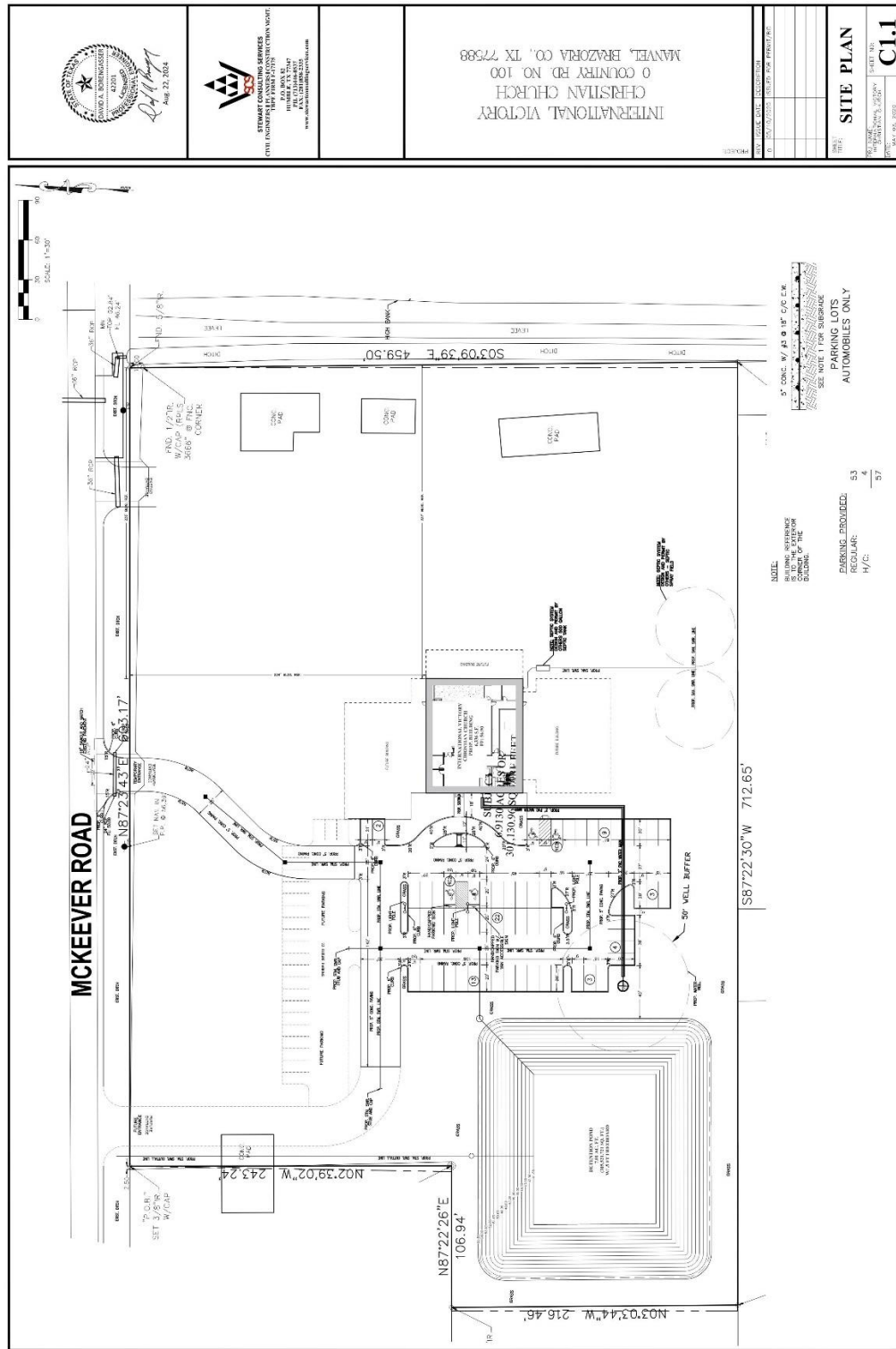
1. Aerial Vicinity Map,
2. Zoning Vicinity Map,

3. Major Thoroughfare Plan Map,
4. Site Plan
5. Site Photographs
6. Application

Major Thoroughfare Plan Map



Site Plan



Site Photographs



Looking south from Old Massey Ranch Road at the drainage canal.



Looking north from Old Massey Ranch Road at single-family residential development (City of Pearland ETJ).

Application



DEVELOPMENT SERVICES

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

SPECIFIC USE PERMIT APPLICATION

PROJECT INFORMATION

Project Name: INTERNATIONAL VICTORY CHRISTIAN CHURCH
Project Location/Address: 0 COUNTRY ROAD NO. 100, MANVEL, TX 77584
Legal Description: 6.910 ACRES BEING A PART OF LOT 37 OF SUBURBAN GARDENS SUBDIVISION, VOL. 2, PG 89
Current Zoning: HUD - CODE MANUFACTURED HOME Proposed Land Use: HOUSE OF WORSHIP NAICS No.: 813110
Parcel/Tax ID# (s): 171785 Total Acreage: 6.910

APPLICANT INFORMATION

Applicant Name: BOB N. STEWART
Company Name: STEWART CONSULTING SERVICES
Address: P.O. BOX 82 City: HUMBLE State: TX Zip: 77347-0082
Phone #: 713-446-8537 Email: B.STEWART@STEWARTCONSULTINGSERVICES.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.

Bob N. Stewart

AUGUST 22, 2024

Applicant Signature (REQUIRED)

Date

PROPERTY OWNER INFORMATION

Owner(s) Name: PASTOR MICHAEL LIGA- INTERNATIONAL VICTORY CHRISTIAN CHURCH
Address: 2216 CALYPSO BAY DRIVE City: PEARLAND State: TX Zip: 77584
Phone #: 832-623-5007 Email: MLIGA444@SBCGLOBAL.NET

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.

[Signature]

AUGUST 22, 2024

Owner's Signature (REQUIRED)

Date

Application



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)	X
Two (2) Copies of a Conceptual Plan (building, parking, landscaping, etc. locations)	X
Two (2) Legal Descriptions of Property (metes & bounds description if not platted)	X
Two (2) Copies of Recorded Plat (if platted)	N/A
Two (2) Applicant Letters of Request	X
Traffic Impact Analysis, (if applicable)	N/A
Paid Application Fee	X

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.

Bob W. Stewart

AUGUST 22, 2024

Applicant Signature

Date

Letter of Authorization



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.

PASTOR MICHAEL LIGA - INTERNATIONAL VICTORY CHRISTIAN CHURCH

Owner Name

2216 CALYPSO BAY DRIVE

Owner Address

PEARLAND, TX.

77584

Owner City, State

Zip

AUGUST 22, 2024

Date

Building and Inspections

20025 Highway 6

Manvel, TX 77578

Dear City of Manvel Permits and Inspections,

I, PASTOR MICHAEL LIGA - INTERNATIONAL VICTORY CHRISTIAN CHURCH, certify that I am the owner of the project property located at 0 COUNTRY ROAD 100, MANVEL, TX 77584 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 BOB N. STEWART with the company STEWART CONSULTING SERVICES (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 832-623-5007 if you have any questions.

Sincerely,

Owner Name PASTOR MICHAEL LIGA - INTERNATIONAL VICTORY CHRISTIAN CHURCH

Owner Signature

Metes and Bounds description

METES AND BOUNDS DESCRIPTION 6.910 ACRE

All that certain tract or parcel containing 6.910 acre of land in the **A. C. H. & B. Railroad Company Survey, A-402, Brazoria County, Texas**, being the residue of tract which was called 9.523 acres conveyed to International Victory Christian Church, by an instrument of record in Clerks File #2015007219, Brazoria County Official Public Record, (BCOPR), said 6.910 acre being more particularly described as follows, (Bearing Basis: State Plane Coordinates, Texas South Central 4204, NAD83, GRID)

BEGINNING at a 3/8" iron rod (1184) for northeast corner, being the northeast corner of said Residue Tract, lying in the west line of a tract which was called 128.86 acres conveyed to Marguerite Massey Smith Charitable Remainder Trust, by an instrument of record in Clerks File #2017051881, BCOPR and lying in the south right of way (R-O-W) line of County Road 100 (width varies) also known as Old Massey Ranch Road;

THENCE S03°07'56"E, along the common line of said Residue Tract and said 128.86 acre tract at 9.84 feet pass a 1/2" iron rod found and continuing for a distance in all of **459.56 feet** to a 5/8" iron rod found for southeast corner, being the southeast corner of said Residue Tract and northeast corner of a tract which was called 12.90 acres conveyed to Peter Ferdin, et al, by an instrument of record in Clerks File #2022048104, BCOPR;

THENCE S87°24'13"W, 712.74 feet along the common line of said Residue Tract and said 12.90 acre tract to a 3/8" iron rod set for southwest corner, being the southwest corner of said Residue Tract and southeast corner of a tract which was called 2.00 acres conveyed to Ronaldo Xavier Hernandez, by an instrument of record in Clerks File #2018019305, BCOPR;

THENCE N02°57'07"W, 216.48 feet along the common line of said Residue Tract and said 2.00 acre tract to a 3/8" iron rod set for a northwest corner, being a northwest corner of said Residue Tract and northeast corner of said 2.00 acre tract, lying in the south line of a tract which was called 3.00 acres conveyed to Smart Buyers, by an instrument of record in Clerks File #2017023044, BCOPR;

THENCE N87°37'51"E, 106.95 feet along the common line of said Residue Tract and said 3.00 acre tract to a 3/8" iron rod (1184) found for an interior corner, being an interior corner of said Residue Tract and southeast corner of said 3.00 acre tract;

THENCE N02°41'37"W, 243.27 feet along the common line of said Residue Tract and said 3.00 acre tract to a 3/8" iron rod set for northwest corner, being the northwest corner of said Residue Tract and northeast corner of said 3.00 acre tract, lying in the south R-O-W line of said CR 100;

THENCE N87°23'19"E, 603.25 feet along the common line of said Residue Tract and said CR 100 to the **PLACE OF BEGINNING**, containing **6.910 acre** of land, more or less.

Letter of Request

From: Bob Stewart <b.stewart@stewartconsultingservices.com>
Sent: Wednesday, July 24, 2024 9:15 AM
To: Planning & Development
Subject: FW: SCS Project 174 - International Victory Christian Church - Special Use Permit Application
Attachments: receipt-TX-SUP-200717-01237.pdf; IVCC - Specific Use Permit Application Signed.pdf; International Victory Christian Church variance agreement 11.16.20.pdf

Follow Up Flag: Follow up
Flag Status: Completed

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Good morning,

I am Bob Stewart w/ Stewart Consulting Services. My client, International Victory Christian Church owns a tract of land on McKeever that they are wanting to construct a house of Worship on. However, the property is not properly zoned for a house of worship. Back in 2020, our offices worked with Jessica Rodriguez of your offices and was able to get a SUP approved. There was also approval of a variance with regards to construction of McKeever Road.

Unfortunately, my client experienced financial difficulties during this period of time and had to abandon the development process, allowing the approved SUP and variance to lapse.

The client is now in a better financial position and would like to restart the process, beginning with the SUP. To your knowledge, would the SUP route still be the most appropriate for us to now pursue, and has there been updates or changes to the process?

Thanks for your help, and I look forward to working with you again.

Bob N. Stewart, Principal
STEWART CONSULTING SERVICES(SCS)
Civil Engineers|Planners|Construction Mgmt.
TBPE Firm F-17175
Humble, TX 77396
713.446.8537 (Direct)
281.858.2335 (Fax)
www.stewartconsultingservices.com

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Letter of Request

Public Hearing Notice to run on Sunday 09/29/2024

A PUBLIC HEARING WILL BE HELD AT MANVEL CITY HALL, 20031 HWY 6, MANVEL, TX, 77578 AT 6:00 P.M. ON TUESDAY, OCTOBER 15, 2024, BEFORE THE MANVEL PLANNING, DEVELOPMENT, AND ZONING COMMISSION AND AT 6:00 P.M. ON MONDAY, OCTOBER 21, 2024, BEFORE THE MANVEL CITY COUNCIL TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATE 6.910 ACRES BOUNDED BY OLD MASSEY RANCH ROAD (NORTH), THE BRISCOE CANAL (EAST), AND RESIDENTIALLY DEVELOPED PROPERTIES (SOUTH AND EAST), FROM HUD-CODE MANUFACTURED HOME DISTRICT (HCMH) TO HUD-CODE MANUFACTURED HOME DISTRICT WITH SPECIFIC USE PERMIT (HCMH-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE 813110 “RELIGIOUS ORGANIZATIONS”; 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. /S/ TAMMY BELL, CITY SECRETARY.

ORDINANCE NO. 2024-O-41

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATE 6.910 ACRES BOUNDED BY OLD MASSEY RANCH ROAD (NORTH), THE BRISCOE CANAL (EAST), AND RESIDENTIALLY DEVELOPED PROPERTIES (SOUTH AND EAST), FROM HUD-CODE MANUFACTURED HOME DISTRICT (HCMH) TO HUD-CODE MANUFACTURED HOME DISTRICT WITH SPECIFIC USE PERMIT (HCMH-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE 813110 “RELIGIOUS ORGANIZATIONS”; 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, International Victory Christian Church (the “Owner”), represented by Pasto Michael Liga, is the owner of a certain 6.910-acre tract of land bounded by Old Massey Ranch Road (north), the Briscoe Canal (east) and residentially developed properties (south and west), Manvel, Texas, such tract situated in the A. C.H. & B. Railroad Company Survey, A-402, Brazoria County, Texas, being the residue of tract which was called 9.523 acres conveyed to International Victory Christian Church, by an instrument of record in Clerks File #2015007219, Brazoria County Official Public Record, (BCOPR), a map and description of which is attached hereto as Exhibit “A”; and

WHEREAS, in 2020, the owner, represented by Bob Stewart, filed an application to change the zoning classification of the 6.910-acre tract to HUD-Code Manufactured Home District, with a Specific Use Permit (HCMH-SUP) allowing use of the Property for NAICS Use 813110 “Religious Organizations”; and

WHEREAS, the SUP granted in 2020 allowing use of the Property for NAICS Use 813110 “Religious Organizations” expired after one year due to inactivity and failure to establish the allowed use; and

WHEREAS, the 6.910-acre tract is currently zoned HUD-Code Manufactured Home District (HCMH) District; and

WHEREAS, the owner, represented by Bob Stewart has filed an application to change the zoning classification of the 6.910-acre tract to HUD-Code Manufactured Home District with Specific Use Permit (HCMH-SUP) allowing the existing use of the property for NAICS use 813110 – “Religious Organizations”; 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 6.910-acre tract of land bounded by Old Massey Ranch Road (north), the Briscoe Canal (east) and residentially developed properties (south and west), Manvel, Texas, such tract situated in the A. C.H.

& B. Railroad Company Survey, A-402, Brazoria County, Texas, being the residue of tract which was called 9.523 acres conveyed to International Victory Christian Church, by an instrument of record in Clerks File #2015007219, Brazoria County Official Public Record, (BCOPR), as more particularly described in Exhibit “A” attached hereto, shall be changed from HUD-Code Manufactured Home District (HCMH) to HUD-Code Manufactured Home District with Specific Use Permit (HCMH-SUP), for uses as permitted within such zone classification, subject to the regulations, regulations, and conditions hereinafter set forth:

1. Religious Organizations - (NAICS 813118)

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 additional 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. Use and development of the Property shall comply with the conditions and with the site plan as shown in Exhibit “C”, attached hereto. The uses 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 or 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

Being a certain 6.910-acre tract of land bounded by Old Massey Ranch Road (north), the Briscoe Canal (east), and residentially developed properties (south and west), Manvel, Texas, such tract situated in the A. C.H. & B. Railroad Company Survey, A-402, Brazoria County, Texas, being the residue of tract which was called 9.523 acres conveyed to International Victory Christian Church, by an instrument of record in Clerks File #2015007219, Brazoria County Official Public Record, (BCOPR).

METES AND BOUNDS DESCRIPTION 6.910 ACRE

All that certain tract or parcel containing 6.910 acre of land in the **A. C. H. & B. Railroad Company Survey, A-402, Brazoria County, Texas**, being the residue of tract which was called 9.523 acres conveyed to International Victory Christian Church, by an instrument of record in Clerks File #2015007219, Brazoria County Official Public Record, (BCOPR), said 6.910 acre being more particularly described as follows, (Bearing Basis: State Plane Coordinates, Texas South Central 4204, NAD83, GRID)

BEGINNING at a 3/8" iron rod (1184) for northeast corner, being the northeast corner of said Residue Tract, lying in the west line of a tract which was called 128.86 acres conveyed to Marguerite Massey Smith Charitable Remainder Trust, by an instrument of record in Clerks File #2017051881, BCOPR and lying in the south right of way (R-O-W) line of County Road 100 (width varies) also known as Old Massey Ranch Road;

THENCE S03°07'56"E, along the common line of said Residue Tract and said 128.86 acre tract at 9.84 feet pass a 1/2" iron rod found and continuing for a distance in all of **459.56 feet** to a 5/8" iron rod found for southeast corner, being the southeast corner of said Residue Tract and northeast corner of a tract which was called 12.90 acres conveyed to Peter Ferdin, et al, by an instrument of record in Clerks File #2022048104, BCOPR;

THENCE S87°24'13"W, **712.74 feet** along the common line of said Residue Tract and said 12.90 acre tract to a 3/8" iron rod set for southwest corner, being the southwest corner of said Residue Tract and southeast corner of a tract which was called 2.00 acres conveyed to Ronaldo Xavier Hernandez, by an instrument of record in Clerks File #2018019305, BCOPR;

THENCE N02°57'07"W, **216.48 feet** along the common line of said Residue Tract and said 2.00 acre tract to a 3/8" iron rod set for a northwest corner, being a northwest corner of said Residue Tract and northeast corner of said 2.00 acre tract, lying in the south line of a tract which was called 3.00 acres conveyed to Smart Buyers, by an instrument of record in Clerks File #2017023044, BCOPR;

THENCE N87°37'51"E, **106.95 feet** along the common line of said Residue Tract and said 3.00 acre tract to a 3/8" iron rod (1184) found for an interior corner, being an interior corner of said Residue Tract and southeast corner of said 3.00 acre tract;

THENCE N02°41'37"W, **243.27 feet** along the common line of said Residue Tract and said 3.00 acre tract to a 3/8" iron rod set for northwest corner, being the northwest corner of said Residue Tract and northeast corner of said 3.00 acre tract, lying in the south R-O-W line of said CR 100;

THENCE N87°23'19"E, **603.25 feet** along the common line of said Residue Tract and said CR 100 to the **PLACE OF BEGINNING**, containing **6.910 acre** of land, more or less.

Exhibit B

CONDITIONS FOR INTERNATIONAL VICTORY CHRISTIAN CHURCH

1. A plat shall be prepared and approved in conformance with Chapter 62 – *Subdivisions*, prior to developing the subject site for the proposed AutoZone;
2. The site development shall generally conform to the attached site plan. However, changes necessary to conform to any adopted City of Manvel codes and ordinances shall be made part of the construction plan and building permit review process;
3. Outdoor lighting shall be shielded and shall conform with the Illuminating Engineering Society of North America ("IES") criteria for full cut-off fixtures, which is 100 percent of light output below 90 degrees, and 90 percent of light output below 80 degrees from a vertical line through the fixture;
4. Outdoor lighting shall be deflected, shaded, and focused away from abutting properties and shall not be a nuisance to abutting properties, and shall be designed so that any overspill of lighting onto abutting properties shall not exceed three-tenths foot-candles, measured vertically and horizontally;
5. Buildings shall be designed in conformance with all adopted technical codes, including Building and Fire Codes.

INTERNATIONAL VICTORY CHRISTIAN CHURCH SITE PLAN





CITY COUNCIL DATA SHEET

MEETING DATE: October 07, 2024

Regular Agenda

TOPIC:

Utility Rate Increase Ordinance

BACKGROUND:

Staff is requesting that the Council approve the Utility rate increase of 6.30%, according to the study conducted by Freese & Nichols in 2022. The increase is necessary to keep up with the increase in population and businesses coming to Manvel. It would provide funds for the growth of infrastructure, water and sewer line connections, and additional employees needed to provide top-notch service for our residents.

Rates will be increased as follows:

Residential Water Base	\$32.59	to	\$34.65
Additional Volume	\$3.34	to	\$3.79
Residential Wastewater Base	\$39.11	to	\$41.58
Additional Volume	\$3.34	to	\$3.79

Commercial Water Base	\$39.11	to	\$41.58
Additional Volume	\$3.34	to	\$3.79
Commercial Wastewater	\$45.63	to	\$48.51
Additional Volume	\$3.34	to	\$3.79

RECOMMENDATION:

Staff recommends approval of Ordinance.

ATTACHMENTS: Freese & Nichols Study on Ordinance Rates

FUNDING ISSUES

☒ Not applicable
☐ Not budgeted
☐ Full amount already budgeted
☐ Funds to be transferred

SUBMITTING STAFF MEMBER
Rosa Donaire

FINANCE DIRECTOR APPROVAL ☒

CITY MANAGER APPROVAL: ☒

ORDINANCE NO. 2024-O-42

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, CHAPTER 71. “UTILITIES” BY ADOPTING NEW RATES FOR WATER AND SEWER; MAKING OTHER CHANGES TO THE ORDINANCE GOVERNING THE PROVISION OF UTILITIES WITHIN THE CITY OF MANVEL; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 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.

* * * * *

WHEREAS, pursuant to **Texas Water Code** § 13.042, the governing body of each municipality has exclusive original jurisdiction over all water and sewer utility rates, operations, and services provided by a water and sewer utility within its corporate limits;

WHEREAS, pursuant to **Tex. Loc. Gov’t Code** § 552.001(b), a municipality is permitted to operate and regulate a utility system “in a manner that protects the interests of the municipality”;

WHEREAS, the City Council of the City of Manvel seeks to exercise its exclusive original jurisdiction over water and sewer utility rates and operations and adopt new rates and provisions governing the provision of utilities by the City of Manvel; and

WHEREAS, the City Council commissioned Freese and Nichols to prepare a Water and Wastewater Rate Study to report on water and sewer rates and utility operations; and

WHEREAS, the City Council has reviewed all necessary data to make a reasonable determination of rate base, expenses, investment, and rate of return within the municipal boundaries, including the Water and Wastewater Rate Study by Freese and Nichols; and

WHEREAS, the City Council deems the new rates to be fair, just, and reasonable; and

WHEREAS, the revisions to the city’s utility ordinance are deemed to be in the best interest of the City of Manvel; NOW THEREFORE,

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

Section 1. The Code of Ordinances of the City of Manvel, Texas is hereby amended

by amending Chapter 71. “Utilities”, to read and provide as follows:

“Chapter 71 UTILITIES

ARTICLE I. IN GENERAL

Sec. 71-4. Water rates.

(a) *Monthly rates.*

- (1) *Single-family residential users.* Single-family residential users shall be charged monthly for water as follows:

First 2,000 gallons	[\$32.59] <u>\$34.65</u> base charge
All over 2,000 gallons	[\$3.34] <u>\$3.79</u> per 1,000 gallons

(2) *Multifamily residential users.*

- a. *Single meter.* Each multifamily building that is served by a single meter shall be charged monthly.
- b. *Multiple meters.* If a multifamily building is served by more than one meter, water delivered through each meter shall be charged the base rate for single-family residential users multiplied by the number of units served through such meter, with consumption over the base amount charged at the rates quoted above for single-family residential users.
- (3) *Commercial users.* Each business unit occupied by a separate business, including separate establishments within a single building, whether connected by a single meter or multiple meters, shall be charged monthly for water as follows:

First 2,000 gallons	[\$39.11] <u>\$41.58</u> base
All over 2,000 gallons	[\$3.34] <u>\$3.79</u> per 1,000 gallons

- (4) *Irrigation systems.* Metered water connections established solely for the purpose of providing water to irrigation systems shall be charged monthly for water usage at the above-quoted rates that apply to such type of user. There shall be no sewer service charge for irrigation meters.
- (5) *One-thousand gallon unit.* The fee for any 1,000-gallon unit shall also apply to any portion of a 1,000-gallon unit.
- (b) *Pressure of water.* The city intends to use all reasonable efforts to supply adequate pressure of water to any user. The city does not and will not guarantee to any user a specific quantity

or pressure of water for any purpose whatsoever. The city is required only to furnish a connection to its water system and in no case shall the city be liable for the failure or refusal to furnish water or any particular amount or pressure of water; however, the city shall use reasonable efforts to supply water to all users at an acceptable minimum pressure.

(c) *Sale or use of water or sewer services.*

- (1) No person or entity except the city shall sell or resell water from the city's water system.
- (2) No person or entity except the city shall sell or resell city sewer services.
- (3) No person or entity except the city shall receive or use water from the city's water system without having a direct connection to the city's water system.
- (4) No person or entity except the city shall receive or use city sewer services without having a direct connection to the city's sewer system.
- (5) It is an affirmative defense to this subsection that the person or entity has the express, written, unrevoked consent of the city council or its designee for such sale, resale, receipt, or use.

Sec. 71-5. Sewer.

(a) *Single-family residential users:*

First 2,000 gallons	[\$39.11] <u>\$41.58</u> base
All over 2,000 gallons	[\$3.34] <u>\$3.79</u> per 1,000 gallons

(b) *Multifamily residential users:*

First 2,000 gallons	[\$39.11] <u>\$41.58</u> base
All over 2,000 gallons	[\$3.34] <u>\$3.79</u> per 1,000 gallons

(c) *Commercial users:*

First 2,000 gallons	[\$45.63] <u>\$48.51</u> base
All over 2,000 gallons	[\$3.34] <u>\$3.79</u> per 1,000 gallons

- (d) *Additional applications.* The fee for any 1,000-gallon unit shall also apply to any portion of a 1,000-gallon unit.
- (e) *Sewer fees.* Sewer fees are calculated using the metered amount of water provided to the user. Sewer fees shall be calculated using the average of the sewer fees of the winter months. Each customer's water meter readings during the three consecutive winter months (November, December, and January) shall be used each year to determine the customer's winter monthly average sewer fee. This winter monthly average sewer fee will then be applied to the sewer component of the customer's utility bills as a fixed monthly sewer fee charged to the

household over the following year. The city shall not be required to prove that the water went into the city's sewer system.

(f) *Quality of sewage.*

- (1) *Domestic waste.* Only ordinary liquid and water-carried waste from domestic activities that is amenable to biological treatment and that is discharged from sanitary conveniences of buildings connected to a public sanitary sewer system shall be discharged in the city's sanitary sewer lines. Waste resulting from any process of commerce or industry may not be discharged in the city's sanitary sewer lines except as authorized pursuant to subsection (f)(2) of this section.
- (2) *Commercial and industrial waste.* All discharges other than waste described in subsection (f)(1) of this section are prohibited unless the user has applied to and received written authorization from the city for such discharge. The applicant must file a statement with the city containing the following information:
 - a. Name and address of applicant;
 - b. Type of industry, business, activity, or other waste-creative process;
 - c. Quantity of waste to be discharged;
 - d. Typical analysis of waste;
 - e. Type of pretreatment proposed; and
 - f. Such other information as the city may request in writing.

The city shall have the right to reject any application for discharge of nondomestic waste into the city's sanitary sewer lines if the city determines in its sole discretion that the proposed discharge may be harmful to the city's sanitary sewer system or the environment. The city also shall have the right in approving any application for the discharge of nondomestic waste to impose any limitations on such discharge that the city determines in its sole discretion to be necessary to protect the city's sanitary sewer system or the environment.

- (3) *National categorical pretreatment standard.* If a user is subject to a national categorical pretreatment standard pursuant to regulations promulgated by the Environmental Protection Agency under Section 307 of the Federal Clean Water Act, the user is prohibited from discharging pollutants into the city's sanitary sewer system in violation of applicable categorical pretreatment standards.
- (4) *City testing; pretreatment.* The city shall have the right to sample and test any user's discharge at the discretion of the city's operator, with no limit as to the frequency of the tests, and to charge the user for the city's cost of such sampling and testing. The city also shall have the right to require pretreatment, at the user's expense, of any discharge of nondomestic waste if the city determines in its sole discretion that pretreatment of such waste is necessary to protect the city's sanitary sewer system or the environment, even if pretreatment is not otherwise required pursuant to subsection (f)(3) of this section.

- (d) *Maintenance and repair.* It shall be the responsibility of each user to maintain the water and sewer lines from the building served to the point of connection to the city's system.
- (e) *Out-of-city service.* The city council shall determine whether to provide any utility service to areas outside of the city and the terms and conditions for such service.
- (f) *Nonliability of city.* Neither the city nor its agents, employees, officers, or representatives shall bear any liability to any person other than the city for any act, omission, or condition in any way directly or indirectly related to the subject matter of this article.

Section 3. **Effective date.** The rates established by this ordinance shall take effect the first billing cycle that occurs after October 31, 2024.

Section 4. **Penalty.** Any person who shall intentionally, knowingly, recklessly, or with criminal negligence violate any provision of this chapter 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 5. **Repealer.** All ordinances or parts of ordinances inconsistent or in conflict herewith, are, to the extent of such inconsistency or conflict, hereby repealed.

Section 6. **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.

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

PASSED, APPROVED, AND ADOPTED on second and final reading this ____ day of

_____.

Dan Davis, Mayor

Attest:

Tammy Bell, City Secretary

APPROVED AS TO FORM:

Robert Gervais, City Attorney

EXHIBIT A

2022 Water and Wastewater Rate Study prepared by Freese and Nichols

WATER AND WASTEWATER RATE STUDY

Prepared for:

City of Manvel



March 2022

Prepared by:

FREESE AND NICHOLS, INC.
11200 Broadway St., Suite 2320
Pearland, Texas 77584
832-456-4700

WATER AND WASTEWATER RATE STUDY

Prepared for:

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FNI Project No.: MNV20631



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Appendix A: Projected Expenses for Water and Wastewater Fund



EXECUTIVE SUMMARY

The City of Manvel (City) is located on Highway 6 west of State Highway (SH) 288, in northern Brazoria County, Texas. The City currently provides retail water and wastewater services to customers within the City and outside the City limits. In August 2020, the City authorized Freese and Nichols, Inc. to perform a water and wastewater rate study. The purpose of the rate study is to develop a multi-year plan for rates that will provide sufficient revenue to implement needed capital improvements and allow the water and wastewater systems to be self-supporting. Freese and Nichols' methodology for performing this study is based on accepted industry standards and practices, specifically the American Water Works Association (AWWA) Manual 1 (M1) "Principles of Water Rates, Fees, and Charges", Seventh Edition, and the Water Environment Federation's (WEF) *Financing and Charges* manual.

The study included the following steps:

- Obtain data from City needed for the rate study.
- Review and analyze the data and develop projections of the operating expenses and revenues at current rates.
- Identify the revenue requirements for the water and wastewater system using the projected operating expenses and projected capital expenses in the next few years.
- Develop a rate model for the City's water and wastewater systems that projects the rates needed to provide sufficient annual revenue.
- Document the findings in a report.

This report describes the findings and recommendations of the water and wastewater rate study. The calculations are based on the City's Fiscal Year, which runs from October 1 through September 30.

A financing plan has been developed based on an analysis of the rates utilized to furnish water and wastewater services to customers connected to the City's water and wastewater utilities, herein referred to as the "Utility System." The financing plan compares the adequacy of projected revenues under existing rates in meeting the revenue requirement of the Utility System and identifies any adjustments which may be necessary to the existing revenue levels during the study period. The plan consists of implementing annual rate increases over the forecast period of Fiscal Years 2022 through 2030 and crafting a Utility System financing plan that provides the City with the ability to adequately fund operating and capital requirements over the forecast period. The City's goal is to have both the Water and Wastewater Utilities operate individually as self-sufficient or stand-alone entities while maintaining both a Debt Service



Coverage ratio of 1.25 for each Utility. While the City does not have a policy target for Fund Balances, this study leverages surplus fund balances to reduce debt issuances, and strives to achieve a Fund Balance of \$1-2 million as a combined system. This Fund Balance target is recommended in excess of the target of 20% of operating expenditures because while the monies assessed for Impact Fees are collected within a 10-year period, the debt service payments will be over a 30-year period.

As a result of the evaluations and analyses, the following summary of findings and recommendations is offered for consideration by the City.

REVENUE UNDER EXISTING RATES

The City of Manvel provided treated water and wastewater services to just over 1,000 water customers (residential, commercial and irrigation) and just over 1,000 wastewater customers (residential, commercial) as of September 30, 2020. In Fiscal Year 2022, it is projected that the City will serve just over 2,000 water customers (residential, commercial and irrigation) and just under 2,000 wastewater customers (residential, commercial), which illustrates a customer growth rate of roughly 50 percent annually over the two year period. Annual growth rate is projected to decrease from 15 percent between Fiscal Year 2023 and Fiscal Year 2024, to 5 percent between Fiscal Year 2029 and Fiscal Year 2030.

Revenue is primarily derived from charges for treated water and wastewater services. Additional revenue is derived from miscellaneous services and fees that the City may offer or charge for services that are not directly related to the production of water or transmission of wastewater. Operating revenue from rates for water and wastewater service, under existing rates, is projected to be \$771,224 for water and \$866,583 for wastewater in Fiscal Year 2022. Other operating revenues are projected to be \$153,564 for water and \$27,921 for wastewater in the same period. Currently water and wastewater sales revenues are estimated to increase based upon the projected increase of between roughly 15 percent per year and 5 percent per year in the number of customers over the forecast period. Other operating water and wastewater revenues are estimated to increase by the same rate as water and wastewater sales revenues, since those operating revenues are derived from the number of meters in the system.

Other non operating water and wastewater revenue in Fiscal Year 2022 is estimated to be \$1,470,892, the majority of which derives from transfers from the General Fund to the Utility Fund. This practice is not used in this rate study for Fiscal Year 2023 through Fiscal Year 2030. The forecast of revenues projected herein assumes that existing rates will be maintained throughout the forecast period.



IMPACT FEES

In parallel with this Water and Wastewater Rate Study, Freese and Nichols performed a Water and Wastewater Impact Fee Study, to update the City's water and wastewater impact fees. A maximum allowable impact fee of \$4,818 per service unit for water and \$14,221 per service unit for wastewater was calculated. The City decided to implement 50 percent of the maximum allowable impact fee, resulting in a new impact fee rate of \$2,409 per service unit for water and \$7,111 per service unit for wastewater. Based on the projected growth in new connections, this new impact fee is estimated to collect roughly \$1.7 million in Fiscal Year 2022, growing to a maximum of roughly \$4.8 million in Fiscal Year 2026 and 2027, and roughly \$2.5 million in Fiscal Year 2030.

EXPENSES

Expenses include operating and maintenance expenses, transfers, debt service obligations, capital projects cash funded from Utility System revenues and cash reserve funding. Operating and maintenance expenses include the costs of labor, materials, power, chemicals, salaries, and other expenses associated with the utility's operations.

Total expenses for the water utility are projected to be \$816,423 for the water system and \$2,468,760 for the wastewater system in Fiscal Year 2022. Expenses in Fiscal Year 2022 are anomalously high due to a one-year practice of funding capital improvements via capital outlay versus debt service. Total expenses are projected to increase to \$2,732,560 for the water system and \$3,026,090 for the wastewater system in Fiscal Year 2030. The increases for both systems come partially from inflation, cost of materials, and the cost of fuel, but principally from the principal and interest payments associated with a growing Capital Improvements Program.

The debt service payments are calculated for both the total issuance, as well as the amount of issuance paid for by rates. For the purposes of this rate study, only the portion of debt service payments associated with rates is accounted for. Annual debt payments associated with rates will be \$263,008 for the water system and \$740,678 for the wastewater system in Fiscal Year 2023, growing to \$1,613,306 for the water system and \$1,886,994 for the wastewater system in Fiscal Year 2030.

A cash reserve fund balance of \$1-2 million from revenues generated from operations is targeted annually for the combined Utility System.



PROPOSED WATER AND WASTEWATER RATE ADJUSTMENTS

Based upon the analysis, revenues generated under existing rates by the Utility System are not sufficient to fund the Utility System's obligations. The proposed rate plan meets all the forecasted Utility System revenue requirements, fulfills the bond coverage requirement and maintains adequate cash balances of the Utility System. The following sections of this report provide a detailed summary of the Utility System's financial forecast.

An analysis of projected revenues and revenue requirements for the Utility System was conducted to determine the adequacy of existing rates. The illustration below summarizes the projected annual revenue increases required over the next nine years to meet future revenue requirements, to maintain and improve Utility System infrastructure, to maintain adequate debt service coverage ratios, and maintain adequate cash reserves to improve the financial condition of the Utility System.

Table ES-1: Indicated Required Revenue Increases

Year	Combined Base	Combined Volumetric	Combined Overall
2022	0.0%	0.0%	0.0%
2023	13.4%	30.0%	17.3%
2024	14.9%	28.5%	18.1%
2025	6.3%	13.5%	8.0%
2026	2.7%	5.0%	3.2%
2027	8.1%	12.5%	9.1%
2028	4.6%	10.0%	5.9%
2029	4.6%	10.0%	5.9%
2030	9.2%	25.0%	12.9%

ADDITIONAL RECOMMENDATIONS

Listed below are the general recommendations associated with the analysis performed herein:

1. The City of Manvel staff should prepare the documents necessary to obtain approval of the proposed financial plan and water and wastewater rates.
2. The City should continue to closely monitor its non-revenue water through audits, identification of leaks, and other appropriate measures.
3. The City should establish an Outside City Limits rate of 1.5 times the Inside City Limits rate.
4. The City should establish a policy on requirements to connect after service becomes available for existing development.
5. The City should update this rate study on an on-going basis. It should be updated sooner if there are significant changes in the assumptions presented in this study, such as timing of the CIP projects.



1.0 WATER AND WASTEWATER SYSTEM

1.1 GENERAL DESCRIPTION

The City of Manvel (City) is located on Highway 6 west of State Highway (SH) 288, in northern Brazoria County, Texas. The City currently provides water service to over 1,000 connections, and wastewater service to over 1,000 connections as well. The City is experiencing rapid growth, and this Water and Wastewater Rate Study assumes an initial growth in connections of roughly 40 percent per year, stabilizing at roughly 5 percent per year by Fiscal Year 2030.

The City of Manvel's existing water infrastructure consists of the School Road Water Plant and associated pumps, water supply wells, and transmission and distribution pipelines. The City relies entirely on groundwater from the Gulf Coast Aquifer System. The City holds four groundwater well permits from the Brazoria County Groundwater Conservation District.

The City of Manvel's existing wastewater collection system consisting of eight (8) lift stations and associated force mains, a network of manholes and gravity mains, and one wastewater treatment plant (WWTP).

The City's water and wastewater customer base includes residential, commercial, and irrigation users. Water and sewer sales revenue is primarily supported by residential base charges, accounting for roughly two-thirds of total water sales revenue and nearly three-quarters of total wastewater sales revenue. Breakdowns of water and wastewater sales revenues by customer class are provided in **Figure 1-1** and **Figure 1-2**, respectively.

A review of Fiscal Year 2016 through Fiscal Year 2020 historical financial and billing data provided by the City showed the following general patterns:

- The combined water and wastewater expenses have averaged \$930,000 (including depreciation and transfers to the General Fund). Without depreciation and transfers, the average for that period is \$790,000.
- The combined water and wastewater revenue has averaged \$750,000.



1.2 PROJECTED WATER NEEDS AND WASTEWATER FLOWS

Table 1-1 shows projected water and wastewater connections, and metered water and wastewater billed volumes for Manvel. These projections are based on input from City staff. These projections are for an average year. Water use will tend to be more in dry years and less in wet years. **Figure 1-3** shows the historical and projected number of water and wastewater connections.

Review of historical water production in comparison to historical water billed volumes revealed substantial fluctuations in non-revenue water (both positive and negative). Values of non-revenue water above 12 percent are considered high for a retail water supplier. However, not all this non-revenue water is unaccounted for water. Some is used for authorized, beneficial purposes such as fire flow, line flushing, and irrigating city facilities, such as parks. Currently the city estimates the amount used for these purposes. To the extent possible, FNI recommends that the City meter as much of its unbilled authorized usage as feasible, particularly irrigation of City facilities. This will enable the City to better track how much water is actually being lost through leaks in the system. The City should continue to monitor non-revenue water and perform detailed water audits and seek to further reduce non-revenue water, unaccounted for water usage. The City should also audit its water production data, to ensure more accurate estimates of what is coming into the system.

Table 1-1: Projected Connections, and Water and Wastewater Billed Volume (including base)

Fiscal Year	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Water Connections	1,368	1,910	2,130	2,453	2,777	3,192	3,422	3,588	3,752	3,918
Wastewater Connections	1,326	1,864	2,080	2,399	2,718	3,127	3,352	3,511	3,668	3,827
Water Billed Volume (MG)	93	129	144	166	188	216	232	243	254	265
Wastewater Billed Volume (MG)	93	129	144	166	188	216	232	243	254	265



Figure 1-1: Historical Water Sales Revenues, by Customer Class

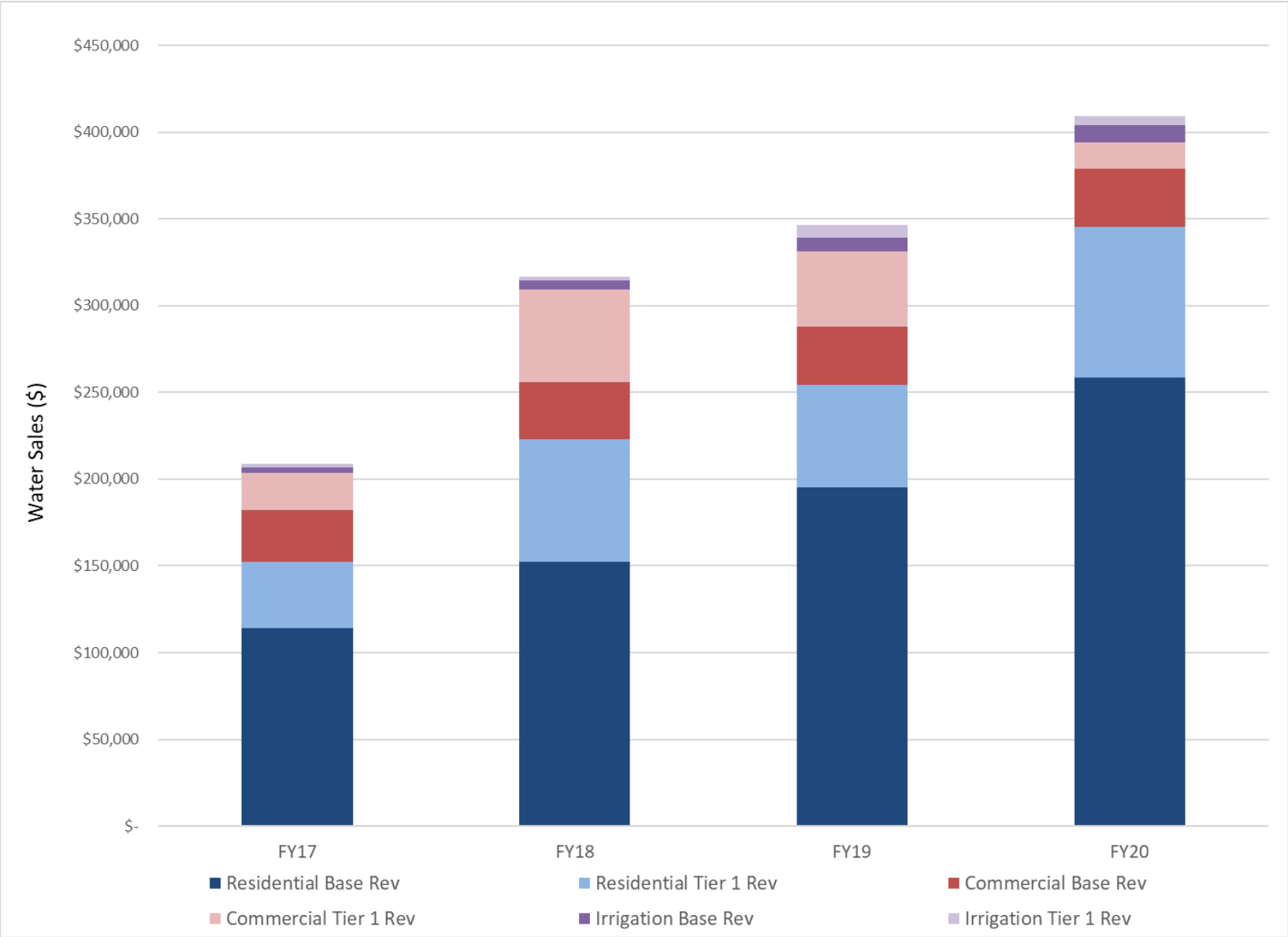




Figure 1-2: Historical Wastewater Sales Revenues, by Customer Class

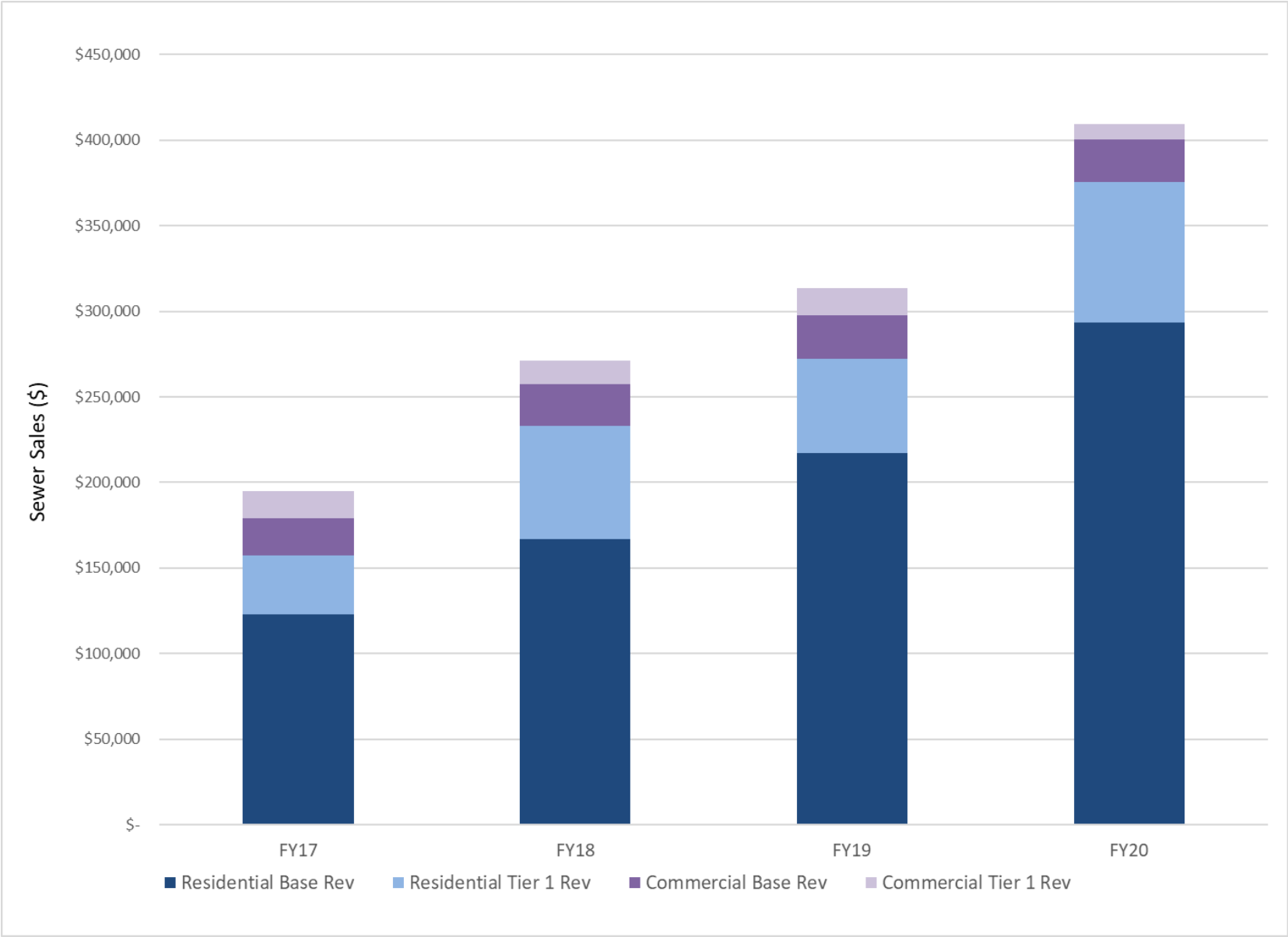
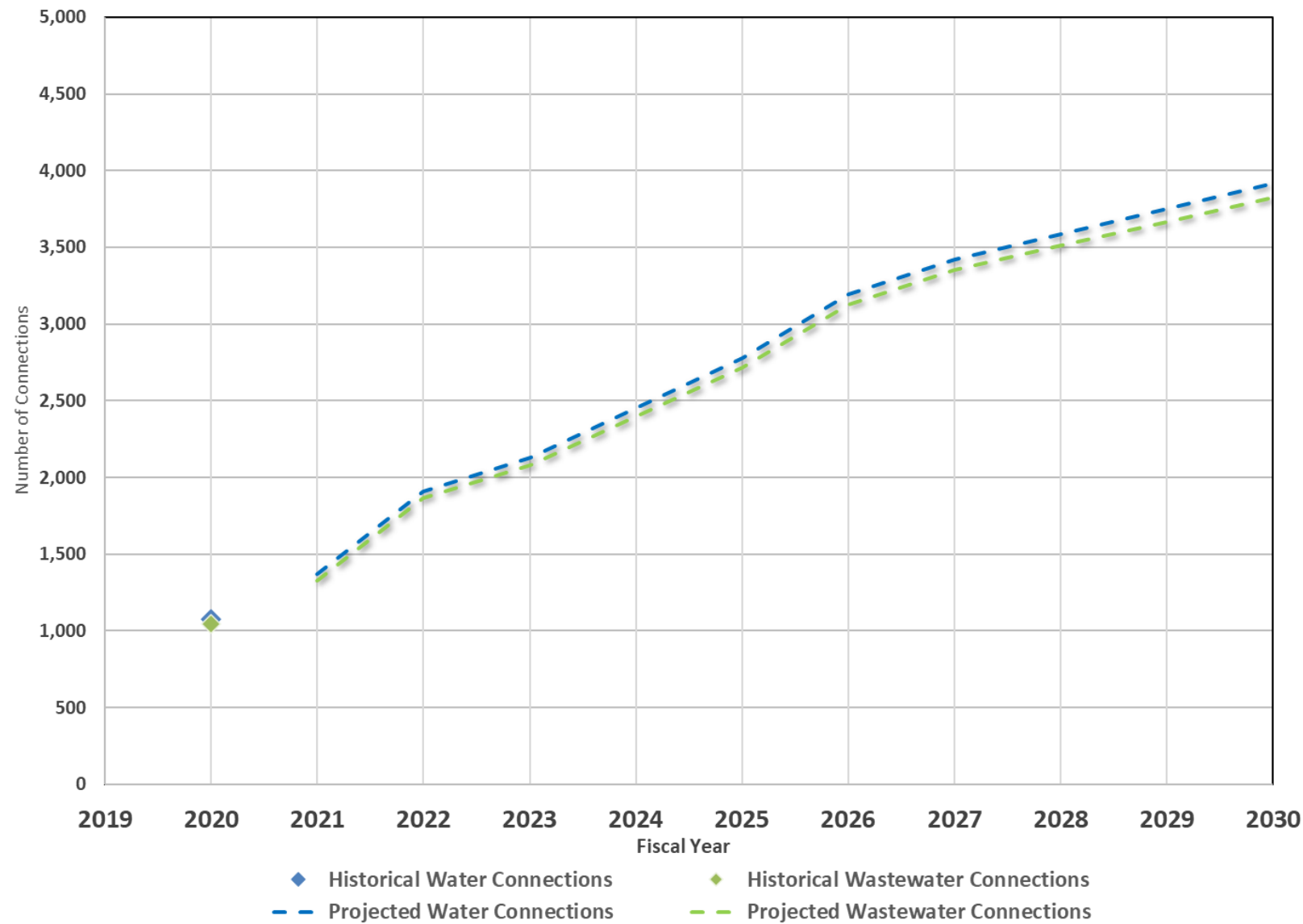




Figure 1-3: Historical and Projected Connections





2.0 HISTORICAL REVENUES AND EXPENSES

2.1 HISTORICAL REVENUES

Table 2-1 shows the historical revenues for the water and wastewater fund over the last four complete years (Fiscal Year 2016 – Fiscal Year 2020), as well as the budgeted revenues for Fiscal Year 2021. During this time, the City did not increase water or wastewater volumetric or base charges. Current rates as of September 2021 are shown in **Table 2-2**. Annual revenue from sales has averaged approximately \$531,000 over the previous four years, with total revenues (including transfers from the General Fund) averaging approximately \$745,000 over the same period. Over that time, water sales revenue made up on average approximately 50 percent of all sales revenue, and wastewater sales revenue made up on average approximately 50 percent.

2.2 HISTORICAL EXPENSES

Table 2-3 shows a summary of the historical expenses by major department. The annual expenses have averaged \$930,000. Historically, Water Expenditures make up on average approximately 50 percent of all expenses, followed by Administration Expenditures at 31 percent and Wastewater Expenditures at 19 percent. **Appendix Table A-1** provides a breakdown of historical expenses by line item.

2.3 COMPARISON OF HISTORICAL REVENUE AND EXPENSES

Figure 2-1 compares the historical revenue and expenses for the water and wastewater fund. The figure shows that in Fiscal Year 2016 through Fiscal Year 2020, expenses exceeded revenue (deficit), before taking into account the transfers from the General Fund.



Table 2-1: Historical Revenue for the Water and Wastewater Fund

Category	Historical				
	2015-2016	2016-17	2017-18	2018-19	2019-20
Utility Revenue (to include Sales)	\$438,389	\$456,564	\$588,268	\$702,040	\$869,137
Interest Revenue	\$382	\$0	\$1,464	\$335	\$0
Other Revenue	\$31,221	\$68,658	\$79,565	\$18,379	\$191
Transfers-In Revenue	\$400	\$98,426	\$57	\$375,000	\$0
TOTAL REVENUE	\$470,393	\$623,648	\$669,354	\$1,095,755	\$869,328

Table 2-2: Current City of Manvel Monthly Water & Wastewater Rates

Current Water Rates		
Residential		
Service Charge (includes 2,000 gallons)	\$25.00	
Volume Charge (2,001 gallons and above)	\$2.00	Per 1,000 gallons
Commercial/Irrigation		
Service Charge (includes 2,000 gallons)	\$30.00	
Volume Charge (2,001 gallons and above)	\$2.00	Per 1,000 gallons
Current Wastewater Rates		
Residential		
Service Charge (includes 2,000 gallons)	\$30.00	
Volume Charge (2,001 – 20,000 gallons*)	\$2.00	Per 1,000 gallons
Commercial		
Service Charge (includes 2,000 gallons)	\$35.00	
Volume Charge (2,001 – 20,000 gallons*)	\$2.00	Per 1,000 gallons

*No charge on Wastewater above 20,000 gallons

Table 2-3: Historical Expenses for the Water and Wastewater Fund, by Department

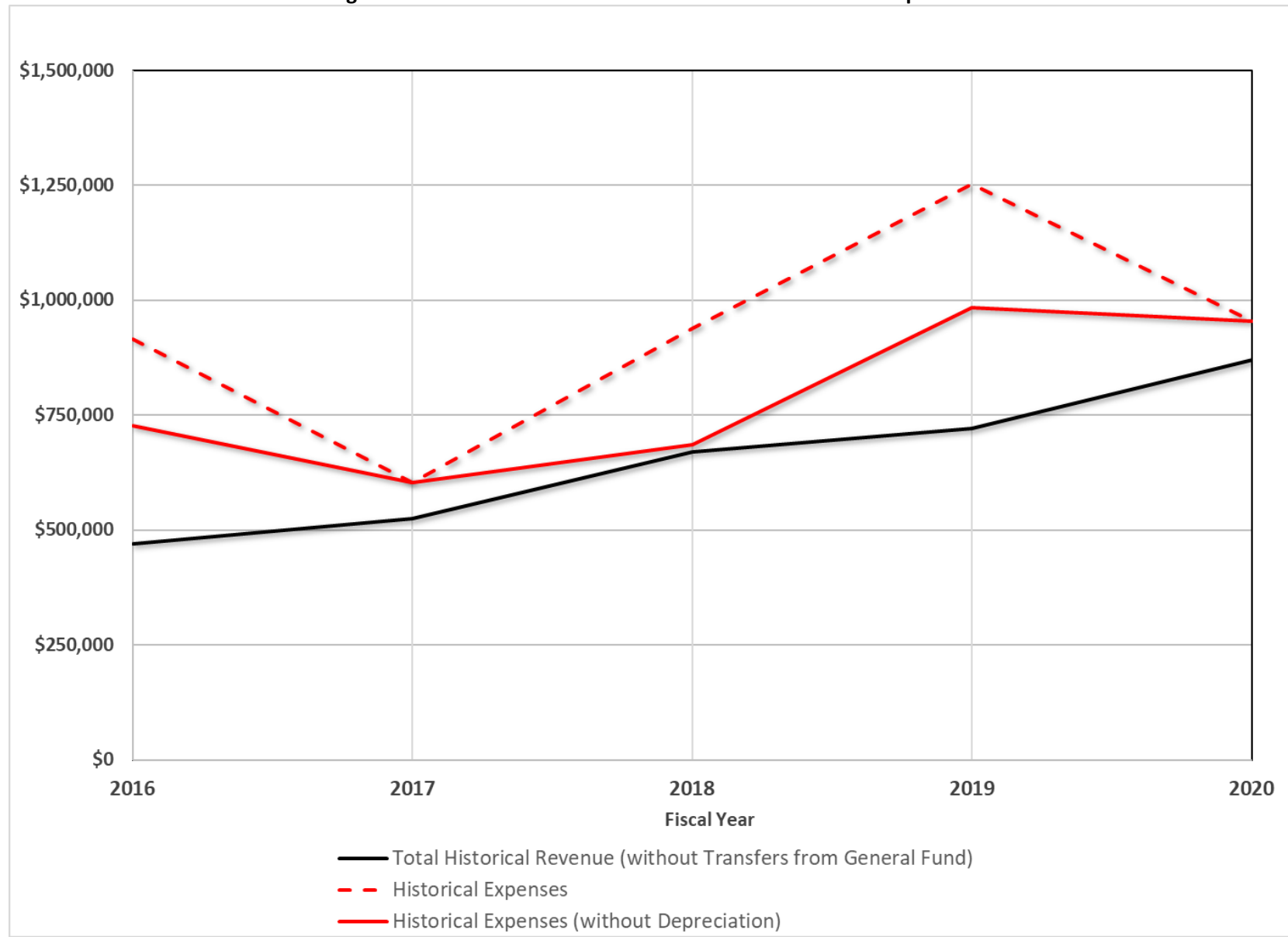
Department	Historical				
	2015-2016	2016-17	2017-18	2018-19	2019-20
Administration Expenses	\$342,491	\$246,462	\$274,339	\$336,797	\$251,307
Water Expenses	\$522,443	\$331,529	\$565,076	\$636,195	\$284,445
Wastewater Expenses	\$50,401	\$24,348	\$99,681	\$278,990	\$419,334
Non-Departmental Expenses	\$0	\$0	\$0	\$0	\$0
Total Operating Expenses	\$915,335	\$602,338	\$939,096	\$1,251,982	\$995,086

Total Revenue from Table 2-1	\$470,393	\$623,648	\$669,354	\$1,095,755	\$869,328
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Deficit (-) or Surplus (+)	-\$444,942	\$21,310	-\$269,742	-\$156,228	-\$85,757
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Figure 2-1: Historical Water and Wastewater Revenue and Expenses





3.0 WATER AND WASTEWATER FUND RATE ANALYSIS

3.1 PROJECTED REVENUES AT CURRENT RATES

Table 3-1 shows projected revenues at current rates for the water and wastewater fund. Without impact fees, projected total revenue (to include non-sales revenue) for Fiscal Year 2022 is approximately \$3.3 million. A large portion of those revenues is derived from a one-time transfer from the General Fund, a practice which is not used in Fiscal Year 2023 through Fiscal Year 2030. With impact fees, projected total revenue (to include non-sales revenue) for Fiscal Year 2022 is approximately \$5.0 million. If held to current rates, revenue is anticipated to increase by the same trend in increased connections and water/wastewater use. **Figure 3-1** shows the historical water and wastewater revenues and projected revenues at current rates. This figure does not include any revenues associated with impact fees. Volumetric sales and other operating revenues increase by the growth in number of connections and therefore, the corresponding consumption volume. Base sales revenues increase by the growth factor for number of connections. Other non-operating revenues are held constant at the Fiscal Year 2021 budget amount, with the exception of the one-time transfer from the General Fund in Fiscal Year 2022.

3.2 PROJECTED EXPENSES

Table 3-2 is a summary by major category of the projected expenses for the water and wastewater fund. **Appendix Table A-1** details the projected expenses by department and line item, as well as the basis for those projections. Projected expenses for Fiscal Year 2022 are roughly \$3.3 million, largely derived from a one-time capital outlay expense. In future years, O&M expenses (not including debt service) are projected to increase at a modest rate, primarily due to inflation and other escalators.

Over the next 10 years, the City is anticipated to undertake approximately \$84 million (2021 dollars) in improvements to its water and wastewater system. Approximately \$37 million of this capital program will be paid for with rates. This study assumes the capital improvements are programmed in debt issuances every year between Fiscal Year 2022 and Fiscal Year 2027, and a small issuance in Fiscal Year 2030. On average, approximately 70 percent of the funds will be for wastewater projects and 30 percent for water projects. These improvements are necessary to provide for future growth, replace aging infrastructure, maintain reliable service, keep facilities in compliance with new regulations, and improve efficiency. Debt service payments for each year's bond issuance were calculated using an interest rate of 3 percent, 30-year repayment terms, and a yearly inflation rate of 4 percent applied to the present-day capital cost of



CIP projects that will be constructed in future years. A debt service coverage requirement of 1.25 was assumed for both the water fund and the wastewater fund. **Appendix Table A-2** identifies the timing of future debt service issuances paid for with rates (in 2021 dollars), and **Appendix Table A-3** calculates the annual payments for the rate portion of those future debt service issuances. Figure 3-2 shows the historical and projected expenses for the water and wastewater fund, taking into account the rate portion only of debt service payments. **Table 3-1** depicts the total projected revenue, with and without impact fees. **Table 3-2** depicts the total projected expenses, with only the rate portion of debt service payments. At current rates, without impact fee revenues and only taking into account the rate portion of debt service payments, expenses exceed revenues in Fiscal Year 2023 by roughly \$200,000, increasing to roughly \$2.3 million by Fiscal Year 2030. **Figure 3-3** compares projected expenses and revenues (at current rates).



Table 3-1: Projected Revenue at Current Rates for the Water and Wastewater Fund

Category	Budget	Projected								
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Utility Revenue (to include Sales)	\$780,000	\$1,819,291	\$2,030,102	\$2,339,309	\$2,648,781	\$3,044,306	\$3,268,879	\$3,426,820	\$3,583,107	\$3,741,825
Other Revenue	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Transfers-In Revenue	\$319,580	\$1,465,892	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL REVENUE (without impact fee)	\$1,104,580	\$3,290,183	\$2,035,102	\$2,344,309	\$2,653,781	\$3,049,306	\$3,273,879	\$3,431,820	\$3,588,107	\$3,746,825
Impact Fee Revenue (50%)		\$1,665,913	\$2,732,097	\$4,007,710	\$4,007,710	\$4,864,465	\$4,864,465	\$2,484,590	\$2,475,070	\$2,484,590
TOTAL REVENUE (with impact fee at 50%)	\$1,104,580	\$4,956,096	\$4,767,198	\$6,352,018	\$6,661,490	\$7,913,770	\$8,138,344	\$5,916,410	\$6,063,177	\$6,231,415



Figure 3-1: Historical and Projected Water and Wastewater Revenue (not including impact fees)

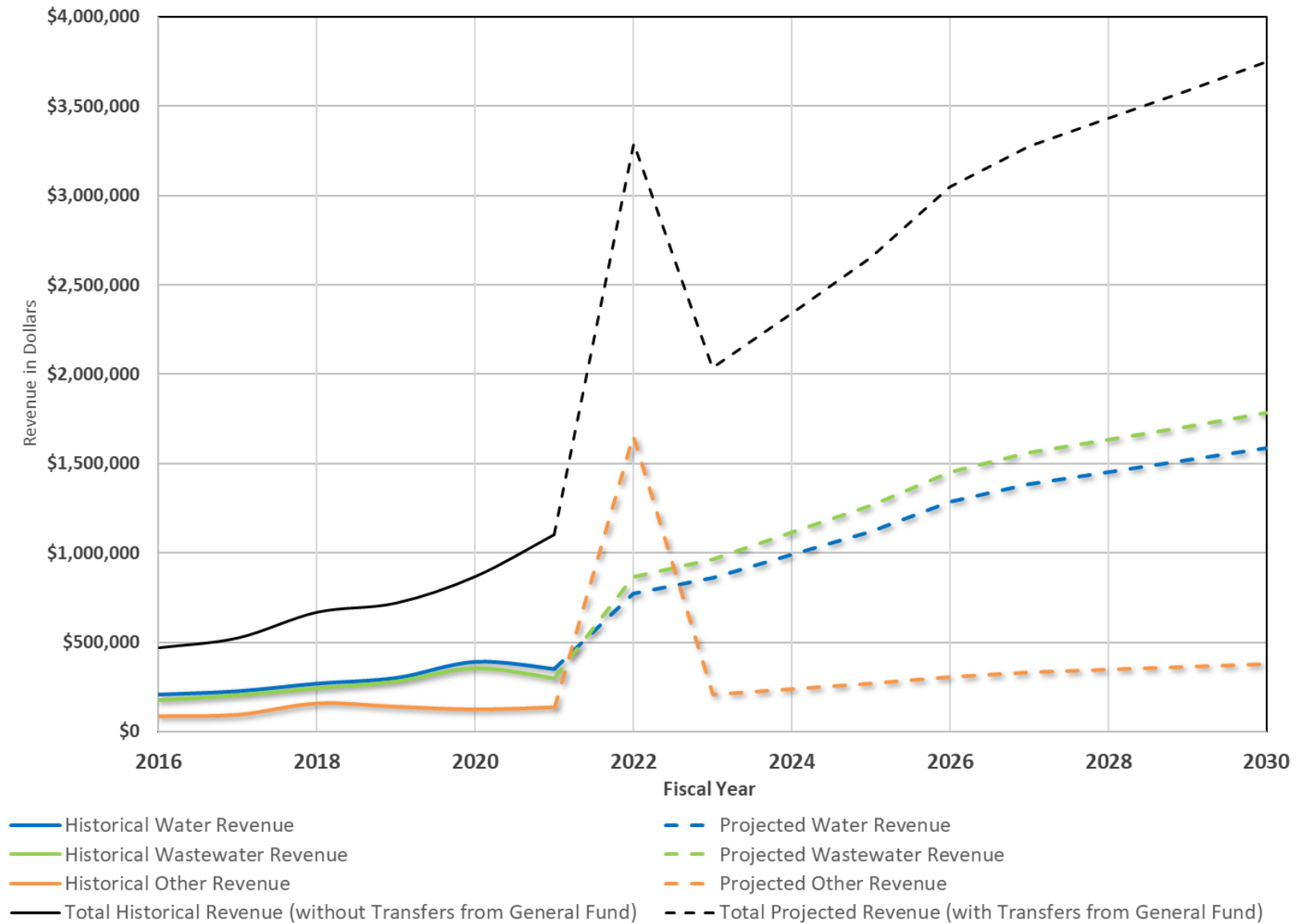




Table 3-2: Projected Expenses for the Water and Wastewater Fund, by Department

Department	Budget	Projected								
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Water Utility										
Administrative	\$233,790	\$240,804	\$248,030	\$255,471	\$362,137	\$370,031	\$427,663	\$436,038	\$444,666	\$453,551
Operational	\$365,000	\$575,619	\$425,589	\$461,925	\$503,137	\$549,993	\$603,390	\$664,376	\$734,170	\$814,203
Non-Departmental	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Planned Debt Service – Rate Portion	\$0	\$0	\$263,008	\$580,978	\$739,280	\$855,331	\$855,331	\$859,663	\$980,915	\$1,613,306
TOTAL WATER	\$598,790	\$816,423	\$936,627	\$1,298,374	\$1,604,554	\$1,775,355	\$1,886,384	\$1,960,077	\$2,159,751	\$2,881,060
Wastewater Utility										
Administrative	\$233,790	\$240,804	\$248,030	\$255,471	\$362,137	\$370,031	\$427,663	\$436,038	\$444,666	\$453,551
Operational	\$272,000	\$2,227,956	\$320,945	\$350,430	\$814,503	\$902,897	\$946,502	\$776,091	\$805,471	\$834,046
Non-Departmental	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Planned Debt Service – Rate Portion	\$0	\$0	\$740,678	\$871,360	\$1,050,860	\$1,173,840	\$1,874,348	\$1,874,348	\$1,874,348	\$1,886,994
TOTAL WASTEWATER	\$505,790	\$2,468,760	\$1,309,653	\$1,477,261	\$2,227,499	\$2,446,768	\$3,248,513	\$3,086,477	\$3,124,484	\$3,174,590
Total Operating Expenses	\$1,104,580	\$3,285,183	\$2,246,279	\$2,775,635	\$3,832,053	\$4,222,123	\$5,134,897	\$5,046,554	\$5,284,235	\$6,055,650



Figure 3-2: Historical and Projected Water and Wastewater Expenses

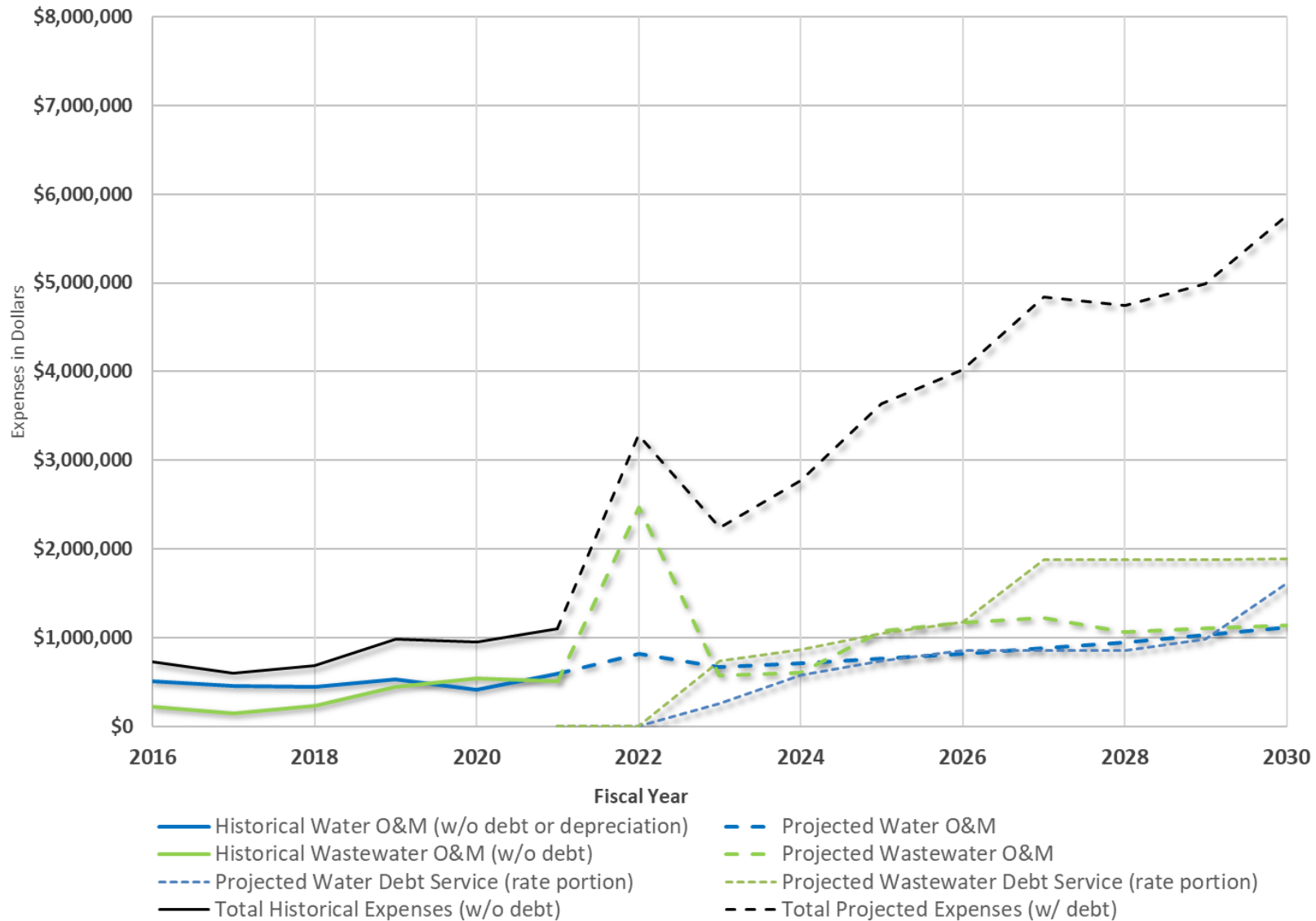
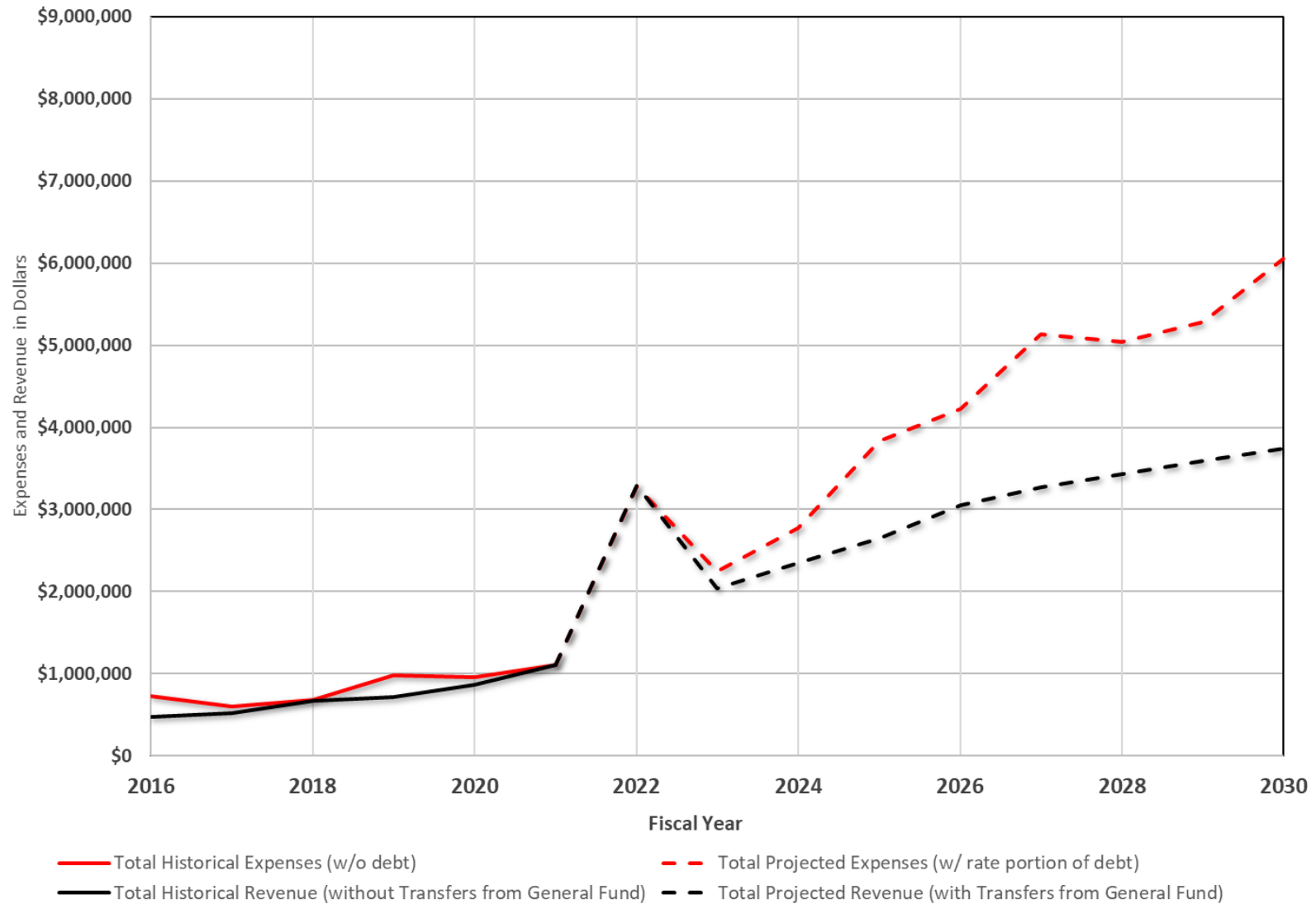




Figure 3-3: Historical and Projected Water and Wastewater Expenses (with rate portion of future Debt Service) and Revenue (at current rates)





4.0 RATE DESIGN

The schedule of proposed water rates has been designed toward implementing rate adjustments that meet the City's goals and objectives. Generally, the proposed rates have been designed to limit increases in the current service availability charge levels and to increase the volume charges for water consumption where necessary.

The schedule of proposed rates is designed following the same general form of rate structure as the existing water rates, which consist of a schedule of service availability charges and volume charges. The proposed service availability charge is designed to recover a portion of customer billing and collection costs, customer meter and service-related costs, and provision for a readiness-to-serve component. The schedule of volume charges have been designed to recover a portion of those costs related to supplying customers with water to meet their average and peak rates of use.



5.0 SUMMARY OF RATE RECOMMENDATIONS

The recommendations for water and wastewater rates and projected rate increases are summarized below in **Table 5-1**. Pro forma statements for the combined utility, wastewater fund, and water fund are found in **Appendix Table A-4** through **Table A-6**, respectively.

Table 5-1: Rate Adjustment Summary

Year	Combined Base	Combined Volumetric	Combined Overall
2022	0.0%	0.0%	0.0%
2023	13.4%	30.0%	17.3%
2024	14.9%	28.5%	18.1%
2025	6.3%	13.5%	8.0%
2026	2.7%	5.0%	3.2%
2027	8.1%	12.5%	9.1%
2028	4.6%	10.0%	5.9%
2029	4.6%	10.0%	5.9%
2030	9.2%	25.0%	12.9%

Table 5-1 through **Table 5-4** identify the specific rates recommended as a result of the rate study, by customer class. These rate adjustments are projected to provide sufficient revenue through Fiscal Year 2030 while maintaining a 1.25 debt service coverage ratio for both the water fund and the wastewater fund, and maintaining stable operating cash balances. Projected rate increases should be examined annually in light of future growth, revenues and system expenses.

Other Recommendations

1. The City of Manvel staff should prepare the documents necessary to obtain approval of the proposed financial plan and water and wastewater rates.
2. The City should continue to closely monitor its non-revenue water through audits, identification of leaks, and other appropriate measures.
3. The City should establish an Outside City Limits rate of 1.5 times the Inside City Limits rate.
4. The City should establish a policy on requirements to connect after service becomes available for existing development.
5. The City should update this rate study on an on-going basis. It should be done sooner if there are significant changes in the assumptions presented in this study, such as timing of the CIP projects.



Table 5-2: Residential Rate Adjustments Needed

Inside City Limits	Projected									
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Base % Rate Increase (from Table 5-1)			13.4%	14.9%	6.3%	2.7%	8.1%	4.6%	4.6%	9.2%
Volumetric % Rate Increase (from Table 5-1)			30.0%	28.5%	13.5%	5.0%	12.5%	10.0%	10.0%	25.0%

Residential											
Water Monthly Fees		2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Base or Volumetric	Unit	Fee									
Base	First 2,000 gallons	\$25.00	\$25.00	\$28.36	\$32.59	\$34.65	\$35.58	\$38.46	\$40.24	\$42.09	\$45.98
Volumetric	per thousand gallons	\$2.00	\$2.00	\$2.60	\$3.34	\$3.79	\$3.98	\$4.48	\$4.93	\$5.42	\$6.78
Wastewater Monthly Fees		2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Base or Volumetric	Unit	Fee									
Base	First 2,000 gallons	\$30.00	\$30.00	\$34.03	\$39.11	\$41.58	\$42.70	\$46.15	\$48.28	\$50.51	\$55.18
Volumetric	per thousand gallons	\$2.00	\$2.00	\$2.60	\$3.34	\$3.79	\$3.98	\$4.48	\$4.93	\$5.42	\$6.78

Outside City Limits	Projected									
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Base % Rate Increase (from Table 5-1)			13.4%	14.9%	6.3%	2.7%	8.1%	4.6%	4.6%	9.2%
Volumetric % Rate Increase (from Table 5-1)			30.0%	28.5%	13.5%	5.0%	12.5%	10.0%	10.0%	25.0%

Residential											
Water Monthly Fees		2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Base or Volumetric	Unit	Fee									
Base	First 2,000 gallons	\$37.50	\$37.50	\$42.54	\$48.89	\$51.98	\$53.38	\$57.69	\$60.35	\$63.14	\$68.98
Volumetric	per thousand gallons	\$3.00	\$3.00	\$3.90	\$5.01	\$5.69	\$5.97	\$6.72	\$7.39	\$8.13	\$10.16
Wastewater Monthly Fees		2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Base or Volumetric	Unit	Fee									
Base	First 2,000 gallons	\$45.00	\$45.00	\$51.05	\$58.67	\$62.37	\$64.05	\$69.23	\$72.42	\$75.77	\$82.77
Volumetric	per thousand gallons	\$3.00	\$3.00	\$3.90	\$5.01	\$5.69	\$5.97	\$6.72	\$7.39	\$8.13	\$10.16



Table 5-3: Commercial Rate Adjustments Needed

Inside City Limits	Projected									
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Base % Rate Increase (from Table 5-1)			13.4%	14.9%	6.3%	2.7%	8.1%	4.6%	4.6%	9.2%
Volumetric % Rate Increase (from Table 5-1)			30.0%	28.5%	13.5%	5.0%	12.5%	10.0%	10.0%	25.0%

Commercial											
Water Monthly Fees		2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Base or Volumetric	Unit	Fee									
Base	First 2,000 gallons	\$30.00	\$30.00	\$34.03	\$39.11	\$41.58	\$42.70	\$46.15	\$48.28	\$50.51	\$55.18
Volumetric	per thousand gallons	\$2.00	\$2.00	\$2.60	\$3.34	\$3.79	\$3.98	\$4.48	\$4.93	\$5.42	\$6.78
Wastewater Monthly Fees		2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Base or Volumetric	Unit	Fee									
Base	First 2,000 gallons	\$35.00	\$35.00	\$39.71	\$45.63	\$48.51	\$49.82	\$53.84	\$56.33	\$58.93	\$64.38
Volumetric	per thousand gallons	\$2.00	\$2.00	\$2.60	\$3.34	\$3.79	\$3.98	\$4.48	\$4.93	\$5.42	\$6.78

Outside City Limits	Projected									
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Base % Rate Increase (from Table 5-1)			13.4%	14.9%	6.3%	2.7%	8.1%	4.6%	4.6%	9.2%
Volumetric % Rate Increase (from Table 5-1)			30.0%	28.5%	13.5%	5.0%	12.5%	10.0%	10.0%	25.0%

Commercial											
Water Monthly Fees		2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Base or Volumetric	Unit	Fee									
Base	First 2,000 gallons	\$45.00	\$45.00	\$51.05	\$58.67	\$62.37	\$64.05	\$69.23	\$72.42	\$75.77	\$82.77
Volumetric	per thousand gallons	\$3.00	\$3.00	\$3.90	\$5.01	\$5.69	\$5.97	\$6.72	\$7.39	\$8.13	\$10.16
Wastewater Monthly Fees		2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Base or Volumetric	Unit	Fee									
Base	First 2,000 gallons	\$52.50	\$52.50	\$59.56	\$68.45	\$72.77	\$74.73	\$80.77	\$84.49	\$88.40	\$96.57
Volumetric	per thousand gallons	\$3.00	\$3.00	\$3.90	\$5.01	\$5.69	\$5.97	\$6.72	\$7.39	\$8.13	\$10.16



Table 5-4: Irrigation Rate Adjustments Needed

Inside City Limits	Projected									
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Base % Rate Increase (from Table 5-1)			13.4%	14.9%	6.3%	2.7%	8.1%	4.6%	4.6%	9.2%
Volumetric % Rate Increase (from Table 5-1)			30.0%	28.5%	13.5%	5.0%	12.5%	10.0%	10.0%	25.0%

Irrigation											
Water Monthly Fees		2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Base or Volumetric	Unit	Fee									
Base	First 2,000 gallons	\$30.00	\$30.00	\$34.03	\$39.11	\$41.58	\$42.70	\$46.15	\$48.28	\$50.51	\$55.18
Volumetric	per thousand gallons	\$2.00	\$2.00	\$2.60	\$3.34	\$3.79	\$3.98	\$4.48	\$4.93	\$5.42	\$6.78

Outside City Limits	Projected									
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Base % Rate Increase (from Table 5-1)			13.4%	14.9%	6.3%	2.7%	8.1%	4.6%	4.6%	9.2%
Volumetric % Rate Increase (from Table 5-1)			30.0%	28.5%	13.5%	5.0%	12.5%	10.0%	10.0%	25.0%

Irrigation											
Water Monthly Fees		2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Base or Volumetric	Unit	Fee									
Base	First 2,000 gallons	\$45.00	\$45.00	\$51.05	\$58.67	\$62.37	\$64.05	\$69.23	\$72.42	\$75.77	\$82.77
Volumetric	per thousand gallons	\$3.00	\$3.00	\$3.90	\$5.01	\$5.69	\$5.97	\$6.72	\$7.39	\$8.13	\$10.16



6.0 COMPARISON TO NEARBY CITIES

Table 6-1 shows the monthly cost for residential water and wastewater service for use of 5,000 gallons for Manvel and other nearby cities, while **Table 6-2** shows the same for 10,000 gallons. The costs for water and wastewater services are based on information found on the cities' websites as of November 2021.

Figure 6-1 shows the comparison of costs for 5,000 gallons of water and wastewater service for a typical residential customer inside city limits, while **Figure 6-2** shows the same for 10,000 gallons. At its current rates, Manvel has the fifth lowest total water and wastewater cost out of eight area cities surveyed for the cost of 5,000 gallons, and has the second lowest for 10,000 gallons.

Table 6-1: Residential Water and Wastewater Rate Comparison to Nearby Cities

City	5,000 Gallons/month		
	Water	Wastewater	Total
Brazoria County MUD #29	\$17.25	\$17.25	\$34.50
Clute	\$28.95	\$28.95	\$57.60
Angleton ICL	\$38.28	\$23.34	\$61.62
Pearland	\$27.96	\$37.74	\$65.70
Manvel FY21	\$31.00	\$36.00	\$67.00
Port Lavaca ICL	\$36.37	\$31.37	\$67.74
Richwood	\$37.45	\$35.45	\$72.90
Alvin	\$34.06	\$44.67	\$78.73
Portland	\$37.58	\$43.98	\$81.56

Table 6-2: Residential Water and Wastewater Rate Comparison to Nearby Cities

City	10,000 Gallons/month		
	Water	Wastewater	Total
Brazoria County MUD #29	\$30.75	\$28.50	\$59.25
Manvel FY 2021	\$41.00	\$46.00	\$87.00
Clute	\$48.70	\$48.70	\$97.40
Angleton ICL	\$67.88	\$36.84	\$104.72
Portland	\$57.23	\$50.63	\$107.86
Pearland	\$52.38	\$62.74	\$115.12
Richwood	\$59.20	\$57.20	\$116.40
Port Lavaca ICL	\$62.67	\$57.82	\$120.49
Alvin	\$58.71	\$69.32	\$128.03



Figure 6-1: Residential Water and Wastewater Rate Comparison with Other Cities, Monthly Bill (5,000 gallons)

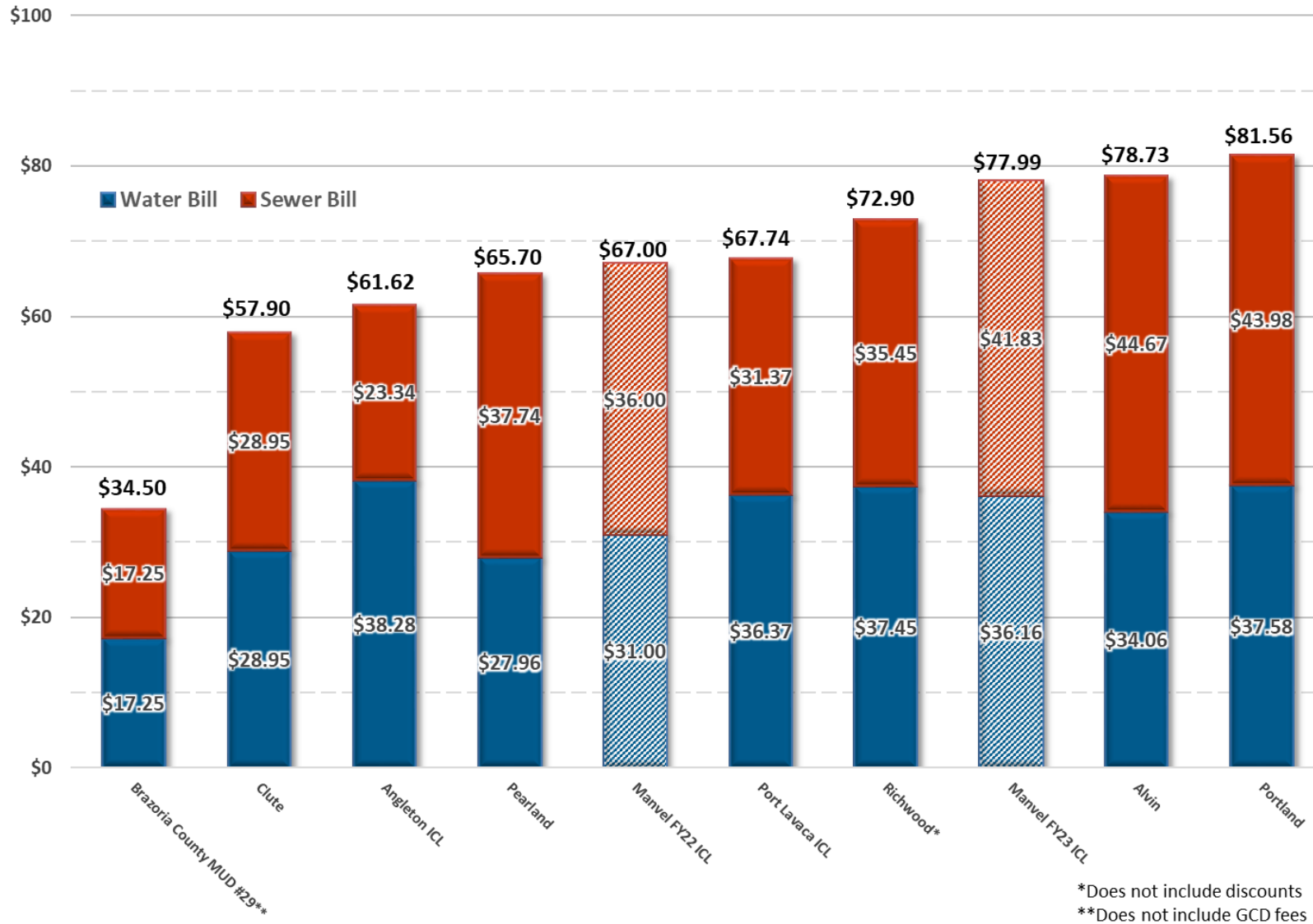
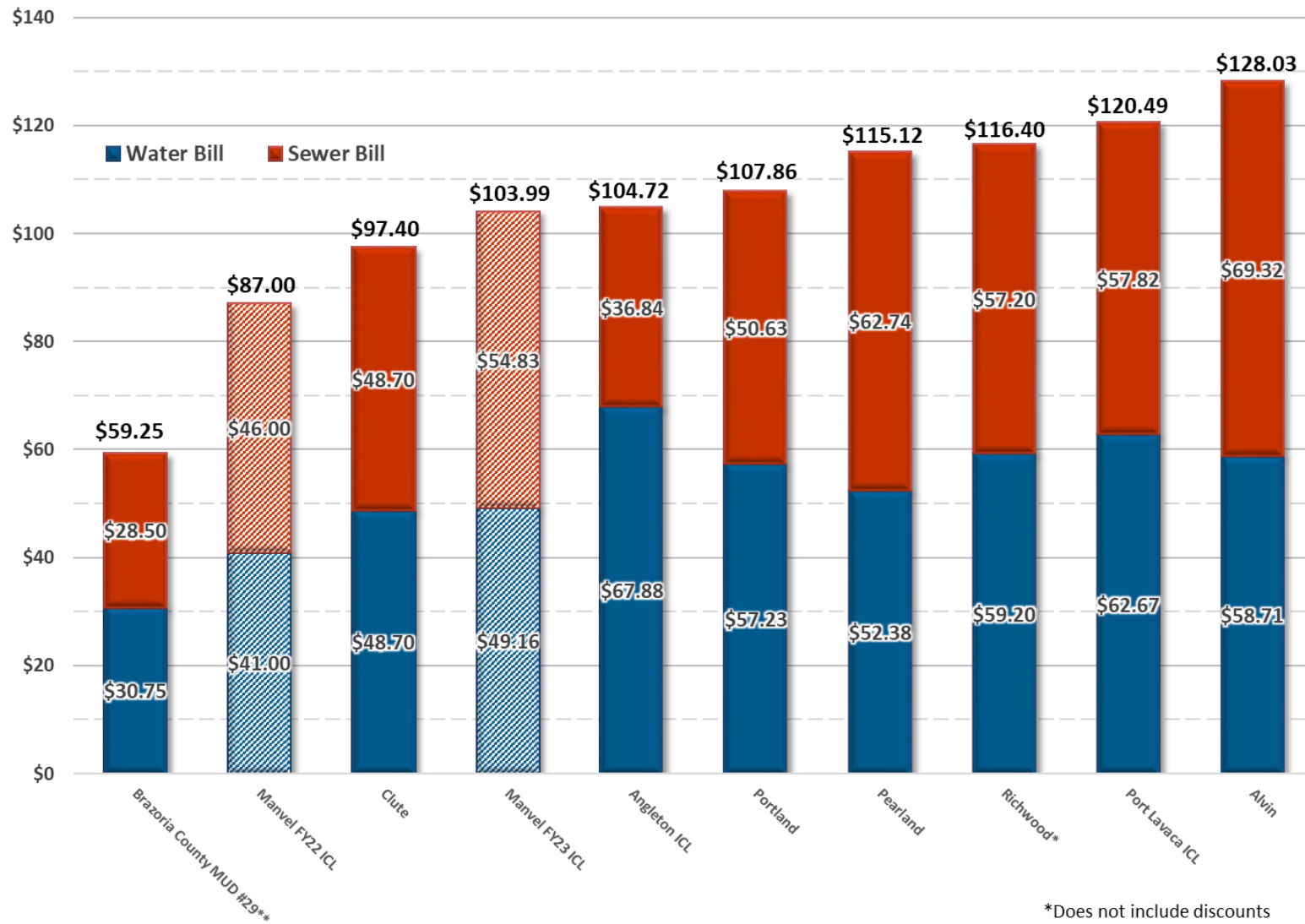




Figure 6-2: Residential Water and Wastewater Rate Comparison with Other Cities, Monthly Bill (10,000 gallons)



*Does not include discounts

**Does not include GCD fees



APPENDIX A

Expenses for Water and Wastewater Fund



Table A-1: Historical Expenses, by Line Item

Historical Expenses by Fiscal Year					
	2015-16	2016-17	2017-18	2018-19	2019-20
Administration					
40-10-5000 Salaries	\$72,600	\$117,869	\$142,989	\$159,345	\$112,495
40-10-5002 Overtime	\$8,763	\$10,361	\$11,340	\$10,975	\$949
40-10-5003 Holiday Pay	\$3,436	\$0	\$0	\$0	\$0
40-10-5004 Taxes, Social Security	\$6,392	\$0	\$0	\$0	\$0
40-10-5005 Retirement	\$4,912	\$0	\$0	\$0	\$0
40-10-5006 Longevity	\$353	\$600	\$720	\$840	\$840
40-10-5007 Part Time Wages	\$0	\$0	\$0	\$158	\$0
40-10-5010 Taxes, Social Security	\$0	\$9,098	\$10,996	\$10,617	\$8,290
40-10-5012 TWC	\$0	\$875	\$0	\$0	\$0
40-10-5030 Health & Life Insurance	\$9,608	\$19,658	\$30,485	\$29,506	\$16,398
40-10-5031 Vision	\$0	\$0	\$351	\$349	\$192
40-10-5032 Life & LTD	\$0	\$0	\$655	\$713	\$402
40-10-5033 Dental	\$0	\$0	\$1,468	\$1,586	\$818
40-10-5034 Retirement	\$0	\$14,904	\$19,509	\$20,834	\$12,760
40-10-5035 Cell Phone Allowance	\$0	\$519	\$173	\$1,004	\$595
40-10-5038 Flex	\$0	\$0	\$92	\$152	\$57
40-10-5039 Flex Card - Health Ins	\$0	\$0	\$1,167	\$1,277	\$471
40-10-5040 Workers Compensation	\$2,972	-\$805	\$11,196	\$0	\$4,502
40-10-5041 Pension Expense	\$0	\$0	-\$8,962	-\$4,428	\$0
40-10-5201 Contract Services	\$3,725	\$0	\$0	\$0	\$0
40-10-5202 Mowing & Weed Control	\$1,298	\$688	\$355	\$2,301	\$0
40-10-5220 Janitorial Supplies & Cleaning	\$0	\$432	\$0	\$0	\$0
40-10-5222 Postage	\$2,363	\$2,200	\$1,813	\$2,567	\$2,000
40-10-5225 Fuel	\$0	\$0	\$0	\$47	\$0
40-10-5230 Office Expense	\$880	\$1,437	\$667	\$0	\$687



Historical Expenses by Fiscal Year					
	2015-16	2016-17	2017-18	2018-19	2019-20
40-10-5240 Minor Tools & Equipment	\$0	\$2,282	\$0	\$12,110	\$9,537
40-10-5300 Equipment Rental	\$0	\$4,577	\$3,983	\$6,732	\$1,123
40-10-5320 Bank/Convenience Charges	\$0	\$0	\$0	\$0	\$0
40-10-5370 Radio Repairs	\$0	\$0	\$0	\$0	\$0
40-10-5380 Building Repair & Maintenance	\$0	\$0	\$0	\$0	\$0
40-10-5418 Employment Testing	\$0	\$0	\$0	\$0	\$0
40-10-5432 Rental Equipment	\$6,265	\$0	\$0	\$0	\$0
40-10-5440 Computer Maintenance/Support	\$0	\$0	\$0	\$0	\$1,442
40-10-5441 Computer Software	\$4,160	\$7,927	\$0	\$0	\$0
40-10-5445 Telephone	\$2,029	\$1,179	\$0	\$303	\$0
40-10-5446 Uniforms	\$0	\$0	\$90	\$0	\$556
40-10-5458 Maintenance Agreements	\$0	\$0	\$0	\$0	\$0
40-10-5550 Radio Usage	\$810	\$1,476	\$1,476	\$1,968	\$1,476
40-10-5615 Credit Card Processing Fees	\$4,181	\$5,937	\$8,958	\$10,532	\$12,294
40-10-5622 Dues & Subscriptions	\$0	\$0	\$0	\$0	\$0
40-10-5630 Insurance and Bonds	\$114	\$14,454	\$0	\$0	\$0
40-10-5636 Equipment Repairs/Maintenance	\$0	\$0	\$0	\$0	\$0
40-10-5638 Vehicle Repairs/Maintenance	\$0	\$0	\$0	\$2,204	\$0
40-10-5645 Training & Travel	\$1,129	\$1,807	\$307	\$2,465	\$175
40-10-5650 Mileage	\$0	\$0	\$0	\$0	\$0
40-10-5655 Other Expenses	\$0	\$0	\$7,772	\$0	\$0
40-10-5700 Vehicle/Equip Replacement Fees	\$4,125	\$10,438	\$24,149	\$62,641	\$58,000
40-10-5701 Legal Fees	\$0	\$0	\$0	\$0	\$0
40-10-5742 Subsidence Fees	\$627	\$2,155	\$0	\$0	\$0
40-10-5800 Eng/Consulting/Planning Fees	\$10,300	\$16,394	\$2,590	\$0	\$5,250
40-10-8641 Transfer from	\$191,450	\$0	\$0	\$0	\$0
40-10-8700 Salary Adjustments	\$0	\$0	\$0	\$0	\$0



Historical Expenses by Fiscal Year					
	2015-16	2016-17	2017-18	2018-19	2019-20
40-10-8701 Compensation Study Adjustment	\$0	\$0	\$0	\$0	\$0
Administration Subtotal	\$342,491	\$246,462	\$274,339	\$336,797	\$251,307
Water					
40-54-5204 Chemicals	\$6,202	\$11,530	\$9,204	\$16,300	\$13,514
40-54-5210 Supplies	\$0	\$0	\$0	\$0	\$0
40-54-5212 Safety Equipment/Supplies	\$0	\$0	\$0	\$0	\$0
40-54-5222 Postage	\$0	\$0	\$0	\$0	\$0
40-54-5225 Fuel	\$0	\$0	\$61	\$422	\$126
40-54-5240 Minor Tools & Equipment	\$4,288	\$4,828	\$2,116	\$2,110	\$6,701
40-54-5245 Fire Hydrants	\$0	\$0	\$0	\$0	\$0
40-54-5310 Meter Replacement Program	\$11,240	\$19,671	\$44,567	\$114,811	\$92,983
40-54-5312 Other Reimbursements	\$0	\$0	\$600	\$0	\$0
40-54-5325 Utility Billing Charges	\$0	\$0	\$249	\$0	\$0
40-54-5420 Electricity	\$48,961	\$66,228	\$55,629	\$29,055	\$26,195
40-54-5421 Electrical Service	\$0	\$0	\$0	\$0	\$0
40-54-5435 Safety & Water Testing	\$0	\$0	\$0	\$0	\$0
40-54-5440 Computer Maintenance/Support	\$0	\$0	\$4,484	\$5,124	\$6,529
40-54-5441 Computer Software	\$1,360	\$367	\$824	\$0	\$0
40-54-5445 Telephone	\$0	\$0	\$1,351	\$1,224	\$2,556
40-54-5446 Uniforms	\$0	\$0	\$0	\$1,074	\$543
40-54-5498 Tap Connection Expense	\$0	\$0	\$0	\$1,650	\$0
40-54-5499 Laboratory Expenses	\$9,691	\$12,821	\$17,744	\$11,322	\$8,894
40-54-5622 Dues & Subscriptions	\$0	\$0	\$0	\$0	\$0
40-54-5630 Insurance and Bonds	\$0	\$0	\$0	\$0	\$0
40-54-5636 Equipment Repairs/Maintenance	\$184,955	\$191,581	\$156,203	\$161,162	\$105,671
40-54-5638 Vehicle Repairs/Maintenance	\$1,688	\$6,659	\$4,671	\$3,506	\$3,848
40-54-5645 Training & Travel	\$660	\$416	\$2,394	\$245	\$115



Historical Expenses by Fiscal Year					
	2015-16	2016-17	2017-18	2018-19	2019-20
40-54-5655 Other Expenses	\$8,055	\$0	\$0	\$0	\$0
40-54-5700 Vehicle/Equip Replacement Fees	\$4,125	\$4,014	\$5,955	\$11,638	\$9,000
40-54-5729 Permits & Assessments	\$2,464	\$3,562	\$3,717	\$3,707	\$3,871
40-54-5730 Legal Notices	\$0	\$0	\$0	\$0	\$0
40-54-5742 Subsidence Fees	\$1,378	\$357	\$2,167	\$4,387	\$3,900
40-54-5746 Water Sample Inspection	\$0	\$0	\$0	\$0	\$0
40-54-5800 Eng/Consulting/Planning Fees	\$13,585	\$9,495	\$0	\$0	\$0
40-54-6010 Capital Outlay - Technology	\$0	\$0	\$0	\$0	\$0
40-54-6020 Capital Outlay - Equipment	\$21,092	\$0	\$0	\$0	\$0
40-54-6030 Capital Outlay - Vehicle	\$0	\$0	\$0	\$0	\$0
40-54-6040 Capital Outlay - Furniture & Fixtures	\$0	\$0	\$0	\$0	\$0
40-54-6070 Capital Outlay - Improvements	\$0	\$0	\$0	\$0	\$0
40-54-6203 Capital Outlay - Capitalize Taps	\$14,000	\$0	\$0	\$0	\$0
40-54-7025 WWTP to - Blowers/auto Dialer	\$0	\$0	\$0	\$0	\$0
40-54-8410 Depreciation Expense	\$188,699	\$0	\$253,138	\$268,458	\$0
40-54-8700 Salary Adjustments	\$0	\$0	\$0	\$0	\$0
Water Subtotal	\$522,443	\$331,529	\$565,076	\$636,195	\$284,445
Wastewater					
40-56-5203 Sludge Hauling	\$0	\$0	\$0	\$0	\$0
40-56-5204 Chemicals	\$0	\$0	\$7,187	\$8,936	\$9,717
40-56-5210 Supplies	\$0	\$0	\$0	\$0	\$0
40-56-5212 Safety Equipment/Supplies	\$0	\$0	\$0	\$0	\$0
40-56-5225 Fuel	\$0	\$0	\$3,744	\$39	\$0
40-56-5240 Minor Tools & Equipment	\$0	\$0	\$896	\$5,954	\$9,882
40-56-5312 Other Reimbursements	\$0	\$0	\$2,662	\$0	\$0
40-56-5325 Utility Billing Charges	\$0	\$0	\$0	\$0	\$0
40-56-5419 Sludge Hauling	\$14,200	\$24,348	\$33,238	\$44,090	\$46,036



Historical Expenses by Fiscal Year					
	2015-16	2016-17	2017-18	2018-19	2019-20
40-56-5420 Electricity	\$0	\$0	\$2,859	\$40,809	\$34,421
40-56-5421 Electrical Service	\$0	\$0	\$0	\$0	\$0
40-56-5432 Rental Equipment	\$0	\$0	\$10,075	\$17,275	\$17,802
40-56-5445 Telephone	\$0	\$0	\$229	\$538	\$1,384
40-56-5446 Uniforms	\$0	\$0	\$0	\$855	\$1
40-56-5480 Contract Labor	\$0	\$0	\$18,000	\$0	\$0
40-56-5499 Laboratory Expenses	\$0	\$0	\$540	\$10,985	\$15,145
40-56-5500 Operator Fees	\$28,650	\$0	\$0	\$0	\$0
40-56-5630 Insurance and Bonds	\$0	\$0	\$16,045	\$0	\$0
40-56-5636 Equipment Repairs/Maintenance	-\$1,600	\$0	\$2,559	\$126,330	\$114,846
40-56-5637 Sewer Line Maintenance & Repairs	\$0	\$0	\$0	\$0	\$0
40-56-5645 Training & Travel	\$0	\$0	\$1,646	\$3,284	\$100
40-56-6010 Capital Outlay - Technology	\$0	\$0	\$0	\$0	\$0
40-56-6020 Capital Outlay - Equipment	\$9,150	\$0	\$0	\$19,893	\$170,000
40-56-6030 Capital Outlay - Vehicle	\$0	\$0	\$0	\$0	\$0
40-56-6040 Capital Outlay - Furniture & Fixtures	\$0	\$0	\$0	\$0	\$0
40-56-6070 Capital Outlay - Improvements	\$0	\$0	\$0	\$0	\$0
40-56-6080 Capital Outlay - Building	\$0	\$0	\$0	\$0	\$0
40-56-5203 Sludge Hauling	\$0	\$0	\$0	\$0	\$0
40-56-5204 Chemicals	\$0	\$0	\$7,187	\$8,936	\$9,717
40-56-5210 Supplies	\$0	\$0	\$0	\$0	\$0
40-56-5212 Safety Equipment/Supplies	\$0	\$0	\$0	\$0	\$0
40-56-5225 Fuel	\$0	\$0	\$3,744	\$39	\$0
40-56-5240 Minor Tools & Equipment	\$0	\$0	\$896	\$5,954	\$9,882
40-56-5312 Other Reimbursements	\$0	\$0	\$2,662	\$0	\$0
40-56-5325 Utility Billing Charges	\$0	\$0	\$0	\$0	\$0
40-56-5419 Sludge Hauling	\$14,200	\$24,348	\$33,238	\$44,090	\$46,036



Historical Expenses by Fiscal Year					
	2015-16	2016-17	2017-18	2018-19	2019-20
40-56-5420 Electricity	\$0	\$0	\$2,859	\$40,809	\$34,421
40-56-5421 Electrical Service	\$0	\$0	\$0	\$0	\$0
40-56-5432 Rental Equipment	\$0	\$0	\$10,075	\$17,275	\$17,802
40-56-5445 Telephone	\$0	\$0	\$229	\$538	\$1,384
40-56-5446 Uniforms	\$0	\$0	\$0	\$855	\$1
40-56-5480 Contract Labor	\$0	\$0	\$18,000	\$0	\$0
40-56-5499 Laboratory Expenses	\$0	\$0	\$540	\$10,985	\$15,145
40-56-5500 Operator Fees	\$28,650	\$0	\$0	\$0	\$0
40-56-5630 Insurance and Bonds	\$0	\$0	\$16,045	\$0	\$0
40-56-5636 Equipment Repairs/Maintenance	-\$1,600	\$0	\$2,559	\$126,330	\$114,846
40-56-5637 Sewer Line Maintenance & Repairs	\$0	\$0	\$0	\$0	\$0
40-56-5645 Training & Travel	\$0	\$0	\$1,646	\$3,284	\$100
40-56-6010 Capital Outlay - Technology	\$0	\$0	\$0	\$0	\$0
40-56-6020 Capital Outlay - Equipment	\$9,150	\$0	\$0	\$19,893	\$170,000
40-56-6030 Capital Outlay - Vehicle	\$0	\$0	\$0	\$0	\$0
40-56-6040 Capital Outlay - Furniture & Fixtures	\$0	\$0	\$0	\$0	\$0
40-56-6070 Capital Outlay - Improvements	\$0	\$0	\$0	\$0	\$0
40-56-6080 Capital Outlay - Building	\$0	\$0	\$0	\$0	\$0
Wastewater Subtotal	\$50,401	\$24,348	\$99,681	\$278,990	\$419,334
Non-Departmental					
40-95-8510 Transfer to General Fund	\$0	\$0	\$0	\$0	\$0
40-95-8590 Transfer Out - Debt Service Fund	\$0	\$0	\$0	\$0	\$0
40-95-8591 Transfer Out - Veh/Equip Replace Fund	\$0	\$0	\$0	\$0	\$0
Non-Departmental Subtotal	\$0	\$0	\$0	\$0	\$0
TOTAL OPERATING EXPENSES (w/ Depreciation)	\$915,335	\$602,338	\$939,096	\$1,251,982	\$955,086
TOTAL OPERATING EXPENSES (w/o Depreciation)	\$726,636	\$602,338	\$685,958	\$983,524	\$955,086



Table A-2: Projected Expenses, by Line Item

	Budgeted			Projected						
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Administration										
40-10-5000 Salaries (Existing Plant)	\$256,941	\$264,649	\$272,588	\$280,766	\$289,189	\$297,865	\$306,801	\$316,005	\$325,485	\$335,250
Salaries and Benefits (MBR Plant)					\$198,000	\$198,000	\$297,000	\$297,000	\$297,000	\$297,000
40-10-5002 Overtime	\$4,000	\$4,120	\$4,244	\$4,371	\$4,502	\$4,637	\$4,776	\$4,919	\$5,067	\$5,219
40-10-5003 Holiday Pay	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5004 Taxes, Social Security	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5005 Retirement	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5006 Longevity	\$120	\$124	\$128	\$132	\$136	\$140	\$144	\$148	\$152	\$157
40-10-5007 Part Time Wages	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5010 Taxes, Social Security	\$20,017	\$20,618	\$21,237	\$21,874	\$22,530	\$23,206	\$23,902	\$24,619	\$25,358	\$26,119
40-10-5012 TWC	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5030 Health & Life Insurance	\$46,214	\$47,600	\$49,028	\$50,499	\$52,014	\$53,574	\$55,181	\$56,836	\$58,541	\$60,297
40-10-5031 Vision	\$541	\$557	\$574	\$591	\$609	\$627	\$646	\$665	\$685	\$706
40-10-5032 Life & LTD	\$1,129	\$1,163	\$1,198	\$1,234	\$1,271	\$1,309	\$1,348	\$1,388	\$1,430	\$1,473
40-10-5033 Dental	\$2,260	\$2,328	\$2,398	\$2,470	\$2,544	\$2,620	\$2,699	\$2,780	\$2,863	\$2,949
40-10-5034 Retirement	\$26,873	\$27,679	\$28,509	\$29,364	\$30,245	\$31,152	\$32,087	\$33,050	\$34,042	\$35,063
40-10-5035 Cell Phone Allowance	\$600	\$618	\$637	\$656	\$676	\$696	\$717	\$739	\$761	\$784
40-10-5038 Flex	\$241	\$248	\$255	\$263	\$271	\$279	\$287	\$296	\$305	\$314
40-10-5039 Flex Card - Health Ins	\$2,000	\$2,060	\$2,122	\$2,186	\$2,252	\$2,320	\$2,390	\$2,462	\$2,536	\$2,612
40-10-5040 Workers Compensation	\$5,694	\$5,865	\$6,041	\$6,222	\$6,409	\$6,601	\$6,799	\$7,003	\$7,213	\$7,429
40-10-5041 Pension Expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5201 Contract Services	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5202 Mowing & Weed Control	\$1,500	\$1,545	\$1,591	\$1,639	\$1,688	\$1,739	\$1,791	\$1,845	\$1,900	\$1,957
40-10-5220 Janitorial Supplies & Cleaning	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5222 Postage	\$2,000	\$2,060	\$2,122	\$2,186	\$2,252	\$2,320	\$2,390	\$2,462	\$2,536	\$2,612
40-10-5225 Fuel	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Water and Wastewater Rate Study
City of Manvel, TX



	Budgeted			Projected						
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
40-10-5230 Office Expense	\$1,000	\$1,030	\$1,061	\$1,093	\$1,126	\$1,160	\$1,195	\$1,231	\$1,268	\$1,306
40-10-5240 Minor Tools & Equipment	\$10,000	\$10,300	\$10,609	\$10,927	\$11,255	\$11,593	\$11,941	\$12,299	\$12,668	\$13,048
40-10-5300 Equipment Rental	\$5,000	\$5,150	\$5,305	\$5,464	\$5,628	\$5,797	\$5,971	\$6,150	\$6,335	\$6,525
40-10-5320 Bank/Convenience Charges	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5370 Radio Repairs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5380 Building Repair & Maintenance	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5418 Employment Testing	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5432 Rental Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5440 Computer Maintenance/Support	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5441 Computer Software	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5445 Telephone	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5446 Uniforms	\$450	\$464	\$478	\$492	\$507	\$522	\$538	\$554	\$571	\$588
40-10-5458 Maintenance Agreements	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5550 Radio Usage	\$2,000	\$2,060	\$2,122	\$2,186	\$2,252	\$2,320	\$2,390	\$2,462	\$2,536	\$2,612
40-10-5615 Credit Card Processing Fees	\$12,000	\$12,360	\$12,731	\$13,113	\$13,506	\$13,911	\$14,328	\$14,758	\$15,201	\$15,657
40-10-5622 Dues & Subscriptions	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5630 Insurance and Bonds	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5636 Equipment Repairs/Maintenance	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5638 Vehicle Repairs/Maintenance	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5645 Training & Travel	\$2,000	\$2,060	\$2,122	\$2,186	\$2,252	\$2,320	\$2,390	\$2,462	\$2,536	\$2,612
40-10-5650 Mileage	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5655 Other Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5700 Vehicle/Equip Replacement Fees	\$60,000	\$61,800	\$63,654	\$65,564	\$67,531	\$69,557	\$71,644	\$73,793	\$76,007	\$78,287
40-10-5701 Legal Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5742 Subsistence Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-10-5800 Eng/Consulting/Planning Fees	\$5,000	\$5,150	\$5,305	\$5,464	\$5,628	\$5,797	\$5,971	\$6,150	\$6,335	\$6,525
40-10-8641 Transfer from	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Water and Wastewater Rate Study
City of Manvel, TX



	Budgeted			Projected						
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
40-10-8700 Salary Adjustments	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Administration Subtotal	\$467,580	\$481,608	\$496,059	\$510,942	\$724,273	\$740,062	\$855,326	\$872,076	\$889,331	\$907,101
Water										
40-54-5204 Chemicals	\$18,000	\$21,696	\$26,151	\$31,521	\$37,994	\$45,796	\$55,200	\$66,535	\$80,198	\$96,667
40-54-5210 Supplies	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-5212 Safety Equipment/Supplies	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-5222 Postage	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-5225 Fuel	\$1,000	\$1,030	\$1,061	\$1,093	\$1,126	\$1,160	\$1,195	\$1,231	\$1,268	\$1,306
40-54-5240 Minor Tools & Equipment	\$3,000	\$3,090	\$3,183	\$3,278	\$3,376	\$3,477	\$3,581	\$3,688	\$3,799	\$3,913
40-54-5245 Fire Hydrants	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-5310 Meter Replacement Program	\$100,000	\$115,000	\$132,250	\$152,088	\$174,901	\$201,136	\$231,306	\$266,002	\$305,902	\$351,787
40-54-5312 Other Reimbursements	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-5325 Utility Billing Charges	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-5420 Electricity	\$25,000	\$25,750	\$26,523	\$27,319	\$28,139	\$28,983	\$29,852	\$30,748	\$31,670	\$32,620
40-54-5421 Electrical Service	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-5435 Safety & Water Testing	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-5440 Computer Maintenance/Support	\$5,000	\$5,305	\$5,628	\$5,971	\$6,335	\$6,721	\$7,130	\$7,564	\$8,025	\$8,514
40-54-5441 Computer Software	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-5445 Telephone	\$15,000	\$15,450	\$15,914	\$16,391	\$16,883	\$17,389	\$17,911	\$18,448	\$19,001	\$19,571
40-54-5446 Uniforms	\$1,500	\$1,545	\$1,591	\$1,639	\$1,688	\$1,739	\$1,791	\$1,845	\$1,900	\$1,957
40-54-5498 Tap Connection Expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-5499 Laboratory Expenses	\$13,000	\$15,134	\$17,619	\$20,512	\$23,879	\$27,799	\$32,363	\$37,676	\$43,861	\$51,062
40-54-5622 Dues & Subscriptions	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-5630 Insurance and Bonds	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-5636 Equipment Repairs/Maintenance	\$160,000	\$164,800	\$169,744	\$174,836	\$180,081	\$185,483	\$191,047	\$196,778	\$202,681	\$208,761
40-54-5638 Vehicle Repairs/Maintenance	\$6,000	\$6,180	\$6,365	\$6,556	\$6,753	\$6,956	\$7,165	\$7,380	\$7,601	\$7,829
40-54-5645 Training & Travel	\$2,000	\$2,060	\$2,122	\$2,186	\$2,252	\$2,320	\$2,390	\$2,462	\$2,536	\$2,612

Water and Wastewater Rate Study
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	Budgeted			Projected						
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
40-54-5655 Other Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-5700 Vehicle/Equip Replacement Fees	\$9,000	\$9,270	\$9,548	\$9,834	\$10,129	\$10,433	\$10,746	\$11,068	\$11,400	\$11,742
40-54-5729 Permits & Assessments	\$4,500	\$4,875	\$5,281	\$5,721	\$6,198	\$6,715	\$7,275	\$7,882	\$8,539	\$9,251
40-54-5730 Legal Notices	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-5742 Subsidence Fees	\$2,000	\$2,284	\$2,609	\$2,980	\$3,403	\$3,886	\$4,438	\$5,069	\$5,789	\$6,611
40-54-5746 Water Sample Inspection	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-5800 Eng/Consulting/Planning Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-6010 Capital Outlay - Technology	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-6020 Capital Outlay - Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-6030 Capital Outlay - Vehicle	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-6040 Capital Outlay - Furniture & Fixtures	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-6070 Capital Outlay - Improvements	\$0	\$182,150	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-6203 Capital Outlay - Capitalize Taps	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-7025 WWTP to - Blowers/auto Dialer	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-8410 Depreciation Expense	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-54-8700 Salary Adjustments	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Water Subtotal	\$365,000	\$575,619	\$425,589	\$461,925	\$503,137	\$549,993	\$603,390	\$664,376	\$734,170	\$814,203
Wastewater										
40-56-5203 Sludge Hauling	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-56-5204 Chemicals (Existing Plant)	\$12,500	\$15,071	\$18,171	\$21,909	\$26,416	\$31,850	\$38,402			
40-56-5204 Chemicals (MBR Plant)					\$29,034	\$36,034	\$36,034	\$53,068	\$55,068	\$57,068
40-56-5210 Supplies	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-56-5212 Safety Equipment/Supplies	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-56-5225 Fuel	\$4,000	\$4,120	\$4,244	\$4,371	\$4,502	\$4,637	\$4,776	\$4,919	\$5,067	\$5,219
40-56-5240 Minor Tools & Equipment	\$7,500	\$7,725	\$7,957	\$8,196	\$8,442	\$8,695	\$8,956	\$9,225	\$9,502	\$9,787
40-56-5312 Other Reimbursements	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-56-5325 Utility Billing Charges	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Water and Wastewater Rate Study
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	Budgeted			Projected						
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
40-56-5419 Sludge Hauling (Existing Plant)	\$50,000	\$57,500	\$66,125	\$76,044	\$87,451	\$100,569	\$115,654			
40-56-5419 Sludge Hauling (MBR Plant)					\$71,106	\$88,882	\$88,882	\$128,848	\$136,845	\$143,954
40-56-5420 Electricity (Existing Plant)	\$35,000	\$40,250	\$46,288	\$53,231	\$61,216	\$70,398	\$80,958			
40-56-5420 Electricity (MBR Plant)					\$166,280	\$191,700	\$191,700	\$236,170	\$246,484	\$255,652
40-56-5421 Electrical Service	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-56-5432 Rental Equipment	\$15,000	\$15,450	\$15,914	\$16,391	\$16,883	\$17,389	\$17,911	\$18,448	\$19,001	\$19,571
40-56-5445 Telephone	\$1,000	\$1,030	\$1,061	\$1,093	\$1,126	\$1,160	\$1,195	\$1,231	\$1,268	\$1,306
40-56-5446 Uniforms	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-56-5480 Contract Labor	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-56-5499 Laboratory Expenses	\$20,000	\$23,000	\$26,450	\$30,418	\$34,981	\$40,228	\$46,262	\$53,201	\$61,181	\$70,358
40-56-5500 Operator Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-56-5630 Insurance and Bonds	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-56-5636 Equipment Repairs/Maintenance (Existing Plant)	\$125,000	\$128,750	\$132,613	\$136,591	\$140,689	\$144,910	\$149,257			
40-56-5636 Equipment Repairs/Maintenance (MBR Plant)					\$164,125	\$164,125	\$164,125	\$268,519	\$268,519	\$268,519
40-56-5637 Sewer Line Maintenance & Repairs	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-56-5645 Training & Travel	\$2,000	\$2,060	\$2,122	\$2,186	\$2,252	\$2,320	\$2,390	\$2,462	\$2,536	\$2,612
40-56-6010 Capital Outlay - Technology	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-56-6020 Capital Outlay - Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-56-6030 Capital Outlay - Vehicle	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-56-6040 Capital Outlay - Furniture & Fixtures	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-56-6070 Capital Outlay - Improvements	\$0	\$1,933,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-56-6080 Capital Outlay - Building	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Wastewater Subtotal	\$272,000	\$2,227,956	\$320,945	\$350,430	\$814,503	\$902,897	\$946,502	\$776,091	\$805,471	\$834,046
Non-Departmental										
40-95-8510 Transfer to General Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
40-95-8590 Transfer Out - Debt Service Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0



	Budgeted			Projected						
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
40-95-8591 Transfer Out - Veh/Equip Replace Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Non-Departmental Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL OPERATING EXPENSES	\$1,104,580	\$3,285,183	\$1,242,593	\$1,323,297	\$2,041,913	\$2,192,952	\$2,405,218	\$2,312,543	\$2,428,972	\$2,555,350
Future Debt Service										
FY2022 Series \$0.0M (Rate Portion)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FY2023 Series \$32.2M (Rate Portion)	\$0	\$0	\$1,003,686	\$1,003,686	\$1,003,686	\$1,003,686	\$1,003,686	\$1,003,686	\$1,003,686	\$1,003,686
FY2024 Series \$11.7M (Rate Portion)	\$0	\$0	\$0	\$448,652	\$448,652	\$448,652	\$448,652	\$448,652	\$448,652	\$448,652
FY2025 Series \$8.1M (Rate Portion)	\$0	\$0	\$0	\$0	\$337,802	\$337,802	\$337,802	\$337,802	\$337,802	\$337,802
FY2026 Series \$6.0M (Rate Portion)	\$0	\$0	\$0	\$0	\$0	\$239,031	\$239,031	\$239,031	\$239,031	\$239,031
FY2027 Series \$16.8M (Rate Portion)	\$0	\$0	\$0	\$0	\$0	\$0	\$700,508	\$700,508	\$700,508	\$700,508
FY2028 Series \$0.1M (Rate Portion)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$4,332	\$4,332	\$4,332
FY2029 Series \$2.7M (Rate Portion)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$121,252	\$121,252
FY2030 Series \$13.9M (Rate Portion)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$645,037
Future Debt Service Subtotal	\$0	\$0	\$1,003,686	\$1,452,338	\$1,790,140	\$2,029,171	\$2,729,679	\$2,734,011	\$2,855,263	\$3,500,300
TOTAL EXPENSES	\$1,104,580	\$3,285,183	\$2,246,279	\$2,775,635	\$3,832,053	\$4,222,123	\$5,134,897	\$5,046,554	\$5,284,235	\$6,055,650

Table A-3: Rate Portion of Future Debt Issuances (2021 Dollars)

	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030
Water	\$0	\$6,665,394	\$8,294,028	\$3,878,550	\$2,843,352	\$0	\$106,182	\$2,744,004	\$13,921,980
Wastewater	\$0	\$26,262,042	\$3,679,344	\$4,433,124	\$3,257,472	\$17,162,826	\$0	\$0	\$283,254
TOTAL	\$0	\$32,917,436	\$11,973,372	\$8,311,674	\$6,100,824	\$17,162,826	\$106,182	\$2,744,004	\$14,205,234

Water and Wastewater Rate Study
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Table A-4: Pro Forma Statement for Combined Utility

Combined Utility												
Line	Description	Fiscal Year Ending September 30										
		2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	
1	Beginning Operating Cash Balance	\$ -	\$ -	\$ 0	\$ 104,415	\$ 417,103	\$ 271,402	\$ 374,074	\$ 150,062	\$ 431,682	\$ 906,989	
2	Retail Rate Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
3	Base Charges	\$ 1,259,801	\$ 1,406,124	\$ 1,620,561	\$ 1,835,143	\$ 2,109,284	\$ 2,266,238	\$ 2,375,740	\$ 2,484,008	\$ 2,593,939		
4	Volume Charges	\$ 378,005	\$ 421,574	\$ 485,603	\$ 549,712	\$ 631,722	\$ 677,407	\$ 710,133	\$ 742,576	\$ 775,538		
5	Total Retail Rate Revenue	\$ 1,637,806	\$ 1,827,698	\$ 2,106,164	\$ 2,384,855	\$ 2,741,006	\$ 2,943,645	\$ 3,085,873	\$ 3,226,584	\$ 3,369,477		
6	Base Charge Revenue Increase Needed		0.0%	13.4%	14.9%	6.3%	2.7%	8.1%	4.6%	4.6%	9.2%	
7	Volumetric Charge Revenue Increase Needed		0.0%	30.0%	28.5%	13.5%	5.0%	12.5%	10.0%	10.0%	25.0%	
8	Overall Increase Needed		0.0%	17.3%	18.1%	8.0%	3.2%	9.1%	5.9%	5.9%	12.9%	
9	Additional Retail Rate Revenue											
10	Year 1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
11	Year 2	\$ -	\$ 315,592	\$ 363,796	\$ 412,024	\$ 473,722	\$ 508,472	\$ 532,885	\$ 557,018	\$ 581,501		
12	Year 3	\$ -	\$ -	\$ 380,218	\$ 430,559	\$ 494,926	\$ 531,333	\$ 556,936	\$ 582,263	\$ 607,972		
13	Year 4	\$ -	\$ -	\$ -	\$ 189,989	\$ 218,414	\$ 234,455	\$ 245,733	\$ 256,886	\$ 268,205		
14	Year 5	\$ -	\$ -	\$ -	\$ -	\$ 88,427	\$ 94,920	\$ 99,476	\$ 103,978	\$ 108,545		
15	Year 6	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 267,826	\$ 280,674	\$ 293,369	\$ 306,246		
16	Year 7	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 180,649	\$ 188,960	\$ 197,412		
17	Year 8	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 188,960	\$ 197,412		
18	Year 9	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 433,600		
19	Total Additional Retail Rate Revenue	\$ -	\$ 315,592	\$ 744,014	\$ 1,032,572	\$ 1,275,489	\$ 1,637,006	\$ 1,896,353	\$ 2,171,435	\$ 2,700,894		
20	Other Operating Revenue	\$ 181,485	\$ 202,404	\$ 233,145	\$ 263,926	\$ 303,300	\$ 325,234	\$ 340,947	\$ 356,523	\$ 372,348		
21	Non-Operating Revenue	\$ 1,465,892	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000		
22	Impact Fees (50% Max Allowable)	\$ 1,665,913	\$ 2,732,097	\$ 4,007,710	\$ 4,007,710	\$ 4,864,465	\$ 4,864,465	\$ 2,484,590	\$ 2,475,070	\$ 2,484,590		
23	TOTAL REVENUE	\$ 4,951,096	\$ 5,082,790	\$ 7,096,032	\$ 7,694,062	\$ 9,189,259	\$ 9,775,350	\$ 7,812,763	\$ 8,234,612	\$ 8,932,309		
24	O&M Expenses											
25	Administrative	\$ 481,608	\$ 496,059	\$ 510,942	\$ 724,273	\$ 740,062	\$ 855,326	\$ 872,076	\$ 889,331	\$ 907,101		
26	Operational	\$ 2,803,575	\$ 746,534	\$ 812,355	\$ 1,317,640	\$ 1,452,890	\$ 1,549,892	\$ 1,440,467	\$ 1,539,641	\$ 1,648,249		
27	Non-Departmental	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
28	Total O&M Expenses	\$ 3,285,183	\$ 1,242,593	\$ 1,323,297	\$ 2,041,913	\$ 2,192,952	\$ 2,405,218	\$ 2,312,543	\$ 2,428,972	\$ 2,555,350		
29	Net Revenue	\$ 1,665,913	\$ 3,840,197	\$ 5,772,735	\$ 5,652,149	\$ 6,996,307	\$ 7,370,132	\$ 5,500,220	\$ 5,805,640	\$ 6,376,959		
30	Debt Service (Existing)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
31	Debt Service (Future - Total Issuance)	\$ -	\$ 1,679,933	\$ 2,290,805	\$ 2,714,861	\$ 3,026,121	\$ 3,901,756	\$ 3,907,173	\$ 4,047,170	\$ 4,771,910		
32	Debt Service (Future - Rate Portion of Total Issuance)	\$ -	\$ 1,003,686	\$ 1,452,338	\$ 1,790,140	\$ 2,029,171	\$ 2,729,679	\$ 2,734,011	\$ 2,855,263	\$ 3,500,300		
33	Total Debt Service - Rate Portion	\$ -	\$ 1,003,686	\$ 1,452,338	\$ 1,790,140	\$ 2,029,171	\$ 2,729,679	\$ 2,734,011	\$ 2,855,263	\$ 3,500,300		
34	Debt Service Coverage											
35	Required		1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	
36	Achieved	✗	0.00	2.29	2.52	2.08	2.31	1.89	1.41	1.43	1.34	
37	Annual Cash Surplus (Deficiency)	\$ 1,665,913	\$ 2,160,264	\$ 3,481,930	\$ 2,937,288	\$ 3,970,186	\$ 3,468,376	\$ 1,593,047	\$ 1,758,470	\$ 1,605,049		
38	Annual Cash Surplus (Deficiency) Exclusive of Impact Fee Revenue & Expenses	\$ 0	\$ 104,415	\$ 312,687	\$ (145,700)	\$ 102,671	\$ (224,012)	\$ 281,620	\$ 475,307	\$ 392,069		
39	Fund Balance to Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
40	Ending Operating Cash Balance	\$ 0	\$ 104,415	\$ 417,103	\$ 271,402	\$ 374,074	\$ 150,062	\$ 431,682	\$ 906,989	\$ 1,299,058		

Water and Wastewater Rate Study
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Table A-5: Pro Forma Statement for Wastewater Utility

Wastewater Utility											
Line	Description	Fiscal Year Ending September 30									
		2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
1	Beginning Operating Cash Balance	\$ -	\$ -	\$ (108,364)	\$ (101,518)	\$ 210,259	\$ 162,630	\$ 310,417	\$ 114,885	\$ 227,698	\$ 447,064
2	Retail Rate Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3	Base Charges	\$ 677,580	\$ 756,480	\$ 872,460	\$ 988,440	\$ 1,136,820	\$ 1,221,000	\$ 1,279,380	\$ 1,336,980	\$ 1,395,360	\$ 1,395,360
4	Volume Charges	\$ 189,003	\$ 210,787	\$ 242,801	\$ 274,856	\$ 315,861	\$ 338,704	\$ 355,067	\$ 371,288	\$ 387,769	\$ 387,769
5	Total Retail Rate Revenue	\$ 866,583	\$ 967,267	\$ 1,115,261	\$ 1,263,296	\$ 1,452,681	\$ 1,559,704	\$ 1,634,447	\$ 1,708,268	\$ 1,783,129	\$ 1,783,129
6	Base Charge Revenue Increase Needed		0.0%	25.0%	20.0%	10.0%	5.0%	15.0%	0.0%	0.0%	0.0%
7	Volumetric Charge Revenue Increase Needed		0.0%	60.0%	40.0%	20.0%	10.0%	25.0%	0.0%	0.0%	0.0%
8	Overall Increase Needed		0.0%	32.6%	24.4%	12.2%	6.1%	17.2%	0.0%	0.0%	0.0%
9	Additional Retail Rate Revenue										
10	Year 1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
11	Year 2	\$ -	\$ 315,592	\$ 363,796	\$ 412,024	\$ 473,722	\$ 508,472	\$ 532,885	\$ 557,018	\$ 581,501	\$ 581,501
12	Year 3	\$ -	\$ -	\$ 271,613	\$ 307,630	\$ 353,708	\$ 379,681	\$ 397,903	\$ 415,911	\$ 434,180	\$ 434,180
13	Year 4	\$ -	\$ -	\$ -	\$ 153,815	\$ 176,854	\$ 189,841	\$ 198,951	\$ 207,956	\$ 217,090	\$ 217,090
14	Year 5	\$ -	\$ -	\$ -	\$ -	\$ 88,427	\$ 94,920	\$ 99,476	\$ 103,978	\$ 108,545	\$ 108,545
15	Year 6	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 267,826	\$ 280,674	\$ 293,369	\$ 306,246	\$ 306,246
16	Year 7	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
17	Year 8	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
18	Year 9	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
19	Total Additional Retail Rate Revenue	\$ -	\$ 315,592	\$ 635,408	\$ 873,469	\$ 1,092,711	\$ 1,440,741	\$ 1,509,888	\$ 1,578,232	\$ 1,647,562	\$ 1,647,562
20	Other Operating Revenue	\$ 27,921	\$ 31,140	\$ 35,869	\$ 40,605	\$ 46,663	\$ 50,037	\$ 52,455	\$ 54,851	\$ 57,285	\$ 57,285
21	Non-Operating Revenue	\$ 1,465,892	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
22	Impact Fees (50% Max Allowable)	\$ 1,244,338	\$ 2,040,714	\$ 2,993,521	\$ 2,993,521	\$ 3,633,466	\$ 3,633,466	\$ 1,855,841	\$ 1,848,730	\$ 1,855,841	\$ 1,855,841
23	TOTAL REVENUE	\$ 3,604,733	\$ 3,357,212	\$ 4,782,559	\$ 5,173,390	\$ 6,228,020	\$ 6,686,447	\$ 5,055,130	\$ 5,192,580	\$ 5,346,317	\$ 5,346,317
24	O&M Expenses										
25	Administrative	\$ 240,804	\$ 248,030	\$ 255,471	\$ 362,137	\$ 370,031	\$ 427,663	\$ 436,038	\$ 444,666	\$ 453,551	\$ 453,551
26	Operational	\$ 2,227,956	\$ 320,945	\$ 350,430	\$ 814,503	\$ 902,897	\$ 946,502	\$ 776,091	\$ 805,471	\$ 834,046	\$ 834,046
27	Non-Departmental	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
28	Total O&M Expenses	\$ 2,468,760	\$ 568,975	\$ 605,901	\$ 1,176,639	\$ 1,272,928	\$ 1,374,165	\$ 1,212,129	\$ 1,250,136	\$ 1,287,596	\$ 1,287,596
29	Net Revenue	\$ 1,135,973	\$ 2,788,238	\$ 4,176,658	\$ 3,996,751	\$ 4,955,092	\$ 5,312,282	\$ 3,843,001	\$ 3,942,444	\$ 4,058,720	\$ 4,058,720
30	Debt Service (Existing)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
31	Debt Service (Future - Total Issuance)	\$ -	\$ 1,339,870	\$ 1,527,587	\$ 1,753,762	\$ 1,919,956	\$ 2,795,591	\$ 2,795,591	\$ 2,795,591	\$ 2,810,042	\$ 2,810,042
32	Debt Service (Future - Rate Portion of Total Issuance)	\$ -	\$ 740,678	\$ 871,360	\$ 1,050,860	\$ 1,173,840	\$ 1,874,348	\$ 1,874,348	\$ 1,874,348	\$ 1,886,994	\$ 1,886,994
33	Total Debt Service - Rate Portion	\$ -	\$ 740,678	\$ 871,360	\$ 1,050,860	\$ 1,173,840	\$ 1,874,348	\$ 1,874,348	\$ 1,874,348	\$ 1,886,994	\$ 1,886,994
34	Debt Service Coverage										
35	Required		1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
36	Achieved	✗	0.00	2.08	2.73	2.28	2.58	1.90	1.37	1.41	1.44
37	Annual Cash Surplus (Deficiency)	\$ 1,135,973	\$ 1,448,368	\$ 2,649,071	\$ 2,242,989	\$ 3,035,136	\$ 2,516,691	\$ 1,047,410	\$ 1,146,853	\$ 1,248,678	\$ 1,248,678
38	Annual Cash Surplus (Deficiency) Exclusive of Impact Fee Revenue & Expenses	\$ (108,364)	\$ 6,846	\$ 311,778	\$ (47,629)	\$ 147,786	\$ (195,532)	\$ 112,813	\$ 219,366	\$ 315,886	\$ 315,886
39	Fund Balance to Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
40	Ending Operating Cash Balance	\$ (108,364)	\$ (101,518)	\$ 210,259	\$ 162,630	\$ 310,417	\$ 114,885	\$ 227,698	\$ 447,064	\$ 762,949	\$ 762,949

Water and Wastewater Rate Study
City of Manvel, TX



Table A-6: Pro Forma Statement for Water Utility

Water Utility											
Line	Description	Fiscal Year Ending September 30									
		2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
1	Beginning Operating Cash Balance	\$ -	\$ -	\$ 108,365	\$ 205,933	\$ 206,843	\$ 108,772	\$ 63,657	\$ 35,177	\$ 203,984	\$ 459,925
2	Retail Rate Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3	Base Charges	\$ 582,221	\$ 649,644	\$ 748,101	\$ 846,703	\$ 972,464	\$ 1,045,238	\$ 1,096,360	\$ 1,147,028	\$ 1,198,579	\$ 1,198,579
4	Volume Charges	\$ 189,003	\$ 210,787	\$ 242,801	\$ 274,856	\$ 315,861	\$ 338,704	\$ 355,067	\$ 371,288	\$ 387,769	\$ 387,769
5	Total Retail Rate Revenue	\$ 771,224	\$ 860,431	\$ 990,902	\$ 1,121,559	\$ 1,288,325	\$ 1,383,942	\$ 1,451,427	\$ 1,518,316	\$ 1,586,348	\$ 1,586,348
6	Base Charge Revenue Increase Needed		0.0%	0.0%	9.0%	2.0%	0.0%	0.0%	10.0%	10.0%	20.0%
7	Volumetric Charge Revenue Increase Needed		0.0%	0.0%	17.0%	7.0%	0.0%	0.0%	20.0%	20.0%	50.0%
8	Overall Increase Needed		0.0%	0.0%	11.0%	3.2%	0.0%	0.0%	12.4%	12.4%	27.3%
9	Additional Retail Rate Revenue										
10	Year 1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
11	Year 2	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
12	Year 3	\$ -	\$ -	\$ 108,605	\$ 122,929	\$ 141,218	\$ 151,651	\$ 159,034	\$ 166,351	\$ 173,793	\$ 173,793
13	Year 4	\$ -	\$ -	\$ -	\$ 36,174	\$ 41,560	\$ 44,614	\$ 46,782	\$ 48,931	\$ 51,115	\$ 51,115
14	Year 5	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
15	Year 6	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
16	Year 7	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 180,649	\$ 188,960	\$ 197,412	\$ 197,412
17	Year 8	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 188,960	\$ 197,412	\$ 197,412
18	Year 9	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 433,600	\$ 433,600
19	Total Additional Retail Rate Revenue	\$ -	\$ -	\$ 108,605	\$ 159,103	\$ 182,778	\$ 196,265	\$ 386,465	\$ 593,203	\$ 1,053,332	\$ 1,053,332
20	Other Operating Revenue	\$ 153,564	\$ 171,265	\$ 197,276	\$ 223,321	\$ 256,638	\$ 275,197	\$ 288,493	\$ 301,673	\$ 315,063	\$ 315,063
21	Non-Operating Revenue	\$ -	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
22	Impact Fees (50% Max Allowable)	\$ 421,575	\$ 691,383	\$ 1,014,189	\$ 1,014,189	\$ 1,230,999	\$ 1,230,999	\$ 628,749	\$ 626,340	\$ 628,749	\$ 628,749
23	TOTAL REVENUE	\$ 1,346,363	\$ 1,725,578	\$ 2,313,473	\$ 2,520,672	\$ 2,961,239	\$ 3,088,903	\$ 2,757,633	\$ 3,042,032	\$ 3,585,992	\$ 3,585,992
24	O&M Expenses										
25	Administrative	\$ 240,804	\$ 248,030	\$ 255,471	\$ 362,137	\$ 370,031	\$ 427,663	\$ 436,038	\$ 444,666	\$ 453,551	\$ 453,551
26	Operational	\$ 575,619	\$ 425,589	\$ 461,925	\$ 503,137	\$ 549,993	\$ 603,390	\$ 664,376	\$ 734,170	\$ 814,203	\$ 814,203
27	Non-Departmental	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
28	Total O&M Expenses	\$ 816,423	\$ 673,619	\$ 717,396	\$ 865,274	\$ 920,024	\$ 1,031,053	\$ 1,100,414	\$ 1,178,836	\$ 1,267,754	\$ 1,267,754
29	Net Revenue	\$ 529,940	\$ 1,051,960	\$ 1,596,077	\$ 1,655,398	\$ 2,041,215	\$ 2,057,850	\$ 1,657,219	\$ 1,863,196	\$ 2,318,239	\$ 2,318,239
30	Debt Service (Existing)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
31	Debt Service (Future - Total Issuance)	\$ -	\$ 340,063	\$ 763,218	\$ 961,099	\$ 1,106,165	\$ 1,106,165	\$ 1,111,582	\$ 1,251,579	\$ 1,961,868	\$ 1,961,868
32	Debt Service (Future - Rate Portion of Total Issuance)	\$ -	\$ 263,008	\$ 580,978	\$ 739,280	\$ 855,331	\$ 855,331	\$ 859,663	\$ 980,915	\$ 1,613,306	\$ 1,613,306
33	Total Debt Service - Rate Portion	\$ -	\$ 263,008	\$ 580,978	\$ 739,280	\$ 855,331	\$ 855,331	\$ 859,663	\$ 980,915	\$ 1,613,306	\$ 1,613,306
34	Debt Service Coverage										
35	Required		1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
36	Achieved	✗	0.00	3.09	2.09	1.72	1.85	1.86	1.49	1.49	1.18
37	Annual Cash Surplus (Deficiency)	\$ 529,940	\$ 711,897	\$ 832,859	\$ 694,299	\$ 935,050	\$ 951,685	\$ 545,637	\$ 611,617	\$ 356,371	\$ 356,371
38	Annual Cash Surplus (Deficiency) Exclusive of Impact Fee Revenue & Expenses	\$ 108,365	\$ 97,569	\$ 910	\$ (98,071)	\$ (45,115)	\$ (28,480)	\$ 168,807	\$ 255,941	\$ 76,184	\$ 76,184
39	Fund Balance to Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
40	Ending Operating Cash Balance	\$ 108,365	\$ 205,933	\$ 206,843	\$ 108,772	\$ 63,657	\$ 35,177	\$ 203,984	\$ 459,925	\$ 536,109	\$ 536,109

CERTIFICATE

[illegible]

I, the undersigned City Secretary of the City of Manvel, Texas (the "City"), hereby certify as follows:

1. The City Council of the City convened in regular session on October 21, 2024, at the City Hall of the City, and the roll was called of the duly constituted officers and members of said City Council, to-wit:

Dan Davis	Mayor
Keith Bonner	Councilmember, Position 1
David Lands	Councilmember, Position 2
Harry Opliger	Councilmember, Position 3
Ed Perry	Councilmember, Position 4
Crystal Sarmiento	Councilmember, Position 5
Jerome Hudson	Councilmember, Position 6

and all of said persons were present, thus constituting a quorum. Whereupon, among other business, a written

RESOLUTION NO. 2024-R-33 APPROVING THE ISSUANCE OF BONDS BY THE SOUTH MANVEL DEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER THREE, CITY OF MANVEL, TEXAS; AND MAKING CERTAIN FINDINGS RELATING THERETO

was introduced for the consideration. It was then duly moved and seconded that the resolution be adopted, and, after due discussion, the motion, carrying with it the adoption of the resolution prevailed and carried by a vote of ____ for, and ____ against.

2. A true, full and correct copy of the aforesaid approved item described in the above and foregoing paragraph is attached to and follows this certificate; that the resolution has been duly recorded in the Board's minutes of the meeting; the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the City Council as indicated therein; each of the officers and members of the City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid meeting, and that the item would be introduced and considered for adoption at the meeting, and each of the officers and members consented, in advance, to the holding of the meeting for such purpose; that

the meeting was open to the public as required by law; and public notice of the time, place and subject of the meeting was given as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED _____, 2024.

Tammy Bell
City Secretary, City of Manvel, Texas

[SEAL]

City of Manvel, Texas, Resolution No. 2024-R-33

A RESOLUTION APPROVING THE ISSUANCE OF BONDS BY THE SOUTH MANVEL DEVELOPMENT AUTHORITY ON BEHALF OF REINVESTMENT ZONE NUMBER THREE, CITY OF MANVEL, TEXAS; AND MAKING CERTAIN FINDINGS RELATING THERETO.

WHEREAS, the City of Manvel, Texas (the “City”), created Reinvestment Zone Number Three, City of Manvel, Texas (the “Zone”), for the purposes of redevelopment of the area of the City within the Zone; and

WHEREAS, the City created the South Manvel Development Authority (the “Authority”), a local government corporation established pursuant to Chapter 431, Texas Transportation Code, delegating to it the implementation of the Zone and its Project Plan and Reinvestment Zone Financing Plan adopted in connection with the creation of the Zone (the “Plans”); and

WHEREAS, it is necessary that the Authority be authorized to issue additional contract tax increment revenue bonds to implement the Plans, the financial terms of the bonds have been negotiated on behalf of the Authority with the underwriter of the bonds, and such terms have been presented to and reviewed by the City Council;

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

Section 1. The facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct and are adopted as part of this Resolution for all purposes.

Section 2. The financial terms of the Authority’s proposed Tax Increment Contract Revenue Bonds, Series 2024, are hereby approved, and the issuance of such bonds in an amount not to exceed \$4,000,000 in principal amount for the purpose of implementing the Plans, as amended, is approved.

Section 3. The officers and employees of the City are hereby authorized and directed to execute such instruments and take such actions as are consistent with the provisions of this Resolution, and to assist the Authority in the issuance of the bonds above authorized.

Section 4. If any provision, section, subsection, sentence, clause or phrase of this Resolution, or the application of same to any person or set of circumstances is for any reason be held to be unconstitutional, void or invalid, the validity of the remaining

provisions of this Resolution shall not be affected thereby, it being the intent of the City Council in adopting this Resolution that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionally, voidness or invalidity of any other portion hereof, and all provisions of this Resolution are declared to be severable for that purpose.

Section 5. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall for the time required by law preceding this meeting, as required by the Open Meetings Law, TEX. GOV'T CODE ANN., Ch. 551; and that this meeting was open to the public as required by law at all times during which this Resolution and the subject matter thereof was discussed, considered and acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

APPROVED this _____ day of _____, 2024.

CITY OF MANVEL, TEXAS

Mayor

ATTEST:

City Secretary

RESOLUTION NO. 2024-R-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, APPROVING AN "ADVANCE FUNDING AGREEMENT FOR LOCALLY FUNDED PROJECT OFF-SYSTEM" WITH TXDOT FOR THE REPLACEMENT OF THE BRIDGE AND APPROACHES ON IOWA LANE AT THE GULF COAST WATER AUTHORITY CANAL, WITH LOCAL SHARE FOR THIS PORTION OF THE PROJECT IN THE APPROXIMATE AMOUNT OF \$87,000.00.

* * * * *

WHEREAS, federal law establishes federally funded programs for transportation improvements to implement its public purposes, and

WHEREAS, the Texas Transportation Code, Section 201.103 establishes that the State shall design, construct, and operate a system of highways in cooperation with local governments, and Section 222.052 authorizes the Texas Transportation Commission to accept contributions from political subdivisions for development and construction of public roads and the state highway system within the political subdivision, and

WHEREAS, federal and state laws require local governments to meet certain contract standards relating to the management and administration of State and federal funds, and

WHEREAS, the Texas Transportation Commission has codified 43 TAC, Rules 15.50-15.56 that describe federal, state, and local responsibilities for cost participation in highway improvement and other transportation projects, and

WHEREAS, the Texas Transportation Commission passed Minute Order Number **116073 and 116752** authorizing the State to undertake and complete a highway improvement or other transportation project generally described as **the replacement of bridge and approaches on Iowa Lane at Brazos River Authority Canal**. The portion of the project work covered by this Agreement is identified in the Agreement, Article 3, Scope of Work (Project); and

WHEREAS, the Gulf Coast Water Authority (GCWA) owns the bridge located at Iowa Lane at Brazos River Authority Canal, and the bridge is included in the currently approved off-system federal-aid Highway Bridge Replacement and Rehabilitation Program (HBRRP);

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

1. The Advanced Funding Agreement for TXDOT Project CSJ 0912-31-320 is hereby approved in substantially the same form as attached as “Exhibit A” and Mayor Davis is authorized to execute said agreement.
2. The scope of work for the Project consists of the design and construction of additional work adjacent to the GCWA bridge on Iowa Lane. The improvements include reconstructing the roadway approaches at railroad crossing US DOT 022655B, adjusting the railroad crossing signals and activation equipment, and installing a new crossing surface. The State will include the work as part of the GCWA bridge replacement project.
3. Construction costs will be allocated based on 100% Federal funding until the Federal funding reaches the maximum obligated amount. The State will then be responsible for 100% of the costs. Engineering costs will be allocated based on 100% Local Government funding. See Exhibit “B.”
4. Initial payment by the City of Manvel to the State: \$86,270.59. This payment obligation is subject to budget appropriations, with anticipated funding to come from the Capital Fund, identified as Budget Line Item 50.91.7559 Other Projects.
5. Payment by the Local Government to the State before construction: \$0
6. Estimated total payment by the Local Government to the State \$86,270.59. This is an estimate. The final amount of Local Government participation will be based on actual costs.

PASSED, APPROVED, AND RESOLVED this ____ day of _____, 2024.

Dan Davis, Mayor

ATTEST:

Tammy Bell, City Secretary

APPROVED AS TO FORM:

Robert Gervais, City Attorney

Exhibit A
Advanced Funding Agreement

Exhibit B - Costs

Description		Total Estimated Cost		Federal Participation		State Participation		Local Participation	
%		Cost		%		Cost		%	
Engineering (by the State)	\$86,270.59	0%	\$0	0%	\$0	100%	\$86,270.59		
Construction (by the State)	\$421,311.00	100%	\$421,311.00	0%	\$0	0%	\$0		
Subtotal		\$507,581.59		\$421,311.00		\$0		\$86,270.59	
Engineering Direct State Costs	\$850.00	0%	\$0	100%	\$850.00	0%	\$0		
Environmental Direct State Costs	\$50.00	0%	\$0	100%	\$50.00	0%	\$0		
Utility Direct State Costs	\$50.00	0%	\$0	100%	\$50.00	0%	\$0		
Right of Way Direct State Costs	\$50.00	0%	\$0	100%	\$50.00	0%	\$0		
Construction Direct State Costs	\$10,000.00	100%	\$10,000.00	0%	\$0	0%	\$0		
Indirect State Costs	\$20,785.11	0%	\$0	100%	\$20,785.11	0%	\$0		
TOTAL		\$539,366.70		\$431,311.00		\$21,785.11		\$86,270.59	