

THE STATE OF TEXAS §
COUNTY OF BRAZORIA §
CITY OF MANVEL §

LARRY AKERY, COUNCIL PLACE 1
LORRAINE HEHN, COUNCIL PLACE 2
NICCOLE TYSON, COUNCIL PLACE 3
ED PERRY, COUNCIL PLACE 4
JASON ALBERT, COUNCIL PLACE 5
JEROME HUDSON, COUNCIL PLACE 6



DEBRA DAVISON, MAYOR
KYLE JUNG, CITY MANAGER
TAMMY BELL, CITY SECRETARY

**NOTICE OF A CITY COUNCIL MEETING
OF THE CITY OF MANVEL
February 21, 2023**

**NOTICE IS HEREBY GIVEN
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.

Regular Session - 6:00 p.m.

Call To Order

Inspirational Reading - Council Member Albert

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 - Colorectal Cancer Awareness Month, March 2023

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 1.641 ACRE

TRACT OF LAND LOCATED AT THE SOUTHWESTERN CORNER OF STATE HIGHWAY 6 / MORRIS AVE AND BLUEWATER STREET INTERSECTION, MANVEL, TEXAS (ACROSS THE STREET FROM STARBUCKS AT 7326 BLUEWATER ST, MANVEL, TX), FROM LIGHT COMMERCIAL DISTRICT / STATE HIGHWAY 6 OVERLAY DISTRICT (LC/SH6) TO LIGHT COMMERCIAL DISTRICT/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 811192 "CAR WASHES"; 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

All Consent Agenda items listed are considered to be routine by the City Council and will be approved by one motion. There will be no separate discussion of these items unless a City Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in sequence on the Agenda.

1. Approve the second and final reading of Ordinance 2023-O-06;
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS BY AMENDING CHAPTER 17, BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDING PERMITS; AMENDING CHAPTER 17, BUILDINGS AND BUILDING REGULATIONS, ARTICLE III, TECHNICAL CODES, TO ADOPT NEW TECHNICAL CODES GOVERNING THE CONSTRUCTION OF STRUCTURES WITHIN THE CITY; ADOPTING THE INTERNATIONAL BUILDING CODE, 2021 EDITION, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., PROVIDING CERTAIN AMENDMENTS AND DELETIONS TO SAID INTERNATIONAL BUILDING CODE; ADOPTING THE INTERNATIONAL PLUMBING CODE, 2021 EDITION, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., PROVIDING CERTAIN AMENDMENTS AND DELETIONS TO SAID INTERNATIONAL PLUMBING CODE; ADOPTING THE INTERNATIONAL FUEL GAS CODE, 2021 EDITION, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., PROVIDING CERTAIN AMENDMENTS AND DELETIONS TO SAID INTERNATIONAL FUEL GAS CODE; ADOPTING THE INTERNATIONAL ENERGY CONSERVATION CODE, 2021 EDITION, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., PROVIDING CERTAIN AMENDMENTS AND DELETIONS TO SAID INTERNATIONAL ENERGY CONSERVATION CODE; ADOPTING THE INTERNATIONAL MECHANICAL CODE, 2021 EDITION, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., PROVIDING CERTAIN AMENDMENTS AND DELETIONS TO SAID INTERNATIONAL MECHANICAL CODE; ADOPTING THE INTERNATIONAL

RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS, 2021 EDITION, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., PROVIDING CERTAIN AMENDMENTS AND DELETIONS TO SAID INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS; ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2021 EDITION, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., PROVIDING CERTAIN AMENDMENTS AND DELETIONS TO SAID INTERNATIONAL PROPERTY MAINTENANCE CODE; ADOPTING THE INTERNATIONAL SWIMMING POOL AND SPA CODE, 2021 EDITION, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., PROVIDING CERTAIN AMENDMENTS AND DELETIONS TO SAID INTERNATIONAL SWIMMING POOL AND SPA CODE; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION OF ANY PROVISION HEREOF, WITH EACH DAY OF VIOLATION CONSTITUTING A SEPARATE OFFENSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

2. Approve the second and final reading of Ordinance 2023-O-07;
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS BY AMENDING CHAPTER 17, BUILDINGS AND BUILDING REGULATIONS, ARTICLE III, TECHNICAL CODES, TO ADOPT THE NATIONAL ELECTRICAL CODE, 2020 EDITION, PROVIDING CERTAIN AMENDMENTS AND DELETIONS TO SAID NATIONAL ELECTRICAL CODE; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION OF ANY PROVISION HEREOF, WITH EACH DAY OF VIOLATION CONSTITUTING A SEPARATE OFFENSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.
3. Approve the second and final reading of Ordinance 2023-O-08;
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS BY AMENDING CHAPTER 17, BUILDINGS AND BUILDING REGULATIONS, ARTICLE III, TECHNICAL CODES, BY REPEALING THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE AND SECTION 319 OF THE 2018 INTERNATIONAL FIRE CODE AND ADOPTING THE 2021 INTERNATIONAL FIRE CODE; AMENDING THE LOCAL AMENDMENTS TO THE CITY'S INTERNATIONAL FIRE CODE; PROVIDING THAT FEES ASSOCIATED WITH THE FIRE CODE SHALL BE THE FEES STATED IN THE MOST CURRENT FEE SCHEDULE RESOLUTION ADOPTED BY CITY COUNCIL; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION OF ANY PROVISION HEREOF, WITH EACH DAY OF VIOLATION CONSTITUTING A SEPARATE OFFENSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

4. Approve the meeting minutes to date.
5. Acceptance of the infrastructure improvements for Pursley Boulevard Phase 7 to begin the One-Year Maintenance Period.
6. Acceptance of the infrastructure improvements for Water and Sewer Facilities to serve Rogers Road and Wilson Drive to begin the Two-Year Maintenance Period.

Regular Agenda

1. Consideration and possible action to approve the first of two readings of Ordinance 2023-O-09;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATE 1.641 ACRE TRACT OF LAND LOCATED AT THE SOUTHWESTERN CORNER OF STATE HIGHWAY 6 / MORRIS AVE AND BLUEWATER STREET INTERSECTION, MANVEL, TEXAS (ACROSS THE STREET FROM STARBUCKS AT 7326 BLUEWATER ST, MANVEL, TX), FROM LIGHT COMMERCIAL DISTRICT / STATE HIGHWAY 6 OVERLAY DISTRICT (LC/SH6) TO LIGHT COMMERCIAL DISTRICT/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 811192 "CAR WASHES"; 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.
2. Consideration and possible action to approve a subdivision variance request for an approximate 14.13-acres of land located at 7207 Jordan Road (7207 S. Masters Rd according to BrazoriaCAD) seeking to vary Chapter 62, Section 62-111, *Additional Street Requirements* and Section 62-113, *Sidewalks*, and authorize the Mayor to execute the Development Agreement.
3. Consideration and possible action to participate in the State of Texas' subsequent settlements with litigants in opioid litigation, and authorize the City Manager to execute the following: CVS Settlement Subdivision and Release Form, Allergan Subdivision and Special District Settlement Participation Form, Walgreens Subdivision Participation Form, and the Walmart Subdivision Participation Form and any other paperwork needed to finalize the settlements.
4. Consideration and possible action to approve a third-party headhunter company for the Finance Director position and authorize the City Manager to execute the agreement.

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".

Kyle J. Jung, City Manager

Regular Agenda

5. Consideration and possible action regarding compensation and terms of employment of the City Manager.

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.

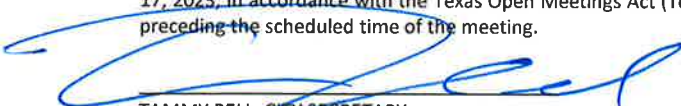
Items of community interest include:

- 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, Tammy Bell, 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 February 17, 2023, 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.


TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS

