

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

LARRY AKERY, 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
December 4, 2023**

**NOTICE IS HEREBY GIVEN
5:30 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 will continue to be a unique, vibrant, growth-managed community that will meet the needs of its citizens through the efforts of local government and civic-minded individuals by --promoting well-planned development, cost-effective professional management, and competent and responsive municipal services.”

Workshop Session 5:30 p.m.

Discussion with the Business Advisory Task Force on the role and responsibility of the board and goals heading into 2024.

Discussion on any topic as listed on the current agenda.

Regular Session – 6:00 p.m.

Call To Order

Invocation

Inspirational Reading - Councilmember Perry

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

Recognition of the JB Hensler College and Career Welding II class for welding 24-door entry rams for the Manvel Police Department.

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. Acceptance of the meeting minutes to date.
2. Approve the second and final reading of Ordinance No. 2023-O-42;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 1.5 ACRES LOCATED AT 20514 HIGHWAY 6, MANVEL, TEXAS, 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 CODE 532120 "TRUCK, UTILITY TRAILER, AND RV (RECREATIONAL VEHICLE) RENTAL AND LEASING"; 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 a favorable recommendation by PD&Z 5/1)
3. Approve the second and final reading of Ordinance No. 2023-O-43;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATE 1.10 ACRE TRACT OF LAND LOCATED AT 7050 MASTERS ROAD, MANVEL, TEXAS (NORTHWEST CORNER OF LEWIS LANE AND MASTERS ROAD INTERSECTION), FROM HIGHWAY MIXED USE DISTRICT (HMU) TO HIGHWAY MIXED USE DISTRICT WITH SPECIFIC USE PERMIT (HMU-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE CODE 6244 "CHILD DAY 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.
(Forwarded with a favorable recommendation by PD&Z 5/1)

4. Approve the second and final reading of Ordinance No. 2023-O-44;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF APPROXIMATELY 1.455 ACRES LOCATED AT 7355 MCCOY, MANVEL, TEXAS, CURRENTLY ZONED LIGHT COMMERCIAL DISTRICT/STATE HIGHWAY 6 OVERLAY DISTRICT WITH SPECIFIC USE PERMIT (LC/SH6-SUP) TO ALLOW NAICS USE 813110- "RELIGIOUS ORGANIZATION", BY EXPANDING THE LIST OF PERMITTED NAICS USES OF THE PROPERTY TO INCLUDE: COMMUNITY CENTER (YOUTH), GYMNASIUM, ADVANCE COMMUNITY EMPOWERMENT PROGRAMS, MEMORIAL ASSISTANCE MINISTRY, ALCOHOLISM COUNSELING, WIC FAMILY WELFARE SERVICES, FOOD BANK SERVICES, CHILD DAY CARE, COFFEE SHOP, GED CLASSES AND EVENT CENTER/RECEPTION HALL; PROVIDING FOR CONDITIONS TO AUTHORIZE THE ADDITIONAL USES OF THE PROPERTY AND PARKING LOT EXPANSION; 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 a favorable recommendation by PD&Z 6/0)
5. Approve the second and final reading of Ordinance No. 2023-O-45;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY CHANGING THE ZONING CLASSIFICATION OF APPROXIMATE 82.60 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF CROIX ROAD/ COUNTY ROAD 58 AND STATE HIGHWAY (SH) 288 INTERSECTION, GENERALLY BOUNDED BY SH 288 (WEST), CROIX ROAD/COUNTY ROAD 58 (NORTH), COOPER DITCH (EAST) AND DEL BELLO LAKES SUBDIVISION (SOUTH); AND LOCATED WITHIN BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 79 AND IN THE CITY OF MANVEL, FROM OPEN PLANNED UNIT DEVELOPMENT (O-PUD) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT; AND ADOPTING A PUD DOCUMENT PROVIDING FOR ZONING AND DEVELOPMENT RELATED PROVISIONS AND REQUIREMENTS; SUCH TRACTS BEING SITUATED IN THE A.C.H. & B.R.R. CO. SURVEY, ABSTRACT NO. 459, BRAZORIA COUNTY 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.

Items Removed from Consent Agenda

Regular Agenda

1. Consideration and possible action to direct staff on the Franchise Agreement for the Collecting, Hauling, Recycling, and Disposal of Municipal Solid Waste with Waste Connections of Texas, LLC.
2. Consideration and possible action to award Landmark Structures, LP the contract for Manvel Parkway Elevated Storage Tank in the amount of \$5,823,000.
3. Consideration and possible action to approve an Interlocal and Utility Capacity Agreement between the City of Manvel, Texas, and Brazoria County Municipal Utility District No. 47.

4. Consideration and possible action to approve the second and final reading of Ordinance No. 2023-O-40;

AN ORDINANCE AMENDING CHAPTER 77 "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, SAME BEING THE ZONING ORDINANCE OF THE CITY, BY AMENDING ARTICLE I. "IN GENERAL" PERTAINING TO DEFINITIONS AND PROCESS OF REZONING; BY AMENDING ARTICLE II. "DISTRICT REGULATIONS" PERTAINING TO AN EXEMPTION TO MINIMUM LOT AREA REQUIREMENT FOR NON-CONFORMING LOTS RESULTING FROM RIGHT-OF-WAY DEDICATION WITHIN OPEN-SINGLE-FAMILY RESIDENTIAL DISTRICT; AMENDING FENCE REQUIREMENTS; AND SECTIONS PERTAINING TO BUILDING MATERIAL REQUIREMENTS FOR BUILDING FACADES TO ACCURATELY REFLECT HOUSE BILL 2439, WHICH ENACTED CHAPTER 3000 OF THE TEXAS LOCAL GOVERNMENT CODE; MAKING OTHER CHANGES TO RECTIFY TYPOGRAPHIC ERRORS THROUGHOUT THE ORDINANCE; 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. (Forwarded with a favorable recommendation by PD&Z 6/0)

5. Consideration and possible action to approve Resolution 2023-R-35;
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, ADOPTING A SCHEDULE OF FEES, rates, DEPOSITS, AND OTHER CHARGES for ZONING, PLATTING, BUILDING AND OTHER RELATED MATTERS; AND REPEALING ALL RESOLUTIONS IN CONFLICT HERE WITH; AND OTHER RELATED MATTERS.

6. Consideration and possible action to approve the second and final reading of Ordinance 2023-O-46;

AN ORDINANCE GRANTING TO UNIVERSAL NATURAL GAS, LLC (d/b/a UNIVERSAL NATURAL GAS, INC.) AND ITS SUCCESSORS AND ASSIGNS, FOR A PERIOD OF TEN (10) YEARS FROM THE EFFECTIVE DATE OF THIS ORDINANCE, A NON-EXCLUSIVE FRANCHISE AND RIGHT TO ENTER THE PUBLIC RIGHTS-OF-WAY TO CONSTRUCT, INSTALL, EXTEND, REMOVE, REPLACE, ABANDON, OPERATE AND MAINTAIN A DISTRIBUTION SYSTEM WITHIN, ALONG, ACROSS, OVER AND UNDER THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF MANVEL, TEXAS

AN ORDINANCE GRANTING TO UNIVERSAL NATURAL GAS, LLC (d/b/a UNIVERSAL NATURAL GAS, INC.) AND ITS SUCCESSORS AND ASSIGNS, FOR A PERIOD OF TEN (10) YEARS FROM THE EFFECTIVE DATE OF THIS ORDINANCE, A NON-EXCLUSIVE FRANCHISE AND RIGHT TO ENTER THE PUBLIC RIGHTS-OF-WAY TO CONSTRUCT, INSTALL, EXTEND, REMOVE, REPLACE, ABANDON, OPERATE AND MAINTAIN A DISTRIBUTION SYSTEM WITHIN, ALONG, ACROSS, OVER AND UNDER THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF MANVEL, TEXAS FOR THE TRANSPORTATION, DISTRIBUTION AND/OR SALE OF GAS TO CUSTOMERS AND THE PUBLIC GENERALLY IN THE CITY; DEFINING THE WORDS AND PHRASES THEREIN; PROVIDING FOR ASSIGNMENT, SALE OR LEASE OF THE FRANCHISE; PROVIDING FOR USE AND REPAIR OF THE PUBLIC RIGHTS-OF-WAY; PROVIDING FOR REGULATION OF SERVICE; ESTABLISHING DEPTH OF PIPELINES; ESTABLISHING RIGHTS AND DUTIES IN THE MOVEMENT AND ALTERATION OF PIPELINES; PROVIDING FOR INDEMNIFICATION OF THE CITY OF MANVEL; PROVIDING FOR INSPECTION OF GRANTEE'S RECORDS; REQUIRING GRANTEE TO PAY A FRANCHISE FEE; PROVIDING FOR CONDITIONS OF THE FRANCHISE; PROVIDING FOR CONSTRUCTION OF THIS ORDINANCE UPON THE INVALIDITY OF ANY PART THEREOF; PROVIDING FOR ACCEPTANCE OF THIS FRANCHISE BY GRANTEE AND BOTH AN EFFECTIVE AND AN OPERATIVE DATE THEREOF; REPEALING ALL OTHER ORDINANCES DIRECTLY IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION AND PRESCRIBING AN EFFECTIVE DATE.

7. Consideration and possible action to approve a Sponsorship Agreement between Centric Infrastructure Group, LLC, and the City of Manvel.

8. Consideration and possible action to approve the second and final reading of Ordinance 2023-O-47;

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, CHAPTER 53. "SIGNS" BY REVISING THE REGULATIONS PERTAINING TO SIGNS WITHIN THE CITY OF MANVEL AND EXTRATERRITORIAL JURISDICTION; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00

December 4, 2023 CITY COUNCIL MEETING AGENDA

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.

9. Consideration and possible action to approve the second and final reading of Ordinance 2023-O-48;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, REORGANIZING THE ADMINISTRATIVE DEPARTMENTS OF THE CITY; APPROVING THE CITY OF MANVEL ORGANIZATIONAL CHART; PROVIDING AN EFFECTIVE DATE.
10. Consideration and possible action by the City Council to concur with the City Manager's decision to name Keith Traylor as Public Safety Director, as required by the City Charter.
11. Consideration and possible action by the City Council to concur with the City Manager's decision to name Rosa Donaire as Finance Director, as required by the City Charter.
12. Consideration and possible action by the City Council to concur with the City Manager's decision to name Chad Dumont as Personnel Director, as required by the City Charter.
13. Discussion on the following as requested by Mayor Davis;
A) Update on Staff Performance Reviews
B) Performance review process and timeline for the City Manager and City Attorney
14. Discussion / update on the Akery Lake Project (Requested by Councilmember Akery and Opliger)

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.

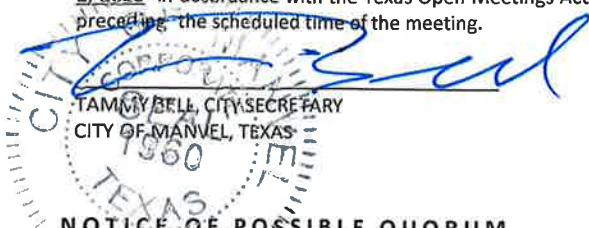
Items of community interest include:

- 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 December 1, 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.



NOTICE OF POSSIBLE QUORUM

A quorum of the Manvel Planning, Development, and Zoning Commission, and the Manvel Economic Development Corporation may be in attendance at the 12/4/2023 meeting of the Manvel City Council. If such be the case, this notice shall serve as notice of meeting pursuant to the requirements of the Texas Open Meetings Act and subsequent opinions of the Texas Attorney General's Office. There will be no official City business or action of the aforementioned bodies taken during the meeting.