



Dr. Larry Wallace Jr., Mayor
Dr. Christopher Harvey, Mayor Pro Tem, Place 3
Emily Hill, Place 1
Anne Weir, Place 2
Sonia Wallace, Place 4
Deja Hill, Place 5
Gene Kruppa, Place 6

City Council Regular Meeting

Wednesday, May 19, 2021 at 7:00 PM

Manor City Hall, Council Chambers, 105 E. Eggleston St.

AGENDA

Via Telephone/Video Conference (Zoom Meeting)

This meeting will be live streamed on Manor Facebook Live

You can access the meeting at <https://www.facebook.com/cityofmanor/>

Pursuant to Governor Greg Abbott's temporary suspension of various provisions of the Texas Open Meetings Act to allow for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in person meetings that assemble large groups of people the City Council meeting scheduled for Wednesday, May 19th, will only be open to the public via remote access.

Instructions for Public Speaking:

- *Members of the public that wish to speak during public comments, public hearing or an agenda item will need to register in advance by visiting www.cityofmanor.org where a registration link will be posted on the calendar entry for each public meeting. You will register by filling in the speaker card available for that specific meeting and submitting it to publiccomments@cityofmanor.org. Once registered, instructions will be emailed to you on how to join the videoconference by calling in. Your Speaker Card must be received two (2) hours prior to scheduled meeting.*

Upon receiving instructions to join zoom meeting the following rules will apply:

- *All speakers must address their comments to the Mayor rather than to individual Council Members or city staff. Speakers should speak clearly into their device and state their name and address prior to beginning their remarks. Speakers will be allowed three (3) minutes for testimony. Speakers making personal, impertinent, profane or slanderous remarks may be removed from the meeting.*

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

*Comments will be taken from the audience participating in zoom meeting on non-agenda related topics for a length of time, not to exceed three (3) minutes per person. Comments on specific agenda items must be made when the item comes before the Council. To address the City Council, please register and submit the speaker card following the instructions for public speaking above. **No Action May be Taken by the City Council During Public Comments.***

PUBLIC HEARING

- 1. Public Hearing: Conduct a public hearing on an ordinance rezoning 43.92 acres, more or less, out of the James Manor Survey No. 40, Abstract 546, and being located in the 9900 block of Hill Lane, Manor, TX from Single Family (SF-1) to Light Industrial (IN-1).**
Applicant: GarzaEMC
Owner: Butler Family Partnership, Ltd.
Submitted by: Scott Dunlop, Assistant Development Services Director

CONSENT AGENDA

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless requested by the Mayor or a Council Member; in which event, the item will be removed from the consent agenda and considered separately.

- 2. Consideration, discussion, and possible action to approve the City Council Minutes.**
Submitted by: Lluvia T. Almaraz, City Secretary
 - May 5, 2021, City Council Regular Meeting; and
 - May 5, 2021, City Council Workshop
- 3. Consideration, discussion, and possible action on the acceptance of the April 2021 Departmental Reports.**
Submitted by: Thomas Bolt, City Manager
 - Police – Ryan Phipps, Chief of Police
 - Development Services – Scott Dunlop, Asst. Dev. Services Director
 - Community Development – Debbie Charbonneau, Heritage and Tourism Manager
 - Municipal Court – Sarah Friberg, Court Clerk
 - Public Works – Michael Tuley, Director of Public Works
 - Finance – Lydia Collins, Director of Finance
 - Human Resources – Tracey Vasquez, HR Manager

REGULAR AGENDA

- 4. First Reading: Consideration, discussion, and possible action on an ordinance rezoning 43.92 acres, more or less, out of the James Manor Survey No. 40, Abstract 546, and being located in the 9900 block of Hill Lane, Manor, TX from Single Family (SF-1) to Light Industrial (IN-1).**
Applicant: GarzaEMC
Owner: Butler Family Partnership, Ltd.
Submitted by: Scott Dunlop, Assistant Development Services Director

5. Consideration, discussion, and possible action on a Resolution of the City of Manor, Texas, Approving and Authorizing the First Amendment to the Manor Heights Public Improvement District Reimbursement Agreement (Major Improvement Area).

Submitted by: Thomas Bolt, City Manager

6. Consideration, discussion, and possible action on a Resolution Expressing Intent to Finance Expenditures to be Incurred by the City of Manor, Texas.

Submitted by: Thomas Bolt, City Manager

EXECUTIVE SESSION

The City Council will now Convene into executive session pursuant to the provisions of Chapter 551 *Section 551.074 (Personnel Matters) Texas Government Code, to deliberate the employment of the City Manager.*

OPEN SESSION

The City Council will now reconvene into Open Session pursuant to the provisions of Chapter 551 Texas Government Code and take action, if any, on item(s) discussed during Closed Executive Session.

ADJOURNMENT

In addition to any executive session already listed above, the City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section §551.071 (Consultation with Attorney), §551.072 (Deliberations regarding Real Property), §551.073 (Deliberations regarding Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations regarding Security Devices) and §551.087 (Deliberations regarding Economic Development Negotiations).

CONFLICT OF INTEREST

In accordance with Section 12.04 (Conflict of Interest) of the City Charter, “No elected or appointed officer or employee of the city shall participate in the deliberation or decision on any issue, subject or matter before the council or any board or commission, if the officer or employee has a personal financial or property interest, direct or indirect, in the issue, subject or matter that is different from that of the public at large. An interest arising from job duties, compensation or benefits payable by the city shall not constitute a personal financial interest.”

Further, in accordance with Chapter 171, Texas Local Government Code (Chapter 171), no City Council member and no City officer may vote or participate in discussion of a matter involving a business entity or real property in which the City Council member or City officer has a substantial interest (as defined by Chapter 171) and action on the matter will have a special economic effect on the business entity or real property that is distinguishable from the effect on the general public. An affidavit disclosing the conflict of interest must be filled out and filed with the City Secretary before the matter is discussed.

POSTING CERTIFICATION

I, the undersigned authority do hereby certify that this Notice of Meeting was posted on the bulletin board, at the City Hall of the City of Manor, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: Friday, May 14, 2021, by 5:00 PM and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

/s/ Lluvia T. Almaraz, TRMC
City Secretary for the City of Manor, Texas

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS:

The City of Manor is committed to compliance with the Americans with Disabilities Act. Manor City Hall and the Council Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary at 512.272.5555 or e-mail lalmaraz@cityofmanor.org.



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: May 19, 2021
PREPARED BY: Scott Dunlop, Assistant Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Public Hearing: Conduct a public hearing on an ordinance rezoning 43.92 acres, more or less, out of the James Manor Survey No. 40, Abstract 546, and being located in the 9900 block of Hill Lane, Manor, TX from Single Family (SF-1) to Light Industrial (IN-1).

Applicant: GarzaEMC

Owner: Butler Family Partnership, Ltd.

BACKGROUND/SUMMARY:

This property is a portion in the city limits of Manor and majority in Austin’s 2-mile ETJ. It also is more than half impaired by the Gilliland Creek floodplain, so the developable area (without approved floodplain modifications) is approximately 28.50 acres. Our zoning recommends that Light Industrial areas be “along major roadways, but not directly along US Hwy 290.” On our Thoroughfare Plan, Hill Lane is proposed to be a primary collector (2 lanes at 41’ of pavement in 64’ of ROW) and there is an additional primary collector outside the city limits that would connect Hill Lane north to the intersection of Gregg Manor and Fuchs Grove. The future roadway sizing would be sufficient to handle traffic and the location meets the intent of the criteria to not front along 290 but be in close proximity.

Planning Commission voted 4-0 to approve.

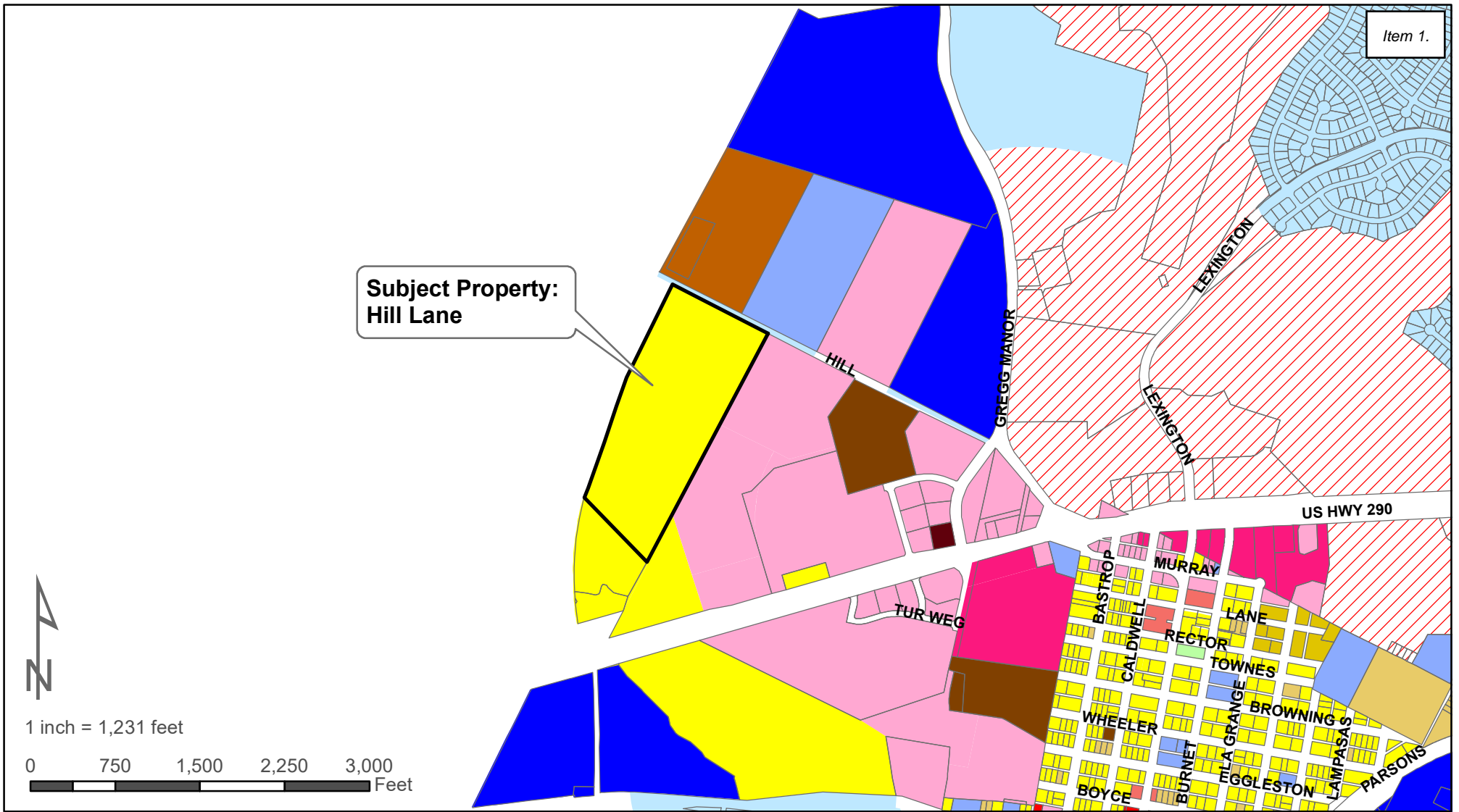
LEGAL REVIEW: Not Applicable
FISCAL IMPACT: No
PRESENTATION: No
ATTACHMENTS: Yes

- Rezoning Map
- Area Image
- Thoroughfare Map
- IN-1 Land Uses
- Notice Letter
- Mailing Labels

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council conduct the public hearing.

PLANNING & ZONING COMMISSION:	Recommend Approval	Disapproval	None
	X		

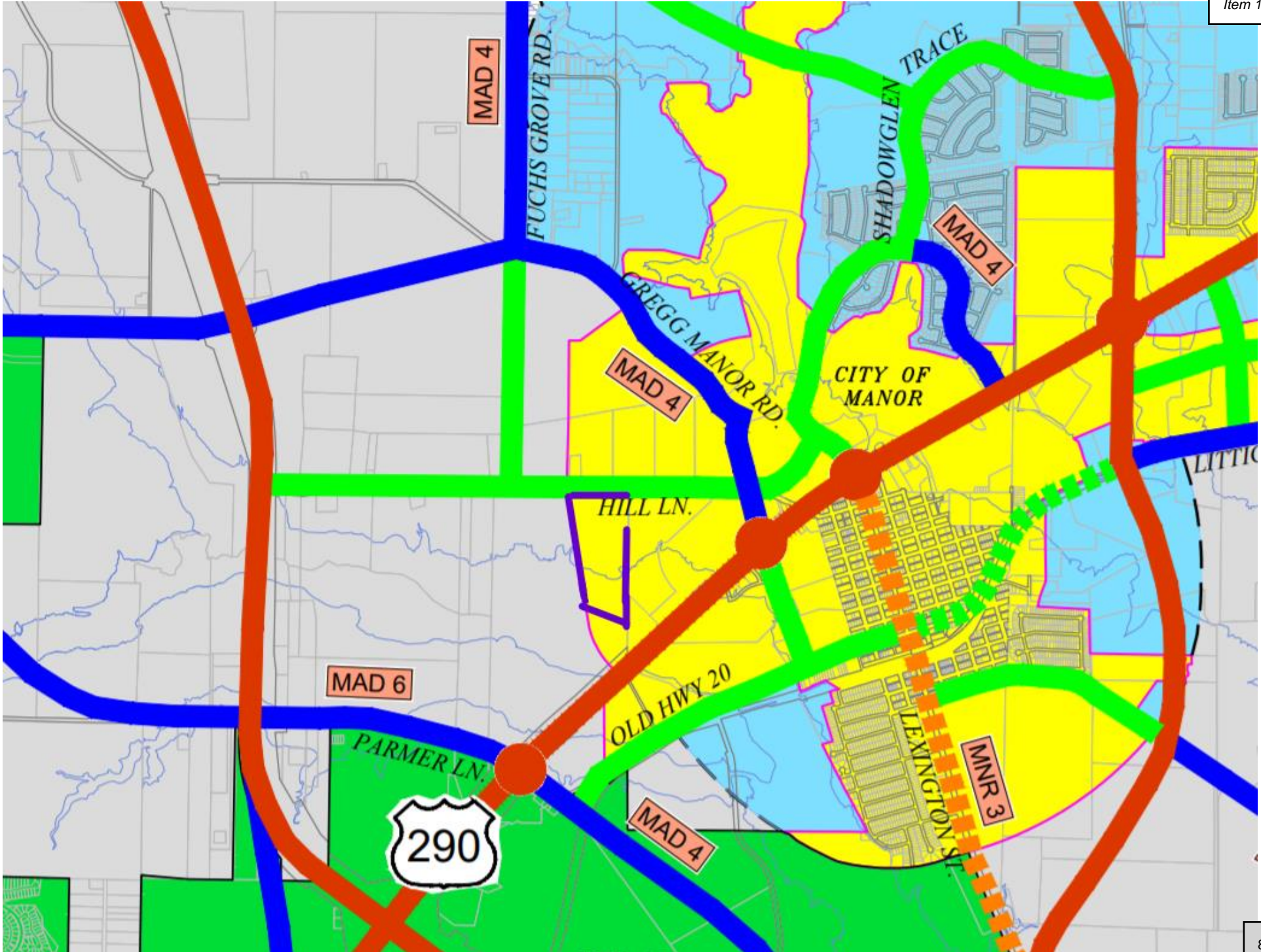


Proposed Zoning: IN-1 Light Industrial

*Current Zoning:
Single Family (SF-1)*

Zone			
	A - Agricultural		C-3 - Heavy Commercial
	SF-1 - Single Family Suburban		NB - Neighborhood Business
	SF-2 - Single Family Standard		DB - Downtown Business
	TF - Two Family		IN-1 - Light Industrial
	MF-1 - Multi-Family 15		IN-2 - Heavy Industrial
	MF-2 - Multi-Family 25		PUD - Planned Unit Development
			MH-1 - Manufactured Home
			I-1 - Institutional Small
			I-2 - Institutional Large
			GO - General Office
			C-1 - Light Commercial
			C-2 - Medium Commercial
			ETJ





(b) *Non-residential uses in non-residential and mixed-use zoning districts.*

Item 1.

EXPAND

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Adult day care		P	P					P	P		
Adult-oriented businesses									C/S	C/S	
Alcoholic beverage establishment					S	P	P	P	P		
Amusement (indoor)							C	C	C		
Amusement (outdoor)								C	C		
Antique shop					P	P	P	P	P		
Art studio or gallery		P	P		P	P	P	P	P	P	
Automobile repair (major)								C	C	C	C
Automobile repair (minor)							C	C	C	C	
Automobile sales and rental								C	C		
Automobile washing								C	C		

Item 1.

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Brewery, micro								P	P	P	P
Brewery, regional									P	P	P
Brewpub						P	P	P	P		
Business support services					P	P	P	P	P		
Campground	S	S	S								
Cemetery	S	P	P								
Child care center (intermediate)		P	P	P	P	P	P	P	P		
Child care center (large)		P	P	P	P	P	P	P	P		
Club or lodge		P	P	P	P	P	P	P	P		
Commercial off-street parking						C	C	C	C		
Communication services or facilities				P			P	P	P	P	
Construction and equipment sales (Major)									P	P	

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Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Construction and equipment sales (Minor)								P	P	P	
Construction services								C	C	C	C
Consumer repair services					P	P	P	P	P		
Contractor's shop									C	C	C
Data center				P					P	P	
Day camp	S	P	P								
Distillery, micro								P	P	P	P
Distillery, regional									P	P	P
Event center		P	P		C/S	C/S	C/S	P	P		
Financial services				C	C	C	C	C	C		
Financial services, alternative								C	C		
Florist					C	C	C	C	C		
Food court establishment								C/S	C/S	C/S	
Food preparation						C	C	C	C	C	C

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Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Food sales					C	C	C	C	C		
Funeral services		C	C		C	C	C	C	C	C	C
Game room								C/S	C/S	C/S	
Gasoline station (full-service)								C	C		
Gasoline station (limited)					C/S		C/S	C	C		
General retail sales (convenience)				P	P	P	P	P	P		
General retail sales (general)					P	P	P	P	P		
Golf course/country club	S										
Governmental facilities	P	P	P	P	P	P	P	P	P	P	P
Hospital services		P	P	P							
Hotel					C/S	C	C	C	C		
Industrial use, light									P	P	
Industrial use, heavy											P

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Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Kennel								C	C	C	
Laundry services								P	P	P	P
Laundry services (self)					P	P	P	P	P		
Liquor sales					P	P	P	P	P		
Medical clinic		P	P	P	P	P					
Metal recycling entity											C
Mini-storage warehouse								C	C	C	
Offices, government	P	P	P	P	P	P	P	P	P	P	P
Offices, medical		P	P	P	P	P					
Offices, professional		P	P	P	P	P					
Offices, showroom									P	P	
Offices, warehouse									C	C	C
Off-site accessory parking		P	P	P		P	P	P	P	P	P
Pawnshop								C/S	C/S	C/S	

Item 1.

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Personal improvement services					P	P	P	P	P		
Personal services					P	P	P	P	P		
Printing and publishing				C	C	C	C	C	C		
Product development services (general)				P					P	P	
Product development services (hazard)											P
Recreational vehicle park								C/S	C/S		
Recreational vehicle sales, service, and rental								C	C	C	
Recycling operation (indoor)										P	P
Recycling operation (outdoor)											C
Religious assembly	P	P	P	P	P	P	P	P	P	P	P

Item 1.

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Research services (general)				P					P	P	
Research services (hazard)											P
Restaurant				P	P	P	P	P	P		
Restaurant—Drive- in or drive-through							C	C	C		
School, boarding		P	P				P	P	P		
School, business or trade		P	P				P	P	P		
School, college or university		P	P					P	P		
School, private or parochial		P	P				P	P	P		
School, public		P	P				P	P	P		
Shooting range, indoor									P	P	
Smoke shop or tobacco store								P	P		
Theater							P	P	P		

Item 1.

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Transportation terminal								C	C	C	C
Truck and trailer sales and rental								C	C	C	
Truck stop									P	P	
Utility services, major			C							C	C
Utility services, minor	P	P	P	P	P	P	P	P	P	P	P
Vehicle storage facility									C	C	
Veterinary services, large								C	C		
Veterinary services, small					C	C	C	C	C		
Wireless transmission facilities (WTF), attached	C	C	C	C	C/S	C/S	C	C	C	C	C
Wireless transmission facilities (WTF) monopole	C/S	C/S	C/S	C/S			C/S	C/S	C/S	C/S	C/S

Item 1.

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Wireless transmission facilities (WTF), stealth	C	C	C	C	C/S	C/S	C	C	C	C	C
Zoo, private								P	P		



April 21, 2021

City of Manor Development Services

Notification for a Rezoning Application

Case Number: 2021-P-1323-ZO
 Case Manager: Scott Dunlop
 Contact: sdunlop@cityofmanor.org - 512-215-8262

The City of Manor Planning and Zoning Commission and City Council will be conducting regularly scheduled meetings for the purpose of considering and acting upon on a Rezoning Application for 43.92 acres in the 9900 block of Hill Lane, Manor, TX. The request will be posted on the agenda as follows:

Public Hearing: Conduct a public hearing upon a rezoning request for 43.92 acres, more or less, out of the James Manor Survey No. 40, Abstract 546, and being located in the 9900 block of Hill Lane, Manor, TX from Single Family (SF-1) to Light Industrial (IN-1).

Applicant: GarzaEMC

Owner: Butler Family Partnership, Ltd.

The Planning and Zoning Commission will meet at 6:30PM on May 12, 2021 at 105 East Eggleston Street in the City Hall Council Chambers.**

The City Council will meet at 7:00PM on May 19, 2021 at 105 East Eggleston Street in the City Hall Council Chambers.**

You are being notified because you own property within 300 feet of the property for which this Rezoning Application has been filed. Comments may be addressed to the email address or phone number above. Any communications received will be made available to the Commissioners and Council Members during the discussion of this item.

** Due to the declared Public Health Emergency related to COVID-19, at the time of this notification Planning and Zoning Commission and City Council meetings are being conducted via video conference and livestreamed on the City's Facebook page (facebook.com/cityofmanor) and the Chambers is closed to the public.

Members of the public that wish to speak during public comments, public hearing or an agenda item will need to register in advance by visiting the link below where registration information will be posted with the agenda for the public meeting. You will register by filling in the speaker card available for that specific meeting and submitting it to publiccomments@cityofmanor.org. Once registered, instructions will be emailed to you on how to join the video conference by calling in. Your Speaker Card must be received two (2) hours prior to scheduled meeting.

You may refer to the posted agendas for the May 12th Planning and Zoning Commission and May 19th City Council to see how the meeting will be conducted, whether via video conference or in-person, or by calling 512-215-8116. Agendas and speaker registration information can be found at the follow link under the date of the meeting: http://www.cityofmanor.org/page/homepage_calendar. Agendas are posted 72 hours prior to the scheduled meeting.

2020 ADELANTE LLC
300 BOWIE ST STE 106-A
AUSTIN, TX 78703-4661

ROMAN CATHOLIC DIOCESE OF
AUSTIN TEXAS
6625 HWY 290E
AUSTIN, TX 78723-1025

LAS ENTRADAS DEVELOPMENT
CORPORATION
9900 US HIGHWAY 290 E
MANOR, TX 78653-9720

TRAVIS COUNTY
PO BOX 1748
AUSTIN, TX 78767-1748

MANOR DOWNS
PO BOX 141309
AUSTIN, TX 78714-1309

BUTLER FAMILY PARTNERSHIP LTD
PO BOX 9190
AUSTIN, TX 78766-9190



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: May 19, 2021
PREPARED BY: Lluvia T. Almaraz, City Secretary
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action to approve the City Council Minutes.

- May 5, 2021, City Council Regular Meeting; and
- May 5, 2021, City Council Workshop

BACKGROUND/SUMMARY:

LEGAL REVIEW: Not Applicable
FISCAL IMPACT: Not Applicable
PRESENTATION: No
ATTACHMENTS: Yes

- May 5, 2021, City Council Regular Meeting Minutes
- May 5, 2021, City Council Workshop Minutes

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council approve the City Council Minutes of the May 5, 2021, City Council Regular Meeting; and May 5, 2021, City Council Workshop.

PLANNING & ZONING COMMISSION: **Recommend Approval** **Disapproval** **None**



**CITY COUNCIL
REGULAR SESSION MINUTES
MAY 5, 2021
Via Telephone/Video Conference
(Zoom Meeting)**

The meeting was live streamed on Manor Facebook Live beginning at 7:00 p.m.
<https://www.facebook.com/cityofmanor/>

Pursuant to Governor Greg Abbott's temporary suspension of various provisions of the Texas Open Meetings Act to allow for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in person meetings that assemble large groups of people the City Council meeting scheduled for Wednesday, May 5th, was only open to the public via remote access.

The following instructions were provided to the general public.

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Mayor Wallace advised that all votes would be conducted by a Roll Call Vote, meaning each City Council Member would be called on separately to cast their vote.

PRESENT VIA ZOOM:

Dr. Larry Wallace Jr., Mayor

COUNCIL MEMBERS:

Dr. Christopher Harvey, Mayor Pro Tem, Place 3
Emily Hill, Place 1
Anne Weir, Place 2
Sonia Wallace, Place 4
Deja Hill, Place 5
Gene Kruppa, Place 6

CITY STAFF:

Thomas Bolt, City Manager
Lluvia T. Almaraz, City Secretary
Ryan Phipps, Chief of Police
Lydia Collins, Director of Finance
Scott Dunlop, Assistant Development Services Director
Tracey Vasquez, HR Manager
Michael Pachnick, IT Tech
Veronica Rivera, Legal Counsel
Frank T. Phelan, P.E., City Engineer
Samuel D. Kiger, P.E., City Engineer
Gregory Miller, Bond Counsel
Christina Lane, Finance Counsel
Jon Snyder, PID Administrator

REGULAR SESSION – 7:00 P.M.

With a quorum of the Council Members present via video/telephone conference, the regular session of the Manor City Council was called to order by Mayor Wallace at 7:00 p.m. on Wednesday, May 5, 2021.

PLEDGE OF ALLEGIANCE

At the direction of Mayor Wallace, Council Member Kruppa, led the Pledge of Allegiance.

EVENTS/ANNOUNCEMENTS

A. Juneteenth Event, Saturday, June 19th

City Manager Bolt announced and invited everyone to attend the Juneteenth Peace Walk Event scheduled for Saturday, June 19, 2021, from 10am – 12pm, from Manor City Hall to Jennie Lane Park.

PROCLAMATIONS

A In Memory of Hunter Hartman

Mayor Wallace read a proclamation in Memory of Hunter Hartman.

B. Declaring the Month of May 2021, as “National Preservation Month”

Mayor Wallace read a proclamation declaring the Month of May 2021, as “National Preservation Month.”

C. Declaring the Month of May 2021, as “Asian/Pacific American Heritage Month”

Mayor Wallace read a proclamation declaring the Month of May 2021, as “Asian/Pacific American Heritage Month.”

D. Declaring the week of May 2 – May 8, 2021, as “Municipal Clerks Week”

Mayor Wallace read a proclamation declaring the week of May 2 – May 8, 2021, as “Municipal Clerks Week.”

E. Declaring the week of May 9 – May 15, 2021, as “Police Week”

Mayor Wallace read a proclamation declaring the week of May 9 – May 15, 2021, as “Police Week.”

PUBLIC COMMENTS

There were no public comments received prior to the meeting.

PUBLIC HEARINGS

1. **Public Hearing: Discussion on the approval of a Service and Assessment Plan for the Manor Heights Public Improvement District.**

The City staff recommended that the City Council conduct the public hearing.

Mayor Wallace opened the public hearing.

Jon Snyder with P3Works, 3901 S. Lamar Blvd., Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Christina Lane, Finance Counsel, 6805 Capital of Texas Hwy., Suite 350, Austin, Texas, submitted a speaker card; however, she did not wish to speak but was available to answer any questions posed by City Council.

Robert Rivera with FMS Bonds, Inc., 5 Cowboys Way, Frisco, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Gregory D. Miller with Bickerstaff Health Delgado Acosta, 3711 S. MoPac Expressway, Bldg. One, Suite, 300, Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Rick Rosenberg with DPF, Inc., 8140 N. MoPac Expressway, Bldg. 4, Suite 270, Austin, Texas, submitted a speaker card in support of this item; however, he did not speak.

Justin Reynolds with Forestar Group, 10700 Pecan Park Blvd., Suite 150, Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Wallace, to close the Public Hearing.

There was no discussion.

Motion to close carried 7-0

2. Public Hearing: Discussion on proposed assessments to be levied against assessable property with the Major Improvement Area, Improvement Area #1 and Improvement Area #2 of the Manor Heights Public Improvement District, pursuant to the provisions of Chapter 372 of the Texas Local Government Code.

The City staff recommended that the City Council conduct the public hearing.

Mayor Wallace opened the public hearing.

Jon Snyder with P3Works, 3901 S. Lamar Blvd., Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Christina Lane, Finance Counsel, 6805 Capital of Texas Hwy., Suite 350, Austin, Texas, submitted a speaker card; however, she did not wish to speak but was available to answer any questions posed by City Council.

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Justin Reynolds with Forestar Group, 10700 Pecan Park Blvd., Suite 150, Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

MOTION: Upon a motion made by Mayor Pro Tem Harvey and seconded by Council Member Kruppa, to close the Public Hearing.

There was no discussion.

Motion to close carried 7-0

3. Public Hearing: Discussion on the issuance of Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Major Improvement Area Project).

The City staff recommended that the City Council conduct the public hearing.

Mayor Wallace opened the public hearing.

Jon Snyder with P3Works, 3901 S. Lamar Blvd., Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Christina Lane, Finance Counsel, 6805 Capital of Texas Hwy., Suite 350, Austin, Texas, submitted a speaker card; however, she did not wish to speak but was available to answer any questions posed by City Council.

Robert Rivera with FMS Bonds, Inc., 5 Cowboys Way, Frisco, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Gregory D. Miller with Bickerstaff Health Delgado Acosta, 3711 S. MoPac Expressway, Bldg. One, Suite, 300, Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Rick Rosenberg with DPF, Inc., 8140 N. MoPac Expressway, Bldg. 4, Suite 270, Austin, Texas, submitted a speaker card in support of this item; however, he did not speak.

Justin Reynolds with Forestar Group, 10700 Pecan Park Blvd., Suite 150, Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Weir, to close the Public Hearing.

There was no discussion.

Motion to close carried 7-0

4. Public Hearing: Discussion on the issuance of Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Improvement Area #1-2 Project).

The City staff recommended that the City Council conduct the public hearing.

Mayor Wallace opened the public hearing.

Jon Snyder with P3Works, 3901 S. Lamar Blvd., Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Christina Lane, Finance Counsel, 6805 Capital of Texas Hwy., Suite 350, Austin, Texas, submitted a speaker card; however, she did not wish to speak but was available to answer any questions posed by City Council.

Robert Rivera with FMS Bonds, Inc., 5 Cowboys Way, Frisco, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Gregory D. Miller with Bickerstaff Health Delgado Acosta, 3711 S. MoPac Expressway, Bldg. One, Suite, 300, Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Rick Rosenberg with DPF, Inc., 8140 N. MoPac Expressway, Bldg. 4, Suite 270, Austin, Texas, submitted a speaker card in support of this item; however, he did not speak.

Justin Reynolds with Forestar Group, 10700 Pecan Park Blvd., Suite 150, Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Weir, to close the Public Hearing.

There was no discussion.

Motion to close carried 7-0

CONSENT AGENDA

5. Consideration, discussion, and possible action to approve the City Council Minutes.

- **April 21, 2021, City Council Regular Meeting; and**
- **April 27, 2021, 2020, City Council Called Special Session**

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Kruppa, to approve and adopt all items on the Consent Agenda.

There was no discussion.

Motion to approve carried 7-0

REGULAR AGENDA

6. Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 2.13 acres, more or less, Lot 4, Bluebonnet Business Park, Section One, and being located at 15721 US Hwy 290 E from Agricultural (A) to Heavy Commercial (C-3). Applicant: Keepers Land Planning Owner: Lisa Nehring

The City staff recommended that the City Council approve the second and final reading of Ordinance No. 608 rezoning 2.13 acres, more or less, Lot4, Bluebonnet Business Park, Section One, and being located at 15721 US Hwy 290E. from Agriculture (A) to Medium commercial (C-2).

Ordinance No. 608: An Ordinance of the City of Manor, Texas, Amending the Zoning Ordinance by Rezoning a Parcel of Land From Agriculture (A) to Medium Commercial (C-2); Making Findings of Fact; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Wallace, to approve the second and final reading of Ordinance No. 608 rezoning 2.13 acres, more or less, Lot 4, Bluebonnet Business Park, Section One, and being located at 15721 US Hwy 290E. from Agriculture (A) to Medium Commercial (C-2).

There was no further discussion.

Motion to approve carried 7-0

7. Consideration, discussion, and possible action on a Resolution of the City of Manor, Texas Approving and Authorizing the First Amendment to the Manor Heights Public Improvement District Reimbursement Agreement (Improvement Area #1 and Improvement Area #2).

The City staff recommended that the City Council approve Resolution No. 2021-11 approving and authorizing the First Amendment to the Manor Heights public Improvement District Reimbursement Agreement (Improvement Area#1 and Improvement Area #2).

At the direction of City Manager Bolt, City Attorney Rivera discussed the Resolution and revisions on the Reimbursement Agreement – Amendment Section 1. Increase in Reimbursement Obligations. Notwithstanding anything to the contrary contained in Section 5 of the Reimbursement Agreement, the “Improvement Area #1 Reimbursement Obligation” shall be in an amount not to exceed **\$3,735,156.00** and the “Improvement Area #2 Reimbursement Obligation” shall be in an amount not to exceed **\$3,569,844.00**. She asked for motion to include revised amounts.

Jon Snyder, PID Administrator discussed the revisions on the interest rates for the bond.

Christina Lane, Finance Counsel, 6805 Capital of Texas Hwy., Suite 350, Austin, Texas, submitted a speaker card; however, she did not wish to speak but was available to answer any questions posed by City Council.

Robert Rivera with FMS Bonds, Inc., 5 Cowboys Way, Frisco, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Gregory D. Miller with Bickerstaff Health Delgado Acosta, 3711 S. MoPac Expressway, Bldg. One, Suite, 300, Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Rick Rosenberg with DPGF, Inc., 8140 N. MoPac Expressway, Bldg. 4, Suite 270, Austin, Texas, submitted a speaker card in support of this item; however, he did not speak.

Talley Williams with Metcalfe Wolff Stuart & Williams, LLC, 221 W. 6th Street, Suite 1300., Austin, Texas, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer any questions posed by City Council.

Resolution No. 2021-11: A Resolution of the City of Manor, Texas Approving and Authorizing the First Amendment to the Manor Heights Public Improvement District Reimbursement Agreement (Improvement Area #1 And Improvement Area #2).

MOTION: Upon a motion made by Council Member Kruppa and seconded by Mayor Pro Tem Harvey, to approve Resolution No. 2021-11 approving and authorizing the First Amendment to the Manor Heights public Improvement District Reimbursement Agreement (Improvement Area#1 and Improvement Area #2) with revised amounts provided by City Attorney Rivera.

There was no further discussion.

Motion to approve carried 7-0

8. Consideration, discussion, and possible action on an Ordinance of the City of Manor, Texas Making a Finding of Special Benefit to the Property in the Manor Heights Public Improvement District; Providing for the Method of Assessment of Special Assessments Against Property in the District; Approving Assessment Rolls for the District; Levying Assessments Against Property Within the District; Providing for Payment of the Assessments; Providing for Penalties and Interest on Delinquent Assessments; Establishing a Lien on Property Within the District; Approving a Service and Assessment Plan; Providing for Related Matters in Accordance with Chapter 372, Texas Local Government Code; Providing an Effective Date; and Providing for Severability.

The City staff recommended that the City Council approve Ordinance No. 609 Making a Finding of Special Benefit to the Property in the Manor Heights PID; Providing for the Method of Assessment of Special Assessments Against Property in the District; Approving Assessment Rolls for the District; Levying Assessments Against Property Within the District; Providing for Payment of the Assessments; Providing for Penalties and Interest on Delinquent Assessments; Establishing a Lien on Property Within the District; Approving a Service and Assessment Plan; Providing for Related Matters.

Jon Snyder, PID Administrator, discussed the new improvements and assessments for the Manor Heights PID. He asked for the motion to include the revision to the proposed assessment roll to the amounts reflected in the current assessment roll.

Christina Lane, Finance Counsel, 6805 Capital of Texas Hwy., Suite 350, Austin, Texas, submitted a speaker card; however, she did not wish to speak but was available to answer any questions posed by City Council.

Robert Rivera with FMS Bonds, Inc., 5 Cowboys Way, Frisco, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Gregory D. Miller with Bickerstaff Health Delgado Acosta, 3711 S. MoPac Expressway, Bldg. One, Suite, 300, Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Rick Rosenberg with DPF, Inc., 8140 N. MoPac Expressway, Bldg. 4, Suite 270, Austin, Texas, submitted a speaker card in support of this item; however, he did not speak.

Talley Williams with Metcalfe Wolff Stuart & Williams, LLC, 221 W. 6th Street, Suite 1300., Austin, Texas, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer any questions posed by City Council.

Ordinance No. 609: An Ordinance of the City of Manor, Texas Making a Finding of Special Benefit to the Property in the Manor Heights Public Improvement District; Providing for the Method of Assessment of Special Assessments Against Property in the District; Approving Assessment Rolls for the District; Levying Assessments Against Property Within the District; Providing for Payment of the Assessments; Providing for Penalties and Interest on Delinquent Assessments; Establishing a Lien on Property Within the District; Approving a Service and Assessment Plan; Providing for Related Matters in Accordance With Chapter 372, Texas Local Government Code; Providing an Effective Date; and Providing for Severability.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Mayor Pro Tem Harvey, to approve Ordinance No. 609 Making a Finding of Special Benefit to the Property in the Manor Heights PID; Providing for the Method of Assessment of Special Assessments Against Property in the District; Approving the new Assessment Rolls for the District; Levying Assessments Against Property Within the District; Providing for Payment of the Assessments; Providing for Penalties and Interest on Delinquent Assessments; Establishing a Lien on Property Within the District; Approving a Service and Assessment Plan; Providing for Related Matters in Accordance With Chapter 372, Texas Local Government Code; Providing an Effective Date; and Providing for Severability.

The discussion was held regarding the clarification of the assessment fee.

There was no further discussion.

Motion to approve carried 7-0

- 9. Consideration, discussion, and possible action on an Ordinance Authorizing the Issuance of the City of Manor, Texas Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Major Improvement Area Project); Approving and Authorizing an Indenture of Trust, a Bond Purchase Agreement, a Limited Offering Memorandum, a Continuing Disclosure Agreement, and Other Agreements and Documents in Connection Therewith; Making Findings with Respect to the Issuance of Such Bonds; Providing an Effective Date.**

The City staff recommended that the City Council approve Ordinance No. 610 Authorizing the Issuance of the City of Manor, Texas Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Major Improvement Area Project); Approving and Authorizing an Indenture of Trust, a Bond Purchase Agreement, a Limited Offering Memorandum, a Continuing Disclosure Agreement, and Other Agreements and Documents in Connection Therewith; and other related matters.

Jon Snyder, PID Administrator, discussed Item No. 9 and Item No. 10.

At the direction of Jon Snyder, Finance Advisor Christina Lane, discussed the Economic Development impact for the new development of the Manor Heights PID for Item 9 and Item 10.

At the direction of Jon Snyder, Bond Counsel Tripp Davenport discussed the new bond rates for Item 9 and Item 10.

Robert Rivera with FMS Bonds, Inc., 5 Cowboys Way, Frisco, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Gregory D. Miller with Bickerstaff Health Delgado Acosta, 3711 S. MoPac Expressway, Bldg. One, Suite, 300, Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Rick Rosenberg with DPF, Inc., 8140 N. MoPac Expressway, Bldg. 4, Suite 270, Austin, Texas, submitted a speaker card in support of this item; however, he did not speak.

Talley Williams with Metcalfe Wolff Stuart & Williams, LLC, 221 W. 6th Street, Suite 1300., Austin, Texas, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer any questions posed by City Council.

Ordinance No. 610: An Ordinance Authorizing the Issuance of the City of Manor, Texas Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Major Improvement Area Project); Approving and Authorizing an Indenture of Trust, a Bond Purchase Agreement, a Limited Offering Memorandum, a Continuing Disclosure Agreement, and Other Agreements and Documents in Connection Therewith; Making Findings with Respect to the Issuance of Such Bonds; Providing an Effective Date.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Weir, to approve Ordinance No. 610 Authorizing the Issuance of the City of Manor, Texas Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Major Improvement Area Project); Approving and Authorizing an Indenture of Trust, a Bond Purchase Agreement, a Limited Offering Memorandum, a Continuing Disclosure Agreement, and Other Agreements and Documents in Connection Therewith; Making Findings with Respect to the Issuance of Such Bonds; Providing an Effective Date.

The discussion was held regarding the clarification on the developers' names and project name.

There was no further discussion.

Motion to approve carried 7-0

10. Consideration, discussion, and possible action on an Ordinance Authorizing the Issuance of the City of Manor, Texas Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Improvement Area #1-2 Project); Approving and Authorizing an Indenture of Trust, a Bond Purchase Agreement, a Limited Offering Memorandum, a Continuing Disclosure Agreement, and Other Agreements and Documents in Connection Therewith; Making Findings with Respect to the Issuance of Such Bonds; Providing an Effective Date.

The City staff recommended that the City Council approve Ordinance No. 611 Authorizing the Issuance of the City of Manor, Texas Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Improvement Area #1-2 Project); Approving and Authorizing an Indenture of Trust, a Bond Purchase Agreement, a Limited Offering Memorandum, a Continuing Disclosure Agreement, and Other Agreements and Documents in Connection Therewith; and other related matters.

Robert Rivera with FMS Bonds, Inc., 5 Cowboys Way, Frisco, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Gregory D. Miller with Bickerstaff Health Delgado Acosta, 3711 S. MoPac Expressway, Bldg. One, Suite, 300, Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Rick Rosenberg with DPF, Inc., 8140 N. MoPac Expressway, Bldg. 4, Suite 270, Austin, Texas, submitted a speaker card in support of this item; however, he did not speak.

Talley Williams with Metcalfe Wolff Stuart & Williams, LLC, 221 W. 6th Street, Suite 1300., Austin, Texas, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer any questions posed by City Council.

Ordinance No. 611: An Ordinance Authorizing the Issuance of the City of Manor, Texas Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Improvement Area #1-2 Project); Approving and Authorizing an Indenture of Trust, a Bond Purchase Agreement, a Limited Offering Memorandum, a Continuing Disclosure Agreement, and Other Agreements and Documents in Connection Therewith; Making Findings With Respect to the Issuance of Such Bonds; Providing an Effective Date.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Wallace, to approve Ordinance No. 611 Authorizing the Issuance of the City of Manor, Texas Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Improvement Area #1-2 Project); Approving and Authorizing an Indenture of Trust, a Bond Purchase Agreement, a Limited Offering Memorandum, a Continuing Disclosure Agreement, and Other Agreements and Documents in Connection Therewith; Making Findings with Respect to the Issuance of Such Bonds; Providing an Effective Date.

The discussion was held regarding the clarification on the developers' names and project name.

There was no further discussion.

Motion to approve carried 7-0

11. Consideration, discussion, and possible action on a Resolution finding that Oncor Electric Delivery Company LLC's application for approval of a distribution cost recovery factor pursuant to Texas Administrative Code 23.243 to increase distribution rates within the city should be denied.

The City staff recommended that the City Council approve Resolution No. 2021-12 to deny the Oncor Electric Delivery Company LLC's application for approval of a distribution cost recovery factor pursuant to Texas Administrative Code 23.243 to increase distribution rates within the city.

City Manager Bolt discussed the proposed resolution.

Armando Perez with Oncor, 350 Texas Avenue, Round Rock, Texas, spoke in regard to the proposed resolution and explained the denial request for the increase distribution rates within the city.

Mr. Perez discussed the rates increase for Manor residents.

Mayor Wallace thanked Mr. Perez for assisting the city during the winter storm.

Resolution No. 2021-12: A Resolution of the City Council of the City of Manor, Texas Finding that Oncor Electric Delivery Company LLC's ('Oncor" Or" Company") Application for Approval of a Distribution Cost Recovery Factor Pursuant to Tex. Admin. Code 23.243 to Increase Distribution Rates Within the City Should be Denied; Requiring Notice of This Resolution to the Company; Finding That the Meeting at Which This Resolution is Passed was Noticed and is Open to the Public as Required by Law.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Emily Hill, to approve Resolution No. 2021-12 denying the Oncor Electric Delivery Company LLC's application for approval of a distribution cost recovery factor pursuant to Texas Administrative Code 23.243 to increase distribution rates within the city.

There was no further discussion.

Motion to approve carried 7-0

12. Consideration, discussion, and possible action on a Water Tower Lease and License Agreement with Cellco Partnership d/b/a Verizon Wireless.

The City staff recommended that the City Council approve a Water Tower Lease and License Agreement with Cellco Partnership d/b/a Verizon Wireless.

Asst. Development Services Director Dunlop discussed the proposed Lease and License Agreement.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Mayor Pro Tem Harvey, to approve a Water Tower Lease and License Agreement with Cellco Partnership d/b/a Verizon Wireless.

There was no further discussion.

Motion to approve carried 7-0

13. Consideration, discussion, and possible action on a change order to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements project.

The City staff recommended that the City Council approve Change Order no. 6 to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvement project with Excel Construction services, LLC in the amount of \$13,321.00.

City Engineer Phelan discussed the proposed change order.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Mayor Pro Tem Harvey, to approve Change Order no. 6 to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvement project with Excel Construction services, LLC in the amount of \$13,321.00.

The discussion was held regarding warranty on the project.

There was no further discussion.

Motion to approve carried 7-0

14. Consideration, discussion, and possible action on a Construction Contract for the East US 290 Waterline CIP W-17 in the amount of \$660,821.35.

The City staff recommended that the City Council approve and award the Construction Contract to Atlas Construction, Corporation for the East US 290 Waterline CIP W-17 in the amount of \$660,821.35.

City Engineer Kiger discussed the proposed construction contract.

MOTION: Upon a motion made by Mayor Pro Tem Harvey and seconded by Council Member Wallace, to approve and award the Construction Contract to Atlas Construction, Corporation for the East US 290 Waterline CIP W-17 in the amount of \$660,821.35.

There was no further discussion.

Motion to approve carried 7-0

15. Consideration, discussion, and possible action on a Construction Contract for the Cottonwood Creek Wastewater Collection System Improvements in the amount of \$2,973,557.00.

The City staff recommended that the City Council approve and award the Construction Contract to D Guerra Construction, LLC., for the Cottonwood Creek Wastewater Collection System Improvements in the amount of \$2,973,557.00.

City Engineer Kiger discussed the proposed construction contract.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Mayor Pro Tem Harvey, to approve and award the Construction Contract to D Guerra Construction, LLC., for the Cottonwood Creek Wastewater Collection System Improvements in the amount of \$2,973,557.00.

There was no further discussion.

Motion to approve carried 7-0

ADJOURNMENT

The Regular Session of the Manor City Council Adjourned at 8:20 p.m. on Wednesday, May 5, 2021.

These minutes approved by the Manor City Council on the 19th day of May 2021.

APPROVED:

Dr. Larry Wallace Jr.
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

Draft Minutes



**CITY COUNCIL
WORKSHOP MINUTES
MAY 5, 2021**

THIS WORKSHOP WAS FOR REVIEW AND DISCUSSION ONLY; NO ACTION WAS TAKEN

PRESENT:

Dr. Larry Wallace Jr., Mayor

COUNCIL MEMBERS:

Dr. Christopher Harvey, Mayor Pro Tem, Place 3
Emily Hill, Place 1
Anne Weir, Place 2
Sonia Wallace, Place 4 (Absent)
Deja Hill, Place 5
Gene Kruppa, Place 6 (Absent)

CITY STAFF:

Thomas Bolt, City Manager
Lluvia T. Almaraz, City Secretary
Lydia Collins, Director of Finance
Scott Dunlop, Assistant Development Services Director
Ryan Phipps, Chief of Police
Michael Tuley, Director of Public Works
Debbie Charbonneau, Heritage & Tourism Manager
Tracey Vasquez, HR Manager

WORKSHOP SESSION – 9:00 A.M.

With a quorum of the Council Members present, the workshop session of the Manor City Council was called to order by Mayor Wallace at 11:11 a.m. on Wednesday, May 5, 2021, at Casa Garcia’s, 12700 Lexington St.#100, Manor, Texas.

PUBLIC COMMENTS

No one appeared at this time.

- **Discussion of Policies and Procedures for City Council and Administration.**

The discussion was held regarding the following:

- Communication with staff and Council regarding city's policy and procedures.
- Communication with staff and Council regarding city's new development and process.
- Communication with staff and Council regarding upcoming projects and/or events.
- Legal procedure process requirements for agreements/contracts and other related agenda topics.
- City Hall and Council communication with the community.
- Leadership Communication
- Manor's Growth
- Team Building
- Evaluation process for City Manager
- Economic Development
- Grant Process
- New city positions and time management

ADJOURNMENT

The Workshop Session of the Manor City Council Adjourned at 1:15 p.m. on Wednesday, May 5, 2021.

These minutes approved by the Manor City Council on the 19th day of May 2021.

APPROVED:

Dr. Larry Wallace Jr.
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: May 19, 2021
PREPARED BY: Thomas Bolt, City Manager
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on the acceptance of the April 2021 Departmental Reports.

BACKGROUND/SUMMARY:

- Police – Ryan Phipps, Chief of Police
- Development Services – Scott Dunlop, Assistant Development Services Director
- Community Development – Debbie Charbonneau, Heritage and Tourism Manager
- Municipal Court – Sarah Friberg, Court Clerk
- Public Works – Michael Tuley, Director of Public Works
- Finance – Lydia Collins, Director of Finance
- Human Resources – Tracey Vasquez, HR Manager

LEGAL REVIEW: Not Applicable

FISCAL IMPACT: Not Applicable

PRESENTATION: No

ATTACHMENTS: Yes

- April 2021 Department Monthly Reports

STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council approve and accept the April 2021 Departmental Reports.

PLANNING & ZONING COMMISSION: **Recommend Approval** **Disapproval** **None**



Manor Police Department

Monthly Council Report

Ryan S. Phipps - Chief of Police

Date of Meeting: 5/19/2021

April 2021

Activity	Reported Month	Same month Prior year	Percentage difference	
Calls for Service	1283	1875	31.5↓	Patrol Car Rental
Average CFS per day	42.7	62.5	31.6↓	
Open Cases	21	30	30↓	YTD \$8,033
Charges Filed	26	25	4↑	
Alarm Responses	38	35	8.5↑	
Drug Cases	6	3	100↑	
Family Violence	11	12	8.3↓	
Arrests Fel/Misd	18 Fel/8 Misd	15Fel/10Misd	20Fel↑/20 Misd↓	
Animal Control	15	4	275↑	
Traffic Accidents	37	30	23.3↑	
Vehicle Impounds	22	23	4.34↓	
DWI Arrests	6	6	No Change	
Traffic Violations	264	7	3671↑	
Ordinance Violations	19	21	9.52↓	
Victim Services cases	20	30	33.3↓	
Total victims served	11	27	59.2↓	
Laboratory Submissions	9	4	125↑	

Notes:

DEVELOPMENT SERVICES DEPARTMENT REPORT
PROJECT VALUATION AND FEE REPORT

April 1-30, 2021

Description	Projects	Valuation	Fees	Detail
Commercial Electrical	2	\$5,000.00	\$152.00	
Commercial Sign	4	\$37,789.00	\$1,632.66	
Residential Deck/Patio	1	\$4,000.00	\$167.00	
Residential Driveway	1	\$1,000.00	\$99.00	
Residential Electric	10	\$210,426.55	\$963.00	
Residential Fence	1	\$6,000.00	\$107.00	
Residential Foundation Repair	2	\$3,273.00	\$194.00	
Residential Irrigation	43	\$100,682.10	\$4,601.00	
Residential Mechanical-HVAC	4	\$30,803.00	\$107.00	
Residential New	38	\$10,738,625.96	\$299,258.60	
Residential Remodel/Repair	1	\$0.00	\$0.00	
Residential Plumbing	3	\$20,000.00	\$107.00	
Residential Swimming Pool/Spa	2	\$144,271.00	\$924.00	
Right of Way	1	\$0.00	\$302.00	
Temporary Sign	3	\$408.00	\$136.00	
Totals	116	\$11,302,278.61	\$308,750.26	

Total Certificate of Occupancies Issued: 52

Total Inspections(Comm & Res): 1,236

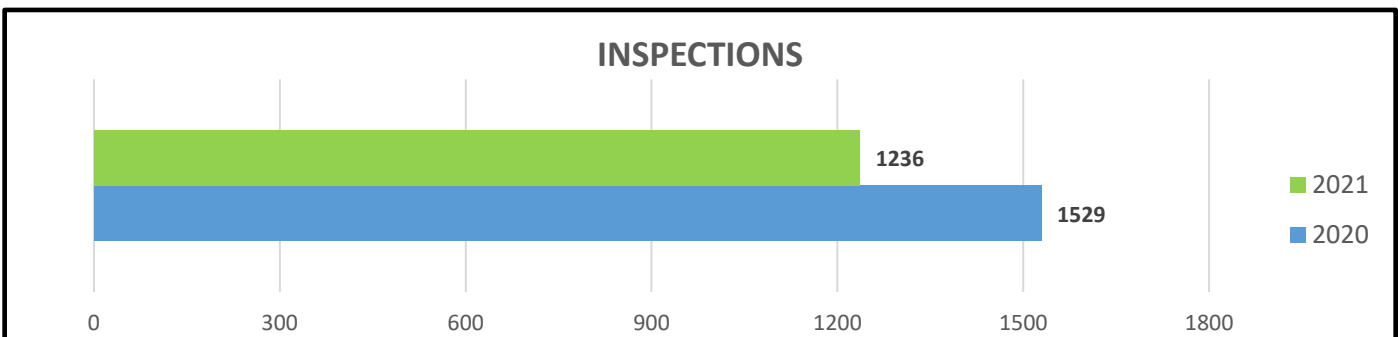
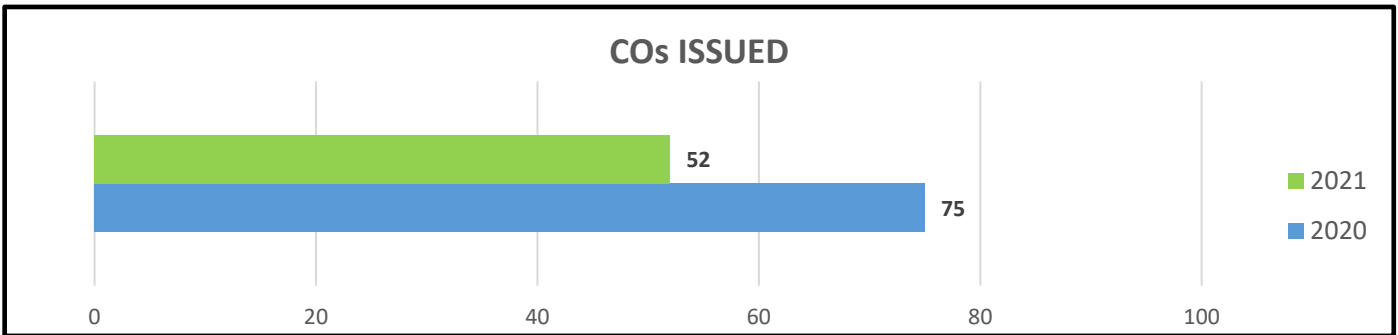
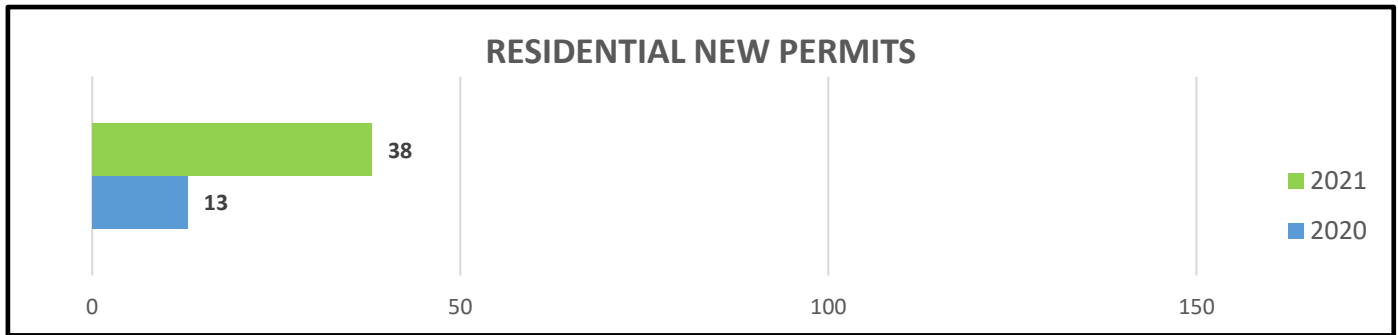
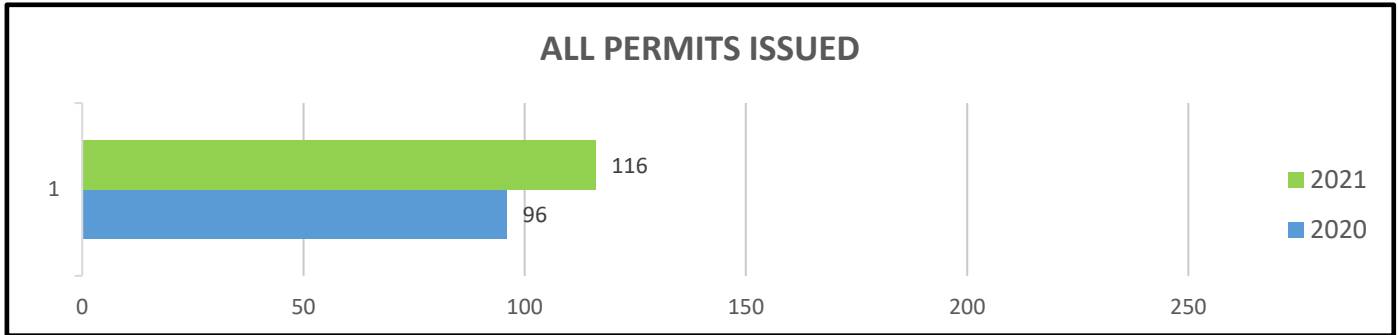
Tom Bolt, City Manager





April 2021

DEPARTMENT OF DEVELOPMENT SERVICES
THOMAS BOLT, DIRECTOR



*Charts displayed at different scales



MEMO

To: Mayor and City Council Members
From: Debbie Charbonneau, Heritage & Tourism Manager
Date: May 19, 2021
RE: April 2021 & May 2021

COMMUNITY MEETINGS

Chamber of Commerce April Board of Directors Meeting (ZOOM)
Chamber of Commerce April Meeting (ZOOM)
Chamber of Commerce May Board of Directors Meeting (ZOOM)
Chamber of Commerce May Meeting (ZOOM)

BUSINESS CONTACTS/VISITS

I made twenty-four (20) business contacts/visits for the months of March and April.
Attended the Ribbon Cutting for Modisett & Sons – April 28, 2021.

EVENTS

Leadership Manor Class Weekly Meeting (ZOOM) – Wednesday, April 7, 2021.
Leadership Manor Class Weekly Meeting (ZOOM) – Wednesday, April 14, 2021.
Leadership Manor Class Weekly Meeting (ZOOM) – Wednesday, April 21, 2021.
Leadership Manor Class Weekly Meeting (ZOOM) – Wednesday, May 5, 2021.

Leadership Manor MISD Day – In person – Wednesday, April 14, 2021 – The agenda for the day was:

Welcome	Dr. Andre D. Spencer, Superintendent
Education Overview	Brandon Powell, Principal
Manor High School Tour	Brandon Powell, Principal
Office of Equity and Innovation	Dr. Tajah Gross, Chief of Equity & Innovation
Finance Department Overview	Melinda Gildart, Chief Financial Officer
Lunch	Provided by MHS
Police Department Overview	Christopher Sexton, Chief of Police
MISD Education Foundation	Geovanna Ricaldi, MEF Director & Board Member Lucy Cochrane, MEF Board President



MEMO

Manor Schoolhouse Foundation Becky Lott, Director of Partnerships/Wellness & Manor Schoolhouse Foundation
 Closing Remarks Wayne Williams, Assistant Principal

Leadership Manor State Day – In person – Wednesday, May 19, 2021.

Leadership Manor Graduation – Graduation was held at Libation Station on Wednesday, May 12, 2021. The class had a fantastic year even with a and were able to complete their class project. The class is encouraged to become involved with their community by serving on City boards, commissions or committees, other community volunteer opportunities, volunteer at events and create an Alumni Association. Thank you to everyone who attended the graduation.

“Spring Fling” – The event was held from March 20, 2021 through April 17, 2021. The participating businesses were – Libation Station, Golden Beijing, Duett’s Tire and Service, Texas Traditional Barbecue, Café 290, Maxine’s Gumbo House, I’Waynes Caribbean Kitchen and Manor Party Rental. There were two prizes given and the winners were David Mikeska and Tabby Darilek. Thank you for shopping and dining small and local!

“Summer Fun” – This is the new event for the month of July and will run the same was as the popular “Spring Fling.” Watch for more information.

MANORPALOOZA 2022 – MAY 6 & 7, 2022

The Friends of Manor Parks Board of Directors have been meeting and planning the event.

INDEPENDENCE DAY CELEBRATION

The event has been scheduled. It will be on Sunday, July 4, 2021 from 7:00pm – 10:00pm in the parking lot of Manor Senior High School. Music will be provided by PDA and the fireworks show will be by USG. More information will follow.

OTHER DUTIES

CivStart Bi-Weekly ZOOM Meetings – These meetings are attended by the CivStart team, Tom Bolt, Mayor Wallace, Councilwoman Anne Weir, Scott Dunlop, Lydia Collins, Heath Ferguson, Matt Cody and myself.



MEMO

CivStart is a nonprofit accelerator for government technology startups dedicated to creating an honest and inclusive ecosystem for innovative solutions to the more pressing problems faced by state and local governments.

CivStart Meeting – April 5, 2021 – CivStart scheduled the meeting to keep them updated about our progress with Qwally. These will be twice a month meetings.

Qwally Meeting – April 5, 2021 – We are meeting weekly as we go through the three-month pilot program on our project. Once the three-month trial period is over and the project is ready to go live, there will be a presentation to the Mayor and City Council as what the future plans will be.

Qwally Meeting – April 19, 2021 – Weekly meeting and update.

CivStart Meeting – April 19, 2021 – Bi-weekly meeting to provide update and progress.

Qwally Meeting – April 26, 2021 – Weekly meeting and update.

Qwally Meeting – May 3, 2021 – Weekly meeting and update.

CivStart Meeting – May 3, 2021 – Weekly meeting and update.

Qwally Meeting – May 10, 2021 – Weekly meeting and update.

City Council Meeting (ZOOM) – Attended the City Council meeting on Wednesday, April 21, 2021.

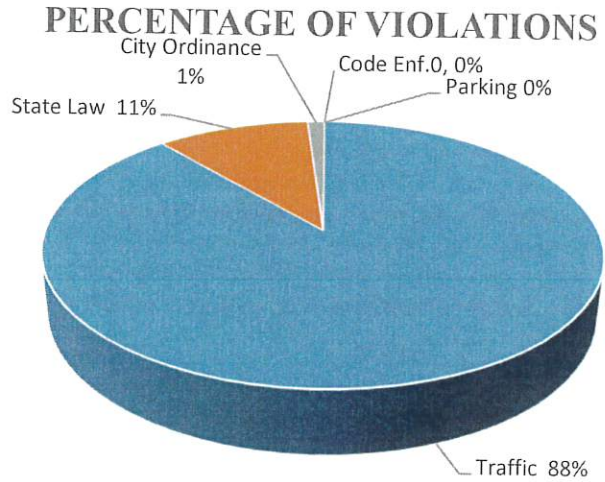
City Council Meeting (ZOOM) – Attended the City Council meeting on Wednesday, May 19, 2021.

Texas Downtown Association Resource Team – Downtown Assessment for Liberty Hill – (In Person)– Wednesday, April 21, 2021. I was part of the resource team to provide a downtown assessment to the City Manager and staff.

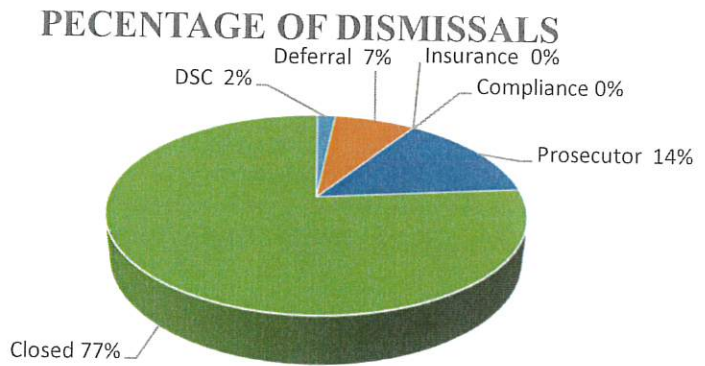
City of Manor Municipal Court

APRIL 2021

Violations Filed	Apr-21	Apr-20
Traffic	76	11
State Law	9	19
City Ordinance	1	10
Code Enforcement	0	0
Parking	0	0
Total	86	40



Dismissals	Apr-21	Apr-20
DSC	4	16
Deferral	18	35
Insurance	0	0
Compliance	0	2
Prosecutor	35	16
Closed	187	125
Total	244	194



Warrants	Apr-21	Apr-20
Arrest Warrants	0	0
Capias Pro Fine	0	0
Total	0	0



Money Collected in April 2021

Kept By City	\$28,899.48
Kept By State	\$10,240.30
Total	\$39,139.78

Money Collected in April 2020

Kept By City	\$23,208.31
Kept By State	\$8,326.77
Total	\$31,535.08



MEMO

To: Mayor and City Council Members
From: Mike Tuley, Director of Public Works
Date: May 12, 2021
RE: April Monthly Report

Public Works Department

Street and Public, Parks, and Maintenance Department

In the month of April, the Public Parks and Maintenance Department mowed all city facilities, alleys, and right of ways. They cleaned and maintained all city's facilities and parks. They performed all maintenance on city vehicles and heavy equipment and the Street Department repaired streets, curbs and signs.

Water and Wastewater Department

In April, the Water Department performed daily maintenance on the water system, repaired water mains, set water meters and tested the water daily and the Wastewater Department performed daily maintenance on the wastewater plant. They cleaned and unstopped wastewater mains.

Water Production & Purchase

In the month of April, 51% of the water we supplied to our residents was from our wells, and we purchased 49% from EPCOR and Manville WSC.

Subdivision Inspections

- Street Inspections- 19
- Water Inspections- 4
- Wastewater Inspections- 8

CITY OF MANOR
CAPITAL PROJECT STATUS REPORT

PROJECT NAME	PROJECT DESCRIPTION	MONTHLY ACTIVITY	PERCENT CONSTRUCTION COMPLETE/PHASE
Wilbarger Creek Wastewater Treatment and Collection System Improvements, Phase 1	Wilbarger WWTP, Onsite LS, Public Works Bldg.	Public works building is occupied, startup of the grit pump/classifier and hydrmulch this week, punch list walk through on Thursday, VFDs for sludge pumps 5 weeks out, filter canopy structural steel not available	98%
Wilbarger Creek Wastewater Treatment and Collection System Improvements, Phase 2	Creekside Lift Station improvements, Carrie Manor Lift Station	Creekside lift station genset installed, tested and started up Carrie Manor lift station manholes under construction	50%
2017 Water Distribution System Improvements	12" water transmission main along Gregg Lane, FM973 and Tower Road	Scope of work substantially complete, project closeout items remain	100%
2020 Cap Metro Paving Improvements	Paving improvements on Burnet, Rector and Townes Streets	Construction contract awarded, Notice to Proceed issued, preconstruction conference conducted, construction commenced May 5th	5%
Park Bathroom	Public restroom for Timmerman Park	Project bidding this month	Bidding Phase
Cottonwood Creek Wastewater Treatment Plant	200,000 GPD wastewater treatment plant and lift station	PVC water and wastewater lines installed, backfilling of culverts complete, headwalls partially installed, lift station excavation completed	18%
Cottonwood Creek Wastewater Improvements Project	Gravity wastewater lines and lift station to serve Cottonwood Creek Basin and Cottonwood Creek Tributary Basin	Construction contract awarded, Notice of Award Issued, contract documents coordination ongoing, preconstruction conference scheduled for next week	Award Phase

US 290 Water Line	12" water line extension from Presidential Glen along US 290 to past Kimbro Road	Construction contract awarded, Notice of Award Issued, contract documents coordination ongoing, preconstruction conference scheduled for next week	Award Phase
FM 973 Water and Wastewater Lines	12" water line and 12"/15" gravity wastewater line in FM 973	Preliminary design complete, Right of Entry forms secured for design survey.	Design Phase
Bastrop/Parsons Gravity Main	12" gravity wastewater main	Construction of line in Bastrop underway, utility adjustments in Parson pending	20%
CIP W-15 FM973 WL	12" Water Line from downtown to Manor Commons area	Surveying completed, final design under way	Design
Pavement Management Program	Pavement Assessment and Management Program	Mapping of roadway network in GIS complete, scheduling field data acquisition	Data Collection

Streets and Parks Monthly Report April 2021

Daily Duties and Projects 4-1-2021 / 4-30-2021

- Street Maintenance paved sunk spot on Murchison St.
- Street Maintenance patched potholes on Carrie Manor St, Browning St, Sun Crest Rd, S. Burnet, Bois D Arc, Johnson RD, Greg Manor Rd, N Caldwell, Abrahamson, S San Marcos St.
- Street Maintenance crack sealed Navasota St.
- Street Maintenance replaced No outlet & street name signs at E. Browning St. , N LaGrange St, E Eggleston St, E Brenham St, S Burnet St., Constellation St.
- Trimmed trees in ROW at Greenbury subdivision behind homes.
- Street Maintenance asphalt repair water cut on Wheeler St.
- Street Maintenance Stop sign repair at Jamie Sr & Cummins Way, Mizzen St, Max St, Carriage Hills, Pecan Hill, Ring Dr, Bella Parkway, Constellation.
- Street Maintenance Placed 6 Purple Heart signs at city limits into Manor.
- Street Maintenance placed 3 Veteran Parking signs City Hall, Public works, PD.
- Street Maintenance Hamilton Point Park prepping for sidewalk to playscape.
- Jennie Lane Park, Art Park, Timmerman Park, Greenbury Park added granite rock to granite areas.
- Irrigation repairs @ Timmermann Park.
- Weekly irrigation checks.
- Play ground and play scape monthly safety checks.
- Scheduled weekly Park mowing maintenance completed.
- Friday Afternoons Bulk Drop Off for city residence.
- Scheduled weekly Park rounds @ park facilities completed.
- Scheduled weekly (ROW) Right of Way mowing completed.
- Weekly vehicle & equipment checks and maintenance.

Inspections/Warranties/New subdivision Walkthroughs and Pre-Construction meetings.

Presidential Heights Phase 3 – homes are still being built.

Presidential Heights Phase 3- 2-year walkthrough has been done, contractor in process of repairs.

Presidential Heights Phase 5 – Homes are being built.

Stonewater North Phase 2- Homes are being built.

Stonewater North Phase 3-1-year Walkthrough has been done, contractor in process of repairs.

Lagos Phase 2- Contractor in development process.

Manor Commons- phase 1- 1year walkthrough has been done, contractor in process of repairs.

Manor Commons – phase 1- homes are still being built.

Manor Commons Apartments – still in building process.

Ring Drive – 2-year walkthrough and repairs completed.

Manor Heights – Phase I Sec. 1&2 Contractor in development process.

Manor heights Phase I Sec. 1 homes are being built.

Manor Heights – Phase II Sec. 1 Contractor in development process.

Grass Dale Manor Apartment - is in building process.

Manor Grand Apartments - is in building process.

Prose Manor Commons Apartments – is in development process and building process.

Dairy Queen – Contractor in development and building process.

Manor Commons wastewater and water improvements in process.

Logos Phase 4 and 5 in development process.

Water Monthly Report April 2021

For the month of April, the Water Department had 22 service calls, 6 repair jobs, 10 maintenance jobs and 4 inspections.

Service calls include: Low water pressure calls, meter leaks, line locates, brown water calls, disconnect water services, and connected water services.

Repairs

307 East Wheeler - repaired 2" water break by FZ,CD,AM 4-5-21.

204 Smith Ln - repaired a 1" water main break used a 1x6 full circle repair clamp by FZ,CD,JB 4-15-21.

11506 Liberty St. - replaced a broken curb stop by CD,AM 4-16-21.

12905 Samuel Adams - repaired a 1" service line break replaced a 5 ft section of 1" poly service by JB,DD 4-23-21.

Lagrange and Wheeler SE corner empty lot - repaired a 1" service line break by DD,AM 4-28-21.

Hwy 290 Lexington on the SW corner - repaired leak on fire hydrant break away flange by DD 4-5-21.

Maintenance

5311 Gilbert ln - ordered 5 - 150 lb. cl2 bottles from Brenntag for clear well by JT 4-5-21.

5311 Gilbert ln - 5 cl2 bottles were delivered to clear well by Brenntag by JT 4-7-21.

13200 Constellation - locate utilities on northwest side on constellation Dr. all the way to 13512 Constellation Dr. for Midway Boring company Contact Landon Williams (940) 442-9848.

Greenbury Dr. and Maxa to Constellation dr.-locate utilities for Midway Boring company from Greenbury Dr. to Constellation Dr. Contact Landon Williams (940) 442-9848.

100 East Carrie Manor-locate utilities on an empty lot for customer by JT 4-7-21.

Data Flow - went all to wells and lift station locations to reset the antennas to face new base at 547 Llano St for Scada system by JT 4-8-21.

Aqua Tech lab - dropped first set of 5 bac t samples off to lab samples passed by DD 4-12-21.

Aqua Tech lab - dropped second set of 5 bac t samples off to lab samples passed by DD 4-19-21.

Greg Ln(TCU)Telemetry control unit on SCADA at EPCOR water tie in -received transmitter fault alarm found AMC002 card was bad replaced with spare one and sent off AMC002 card off for repair by JT 4-20-21.

5311 Gilbert Rd at Clearwell - changed out cl2 bottle number 150 lbs. cl2 by RM,AM 4-22-21.

Inspections

Stonewater North Phase 2 - 2-year warranty inspection - informed contractor and that the blue reflector marking fire hydrant at 11813 Riprap drive was missing and that all water valves need to be painted blue will re-inspect once job is completed by JT4-20-21.

Presidential Heights Phase 6 -construction start up meeting with JL Gray,Pauline Gray by JT,JZ 4-21-21.

Presidential Heights Phase 6-set a temporary fire hydrant meter on North end of George Mason St. for JL Gray construction meter id -1214526 reading-59329 by JB,DD 4-21-21.

Ring Drive at Manor Commons Apts.- flushed main and collect bac T sample by JT,DD 4-28-21.

Wastewater Monthly Report April 2021

For the month of April, the Wastewater Department had 8 service calls, 4 repair jobs, 9 maintenance jobs and 8 inspections.

Service Calls

12613 Carillon Way - marked work area in white paint and called for locates to repair wastewater service where city side meets customer side by DD 4-1-21.

210 West Burton - sewer clog - jetted clog and cleared service notified customer by DD,JB 4-5-21.

17213 Hamilton Point-sewer clog-jetted city service and cleared line notified customer by RM 4-13-21.

12908 Carillon Way - sewer clog - no clog on city side - customer stated they had smelled sewer smell also checked customers outside clean out it was also clear, notified customer by DD,JB 4-19-21.

Parsons and Bastrop to Wheeler - locate utilities for Guerrera Construction they are replacing wastewater main ON Bastrop St. from Parsons to Wheeler by JT 4-22-21.

101 S. Lockhart - landlord wanted customer side of service line located notified customer that city can locate wastewater service from main to clean out by JB 4-26-21.

12001 Bastrop - sewer clog - clog was on customer side of service line notified customer by JB 4-26-27.

16825 Jaron Dr. - sewer clog - city side clean out was clear customer side clean out was holding water notified customer clog was on customer side of service by CD 4-27-2.

Repairs

Presidential Glen Lift Station - Pump number 1 tripped out Pulled pump number 1 cleared rags from pump, pump back in operation by RM,JB 4-9-21.

12613 Carillon Way -repaired wastewater water service line where city side meets customer and installed new cleanout by FZ,CD,AM 4-9-21.

17213 Hamilton Point - repaired wastewater service line where city side meets customer and set new cleanout cap and lid by JT,AM 4-20-21.

429 West Parsons Las Entradas Lift Station - replaced motor on hydrogen peroxide pump by JT 4-20-21.

Maintenance

13200 Constellation - locate utilities on northwest side on constellation

Dr. all the way to 13512 Constellation Dr. for Midway Boring Company contact

Landon Williams (940) 442-9848.

Greenbury Dr. and Maxa to Constellation Dr.-locate utilities for Midway Boring company from Greenbury Dr. to Constellation Dr. Contact Landon Williams (940) 442-9848.

100 East Carrie Manor-locate utilities on an empty lot for customer by JT 4-7-21.

WWTP- ordered 1900 gallons of sodium hypochlorite for Wilbarger plant by RM 4-9-21.

Carrie Manor and Bastrop St. - Shut off pumps at Wildhorse creek lift station so we could exercise 10" valves for high pressure wastewater main both valves are operating good 31 turns shut off and on by JB,AM 4-20-21.

WWTP-ordered 4800 gallons of alum for Wilbarger plant to be delivered 4-23-21 by RM 4-19-21.

Burnet to Caldwell between Eggleston and Parsons - hydro jet wastewater main for maintenance wastewater transport will camera main on 4-22-21 by JB,DD 4-21-11.

Burnet to Caldwell between Eggleston and Parsons- Wastewater transport ran camera thru wastewater main determined main needs to be replaced from Burnet to Caldwell main is old Cla Pipe by JT 4-22-21.

547 Llano St. Wilbarger Plant - ordered 6 filters from Filters INC. for blowers for Thickener part number CYLM5-0475EX-P-US by JT 4-22-21.

Inspections

ShadowGlen Section 27 - pulled mandrels with JL Gray construction by DD 4-1-21.

ShadowGlen Section 22 - pulled mandrels with JL Gray construction by DD 4-1-21.

429 West Parsons to Bastrop St. - Guerra underground construction began replacing 8" wastewater main with 12" main by JT 4-6-21.

ShadowGlen Phase 2 Section 22- pressure tested high service wastewater main by JT 4-7-21.

Manor Commons lots 12A/12B - pulled mandrels all passed by DD 4-12-21.

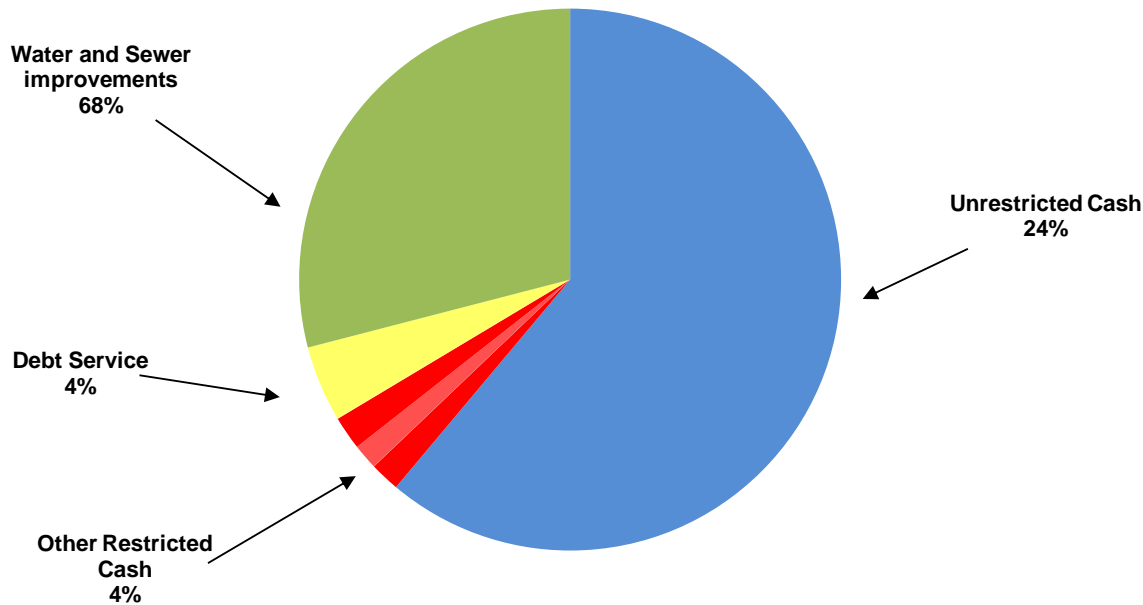
429 West Parsons to Bastrop St. - Shut las Entradas lift station down so Guerra Underground construction could tie into to manhole at 412 West Parsons St. then turn lift station back on after tie in had been made by JT,DD 4-15-21.

Stonewater North Phase 2 - 2-year warranty inspection all is good by JT 4-20-21.

Presidential Heights Phase 6 - start up meeting with JL Gray construction and Pauline Gray by JT,LZ 4-21-21.

**CITY OF MANOR, TEXAS
CASH AND INVESTMENTS
As Of April, 2021**

CASH AND INVESTMENTS	GENERAL FUND	UTILITY FUND	DEBT SERVICE FUND	SPECIAL REVENUE FUNDS	CAPITAL PROJECTS FUND	TOTAL
Unrestricted:						
Cash for operations	\$12,846,406	\$ 8,789,671			\$ -	\$ 21,636,078
Restricted:						
Tourism				626,754		626,754
Court security and technology	6,924					6,924
Rose Hill PID				532,474		532,474
Customer Deposits		710,630				710,630
Park	8,933					8,933
Debt service			1,601,664			1,601,664
Capital Projects						
Water and sewer improvements		29		10,279,458		10,279,487
TOTAL CASH AND INVESTMENTS	\$12,862,263	\$ 9,500,330	\$ 1,601,664	\$ 11,438,686	\$ -	\$ 35,402,943



Overview of funds:
 \$128,067.51 sales tax collected
 GF is in a favorable status.
 UF is in a favorable status
 DSF is in a favorable status
 CIP Fund is in a favorable status



MEMO

To: Mayor and City Council Members
 From: Tracey Vasquez, Human Resources Manager
 Date: May 19, 2021
 RE: **Update: City Manager's Evaluation/Appraisal Process**

April 2021

Met with Mayor and City Council individually via phone, Zoom, and in-person for concerns and suggestions regarding updating and revamping the City Manager's evaluation process.

April 22- Met with the Mayor, Mayor Pro-tem, and City Manager, via Zoom, to review suggestions and examples of evaluation/appraisal process.

Attached:

- Assessment of the Evaluation/Appraisal Process
- Ratings System

Goals:

May- June 2021

1.) Meet with the Mayor and Council regarding pertinent areas for evaluation.

Example:

- "Economic Vitality"
- "Adaptive City Government"
- "City Council Relationships"
- "Environmental Stewardship"

2.) Establish a format for the evaluation form.

Assessment of the Evaluation/Appraisal Process

City of Manor

1st FISCAL QUARTER	2nd FISCAL QUARTER	3rd FISCAL QUARTER	4th FISCAL QUARTER
October	January	April-May	July
Completed appraisal is signed by Mayor and City Manager	State of the City address	Re-assess goals, objectives, and performance	City Manager Self Assessment
Determine compensation and/or contract renewal (if applicable)			Lead staff evaluates City Manager's performance (360)
Sign completed contract (if applicable)			August
November-December			Self assesment and Lead evaluation results are provided to the City Council
City Council and City Manager set goals and objectives for upcoming fiscal year			City Council receive the City Manager's Appraisal Packet
			September
			City Council evaluates the City Manager
			City Council and City Manager review and discuss results

The following pages define significant areas of responsibility for the City Manager position. In each section, examples of performance and responsibility are articulated to better explain each subject head. Please rate the Manager's performance based on the following categories:

Rating	Performance	Definition
6	Outstanding Far exceeds all expectations	Generally applies to the top 1% of <u>all</u> employees in the workplace. This person's overall skills and abilities greatly exceed all expectations of the position. Demonstrates strong expertise within key areas of responsibilities. Consistently outstanding results beyond the scope of the performance plan over the entire period. Anticipates the City's needs and executes plans flawlessly.
5	Excellent Exceeds all expectations	Generally applies to the top 5-10% of <u>all</u> employees in the workplace. This person's overall skills and abilities greatly exceed the expectations of the position. Demonstrates strong expertise within key areas of responsibilities. Occasionally receives outstanding results beyond the scope of the performance plan in some key areas of responsibility over entire performance period.
4	Very Good Meets all expectations	Generally applies to the next 20-25% of employees. Occasionally exceeds performance expectations of the position. Performed the most difficult parts of the job competently and thoroughly. Contributed significant results on their own initiative. Worked with a high level of independence, initiative, and concern for the quality of the work or service produced for the City.
3	Good Meets all Expectations	Generally applies to 40-50% of employees. Met <u>all</u> expectations of the position and is competent in the performance of responsibilities.
2	Fair Meets most Expectations	Generally applies to 20%. Often failed to meet performance expectations of the position. Performance was generally adequate, but is deficient in one or more key areas and will require additional training or assistance to fully achieve expectations.
1	Poor Fails to meet most expectations	Generally applies to the bottom 4% of employees. Performance was well below expectations in most areas of responsibility. Serious performance deficiencies that inhibit adequate performance in the position. Employee should be evaluated for continuation of current position, demotion, or termination of employment.
0	Unsatisfactory Fails to meet all expectations	Generally applies to the bottom 1% of employees. Performance was well below expectations in all areas of responsibility. Serious performance deficiencies that prohibit adequate performance in the position. Employees should be evaluated for continuation of current position, demotion, or termination of employment.



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: May 19, 2021
PREPARED BY: Scott Dunlop, Assistant Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

First Reading: Consideration, discussion, and possible action on an ordinance rezoning 43.92 acres, more or less, out of the James Manor Survey No. 40, Abstract 546, and being located in the 9900 block of Hill Lane, Manor, TX from Single Family (SF-1) to Light Industrial (IN-1).

Applicant: GarzaEMC

Owner: Butler Family Partnership, Ltd.

BACKGROUND/SUMMARY:

This property is a portion in the city limits of Manor and majority in Austin’s 2-mile ETJ. It also is more than half impaired by the Gilliland Creek floodplain, so the developable area (without approved floodplain modifications) is approximately 28.50 acres. Our zoning recommends that Light Industrial areas be “along major roadways, but not directly along US Hwy 290.” On our Thoroughfare Plan, Hill Lane is proposed to be a primary collector (2 lanes at 41’ of pavement in 64’ of ROW) and there is an additional primary collector outside the city limits that would connect Hill Lane north to the intersection of Gregg Manor and Fuchs Grove. The future roadway sizing would be sufficient to handle traffic and the location meets the intent of the criteria to not front along 290 but be in close proximity.

Planning Commission voted 4-0 to approve.

LEGAL REVIEW: Not Applicable
FISCAL IMPACT: No
PRESENTATION: No
ATTACHMENTS: Yes

- Ordinance
- Letter of Intent
- Rezoning Map
- Area Image
- Thoroughfare map
- IN-1 Land Uses

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council approve the first reading of an ordinance rezoning 43.92 acres, more or less, out of the James Manor Survey No. 40, Abstract 546, and being located in the 9900 block of Hill Lane, Manor, TX from Single Family (SF-1) to Light Industrial (IN-1).

PLANNING & ZONING COMMISSION:	Recommend Approval	Disapproval	None
	X		

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM SINGLE FAMILY SUBURBAN (SF-1) TO LIGHT INDUSTRIAL (IN-1); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the owner of the property described hereinafter (the "Property") has requested that the Property be rezoned;

WHEREAS, after giving ten days written notice to the owners of land within three hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

WHEREAS, after publishing notice of the public at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, THAT:

SECTION 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. Amendment of Ordinance. City of Manor Code of Ordinances Chapter 14 Zoning Ordinance ("Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

SECTION 3. Rezoned Property. The Zoning Ordinance is hereby amended by changing the zoning district for the land and parcel of property described in Exhibit "A" (the "Property"), from the current zoning district Single Family Suburban (SF-1) to zoning district Light Industrial (IN-1). The Property is accordingly hereby rezoned to Light Industrial (IN-1).

SECTION 4. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Texas Gov't. Code.

PASSED AND APPROVED FIRST READING on this the 19th day of May 2021.

PASSED AND APPROVED SECOND AND FINAL READING on this the ___ day of June 2021.

THE CITY OF MANOR, TEXAS

Dr. Larry Wallace Jr.,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

EXHIBIT "A"

Property Legal Description:



April 16, 2021

City of Manor
Development services
105 E. Eggleston Street
Manor, Texas 77865

Re: Hill Lane Rezoning Request
TCAD Property ID 912584

Dear Sir or Madam,

On behalf of our Client, GarzaEMC is submitting this rezoning request on the referenced property.

The property referenced above that falls within the City of Manor Full Purpose Jurisdiction is requested to be rezoned from Single Family Residential – 1 (R-1) to Light Industrial (I-1).

The zoning applicable to the property currently does not provide for a reasonable use due to size of the property, site restraints, and the adjacent development and zoning. Through discussions with City of Manor Development Services Staff it has been advised that Light Industrial (I-1) would provide a better zoning match for the development that is proposed for this site.

With the above consideration, the proposed zoning fits in better with the area as the area is currently zoned mostly commercial or within the City of Austin ETJ where there are no zoning restrictions, and all known proposed developments are commercial uses. Commercial and Light Industrial share some of the same uses so even though there are no properties in the immediate area zoned industrial the zoning still fits within the same realm of uses and therefore will not change the character of the area.

Sincerely,

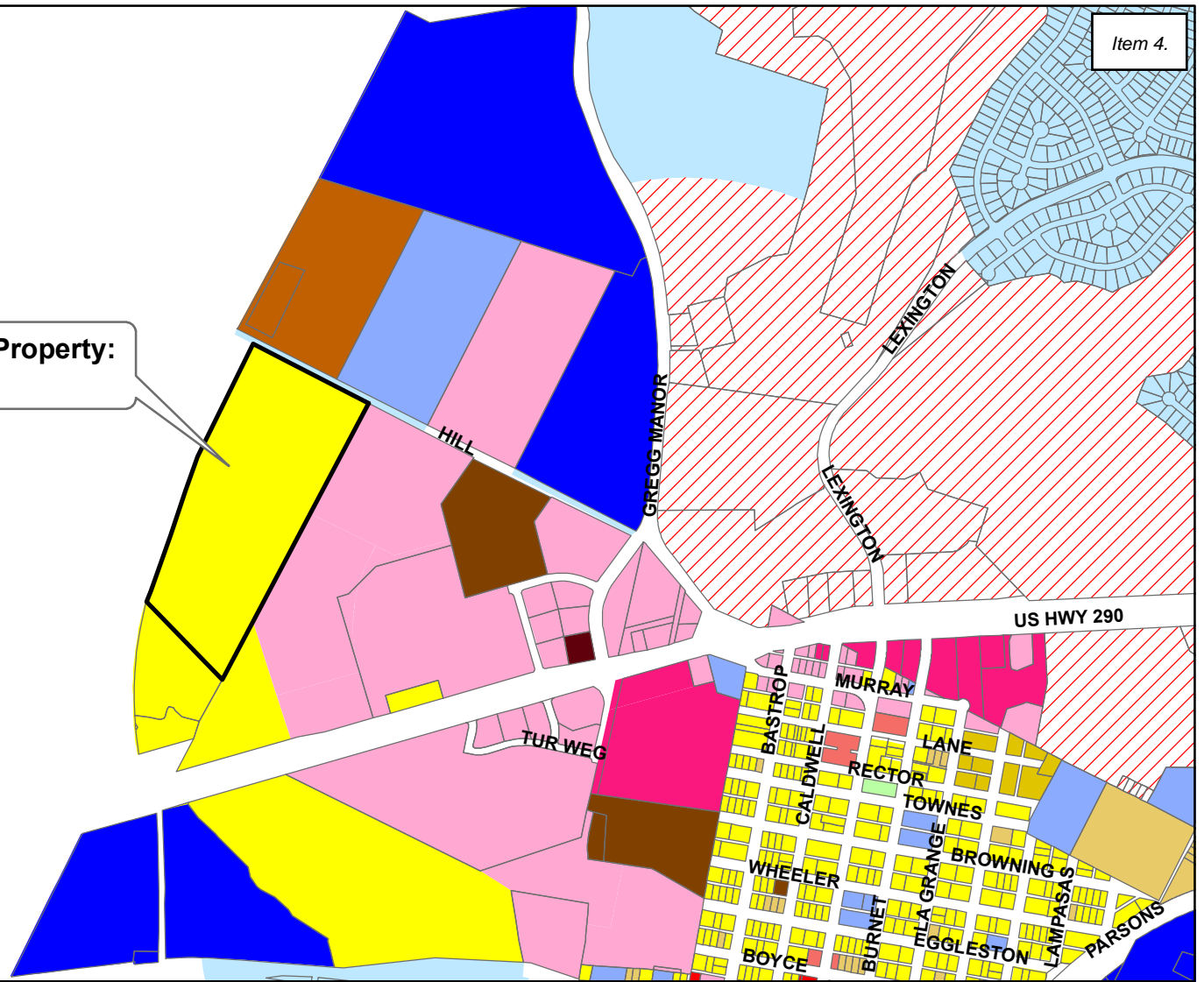
A handwritten signature in blue ink that reads 'B Todd'.

Brandon Todd for
Jonathan McKee
Vice President
GarzaEMC, LLC

Subject Property:
Hill Lane



1 inch = 1,231 feet

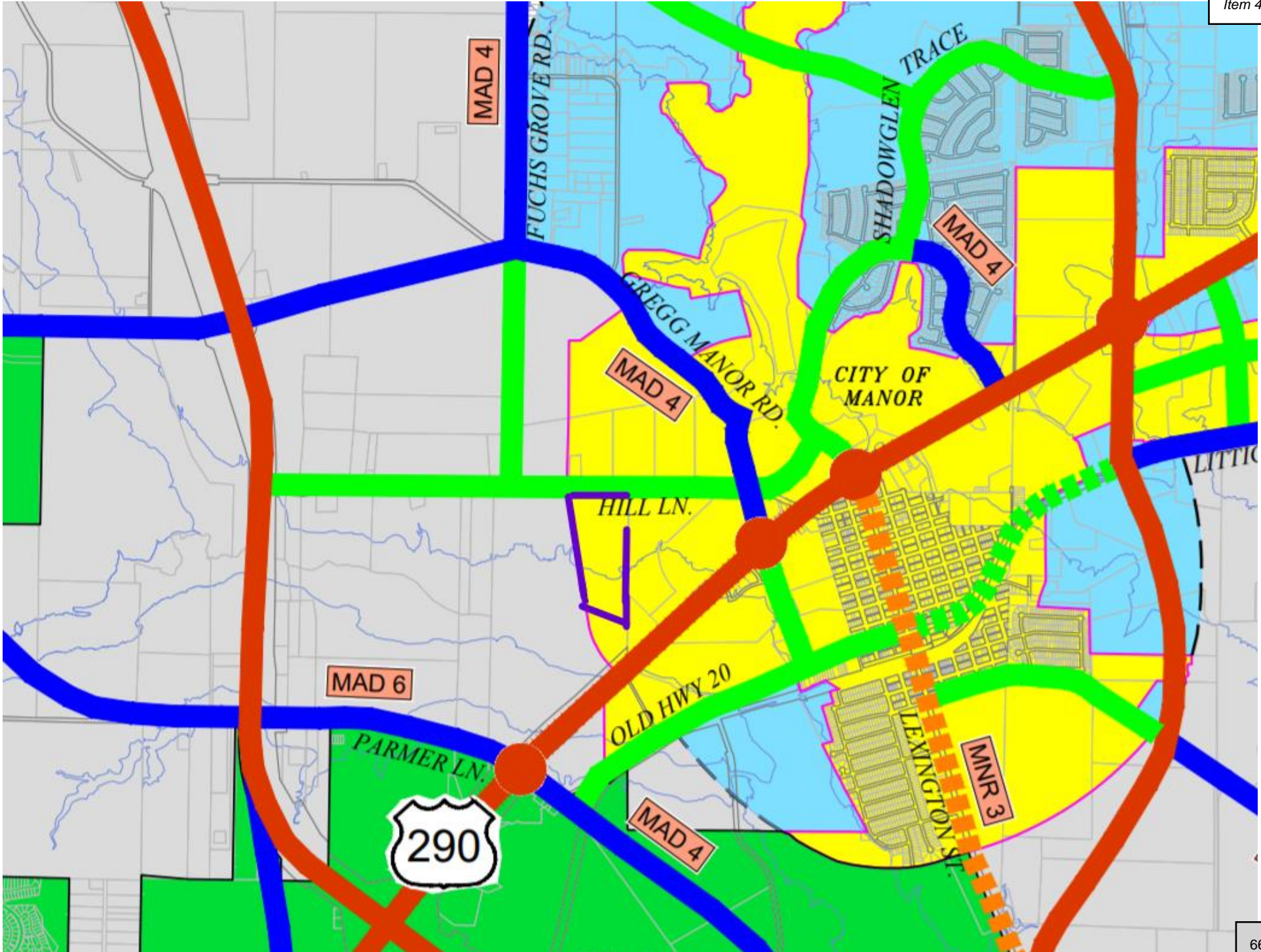


Proposed Zoning: IN-1 Light Industrial

Current Zoning: Single Family (SF-1)

Zone			
	A - Agricultural		C-3 - Heavy Commercial
	SF-1 - Single Family Suburban		NB - Neighborhood Business
	SF-2 - Single Family Standard		DB - Downtown Business
	TF - Two Family		IN-1 - Light Industrial
	MF-1 - Multi-Family 15		IN-2 - Heavy Industrial
	MF-2 - Multi-Family 25		PUD - Planned Unit Development
			MH-1 - Manufactured Home
			I-1 - Institutional Small
			I-2 - Institutional Large
			GO - General Office
			C-1 - Light Commercial
			C-2 - Medium Commercial
			ETJ





(b) *Non-residential uses in non-residential and mixed-use zoning districts.*

Item 4.

EXPAND

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Adult day care		P	P					P	P		
Adult-oriented businesses									C/S	C/S	
Alcoholic beverage establishment					S	P	P	P	P		
Amusement (indoor)							C	C	C		
Amusement (outdoor)								C	C		
Antique shop					P	P	P	P	P		
Art studio or gallery		P	P		P	P	P	P	P	P	
Automobile repair (major)								C	C	C	C
Automobile repair (minor)							C	C	C	C	
Automobile sales and rental								C	C		
Automobile washing								C	C		

Item 4.

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Brewery, micro								P	P	P	P
Brewery, regional									P	P	P
Brewpub						P	P	P	P		
Business support services					P	P	P	P	P		
Campground	S	S	S								
Cemetery	S	P	P								
Child care center (intermediate)		P	P	P	P	P	P	P	P		
Child care center (large)		P	P	P	P	P	P	P	P		
Club or lodge		P	P	P	P	P	P	P	P		
Commercial off-street parking						C	C	C	C		
Communication services or facilities				P			P	P	P	P	
Construction and equipment sales (Major)									P	P	

Item 4.

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Construction and equipment sales (Minor)								P	P	P	
Construction services								C	C	C	C
Consumer repair services					P	P	P	P	P		
Contractor's shop									C	C	C
Data center				P					P	P	
Day camp	S	P	P								
Distillery, micro								P	P	P	P
Distillery, regional									P	P	P
Event center		P	P		C/S	C/S	C/S	P	P		
Financial services				C	C	C	C	C	C		
Financial services, alternative								C	C		
Florist					C	C	C	C	C		
Food court establishment								C/S	C/S	C/S	
Food preparation						C	C	C	C	C	C

Item 4.

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Food sales					C	C	C	C	C		
Funeral services		C	C		C	C	C	C	C	C	C
Game room								C/S	C/S	C/S	
Gasoline station (full-service)								C	C		
Gasoline station (limited)					C/S		C/S	C	C		
General retail sales (convenience)				P	P	P	P	P	P		
General retail sales (general)					P	P	P	P	P		
Golf course/country club	S										
Governmental facilities	P	P	P	P	P	P	P	P	P	P	P
Hospital services		P	P	P							
Hotel					C/S	C	C	C	C		
Industrial use, light									P	P	
Industrial use, heavy											P

Item 4.

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Kennel								C	C	C	
Laundry services								P	P	P	P
Laundry services (self)					P	P	P	P	P		
Liquor sales					P	P	P	P	P		
Medical clinic		P	P	P	P	P					
Metal recycling entity											C
Mini-storage warehouse								C	C	C	
Offices, government	P	P	P	P	P	P	P	P	P	P	P
Offices, medical		P	P	P	P	P					
Offices, professional		P	P	P	P	P					
Offices, showroom									P	P	
Offices, warehouse									C	C	C
Off-site accessory parking		P	P	P		P	P	P	P	P	P
Pawnshop								C/S	C/S	C/S	

Item 4.

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Personal improvement services					P	P	P	P	P		
Personal services					P	P	P	P	P		
Printing and publishing				C	C	C	C	C	C		
Product development services (general)				P					P	P	
Product development services (hazard)											P
Recreational vehicle park								C/S	C/S		
Recreational vehicle sales, service, and rental								C	C	C	
Recycling operation (indoor)										P	P
Recycling operation (outdoor)											C
Religious assembly	P	P	P	P	P	P	P	P	P	P	P

Item 4.

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Research services (general)				P					P	P	
Research services (hazard)											P
Restaurant				P	P	P	P	P	P		
Restaurant—Drive- in or drive-through							C	C	C		
School, boarding		P	P				P	P	P		
School, business or trade		P	P				P	P	P		
School, college or university		P	P					P	P		
School, private or parochial		P	P				P	P	P		
School, public		P	P				P	P	P		
Shooting range, indoor									P	P	
Smoke shop or tobacco store								P	P		
Theater							P	P	P		

Item 4.

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Transportation terminal								C	C	C	C
Truck and trailer sales and rental								C	C	C	
Truck stop									P	P	
Utility services, major			C							C	C
Utility services, minor	P	P	P	P	P	P	P	P	P	P	P
Vehicle storage facility									C	C	
Veterinary services, large								C	C		
Veterinary services, small					C	C	C	C	C		
Wireless transmission facilities (WTF), attached	C	C	C	C	C/S	C/S	C	C	C	C	C
Wireless transmission facilities (WTF) monopole	C/S	C/S	C/S	C/S			C/S	C/S	C/S	C/S	C/S

Item 4.

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Wireless transmission facilities (WTF), stealth	C	C	C	C	C/S	C/S	C	C	C	C	C
Zoo, private								P	P		



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: May 19, 2021
PREPARED BY: Thomas Bolt, City Manager
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Resolution of the City of Manor, Texas, Approving and Authorizing the First Amendment to the Manor Heights Public Improvement District Reimbursement Agreement (Major Improvement Area).

BACKGROUND/SUMMARY:

On April 21, 2021, the City Council approved and entered into the Manor Heights PID Reimbursement Agreement (Major Improvement Area) with the Developer to reimburse the Developer for certain public improvements constructed in the Major Improvement Area. Because the bonds priced at a lower interest rate than anticipated and the projected revenues to be received from the bonds will be more than originally contemplated when the Reimbursement Agreement was approved by City Council and as a result the projected revenues to be received from the bonds will be more than originally contemplated, the attached first amendment is presented to you for consideration to authorize the increase in the reimbursement amounts for the public improvements constructed within the Major Improvement Areas.

LEGAL REVIEW: Yes, Completed
FISCAL IMPACT: No
PRESENTATION: No
ATTACHMENTS: Yes

- Resolution No. 2021- 13
- Exhibit A – First Amendment to Reimbursement Agreement (MIA)

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council approve Resolution No. 2021-13 approving and authorizing the First Amendment to the Manor Heights Public Improvement District Reimbursement Agreement (Major Improvement Area).

PLANNING & ZONING COMMISSION: **Recommend Approval** **Disapproval** **None**

RESOLUTION NO. 2021-13

**A RESOLUTION OF THE CITY OF MANOR, TEXAS APPROVING
AND AUTHORIZING THE FIRST AMENDMENT TO THE MANOR HEIGHTS
PUBLIC IMPROVEMENT DISTRICT REIMBURSEMENT AGREEMENT
(MAJOR IMPROVEMENT AREA)**

WHEREAS, the City of Manor, Texas (the "City"), pursuant to and in accordance with the terms, provisions and requirements of the Public Improvement District Assessment Act, Chapter 372, Texas Local Government Code (the "PID Act"), authorized the creation of the "Manor Heights Public Improvement District" (the "District") pursuant to Resolution No. 2018-10 adopted by the Manor City Council (the "City Council") on November 7, 2018; and

WHEREAS, on October 7, 2020, the City authorized additional land be included within the District pursuant to Resolution No. 2020-11; and

WHEREAS, the City entered into a Development Agreement with Sky Village Kimbro Estates LLC ("Sky Village") and RHOF, LLC ("RHOF") that stated the intent and expectation of the parties that the City would reimburse Sky Village and RHOF, or their successors in interest, for the costs of the construction of certain public improvements constructed for the benefit of the District; and

WHEREAS, Forestar (USA) Real Estate Group, Inc., a Delaware corporation ("Forestar") is, for the purposes of the Development Agreement, the successor in interest to the obligations and interests of Sky Village and RHOF under the Development Agreement; and

WHEREAS, in connection with the development of the property within the District and the planned issuance of the "City of Manor, Texas Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Major Improvement Area Project)" (the "Bonds"), on April 21, 2021, by Resolution No. 2021-05, the City Council approved entering into the Manor Heights Public Improvement District Reimbursement Agreement (Major Improvement Area) by and between the City and Forestar (the "Reimbursement Agreement"); and

WHEREAS, the Bonds priced at a lower interest rate than anticipated and the projected revenues to be received from the Bonds will be more than originally contemplated when the Reimbursement Agreement was approved by the City Council of Manor, Texas; and

WHEREAS, the City and Forestar now want to amend the Reimbursement Agreement to reflect such increases in projected PID Bond revenue; and

WHEREAS, the City Council intends to approve the forms, term, and/or provisions of the First Amendment to the Manor Heights Public Improvement District Reimbursement Agreement (Major Improvement Area) by and between the City and Forestar; and

WHEREAS, this Resolution and the First Amendment to the Reimbursement Agreement approved by it, are in furtherance of the intentions of the parties to the Development Agreement; and

WHEREAS, the meeting at which this Resolution is considered is open to the public as required by law, and the public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended;

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

Section 1. Findings. The findings and determinations set forth in the preamble hereof are hereby incorporated by reference for all purposes as if set forth in full herein. Capitalized terms used in this Resolution and not otherwise defined herein shall have the meanings assigned to them in the Service and Assessment Plan.

Section 2. Approval of First Amendment to Reimbursement Agreement. The First Amendment to the Manor Heights Public Improvement District Reimbursement Agreement (Major Improvement Area) (the "First Amendment to the Reimbursement Agreement"), between the City of Manor, Texas and Forestar, is hereby approved in substantially the form attached hereto as Exhibit A, and the Mayor of the City is hereby authorized and directed to execute and deliver the First Amendment to the Reimbursement Agreement, with such changes as may be required by the Mayor to carry out the purposes of this Resolution, such approval to be evidenced by the execution thereof. The Mayor's signature on the First Amendment to the Reimbursement Agreement may be attested by the City Secretary.

Section 3. Additional Actions. The Mayor, Finance Director, City Manager, and City Secretary of the City are hereby authorized and directed to take all actions on behalf of the City necessary or desirable to carry out the intent and purposes of this Resolution. The Mayor, Finance Director, City Manager, and City Secretary of the City are hereby directed to execute and deliver any and all certificates, agreements, notices, instruction letters, requisitions, and other documents which may be necessary or advisable in the carrying out of the purposes and intent of this Resolution.

Section 4. Governing Law. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. Effect of Headings. The section headings herein are for convenience only and shall not affect the construction hereof.

Section 6. Severability. If any provision of this Resolution or the application thereof to any circumstance shall be held to be invalid, the remainder of this Resolution or the application thereof to other circumstances shall nevertheless be valid, and this governing body hereby declares that this Resolution would have been enacted without such invalid provision.

Section 7. Construction of Terms. If appropriate in the context of this Resolution, words of the singular number shall be considered to include the plural, words of the plural number shall be considered to include the singular, and words of the masculine, feminine or neuter gender shall be considered to include the other genders.

[Execution page follows.]

PASSED AND APPROVED on the 19th day of May 2021.

THE CITY OF MANOR, TEXAS

Dr. Larry Wallace Jr.
Mayor, City of Manor, Texas

ATTEST:

Lluvia T. Almaraz
City Secretary

EXHIBIT A

**FIRST AMENDMENT TO THE MANOR HEIGHTS PUBLIC IMPROVEMENT
DISTRICT REIMBURSEMENT AGREEMENT (MAJOR IMPROVEMENT AREA)**

**FIRST AMENDMENT TO THE
MANOR HEIGHTS PUBLIC IMPROVEMENT DISTRICT
REIMBURSEMENT AGREEMENT
(MAJOR IMPROVEMENT AREA)**

THIS FIRST AMENDMENT TO THE MANOR HEIGHTS PUBLIC IMPROVEMENT DISTRICT REIMBURSEMENT AGREEMENT (MAJOR IMPROVEMENT AREA) (the “**First Amendment**”) is made and entered into as of this ____ day of _____, 2021 (the “**Effective Date**”), by and between the City of Manor, Texas (“**City**”) and Forestar (USA) Real Estate Group, Inc., a Delaware corporation (“**Owner**”) (each individually referred to as a “**Party**” and collectively as the “**Parties**”).

RECITALS

WHEREAS, City and Owner are parties to that certain Manor Heights Public Improvement District Reimbursement Agreement (Major Improvement Area) dated May 5, 2021 (as amended, the “**Reimbursement Agreement**”).

WHEREAS, interest rates were lower than anticipated when the PID Bonds were priced which occurred after the Reimbursement Agreement was approved by the City Council of Manor, Texas and as a result, the projected revenues to be received from the PID Bonds will be more than originally contemplated; and

WHEREAS, the City has agreed to increase the Reimbursement Obligations to capture the increased projected revenues.

AMENDMENT

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and in the Reimbursement Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. **Increase in Reimbursement Obligation.** Notwithstanding anything to the contrary contained in Section 5 of the Reimbursement Agreement, the “**Major Improvement Area Reimbursement Obligation**” shall be in an amount not to exceed \$8,080,000.00.
2. **Findings.** In the event of any conflict between the terms of this First Amendment and the Reimbursement Agreement, this First Amendment shall prevail.
3. **Recitals / Construction.** The foregoing Recitals, including any exhibits referenced therein, are hereby incorporated by reference and made a part of this First Amendment for all purposes. Any capitalized terms used in this First Amendment unless expressly defined otherwise shall have the meanings given to them in the Reimbursement Agreement. Unless the context specifically indicates otherwise, any and all references to sections or other enumerated provisions made in this First Amendment shall refer to such sections or provisions of the Reimbursement Agreement.

4. No Other Amendments. Except as set forth in this First Amendment, the Reimbursement Agreement shall remain in full force and effect and unamended.

(Signatures on following page)

IN WITNESS WHEREOF the parties have caused this Agreement to be executed as of the Effective Date.

OWNER:
FORESTAR (USA) REAL ESTATE GROUP, INC., a Delaware corporation

By: _____

Name: _____

Title: _____

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the ____ day of _____, 2021 by _____, _____, of FORESTAR (USA) REAL ESTATE GROUP, INC., a Delaware corporation, on behalf of said corporation.

(SEAL)

Notary Public, State of Texas

Name printed or typed
Commission Expires: _____

**CITY:
CITY OF MANOR, TEXAS**

By: _____
Name: Dr. Larry Wallace Jr.
Title: Mayor

ATTEST:

By: _____
Lluvia T. Almaraz, City Secretary

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

BEFORE ME, a Notary Public, on this day personally appeared, Dr. Larry Wallace Jr., Mayor of The City of Manor, Texas known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed on behalf of that municipal corporation.
GIVEN UNDER MY HAND AND SEAL of office this ____ day of _____, 2021.

(SEAL)

Notary Public, State of Texas



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: May 19, 2021
PREPARED BY: Thomas Bolt, City Manager
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Resolution Expressing Intent to Finance Expenditures to be Incurred by the City of Manor, Texas.

BACKGROUND/SUMMARY:

On November 7, 2018, the City Council approved the creation of the Manor Heights Public Improvement District (PID) and October 7, 2020, the City Council approved the addition of land to the Manor Heights PID. Pursuant to Federal and State regulations provided in the attached resolution, the City may reimburse itself for costs paid or will be paid in connection with public improvements to be designed and constructed, and the acquisition of right of way and related costs in connection with the design and construction of such public improvements related to the wastewater treatment plant. The attached resolution is presented to you for consideration to authorize the reimbursement to the City of costs paid or will pay in connection with the public improvements related to the design and construction of the wastewater treatment plant.

LEGAL REVIEW: Yes, Completed
FISCAL IMPACT: No
PRESENTATION: No
ATTACHMENTS: Yes

- Resolution No. 2021-14

STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council approve Resolution No. 2021-14 approving and authorize the Resolution Expressing Intent to Finance Expenditures to be Incurred by the City of Manor, Texas.

PLANNING & ZONING COMMISSION: **Recommend Approval** **Disapproval** **None**

RESOLUTION NO. 2021-14**RESOLUTION EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED BY THE CITY OF MANOR, TEXAS**

WHEREAS, the City of Manor, Texas (the “Issuer” or “City”) is a home rule municipality and political subdivision of the State of Texas authorized to issue obligations to finance its activities pursuant to CHAPTER 1431, TEXAS GOVERNMENT CODE, the interest on which is excludable from gross income for federal income tax purposes (“tax-exempt obligations”) pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”);

WHEREAS, the Issuer will make, or has made not more than 60 days prior to the date hereof, payments with respect to the projects listed on Exhibit “A” attached hereto;

WHEREAS, the Issuer desires to reimburse itself for the costs associated with the project listed on Exhibit “A” attached hereto from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof; and,

WHEREAS, the Issuer reasonably expects to issue tax-exempt obligations to reimburse itself for the costs associated with the projects listed on Exhibit “A” attached hereto.

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1. The Issuer reasonably expects to reimburse itself for all costs that have been or will be paid subsequent to the date that are 60 days prior to the date hereof and that are to be paid in connection with the projects listed on Exhibit “A” attached hereto, from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof.

Section 2. This Resolution is also made to evidence the intent of the Issuer to make such reimbursements under Treas. Reg. Section 1.150-2 and Section 1201.042, Texas Government Code.

Section 3. The Issuer reasonably expects that the maximum principal amount of tax-exempt obligations issued to reimburse the Issuer for the costs associated with the projects listed on Exhibit “A” attached hereto will not exceed \$1,200,000.00.

Section 4. The Issuer intends to reimburse the expenditures hereunder not later than 18 months after the later of the date the original expenditure is paid or the date the project is placed in service or abandoned, but in no event more than three years after the original expenditure is paid unless the project is a construction project for which the Issuer and a licensed architect or engineer have certified on Exhibit “A” that at least five years are necessary to complete the project in which event the maximum reimbursement period is five years after the date of the original expenditure.

RESOLUTION NO. 2021-14

Page 2

[The remainder of this page intentionally left blank.]

RESOLUTION NO. 2021-14

ADOPTED this 19th day of May 2021.

THE CITY OF MANOR, TEXAS

By: _____
Dr. Larry Wallace Jr., Mayor

ATTEST:

Lluvia T. Almaraz, City Secretary

[SIGNATURE PAGE TO REIMBURSEMENT RESOLUTION]

EXHIBIT "A"**DESCRIPTION OF PROJECT**

Public improvements to be designed and constructed, and the acquisition of right of way and related costs in connection with the design and construction of such public improvements, for the benefit of the property within the Manor Heights Public Improvement District (the "District"), which are specifically described in the Service and Assessment Plan for the District as adopted by the City Council of the City of Manor on May 5, 2021, and which generally include: a Wastewater Treatment Plant, roadway construction, acquisition of right of way, water and wastewater infrastructure, drainage infrastructure, and public use trails.

Such financing to be in an amount not to exceed \$1,200,000.00, which will be made from the General Fund and/or Capital Improvement Fund of the City of Manor, Texas.