



Dr. Christopher Harvey, Mayor
Emily Hill, Mayor Pro Tem, Place 1
Anne Weir, Place 2
Maria Amezcua, Place 3
Sonia Wallace, Place 4
Aaron Moreno, Place 5
Deja Hill, Place 6

City Council Regular Meeting

Wednesday, May 03, 2023 at 7:00 PM

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

AGENDA

This meeting will be live streamed on Manor's YouTube Channel
You can access the meeting at <https://www.youtube.com/@cityofmanorsocial/streams>

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

- A. Declaring the month of May, as “*Mental Health Awareness Month*”
- B. Declaring the week of May 14 – May 20, 2023, as “*Police Week*”

PUBLIC COMMENTS

Non-Agenda Item Public Comments (white card): Comments will be taken from the audience on non-agenda-related topics for a length of time, not to exceed three (3) minutes per person.

*Agenda Item Public Comments (yellow card): Comments will be taken from the audience on non-agenda and agenda items combined for a length of time, not to exceed five (5) minutes total per person on all items, except for Public Hearings. Comments on Public Hearing items must be made when the item comes before the Council and, not to exceed two (2) minutes per person. **No Action or Discussion May be Taken by the City Council during Public Comments on Non-Agenda Items.***

To address the City Council, please complete the white or yellow card and present it to the City Secretary, or designee prior to the meeting.

PRESENTATIONS

- A. City of Manor Facility Needs Assessment, presented by PGAL.

PUBLIC HEARINGS

1. **Conduct a public hearing on an ordinance annexing 4.004 acres of land, more or less, being located in Travis County, Texas and adjacent and contiguous to the city limits.**
Submitted by: Scott Dunlop, 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
 - April 19, 2023, City Council Workshop; and
 - April 19, 2023, City Council Regular Meeting
3. **Consideration, discussion, and possible action on a Declaration of Public Water Quality Easement for the Shadowglen Subdivision being 0.057 acres.**
Submitted by: Scott Dunlop, Development Services Director
4. **Consideration, discussion, and possible action on a Declaration of Drainage Easement for the Shadowglen Subdivision being 0.018 acres.**
Submitted by: Scott Dunlop, Development Services Director
5. **Consideration, discussion, and possible action on a Drainage Easement on Lot 12, Block C, Wildhorse Creek Commercial being 0.281 acres.**
Submitted by: Scott Dunlop, Development Services Director
6. **Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 13.98 acres, more or less, being Lots 6-8, Block 5, Manor Commercial Park III and 3.55 acres out of the A.C. Caldwell Survey, Abstract No. 154, and being located near the intersection of Beltex Drive and Easy Jet Street, Manor TX from Agricultural (A) to Light Industrial (IN-1).**
Applicant: Westwood Professional Services
Owner: Lone Star Electric
Submitted by: Scott Dunlop, Development Services Director
7. **Second and Final Reading: Consideration, discussion, and possible action on an ordinance annexing 2.942 acres of land, more or less, being located in Travis County, Texas and adjacent and contiguous to the city limits.**
Submitted by: Scott Dunlop, Development Services Director
8. **Second and Final Reading: Consideration, discussion, and possible action on an Ordinance annexing 2.855 acres of land, more or less, being located in Travis County, Texas and adjacent and contiguous to the city limits.**
Submitted by: Scott Dunlop, Development Services Director

9. **Consideration, discussion, and possible action to ratify, confirm, and approve joining the Texas Attorney General's global opioid settlement with Allergan, CVS, Walgreens, and Walmart the City Manager's execution of Settlement Participation Forms; and authorize the City Manager to execute any and all additional necessary documents.**
Submitted by: Paige Saenz, City Attorney

REGULAR AGENDA

10. **First Reading: Consideration, discussion, and possible action on an ordinance annexing 4.004 acres of land, more or less, being located in Travis County, Texas and adjacent and contiguous to the city limits.**
Submitted by: Scott Dunlop, Development Services Director
11. **Consideration, discussion and possible action on a Resolution accepting the petition to create the Mustang Valley Public Improvement District (PID) and setting a public hearing to consider the creation of the Mustang Valley PID.**
Submitted by: Scott Dunlop, Development Services Director
12. **Consideration, discussion and possible action on the City of Manor, Texas Deposit Agreement Proposed Public Improvement District Mustang Valley PID.**
Submitted by: Scott Dunlop, Development Services Director
13. **Consideration, discussion, and possible action on the approval to submit a Project Information Form (PIF) to the Texas Water Development Board (TWDB) to be included in the initial Project Priority List for State Fiscal Year (SFY) 2023 for appropriated funds through the Drinking Water State Revolving Fund (DWSRF) for Lead Service Line Replacement (LSLR) projects.**
Submitted by: Frank T. Phelan, P.E., City Engineer
14. **Consideration, discussion, and possible action on an ordinance amending Manor Code of Ordinances, Chapter 4, Article 4.02 Alcoholic Beverages.**
Submitted by: Scott Dunlop, Development Services Director
15. **Second and Final Reading: Consideration, discussion, and possible action on an ordinance amending Chapter 14 Zoning of the Manor Code of Ordinances to Modify the Definition of Hospital Services; Modify the Residential Land Use Table Relating to Single-Family Attached (2 units) and Single-Family Detached Uses; Modify the Residential Land Use Conditions Table Relating to Single-Family Attached (2 units) and Single-Family Detached Uses; Modify Non-Residential Uses in Non-Residential and Mixed-Use Zoning Districts Relating to Alcoholic Beverage Establishment, Brewery - Micro, Brewery - Regional, Brewpub, Club or Lodge, Distillery - Micro, Distillery - Regional, Event Center, Food Sales, Hospital Services, Liquor Sales, Medical Clinic, Offices - Medical, Offices - Professional, Restaurant, and Restaurant - Drive-in or Drive-through Uses; Modify Non-Residential and Mixed-Use Land Use Conditions relating to Alcoholic Beverage Establishment, Brewery - Micro, Brewery - Regional, Brewpub, Club or Lodge, Distillery - Micro, Distillery - Regional, Event Center, Food Sales, Gas Station - Full Service, Gas Station - Limited, Hotel, Liquor Sales, Restaurant, Restaurant - Drive-in or Drive-through Uses; Modify Non-Residential and Mixed-Use**

Development Standards Relating to Maximum Dwelling Units; Modify Non-Residential and Mixed-Use Development Standards Table Notes Relating to Alley Within the Historic District; Modify Accessory Structures Relating to Gross Floor Area; Modify Architectural Standards for Single-Family Detached and Two Family, Single-Family Attached, Manufactured Home, Multi-Family and Mixed Use, Office, Commercial Institutional and Industrial Uses; Modify Procedures Relating to Planned Unit Development (PUD) Uses; Modify Procedures Relating to a Final Site Plan; and Modify Procedures Relating to Amendments to the Comprehensive Plan.
Submitted by: Scott Dunlop, Development Services Director

16. **Consideration, discussion, and possible action on a Professional Services Agreement between the City of Manor and Grant Development Services.**
Submitted by: Scott Moore, City Manager
17. **Consideration, discussion, and possible action on the Purchase Agreement with Stuart D. Dimond and Madeleine R. Dimond for a wastewater easement with a temporary construction easement.**
Submitted by: Scott Moore, City Manager
18. **Consideration, discussion, and possible action on allocating funds for Our Community Salutes Program within the City of Manor.**
Submitted by: Scott Moore, City Manager
19. **Consideration, discussion, and possible action on allocating funds for the Summer Library Program within the City of Manor.**
Submitted by: Scott Moore, City Manager
20. **Consideration, discussion, and possible action on a Resolution Finding Public Convenience and Necessity And Authorizing The Use of Eminent Domain To Condemn If Necessary a 25,924 Square Foot Wastewater Easement and a 25,928 Square Foot Temporary Construction Easement (both as described in Exhibit “x1”) from that 17.37 Acre Tract conveyed by Warranty Deed to Joesph Murphy Coffey and recorded at Document Number 2022063845 Of The Official Public Records of Travis County, Texas, For The Public Use And Purpose of Construction Of A Wastewater Line.**
Submitted by: Paige Saenz, City Attorney
21. **Consideration, discussion, and possible action on a Resolution Finding Public Convenience and Necessity And Authorizing The Use of Eminent Domain To Condemn If Necessary a 10,968 Square Foot Wastewater Easement and a 11,145 Square Foot Temporary Construction Easement (both as described in Exhibit “x2”) from that 10.068 Acre Tract conveyed by Warranty Deed to RMJ Investments, Ltd. and recorded at Document Number 2012027002 Of The Official Public Records of Travis County, Texas, For The Public Use And Purpose of Construction Of A Wastewater Line.**
Submitted by: Paige Saenz, City Attorney

22. **Consideration, discussion, and possible action on a Resolution Finding Public Convenience and Necessity And Authorizing The Use of Eminent Domain To Condemn If Necessary a 11,133 Square Foot Wastewater Easement and a 12,170 Square Foot Temporary Construction Easement (both as described in Exhibit “x3”) from that 19.000 Acre Tract conveyed by Warranty Deed to Benny Paul Mark Gundy and recorded at Document Number 2009017772 Of The Official Public Records of Travis County, Texas, For The Public Use And Purpose of Construction Of A Wastewater Line.**
Submitted by: Paige Saenz, City Attorney
23. **Consideration, discussion, and possible action on a Resolution Finding Public Convenience and Necessity And Authorizing The Use of Eminent Domain To Condemn If Necessary a 4,399 Square Foot Wastewater Easement and a 4,401 Square Foot Temporary Construction Easement (both as described in Exhibit “x4”) from that 12.334 Acre Tract conveyed by Warranty Deed to Michael Edward Swier and Crista Marie Swier, Trustees of the Layla Trust, and recorded at Document Number 2020009667 Of The Official Public Records of Travis County, Texas, For The Public Use And Purpose of Construction Of A Wastewater Line.**
Submitted by: Paige Saenz, City Attorney

EXECUTIVE SESSION

The City Council will now Convene into executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in:

- *Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding the CCN Release and exchange of ETJ with City of Austin on property located on Blue Bluff Road;*
- *Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding Multi-Family Project Development Using Public Facility Corporations; and*
- *Section 551.071 and Section 551.087, Texas Government Code to deliberate on the acquisition of real property*

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, April 28, 2023, 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 10 days prior to this meeting. Please contact the City Secretary at 512.215.8285 or e-mail lalmaraz@manortx.gov