



**CITY COUNCIL
REGULAR SESSION MINUTES
DECEMBER 6, 2023**

This meeting was live-streamed on Manor's YouTube Channel
<https://www.youtube.com/@cityofmanorsocial/streams>

PRESENT:

Dr. Christopher Harvey, Mayor

COUNCIL MEMBERS:

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 STAFF:

Scott Moore, City Manager
Lluvia T. Almaraz, City Secretary
Ryan Phipps, Chief of Police
Scott Dunlop, Development Services Director
Scott Jones, Economic Development Director
Matthew Woodard, Public Works Director
Frank T. Phelan, P.E., City Engineer
Veronica Rivera, Assistant City Attorney
Chasem Creed, IT Technician

REGULAR SESSION – 7:00 P.M.

With a quorum of the Council Members present, the regular session of the Manor City Council was called to order by Mayor Harvey at 7:02 p.m. on Wednesday, December 6, 2023, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

INVOCATION

Council Member Deja Hill gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Harvey led the Pledge of Allegiance.

PUBLIC COMMENTS

Robert Battaile, 502 E. Eggleston St., Manor, Texas, submitted a speaker card and expressed his concerns regarding the development close to the cemetery area. He stated that he filed a police report to stop the construction and requested the city to vet the grounds for graves. He also expressed his opposition to Agenda Item No. 9.

Gonzalo Camacho, P.O. Box 300384, Austin, Texas, submitted a speaker card and discussed his concerns regarding the commuter rail on TxDot Corridors.

Frank Hutchinson with Shadowglen Golf Club submitted a speaker card and expressed his concerns regarding the proposed amendment to modify the PUD Land Use Plan for the Shadowglen Development.

Kirk Lohmann with Shadowglen Golf Club submitted a speaker card and expressed his concerns regarding the proposed rezoning amendment to the PUD Land Use plan for the Shadowglen Development.

Jim Terry, 11516 Owling Way, Manor, Texas, submitted a speaker card in opposition to Agenda Item No. 9. He expressed his concerns regarding the proposed development of the apartment complex.

No one else appeared at this time.

Mayor Harvey adjourned the regular session of the Manor City Council into Executive Session at 7:28 p.m. on Wednesday, December 6, 2023, in accordance with the requirements of the Open Meetings Law.

EXECUTIVE SESSION

The Manor City Council convened into executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in *Sections 551.071 and 551.072, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel and to deliberate the purchase of real property at 7:28 p.m. on Wednesday, December 6, 2023.*

The Executive Session was adjourned at 7:47 p.m. on Wednesday, December 6, 2023.

OPEN SESSION

The City Council reconvened into Open Session pursuant to the provisions of Chapter 551 Texas Government Code and took action on item(s) discussed during the Closed Executive Session at 7:47 p.m. on Wednesday, December 6, 2023.

Mayor Harvey stated that the City Council needed to go back into Executive Session to discuss agenda items.

Mayor Harvey adjourned the regular session of the Manor City Council into Executive Session at 7:49 p.m. on Wednesday, December 6, 2023, in accordance with the requirements of the Open Meetings Law.

EXECUTIVE SESSION

The Manor City Council convened into executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in *Sections 551.071 and 551.072, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding Shadowglen Planned Unit Development, Item No. 9* at 7:49 p.m. on Wednesday, December 6, 2023.

The Executive Session was adjourned at 8:30 p.m. on Wednesday, December 6, 2023.

OPEN SESSION

The City Council reconvened into Open Session pursuant to the provisions of Chapter 551 Texas Government Code and took action on item(s) discussed during the Closed Executive Session at 8:30 p.m. on Wednesday, December 6, 2023.

At the request of Mayor Harvey Public Hearing No. 1 and Agenda Item No. 9 were pulled from the agenda and directed staff to discuss further as considered in Executive Session.

PUBLIC HEARING

- 1. Conduct a public hearing on an ordinance amending the Shadowglen Planned Unit Development (PUD) and being located at the intersections of Lexington Street and US Highway 290 as well as Shadowglen Boulevard and US Highway 290, Manor, TX.**
Applicant: Marcus Equity; Owner: Cottonwood Holdings Limited, LLC

This item was pulled for further discussion.

CONSENT AGENDA

2. **Consideration, discussion, and possible action to approve the City Council Minutes.**
 - November 15, 2023, City Council Regular Meeting;
 - November 20th and 29th, 2023, City Council Called Special Sessions
3. **Consideration, discussion, and possible action on the Purchase Agreement with Zalaram LLC for a wastewater easement with a temporary construction easement for Parcel No. 3.**
4. **Consideration, discussion, and possible action on the Purchase Agreement with Maddtex Drive, LP for a wastewater easement with a temporary construction easement for Parcel No. 4.**
5. **Consideration, discussion, and possible action on the Purchase Agreement with Maddtex Drive, LP for a wastewater easement with a temporary construction easement for Parcel No. 5.**
6. **Consideration, discussion, and possible action on the Purchase Agreement with Easy Jet Drive LP for a wastewater easement with a temporary construction easement for Parcel No. 6.**

MOTION: Upon a motion made by Council Member Amezcua and seconded by Council Member Weir to accept and approve the Consent Agenda.

There was no further discussion.

Motion to approve carried 7-0

REGULAR AGENDA

7. **Consideration, discussion, and possible action on an Ordinance of the City of Manor, Texas repealing Ordinance Number 119-A and any amendments thereto and all juvenile curfew offenses listed in Chapter 8 Offenses and Nuisances, Article 8.02 Minors, Division 2 Curfew.**

The city staff recommended that the City Council approve Ordinance No. 728 to repeal the City of Manor's juvenile curfew ordinances.

Chief Phipps discussed the proposed ordinance revisions.

Ordinance No. 728: An Ordinance of The City of Manor, Texas, to Repeal Ordinance Number 119-A and any Amendments Thereto and all Juvenile Curfew Offenses Listed in Chapter 8 Offenses and Nuisances, Article 8.02 Minors, Division 2 Curfew; Providing for Conflicting Ordinances; Providing for Severability; Providing an Open Meetings Clause and Establishing an Effective Date.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Amezcua to approve Ordinance No. 728 to repeal the City of Manor's juvenile curfew ordinances.

Mayor Harvey discussed his concerns regarding the new juvenile curfew laws.

There was no further discussion.

Motion to approve carried 7-0

- 8. Consideration, discussion, and possible action on Statement of Work No. 27 to complete a Service Line Inventory and submit the results to the Texas Commission on Environmental Quality (TCEQ) before the October 16, 2024, Environmental Protection Agency (EPA) deadline.**

The city staff recommended that the City Council approve the proposed completion of a service line inventory and the subsequent submittal of the inventory and all associated files to TCEQ in an amount not to exceed \$35,000 and authorize the City Manager to sign the Statement of Work No. 27 proposal.

Justin Clinger with GBA discussed the proposed statement of work to complete a Service Line Inventory.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace to approve the proposed completion of a service line inventory and the subsequent submittal of the inventory and all associated files to TCEQ in an amount not to exceed \$35,000 and authorize the City Manager to sign the Statement of Work No. 27 proposal.

There was no further discussion.

Motion to approve carried 7-0

- 9. First Reading: Consideration, discussion, and possible action on an Ordinance amending the Shadowglen Planned Unit Development (PUD) and being located at the intersections of Lexington Street and US Hwy 290 as well as Shadowglen Boulevard and US Hwy 290, Manor, TX. Applicant: Marcus Equity; Owner: Cottonwood Holdings Limited, LLC**

This item was pulled for further discussion.

10. 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 20,796 Square Foot Wastewater Easement and a 19,514 Square Foot Acre Temporary Construction Easement (both as described in Exhibits "A, "B," and "C") from that 13.502 Acre Tract conveyed by Warranty Deed to Tuan and Nhieu Nguyen and recorded at Document Number 2022072304 Of The Official Public Records of Travis County, Texas, For The Public Use And Purpose of Construction Of A Wastewater Line.

The city staff recommended that the City Council approve Resolution No. 2023-40.

Assistant City Attorney Rivera discussed the proposed Resolution.

City Manager Moore explained the reasons why the city was moving forward with the eminent domain process.

City Engineer Phelan discussed the easement placement and clarified that there were no structures in the area.

Resolution No. 2023-40: A Resolution of The City Council of the City of Manor Texas Finding Public Convenience and Necessity and Authorizing Eminent Domain Proceedings, if Necessary, for Acquisition of a Permanent Wastewater Line Easement Over a 20,796 Square Foot Parcel of Land and a Temporary Construction Easement Over a 19,514 Square Foot Parcel of Land, Both Parcels Being out of and a Part of a Called 13.502 Acre Tract of Land out of the Lemuel Kimbro Survey, Abstract No. 456, Situated in Travis County, Texas, Being the Same Land Conveyed in a Warranty Deed to Tuan Nguyen And Ngieu Nguyen, Recorded in Document No. 2022072304, of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.), and Establishing an Effective Date; and Finding and Determining 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 Moreno and seconded by Council Member Amezcua to approve Resolution No. 2023-40 and move that the City of Manor authorize the use of the power of eminent domain to acquire both a permanent wastewater easement of 20,795 square feet and a temporary construction easement of 19,514 square feet from the property owned by Tuan and Nhieu Nguyen and described in Agenda Item (10) for the public use of constructing and operating wastewater lines and infrastructure improvements.

There was no further discussion.

Motion to approve carried 7-0

11. Consideration, discussion, and possible action on the appointments of the City Council Committees.

- **Budget Committee**
- **Public Improvement District Committee**
- **Park Committee**
- **Public Tree Advisory Board**
- **Economic Development Committee**
- **Capital Improvement Committee**
- **Community Collaborative Committee**
- **Healthcare Committee**
- **Emergency Management Committee**
- **Public Safety Committee**

The city staff recommended that the City Council evaluate and redistribute Council Committee assignments for 2024 and confirm and/or reappoint chairpersons for each committee.

Mayor Harvey opened the floor for any recommendations. He stated he would give up his place on the Capital Improvement Committee.

Councilwoman Wallace stated she would give up her chair seat on the Public Safety Committee. Mayor Pro Tem Hill stated she would take her place as chair.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Deja Hill to remove Mayor Harvey from the Capital Improvement Committee and appoint Councilwoman Deja Hill in his place as Chair; and remove Councilwoman Wallace chair position from the Public Safety Committee and appoint Mayor Pro Tem Emily Hill as Chair.

There was no further discussion.

Motion to approve carried 7-0

12. Consideration, discussion, and possible action on a Resolution accepting the petition for voluntary annexation of 0.98 acres of land, more or less, being located in Travis County, Texas and adjacent and contiguous to the city limits, and providing for open meetings and other related matters.

The city staff recommended that the City Council approve Resolution No. 2023-41 accepting the petition for voluntary annexation of 0.98 acres of land, more or less, being located in Travis County, Texas, and adjacent and contiguous to the city limits, and providing for open meetings and other related matters and set a public hearing for January 3, 2024.

Development Services Director Dunlop discussed the proposed Resolution.

City Council Regular Session Minutes
December 6, 2023

Resolution No 2023-41: A Resolution of The City of Manor, Texas, Accepting the Petition for Annexation of 0.98 Acres of Land, More or Less; Being Located in Travis County, Texas and Adjacent and Contiguous to the City Limits; and Providing for Open Meetings and Other Related Matters.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace to approve Resolution No. 2023-41 accepting the petition for voluntary annexation of 0.98 acres of land, more or less, being located in Travis County, Texas, and adjacent and contiguous to the city limits, and providing for open meetings and other related matters and set a public hearing for January 3, 2024.

There was no further discussion.

Motion to approve carried 7-0

13. Acknowledge the resignation of Planning and Zoning Commissioner LaKesha Small, Place No. 7, and declare a vacancy.

The city staff recommended that the City Council acknowledge the resignation of Planning and Zoning Commissioner LaKesha Small and declare a vacancy for Place No. 7 effective December 14, 2023.

MOTION: Upon a motion made by Council Member Weir and seconded by Mayor Pro Tem Emily Hill to acknowledge the resignation of Planning and Zoning Commissioner LaKesha Small and declare a vacancy for Place No. 7 effective December 14, 2023.

There was no further discussion.

Motion to approve carried 7-0

14. Consideration, discussion, and possible action to close city offices at noon on Friday, December 15, 2023.

The city staff recommended that the City Council approve the closing of City offices at noon on Friday, December 15, 2023.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Amezcua to close city offices at noon on Friday, December 15, 2023.

Discussion was held regarding clarification on the notice to be sent to residents of early closure.

There was no further discussion.

Motion to approve carried 7-0

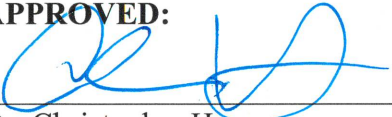
**City Council Regular Session Minutes
December 6, 2023**

ADJOURNMENT

The Regular Session of the Manor City Council was Adjourned at 9:16 p.m. on Wednesday, December 16, 2023.


These minutes were approved by the Manor City Council on the 3rd day of January 2024.

APPROVED:



Dr. Christopher Harvey,
Mayor

ATTEST:



Lluvia T. Almaraz, TRMC
City Secretary

