CITY COUNCIL
REGULAR SESSION MINUTES
DECEMBER 20, 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
Denver Collins, Assistant Chief of Police
Scott Dunlop, Development Services Director
Scott Jones, Economic Development Director
Matthew Woodard, Public Works Director
Tracey Vasquez, HR Director
Sarah Friberg, Court Administrator
Pauline Gray, P.E., City Engineer
Frank T. Phelan, P.E., City Engineer
Paige Saenz, 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 20, 2023, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

INVOCATION

Mayor Harvey gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Harvey led the Pledge of Allegiance.

PUBLIC COMMENTS

Kay Forsythe, 710 N. Lexington St., Manor, Texas, submitted a speaker card and spoke regarding the Public Comments time restrictions. Mrs. Forsythe also requested a future agenda item regarding amending Chapter 14 Neighborhood Zoning Regulations.

Mary Dawson, 12085 Waterford Run Way, Manor, Texas, submitted a speaker card and expressed her concerns regarding the new Dominium Project Development.

Robert Battaile, 502 E. Eggleston St., Manor, Texas, submitted a speaker card and expressed his concerns regarding H.O.T. Funds, P&Z Commission Alternate positions, Plazas, and Council reports. Mr. Battaile is requesting a new cemetery to be built, and he expressed his opposition to Agenda Items No. 5,6 and 12.

No one else appeared at this time.

CONSENT AGENDA

1. **Consideration, discussion, and possible action on accepting the November 2023 Departmental Reports.**

    - **Finance – Scott Moore, City Manager**
    - **Police – Ryan Phipps, Chief of Police**
    - **Travis County ESD No. 12 – Ryan Smith, Fire Chief**
    - **Economic Development – Scott Jones, Economic Development Director**
    - **Development Services – Scott Dunlop, Development Services Director**
    - **Municipal Court – Sarah Friberg, Court Clerk**
    - **Public Works – Matt Woodard, Director of Public Works**
    - **Manor Cemetery – Nora Sanchez, MC Manager**
    - **Human Resources – Tracey Vasquez, HR Manager**
    - **IT – Phil Green, IT Director**
    - **Administration – Lluvia T. Almaraz, City Secretary**

2. **Consideration, discussion, and possible action on accepting the October and November 2023 City Council Monthly Reports.**

3. **Consideration, discussion, and possible action on amending the JustFOIA contract to provide upgraded software services.**

4. **Consideration, discussion, and possible action on a Supplement to the Agreement for Street Lighting Service by and Between Oncor Electric Delivery Company and the City of Manor to provide street lighting service in the Palomino Subdivision.**

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

Mayor Harvey adjourned the regular session of the Manor City Council into Executive Session at 7:13 p.m. on Wednesday, December 20, 2023, in accordance with the requirements of the Open Meetings Law.

Council Member Amezcua recused herself from discussion of Section 551.074 Personnel Matters to Interview Candidates for appointment to the Planning and Zoning Commission, Place No. 7 to fill an unexpired term starting in January 2024; and reappointments to Place No. 2; Place No. 4; and Place No. 6.

The appropriate Conflict of Interest Affidavit was filled out and filed with the City Secretary.

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; Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel on the ShadowGlen project; Section 551.074 Personnel Matters to Interview Candidates for appointment to the Planning and Zoning Commission, Place No. 7 to fill an unexpired term starting in January 2024; and reappointments to Place No. 2; Place No. 4; and Place No. 6; and Section 551.074 Personnel Matters Discussion of City Manager's Evaluation at* 7:13 p.m. on Wednesday, December 20, 2023.

The Executive Session was adjourned at 10:16 p.m. on Wednesday, December 20, 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 10:16 p.m. on Wednesday, December 20, 2023.

REGULAR AGENDA

5. Consideration, discussion, and possible action on appointing the Planning and Zoning Commission Member for Place No. 7 to fill an unexpired term.

The city staff recommended that the City Council appoint an applicant to fill the unexpired term for Place No. 7 expiring on January 1, 2025.

Development Services Director Dunlop discussed the current vacancy.

MOTION: Upon a motion made by Council Member Deja Hill and seconded by Mayor Pro Tem Emily Hill to appoint James Terry to fill the unexpired term for Place No. 7 expiring on January 1, 2025.

There was no further discussion.

Motion to approve carried 7-0

6. Consideration, discussion, and possible action on appointing the Planning and Zoning Commission Members for Place No. 2; Place No. 4; and Place No. 6.

The city staff recommended that the City Council reappoint the Planning and Zoning Commission Members for Place No. 2; Place No. 4; and Place No. 6.

MOTION: Upon a motion made by Council Member Deja Hill and seconded by Council Member Moreno to reappoint the Planning and Zoning Commission Members for Place No. 2; Place No. 4; and Place No. 6 with terms expiring on January 1, 2026.

There was no further discussion.

Motion to approve carried 7-0

7. Consideration, discussion, and possible action on entering into a financing agreement for the purchase of Motorola Radio Equipment for the Police Department.

The city staff recommended that the City Council approve the contract with Motorola Solutions for the replacement of the Police Department's emergency radio system, financed over 5 years; and authorize the City Manager to execute the contract.

Chief of Police Phipps discussed the proposed agreement for the purchase of Motorola Radio Equipment for the Police Department.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Weir to approve the contract with Motorola Solutions for the replacement of the Police Department's emergency radio system, financed over 5 years; and authorize the City Manager to execute the contract.

There was no further discussion.

Motion to approve carried 7-0

8. Consideration, discussion, and possible action on a change order to the construction contract for the FY2022 Capital Metro Pavement Improvements project.

The city staff recommended that the City Council approve Change Order No. 1 for the FY2022 Capital Metro Paving Project in the amount of $339, 722.10.

City Engineer Gray discussed the proposed change order.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Amezcua to approve Change Order No. 1 for the FY2022 Capital Metro Paving Project in the amount of $339, 722.10.

There was no further discussion.

Motion to approve carried 7-0

9. Consideration, discussion, and possible action on a Construction Contract for the Gregg Manor Road Ground Storage Tank & Pressurization Facility Improvements.

The city staff recommended that the City Council approve and award the Construction Contract for the Gregg Manor Road Ground Storage Tank & Pressurization Facility Improvements to CC Carlton Industries, LTD in the amount of $4,479,997.50.

City Engineer Gray discussed the proposed construction contract.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace to approve and award the Construction Contract for the Gregg Manor Road Ground Storage Tank & Pressurization Facility Improvements to CC Carlton Industries, LTD in the amount of $4,479,997.50.

There was no further discussion.

Motion to approve carried 7-0

10. Consideration, discussion, and possible action on an amendment to Statement of Work No. 18 for the 2022 CIP Update.

The city staff recommended that the City Council approve and award Statement of Work #18A to George Butler Associates, Inc. for the 2022 CIP Update project in the amount of $6,000.00.

City Engineer Gray discussed the proposed statement of work request.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Amezcua to approve and award Statement of Work #18A to George Butler Associates, Inc. for the 2022 CIP Update project in the amount of $6,000.00.

There was no further discussion.

Motion to approve carried 7-0

11. Consideration, discussion, and possible action on a change order to the construction contract for the Bell Farms and Presidential Glenn Lift Station Expansion project.

The city staff recommended that the City Council approve Change Order No. 2 to the construction contract for the Bell Farms and Presidential Glenn Lift Station Expansion project with JM Pipeline in the amount of $115,194.41.

City Engineer Phelan discussed the proposed change order.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Amezcua to approve Change Order No. 2 to the construction contract for the Bell Farms and Presidential Glenn Lift Station Expansion project with JM Pipeline in the amount of $115,194.41.

There was no further discussion.

Motion to approve carried 7-0

12. Consideration, discussion, and possible action on a Third Amendment to the Development Agreement for the Butler/East Hwy 290 & 13100 N. FM 973 Development.

The city staff recommended that the City Council approve a Third Amendment to the Development Agreement for the Butler/East Hwy 290 & 13100 N. FM 973 Development.

Development Services Director Dunlop discussed the proposed Third Amendment to the Agreement for the Butler/East Hwy 290 & 13100 N. FM 973 Development.

Jonathan Sosebee with Kimley Horn discussed the attached PowerPoint presentation.

Topic of discussion:

- Zoning
- Concept Plan
- Amendments

A discussion was held regarding the reduction of parking spaces for the Home Depot.

A discussion was held regarding the HEB Landscape Plan.

MOTION: Upon a motion made by Council Member Amezcua and seconded by Council Member Wallace to approve a Third Amendment to the Development Agreement for the Butler/East Hwy 290 & 13100 N. FM 973 Development.

There was no further discussion.

Motion to approve carried 7-0

13. Consideration, discussion, and possible action on a Food Court Establishment at 13538 N. FM 973.

The city staff recommended that the City Council approve a Food Court Establishment at 13538 N. FM 973 with considerations determined by the City Council for a maximum number of food trucks, location of food trucks, and amenities.

Development Services Director Dunlop discussed the proposed food court establishment.

Danny Burnett, 9900 Highway 290 East, Manor, Texas, submitted a speaker card in support of this item. He discussed the proposed food court establishment request.

Jordan Dwyer, 9900 Highway 290 East, Manor, 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 the City Council.

A discussion was held regarding Planning and Zoning Commission recommendations.

MOTION: Upon a motion made by Council Member Wallace to approve a Food Court Establishment at 13538 N. FM 973 with considerations determined by the City Council for a maximum number of food trucks, location of food trucks, and amenities.

MOTION: Upon an amended motion made by Council Member Wallace and seconded by Council Member Amezcua to approve a Food Court Establishment at 13538 N. FM 973 with considerations determined by the City Council for a maximum number of food trucks, location of food trucks, and amenities with a limit to 5 food trucks and limiting portapotties to 6 months before they are changed to conform stations.

There was no further discussion.

Motion to approve carried 4-3
(Mayor Pro Tem Emily Hill; Council Member Deja Hill and Council Member Weir voted against)

14. Consideration, discussion, and possible action on a Resolution requesting the release of a portion of the extraterritorial jurisdiction of the City of Austin, Texas to the extraterritorial jurisdiction of the City of Manor, Texas; and authorizing the release of a portion of the extraterritorial jurisdiction of the City of Manor, Texas to the extraterritorial jurisdiction of the City of Austin, Texas.

The city staff recommended that the City Council approve Resolution No. 2023-45 requesting the release of a portion of the extraterritorial jurisdiction of the City of Austin, Texas to the extraterritorial jurisdiction of the City of Manor, Texas; and authorizing the release of a portion of the extraterritorial jurisdiction of the City of Manor, Texas to the extraterritorial jurisdiction of the City of Austin, Texas.

Development Services Director Dunlop discussed the proposed Resolution.

Resolution No. 2023-45: A Resolution of the City Council of the City of Manor, Texas, Requesting the Release of a portion of the Extraterritorial Jurisdiction of the City of Austin, Texas to the Extraterritorial Jurisdiction of the City of Manor, Texas; and Authorizing the Release of a portion of the Extraterritorial Jurisdiction of the City of Manor, Texas to the Extraterritorial Jurisdiction of the City of Austin, Texas.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace to approve Resolution No. 2023-45 requesting the release of a portion of the extraterritorial jurisdiction of the City of Austin, Texas to the extraterritorial jurisdiction of the City of Manor, Texas; and authorizing the release of a portion of the extraterritorial jurisdiction of the City of Manor, Texas to the extraterritorial jurisdiction of the City of Austin, Texas.

There was no further discussion.

Motion to approve carried 7-0

ADJOURNMENT

The Regular Session of the Manor City Council was Adjourned at 11:15 p.m. on Wednesday, December 20, 2023.

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

APPROVED:

Dr. Christopher Harvey,
Mayor

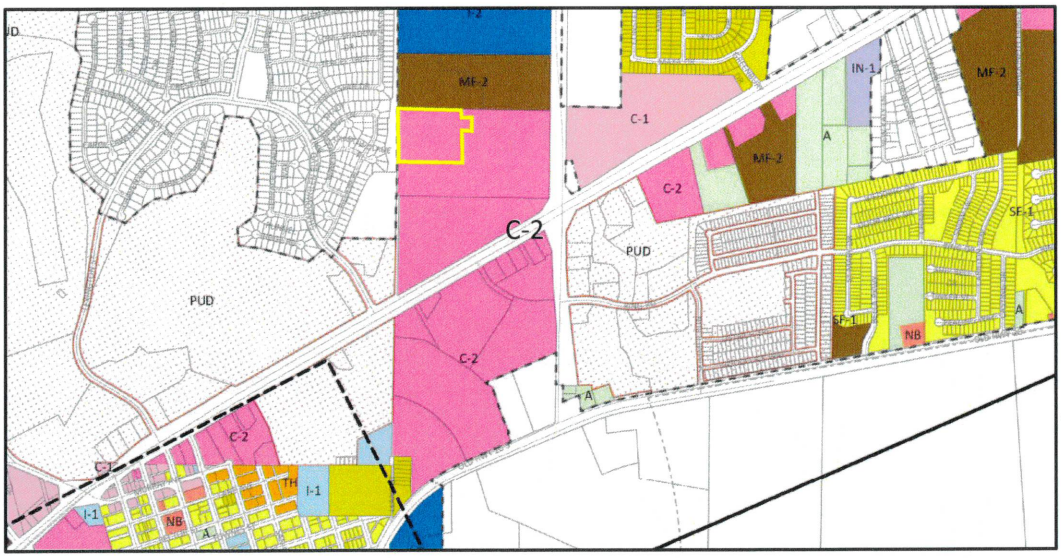
ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

Third Amendment to Development Agreement

December 20, 2023

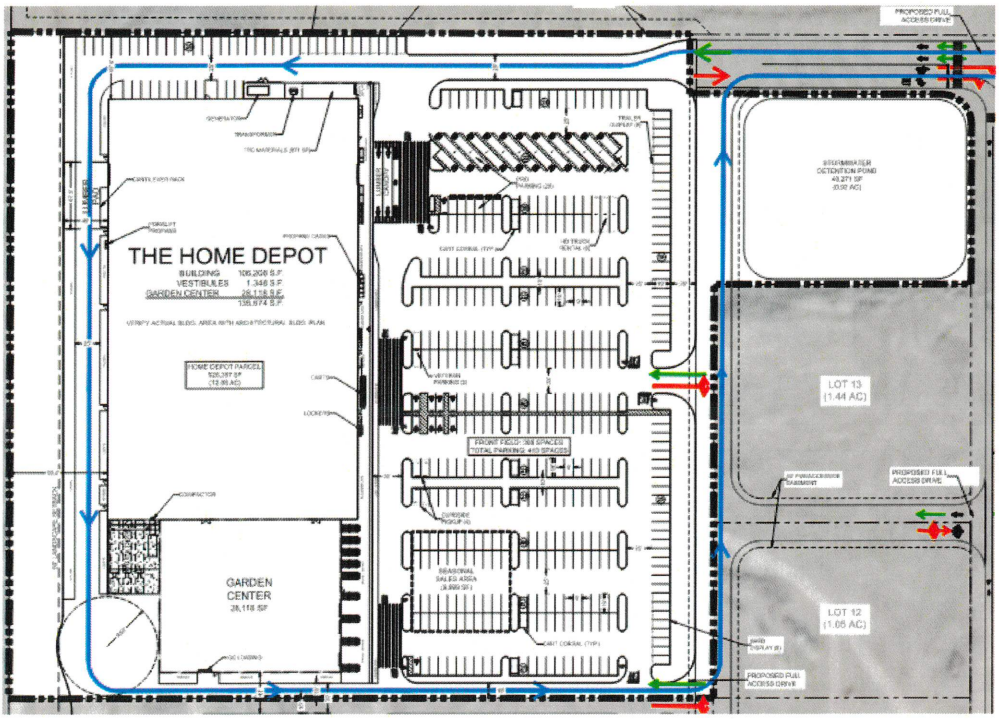
Zoning



Legend

A	Agricultural
SF-E	Single Family Estate
SF-1	Single Family Suburban
SF-2	Single Family Standard
TF	Two-Family Residential
TH	Townhome
MF-1	Multi-Family 15
MF-2	Multi-Family 25
MH-1	Manufactured Home
MH-2	Manufactured Home Park
OS	Open Space
I-1	Institutional-Small
I-2	Institutional-Large
GO	General Office
C-1	Light Commercial
C-2	Medium Commercial
C-3	Heavy Commercial
IN-1	Light Industrial
IN-2	Heavy Industrial
NB	Neighborhood Business
DB	Downtown Business
PUD	Planned Unit Development
	City Limits
	Extra-Territorial Jurisdiction

Concept Plan



TRAFFIC FLOW LEGEND

- THD TRAFFIC FLOW IN
- THD TRAFFIC FLOW OUT
- THD GOODS TRAFFIC FLOW

Draft Only. Exact layout subject to change

Amendments

- Reduce the number required parking spaces to 1:350
- No screening for storage if located in the rear
- Additional screening at the rear of the property with a fence or triple the number of evergreen plantings as required
- Reduce the min. number of trees to 1 per 600sf
- Increases the maximum size of an attached sign to 450 sf
- Increases the maximum height of pole lighting to 40'

Amendments

- Allow for the temporary sale of seasonal products by right
- Garden center materials may be stacked higher than a screening fence
- Permits store operations from 6am – 10pm

Questions?

Kimley»Horn

THE HOME DEPOT