



**CITY COUNCIL
REGULAR SESSION MINUTES
JUNE 1, 2022**

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
Vacant, Place 6

CITY STAFF:

Scott Moore, City Manager
Lluvia T. Almaraz, City Secretary
Scott Dunlop, Development Services Director
Ryan Phipps, Chief of Police
Scott Jones, Economic Development Director
Phil Green, IT Director
Tracey Vasquez, HR Manager
Frank T. Phelan, P.E., City Engineer
Veronica Rivera, Assistant City Attorney

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 7:24 p.m. on Wednesday, June 1, 2022, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

PLEDGE OF ALLEGIANCE

Mayor Harvey led the Pledge of Allegiance.

PROCLAMATIONS

A. Declaring the month of June 2022, as “*LGBTQ+Month*”

Mayor Harvey read and presented proclamation to Chief Phipps.

PUBLIC COMMENTS

No one appeared at this time.

At the request of Mayor Harvey Consent Item No. 6 and Item No. 7 were pulled and postponed to the June 15, 2022, Regular Council Meeting; and Item No. 10 was postponed to the July 6, 2022, Regular Council Meeting.

CONSENT AGENDA

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

- May 18, 2022, City Council Regular Meeting; and
- May 23, 2022, City Council Called Special Session

2. Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 0.198 acres, more or less, Lot 5 and West ½ of Lot 4, Block 9, A.E. Lane Addition, and being located at 109 West Lane Avenue, Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB). *Applicant: Wenkai Chen; Owner: Wenkai Chen*

Ordinance No. 651: 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 Neighborhood Business (NB): Making Findings of Fact; and Providing for Related Matters.

3. Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 10.945 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract No. 154, and being located at 15001 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2). *Applicant: Duque States, LLC; Owner: Duque States, LLC*

Ordinance No. 652: An Ordinance of the City of Manor, Texas Amending the Zoning Ordinance by Rezoning a Parcel of Land From Agricultural (A) to Medium Commercial (C-2): Making Findings of Fact; and Providing for Related Matters.

4. **Second and Final Reading:** Consideration, discussion, and possible action on an ordinance rezoning 6.533 acres, more or less, Town of Manor, Block 15, Lots 6-10, Block 17, Lots 1-10, Block 18, Lots 1-10, Block 19, Lots 1-10, Block 20, Lots 1-5, Block 74, Lots 1-5, and 0.397 acres out of the James Manor Survey No. 40, Abstract 546, and being located near the intersection of N. LaGrange Street and East Lane Avenue, Manor, TX from Manufactured Home (MH-1), Light Commercial (C-1), and Single Family Suburban (SF-1) to Townhome (TH). *Applicant: BGE, Inc.; Owner: Lane Ave Development, LLC*

Ordinance No. 653: An Ordinance of the City of Manor, Texas Amending the Zoning Ordinance by Rezoning a Parcel of Land From Manufactured Home (MH-1), Light Commercial (C-1), and Single Family Suburban (SF-1) to Townhome (TH); Making Findings of Fact; and Providing for Related Matters.

5. **Second and Final Reading:** Consideration, discussion, and possible action on an ordinance rezoning 86.05 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract 154, and being located at 13301 US Hwy 290 E, Manor, TX from Single Family Suburban (SF-1) to Medium Commercial (C-2), Multi-Family 25 (MF-2), and Townhome (TH). *Applicant: SEC Planning, LLC; Owner: Manor 290 OZ Real Estate, LP*

Ordinance No. 654: 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 Medium Commercial (C-2), Multi-Family 25 (MF-2), and Townhome (TH); Making Findings of Fact; and Providing for Related Matters.

6. ~~**Second and Final Reading:** Consideration, discussion, and possible action on an ordinance rezoning 13.224 acres, more or less, out of the James Manor Survey No. 40, Abstract No. 546, and being located near the intersection of East Parsons Street and Bastrop Street, Manor TX from Light Commercial (C-1) to Multi Family 25 (MF-2). *Applicant: Metcalfe, Wolff, Stuart & Williams, LLP; Owner: Dwyer Realty Companies*~~
7. ~~**Second and Final Reading:** Consideration, discussion, and possible action on an ordinance rezoning 26.30 acres, more or less, out of the Greenbury Gates Survey No. 63 and James Manor Survey No. 40, and being located near the intersection of N. FM 973 and Shadowglen Trace, Manor, TX from Medium Commercial (C-2) to Multi-Family 25 (MF-2). *Applicant: Metcalfe, Wolff, Stuart & Williams, LLP; Owner: Edward Butler*~~
8. **Second and Final Reading:** Consideration, discussion, and possible action on a Zoning Ordinance Amendment to amend the definitions, residential land use conditions, general development regulations for Multi-Family districts, non-residential uses in non-residential and mixed-use zoning districts; non-residential and mixed-use land use conditions, non-residential and mixed-use development standards, Single Family Attached and Multi-Family and mixed-use architectural standards, and nonconforming structures.

Ordinance No. 657: An Ordinance of the City of Manor, Amending Chapter 14, Zoning, of the Code of Ordinances of The City of Manor, Texas, by Providing for the Amendment of Definitions and Residential Land Use Conditions; Modifying General Development Regulations for Multi-Family Districts; Amending Non-Residential Uses in Non-Residential and Mixed-Use Zoning Districts; Amending Non-Residential and Mixed-Use Land Use Conditions; Amending Non-Residential And Mixed-Use Development Standards; Amending Single Family Attached and Multi-Family and Mixed-Use Architectural Standards; and Amending Nonconforming Structures; Providing for a Severability Clause, Providing Savings, Open Meetings and Effective Date Clauses; and Providing For Related Matters.

9. **Second and Final Reading**: Consideration, discussion, and possible action on an ordinance rezoning 0.66 acres, more or less, being Lots 6-10, Block 62, Town of Manor, and being located at 409 N. Lexington St., Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB) and Townhome (TH). Applicant: Lexington Manor LLC
Owner: Lexington Manor LLC

Ordinance No. 658: 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 Neighborhood Business (NB) And Townhome (TH); Making Findings of Fact; and Providing for Related Matters.

10. ~~**Second and Final Reading**: Consideration, discussion, and possible action on an ordinance of the City of Manor, Texas annexing 14.55 acres of land, more or less, located in Travis County, including the abutting streets, roadways, and rights-of-way into the corporate limits of the City, at the request of the property owner; approving an Agreement for the Provision of Services for the annexed area; making findings of fact; providing a severability clause and an effective date; and providing for open meetings and other related matters.~~

MOTION: Upon a motion made by Council Member Wallace seconded by Mayor Pro Tem Hill to approve and accept the Consent Agenda, postponing Item No. 6 and Item No. 7 to the June 15, 2022, Regular Council Meeting; and Item No. 10 to the July 6, 2022, Regular Council Meeting.

There was no further discussion.

Motion to approve carried 6-0

Mayor Harvey adjourned the regular session of the Manor City Council into Executive Session at 7:30 p.m. on Wednesday, June 1, 2022, in accordance with the requirements of the Open Meetings Law.

EXECUTIVE SESSION

The Manor City Council 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 (Consultation with Attorney) to consult with legal counsel regarding Capital Metropolitan Transportation Authority; Section 551.072, Texas Government Code to deliberate the value and conveyance of the City's interest in real property; and Section 551.074 (Personnel Matters) to discuss duties of the City Manager* at 7:30 p.m. on Wednesday, June 1, 2022.

The Executive Session was adjourned at 8:44 p.m. on Wednesday, June 1, 2022

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 Closed Executive Session at 8:44 p.m. on Wednesday, June 1, 2022.

Mayor Harvey opened the floor for action to be taken on the items discussed in the Executive Session.

There was no action was taken.

REGULAR AGENDA

11. Consideration, discussion, and possible action on a resolution denying the proposed change in rates of Oncor Electric Delivery Company LLC.

The city staff recommended that the City Council approve Resolution No. 2022-10 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.

Armando Perez with Oncor Electric Delivery discussed the proposed Resolution.

City Manager Moore stated that the proposed resolution is requested every four (4) years.

Resolution No. 2022-10: A Resolution of The City Council of The City Of Manor, Texas Denying the Proposed Change in Rates of Oncor Electric Delivery Company LLC, Finding and Determining That the Meeting at Which This Resolution is Passed is Open to the Public as Required by Law, and Declaring an Emergency.

MOTION: Upon a motion made by Council Member Amezcua and seconded by Council Member Moreno, to approve Resolution No. 2022-10 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.

There was no further discussion.

Motion to approve carried 6-0

12. Consideration, discussion, and possible action on a Change Order to the construction contract for the 2020 Wastewater Collection System Improvements, CIP S-32 project.

The city staff recommended that the City Council approve Change Order No. 2 to the construction contract for the 2020 Wastewater Collection System Improvements, CIP S-32 project with Guerra Underground, LLC in the amount of \$57,190.67.

City Engineer Phelan discussed the proposed change order to the construction contract for the 2020 Wastewater Collection System Improvements.

MOTION: Upon a motion made by Council Member Weir and seconded by Mayor Pro Tem Hill, to approve Change Order No. 2 to the construction contract for the 2020 Wastewater Collection System Improvements, CIP S-32 project with Guerra Underground, LLC in the amount of \$57,190.67.

Discussion was held regarding the clarification of preventing additional costs for future projects.

There was no further discussion.

Motion to approve carried 6-0

13. Consideration, discussion, and possible action on a Statement of Work No. 13 to the Master Services Agreement dated October 7, 2020, with George Butler Associates, Inc. for Fire Code Compliance Review services and rates.

The city staff recommended that the City Council approve Statement of Work No. 13 under the existing Master Services Agreement with George Butler Associates, Inc.

City Engineer Phelan discussed the proposed Statement of Work with GBA for the services of Fire Code Compliance Review services and rates.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace, to approve Statement of Work No. 13 under the existing Master Services Agreement with George Butler Associates, Inc.

There was no further discussion.

Motion to approve carried 6-0

14. Consideration, discussion, and possible action on Amendment One to the Interlocal Agreement by and Between Capital Metropolitan Transportation Authority and City of Manor, Texas for Build Central Texas.

The city staff recommended that the City Council postpone item to the June 15, 2022, Regular Council Meeting.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Weir, to postpone item to the June 15, 2022, Regular Council Meeting.

There was no further discussion.

Motion to postpone carried 6-0

15. Consideration, discussion, and possible action on a tree mitigation fee-in-lieu for Manor Independent School District for 243 caliper inches and located at the Manor ISD Senior High School Athletic Complex at 14832 N. FM 973, Manor, Texas.

The city staff recommended that the City Council approve a tree mitigation fee-in-lieu of \$75 per caliper inch for Manor Independent School District for 243 caliper inches and located at the Manor ISD Senior High School Athletic Complex at 14832 N. FM 973, Manor, Texas.

Development Services Director Dunlop discussed the proposed request for the tree mitigation fee-in-lieu for Manor ISD.

Cody Holt with Claycomb Associates submitted a speaker card but did not wish to speak, however; he was available to answer any questions posed by the City Council.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Wallace, to approve a tree mitigation fee-in-lieu of \$75 per caliper inch for Manor Independent School District for 243 caliper inches and located at the Manor ISD Senior High School Athletic Complex at 14832 N. FM 973, Manor, Texas.

Development Services Director Dunlop explained how fees are allocated within the Public Works Department for parks and other city's facilities.

There was no further discussion.

Motion to approve carried 6-0

16. Consideration, discussion, and possible action on a Resolution accepting the petition for annexation of 62.8431 acres of land, more or less, being located in Travis County, Texas and adjacent and contiguous to the city limits and setting a date for a public hearing.

The city staff recommended that the City Council approve Resolution No. 2022-09 accepting the petition for annexation of 62.8431 acres of land, more or less, being located in Travis County, Texas and adjacent and contiguous to the city limits and setting a date for the public hearing.

Development Services Director Dunlop discussed proposed resolution.

Ethan Harwell with Kimley-Horn and Associates Inc. submitted a speaker card in support of this item but did not wish to speak, however; he was available to answer any questions posed by the City Council.

Resolution No. 2022-09: A Resolution of The City of Manor, Texas, Accepting the Petition for Annexation of 62.8431 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 Weir and seconded by Council Member Moreno, to approve Resolution No. 2022-09 accepting the petition for annexation of 62.8431 acres of land, more or less, being located in Travis County, Texas and adjacent and contiguous to the city limits and setting a date for the public hearing on June 15, 2022.

There was no further discussion.

Motion to approve carried 6-0

17. Reconsidered – First Reading: Consideration, discussion, and possible action on an ordinance rezoning 14.55 acres, more or less, being Lot 1, Manor Villa Estates, and being located at 13518 Old Hwy 20, Manor, TX to Townhome (TH).

MOTION: Upon a motion made by Council Member Weir and seconded by Mayor Pro Tem Hill to reconsider first reading: Consideration, discussion, and possible action on an ordinance rezoning 14.55 acres, more or less, being Lot 1, Manor Villa Estates, and being located at 13518 Old Hwy 20, Manor, TX to Townhome (TH).

There was no further discussion.

Motion to approve carried 6-0

Mayor Harvey read reconsideration item.

The city staff recommended that the City Council approve the first reading of an ordinance rezoning 14.55 acres, more or less, being Lot 1, Manor Villa Estates, and being located at 13518 Old Hwy 20, Manor, TX to Townhome (TH).

David Pikoff developer for the project discussed the proposed rezoning request and traffic concerns.

Discussion was held regarding the clarification of modest price homes and the proposed development.

Discussion was held regarding the maintenance on landscaping of the proposed Townhomes.

Ordinance: An Ordinance of the City of Manor, Texas, Amending the Zoning Ordinance by Rezoning a Parcel of Land to Townhome (TH); Making Findings of Fact; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace to approve the first reading of an ordinance rezoning 14.55 acres, more or less, being Lot 1, Manor Villa Estates, and being located at 13518 Old Hwy 20, Manor, TX to Townhome (TH).

There was no further discussion.

Motion to approve carried 6-0

ADJOURNMENT

The Regular Session of the Manor City Council Adjourned at 9:11 p.m. on Wednesday, June 1, 2022.


These minutes approved by the Manor City Council on the 15th day of June 2022. *(Audio recording archived)*

APPROVED:



Dr. Christopher Harvey
Mayor

ATTEST:



Lluvia T. Almaraz, TRMC
City Secretary

