



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, March 03, 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, March 3rd, 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**

REPORTS

Reports about items of community interest on which no action will be taken.

- A. Emergency Management Committee**
Submitted by: Ryan Phipps, Chief of Police

- B. Health Care Reports**
 - Black Mammals ATX Program
Submitted by Council Member Deja Hill

 - American Heart Association
Submitted by Council Member Anne Weir

 - Substance Abuse and Mental Health Services Administration (SAMHSA)
Submitted by Council Member Emily Hill

- C. Education Committee**
Submitted by: Council Member Emily Hill

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.

- 1. Consideration, discussion, and possible action to approve the City Council Minutes of February 24, 2021, City Council Called Special Meeting.**
Submitted by: Lluvia T. Almaraz, City Secretary

- 2. Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 10.01 acres, more or less, out of the A.C. Caldwell Survey No. 52, Abstract 154, Travis County Texas, and being located at 14719 US Hwy 290 E, Manor, TX from Agricultural (A) to Heavy Commercial (C-3).**
Applicant: RL Posey Consulting, LLC
Owner: EARTC, LLC
Submitted by: Scott Dunlop, Assistant Development Services Director

- 3. Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 8.93 acres, more or less, out of the A.C. Caldwell Survey, Travis County Texas, and being located at 13300 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2).**

Applicant: South Llano Strategies

Owner: Timmermann Properties, Inc.

Submitted by: Scott Dunlop, Assistant Development Services Director

REGULAR AGENDA

- 4. Consideration, discussion, and possible action on a Purchase Contract with Terrell Timmermann Farms, LP for a water easement with temporary construction easement.**
Submitted by: Samuel D. Kiger, P.E. City Engineer
- 5. Consideration, discussion, and possible action on a change order to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements project.**
Submitted by: Frank T. Phelan, P.E. City Engineer
- 6. Consideration, discussion, and possible action on a change order to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements Phase 2 project.**
Submitted by: Frank T. Phelan, P.E. City Engineer
- 7. Consideration, discussion, and possible action on an ordinance adopting the Amended Annual Budget for the City of Manor for the fiscal year beginning October 1, 2020, and ending September 30, 2021.**
Submitted by: Lydia Collins, Acting City Manager/Director of Finance
- 8. Consideration, discussion, and possible action on an ordinance authorizing the temporary suspension of certain residential building permit fees.**
Submitted by: Scott Dunlop, Assistant Development Services Director
- 9. Consideration, discussion, and possible action on the appointment of three (3) Capital Improvements Committee Council Members; and Chairperson to serve a one-year term.**
Submitted by: Lydia Collins, Acting City Manager/Director of Finance

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 551.074 Personnel Matters – Discussion of City Manager’s Employment*

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.

10. Consideration, discussion, and possible action on an amendment to the City Manager's Contract.

Submitted by: Tracey Vasquez, HR Manager

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, February 26, 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: March 3, 2021
PREPARED BY: Lluvia T. Almaraz, City Secretary
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action to approve the City Council Minutes of February 24, 2021, Called Special Meeting.

BACKGROUND/SUMMARY:

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

- February 24, 2021, City Council Special Meeting Minutes

STAFF RECOMMENDATION:

It is the City Staff's recommendation that the City Council approve the City Council Minutes of February 24, 2021, Called Special Meeting.

PLANNING & ZONING COMMISSION:	Recommend Approval	Disapproval	None
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**CITY COUNCIL
CALLED SPECIAL MEETING MINUTES
FEBRUARY 24, 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 special meeting scheduled for Wednesday, February 24th, was only open to the public via remote access.

The following instructions were provided to the general public.

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.

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:

Lydia Collins, Acting City Manager/Director of Finance
Lluvia T. Almaraz, City Secretary
Scott Dunlop, Assistant Development Services Director
Ryan Phipps, Chief of Police
Tracey Vasquez, HR Manager
Debbie Charbonneau, Heritage and Tourism Manager
Michael Tuley, Director of Public Works
Heath Ferguson, IT Manager
Samuel D. Kiger, P.E., City Engineer

SPECIAL SESSION – 7:00 P.M.

With a quorum of the Council Members present via video/telephone conference, the special session of the Manor City Council was called to order by Mayor Wallace at 7:00 p.m. on Wednesday, February 24, 2021.

PLEDGE OF ALLEGIANCE

At the direction of Mayor Wallace, Chief Phipps led the Pledge of Allegiance.

PUBLIC COMMENTS

HR Manager Vasquez invited everyone to the Free PPE Event scheduled for Saturday, February 27, 2021, from 10:00 a.m. – 2:00 p.m. at Manor City Hall.

Mayor Wallace thanked City Hall staff and Mayor Pro Tem Harvey for the support and the hard work that was done during the winter storm.

There were no other public comments received prior to the meeting.

REPORTS

Reports about items of community interest on which no action was taken.

A. Capital Improvements Committee

At the direction of Mayor Wallace, Mayor Pro Tem Harvey discussed the Capital Improvements Projects for the City and possibility of a Capital Improvements Committee.

The discussion was held regarding Transportation meetings with CapMetro.

The discussion was held regarding streets/roads projects for the city.

The discussion was held regarding an assessment process for the city regarding transportation and street/road construction projects.

PUBLIC HEARINGS

- 1. Conduct a public hearing upon a rezoning request for 10.01 acres, more or less, out of the A.C. Caldwell Survey No. 52, Abstract 154, Travis County Texas, and being located at 14719 US Hwy 290 E, Manor, TX from Agricultural (A) to Heavy Commercial (C-3).**

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

Mayor Wallace opened the public hearing.

Assistant Development Services Director Dunlop discussed the proposed rezoning request.

The discussion was held regarding clarification on the size of acreage.

The discussion was held regarding the site development plans.

The discussion was held regarding sale tax regulations for the development.

The discussion was held regarding job opportunities for citizens of Manor.

The discussion was held regarding the relocation of the business from Austin, Texas.

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

There was no further discussion.

Motion to close carried 7-0

2. **Public Hearing:** Conduct a public hearing upon a rezoning request for 8.93 acres, more or less, out of the A.C. Caldwell Survey, Travis County Texas, and being located at 13300 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2).

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

Mayor Wallace opened the public hearing.

Assistant Development Services Director Dunlop discussed the proposed rezoning request.

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

There was no further discussion.

Motion to close carried 7-0

CONSENT AGENDA

3. **Consideration, discussion, and possible action to approve the City Council Minutes of February 3, 2021, Regular Meeting.**
4. **Consideration, discussion, and possible action on the acceptance of the January 2021 Departmental Reports.**
- **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**
5. **Second and Final Reading:** Consideration, discussion, and possible action on an ordinance annexing 52.019 acres, more or less, adjacent and contiguous to the city limits and being located at 14704 US Hwy 290 E, Manor, TX.

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

There was no further discussion.

Motion to approve carried 7-0

At the Direction of Mayor Wallace, Item No. 6 and Item No. 7 were presented together and approved in one motion.

At the Direction of Mayor Wallace, Item No. 9 was pulled, and no action was taken.

REGULAR AGENDA

6. **First Reading: Consideration, discussion, and possible action on an ordinance rezoning 10.01 acres, more or less, out of the A.C. Caldwell Survey No. 52, Abstract 154, Travis County Texas, and being located at 14719 US Hwy 290 E, Manor, TX from Agricultural (A) to Heavy Commercial (C-3).**

The City staff recommended that the City Council approve the first reading of an ordinance rezoning 10.01 acres, more or less, out of the A.C. Caldwell Survey No. 52, Abstract 154, Travis County Texas, and being located at 14719 US Hwy 290 E, Manor, TX from Agricultural (A) to Heavy Commercial (C-3).

Assistant Development Services Director Dunlop was available to address any questions posed by the City Council.

Ordinance: An Ordinance of the City of Manor, Texas, Amending the Zoning Ordinance by Rezoning a Parcel of Land from Agricultural (A) to Heavy Commercial (C-3); Making Findings of Fact; and Providing for Related Matters.

7. **First Reading: Consideration, discussion, and possible action on an ordinance rezoning 8.93 acres, more or less, out of the A.C. Caldwell Survey, Travis County Texas, and being located at 13300 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2).**

The City staff recommended that the City Council approve the first reading of an ordinance rezoning 8.93 acres, more or less, out of the A.C. Caldwell Survey, Travis County Texas, and being located at 13300 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2).

Assistant Development Services Director Dunlop was available to address any questions posed by the City Council.

Ordinance: 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.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Weir, to approve the first reading of an ordinance rezoning 10.01 acres, more or less, out of the A.C. Caldwell Survey No. 52, Abstract 154, Travis County Texas, and being located at 14719 US Hwy 290 E, Manor, TX from Agricultural (A) to Heavy Commercial (C-3); and approve the first reading of an ordinance rezoning 8.93 acres, more or less, out of the A.C. Caldwell Survey, Travis County Texas, and being located at 13300 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2).

There was no further discussion.

Motion to approve carried 7-0

8. Consideration, discussion, and possible action on an award of a Construction Contract for the 2020 Wastewater Collection System Improvements to Guerra Underground, LLC in the amount of \$418,097.

The City staff recommended that the City Council approve and award a Construction Contract for the 2020 Wastewater Collection System Improvements to Guerra Underground, LLC in the amount of \$418,097.

City Engineer Kiger discussed the proposed award of a construction contract for the 2020 Wastewater Collections System Improvements.

The discussion was held regarding the size of water lines for the development.

The discussion was held regarding the clarification on the manhole fees if necessary.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Wallace, to approve and award a Construction Contract for the 2020 Wastewater Collection System Improvements to Guerra Underground, LLC in the amount of \$418,097.

There was no further discussion.

Motion to approve carried 7-0

10. Consideration, discussion, and possible action to approve the Purchase Contract with Krantz Properties, LLC for a wastewater easement with temporary construction easement.

The City staff recommended that the City Council approve the purchase contract with Krantz Properties, LLC for a wastewater easement with temporary construction easement.

City Engineer Kiger discussed the proposed purchase contract.

MOTION: Upon a motion made by Mayor Pro Tem Harvey and seconded by Council Member Wallace, to approve the purchase contract with Krantz Properties, LLC for a wastewater easement with temporary construction easement.

There was no further discussion.

Motion to approve carried 7-0

11. Consideration, discussion, and possible action on a Development Agreement for the Palomino Development.

The City staff recommended that the City Council approve a Development Agreement for the Palomino Development.

Assistant Development Services Director Dunlop discussed the proposed development agreement.

The discussion was held regarding the specifications of the street size.

MOTION: Upon a motion made by Mayor Pro Tem Harvey and seconded by Council Member Kruppa, to approve a Development Agreement for the Palomino Development.

There was no further discussion.

Motion to approve carried 7-0

12. Consideration, discussion, and possible action on an award of a Professional Services Contract for the 2050 Comprehensive Plan to Freese and Nichols, Inc. in the amount of \$319,168.00.

The City staff recommended that the City Council approve a Professional Services Contract for the 2050 Comprehensive Plan to Freese and Nichols, Inc. in the amount of \$319,168.00

Assistant Development Services Director Dunlop discussed the proposed contract for the 2050 Comprehensive Plan.

Chance Sparks, Freese and Nichols, Inc., 1251 Sadler Drive, Suite 1150, San Marcos, Texas, submitted a card in support of this item.

MOTION: Upon a motion made by Mayor Pro Tem Harvey and seconded by Council Member Weir, to approve a Professional Services Contract for the 2050 Comprehensive Plan to Freese and Nichols, Inc. in the amount of \$319,168.00.

Mayor Pro Tem Harvey gave a brief discussion on how the RFP Committee did the scoring of all proposals submitted.

Mr. Sparks with Freese and Nichols, Inc. discussed the timeline for the kick-off meetings with the community. He discussed different options that would be used for community engagement participation.

The discussion was held regarding a potential Advisory Committee to gather information.

Mr. Sparks gave a brief overview of the process that would be completed within fifteen (15) months. He briefly discussed the different type of tools that would be used for public engagement. He gave a summary of the implementation of the comprehensive plan for the city.

The discussion was held regarding additional services that would be provided by the consultant if requested by the city.

There was no further discussion.

Motion to approve carried 7-0

13. Tabled Item: Consideration, discussion, and possible action on City Council Committees Meetings.

Mayor Wallace recommended that the City Council approve the 1st and 3rd Wednesday's (9-5pm) as Council Days to hold committees, workshops, etc., as approved and/or needed by the Mayor and City Manager before presenting alternative dates to Council for approval.

The discussion was held regarding the clarification of set dates for committee meetings.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Hill, to approve the 1st and 3rd Wednesday's (9-5pm) as Council Days to hold committees, workshops, etc., as approved and/or needed by the Mayor and City Manager before presenting alternative dates to Council for approval.

There was no further discussion.

Motion to approve carried 7-0

ADJOURNMENT

The Called Special Meeting of the Manor City Council Adjourned at 8:19 p.m. on Wednesday, February 24, 2021.

These minutes approved by the Manor City Council on the 3rd day of March 2021.

APPROVED:

Dr. Larry Wallace Jr.
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

Draft Minutes



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: March 3, 2021
PREPARED BY: Scott Dunlop, Assistant Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 10.01 acres, more or less, out of the A.C. Caldwell Survey No. 52, Abstract 154, Travis County Texas, and being located at 14719 US Hwy 290 E, Manor, TX from Agricultural (A) to Heavy Commercial (C-3).

Applicant: RL Posey Consulting, LLC
Owner: EARTC, LLC

BACKGROUND/SUMMARY:

This property was annexed into the city in 2017 and the default Agricultural zoning was applied when that was finalized as a permanent zoning category was not requested. A construction services type business (fiber optic and traffic light installation) has located on the property. They were notified their use of the property was not consistent with the current zoning. C-3 Heavy Commercial has been requested since the outdoor storage area is not restricted in size. C-3 Heavy Commercial is our most permissive zoning category with almost all defined uses being allowed. If approved, they would need to plat the property as well as file site development plans and building permits.

P&Z recommended approval 4-0

First Reading was approved on February 24, 2021, Special Council Meeting

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

- Ordinance No. 603
- Rezoning Map
- Area Image
- C-3 Uses

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council approve the second and final reading of Ordinance No. 603 rezoning 10.01 acres, more or less, out of the A.C. Caldwell Survey No. 52, Abstract 154, Travis County Texas, and being located at 14719 US Hwy 290 E, Manor, TX from Agricultural (A) to Heavy Commercial (C-3).

PLANNING & ZONING COMMISSION:	Recommend Approval	Disapproval	None
	X		

ORDINANCE NO. 603

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM AGRICULTURAL (A) TO HEAVY COMMERCIAL (C-3); 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 Agricultural (A) to zoning district Heavy Commercial (C-3). The Property is accordingly hereby rezoned to Heavy Commercial (C-3).

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 17th day of February 2021.

PASSED AND APPROVED SECOND AND FINAL READING on this the 3rd day of March 2021.

THE CITY OF MANOR, TEXAS

Dr. Larry Wallace Jr.,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC,
City Secretary

EXHIBIT "A"

Property Address:
14719 US Hwy 290 East, Manor, Texas 78653

Property Legal Description:

A 10.01 acre tract of land, out of the A.C. Caldwell Survey No. 52, Abstract 154, Travis County, Texas, being a part of that called 22.682 acre tract of land as described in Document No. 2005187865, of the Official Public Records of Travis County, Texas. Said 10.01 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a found ½" iron rod with a plastic cap stamped "Allstar 5729" in the south right-of-way line of U.S. Highway 290, as shown on the Texas Department of Transportation Right-of-Way Map, Control Number 114-2-43, 114-3-18 & 114-4-37, for the northwest corner of a called 22.78 acre tract of land as described in Document No. 2008155343, of the Official Public Records of Travis County, Texas, the northeast corner of said 22.682 acre tract and the tract described herein, from which a found ½" iron rod with a plastic cap stamped "Bryan Tech Services" in the south right-of-way line of said U.S. Highway 290 and for the northeast corner of said 22.78 acre tract, bears N86° 46' 22" E, a distance of 683.92 feet;

THENCE: S20° 29' 01" W, with the common line between said 22.682 acre tract and said 22.78 acre tract, a distance of 1793.4 feet, to a found ½" iron rod with a plastic cap stamped "Forest 1847" in the north line of Lot 1 in Unicorn Equestrian Center Subdivision, recorded in Document No. 200100239, of the Official Public Records of Travis County, Texas, for the southwest corner of said 22.78 acre tract, the southeast corner of said 22.682 acre tract described herein, from which a found ½" iron rod with a plastic cap stamped "Forest 1847" for the northeast corner of said Lot 1 and the southeast corner of said 22.78 acre tract bears S47° 42' 12" E, a distance of 399.62 feet;

THENCE: With the common line of said 22.682-acre tract and said Unicorn Equestrian Center Subdivision, the following two (2) courses:

1. N47° 10' 25" W, a distance of 176.56 feet, to a found ½" iron rod for a corner of the tract described herein, and
2. N41° 05' 16" W, a distance of 179.62 feet, to a found ½" iron rod for the southwest corner of the tract described herein;

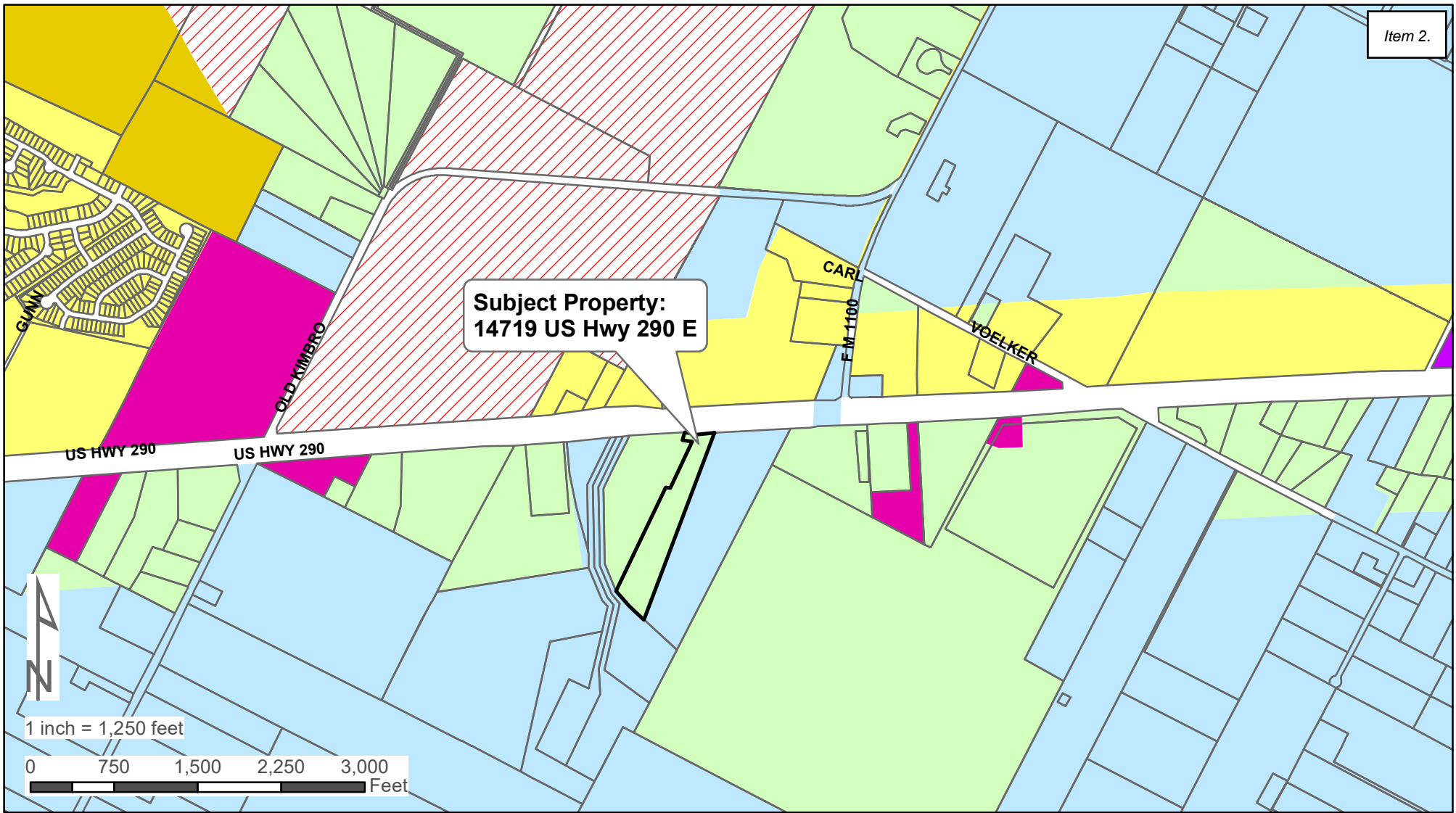
THENCE: Over and across said 22.682 acres, the following five (5) courses:

1. N24° 36' 26" E, a distance of 1105.99 feet, to a set ½" iron rod with a red plastic cap stamped "Matkin Hoover Eng. & Survey" for a corner of the tract described herein,
2. S84° 50' 43" E, a distance of 38.37 feet, to a set ½" iron rod with a red plastic cap stamped "Matkin Hoover Eng. & Survey" for a corner of the tract described herein,
3. N23° 20' 42" E, a distance of 401.72 feet, to a set ½" iron rod with a red plastic cap stamped "Matkin Hoover Eng. & Survey" for a corner of the tract described herein,
4. N84° 50' 43" W, a distance of 56.53 feet, to a set ½" iron rod with a red plastic cap stamped "Matkin Hoover Eng. & Survey" for a corner of the tract described herein, and

5. N11° 21' 12" E, a distance of 49.43 feet, to a found Texas Department of Transportation Right-of-Way Monument, in the north line of said 22.682 acre tract, for an angle point in the south right-of-way of said U.S. Highway 290 and the northwest corner of the tract described herein;

THENCE: With the south right-of-way line of said U.S. Highway 290 and the north line of said 22.682 acres the following two (2) courses:

1. S84° 50' 43" E, a distance of 100.78 feet, to a found ½" iron rod with a plastic cap stamped "Forest 1847" for an angle point in the south right-of-way line of said U.S. Highway 290, and
2. N86° 46' 22" E, a distance of 163.67 feet. To the POINT OF BEGINNING and containing 10.01 acres of land situated in Travis County, Texas.



Proposed Zoning: Heavy Commercial (C-3)

*Current Zoning:
Agricultural (A)*

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



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

Item 2.

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 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	
Construction and equipment sales (Minor)								P	P	P	

Item 2.

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
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	

Item 2.

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
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		

Item 2.

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	
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	

Item 2.

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	P
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		

Item 2.

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		
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		

Item 2.

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
Wireless transmission facilities (WTF), stealth	C	C	C	C	C/S	C/S	C	C	C	C	C
Zoo, private								P	P		

ORDINANCE NO. 604

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.

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 Agricultural (A) to zoning district Medium Commercial (C-2). The Property is accordingly hereby rezoned to Medium Commercial (C-2).

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 17th day of February 2021.

PASSED AND APPROVED SECOND AND FINAL READING on this the 3rd day of March 2021.

THE CITY OF MANOR, TEXAS

Dr. Larry Wallace Jr.,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

EXHIBIT "A"

Property Address:
13300 US Hwy 290 East, Manor, Texas 78653

Property Legal Description:

12.67 acers of land, more or less, out of the A.C Caldwell survey in Travis County, Texas and being the same property as conveyed to Carpenter Development Company in that Warranty Deed dated June 29, 1984, recorded in Volume 8676, Page 107, Real Property Records of Travis County, Texas SAVE AND EXCEPT that 3.862 acres of land as described in that Award of Commissioners entered on April 30, 1991, in Condemnation Proceedings filed in Probate Court Number One, Travis County, Texas, No. 1866, styled The State of Texas – V – Carpenter Development Company, a general partnership, et al.

Field notes for 12.67 acres of land out of the A.C. Caldwell Survey in Travis County, Texas; said 12.67 acres of land in a deed conveyed to Francis L. Jones and wife Augusta E. Jones of record Volume 3819 at Page 2165 of the Deed Records of Travis County, Texas; and being more particularly described by metes and bounds as follows:

BEGINNING at a concrete R.O.W. marker found in the north R.O.W. line of Highway 290 E, said concrete maker being the east R.O.W. line of Bois D'Arc Lane, for the southwest corner of the herein described tract and the POINT OF BEGINNING hereof;

THENCE, with a tin fence and the east R.O.W. line of Bois D'Arc Lane the following two (2) courses and distances;

- 1) N2° 23' 55" W 157.22 feet to a concrete R.O.W. marker for an angle point hereof;
- 2) N30° 00' 00" E 644.03 feet to an iron pin found at the most westerly southwest corner of a tract of land conveyed to J.A. and C.T. Jackson at record in Volume 829 at Page 340 of the Deed Records of Travis County, Texas for a the most northerly corner hereof;

THENCE, with the fenced south line of said J.A. and C.T. Jackson tract the following two (2) courses and distances;

- 1) S60° 33' 52" E 1192.45 feet to a nail found in a wood fence post for an angle point hereof;
- 2) S63° 53' 24" E 170.97 feet to a nail found in a wood fence post on the north R.O.W. line of U.S. Highway 290 E at an angle point in the above said J.A. and C.T. Jackson tract for the southeast corner hereof;

THENCE, along the north R.O.W. line of U.S. Highway 290 E the following two (2) courses and distances;

- 1) S87° 52' 20" W 187.31 feet to a concrete R.O.W. marker for an angle point hereof;
- 2) S87° 57' 55" W 1321.11 feet to a the POINT OF BEGINNING and containing 12.67 acres of land.

Field notes for 3.862 acres of land being a part of the A.C. Caldwell Survey No. 52, Abstract 154, Travis County, Texas, and being part of that certain 12.67 acre tract of land described in a deed to Carpenter Development Corporation recorded in Vol. 8676, Pg. 107, Deed Records of Travis County, and being more particularly described by metes and bounds as follows:

BEGINNING at a concrete right-of-way monument at the southwest corner of said Carpenter Development Co. 12.67 acre tract, said point being the intersection of the existing north right-of-way line of U.S. Highway 290 and the east right-of-way line of Bois D'Arc Lane, and from which Engineers Survey Line Station 263+84.85 bears S4° 26' 04" E a distance of 39.00 feet;

THENCE N4° 26' 4" W a distance of 120.00 feet with the east right-of-way line of Bois D'Arc Lane to an iron rod, from which a concrete monument bears N4° 26' 04" W a distance of 38.02';

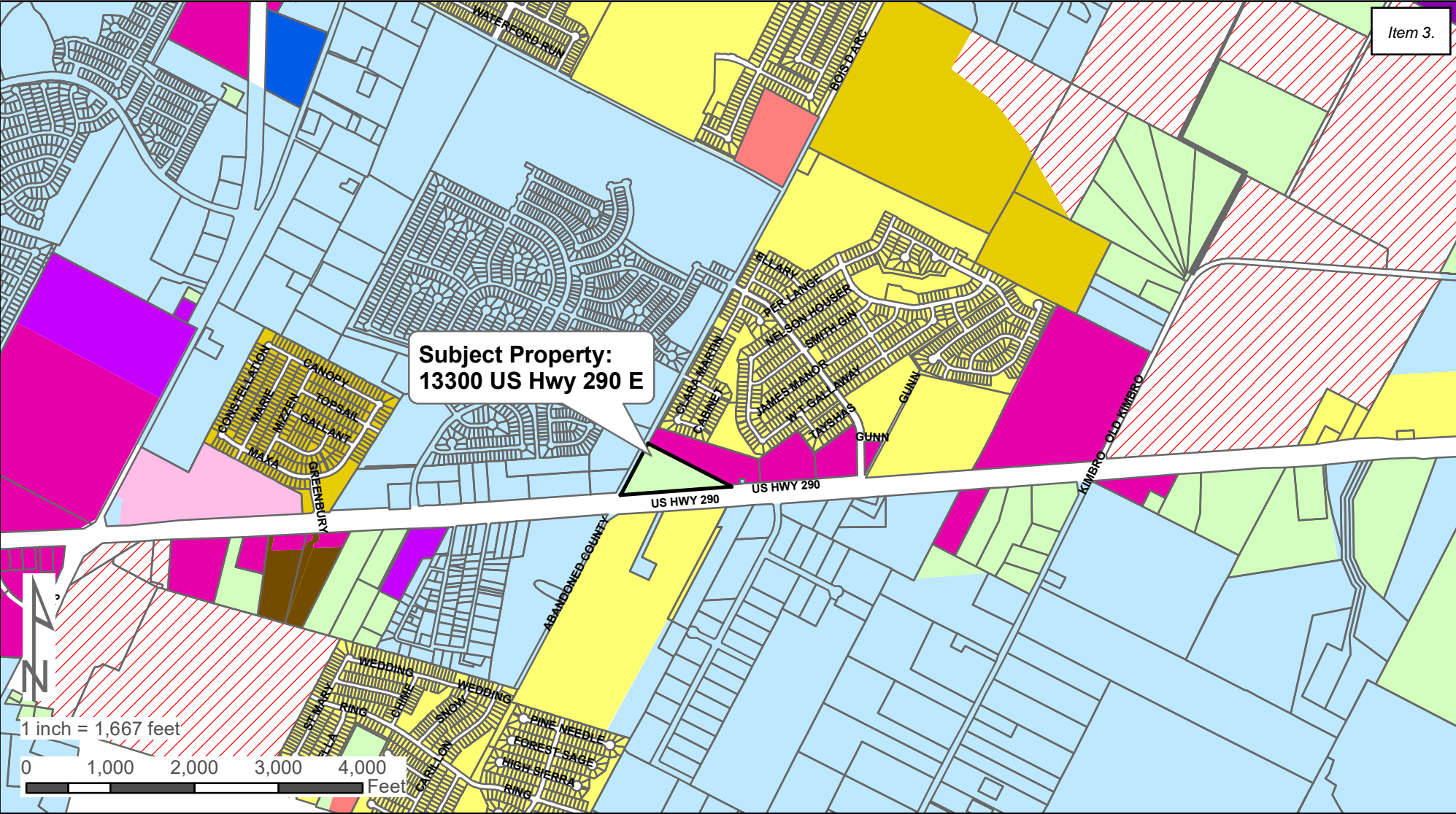
THENCE N85° 57' 54" E a distance of 1297.36 feet to an iron rod on the northeasterly line of said Carpenter Development Co. tract, from which the most northerly corner of said tract bears N62° 38' 39" W a distance of 1121.03';

THENCE S62° 38' 39" E a distance of 71.79 feet to an angle point in the northeasterly line of said tract;

THENCE S65° 57' 35" E a distance of 175.52 feet to the southeast corner of said Carpenter Development Co. tract;

THENCE S85° 57' 54" W a distance of 1512.68 feet with the existing north right-of-way of U.S. Highway 290 to the Place of Beginning, containing 3.862 acres of land.

**Subject Property:
13300 US Hwy 290 E**



Proposed Zoning: Medium Commercial (C-2)

*Current Zoning:
Agricultural (A)*

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





AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: March 3, 2021
PREPARED BY: Samuel D. Kiger, P.E.
DEPARTMENT: City Engineer

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action to approve the Purchase Contract with Terrell Timmermann Farms, LP for a water easement with temporary construction easement.

BACKGROUND/SUMMARY:

The 40' water easement and 10' temporary construction easement are required for the construction of the East US 290 Waterline. The City is agreeing to \$20,279.00 monetary compensation for the easements.

The expenditure for the purchase contract is within the recommended offers established based on the Travis County Appraisal District property values.

LEGAL REVIEW: Yes, Completed
FISCAL IMPACT: No, Costs are covered by the developer per the terms of the DA
PRESENTATION: No
ATTACHMENTS: Yes

- *Purchase Contract*

STAFF RECOMMENDATION:

It is the City Staff's recommendation that the City Council approve the Purchase Contract with Terrell Timmermann Farms, LP for a water easement with temporary construction easement.

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

CITY OF MANOR PURCHASE CONTRACT**THE STATE OF TEXAS****COUNTY OF TRAVIS**

THIS CONTRACT WITNESSETH that the undersigned herein called Owner, whether one or more, for good and valuable consideration, the receipt of which is hereby acknowledged, agree to grant a Utility Easement to the City of Manor, herein called the City, a municipal corporation situated in Travis County, State of Texas, or its assigns, and the City agrees to acquire the permanent and temporary easement property rights for the consideration and subject to the terms herein stated, upon the following describe real property, to-wit:

All those certain tracts, pieces or parcels of land, lying and being situated in the County of Travis, State of Texas, described and or depicted in **EXHIBIT "A"**, attached hereto and made apart hereof for all purposes, to which reference is hereby made for a more particular description of said property.

TOTAL PRICE: \$20,279.00 shall be paid by the City for the permanent and temporary easement rights to such property and for which no lien, or encumbrance expressed or implied, is retained.

Owner agrees to convey to the City permanent and temporary easement property rights to the above-described property for the consideration herein stated, or whatever interest therein found to be owned by the Owner for a proportionate part of the above consideration.

Owner at closing shall deliver to the City a duly executed and acknowledged Utility Easement in the form and substance as the attached instruments shown as **EXHIBIT "B"**.

Owner and the City will finalize the transaction by closing on or before sixty (60) days after the City is tendered an original release or subordination of any liens, which date is hereinafter referred to as the closing date. This date may be extended upon agreement by the Owner and City. Should the closing documents not be ready or any other incident which reasonably delays the closing, the parties shall close at the first available date for closing.

Owner hereby agrees to comply with the terms of this contract and agrees that the Utility Easement to the above-described property shall be effective at the time of closing.

The City agrees to prepare the Utility Easement for the above-described property at no expense to the Owner and to pay the costs of title insurance and any closing costs, if any.

The City agrees to pay to Owner, upon delivery of the properly executed Utility Easement instrument, the above-stated amount or the proportionate part of that price for whatever interest owner may have. The validity of this contract is contingent upon City Management approval.

Ad valorem taxes and any other operational expenses owing in connection with the property for the current year shall not be prorated at the closing; thereby Owner is responsible for the full year.

This agreement supersedes any and all other agreements, either oral or in writing, between the Owner and the City hereto with respect to said matter.

Pursuant to Tex. Prop. Code Sec. 21.023, the City hereby advises, and Owner hereby acknowledges he or she has been advised, of the following: if Owner's property is acquired through eminent domain, (1) Owner or Owner's heirs, successors, or assigns are entitled to repurchase the property if the public use for which the property was acquired through eminent domain is canceled before the 10th anniversary of the date of acquisition; and (2)) the repurchase price shall be the price paid to the owner by the entity at the time the entity acquired the property through eminent domain.

Owner and the City agree that said permanent and temporary easement property rights are being conveyed to the City of Manor under the imminence of condemnation, as that term is used in the United States Internal Revenue Code.

TO BE EFFECTIVE ON THE LAST DATE INDICATED BELOW:

**BUYER: THE CITY OF MANOR,
a Texas municipal corporation**

Date: _____

By: _____
Dr. Larry Wallace, Jr., Mayor

SELLER:

**TERRELL TIMMERMANN FARMS, LP,
A Texas limited partnership**

**By: Timmermann GP, LLC,
A Texas limited liability company
As its General Partner**

By: *Geraldine Timmermann*
Geraldine Timmermann, Manager

By: *Barth Timmermann*
Barth Timmermann, Manager

Project Name: East US 290 Water Line CIP W-17
Parcel No.: 5
TCAD Tax ID: 236859

JOINDER BY TENANT

The undersigned owner of certain leasehold interests in the property described in the attached **EXHIBIT "A"** consents to the conveyance of said property to the City of Manor as set out in the foregoing contract.

EXECUTED THIS _____ day of _____, 2021.

Print Leaseholder's Name

By: _____
(Signature)

Print Name:

Address:

Phone No.: (_____) _____

If there are no leasehold interests, written or verbal, please sign here.

Seller

Date



EXHIBIT "A"

Page 1 of 3

1.179 AC. WATER LINE EASEMENT
 0.294 AC. TEMPORARY CONSTRUCTION EASEMENT
 TERRELL TIMMERMANN FARMS, LP

DESCRIPTION OF TWO (2) TRACTS OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE A.C. CALDWELL SURVEY NO. 52, ABSTRACT 154, BEING PORTIONS OF A 29.764 ACRE TRACT CONVEYED TO TERRELL TIMMERMANN FARMS, LP IN DOCUMENT NO. 2017174181 AND DESCRIBED IN A DEED OF RECORD IN DOCUMENT NO. 2012174357, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

1.179 AC. WATER LINE EASEMENT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the westerly line of a 52.7158 acre tract described in a deed of record to Terrell Timmermann in Document No. 2011144639, Official Public Records of Travis County, Texas, same being the easterly line of said 29.764 Acre Tract, for the northeasterly corner of the herein described tract;

THENCE S28°59'13"W, with the common line of said 52.7158 Acre Tract and said 29.764 Acre Tract, a distance of 47.71 feet to an iron rod with illegible cap found the northerly line of U.S. Highway 290 (R.O.W. varies), at the common southerly corner of said 52.7158 Acre Tract and said 29.764 Acre Tract, for the southeasterly corner of the herein described tract;

THENCE S85°56'57"W, with the northerly line of said U.S. Highway 290 and the southerly line of said 29.764 Acre Tract, passing at a distance of 668.54 feet, a Type 1 TXDOT monument found and continuing for a total distance of 1280.85 feet to a calculated point, for the southwesterly corner of said 29.764 Acre Tract and the herein described tract;

THENCE N27°39'32"E, with the westerly line of said 29.764 Acre Tract, passing at a distance of 31.33 feet, an iron rod with "Bury and Partners" Cap found in the easterly line of Paseo De Presidente Blvd. (90' R.O.W.), dedicated by plat of Presidential Glen, Phase 1A, a subdivision of record in Document No. 200700238, Official Public Records of Travis County, Texas, at the most southerly corner of Lot 4, Block KK of said Presidential Glen, Phase 1A and continuing for a total distance of 59.76 feet to a calculated point in the common line of said Lot 4 and said 29.764 Acre Tract, for the northwesterly corner of the herein described tract;

THENCE over and across said 29.764 Acre Tract, the following two (2) courses:

1. S49°03'03"E, a distance of 15.34 feet to a calculated point;
2. N85°56'57"E, a distance of 1264.61 feet to the **POINT OF BEGINNING**, containing an area of **1.179 ACRES OF LAND MORE OR LESS.**

0.294 ACRE TEMPORARY CONSTRUCTION EASEMENT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the westerly line of said 52.7158 Acre Tract same being the easterly line of said 29.764 Acre Tract, at the northeasterly corner of the herein described 1.179 Acre Water Line Easement Tract, for the southeasterly corner of the herein described tract;

1805 Ouida Drive, Austin, TX 78728
 Phone (512)267-7430 • Fax (512)836-8385

Page 1 of 2



EXHIBIT "A"

Page 2 of 3

THENCE over and across said 29.764 Acre Tract, with the northerly line of said 1.179 Acre Water Line Easement Tract, the following two (2) courses:

1. S85°56'57"W, a distance of 1264.61 feet to a calculated point;
2. N49°03'03"W, a distance of 15.34 feet to a calculated point in the easterly line of said Lot 4, and the westerly line of said 29.764 Acre Tract, at the northwesterly corner of said 1.179 Acre Water Line Easement Tract, for the southwesterly corner of the herein described tract;

THENCE N27°39'32"E, with the common line of said 29.764 Acre Tract and said Lot 4, a distance of 11.39 feet to a calculated point, for the northwesterly corner of the herein described tract;

THENCE over and across said 29.764 Acre Tract, the following two (2) courses:

1. S49°03'03"E, a distance of 14.89 feet to a calculated point;
2. N85°56'57"E, a distance of 1265.44 feet to a calculated point in the common line of said 52.7158 Acre Tract and said 29.764 Acre Tract, for the northeasterly corner of the herein described tract;

THENCE S28°59'13"W, with the common line of said 52.7158 Acre Tract and said 29.764 Acre Tract, a distance of 11.93 feet to the **POINT OF BEGINNING**, containing an area of **0.294 ACRES OF LAND MORE OR LESS.**

Attachments: 20193_GR-WLE3-EX

Bearing Basis: TEXAS CENTRAL ZONE, STATE PLANE COORDINATES (NAD 83)

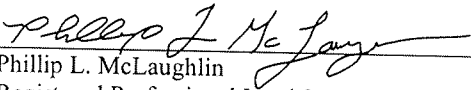
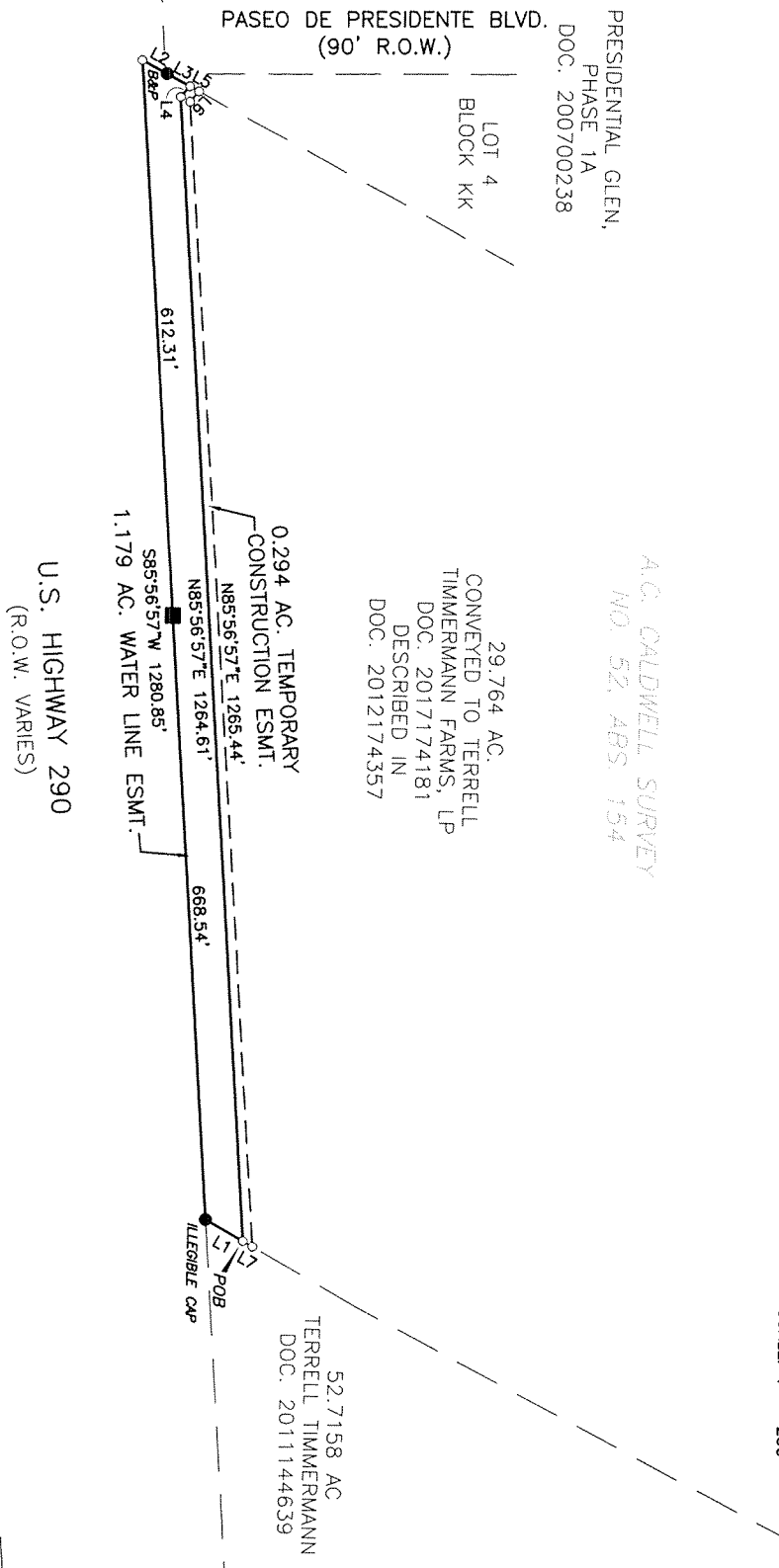

 Phillip L. McLaughlin 07-13-20
 Registered Professional Land Surveyor
 State of Texas No. 5300



EXHIBIT "A"
Page 3 of 3

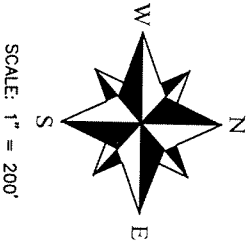


LEGEND

- B&P IRON ROD WITH BURY & PARTNERS CAP FOUND
- IRON ROD WITH ILLEGIBLE CAP FOUND
- TYPE 1 TXDOT MONUMENT FOUND
- CALCULATED POINT

LINE TABLE

LINE	BEARING	DISTANCE
L1	S28°59'13"W	47.71'
L2	N27°39'32"E	31.33'
L3	N27°39'32"E	28.43'
L4	S49°03'03"E	15.34'
L5	N27°39'32"E	11.39'
L6	S49°03'03"E	14.89'
L7	S28°59'13"W	11.93'



ATTACHMENTS: METES AND BOUNDS DESCRIPTION 20193_GR-WLE3-MB
BEARING BASIS: TEXAS CENTRAL ZONE, STATE PLANE COORDINATES (NAD 83)

SHEET	
1	1

EXHIBIT

PLOTTING SCALE: 1" = 200'
DRAWN BY: PMC
REVIEWED BY: DRS
PROJECT NO: 20193
FILE: L:\20193_GR-ESMT BASE
DATE: JULY 13, 2020

TWO (2) TRACTS OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE A.C. CALDWELL SURVEY NO. 52, ABSTRACT 154, BEING PORTIONS OF A 29.764 ACRE TRACT CONVEYED TO TERRELL TIMMERMANN FARMS, LP IN DOCUMENT NO. 2017174181 AND DESCRIBED IN A DEED OF RECORD IN DOCUMENT NO. 2012174357, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

G&R
SURVEYING, LLC
1805 OUIDA DR.
AUSTIN, TEXAS 78728
PHONE: (512) 267-7430
FAX: (512) 836-8385
FIRM NO. 10032000

COPY

EXHIBIT "B"

Page 1 of 5

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

UTILITY EASEMENT

COPY

DATE: _____, 2021

GRANTOR: **Terrell Timmermann Farms, L.P., a Texas limited partnership**

GRANTOR'S MAILING ADDRESS (including County):
501 Vale Street, Austin, Travis County, Texas 78746

GRANTEE: **CITY OF MANOR**

GRANTEE'S MAILING ADDRESS (including County):
105 E. Eggleston, Manor, Travis County, Texas 78653

LIENHOLDER: _____

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

PROPERTY:

A varying width utility easement, containing 1.179 acres, more or less, located in Travis County, Texas, said easement being more fully described in Exhibit "A", attached hereto and made a part hereof for all purposes.

GRANTOR, for the **CONSIDERATION** paid to **GRANTOR**, hereby grants, sells, and conveys to **GRANTEE**, its successors and assigns, an exclusive, perpetual easement for the purpose of placing, constructing, operating, repairing, maintaining, rebuilding, replacing, relocating and removing or causing to be placed, constructed, operated, repaired, maintained, rebuilt, replaced, relocated and removed structures or improvements reasonably necessary and useful for water mains, lines and pipes, and the supplying of water or other such utility services in, upon, under and across the **PROPERTY** (the "Facilities") more fully described in Exhibit "A" attached hereto (the "Utility Easement").

COPY

This Utility Easement is subject to the following covenants:

1. Grantor reserves the right to use the Property for all purposes that do not unreasonably interfere with or prevent Grantee's use of the Property as provided herein. Specifically, and without limiting the generality of the forgoing, Grantor has the right to place, construct, operate, repair, replace and maintain roadways, driveways, parking, drainage, landscaping and signage on, in, under, over and across the Property, and to dedicate and grant public or private easements for such purposes, so long as such use does not unreasonably interfere with or prevent Grantee's use of the Property as provided herein. But Grantor may not construct any buildings or similar improvements on the Property.
2. This Utility Easement is granted and accepted subject to any and all easements, covenants, rights-of-way, conditions, restrictions, encumbrances, mineral reservations and royalty reservations, if any, relating to the Property to the extent and only to the extent, that the same may still be in force and effect, and either shown of record in the Office of the County Clerk of Travis County, Texas, or apparent on the ground.
3. Upon completing construction of the Facilities, Grantee shall restore the ground surface area within the easement to substantially the same condition as it existed on the date Grantee first begins to use and occupy the area within the easement.

The covenants and terms of this Easement are covenants running with the land, and inure to the benefit of, and are binding upon, Grantor, Grantee, and their respective heirs, executors, administrators, legal representatives, successors and assigns.

In addition, **GRANTOR, FOR THE CONSIDERATION** paid to GRANTOR, hereby grants, sells, and conveys to GRANTEE, its successors and assigns, a temporary work and construction easement ("Temporary Work Easement") for the use by the Grantee, its contractors, subcontractors, agents and engineers, during the design and construction of a water lines, piping, pumps, and other facilities necessary for the supplying of water or other utilities (the "Facilities") on, over, and across land and easements owned by Grantee, upon, over and across the following described parcel of land:

A ten foot (10') wide temporary construction easement containing 0.294 acres as described in Exhibit "A", attached hereto and incorporated herein for all purposes.

(hereinafter the "PROPERTY"), together with the right and privilege at any and all times, while this temporary construction easement shall remain in effect, to enter the PROPERTY, or any part thereof, for the purpose of making soils tests, and designing and constructing the Facilities, and making connections therewith; and provided further that, upon the completion and acceptance by GRANTEE of the Facilities this Temporary Work Easement shall terminate and expire. Notwithstanding the foregoing, if the Temporary Work Easement has not expired previously, the Temporary Work Easement shall automatically expire on December 31, 2022.

TO HAVE AND TO HOLD the above-described easement, together with all and singular the rights and appurtenances thereto in anywise belonging unto **GRANTEE**, and **GRANTEE'S**

COPY

successors and assigns forever; and **GRANTOR** does hereby bind himself, his heirs, successors and assigns to **WARRANT AND FOREVER DEFEND** all and singular the easement unto **GRANTEE**, its successor and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, subject to the exceptions set forth above.

When the context requires, singular nouns and pronouns include the plural.

GRANTOR:

Terrell Timmermann Farms, L. P.
a Texas limited partnership

By: **Timmermann GP, LLC,**
a Texas limited liability company,
as General Partner

By: _____
Geraldine Timmermann, Manager

By: _____
Barth Timmermann, Manager

ACCEPTED:

GRANTEE: City of Manor, Texas:

COPY

By: Dr. Larry Wallace, Jr., Mayor

STATE OF TEXAS §
COUNTY OF TRAVIS §

COPY

This instrument was acknowledged before me on this ____ day of _____, 2021, by Geraldine Timmermann, Manager of Timmermann GP, LLC, a Texas limited liability company, General Partner of Terrell Timmermann Farms, L. P. , a Texas limited partnership, in the capacity and on behalf of said limited partnership, for the purposes and consideration recited herein.

COPY

Notary Public, State of Texas
My commission expires: _____

STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this ____ day of _____, 2021, by Barth Timmermann, Manager of Timmermann GP, LLC, a Texas limited liability company, General Partner of Terrell Timmermann Farms, L. P. , a Texas limited partnership, in the capacity and on behalf of said limited partnership, for the purposes and consideration recited herein.

COPY

Notary Public, State of Texas
My commission expires: _____

STATE OF TEXAS §

COPY

COUNTY OF TRAVIS §

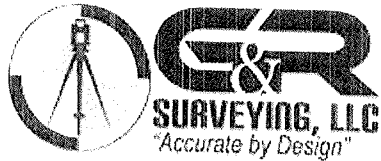
BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this _____ day of _____, 2021, by personally appeared Dr. Larry Wallace, Jr., Mayor of City of Manor, Grantee herein, known to me the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes and consideration therein expressed and in the capacity there in stated.

COPY

Notary Public, State of Texas
My commission expires: _____

Project Name: East US 290 Water Line CIP W-17
Parcel No. 5
TCAD No. 236859

AFTER RECORDING RETURN TO:
City of Manor
105 E. Eggleston
Manor, Texas 78653



1.179 AC. WATER LINE EASEMENT
 0.294 AC. TEMPORARY CONSTRUCTION EASEMENT
 TERRELL TIMMERMANN FARMS, LP

DESCRIPTION OF TWO (2) TRACTS OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE A.C. CALDWELL SURVEY NO. 52, ABSTRACT 154, BEING PORTIONS OF A 29.764 ACRE TRACT CONVEYED TO TERRELL TIMMERMANN FARMS, LP IN DOCUMENT NO. 2017174181 AND DESCRIBED IN A DEED OF RECORD IN DOCUMENT NO. 2012174357, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

1.179 AC. WATER LINE EASEMENT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the westerly line of a 52.7158 acre tract described in a deed of record to Terrell Timmermann in Document No. 2011144639, Official Public Records of Travis County, Texas, same being the easterly line of said 29.764 Acre Tract, for the northeasterly corner of the herein described tract;

THENCE S28°59'13"W, with the common line of said 52.7158 Acre Tract and said 29.764 Acre Tract, a distance of 47.71 feet to an iron rod with illegible cap found the northerly line of U.S. Highway 290 (R.O.W. varies), at the common southerly corner of said 52.7158 Acre Tract and said 29.764 Acre Tract, for the southeasterly corner of the herein described tract;

THENCE S85°56'57"W, with the northerly line of said U.S. Highway 290 and the southerly line of said 29.764 Acre Tract, passing at a distance of 668.54 feet, a Type 1 TXDOT monument found and continuing for a total distance of 1280.85 feet to a calculated point, for the southwesterly corner of said 29.764 Acre Tract and the herein described tract;

THENCE N27°39'32"E, with the westerly line of said 29.764 Acre Tract, passing at a distance of 31.33 feet, an iron rod with "Bury and Partners" Cap found in the easterly line of Paseo De Presidente Blvd. (90' R.O.W.), dedicated by plat of Presidential Glen, Phase 1A, a subdivision of record in Document No. 200700238, Official Public Records of Travis County, Texas, at the most southerly corner of Lot 4, Block KK of said Presidential Glen, Phase 1A and continuing for a total distance of 59.76 feet to a calculated point in the common line of said Lot 4 and said 29.764 Acre Tract, for the northwesterly corner of the herein described tract;

THENCE over and across said 29.764 Acre Tract, the following two (2) courses:

1. S49°03'03"E, a distance of 15.34 feet to a calculated point;
2. N85°56'57"E, a distance of 1264.61 feet to the **POINT OF BEGINNING**, containing an area of **1.179 ACRES OF LAND MORE OR LESS.**

0.294 ACRE TEMPORARY CONSTRUCTION EASEMENT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the westerly line of said 52.7158 Acre Tract same being the easterly line of said 29.764 Acre Tract, at the northeasterly corner of the herein described 1.179 Acre Water Line Easement Tract, for the southeasterly corner of the herein described tract;



THENCE over and across said 29.764 Acre Tract, with the northerly line of said 1.179 Acre Water Line Easement Tract, the following two (2) courses:

1. S85°56'57"W, a distance of 1264.61 feet to a calculated point;
2. N49°03'03"W, a distance of 15.34 feet to a calculated point in the easterly line of said Lot 4, and the westerly line of said 29.764 Acre Tract, at the northwesterly corner of said 1.179 Acre Water Line Easement Tract, for the southwesterly corner of the herein described tract;

THENCE N27°39'32"E, with the common line of said 29.764 Acre Tract and said Lot 4, a distance of 11.39 feet to a calculated point, for the northwesterly corner of the herein described tract;

THENCE over and across said 29.764 Acre Tract, the following two (2) courses:

1. S49°03'03"E, a distance of 14.89 feet to a calculated point;
2. N85°56'57"E, a distance of 1265.44 feet to a calculated point in the common line of said 52.7158 Acre Tract and said 29.764 Acre Tract, for the northeasterly corner of the herein described tract;

THENCE S28°59'13"W, with the common line of said 52.7158 Acre Tract and said 29.764 Acre Tract, a distance of 11.93 feet to the **POINT OF BEGINNING**, containing an area of **0.294 ACRES OF LAND MORE OR LESS.**

Attachments: 20193_GR-WLE3-EX

Bearing Basis: TEXAS CENTRAL ZONE, STATE PLANE COORDINATES (NAD 83)

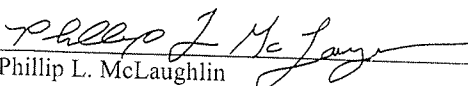

 Phillip L. McLaughlin 07-13-20
 Registered Professional Land Surveyor
 State of Texas No. 5300

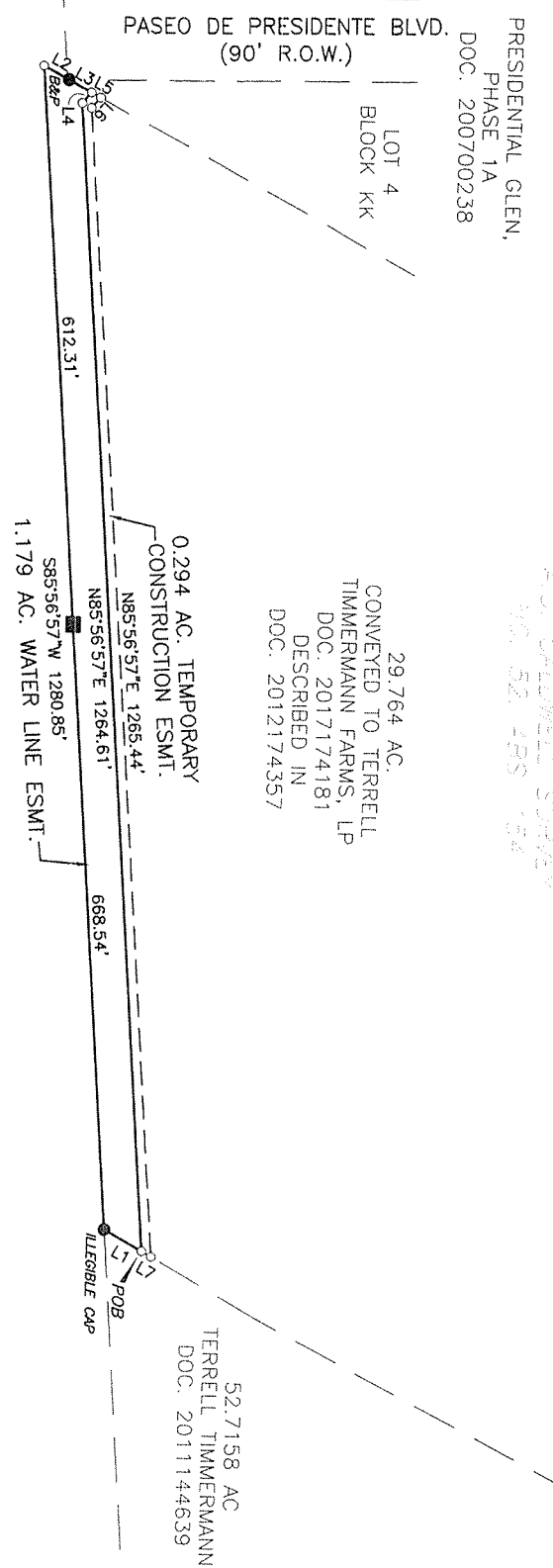
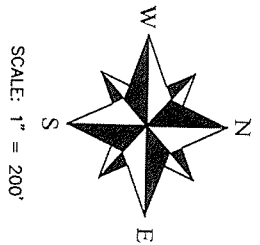


EXHIBIT "A"
Page 3 of 3

- LEGEND**
- B&P IRON ROD WITH BURY & PARTNERS CAP FOUND
 - ILLLEGIBLE IRON ROD WITH ILLLEGIBLE CAP FOUND
 - TYPE 1 TXDOT MONUMENT FOUND
 - CALCULATED POINT

LINE TABLE

LINE	BEARING	DISTANCE
L1	S28°59'13"W	47.71'
L2	N27°39'32"E	31.33'
L3	N27°39'32"E	28.43'
L4	S49°03'03"E	15.34'
L5	N27°39'32"E	11.39'
L6	S49°03'03"E	14.89'
L7	S28°59'13"W	11.93'



29.764 AC.
CONVEYED TO TERRELL
TIMMERMANN FARMS, LP
DOC. 2017174181
DESCRIBED IN
DOC. 2012174357

A.C. CALDWELL SURVEY
NO. 52, ABS. 154

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 20193_GR-WLE3-MB
BEARING BASIS: TEXAS CENTRAL ZONE, STATE PLANE COORDINATES (NAD 83)

SHEET	
1	1

EXHIBIT

PLOTTING SCALE: 1" = 200'
DRAWN BY: PMC
REVIEWED BY: DRS
PROJECT NO: 20193
FILE: L:\20193_GR-ESMT BASE
DATE: JULY 13, 2020

TWO (2) TRACTS OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE A.C. CALDWELL SURVEY NO. 52, ABSTRACT 154, BEING PORTIONS OF A 29.764 ACRE TRACT CONVEYED TO TERRELL TIMMERMANN FARMS, LP IN DOCUMENT NO. 2017174181 AND DESCRIBED IN A DEED OF RECORD IN DOCUMENT NO. 2012174357, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

G&R
SURVEYING, LLC
1805 OUIDA DR.
AUSTIN, TEXAS 78728
PHONE: (512) 267-7430
FAX: (512) 836-8385
FIRM NO. 10032000



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: March 3, 2021
PREPARED BY: Frank T. Phelan, P.E.
DEPARTMENT: City Engineer

AGENDA ITEM DESCRIPTION:

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

BACKGROUND/SUMMARY:

This project includes the expansion of the existing Wilbarger Creek Wastewater Treatment Plant from 0.5 MGD to 1.33MGD including, lift station, office/lab building and ancillary work. The proposed change order includes miscellaneous items to modify the office/lab building (to accommodate additional departments) as well as sludge processing improvements, drainage, signage, data system and hvac improvements. The proposed change order amount is 0.32% of the original project construction cost and places the project at 0.19% over budget.

LEGAL REVIEW: Not Applicable
FISCAL IMPACT: Yes
PRESENTATION: Yes
ATTACHMENTS: Yes

- Change Order No. 5 with backup

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council approve Change Order No. 5 to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements project with Excel Construction Services, LLC in the amount of \$53,592.00.

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

JAY ENGINEERING COMPANY, INC.*P.O. Box 1220**Leander, TX 78646**(512) 259-3882**Fax 259-8016**Texas Registered Engineering Firm F-4780***CHANGE ORDER**

ORDER NO.: 5

DATE: February 25, 2021

AGREEMENT DATE: April 3, 2019

NAME OF PROJECT: Wilbarger Creek Wastewater Treatment and Collection System Improvements

OWNER: City of Manor

CONTRACTOR: Excel Construction Services, LLC

The following changes are hereby made to the CONTRACT DOCUMENTS:

1. Justification:

Item No. 1 - Add 1 LS Change Order Item C.O.5-1, Misc. Revisions including: Added card reader to door 3A, change door 3 to be keyed, swap chem feed frp door deadbolts to blank filler; sludge processing revisions: installation of 108 orifices to aeration system, add air 5 header drops to cl2 basin, 6" drain tie to existing drain; add 6" drain line for admin building canopy downspout to north of building, TCESD 12 requested additional signage @ \$16,643.00/LS

Item No. 2 - Add 1 LS Change Order Item C.O.5-2, Installation of data system improvements in admin building, installation of 1.25 ton mini-split system in electrical (IT) room @ \$36,949.00/LS

2. Change to CONTRACT PRICE:

Original CONTRACT PRICE: \$16,722,300.00

Current CONTRACT PRICE adjusted by previous CHANGE ORDER \$17,202,143.00

The CONTRACT PRICE due to this CHANGE ORDER will be increased or (decreased) by: \$53,592.00

New CONTRACT PRICE including this CHANGE ORDER will be: \$17,255,735.00

3. Change to CONTRACT TIME:

The CONTRACT TIME will be increased or (decreased) by 0 calendar days for Base and Alternate Bid D for substantial completion of treatment plant expansion and new on-site lift station, 10 days for sludge processing work, and 15 calendar days for final completion of all work. The date for substantial completion of Base and Alternate Bid D treatment plant expansion and new on-site lift station work will be May 27, 2020. The date for substantial completion of Base Bid sludge processing at existing plant work will be September 23, 2020, 2020. The date for final completion of all Base and Alternate Bid D work will be January 8, 2021.

Approvals Required:

To be effective, this order must be signed by all parties to the Agreement if it changes the scope or objective of the PROJECT, or as may otherwise be required by the SUPPLEMENTAL GENERAL CONDITIONS.

Recommended by: Frank T. Phelan, P.E. Signed: Frank T. Phelan
Engineer

Ordered by: _____ Signed: _____
Owner

Accepted by: DAVID WOLFF Signed: David Wolff
Contractor





February 3, 2021

Mr. Mike Tuley
City of Manor – Public Works Department
547 Llano Street
Manor, TX 78653

**RE: Wilbarger Creek Wastewater Treatment And Collection System Improvements
CPR 034 – Misc Revisions**

Dear Mr. Tuley:

Excel Construction Services is pleased to offer the following pricing for miscellaneous revisions. Revisions discussed during keying meeting to include adding a card reader to door 03A, change door 03 to be keyed, swap chem feed frp door deadbolts to blank filler. Revisions at the sludge processing plant to include installation of 108 orifices to the existing aeration system, installation of air header and 5 drops at the existing CL2 basin, pipe and installation of a 6” drain to tie into the existing drain. Piping and installation of 6” drain from the admin building canopy downspout to daylight north of the building. TC ESD 12 misc requested additional signage. See below pricing and attached breakdown for review. We are requesting (10) additional contract days for this work.

PROPOSAL TOTAL

\$16,643.00

Don't hesitate to contact me if you have any questions or comments.

Respectfully,

D. Wolff

David Wolff – Project Manager
Excel Construction Services, LLC

cc: Jim Gosdin – Project Superintendent

CHANGE PROPOSAL SUMMARY SHEET

Item 5.



Project Name: WILBARGER CREEK WASTEWATER TREATMENT & COLLECTION SYSTEM IMPROVEMENTS
Change Description: Misc Revisions
CPR 34 **Date:** February 3, 2021

MATERIALS/QUOTES:	Amount	Op	Rate	Extended
Hull Supply	\$ 525.00	X	1	\$525.00
Core&Main	\$ 4,498.03	X	1	\$4,498.03
Brimar	\$ 144.02	X	1	\$144.02
Pipe bedding	\$ 315.65	X	1	\$315.65
backhoe	\$ 40.00	X	20	\$800.00
		X	1	\$0.00
		X	1	\$0.00
		X	1	\$0.00
		X	1	\$0.00
Subtotal				\$6,282.70
Sales Tax	\$6,282.70	X	0.00%	\$0.00
MATERIAL/QUOTES SUBTOTAL				\$6,282.70

LABOR:	Hours	Op	Rate	Extended
Keying revisions	8	X	\$27.00	\$216.00
Orifice install	32	X	\$27.00	\$864.00
Canopy drain piping	8	X	\$27.00	\$216.00
Thickener drain	48	X	\$27.00	\$1,296.00
Thickener cl2 aeration	24	X	\$27.00	\$648.00
Overtime Labor:	0	X	\$40.50	\$0.00
Subtotal Manhours:	0			
Jesus C Marquez (Foreman):	40	X	\$40.00	\$1,600.00
Superintendent Time:	0	X	\$75.00	\$0.00
Material Proc. & Hndlg. Labor (5% of Man Hours):	0	X	\$20.00	\$0.00
Update As Built Drawings:	0	X	\$44.75	\$0.00
SUBTOTAL LABOR:				\$4,840.00

DIRECT JOB EXPENSES:	Amount	Op	Rate	Extended
Project Manager	16	X	\$85.00	\$1,360.00
		X	1	\$0.00
SUBTOTAL DIRECT JOB EXPENSES:				\$1,360.00

EXCEL CONSTRUCTION MARKUPS:	Amount	Op	Rate	Extended
Direct Costs:	\$12,482.70	X	1	\$12,482.70
Work Comp / SS / Unemployment:	\$4,840.00	X	25.00%	\$1,210.00
SUBTOTAL:				\$13,692.70
OH&P @ 15%:	\$13,692.70	X	15.00%	\$2,053.91
EXCEL CONSTRUCTION SUBTOTAL:				\$15,746.61

SUBCONTRACTS WITH MARKUPS:	Amount	Op	Rate	Extended
Technik	\$439.99	X	1	\$439.99
		X	1	\$0.00
		X	1	\$0.00
		X	1	\$0.00
		X	1	\$0.00
SUBTOTAL:				\$439.99
OH&P @ 15%:	\$439.99	X	15.00%	\$66.00
SUBCONTRACTS SUBTOTAL:				\$505.99

SUBTOTAL / SUMMARY:	Amount	Op	Rate	Extended
Liability / Builders Risk (Cost of Work Only):	\$14,132.69	X	2.00%	\$282.65
SUBTOTAL (Excel Subtotal / Subcontracts / Builders Risk):				\$16,535.25
P&P Bond \$100,000 or Less:	\$0.00	X	2.50%	\$0.00
P&P Bond \$100,001 thru \$500,000:	\$0.00	X	1.50%	\$0.00
P&P Bond \$500,001 thru \$2,500,000 :	\$0.00	X	1.00%	\$0.00
P&P Bond \$2,500,001 thru \$5,000,000:	\$0.00	X	0.75%	\$0.00
P&P Bond \$5,000,001 thru \$7,500,000:	\$0.00	X	0.70%	\$0.00
P&P Bond Over \$7,500,000:	\$16,535.25	X	0.65%	\$107.48
GRAND TOTAL THIS CHANGE:				\$16,643

Change Order: #CH-E3520-3



Client: Excel Construction

Project: E3520

Date: 01-29-2021

Details of project change: Additional Door 03A

. Customer would like to add access control back to door 03A. Door will need reader, and door set cable. Reader and cable will be provided by Technik. Customer will need to provide electric door strike.

Schedule impact: ASAP

Cost impact: \$439.99 + Tax

Please contact project manager with any questions or issues concerning this change order. To proceed with change, please sign and return to Technik Enterprises or email confirmation of the COR#.

Signature: _____ Print Name/Title: _____

Date: _____



■ SUPPLY ■ SERVICES ■ ACCESS CONTROLS
■ COMMERCIAL DOORS, FRAMES, & HARDWARE

www.hullsupply.com Security License #B15803

5117 East Cesar Chavez PH: 512-385-1262
Austin, TX 78702 Fax: 512-385-0225
Counter Fax:

DAVID CAMPOS
davidcampos@hullsupply.com

Ph: 512-225-8070 Mobile: 512-402-4147

Quote

Item 5.

Sales Order NO:0280002
Order Date: 1/21/2021
Ship Date: **1/29/2021**
Job NO: 1900397

S 0008027
O EXCEL CONSTRUCTION SERVICES
L P. O. BOX 2260
D LEANDER, TX 78646
TO:

ContactName: DAVID WOLF
ContactPh: 512-944-3039
karen@excelconstruction.com

S WILBARGER CREEK WWTP
H 547 LLANO ST.
I InvoiceOnly-19-008.081
P MANOR, TX 78653
TO:

CO ADDED HDW

Customer PO	Ship Via	FOB	TERMS	Written By:
WILBARGER	OUR_TRUCK		Net 30 days	DAVID CAMPOS

Line NO	Ship UM Qty	Qty Picked	ITEM NUMBER BO	ITEM DESCRIPTION	BIN	UnitPrice	ExtAmt
---------	-------------	------------	----------------	------------------	-----	-----------	--------

ADDED HARDWARE PER DAVID'S REQUEST. PLEASE REVIEW ALL OPENINGS LISTED BELOW BY HARDWARE. PLEASE ADVISE IF APPROVED. LEAD TIME 5-7 WORKING DAYS

* 2	1 EA			SECURITY LOCK	T511BD Q 626 Entry	Bin:	0.00	0.00
					TAG(S): 03			
3	3 EA			RKF161SF	HMA D/L STRIKE FILLER PLATE 2-3/4" x 1-1/8"	Bin: WC.D4.2A	0.00	0.00
					TAG(S): chem1,chem2,chem3			
4	3 EA			RKF161LF	HMA L1 DOOR EDGE FILLER PLATE	Bin: WC.C4.2A	0.00	0.00
					TAG(S): chem1,chem2,chem3			
5	3 EA			RKF161FC	HMA 161 CYL FACE COVER KIT	Bin: WC.C4.1A	0.00	0.00
					TAG(S): chem1,chem2,chem3			
6	2 EA			ICM7-26D-SA	GMS IC MORT HSNG SA CAM (SARGENT) 26D	Bin: KEY-05-B1	0.00	0.00
					TAG(S): chem1,chem2			
7	1 EA			ICM7-26D-AR	GMS IC MORT HSNG AR CAM (ADAMS RITE) 26D	Bin: KEY-05-B2	0.00	0.00
					TAG(S): 01A			
8				/015	TOTAL FOR HARDWARE	Bin:		435.00
9				/DEL	DELIVERY CHARGES	Bin:		90.00

Note: Check shipments thoroughly. We are not responsible for shipment after delivery. Your signature here means you acknowledge receipt of material on this page and previous page(s). Keep your receipt for verification of such.

Received by _____ Date: _____

Print Name: _____

Net Order: 525.00
Less Discount: 0.00
Freight: 0.00
Sales Tax: 0.00
Order Total: 525.00
Less Deposit: 0.00
Order Balance: 525.00

RE-STOCKING FEE 25% *SPECIAL ORDERED ITEM NOT RETURNABLE

HMD STF KEYSHOP PURCHASING
WDR ALF INSTALL SHIPPING
HMF CAGE TAGGING SERVER

Page 1 of 1
Printed: 1/21/2021 8:11:53AM
SO WITH TAGS\SO_SalesOrd

Description	Qty Ordered	Qty Shipped	Qty B/O	Net Price	UOM	Ext
6 FLG 45 C110 P401 PR IMP	1	1		\$ 266.03 EA		\$ 266.03
6 FLG 90 C110 P401 PR IMP	1	1		\$ 286.01 EA		\$ 286.01
6 MJ 45 C153 P401 IMP	3	3		\$ 191.29 EA		\$ 573.87
6 TJ CL50 PR350 DI PIPE P401	40	20	20	\$ 20.89 FT		\$ 835.60
6 MJ TEE C153 P401 IMP	1	1		\$ 252.34 EA		\$ 252.34
6 MJ L/P SLV C153 P401 IMP	1	1		\$ 229.08 EA		\$ 229.08
6 316SS HEX BOLT & NUT KIT	4	4		\$ 23.43 EA		\$ 93.72
6X1/8 FLG FF RR GASKET	4	4		\$ 4.87 EA		\$ 19.48
6" SIP EZGRIP DI JT REST&ACC'S	11	11		\$ 33.80 EA		\$ 371.80
6"x10 ' 00" FLXPE DIP PEL	1	1		\$ 596.52 EA		\$ 596.52
12 BLIND FLG DI P401 PR IMP	1		1	\$ 769.00 EA		\$ 769.00
6" PVC SDR26 HW SWR PIPE (G) 14'	28	28		\$ 3.50 FT		\$ 98.00
6 HW SWR SDR26 45 GXG	4	4		\$ 21.86 EA		\$ 87.44
6 HW SWR SDR26 45 GXSP	1	1		\$ 19.14 EA		\$ 19.14
						\$4,498.03



February 8, 2021

Mr. Mike Tuley
City of Manor – Public Works Department
547 Llano Street
Manor, TX 78653

**RE: Wilbarger Creek Wastewater Treatment And Collection System Improvements
CPR 035 – Admin Bldg- Data & Minisplit**

Dear Mr. Tuley:

Excel Construction Services is pleased to offer the following pricing for data installation at the admin building as well as installation of a mini split system at the electrical room. For the mini split system a 1.25 ton unit is proposed due to the length of refrigerant line run. See below pricing and attached breakdown for review. We are requesting (15) additional contract days for this work.

PROPOSAL TOTAL

\$36,949.00

Don't hesitate to contact me if you have any questions or comments.

Respectfully,

D. Wolff

David Wolff – Project Manager
Excel Construction Services, LLC

cc: Jim Gosdin – Project Superintendent

CHANGE PROPOSAL SUMMARY SHEET

Item 5.



Project Name: WILBARGER CREEK WASTEWATER TREATMENT & COLLECTION SYSTEM IMPROVEMENTS
Change Description: ADMIN BLDG - DATA & MINISPLIT
CPR 35 **Date:** February 8, 2021

MATERIALS/QUOTES:	Amount	Op	Rate	Extended
Minisplit concrete pad	\$ 75.00	X	1	\$75.00
		X	1	\$0.00
		X	1	\$0.00
		X	1	\$0.00
		X	1	\$0.00
		X	1	\$0.00
		X	1	\$0.00
		X	1	\$0.00
		X	1	\$0.00
Subtotal				\$75.00
Sales Tax	\$75.00	X	0.00%	\$0.00
MATERIAL/QUOTES SUBTOTAL				\$75.00

LABOR:	Hours	Op	Rate	Extended
Minisplit concrete pad	6	X	\$27.00	\$162.00
	0	X	\$27.00	\$0.00
	0	X	\$27.00	\$0.00
	0	X	\$27.00	\$0.00
		X	\$27.00	\$0.00
Overtime Labor:	0	X	\$40.50	\$0.00
Subtotal Manhours:	0			
Jesus C Marquez (Foreman):	2	X	\$40.00	\$80.00
Superintendent Time:	0	X	\$75.00	\$0.00
Material Proc. & Hndlg. Labor (5% of Man Hours):	0	X	\$20.00	\$0.00
Update As Built Drawings:	0	X	\$44.75	\$0.00
SUBTOTAL LABOR:				\$242.00

DIRECT JOB EXPENSES:	Amount	Op	Rate	Extended
Project Manager	8	X	\$85.00	\$680.00
		X	1	\$0.00
SUBTOTAL DIRECT JOB EXPENSES:				\$680.00

EXCEL CONSTRUCTION MARKUPS:	Amount	Op	Rate	Extended
Direct Costs:	\$997.00	X	1	\$997.00
Work Comp / SS / Unemployment:	\$242.00	X	25.00%	\$60.50
SUBTOTAL:				\$1,057.50
OH&P @ 15%:	\$1,057.50	X	15.00%	\$158.63
EXCEL CONSTRUCTION SUBTOTAL:				\$1,216.13

SUBCONTRACTS WITH MARKUPS:	Amount	Op	Rate	Extended
Thermal Mechanical	\$9,344.00	X	1	\$9,344.00
PCI	\$1,398.00	X	1	\$1,398.00
T. Morales	\$19,577.00	X	1	\$19,577.00
		X	1	\$0.00
		X	1	\$0.00
SUBTOTAL:				\$30,319.00
OH&P @ 15%:	\$30,319.00	X	15.00%	\$4,547.85
SUBCONTRACTS SUBTOTAL:				\$34,866.85

SUBTOTAL / SUMMARY:	Amount	Op	Rate	Extended
Liability / Builders Risk (Cost of Work Only):	\$31,376.50	X	2.00%	\$627.53
SUBTOTAL (Excel Subtotal / Subcontracts / Builders Risk):				\$36,710.51
P&P Bond \$100,000 or Less:	\$0.00	X	2.50%	\$0.00
P&P Bond \$100,001 thru \$500,000:	\$0.00	X	1.50%	\$0.00
P&P Bond \$500,001 thru \$2,500,000 :	\$0.00	X	1.00%	\$0.00
P&P Bond \$2,500,001 thru \$5,000,000:	\$0.00	X	0.75%	\$0.00
P&P Bond \$5,000,001 thru \$7,500,000:	\$0.00	X	0.70%	\$0.00
P&P Bond Over \$7,500,000:	\$36,710.51	X	0.65%	\$238.62
GRAND TOTAL THIS CHANGE:				\$36,949

Project: Manor Wilbarger Creek WWTP
Owner: City of Manor
Date: 02-08-21

TMC Change #: COR-09
Project Change #: N/A

Change Order Request

Morales Company offers a change in pricing for consideration by the Owner.

Work associated with this Change includes the following:

- Attached Southern Datacom Quote
- Power to Qty (1) – Mini split AC System to Electric Room.

Items not included in this Change pricing:

- Any equipment not specifically referenced above

Total cost for work associated with this change is \$19,577.00

Extension in Time Request:

Approx time for installation: 2-4 weeks.

Change Initiated By: Frank Phelan / JEng. Change Prepared By: Zachary Eldridge / TMC
Change Delivered To: David Wolf / Excel Response Rqst'd By: ASAP
Carbon Copy To: None



BID DATE: 2/2/2021
SUBMITTED BY: Michael Pounds
BID #: AUS14742 CITY OF MANOR
PROJECT: CITY OF MANOR
CUSTOMER: T MORALES COMPANY
ADDRESS: PO BOX 859
CITY & STATE, ZIP: FLORENCE, TX 76542
CONTACT: ZAHCARY ELDRIDGE
PHONE: 254-702-3019 C 254-793-4344 O
Email: zeldrigde@moralescompany.com

Scope of Services: DATA CABLING FOR NEW OFFICE

SOUTHERN DATACOM WILL PROVIDE LABOR AND EQUIPMENT TO INSTALL THE FOLLOWING:

Inclusions:

- Install (1) Cat 6 plenum white cable to 13 locations as on floorplans provided.
- Install (2) Cat 6 plenum white cable to 27 locations as on floorplans provided.
- Install (1) RG6 quad shield plenum cable to locations as on floorplans provided.
- Install HDMI,VGA,RCA and Audio cables to TV locations.
- Install ground bar and ground cable for rack and ladder rack.
- Per the customer, Regular working hours will be between **Monday - Friday schedule TBD.**
- Per the customer all access to the buildings will be provided in a timely manner.
- Techs are to USE 6', 8', OR 10' LADDERS FOR CABLING PATHWAYS.

All cables at locations will be terminated with CAT 6 jacks White , secured in wall . In closets all cables secured into new 24 port loaded patch panels.

Exclusions:

- This proposal must be accepted in its entirety, in writing, within 60 calendar days or subject to modification and/or withdrawal without further notice.
- This bid does not include patch cords for the closet or the location end .
- This bid does not OSP cabling, extending DMARC, or anything not mentioned above.
- This bid does not have pricing for HDMI, VGA, RCA, and Audio no scope of work given .
- This bid does not have network switches with fiber connections awaiting answer to questions.
- A/V equipment to include TV's, cameras

MATERIAL DESCRIPTION	QTY / FT.
COPPER CABLING	
CATEGORY 6 PLENUM WHITE	11
RG6 QUAD SHEL D PLENUM CABLE WHITE	1
COPPER HARDWARE	
4 PORT FACEPLATE IVORY TRACKJACK	41
F CONNECTORS INSERTS TRACKJACK	3
F CONNECTORS COMPRESSION (BAG OF 25)	1
CATEGORY 6 RJ45 ANGLED IVORY JACKS (VOICE)	27
CATEGORY 6 RJ45 ANGLED RED JACKS (DATA)	40
BLANK INSERTS TRACKJACK IVORY	80
48 PORT LOADED PATCH PANEL	2
75 FT RAPIDRUN CMG-RATED MULTIFORMAT RUNNER CABLE	2
HDMI 75 FT. CABLE	2
RAPIDRUN SINGLE GANG VGA (HD15) + 3.5mm + Triple RCA WHITE	4
EQUIPMENT HARDWARE	
NETWORX WALL MOUNT EQUIPMENT CABINET 18U, 24" DEPTH	1

If the proposal is correct and you agree with the scope of work, pricing, terms and conditions, please sign and email back to sender. Thank you, we appreciate your business!

12" LADDER RACK	1
2RU HORIZONTAL WIRE MANAGER SINGLE SIDED	2
2RU VENTED SHELF 15" DEEP	1
6 AWG GROUND WIRE GREEN	50
2 HOLE GROUND LUGS	4
TMB GROUND BUS BAR	1
VELCRO BLACK 75' ROLL WHITE	2
J-HOOKS	125
MISCELLANEOUS MATERIALS	1
(NUTS,WASHERS,GAS,PARKING,ETC.)	

LABOR	\$	5,878.37
MATERIAL	\$	9,846.99
SALES TAX	\$	1,297.34
TOTAL	\$	17,022.71

OPTIONAL PRICING - Network Switch

Cisco Catalyst 1000-48P-4G-L Network Switch, 48 Gigabit Ethernet PoE+ Ports, 370W PoE Budget, 4 1G SFP Uplink Ports, Enhanced Limited (C1000-48P-4G-L) **Each \$ 2,012.50**

Cisco LC singlemode fiber SFP transceiver. GLC-LH-SMD **Each \$ 226.00**

NOTE: PRICING FOR ELECTRONIC EQUIPMENT IS GOOD FOR 30 DAYS FROM THE DATE OF QUOTE. THIS EQUIPMENT MAY BE OBSOLETE AT THE TIME OF PURCHASE AND THE COST FOR THE REPLACEMENT WILL NEED TO BE UPDATED.

Provisions

The above proposal is to be accepted in its entirety and cannot deviate without consent of Southern Datacom, Inc. Any changes to the scope of work will result in a change to the pricing. After 30 days of this proposal, all pricing is subject to change.

Warranty

Low Voltage Cabling will be warranted for 1 year upon completion of the project. Electronics or ancillary equipment will be warranty from the date the equipment was purchased.

Payment Terms

Per project Schedule

AGREED AND ACCEPTED BY:

Signature of authorized signer: _____

Date: _____

Printed name: _____

If the proposal is correct and you agree with the scope of work, pricing, terms and conditions, please sign and email back to sender. Thank you, we appreciate your business!



4401 Freidrich Lane, Suite 306, Austin, TX 78744
 Telephone: 512-443-0535 Fax: 512-443-3404

February 5, 2021

Attn: David |

Excel Construction Services.

Subject: Willbarger Creek
 Ref: COR #004– Tile Demo and reinstall

Dear Mr. David:

Please see below for Office changes to the following
 1- Tile removal and reinstall (Includes 2 boxes of tile)

Exclusions: Any other additional work not listed on this COR. **Does not include Engineering changes if required. Glass install not included. Door and hardware not included.**

<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Material</u>	<u>Labor</u>	<u>Equip.</u>	<u>Total</u>
1	1	LS	\$231.00	\$985.00	\$0.00	\$1,216.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
					Subtotal:	\$1,216.00
					Overhead 10%	\$121.60
					Profit 5%	\$60.80
					Total:	\$1,398

Total – COR #004 = 1,133

Sincerely,

Nathan Armstrong
 Project Manager

Thermal Mechanical Contractors, Inc.

Item 5.

P.O. Box 646 Manor, Texas 78653
(512) 272-5162 Fax (512) 272-5208
State License No. TACLA006533C

Proposal

Date: 02 02-2021

To: Excell Const
Attn: David Wolff
Fax:

Project Name: WiJbarger WWTP Electrical J Room AC Unit
Location: Manor, Texas

We propose to furnish work complete in accordance with the specifications below; for the sum of; \$9,344.00

Authorized Signature

Note: This proposal may be withdrawn by us if not accepted within 30 days.

We hereby submit our estimate to furnish and install One 1.25 ton Daikin Mini Split in the existing electrical room complete with refrigerant lines, condensate drain and start up.

Exclusions: All ceiling removal and replacement, all electrical piping and wiring including thermostat, concrete condensing unit pad, all local and state taxes.

Acceptance of Proposal - - - - -
Signature Date

These conditions are acceptable and you are authorized to proceed as specified and outlined above.

Submittal Data Sheet

VISTA 1.25 Ton 2 X 2 Ceiling Cassette System - FFQ15Q2VJURX15RMVJU

Project: Bobby Thermal Mech, WWTP

Submitted by: Erin Crow of DXS OF CENTRAL TEXAS on 2/2/2021

Submitted to: No Engineer Name Specified

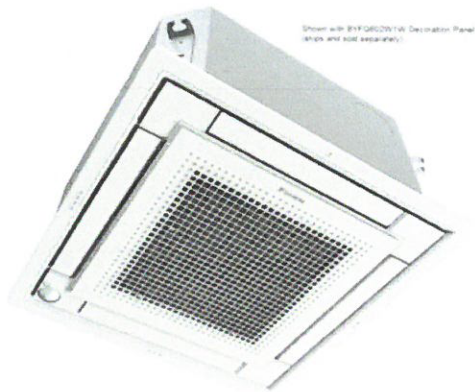
FEATURES

- Intelligent eye occupancy sensor (optional)
- Hot start technology
- Auto-restart (after power failure)
- Weekly Timer (Up to 4 events per day)
- Comfort Airflow
- Quiet operation
- 2,3, or 4-way airflow pattern
- Built-in condensate pump (up to 22")
- Fresh air intake knockout
- Individual Flap Control

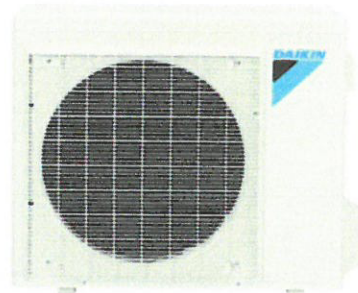
BENEFITS

- 12 year limited parts and compressor warranty with online registration
- 5 year limited parts warranty for commercial applications
- Optional Sensor Panel (Occupancy Sensor, Comfort Airflow, Floor Sensor) BRYQ60A2(W/S)

INDOOR UNIT



OUTDOOR UNIT





Submittal Data Sheet

VISTA 1.25 Ton 2 X 2 Ceiling Cassette System - FFQ15Q2VJURX15RMVJU

Project: Bobby Thermal Mech, WWTP

Submitted by: Erin Crow of DXS OF CENTRAL TEXAS on 2/2/2021

Submitted to: No Engineer Name Specified

SYSTEM PERFORMANCE

Indoor Unit Model No.	FFQ15Q2VJU	Indoor Unit Name:	VISTA 1.25 Ton 2 X 2 Ceiling Cassette
Outdoor Unit Model No.	RX15RMVJU	Outdoor Unit Name:	Up to 20.7 SEER, Heat Pump, Ductless ODU, 1-1/4 Ton
Rated Cooling Capacity (Btu/hr):	14,400	Rated Cooling Conditions:	Indoor (°F DB/WB): 80 / 67 Ambient (°F DB/WB): 95 / 75
Sensible Capacity (Btu/hr):		Rated Piping Length(ft):	25
Max/Min Cooling Capacity (Btu/hr):	16,200 / 5,100	Rated Height Difference (ft):	0.00
Cooling Input Power (kW):	1.150	Rated Heating Conditions:	Indoor (°F DB/WB): 70 / 60 Ambient (°F DB/WB): 47 / 43
SEER (Non-Ducted/Ducted):	20.70 /	HSPF (Non-Ducted/Ducted):	11.0 /
EER (Non-Ducted/Ducted):	12.50 /	Heating COP (Non-Ducted/Ducted):	3.9 /
Rated Heating Capacity (Btu/hr):	16,200		
Max/Min Heating Capacity (Btu/hr):	16,300 / 5,200		
Heating Input Power (kW):	1.24		

SYSTEM DETAILS

Refrigerant Type:	R-410A	Cooling Operation Range (°F DB):	50 - 115
Holding Refrigerant Charge (lbs):	2.49	Heating Operation Range (°F WB):	5 - 65
Additional Charge (lb/ft):	0.21	Max. Pipe Length (Vertical) (ft):	66
Pre-charge Piping (Length) (ft):	33	Cooling Range w/Baffle (°F DB):	-4 - 115
Max. Pipe Length (Total) (ft):	99	Heating Range w/Baffle (°F WB):	5 - 65
Max Height Separation (Ind to Ind ft):	0		

Submittal Data Sheet

VISTA 1.25 Ton 2 X 2 Ceiling Cassette System - FFQ15Q2VJURX15RMVJU

Project: Bobby Thermal Mech, WWTP

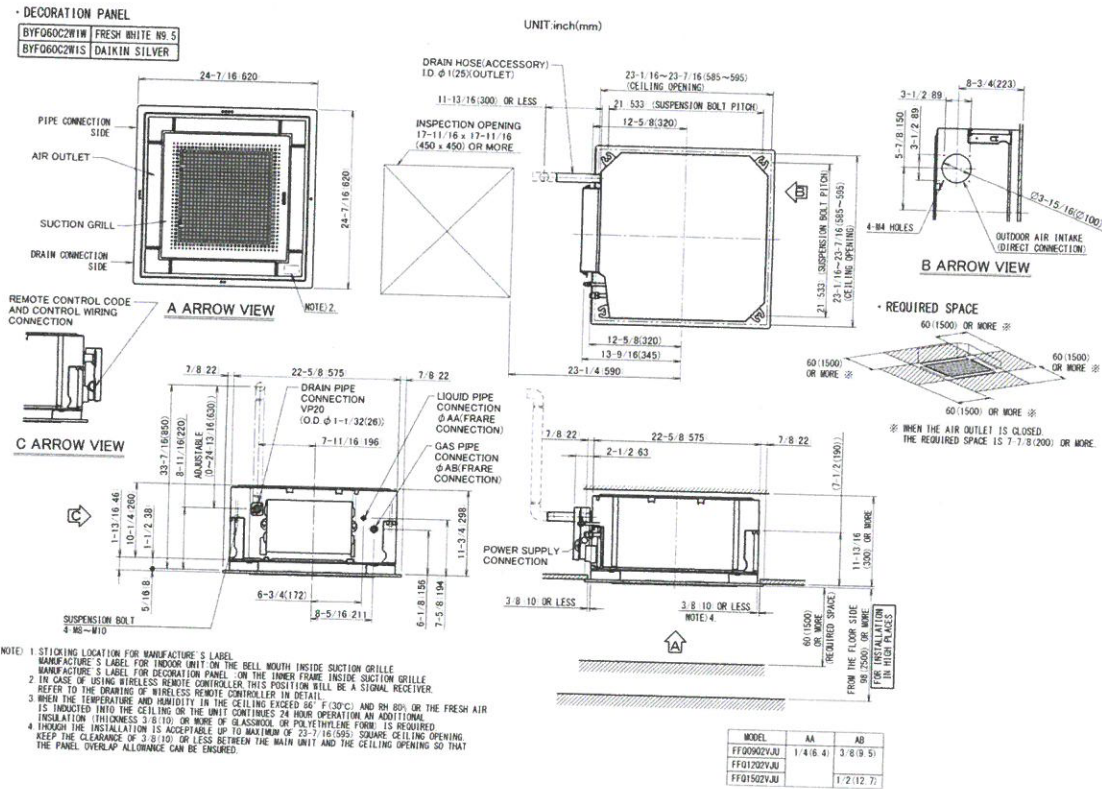
Submitted by: Erin Crow of DXS OF CENTRAL TEXAS on 2/2/2021

Submitted to: No Engineer Name Specified

INDOOR UNIT DETAILS

Power Supply (V/Hz/Ph):	208-230 / 60 / 1	Airflow Rate (H/M/L) (CFM):	420/367/293
Power Supply Connections:	See Outdoor Unit for Electrical Specs	Moisture Removal (Gal/hr):	
Min. Circuit Amps MCA (A):		Gas Pipe Connection (inch):	1/2
Max Overcurrent Protection (MOP) (A):		Liquid Pipe Connection (inch):	1/4
Dimensions (HxWxD) (in):	10-1/4 x 22-5/8 x 22-5/8	Condensate Connection (inch):	1-1/32
Net Weight (lb):	36	Sound Pressure (H/M/L) (dBA):	40/37/31
Ext. Static Pressure (Rated/Max) (inWg):	/	Sound Power Level (dBA):	

DIMENSIONAL DRAWING - INDOOR UNIT



NOTE: 1. STICKING LOCATION FOR MANUFACTURER'S LABEL: MANUFACTURER'S LABEL FOR INDOOR UNIT ON THE BELL MOUTH INSIDE SUCTION GRILLE. MANUFACTURER'S LABEL FOR DECORATION PANEL ON THE INNER FRAME INSIDE SUCTION GRILLE.
2. IN CASE OF USING WIRELESS REMOTE CONTROLLER THIS POSITION WILL BE A SIGNAL RECEIVER. REFER TO THE DRAWING OF WIRELESS REMOTE CONTROLLER IN DETAIL.
3. WHEN THE TEMPERATURE AND HUMIDITY IN THE CEILING EXCEED 86°F(30°C) AND 8H(80%) OR THE FRESH AIR IS INDUCTED INTO THE CEILING OR THE UNIT CONTINUES 24 HOUR OPERATION AN ADDITIONAL INSULATION (THICKNESS 3/8(10) OR MORE OF GLASSWOOL OR POLYETHYLENE FIBRE) IS REQUIRED.
4. THROUGH THE INSTALLATION IS ACCEPTABLE UP TO MAXIMUM OF 22-7/16(595) SQUARE CEILING OPENING. KEEP THE CLEARANCE OF 3/8(10) OR LESS BETWEEN THE MAIN UNIT AND THE CEILING OPENING SO THAT THE PANEL OVERLAP ALLOWANCE CAN BE ENSURED.

Submittal Data Sheet

VISTA 1.25 Ton 2 X 2 Ceiling Cassette System - FFQ15Q2VJURX15RMVJU

Project: Bobby Thermal Mech, WWTP

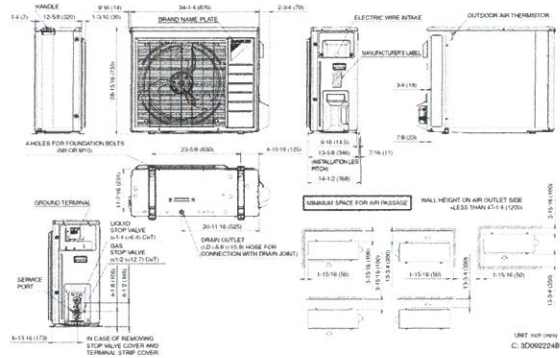
Submitted by: Erin Crow of DXS OF CENTRAL TEXAS on 2/2/2021

Submitted to: No Engineer Name Specified

OUTDOOR UNIT DETAILS

Power Supply (V/Hz/Ph):	208-230 / 60 / 1	Compressor Stage:	Inverter
Power Supply Connections:	L1, L2, Ground	Capacity Control Range (%):	-
Min. Circuit Amps MCA (A):	9.7	Airflow Rate (H) (CFM):	2313
Max Overcurrent Protection (MOP) (A):	15	Gas Pipe Connection (inch):	1/2
Max Starting Current MSC(A):		Liquid Pipe Connection (inch):	1/4
Rated Load Amps RLA(A):		Sound Pressure (H) (dBA):	50
Dimensions (HxWxD) (in):	28-15/16 x 34-1/4 x 12-5/8	Sound Power Level (dBA):	
Net Weight (lb):	97		

DIMENSIONAL DRAWING - OUTDOOR UNIT



Project Name:	Approval:
Location:	Date:
Engineer:	Construction:
Submitted to:	Unit #:
Submitted by:	Drawing #:
Reference:	

MODEL COMPATIBILITY:

Compatible with VRV and VRV Life™ indoor unit models: FXAQ, FXDQ, FXEQ, FXFQ, FXHQ, FXLQ, FXMQ, FXMQ_MF, FXNQ, FXSQ, FXTQ, FXUQ, FXZQ, VAM, CXTQ

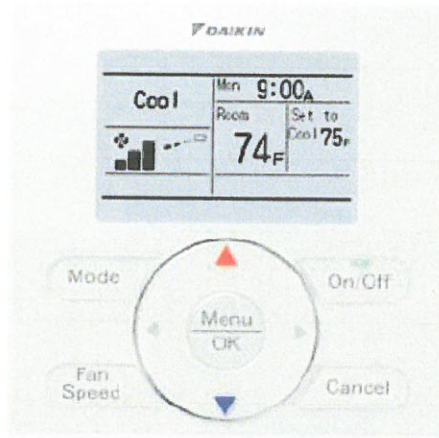
Compatible with SkyAir indoor unit models: FAQ, FBQ, FCQ, FHQ, FTQ

Compatible with Single and Multi-zone system indoor unit model: FFQ, FDMQ

SPECIFICATIONS:

Model	BRC1E73
Description	Navigation Remote Controller
Maximum Connections	16 indoor units
Communication Wire	18AWG-2, No polarity Stranded, Non-shielded
Total Wiring Length	1,640 ft. (500 m)
Communication Protocol	Daikin proprietary P1P2 protocol
Power	16VDC supplied by indoor unit (1.58VA maximum)
Comfort Setpoint Range	60 to 90 °F (16 to 32 °C)
Setback Setpoint Range	40 to 95 °F (5 to 35°C)
Operating Temp Range	14 to 122°F (-10 to 50°C)
Operating Humidity Range	75% or less (RH) (without condensation)
Dimensions (WxHxD)	4.72x4.72x0.75 inch (120x120x19 mm)
Weight (Mass)	0.42 lbs. (0.19 kg)

PRODUCT IMAGE:



Notes:
 (1) 1 of 3 display options – Detailed display shown

FEATURES:

1. Up to 16 indoor units are controllable within one group
2. Within one group, up to 2 Navigation Remote Controllers can be used, one as a main and one as a sub
3. Backlit LCD displays in English, Spanish or French
4. Temperature sensor built-in with configurable offset
5. Display of Temperature and Setpoint in 1°F / °C increments
6. Three configurable display options: Detailed, Standard and Simple
7. Dual setpoints (independent cooling and heating setpoints) with configurable minimum setpoint differential or Single Setpoint (occupied period)
8. Setpoint range limit for cooling and heating modes

Daikin North America LLC, 5151 San Felipe, Suite 500, Houston TX, 77056
www.daikinac.com www.daikincity.com

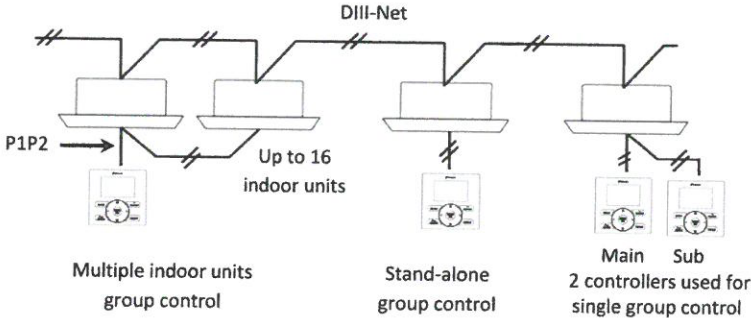
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Project Name:	Approval:
Location:	Date:
Engineer:	Construction:
Submitted to:	Unit #:
Submitted by:	Drawing #:
Reference:	

9. Independent cooling and heating setback setpoints (unoccupied period)
10. Auto changeover control with configurable primary and secondary changeover dead bands and guard timer
11. Airflow – Individual air flow direction, dual airflow and auto draft prevention (prevents air blowing directly on occupants)*
12. Built-in 7 days, weekdays+weekend, weekdays+Sat+Sun, and Everyday schedules with up to 5 actions per day with independent cooling and heating or setback setpoints
13. Automatic Setback by occupancy sensor*
14. Automatic Off by occupancy sensor*
15. Configuration for Self-cleaning filter panel**
16. Automatic adjustment for Daylight Savings Time (DST)
17. 48 hour clock/calendar battery backup (protects schedule timing in cases of short term power loss from indoor unit)
18. Real-time monitoring of system malfunctions with immediate display of unit in error and error code
19. The buttons on the remote controller are selectable by locking out the unwanted buttons
20. The operation modes can be restricted to provide only the desired mode(s) of operation
21. Display can be configured to show "Off" and room temperature only when indoor unit is turned off
22. To prevent unwanted changes, fan speed selection and display may be hidden
23. Auto off timer configurable in 10 minute increments (range 30-180 minutes)
24. Can be used to replace earlier versions of remote controllers

* Available for FXFQ_TVJU, FXUQ_PVJU, and FXZQ_TA indoor units
 **Available for FXFQ_TVJU indoor units

SYSTEM DIAGRAM:



FACE DECAL OPTIONS:

- Face decal options are used to hide unnecessary buttons:
1. The face decal is designed to adhere to the faceplate
 2. Hidden buttons can be accessed by service personnel without removing the face decal due to its flexibility

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www.daikinac.com www.daikincity.com

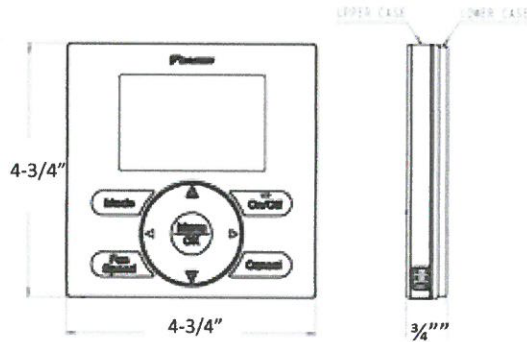
(Daikin's products are subject to continuous improvements. Daikin reserves the right to modify product design, specifications and information in this data sheet without notice and without incurring any obligations)

Project Name:	Approval:
Location:	Date:
Engineer:	Construction:
Submitted to:	Unit #:
Submitted by:	Drawing #:
Reference:	



Used with	Single Setpoint mode			Dual Setpoint mode		
	BRC1E72RM	BRC1E72RF	BRC1E72RMF	BRC1E72RM2	BRC1E72RF2	BRC1E72RMF2
Model						
On/Off	X	X	X	X	X	X
Mode	X		X	X		X
Fan		X	X		X	X
Up, Down	X	X	X	X	X	X
Left, Right				X	X	X
Menu/Ok						
Cancel						

DIMENSIONS:



DOCUMENTATION:

Documentation available on www.daikincity.com and/or www.daikinac.com:

- Installation Manual
- Operation Manual

Daikin North America LLC, 5151 San Felipe, Suite 500, Houston TX, 77056

www.daikinac.com www.daikincity.com

(Daikin's products are subject to continuous improvements. Daikin reserves the right to modify product design, specifications and information in this data sheet without notice and without incurring any obligations)



Submittal Data Sheet
BRC1E73 – Navigation Remote Controller

Item 5.

Project Name: _____	Approval: _____
Location: _____	Date: _____
Engineer: _____	Construction: _____
Submitted to: _____	Unit #: _____
Submitted by: _____	Drawing #: _____
Reference: _____	

- Submittal
- Guide Specifications
- Quick User Guide
- Field Setting Table

Daikin North America LLC, 5151 San Felipe, Suite 500, Houston TX, 77056

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(Daikin's products are subject to continuous improvements. Daikin reserves the right to modify product design, specifications and information in this data sheet without notice and without incurring any obligations)

Si-30

mini condensate removal pump

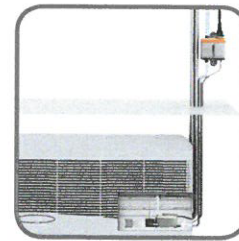
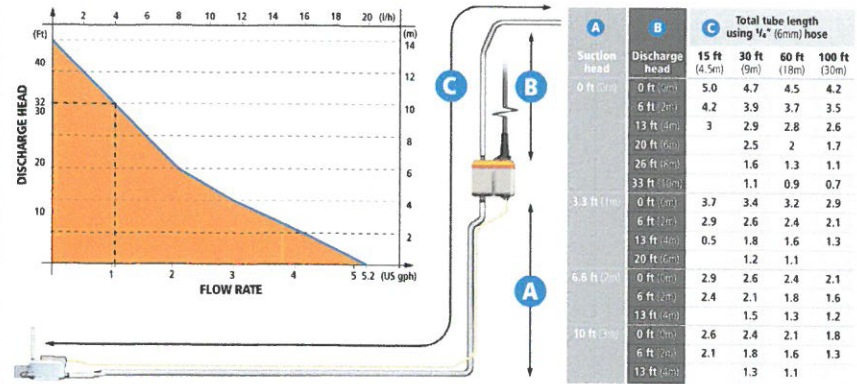
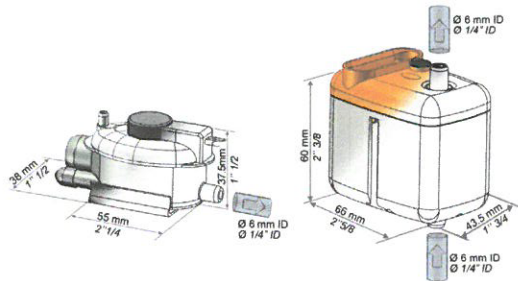
N006_00 édition 14/40



www.sauermannpumps.us

Manufactured to **DAIKIN** specification

- › Engineered in partnership
- › Best-in-class reliability, manufactured specifically for condensate removal
- › Patented 5 gph pump technology
- › Specific wiring schematic for Daikin models (see reverse page)
- › Complete with Drain Safe Device



ONE PUMP

One pump suitable for ALL Daikin models from 0 to 42 kBtu/hr (12.5 kW – 3.5 tons*)

- 5 gph
- High capacity, less run time = RELIABILITY

* The indicated 3.5 ton rating applies to approved Daikin models. The performance rating of the Si-30 pump allows for use on units up to 5.6 tons



SILENT OPERATION

- High performance with low operating sound levels
- Flexible & Easy to install and maintain
- Ideal for Bedroom use



COMPLETE INSTALLATION KIT INCLUDED

Everything you need for a complete installation

- Unique self sealing discharge fitting included
- Drain Safe Device
Combines mechanical and gravity drain
Allows condensates to clear efficiently, keeping the pump primed at all times.



DACA-CP3-1

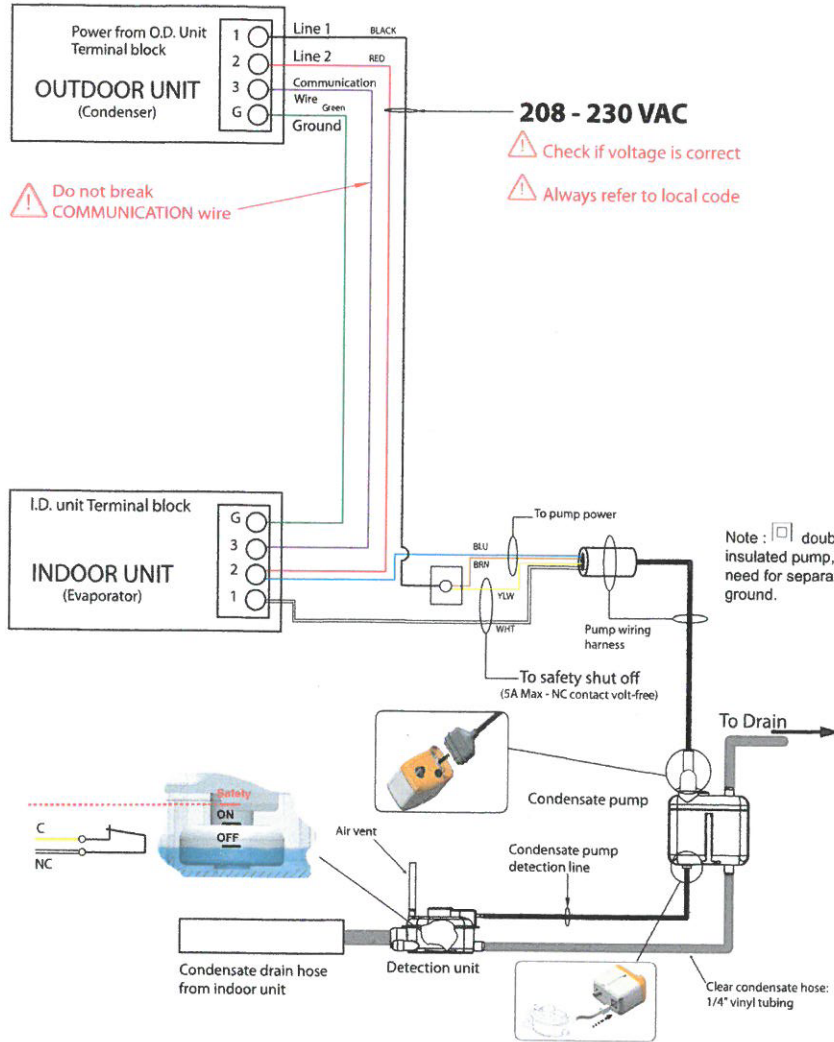
(230 V) Mini & Multi-Split, SKYAIR & QUATERNITY INDOOR UNITS

Models: (FTXS09, 12, 15, 18, 24, 30, 36 LVJU) (FTXN09, 12 KEVJU) (FTXN15, 18, 24 KVJU) (FTXG09, 12, 15 HVJU) (CTXS07 HVJU) (CTXS09, 12 HVJU) (FDXS09, 12 DVJU) (FDXS09, 12 LVJU) (CDXS15, 18 LVJU)
SkyAir: FTXS30, 36 LVJU



Wiring instructions

Si-30



DACA-CP3-1

(230V) VRV & SKYAIR SERIES INDOOR UNITS

Models with GREEN jumper:
SkyAir: (FHQ18, 24, 30 PVJU) (FHQ36, 42 MVJU)
VRV: (FXHQ12, 24, 36 MVJU) (FXLQ12, 18, 24 MVJU) (FXNQ12, 18, 24 MVJU)

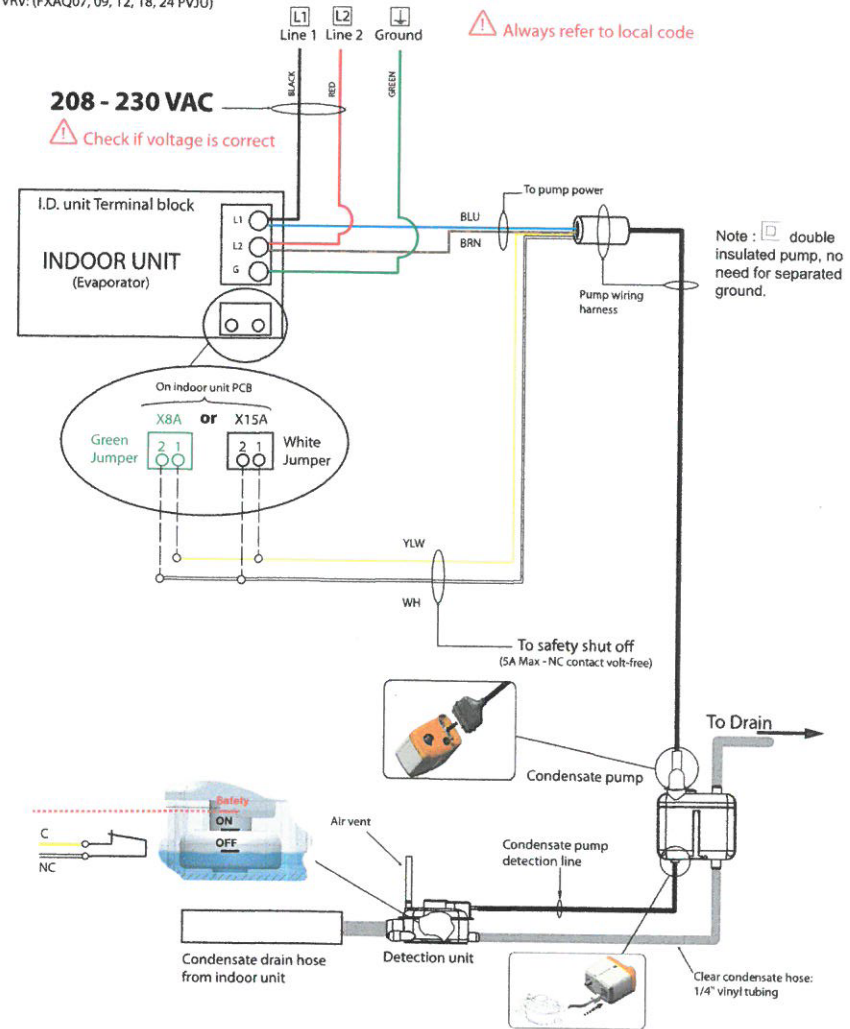
(230V) VRV & SKYAIR SERIES IN

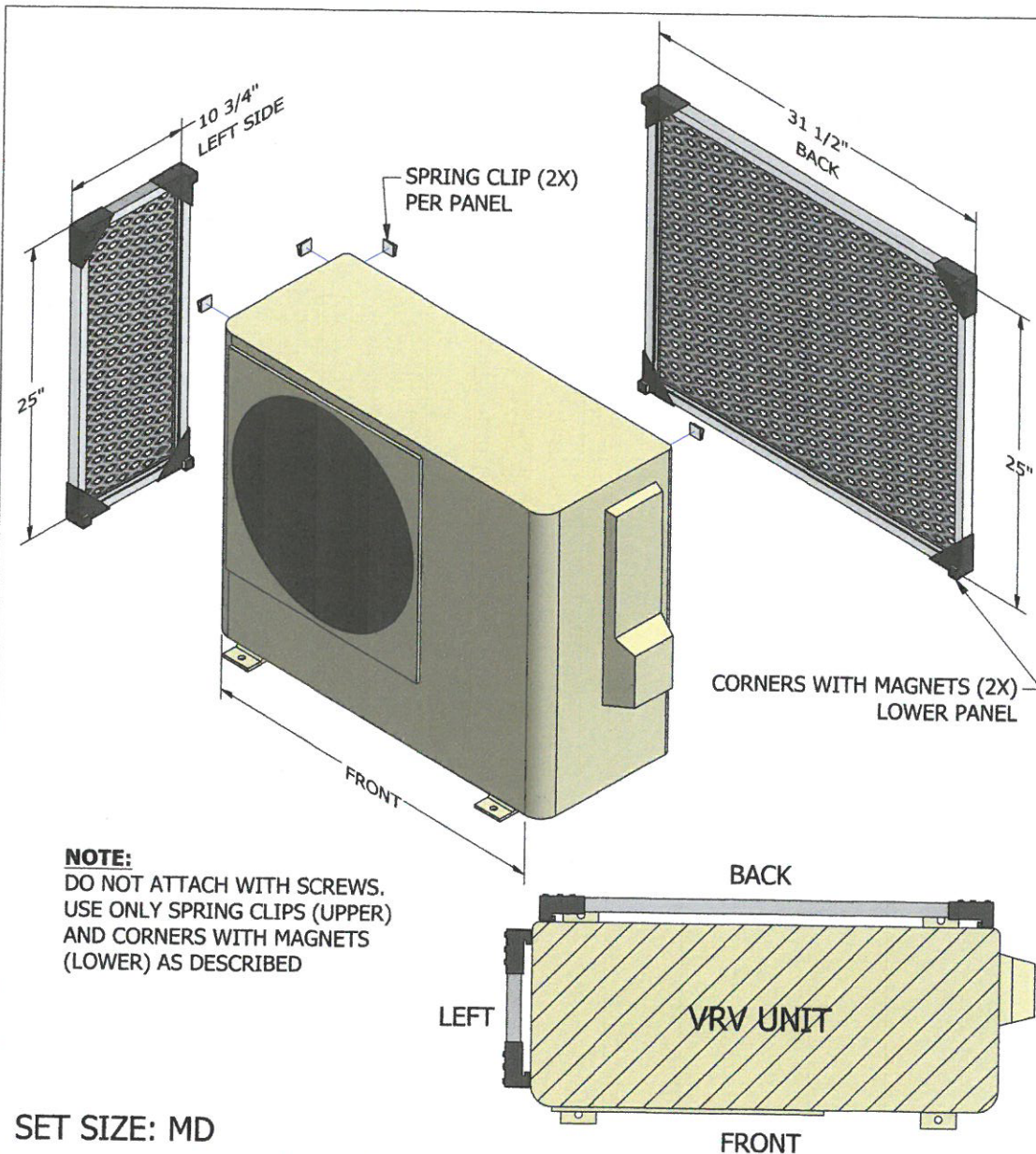
Models with WHITE jumper:
SkyAir: (FAQ18, 24 PVJU)
VRV: (FXAQ07, 09, 12, 18, 24 PVJU)



Wiring instructions

Si-30

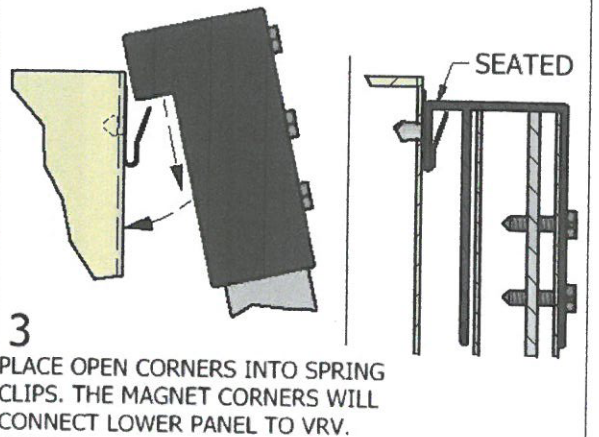
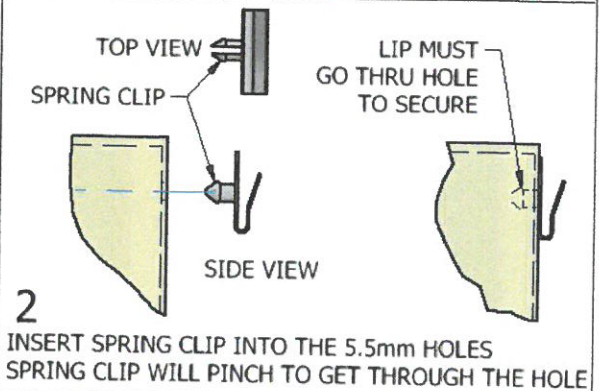
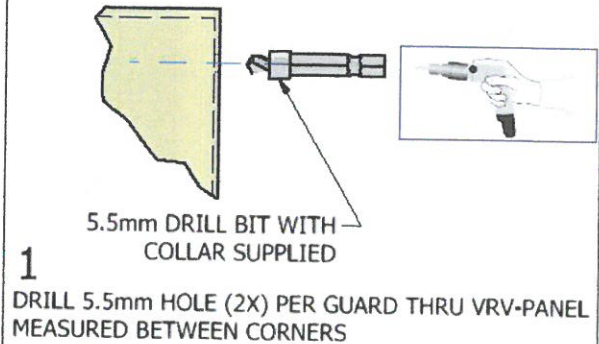




NOTE:
DO NOT ATTACH WITH SCREWS.
USE ONLY SPRING CLIPS (UPPER)
AND CORNERS WITH MAGNETS
(LOWER) AS DESCRIBED

SET SIZE: MD

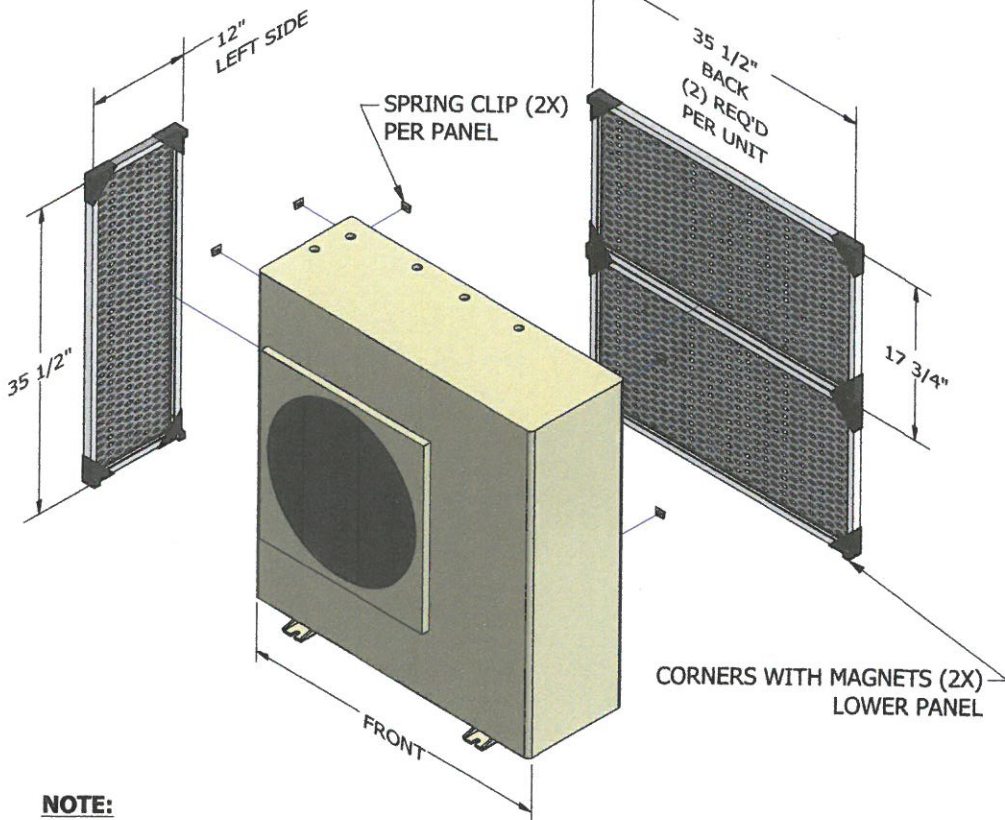
- A complete set of Gards for a VRF unit includes several "panels".
- Mark where the SPRING CLIPS need to be placed at top of VRF unit, drill 5.5mm holes.
- Each Panel already has the magnets attached to Lower Corners.



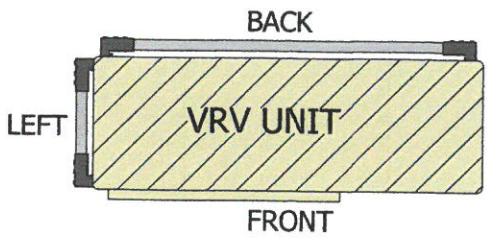
DAIKIN VRV
OUTDOOR UNIT
MINI SPLIT

AlumaGard & WireGard

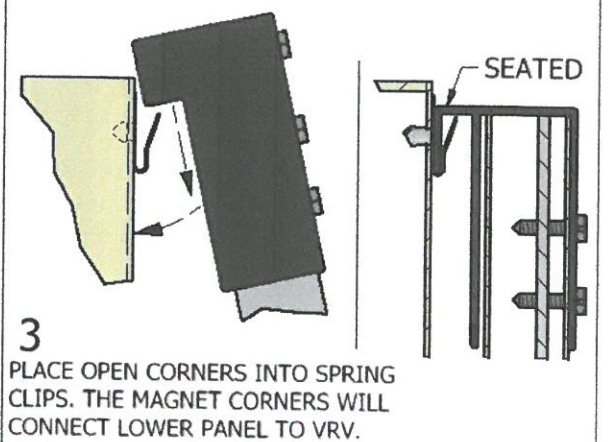
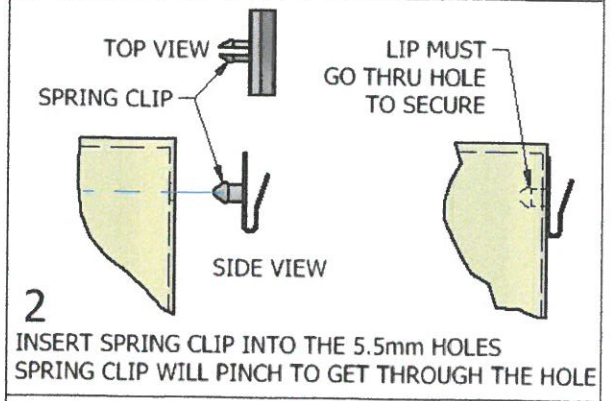
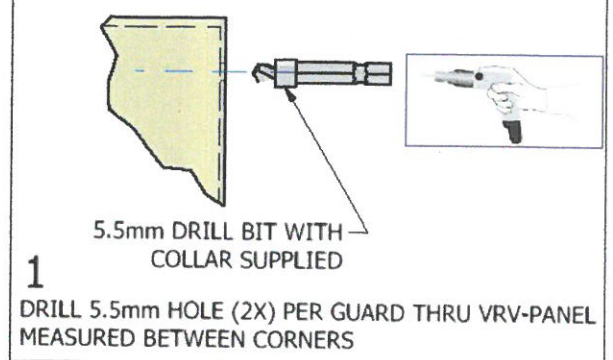
HARDGARD



NOTE:
DO NOT ATTACH WITH SCREWS.
USE ONLY SPRING CLIPS (UPPER)
AND CORNERS WITH MAGNETS
(LOWER) AS DESCRIBED



- SET SIZE: MH
- A complete set of Gards for a VRF unit includes several "panels".
 - Mark where the SPRING CLIPS need to be placed at top of VRF unit, drill 5.5mm holes.
 - Each Panel already has the magnets attached to Lower Corners.



DAIKIN VRV
OUTDOOR UNIT
MINI SPLIT

AlumaGard & WireGard
HARGARD



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: March 3, 2021
PREPARED BY: Frank T. Phelan, P.E.
DEPARTMENT: City Engineer

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a change order to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements Phase 2 project.

BACKGROUND/SUMMARY:

This project includes improvements and capacity expansion of the existing Creekside (Wildhorse Creek) lift station and the addition of a new Carrie Manor lift station. The lift station improvements will provide additional system capacity for future growth and shift wastewater system flows from the Gilliland Creek Basin to the Wilbarger Creek Basin. The proposed change order includes addition of three replacement manholes in the adjacent collection system that connect to the proposed Carrie manor lift station and polyurethane grout injection in the Creekside lift station wet well to stop leaks. The proposed change order amount is 2.25% of the original project construction cost and will place the project at 1.29% above budgeted amount.

LEGAL REVIEW: Not Applicable
FISCAL IMPACT: Yes
PRESENTATION: Yes
ATTACHMENTS: Yes

- Changer Order No. 1

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council approve Change Order No. 2 to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements Phase 2 project with Austin Engineering Company, Inc. in the amount of \$43,532.00.

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

JAY ENGINEERING COMPANY, INC.

P.O. Box 1220 (512) 259-3882
Leander, TX 78646 Fax 259-8016
Texas Registered Engineering Firm F-4780

CHANGE ORDER

ORDER NO.: 2
DATE: February 25, 2021
AGREEMENT DATE: February 5, 2020

NAME OF PROJECT: Wilbarger Creek Wastewater Treatment and Collection System Improvements, Phase 2

OWNER: City of Manor

CONTRACTOR: Austin Engineering Company, Inc.

The following changes are hereby made to the CONTRACT DOCUMENTS:

1. Justification:

- Item No. 1 - Add 3 EA Change Order Item C.O.2-1, 4' dia. WW Manhole 0'-6' w/ Raven Coating and bypass, complete and in place @ \$4,750.00/EA
- Item No. 2 - Add 3.7 VF Change Order Item C.O.2-2, 4' dia. WW Manhole Extra Depth w/ Raven Coating and bypass, complete and in place @ \$500.00/VF
- Item No. 3 - Add 1 EA Change Order Item C.O.2-3, 6' dia. WW Manhole 0'-6' w/ Raven Coating and bypass, complete and in place @ \$6,500.00/EA
- Item No. 4 - Add 16.2 VF Change Order Item C.O.2-4, 6' dia. WW Manhole Extra Depth w/ Raven Coating and bypass, complete and in place @ \$1,100.00/VF
- Item No. 5 - Add 4 HR Change Order Item C.O.2-5, Polyurethane Grout Injection to stop wet well water leaks @ \$598/HR
- Item No. 6 - Add 3 GAL Change Order Item C.O.2-6, Polyurethane Grout @ \$240/GAL

2. Change to CONTRACT PRICE:

Original CONTRACT PRICE: \$1,931,100.00
Current CONTRACT PRICE adjusted by previous CHANGE ORDER \$1,970,396.00
The CONTRACT PRICE due to this CHANGE ORDER will be increased or (decreased) by: \$43,532.00
New CONTRACT PRICE including this CHANGE ORDER will be: \$2,013,928.00

3. Change to CONTRACT TIME:

No change to contract time.

Approvals Required:

To be effective, this order must be signed by all parties to the Agreement if it changes the scope or objective of the PROJECT, or as may otherwise be required by the SUPPLEMENTAL GENERAL CONDITIONS.

Recommended by: Frank T. Phelan, P.E. Signed: Frank T. Phelan
Engineer

Ordered by: _____ Signed: _____
Owner

Accepted by: Austin Keller
Contractor

Signed



JACO



Austin Engineering Co., Inc.

Constructors and Engineers

3317 Ranch Road 620 North
P. O. Box 342349
Austin, Texas 78734-2349
(512) 327-1765 - FAX
(512) 327-1464 May 11,

Re: Wilbarger Creek WW Treatment and Collection System Imp Ph 2 February 19, 2021

Manhole and Wet Well Rehabilitation

The existing manholes located at the Carrie-Manor site are severely deteriorated and in need of immediate attention. We also observed a water leak inside the wet well of the Creekside Lift station.

Below is an alternate proposal for completely replacing the manholes at Carrie-Manor in lieu of just rehabilitation.

Replacement of wastewater manholes including Raven Coating and bypass:

- 4' dia WW manhole 0-6' 3 Ea @ \$4,750/ Ea = \$14,250
- Extra Depth 4' Manhole 3.7 VF @ \$500/VF = \$1,850.00
- 6' dia WW Manhole 0-6' 1 Ea @ \$6,500.00/Ea = \$6,500.00
- Extra Depth 6' Manhole 16.2 VF @ \$1100.00/VF= \$17,820.00

Wastewater Manhole replacement Total = \$40,420.00

Water Control in Creekside Wet Well:

Injection of polyurethane grout to stop water leaks in Manhole.....	\$598/hr
Polyurethane grout.....	\$240/gal

Thank you,

Austin Engineering Co., Inc
Austin Keller, V.P.

AGENDA ITEM NO. _____



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: March 3, 2021
PREPARED BY: Lydia Collins, Acting City Manager/ Director of Finance
DEPARTMENT: Finance

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on an ordinance adopting the Amended Annual Budget for the City of Manor for the fiscal year beginning October 1, 2020 and ending September 30, 2021.

BACKGROUND/SUMMARY:

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

- Ordinance No. 605
- Exhibit A

STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council approve Ordinance No. 605 adopting the Amended Annual Budget for the City of Manor for the Fiscal Year beginning October 1, 2020 and ending September 30, 2021.

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

ORDINANCE NO. 605

FY 2020-2021 AMENDED ANNUAL BUDGET ORDINANCE

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, ADOPTING AN AMENDED ANNUAL BUDGET FOR THE ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021; APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Manor, Texas (the "City") has submitted to the City Council a proposed amended annual budget of the revenues of said City and the expenditures necessary for conducting the affairs thereof, and providing a complete financial plan for FY 2020-2021, and which said proposed amended annual budget has been compiled from detailed information obtained from the several departments, divisions, and offices of the City; and

WHEREAS, the City Council has received said City Manager's proposed amended annual budget, a copy of which, along with all supporting schedules, have been filed with the City.

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

Section 1. The proposed amended annual budget of the revenue of the City and the expenses of conducting the affairs thereof providing a complete financial plan for the ensuing fiscal year beginning October 1, 2020, and ending September 30, 2021, as submitted to the City Council by the City Manager of said City, and which budget is attached hereto as Exhibit "A", be and the same is in all things adopted and approved as the amended annual budget of all current expenditures/expenses as well as fixed charges against said City for the fiscal year beginning October 1, 2020, and ending September 30, 2021.

Section 2. The sums shown on Exhibit "A" are hereby appropriated from the respective funds for the payment of expenditures on behalf of the City government as established in the approved amended annual budget document for the fiscal year ending September 30, 2021.

Section 3. Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. This Ordinance shall be and remain in full force and effect from and after its final passage and publication as herein provided.

PASSED, ADOPTED, AND APPROVED on this 3rd day of March 2021.

ORDINANCE NO. 605

Page 2

THE CITY OF MANOR, TEXAS

Dr. Larry Wallace Jr.,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

ORDINANCE NO. 605

Page 3

EXHIBIT "A"
AMENDED ANNUAL BUDGET
FY 2020-2021

Proposed Amended Annual Budget

Fiscal Year 2020 - 2021



The budget will raise \$ 515,088 (6.65% approx) more property tax revenues than last year's budget. The property tax revenue to be raised from new property added to the tax roll this year is \$503,853.



PROPOSED Amended Annual Budget Fiscal Year 2020-21

Original Budget Adopted: 16-Sep-2020
Ordinance Number: 580

Amended Budget Adopted: _____
Ordinance Number: _____

FY 2020-2021			25-Feb-21			FY 2020-21			FUND BALANCES	
BUDGETED REVENUES	BUDGETED EXPENSES	NET	FYTD ACTUAL REVENUES	FYTD ACTUAL EXPENSES	NET	BUDGET REVENUES	BUDGET EXPENSES	NET	ESTIMATED 30-Sep-20	PROJECTED 30-Sep-21
8,195,331	1,219,554	6,975,777	7,790,235	898,151	6,892,084	8,195,331	1,219,554	6,975,777		
-	763,189	(763,189)	0	614,144	(614,144)	-	763,189	(763,189)		
999,000	2,416,219	(1,417,219)	948,464	1,822,816	(874,352)	999,000	2,416,219	(1,417,219)		
1,485,067	988,209	496,858	2,750,877	656,366	2,094,511	1,485,067	988,209	496,858		
40,000	676,989	(636,989)	40,000	335,820	(295,820)	40,000	676,989	(636,989)		
630,150	681,128	(50,978)	660,496	577,083	83,414	630,150	681,128	(50,978)		
269,279	4,213,461	(3,944,182)	210,954	3,557,628	(3,346,674)	269,279	4,213,461	(3,944,182)		
-	653,570	(653,570)	-	472,068	(472,068)	-	653,570	(653,570)		
-	291,690	(291,690)	-	96,686	(96,686)	-	291,690	(291,690)		
-	-	-	-	-	-	-	-	-		
11,618,827	11,904,009	(285,182)	12,401,027	9,030,762	3,370,264	11,618,827	11,904,009	(285,182)		
GENERAL FUND										
ADMINISTRATION										
FINANCE DEPT.										
STREET DEPT.										
DEVELOPMENT SERVICES										
PARKS										
MUNICIPAL COURT										
POLICE DEPT.										
IT DEPT.										
ECONOMIC DEV. SVCS.										
TRANSFERS										
GENERAL FUND TOTALS										
UTILITY FUND										
PUBLIC WORKS										
WATER										
WASTEWATER										
TRANSFERS										
UTILITY FUND TOTALS										
TOTAL POOLED FUNDS										
TOTAL DEBT SERVICE										
RESTRICTED FUNDS										
COURT TECH FUND										
COURT BLDG SEC FUND										
HOTEL OCCUPANCY										
CAPT IMPACT-WATER										
CAPT IMPACT-WW										
PARK FUNDS										
BOND FUNDS										
RESTRICTED FUND TOTALS										
GRAND TOTALS										
23,212,391	21,499,474	1,712,917	25,122,572	19,443,939	5,678,633	22,822,179	21,512,498	1,309,681	4,454,151	5,763,832

The General Fund is the general operating fund and the largest fund of the city as it includes all traditional government services such general administration, street and drainage, maintenance, development services, police and courts, and parks.

The Utility Fund accounts for the city's water and wastewater enterprise. Unlike the general fund it operates as a proprietary fund functioning more like a business.

The Restricted Funds are used only for specific purposes. Revenues and payments are limited either by state law or local ordinance.



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: March 3, 2021
PREPARED BY: Scott Dunlop, Assistant Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion and possible action on an ordinance authorizing the temporary suspension of certain residential building permit fees.

BACKGROUND/SUMMARY:

This Ordinance waives certain residential permit fees to help residents as they recover from the winter storm. It waives the permit fees for residential plumbing, electrical, mechanical and remodel/repair permits. Average residential permit fee costs are: Plumbing \$114, Electrical \$120, Mechanical \$111, Remodel \$519. This Ordinance waives these fees until April 30, 2021. It only waives the fee, the requirement that a permit be obtained, and all other requirements of the permit remain unchanged.

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

- Ordinance No. 606

STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council approve Ordinance No. 606 authorizing the temporary suspension of certain residential building permit fees.

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

ORDINANCE NO. 606

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AUTHORIZING THE TEMPORARY SUSPENSION OF CERTAIN RESIDENTIAL BUILDING PERMIT FEES; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR CERTAIN RELATED MATTERS.

WHEREAS, the State of Texas and the City of Manor, Texas experienced unprecedented severe weather conditions resulting in freezing temperatures, power and water outages that persisted for several days; and

WHEREAS, both the State of Texas and the City of Manor (“City”) issued Declarations of Disaster due to the severe winter weather; and

WHEREAS, a Federal Emergency Declaration was also issued for the State of Texas due to the severe winter weather; and

WHEREAS, the severe weather, power and water outages are having a detrimental impact on residential properties and households; and

WHEREAS, the City’s Code of Ordinances, Appendix A – Fee Schedule, Article A2.000 – Building and Development Related Fees, Section A2.001 – Basic building permit, inspection and technology fee charges (the “Fee Schedule”) provides specific fees that are charged for various building permits; and

WHEREAS, due to the detrimental impact the severe weather is having on the residents of the City, the City Council of the City of Manor, Texas (the “City Council”) has determined that authorizing the temporary suspension of the collection of certain residential building permit fees provides economic assistance to the residents of the City and promotes the health and safety of the residents of the City.

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 incorporated herein as findings of fact.

Section 2. Authorization of the Temporary Suspension of Certain Building Permit Fees. The City Council hereby authorizes and suspends the following Residential Building Permit Fees, Inspection Rates and Technology Fees as provided in the City’s Fee Schedule of the City’s Code of Ordinances until April 30, 2021: Remodel/repair; Plumbing; Electrical and Mechanical.

Section 3. **Repealing all Conflicting Ordinances.** All ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance as adopted herein are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other code or ordinance of the City of Manor, the terms and provisions of this Ordinance shall control.

Section 4. **Savings Clause.** This City Council of the City of Manor, Texas does hereby declare that if any section, subsection, paragraph, sentence, clause, phrase, work or portion of this Ordinance is declared invalid, or unconstitutional, by a court of competent jurisdiction, that, in such event that it would have passed and ordained any and all remaining portions of this Ordinance without the inclusion of that portion or portions which may be so found to be unconstitutional or invalid, and declares that its intent is to make no portion of this Ordinance dependent upon the validity of any portion thereof, and that all said remaining portions shall continue in full force and effect.

Section 5. **Severability.** If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 6. **Open Meetings.** It is hereby officially found and determined that the meeting at which this Ordinance was considered 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, Chapter 551, Texas Government Code.

Section 7. **Effective Date.** This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Texas Local Government Code.

PASSED AND APPROVED this 3rd day of March 2021.

THE CITY OF MANOR, TEXAS

Dr. Larry Wallace Jr., Mayor

ATTEST:

Lluvia T. Almaraz, City Secretary

APPROVED AS TO FORM:

By: _____
Veronica Rivera, Assistant City Attorney



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: March 3, 2021
PREPARED BY: Lydia Collins, Acting City Manager/Director of Finance
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on the appointment of three (3) Capital Improvements Committee Council Members; and Chairperson to serve a one-year term.

BACKGROUND/SUMMARY:

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

MAYOR’S RECOMMENDATION:

City Council to appointment three (3) Capital Improvements Committee Council Members; and Chairperson to serve a one-year term.

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

AGENDA ITEM NO. _____



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: March 3, 2021
PREPARED BY: Tracey Vasquez, HR Manager
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:
 Consideration, discussion, and possible action on an amendment to the City Manager’s Contract.

BACKGROUND/SUMMARY:

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

STAFF RECOMMENDATION:

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