

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

# **City Council Called Special Session**

Tuesday, January 07, 2025 at 7:00 PM

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

#### **AGENDA**

This meeting will be live-streamed on Manor's YouTube Channel You can access the meeting at https://www.cityofmanor.org/page/livestream

#### CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

**INVOCATION** 

PLEDGE OF ALLEGIANCE

#### **PUBLIC COMMENTS**

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

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

To address the City Council, please complete the white or yellow card and present it to the designated area <u>prior</u> to the meeting.

#### REGULAR AGENDA

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

Submitted by: Tyler Shows, E.I.T., City Engineer

- 2. Consideration, discussion, and possible action on a change order to the construction contract for the Cottonwood Creek West Tributary Wastewater Main Extension.

  Submitted by: Tyler Shows, E.I.T., City Engineer
- Consideration, discussion, and possible action on an ordinance authorizing the release a portion of the extraterritorial jurisdiction of the City of Manor, Texas, to the extraterritorial jurisdiction of the City of Austin, Texas; accepting a portion of the extraterritorial jurisdiction of the City of Austin, Texas to the extraterritorial jurisdiction of the City of Manor, Texas; and adjusting the boundaries of the City of Manor, Texas.

Submitted by: Michael Burrell, Interim Development Services Director

4. Consideration, discussion, and possible action on a Water and Wastewater Service Area Transfer Agreement to transfer certain property from the City of Manor's (Manor) water and wastewater certificates of convenience and necessity (CCNs) to the respective City of Austin (Austin) CCNs and to transfer certain property from the Austin wastewater CCN to Manor's CCN.

Submitted by: Michael Burrell, Interim Development Services Director

- 5. Consideration, discussion, and possible action on the reappointment of P&Z Commissioners for Place No.s 1,3,5, 7 and Alternate No. 1.

  Submitted by: Michael Burrell, Interim Development Services Director
- **6.** Consideration, discussion, and possible action on the appointment of Mayor Pro Tem to serve a two-year term.

Submitted by: Scott Moore, City Manager

7. Consideration, discussion, and possible action on the appointment of two (2) Public Improvement District (PID) Committee Council Members; and a chairperson to serve a two-year term.

Submitted by: Scott Moore, City Manager

- 8. Consideration, discussion, and possible action on the appointment of two (2) Park Committee Council Members; and a chairperson to serve a two-year term.

  Submitted by: Scott Moore, City Manager
- 9. Consideration, discussion, and possible action on the appointment of two (2) Economic Development Committee Council Members; and a chairperson to serve a two-year term.

Submitted by: Scott Moore, City Manager

10. Consideration, discussion, and possible action on the appointment of the Mayor, City Manager, Chief of Police, and two (2) Emergency Management Committee Council Members; and a chairperson to serve a two-year term.

Submitted by: Scott Moore, City Manager

11. Consideration, discussion, and possible action on the appointment of the Mayor, City Manager, Chief of Police, and two (2) Public Safety Committee Council Members; and a chairperson to serve a two-year term.

Submitted by: Scott Moore, City Manager

12. Consideration, discussion, and possible action on the appointment of two (2) Capital Improvement Committee Council Members; and a chairperson to serve a two-year term

Submitted by: Scott Moore, City Manager

- 13. Consideration, discussion, and possible action on the appointment of two (2) Healthcare Committee Council Members; and a chairperson to serve a two-year term. Submitted by: Scott Moore, City Manager
- 14. Consideration, discussion, and possible action on the appointment of two (2) Community Collaborative Committee Council Members; and a chairperson to serve a two-year term.

Submitted by: Scott Moore, City Manager

#### **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:

- Sections 551.071, 551.072, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel and to deliberate on a Letter of Intent for the purchase of real property; and
- Sections 551.07, 551.072, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel and to deliberate the purchase of real property

#### **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.

15. Consideration, discussion, and possible action on a Letter of Intent providing the terms for the purchase of approximately 8.43 acres of land out of an 84.30 acre tract of land situated in the A.C. Caldwell Survey, Abstract 154, in Travis County.

Submitted by: Scott Jones, Economic Development Director

#### **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, January 3, 2025, by 7:00 PM and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

/s/ Lluvia T. Almaraz, TRMC City Secretary for the City of Manor, Texas

#### NOTICE OF ASSISTANCE AT PUBLIC MEETINGS:

The City of Manor is committed to compliance with the Americans with Disabilities Act. Manor City Hall and the Council Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 10 days prior to this meeting. Please contact the City Secretary at 512.215.8285 or e-mail lalmaraz@manortx.gov

#### AGENDA ITEM NO.



#### **AGENDA ITEM SUMMARY FORM**

PROPOSED MEETING DATE: January 7, 2025
PREPARED BY: Tyler Shows, E.I.T.
DEPARTMENT: City Engineer

#### **AGENDA ITEM DESCRIPTION:**

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

#### **BACKGROUND/SUMMARY:**

This proposed DEDUCT change order includes the deduction of 1 Stabilized Construction Entrance @ \$4,500/EA.

**LEGAL REVIEW:** Yes, Veronica Rivera, Assistant City Attorney

FISCAL IMPACT: Yes PRESENTATION: Yes ATTACHMENTS: Yes

Change Order No. 5 Memorandum

#### **STAFF RECOMMENDATION:**

Staff recommends that the City Council approve the Change Order No. 5 deduct to the construction contract for the Bell Farms and Presidential Glenn Lift Station Expansion project with JM Pipeline in the amount of (\$4,500).



Item 1.



Mailing Address: 9601 Amberglen Blvd. #109 Austin, TX 78729

#### **CHANGE ORDER**

ORDER NO.: 5 DATE: 1/7/2025

AGREEMENT DATE: 2/15/2023

NAME OF PROJECT: Bell Farms and Presidential Glen Lift Station Expansion

OWNER: City of Manor

CONTRACTOR: JM Pipeline, LLC

The following changes are hereby made to the CONTRACT DOCUMENTS:

1. Justification:

Item No. 1 – Add Change Order Deduct Item C.O. 5-1., A deduction of 1 Stabilized Construction Entrance @ \$4,500/EA = (\$4,500).

2. Change to CONTRACT PRICE:

Original CONTRACT PRICE: \$1,731,127.00 Current CONTRACT PRICE adjusted by previous CHANGE ORDER \$1,985,403.39. The CONTRACT PRICE due to this CHANGE ORDER will be **DECREASED** by: \$4,500. The new CONTRACT PRICE including this CHANGE ORDER will be \$1,980,903.39.

- 3. There will be a change to the CONTRACT TIME: N/A
- 4. 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.

Recommende	d by: <u>Frank T. Phelan, P.E.</u> Engineer	Signed: _ Front T. Phelon_	***************************************
Ordered by:		Signed:	
	Owner City of Manor		,
Accepted by: _	Gaspar Caracheo	Signed	
	JM Pipeline, LLC	- The Care	7



#### **AGENDA ITEM SUMMARY FORM**

PROPOSED MEETING DATE: January 7, 2025
PREPARED BY: Tyler Shows, E.I.T.
DEPARTMENT: City Engineer

#### **AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on a change order to the construction contract for the Cottonwood Creek West Tributary Wastewater Main Extension.

#### **BACKGROUND/SUMMARY:**

This proposed DEDUCT change order includes the deduction of 6,500 LF @ \$3/LF of Temporary Fencing and 1 Ten-Foot Gate Installation @ \$2,000/ gate.

**LEGAL REVIEW:** Yes, Veronica Rivera, Assistant City Attorney

FISCAL IMPACT: Yes
PRESENTATION: Yes
ATTACHMENTS: Yes

Change Order No. 2 Memorandum

#### **STAFF RECOMMENDATION:**

Staff recommends that the City Council approve Change Order No. 2 deduction to the construction contract for the Cottonwood Creek West Tributary Wastewater Main with Santa Clara Construction in the amount of (\$21,500).



Item 2.

GBA

Mailing Address: 9601 Amberglen Blvd. #109 Austin, TX 78729

#### **CHANGE ORDER**

ORDER NO.:	2
DATE: 1/7/202	25

AGREEMENT DATE: 11/15/2023

NAME OF PROJECT: Cottonwood Creek West Tributary Wastewater Main Extension

OWNER: City of Manor

CONTRACTOR: Santa Clara Construction, LTD

The following changes are hereby made to the CONTRACT DOCUMENTS:

#### 1. Justification:

Item No. 1– Add Change Order Deduct Item C.O. 2-1., A deduction of 6,500 LF of temporary fencing @ \$3/LF = (\$19,500.00).

Item No. 2 – Add Change Order Deduct Item C.O. 2-2., A deduction of 1 ten-foot gate installation @ \$2,000/EA = (\$2,000.00).

#### 2. Change to CONTRACT PRICE:

Original CONTRACT PRICE: \$2,533,379.00

Current CONTRACT PRICE adjusted by previous CHANGE ORDER \$2,559,564.68 The CONTRACT PRICE due to this CHANGE ORDER will be **DEDUCT**: \$21,500. The new CONTRACT PRICE including this CHANGE ORDER will be: \$2,538,064.68

There will be no change to CONTRACT TIME:

#### 3. 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. Engineer	Signed:Funt T. Philan	
Ordered by:	Owner City of Manor	Signed:	
Accepted by: <u>Mal</u>	•	Signed Mc Sat	



#### AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** January 7, 2025

PREPARED BY: Michael Burrell, Interim Development Services Director

**DEPARTMENT:** Development Services

#### **AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on an ordinance authorizing the release a portion of the extraterritorial jurisdiction of the City of Manor, Texas to the extraterritorial jurisdiction of the City of Austin, Texas; accepting a portion of the extraterritorial jurisdiction of the City of Manor, Texas; and adjusting the boundaries of the City of Manor, Texas.

#### **BACKGROUND/SUMMARY:**

In 2023, City Council approved a resolution requesting that the City of Austin begin the formal process to release approximately 13.791 acres from Austin's extraterritorial jurisdiction (ETJ) along Blue Bluff Road and Manor would release approximately 6.609 acres in Manor's ETJ to Austin's ETJ. On December 12, 2024, City of Austin released the 13.791 acres by Ordinance No. 20241212-078 which is being executed. A draft of the City of Austin Ordinance No. 20241212-078 is attached.

**LEGAL REVIEW:** Yes, Veronica Rivera, Assistant City Attorney

FISCAL IMPACT: No PRESENTATION: No ATTACHMENTS: Yes

- Ordinance No. 772
- City of Austin Ordinance No. 20241212-078 non-executed

#### **STAFF RECOMMENDATION:**

Staff recommends that the City Council approve Ordinance No. 772 authorizing the release of approximately 6.609 acres being a portion of the extraterritorial jurisdiction of the City of Manor, Texas to the extraterritorial jurisdiction of the City of Austin, Texas; accepting approximately 13.791 acres being a portion of the extraterritorial jurisdiction of the City of Austin, Texas to the extraterritorial jurisdiction of the City of Manor, Texas; and adjusting the boundaries of the City of Manor, Texas.

#### **ORDINANCE NO. 772**

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AUTHORIZING THE RELEASE OF A PORTION OF THE OF THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF MANOR, TEXAS TO THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF AUSTIN, TEXAS; ACCEPTING A PORTION OF THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF AUSTIN, TEXAS TO THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF MANOR, TEXAS; ADJUSTING THE BOUNDARIES OF THE CITY OF MANOR, TEXAS PURSUANT TO CHAPTER 42, TEXAS LOCAL GOVERNMENT **MEETINGS** CODE: **PROVIDING** AN **OPEN** CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

**WHEREAS**, the Cities of Austin, Texas and Manor, Texas are located within Travis County Texas and are adjacent or otherwise share certain common boundaries of extraterritorial jurisdiction and corporate limits; and

**WHEREAS**, a tract of land consisting of approximately 147.935 acres is located within the extraterritorial jurisdictions of both the City of Austin, Texas and the City of Manor, Texas as more particularly depicted and described on <u>Exhibit "A"</u> attached hereto (the "**Property**"); and

WHEREAS, the owner of the Property desires to have the portion of the Property consisting of approximately 13.791 acres more particularly described on <a href="Exhibit "A" attached hereto">Exhibit "A"</a> attached hereto (the "Austin ETJ Tract") be released from the City of Austin, Texas' extraterritorial jurisdiction and become a part of the extraterritorial jurisdiction of the City of Manor, Texas (the "City") in order to develop the Property as a whole under the rules and regulations of the City; and

WHEREAS, the owner of the Property desires to have the portion of the Property consisting of approximately 6.609 acres more particularly described on Exhibit "A" attached hereto (the "Manor ETJ Tract") be released from the City of Manor, Texas' extraterritorial jurisdiction and become a part of the extraterritorial jurisdiction of the City of Austin, Texas (the "COA") in order to develop the Property as a whole under the rules and regulations of the COA; and

**WHEREAS**, a release of Austin ETJ Tract from the COA and a release of the Manor ETJ Tract from the City are necessary in order to develop the Property; and

WHEREAS, the City Council of the City of Manor, Texas (the "City Council") has determined that it is in the best interest of the City to have an orderly development of the Property by accepting the released Austin ETJ Tract from the COA to the City's ETJ; authorizing the release of the Manor ETJ tract; adjust the extraterritorial jurisdiction of the City so that the Austin ETJ Tract becomes a part of the extraterritorial jurisdiction of the City; and adjust the extraterritorial jurisdiction of the City so that the Manor ETJ Tract becomes a part of the extraterritorial jurisdiction of the COA.

ORDINANCE NO. 772

Page 2 tem 3.

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

**Section 1.** <u>Findings of Fact</u>. 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.

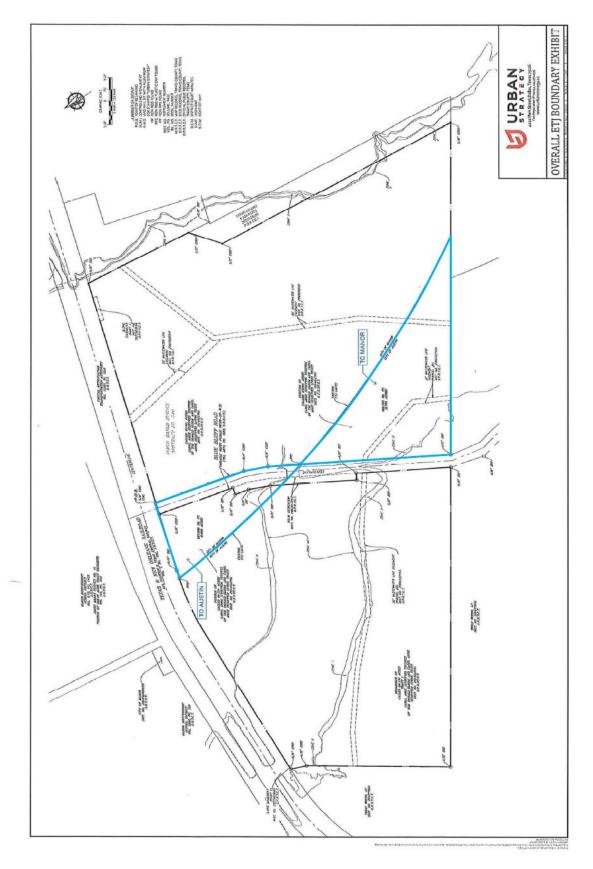
- **Section 2.** Release and Acceptance. The City Council of the City releases the Manor ETJ Tract to Austin. Such release shall become effective upon the duly approved and executed Austin's Ordinance No. 20241212-078 releasing the Austin ETJ Tract to the City. The City further accepts the Austin ETJ Tract into the City of Manor's extraterritorial jurisdiction upon the release becoming effective upon the duly approved and executed City of Austin's Ordinance No. 20241212-078.
- **Section 3. ETJ Adjustment.** For the purpose of accomplishing extraterritorial adjustments pursuant to Chapter 42, the City Council adjusts the City's extraterritorial jurisdiction of the City so that the Manor ETJ Tract becomes a part of the extraterritorial jurisdiction of the Austin; and the Austin ETJ Tract becomes a part of the extraterritorial jurisdiction of the City.
- **Section 4. Open Meetings.** It is hereby officially found and determined that the meeting at which this Ordinance was 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, Chapter 551, Texas Government Code.
- **Section 5.** <u>Effective Date</u>. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Texas Local Government Code, and it is accordingly so ordained.

**PASSED AND APPROVED** on this 7<sup>th</sup> day of January 2025.

THE CITY OF MANOR, TEXAS
Dr. Christopher Harvey, Mayor

Exhibit "A"

[see attached]



#### EXHIBIT A

**BEING** a portion of a called 83.801 Acre (3,655,514 square feet) tract of land situated in the James Manor Survey, Abstract Number 1280, Travis County, Texas; being a portion of a tract of land described in Special Warranty Deed to Carol Anne Schryver, Trustee of the Ronald Bloom and Carol Anne Schryver Living Trust Tract 2, recorded in Instrument Number 2014012701, Official Public Records, Travis County, Texas (O.P.R.T.C.T.), and being more particularly described as follows:

**BEGINNING** at a 5/8 inch iron rod found for the northwest corner of that tract of land conveyed to Heart of Manor L.P., by deed recorded in Instrument No. 200737703, O.P.R.T.C.T., same being the southwest corner of said Schryver Living Trust, Tract 2, and also being in the easterly line of Blue Bluff Road (a variable width public right-of-way, Volume 4871, Page 1883, along with a right-of-way dedication recorded in Instrument No. 2002017243, O.P.R.T.C.T.);

**THENCE** North 23 degrees 41 minutes 58 seconds East, along the easterly right-of-way line of said Blue Bluff Road, a distance of 969.86 feet to a point for corner, from which a 5/8 inch iron rod found for reference bears North 23 degrees 41 minutes 58 seconds East, a distance of 207.17 feet, and being the beginning of a non-tangent curve to the left, having a radius of 6169.06 feet, a central angle of 16 degrees 16 minutes 41 seconds, and a chord bearing and distance of South 28 degrees 55 minutes 47 seconds East, 1746.79 feet;

**THENCE**, departing the easterly right-of-way line of said Blue Bluff Road, over and across said Schryver Living Trust, Tract 2, with said curve to the left, an arc distance of 1752.68 feet to a point for corner, being on the northeast line of said Heart of Manor L.P. tract;

THENCE North 62 degrees 34 minutes 31 seconds West, along the northeast line of said Heart of Manor L.P. tract, a distance of 1391.16 feet to the **POINT OF BEGINNING**, and containing 600,753 square feet or 13.791 acres of land.

This document was prepared under 22 Texas Administrative Code §138.95, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

This metes and bounds description is accompanied by an exhibit of even date.

Registered Professional Land Surveyor
Texas Registration No. 6233

Urban Strategy

TBPLS Firm No. 10194610





#### ETJ BOUNDARY SURVEY

13.791 ACRES / 600,753 SQUARE FEET KNOWN AS: OLD HWY 20, MANOR, TEXAS LOCATED:

OUT THE JAMES MANOR SURVEY, ABSTRACT NO. 546 CITY OF AUSTIN, TRAVIS COUNTY, TEXAS

ISSUE DATE 07/25/2023 PROJECT NO 233009 2

AGE 1 OF 2

AST MODIFIED ON: 8/28/2023 8:51 AM

Item 3.

# To be transparred to Austin

#### EXHIBIT B

BEING a portion of a 64.134 Acre (2,793,680 square feet) tract of land situated in the James Manor Survey, Abstract Number 1280, Travis County, Texas; said 64.134 acre tract being a portion of that certain tract of land described in Special Warranty Deed to Carol Anne Schryver, Trustee of the Ronald Bloom and Carol Anne Schryver Living Trust, Tract 1, recorded in Instrument Number 2014012701, Official Public Records, Travis County, Texas (O.P.R.T.C.T.), and being a portion of Blue Bluff Road, (a variable width public right-of-way, Volume 4871, Page 1883, along with a portion of a Right-of-Way (R.O.W.) dedication recorded in Instrument No. 2002017243, O.P.R.T.C.T.); and being more particularly described as follows:

BEGINNING at an 5/8 inch iron rod with red plastic cap stamped 'CEC Boundary' found for the northwest corner of an 83.801 acre tract of land described to said Carol Anne Schryver and Ronald Bloom Living Trust, Tract 2, and being at the intersection of the southerly right-of-way line of the Texas & New Orleans Railroad, (formerly known as Houston & Texas Central Railway), as recorded in Volume U, Page 452, Deed Records, Travis County, Texas (D.R.T.C.T.), and the easterly right-of-way line of said Blue Bluff Bluff Road;

THENCE with the said easterly right-of-way line of Blue Bluff Road, the following bearings and distances:

South 07 degrees 46 minutes 57 seconds West, a distance of 601,24 feet to a 5/8 inch iron rod found for corner;

South 16 degrees 50 minutes 57 seconds West, a distance of 159.12 feet to a 5/8 inch iron rod found for corner;

South 23 degrees 41 minutes 58seconds West, a distance of 207.17 feet to a point for corner, at the beginning of a non-tangent curve to the right, having a radius of 5,877.55 feet, a central angle of 10 degrees 24 minutes 38 seconds, and a chord bearing and distance of North 15 degrees 44 minutes 58 seconds West, 1,066.47 feet;

THENCE, departing the easterly R.O.W. line of said Blue Bluff Road, over and across said Schryver Living Trust, Tract 1, and said Blue Bluff Road the following bearings and distances:

With said curve to the right, an arc distance of 1,067.94 feet to a point for corner in the southerly R.O.W. line of said Texas & New Orleans Railroad, being the beginning of a non-tangent curve to the right, having a radius of 1,661.85 feet, a central angle of 01 degrees 46 minutes 30 seconds, and a chord bearing and distance of South 80 degrees 29 minutes 31 seconds East, 51.49 feet;

THENCE with the southerly right-of-way line of said Texas & New Orleans Railroad, the following courses:

With said curve to the right, an arc distance of 51.49 feet to a 5/8 inch iron rod found for corner;

South 79 degrees 52 minutes 43 seconds East, passing a 5/8 inch iron rod with cap stamped "CEC Boundary" found for reference for the northeast corner of said Schryver Living Trust, Tract 1, at a distance of 378.12 feet, and continuing a total distance of 456.61 feet to the **POINT OF BEGINNING** and containing 287,866 Square Feet, or 6.609 acres of land, more or less.

This document was prepared under 22 Texas Administrative Code §138.95, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

This metes and bounds description is accompanied by an exhibit of even date.

8/24/23

Registered Professional Land Surveyor Texas Registration No. 6233

Urban Strategy

TBPLS Firm No. 10194610





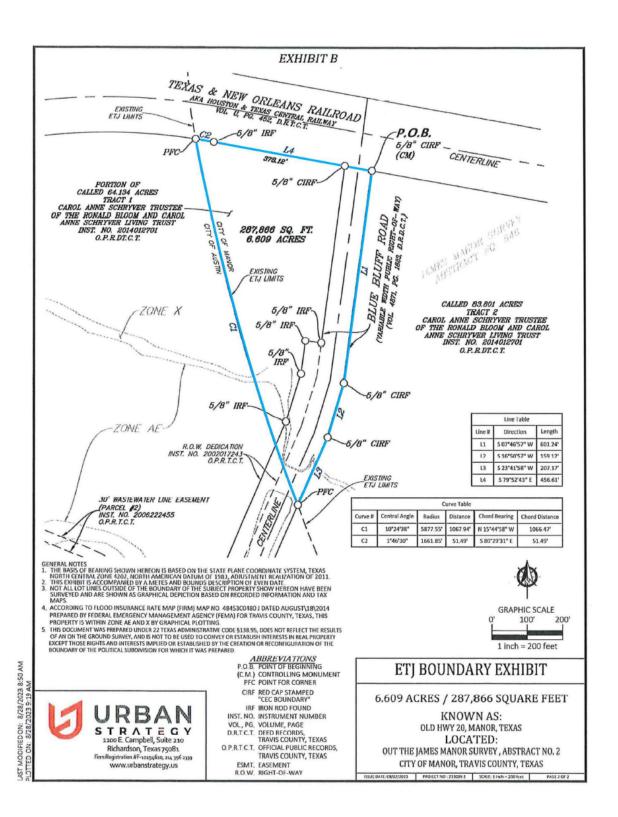
#### ETJ BOUNDARY EXHIBIT

6.609 ACRES / 287,866 SQUARE FEET

KNOWN AS: OLD HWY 20, MANOR, TEXAS LOCATED:

OUT THE JAMES MANOR SURVEY, ABSTRACT NO. 2 CITY OF MANOR, TRAVIS COUNTY, TEXAS

ISSUE DATE: 08/02/2023 PROJECT NO : 2330092 PAGE 1 OF 2



Draft 11/20/2024

Page 1 of 2

ORDINANCE NO.

AN ORDINANCE ADJUSTING THE CITY OF AUSTIN'S BOUNDARY LIMITS ALONG BLUE BLUFF ROAD AT THE INTERSECTION OF OLD HIGHWAY 20 AND BLUE BLUFF ROAD IN NORTHEASTERN TRAVIS COUNTY BY RELEASING APPROXIMATELY 13.791 ACRES FROM THE CITY'S EXTRATERRITORIAL JURISDICTION ADJACENT TO THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF MANOR AND INCLUDING APPROXIMATELY 6.609 ACRES FROM THE CITY OF MANOR'S EXTRATERRITORIAL JURISDICTION IN THE CITY'S EXTRATERRITORIAL JURISDICTION

### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

#### PART 1. FINDINGS.

- (1) Texas Local Government Code Section 42.023 authorizes a city to reduce its extraterritorial jurisdiction by giving written consent by ordinance or resolution. The Austin City Charter, Article I, Section 6, provides that the City may reduce its boundary by ordinance.
- (2) Texas Local Government Code Section 42.022 authorizes a city to expand its extraterritorial jurisdiction to include an area contiguous to the otherwise existing extraterritorial jurisdiction of the municipality if the owners of the area request the expansion. Austin City Charter, Article I, Section 6, provides that the City may increase its boundary by ordinance.
- (3) On December 20, 2023, at the landowner's request, the City Council of Manor passed Resolution 2023-45 requesting the City release approximately 13.791 acres of land from the City's extraterritorial jurisdiction (ETJ) so that this land can become part of the City of Manor's ETJ. This land is more particularly described in Exhibit "A." In the same resolution, at the landowner's request, the City Council of Manor directed Manor's City Manager to release 6.609 acres of land from Manor's ETJ so that it can become part of the City of Austin's ETJ. That land is more particularly described in Exhibit "B."
- (4) Staff conducted a review of the ETJ release and inclusion request and recommended approval subject to the dedication of a conservation easement on the area being released from the City's ETJ. The landowner has agreed to dedicate a conservation easement for an area identified by City of Austin staff as environmentally sensitive, attached as Exhibit "C," to the City of Manor for

City of Austin	File ID: 24 Item 3.
Council Meeting Backup: December 12, 2024 the floodplain on the property des part of the City of Manor's ETJ.	scribed in Exhibit "A," which will become
	ea identified in Exhibit "A" from the City's nd include the area identified in Exhibit "B"
<b>PART 2.</b> Approximately 13.791 acres of 1 intersection of Old Highway 20 and Blue E adjacent to the ETJ of the City of Manor ar incorporated as part of this ordinance is her so that the City of Manor may include the 1	Bluff Road in northeastern Travis County and identified in Exhibit "A" attached to and reby released from the City of Austin's ETJ
PART 3. Upon release from the City of M land located along Blue Bluff Road at the i Bluff Road in northeastern Travis County a identified in Exhibit "B" attached to and in included in the ETJ of the City of Austin.	ntersection of Old Highway 20 and Blue adjacent to the ETJ of the City of Austin and
PART 4. This ordinance takes effect on _	, 2024.
PASSED AND APPROVED	
, 2024	§ § 8
	Kirk Watson
	Mayor
APPROVED:	ATTEST:
Deborah Thomas	Myrna Rios
Interim City Attorney	City Clerk

Draft 11/20/2024 Page 2 of 2 COA Law Department

#### AGENDA ITEM NO.



#### AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** January 7, 2025

PREPARED BY: Michael Burrell, Interim Director

**DEPARTMENT:** Development Services

#### **AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on a Water and Wastewater Service Area Transfer Agreement to transfer certain property from the City of Manor's (Manor) water and wastewater certificates of convenience and necessity (CCNs) to the respective City of Austin (Austin) CCNs and to transfer certain property from the Austin wastewater CCN to Manor's CCN.

#### **BACKGROUND/SUMMARY:**

PlaceMKR Old Highway 20, LLC owns approximately 148 acres along Old Highway 20, bisected by Blue Bluff Road. One tract of the property is approximately 64.134 acres and the other is 83.919 acres.

Under the agreement, on the smaller tract, 52.029 acres of water CCN service area will be moved from Manor's water CCN 10947 to Austin water CCN 11322. Within that same 52 acres, approximately 8.072 acres of wastewater CCN service area will be moved from Manor wastewater CCN 20378 to Austin wastewater CCN 20636.

In the larger tract, approximately 6.098 acres in Austin's wastewater CCN 20636 will be moved to Manor's wastewater CCN 20378.

The agreement was authorized by Austin via signature by the Director of Austin Water, who maintains delegated authority for such agreements. No customers exist in the areas proposed for transfer. No facilities are proposed for transfer.

**LEGAL REVIEW:** Yes, Irene Montelongo, Assistant City Attorney

FISCAL IMPACT: No PRESENTATION: No ATTACHMENTS: Yes

Partially signed Service Area Transfer Agreement with Exhibits

#### STAFF RECOMMENDATION:

The City Staff recommends that the City Council approve the Water and Wastewater Service Area Transfer Agreement with the City of Austin, Texas.

#### WATER AND WASTEWATER SERVICE AREA TRANSFER AGREEMENT

STATE OF TEXAS

§

COUNTY OF TRAVIS

8

This WATER AND WASTEWATER SERVICE AREA TRANSFER AGREEMENT (this "Agreement") is entered into by and between the City of Manor and the City of Austin, being Texas home rule municipalities operating retail public water utilities, to be effective as of the Effective Date. The City of Manor ("Manor") and the City of Austin ("Austin") are each referred to herein as a "Party" and are collectively referred to herein as the "Parties."

#### RECITALS

**WHEREAS**, this Agreement involves the transfer of certain retail water and sewer service rights in a 148-acre property bisected by Blue Bluff Road with an approximately 64-acre tract on one side and an approximately 84-acre tract on the opposite side of the road (the "*Property*");

WHEREAS, Manor holds water Certificate of Convenience and Necessity ("<u>CCN</u>") No. 10947 (the "<u>Manor Water CCN</u>") and sewer CCN No. 20378 (the "<u>Manor Sewer CCN</u>"), the boundaries of which are within Travis County, Texas;

WHEREAS, Austin holds water CCN No. 11322 (the "<u>Austin Water CCN</u>") and sewer CCN No. 20636 (the "<u>Austin Sewer CCN</u>"), the boundaries of which are within Travis, Bastrop, Hays, and Williamson Counties, Texas;

**WHEREAS**, Texas Water Code ("<u>TWC</u>") §13.248 authorizes contracts between retail public utilities designating areas and customers to be served by those retail public utilities, when approved by the Public Utility Commission of Texas (the "<u>PUC</u>") after public notice and hearing;

WHEREAS, the Manor Water CCN and the Austin Water CCN, and the Manor Sewer CCN the Austin Sewer CCN boundaries are adjacent to each other in certain locations;

WHEREAS, in the 64-acre tract, approximately 52.029 acres of certain real property is located in the Manor Water CCN, which is more particularly described and depicted in Exhibit "A" attached hereto (the "Manor Water Transfer Tract");

WHEREAS, to facilitate future development, property owner PlaceMKR Old Highway 20 LLC ("*PlaceMKR*") has requested that the City of Manor authorize the transfer of the approximately 52.029 acres from the Manor Water CCN to the Austin Water CCN;

WHEREAS, Manor is willing to transfer said water service rights to the Austin Water CCN in accordance with the terms of this Agreement;

- WHEREAS, Approximately 8.072 acres of the 52.029 acres is located in the Manor Sewer CCN, which is more particularly described and depicted in **Exhibit "B"** attached hereto (the "*Manor Sewer Transfer Tract*");
- WHEREAS, PlaceMKR has requested that Manor authorize the transfer of the approximately 8.072 acres from the Manor Sewer CCN to the Austin Sewer CCN;
- WHEREAS, Manor is willing to transfer said sewer service rights to the Austin Sewer CCN in accordance with the terms of this Agreement;
- **WHEREAS**, in the 83-acre tract, approximately 6.098 acres of certain real property is located in the Austin Sewer CCN, which is more particularly described and depicted in **Exhibit "C"** attached hereto (the "Austin Sewer Transfer Tract");
- **WHEREAS**, PlaceMKR has requested that the City of Austin authorize the transfer of the approximately 6.098 acres from the Austin Sewer CCN to the Manor Sewer CCN;
- **WHEREAS**, Austin is willing to transfer the said sewer service rights to the Manor Sewer CCN in accordance with the terms of this Agreement;
- **WHEREAS**, there are no existing Manor or Austin customers being transferred as part of this Agreement.
- WHEREAS, there are no Manor water or sewer facilities being transferred as part of this Agreement; and
- **WHEREAS**, existing Austin sewer facilities in the Austin Sewer Transfer Tract are not being transferred as part of this Agreement.
- **NOW THEREFORE**, for and in consideration of the mutual promises and covenants herein contained and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by all Parties, it is agreed as follows:
- 1. **Purpose**. This Agreement shall be a "contract" designating areas and customers to be served by the Parties in accordance with TWC § 13.248.
- 2. **Transfer**. The City of Manor transfers to the City of Austin, and Austin accepts from Manor, the portion of Manor's water CCN No. 10947 that overlaps with the Transfer Tracts, and the Parties hereby agree to the modifications of the boundaries of their water CCNs accordingly.
- 3. **Transfer.** The City of Manor transfers to the City of Austin, and Austin accepts from Manor, the portion of Manor's sewer CCN No. 20378 that overlaps with the Transfer Tracts, and the Parties hereby agree to the modifications of the boundaries of their sewer CCNs accordingly.
- 4. **Transfer.** The City of Austin transfers to the City of Manor, and Manor accepts from Austin, the portion of Austin's sewer CCN No. 20636 that overlaps with the Transfer Tracts, and the Parties hereby agree to the modifications of the boundaries of their sewer CCNs accordingly.

- 5. **Customers.** There are no existing customers affected by the transfers described in this Agreement.
- 6. **Facilities.** There are no Manor water or sewer facilities affected by the transfers described in this Agreement. Existing Austin sewer facilities in the approximately 6.098-acre Austin Sewer Transfer Tract are not required for Manor to provide sewer service and thus are not affected by the transfers described in this Agreement.
- 7. **Compensation to Manor**. PlaceMKR and Manor have entered a separate agreement whereby PlaceMKR and Manor agreed to the amount PlaceMKR will compensate Manor for the transfers to Austin. Manor does not seek compensation from Austin for the transfers.
- 8. **PUC Application**. The Parties agree to cooperate and collaborate in all actions necessary to prepare, file, and advance the application at the PUC necessary to approve the transfer of these water and sewer CCN tracts. The Parties agree that PlaceMKR be primarily responsible for the drafting, filing, and processing of the PUC approval application, in full cooperation and collaboration with the Parties.
- 9. **No Continuing Obligation to Serve.** The Parties agree that upon PUC approval of the application to transfer the portions of the Manor Water CCN and Manor Sewer CCN that overlap the Transfer Tracts to the City of Austin, the City of Manor shall have no further obligation to provide retail water service to the Manor Water Transfer Tract or retail sewer service to the Manor Sewer Transfer Tract. If the PUC does not agree to allow the transfer of the areas corresponding with the Manor Water Transfer Tract or to the Manor Sewer Transfer Tract, the Parties may continue to discuss how best to achieve the purpose of this Agreement.
- 10. **No Continuing Obligation to Serve**. The Parties agree that upon PUC approval of the application to transfer the portions of the Austin Sewer CCN that overlap the Transfer Tracts to the City of Manor, the City of Austin shall have no further obligation to provide retail sewer service to the Austin Sewer Transfer Tract. If the PUC does not agree to allow the transfer of the areas corresponding with the Austin Sewer Transfer Tract, the Parties may continue to discuss how best to achieve the purpose of this Agreement.
- 11. **City Service**. Retail utility service to the Transfer Tracts will be governed by the providers' established service policies.
- 12. **Applicable Law**. This Agreement shall be governed by, and construed in accordance with, the Constitution and laws of the State of Texas.
- 13. **Entire Agreement**. This Agreement reflects the entire agreement between the Parties, and supersedes all prior and contemporaneous agreements and understandings, both written and oral, between the Parties with respect to the subject matter hereof.
- 14. **Notices**. All notices and correspondence pertaining to the Agreement shall be in writing delivered by hand or certified mail, return receipt requested and postage prepaid, or by nationally

recognized courier service, and shall be addressed as follows, unless a Party notifies the other in accordance with this Section of a change of address or other information provided herein:

#### If to Manor:

City of Manor Attn: City Manager 105 E. Eggleston St. Manor, Texas 78653 Telephone (512) 272-5555

#### With copy to:

The Knight Law Firm, LLP
Attn: Paige@cityattorneytexas.com
223 West Anderson Lane, Suite A-105
Austin, Texas 78752
Telephone (512) 323-5778

#### If to Austin:

City of Austin Attn: Austin Water, Virginia Collier 6310 Wilhelmina Delco Dr, Suite 3100 Austin, Texas, 78752 Telephone (512) 972-0117

#### With copy to:

City of Austin Law Department Attn: Ross Crow, Utilities & Regulatory Division P.O. Box 1088 Austin, Texas, 78767

Notice shall be effective only upon receipt by the party being served, except notice shall be deemed delivered and received seventy-two (72) hours after posting by the United States Post Office, by the method described above.

- 15. Successors and Assigns. This Agreement shall bind the Parties and their legal successors, but shall not otherwise be assignable by any Party without prior written consent of the other Party, which consent shall not be unreasonably withheld.
- 16. **Venue**. Venue, whether administrative or judicial, shall be proper and lie exclusively in the state courts of Travis County, Texas.
- 17. **Recitals**. The above recitals are true and correct and are incorporated into this Agreement for all purposes.
- 18. **Multiple Originals**. This Agreement may be executed in any number of counterparts, each of which shall be, for all purposes, deemed to be an original, and all such counterparts shall together constitute and be one and the same instrument.

- 19. **Authority**. The Parties represent that the individuals named below are duly authorized to execute this Agreement on behalf of their respective Party.
- 20. **Enforceability**. The Parties agree that this Agreement constitutes the legal, valid and binding obligation of each Party hereto, enforceable in accordance with its terms, and that each Party is entering into this Agreement in reliance upon the enforceability of this Agreement.

[SIGNATURE PAGE FOLLOWS]

**IN WITNESS WHEREOF**, the Parties hereto have executed this Agreement effective as of the date signed by the last of the Parties hereto (the "<u>Effective Date</u>").

#### CITY OF MANOR

By:	
Name:	Scott Moore
Title:	City Manager
Date:	

CITY OF AUSTIN
AUSTIN WATER UTILITY

By: Name: Shay Roalson

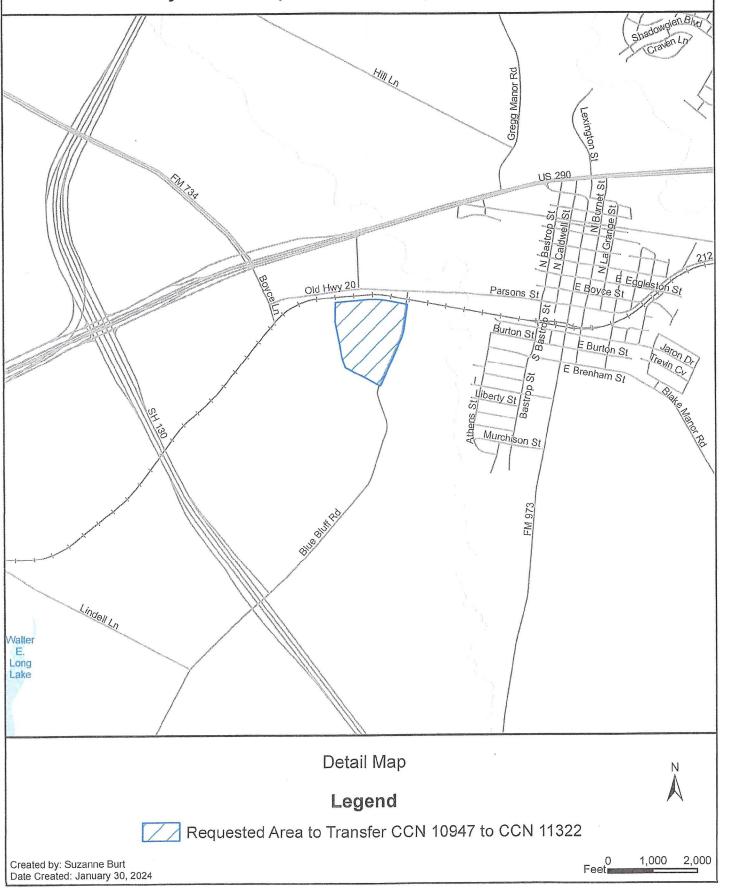
Title: Director

Date: 12/17/2024

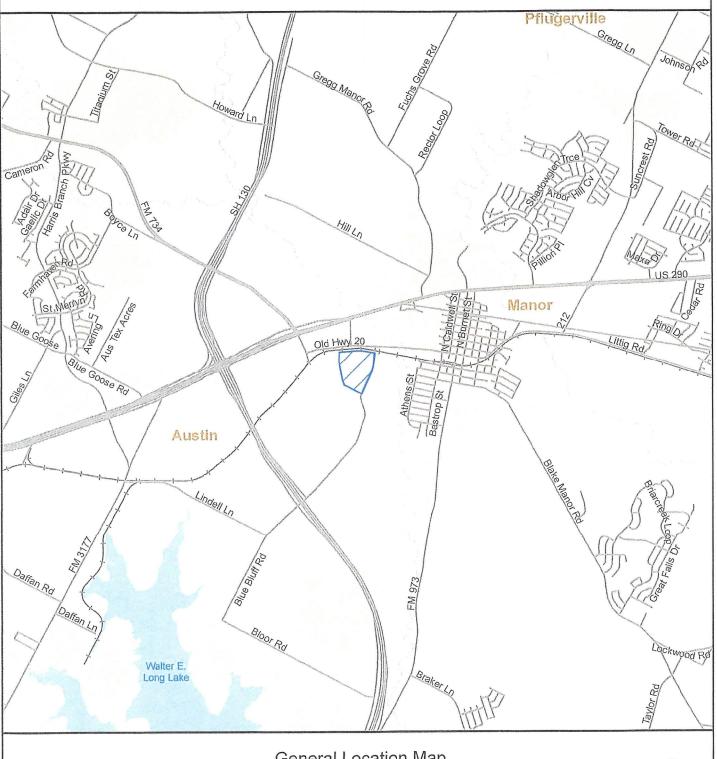
Exhibit "A"

Manor Water Transfer Tract

13.248 Petition to Amend City of Manor (CCN No. 10947) and City of Austin (CCN No. 11322) in Travis County



# 13.248 Petition to Amend City of Manor (CCN No. 10947) and City of Austin (CCN No. 11322) in Travis County



General Location Map

## Legend

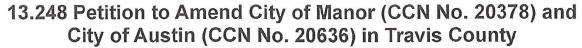
Requested Area to Transfer CCN 10947 to CCN 11322

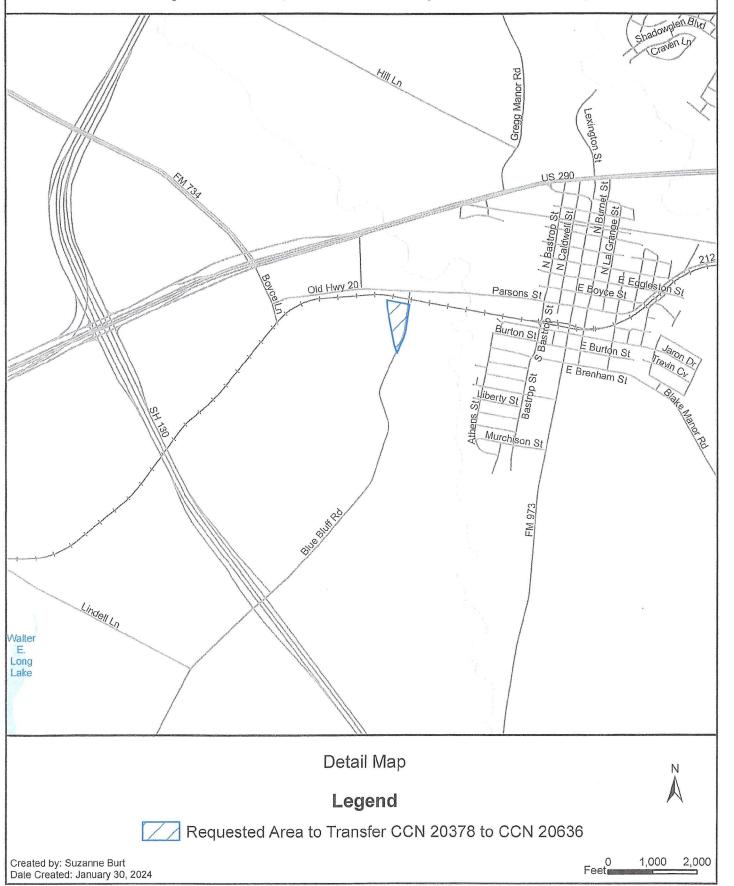
Created by: Suzanne Burt Date Created: January 30, 2024

2,000 4,000 Feet∎

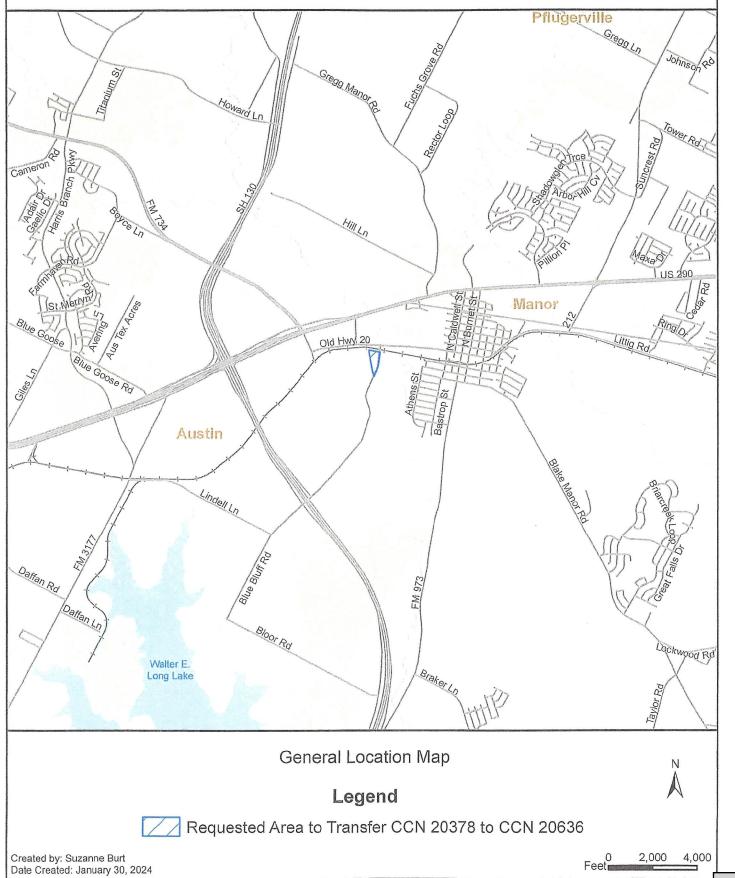
### Exhibit "B"

Manor Sewer Transfer Tract





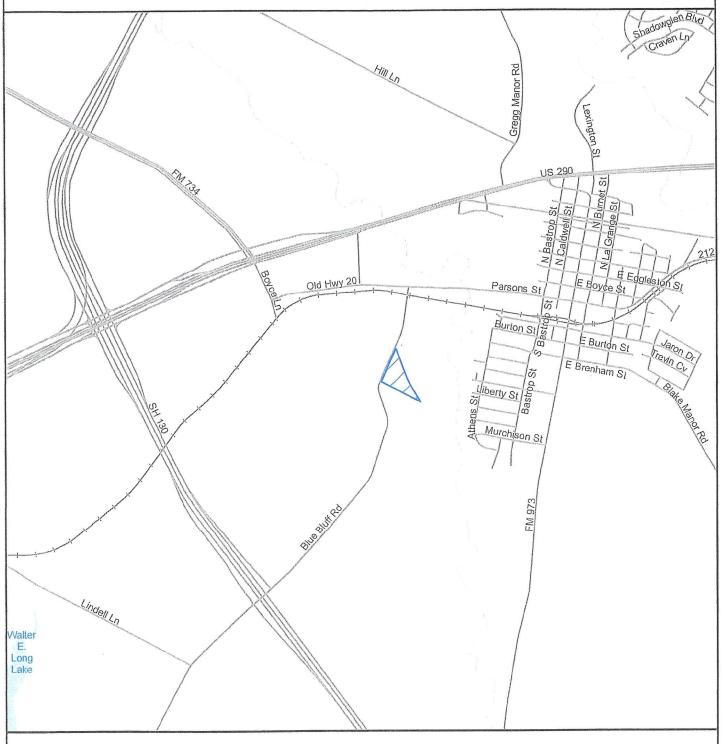
# 13.248 Petition to Amend City of Manor (CCN No. 20378) and City of Austin (CCN No. 20636) in Travis County



### Exhibit "C"

Austin Sewer Transfer Tract

# 13.248 Petition to Amend City of Austin (CCN No. 20636) and City of Manor (CCN No. 20378) in Travis County



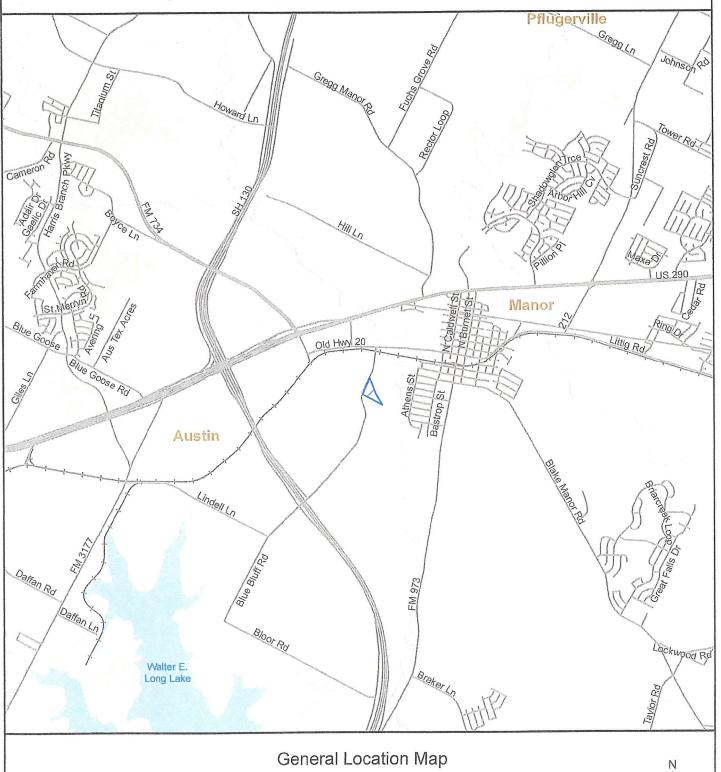
Detail Map

# Legend

Requested Area to Transfer CCN 20636 to CCN 20378

Created by: Suzanne Burt Date Created: January 30, 2024 Feet 1,000 2,000

# 13.248 Petition to Amend City of Austin (CCN No. 20636) and City of Manor (CCN No. 20378) in Travis County



# Legend

Requested Area to Transfer CCN 20636 to CCN 20378

Created by: Suzanne Burt Date Created: January 30, 2024 0 2,000 4,000 Feet

#### AGENDA ITEM NO.



#### AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** January 7, 2025

PREPARED BY: Michael Burrell, Interim Director

**DEPARTMENT:** Development Services

#### **AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on the reappointment of P&Z Commissioners for Place No.s 1,3,5, 7 and Alternate No. 1.

#### **BACKGROUND/SUMMARY:**

P&Z Commissioner Place 1: Julie Leonard, Place 3: Gabrielle Orion, Place 5: Jeffrey Stensland, Place 7: James (Jim) Terry, and Alternate No. 1: Gabriel Nila are up for reappointment. Places 1,5,7, and alternate No. 1 have expressed interest in being reappointed. Alternate No. 1: Gabriel Nila has interest in being appointed to Place 3.

**LEGAL REVIEW:** Not Applicable

FISCAL IMPACT: No PRESENTATION: No ATTACHMENTS: Yes

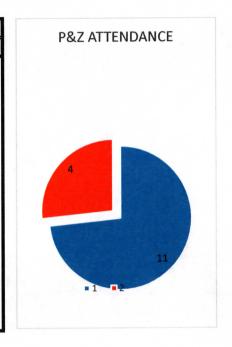
Attendance Report

#### STAFF RECOMMENDATION:

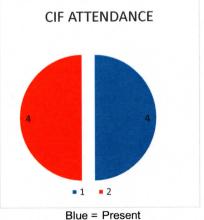
Staff recommends that the City Council reappoint Julie Leonard to Place 1, Jeffrey Stensland to Place 5, Jim Terry to Place 7; and appoint Gabriel Nila to Place 3 of the Planning and Zoning Commission for a 2-year term; and declare a vacancy for Alternate No. 1 position.

PLANNING & ZONING COMMISSION: Recommend Approval Disapproval None

MEMBERS	MEETINGS	MEETING	ATTENDANCE		<b>TOTALS</b>	
NAME/PLACE NO.	DATE	TYPE	COUNT	Present	Absent	Total #
A St. of Good St.	01.10.2024	REG	Р			
	02.13.2024	WS	Р			
JULIE LEONARD	02.13.2024	CSS	Р			
PLACE NO. 1	02.14.2024	REG	CXL		4	15
	03.13.2024	REG	Р			
	04.10.2024	REG	Р	11		
	05.08.2024	REG	Р			
	06.12.2024	REG	Р			
	07.10.2024	WS	Α	''		
	07.10.2024	REG	Α			
	08.14.2024	REG	Р			
	08.26.2024	WS	A/NQ			
	09.11.2024	REG	Р			
	10.09.2024	REG	Α	(Alexa 2)		
	11.13.2024	REG	Р			
	12.11.2024	REG	Р			

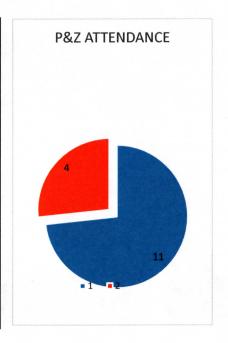


MEMBERS	MEETINGS	MEETING	ATTENDANCE	TOTALS		
NAME/PLACE NO.	DATE	TYPE	COUNT	Present	Absent	Total #
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	02.13.2024	REG	Α			
JULIE LEONARD	04.10.2024	REG	A/NQ			
PLACE NO. 1	05.08.2024	REG	P/NQ			
	06.12.2024	REG	P/NQ	4	4	8
	07.10.2024	REG	Α	7	7	Ů
	08.14.2024	REG	Р			
	09.11.2024	REG	Р			

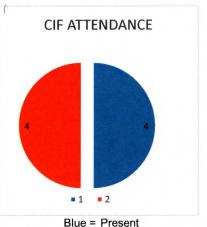


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MEMBERS	MEETINGS	MEETING	ATTENDANCE		TOTALS	
NAME/PLACE NO.	DATE	TYPE	COUNT	Present	Absent	Total #
	01.10.2024	REG	Р			
	02.13.2024	WS	Р			
<b>PRINCE JOHN CHAVIS</b>	02.13.2024	CSS	Р			
PLACE NO. 2	02.14.2024	REG	CXL	1 1		
VICE CHAIR	03.13.2024	REG	Р			
	04.10.2024	REG	Р	1		
	05.08.2024	REG	Р			
	06.12.2024	REG	Р	11	4	15
	07.10.2024	REG	Р	1 ''	7	13
	07.10.2024	WS	Р			
	08.14.2024	REG	Α			
	08.26.2024	WS	A/NQ			
	09.11.2024	REG	Α			
	10.09.2024	REG	Р			
	11.13.2024	REG	Α			
	12.11.2024	REG	Р			

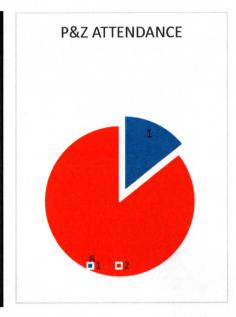


MEMBERS	MEETINGS	MEETING	ATTENDANCE	TOTALS		
NAME/PLACE NO.	DATE	TYPE	COUNT	Present	Absent	Total #
	01.10.2024	REG	Р			
	02.13.2024	REG	Р			
PRINCE JOHN CHAVIS	04.10.2024	REG	A/NQ			
PLACE NO. 2	05.08.2024	REG	P/NQ			
	06.12.2024	REG	A/NQ	4	4	8
	07.10.2024	REG	Р	4	4	0
	08.14.2024	REG	Α			
	09.11.2024	REG	Α			

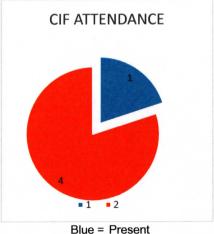


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MEMBERS	MEETINGS	MEETING	ATTENDANCE		<b>TOTALS</b>	
NAME/PLACE NO.	DATE	TYPE	COUNT	Present	Absent	Total #
	01.10.2024	REG	Р			
	02.13.2024	WS	Α			
CRESANDRA HARDEMAN	02.13.2024	CSS	Α			
PLACE NO. 3	02.14.2024	REG	CXL			
	03.13.2024	REG	Α			
	04.10.2024	REG	Α			
	05.08.2024	REG	Α	1 1	6	7
	06.12.2024	REG	Α	'	0	,
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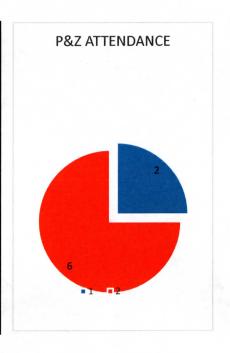


MEMBERS	MEETINGS	MEETING	ATTENDANCE	TOTALS		
NAME/PLACE NO.	DATE	TYPE	COUNT	Present	Absent	Total #
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	02.13.2024	REG	Α			
CRESANDRA HARDEMAN	04.10.2024	REG	A/NQ			
PLACE NO. 3	05.08.2024	REG	A/NQ			
CHAIR	06.12.2024	REG	A/NQ	1 1	4	5
					7	3

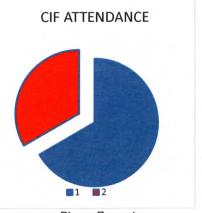


Red = Absent

MEMBERS	MEETINGS	MEETING	ATTENDANCE		TOTALS	
NAME/PLACE NO.	DATE	TYPE	COUNT	Present	Absent	Total #
	01.10.2024	REG				
	02.13.2024	WS				
GABRIELLE ORION	02.13.2024	CSS				
PLACE NO. 3	02.14.2024	REG				a a
	03.13.2024	REG				
	04.10.2024	REG				
	05.08.2024	REG				
	06.12.2024	REG		2	6	8
	07.10.2024	REG	Р	1 ′	0	٥
	07.10.2024	WS	Р			
	08.14.2024	REG	Р			
	08.26.2024	WS	P/NQ			
	09.11.2024	REG	Α			
	10.09.2024	REG	Р			
	11.13.2024	REG	Α			
	12.11.2024	REG	Р		34 7 14 4	

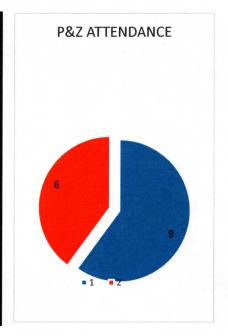


MEMBERS	MEETINGS	MEETING	ATTENDANCE		<b>TOTALS</b>	
NAME/PLACE NO.	DATE	TYPE	COUNT	Present	Absent	Total #
	01.10.2024	REG				
	02.13.2024	REG				
GABRIELLE ORION	04.10.2024	REG				
PLACE NO. 3	05.08.2024	REG				
	06.12.2024	REG		2	1	3
	07.10.2024	REG	Р			3
	08.14.2024	REG	Р		- V	
	09.11.2024	REG	Α			

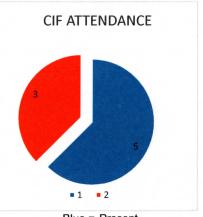


Blue = Present Red = Absent

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MEMBERS	MEETINGS	MEETING	ATTENDANCE		<b>TOTALS</b>	
NAME/PLACE NO.	DATE	TYPE	COUNT	Present	Absent	Total #
	01.10.2024	REG	Р		6	
	02.13.2024	WS	Р			
FELIX PAIZ	02.13.2024	CSS	Р			
PLACE NO. 4	02.14.2024	REG	CXL			15
CHAIR	03.13.2024	REG	Р			
	04.10.2024	REG	Р			
	05.08.2024	REG	Α			
	06.12.2024	REG	Р			
	07.10.2024	REG	Α	9		
	07.10.2024	WS	Α			
	08.14.2024	REG	Α			
	08.26.2024	WS	A/NQ			
	09.11.2024	REG	Р			
	10.09.2024	REG	Α			
	11.13.2024	REG	Р			
	12.11.2024	REG	Р			

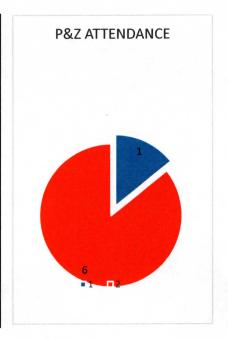


MEMBERS	MEETINGS	MEETING	ATTENDANCE	TOTALS		
NAME/PLACE NO.	DATE	TYPE	COUNT	Present	Absent	Total #
	01.10.2024	REG	Р			
	02.13.2024	REG	Р			
FELIX PAIZ	04.10.2024	REG	P/NQ			
PLACE NO. 4	05.08.2024	REG	A/NQ			
	06.12.2024	REG	P/NQ	5	3	8
	07.10.2024	REG	Α	3	3	٥
	08.14.2024	REG	Α			
	09.11.2024	REG	Р			

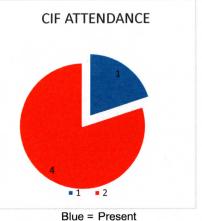


Blue = Present Red = Absent

MEMBERS	MEETINGS	MEETING	ATTENDANCE		TOTALS	
NAME/PLACE NO.	DATE	TYPE	COUNT	Present	Absent	Total #
	01.10.2024	REG	Р			
	02.13.2024	WS	Α		- 3	
<b>CELESTINE SERMO</b>	02.13.2024	CSS	Α			
PLACE NO. 5	02.14.2024	REG	CXL			
	03.13.2024	REG	Α			
	04.10.2024	REG	Α	1		
	05.08.2024	REG	Α			
	06.12.2024	REG	Α	1 ,	6	7
		100		1 ' 1	0	′
		8				

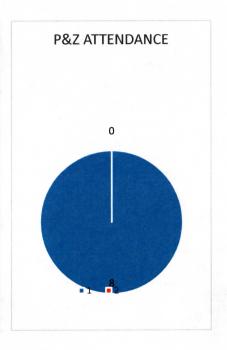


MEMBERS	MEETINGS	MEETING	ATTENDANCE	TOTALS		
NAME/PLACE NO.	DATE	TYPE	COUNT	Present	Absent	Total #
	01.10.2024	REG	Р			
	02.13.2024	REG	Α			
CELESTINE SERMO	04.10.2024	REG	A/NQ			
PLACE NO. 5	05.08.2024	REG	A/NQ			
	06.12.2024	REG	A/NQ	1 ,	4	5
					4	3

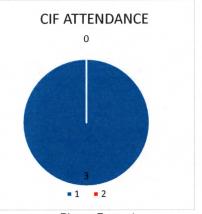


Red = Absent

MEMBERS	MEMBERS   MEETING   ATTENDANCE TOTALS								
NAME/PLACE NO.	DATE	TYPE	COUNT	Present		Total #			
	01.10.2024	REG							
	02.13.2024	WS		100					
JEFFREY STENSLAND	02.13.2024	CSS							
PLACE NO. 5	02.14.2024	REG							
CHAIR	03.13.2024	REG							
X .	04.10.2024	REG							
	05.08.2024	REG							
	06.12.2024	REG		8	0	8			
	07.10.2024	REG	Р	l °	U	0			
	07.10.2024	WS	Р						
	08.14.2024	REG	Р						
	8.26.2024	WS	P/NQ						
	09.11.2024	REG	Р						
	10.09.2024	REG	Р						
	11.13.2024	REG	Р						
	12.11.2024	REG	Р						

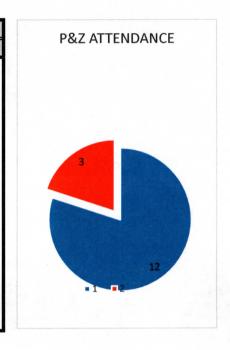


MEMBERS	MEETINGS	MEETING	ATTENDANCE	TOTALS		
NAME/PLACE NO.	DATE	TYPE	COUNT	Present	Absent	Total #
	01.10.2024	REG				
	02.13.2024	REG				
JEFFREY STENSLAND	04.10.2024	REG	, a			
PLACE NO. 5	05.08.2024	REG	P			
CHAIR	06.12.2024	REG		3	0	3
	07.10.2024	REG	Р		U	3
	08.14.2024	REG	Р			
	09.11.2024	REG	Р			
		4				

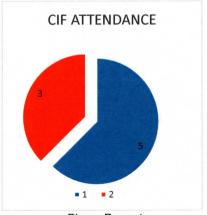


Blue = Present Red = Absent

I LAOL NO. 0								
MEMBERS	MEETINGS	MEETING	ATTENDANCE	TOTALS				
NAME/PLACE NO.	DATE	TYPE	COUNT	Present	Absent	Total #		
	01.10.2024	REG	Α					
	02.13.2024	WS	Р					
CECIL MEYER	02.13.2024	CSS	Р					
PLACE NO. 6	02.14.2024	REG	CXL					
	03.13.2024	REG	Р					
	04.10.2024	REG	Р					
	05.08.2024	REG	Р					
	06.12.2024	REG	Α	12	3	15		
	07.10.2024	REG	Р	'2	3	13		
	07.10.2024	WS	Р					
	08.14.2024	REG	Α					
	08.26.2024	WS	P/NQ					
	09.11.2024	REG	Р					
	10.09.2024	REG	Р					
	11.13.2024	REG	Р					
	12.11.2024	REG	Р			3		

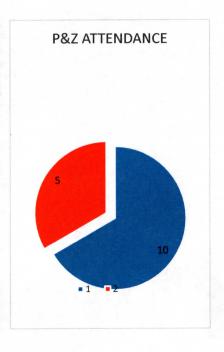


MEMBERS	MEETINGS	MEETING	ATTENDANCE	TOTALS		
NAME/PLACE NO.	DATE	TYPE	COUNT	Present	Absent	Total #
	01.10.2024	REG	Α			
	02.13.2024	REG	Р			
CECIL MEYER	04.10.2024	REG	P/NQ			
PLACE NO. 6	05.08.2024	REG	P/NQ			
	06.12.2024	REG	A/NQ	5	3	8
	07.10.2024	REG	Р		3	0
	08.14.2024	REG	Α			
	09.11.2024	REG	Р			

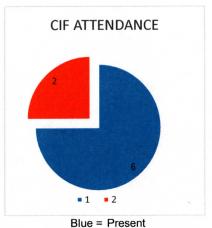


Blue = Present Red = Absent

MEMBERS	MEETINGS	TINGS   MEETING   ATTENDANCE		TOTALS			
NAME/PLACE NO.	DATE	TYPE	COUNT	Present	Absent	Total #	
	01.10.2024	REG	Р				
	02.13.2024	WS	Р				
<b>JAMES TERRY</b>	02.13.2024	CSS	Р				
PLACE NO. 7	02.14.2024	REG	CXL	0			
	03.13.2024	REG	Р				
	04.10.2024	REG	Α				
	05.08.2024	REG	Р				
	06.12.2024	REG	Р	10	5	15	
	07.10.2024	REG	Α	10	5	15	
	07.10.2024	WS	Α				
	08.14.2024	REG	Р				
	08.26.2024	WS	A/NQ				
	09.11.2024	REG	Р				
	10.09.2024	REG	Α				
	11.13.2024	REG	Р				
	12.11.2024	REG	Р				



MEMBERS	MEETINGS	MEETING	ATTENDANCE	TOTALS		
NAME/PLACE NO.	DATE	TYPE	COUNT	Present	Absent	Total #
	01.10.2024	REG	Р			
	02.13.2024	REG	Р			
JAMES TERRY	04.10.2024	REG	A/NQ			
PLACE NO. 7	05.08.2024	REG	P/NQ			
	06.12.2024	REG	P/NQ	6	2	8
	07.10.2024	REG	Α	ľ		O
	08.14.2024	REG	Р			
	09.11.2024	REG	Р			
		CHI CALL				



Red = Absent



**PROPOSED MEETING DATE:** January 7, 2025

PREPARED BY: Scott Moore, City Manager

**DEPARTMENT:** Administration

#### **AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on the appointment of Mayor Pro Tem to serve a two-year term.

#### **BACKGROUND/SUMMARY:**

Per the Amended City Charter - Section 4.02. - Mayor Pro-Tem.

At its first regular meeting after all the members of the council elected at a general election *and any* runoff election associated with the general election, have taken office, or after a vacancy in the office of mayor pro-tem, the council shall elect one of its members to be mayor pro-tem for a two-year term, or to fill the unexpired term resulting from the vacancy. The mayor pro-tem shall be the council member who receives a majority of the votes cast but not less than four votes. In the absence of the mayor, the mayor pro-tem shall perform the duties of the mayor and in such capacity shall be vested with all powers conferred on such office. In the event of the failure, inability or refusal of the mayor to act in respect to any matter or duty, the mayor pro-tem shall act. In the event the office of mayor becomes vacant, the mayor pro-tem shall serve as mayor until the office is filled.

**LEGAL REVIEW:** Not Applicable **FISCAL IMPACT:** Not Applicable

PRESENTATION: No
ATTACHMENTS: Yes
STAFF RECOMMENDATION:

Staff recommends that the City Council appoint a Mayor Pro Tem to serve a two-year term.



**PROPOSED MEETING DATE:** January 7, 2025

PREPARED BY: Scott Moore, City Manager

**DEPARTMENT:** Administration

#### **AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on the appointment of two (2) Public Improvement District (PID) Committee Council Members; and a chairperson to serve a two-year term.

#### **BACKGROUND/SUMMARY:**

### The City Council Rules of Procedure – Section 9 City Council Committees reads: 9.01 Committees Established

- a. The City Council can establish standing committees or ad hoc committees when necessary. All committees will be advisory committees. Standing Committees will be established by Ordinance.
- b. Each standing committee shall review matters in its area of responsibility that are referred to it by the City Council, the City Manager, or an individual City Council Member. An advisory committee may recommend action to the City Council, but committee recommendation is not necessary for a matter to be placed on the City Council agenda. The committee chair may make a statement on behalf of the committee on an item in a briefing or voting meeting of the City Council.
- c. City Council shall determine the number of members, not to exceed (2) council members per committee and appoint a chair to the advisory committee.

**LEGAL REVIEW:** Not Applicable **FISCAL IMPACT:** Not Applicable

**PRESENTATION:** No **ATTACHMENTS:** Yes

• PID Committee Roster

#### STAFF RECOMMENDATION:

Staff recommends that the City Council appoint two (2) Public Improvement District (PID) Committee Council Members; and a chairperson to serve a two-year term.



**PROPOSED MEETING DATE:** January 7, 2025

PREPARED BY: Scott Moore, City Manager

**DEPARTMENT:** Administration

#### **AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on the appointment of two (2) Park Committee Council Members; and a chairperson to serve a two-year term.

#### **BACKGROUND/SUMMARY:**

### The City Council Rules of Procedure – Section 9 City Council Committees reads: 9.01 Committees Established

- a. The City Council can establish standing committees or ad hoc committees when necessary. All committees will be advisory committees. Standing Committees will be established by Ordinance.
- b. Each standing committee shall review matters in its area of responsibility that are referred to it by the City Council, the City Manager, or an individual City Council Member. An advisory committee may recommend action to the City Council, but committee recommendation is not necessary for a matter to be placed on the City Council agenda. The committee chair may make a statement on behalf of the committee on an item in a briefing or voting meeting of the City Council.
- c. City Council shall determine the number of members, not to exceed (2) council members per committee and appoint a chair to the advisory committee.

This committee also serves on the Public Tree Care Advisory Board along with two members of the P&Z Commission per Ordinance No. 559. The P&Z Commission will nominate two (2) members to serve on the Public Tree Care Advisory Board at the January 8<sup>th</sup> P&Z Commission meeting and the nomination of the P&Z Commissioners will be presented at the January 15<sup>th</sup> Council meeting.

**LEGAL REVIEW:** Not Applicable **FISCAL IMPACT:** Not Applicable

**PRESENTATION:** No **ATTACHMENTS:** Yes

Park Committee Roster

#### STAFF RECOMMENDATION:

Staff recommends that the City Council appoint two (2) Park Committee Council Members; and a chairperson to serve a two-year term.



**PROPOSED MEETING DATE:** January 7, 2025

PREPARED BY: Scott Moore, City Manager

**DEPARTMENT:** Administration

#### **AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on the appointment of two (2) Economic Development Committee Council Members; and a chairperson to serve a two-year term.

#### **BACKGROUND/SUMMARY:**

This community committee was established and added to the Home Rule Charter in November 2020. Article X. Planning and Development; Community Committees – Section 10.10 Community Committees reads:

b. Economic Development Committee. The Economic Development Committee will be made up of representatives from the city, the local business community, and other persons determined appropriate by the City Council. The Economic Development Committee shall serve as a resource for marketing the city and promoting the economic development of the city.

### The City Council Rules of Procedure – Section 9 City Council Committees reads: 9.01 Committees Established

- a. The City Council can establish standing committees or ad hoc committees when necessary. All committees will be advisory committees. Standing Committees will be established by Ordinance.
- b. Each standing committee shall review matters in its area of responsibility that are referred to it by the City Council, the City Manager, or an individual City Council Member. An advisory committee may recommend action to the City Council, but committee recommendation is not necessary for a matter to be placed on the City Council agenda. The committee chair may make a statement on behalf of the committee on an item in a briefing or voting meeting of the City Council.
- c. City Council shall determine the number of members, not to exceed (2) council members per committee and appoint a chair to the advisory committee.

**LEGAL REVIEW:** Not Applicable **FISCAL IMPACT:** Not Applicable

**PRESENTATION:** No **ATTACHMENTS:** Yes

• ED Committee Roster

#### STAFF RECOMMENDATION:

Staff recommends that the City Council appointment of two (2) Economic Development Committee Council Members; and a chairperson to serve a two-year term.



**PROPOSED MEETING DATE:** January 7, 2025

PREPARED BY: Scott Moore, City Manager

**DEPARTMENT:** Administration

#### **AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on the appointment of the Mayor, City Manager, Chief of Police, and two (2) Emergency Management Committee Council Members; and a chairperson to serve a two-year term.

#### **BACKGROUND/SUMMARY:**

This community committee was established and added to the Home Rule Charter in November 2020. Article X. Planning and Development; Community Committees – Section 10.10 Community Committees reads:

d. Emergency Management Committee. The Emergency Management Committee shall serve to coordinate and integrate activities and capabilities needed to mitigate against, prepare for, respond to, and recover from emergencies, declared disasters or hazards. The committee will be made up of members of city council and city staff, and additional members of the community if determined appropriate by the City Council.

### The City Council Rules of Procedure – Section 9 City Council Committees reads: 9.01 Committees Established

- a. The City Council can establish standing committees or ad hoc committees when necessary. All committees will be advisory committees. Standing Committees will be established by Ordinance.
- b. Each standing committee shall review matters in its area of responsibility that are referred to it by the City Council, the City Manager, or an individual City Council Member. An advisory committee may recommend action to the City Council, but committee recommendation is not necessary for a matter to be placed on the City Council agenda. The committee chair may make a statement on behalf of the committee on an item in a briefing or voting meeting of the City Council.
- c. City Council shall determine the number of members, not to exceed (2) council members per committee and appoint a chair to the advisory committee.

Per Ordinance No. 574 – Sec. 1.05.072- Membership read as follows: The committee shall be composed of five members as follows: the Mayor, two City Council members appointed by the City Council, City Manager and Chief of Police.

**LEGAL REVIEW:** Not Applicable **FISCAL IMPACT:** Not Applicable

**PRESENTATION:** No **ATTACHMENTS:** Yes

EM Committee Roster and Ordinance No. 574

#### **STAFF RECOMMENDATION:**

Staff recommends that the City Council appoint the Mayor, City Manager, Chief of Police, and two (2) Emergency Management Committee Council Members; and a chairperson to serve a two-year term.



**PROPOSED MEETING DATE:** January 7, 2025

**PREPARED BY:** Scott Moore, City Manager

**DEPARTMENT:** Administration

#### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on the appointment of the Mayor, City Manager, Chief of Police, and two (2) Public Safety Committee Council Members; and a chairperson to serve a two-year term.

#### **BACKGROUND/SUMMARY:**

This community committee was established and added to the Home Rule Charter in November 2020. Article X. Planning and Development; Community Committees – Section 10.10 Community Committees reads:

c. Public Safety Committee and Community Advisory Committee. The Public Safety Committee shall serve to provide input on the programs and activities of the Police Department and other areas of public safety and to assist in bridging relationships between the community and local police, fire, EMS and to provide direction in matters of public safety. The committee will be made up of members of city council and city staff, and additional members of the community if determined appropriate by the City Council. The Public Safety Committee shall recommend for appointment by the City Council persons to serve on a Community Advisory Committee. The Community Advisory Committee shall receive input from the community on ideas, areas of concern, and complaints regarding public safety matters, and shall perform other functions established by the City Council by ordinance

### The City Council Rules of Procedure – Section 9 City Council Committees reads: 9.01 Committees Established

- a. The City Council can establish standing committees or ad hoc committees when necessary. All committees will be advisory committees. Standing Committees will be established by Ordinance.
- b. Each standing committee shall review matters in its area of responsibility that are referred to it by the City Council, the City Manager, or an individual City Council Member. An advisory committee may recommend action to the City Council, but committee recommendation is not necessary for a matter to be placed on the City Council agenda. The committee chair may make a statement on behalf of the committee on an item in a briefing or voting meeting of the City Council.
- c. City Council shall determine the number of members, not to exceed (2) council members per committee and appoint a chair to the advisory committee.

Per Ordinance No. 579 – Sec. 1.05.102- Membership read as follows: The committee shall be composed of five members as follows: the Mayor, two City Council members appointed by the City Council, City Manager and Chief of Police.

**LEGAL REVIEW:** Not Applicable **FISCAL IMPACT:** Not Applicable

PRESENTATION: No ATTACHMENTS: Yes

• PS Committee Roster and Ordinance No. 579

#### **STAFF RECOMMENDATION:**

Staff recommends that the City Council appoint the Mayor, City Manager, Chief of Police, and two (2) Public Safety Committee Council Members; and a chairperson to serve a two-year term.



**PROPOSED MEETING DATE:** January 7, 2025

**PREPARED BY:** Scott Moore, City Manager

**DEPARTMENT:** Administration

#### **AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on the appointment of two (2) Capital Improvement Committee Council Members; and a chairperson to serve a two-year term.

#### **BACKGROUND/SUMMARY:**

### The City Council Rules of Procedure – Section 9 City Council Committees reads: 9.01 Committees Established

- a. The City Council can establish standing committees or ad hoc committees when necessary. All committees will be advisory committees. Standing Committees will be established by Ordinance.
- b. Each standing committee shall review matters in its area of responsibility that are referred to it by the City Council, the City Manager, or an individual City Council Member. An advisory committee may recommend action to the City Council, but committee recommendation is not necessary for a matter to be placed on the City Council agenda. The committee chair may make a statement on behalf of the committee on an item in a briefing or voting meeting of the City Council.
- c. City Council shall determine the number of members, not to exceed (2) council members per committee and appoint a chair to the advisory committee.

**LEGAL REVIEW:** Not Applicable **FISCAL IMPACT:** Not Applicable

**PRESENTATION**: No **ATTACHMENTS**: Yes

• CI Committee Roster

#### STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council appointment of two (2) Capital Improvement Committee Council Members; and a chairperson to serve a two-year term.



**PROPOSED MEETING DATE:** January 7, 2025

PREPARED BY: Scott Moore, City Manager

**DEPARTMENT:** Administration

#### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on the appointment of two (2) Healthcare Committee Council Members; and a chairperson to serve a two-year term.

#### **BACKGROUND/SUMMARY:**

### The City Council Rules of Procedure – Section 9 City Council Committees reads: 9.01 Committees Established

- a. The City Council can establish standing committees or ad hoc committees when necessary. All committees will be advisory committees. Standing Committees will be established by Ordinance.
- b. Each standing committee shall review matters in its area of responsibility that are referred to it by the City Council, the City Manager, or an individual City Council Member. An advisory committee may recommend action to the City Council, but committee recommendation is not necessary for a matter to be placed on the City Council agenda. The committee chair may make a statement on behalf of the committee on an item in a briefing or voting meeting of the City Council.
- c. City Council shall determine the number of members, not to exceed (2) council members per committee and appoint a chair to the advisory committee.

**LEGAL REVIEW:** Not Applicable **FISCAL IMPACT:** Not Applicable

PRESENTATION: No ATTACHMENTS: Yes

• Healthcare Committee Roster

#### STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council appoint two (2) Healthcare Committee Council Members; and a chairperson to serve a two-year term.



**PROPOSED MEETING DATE:** January 7, 2025

PREPARED BY: Scott Moore, City Manager

**DEPARTMENT:** Administration

#### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on the appointment of two (2) Community Collaborative Committee Council Members; and a chairperson to serve a two-year term.

#### **BACKGROUND/SUMMARY:**

This community committee was established and added to the Home Rule Charter in November 2020. Article X. Planning and Development; Community Committees – Section 10.10 Community Committees reads:

a. Community Collaborative Committee. The Community Collaborative Committee shall serve to promote communication between the City and the community on issues affecting the city as a whole. The Community Collaborative Committee shall include representatives from the city's homeowners' associations, community non-profit associations, the school district, charter schools, and other members of the community as determined appropriate by the City Council.

### The City Council Rules of Procedure – Section 9 City Council Committees reads: 9.01 Committees Established

- a. The City Council can establish standing committees or ad hoc committees when necessary. All committees will be advisory committees. Standing Committees will be established by Ordinance.
- b. Each standing committee shall review matters in its area of responsibility that are referred to it by the City Council, the City Manager, or an individual City Council Member. An advisory committee may recommend action to the City Council, but committee recommendation is not necessary for a matter to be placed on the City Council agenda. The committee chair may make a statement on behalf of the committee on an item in a briefing or voting meeting of the City Council.
- c. City Council shall determine the number of members, not to exceed (2) council members per committee and appoint a chair to the advisory committee.

On December 7, 2022, City Council took action and approve the name change of the Education Committee to the Community Collaborative Committee. The Education Committee (Mayor Pro Tem Hill, Chair and Council Member Amezcua) recommended for the Education Committee name to change to the established Community Collaborative Committee to be able to include all entities described in the charter to promote same purpose.

**LEGAL REVIEW:** Not Applicable **FISCAL IMPACT:** Not Applicable

**PRESENTATION:** No **ATTACHMENTS:** Yes

CC Committee Roster

#### STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council appointment of two (2) Community Collaborate Committee Council Members; and a chairperson to serve a two-year term.



PROPOSED MEETING DATE: January 7, 2025

PREPARED BY: Scott Jones, Director

DEPARTMENT: Economic Development

#### **AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on a Letter of Intent providing the terms for the purchase of approximately 8.43 acres of land out of an 84.30 acre tract of land situated in the A.C. Caldwell Survey, Abstract 154, in Travis County.

#### **BACKGROUND/SUMMARY:**

The Letter of Intent sets forth the proposed terms for a purchase contract to be entered into between the City and the property owner for the purchase of approximately 8.43 acres of land the proposed terms include, among other things, entering into a development agreement, creation of a PID, rezoning, and replatting, if applicable, for the development of the retained portion of land out the 83.78 acre parent tract by the property owner; and also includes a right of first refusal.

**LEGAL REVIEW:** Yes, Deron Henry, Assistant City Attorney

FISCAL IMPACT: No PRESENTATION: No ATTACHMENTS: Yes

• Letter of Intent

#### STAFF RECOMMENDATION:

The City Staff recommends that the City Council approve the Letter of Intent providing the terms for the purchase of approximately 8.43 acres of land out of an 84.30 acre tract of land situated in the A.C. Caldwell Survey, Abstract 154, in Travis County and authorize the Mayor and City Manager to execute the Letter of Intent.