



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, November 22, 2022 at 6:00 PM

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

AGENDA

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

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. Comments on specific agenda items must be made when the item comes before the Council. To address the City Council, please complete the white card and present it to the City Secretary prior to the meeting. No Action May be Taken by the City Council During Public Comments.

REGULAR AGENDA

1. Consideration, discussion, and possible action of items relating to November 8, 2022, City of Manor General and Special Elections.

Submitted by: Lluvia T. Almaraz, City Secretary

- **Canvass of the Election Returns for the City of Manor General Election – City Council.**
- **Canvass of the Election Returns for the City of Manor Special Election – Propositions A-J.**
- **Presentation of Certificate of Election by Mayor Harvey to Re-Elected Council Member, Place 2 – Anne Weir; Re-Elected Council Member, Place 4 – Sonia Wallace; and Re-Elected Council Member, Place 6 – Deja Hill.**
- **Oath-of-Office to Council Member, Place 2 – Anne Weir; Council Member, Place 4 – Sonia Wallace; and Council Member, Place 6 – Deja Hill by Presiding Judge John Yeager.**

2. Consideration, discussion, and possible action on an ordinance declaring the results of the November 8, 2022, City of Manor General Election – City Council.

Submitted by: Lluvia T. Almaraz, City Secretary

3. Consideration, discussion, and possible action on an ordinance declaring the results of the November 8, 2022, City of Manor Special Election - CapMetro.

Submitted by: Lluvia T. Almaraz, City Secretary

4. Consideration, discussion, and possible action on an ordinance declaring the results of the November 8, 2022, City of Manor Special Election – Charter Amendments.

Submitted by: Lluvia T. Almaraz, City Secretary

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: Thursday, November 17, 2022, 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: November 22, 2022
PREPARED BY: Lluvia T. Almaraz, City Secretary
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action of items relating to November 8, 2022, City of Manor General and Special Elections.

- Canvass of the Election Returns for the City of Manor General Election – City Council.
- Canvass of the Election Returns for the City of Manor Special Elections – Propositions A-J
- Presentation of Certificate of Election by Mayor Harvey to to Re- Elected Council Member, Place 2 – Anne Weir; Re-Elected Council Member, Place 4 – Sonia Wallace; and Re-Elected Council Member, Place 6 – Deja Hill
- Oath-of-Office to Council Member, Place 2 – Anne Weir; Council Member, Place 4 – Sonia Wallace; and Council Member, Place 6 – Deja Hill by Presiding Judge John Yeager.

BACKGROUND/SUMMARY:

- Canvass of the Election Returns for the City of Manor General and Special Elections.

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

- Certified Canvass Reports

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council conduct all items relating to the November 8, 2022, City of Manor General and Special Elections.

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

City of Manor Cumulative Report
Travis County General and Special Election

November 8, 2022

Item 1.

Travis County

STATISTICS

	TOTAL	By Mail	Early Voting	Election Day	Provisional
Registered Voters - Total	7,783				
Ballots Cast - Total	3,105	60	2,013	1,025	7
Voter Turnout - Total	39.89%				

City of Manor Cumulative Report
Travis County General and Special Election
November 8, 2022

Item 1.

Travis County

City of Manor, City Council, Place 2

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day	Provisional
Anne Weir	2,261	100.00%	51	1,477	730	3

City of Manor, City Council, Place 4

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day	Provisional
Sonia Wallace	2,293	100.00%	49	1,498	744	2

City of Manor, City Council, Place 6

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day	Provisional
William Willner	463	18.74%	12	287	162	2
Deja Hill	1,630	65.99%	33	1,088	508	1
Todd R. Shaner	377	15.26%	7	244	126	0

City of Manor Proposition A

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day	Provisional
Yes	2,287	78.81%	56	1,474	752	5
No	615	21.19%	2	405	207	1

City of Manor Proposition B

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day	Provisional
Yes	990	35.09%	23	690	276	1
No	1,831	64.91%	34	1,143	649	5

City of Manor Cumulative Report
Travis County General and Special Election

Item 1.

November 8, 2022

Travis County

City of Manor Proposition C

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day	Provisional
Yes	1,583	57.07%	41	1,010	528	4
No	1,191	42.93%	16	791	382	2

City of Manor Proposition D

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day	Provisional
Yes	2,415	87.85%	56	1,598	755	6
No	334	12.15%	0	204	130	0

City of Manor Proposition E

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day	Provisional
Yes	1,567	58.06%	33	1,028	501	5
No	1,132	41.94%	20	731	380	1

City of Manor Proposition F

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day	Provisional
Yes	1,779	64.39%	38	1,173	564	4
No	984	35.61%	15	632	335	2

City of Manor Proposition G

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day	Provisional
Yes	2,297	86.81%	50	1,532	709	6
No	349	13.19%	3	203	143	0

City of Manor Cumulative Report
Travis County General and Special Election
November 8, 2022

Item 1.

Travis County

City of Manor Proposition H

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day	Provisional
Yes	2,160	80.27%	43	1,425	689	3
No	531	19.73%	8	340	181	2

City of Manor Proposition I

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day	Provisional
Yes	2,200	82.86%	43	1,450	704	3
No	455	17.14%	10	287	156	2

City of Manor Proposition J

Vote For 1

	TOTAL	VOTE %	By Mail	Early Voting	Election Day	Provisional
Yes	2,246	87.43%	52	1,473	717	4
No	323	12.57%	1	201	121	0



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: November 22, 2022
PREPARED BY: Lluvia T. Almaraz, City Secretary
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on an ordinance declaring the results of the November 8, 2022, City of Manor General Election – City Council.

BACKGROUND/SUMMARY:

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

- Ordinance No. 678

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council approve Ordinance No. 678 Canvassing the Election Returns and Declaring the Results of the General Election of the City of Manor Held on Tuesday, November 8, 2022, for The City of Manor’s Council Member Place No. 2; Council Member Place No. 4; And Council Member Place No. 6.

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

ORDINANCE NO. 678

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, CANVASSING THE ELECTION RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION OF THE CITY OF MANOR HELD ON TUESDAY, NOVEMBER 8, 2022, FOR THE CITY OF MANOR’S COUNCIL MEMBER PLACE NO. 2; COUNCIL MEMBER PLACE NO. 4; AND COUNCIL MEMBER PLACE NO. 6; AND DECLARING THE EFFECTIVE DATE OF THIS ORDINANCE.

Whereas, pursuant to the Texas Election Code, the City Council of the City of Manor, Texas, convened on this the 22nd day of November 2022 at 6:00 p.m. for canvassing the vote in the General Election held on November 8, 2022.

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

Section One. Canvass of Vote. There came to be considered the returns of the general election held on the 8th day of November 2022, for electing three (3) Council Members for a four-year term, and it is appearing from said returns, duly and legally made, that there were cast at said election 3,105 votes (total votes); and that each of the candidates in said election received the following votes:

VOTES CAST:

	<u>Early</u>	<u>Vote by Mail</u>	<u>Election</u>	<u>Provisional</u>	<u>Vote %</u>	<u>Total</u>
COUNCIL MEMBER, PLACE 2						
Anne Weir	1,477	51	730	3	100%	2,261
COUNCIL MEMBER, PLACE 4						
Sonia Wallace	1,498	49	744	2	100%	2,293

COUNCIL MEMBER, PLACE 6

William Willner	287	12	162	2	18.74%	463
Deja Hill	1,088	33	508	1	65.99%	1,630
Todd R. Shaner	244	7	126	0	15.26%	377

Section Two. Finding and Declarations. It is found, determined and declared by the City Council that said election was duly called; that notice of said election was given in accordance with law, and that said election was held in accordance with law; and that Anne Weir was duly elected to the City Council, Place 2; Sonia Wallace was duly elected to the City Council, Place 4; and, Deja Hill was duly elected to the City Council, Place 6. Said above named parties are hereby declared duly elected to said respective offices, subject to taking of their oaths of office as provided by the laws of the State of Texas.

Section Three. Open Meetings. It is further found and determined that in accordance with this Ordinance of this governing body that the City Secretary posted written notice of the date, place and subject of this meeting in the bulletin board of the City Hall, a place convenient to the public, and said notice having been so posted continuously for at least 72 hours preceding the date of this meeting. A copy of the return of aid posting shall be attached to the minutes of the meeting and shall be made a part thereof for all intents and purposes.

PASSED AND APPROVED on this 22 day of November 2022.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: November 22, 2022
PREPARED BY: Lluvia T. Almaraz, City Secretary
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on an ordinance declaring the results of the November 8, 2022, City of Manor Special Election - CapMetro.

BACKGROUND/SUMMARY:

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

- Ordinance No. 679

STAFF RECOMMENDATION:

It is the City staff’s recommendation that the City Council approve Ordinance No. 679 Canvassing the Election Returns and Declaring the Results of the Special Elections of the City of Manor Held on Tuesday, November 8, 2022, on Proposition A, Capital Metropolitan Transportation Authority Continuation and Proposition B, Sales Tax for General Revenue Purposes.

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

ORDINANCE NO. 679

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, CANVASSING THE ELECTION RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTIONS OF THE CITY OF MANOR HELD ON TUESDAY, NOVEMBER 8, 2022, ON PROPOSITION A, CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY CONTINUATION AND PROPOSITION B, SALES TAX FOR GENERAL REVENUE PURPOSES.

Whereas, pursuant to the City Charter and Texas Election Code, the City Council of the City of Manor, Texas, convened on this the 22nd day of November 2022, at 6:00 p.m. for the purpose of canvassing the vote in the special elections held on November 8, 2022, on Proposition A, continuation of the Capital Metropolitan Transportation Authority, and Proposition B, Sales Tax for General Revenue Purposes.

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

Section One. Canvass of Vote – Special Elections.

(a) There came to be considered the returns of the special elections held on the 8th day of November 2022, pursuant to *Chapter 9, Tex. Loc. Gov't. Code*, for the purpose of voting on the following propositions; and it appearing from the returns of said special elections, duly and legally made, that each proposition received the following votes cast "YES" the proposition submitted, and "NO" the proposition submitted.

PROPOSITION:

VOTES CAST:

	<u>Early</u>	<u>Vote by Mail</u>	<u>Provisional</u>	<u>Election</u>	<u>Vote %</u>	<u>Total</u>
PROPOSITION A^A						
Capital Metropolitan Transportation Authority Continuation						
Yes	1,474	56	5	: 752	78.81%	2,287
				:		
				:		
No	405	2	1	: 207	21.19%	615
				:		
PROPOSITION B^B						
Sales Tax for General Revenue Purposes						
Conditioned Upon a Majority "NO" Vote on Proposition A						
Yes	690	23	1	: 276	35.09%	990
No	1,143	34	5	: 649	64.91%	1,831

^A. Shall the Capital Metropolitan Transportation Authority be continued in the City of Manor?

^B. The adoption of a local sales and use tax in the City of Manor at the rate of two percent (2%)

(b) It is found, determined and declared by the City Council that said special elections were duly called; that notices of said special elections were given in accordance with law, returns of the elections have been lawfully made by the proper officials, and that said elections were held in accordance with law. Proposition A, being submitted to only qualified, resident electors of the city for vote, resulted in more than a majority of the qualified votes voting at the election having voted to pass said Proposition A by the number of votes described in Section One(a), and therefore, Proposition A passed. Proposition B, being submitted to only qualified, resident electors of the city for vote, resulted in less than a majority of the qualified votes voting at the election having voted to pass said Proposition B by the number of votes described in Section One(a), and, therefore, Proposition B failed to pass.

Section Two. Open Meetings. It is further found and determined that in accordance with this Ordinance of this governing body that the City Secretary posted written notice of the date, place, and subject of this meeting on the bulletin board located at City Hall, a place convenient to the public, and said notice having been so posted continuously for at least 72 hours preceding the elate of this meeting.

PASSED AND APPROVED on this 22nd day of November 2022.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: November 22, 2022
PREPARED BY: Lluvia T. Almaraz, City Secretary
DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on an ordinance declaring the results of the November 8, 2022, City of Manor Special Election – Charter Amendments.

BACKGROUND/SUMMARY:

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

- Ordinance No. 680

STAFF RECOMMENDATION:

It is the city staff’s recommendation that the City Council approve Ordinance No. 680 canvassing the Election Returns and Declaring the Results of the Special Election of the City of Manor Held on Tuesday, November 8, 2022, on Proposed Charter Amendments.

PLANNING & ZONING COMMISSION:	Recommend Approval	Disapproval	None
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ORDINANCE NO. 680

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, CANVASSING THE ELECTION RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION OF THE CITY OF MANOR HELD ON TUESDAY, NOVEMBER 8, 2022, ON PROPOSED CHARTER AMENDMENTS; AND DECLARING THE EFFECTIVE DATE OF THIS ORDINANCE.

Whereas, pursuant to the City Charter and Texas Election Code, the City Council of the City of Manor, Texas, convened on this the 22nd day of November 2022, at 6:00 p.m. for the purpose of canvassing the vote in the special election held on November 8, 2022;

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

Section One. Canvass of Vote – Special Election.

(a) There came to be considered the returns of the special election held on the 8th day of November 2022, pursuant to *Chapter 9, Tex. Loc. Gov't. Code*, for the purpose of voting on the following propositions to amend the City Charter; and it appearing from the returns of said special election, duly and legally made, that each proposition received the following votes cast "YES" the proposition submitted, and "NO" the proposition submitted.

PROPOSITION:

VOTES CAST:

	<u>Early</u>	<u>Vote by Mail</u>	<u>Provisional</u>	<u>Election</u>	<u>Vote %</u>	<u>Total</u>
PROPOSITION C^c						
Filling Vacancies in Office						
Yes	1,010	41	4	528	57.07%	1,583
				:		
				:		
No	791	16	2	382	42.93%	1,191
				:		
PROPOSITION D^d						
Council Attendance Requirements						
Yes	1598	56	6	755	87.85%	2,415
No	204	0	0	130	12.15%	334

^c Shall Section 3.05(c) of the City Charter be amended to delete the requirement that vacancies must be filled within 45 days from the date the vacancy occurs?

^d Shall Section 3.06 of the City Charter be amended to require that: Council members attend each committee meeting to which the council member is assigned; Council adopt a policy for determining whether an absence is without good and sufficient cause; Council may revoke a prior-excused absence for a Council member who is absent from thirty percent of all regular, special, and committee meetings for the purposes of removal under Section 3.04 of the City Charter; and providing that a member of Council may not have an excused absence revoked during the first six months in office?

PROPOSITION E^e

Council Compensation and Renumbering of Sections

Yes	1,028	33	5	501	58.06%	1,567
No	731	20	1	380	41.94%	1,132

PROPOSITION F^F

Mayoral Duties

Yes	1,173	38	4	564	64.39%	1,779
No	632	15	2	335	35.61%	984

PROPOSITION G^G

Appointment of the Mayor Pro Tem

Yes	1532	50	6	709	86.81%	2,297
No	203	3	0	143	13.19%	349

PROPOSITION H^H

Term of the Mayor Pro Tem

Yes	1,425	43	3	689	80.27%	2,160
No	340	8	2	181	19.73%	531

PROPOSITION I^I

Municipal Court

Yes	1450	43	3	704	82.86%	2,200
No	287	10	2	156	17.14%	455

E. Shall Section 3.09 of the City Charter be deleted (which provides that the mayor and city councilmembers shall not be paid, shall be entitled to reimbursements for expenses incurred in the performance of official duties as budgeted, and shall not be provided staff or assistants) and Section 3.10. Automatic Resignation be renumbered as Section 3.09?

F. Shall Section 4.01 of the City Charter be amended to add that the Mayor may take command of the police and maintain order and enforce all laws during the time of a declared emergency?

G. Shall Section 4.02 of the City Charter be amended to clarify that the appointment of the Mayor Pro Tem occurs at the first regular meeting following the canvass of the general election and any runoff election associated with that general election?

H. Shall Section 4.02 of the City Charter be amended to provide that the Mayor Pro Tem shall serve a two-year term?

I. Shall Section 7.10 of the City Charter be amended to establish the department of the Municipal Court and provide that the City Manager’s appointment of the presiding municipal judge and associate judges are subject to confirmation by the City Council?

PROPOSITION J^J

Renumbering of Section						
Yes	1473	52	4	717	87.43%	2,246
No	201	1	0	121	12.57%	323

(b) It is found, determined and declared by the City Council that said special election was duly called; that notice of said special election was given in accordance with law, returns of the election have been lawfully made by the proper officials, and that said election was held in accordance with law. Each of the above-stated propositions, being submitted to only qualified, resident electors of the City for vote, resulted in more than a majority of the qualified voters voting at the election having voted to pass the propositions by the number of votes described in Section One(a).

(c) As approved and adopted by a majority of the qualified voters voting at such election, the City of Manor Home Rule Charter shall be amended as provided in the approved propositions and the ordinance calling the charter amendment election, and it is hereby declared that said amendments to the City of Manor Home Rule Charter, as fully set out in the ordinance calling said charter amendment election are hereby adopted.

Section Two. Filing with Secretary of State and Department of Justice. The City Manager, the City Secretary, and the City Attorney of the City are hereby directed to do and perform the tasks and responsibilities necessary and required to file a copy of the City Charter with the Secretary of the State of Texas.

Section Three. Open Meetings. It is further found and determined that in accordance with this Ordinance of this governing body that the City Secretary posted written notice of the date, place, and subject of this meeting on the bulletin board located at City Hall, a place convenient to the public, and said notice having been so posted continuously for at least 72 hours preceding the elate of this meeting. A copy of the return of said posting shall be attached to the minutes of the meeting and shall be made apart thereof for all intents and purposes.

¹ Shall Section 10.10. Community Committees of the City Charter be amended to be Section 10.11 to correct a scrivener’s error in the original numbering of the section?

PASSED AND APPROVED on this 22nd day of November 2022.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary