



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  
Vacant, Place 6

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## City Council Regular Meeting

Wednesday, February 02, 2022 at 7:00 PM

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

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### AGENDA

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

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS**

- A. Hotel Occupancy Tax Funds presented by Scott Joslove, President & CEO of the Texas Hotel and Lodging Association.**
- B. GOGOV City Management Suite presented by Kevin Strauss, VP of Regional Sales.**

**PROCLAMATIONS**

- A. Declaring the month of January, as “National Mentor Month”**
- B. Declaring the month of February, as “Black History Month”**
- C. Declaring Friday, February 4, 2022, as “National Wear Red Day”**

**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.***

**CONSENT AGENDA**

*All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless requested by the Mayor or a Council Member; in which event, the item will be removed from the consent agenda and considered separately.*

- 1.** **Consideration, discussion, and possible action to approve the City Council Minutes.**  
*Submitted by: Lluvia T. Almaraz, City Secretary*
  - **January 19, 2022, City Council Regular Meeting; and**
  - **January 19, 2022, City Council Called Special Session**
- 2.** **Second and Final Reading: Consideration, discussion and possible action on an ordinance rezoning 3.398 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract 315, and being located at 13801 N. FM 973, Manor, TX to Heavy Commercial (C-3).**  
*Applicant: Rafiq Karediya*  
*Owner: Rafiq Karediya*  
*Submitted by: Scott Dunlop, Interim City Manager*
- 3.** **Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 10.24 acres, more or less, out of the A.C. Caldwell Survey, Abstract 154, and being located near the intersection of Paseo de Presidente and Gunn Lane, Manor, TX from Single Family Suburban (SF-1) to Multi-Family 15 (MF-1).**  
*Applicant: Kimley-Horn and Associates, Inc.*  
*Owner: Dwyer Realty*  
*Submitted by: Scott Dunlop, Interim City Manager*

#### **REGULAR AGENDA**

- 4.** **First Reading: Consideration, discussion, and possible action on an ordinance rezoning 8.57 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract No. 315 and the Calvin Barker Survey No. 38, Abstract No. 58, and being located at 12920 Old Highway 20, Manor, TX from Agricultural (A) to Neighborhood Business (NB) and Townhome (TH).**  
*Applicant: Rao's Consulting Engineers, LLC*  
*Owner: Sampsg Properties, LLC*  
*Submitted by: Scott Dunlop, Interim City Manager*
- 5.** **Consideration, discussion, and possible action on a Purchase Contract with Eternal Faith Baptist Church for a utility easement with temporary construction easement.**  
*Submitted by: Samuel D. Kiger, P.E., City Engineer*
- 6.** **Consideration, discussion, and possible action on a Resolution accepting the petition for annexation of 5.796 acres of land, more or less, being located in Travis County, Texas and adjacent and contiguous to the city limits.**  
*Submitted by: Scott Dunlop, Interim City Manager*
- 7.** **Consideration, discussion, and possible action an Interlocal Agreement for Wastewater Service with Wilbarger MUD No. 1.**  
*Submitted by: Scott Dunlop, Interim City Manager*



- 8. Consideration, discussion, and possible action on the Termination of the Agreement regarding the Dissolution of the Lagos Public Improvement District.**  
*Submitted by: Scott Dunlop, Interim City Manager*
- 9. Consideration, discussion, and possible action on an Ordinance ordering a Special Election to be Held on May 7, 2022 for the Election of City Council Place Six to Serve an Unexpired Term Ending November 2022; Authorization for the Mayor to execute the Notice of General Election; and Authorization for the Interim City Manager to execute the election agreements with Travis County.**  
*Submitted by: Lluvia T. Almaraz, City Secretary*
- 10. Consideration, discussion, and possible action on RFQ2021-49 City of Manor Space Needs Assessment and Facilities Master Plan.**  
*Submitted by: Scott Dunlop, Interim City Manager*

## **ADJOURNMENT**

In addition to any executive session already listed above, the City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section §551.071 (Consultation with Attorney), §551.072 (Deliberations regarding Real Property), §551.073 (Deliberations regarding Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations regarding Security Devices) and §551.087 (Deliberations regarding Economic Development Negotiations).

## **CONFLICT OF INTEREST**

*In accordance with Section 12.04 (Conflict of Interest) of the City Charter, "No elected or appointed officer or employee of the city shall participate in the deliberation or decision on any issue, subject or matter before the council or any board or commission, if the officer or employee has a personal financial or property interest, direct or indirect, in the issue, subject or matter that is different from that of the public at large. An interest arising from job duties, compensation or benefits payable by the city shall not constitute a personal financial interest."*

*Further, in accordance with Chapter 171, Texas Local Government Code (Chapter 171), no City Council member and no City officer may vote or participate in discussion of a matter involving a business entity or real property in which the City Council member or City officer has a substantial interest (as defined by Chapter 171) and action on the matter will have a special economic effect on the business entity or real property that is distinguishable from the effect on the general public. An affidavit disclosing the conflict of interest must be filled out and filed with the City Secretary before the matter is discussed.*

### **POSTING CERTIFICATION**

I, the undersigned authority do hereby certify that this Notice of Meeting was posted on the bulletin board, at the City Hall of the City of Manor, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: Friday, January 28, 2022, by 5:00 PM and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

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/s/ Luvia 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](mailto:lalmaraz@cityofmanor.org).



## SCOTT JOSLOVE

Scott Joslove has served as President and CEO of the Texas Hotel & Lodging Association (THLA) for the past 21 years. In that time, THLA has grown from the fourth largest state hotel association to the largest state hotel association in the nation, with over 5,000 lodging-related member businesses, from the smallest bed and breakfast properties to the largest convention center hotels.

Since joining THLA, Scott and his staff have passed every legislative bill they have offered over the last nineteen years and have defeated every legislative initiative opposed by the lodging industry. The International Society of Hotel Associations has recognized THLA ten times for having the Best Membership Program and the Best Governmental Affairs Program in the nation. Scott was recognized with the Top Watchdog award by the San Antonio Tourism Council, the Anthony G. Marshall Hospitality Law Lifetime Achievement Award, the Lifetime Achievement award from the Hotel & Lodging Association of Greater Houston, and the first non-elected official to receive the Friend of the Hotelier Award from the Asian American Hotel Owners Association.

Scott has a master's degree in public administration and has been a licensed attorney for over 25 years. Prior to joining THLA, Scott served as Chief of Municipal Affairs for the Texas Attorney General and as First Assistant General Counsel for the Texas Municipal League.



# Citizen Management Suite

Citizen Request  
Management



Citizen Notifications  
& Alerts



Item B.

- Founded in 2004
- Over 175 Municipal Customers
- Over 2 Million Users!

# Products



## Citizen Notifications

- Branded Mobile App
- Send to Multiple Channels (Push, Email, Facebook, Twitter)
- Subscription Groups
- Applets
  - Elected Officials
  - Phone Lists
  - Social Media Integrated
  - Surveys
  - Local Places
  - Pages
  - Any Mobile Content

## Citizen Request (CRM)

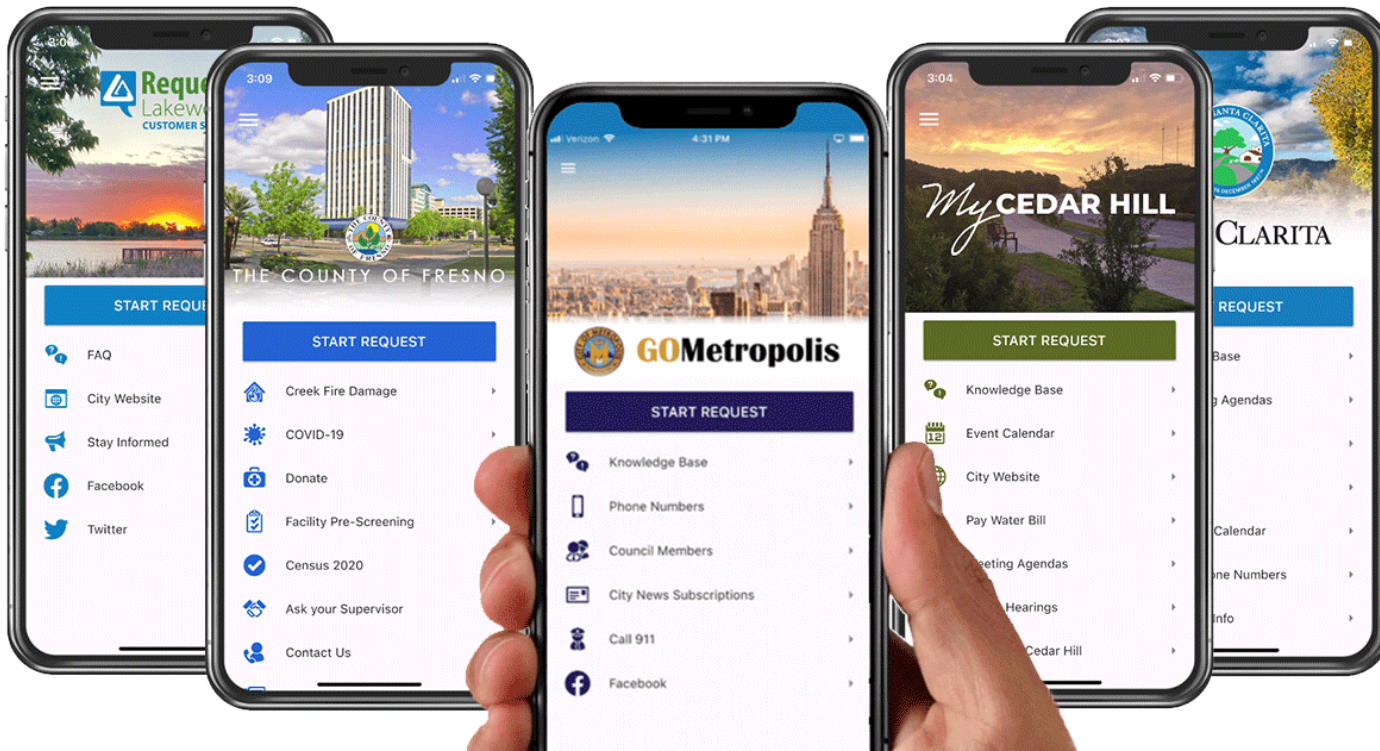
- Service Requests
- Knowledge Base
- Workflow
- Reporting & Mapping
- Satisfaction Surveys
- Work Order Lite (Time & Materials)
- Integrations
  - ESRI ArcGIS
  - LDAP / Active Directory
  - Work Order Systems

## Code Enforcement (Not Included)

- Case Management
- Violations & Actions
- Attach Pictures, Videos & more
- Letters & Citations
- Fees & Payments
- Special Features
  - Rental Inspections
  - Weed Abatement
  - Vehicle Abatement
  - Business License Enforcement
- Integrations
  - ESRI ArcGIS
  - Permitting Systems
  - Collection Services



# Branded Mobile App for Citizens




- Branded specifically for your Agency
- Access Useful City Information
- Submit Service Requests
- Knowledge Base of FAQs for Citizen Self-Service
- Receive Notifications & Alerts



# Web Portal

- Embedded into City's Website
- Submit Service Requests
- Browse Knowledge Base
- Promotes Downloads of App
- Sign up for Email Notifications & Alerts



 **Placentia** + New Issue Item B.

## ? Looking for Information?

This site is designed to provide our residents, businesses and visitors with a Virtual City Hall, giving you the opportunity to access City Hall, 24-hours a day, 7-days a week, from the comfort of your own home.

IMPORTANT NOTE: Requests are NOT monitored on a 24/7 basis and are addressed during business hours. If you have an emergency, please call 9-1-1.

We are here to serve you!

[Click here to search by key words](#)

### Topic Areas

▶ Administration	▶ Homelessness Concerns
▶ Animals and Pest Control	▶ Landscaping
▶ Building and Facility Maintenance	▶ Parks & Recreation
▶ Business Licenses	▶ Permits and Licenses
▶ City Council	▶ Police and Public Safety
▶ City Government	▶ Procurement
▶ Code Enforcement	▶ Streets, Curbs and Gutters
▶ Elections	▶ Traffic Signs / Signals
▶ Employment Opportunities	▶ Trash and Recycling
▶ Finance	▶ Utilities
▶ Fire Prevention	▶ Website
▶ Graffiti	

#### Most Requested

##### City Job Openings

How do I find the current job openings for the City of Placentia?

##### Business License Renewal

When is Business License due for renewal?

##### Business License Application and Fees

##### Pothole Repair

To report potholes for repairs to be completed by Public Works maintenance staff

##### Building and Facility Maintenance

How do I report a maintenance issue at a City facility or building?

##### Contact Us

How can I contact the City?

##### Trash Pickup

Who do I call for a bulky item garbage collection?

##### Dangerous or Unsightly Property


How can I report dangerous or unsightly property?


##### Graffiti


How do I report graffiti and arrange for its removal?


##### Curb/Gutter Damage/Water Ponding


Repair and/or Replacement of Damaged Curb and Gutters

 Download on the App Store

 GET IT ON Google Play

Select Language 

Powered by  Google Translate

Powered by  GOGov

# Staff Software



Item B.

None Reset Return to Classic Create

Status Category: Open Expand

Showing 53 requests out of 58 in 0.004 seconds Top

	STATUS	DUE	TOPIC+	PEOPLE	UPDATED	ENTERED
	Scheduled	Mar 3, 2021 +7D	<b>Trash and Debris</b> <span>Code Enforcement</span> 6 Oak St, Nesconset Please have someone clean up this trash I am tired of looking at it!	5539169 Ryan Reporter Kevin Strauss	Feb 17, 2021 4:53 PM	Feb 17, 2021 4:46 PM
	Open	Feb 25, 2021 +1D	<b>Tall Grass/Weeds</b> <span>Code Enforcement</span> 8 Moonlit Ct, Smithtown please help get the grass cut!	5530825 Kevin Strauss Kevin Strauss	Feb 11, 2021 1:53 PM	Feb 11, 2021 1:53 PM
	Open	Feb 18, 2021 -6D	<b>Sidewalk Repair</b> <span>Public Works</span> W Main St Job is to fix all sidewalk damage caused by recent parade	5530803 Kevin Strauss Kevin Strauss	Feb 24, 2021 9:39 AM	Feb 11, 2021 1:43 PM
	Open	Feb 25, 2021 +1D	<b>Snow on Sidewalks</b> <span>Code Enforcement</span> W Main St Guys - Please remove all snow from sidewalks and put down salt...	5530326 Kevin Strauss Kevin Strauss	Feb 24, 2021 9:39 AM	Feb 11, 2021 10:37 AM
	Open	Feb 23, 2021 -1D	<b>Tall Grass/Weeds</b> <span>Code Enforcement</span> 8 Moonlit Ct This grass is really long!	5527456 Jack Greenstone Kevin Strauss	Feb 24, 2021 9:40 AM	Feb 9, 2021 4:53 PM
	Open	Feb 22, 2021 -2D	<b>Barking Dog Information</b> <span>Code Enforcement</span> 8 Moonlit Ct The dog doesn't	5525341 Jack Greenstone Kevin Strauss	Feb 24, 2021 9:40 AM	Feb 8, 2021 4:28 PM
	Scheduled	Mar 17, 2021 +21D	<b>Pothole</b> <span>Public Works</span> 6 Oak St, Nesconset please fix this!	5518525 Ryan Reporter Kevin Strauss	Feb 3, 2021 4:15 PM	Feb 3, 2021 4:14 PM

- Manage & Route Requests
- Assign & Track Work
- Collaborate with Citizens and Staff
- Integrations with Third-Party Software
- Browser Based



# Reports



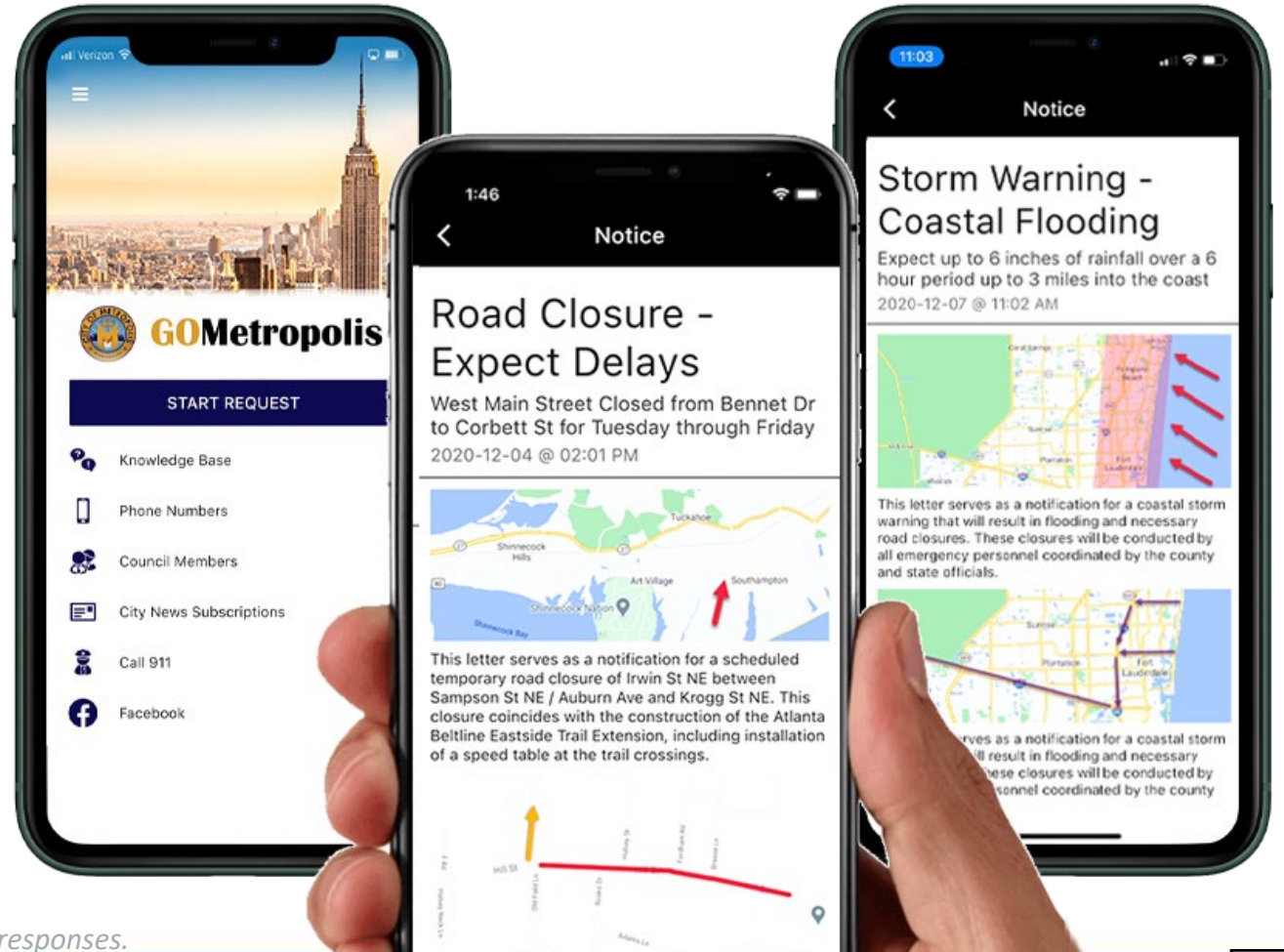
- Agency-wide Reports
- Departmental Reports
- Backlog by Department or Topic
- Response Times
- Citizen Satisfaction
- Custom Reports
- View Reports on a Map
- Save, Schedule & Export to Excel



# Citizen Notifications



- Informational Messages
- Emergency Alerts
- Real Time Push Notifications
- Push to Social Media
- Send via Email
- Scheduled Sending
- Subscription Lists
- Manage Follow up Questions\*



\* Additional CRM module required to allow citizens to reply to notifications and manage responses.



# Training & Implementation



- Average Implementation is only a Few Weeks Long
- Unlimited Training for the Life of Working Together
- Dedicated Project Manager
- All Training Performed Remotely, via GoToMeeting
- All Sessions Recorded & Provided to City as a Video Library
- Continued Support Available via Phone, Email & Online Ticketing System



# Pricing Model

*Purchase Features you can use, not Licenses!*



Population Based  
Pricing



No Up-Front Costs



Unlimited Users &  
Departments



Unlimited Training  
& Support



Fully Hosted



Software as a  
Service Subscription





## PROCLAMATION

**WHEREAS**, mentoring is a proven and effective strategy that helps children and young adults by matching them with caring and responsible adults who can provide guidance and direction, and build their confidence; and

**WHEREAS**, mentors build character, encourage success, boost confidence, lift expectations, and inspire young people to do their best, serving as friends, role models, teachers, and sources of stability and support during a critical time in a child's life; and

**WHEREAS**, mentoring strengthens our communities' social well-being by helping young people fulfill their potential while helping maintain healthy families and promoting more vibrant communities.

**NOW, THEREFORE**, I Dr. Christopher Harvey, Mayor of the City of Manor, Texas, and on behalf of the Manor City Council, do hereby proclaim the month of January as:

### “National Mentor Month”

in the City of Manor and encourage citizens to increase their understanding and awareness on the importance of mentoring and to consider how they might use their time and talents to help transform the lives of our children.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Manor to be affixed this 2<sup>nd</sup> day of February 2022.

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Dr. Christopher Harvey, Mayor  
City of Manor





## PROCLAMATION

**WHEREAS**, During Black History Month, we celebrate the many achievements and contributions that people of African descent have made to our country; and

**WHEREAS**, the observance of Black History Month calls our Nation's attention to the continued need to battle racism and to build a society that lives up to its democratic ideals; and

**WHEREAS**, we recognize this year's Black History Month theme of "Black Health and Wellness"; and

**WHEREAS**, we now celebrate Black health and wellness, including the legacy of Black scholars, midwives, nurses, doctors, and practitioners of not only Western medicine, but all the other indigenous ways of promoting health and healing throughout the Black diaspora; and

**WHEREAS**, we uplift our community leaders, Black business owners, professionals and others who promote wellbeing and knowledge throughout the many facets of the Black community as part of our whole inclusive community; and

**WHEREAS**, today, we celebrate and affirm the importance of Black Health and Wellness to our community, throughout our state and nation.

**NOW, THEREFORE**, I, Dr. Christopher Harvey, Mayor of the City of Manor, Texas, and on behalf of the Manor City Council, do hereby proclaim the month of February 2022 as:

### "Black History Month"

in the City of Manor and urge all citizens to observe this month with appropriate programs, activities and reflections and to continue our efforts to create a world that is more just, equitable and prosperous for all.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Manor to be affixed this 2<sup>nd</sup> day of February 2022.

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Dr. Christopher Harvey, Mayor  
City of Manor



## PROCLAMATION

**WHEREAS**, National Wear Red Day is supported by the American Heart Association and celebrated in conjunction with national heart health month; and

**WHEREAS**, Cardiovascular diseases are the number one killer of women in the U.S.; and

**WHEREAS**, cardiovascular diseases kill 1 in 3 women, but about eighty percent of cardiac events can be prevented through education and lifestyle changes; and

**WHEREAS**, all women are encouraged to move more, eat smart and manage blood pressure to reduce their risk of cardiovascular disease; and

**WHEREAS**, the American Heart Association's Go Red for Women® movement motivates women to learn their family history and to meet with a healthcare provider to determine their risk for cardiovascular diseases and stroke; and

**WHEREAS**, as the trusted, passionate and relevant force for change to eradicate heart disease and stroke in women, the American Heart Association's Go Red for Women® remains steadfast and committed to meeting the comprehensive health needs of women – at every life stage.

**NOW, THEREFORE**, I, Dr. Christopher Harvey, Mayor of the City of Manor, Texas, and on behalf of the Manor City Council, in recognition of the importance of the ongoing fight against heart disease and stroke, do hereby proclaim Friday, February 4, 2022, as:

### “NATIONAL WEAR RED DAY”

in the City of Manor and urge all citizens to show their support for women and the fight against heart disease by commemorating this day by wearing the color red. By increasing awareness, speaking out about heart disease, and empowering women to reduce their risk for cardiovascular diseases, we can save thousands of lives each year.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Manor to be affixed this 2<sup>nd</sup> day of February 2022.

\_\_\_\_\_  
Dr. Christopher Harvey, Mayor  
City of Manor



## AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** February 2, 2022  
**PREPARED BY:** Lluvia T. Almaraz, City Secretary  
**DEPARTMENT:** Administration

### AGENDA ITEM DESCRIPTION:

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

- January 19, 2022, City Council Regular Meeting; and
- January 19 2022, City Council Called Special Session

### BACKGROUND/SUMMARY:

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

- January 19, 2022, City Council Regular Meeting; and
- January 19 2022, City Council Called Special Session

### STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council approve the City Council Minutes of the January 19, 2022, City Council regular meeting; and January 19, 2022, City Council Called Special Session.

PLANNING & ZONING COMMISSION:	Recommend Approval	Disapproval	None
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**CITY COUNCIL  
REGULAR SESSION MINUTES  
JANUARY 19, 2022**

**PRESENT:**

Dr. Christopher Harvey, Mayor

**COUNCIL MEMBERS:**

Emily Hill, Mayor Pro Tem, Place 1  
Anne Weir, Place 2  
Maria Amezcua, Place 3  
Sonia Wallace, Place 4  
Aaron Moreno, Place 5  
Vacant, Place 6

**CITY STAFF:**

Scott Dunlop, Interim City Manager  
Lluvia T. Almaraz, City Secretary  
Ryan Phipps, Chief of Police  
Lydia Collins, Director of Finance  
Debbie Charbonneau, Heritage and Tourism Manager  
Tracey Vasquez, HR Manager  
Michael Tuley, Director of Public Works  
Sarah Friberg, Court Administrator  
Paige Saenz, City Attorney

**REGULAR SESSION – 7:00 P.M.**

With a quorum of the Council Members present, the regular session of the Manor City Council was called to order by Mayor Harvey at 7:06 p.m. on Wednesday, January 19, 2022, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

**PLEDGE OF ALLEGIANCE**

At the direction of Mayor Harvey, Interim City Manager Dunlop led the Pledge of Allegiance.

## PROCLAMATIONS.

### A. Declaring Monday, January 17, 2022, as “Martin Luther King Jr. Day”

Mayor Harvey read and presented proclamation to Chris Cutkelvin and Keylan Morgan.

## PUBLIC COMMENTS

Audrey Tiger, 16412 Christina Garza Drive, Manor, Texas, submitted a speaker card regarding the Wilbarger Creek Greenbelt – City of Manor Tract in Shadow Glen. She presented the attached handout and briefly expressed her concerns regarding any future developments in the area.

Alana Webre, 14504 Kira Lane, Manor, Texas, submitted a speaker card regarding the Wilbarger Creek Greenbelt – City of Manor Tract in Shadow Glen. She expressed her concerns regarding any future developments in the area.

Robert Battaile, 502 E. Eggleston Street, Manor, Texas, submitted a speaker card regarding the sesquicentennial celebration for the City of Manor. He briefly discussed city’s parkland in regard to bocce courts, disc golf course and park trail.

No one else appeared at this time.

## PUBLIC HEARINGS

### 1. Conduct a public hearing on a Rezoning Application for 3.398 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract 315, and being located at 13801 N. FM 973, Manor, TX to Heavy Commercial (C-3).

*Applicant: Rafiq Karediya; Owner: Rafiq Karediya*

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

Mayor Harvey opened the public hearing.

Josh Baran, 1625 Williams Drive, Georgetown, Texas, submitted a speaker card in support to this item. Mr. Baram is requesting for C-2 permit with the additional uses that were approved by Planning and Zoning Commission of Office, Showroom; Office, Warehouse; Product Development Services (general); and Research Services (general). In addition, he is requesting adding a service station that was not presented to the Planning and Zoning Commission.

Interim City Manager Dunlop discussed the proposed rezoning application located at 13801 N. FM 973, Manor, Texas.

**MOTION:** Upon a motion made by Council Member Wallace and seconded by Council Member Amezcua, to close the Public Hearing.

There was no further discussion.

**Motion to close carried 6-0**

- 2. Conduct a public hearing on a Concept Plan for the Butler - Manor Subdivision, nine (9) lots on 95.16 acres more or less, and being located near the intersection of US Hwy 290 and N. FM 973, Manor, TX. Applicant: LJA Engineering; Owner: Butler Family Partnership, Ltd.**

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

Mayor Harvey opened the public hearing.

Robert Battaile, 502 E. Eggleston Street, Manor, Texas, submitted a speaker card in opposition to this item. Mr. Battaile discussed the potential of park space that could be included in development. He discussed potential fees that could be levied to future residents for park amenities. Mr. Battaile is requesting for council and developer to discuss options further before final approval.

Joseph Lonaro with LTA Engineering submitted a speaker card; however, he did not wish to speak but was available to address any questions posed by the City Council.

Interim City Manager Dunlop discussed the proposed concept plan.

Mr. Dunlop read the attached email and addressed concerns from Mr. Allen Ambuhl.

Mayor Harvey assured that discussions have been done with developer regarding city's needs and proposed developments for the community.

**MOTION:** Upon a motion made by Council Member Amezcua and seconded by Council Member Wallace, to close the Public Hearing.

There was no further discussion.

**Motion to close carried 6-0**

**CONSENT AGENDA**

- 3. Consideration, discussion, and possible action to approve the City Council Minutes of the January 5, 2022, City Council Regular Meeting; and January 8, 2022, City Council Workshop Session.**

**4. Consideration, discussion, and possible action on the acceptance of the December 2021 Departmental Reports.**

- Police – Ryan Phipps, Chief of Police
- Development Services – Scott Dunlop, Development Services Director
- Community Development – Debbie Charbonneau, Heritage and Tourism Manager
- Municipal Court – Sarah Friberg, Court Clerk
- Public Works – Michael Tuley, Director of Public Works
- Finance – Lydia Collins, Director of Finance
- Human Resources – Tracey Vasquez, HR Manager

**5. Second and Final Reading: Consideration, discussion, and possible action on an ordinance annexing 134.529 acres of land, more or less, located in Travis County, Texas at the request of the property owners, approving an agreement for the provision of services for the annexed area and providing for other related matters.**

**6. Second and Final Reading: Consideration, discussion, and possible action on an ordinance annexing 3.398 acres of land, more or less, located in Travis County, Texas at the request of the property owner, approving an agreement for the provision of services for the annexed area and providing for other related matters.**

Ordinance No. 635: An Ordinance of the City of Manor, Texas Annexing 3.398 Acres of Land, More or Less, Located in Travis County, Including the Abutting Streets, Roadways, and Rights-Of-Way Into the Corporate Limits of the City, at the Request of the Property Owner; Approving an Agreement for the Provision of Services for the Annexed Area; Making Findings of Fact; Providing a Severability Clause and an Effective Date; and Providing for Open Meetings and Other Related Matters.

**7. Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 135 acres, more or less, out of the Sumner Bacon Survey No. 62, Abstract 63, and being located near the intersection of N. FM 973 and Gregg Lane, Manor, TX to Planned Unit Development (PUD).**

**MOTION:** Upon a motion made by Council Member Weir and seconded by Council Member Moreno, to approve the Consent Agenda Item Nos 3, 4, and 6 and remove Item No. 5 and Item No. 7 to the regular agenda.

There was no further discussion.

**Motion to approve carried 6-0**



## REGULAR AGENDA

5. **Second and Final Reading:** Consideration, discussion, and possible action on an ordinance annexing 134.529 acres of land, more or less, located in Travis County, Texas at the request of the property owners, approving an agreement for the provision of services for the annexed area and providing for other related matters.

The city staff recommended that the City Council approve the second and final reading of Ordinance No. 634 annexing 134.529 acres of land, more or less, located in Travis County, Texas at the request of the property owners, and approving an agreement for the provision of services for the annexed area and providing for other related matters.

Robert Battaile, 502 E. Eggleston Street, Manor, Texas, submitted a speaker card in opposition to this item. Mr. Battaile discussed proposed park amenities that could be added to development. He discussed potential fees that could be charged to future residents for park amenities. Mr. Battaile is requesting for council and developer to discuss options further before final approval.

Mayor Harvey stated that this item was not a new development request and clarified that item was for a voluntarily annexation request.

Ordinance No. 634: An Ordinance of The City of Manor, Texas Annexing 134.529 Acres of Land, More or Less, Located in Travis County, Including the Abutting Streets, Roadways, and Rights-Of-Way Into the Corporate Limits of the City, at the Request of the Property Owner; Approving an Agreement for the Provision of Services for the Annexed Area; Making Findings of Fact; Providing a Severability Clause and an Effective Date; and Providing for Open Meetings and Other Related Matters.

**MOTION:** Upon a motion made by Council Member Amezcua and seconded by Mayor Pro Tem Hill , to approve the second and final reading of Ordinance No. 634 annexing 134.529 acres of land, more or less, located in Travis County, Texas at the request of the property owners, and approving an agreement for the provision of services for the annexed area and providing for other related matters.

There was no further discussion.

**Motion to approve carried 6-0**

7. **Second and Final Reading:** Consideration, discussion, and possible action on an ordinance rezoning 135 acres, more or less, out of the Sumner Bacon Survey No. 62, Abstract 63, and being located near the intersection of N. FM 973 and Gregg Lane, Manor, TX to Planned Unit Development (PUD). *Applicant: SEC Planning ; Owner: Enfield Partners, LLC*

The city staff recommended that the City Council approve the second and final reading of Ordinance No. 636 rezoning 135 acres, more or less, out of the Sumner Bacon Survey No. 62, Abstract 63, and being located near the intersection of N. FM 973 and Gregg Lane, Manor, TX to Planned Unit Development (PUD).

Robert Battaile, 502 E. Eggleston Street, Manor, Texas, submitted a speaker card in opposition to this item. Mr. Battaile discussed proposed park amenities that could be added to development. He offered to work with developers to discuss potential amenities. Mr. Battaile also discussed potential fees that could be levied by future residents.

Ordinance No. 636: An Ordinance of the City of Manor, Texas, Amending the Zoning Ordinance by Rezoning a Parcel of Land to Planned Unit Development (PUD); Making Findings of Fact; and Providing for Related Matters.

**MOTION:** Upon a motion made by Council Member Moreno and seconded by Council Member Wallace, to approve the second and final reading of Ordinance No. 636 rezoning 135 acres, more or less, out of the Sumner Bacon Survey No. 62, Abstract 63, and being located near the intersection of N. FM 973 and Gregg Lane, Manor, TX to Planned Unit Development (PUD).

Mayor Harvey assured that discussions have been done with developer regarding city's needs and proposed developments for the community. He thanked the community for asking questions and being involved.

There was no further discussion.

**Motion to approve carried 6-0**

At the direction of Mayor Harvey, Item No. 10 was conducted next.

**10. First Reading: Consideration, discussion, and possible action on an ordinance rezoning 8.57 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract No. 315 and the Calvin Barker Survey No. 38, Abstract No. 58, and being located at 12920 Old Highway 20, Manor, TX from Agricultural (A) to Neighborhood Business (NB) and Townhome (TH). Applicant: Rao's Consulting Engineers, LLC; Owner: Sampsg Properties, LLC**

The city staff recommended that the City Council postpone item to the February 2, 2022, regular council meeting per developer's request.

**MOTION:** Upon a motion made by Council Member Weir and seconded by Mayor Pro Tem Hill, to postpone Item No. 10 to the February 2, 2022, regular council meeting.

There was no further discussion.

**Motion to approve carried 6-0**

- 8. First Reading: Consideration, discussion and possible action on an ordinance rezoning 3.398 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract 315, and being located at 13801 N. FM 973, Manor, TX to Heavy Commercial (C-3). Applicant: Rafiq Karediya; Owner: Rafiq Karediya**

The city staff recommended that the City Council approve the first reading of an ordinance rezoning 3.398 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract 315, and being located at 13801 N. FM 973, Manor, TX to Medium Commercial (C-2) with the additional uses of Office, Showroom; Office, Warehouse; Product Development Services (general); and Research Services (general).

Interim City Manager Dunlop discussed the proposed rezoning request with the additional request from developer to add service stations.

Discussion was held regarding the additional use for service stations request by applicant and how the request was not discussed with the Planning and Zoning Commission.

Ordinance: An Ordinance of the City of Manor, Texas, Amending the Zoning Ordinance by Rezoning a Parcel of Land From Agricultural (A) to Medium Commercial (C-2) with Modifications; Making Findings of Fact; and Providing for Related Matters.

**MOTION:** Upon a motion made by Council Member Wallace and seconded by Council Member Amezcua, to approve the first reading of an ordinance rezoning 3.398 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract 315, and being located at 13801 N. FM 973, Manor, TX to Medium Commercial (C-2) with P&Z Commission recommendation of additional uses of Office, Showroom; Office, Warehouse; Product Development Services (general); and Research Services (general).

There was no further discussion.

**Motion to postpone carried 6-0**

- 9. Consideration, discussion and possible action on a Concept Plan for the Butler - Manor Subdivision, nine (9) lots on 95.16 acres more or less, and being located near the intersection of US Hwy 290 and N. FM 973, Manor, TX. Applicant: LJA Engineering; Owner: Butler Family Partnership, Ltd.**

The city staff recommended that the City Council approve a Concept Plan for the Butler – Manor Subdivision, nine (9) lots on 95.16 acres more or less and being located near the intersection of US Hwy 290 and N. FM 973, Manor, TX.

Robert Battaile, 502 E. Eggleston Street, Manor, Texas, submitted a speaker card in opposition to this item. Mr. Battaile asked if there was any parkland commitment for commercial development. Interim City Manager Dunlop clarified that only residential development was required to have parkland.

Mr. Battaile proposed for developer to purchase offsets for park amenities.

**MOTION:** Upon a motion made by Mayor Pro Tem Hill and seconded by Council Member Moreno, to approve a Concept Plan for the Butler – Manor Subdivision, nine (9) lots on 95.16 acres more or less and being located near the intersection of US Hwy 290 and N. FM 973, Manor, TX.

Council Member Weir asked if the city manager or council had received any other inquiries about parkland requests from the community. She stated that residents are inquiring about development that would generate revenue, businesses, and economic development for the city. Council Member Moreno and Council Member Wallace confirmed that they had received same inquiries but nothing in regard to parkland.

There was no further discussion.

**Motion to approve carried 6-0**

**11. First Reading: Consideration, discussion, and possible action on an ordinance rezoning 10.24 acres, more or less, out of the A.C. Caldwell Survey, Abstract 154, and being located near the intersection of Paseo de Presidente and Gunn Lane, Manor, TX from Single Family Suburban (SF-1) to Multi-Family 15 (MF-1). Applicant: Kimley-Horn and Associates, Inc.; Owner: Dwyer Realty**

The city staff recommended that the City Council approve the first reading of an ordinance rezoning 10.24 acres, more or less, out of the A.C. Caldwell Survey, Abstract 154, and being located near the intersection of Paseo de Presidente and Gunn Lane, Manor, TX from Single Family Suburban (SF-1) to Townhome (TH).

Gregg Brown, 19720 Hubert R Humphrey Rd., Manor, Texas, submitted a speaker card in opposition to this item. Mr. Brown expressed his concerns regarding residential development in the area. He suggested for the city to consider additional commercial development as city grows.

Amanda Brown with Kimley-Horn and Associates, Inc., submitted a speaker card in support of this item. She discussed the attached PowerPoint presentation.

Ms. Brown discussed the proposed concept plan, parking concerns, and traffic impact analysis.

Mayor Harvey addressed concerns regarding traffic issues in the area and Mr. Brown's concerns regarding residential developments.

Discussion was held regarding road improvements and turning lanes along Highway 290.

Ordinance: An Ordinance of the City of Manor, Texas, Amending the Zoning Ordinance by Rezoning a Parcel of Land From Single Family Suburban (SF-1) to Townhome (TH); Making Findings of Fact; and Providing For Related Matters.

**MOTION:** Upon a motion made by Council Member Moreno and seconded by Mayor Pro Tem Hill, to approve the first reading of an ordinance rezoning 10.24 acres, more or less, out of the A.C. Caldwell Survey, Abstract 154, and being located near the intersection of Paseo de Presidente and Gunn Lane, Manor, TX from Single Family Suburban (SF-1) to Townhome (TH).

Council Member Weir asked if the developer had reached out to the HOA of the nearby community. Ms. Brown stated that letters were sent out to residents regarding the concept plan but there was no feedback received by the residents.

There was no further discussion.

**Motion to approve carried 6-0**

**12. Consideration, discussion, and possible action on an Amendment to the Development Agreement Under Section 43.035, Texas Local Government Code for a 13.93 acre tract, more or less.**

The city staff recommended that the City Council approve the Amendment to the Development Agreement Under Section 43.035, Texas Local Government Code for a 13.93 acre tract, more or less.

Interim City Manager Dunlop discussed the proposed amendment to the development agreement.

**MOTION:** Upon a motion made by Council Member Amezcua and seconded by Council Member Wallace to approve the Amendment to the Development Agreement Under Section 43.035, Texas Local Government Code for a 13.93 acre tract, more or less.

There was no further discussion.

**Motion to approve carried 6-0**

**13. Consideration, discussion, and possible action on a resolution authorizing participation in The Interlocal Purchasing System (TIPS) purchasing cooperative offered by Region VIII Education Service Center.**

The city staff recommended that the City Council approve Resolution No. 2022-02 authorizing participating in The Interlocal Purchasing System (TIPS) purchasing cooperative offered by Region VIII Education Service Center.

Director of Finance Collins discussed the proposed resolution authorizing participation in TIPS.

Resolution No. 2022-02: A Resolution of the City Council of The City of Manor, Texas, Authorizing Participation in the TIPS Purchasing Cooperative Offered by Region VIII Education Service Center.

**MOTION:** Upon a motion made by Mayor Pro Tem Hill and seconded by Council Member Amezcua to approve Resolution No. 2022-02 authorizing participating in The Interlocal Purchasing System (TIPS) purchasing cooperative offered by Region VIII Education Service Center.

There was no further discussion.

**Motion to approve carried 6-0**

**14. Consideration, discussion, and possible action on Exterior Renovation of the Historic Riveted Cone Elevated 50-thousand-gallon storage tank.**

The city staff recommended that the City Council approve a contract for services with Maguire Iron, Inc. for the Renovation of the Historic Riveted Cone Elevated 50-thousand-gallon storage tank and the authorization of \$51,600.00 of Hotel Occupancy Tax funds for the contract.

Public Works Director Tuley discussed the proposed contract for restoration services with Maguire Iron, Inc. for the downtown water tower.

Discussion was held regarding the water tower current location.

Director of Finance Collins discussed the previous proposal regarding the restoration of the water tank.

Discussion was held regarding the historical marker for the water tower.

Discussion was held regarding the possibility of cleaning the water tower location once restoration had taken place.

**MOTION:** Upon a motion made by Council Member Moreno and seconded by Council Member Amezcua to approve a contract for services with Maguire Iron, Inc. for the Renovation of the Historic Riveted Cone Elevated 50-thousand-gallon storage tank and the authorization of \$51,600.00 of Hotel Occupancy Tax funds for the contract.

Discussion was held regarding the clarification of coating for the tower.

Discussion was held regarding the lettering on the water tower.

There was no further discussion.

**Motion to approve carried 6-0**

**15. Consideration, discussion, and possible action on the payoff for the General Obligation 2010 Bond Series for the City of Manor.**

The city staff recommended that the City Council approve the payoff amount of \$255,327.25 for the General Obligation 2010 Bond Series for the City of Manor.

Director of Finance Collins discussed the payoff for the General Obligation 2010 Bond Series for the City of Manor.

**MOTION:** Upon a motion made by Council Member Amezcua and seconded by Council Member Weir, to approve the payoff amount of \$255,327.25 for the General Obligation 2010 Bond Series for the City of Manor.

There was no further discussion.

**Motion to postpone carried 6-0**

**16. Consideration, discussion, and possible action on RFQ2021-49 City of Manor Space Needs Assessment and Facilities Master Plan.**

The city staff recommended that the City Council discuss RFQ 2021-49 City of Manor Space Needs Assessment and Facilities Master Plan.

Interim City Manager Dunlop discussed the RFQ2021-49 City of Manor Space Needs Assessment and Facilities Master Plan.

Mayor Harvey requested for narrative to include reasons staff recommends top 2.

Discussion was held regarding the process of the needs assessment for facilities.

Discussion was held regarding the facilities needs assessment to be discussed with the comprehensive consultants.

There was no action taken.

**17. Consideration, discussion, and possible action on the Planning and Zoning Commission and Community Impact Fee Advisory Committee attendance report for Commissioner Place 5, Grant E. Loveless; and declare a vacancy.**



The city staff recommended that the City Council remove Commissioner, Place 5 Grant E. Loveless and declare a vacancy.

Interim City Manager Dunlop discussed Mr. Loveless attendance report.

**MOTION:** Upon a motion made by Mayor Pro Tem Hill and seconded by Council Member Wallace to remove Commissioner, Place 5 Grant E. Loveless and declare a vacancy.

There was no further discussion.

**Motion to postpone carried 6-0**

**18. Consideration, discussion, and possible action on review of the City of Manor Home Rule Charter and Possible Charter Amendments.**

The city staff recommended that the City Council set a City Council Workshop for Tuesday, March 1, 2022, at 5:00 p.m. for the review of the City of Manor Home Rule Charter and Possible Charter Amendments or direct city staff to move forward with the appointment process of a Charter Review Commission.

**MOTION:** Upon a motion made by Council Member Amezcua and seconded by Council Member Weir to set a City Council Workshop for Tuesday, March 1, 2022, at 5:00 p.m. for the review of the City of Manor Home Rule Charter and Possible Charter Amendments.

There was no further discussion.

**Motion to approve carried 6-0**

Mayor Harvey adjourned the regular session of the Manor City Council into Executive Session at 9:09 p.m. on Wednesday, January 19, 2022, in accordance with the requirements of the Open Meetings Law.

**EXECUTIVE SESSION**

The Manor City Council convene into executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in - *Sections 551.087 and 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding Lagos PID; Section 551.071, Texas Government Code and Section 1.05, Texas Disciplinary Rules of Professional Conduct (Consultation with Attorney) to consult with legal counsel regarding the Interlocal Agreement for Allocation of Sales Tax Revenue for the Development of Infrastructure by the City of Manor and Travis County Emergency Services District No. 12; and Section 551.071, Texas Government Code and Section 1.05, Texas Disciplinary Rules of Professional Conduct (Consultation with Attorney) to consult with legal counsel regarding Capital Metropolitan Transportation Authority* at 9:09 p.m. on Wednesday, January 19, 2022.

The Executive Session was adjourned at 10:31 p.m. on Wednesday, January 19, 2022

## **OPEN SESSION**

The City Council reconvened into Open Session pursuant to the provisions of Chapter 551 Texas Government Code and took action on item(s) discussed during Closed Executive Session at 10:31 p.m. on Wednesday, January 19, 2022.

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

There was no action taken.

## **ADJOURNMENT**

The Regular Session of the Manor City Council Adjourned at 10:31 p.m. on Wednesday, January 19, 2022.

These minutes approved by the Manor City Council on the 2<sup>nd</sup> day of February 2022. *(Audio recording archived)*

## **APPROVED:**

\_\_\_\_\_  
Dr. Christopher Harvey  
Mayor

## **ATTEST:**

\_\_\_\_\_  
Lluvia T. Almaraz, TRMC  
City Secretary

# Manor City Council Handout

*Submitted by Audrey Tiger, ShadowGlen resident*

## Wilbarger Creek Greenbelt - City of Manor Tract (ShadowGlen)

The City of Manor owns a tract of land in the Wilbarger Creek greenbelt, given to the city by ShadowGlen developers, it is situated in what will eventually be the middle of ShadowGlen.

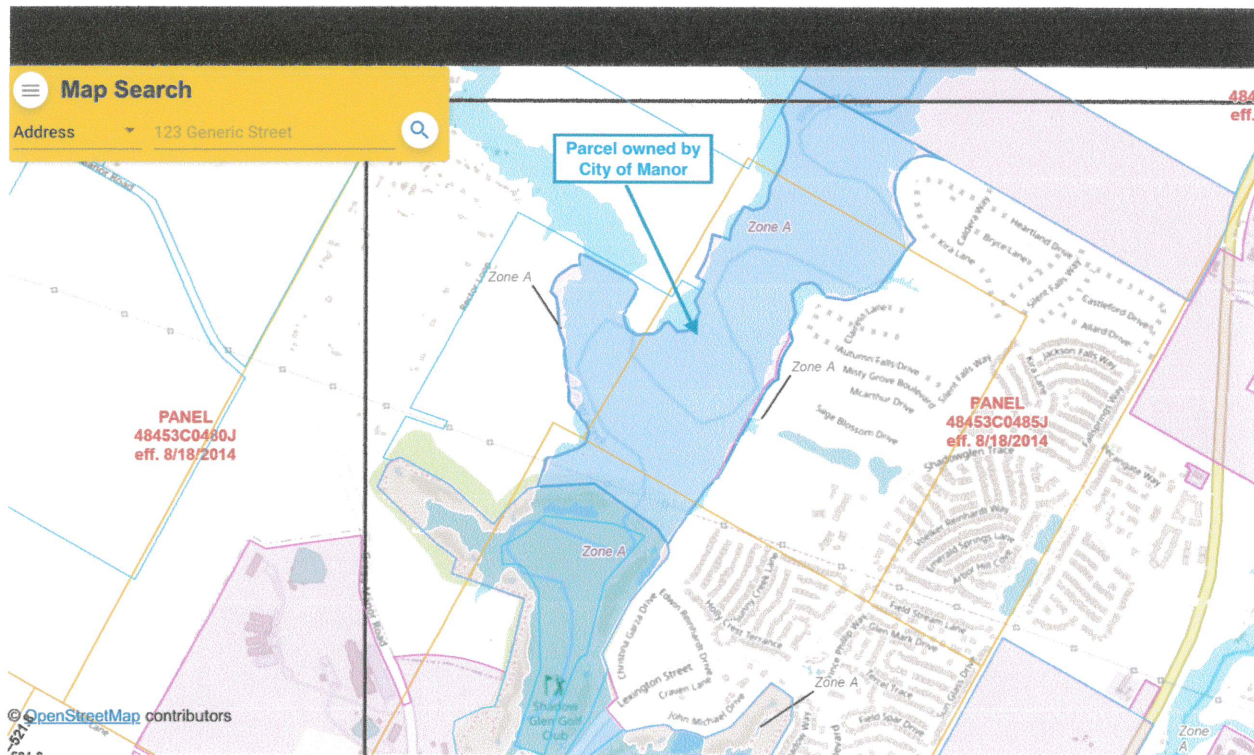
Over the past ~19 years, there are a number of plans proposed, outlining what the City of Manor and the ShadowGlen developers may choose to do with this tract of land over time.

### Where is this?

Tract of land in question, outlined in dark blue (light blue shading is flood plain indicator), pink is property in City of Manor jurisdiction. Beige is Travis County.



TRAVIS CENTRAL APPRAISAL DISTRICT  
TRAVIS COUNTY, TEXAS



Source: Travis Central Appraisal District website

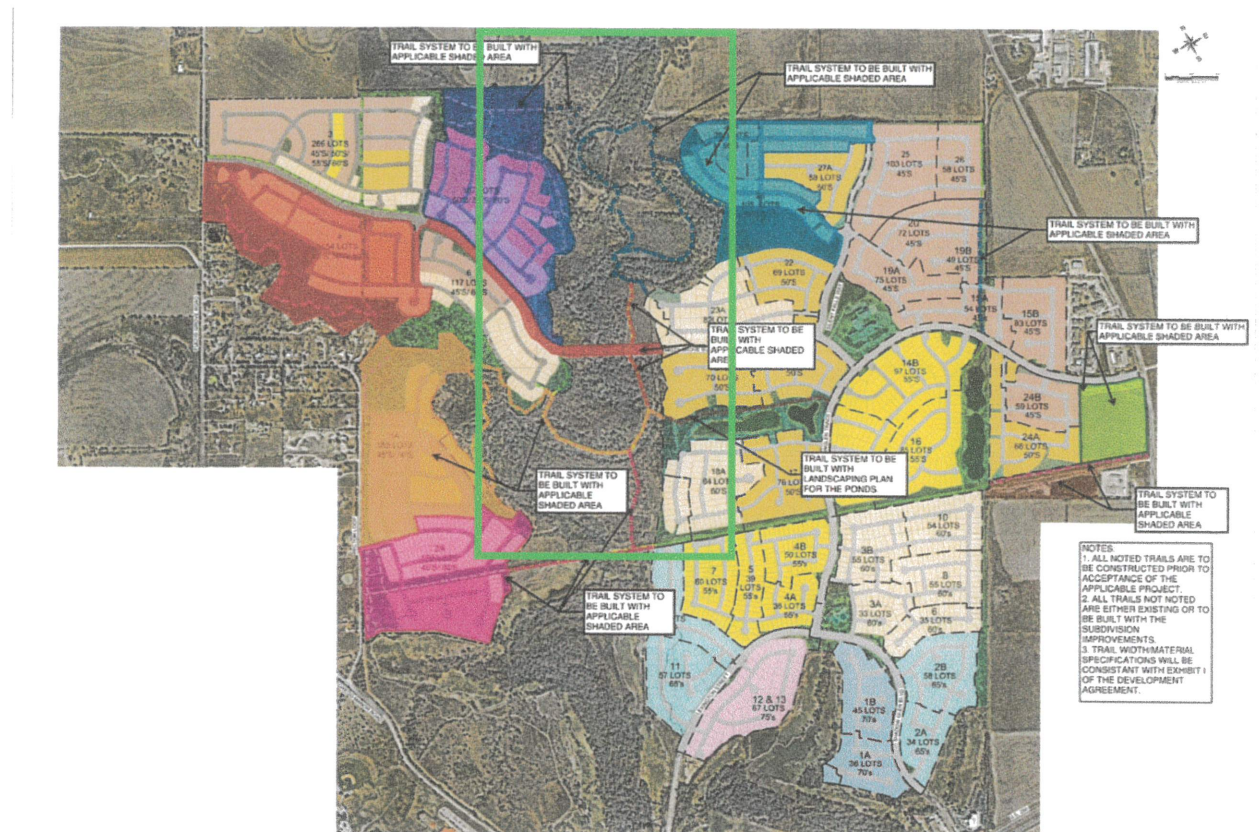






## Map 2 - ShadowGlen Proposed Phases and City Owned Trail System Milestone Exhibit

More recent depiction of plans for the City Owned Trail system, as phases of ShadowGlen are completed. Tract is in the middle of planned phases, north of the LCRA utility easement (1/3 way up, boxed annotation).



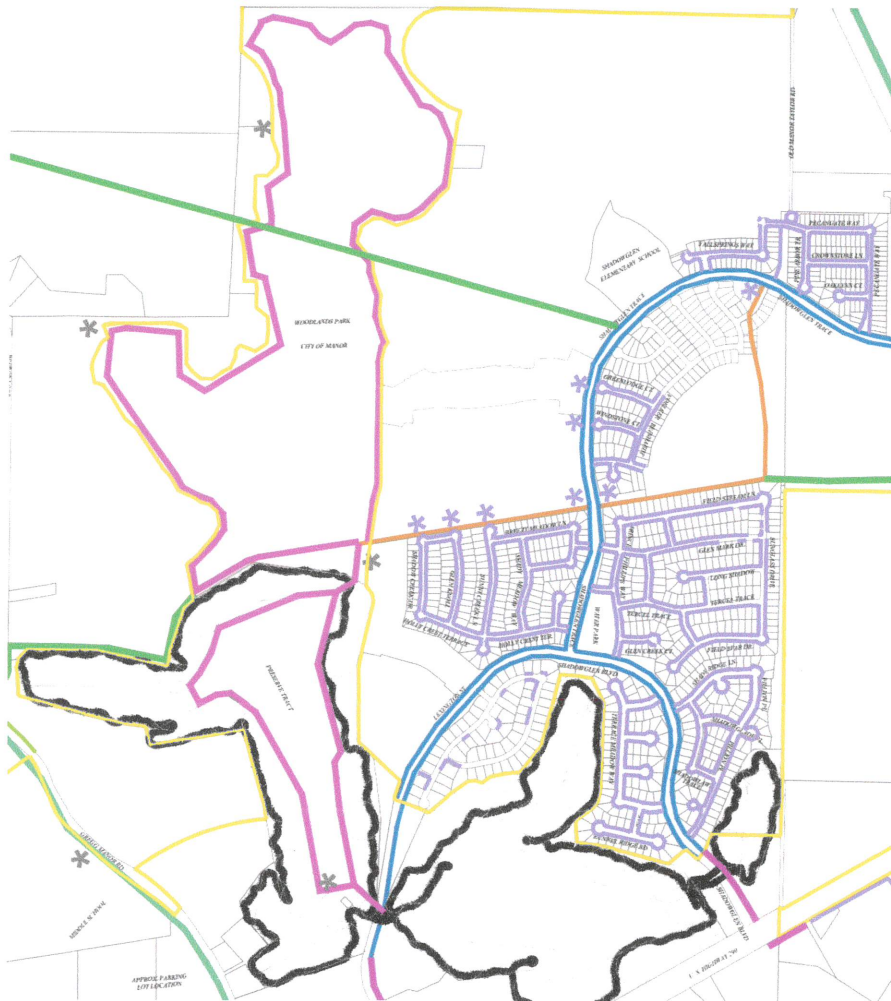
Shadowglen  
City Owned Trail System Milestone Exhibit

Kimley Horn  
1000 N. Main Street, Suite 100  
Austin, TX 78701  
Phone: 512.476.1111  
Fax: 512.476.1112  
www.kimley-horn.com

Source: Scott Dunlop - City of Manor - [ShadowGlen Trail Phasing Exhibit](#)

## Map 3 - City of Manor - Trails Master Plan

Listed on the City of Manor - [Maps & Exhibits](#) page, the PDF dated 10-12-16, shows one large trail loop in north property in the City of Manor tract in question.



Source: City of Manor - [Hike and Bike Trails Master Plan Map](#)

## Requested Action Items / Follow-up:

- ☐ **Issue 1:** Having several maps of planned development for the tract in question is causing public confusion.

### **Proposed action items / follow-up:**

- ☐ 1. *Review trail / park maps for this tract & publish an official map with plan (once resolved) by the City of Manor.*
- ☐ **Issue 2:** This tract of land, as floodplain, serves a critical dual need as development around it explodes 1) flood mitigation and 2) wildlife preserve - so establishing it as a conservation tract should be explored.

### **Proposed action items / follow-up:**

- ☐ 1. *Study of this area as a riparian floodplain & understanding the flood mitigation & maintenance needs of the area which frequently (and severely) floods, should come ahead of building anything else here (even a trail).*
    - Impact of run-off from rapid development of ShadowGlen and areas upstream in the Wilbarger watershed is still unknown - the frequency and severity of floods could increase in the near future (next 5 years) - increasing maintenance costs for any park investments made here.
  - ☐ 2. *Exploring cost savings, by setting aside this greenbelt as conservation space, vs cost of further park development & maintenance, should be considered. It could save the City of Manor, Manor taxpayers and residents of ShadowGlen all headaches going forward.*
    - Conserving this space as a greenbelt for wildlife and the surrounding ecosystem disturbed by heavy development will benefit homeowners in the surrounding area (by them having a safe habitat).
  - ☐ **Issue 3:** As we have seen, the new trails being added as additional ShadowGlen phases are complete is already causing issues for Manor residents who want access to use this "City owned park" - prompting calls for even more development in this space - that currently lacks public parking, bathroom facilities, trash disposal and more. *Instead of furthering costly public park investments in this floodplain, additional planned trails in this tract as ShadowGlen phases are completed, should be revisited*
- ### **Proposed action items / follow-up:**
- ☐ 1. *Explore **Issue 2** and establish this area as a conservation tract.*
  - ☐ 2. *Direct public parks committee to prioritize investment in other parks projects, not in a floodplain, as a higher priority.*



ccm'19 Item 2

Item 1.

-----Original Message-----

From: Allen Ambuhl

Sent: Monday, January 10, 2022 11:46 PM

To: Scott Dunlop <sdunlop@cityofmanor.org>

Cc: [REDACTED]  
Subject: Comments regarding Public Hearing on Concept Plan for the Butler - Manor Subdivision. Case#: 2021-P-1355-CP

Greetings Mr. Dunlop:

Please relay the following comments/questions to the City of Manor Planning and Zoning Commissioners and City Council Members, in regards to the Subdivision Concept Plan for the Butler - Manor Subdivision.

I have four main areas of concern.

#### I. Sound and Light Buffer along western property line of the Commercial Property.

I would like to see a commitment from either the Butler team or the City of Manor to enforce a reasonable placement/installation of landscape screening at a ratio, caliper size and height to ensure adequate mitigation of noise and light

pollution onto our property. As only an example, a minimum mitigation strategy proposed by the Butler team in 2013, suggested "earth berming of 12' height, 4:1 max slope, with evergreen landscape screening".

#### II. Irrigation and Drainage.

The proposed site will be converting farmland and adding a significant amount of impervious cover that will prevent the infiltration of water into the ground.

Excess water from this proposed commercial site currently drains into a ditch on its western property line, which is within a few hundred feet of my property, many other residences, and an urgent care facility

Therefore I would like see a commitment from Butler and the City of Manor that there has been a clear provision for irrigation and drainage of the commercial site, as well as a plan for its operation and maintenance (with replacement).

#### III. Prohibited Uses

I respectfully propose the following types of businesses be prohibited on the proposed commercial site, if possible within City of Manor ordinances and guidelines:

Bail Bond Services; Camp; Campground; Carriage Stable; Cemetery; Marina; and Pawn Shop Services.

#### IV. Pedestrian Access from Shadowglen neighborhood.

Many of the people in my neighborhood, including myself, will likely frequent the shops on the proposed site. In the interest of equity and equal access, I would like for there to be pedestrian access to the commercial property.

This could be accomplished with access from one of the utility easements, a sidewalk along the north side of 290, an easement from back end of the urgent care property, or a combination of these ideas and others that may come to light.

I propose the developer develop and present a plan for providing ADA-compliant pedestrian access to their site from the Shadowglen community, as well as other residential/commercial areas in Manor.

Thank you for your consideration.

Respectfully,  
Allen Ambuhl

Manor, TX 78653



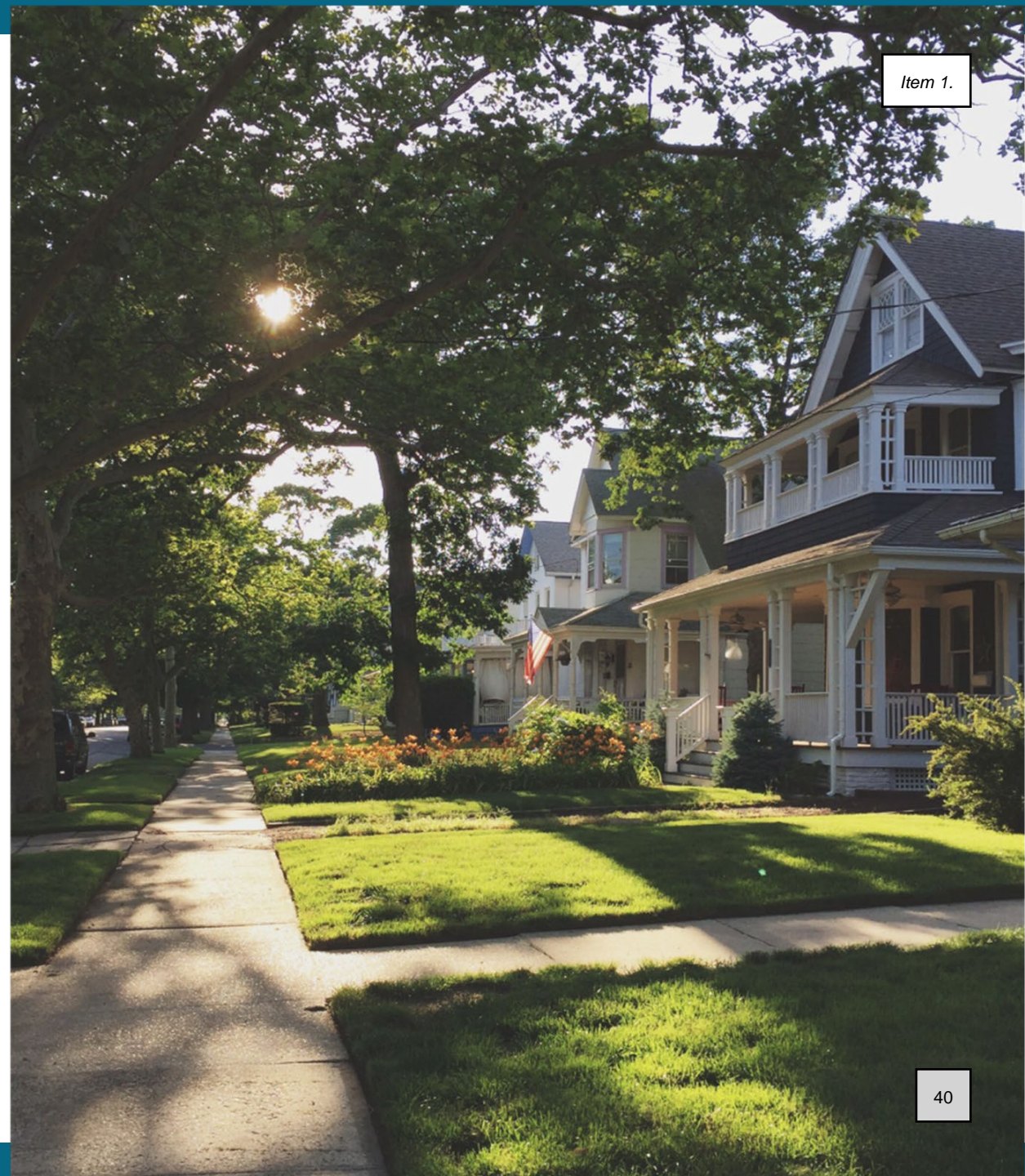
# Presidential Glen Rezoning

City of Manor



# *About Coronado West*

- Founded in 1984
- Specializes in the development and leasing of high-quality residential Communities
- 100 % family owned and operated
- Long term hold of developments





# *Build for Rent*

**The Build for Rent concept benefits Manor and its citizens in the following ways:**

- Designed for the growing family
- Average home size will be 1850 sq ft
- 3 and 4 bedrooms with dedicated work/study space.
- Private backyards
- Provides affordable maintenance free housing
- Uniform clean community
- Professionally maintained landscaping
- All homes receive a thorough home inspection annually, no deferred maintenance
- Pride of ownership is supported on all levels



# About Marketplace Homes

We partner with Marketplace Homes Management to provide our property owners with a complete picture of management:

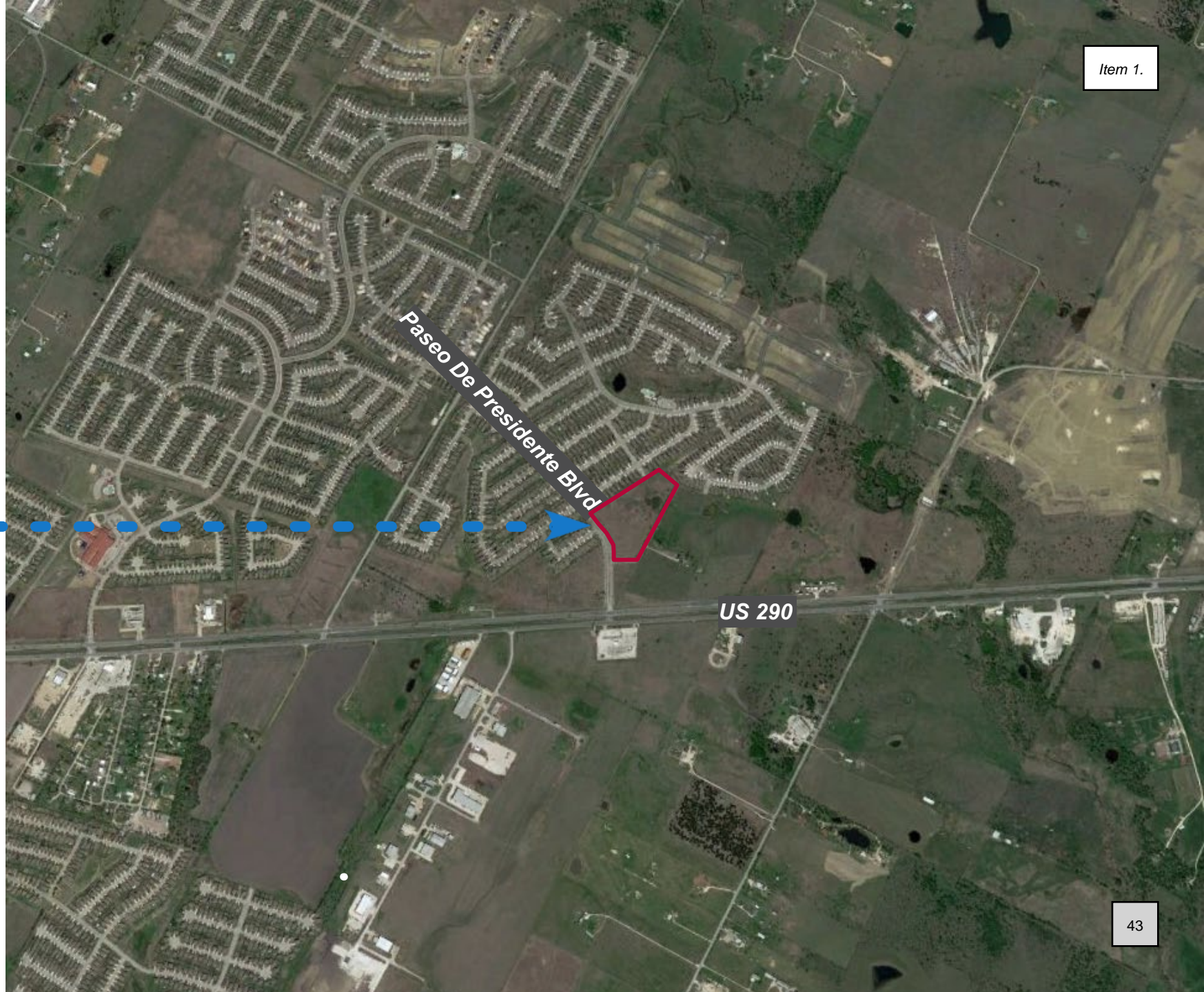
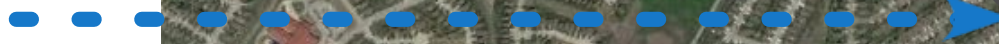
- Leasing
- Marketing with Virtual Staging
- Repairs/Maintenance
- Rehabs of all sizes
- Property Preservation
- Rental Registrations
- Utility/Tax payments
- Mid-Lease inspections
- Property turns
- Accounting/customized reporting







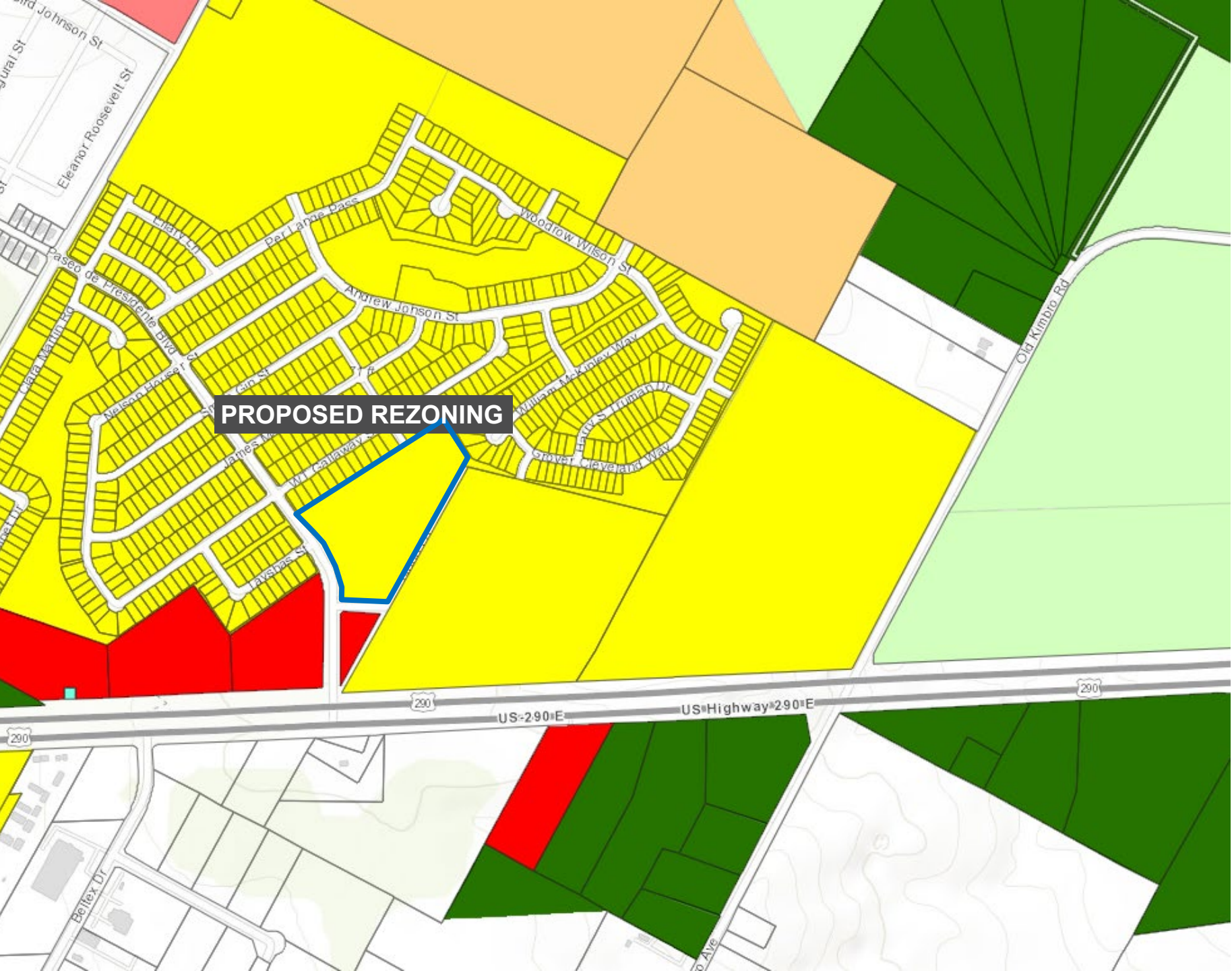
*Location*  
*Map*



Item 1.



# Zoning Map



- Zone
- R-1
  - R-2
  - R-3
  - R-4
  - M-1
  - M-2
  - NB
  - DB
  - C-1
  - C-2
  - IN-1
  - IN-2
  - I
  - PUD
  - A







- Approved by City Council October 27, 2021
- This development agreement requires that *“the Developer shall submit an application for re-zoning of the 10 acres, more or less, from R-1 to District “MF”*
- The proposed rezoning is in line with the requirements of the Development agreement.

# Concept Plan

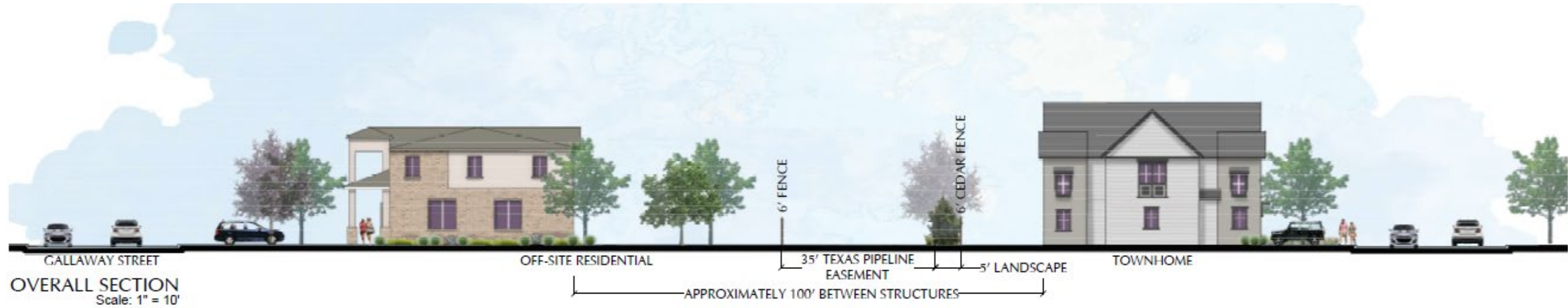


LAND USE SUMMARY		
	Townhouse Residential	91 units
	Gross Site Area:	10.2 acres
	Gross Density:	8.92 du./ac.
	Gasline Easement	0.8 acres
	Net Site Area:	9.4 acres
	Net Density:	9.68 du./ac.



# Presidential Glen

Item 1.



PROTOTYPICAL SINGLE-FAMILY RESIDENTIAL  
ELEVATION ALONG GALLAWAY STREET  
Scale: 1/8" = 1'



FARMHOUSE TOWNHOME PRODUCT  
3-PLEX FRONT ELEVATION  
Scale: 1/8" = 1'



# Presidential Glen

Item 1.





# Parking

Item 1.

## Required Parking City of Manor Code

Residents: 182

Visitor: 19

Total: 201 parking spaces required

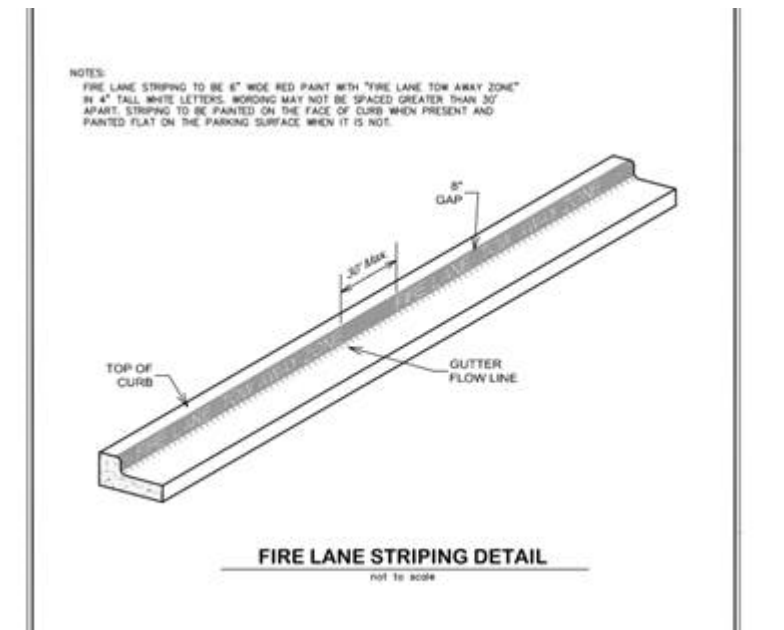
## Proposed Presidential Glen Parking

Residents: 364

Visitor: 20

Total: 384 parking spaces provided

No on-street parking permitted:



# Traffic Impact Analysis

Item 1.

Location	Improvement Cost	Pro-Rata Cost	Estimated Cost
US 290 at Bois D' Arc EB Left Turn Lane - 350 ft of storage and 150 ft of taper	\$250,000	21.30%	\$53,250
US 290 at Bois D' Arc WB Right Turn Lane - 100 ft of storage and 50 ft of taper	\$125,000	21.30%	\$26,625
US 290 at Bois D' Arc SB Right Turn Lanes (2) - 200 ft of storage and 100 ft of taper	\$300,000	21.30%	\$63,900
US 290 at Bois D' Arc Signal	\$110,000	21.30%	\$23,430
US 290 at Site Road 1 Signal	\$110,000	100%	\$110,00
US 290 from Bois D' Arc to Old Kimbro – 6 lane Expansion 6000 ft	\$1,500,000	12.30%	\$184,500
<b>Total Contribution:</b>			<b>\$461,705</b>

# Q&A





**CITY COUNCIL  
SPECIAL SESSION MINUTES  
JANUARY 19, 2022**

**PRESENT:**

Dr. Christopher Harvey, Mayor

**COUNCIL MEMBERS:**

Emily Hill, Mayor Pro Tem, Place 1  
Anne Weir, Place 2  
Maria Amezcua, Place 3  
Sonia Wallace, Place 4  
Aaron Moreno, Place 5  
Vacant, Place 6

**CITY STAFF:**

Lluvia T. Almaraz, City Secretary  
Scott Dunlop, Interim City Manager  
Tracey Vasquez, HR Manager

**SPECIAL SESSION – 5:00 P.M.**

With a quorum of the Council Members present, the special session of the Manor City Council was called to order by Mayor Harvey at 5:14 p.m. on Wednesday, January 19, 2022, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

**PLEDGE OF ALLEGIANCE**

At the direction of Mayor Harvey, Mayor Pro Tem Hill led the Pledge of Allegiance.

**PUBLIC COMMENTS**

No one appeared at this time.

Mayor Harvey adjourned the special session of the Manor City Council into Executive Session at 5:15 p.m. on Wednesday, January 19, 2022, in accordance with the requirements of the Open Meetings Law.

## EXECUTIVE SESSION

The Manor City Council convene into executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in - *Section 551.074 (Personnel Matters) to interview and consider the appointment of an applicant to the position of City Manager*, at 5:15 p.m. on Wednesday, January 19, 2022.

The Executive Session was adjourned at 6:03 p.m. on Wednesday, January 19, 2022.

## OPEN SESSION

The City Council reconvened into Open Session pursuant to the provisions of Chapter 551 Texas Government Code and took action on item(s) discussed during Closed Executive Session at 6:03 p.m. on Wednesday, January 19, 2022.

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

There was no action taken.

## ADJOURNMENT

The Special Session of the Manor City Council Adjourned at 6:03 p.m. on Wednesday, January 19, 2022.

These minutes approved by the Manor City Council on the 2<sup>nd</sup> day of February 2022.

## APPROVED:

\_\_\_\_\_  
Dr. Christopher Harvey  
Mayor

## ATTEST:

\_\_\_\_\_  
Lluvia T. Almaraz, TRMC  
City Secretary



### AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** February 2, 2022  
**PREPARED BY:** Scott Dunlop, Interim City Manager  
**DEPARTMENT:** Administration

#### AGENDA ITEM DESCRIPTION:

Second and Final Reading: Consideration, discussion and possible action on an ordinance rezoning 3.398 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract 315, and being located at 13801 N. FM 973, Manor, TX to Heavy Commercial (C-3).

*Applicant: Rafiq Karediya*

*Owner: Rafiq Karediya*

#### BACKGROUND/SUMMARY:

This property is currently being annexed. They are proposing to rezone the property to C-3 Heavy Commercial. C-3 is the city's most permissive zoning category being a mix of commercial and light industrial uses. All other commercial properties along FM 973 and all but 1 property along US 290 are zoned either C-1 Light Commercial or C-2 Medium Commercial because those roadways are intended primarily for retail type commercial uses consistent with C-1 or C-2 and less intended for industrial development.

P&Z voted 4-0 to recommend C-2 with the additional uses of Office, Showroom; Office, Warehouse; Product Development Services (general); and Research Services (general).

The City Council approved the first reading for C-2 with the additional uses of Office, Showroom; Office, Warehouse; Product Development Services (general); and Research Services (general).

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

- Ordinance No. 628
- Location Map
- C-3 Land Uses

#### STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council approve the second and final reading of Ordinance No. 628 rezoning 3.398 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract 315, and being located at 13801 N. FM 973, Manor, TX to **Medium Commercial (C-2)**.

<b>PLANNING &amp; ZONING COMMISSION:</b>	<b>Recommend Approval</b>	<b>Disapproval</b>	<b>None</b>
	<b>X – modified</b>		

**ORDINANCE NO. 628**

**AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM AGRICULTURAL (A) TO MEDIUM COMMERCIAL (C-2) WITH MODIFICATIONS; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the owner of the property described hereinafter (the "Property") has requested that the Property be rezoned;

**WHEREAS**, after giving ten days written notice to the owners of land within three hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

**WHEREAS**, after publishing notice of the public at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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

**SECTION 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**SECTION 2. Amendment of Ordinance.** City of Manor Code of Ordinances Chapter 14 Zoning Ordinance ("Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

**SECTION 3. Rezoned Property.** The Zoning Ordinance is hereby amended by changing the zoning district for the land and parcel of property described in Exhibit "A" (the "Property"), from the zoning district Agricultural (A) to zoning district Medium Commercial (C-2) with modifications described in Exhibit "B". The Property is accordingly hereby rezoned to Medium Commercial (C-2) with modifications.

**SECTION 4. Open Meetings.** That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Texas Gov't. Code.

**PASSED AND APPROVED FIRST READING** on this the 19<sup>th</sup> day of January 2022.

**PASSED AND APPROVED SECOND AND FINAL READING** on this the 2<sup>nd</sup> day of February 2022.

**THE CITY OF MANOR, TEXAS**

\_\_\_\_\_  
Dr. Christopher Harvey,  
Mayor

**ATTEST:**

\_\_\_\_\_  
Lluvia T. Almaraz, TRMC  
City Secretary

**EXHIBIT “A”**

Property Address:  
13801 N. FM 973, Manor, TX 78653

Property Legal Description:  
3.398 acres out of the Greenbury Gates Survey No. 63, Abstract 315, out of that certain tract of land described as 15.00 acres in deed to Clide R. Nichols, of record in document No. 2000046322, T.C.O.P.R., and being that same tract of land described as Tract One, 3.404 acres in document No. 2005010269, T. C.O.P.R.

BEGINNING at a ½” iron rod found in the northwest right of way of Suncrest Road (Old Texas State F.M. Highway No. 973), an 80 foot wide right of way of record in Volume 1022, Page 484, Travis County Deed Records (T.C.D.R.), for the northeast corner of that certain tract of land described as 109.5069 acres, Tract 1, in deed to Cottonwood Holdings, LTD, of record in Document No. 1999115220, T.C.O.P.R., the southeast corner of said Nichols tract, the southeast corner of said 3.404 acre Tract One, the southeast corner, and POINT OF BEGINNING hereof;

THENCE with the northeast line of said Cottonwood Holdings Tract 1, being the southwest line of said Nichols tract, and the southwest line of said 3.404 acre Tract One, N 62° 13’ 08” W 343.81 feet to a ½” iron rod found with aluminum cap inscribed “TXDOT”, in the east right of way of Texas State F.M. Highway No. 973, a 200 foot wide right of way of record in Document No. 2002241427 T.C.O.P.R., for the southwest corner of said 3.404 acres Tract One, and the southwest corner hereof;

THENCE with the east line of said F.M. 973, the west line of said 3.404 acre Tract One, over and across said Nichols Tract, N 01° 18’ 50” E, at 210.23 feet pass a Type II TxDOT right of way monument found opposite Sta. 43+500.000, and continuing a distance of 402.94 feet to a ½” iron rod found with yellow plastic cap inscribed “PAPE-DAWSON” in the northeast line of said Nichols tract, for the southwest corner of that certain tract of land described as 13.189 acres in deed to Idea Public Schools, of record in Doc. No. 2017062033, T.C.O.P.R., the northwest corner of said 3.404 acre Tract One, and the northwest corner hereof;

THENCE with the northeast line of said Nichols tract, the southwest line of said Idea Public Schools tract, and the northeast line of said 3.404 acre Tract One, S 62° 19’ 39” E 475.60 feet to a ½” iron rod found with yellow plastic cap inscribed “RPLS 1753 PROP COR” in the northwest right of way of Suncrest Rd. (Old F.M. 973), for the southeast corner of said Idea Public Schools tract, the northeast corner of said Nichols tract, the northeast corner of said 3.404 acre Tract One, and the northeast corner hereof, from which a ½” iron rod found with red plastic cap inscribed “TRAVERSE” bears S 12° 08’ 16” E 42.11 feet;

THENCE with the northwest line of said Suncrest Rd. (Old F.M. 973), the southeast line of said Nichols tract, and the southeast line of said 3.404 acre Tract One, S 20° 15’ 09” W 364.75 feet to the POINT OF BEGINNING hereof containing an area of 3.398 acres of land surveyed by Llano Surveying & Mapping, L.L.C., under the supervision of John A. Ables R.P.L.S. No. 6102.

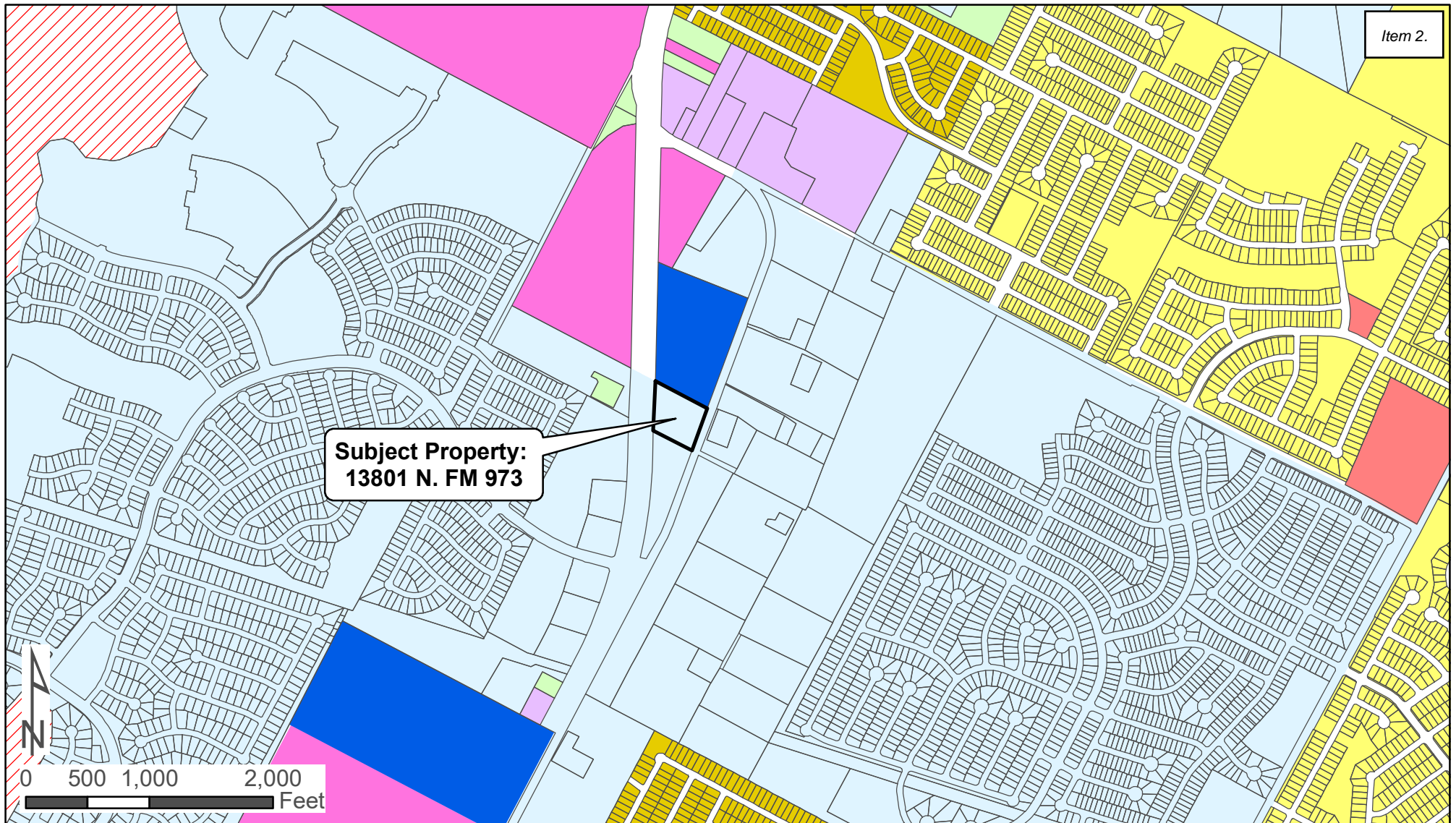
## **EXHIBIT “B”**

### **Zoning Modifications**

Additional permitted uses on the Property:

- Office, Showroom
- Office, Warehouse
- Product Development Services (general)
- Research Services (general)





## Proposed Zoning: Heavy Commercial (C-3)

### Zone

A - Agricultural	MH-1 - Manufactured Home	C-3 - Heavy Commercial
SF-1 - Single Family Suburban	I-1 - Institutional Small	NB - Neighborhood Business
SF-2 - Single Family Standard	I-2 - Institutional Large	DB - Downtown Business
TF - Two Family	GO - General Office	IN-1 - Light Industrial
MF-1 - Multi-Family 15	C-1 - Light Commercial	IN-2 - Heavy Industrial
MF-2 - Multi-Family 25	C-2 - Medium Commercial	PUD - Planned Unit Development
	ETJ	

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Adult day care		P	P					P	P		
Adult-oriented businesses									C/S	C/S	
Alcoholic beverage establishment					S	P	P	P	P		
Amusement (indoor)							C	C	C		
Amusement (outdoor)								C	C		
Antique shop					P	P	P	P	P		
Art studio or gallery		P	P		P	P	P	P	P	P	
Athletic facility	C	C	C								
Automobile repair (major)								C	C	C	C
Automobile repair (minor)							C	C	C	C	
Automobile sales and rental								C	C		
Automobile washing								C	C		
Brewery, micro								P	P	P	P
Brewery, regional									P	P	P
Brewpub						P	P	P	P		
Business support services					P	P	P	P	P		
Campground	S	S	S								
Cemetery	S	P	P								

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Child care center		P	P	P	P	P	P	P	P		
Club or lodge		P	P	P	P	P	P	P	P		
Commercial off-street parking						C	C	C	C		
Communication services or facilities				P			P	P	P	P	
Community garden	C	C	C		C	C	C				
Construction and equipment sales (major)									P	P	P
Construction and equipment sales (minor)							P	P	P	P	
Consumer repair services					P	P	P	P	P		
Contractor's shop								C	C	C	C
Data center				P					P	P	
Day camp	S	P	P								
Distillery, micro								P	P	P	P
Distillery, regional									P	P	P
Event center		P	P		C/S	C/S	C/S	P	P		
Financial services				C	C	C	C	C	C		
Financial services, alternative								C	C		
Florist					C	C	C	C	C		

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Food court establishment								C/S	C/S	C/S	
Food preparation						C	C	C	C	C	C
Food sales					C	C	C	C	C		
Funeral services		C	C		C	C	C	C	C	C	C
Game room							C/S	C/S	C/S		
Garden center							C	C	C		
Gasoline station (full service)								C/S	C		
Gasoline station (limited)					C/S		C/S	C/S	C		
General retail sales (convenience)				P	P	P	P	P	P		
General retail sales (general)					P	P	P	P	P		
Golf course/country club	S										
Governmental facilities	P	P	P	P	P	P	P	P	P	P	P
Hospital services		P	P	P							
Hotel					C/S	C	C	C	C		
Industrial use, light									P	P	
Industrial use, heavy											P
Kennel								C	C	C	
Laundry services								P	P	P	P

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Laundry services (self)					P	P	P	P	P		
Liquor sales					P	P	P	P	P		
Medical clinic		P	P	P	P	P					
Metal recycling entity											C
Mini-storage warehouse								C	C	C	
Offices, government	P	P	P	P	P	P	P	P	P	P	P
Offices, medical		P	P	P	P	P					
Offices, professional		P	P	P	P	P					
Offices, showroom									P	P	
Offices, warehouse									C	C	C
Off-site accessory parking		P	P	P		P	P	P	P	P	P
Pawnshop								C	C	C	
Personal improvement services					P	P	P	P	P		
Personal services					P	P	P	P	P		
Pet store					C	C	C	C	C		
Portable building sales									P	P	
Printing and publishing				C	C	C	C	C	C		

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Product development services (general)				P					P	P	
Product development services (hazard)											P
Recreational vehicle park								C/S	C/S		
Recreational vehicle sales, service, and rental								C	C	C	
Recycling operation (indoor)										P	P
Recycling operation (outdoor)											C
Religious assembly	P	P	P	P	P	P	P	P	P	P	P
Research services (general)				P					P	P	
Research services (hazard)											P
Restaurant				P	P	P	P	P	P		
Restaurant—Drive-in or drive-through							C	C	C		
School, boarding		P	P				P	P	P		
School, business or trade		P	P				P	P	P		
School, college or university		P	P					P	P		
School, private or parochial		P	P				P	P	P		
School, public		P	P				P	P	P		

Non-Residential Uses	Zoning Districts										
	OS	I-1	I-2	GO	NB	DB	C-1	C-2	C-3	IN-1	IN-2
Semi-permanent food establishment							C	C	C		
Shooting range, indoor									P	P	
Smoke shop or tobacco store							P	P	P		
Theater							P	P	P		
Transportation terminal								C	C	C	C
Truck and trailer sales and rental								C	C	C	
Truck stop or travel center									P	P	
Utility services, major			C							C	C
Utility services, minor	P	P	P	P	P	P	P	P	P	P	P
Vehicle storage facility									C	C	
Veterinary services, large								C	C		
Veterinary services, small					C	C	C	C	C		
Wireless transmission facilities (WTF), attached	C	C	C	C	C/S	C/S	C	C	C	C	C
Wireless transmission facilities (WTF) monopole	C/S	C/S	C/S	C/S			C/S	C/S	C/S	C/S	C/S
Wireless transmission facilities (WTF), stealth	C	C	C	C	C/S	C/S	C	C	C	C	C
Zoo, private								P	P		



Item 2.



## AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** February 2, 2022  
**PREPARED BY:** Scott Dunlop, Interim City Manager  
**DEPARTMENT:** Administration

### AGENDA ITEM DESCRIPTION:

Second and Final Reading: Consideration, discussion, and possible action on an ordinance rezoning 10.24 acres, more or less, out of the A.C. Caldwell Survey, Abstract 154, and being located near the intersection of Paseo de Presidente and Gunn Lane, Manor, TX from Single Family Suburban (SF-1) to Multi-Family 15 (MF-1).

*Applicant: Kimley-Horn and Associates, Inc.*

*Owner: Dywer Realty*

### BACKGROUND/SUMMARY:

This property was in the original Presidential Glen Development Agreement had stated an application would be made to rezone it to Commercial. The Development Agreement was recently amended by the City Council on 10/27/2021 to change it to Multi-Family, which permits them to make this rezoning request to MF-1. MF-1 permits up to 15 units per acre. It is a moderate density residential district that can serve as a buffer between single family uses and commercial uses.

P&Z recommended approval as Townhome (TH) 5-0

This item was denied by City Council, Vote 3-2 on 12/15/21 but brought back by a vote for reconsideration to postpone for the January 5<sup>th</sup> Council meeting. Per Applicant's request item was postponed at the January 5<sup>th</sup> Council meeting to allow additional time to engage with the neighborhood.

Approved on first by City Council for Townhome (TH) zoning

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

- Ordinance No. 637
- Letter of Intent
- Map

### STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council approve the second and final reading of Ordinance No. 637 rezoning 10.24 acres, more or less, out of the A.C. Caldwell Survey, Abstract 154, and being located near the intersection of Paseo de Presidente and Gunn Lane, Manor, TX from Single Family Suburban (SF-1) to Townhome (TH).

<b>PLANNING &amp; ZONING COMMISSION:</b>	<b>Recommend Approval</b> <b>X – as Townhome (TH)</b>	<b>Disapproval</b>	<b>None</b>
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**ORDINANCE NO. 637****AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM SINGLE FAMILY SUBURBAN (SF-1) TO TOWNHOME (TH); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the owner of the property described hereinafter (the "Property") has requested that the Property be rezoned;

**WHEREAS**, after giving ten days written notice to the owners of land within three hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

**WHEREAS**, after publishing notice of the public at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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

**SECTION 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**SECTION 2. Amendment of Ordinance.** City of Manor Code of Ordinances Chapter 14 Zoning Ordinance ("Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

**SECTION 3. Rezoned Property.** The Zoning Ordinance is hereby amended by changing the zoning district for the land and parcel of property described in Exhibit "A" (the "Property"), from the zoning district Single Family Suburban (SF-1) to zoning district Townhome (TH). The Property is accordingly hereby rezoned to Townhome (TH).

**SECTION 4. Open Meetings.** That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Texas Gov't. Code.

**ORDINANCE NO. 637**

**Page 2**

**PASSED AND APPROVED FIRST READING** on this the 19<sup>th</sup> day of January 2022.

**PASSED AND APPROVED SECOND AND FINAL READING** on this the 2<sup>nd</sup> day of February 2022.

**THE CITY OF MANOR, TEXAS**

\_\_\_\_\_  
Dr. Christopher Harvey,  
Mayor

**ATTEST:**

\_\_\_\_\_  
Lluvia T. Almaraz, TRMC  
City Secretary



**EXHIBIT "A"**

## Property Legal Description:

**FIELD NOTES FOR A 10.24 ACRE TRACT OF LAND**

A **10.24 acre** tract of land, located in the A. C. Caldwell Survey, Abstract No. 154, Travis County, Texas, being all of a called 10.4591 acre tract of land, described as Tract 2, in Document No. 2016071831, of the Official Public Records of Travis County, Texas. Said **10.24 acre** tract being more particularly described by metes and bounds as follows:

**BEGINNING** at a found 1/2" iron rod with a plastic cap stamped "Pape Dawson" in the southeast line of Presidential Glen, Phase 4B, being a subdivision of record in Document No. 201600213, of the Official Public records of Travis County, Texas, for the west corner of Presidential Glen, Phase 5, being a subdivision of record in Document No. 201700147, of the Official Public Records of Travis County, Texas, and the north corner of said 10.4591 acre tract;

**THENCE: S 33° 43' 12" E**, with the common line between said Presidential Glen, Phase 5 and said 10.4591 acre tract, a distance of **242.37 feet**, to a found 1/2" iron rod with a plastic cap stamped "Pape Dawson" for the most northerly southwest corner of said Presidential Glen, Phase 5 and the northeast corner of said 10.4591 acre tract;

**THENCE: S 27° 40' 35" W**, with the common line between said Presidential Glen, Phase 5 and said 10.4591 acre tract, passing at 47.11 feet, a found 1/2" iron rod with a plastic cap stamped "Pape Dawson" for the most southerly southwest corner of said Presidential Glen, Phase 5 and the northwest corner of Gunn Lane, a variable width right-of-way, described as Manor and Elgin Road, in Commissioner Road Book, Volume 1, Page 82-83, of Travis County, Texas, from which a found 1/2" iron rod with a plastic cap stamped "Bury & Partners" bears S 77° 37' 20" E, a distance of 1127.90 feet, for the southeast corner of said Presidential Glen, Phase 5 and continuing with the common line between said Gunn Lane and said 10.4591 acre tract, a total distance of **887.78 feet**, to a found 1/2" iron rod, in the north right-of-way line of Gunn Lane, as shown on Presidential Glen, Phase 1A, being a subdivision of record in Document No. 200700238, of the Official Public records of Travis County, Texas, for the northeast corner of said Presidential Glen, Phase 1A, from which a found 1/2" iron rod with a plastic cap stamped "Bury & Partners" bears S 27° 40' 35" W, a distance of 523.93 feet, for the southeast corner of Lot 4, Block KK, of said Presidential Glen, Phase 1A;

**THENCE:** With the common line between said Presidential Glen, Phase 1A, and said 10.4591 acre tract, the following seven (7) courses:

1. **N 89° 03' 14" W**, with the north right-of-way line of said Gunn Lane, a distance of **235.48 feet**, to a found 1/2" iron rod with a plastic cap stamped "Bury & Partners" for a point of curve,
2. With a tangent curve to the right having a radius of **15.00 feet**, an arc length of **22.55 feet**, a delta angle of **86° 08' 02"** and a chord that bears, **N 45° 59' 14" W**, a distance of **20.49 feet** to a found 1/2" iron rod with a plastic cap stamped "Bury & Partners" in the east right-of-way line of Paseo De Presidente Boulevard, as shown on said Presidential Glen, Phase 1A, for a tangent corner,
3. With the east right-of-way line of said Paseo De Presidente Boulevard, being a tangent curve to the left having a radius of **495.00 feet**, an arc length of **304.32 feet**, a delta angle of **35° 13' 29"**

- and a chord that bears, **N 20° 31' 57" W**, a distance of **299.55 feet** to a found 1/2" iron rod with a plastic cap stamped "Bury & Partners" for a tangent corner,
4. With a tangent curve to the right having a radius of **15.00 feet**, an arc length of **23.63 feet**, a delta angle of **90° 15' 11"** and a chord that bears, **N 7° 25' 24" E**, a distance of **21.26 feet** to a found 1/2" iron rod with a plastic cap stamped "Bury & Partners" for a non-tangent corner,
  5. **N 49° 24' 52" W**, a distance of **51.32 feet**, to a found 1/2" iron rod with a plastic cap stamped "Bury & Partners" for a corner,
  6. With a non-tangent curve to the right having a radius of **15.00 feet**, an arc length of **23.21 feet**, a delta angle of **88° 39' 57"** and a chord that bears, **N 82° 02' 10" W**, a distance of **20.96 feet** to a found 1/2" iron rod with a plastic cap stamped "Bury & Partners" for a tangent corner, and
  7. **N 37° 42' 11" W**, a distance of **141.03 feet**, to a set mag nail with washer stamped "Matkin Hoover Eng. & Svy." in the southeast line of Presidential Glen, Phase 4A, being a subdivision of record in Document No. 201500085, of the Official Public Records of Travis County, Texas, for the northwest corner of said 10.4591 acre tract, from which a found cut-cross in concrete, bears **S 53° 36' 38" W**, a distance of 2.32 feet, for the south corner of said Presidential Glen, Phase 4A;

**THENCE:** With the common line between said Presidential Glen, Phase 4A, said Presidential Glen, Phase 4B, and said 10.4591 acre tract, the following two (2) courses:

1. **N 53° 36' 38" E**, a distance of **30.58 feet**, to a set 1/2" iron rod with a red plastic cap stamped "Matkin Hoover Eng. & Survey" for corner, and
2. **N 56° 15' 38" E**, a distance of **903.92 feet**, to the **POINT OF BEGINNING** and containing **10.24 acres** of land situated in Travis County, Texas.

Note: The basis of bearing was established using the Trimble VRS Network, NAD (83), Texas State Plane Coordinate System, Central Zone, 4203, US Survey Foot, Grid. A survey plat was prepared by a separate document. Field work completed on February 8, 2021.



Job # 21-5007 10.24 Acres

Date: February 9, 2021



July 26, 2021

Mr. Scott Dunlop  
City of Manor  
Planning Department  
105 E. Eggleston St.  
Manor, TX 78653

*Via Electronic Submittal*

Re: Application for Rezoning; ±10.46 acres located east of Paseo De Presidente Blvd, south of WT Gallaway St, and north of Gunn Ln, Manor, TX 78653 (the "Property")

Dear Mr. Dunlop:

As representatives of the owner of the above stated Property we respectfully submit the attached application for rezoning. The Property is located of Paseo De Presidente Blvd, south of WT Gallaway St, and north of Gunn Ln, Manor, TX 78653 (see Location Map attached) and is currently zoned Single Family Residential (R-1). The proposed zoning is Multifamily 15 (MF-1). The purpose of the rezoning is to allow for transitional housing proposed between the residential zoning to the north and the commercial zoning to the south of the site.

This request is consistent with the Third Amendment of the Development Agreement for the Presidential Glen Subdivision, Subsection 8 (Zoning Applications), which requires the rezoning from R-1 to MF-1.

Surrounding zoning is commercial to the south and residential to the north, east and west. Surrounding land uses include single family residential to north and west, and undeveloped land to the south and east.

If you have any questions about this application for rezoning or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.



Amanda Couch Brown





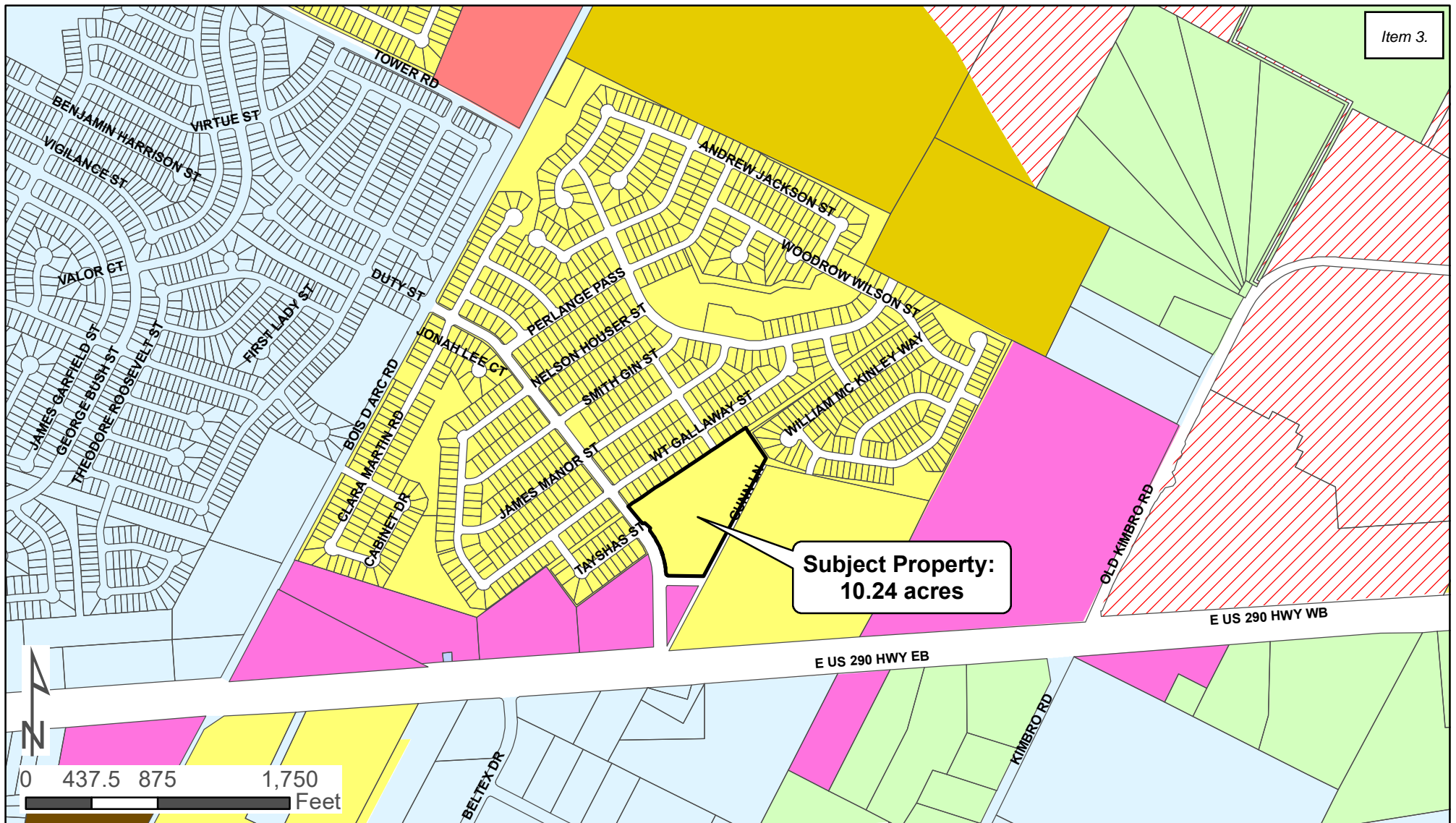
PASEO DE PRESIDENTE BLVD  
REZONING  
CITY OF MANOR  
TRAVIS COUNTY, TEXAS

### SITE LOCATION MAP

**Kimley»Horn**

10814 Jollyville Road  
Austin, Texas 78759





## Proposed Zoning: Multi-Family 15 (MF-1)

*Current Zoning:  
Single Family Suburban (SF-1)*



## AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** February 2, 2022  
**PREPARED BY:** Scott Dunlop, Interim City Manager  
**DEPARTMENT:** Administration

### AGENDA ITEM DESCRIPTION:

First Reading: Consideration, discussion, and possible action on an ordinance rezoning 8.57 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract No. 315 and the Calvin Barker Survey No. 38, Abstract No. 58, and being located at 12920 Old Highway 20, Manor, TX from Agricultural (A) to Neighborhood Business (NB) and Townhome (TH).

*Applicant: Rao's Consulting Engineers, LLC*

*Owner: Sampsg Properties, LLC*

### BACKGROUND/SUMMARY:

This property was voluntarily annexed in April 2017. 1.68 acres of the 10 acres was zoned Neighborhood Business (NB) in May 2017. This zoning request is to increase the Neighborhood Business area to 3.41 acres and rezone the remaining 6.59 to Townhome (TH) residential. Townhome zoning permits up to 12 units per acre, which would be 79 units, but they've indicated constructed at 10 units per acre which would be 66 units. Townhome units are 3-6 attached units and can either be constructed with single lots with 1 unit or as part of a common lot development with private roads, like how multi-family apartment complexes are constructed.

Neighborhood Business permits retail, restaurant and office uses as well as residential above or behind the commercial in the same structure. The unit density in Neighborhood Business is 10 units per acre.

P&Z recommended denial 5-0

This item was postponed at the December 15, 2021, regular council meeting to give the opportunity for the developer to meet with Bell Farms HOA to discuss development options.

This item was postponed at the request of the Developer at the January 19<sup>th</sup> meeting to allow further discussion with the neighbors

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

- Ordinance
- Letter of Intent
- NB Land Uses
- Location Map

### STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council approve the first reading of an ordinance rezoning 8.57 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract No. 315 and the Calvin Barker Survey No. 38, Abstract No. 58, and being located at 12920 Old Highway 20, Manor, TX from Agricultural (A) to Neighborhood Business (NB) and Townhome (TH).

<b>PLANNING &amp; ZONING</b>	<b>Recommend Approval</b>	<b>Disapproval</b>	<b>None</b>
<b>COMMISSION:</b>		<b>X</b>	

**ORDINANCE NO. \_\_\_\_\_****AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM AGRICULTURAL (A) TO NEIGHBORHOOD BUSINESS (NB) AND TOWNHOME (TH); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the owner of the property described hereinafter (the "Property") has requested that the Property be rezoned;

**WHEREAS**, after giving ten days written notice to the owners of land within three hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed rezoning and forwarded its recommendation on the rezoning to the City Council;

**WHEREAS**, after publishing notice of the public at least fifteen days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a substantial change in circumstances of the Property, sufficient to warrant a change in the zoning of the Property, has transpired;

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

**SECTION 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**SECTION 2. Amendment of Ordinance.** City of Manor Code of Ordinances Chapter 14 Zoning Ordinance ("Zoning Ordinance" or "Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3.

**SECTION 3. Rezoned Property.** The Zoning Ordinance is hereby amended by changing the zoning district for the land and parcel of property described in Exhibits "A-1" and "A-2" (the "Property"), from the zoning district Agricultural (A) to zoning districts Neighborhood Business (NB) and Townhome (TH). The Property is accordingly hereby rezoned to Neighborhood Business (NB) and Townhome (TH).

**SECTION 4. Open Meetings.** That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Texas Gov't. Code.

**ORDINANCE NO.**

**Page 2**

**PASSED AND APPROVED FIRST READING** on this the 2<sup>nd</sup> day of February 2022.

**PASSED AND APPROVED SECOND AND FINAL READING** on this the \_\_\_\_ day of \_\_\_\_\_  
2022.

**THE CITY OF MANOR, TEXAS**

\_\_\_\_\_  
Dr. Christopher Harvey,  
Mayor

**ATTEST:**

\_\_\_\_\_  
Lluvia T. Almaraz, TRMC  
City Secretary



**EXHIBIT "A-1"**  
**Neighborhood Business Zone**

Property Legal Description:

BEING 5.57 ACRES OF LAND, OUT OF THE GREENBURY GATES SURVEY NUMBER 63, ABSTRACT NUMBER 315, AND THE CALVIN BARKER SURVEY NUMBER 38, ABSTRACT NUMBER 58, BOTH OF TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN SAMPSG PROPERTIES, LLC 10.00 ACRE TRACT, RECORDED IN DOCUMENT NUMBER 2021024032, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 5.57 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod found in the northerly right-of-way line of Old Highway 20, in the westerly line of Lot 1, Block C, Bell Farms, Phase Three, a subdivision in Travis County, Texas, recorded in Document Number 201400093, Official Public Records, Travis County, Texas, same being the southeast corner of said 10.00 Acre tract, for the southeast corner hereof;


THENCE North 70 degrees 30 minutes 01 seconds West, along said right-of-way line and the southerly line of said 10.00 Acre tract, 418.00 feet to a iron rod set, in said line, at the southeast corner of Lot 1, Block C, Bell Farms, Phase One-A, a subdivision in Travis County, Texas, recorded in Document Number 200500049, Official Public Records, Travis County, Texas, same being the southwest corner of said 10.00 Acre Tract, for the southwest corner hereof;

THENCE North 29 degrees 03 minutes 40 seconds East, along the easterly line of said Lot 1, Block C, Bell Farms, Phase One-A, along the westerly line of said 10.00 Acre tract, 624.29 feet to an iron rod set, in said line, for the northwest corner hereof;

THENCE South 60 degrees 41 minutes 33 seconds East, through said 10.00 Acre tract, 412.20 feet to an iron rod set, in the westerly right-of-way line of Tinker Street, same being in the easterly line of said 10.00 Acre Tract, for the northeast corner hereof;

THENCE South 29 degrees 03 minutes 40 seconds West, continuing along the westerly right-of-way line of said Tinker Street, along the westerly line of said Lot 1, Block C, Bell Farms, Phase Three, along the easterly line of said 10.00 Acre tract, 553.09 feet to the POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT), ONLY.

  
 EDWARD RUMSEY  
 TX R.P.L.S. No. 5729  
 Job No. A1006721

10/25/2021  
 Date





## EXHIBIT "A-2"

### Townhome Zone

#### Property Legal Description:

BEING 4.43 ACRES OF LAND, OUT OF THE GREENBURY GATES SURVEY NUMBER 63, ABSTRACT NUMBER 315, AND THE CALVIN BARKER SURVEY NUMBER 38, ABSTRACT NUMBER 58, BOTH OF TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN SAMPSG PROPERTIES, LLC 10.00 ACRE TRACT, RECORDED IN DOCUMENT NUMBER 2021024032, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 4.43 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod set, in the westerly right-of-way line of Tinker Street, same being in the easterly line of said 10.00 Acre Tract, for the southeast corner hereof;

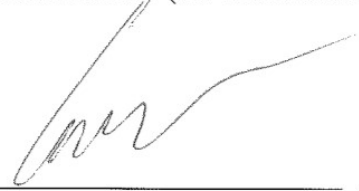
THENCE North 60 degrees 41 minutes 33 seconds West, through said 10.00 Acre Tract, 412.20 feet to an iron rod set, in the easterly line of Lot 1, Block C, Bell Farms, Phase One-A, a subdivision in Travis County, Texas, recorded in Document Number 200500049, Official Public Records, Travis County, Texas, same being in the westerly line of said 10.00 Acre Tract, for the southwest corner hereof;

THENCE North 29 degrees 03 minutes 40 seconds East, along the easterly line of said Lot 1, Block C, along the westerly line of said 10.00 Acre Tract, 467.41 feet to an iron rod set, in said line, same being the northwest corner of said 10.00 Acre Tract, for the northwest corner hereof;

THENCE South 60 degrees 51 minutes 41 seconds East, continuing along the easterly line of said Lot 1, Block C, along the northerly line of said 10.00 Acre Tract, 412.19 feet to an iron rod found, in said line, in the westerly line of Lot 78, Block C, Bell Farms, Phase Three, a subdivision recorded in Document Number 201400093, Official Public Records, Travis County, Texas, same being the northeast corner of said 10.00 Acre Tract, for the northeast corner hereof;

THENCE South 29 degrees 03 minutes 40 seconds West, along the westerly line of said Lot 78, Block C, along the easterly line of said 10.00 Acre Tract, along the westerly right-of-way line of said Tinker Street, 468.63 feet to the POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT), ONLY.

  
EDWARD RUMSEY  
TX R.P.L.S. No. 5729  
Job No. A1006721

10/25/2021  
Date









# RAO'S CONSULTING ENGINEERS

TBPE Registered Engineering Firm No. F-17655

210.549.7557 512.856.4595 [www.raosengineering.com](http://www.raosengineering.com)

P.O.BOX NO: 592991,

SAN ANTONIO, TX 78258

*Land Development | Water Resources | Environmental | Transportation*

Item 4.

September 15, 2021

City of Manor  
Development Services Department  
Attn: Mr. Scott Dunlop, Director  
105 E. Eggleston Street  
Manor, Texas 78653

Re: **Hwy 20 Development - Rezoning**  
Letter of Intent

**Dear Mr. Dunlop,**

The subject property 10.0 acres located at 12920 Old Hwy 20 is currently zoned as agricultural (AG). Requesting rezone, the property to Neighborhood Commercial (NB) and Townhomes (TH) in the back. The front 3.41- acres will be rezoned as NB with Low Density Apartments and back 6.59 acres will be rezoned as TH.

**Physical and Natural Features:**

The subject site is currently undeveloped. The landscape is predominately flat without any significant trees through the 10.0-acre tract. The site has approximately 418-ft frontage onto Old Highway 20.

**Future Land Use Map:**

The Future Land Use category for the site is Mixed Density NH. This category comprises of commercial and low-density multi-family, with housing types including small-lot detached and attached single-family dwellings (such as townhomes).

**Surrounding Properties:**

The property has a residential property on north, east and west side, Old Highway 20 along south boundary of the property.

**Proposed zoning:**

We are requesting rezone the front 3.41- acres will be rezoned as NB and back 6.59 acres will be rezoned as TH.

The neighborhood business districts (NB) is intended as a low-intensity mix of commercial and residential uses, excluding single-family residential and manufactured home residential, and being located at or near single-family and multifamily residential development and along a primary collector or greater roadway. Building scale and site development should be cohesive with adjacent residential. This district can serve as a transition to more intense commercial uses.

The townhome district (TH) is intended to establish and preserve areas of medium intensity land use devoted to moderate density residential development with up to 12 units per acre allowed. However, we are requesting only 10 units per acre. This district often provides a transition between lower intensity residential uses and more intensive uses. Townhouses may be developed in either a common-lot or single-lot configuration. The TH District is appropriate in areas designated on the Future Land Use Plan as the mixed-use categories and may be appropriate in the moderate density residential area based on location, surrounding uses, and infrastructure impacts. The TH District is appropriate adjacent to both residential and non-residential districts and may serve as a transition between single-family districts and more intense multifamily or commercial districts.

The property does not have any delinquent taxes. Existing zoning map has been attached.

*If you have any questions or need any additional information, please call me at 210-549-7550*

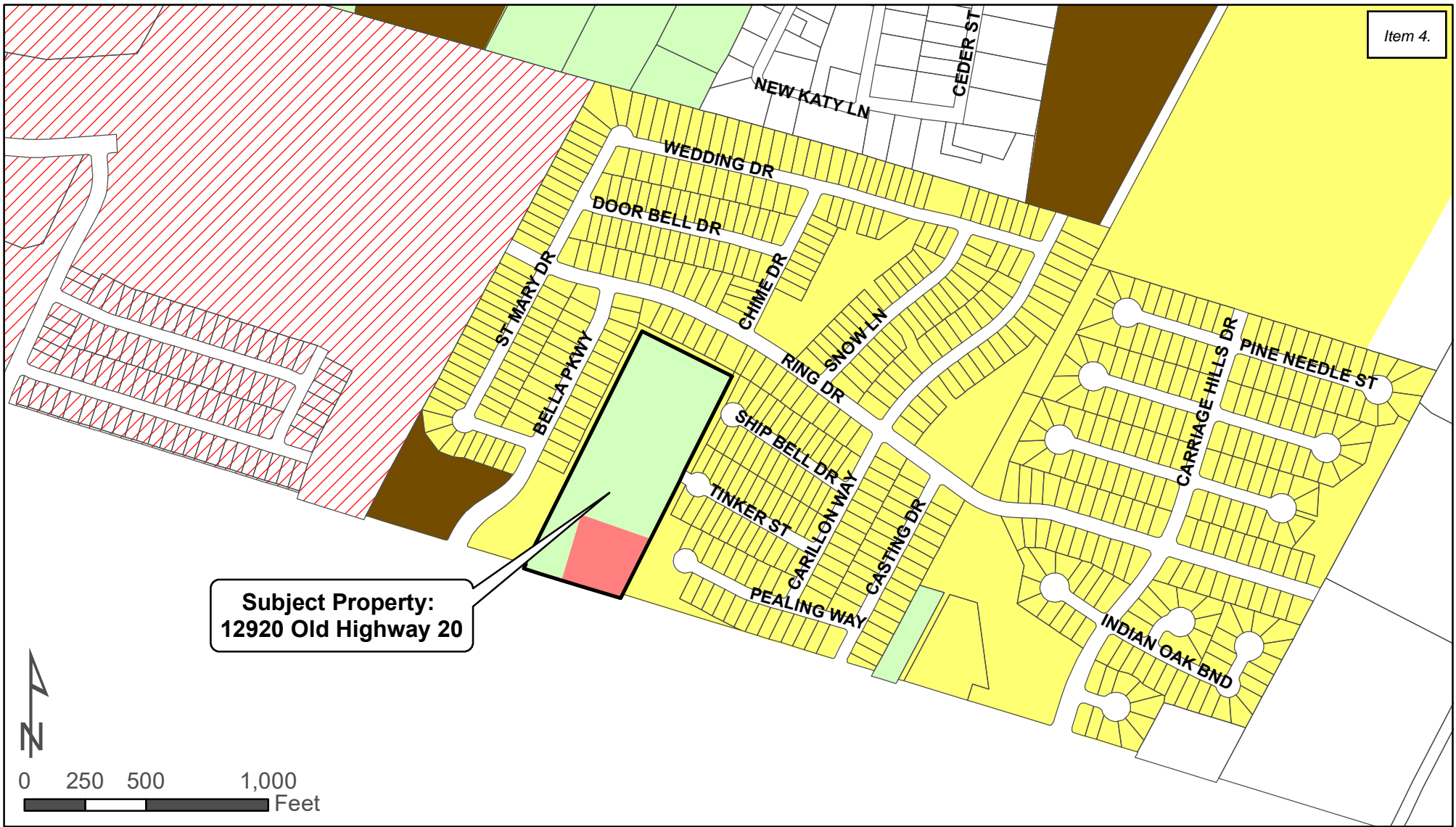
Respectfully,

Rao's Consulting Engineers, LLC.

Texas Board of Professional Engineers Firm Registration #17655

**Rao Vasamsetti, P.E.**

Principal



**Proposed Zoning:**  
**Neighborhood Business (NB)**  
**Townhome (TH)**

**Current Zoning:**  
**Agricultural (A)**

**Zone**

A - Agricultural	MH-1 - Manufactured Home	C-3 - Heavy Commercial
SF-1 - Single Family Suburban	I-1 - Institutional Small	NB - Neighborhood Business
SF-2 - Single Family Standard	I-2 - Institutional Large	DB - Downtown Business
TF	GO - General Office	IN-1 - Light Industrial
MF-1 - Multi-Family 15	C-1 - Light Commercial	IN-2 - Heavy Industrial
MF-2 - Multi-Family 25	C-2 - Medium Commercial	PUD - Planned Development



## AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** February 2, 2022  
**PREPARED BY:** Samuel D. Kiger, P.E.  
**DEPARTMENT:** City Engineer

### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Purchase Contract with Eternal Faith Baptist Church for a utility easement with temporary construction easement.

### BACKGROUND/SUMMARY:

The 20' utility easement and 30' temporary construction easement are required for the construction of the FM 973 12" Water Main (Capital Improvements Project W-15). The city is agreeing to \$56,219 monetary compensation for the easements.

The expenditure is based on an actual appraisal prepared for the City by a third party.

**LEGAL REVIEW:** Yes, Completed  
**FISCAL IMPACT:** Yes, Compensation comes from CIP Funds  
**PRESENTATION:** No  
**ATTACHMENTS:** Yes

- *Purchase Contract*

### STAFF RECOMMENDATION:

It is the City Staff's recommendation that the City Council approve the purchase contract with Eternal Faith Baptist Church for a utility easement with temporary construction easement.

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



## CITY OF MANOR PURCHASE CONTRACT

THE STATE OF TEXAS

COUNTY OF TRAVIS

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

All that certain tract, piece or parcel of land, lying and being situated in the County of Travis, State of Texas, described in **EXHIBIT "A"** and depicted on **EXHIBIT "B"**, respectively, attached hereto and made apart hereof for all purposes, to which reference is hereby made for a more particular description of said property.

**TOTAL PRICE: \$56,219.00** shall be paid by the City for the easement property rights to such property, and for which no lien or encumbrance expressed or implied, is retained.

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

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

Owner and the City will finalize the transaction by closing on or before thirty (30) days after the City is tendered an original release or subordination of any liens, which date is hereinafter referred to as the closing date. This date may be extended upon agreement by the Owner and City. Should the closing documents not be ready or any other incident which reasonably delays the closing, the parties shall close at the first available date for closing.

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

The City agrees to prepare the Utility Easement for the above-described property at no expense to the Owner.

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

This agreement supersedes any and all other agreements, either oral or in writing, between the Owner and the City hereto with respect to said matter. The parties have agreed to additional provisions attached as **EXHIBIT "D"**.

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

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

**TO BE EFFECTIVE ON THE LAST DATE INDICATED BELOW:**

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

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Dr. Larry Wallace, Jr., Mayor  
Christopher Harvey  
et al

**SELLERS:**

**ETERNAL FAITH BAPTIST CHURCH,  
a Texas non-profit corporation**

Date: December 16, 2021

By: Stan Voelke

Name: Stan Voelke

Title: Trustee

Project: FM 973 Waterline CIP 5-15  
Parcel No.: 5  
TCAD No.: 526037

**JOINDER BY TENANT**

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

EXECUTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Print Leaseholder's Name

By: \_\_\_\_\_  
(Signature)

Print Name:

\_\_\_\_\_

Address:

\_\_\_\_\_

\_\_\_\_\_

Phone No.: (\_\_\_\_\_) \_\_\_\_\_

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

Stan Vaellen  
Seller

12-16-21  
Date

**EXHIBIT "A"**

**DESCRIPTION FOR A 20' UTILITY EASEMENT  
ETERNAL FAITH BAPTIST CHURCH**

A CENTERLINE DESCRIPTION FOR A TWENTY FOOT (20') WIDE UTILITY EASEMENT LOCATED IN THE CALVIN BAKER SURVEY NO. 38, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 7.269 ACRE TRACT OF LAND, DESCRIBED IN VOLUME 6632, PAGE 1463, DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.TX.), SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** at a 5/8-inch iron rod found at the southwest corner of that certain 5.00 acre tract described in Volume 5985, Page 172 of said Deed Records, also being on the North Right-of-Way of F.M. 973;

**THENCE** South 85°49'26" East, along the South line of said 5.00 acre tract, also being along said North Right-of-Way, a distance of 299.76 feet to a calculated point at the Southeast corner of said 5.00 acre parcel, same being Southwest corner of said 7.269 acre parcel;

**THENCE** continue South 85°49'26" East, along the South line of said 7.269 acre parcel, also being said North Right-of-Way line, a distance of 10.01 to a calculated point for the **POINT OF BEGINNING** of the easement described herein;

**THENCE** North 06°57'50" East, along a line parallel to and 10.00 feet East of the West line of said 7.269 acre tract, a distance of 743.22 feet to a calculated point;

**THENCE** South 85°54'52" East, along a line parallel to and 10.00 feet South of the North line of said 7.269 acre tract, a distance of 555.19 feet to a calculated point, for the **POINT OF TERMINATION** of the centerline described herein, said point being on the East line of said 7.269 acre tract and also being the West Right-of-Way line of F.M. 973, from which a 1/2-inch iron rod found at the Northeast corner of said 7.269 acre parcel, same being the Southeast corner of a called 82.254 acre parcel, described in Volume 11208, page 824, D.R.T.C.TX.; bears North 28°00'43" East, a distance of 10.94 feet.

Described centerline being a total distance of 1,289.41 feet.  
Utility easement area of 0.60 acres (25,968 square feet)  
Temporary construction easement area of 0.85 acres (37,156 square feet).

## TEMPORARY CONSTRUCTION EASEMENT

Being an additional thirty feet (30') wide strip of land to be used during the construction of the waterline. The 30 foot wide strip of land will be parallel to and coincident with the above described 20 foot utility easement as shown on Exhibit "B".

This property description is accompanied by a separate plat of even date.

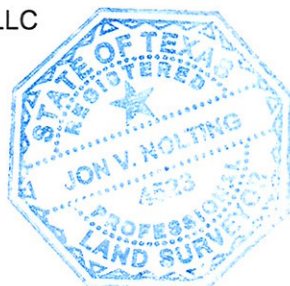
Bearing Basis: All bearings referenced herein are grid bearings and are based on Texas State Plane Coordinate System, Central Zone (4203), NAD83. All distances are represented in grid values, measured in U.S. survey feet, and are based on said horizontal datum.

THE STATE OF TEXAS                   §  
  §                   KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF TRAVIS   §

That I, Jon V. Nolting, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on the date shown below.

**SURVEYING AND MAPPING, LLC**  
4801 Southwest Pkwy  
Building Two, Suite 100  
Austin, Texas 78735  
TX. Firm No. 10064300



Jon V. Nolting  
Registered Professional Land Surveyor  
No. 4523 – State of Texas

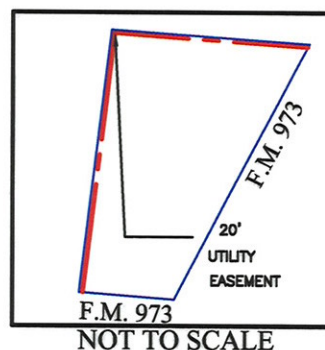




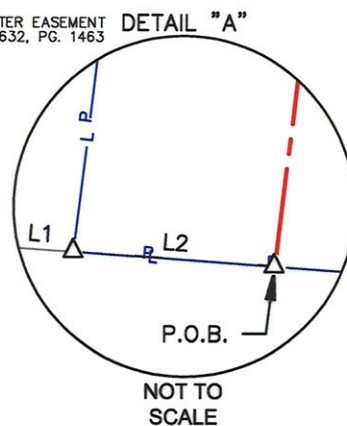
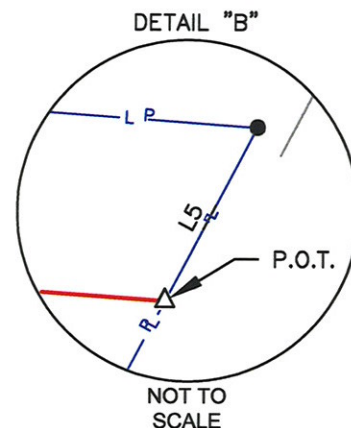
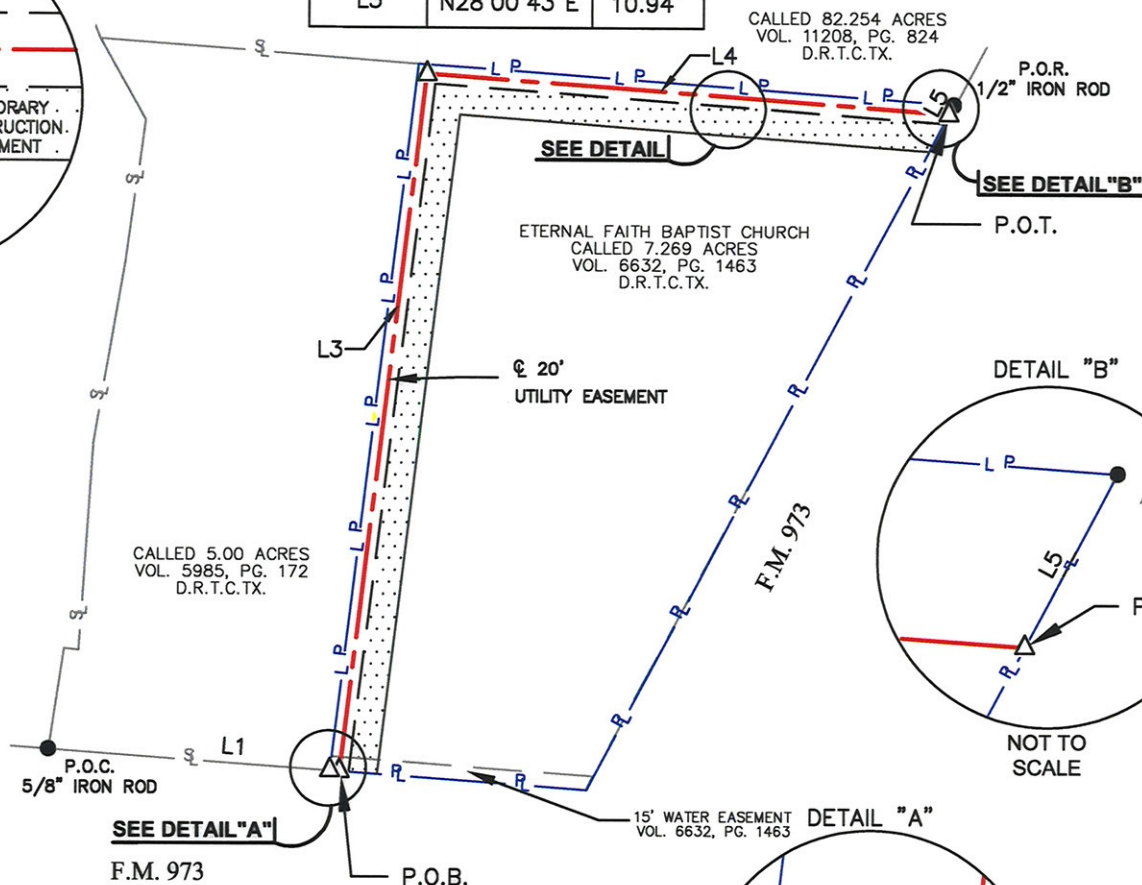
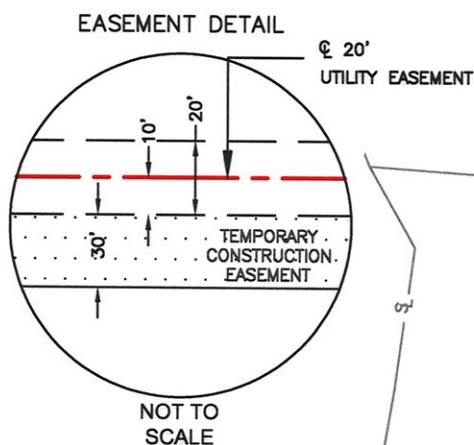
TRAVIS COUNTY  
CALVIN BARKER SURVEY  
NO. 38

# PLAT OF UTILITY EASEMENT EXHIBIT "B" TRAVIS COUNTY, TEXAS

EASEMENT CENTERLINE LENGTH  
1,298.41'  
UTILITY EASEMENT AREA  
0.60 ACRE (25,968 SQUARE FEET)  
TEMPORARY CONSTRUCTION EASEMENT  
AREA  
0.85 ACRE (37,156 SQUARE FEET)



LINE TABLE		
NUMBER	DIRECTION	LENGTH
L1	S85°49'26"E	299.76'
L2	S85°49'26"E	10.01'
L3	N06°57'50"E	743.22'
L4	S85°54'52"E	555.19'
L5	N28°00'43"E	10.94'



## NOTES:

- ALL BEARINGS ARE GRID BEARINGS AND ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (4203), NAD83. ALL DISTANCES ARE REPRESENTED IN GRID VALUES, MEASURED IN U.S. SURVEY FEET, AND ARE BASED ON SAID HORIZONTAL DATUM.
- RECORD INFORMATION SHOWN HEREON IS BASED UPON A PUBLIC RECORDS SEARCH PERFORMED BY SAM, LLC.
- FOR ADDITIONAL INFORMATION, SEE ATTACHED LEGAL DESCRIPTION (EXHIBIT "A") MADE IN CONJUNCTION WITH AND CONSIDERED AN INTEGRAL PART OF THIS PLAT OF EASEMENT.
- THIS EASEMENT PLAT AND THE ATTACHED DESCRIPTION WERE PREPARED FOR THE PURPOSES OF CREATING AN EASEMENT AND ARE NOT INTENDED FOR USE AS A PROPERTY BOUNDARY SURVEY.

## LEGEND

- L — P — PARCEL LIMITS
- S — L — APPROXIMATE SURVEY LINE
- ADJOINER PROPERTY
- CENTERLINE OF 20' WIDE UTILITY EASEMENT
- IRON ROD FOUND (AS NOTED)
- CALCULATED POINT
- △ POINT OF BEGINNING
- △ POINT OF TERMINATION
- △ POINT OF COMMENCEMENT
- △ POINT OF REFERENCE
- △ DEED RECORDS, TRAVIS COUNTY, TEXAS
- △ OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
- △ 20' WIDE UTILITY EASEMENT
- △ 30' WIDE TEMPORARY WORKSPACE

JON V. NOLTING DATE  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 4523 - STATE OF TEXAS



REVIEWED BY:

JOB NUMBER: 1021060329  
DATE: 7/23/2021  
SCALE: 1"=200'  
SURVEYOR: JON V. NOLTING  
TECHNICIAN: L. GALAN  
DRAWING: TRACT 5, FN 48918  
TRACT ID: 5  
PARTY CHIEF:  
FIELD BOOKS:



4801 Southwest Parkway  
Building Two, Suite 100  
Austin, Texas 78735  
Ofc: 512.447.0575  
Fax: 512.326.3029  
email: Info@sam.biz

Texas Firm Registration No. 10064300

PROJECT: MANOR\_F.M. 973\_WATERLINE

SHEET 2  
OF 2

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

**COPY**

**UTILITY EASEMENT**

DATE: \_\_\_\_\_, 2021

GRANTOR: **Eternal Faith Baptist Church, a Texas non-profit corporation**

GRANTOR'S MAILING ADDRESS (including County):  
**12720 FM 973, Manor, Travis County, Texas 78653-5151**

GRANTEE: **CITY OF MANOR**

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

LIENHOLDER: \_\_\_\_\_

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

**PROPERTY:**

A twenty foot (20') wide utility easement, containing 0.60 acres, more or less, located in Travis County, Texas, said easement being more fully described in Exhibit "A" and as depicted in Exhibit "B", attached hereto and made a part hereof for all purposes.

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

COPY

This Utility Easement is subject to the following covenants:

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

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

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

A thirty foot (30') wide temporary construction easement containing 0.85 acres as described in Exhibit "A" and as depicted in Exhibit "B" attached hereto and incorporated herein for all purposes.

(hereinafter the "PROPERTY"), together with the right and privilege at any and all times, while this temporary construction easement shall remain in effect, to enter the PROPERTY, or any part thereof, for the purpose of making soils tests, and designing and constructing the Facilities, and making connections therewith; and provided further that, upon the completion and acceptance by GRANTEE of the Facilities this Temporary Work Easement shall terminate and expire.

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

COPY

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

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

**GRANTOR:**

**ETERNAL FAITH BAPTIST CHURCH,  
a Texas non-profit corporation**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**STATE OF TEXAS           §**

**COUNTY OF TRAVIS       §**

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2021,  
by \_\_\_\_\_, as \_\_\_\_\_ of Eternal Faith Baptist Church,  
a Texas non-profit corporation, in the capacity and on behalf of said corporation, for the  
purposes and consideration recited herein.

\_\_\_\_\_  
Notary Public, State of Texas  
My commission expires: \_\_\_\_\_

**ACCEPTED:**

**GRANTEE: City of Manor, Texas:**

\_\_\_\_\_  
By: Dr. Larry Wallace, Jr., Mayor



STATE OF TEXAS           §

COUNTY OF TRAVIS   §

COPY

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

\_\_\_\_\_  
Notary Public, State of Texas

My commission expires: \_\_\_\_\_

COPY

**Project Name: FM 973 Waterline CIP 5-15**
**Parcel No. 5**
**TCAD No. 526037**
**AFTER RECORDING RETURN TO:**

City of Manor

105 E. Eggleston

Manor, Texas 78653

COPY

**CONSENT OF LIENHOLDER**

**THE UNDERSIGNED**, being the holder of a lien on the property of which the Utility Easement is a part, pursuant to the Deed of Trust, Security – Financing Statement dated April 27, 2018, recorded in Document No. 2018064279 and Extension of Real Estate Note and Lien dated May 10, 2019, recorded in Document No. 2019073384 of the Official Public Records of Travis County, Texas, hereby consents to the foregoing Utility Easement and agrees that its lien is subject and subordinate to the Utility Easement, and that the undersigned has authority to execute and deliver this Consent of Lienholder, and that all necessary acts necessary to bind the undersigned lienholder have been taken.

**NAME OF LIENHOLDER:**

**Frontier Bank of Texas**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**ACKNOWLEDGEMENT**

STATE OF \_\_\_\_\_ §

COUNTY OF \_\_\_\_\_ §

**THIS INSTRUMENT** was acknowledged before me on \_\_\_\_\_, 2021, by \_\_\_\_\_ (name), \_\_\_\_\_ (title) of \_\_\_\_\_ (bank name) on behalf of said \_\_\_\_\_.

\_\_\_\_\_  
Notary Public - State of Indiana

Project Name: FM 973 Waterline - CIP 5-15  
Parcel No. 5  
TCAD No. 526037

**AFTER RECORDING RETURN TO:**

City of Manor  
105 E. Eggleston  
Manor, Texas 78653

**EXHIBIT "D"**

The Owner and the City (collectively "the Parties") agree to the following special provisions:

1. The City's contractor will install a 2-inch water tap as part of the FM 973 Water Line CIP 5-15 project at no cost to Owner.
2. The City agrees to install the proposed 12-inch water line five feet (5') off the North and West property lines.
3. The City's contractor agrees to install a fire hydrant on Owner's property at a location agreed upon by the City and Owner as part of the FM 973 Water Line CIP 5-15 project at no cost to Owner.
4. The above-described terms are conditions of the Owner conveying the property described in Exhibit "A" and depicted in Exhibit "B" and survive the closing.

Project: FM 973 Waterline CIP 5-15

Parcel No.: 5

TCAD No.: 526037



## AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** February 2, 2022  
**PREPARED BY:** Scott Dunlop, Interim City Manager  
**DEPARTMENT:** Administration

### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Resolution accepting the petition for annexation of 5.796 acres of land, more or less, being located in Travis County, Texas and adjacent and contiguous to the city limits.

### BACKGROUND/SUMMARY:

This is a voluntary annexation being initiated by the property owner. The property is at the intersection of N. FM 973 and Arnham Lane just north of the Senior HS. The property owner is seeking to develop the property and fully utilize their acreage they would like to connect into the city's planned sewer system.

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

- Resolution No. 2022-03

### STAFF RECOMMENDATION:

It is the City Staff's recommendation that the City Council approve Resolution No. 2022-03 accepting the petition for annexation of 5.796 acres of land, more or less, being located in Travis County, Texas and adjacent and contiguous to the city limits.

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



STATE OF TEXAS                   §  
   §  
 COUNTY OF TRAVIS           §

**REQUEST & PETITION TO THE CITY COUNCIL OF THE CITY OF MANOR  
 FOR ANNEXATION OF PROPERTY**

**WHEREAS**, the undersigns are the owners of a certain tract of property located within Travis County, Texas, such property more particularly described hereinafter by true and correct legal description in Section One below (referred to herein as the "Subject Property");

**WHEREAS**, the undersigns have sought the annexation of the Subject Property by the City of Manor, Texas, (hereinafter sometimes referred to as "City"), in order to obtain the benefits of City services to the Subject Property by the City;

**WHEREAS**, the Subject Property is contiguous and adjacent to the corporate limits of the City;

**WHEREAS**, the City, pursuant to *Chapter 43, Tex. Loc. Gov't. Code* and the request of the property owner, is authorized to annex the Subject Property; and,

**WHEREAS**, the undersigns agree and consent to the annexation of the Subject Property by the City and further agree to be bound by all acts, ordinances, and all other legal action now in force and effect within the corporate limits of the City and all those which may be hereafter adopted;

**NOW THEREFORE**, the undersigned by this Petition and Request:

**SECTION ONE:** Request the City Council of the City to commence annexation proceedings and to annex all portions of the Subject Property not already within the corporate limits of the City of Manor, Texas, including the abutting streets, roadways, and rights-of-way thereto, described as follows:

Property Description

**SECTION TWO:** Request that after annexation, the City provide such services as are legally permissible and provided by the City, including sanitation, wastewater and general governmental services as set forth in the municipal services plan.

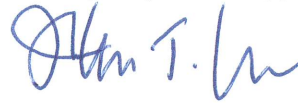
**SECTION THREE:** Acknowledge and represent having received, read and understood the attached "draft" Service Plan (proposed to be applicable to and adopted for the Subject Property) and that such "draft" Service Plan is wholly adequate and acceptable to the undersign who hereby request the City Council to proceed with the annexation and preparation of a final Municipal Service Plan and publish notice and hold the requisite public hearings thereon, in accordance with the applicable laws of the State of Texas.

**SECTION FOUR:** Acknowledge that the undersigns understand and agree that all City services to the Subject Property will be provided by the City on the same terms and conditions as provided to other similarly situated areas of the City and as provided in the Municipal Service Plan.

**SECTION FIVE:** Agree that a copy of this Petition and Request may be filed of record in the offices of the City of Manor and in the real property records of Travis County, Texas, and shall be notice to and binding upon all persons or entities now or hereafter having any interest in the Subject Property.

**FILED**, this 20<sup>th</sup> day of December, 2021, with the City Secretary of the City of Manor, Travis County, Texas.

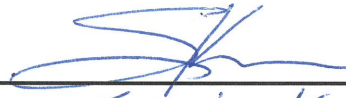
**Petitioners: Property Owner(s)**



Name: JOHN T. KERR

Title: \_\_\_\_\_

Company (if applicable) \_\_\_\_\_



Name: Sandy Kerr

Title: \_\_\_\_\_

Company (if applicable) \_\_\_\_\_

STATE OF TEXAS

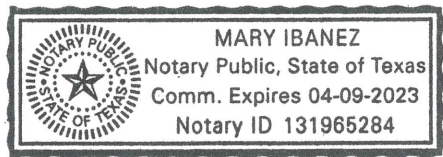
§  
§  
§

COUNTY OF TRAVIS

**BEFORE ME**, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared JOHN T. KERR (name), \_\_\_\_\_ (title), \_\_\_\_\_ (company) owner of Subject Property and Petitioner herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he had authority to bind the entity and that he executed the same for the purposes therein expressed and in the capacity therein stated.

**GIVEN UNDER MY HAND AND SEAL OF OFFICE** on this the 20th day of December, 2021.

(SEAL)



Mary Ibanez  
Notary Public-State of Texas

STATE OF TEXAS

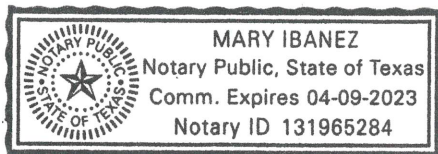
§  
§  
§

COUNTY OF TRAVIS

**BEFORE ME**, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Sandy Kerr (name), \_\_\_\_\_ (title), \_\_\_\_\_ (company) owner of Subject Property and Petitioner herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he had authority to bind the entity and that he executed the same for the purposes therein expressed and in the capacity therein stated.

**GIVEN UNDER MY HAND AND SEAL OF OFFICE** on this the 20th day of December, 2021.

(SEAL)



Mary Ibanez  
Notary Public-State of Texas

# EXHIBIT “A”

Survey and Legal Lot Description





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

### GENERAL WARRANTY DEED

**Date:** November 4, 2009

**Grantor:** MARY L. CHOATE a/k/a MARY LEE CHOATE

**Grantor's Mailing Address:** 310 Hidden Brook Lane - Round Rock, TX 78665

**Grantee:** JOHN KERR and SANDY KERR

**Grantee's Mailing Address:** 1301 Lost Creek Blvd Austin TX 78746

**Consideration:**

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

**Property (including any improvements):**

TRACT ONE:

Being 2.899 acres of land, more or less, out of the GREENBURY GATES SURVEY NO. 63, Travis County, Texas, and being a part of that certain 58.1 acre tract described in contract of sale between Veterans Land Board of Texas and Robert I. Worley, as recorded in Volume 2970, Page 27, Travis County Deed Records, being more particularly described by metes and bounds in EXHIBIT "A" attached hereto.

TRACT TWO:

Being 2.897 acres of land, more or less, out of the GREENBURY GATES SURVEY NO. 63, Travis County, Texas, being part of a 5.796 acre tract as recorded in Volume 2970, Page 27, Travis County Deed Records, said 2.897 acres being more particularly described by metes and bounds in EXHIBIT "A" attached hereto.

**Reservations from Conveyance:**

None

15/ITC  
 GF No. 0921583-MCM  
 TCAD No. 02-5170-0419-0000

### Exceptions to Conveyance and Warranty:

This conveyance is made and accepted subject to all restrictions, covenants, conditions, easements, rights of way, assessments, outstanding royalty and mineral reservations and interests, if any, affecting the above described property that are valid, existing and properly of record; standby fees, taxes, and assessments by any taxing authority for the year 2009 and subsequent years, and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership by Grantee after closing; and any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

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

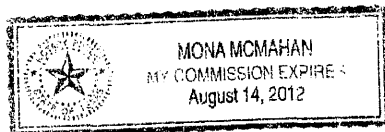
Mary L. Choate  
 MARY L. CHOATE a/k/a MARY LEE CHOATE

### Acknowledgement

STATE OF TEXAS )

COUNTY OF TRAVIS )

This instrument was acknowledged before me on November 4, 2009, by MARY L. CHOATE a/k/a MARY LEE CHOATE.



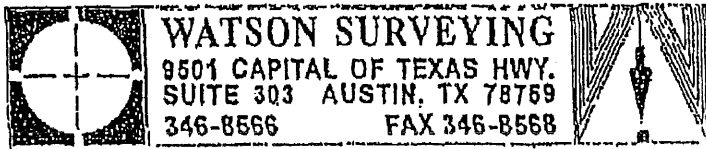
Mu  
 Notary Public, State of Texas  
 My commission expires: 8-14-2012

15/ITC  
GF No. 0921583-MCM  
TCAD No. 02-5170-0419-0000

AFTER RECORDING RETURN TO:

JOHN KERR and SANDY KERR

1301 host creek Blvd  
Austin TX 78746

Exhibit A  
Page 1 of 2

## FIELD NOTES:

TRACT No. 1: 2.899 acres of land out of the Greenbury Gates Survey No. 63, Travis County, Texas, and being part of that certain 58.1 acre tract described in contract of sale between the Veterans Land Board of Texas and Robert I. Worley as recorded in Vol. 2970, page 27, Travis County Deed Records; described by metes and bounds as follows:

BEGINNING at a steel pin found at the intersection of the East ROW line of FM HWY 973 with the North line Arnham Lane;

THENCE with said East ROW line of said FM 973, N30°00'20"E 440.04 ft to pin found for northwest corner;

THENCE along a fence, S59°48'E 287.4 ft to pin found for northeast cor;

THENCE S30°03'27"W 439.5 ft to pin found for southeast corner;

THENCE with the north line of Arnham Lane, N59°54'30"W 287.0 ft to the place of BEGINNING, containing 2.899 acres.

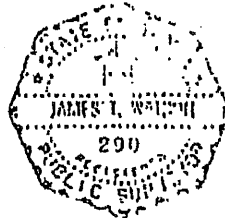
Surveyed on the ground Feb. 20, 1996 by:

*James T. Watson*

James T. Watson, RPLS 290

REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

12628 0790

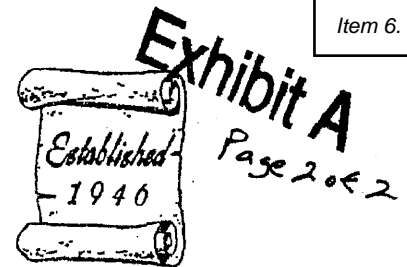
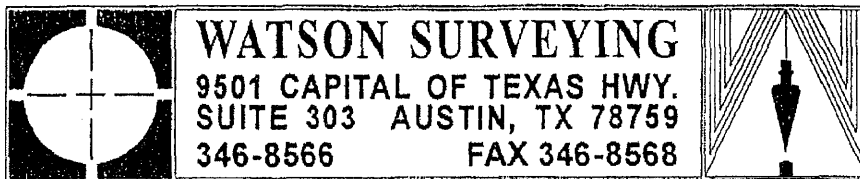


Page 1



## EXHIBIT "A"

Item 6.



## TRACT No. 2:

FIELD NOTES FOR 2.897 ACRES OF LAND, MORE OR LESS, OUT OF THE GREENBURY GATES SURVEY NO. 63, TRAVIS COUNTY, TEXAS, BEING PART OF A 5.796 ACRE TRACT AS RECORDED IN VOLUME 2970, PAGE 27, TRAVIS COUNTY DEED RECORDS, SAID 2.897 ACRES BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a  $\frac{1}{2}$ " steel pin found at the south corner of a 2.899 acre tract conveyed to Mary L. Choate by deed recorded in Volume 12628, Page 788, Travis County Deed Records, in the northeast ROW line of Arnham Lane, for the west or southwest corner hereof;

THENCE N30°03'27"E 439.50 feet along the southeast line of said 2.899 acres, to a  $\frac{1}{2}$ " steel pin found in a fence, for the north or northwest corner hereof;

THENCE S59°48'E 287.60 feet generally following a fence along the southwest line of a 14.76 acre tract conveyed to Robert Nicholas by deed recorded in Volume 13026, Page 2181, to a  $\frac{1}{2}$ " steel pipe found in the fence for the east or northeast corner hereof;

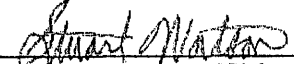
THENCE S30°08'09"W 438.95 feet along the south line of said 5.796 acres, to a  $\frac{1}{2}$ " steel pin with orange cap set on the southwest side of a 3" steel galvanized fence post, in the northeast ROW line of Arnham Lane, for the south or southeast corner hereof;

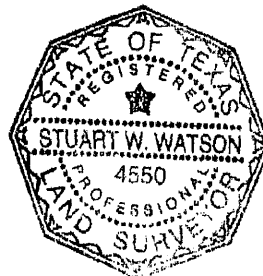
THENCE N59°54'30"W 287.00 feet with said ROW line and the south or southwest line of said 5.796 acre tract, to the POINT OF BEGINNING, containing 2.897 acres of land, more or less.

Bearing basis is east or southeast line of 5.796 acre tract (S30°08'09"W)

See survey map for more information

Surveyed 28 October 2009 by:

  
 Stuart Watson, RPLS 4550



**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dana DeBeauvoir*

2009 Nov 05 04:42 PM 2009185727

BENAVIDESV \$36.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS

**RESOLUTION NO. 2022-03**

**A RESOLUTION OF THE CITY OF MANOR, TEXAS, ACCEPTING THE PETITION FOR ANNEXATION OF 5.796 ACRES OF LAND, MORE OR LESS; BEING LOCATED IN TRAVIS COUNTY, TEXAS AND ADJACENT AND CONTIGUOUS TO THE CITY LIMITS; AND PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.**

**WHEREAS**, the owner(s) of certain property located within Travis County, Texas have petitioned the City of Manor, Texas (herein the “City”) a Texas home-rule city, for annexation of said property, more particularly described herein (the “Subject Property”) into the corporate limits of the City;

**WHEREAS**, the Subject Property is contiguous and adjacent to the corporate limits of the City, within the extraterritorial jurisdiction of the City and the owner(s) have made application for annexation;

**WHEREAS**, after review and consideration of such requests and petition for annexation from the owner(s) of the Subject Property, the City Council of the City of Manor, Texas (the “City Council”) finds that the Subject Property may be annexed pursuant to §43.0671 of the Texas Local Government Code;

**WHEREAS**, pursuant to §43.0672, Texas Local Government Code, the City and the undersigned have negotiated and entered into a written agreement for the provision of services to the Subject Property, said agreement being attached hereto as Exhibit “B” and is incorporated herein for all purposes; and,

**WHEREAS**, the petitioner has agreed and consented to the annexation of the Subject Property by the City and further agreed to be bound by all acts, ordinances, and all other legal action now in force and effect within the corporate limits of the City and all those which may be hereafter adopted;

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

**SECTION ONE:** 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 TWO:** The petition for annexation of the following described Subject Property, including abutting streets, roadways, and rights of way, not previously annexed into the City and the draft agreement for the provision of services shown in Exhibit “B”, are hereby accepted:

## Tract One:

Being 2.899 acres of land, more or less, out of the Greenbury Gates Survey No. 63, Travis County, Texas, and being a part of that certain 58.1 acre tract described in contract of sale between Veterans Land Board of Texas and Robert I. Worley, as recorded in Volume 2970, Page 27, Travis County Deed Records and as further described in that General Warranty Deed between Mary L. Choate a/k/a Mary Lee Choate and John Kerr and Sandy Kerr, as recorded in Document No. 2009185727 of the Official Public Records of Travis County, Texas, said 2.899 tract of land being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.

## Tract Two:

Being 2.897 acres of land, more or less, out of the Greenbury Gates Survey No. 63, Travis County, Texas, and being part of a 5.796 acre tract as recorded in Volume 2970, Page 27, Travis County Deed Records and as further described in that General Warranty Deed between Mary L. Choate a/k/a Mary Lee Choate and John Kerr and Sandy Kerr, as recorded in Document No. 2009185727 of the Official Public Records of Travis County, Texas, said 2.897 tract of land being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.

A public hearing is set for the date of March 1, 2022. Notice of such hearing shall be published and posted in accordance with §43.0673, Texas Local Government Code, and the hearing shall be open to the public to accept public comment on the annexation request. In the event of a conflict between the Subject Property description contained herein, Exhibit "A" shall control.

**SECTION THREE:** Should any section or part of this Resolution be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Resolution are declared severable.

**SECTION FOUR:** It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that the 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.

**PASSED AND APPROVED** this the 2<sup>nd</sup> day of February 2022.

**CITY OF MANOR, TEXAS:**

\_\_\_\_\_  
Dr. Christopher Harvey, Mayor

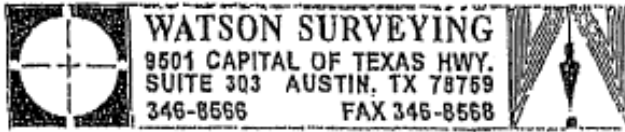
**ATTEST:**

\_\_\_\_\_  
Lluvia T. Almaraz, City Secretary  
City of Manor, Texas



**Exhibit “A”  
Subject Property Description  
+/- 5.796 Acres**

## EXHIBIT "A"

Exhibit A  
Page 1 of 2

## FIELD NOTES:

TRACT No. 1: 2.899 acres of land out of the Greenbury Gates Survey No. 63, Travis County, Texas, and being part of that certain 58.1 acre tract described in contract of sale between the Veterans Land Board of Texas and Robert I. Worley as recorded in Vol. 2970, page 27, Travis County Deed Records; described by metes and bounds as follows:

BEGINNING at a steel pin found at the intersection of the East ROW line of FM HWY 973 with the North line Arnhann Lane;

THENCE with said East ROW line of said FM 973, N30°00'20"E 440.04 ft to pin found for northwest corner;

THENCE along a fence, S59°48'E 287.4 ft to pin found for northeast cor;

THENCE S30°03'27"W 439.5 ft to pin found for southeast corner;

THENCE with the north line of Arnhann Lane, N59°54'30"W 287.0 ft to the place of BEGINNING, containing 2.899 acres.

Surveyed on the ground Feb. 20, 1998 by:

*James T. Watson*

James T. Watson, RPLS 290

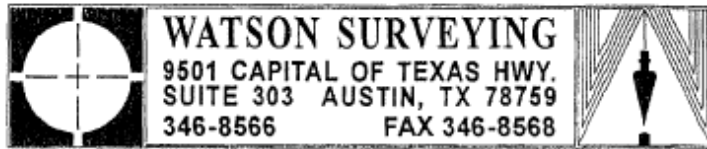
REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

12628 0790



Page 1

## EXHIBIT "A"



## TRACT No. 2:

FIELD NOTES FOR 2.897 ACRES OF LAND, MORE OR LESS, OUT OF THE GREENBURY GATES SURVEY NO. 63, TRAVIS COUNTY, TEXAS, BEING PART OF A 5.796 ACRE TRACT AS RECORDED IN VOLUME 2970, PAGE 27, TRAVIS COUNTY DEED RECORDS, SAID 2.897 ACRES BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a  $\frac{1}{2}$ " steel pin found at the south corner of a 2.899 acre tract conveyed to Mary L. Choate by deed recorded in Volume 12628, Page 788, Travis County Deed Records, in the northeast ROW line of Arnham Lane, for the west or southwest corner hereof;

THENCE N30°03'27"E 439.50 feet along the southeast line of said 2.899 acres, to a  $\frac{1}{2}$ " steel pin found in a fence, for the north or northwest corner hereof;

THENCE S59°48'E 287.60 feet generally following a fence along the southwest line of a 14.76 acre tract conveyed to Robert Nicholas by deed recorded in Volume 13026, Page 2181, to a  $\frac{1}{2}$ " steel pipe found in the fence for the east or northeast corner hereof;

THENCE S30°08'09"W 438.95 feet along the south line of said 5.796 acres, to a  $\frac{1}{2}$ " steel pin with orange cap set on the southwest side of a 3" steel galvanized fence post, in the northeast ROW line of Arnham Lane, for the south or southeast corner hereof;

THENCE N59°54'30"W 287.00 feet with said ROW line and the south or southwest line of said 5.796 acre tract, to the POINT OF BEGINNING, containing 2.897 acres of land, more or less.

Bearing basis is east or southeast line of 5.796 acre tract (S30°08'09"W)

See survey map for more information

Surveyed 28 October 2009 by:

  
Stuart Watson, RPLS 4550



**Exhibit “B”**  
**Agreement Regarding Post-Annexation Provision of Services**  
**For Property to be Annexed into the City of Manor**

## **Exhibit “B”**

### **AGREEMENT REGARDING POST-ANNEXATION PROVISION OF SERVICES FOR PROPERTY TO BE ANNEXED INTO THE CITY OF MANOR**

This Agreement Regarding Post-Annexation Provision of Services for Property to be Annexed into the City of Manor (the “Agreement”) is entered into by and between the City of Manor, Texas, a municipal corporation (“City”), and John T. Kerr and Sandy Kerr, (collectively, “Landowner”), both of which may be referred to herein singularly as “Party” or collectively as the “Parties.”

#### **RECITALS**

**WHEREAS**, upon the request of the Landowner, the City intends to institute annexation proceedings for an area of land described more fully hereinafter and attached hereto (the “subject property”);

**WHEREAS**, Section 43.0672, Loc. Gov't. Code, requires the Parties to enter into a written agreement identifying a list of public services to be provided to the subject property and a schedule for the provision of those services that are not otherwise provided on the effective date of the annexation;

**WHEREAS**, this Agreement is being entered into by and between the Parties to comply with Texas Local Government Code, Chapter 43, Sub-Chapter C-3, Section 43.0672, prior to the City’s consideration of an ordinance annexing the subject property, it being understood, acknowledged and agreed by the Parties that annexation of the subject property is a condition precedent to this Agreement becoming effective;

**WHEREAS**, this Agreement shall be deemed effective on the effective date of an ordinance approved by the City annexing the subject property (the “Effective Date”).

**WHEREAS**, the subject property is not included in the municipal annexation plan and is exempt from the requirements thereof;

**WHEREAS**, infrastructure provided for herein and that existing are sufficient to service the subject property on the same terms and conditions as other similarly situated properties currently within the City limits and no capital improvements are required to offer municipal services on the same terms and conditions as other similarly situated properties within the City; and

**WHEREAS**, it is found that all statutory requirements have been satisfied and the City is authorized by *Chapter 43, Loc. Gov't. Code*, to annex the subject property into the City;

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:



The following services and schedule represent the provision of services agreed to between the Landowner of the subject property and the City establishing a program under which the City will provide municipal services to the subject property, as required by section 43.0672 of the Texas Local Government Code. The services detailed herein will be provided at a level consistent with service levels provided to other similarly situated areas within the City.

The following services will be provided for the subject property on the Effective Date of annexation:

(1) **General Municipal Services.** Pursuant to the requests of the landowner and this Agreement, the following services shall be provided immediately from the effective date of the annexation:

A. Police protection as follows:

Routine patrols of areas, radio response to calls for police service and all other police services now being offered to the citizens of the City. Upon annexation, police protection will be provided to the subject property at a level consistent with the service to other areas of the City with similar population density and characteristics. The City's police services include neighborhood patrols, criminal investigations, crime prevention, community services and school programs.

B. Fire protection and Emergency Medical Services as follows:

Fire protection by agreement between the City and the ESD's present personnel and equipment of the ESD fire fighting force and the volunteer fire fighting force with the limitations of water available. Radio response for Emergency Medical Services with the present contract personnel and equipment of the ESD.

C. Solid waste collection services as follows:

Solid waste collection and services as now being offered to the citizens of the City. The City provides residential solid waste collection services within the City limits for a fee under a contract between the City and private refuse collection operator. The residential solid waste collection services include garbage collection, recycling, bulky item collection and yard waste collection. Commercial solid waste collection services are also available. This service will be provided for a fee to any person within the subject property requesting the service after the Effective Date of annexation, provided that a privately owned solid waste management service provider is unavailable. If the subject property is already receiving service, the City may not prohibit solid waste collection by the privately owned solid waste management service provider, nor may the City offer solid waste collection services for a period of two (2) years following the Effective Date of the annexation unless a privately owned solid waste management service provider is or becomes unavailable, as established by Texas Local Government Code section 43.0661. If a landowner uses the services of a privately owned solid waste management service provider or services are available from a privately owned solid waste management service provider during the two (2) years following annexation, the City will not provide solid waste collection services to that landowner.

D. Animal control as follows:

Service by present personnel, equipment and facilities or by contract with a third party, as provided within the City.

E. Maintenance of City-owned parks and playgrounds within the City.

F. Inspection services in conjunction with building permits and routine City code enforcement services by present personnel, equipment and facilities. Municipal Court and General Administration services will also be available to property owners and residents in the subject property on the same basis those facilities are available to current City property owners and residents.

G. Maintenance of other City facilities, buildings and service.

H. Land use regulation as follows:

On the effective date of annexation, the zoning jurisdiction of the City shall be extended to include the annexed area, and the use of all property therein shall be grandfathered; and shall be temporarily zoned "Agricultural District "A"" with the intent to rezone the subject property upon request of the landowner or staff. The Planning & Zoning Commission and the City Council will consider rezoning the subject property at future times in response to requests submitted by the landowner(s) or authorized city staff. The City will impose and enforce its adopted ordinances, including but not limited to, zoning, subdivision development, site development and building code regulations within the subject property upon the Effective Date of the annexation. Enforcement will be in accordance with City ordinances. Development plans and plats for projects within the subject property will be reviewed for compliance with City standards.

(2) **Scheduled Municipal Services.** Due to the size and vacancy of the subject property, the plans and schedule for the development of the subject property, the following municipal services will be provided on a schedule and at increasing levels of service as provided herein:

A. Water service and maintenance of water facilities as follows:

(i) Inspection of water distribution lines as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of water service, water service will be provided to the subjects properties, or applicable portions thereof, by the utility holding a water certificate of convenience and necessity ("CCN") for the subject properties, or portions thereof as applicable, or absent a water CCN, by the utility in whose jurisdiction the subject properties, or portions thereof as applicable, are located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of water service. If connected to the City's water utility system, the subject properties' owner shall construct the internal water lines and pay the costs of line

extension and construction of such facilities necessary to provide water service to the subject properties as required in City ordinances. Upon acceptance of the water lines within the subject properties and any off-site improvements, water service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City; subject to all the ordinances, regulations and policies of the City in effect from time to time. The system will be accepted and maintained by the City in accordance with its usual acceptance and maintenance policies. New water line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances of the City in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of a water well that is in use on the effective date of the annexation and is in compliance with applicable rules and regulations shall be permitted and such use may continue until the subject properties' owner requests and is able to connect to the City's water utility system.

B. Wastewater service and maintenance of wastewater service as follows:

(i) Inspection of sewer lines as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of wastewater service, wastewater service will be provided to the subjects properties, or applicable portions thereof, by the utility holding a wastewater CCN for the subject properties, or portions thereof as applicable, or absent a wastewater CCN, by the utility in whose jurisdiction the subject properties, or portions thereof as applicable, are located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of wastewater service. If connected to the City's wastewater utility system, the subject properties' owner shall construct the internal wastewater lines and pay the costs of line extension and construction of facilities necessary to provide wastewater service to the subject properties as required in City ordinances. Upon acceptance of the wastewater lines within the subject properties and any off-site improvements, wastewater service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City, subject to all the ordinances, regulations and policies of the City in effect from time to time. The wastewater system will be accepted and maintained by the City in accordance with its usual policies. Requests for new wastewater line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of a septic system that is in use on the effective date of the annexation and is in compliance with all applicable rules and regulations shall be permitted and such use may continue until the subject property owner requests and is able to connect to the City's wastewater utility system.

C. Maintenance of streets and rights-of-way as appropriate as follows:

(i) Provide maintenance services on existing public streets within the subject property and other streets that are hereafter constructed and finally accepted by the City. The maintenance of the streets and roads will be limited as follows:

(A) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.; and

(B) Routine maintenance as presently performed by the City.

(ii) The City will maintain existing public streets within the subject property, and following installation and acceptance of new roadways by the City as provided by city ordinance, including any required traffic signals, traffic signs, street markings, other traffic control devices and street lighting, the City will maintain such newly constructed public streets, roadways and rights-of-way within the boundaries of the subject property, as follows:

(A) As provided in C(i)(A)&(B) above;

(B) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies;

(C) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards; and

(D) Installation and maintenance of street lighting in accordance with established policies of the City;

(iii) The outer boundaries of the subject property abut existing roadways. The Landowner agrees that no improvements are required on such roadways to service the subject property.

(3) **Capital Improvements.** Construction of the following capital improvements shall be initiated after the effective date of the annexation: None. Upon development of the subject property or redevelopment, the landowner will be responsible for the development costs the same as a developer in a similarly situated area under the ordinances in effect at the time of development or redevelopment. No additional capital improvements are necessary at this time to service the subject property the same as similarly situated properties. When deemed necessary, capital improvement acquisition or construction will occur in accordance with applicable ordinances and regulations and the adopted capital improvement plans of the City, as applicable and amended, which are incorporated herein by reference.

(4) **Term.** If not previously expired, this agreement expires at the end of ten (10) years.

(5) **Property Description.** The legal description of the subject property is as set forth in the

Annexation Ordinance and exhibits attached to the Annexation Ordinance to which this Agreement is attached.

(6) **Binding Effect/Authority.** This Agreement binds and inures to the benefit of the Parties and their respective heirs, successors, and permitted assigns. Each Party further warrants that each signatory to this Agreement is legally authorized to bind the respective individual or entity for the purposes established herein.

(7) **Choice of Law.** This Agreement will be construed under the laws of the State of Texas, without regard to choice-of-law rules of any jurisdiction. Venue for any dispute shall lie exclusively in Travis County, Texas.

(8) **Counterparts.** This Agreement may be executed in any number of counterparts with the same effect as if all signatory Parties had signed the same document. All counterparts will be construed together and will constitute one and the same instrument.

(9) **Legal Construction.** If any provision in this Agreement is for any reason found to be unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the Parties, the unenforceability will not affect any other provision hereof, and this Agreement will be construed as if the unenforceable provision had never been a part of the Agreement. Whenever context requires, the singular will include the plural and neuter include the masculine or feminine gender, and vice versa. Headings in this Agreement are for reference only and are not intended to restrict or define the text of any section. This Agreement will not be construed more or less favorably between the Parties by reason of authorship or origin of language.

(10) **Entire Agreement.** This Agreement contains the entire Agreement between the Parties relating to the rights herein granted and the obligations herein assumed and cannot be varied except by written agreement of the Parties. Any oral representation or modification concerning this instrument shall be of no force and effect except for any subsequent modification in writing, signed by the Party to be charged.

*[signature pages follow]*



**EXECUTED and AGREED to by the Parties this the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.**

**ATTEST:**

**THE CITY OF MANOR, TEXAS**

\_\_\_\_\_  
Lluvia T. Almaraz, City Secretary

\_\_\_\_\_  
Dr. Christopher Harvey, Mayor

**LANDOWNER(S):**

\_\_\_\_\_

**By:** \_\_\_\_\_

**Name (print):** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**LANDOWNER(S):**

\_\_\_\_\_

**By:** \_\_\_\_\_

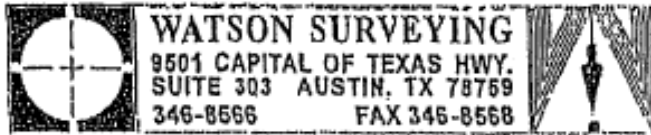
**Name (print):** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Subject Property Description**

## EXHIBIT "A"

Exhibit A  
Page 1 of 2

## FIELD NOTES:

TRACT No. 1: 2.899 acres of land out of the Greenbury Gates Survey No. 63, Travis County, Texas, and being part of that certain 58.1 acre tract described in contract of sale between the Veterans Land Board of Texas and Robert I. Worley as recorded in Vol. 2970, page 27, Travis County Deed Records; described by metes and bounds as follows:

BEGINNING at a steel pin found at the intersection of the East ROW line of FM HWY 973 with the North line Arnham Lane;

THENCE with said East ROW line of said FM 973, N30°00'20"E 440.04 ft to pin found for northwest corner;

THENCE along a fence, S59°48'E 287.4 ft to pin found for northeast cor;

THENCE S30°03'27"W 439.5 ft to pin found for southeast corner;

THENCE with the north line of Arnham Lane, N59°54'30"W 287.0 ft to the place of BEGINNING, containing 2.899 acres.

Surveyed on the ground Feb. 20, 1998 by: James T. Watson

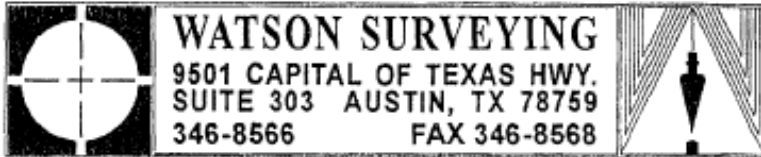
James T. Watson, RPLS 290

REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS  
12628 0790



Page 1

## EXHIBIT "A"



## TRACT No. 2:

FIELD NOTES FOR 2.897 ACRES OF LAND, MORE OR LESS, OUT OF THE GREENBURY GATES SURVEY NO. 63, TRAVIS COUNTY, TEXAS, BEING PART OF A 5.796 ACRE TRACT AS RECORDED IN VOLUME 2970, PAGE 27, TRAVIS COUNTY DEED RECORDS, SAID 2.897 ACRES BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a  $\frac{1}{2}$ " steel pin found at the south corner of a 2.899 acre tract conveyed to Mary L. Choate by deed recorded in Volume 12628, Page 788, Travis County Deed Records, in the northeast ROW line of Arnham Lane, for the west or southwest corner hereof;

THENCE N30°03'27"E 439.50 feet along the southeast line of said 2.899 acres, to a  $\frac{1}{2}$ " steel pin found in a fence, for the north or northwest corner hereof;

THENCE S59°48'E 287.60 feet generally following a fence along the southwest line of a 14.76 acre tract conveyed to Robert Nicholas by deed recorded in Volume 13026, Page 2181, to a  $\frac{1}{2}$ " steel pipe found in the fence for the east or northeast corner hereof;

THENCE S30°08'09"W 438.95 feet along the south line of said 5.796 acres, to a  $\frac{1}{2}$ " steel pin with orange cap set on the southwest side of a 3" steel galvanized fence post, in the northeast ROW line of Arnham Lane, for the south or southeast corner hereof;

THENCE N59°54'30"W 287.00 feet with said ROW line and the south or southwest line of said 5.796 acre tract, to the POINT OF BEGINNING, containing 2.897 acres of land, more or less.

Bearing basis is east or southeast line of 5.796 acre tract (S30°08'09"W)

See survey map for more information

Surveyed 28 October 2009 by:

*Stuart Watson*  
 Stuart Watson, RPLS 4550







## AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** February 2, 2022  
**PREPARED BY:** Scott Dunlop, Interim City Manager  
**DEPARTMENT:** Administration

### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on an Interlocal Agreement for Wastewater Service with Wilbarger MUD No. 1.

### BACKGROUND/SUMMARY:

This agreement is being entered into so that the City can provide retail wastewater service to a four acre tract, owned by Cottonwood Holdings, Ltd., within the Wilbarger MUD No. 1. Cottonwood Holdings, Ltd. requested that the City provide retail wastewater service in exchange for an easement that will allow the City to extend a wastewater line along the four acre tract and the MUD is in agreement.

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

- Interlocal Agreement

### STAFF RECOMMENDATION:

It is the City Staff's recommendation that the City Council approve the Interlocal Agreement for Wastewater Service with Wilbarger MUD No. 1.

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

STATE OF TEXAS           §  
                                      §  
 COUNTY OF TRAVIS       §

## INTERLOCAL AGREEMENT FOR WASTEWATER SERVICE

This Interlocal Agreement for Wastewater Service (this “Agreement”) is between Wilbarger Creek Municipal Utility District No. 1 (the “District”), a political subdivision of the State of Texas created and operating under Chapters 49 and 54 of the Texas Water Code, and the City of Manor, Texas (the “City”), a Texas home-rule municipality located in Travis County, Texas, to set forth the terms and conditions on which the City will provide retail wastewater service to serve the ±4 acre tract shown on the attached **Exhibit “A”** (the “Cottonwood Tract”), which is the remnant portion of a called 109.5069 acre tract described in Document No. 1999115220 of the Official Public Records of Travis County, Texas. The Cottonwood Tract is currently owned by Cottonwood Holdings, Ltd., a Texas limited partnership (“Cottonwood Holdings”), which is executing this Agreement for purposes of acknowledging and confirming its agreements and obligations hereunder.

### RECITALS:

WHEREAS, the District provides retail wastewater service to the land and customers within the District’s boundaries; and

WHEREAS, although the Cottonwood Tract is located within the boundaries of the District, the Cottonwood Tract is separated from the rest of the District by F.M. 973 and, thus, does not currently have access to the District’s wastewater system; and

WHEREAS, the City intends to construct a wastewater line along the east side of F.M. 973 through the Cottonwood Tract to serve certain property north of the Cottonwood Tract (the “City Wastewater Line”) as long as an easement is granted by Cottonwood Holdings across the Cottonwood Tract for the City Wastewater Line; and

WHEREAS, Cottonwood Holdings has agreed to grant the easement to the City but has asked the City and the District to consider allowing the Cottonwood Tract to connect to the City Wastewater Line and receive retail wastewater service from the City instead of being required to bore under F.M. 973 in order to connect to the District’s wastewater system and receive retail wastewater service from the District; and

WHEREAS, the City and the District have determined that it would be more economical and efficient for the Cottonwood Tract to connect to and receive retail wastewater service from the City Wastewater Line that will cross the Cottonwood Tract rather than requiring Cottonwood Holdings to bore under F.M. 973 in order to connect to the District’s wastewater system; and

WHEREAS, the City, the District, and Cottonwood Holdings desire to enter into this Agreement to set forth the terms and conditions on which the City will provide retail wastewater service to the Cottonwood Tract via the City Wastewater Line;

## AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City, the District, and, as applicable, Cottonwood Holdings agree as follows:

### I. RETAIL WASTEWATER SERVICE TO THE COTTONWOOD TRACT

- 1.1 Recitals Incorporated.** The above recitals are incorporated herein and made a part of this Agreement to the same extent as if set forth herein in full.
- 1.2 Area to Be Served.** The City may provide wastewater utility service under this Agreement only to the Cottonwood Tract. No other properties within the District may be connected to the City's wastewater utility system without a further written agreement between the City and the District.
- 1.3 Agreement for Wastewater Service.** Subject to the terms of this Agreement, the District and the City agree that the City will provide retail wastewater service to the Cottonwood Tract from the City Wastewater Line. The City will provide retail wastewater service to customers within the Cottonwood Tract in the same manner and on the same terms and conditions as the City provides service to other retail wastewater customers inside its corporate limits. The City's standard wastewater rates, charges, and other fees, including engineering review and inspection fees, that are applicable to other areas within the City's corporate limits will be applicable to facilities constructed, connections made, and services provided within the Cottonwood Tract. Subject to the limitations in Section 1.4 below, the City agrees and commits to provide wastewater service sufficient for the full build-out of the Cottonwood Tract at flow rates sufficient to meet the minimum requirements of all applicable regulations, and agrees to provide written confirmation of the availability of service upon the District's request in connection with any District bond sale or audit. As compensation for providing retail wastewater service to the Cottonwood Tract under this Agreement, the City will be entitled to retain all amounts collected from customers within the Cottonwood Tract in connection with the provision of retail wastewater service to the Cottonwood Tract, which the City and the District agree will fairly compensate the City for providing retail wastewater service to the Cottonwood Tract under this Agreement. The retail wastewater service provided by the City to the Cottonwood Tract will not reduce or be counted against the capacity of the District's wastewater system or any other services provided by the District in any way. Except as expressly provided in this Agreement, the District will have no responsibilities with respect to wastewater service to the Cottonwood Tract and is hereby released from any such responsibilities or obligations, whether regulatory, contractual, or otherwise.
- 1.4 Level and Quantity of Service; Quality of Wastewater.** Unless otherwise agreed by the City and the District in writing, the City's commitment to provide retail wastewater service to the Cottonwood Tract under this Agreement will be limited to a maximum of 60 living unit equivalents (LUEs). The City's retail wastewater customers within the Cottonwood Tract will be responsible for assuring that only normal, domestic wastewater is passed-through the City's wastewater utility system and that no

commercial and/or industrial wastewater is discharged into the City wastewater collection system. The City will be entitled to inspect the facilities constructed by Cottonwood Holdings on the Cottonwood Tract and to test the wastewater generated by the Cottonwood Tract. If any test reflects that any wastewater other than normal domestic wastewater is being received by the City from the Cottonwood Tract, pretreatment of such wastewater will be required, in accordance with applicable governmental regulations, at the expense of the City's retail wastewater customers within the Cottonwood Tract.

- 1.5 Billings.** The individual wastewater connections within the Cottonwood Tract will be direct City retail wastewater customer(s) for all purposes and will be subject to all applicable wastewater service policies and ordinances of the City. The City will collect all applicable wastewater impact fees, will generate retail wastewater billings for the services provided to the Cottonwood Tract, and will be solely responsible for collecting its billings from the wastewater customer(s) within the Cottonwood Tract.
- 1.6 Water and Wastewater Easement.** As additional consideration for the City's and the District's agreement to permit the City to provide retail wastewater service to the Cottonwood Tract under this Agreement, Cottonwood Holdings agrees to provide the City with a 25-foot wide water and wastewater easement across the Cottonwood Tract in a form acceptable to the City and Cottonwood Holdings concurrently with the execution of this Agreement.
- 1.7 District Taxes, Rules, Reimbursement, and Other Related Matters.** Cottonwood Holdings, on behalf of itself and its successors and assigns, hereby (i) acknowledges and agrees that, although the District will not be providing retail wastewater service to the Cottonwood Tract by virtue of this Agreement, the Cottonwood Tract will remain subject to the District's full ad valorem property tax and to all District rules and regulations except the rates and charges applicable to retail wastewater service under the District's rate order; and (ii) consents to, ratifies, and agrees to be bound by same. Cottonwood Holdings, on behalf of itself and its successors and assigns, also acknowledges and agrees that the City Wastewater Line will be a City facility, not a District facility or a "Master District Facility" under that certain Amended and Restated Contract for Financing and Operation of Regional Waste Collection, Treatment and Disposal Facilities; Regional Water Supply and Delivery Facilities; and Regional Drainage, Including Water Quality, Facilities dated March 6, 2003 among the District, Travis County Municipal Utility District No. 2, Cottonwood Creek Municipal Utility District No. 1, and Wilbarger Creek Municipal Utility District No. 2 (the "Master District Contract"); that neither the City Wastewater Line nor any connections to the City Wastewater Line to serve the Cottonwood Tract will be eligible for reimbursement by the District or the "Master District" under the Master District Contract; and that Cottonwood Holdings, or its successors or assigns, will be responsible for constructing the water facilities necessary for the District to provide retail water service to the Cottonwood Tract in accordance with applicable law and the District's rules.

## II. GENERAL PROVISIONS

- 2.1 Authority.** This Agreement is made under the authority of Chapter 791 of the Texas Government Code and Section 54.201 of the Texas Water Code.
- 2.2 Remedies Upon Default.** In the event of default under this Agreement, the non-defaulting party(ies) may avail itself/themselves of all remedies existing at law or in equity.
- 2.3 Severability.** If a court or governmental agency of competent jurisdiction holds any word, phrase, clause, sentence, paragraph, section, or other portion of this Agreement invalid, the remainder of this Agreement will not be affected by that holding and this Agreement will be construed as though the invalid portion was not included. The provisions of this Agreement are expressly deemed severable for this purpose.
- 2.4 Payments from Current Revenues.** Any payments required to be made by any governmental entity under this Agreement will be payable from current revenues or other funds lawfully available for such purpose.
- 2.5 Entire Agreement.** This Agreement is the entire agreement of the parties hereto and supersedes all prior or contemporaneous understandings or representations, whether oral or written, respecting the subject matter of this Agreement.
- 2.6 Amendments.** Any amendment of this Agreement must be in writing and will be effective only if signed by the authorized representatives of the District and the City.
- 2.7 Assignment.** The rights and obligations of the parties under this Agreement are not assignable without the prior written consent of the other parties to this Agreement; provided, however, that this Agreement will constitute a covenant running with the Cottonwood Tract, will be recorded in the Official Public Records of Travis County, Texas, and will be binding upon the Cottonwood Tract and any owner(s) thereof.
- 2.8 Applicable Law and Venue.** This Agreement will be construed in accordance with Texas law. Venue for any action arising under this Agreement is in Travis County, Texas.
- 2.9 Notices.** Unless otherwise provided, any notice given under this Agreement must be in writing, and may be given by (i) depositing it in the United States mail, postage paid, certified, and addressed to the party to be notified, with return receipt requested; or (ii) by depositing it with a courier service, with appropriate proof of receipt by the party to be notified at the addresses specified below:

District: Wilbarger Creek Municipal Utility District No. 1  
c/o Armbrust & Brown, PLLC  
Attn: John Bartram  
100 Congress Avenue, Suite 1300  
Austin, Texas 78701



City: City of Manor  
Attn: City Manager  
105 E. Eggleston Street  
Manor, Texas 78653

With a copy to: The Knight Law Firm, LLP  
Attn: Paige Saenz  
223 West Anderson Lane, Suite A-105  
Austin, Texas 78752

Cottonwood  
Holdings: Cottonwood Holdings, Ltd.  
Attn: Pete Dwyer  
9900 Highway 290 East  
Manor, Texas 78653

Any party may change its respective address for the purpose of notice by giving at least five days' notice of the new address to the other parties.

- 2.10 Exhibits.** The attached **Exhibit "A"** (depiction of the Cottonwood Tract) is incorporated into this Agreement by reference for all purposes.
- 2.11 Counterparts; Authority.** This Agreement may be executed simultaneously in two or more counterparts, each of which will be deemed an original, but all of which will constitute one and the same instrument. Each party to the Agreement represents and warrants that it has the full right, power, and authority to execute this Agreement.
- 2.12 Effective Date; Term.** This Agreement will be effective from and after the date of due execution by all parties and, unless earlier terminated by mutual agreement of the City and the District, will terminate upon the annexation and dissolution of the District by the City under that certain Development Agreement for the ShadowGlen Subdivision, a memorandum of which is recorded as Document No. 2012158027 in the Official Public Records of Travis County, Texas, as amended and assigned.
- 2.13 Interpretation.** Each party to this Agreement has fully participated in the negotiation, formulation, drafting, and approval of this Agreement. Therefore, if there is any ambiguity, the provisions of this Agreement will not be construed for or against any particular party to this Agreement by reason of authorship.

*[signature pages follow]*

**COUNTERPART SIGNATURE PAGE TO:**  
**INTERLOCAL AGREEMENT FOR  
WASTEWATER SERVICE**

**THE DISTRICT:**

**WILBARGER CREEK MUNICIPAL UTILITY  
DISTRICT NO. 1**

By \_\_\_\_\_  
Bill Kochwelp, President  
Board of Directors

THE STATE OF TEXAS     §  
                                      §  
COUNTY OF TRAVIS     §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, by Bill Kochwelp, President of the Board of Directors of Wilbarger Creek Municipal Utility District No. 1, a political subdivision of the State of Texas, on behalf of said district.

\_\_\_\_\_  
NOTARY PUBLIC, State of Texas

**COUNTERPART SIGNATURE PAGE TO:**  
**INTERLOCAL AGREEMENT FOR  
WASTEWATER SERVICE**

**THE CITY:**

**CITY OF MANOR, TEXAS**

By: \_\_\_\_\_  
Dr. Christopher Harvey, Mayor

THE STATE OF TEXAS     §  
  §  
COUNTY OF TRAVIS     §

      This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, by Dr. Christopher Harvey, Mayor of the City of Manor, a Texas municipal corporation, on behalf of said city.

\_\_\_\_\_  
NOTARY PUBLIC, State of Texas

**COUNTERPART SIGNATURE PAGE TO:**  
**INTERLOCAL AGREEMENT FOR**  
**WASTEWATER SERVICE**

**COTTONWOOD HOLDINGS, LTD.,** a Texas  
limited partnership

By: **COTTONWOOD GENERAL  
PARTNER, L.C.,** a Texas limited liability  
company, its General Partner

By: \_\_\_\_\_  
Peter A. Dwyer, President

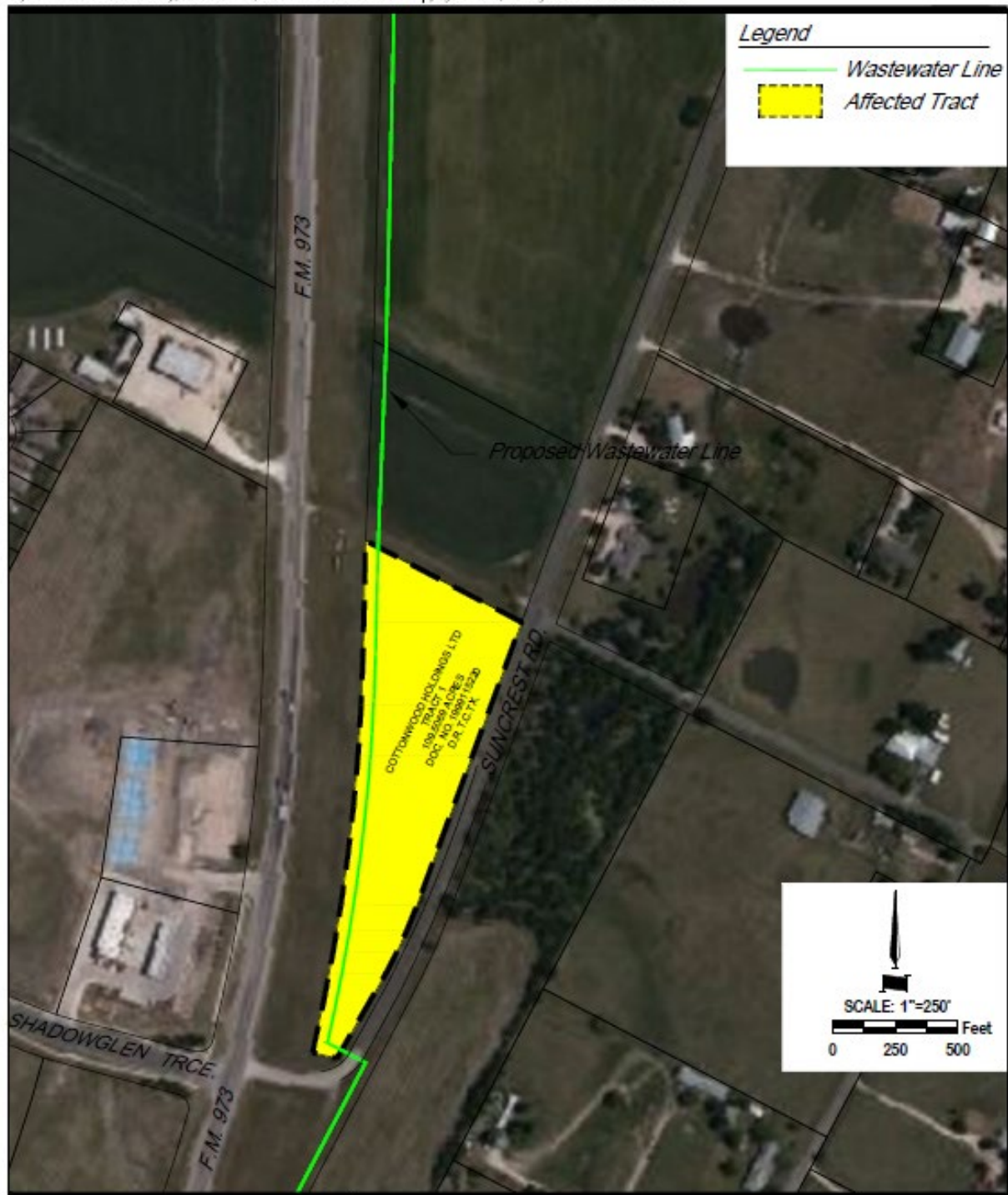
THE STATE OF TEXAS     §  
                                      §  
COUNTY OF TRAVIS         §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2022,  
by Peter A. Dwyer, President of Cottonwood General Partner, L.C., a Texas limited liability  
company, sole general partner of Cottonwood Holdings, Ltd., a Texas limited partnership, on  
behalf of said limited liability company and said limited partnership.

\_\_\_\_\_  
NOTARY PUBLIC, State of Texas

# EXHIBIT "A"

G:\14628\Civil\_3D\Production Drawings\Exhibits\Interlocal Agreement Exhibit.dwg  
Layout: 8.5x11 -- Monday, October 18, 2021 1:23:06 PM -- Copyright 2021, George Butler Associates, Inc.



Texas  
Engineering  
Firm #1242

PROJECT NUMBER  
14628.00  
DATE  
03/09/2021

F.M. 973 WATER & WASTEWATER LINE  
**EXHIBIT A**  
Manor, Texas

SHEET NUMBER  
**1**





## AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** February 2, 2022  
**PREPARED BY:** Scott Dunlop, Interim City Manager  
**DEPARTMENT:** Administration

### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on the Termination of the Agreement Regarding the Dissolution of the Lagos Public Improvement District.

### BACKGROUND/SUMMARY:

The City and Developer entered into a dissolution agreement to dissolve the PID if assessments were not levied or bonds were not issued by a date certain. The parties agreed that if assessments were levied or bonds were issued, whichever was earlier the dissolution agreement would be terminated and expired. The terms of the agreement were met since assessments were levied on October 2, 2019. The attached termination instrument would be recorded indicating satisfaction of the agreed upon conditions and is provided for your consideration.

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

- Termination Document

### STAFF RECOMMENDATION:

It is the City Staff's recommendation that the City Council approve the Termination of the Agreement Regarding the Dissolution of the Lagos Public Improvement District.

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

**TERMINATION OF THE AGREEMENT  
REGARDING THE DISSOLUTION OF THE  
LAGOS PUBLIC IMPROVEMENT DISTRICT**

THE STATE OF TEXAS       §  
  §       KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF TRAVIS       §

THAT WHEREAS, by instrument recorded under Document No. 2019050246 (the “Instrument”) in the Official Public Records of Travis County, Texas, 706 Investment Partnership, Ltd., a Texas limited partnership, 706 Development Corporation, a Texas corporation, and the City of Manor, a Texas home rule municipality (“City”) entered into that certain Agreement Regarding the Dissolution of the Lagos Public Improvement District effective March 20, 2019 (the “Agreement”); and

WHEREAS, the Agreement stated that it “shall terminate and expire upon the earlier of” (1) the levy of public improvement district (“PID”) special assessments in the PID or (2) the first issuance of PID bonds for the PID (“Conditions”); and

WHEREAS, the Agreement also stated that, “Upon satisfaction” of one of the two Conditions, the City would execute an instrument confirming the termination and expiration of the Agreement so that it could be recorded in the Official Public Records of Travis County, Texas; and

WHEREAS, City Ordinance No. 556, which, among other things, levied PID assessments in the PID, was effective on October 2, 2019; and

WHEREAS, the City has determined that in accordance with the terms of the Agreement, the first condition has been satisfied; and

WHEREAS, pursuant to the terms of the Agreement, the City desires to terminate the Agreement in its entirety effective October 2, 2019.

NOW, THEREFORE, for and in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and for the benefit of all present and future owners of the Lagos Public Improvement District, the City has TERMINATED the Agreement in its entirety, by these presents, does TERMINATE the Agreement in its entirety.

It is expressly agreed and understood that this termination of the Agreement is granted effective as of October 2, 2019.

EXECTUED TO BE EFFECTIVE as of the date indicated above.

**CITY OF MANOR, TEXAS**

By: \_\_\_\_\_  
Dr. Christopher Harvey, Mayor

THE STATE OF TEXAS     §

COUNTY OF TRAVIS     §

This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_,  
by Dr. Christopher Harvey, as Mayor of the City of Manor, Texas, a Texas municipal corporation,  
on behalf of said municipal corporation.

(seal)

\_\_\_\_\_  
Notary Public in and for the State of Texas

After Recording Return to:

City of Manor  
Attn: City Secretary  
105 E. Eggleston Street  
Manor, Texas 78653



## AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** February 2, 2022  
**PREPARED BY:** Lluvia T. Almaraz, City Secretary  
**DEPARTMENT:** Administration

### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action an Ordinance ordering a Special Election to be Held on May 7, 2022 for the Election of City Council Place Six to Serve an Unexpired Term Ending November 2022; Authorization for the Mayor to execute the Notice of General Election; and Authorization for the Interim City Manager to execute the election agreements with Travis County.

### BACKGROUND/SUMMARY:

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

- Ordinance No. 638

### STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council approve Ordinance No. 638 ordering a Special Election to be Held on May 7, 2022 for the Election of City Council Place Six to Serve an Unexpired Term Ending November 2022; Authorize the Mayor to execute the Notice of General Election; and Authorize for the Interim City Manager to execute the election agreements with Travis County.

PLANNING & ZONING COMMISSION:	Recommend Approval	Disapproval	None
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**ORDINANCE NO. 638**

**AN ORDINANCE OF THE CITY OF MANOR, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 7, 2022 FOR THE ELECTION OF CITY COUNCIL PLACE SIX TO SERVE AN UNEXPIRED TERM ENDING NOVEMBER 2022; DESIGNATING THE MAIN EARLY VOTING PLACE FOR SUCH SPECIAL ELECTION; PROVIDING FOR AN ORDER AND NOTICE OF SUCH SPECIAL ELECTION; PROVIDING FOR RELATED MATTERS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, a vacancy has occurred in City Council PLACE Six, which is set to expire in November 2022; and

**WHEREAS**, the Texas Constitution, the *Texas Election Code* (the “Code”), and the City Charter are applicable to said Special Election (hereinafter collectively referred to as the “election” or “elections”), and in order to comply with applicable laws, an ordinance is required to call the election and establish procedures consistent with the Constitution, the Code, and the Charter; and

**WHEREAS**, the City Charter provides for special elections to be called to fill vacancies on the City Council;

**WHEREAS**, the City of Manor lies within the boundaries Travis County;

**WHEREAS**, the City of Manor, Texas (hereinafter the "City") approves and agrees to conducting the City General Election jointly with other political subdivisions in Travis County in accordance with *Tex. Elec. Code, Chapter 271*; and

**WHEREAS**, the City is making provision to contract with the Travis County Elections Administrator to conduct the election for Williamson County voters, pursuant to *Chapter 31, Tex. Elec. Code, and Chapter 791, Tex. Gov't Code* (the “Election Services Contracts”);

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

**Section 1. Special Election Ordered.** The Special Election of the City shall be held on May 7, 2022, between the hours of 7:00 am to 7:00 pm to elect the Council Member for Place 6 on the City Council of the City of Manor to serve an unexpired term to end November 2022.

**Section 2.** Candidates for the election for the above office shall file their application to become candidates with the City Secretary of the City, at City Hall, 105 E. Eggleston Street, Manor, Texas, between 8:00 a.m. on February 5, 2022, and 5:00 p.m. on March 7, 2022. All applications for candidacy shall be on a form as prescribed by the *Tex. Elec. Code*. The order in which the names of the candidates for each office are to be printed on the ballot shall be determined by a drawing conducted by the City Secretary on March 9, 2022.

**ORDINANCE NO. 638****Page 2**

**Section 3. Printed Materials.** The official ballots, together with such other election materials as are required by the *Texas Election Code*, as amended, shall be printed in both the English and Spanish languages and shall contain such provisions, markings and language as required by law.

**Section 4.** Notice of the election shall be given and the election shall be held in compliance with the provisions of the *Tex. Elec. Code* in all respects. The ballots for the election shall comply with the *Tex. Elec. Code* and be in the form provided by the City to the Travis County Election Officer for use on the voting devices and ballots used by Travis County.

**Section 5. Conduct of Election.** The Travis County Election Officer and his/her employees and appointees, and the election judges, alternate judges and clerks properly appointed for the election, shall hold and conduct the election in the manner provided by the Contract for Election Services, the City Charter, and the law governing the holding of special elections; and the official ballots, together with such other election materials as are required by the *Tex. Elec. Code*, shall be prepared in both the English and Spanish languages and shall contain such provisions, markings and language as is required by law.

**Section 6. Joint Election.** The City agrees to conduct a joint election with other political subdivisions within Travis County, provided that such political subdivisions hold an election on May 7, 2022, in all or part of the same territory as the City (the “Political Subdivisions”). The joint election for Political Subdivisions will be conducted in accordance with state law, this ordinance, and the respective Election Services Contracts.

**Section 7. Election Precincts and Election Day Polling Places.**

The election precincts for the election shall be the election precincts established by the Travis County Election Officer in accordance with applicable law and the City Charter. The polling places for Election Day shall be at such locations designated by the Travis County Election Officer and authorized by state law. The polls shall remain open on the day of the election from 7:00 a.m. to 7:00 p.m. The returns will be provided by precinct and the Travis County Election Officer shall tabulate and provide the election returns for the election.

**Section 8. Early Voting.**

- (a) Early voting shall commence on Monday, April 25, 2022, and continue through Tuesday, May 3, 2022 and early voting polls shall remain open for the time specified by the *Texas Election Code*.
- (b) The period to apply for a ballot by mail is January 1, 2022 through April 26, 2022. An application for ballot by mail (ABBM) must be received by the Early Voting Clerk no later than the close of business on April 26, 2022.
- (c) The period to apply for a federal postcard application (FPCA) is January 1, 2022 through April 26, 2022. An FPCA must be received by the Early Voting Clerk no later than the close of business on April 26, 2022 (mere postmarking by the deadline is insufficient).
- (d) Early Voting Conducted by the Travis County Elections Administrator:
  - 1) Early voting, both by personal appearance and by mail will be conducted by the Travis County Elections Administrator in accordance with the *Texas Election Code*. Rebecca Guerrero, Interim County Clerk, is hereby designated and appointed as an Early Voting



**ORDINANCE NO. 638****Page 3**

Clerk for the special election.

- 2) Applications for ballot by mail for qualified voters of the City shall be mailed to:

By mail:

Rebecca Guerrero, Interim County Clerk  
Travis County Early Voting Clerk  
PO Box 149325  
Austin, Texas 78714-9325

By Contract Carriers/ Fedex:

Elections Division  
Travis County Clerk  
5501 Airport Blvd.  
Austin, Texas 78751

Telephone: (512) 238-VOTE

Email: [elections@traviscountytexas.gov](mailto:elections@traviscountytexas.gov)

Website: <https://countyclerk.traviscountytexas.gov/departments/elections/>

- 3) The main early voting location for the special election is:

City of Austin Permitting and Development Center  
6310 Wilhelmina Delco Drive  
Austin, TX 78752

Polling place hours: Monday – Saturday, 7:00 am – 7:00 pm  
Sunday, Noon – 6:00 pm

- 4) Early voting shall be held at the dates, times, and location authorized by the Travis County Elections Administrator. Any early voting polling place may be added or changed by the Administrator upon compliance with applicable law.

**Section 9. Election Judges and Clerks.** The presiding judges, alternate presiding judges and clerks for the election shall be selected and appointed by Travis County and its appointees in compliance with the requirements of state law, and such judges and clerks so selected by Travis County and its appointees are hereby designated and appointed by the city council as the election officers, judges and clerks, respectively, for the holding of said election. The presiding judges, alternate presiding judges and clerks shall perform the functions and duties of their respective positions that are provided by state law. The city council confirms and appoints the election judges and alternate election judges that are appointed by Travis County for the election.

**Section 10. City Secretary Assistance.** The City Secretary is hereby authorized and instructed to aide the Travis County Elections Administrator in the acquisition and furnishing of all election supplies and materials necessary to conduct the election. The City Secretary is further authorized to assist with the giving of notices required for the election, and to take such other and further action as is required to conduct the election in compliance with the *Texas Election Code*; provided that, pursuant to the Election Services Contracts between the City and the Travis County Elections Administrators, the Travis County Elections Administrators shall have the duty and be responsible for organizing and conducting the election in compliance with the *Texas Election Code*; and for providing all services specified to be provided in the Election Services Contract.

**ORDINANCE NO. 638****Page 4**

**Section 11. Necessary Actions.** The Mayor and the City Secretary of the City, in consultation with the City's Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code and the Federal Voting Rights Act in carrying out and conducting the Election, whether or not expressly authorized herein, including but not limited to making changes or additions to polling places, ballot language, or procedures to the extent required or desirable or as may become necessary due to circumstances arising after the date of this Ordinance.

**Section 12. General.** The election shall be held and conducted by the Travis County Elections Administrators in compliance with the *Tex. Elec. Code* and, to the extent not inconsistent therewith, the *City Charter*, and only resident qualified voters of the City shall be eligible to vote at the election. The Election Officers are hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election. Returns of the election shall be made known as soon as possible after the closing of the polls; and the election returns shall be canvassed by the City Council not earlier than May 10, 2022 nor later than May 18, 2022.

**Section 13. Authorization to Execute.** The Mayor is authorized to execute and the City Secretary is authorized to attest this Ordinance on behalf of the Council; and the Mayor is authorized to do all other things legal and necessary in connection with the holding and consummation of the election.

**Section 14. Effective Date; Election Code.** This ordinance shall be in full force and effect from and after its passage on the date shown below; provided that if any term or provision of this Ordinance conflicts with, or is inconsistent with, the Texas Elections Code, the Texas Election Code shall govern and control and the Williamson County Elections Administrator and the Travis County Elections Administrator shall comply with the Texas Elections Code.

**Section 15. Severability.** If any provision, section of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

**Section 16. Open Meetings.** It is officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required *Chapt. 551, Tex. Gov't. Code*.

**ORDINANCE NO. 638**

**Page 5**

**PASSED, ADOPTED AND APPROVED** on this the 2<sup>nd</sup> day of February 2022.

**CITY OF MANOR, TEXAS**

\_\_\_\_\_  
Dr. Christopher Harvey, Mayor

**Attest:**

\_\_\_\_\_  
Lluvia Almaraz, City Secretary

AGENDA ITEM NO. 10

## AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** February 2, 2022  
**PREPARED BY:** Scott Dunlop, Interim City Manager  
**DEPARTMENT:** Administration

### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on RFQ 2021-49 City of Manor Space Needs Assessment and Facilities Master Plan.

### BACKGROUND/SUMMARY:

RFQ 2021-49 will establish a 20 year Facilities Master Plan for the city and include space need assessments for city hall, police, public works, library, and multigenerational rec center. We received 6 proposals and the staff committee has reviewed them and interviewed the top two scoring candidates. The selected consultant will enter contract negotiations which will come back to the City Council for approval.

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

- Staff recommendation
- Recommended proposal

### STAFF RECOMMENDATION:

It is the City Staff's recommendation that the City Council select PGAL to enter contract negotiations for RFQ 2021-49 City of Manor Space Needs Assessment and Facilities Master Plan.

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

### **Staff recommendation:**

After reviewing and scoring the 6 received proposals and conducting interviews with the two highest scoring proposers staff is recommending the City Council select PGAL to conduct our Space Needs Assessment and Facilities Master Plan. Out of a possible total score of 125, PGAL received a 118.2.

The staff review committee was:

Scott Dunlop, Interim City Manager

Ryan Phipps, Chief of Police

Denver Collins, Police Captain

Lydia Collins, Finance Director

Mike Tuley, Public Works Director

Lance Zeplin, Public Works Streets and Parks Superintendent

### **Proposal Comments:**

- How the incorporated the library in their past projects was appealing
- 75 years of experience
- Office and workstation templates
- Community input for community buildings
- Kept requested 6 month schedule
- Experienced team in all requested areas
- Lots of local projects
- Understandable, logical workplan
- Has everything the city is looking for per the Needs Assessment
- Highly qualified
- High quality submission photos, examples and concept examples
- Provided substantial history of municipal projects demonstrating their background and capabilities
- Provided detailed work plan and a schedule outlining the process steps
- Provided qualifications and background on personnel and sub-consultants
- Demonstrated experience and expertise in similar plans for municipal projects in Central TX area – Pflugerville, San Marcos, College Station, Buda, Round Rock, and Leander

Interviews were conducted by Scott Dunlop, Ryan Phipps, Lydia Collins and Lance Zeplin.

Interview highlights:

- Staff was very impressed with the library consultant and their ability to plan and program a space that will achieve the goals of the community and Council for what that space should be
  - For reference: The library consultant is Eric Lashley, executive director of PLAN (Partners Library Action Network). PLAN (formerly the Central Texas Library System) assist over 215 member libraries with daily challenges of running a public library in Texas. He is the former Director of the Georgetown Public Library and served in Georgetown for 25 years. Under his tenure the Georgetown Library was awarded the nation's highest honor for libraries – the Institute of Museum and Library Services National Medal. He was named Texas Librarian of the Year in 2019 by the Texas Library Association.
- Staff felt PGAL communicated more effectively which would help when engaging with the community and Council





December 17, 2021

**Re: Request for Qualifications for Space Needs Assessment and Facilities Master Plan  
RFQ No.: 2021-49**

Dear Scott Dunlap:

We are excited to be submitting our qualifications for your project. PGAL brings a unique and fun facility programming approach that is a product of our 75-year history of working on municipal projects. We believe successful planning requires two key elements: "Blinders Off" and "Show the Math."

*Blinders Off*

We feel strongly that the City and PGAL need to "zoom out" and understand how a project fits within a City's big picture growth and facility plan. The "Blinders Off" idea has several manifestations during planning. First, we want to foster an environment where City departments can have their blinders off and learn the needs and priorities of their fellow departments. Second, we want to foster an environment where there are no bad ideas and no stone is unturned. The ultimate goal of this approach is to lend confidence to our planning solution because we know we worked together to determine the best possible plan.

*Show the Math*

Our process has a rigorous method of determining the ultimate space needs of projects. We must "Show the Math." It is like a math problem in school when your teacher required you to show your work, and if you didn't, you didn't get credit, even if the answer was right. We want anyone (council member, citizen, future City staff) to be able to read through our final planning book and be able to see exactly how we arrived at our planning solutions.

We strongly believe the City of Manor is doing the right and smart thing in conducting this broad city facility **Space Needs Assessment and Facilities Master Plan**. We would be thrilled and honored to help.

Thank you again. We encourage you to contact our clients, as they can best communicate the commitment, dedication, skill, imagination, and insight of the PGAL team and our commitment to service excellence. If you have any questions concerning our qualifications, you can contact me at 512.634.5100 or [cruebush@pgal.com](mailto:cruebush@pgal.com).

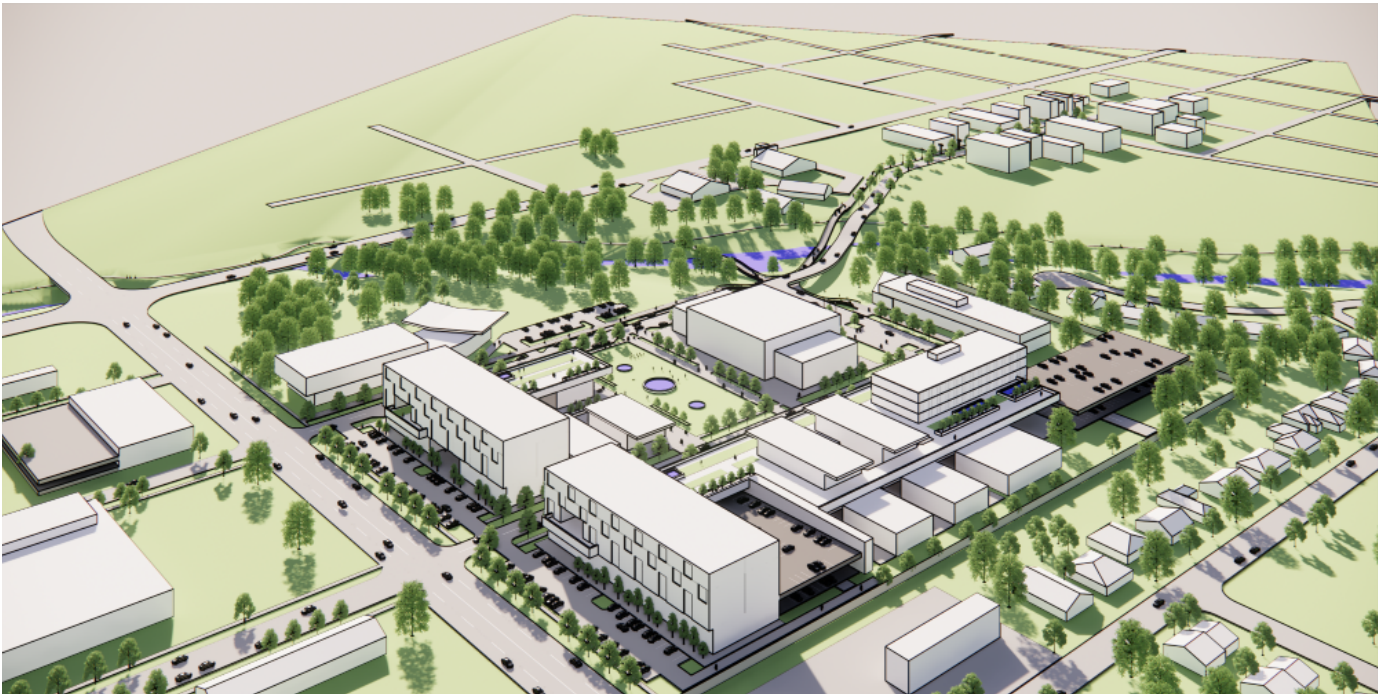
Sincerely,

Cris Ruebush, AIA, LEED AP BD+C  
Principal and Project Manager  
[cruebush@pgal.com](mailto:cruebush@pgal.com)  
512.634.5100

ALEXANDRIA  
ATLANTA  
AUSTIN  
BOCA RATON  
CHICAGO  
DALLAS/FORT WORTH  
DENVER  
HOBOKEN  
HOUSTON  
LAS VEGAS  
LOS ANGELES  
SALT LAKE CITY  
SAN DIEGO

# TABLE OF CONTENTS

WORK PLAN.....	1
PROJECT SCHEDULE.....	7
PROJECT TEAM.....	9
RELEVANT EXPERIENCE .....	15
QUALITY CONTROL .....	19
CERTIFICATION FORM.....	31
CONFLICT OF INTEREST FORM.....	32



# WORK PLAN

department staff titles

department staff counts

current population

future populations

current staff member space

assigned space standard

square footage need for each staff member as a product of staff count multiplied by space standard

percentage comparison of population growth with staff growth

POSITION / SPACE	DEPT	STAFF				EXISTING SF		SPACE STND		AREA				NOTES
		20,000	40,000	70,000	100,000	TYPE	SF	TYPE	SF	20,000	40,000	70,000	100,000	
Population Growth Percentage			100%	250%	400%									
Administration														
Public Works Director		1	1	1	1	OF	112	OF-4	200	200	200	200	200	
Administrative Assistant		1	1	1	1	OF	87	WS-3	81	81	81	81	81	
Receptionist / Records Clerk		1	2	2	2	OF	89	WS-3	81	81	162	162	162	
Assistant Public Works Director		1	1	1	1			OF-7	120	120	120	120	120	No staff member currently
Emergency Management Coordinator/Specialist			1	1	1			OF-7	120	0	120	120	120	
Office Manager		1	1	1	1			OF-7	120	120	120	120	120	No staff member currently
Shop Manager (Inventory)			1	1	1			OF-7	120	0	120	120	120	
Transit Manager				1	1			OF-7	120	0	0	120	120	
Subtotal: Staff		5	8	9	9									
Staff % Growth			60	80	80									
Personnel Space										602	923	1043	1043	
Departmental Circulation (40%)										241	369	417	417	
Projected Total Departmental SF										843	1,292	1,460	1,460	

image of typical departmental needs assessment spreadsheet with descriptive notes

Needs Assessments are tricky tasks. PGAL and the client have to make presumptions and forecasts in an effort to predict the future – and predicting the future is clearly a challenge. But with our extensive Needs Assessment experience, we have arrived at the belief that the process of working together and creating a publication documenting the process and results is extremely valuable to cities. Here is how to think about it: It gets you in the zip code. It is better to get in the zip code than to be flying blind. When we first visited with the City, the discussion was centered on the Police Department, so the fact that the City is making the effort to zoom way out and look at the full bucket of departments is to be applauded. This **Needs Assessment and Facilities Master Plan** is truly an opportunity to create a road map to provide the City and its citizens with the space and functions needed to serve a fast-growing community.

## PROJECT APPROACH

Our approach is simple.

**We listen ...**

What sets PGAL apart from other architectural firms is our sincere passion to seek **the deepest understanding of our client's desires, program, site, challenges, and community. From there, we create a solution exclusively and uniquely crafted to fit.**

We also believe the following brings value to your project and sets our team apart from the pack:

**Principal-driven performance** delivered via a personal process. At PGAL, our principals are always engaged in the management and design of all projects.

**Your trusted partner** successfully serving municipalities for nearly 75 years. We specialize in municipal design and focus our services to your vision and goals.

**User-engaged process** proven to successfully involve our clients in the design process. Our designs are created to serve and express the unique attributes of every client.

**History of budget and schedule performance.** High quality does not cost more. We offer an impressive track record providing lasting landmarks for municipalities, no matter their budget.

**Proven and tested results.** Our process will exceed expectations and deliver value – just ask our clients!

WORK PLAN

Our planning approach has two major themes: **“Take off the Blinders”** and **“Show the Math.”**

**“Blinders Off”:** We feel strongly that the City and PGAL need to “zoom out” and understand how a project fits within the City’s big-picture growth and facility plan. The “Blinders Off” idea has several manifestations during the planning. First, we want to foster an environment where City departments can have their blinders off and learn the needs and priorities of their fellow departments. Second, we want to foster an environment where there are no bad ideas and no stone is unturned. The ultimate goal of this approach is to lend confidence to our planning solution because we know we worked together to determine the best possible plan.

**“Show the Math”:** Our process has a rigorous method of determining the ultimate space needs of projects. The reason is, we must “Show the Math.” It’s like a math problem in school when your teacher required you to show your work, and if you didn’t, you didn’t get credit even if the answer was right. We want anyone (council member, citizen, future City staff) to be able to read through our final planning book and be able to see exactly how we arrived at our planning solutions.

NEEDS ASSESSMENT KEY STEPS

To communicate our work plan for your **Needs Assessment and Facilities Master Plan** that accomplishes “Take off the Blinders” and “Show the Math,” we have described each key step below.

Collect Existing Information

We want to collect from the City all existing information related to all the project types including: drawings of the existing buildings, drawings of potential sites for future projects, past master-planning documents, and population growth forecasts.

Review Existing Facilities

We will tour your existing city facilities to update drawings and dimensions, take photos, verify/document how all existing spaces are being used, document where each staff member works/offices, and document code and ADA violations. We will tour potential future project sites to study the area’s context/character, take photos, and identify site opportunities and constraints.

Determine Population Benchmarks

PGAL and the City will review current population growth projections and select appropriate population benchmarks to be used in our Space Needs projections. Typically the population benchmarks will be mapped to a year.

Document Existing Staff

The first step in creating a Needs Assessment program spreadsheet is to catalog all existing staff that will be involved in the projects and the amount of space each staff member currently has.

Space Standards

All staff members need a work space to perform their job. But how much space do they need? We are strong believers in the need to work with the City to create a series of Office and Workstation templates that provide a menu of spaces for various job descriptions. With this menu of spaces, we will zoom into the task of each staff member and assign them an appropriate office or workstation. Also, a space standard assignment is typically influenced by creating or maintaining desired staff hierarchies.

Forecast Staff Growth

An important part of planning is to forecast how City staff will need to grow as the population grows in order to maintain customer service levels. Typically we will ask the City’s department heads to do the first pass at these projections; often they can draw upon recent budgeting projections of upcoming staff needs. After the City’s initial projection, we review them as a group to identify departments that have over-projected or under-projected in relation to one another. We are also able to provide staffing information of comparable cities to serve as valuable check and balance benchmarking. The process of forecasting staff growth will take a lot of back and forth to arrive at a forecast that all stakeholders are confident in. The two steps above yield the hard numbers for square footage needs. The formula is as follows:  
Number of Staff (at population benchmarks) X Assigned Space Standard = Square Footage Needs  
Then, the space need for each staff member is totaled to yield the overall Square Footage Needs at the selected benchmark Populations.

STAFF PROJECTION SUMMARY

The chart below is a summary of the Public Works and Parks staff today and at future benchmark populations. Details of the staff projections are shown on the previous pages of detailed department spreadsheets. The orange colored spreadsheet cells compare the percentage of population growth versus the percentage of staff growth.

DEPARTMENT	STAFF			
	20,000	40,000	70,000	100,000
Population Growth Percentage		100%	250%	400%
Public Works Administration	5	8	9	9
Facilities	2	3	4	6
Fleet	4	5	6	8
Streets	15	23	30	35
Stormwater	4	8	12	15
Water	10	15	17	21
Wastewater	10	14	17	20
Parks	14	28	46	55
Projected Total Departmental Staff	64	104	141	169
Staff % Growth		63%	120%	164%

sample image of a summary of staff count projections / growth

### Forecast Support Spaces

Every project type needs support spaces such as file rooms, copy rooms, conference rooms, break rooms, storage rooms, trainings rooms, council chambers, stairs/elevators, mechanical rooms, etc. Projecting the needs (size and quantity) of support spaces can, in many ways, be more challenging than the forecasting of staff space needs because support space can be more discretionary. So, the team will need to discuss big picture policy ideas for conference rooms (dedicated versus shared), storage needs (digital filing versus paper), and flexible spaces (multiple use).

### Finalize Square Footage Needs

In the end, the square footage needs for a given facility is the sum total of each department's staff square footage needs + each department's support space square footage needs + shared support space square footage. The spreadsheet graphic, at the bottom of the page, shows a sample square footage tally from a Needs Assessment for the City of Buda.

### Create Project Roadmap

With a grand total square footage need for each project type at future population benchmarks, the final task is to create a roster of projects that can satisfy the space needs. Key decisions for each project will be Day 1 project size/cost versus Day Future project expansions size/cost.

### Establish Project Budgets

The creation of project budgets is important and very tricky. The budgets are inherently high. What we know: square footages. But, with no actual design work, what we don't know: site realities (storm water, soil, utilities), exterior materials, design simplicity/complexity, interior materials, and MEP systems. So, the budgets will be high level and have to be as follows: conservative, informed by similar recently built project costs, include allowances for design fees, contractor fees, furniture/fixtures/equipment, and

cost escalation over future years. Pandemic-related supply chain constraints and material cost escalations have rocked the confidence of budget estimates. Regardless, we must work together, along with our proposed cost estimator, CCM, to form budgets that allow the City to financially plan a way to fund the proposed project road map.

### Final Facility Program Document

Our final step is to create a clear and concise book that documents the journey that PGAL and the City of Manor took to create the **Needs Assessment and Facilities Master Plan**. The document will include all the elements we have listed above: existing building/site drawings and photos, population benchmark determinations, space needs spreadsheets, space standards, final square footage needs, project road map, and budgets.

## PROJECT TYPES

The **Needs Assessment and Facilities Master Plan** has distinct project types. We offer expertise for each. We have assigned staff members to each project type. Below, we list each project type, our dedicated staff member, and discuss key considerations for each.

### City Hall

Key staff: Gerri Gusler, Cris Ruebush

Key discussion topics:

Council Chambers: multipurpose flat floor versus formal, sloped floor and fixed seats.

Public versus Private: security versus "friendly"

Public Space: flexible space accessible and usable by the public.

### Development Services

Key staff: Gerri Gusler, Cris Ruebush

Key discussion topics:

Location: can be independent or part of City Hall or a Public Works complex.

DEPARTMENT	Existing	AREA				NOTES
		20,000	40,000	70,000	100,000	
<b>PUBLIC WORKS &amp; PARKS COMPLEX</b>						
Administration		843	1,292	1,460	1,460	
Facilities		196	224	252	308	
Fleet		252	280	308	364	
Streets		840	1,299	1,730	2,010	
Stormwater		112	224	476	560	
Water		505	645	701	899	
Wastewater		420	532	616	700	
Parks		1,019	2,118	3,640	4,203	
Public Works Support Space		3,964	4,988	6,274	7,382	currently 75% split of overall
Parks Support Space		1,321	1,663	2,091	2,461	currently 25% split of overall
Public Works Support Space - Storage/Work Bays		21,692	30,657	33,847	35,277	
Parks Support Space - Storage/Work Bays		9,900	15,235	17,050	20,680	
<b>Projected Total Departmental SF</b>	<b>9,874</b>	<b>41,064</b>	<b>59,157</b>	<b>68,446</b>	<b>76,303</b>	

sample image of a summary of grand total square footage needs projections



Public interface: level of accessibility by the public to directly interact with City staff.

### Police

Key staff: Gerri Gusler, Cris Ruebush

Key discussion topics:

Large scale spaces: need for training room(s), Community Briefing Room, and flexibility and accessibility for the public.

Evidence Storage: Evolving/increasing agency requirements for evidence storage influence the square footage needs.

Emergency Operations: Often police projects include a space that can serve as an EOC.

Officer spaces: key amenities that can improve staff moral: day-lit spaces, break room, dedicated gear lockers, fitness room.

### Public Works

Key staff: Klay Pavlicek, Cris Ruebush

Key discussion topics:

Critical vehicles: Key large, expensive vehicles are ideally stored inside in inclement (cold) weather

Fleet vehicle storage: A big part of space needs for public works is exterior paving to account for circulation and parking/storing of vehicle fleet.

Material storage: Quantifying needs for space on site to store sand, rock, signs, poles, pipes, etc are important and challenging.

### Library

Key staff: Adeline Williams, Eric Lashley

Key discussion topics:

Automated Book Handling: If the City's goals included using automated book handling, adequate space for these systems need to be factored in.

Book Drop: highly desirable to citizen convenience, space for the site plan maneuvering needs to be considered.

24-Hour Lobby: often City Librarys want to offer generous public space that can be accessed and used by the public even when Library collection is closed.

Number of Public Computers: the number of public computer stations factors into the needed space.

### Multi-generational Recreation Center

Key staff: Linsey Barta

Key discussion topics:

Fitness Scope: goals for size and functions of a fitness area are big space factors. Need cardio class space? Need a full-service weight area? What private gyms are near?

Target square footage per citizen: often Park/Rec departments have a target square footage per citizen.

Multipurpose: flexible space leads to increased space usage with the negative being the "flex" space may not be 100% perfect for each usage type.

## OTHER THOUGHTS

### Community Input

PGAL is an adept team player in Community Input strategies and meetings. As the Needs Assessment gets rolling, we will want to proactively decide which project types will need community input and which will not. We find the projects most needing public input are the highly public ones such as the Library and Multi-generational Recreation Center. The best time for input is after a "draft" program has been developed from the Needs Assessment process (see our Schedule concept in Section 3). As for the



image from City of Pflugerville City Hall Needs Assessment: citizen committee prioritizing features of a City Hall development



Community Input format, we have been part of meetings of all shapes, sizes and strategies. We will customize the game plan with City staff/department/leadership input.

### Blocking Exercises

With all the square footage information from the Space Needs Spreadsheets, we can create to-scale “blocks” of all the programmed spaces (see image below). We will have workshops with the City and use the “blocks” to identify key space adjacencies and vital work flows, and discuss trade-offs of various layouts. This process is fun and interactive. It allows us, as a team, to come up with layout solutions that have the buy-in and support of all stakeholders because they were part of the process.

### Project Combinations

As the “Master Plan” piece of the project develops, it will be super interesting to see what combinations of departments and functions the City will be interested in exploring.

- Should/can the Library/Recreation Center combine?
- Should City Hall and Police combine? (tricky topic)
- Where is the ideal location for Public Works?
- Is Public Works separated from other projects?
- How does project phasing influence the combinations?



image of City of Pflugerville City Hall development concept

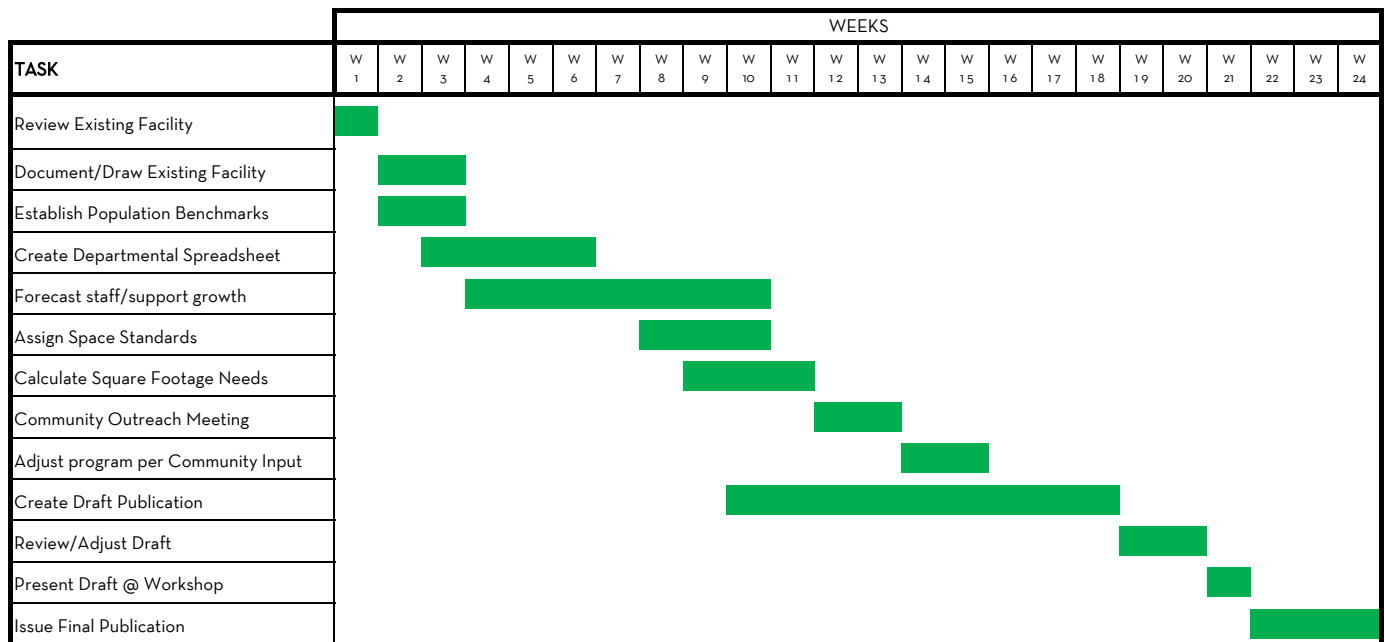


photo of 'Blocking Exercise' from Austin PD Canyon Creek Substation identifying work flow and adjacencies

# SCHEDULE

Our approach to Facility Programming takes a lot of communication and interaction between PGAL and the City, which can be a challenge as we align the calendars of busy City staff. At the beginning of the process, we like to establish a standard/typical day of the week for the group to meet so that everyone can mark their calendars far in advance. The schedule below illustrates proposed durations of the programming process steps.

With the six project types/elements -- City Hall, Development Services, Police, Public Works, Library, Multi-generational Recreation Center -- we feel each will run in tandem with having a schedule similar to the concept below, which shows a six-month timeline.



A few other schedule thoughts:

1. These project are highly collaborative with involvement from each City Department.
2. We all must be flexible and realize that the schedule may need to go faster or slower for a host of reasons.
3. Community Input: We placed an idea of the right time for such input into the schedule.
4. Community Input: It is likely that some project types will need more, and some will require less.
5. Staff/Team Meetings: We will need to be interfacing formally, at minimum, every other week.
6. Six-Month Thought: with the six-nth schedule concept, we believe it will be a challenge to shorten it.

# PROJECT TEAM

## LEADERSHIP

PGAL Principal Cris Ruebush, AIA, LEED AP, will serve as the main point of contact and lead the project team. Cris has vast experience in performing Space Needs Assessment and Facilities Master Planning for a wide variety of municipal buildings in Central Texas. He is recognized for his collaborative spirit, skills in community engagement, facilitating open community meetings and creating consensus among stakeholders. His extensive architectural background and can-do/will-do attitude guarantees an attention to detail and skills necessary to sift through multiple ideas and hone in on the best possible solution for your unique project.

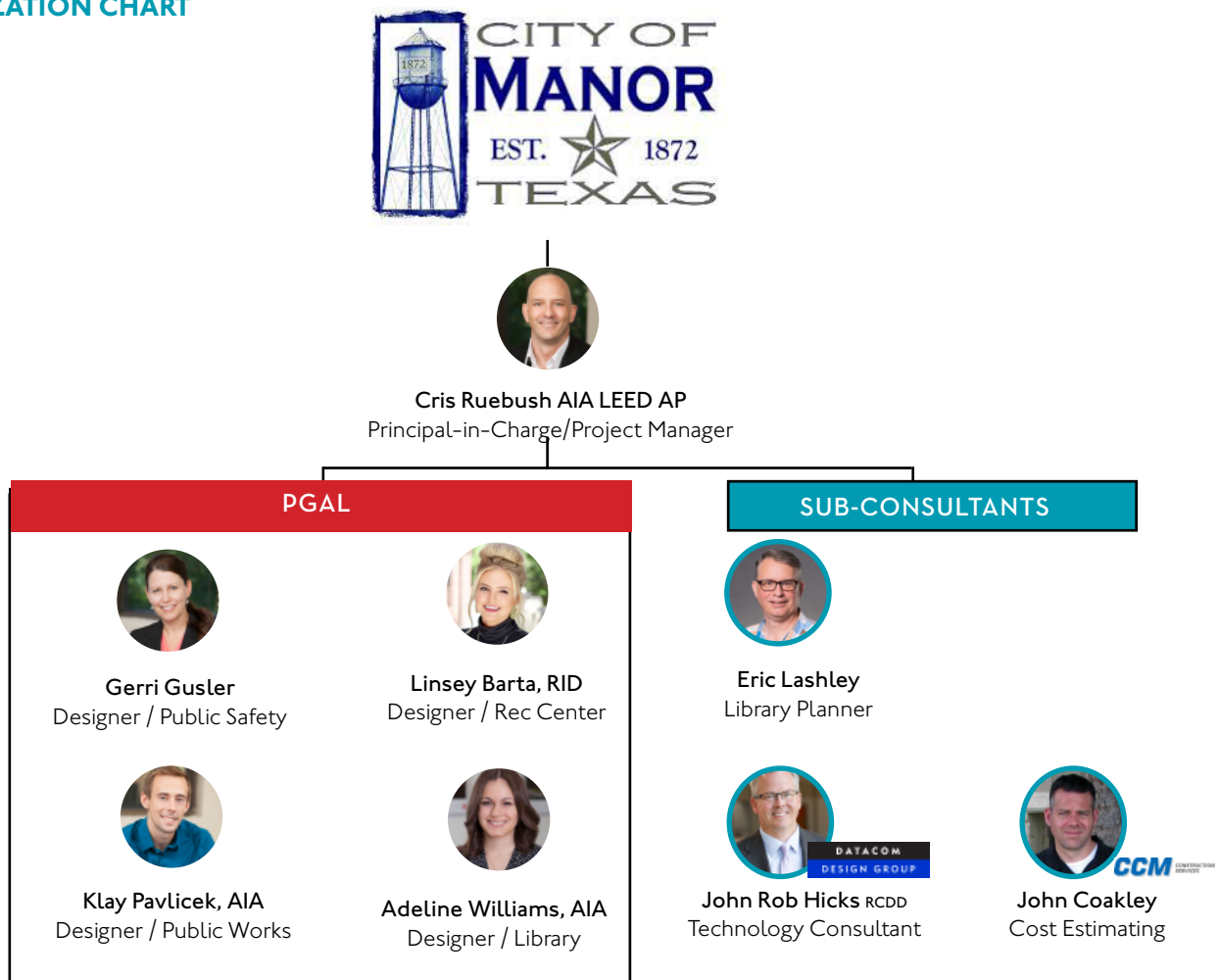
## TEAM

PGAL is a financially sound, 75-year-old architectural and engineering firm that was founded in Houston, Texas. We have 13 offices with more than 250 professionals across the country, giving us the depth of resources to complete this contract.

We use cloud computing to facilitate collaboration across multiple offices. The nature of our environment allows staff to work from anywhere and provides access to high-powered computing in order to complete high-quality renderings and other project deliverables. As a result, we are able to add resources immediately if necessary for the project.

Above all, our people are our most valuable resource. The strengths and talents of our professionals will provide a strong foundation for your project, bringing leadership, programming, planning, and design experience from numerous municipal projects. **Our Austin team is known across Texas for its creative approach and “can do...will do” attitude that seeks a truly unique and fitting solution for each project.**

## ORGANIZATION CHART



**CRIS RUEBUSH** AIA, LEED AP**Principal-In-Charge**

Cris has 24 years of experience providing architectural design and construction administration services for cities and counties throughout Texas. He has extensive experience successfully delivering projects in Central Texas including vast experience with needs assessments.

**EDUCATION**

Bachelor of Architecture  
University of Houston

**REGISTRATION/LICENSES**

Registered Architect  
Texas No. 20946

LEED Accredited  
Professional

**AFFILIATIONS**

American Institute of  
Architects

**PROJECT EXPERIENCE WITH NEEDS ASSESSMENT COMPONENT**

- › City of New Braunfels Police Headquarters, New Braunfels, Texas
- › City of College Station Police Headquarters, College Station, Texas
- › City of Burnet Police Headquarters, Burnet, Texas
- › City of Kyle Police Headquarters, Kyle, Texas
- › City of Austin Canyon Creek Police Substation, Austin, Texas
- › City of Georgetown Westside Service Center, Georgetown, Texas
- › City of San Marcos City Hall and Community Service Center Needs Assessment, San Marcos, Texas
- › City of Cedar Park Field Operations Center, Cedar Park, Texas
- › City of Seabrook Public Works Needs Assessment, Seabrook, Texas
- › City of Kerrville Needs Assessment, Kerrville, Texas
- › City of Pearland Needs Assessment, Pearland, Texas
- › City of Sugar Land Needs Assessment, Sugar Land, Texas
- › City of Leander Public Works Needs Assessment, Leander, Texas
- › City of College Station City Hall and Police Needs Assessment, College Station, Texas
- › City of Nolanville City Hall Needs Assessment, Nolanville, Texas
- › Facility Needs Assessment for City of Pflugerville City Hall Complex, Pflugerville, Texas
- › City of Hutto City Hall Needs Assessment, Hutto, Texas
- › City of Buda Public Works and Parks Needs Assessment, Buda, Texas







**GERRI GUSLER**

**Project Designer - City Hall, Development Services, Police Focus**

Gerri has provided planning, design and management services on many of PGAL’s municipal projects for the last 24 years. She is a thoughtful and thorough designer. Her ability to listen makes her an intuitive designer and ensures her projects meet the expectations of our clients. Relevant project experience includes:



**EDUCATION**

Bachelor of Architecture  
University of Houston

**RELEVANT PROJECT EXPERIENCE**

- › City of Navasota City Hall, Navasota, Texas
- › City of Sugar Land City Hall, Sugar Land, Texas
- › City of College Station Police Headquarters, College Station, Texas
- › City of Austin Canyon Creek Police Substation, Austin, Texas
- › City of Georgetown Westside Service Center, Georgetown, Texas
- › City of Cedar Park City Hall, Cedar Park, Texas
- › City of Kerrville Needs Assessment, Kerrville, Texas
- › City of Sugar Land Needs Assessment, Sugar Land, Texas
- › City of College Station City Hall and Police Needs Assessment, College Station, Texas



**ADELINE WILLIAMS AIA**

**Project Architect - Library Focus**

Adeline joined PGAL in 2017. She has experience in all aspects of projects from programming thru construction administration. She is very skilled in creating thoughtful designs that are clean, simple, and cost effective with an ability to present and convey the designs with 3D renderings and virtual walk-thrus. Adeline has recently worked on the City of San Marcos Library Expansion and Renovation and the City of Round Rock Library. Relevant project experience includes:



**EDUCATION**

Bachelor of Architecture,  
Rensselaer Polytechnic  
Institute

**REGISTRATION/LICENSES**

Registered Architect  
Texas No. 29239

**AFFILIATIONS**

American Institute of  
Architects

**RELEVANT PROJECT EXPERIENCE**

- › City of Georgetown Convention Center & Visitors Bureau Program/Feasibility Study, Georgetown, Texas
- › City of San Marcos Public Library, San Marcos, Texas
- › City of Round Rock Public Library. Round Rock, Texas
- › City of New Braunfels Public Library Conceptual Design, New Braunfels, Texas
- › Facility Needs Assessment for City of Pflugerville City Hall Complex, Pflugerville, Texas
- › City of College Station Police Headquarters, College Station, Texas
- › City of New Braunfels Police Headquarters, New Braunfels, Texas
- › City of Austin Canyon Creek Police Substation, Austin, Texas



## KLAY PAVLICEK AIA

### Project Architect - Public Works Focus

Klay joined PGAL in 2013. Since then, he has become a licensed and knowledgeable Architect delivering detailed projects under-budget and on-time. His experience encompasses all levels of project development from conceptualization through construction administration. Klay is currently working on the City of Austin Convention Center Warehouse and Marshalling Yard (70,000 SF). Klay has recently completed the Facility Planning Services for the City of Buda Public Works and Parks Department and the Leander Public Works Needs Assessment.

#### EDUCATION

Masters of Architecture,  
Texas A&M University

#### REGISTRATION/LICENSES

Registered Architect:  
Texas No. 27124

#### AFFILIATIONS

American Institute of  
Architects

#### RELEVANT PROJECT EXPERIENCE

- › City of Leander Public Works Needs Assessment, Leander, Texas
- › City of Buda Public Works and Parks Needs Assessment, Buda, Texas
- › City of Georgetown Westside Service Center, Georgetown, Texas
- › City of Seabrook Public Works Center, Seabrook, Texas
- › City of Austin Convention Center Marshalling Yard, Austin, Texas
- › City of Burnet Police Headquarters, Burnet, Texas
- › City of Cedar Park Field Operations Materials Storage Building #2, Cedar Park, Texas



## LINSEY BARTA RID

### Interior Designer - Multi-generational Recreation Center Focus

Linsey focuses on universal design and utilizes sustainable materials particularly with the Cradle to Cradle design initiative in mind. Designing for all age ranges and encompassing multiple industries including community centers, recreation centers and public safety facilities, Linsey has great insight into client needs. Her personality fosters good team communication and a collaborative approach. She brings a passion to all of her projects and enjoys creating environments that positively impact people's daily lives. She strives to use a fresh perspective on each project and is adept at developing both computer generated and hand rendered 3-D images.

#### EDUCATION

Bachelor of Science  
Interior Design and  
Hospitality Management  
Colorado State University

#### REGISTRATION/LICENSES

Registered Interior  
Designer No. 12734

#### AFFILIATIONS

IIDA

#### RELEVANT PROJECT EXPERIENCE

- › UNT Multicultural Center, Denton, TX
- › Cedar Hill Premiere Library, Cedar Hill, TX
- › Shadow Creek Library, Pearland, TX
- › Harrington Public Library, Plano, TX
- › Midland Senior Centers Master Plan, Midland, TX
- › Richardson Senior Recreation Center, Richardson, TX
- › Princeton Community Center Adaptive Reuse, Princeton, TX
- › Leander Senior Recreation Center, Leander, TX







## ERIC LASHLEY AIA, LEED AP

### Library Planner; Executive Director of PLAN

Eric Lashley is the former Director of the Georgetown Public Library. Eric served nearly 25 years with the City of Georgetown. In 2018, during his tenure, the Georgetown Public Library was awarded the Institute of Museum and Library Services National Medal, the nation's highest honor for libraries and museums in our country. Eric was named the Texas Librarian of the Year in 2019 by the Texas Library Association.

### OVERVIEW OF PARTNERS LIBRARY ACTION NETWORK (PLAN)

In 1969, the Texas Legislature passed the Texas Library Systems Act which created the framework for the 10 regional systems. The Central Texas Library System, along with the other nine systems, received little state funding for a number of years. Over time, the funding increased and many new libraries were established to serve the rapidly growing central Texas population. By 2005, the system had 76 member libraries. In the fall of 2004, 54 member libraries voted to join a non-profit corporation for the purposes of administering the system grant. On September 1, 2005, CTLS, Inc. was awarded a contract to manage the System and TANG grants from the Texas State Library. In 2021, the Central Texas Library System (CTLS) was renamed Partners Library Action Network (PLAN). Staff members work diligently to assist over 215 member libraries with the daily challenges of running a public library in Texas.



## JOHN COAKLEY CPE, LEED BD+C, AVS

### Cost Estimator

John is a founding principal of CCM Construction Services, LLC and has over 15 years of construction industry experience. John's background involves both finance and construction allowing an in-depth understanding of economics and construction costs. John first became interested in the construction industry while working during high school and college for an equipment distributor serving the industrial and commercial construction markets. Positions held during his career have involved industry analysis, project cost control, construction claims, project management, scheduling, and estimating. Project experience includes major airport terminals and renovations, university facilities, healthcare, schools, libraries, courthouses, jails, fire stations, parks, museums, light rail, heavy/highway, manufacturing facilities, marine, and industrial installations. John holds degrees in finance and construction management as well as several industry certifications. John is an active member of the American Society of Professional Estimators (ASPE) and currently serves on the local chapter board.

**CCM**

### RECENT PROJECT EXPERIENCE WITH PGAL

- › Cedar Park Building #6 Fire Administration Build-Out
- › College Station Police Headquarters
- › Travis County Evidence Warehouse



EDUCATION

Bachelor of Science  
Architecture  
University of Virginia  
Master of Architecture  
University of Texas at  
Austin  
Executive Master of  
Business Administration  
Georgia State University

REGISTRATION/LICENSES  
RCDD

JOHN ROB HICKS RCDD

Technology Consultant

John Rob Hicks has more than 25 years of experience in the consulting and design of technology projects, including municipal facilities of all types. He has compiled an outstanding portfolio that exemplifies his dedication to excellence and a unique ability to direct diverse teams to perform at the highest levels of quality and timeliness. Through his extensive knowledge and expertise, John Rob provides clients with independent technology solutions, while ensuring continuous and open communication throughout the planning and decision-making process. As a Project Manager and Principal-in-Charge, he actively promotes a thorough, team-wide understanding of design objectives, system requirements and timelines related to the project.

RELEVANT PROJECT EXPERIENCE

- › City of Buda, Municipal Complex & Library, Buda, Texas
- › City of Farmer’s Branch Fire Station #2, Farmer’s Branch, Texas
- › City of San Marcos Public Library Expansion and Renovation, San Marcos, Texas
- › City of Anna Municipal Complex, Anna, Texas
- › City of Arlington Fire Station No. 1, Arlington, Texas
- › City of Frisco Public Works Facility, Frisco, Texas
- › City of Lubbock Police Headquarters, Lubbock, Texas
- › City of Lubbock Citizens Tower, Lubbock, Texas
- › City of San Antonio Frost Tower Renovation, San Antonio, Texas
- › City of San Antonio Alamo Region Security Operations Center (ARSOC), San Antonio, Texas

# RELEVANT EXPERIENCE

We are the right firm for your **Space Needs Assessment and Facilities Master Plan** because we have the right combination of:

1. Direct and local experience on Needs Assessments
2. Direct and local experience with each of the project types



photo of City of College Station New Police Headquarters

Below are Needs Assessments, of all shapes and sizes for Central Texas cities, that PGAL's Austin staff have been directly involved with since 2008:

- City of Kerrville
  - City of Cedar Park
  - City of Burnet
  - City of Georgetown
  - City of College Station
  - City of Hutto
- City of Round Rock
  - City of Pflugerville
  - City of Leander
  - City of San Marcos
  - City of Buda
  - City of Nolanville

We chose these six Relevant Experience projects to show a project for each project type within the scope of your **Space Needs Assessment and Facilities Master Plan**. They are listed in the same order on RFQ pages 5 and 6):

Project:	Project Type:
City of Pflugerville City Hall Needs Assessment	City Hall
City of San Marcos City Hall and Community Service Needs Assessment	Development Services
City of College Police Headquarters	Police
City of Buda Public Works and Parks Need Assessment	Public Works
City of Round Rock Public Library	Library
City of Leander Senior & Child Advocacy Center	Multi-generational Recreation Center

# CITY OF PFLUGERVILLE CITY HALL NEEDS ASSESSMENT

PFLUGERVILLE, TEXAS



This Facility Needs Assessment documented the process and results of determining the City of Pflugerville's space needs for a new City Hall that would provide the space needs for the following City departments: CIP Engineering, City Manager, City Secretary, Development Services, Finance/Utility Billing, Human Resources, GIS, Information Technology, Municipal Court, Parks, Public Information.

#### Methodology:

The planning process progression was as follows: Document all existing buildings, document current staff and their current space use and type (office or workstation), forecast staff and support space growth at benchmark populations, establish space standards (map space to staff positions), develop resulting square footage needs at benchmark populations, and create concepts to provide the needed space.

#### 2021 Citizen Committee:

In the late summer of 2021, the City of Pflugerville appointed a citizen committee to reach a go or no-go recommendation for the purchase of land that could provide a site for a City Hall (based on our Needs Assessment), a Recreation Center (already approved by a bond vote), and private development (office, retail, etc). The City hired PGAL to lead three committee meetings to brainstorm a vision for the site feature (wants and non-wants), do a site concept, and discuss public-private partnerships. The rendering at the top of the page was a site concept created over the course of the short-fuse, three-week exercise.

#### Relation to your Needs Assessment:

We are mapping this project to your *City Hall* element.

#### Owner Reference

Trey Fletcher, Deputy City Manager  
City of Pflugerville  
512.990.6301  
TREYF@pflugervilletx.gov

#### Project Schedule

Needs Assessment Booklet published:  
September 2019

Potential Site Visioning/Planning via three  
committee charrettes: July 2021

**Proposed Project Budget from Needs  
Assessment in 2019: \$34 Million**



# PROGRAM SUMMARY



Below is the headcount and space summary of the program/needs assessment at each population benchmark:

Space Totals:

**CITY HALL PROGRAM SUMMARY**

POSITION / SPACE	AREA			
	60,000	100,000	160,000	260,000
Population Growth Percentage		67	167	333
<b>New CITY HALL</b>				
CIP Engineering	2,939	3,685	5,134	5,589
City Manager's Office	1,318	1,534	2,139	2,821
City Secretary	1,476	1,757	2,005	2,208
Development Services	4,553	6,835	9,068	10,773
Finance / Utility Billing	2,764	3,356	5,044	6,174
Human Resources	1,610	1,778	2,016	2,184
GIS	638	1,420	1,420	1,642
Information Technology	1,190	1,600	1,764	1,909
Parks	1,268	1,753	2,940	3,651
Public Information	1,800	2,535	3,216	3,556
Municipal Court	5,993	6,220	6,721	6,948
Shared Support Space	22,694	22,694	23,394	23,394
<b>GRAND TOTAL SQUARE FOOTAGE</b>	<b>48,243</b>	<b>55,166</b>	<b>64,860</b>	<b>70,849</b>

Staff Totals:

POPULATION BENCHMARKS	60,000	100,000	160,000	260,000
Population Growth Percentage		67	167	333
CIP Engineering	10	16	26	29
City Manager's Office	3	5	8	13
City Secretary	3	5	7	9
Development Services	25	46	63	77
Finance / Utility Billing	13	18	30	39
Human Resources	3	5	8	10
GIS	4	11	11	13
Information Technology	3	8	10	12
Municipal Court	6	9	12	15
Parks	9	13	22	28
Public Information	7	13	19	22
<b>TOTAL CITY STAFF</b>	<b>86</b>	<b>149</b>	<b>216</b>	<b>267</b>
Staff Growth Percentage		73	151	210

# CITY OF SAN MARCOS SPACE NEEDS ASSESSMENT

SAN MARCOS, TEXAS



1<sup>st</sup>



2<sup>nd</sup> - A



2<sup>nd</sup> - B

OR



image from City of San Marcos Needs Assessment showing 'to scale' representations of the facility square footage needs

This Facility Needs Assessment documented the process and results of determining the City of San Marcos' space needs for a new Community Services Complex and City Hall that would provide the space needs for the following City departments: City Manager, City Clerk, Communications, Human Resources, Legal, Technology, Capital Improvements, Planning & Development, Finance, Utility Billing, Community Services, Public Services, Neighborhood Services, Electric Utility, Transportation, Water/Wastewater.

In an unusual setup, the City's City Hall and primary Public Works functions shared a site in the heart of the City. The main goal became to build a new Community Services Complex to consolidate all Public Works functions on a new, 'less prime real estate' site. With Public Works functions removed from the City Hall site, the opportunity opens up to do an all-new City Hall on the existing site with the potential to include other private amenities.

From this 2016 plan, the City has implemented the design and construction of a new Community Services Complex via a developer-led delivery method. Now the City has the ability to redevelop their City Hall property, which we anticipate happening over the next years.

**Relation to your Needs Assessment:**

We are mapping this project to your *Development Services* element, given the complexity of the City of San Marcos Community Services departmental setup. In the overall plan, the Development Services department was assigned to the new City Hall so that the public would have good access.

**Owner Reference**

Steve Parker  
Former Assistant CM for San Marcos  
Currently CM for Seguin  
830.401.2302  
sparker@seguintexas.gov

**Project Schedule**

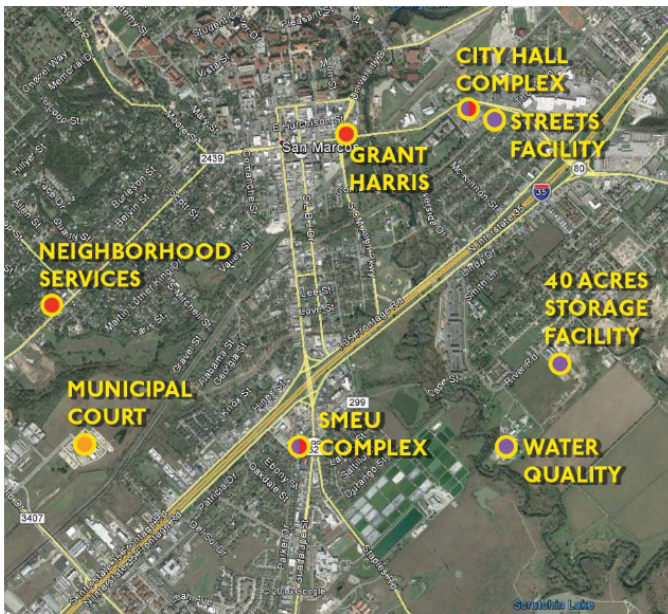
Needs Assessment Published: May 2016

**Proposed Project Budget from Needs Assessment in 2016:**

Community Services Complex: \$19 Million  
City Hall: \$30 Million

Link to PGAL Civic Design Portfolio:  
[https://issuu.com/pgalconnect/docs/national\\_civic\\_brochure\\_2021](https://issuu.com/pgalconnect/docs/national_civic_brochure_2021)





The map above shows the locations of the recorded complexes and buildings. These locations are color coded to represent their occupant's intended destination. The next page shows thumbnails and basic info for each building.

The following pages have detailed plans showing the layout of each building and use of spaces.

- CITY HALL
- PC COMPLEX
- BOTH
- STAY

image of existing facilities location map



image of color-coded existing layout floor plan



image of existing facilities thumbnails

The intent of this section is to summarize the existing square footage at the existing City Municipal buildings reviewed in this report.

DEPARTMENT	Existing
City Manager	1,834
City Clerk	1,314
Communications	567
Human Resources	1,787
Legal	1,593
Technology	3,050
Capital Improvements	3,757
Planning and Development	3,964
Finance	3,075
Utility Billing	2,050
Community Services Administration	3,000
Neighborhood Services	2,160
City Hall: Support Space	16,705
Public Services Admin	1,900
Community Services	1,000
Electric Utility	3,480
Transportation	4,000
Water/Wastewater	3,650
Public Works: Support Space: Administration	7,730
Public Works: Support Space: Operations	27,000
Municipal Court	4,869
<b>Projected Total SF</b>	<b>93616</b>

Note: Municipal Court space at Hays County Courthouse not included in calculation above.

image of grand total of existing space chart

# CITY OF COLLEGE STATION POLICE NEEDS ASSESSMENT

COLLEGE STATION, TEXAS



PGAL was commissioned by City of College Station to perform master planning, programming, and design services for the City's new two-building police headquarters.

The 63,625-square-foot "main" building features a welcoming two-story lobby connecting the first and second floors visually. The T-shaped first floor consists of a large community media room, training room, lockers, and other PD office functions. The one-story, rear back-of-house portion presents a higher volume to serve evidence and property storage functions as well as a forensics vehicle bay. The second floor of the main building is highlighted by a balcony overlooking the main entry lobby and includes services such as an administration suite, dispatch, detective work space, recruiting, and training spaces. The main building's T-shape plan allows for future expansion into an H-shape, as required, as the city grows.

The second, 11,000-square-foot "annex" building is located on the southern portion of the site and will mainly be used for department vehicular functions as well as fitness and storage spaces.

The stone and brick façade feature large punch windows on the ground floor with a continuous ribbon window on the second floor. The building aesthetic is inspired by a blend of the prairie-style movement melded with city council's desire for a historic and timeless architectural design, creating a prototype for the design language of future City of College Station buildings.

## Relation to your Needs Assessment:

We are mapping this project to your *Police* element.

## Owner Reference

Emily Fisher, PE  
Director  
Public Works Department  
979.764.3690  
efisher@cstx.gov

## Project Schedule

Needs Assessment Published: Jan 2016

**Proposed Project Budget from Needs Assessment in 2016: \$28 Million**

## Link to PGAL Police Facility Portfolio:

[https://issuu.com/pgalconnect/docs/2020\\_police\\_facility\\_design\\_brochure\\_for\\_client\\_up](https://issuu.com/pgalconnect/docs/2020_police_facility_design_brochure_for_client_up)



DEPARTMENT: Police Department 6-27-2015  
DESCRIPTION:

POSITION / SPACE	SWORN	UNSWORN	AREA	100,000	150,000	200,000	300,000	NOTES
Administration	18	24	28	31				
Administrative Services Bureau	53	72	97	120				
Field Operations Bureau	102	177	241	355				
Operations Support Bureau	37	64	102	148				
Training Center	3,350	4,550	4,550	5,550				
Front Lobby	2,090	2,090	2,270	3,000				
General Building	7,270	7,545	7,870	11,745				
Field Operations	12,225	12,225	15,365	19,880				
Communications	2,450	2,450	3,080	3,580				
Jail	2,180	2,180	2,180	2,180				
Operations Support	300	300	300	590				
Records	400	400	450	700				
SWAT / Storage	8,570	8,570	8,620	12,030				
Building Circulation	19,201	22,563	26,998	36,101				
<b>GRAND TOTAL SQUARE FOOTAGE</b>	<b>67,203</b>	<b>78,971</b>	<b>94,494</b>	<b>126,354</b>				

POSITION / SPACE	AREA			
	100,000	150,000	200,000	300,000
Population Growth Percentage		50	100	200
<b>Staff Office Space</b>				
Administration	2,442	3,252	3,792	4,212
Administrative Services Bureau	1,973	2,898	4,376	5,254
Field Operations Bureau	1,835	4,882	6,498	9,587
Operations Support Bureau	2,917	5,066	8,145	11,945
<b>Support Space</b>				
Training Center	3,350	4,550	4,550	5,550
Front Lobby	2,090	2,090	2,270	3,000
General Building	7,270	7,545	7,870	11,745
Field Operations	12,225	12,225	15,365	19,880
Communications	2,450	2,450	3,080	3,580
Jail	2,180	2,180	2,180	2,180
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<b>Building Circulation</b>	<b>19,201</b>	<b>22,563</b>	<b>26,998</b>	<b>36,101</b>
<b>GRAND TOTAL SQUARE FOOTAGE</b>	<b>67,203</b>	<b>78,971</b>	<b>94,494</b>	<b>126,354</b>

image of square-footage needs at future populations

POPULATION BENCHMARKS	100,000	150,000	200,000	300,000
Population Growth Percentage		50	100	200
<b>TOTAL POLICE DEPARTMENT STAFF</b>	<b>210</b>	<b>337</b>	<b>468</b>	<b>654</b>
Staff Growth Percentage		60	123	211
Administration	18	24	28	31
Administrative Services Bureau	53	72	97	120
Field Operations Bureau	102	177	241	355
Operations Support Bureau	37	64	102	148
<b>SWORN VERSUS UNSWORN STAFF</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Sworn	134	224	312	457
Sworn % Growth	0	67	133	241
Sworn Staff per 1,000 population	1.34	1.49	1.56	1.52
Un-Sworn	76	113	156	197
Un-Sworn % Growth	0	49	105	159

image of staffing counts at future populations



photo of annex building

massive full final square-footage needs spreadsheet

CITY OF BUDA

## PUBLIC WORKS NEEDS ASSESSMENT

BUDA, TEXAS



DEPARTMENT		AREA				NOTES
	Existing	20,000	40,000	70,000	100,000	
PUBLIC WORKS & PARKS COMPLEX						
Administration		843	1,292	1,460	1,460	
Facilities		196	224	252	308	
Fleet		252	280	308	364	
Streets		840	1,299	1,730	2,010	
Stormwater		112	224	476	560	
Water		505	645	701	899	
Wastewater		420	532	616	700	
Parks		1,019	2,118	3,640	4,203	
Public Works Support Space		3,964	4,988	6,274	7,382	currently 75% split of overall
Parks Support Space		1,321	1,663	2,091	2,461	currently 25% split of overall
Public Works Support Space - Storage/Work Bays		21,692	30,657	33,847	35,277	
Parks Support Space - Storage/Work Bays		9,900	15,235	17,050	20,680	
Projected Total Departmental SF	9,874	41,064	59,157	68,446	76,303	

image showing Buda's grand total interior square footage needs and future population benchmarks

This Facility Needs Assessment documented the process and results of determining the City of Buda's space needs for their Public Works and Parks Departments. Their current site has two buildings – one dedicated to Public Works and one dedicated to Parks. The site is floating within City park land that can not be infringed on, so the site does not have enough free land to fit the full ultimate build-out. Therefore, the plan became as follows:

- Step 1 – Do an expansion of the existing site to maximize its use
- Step 2A– Build an all-new dedicated Public Works Complex
- Step 2B– Modify original site to operate solely as Parks
- Step 3 – Expand Public Works Complex

#### Relation to your Needs Assessment:

We are mapping this project to your Public Works element.

#### Owner Reference

Ray Creswell  
Facility Manager  
City of Buda  
512-523-1073  
Rcreswell@ci.buda.tx.us

#### Project Schedule

Needs Assessment Published: August 2021

#### Proposed Phased Project Budgets from Needs Assessment:

- Project 1: \$7.6 Million
- Project 2A: \$21 Million
- Project 2B: \$2.1 Million
- Project 3: \$3 Million

Link to PGAL Civic Design Portfolio:  
[https://issuu.com/pgalconnect/docs/national\\_civic\\_brochure\\_2021](https://issuu.com/pgalconnect/docs/national_civic_brochure_2021)

department staff titles

department staff counts

current population

future populations

current staff member space

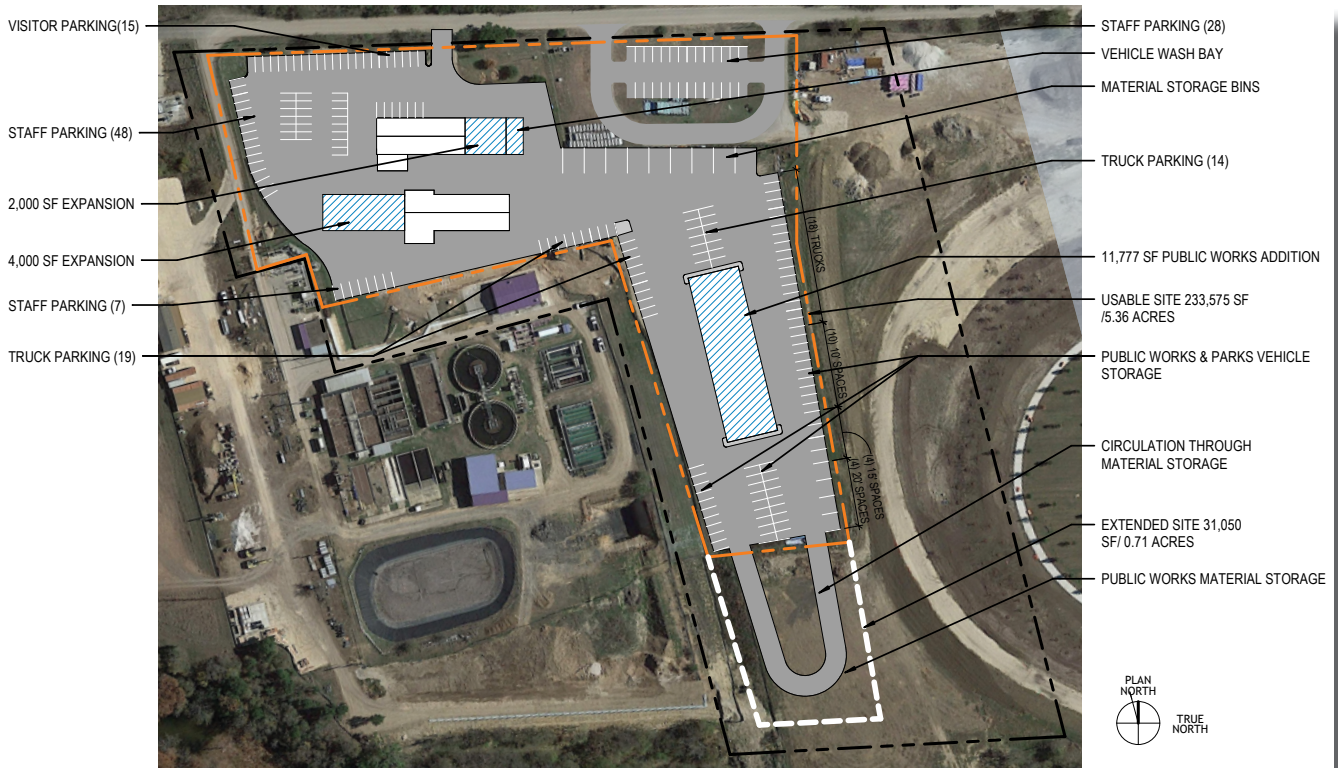
assigned space standard

square footage need for each staff member as a product of staff count multiplied by space standard

percentage comparison of population growth with staff growth

POSITION / SPACE	DEPT	STAFF				EXISTING SF		SPACE STND		AREA				NOTES
		20,000	40,000	70,000	100,000	TYPE	SF	TYPE	SF	20,000	40,000	70,000	100,000	
Population Growth Percentage														
		100%	250%	400%										
Administration														
Public Works Director		1	1	1	1	OF	112	OF-4	200	200	200	200	200	
Administrative Assistant		1	1	1	1	OF	97	WS-3	81	81	81	81	81	
Receptionist / Records Clerk		1	2	2	2	OF	98	WS-3	81	81	162	162	162	
Assistant Public Works Director		1	1	1	1			OF-7	120	120	120	120	120	No staff member currently
Emergency Management Coordinator/Specialist			1	1	1			OF-7	120	0	120	120	120	
Office Manager		1	1	1	1			OF-7	120	120	120	120	120	No staff member currently
Shop Manager (Inventory)			1	1	1			OF-7	120	0	120	120	120	
Transit Manager				1	1			OF-7	120	0	0	120	120	
Subtotal: Staff		5	8	9	9									
Staff % Growth			60	80	80									
Personnel Space										602	923	1043	1043	
Departmental Circulation (40%)										241	369	417	417	
Projected Total Departmental SF										843	1,292	1,460	1,460	

image showing Buda's Public Works Administration Department's space needs with note about the spreadsheet



site plan of the first project needed to meet Buda's space needs

# CITY OF ROUND ROCK PUBLIC LIBRARY

ROUND ROCK, TEXAS



The new Public Library is to be located on North Mays Street in Downtown Round Rock, overlooking Bushy Creek and connected to the public hike and bike trail. The library will act as a landmark and a natural extension of Historical Downtown; to create a public link between Downtown and the larger circuit of cultural and historic options available in Round Rock.

The 3-story, 65,000 square-foot facility is to include highly flexible and adaptive spaces such as technology hub, maker space, café, large multipurpose rooms, quiet reading room, genealogy room, ample study spaces and rooms, an entire floor dedicated to children and teens, and secure outdoor interactive space. The site is to include a 300+ car parking garage that will provide parking for the Library as well as the neighboring middle school and public parking for the community.

The building is positioned around a Heritage tree that is to be the focal point for many spaces within the library. Large glass facade will provide abundant natural light and will draw visitors to connect with nature. Cantilevered patios and secured outdoor space overlook the creek and trail.

Project was designed in association with 720 Design.

## Relation to your Needs Assessment:

We are mapping this project to your *Library* element.

## Owner Reference

Michelle Cervantes, Library Director  
500 North Mays St  
Round Rock, Texas 78664  
512-218-7010  
mcervantes@roundrocktexas.gov

## Project Schedule

Design Completion: December 2020  
Construction Completion: December 2022

**Final Cost:** \$34 Million

## Link to PGAL Library Design Portfolio:

[https://issuu.com/pgalconnect/docs/library\\_brochure\\_2021\\_tla\\_pages](https://issuu.com/pgalconnect/docs/library_brochure_2021_tla_pages)





Building Program Summary ROUND ROCK PUBLIC LIBRARY				Volumes per Single Face Sections	Total Volumes Housed	% In Circulation	Collection Total Capacity	Seating	Power/ Data	Other Requirements
Quantity	Square Feet	Total Square Feet								
<b>A. Lobby</b>			6,340 SF						does not include housekeeping outlets	
1. Pre-function Space/Gallery	1	1,000	1,000						power for auto doors, digital screens, floor outlets for holiday/display	door hardware POE system; people counter @ main entrance, meeting spaces
Digital Endpoints									power for auto doors, digital screens	timed/controlled locks; badge and key access
2. Vestibule with community information	1	200	200						restrooms except for hand dryer	new book security system - no gates; lobby information digital display
3. Public Restrooms and drinking fountain	6	400	2,400						digital signage power/data quads/data for each station	
4. Reception/Greeter/Security Desk	1	60	60							
2 work stations	2	80	160							
5. Reception Off desk space										
Meeting Room Coord. Office	1	110	110						2 quads, data	
Storage	1	80	80						power near door	
Art reception storage	1	80	80						power near door	
Supply Storage	1	95	95						power near door	
Holiday Storage	1	95	95						power near door	
Lateral Files	4	20	80							
Copy/Printer - possible to share									dedicated power/data	depending on location
Shared staff/Public Conference Room	12	15	180						power, data in table and in wall box	High tech, video conference connectivity, lighting controls, scheduler, adjacent to admin
7. Café - Full Service			1,200							digital history display, wall mounted digital display, pan/tilt/zoom camera, table top mic, speakers, controls in IDF
Sales Area	1	220	220						power/data for register	
Storage/Staff Area	1	220	220						power	
Bistro Seating	6	60	360						power/USB at each table/WiFi	
Booths	5	80	400						power/USB at each table/WiFi	
Separate Restroom	2	80	160						power for hand dryer	
8. Friends Area			440							adjacent to staff work area
Sale Area-compact shelving	1	180	180						power/data for register	
Processing Area	1	140	140						power	
Shelving	10	12	120							
<b>B. Multi-purpose Activity/Meeting Space</b>			7,135 SF							
1. Multi-purpose Room A	1	1,175	1,175	4,595			167 seats on floor 78 chairs	78	power in walls and floor for training layout, power for lecterns, AV, screens, window shades, high powered WiFi, laptop connection, dig end	displays in each room classrooms
2. Multi-purpose Room B	1	1,175	1,175					78	projector, tv tuner, wireless mic, speakers, ADA assist	laser projectors for when all three are combined, pan tilt cameras
3. Multi-purpose Room C (YS Priority)	1	1,175	1,175					78	power near door	Skyfold partitions for acoustics
Table/Chair /Stage storage	3	150	450						power near door	Assisted listening
Youth Service Storage (baby time)	1	80	80						power near door	Sound system, VDP
Teen Services Storage	1	80	80						power near door	simplest, most effective control panels for public use
Puppet stage Storage	1	100	100						power in three walls, blu ray DVD, equipment rack	more advanced functionality for staff
AV Storage - could co-locate with IT/IDF	1	80	80						ice maker (water line), coffee	Ad, wireless mic
Catering/Teaching/Learning Kitchen	1	160	160						GFCI power near sink	Access control: card access for staff, separate access for public
C - Counter with Sink for YS	1	40	40						power near door	room scheduling display at each meeting space/room
C - YS story time Storage	1	80	80						power in walls and floor for training layout, power for	audio/video conference room
4. Literacy Classroom/Low TechMaker Space	24	360	360	595				25		wireless mic
Lectern - ht adjustable	1	15	15							

image of first page of Round Rock Library program (done in conjunction with 720 design)

# CITY OF LEANDER SENIOR & CHILD ADVOCACY CENTER

LEANDER, TEXAS



This 12,000-square-foot new Senior and Williamson County Children's Advocacy Center occupies a 3.5-acre site that is surrounded by residences. The desired design will allow for multi-generational interaction. In this shared facility, separately designated areas for three portable buildings house the community's Head Start program with a courtyard to provide a safe place for children to play.

The client prefers an additional outdoor fitness area -- a trail that meanders through the green space -- allowing an exterior alternative to the indoor fitness center.

Programming for the Center includes:

- Lobby/Reception
- Administrative Suite
- Game Room
- Activities Room
- Large Multipurpose Hall
- Fitness Center
- Commercial Kitchen
- Storage and Restrooms

#### Relation to your Needs Assessment:

We are mapping this project to your *Multi-generational Recreation Center* element.

#### Owner Reference

Mark Tummons, Director  
Parks & Recreation  
City of Leander  
512.528.2993  
mtummons@leandertx.gov

#### Project Schedule

Project construction on hold

**Budget** \$3.7 Million

Link to PGAL Civic Design Portfolio:  
[https://issuu.com/pgalconnect/docs/national\\_civic\\_brochure\\_2021](https://issuu.com/pgalconnect/docs/national_civic_brochure_2021)

## Leander Senior Activity Center

Summary of Proposed Interior Spaces		No. of Persons	Total Area
A. Lobby & Reception Area		Varies	1,500 SF
Connected to entry vestibule Receptionist desk (2 positions) adjacent to Admin Suite Information center Open common "heart" of Center Coffee café and Library WiFi throughout facility			
B. Administrative Suite		4	550 SF
Senior Activity Center Supervisor's Office (120 SF) Rec. Program Coord./ Assistant Supervisor's Office (120 SF) Copy/supply workroom (150 sf) Shared Office (160 SF)			
C. Game Room		15-20	650 SF
Shuffle board, 3 card tables and 1 larger table-holds 6+, darts Large TV with lounge seating Storage closet (50 sf)			
D. Activities Room		20-40	1,000 SF
Table games, lectures, classes, chair exercise, bingo, arts & crafts Subdividable to 2 rooms Storage closets (1 at 50 sf and 1 at 75 sf for arts & crafts supplies) Cabinetry with sink			
E. Large Multipurpose Hall		100	1,800 SF
Dancing, lectures, special events, movies Dividable with operable partition to create 2 spaces Storage for tables & chairs (200 SF) and AV closet (25 SF) Perimeter cabinets/countertops for serving			
F. Fitness Center		8-12	600 SF
Various cardio and weight training machines Storage (50 SF)			
G. Williamson Co. Children's Advocacy Center			700 SF
Private Entrance/ Foyer (100 SF) Waiting room for 6 people with reception desk (300 SF) 2 counseling rooms (150 SF each) 1 single-use restrooms (80 SF) Supplies Closet (50 SF) Kithenette niche (20 SF)			
H. Commercial Kitchen			1,360 SF
Refer to Foodservice Design Professionals Program			
I. General & Maintenance Storage			200 SF
J. Public Restrooms			500 SF
1 set of men's and women's Airport style entries			
K. Janitors Closet			60 SF
L. Telecom & Electrical Closets			100 SF
Assignable Square Footage			9,020 SF
75% Efficiency Factor: circulation, HVAC, walls, chases, etc.			2,977 SF
TOTAL AREA			11,997 SF

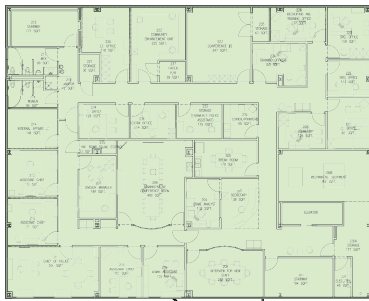
image of overall space needs program

# QUALITY CONTROL

**PGAL**

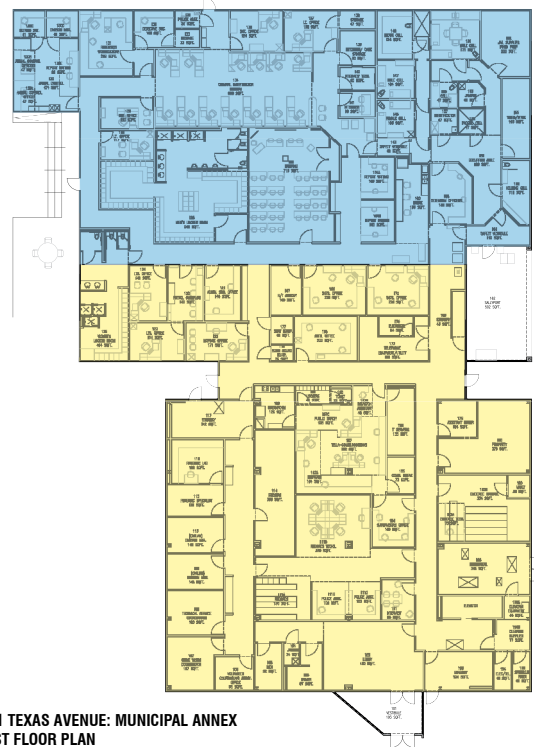
## Annex Concept: Floor Plan Concept

The floor plan diagrams on these two pages represent the concept layout for the three selected departments within the former Police Headquarters. The department with the most public interaction - Planning and Development - is located on the south half of the First Floor where the main entrance is location. Planning and Development's footprint is illustrated by the yellow fill. Community Services would be on the north side of the First Floor as illustrated by the blue fill. Being a department with lower public interaction and benefiting from some level of segregation, Human Resources is located on the Second Floor as represented by the green fill.



2611 TEXAS AVENUE: MUNICIPAL ANNEX  
SECOND FLOOR PLAN

40



2611 TEXAS AVENUE: MUNICIPAL ANNEX  
FIRST FLOOR PLAN

41

Image from a side-by-side page spread of College Station Needs Assessment showing strong graphic quality

PGAL attributes its more than 75 years of success and repeat clients to quality services. PGAL has always emphasized quality throughout the entire project process rather than relying simply on checking procedures. Although formal checking and review procedures are required, they can only catch errors, not enhance quality.

The PGAL approach stresses quality management throughout the project by all team members. PGAL has a written QA/QC program which is disseminated to staff as part of the Project Management Manual published by the firm and issued to its project managers, architects, engineers, designers, planners, and construction specialists.

The purpose of the QA/QC program is to specify the documentation, review, and coordination required to ascertain whether a project is meeting the quality standards established by the firm and approved industry standards. To achieve the quality standards established by the firm, PGAL's quality management program includes: training of PGAL employees in the concepts and methods of quality improvements; implementation of workshops to familiarize staff members with the requirements of PGAL's system; and regularly scheduled meetings for each PGAL office in which

the employees (including disciplines of management, technical, and administrative) address important questions and topics such as what is going well, what lessons were learned, what is next to accomplish, how is the group working together, and what can be improved.

### NEEDS ASSESSMENT SPECIFIC

Needs Assessment publications are not like a set of complicated/complex architectural and engineering design documents. They are books.

What is important: spelling and graphic quality.

Spelling note (Cris speaking): My first Needs Assessment was for the City of Pearland. Toward the end of assessment, I gave a presentation to the City Council. In the middle of it, a council member interjected and hammered me for a typo in the draft report. It was a lesson I do not forget: the quality and accuracy of our final product is crucial to lending credibility to the entire process and the final product.

Graphic Quality: We believe our Needs Assessments are organized, clear, concise with a graphic quality that is readable and that leaves a positive impression.



## ATTACHMENT A: CERTIFICATION

The undersigned affirms that they are duly authorized and qualified to submit this response. The undersigned affirms that the firm is willing to sign the enclosed Standard Contract without modification.

Respondent must initial next to each addendum received in order to verify receipt:

Addendum #1

Addendum #2

Addendum #3



Respondent Must Fill in and Sign:

NAME OF CONSULTANT/FIRM: PGAL

AGENTS NAME: Chris Ruebush, AIA

AGENTS TITLE: Principal

MAILING ADDRESS: 2222 Western Trails Blvd.  
Suite 300

CITY, STATE, ZIP: Austin, TX 78745

PHONE & FAX NUMBERS: T - (512) 236-1005  
F - (512) 853-6126

E-MAIL ADDRESS: cruebush@pgal.com

AUTHORIZED SIGNATURE:  
DATE: 12/17/2021





# CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

FORM C Item 10.

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

## OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

PGAL, Inc.

2 ☐ Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

N/A

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes

☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes

☐ No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

N/A

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7



Signature of vendor doing business with the governmental entity

12/17/2021

Date