



**CITY COUNCIL
REGULAR SESSION MINUTES
APRIL 21, 2021
Via Telephone/Video Conference
(Zoom Meeting)**

The meeting was live streamed on Manor Facebook Live beginning at 7:00 p.m.
<https://www.facebook.com/cityofmanor/>

Pursuant to Governor Greg Abbott's temporary suspension of various provisions of the Texas Open Meetings Act to allow for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in person meetings that assemble large groups of people the City Council meeting scheduled for Wednesday, April 21st, was only open to the public via remote access.

The following instructions were provided to the general public.

Instructions for Public Speaking:

- Members of the public that wish to speak during public comments, public hearing or an agenda item will need to register in advance by visiting www.cityofmanor.org where a registration link will be posted on the calendar entry for each public meeting. You will register by filling in the speaker card available for that specific meeting and submitting it to publiccomments@cityofmanor.org. Once registered, instructions will be emailed to you on how to join the videoconference by calling in. Your Speaker Card must be received two (2) hours prior to scheduled meeting.

Upon receiving instructions to join zoom meeting the following rules will apply:

- All speakers must address their comments to the Mayor rather than to individual Council Members or city staff. Speakers should speak clearly into their device and state their name and address prior to beginning their remarks. Speakers will be allowed three (3) minutes for testimony. Speakers making personal, impertinent, profane or slanderous remarks may be removed from the meeting.

Mayor Wallace advised that all votes would be conducted by a Roll Call Vote, meaning each City Council Member would be called on separately to cast their vote.

PRESENT VIA ZOOM:

Dr. Larry Wallace Jr., Mayor

COUNCIL MEMBERS:

Dr. Christopher Harvey, Mayor Pro Tem, Place 3
Emily Hill, Place 1
Anne Weir, Place 2
Sonia Wallace, Place 4
Deja Hill, Place 5
Gene Kruppa, Place 6

CITY STAFF:

Thomas Bolt, City Manager
Lluvia T. Almaraz, City Secretary
Ryan Phipps, Chief of Police
Lydia Collins, Director of Finance
Scott Dunlop, Assistant Development Services Director
Tracey Vasquez, HR Manager
Debbie Charbonneau, Heritage and Tourism Manager
Scott Dunlop, Assistant Development Services Director
Michael Pachnick, IT Technician
Michael Tuley, Director of Public Works
Tracey Vasquez, HR Manager
Frank T. Phelan, P.E., City Engineer
Samuel Kiger, P.E., City Engineer
Veronica Rivera, Legal Counsel
Gregory Miller, Bond Counsel
Christina Lane, Finance Counsel
John Snyder, PID Administrator

REGULAR SESSION – 7:00 P.M.

With a quorum of the Council Members present via video/telephone conference, the regular session of the Manor City Council was called to order by Mayor Wallace at 7:04 p.m. on Wednesday, April 21, 2021.

PLEDGE OF ALLEGIANCE

At the direction of Mayor Wallace, City Engineer Phelan, led the Pledge of Allegiance.

PRESENTATIONS

A. Comprehensive Plan Presentation by Chance Sparks, Project Manager with Freese and Nichols.

At the direction of Mayor Wallace, Chance Sparks, Project Manager with Freese and Nichols presented the attached PowerPoint presentation.

The discussion was held regarding Council's expectations and involvement on the plan process.

EVENTS/ANNOUNCEMENTS

A. Community Shred Day and Electronic Recycling, Saturday, April 24th

City Secretary Almaraz announced and invited everyone to attend the Community Shred Day and Electronic Recycling Event, scheduled for Saturday, April 24, 2021, from 9am - 1pm at City Hall.

PROCLAMATIONS

A. Declaring Thursday, April 22, 2021, as "Earth Day"

Mayor Wallace read a proclamation declaring Thursday, April 22, 2021, as "*Earth Day.*"

B. Declaring the Month of May 2021, as "National Physical Fitness and Sports Month"

Mayor Wallace read a proclamation declaring the Month of May 2021, as "*National Physical Fitness and Sports Month.*"

PUBLIC COMMENTS

There were no public comments received prior to the meeting.

REPORTS

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

A. Manor Disaster Group

Mayor Wallace discussed the Manor Disaster Group Plan for the city.

PUBLIC HEARINGS

1. **Public Hearing:** Conduct a public hearing on an ordinance rezoning 2.13 acres, more or less, Lot 4, Bluebonnet Business Park, Section One, and being located at 15721 US Hwy 290 E from Agricultural (A) to Heavy Commercial (C-3). *Applicant: Keepers Land Planning Owner: Lisa Nehring*

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

Mayor Wallace opened the public hearing.

Assistant Development Services Director Dunlop discussed the proposed ordinance rezoning 2.13 acres, more or less, Lot 4, Bluebonnet Business Park, Section One, and being located at 15721 US Hwy 290 E from Agricultural (A) to Medium Commercial (C-2).

Ricca Keepers with Keepers Land Planning, 3712 Apple Vista Circle, Pflugerville, Texas, submitted a speaker card in support of this item, but did not speak.

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

There was no further discussion.

Motion to close carried 7-0

CONSENT AGENDA

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

- April 7, 2021, City Council Regular Meeting; and
- April 9, 2021, 2020, City Council Called Special Session

3. **Consideration, discussion, and possible action on the acceptance of the March 2021 Departmental Reports.**

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

MOTION: Upon a motion made by Council Member Emily Hill and seconded by Council Member Wallace, to approve and adopt all items on the Consent Agenda.

There was no further discussion.

Motion to approve carried 7-0

At the direction of Mayor Wallace Agenda Item No. 16 and Item No. 14 were conducted next under regular agenda.

REGULAR AGENDA

16. Consideration, discussion, and possible action to adopt a resolution authorizing the City of Manor to sign onto the Cities Race to Zero.

The City staff recommended that the City Council approve the Mayor to accept the C40 invite from Mayor Steve Adler and approve Resolution No. 2021-10 to join the Cities Race to Zero.

Joshua Alpert with C40 Cities, 120 Park Avenue, New York, NY submitted a speaker card in support of this item. Mr. Alpert discussed the proposed resolution for the City of Manor to join the Cities Race to Zero.

Resolution No. 2021-10: A Resolution of the City Council of the City of Manor, Texas, to join cities race to zero in support of the Paris Agreement.

MOTION: Upon a motion made by Mayor Pro Tem Harvey and seconded by Council Member Wallace, to approve the Mayor to accept the C40 invite from Mayor Steve Adler and approve Resolution No. 2021-10 to join the Cities Race to Zero.

There was no further discussion.

Motion to approve carried 7-0

14. Consideration, discussion, and possible action on awarding a construction contract for the 2020 Capital Metro Paving Improvements Project.

The City staff recommended that the City Council award the 2020 Capital Metro Paving Improvements Project to Smith Paving, Inc.

City Engineer Phelan discussed the proposed construction contract for the 2020 Capital Metro Paving Improvement Project.

Bill Forsythe with Forsythe Brothers Infrastructure, LLC, P.O. Box 116, Manor, Texas, submitted a card in opposition to this item. Mr. Forsythe discussed the attached opposition letter.

John Forsythe with Forsythe Brothers Infrastructure, LLC, P.O. Box 116, Manor, Texas, submitted a card in opposition to this item. Mr. Forsythe discussed the company's qualifications for the project.

The discussion was held regarding the clarification on bonding insurance.

The discussion was held regarding the bidding requirements that were provided by Forsythe Brothers Infrastructure, LLC.

The discussion was held regarding employment for Manor residents with Forsythe Brothers Infrastructure, LLC.

The discussion was held regarding the possibility of offering apprenticeship to Manor young residents.

The discussion was held regarding the projected start date for the project.

MOTION: Upon a motion made by Mayor Pro Tem Harvey and seconded by Council Member Weir, to table this item to a special meeting no later than Tuesday, April 27, 2021.

The discussion was held regarding a deadline to submit additional materials needed from Forsythe Brothers Infrastructure, LLC.

There was no further discussion.

Motion to approve carried 7-0

4. Consideration, discussion, and possible action on a Resolution Expressing Intent to Finance Expenditures to be Incurred by the City of Manor, Texas.

The City staff recommended that the City Council approve and authorized Resolution No. 2021-04 Expressing Intent to Finance Expenditures to be incurred by the City of Manor, Texas.

Legal Counsel Rivera discussed the proposed resolution.

Jon Snyder with P3Works, 3901 S. Lamar Blvd., Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Talley Williams with Metcalfe Wolff Stuart & Williams, LLC, 221 W. 6th Street, Suite 1300., Austin, Texas, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer any questions posed by City Council.

Christina Lane, Finance Counsel, 6805 Capital of Texas Hwy., Suite 350, Austin, Texas, submitted a speaker card; however, she did not wish to speak but was available to answer any questions posed by City Council.

Resolution No. 2021-04: Resolution Expressing Intent to Finance Expenditures to be Incurred by the City of Manor, Texas.

MOTION: Upon a motion made by Council Member Deja Hill and seconded by Council Member Kruppa, to approve and authorized Resolution No. 2021-04 Expressing Intent to Finance Expenditures to be incurred by the City of Manor, Texas.

There was no further discussion.

Motion to approve carried 7-0

5. Consideration discussion and possible action on a Resolution of the City of Manor, Texas Approving and Authorizing the Manor Heights Public Improvement District Reimbursement Agreement (Major Improvement Area).

The City staff recommended that the City Council approve and authorized Resolution No. 2021-05 the Manor Heights Public Improvement District Reimbursement Agreement (Major Improvement Area).

Legal Counsel Rivera discussed the proposed resolution.

Jon Snyder with P3Works, 3901 S. Lamar Blvd., Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Talley Williams with Metcalfe Wolff Stuart & Williams, LLC, 221 W. 6th Street, Suite 1300., Austin, Texas, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer any questions posed by City Council.

Christina Lane, Finance Counsel, 6805 Capital of Texas Hwy., Suite 350, Austin, Texas, submitted a speaker card; however, she did not wish to speak but was available to answer any questions posed by City Council.

Rick Rosenberg with DPF, Inc., 8140 N. MoPac Expressway, Bldg. 4, Suite 270, Austin, Texas, submitted a speaker card in support of this item; however, he did not speak.

Justin Reynolds with Forestar Group, 10700 Pecan Park Blvd., Suite 150, Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Alex Granados with Kimley-Horn and Associates, 10814 Jollyville Rd., Bldg. 4, Suite 200 Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Resolution No. 2021-05: A Resolution of the City of Manor, Texas approving and authorizing the Manor Heights Public Improvement District Reimbursement Agreement (Major Improvement Area)

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Emily Hill, to approve and authorized Resolution No. 2021-05 the Manor Heights Public Improvement District Reimbursement Agreement (Major Improvement Area).

There was no further discussion.

Motion to approve carried 7-0

6. Consideration, discussion, and possible action on a Resolution of the City of Manor, Texas Approving and Authorizing a PID Financing Agreement.

The City staff recommended that the City Council approve and authorized Resolution No. 2021-06 the Manor Heights Public Improvement District Financing Agreement.

At the direction of Legal Counsel Rivera, PID Administrator Snyder discussed the proposed resolution.

Talley Williams with Metcalfe Wolff Stuart & Williams, LLC, 221 W. 6th Street, Suite 1300., Austin, Texas, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer any questions posed by City Council.

Christina Lane, Finance Counsel, 6805 Capital of Texas Hwy., Suite 350, Austin, Texas, submitted a speaker card; however, she did not wish to speak but was available to answer any questions posed by City Council.

Rick Rosenberg with DPF, Inc., 8140 N. MoPac Expressway, Bldg. 4, Suite 270, Austin, Texas, submitted a speaker card in support of this item; however, he did not speak.

Justin Reynolds with Forestar Group, 10700 Pecan Park Blvd., Suite 150, Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Alex Granados with Kimley-Horn and Associates, 10814 Jollyville Rd., Bldg. 4, Suite 200 Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Resolution No. 2021-06: A Resolution of the City of Manor, Texas Approving and Authorizing a PID Financing Agreement.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Wallace to approve and authorized Resolution No. 2021-06 the Manor Heights Public Improvement District Financing Agreement.

There was no further discussion.

Motion to approve carried 7-0

- 7. Consideration, discussion and possible action on a Resolution of the City of Manor, Texas Determining the Costs of Certain Authorized Improvements to be Financed by the Manor Heights Public Improvement District; Approving a Preliminary Service and Assessment Plan, including the Proposed Assessment Rolls; Calling for Notice of a Public Hearing for May 5, 2021 to Consider an Ordinance Levying Assessments on Property Located within the Manor Heights Public Improvement District; Directing the Filing of the Proposed Assessment Rolls with the City Secretary to Make Said Proposed Assessment Rolls Available for Public Inspection; Directing City Staff to Publish and Mail Notice of Said Public Hearing; and Resolving Other Matters Related to the Foregoing.**

The City staff recommended that the City Council approve and authorize Resolution No. 2021-07 the determination of costs for authorized improvements to be financed by the Manor Heights PID; approve the Preliminary Service and Assessment Plan; direct the filing of the proposed assessment roles with the City Secretary for public inspection; set public hearings for May 5, 2021 and direct the publication and mailing of the public hearings to levy assessments by City staff.

At the direction of Legal Counsel Rivera, PID Administrator Snyder discussed the proposed resolution.

Talley Williams with Metcalfe Wolff Stuart & Williams, LLC, 221 W. 6th Street, Suite 1300., Austin, Texas, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer any questions posed by City Council.

Christina Lane, Finance Counsel, 6805 Capital of Texas Hwy., Suite 350, Austin, Texas, submitted a speaker card; however, she did not wish to speak but was available to answer any questions posed by City Council.

Rick Rosenberg with DPGF, Inc., 8140 N. MoPac Expressway, Bldg. 4, Suite 270, Austin, Texas, submitted a speaker card in support of this item; however, he did not speak.

Justin Reynolds with Forestar Group, 10700 Pecan Park Blvd., Suite 150, Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Alex Granados with Kimley-Horn and Associates, 10814 Jollyville Rd., Bldg. 4, Suite 200 Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Resolution No. 2021-07: A Resolution of The City of Manor, Texas Determining The Costs of Certain Authorized Improvements to be Financed by the Manor Heights Public Improvement District; Approving a Preliminary Service and Assessment Plan, Including the Proposed Assessment Rolls; Calling for Notice of a Public Hearing for May 5, 2021 to Consider an Ordinance Levying Assessments on Property Located Within the Manor Heights Public Improvement District; Directing the Filing of the Proposed Assessment Rolls With the City Secretary to Make Said Proposed Assessment Rolls Available for Public Inspection; Directing City Staff to Publish and Mail Notice of Said Public Hearing; and Resolving Other Matters Related to The Foregoing.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Deja Hill to approve and authorized Resolution No. 2021-07 the determination of costs for authorized improvements to be financed by the Manor Heights PID; approve the Preliminary Service and Assessment Plan; direct the filing of the proposed assessment roles with the City Secretary for public inspection; set public hearings for May 5, 2021 and direct the publication and mailing of the public hearings to levy assessments by City staff.

There was no further discussion.

Motion to approve carried 7-0

8. Consideration, discussion, and possible action on a Resolution of the City of Manor, Texas Approving and Authorizing the Distribution of a Preliminary Limited Offering Memorandum for City of Manor, Texas Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Major Improvement Area Project).

The City staff recommended that the City Council approve and authorize Resolution No. 2021-08 the Distribution of a Preliminary Limited Offering Memorandum for City of Manor, Texas Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Major Improvement Area Project).

At the direction of Legal Counsel Rivera, PID Administrator Snyder discussed the proposed Resolution No. 2021-08 and Item 9, Resolution No. 2021-09.

Talley Williams with Metcalfe Wolff Stuart & Williams, LLC, 221 W. 6th Street, Suite 1300., Austin, Texas, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer any questions posed by City Council.

Christina Lane, Finance Counsel, 6805 Capital of Texas Hwy., Suite 350, Austin, Texas, submitted a speaker card; however, she did not wish to speak but was available to answer any questions posed by City Council.

Rick Rosenberg with DPF, Inc., 8140 N. MoPac Expressway, Bldg. 4, Suite 270, Austin, Texas, submitted a speaker card in support of this item; however, he did not speak.

Justin Reynolds with Forestar Group, 10700 Pecan Park Blvd., Suite 150, Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Alex Granados with Kimley-Horn and Associates, 10814 Jollyville Rd., Bldg. 4, Suite 200 Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Resolution No. 2021-08: Resolution Approving the Form and Authorizing the Distribution of a Preliminary Limited Offering Memorandum for City of Manor, Texas Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Major Improvement Area Project)

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Deja Hill to approve and authorized Resolution No. 2021-08 and Resolution No. 2021-09.

Legal Counsel Rivera advised Mayor and Council that separate motions would be needed for Item 8 and Item 9.

Council Member amended his motion.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Deja Hill to approve and authorized Resolution No. 2021-08 the Distribution of a Preliminary Limited Offering Memorandum for City of Manor, Texas Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Major Improvement Area Project).

There was no further discussion.

Motion to approve carried 7-0

9. Consideration, discussion, and possible action on a Resolution of the City of Manor, Texas Approving and Authorizing the Distribution of a Preliminary Limited Offering Memorandum for City of Manor, Texas Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Improvement Area #1-2 Project).

The City staff recommended that the City Council approve and authorize Resolution No. 2021-09 the Distribution of a Preliminary Limited Offering Memorandum for City of Manor, Texas Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Improvement Area #1-2 Project).

Trip Davenport with FMS Bonds, 5 Cowboys Way, Frisco, Texas, submitted a speaker card in support of this item; however, he did not wish to speak but was available to answer any questions posed by City Council.

Robert Rivera with FMS Bonds, 5 Cowboys Way, Frisco, Texas, submitted a speaker card in support of this item; however, he did not wish to speak but was available to answer any questions posed by City Council.

Talley Williams with Metcalfe Wolff Stuart & Williams, LLC, 221 W. 6th Street, Suite 1300., Austin, Texas, submitted a speaker card in support of this item; however, she did not speak but was available to answer any questions posed by City Council.

Christina Lane, Finance Counsel, 6805 Capital of Texas Hwy., Suite 350, Austin, Texas, submitted a speaker card; however, she did not wish to speak but was available to answer any questions posed by City Council.

Rick Rosenberg with DPF, Inc., 8140 N. MoPac Expressway, Bldg. 4, Suite 270, Austin, Texas, submitted a speaker card in support of this item; however, he did not speak.

Justin Reynolds with Forestar Group, 10700 Pecan Park Blvd., Suite 150, Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Alex Granados with Kimley-Horn and Associates, 10814 Jollyville Rd., Bldg. 4, Suite 200 Austin, Texas, submitted a speaker card; however, he did not wish to speak but was available to answer any questions posed by City Council.

Resolution No. 2021-09: Resolution Approving the Form and Authorizing the Distribution of a Preliminary Limited Offering Memorandum for City of Manor, Texas Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Improvement Area #1-2 Project).

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Wallace to approve and authorize Resolution No. 2021-09 the Distribution of a Preliminary Limited Offering Memorandum for City of Manor, Texas Special Assessment Revenue Bonds, Series 2021 (Manor Heights Public Improvement District Improvement Area #1-2 Project).

There was no further discussion.

Motion to approve carried 7-0

10. Consideration, discussion, and possible action on an ordinance rezoning 2.13 acres, more or less, Lot 4, Bluebonnet Business Park, Section One, and being located at 15721 US Hwy 290 E from Agricultural (A) to Heavy Commercial (C-3). *Applicant: Keepers Land Planning Owner: Lisa Nehring*

The City staff recommendation that the City Council approve an ordinance rezoning 2.13 acres, more or less, Lot 4, Bluebonnet Business Park, Section One, and being located at 15721 US Hwy 290 E from Agricultural (A) to Medium Commercial (C-2).

City Manager Bolt discussed the proposed ordinance.

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

MOTION: Upon a motion made by Mayor Pro Tem Harvey and seconded by Council Member Weir to approve an ordinance rezoning 2.13 acres, more or less, Lot 4, Bluebonnet Business Park, Section One, and being located at 15721 US Hwy 290 E from Agricultural (A) to Medium Commercial (C-2).

Assistant Development Services Director Dunlop discussed the attached opposition letter from Mr. James Mercer, 15710 Voelker Lane, Elgin, Texas.

The discussion was held regarding regulations for rezoning changes and city ordinance compliance.

There was no further discussion.

Motion to approve carried 7-0

11. Postponed Item: Consideration, discussion, and possible action on a waiver from Manor Code of Ordinances Chapter 15, Article 15.01 Site Development Plans, Article 15.02 Parking Standards, and Article 15.03 Landscaping and Screening on Lots 2 & 3, Block 11, A.E. Lane Addition, 109 East Murray Ave. Owner: Eric and Rebekah Thomason Applicant: Eric and Rebekah Thomason

The City staff recommended that the City Council deny a waiver from Manor Code of Ordinances Chapter 15, Article 15.01 Site Development Plans, Article 15.02 Parking Standards, and Article 15.03 Landscaping and Screening on Lots 2 & 3, Block 11, A.E. Lane Addition, 109 East Murray Ave.

City Manager Bolt discussed the waiver request for 109 E. Murray Avenue.

The discussion was held regarding the city establishing a food truck ordinance regulation.

The discussion was held regarding the length of the waiver request.

Legal Counsel Rivera advised there were no prohibitions on a waiver limitation.

Property owners Eric and Rebekah Thomason discussed their plans for the food truck location.

MOTION: Upon a motion made by Mayor Pro Tem Harvey and seconded by Council Member Kruppa to approve a waiver for a three (3) year limit from Manor Code of Ordinances Chapter 15, Article 15.01 Site Development Plans, Article 15.02 Parking Standards, and Article 15.03 Landscaping and Screening on Lots 2 & 3, Block 11, A.E. Lane Addition, 109 East Murray Avenue, with parking being located onsite.

The discussion was held regarding the food truck location on the property and trash bins.

Mayor Pro Tem Harvey thanked and welcomed the property owners on behalf of the Economic Development Committee (EDC).

There was no further discussion.

Motion to approve carried 7-0

12. Consideration, discussion, and possible action on a waiver from Manor Code of Ordinances Chapter 15, Article 15.01 Site Development Plans, Article 15.02 Parking Standards, and Article 15.03 Landscaping and Screening on Lot 10, Block 5, Town of Manor, 101 East Brenham Street, Manor, TX. Owner: Dennis and Susan Kerlin Applicant: Dennis and Susan Kerlin

The City staff recommended that the City Council approve a waiver from Manor Code of Ordinances Chapter 15, Article 15.01 Site Development Plans, Article 15.02 Parking Standards, and Article 15.03 Landscaping and Screening on Lot 10, Block 5, Town of Manor, 101 East Brenham Street, Manor, TX.

City Manager Bolt discussed the waiver request for 101 E. Brenham Street.

The discussion was held regarding an assessment on the area.

Property owners Dennis and Susan Kerlin discussed their plans for the food truck's location.

The discussion was held regarding the parking on site.

Mayor Pro Tem Harvey thanked and welcomed the property owners on behalf of the Economic Development Committee (EDC).

MOTION: Upon a motion made by Mayor Pro Tem Harvey and seconded by Council Member Kruppa to approve a waiver for a three (3) year limit from Manor Code of Ordinances Chapter 15, Article 15.01 Site Development Plans, Article 15.02 Parking Standards, and Article 15.03 Landscaping and Screening on Lot 10, Block 5, Town of Manor, 101 East Brenham Street, Manor, TX, with parking being located onsite.

There was no further discussion.

Motion to approve carried 7-0

13. Consideration, discussion, and possible action on a Purchase Contract with Timmermann Commercial Investments, LP for a water easement with temporary construction easement.

The City staff recommended that the City Council approve the purchase contract with Timmermann Commercial Investments, LP for a water easement with temporary construction easement.

City Engineer Kiger discussed the proposed purchase contract and letter of agreements.

MOTION: Upon a motion made by Council Member Deja Hill and seconded by Council Member Wallace to approve the purchase contract with Timmermann Commercial Investments, LP for a water easement with temporary construction easement.

There was no further discussion.

Motion to approve carried 7-0

15. Consideration, discussion, and possible action on applying for the Healthy Babies Bright Futures (HBBF) and Mayors Innovation Project (MIP) grant program and authorizing the Mayor to sign a resolution evidencing such authorization.

Mayor Wallace discussed the proposed Healthy Babies Bright Future (HBBF) and Mayors Innovation Project (MIP) grant program.

The discussion was held regarding the city's administration concerns for managing the program.

The discussion was held regarding the involvement of organizations for the program.

MOTION: Upon a motion made by Council Member Weir and seconded by Mayor Pro Tem Harvey to approve on applying for the Healthy Babies Bright Futures (HBBF) and Mayors Innovation Project (MIP) grant program and authorizing the Mayor to sign a resolution evidencing such authorization if all contingencies are met. Contingencies consist of identifying the operating agency for the grant, grant writer and operating cost not to exceed the grant amount.

The discussion was held regarding the grant process for the city.

There was no further discussion.

Motion to approve carried 7-0

17. Consideration, discussion, and possible action on a Memorandum of Understanding (MOU) agreement between the City of Manor and the University of Texas at Austin.

Council Member Deja Hill discussed the proposed MOU Agreement.

Council Member Weir discussed the grant amount and services that would be provided to Manor teens.

MOTION: Upon a motion made by Mayor Pro Tem Harvey and seconded by Council Member Emily Hill to approve a Memorandum of Understanding (MOU) agreement between the City of Manor and the University of Texas at Austin contingent upon any issues or revisions required by legal and authorizing the Mayor to sign a resolution evidencing such authorization.

The discussion was held regarding facilities that could be use for the program.

There was no further discussion.

Motion to approve carried 7-0

Mayor Wallace adjourned the regular session of the Manor City Council into Executive Session at 10:27 p.m. on Wednesday, April 21, 2021, in accordance with the requirements of the Open Meetings Law.

Legal Counsel Rivera and Bradford E. Bullock with Russell Rodriguez Hyde Bullock, LLP joined the executive session via zoom.

EXECUTIVE SESSION

The Manor City Council convene into executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in - *Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel to discuss City of Manor Code of Ordinances regarding Manor RV Park, LLC v. City of Manor, ET AL.* at 10:27 p.m. on Wednesday, April 21, 2021.

The Executive Session was adjourned at 10:57 p.m. on Wednesday, April 21, 2021.

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 10:57 p.m. on Wednesday, April 21, 2021.

Mayor Wallace 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 10:57 p.m. on Wednesday, April 21, 2021.

These minutes approved by the Manor City Council on the 5th day of May 2021.

APPROVED:

Dr. Larry Wallace Jr.
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

Draft Minutes



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PROJECT TEAM



Wendy Shabay, FAICP
Principal-in-Charge



Chance Sparks, AICP, CNU-A
Project Manager



Erica Craycraft, AICP, LEED GA
Assistant Project Manager



Travis James
Fiscal Impact Analysis



Lauren Garrott
Project Planner



David Paine, AICP, PTP
Transportation & FIM



Shad Comeaux



Jessica Vassar



Gail Ferry Katalenas



Bryan Janhsen



Dan Sefko



Edmund Haas



Ellen Emeric



Kim Patak

**+ A DEEP BENCH
OF TALENT &
EXPERTISE**



2



EXECUTED SCOPE OF WORK

■ PROJECT

- *Manor Comprehensive Plan, including Transportation Plan and Parks, Recreation and Open Space Plan*

■ ASSUMPTIONS

- *City will coordinate all contact, meetings, and transfer of information/ data.*

■ TIMELINE

- *15 Months*
- *City will handle arrangements for meetings (logistics). FNI will assist in content creation for meeting advertisement.*
- *City will supply all previous plans, studies, maps and aerial imagery not available to FNI.*

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EXECUTED SCOPE OF WORK

■ DRAFT DOCUMENTS

- *Comprehensive Plan, including Parks Plan and Transportation Plan*
- *Draft chapters will be sent for each document according to the proposed schedule*
- *Schedule also factors City review time*

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■ MINIMUM MEETINGS & EVENTS

- 1 STAFF INITIATION CONFERENCE CALL
- 2 KICKOFF MEETING AND STUDY AREA TOUR
- 3 STEERING COMMITTEE MEETINGS [6 MEETINGS]
- 4 STAKEHOLDER INTERVIEWS [2 DAYS]
- 5 COMMUNITY WORKSHOPS/OPEN HOUSES [4]
- 6 CHECK-IN AND ADOPTION MEETINGS [3 MEETINGS]
- 7 INTERACTIVE WEBSITE WITH VIRTUAL ENGAGEMENT

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EXECUTED SCOPE OF WORK

■ DELIVERABLES

- *Electronic PDF*
- *Digital package containing electronic files for the report, chart, tables, maps, GIS files, and other electronic data developed during the process*

■ PROJECT COST

- \$319,168.00

6

ANATOMY OF YOUR COMPREHENSIVE PLAN

1

INTRODUCTION AND COMMUNITY SNAPSHOT

- *Introduction to the comprehensive plan, and how to use it*
- *Historic timelines and key events that shaped Manor today*
- *Demographic data (that tells a story)*
- *Planning context (past planning efforts, regional efforts, physical attributes, COVID)*

2

VISION, GUIDING PRINCIPLES AND GOALS

- *Vision statement – what is Manor like in 2050?*
- *Guiding principles – the moral compass of the city and guidepost for decision-making in the unexpected*
- *Goals – topical future conditions to achieve the vision*
- *Summary of engagement and data (appendix)*

7

ANATOMY OF YOUR COMPREHENSIVE PLAN

3

LAND USE, GROWTH AND DOWNTOWN/TOD

- *Existing land use analysis*
- *Future land use plan with metrics, place types and map*
- *Population patterns and projections*
- *Downtown/Transit-Oriented Development (may become separate document for ease of reference)*

4

TRANSPORTATION

- *Current plans and agency coordination (MPO, TXDOT, CapMetro, etc.)*
- *Existing conditions assessment and evaluation of future roadway needs*
- *Thoroughfare plan, functional classifications and design standards (multiple modes)*
- *Action plan*

8

ANATOMY OF YOUR COMPREHENSIVE PLAN

5

INFRASTRUCTURE

- *Integrating utility system plans and strategies*
- *Approaches to stormwater management and environment*
- *Infrastructure efficiency*

6

PARKS, RECREATION, AND OPEN SPACE

- *Community context and inventory*
- *Vision/goals (independent for TPWD compliance)*
- *Needs assessment (standards-, demand- and resource-based)*
- *Recommendations and Action Plan*

9

ANATOMY OF YOUR COMPREHENSIVE PLAN

7

ECONOMIC RESILIENCY

- *Evaluate current approaches to building economically resilient and diverse communities in light of current influences*
- *Density needs and variables that influence the vibrancy of commercial corridors and nodes*
- *High level economic and tax impacts of plan components, with likely job activity and incremental revenue capture*
- *Evaluation of catalytic locations identified through analysis, and pathways to achievement*

8

COMMUNITY IDENTITY AND URBAN DESIGN

- *Street design and pedestrian enhancements*
- *Gateways along key routes to and through the city*
- *Community image*
- *Screening and aesthetics*
- *Neighborhood stability, displacement and enhancement (sometimes in different chapter)*

10



ANATOMY OF YOUR COMPREHENSIVE PLAN

9 IMPLEMENTATION

- Divides policies and related recommendations into specific techniques

- Prioritizes actions into appropriate time periods

- Metrics from which to gauge the effectiveness of the strategies

- Diagnostic analysis and report on the City's current ordinances to align with the Plan

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Manor Comprehensive Plan Project and Meeting Schedule																
Task	Meeting, Task Objective or Deliverable	2021										2022				
		Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1	Task 1: Project Management and Quality Control															
2	Task 2: Engagement and Meetings															
	Internal Kickoff															
	Staff Initiation Conference Call	4/7														
	Interactive Project Website		5/21													
	Kickoff Meeting and Study Area Tour		5/6 or 5/7													
	Steering Committee Meetings		5/26/7							11/10			2/10			5/10
	Stakeholder Meetings			6/10								(Parks Focus) 1/10				
	Online Surveys (3)			6/10								(Parks Focus) 1/10			3/10	
	Community Design Workshop/Open House (4)				7/10					10/10			1/10			4/10
City Council Check-in and Adoption Meetings					8/10						12/10				6/10	
3	Task 3: Introduction and Snapshot															
4	Task 4: Draft Vision, Guiding Principles and Goals															
5	Task 5: Land Use															
	Downtown/TOD															
6	Task 6: Transportation															
7	Task 7: Infrastructure															
8	Task 8: Parks, Recreation, Open Space															
9	Task 9: Economic Resiliency															
10	Task 10: Community Identity and Urban Design															
11	Task 11: Implementation															
12	Task 12: Preparation of Final Documents															

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PROJECT SCHEDULE

- *Kickoff Meeting and Tour*
 - *Friday, May 7th at 1pm*
- *Project Website*
 - *May 3, 2021*
- *CPAC Meetings*
 - *P&Z meets 2nd Wednesday of each month*
 - *Caseload?*
 - *Prefer to meet 4th Wednesday as CPAC as needed to avoid overload and provide focus?*
 - *1st CPAC Meeting May 26, 2021?*
- *Virtual early in process for CPAC and public engagement; transition with vaccine adoption*
 - *Preferred platform? Zoom, Teams?*
 - *Initial web-based engagement: May 3, 2021*

Data, particularly GIS, received by
April 16, 2021

*(to generate website content, web-based
engagement and information for first CPAC)*

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KICK-OFF & STUDY AREA TOUR



■ KICKOFF MEETING (1 hour)

- *Project intro*
- *Discuss Existing Plans, Development Issues, Facilities, Infrastructure, etc.*
- *Identification of Key Priorities*
- *Controversial Topics*

■ DRIVING TOUR (up to 3 hours)

- *Logistics (City staff to facilitate)*
- *Provide Map in Advance (can be simple/hand-marked or just points of interest)*
- *Key Sites and Destinations*
- *Take-Aways*

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DATA REQUEST & COLLECTION

■ GIS DATA

- Current Zoning
- Parks
- Transportation
- Infrastructure
- City Limits/ETJ
- Basemap Data

■ GENERAL

- Historical or current photos to be included (general interest and city marketing), especially parks/festivals
- Information on any significant in-progress developments
- Information on largest employers
- CIP program from last 10 years
- Special data related to parks and recreation (inventory, etc.)
- Development regulations
- Other plans, including water and wastewater utility plans

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PROJECT BRANDING



16



HISTORY
FUTURE



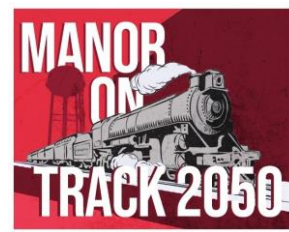
17



BRAND
THINKING

Name: Destination 2050

- History: 1871 1st railroad link to the Texas capitol through Manor; history tied to rail
- Future: CapMetro Green Line, TOD and next chapter of Manor's history tied to rail
- Future: More urban... a destination for more residents, businesses, opportunity and quality of life
 - What do you want your destination to be like?
- Design themes: railroad tracks, trains, railroad signs, water tower
 - Pull in modern aspects as well – looking forward, not backwards
- Colors: pull from high school, chamber branding, or from retro poster color scheme



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WHAT ARE YOU THINKING ABOUT?

STARTING ON THE RIGHT FOOT

- *What types of issues do you hope this Comprehensive Plan helps you address or accomplish?*
- *What are the best ways to reach people that might not have participated, historically?*
 - *Is it trust? Time availability due to work/family? Other barriers?*
- *What do you think we should know as your consultant that would help this planning effort be successful?*

Ms. Pauline Gray, PE

Senior Engineer

Jay Engineering Company

Dear Ms. Gray-

We are in possession of your letter , dated April 13, 2021, to Dr. Larry Wallace, Mayor of the the City of Manor, related to recommendation of award of the City of Manor/Capital Metro 2020 paving improvements contract. As a local firm, we are disappointed in your proposed recommendation of award to another firm at an additional cost of nearly \$20000 to the Taxpayers of our area. Additionally, no attempt was made to advise us of this recommendation as a courtesy to us as low bidder, nor was any attempt to clarify any outstanding questions regarding qualifications.

Your letter to Mayor Wallace outlines several reasons for the logic behind the recommendation. I have outlined these as follows with applicable responses below.

“Bidders are required to submit satisfactory evidence that they have a practical knowledge of the work being bid upon, that they have adequate technical expertise for the type of work required and that they have the necessary financial resources to complete the work. The project references provided did not demonstrate that Forsythe Brothers Infrastructure, Inc (sic, Forsythe Brothers Infrastructure is an llc, not a corporation) has a practical knowledge and adequate technical expertise for the type of work being proposed for the project.”

As you are aware, a portion of this project requires the complete reconstruction (full depth repair) of portions of City streets in the project base bid. Our firm has expended resources already at our own risk to survey the existing roadway profile and side ditches to help develop a precise plan/profile for the project. It demonstrates our technical expertise to provide a proposed design profile for the project due to undulating vertical geometry. More importantly, our due diligence has noted several areas of potential drainage concern which will require adjustments to the proposed roadway cross slopes to avoid runoff ponding issues. Our firm also surveyed existing drainage structures and ditches to ensure profile of proposed drainage pipes would provide clear cover below roadway pavement subgrade. These considerations/engineering tasks are/were absent in the design plans.

Additionally, conversations with references would yield that on the 2019 Williamson County culverts repair project, our firm was tasked with over 700 lf of full depth roadway construction of a county road, with closures of the roadway limited only to daytime working hours. This constraint effectively requires the contractor to remove a portion of pavement daily, and process and compact that same section of pavement, while returning to traffic same day. This procedure is an order of magnitude more difficult than the proposed phasing plan for the subject project. This work among other local projects requiring significant flexible base construction work.

“There were no references provide for previous paving work included in the submittal.”

This statement is correct. Our firm does not install hot mixed asphaltic concrete pavement except within the context of smaller street or roadway repairs. You’ll refer to our post bid documents which state that Lone Star Paving company is our installer of choice for hot mix and overlay work. Any designer familiar with the paving industry understands their credentials, and that they install thousands of tons of hot mix weekly, from small parking lots or two lane city streets, to Interstate Highway work for the Texas Department of Transportation.

“During the financial review, it was noted that Forsythe Brothers Infrastructure, inc (sic) did not submit any credit sources either from their bank or vendors. “

Is the evaluator penalizing Forsythe Brothers Infrastructure, llc for being competent with financial resources? Our firm’s model is to typically fund projects out of pocket, and resist “30 days to pay” financing. This has always forced our firm to be the last to be paid on a project, but speaks to our integrity as a contractor that we willingly risk our own funds to complete projects. It’s a timeless business model which has allowed our firm to exist for 15 years.

“Reference information from their bank showed that their account balance has decreased by an order of magnitude within the last few months. “

The evaluator never asked for all sources of liquidity to our firm, such as money markets, or other liquid assets. Only our Independent Financial bank account was requested. Nor did the evaluator ask for open receivables, of which we currently are due nearly \$300000 USD. So transfer of funds to “non-bank” accounts certainly will lower the bank balance. Those other sources were never requested.

“Additionally, current bonding levels are at a little over 10% percent of their capacity, indicating a low volume of bonded work ongoing.”

As a taxpayer in the City, this statement is somewhat disconcerting as it indicates that the evaluator has an incomplete understanding of the Miller Act and the risk analysis associated with performance bonding. To state that a firm that can acquire performance and payment bonds (us) is only utilizing 10% (and actually that number is now 0% as we’re complete on another project as of this writing) bodes well for an Owner (taxpayer) because it shows that the exposure(leverage) of the contractor is low relative to it’s allowed capability. The statement in the letter to Dr Wallace would imply that operating a construction firm at near 100% of bonding capacity is a good thing; the opposite is true, as that firm would be leverage financially and would also likely have potential scheduling/crew commitment conflicts to overcome to schedule your project. Our firm is ready to go to work on the City of Manor 2020 Paving Improvements project yesterday because of the low bonded work to capacity ratio.

It is clear from the letter of recommendation that the City of Manor intends to award this project to Smith Paving. Given that we request the following:

1. Smith Paving be required to perform the work at the total bid cost as proposed by the low bidder, Forsythe Brothers Infrastructure, llc. This will save the citizens of the City of Manor nearly \$20000.
2. As I've spent a great deal of time driving and observing the work on the 2019 paving project performed by the same firm, we request that Smith Paving be required to return to that job site and correct deficiencies at their own expense prior to beginning the 2020 project. These deficiencies are as follows:
 - No concrete paving diamonds were cast around existing manholes as part of the final pavement surface. These are outlined on sheet 7 of the 2019 plan set.
 - Installation of safety end treatments along the route do not comply with the City of Manor standard detail for SET's. I request a site visit/meeting to address these concerns.Photos are attached for your convenience.

Thank you for taking the time to review our responses to the statements in the letter to Dr. Wallace. We request that this letter be included in the backup documentation during the recommendation of award. Thank you for allowing us to voice our concerns in writing and better represent the Taxpayers of Manor,

Best Regards,

Bill



Bill Forsythe PE

Forsythe Brothers Infrastructure, llc







JAMES MERCER JR
15710 VOELKER LANE
ELGIN, TEXAS 78621
(512) 736-8880

APRIL 20, 2021

(VIA FAX) 512 272-8636

Mayor Dr. Larry Wallace Jr. Mayor
Emily Hill Council Member Place 1
Anne Weir Council Member Place 2
Dr. Christopher Harvey Mayor Pro-Tem Place 3
Sonia Wallace Council Member Place 4
Deja Hill Council Member Place 5
Gene Kruppa Council Member Place 6

Re: Rezoning Application Notification-15721 US Hwy 290 E, Manor Texas
78653 (2.13 Acres)

Dear Mayor, Mayor Pro Tem, and Council Members:

As a resident of the Bluebonnet Neighborhood over 27 years. This letter is to express my opposition to the above-referenced rezoning request to change the designated zone type from (Agricultural (A) to Heavy Commercial (C-3). I am aware that several of my neighbors who resided within the subject property are also opposed to this rezoning request.

We faced this similar request July 2018. Nothing in this residential neighborhood has changed since.

We reside in a quiet, peaceful neighborhood. Most of it is agricultural. With the exception of the tire shop across Highway 290. Where there was a suspicious death at this tire shop a few years back.

I am a U S Air Force Veteran, along with several other U S Armed Services individual that reside in Bluebonnet Neighborhood. We have kids riding bikes, and several women whom walk this community.

This property is very low lying. It does not drain properly. Any change will cause flooding to my property and the properties that are in close proximity. Not only property concerns, but someone could be hurt or killed by water that flows out of control.

I urge the Mayor, Mayor Pro-Tem and Council Members to retain the present Agricultural Zoning. We know that others are awaiting your classification change, which will decrease the value of our property and homes.

In addition I have been here 27 years and have seen what water has done to low level property here.

I appreciate the opportunity to present my concerns to you, and hopefully you respectfully reject this rezoning request..

Respectfully Submitted,



James Mercer Jr