



**CITY COUNCIL REGULAR SESSION
AND
JOINT MEETING WITH PLANNING AND ZONING COMMISSION
MINUTES
OCTOBER 21, 2020**

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

PRESENT:

Dr. Larry Wallace Jr., Mayor

COUNCIL MEMBERS:

Emily Hill, Place 1 (Absent)
Maria Amezcua, Place 2
Dr. Christopher Harvey, Place 3
Danny Scarbrough, Place 4 (Absent)
Deja Hill, Mayor Pro Tem, Place 5
Vacant, Place 6

P&Z COMMISSION MEMBERS:

Philip Tryon, Chairperson, Place 3
Julie Leonard, Vice-Chair, Place 1
Jacob Hammersmith, Place 2
Isaac Rowe, Place 4
Ruben Cardona, Place 5 (Absent)
Cecil Meyer, Place 6
LaKesha Small, Place 7

CITY STAFF:

Thomas Bolt, City Manager
Lluvia T. Almaraz, City Secretary
Ryan Phipps, Chief of Police
Mike Tuley, Director of Public Works
Heath Ferguson, IT Manager
Paige Saenz, City Attorney
Daniel Sanchez, Manor Police Officer

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 Wallace Jr. at 7:05 p.m. on Wednesday, October 21, 2020, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

PLEDGE OF ALLEGIANCE

At the direction of Mayor Wallace Jr., P&Z Chair Tryon led the Pledge of Allegiance.

PUBLIC COMMENTS

No one appeared to speak at this time.

CALLED PLANNING AND ZONING COMMISSION MEETING SPECIAL SESSION

With a quorum of the Planning and Zoning Commission Members present, the special session of the Manor P&Z Commission was called to order by Mayor Wallace Jr. at 7:05 p.m. on Wednesday, October 21, 2020, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

Mayor Wallace Jr. adjourned the joint session of the Manor City Council and Planning and Zoning Commission into Executive Session at 7:08 p.m. on Wednesday, October 21, 2020, in accordance with the requirements of the Open Meetings Law.

EXECUTIVE SESSION

The Manor City Council convene into a joint executive session together with the Planning and Zoning Commission pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in *Section 551.071 Consultation with Attorney and Section 1.05, Texas Disciplinary Rules of Professional Conduct - Regarding pending litigation, specifically Civil Action No. 1:20-cv-1017, Manor RV Park, LLC v. City of Manor, et al pending in the United States District Court Western District of Texas Austin Division* at 7:08 p.m. on Wednesday, October 21, 2020.

The joint Executive Session was adjourned at 7:57 p.m. on Wednesday, October 21, 2020.

OPEN SESSION

The City Council together with the Planning and Zoning Commission 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 7:57 p.m. on Wednesday, October 21, 2020.

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

There was no action taken.

ADJOURNMENT

The Joint Session of the Manor City Council and Planning and Zoning Commission Adjourned at 7:57 p.m. on Wednesday, October 21, 2020.

CONTINUATION OF REGULAR MEETING OF CITY COUNCIL

With a quorum of the Council Members present, the regular session of the Manor City Council was called to order by Mayor Wallace Jr. at 7:58 p.m. on Wednesday, October 21, 2020, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

Mayor Wallace Jr. adjourned the regular session of the Manor City Council into Executive Session at 7:58 p.m. on Wednesday, October 21, 2020, 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 551.071 Consultation with Attorney - Regarding subdivision fees* at 7:58 p.m. on Wednesday, October 21, 2020.

The Executive Session was adjourned at 8:30 p.m. on Wednesday, October 21, 2020.

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 8:30 p.m. on Wednesday, October 21, 2020.

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

There was no action taken.

REPORTS

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

A. Youth Justice Action Month Report

Mayor Wallace Jr. discussed the Youth Justice Action Program.

B. Economic Development Report - CAYSA

Mayor Wallace Jr. discussed the potential partnership with the City of Manor and the Central Austin Youth Soccer Association (CAYSA).

PUBLIC HEARINGS

- 1. Conduct a public hearing upon a rezoning request for 24.81 acres, more or less, out of the Sumner Bacon Survey No. 62, Travis County, Texas, and being located at 9910 Hill Lane, Manor, TX from Light Commercial (C-1) to Multi-Family 15 (MF-1).**

Applicant: Kimley-Horn & Associates; Owner: 9 Sunny Partners, LP

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

Mayor Wallace Jr. opened the public hearing.

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

Mayor Wallace Jr. open the floor for any questions to the motion.

There was no further discussion.

Motion to close carried 4-0

- 2. Conduct a public hearing upon a Concept Plan for Presidential Glen Commercial Subdivision, three (3) lots on 5.4 acres, more or less, and being located at 13600 US Hwy 290 E., Manor, TX. *Applicant: Kimley-Horn & Associates; Owner: West Elgin Development Corporation***

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

Mayor Wallace Jr. opened the public hearing.

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

Mayor Wallace Jr. open the floor for any questions to the motion.

There was no discussion.

Motion to close carried 4-0

CONSENT AGENDA

3. **Consideration, discussion, and possible action to approve the City Council Minutes of the October 7, 2020, Regular Meeting.**
4. **Consideration, discussion, and possible action on the acceptance of the September 2020 Departmental Reports.**
 - **Police – Ryan Phipps, Chief of Police**
 - **Development Services – Scott Dunlop, Asst. Dev. Services Director**
 - **Community Development – Debbie Charbonneau, Community Dev. 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 Amezcua and seconded by Mayor Pro Tem Hill to approve and adopt all items on the Consent Agenda.

Mayor Wallace Jr. open the floor for any questions to the motion.

The discussion was held regarding additional reports to be added for the month of November.

There was no further discussion.

Motion to approve carried 4-0

REGULAR AGENDA

5. **Consideration, discussion, and possible action on an engagement letter for litigation legal services.**

The City staff recommended that the City Council approve an engagement letter for litigation legal services.

City Attorney Saenz discussed the engagement letter for litigation legal services with Russell Rodriguez Hyde Bullock, LLP.

MOTION: Upon a motion made by Mayor Pro Tem Hill and seconded by Council Member Amezcua, to approve an engagement letter for litigation legal services.

Mayor Wallace Jr. open the floor for any questions to the motion.

There was no further discussion.

Motion to approve carried 4-0

6. Consideration, discussion, and possible action on the Second Amendment to Development Agreement (Manor Heights).

The City staff recommended that the City Council approve the Second Amendment to Development Agreement (Manor Heights).

City Manager Bolt discussed the Second Amendment to Development Agreement for Manor Heights.

MOTION: Upon a motion made by Council Member Amezcua and seconded by Mayor Pro Tem Hill, to approve the Second Amendment to Development Agreement (Manor Heights).

Mayor Wallace Jr. open the floor for any questions to the motion.

There was no further discussion.

Motion to approve carried 4-0

7. Consideration, discussion and possible action on an ordinance rezoning 24.81 acres, more or less, out of the Sumner Bacon Survey No. 62, Travis County, Texas, and being located at 9910 Hill Lane, Manor, TX from Light Commercial (C-1) to Multi-Family 15 (MF-1). Applicant: Kimley-Horn & Associates; Owner: 9 Sunny Partners, LP

The City staff recommended that the City Council approve the first reading of an ordinance rezoning request for 24.81 acres, more or less, out of the Sumner Bacon Survey No. 62, Travis County, Texas, and being located at 9910 Hill Lane, Manor, Texas, from Light Commercial (C-1) to Multi-Family 15 (MF-1).

Ordinance: An Ordinance of the City of Manor, Texas, Amending the Zoning Ordinance by Rezoning a Parcel of Land From Light Commercial (C-1) to Multi-Family 15 (MF-1); Making Findings of Fact; and Providing for Related Matters.

MOTION: Upon a motion made by Mayor Pro Tem Hill and seconded by Council Member Dr. Harvey, to approve the first reading of an ordinance rezoning request for 24.81 acres, more or less, out of the Sumner Bacon Survey No. 62, Travis County, Texas, and being located at 9910 Hill Lane, Manor, Texas, from Light Commercial (C-1) to Multi-Family 15 (MF-1).

Mayor Wallace Jr. open the floor for any questions to the motion.

There was no further discussion.

Motion to approve carried 4-0

8. Consideration, discussion, and possible action upon a Concept Plan for Presidential Glen Commercial Subdivision, three (3) lots on 5.4 acres, more or less, and being located at 13600 US Hwy 290 E., Manor, TX. Applicant: Kimley-Horn & Associates; Owner: West Elgin Development Corporation

The City staff recommended that the City Council approve a Concept Plan for Presidential Glen Commercial Subdivision, three (3) lots on 5.4 acres, more or less, and being located at 13600 US Hwy 290 E., Manor, Texas.

MOTION: Upon a motion made by Council Member Dr. Harvey and seconded by Mayor Pro Tem Hill, to approve a Concept Plan for Presidential Glen Commercial Subdivision, three (3) lots on 5.4 acres, more or less, and being located at 13600 US Hwy 290 E., Manor, Texas.

Mayor Wallace Jr. open the floor for any questions to the motion.

There was no further discussion.

Motion to approve carried 4-0

9. Consideration, discussion, and possible action to waive Chapter 10, Exhibit A, Article II, Section 22(d)(1)(i) to waive payment of all applicable application fees for Shadowview Commercial Section 3 Preliminary Plans project number 2020-P-1271-PP. Applicant: Kimley-Horn & Associates; Owner: Shadowglenn Development Corporation.

City Manager Bolt discussed the waiver request from the developer.

MOTION: Upon a motion made by Mayor Pro Tem Hill and seconded by Council Member Amezcua, to deny the waiver request fee of \$1,890.

Mayor Wallace Jr. open the floor for any questions to the motion.

There was no further discussion.

Motion to deny carried 4-0

10. Consideration, discussion, and possible action to approve the Purchase Contract with Chau Dinh and Anh Kim Pham for a wastewater easement with temporary construction easement. Submitted by: Samuel D. Kiger, P.E., City Engineer

The City staff recommended that the City Council approve the Purchase Contract with Chau Dinh and Anh Kim Pham for a wastewater easement with temporary construction easement.

MOTION: Upon a motion made by Council Member Dr. Harvey and seconded by Council Member Amezcua, to approve the Purchase Contract with Chau Dinh and Anh Kim Pham for a wastewater easement with temporary construction easement.

Mayor Wallace Jr. open the floor for any questions to the motion.

There was no discussion.

Motion to approve carried 4-0

11. Consideration, discussion, and possible action to approve the Purchase Contract with John Gebauer Jr. and Patricia A. Gebauer for a special warranty deed with temporary construction easement. Submitted by: Samuel D. Kiger, P.E., City Engineer

The City staff recommended that the City approve the Purchase Contract with John Gebauer Jr. and Patricia A. Gebauer for a special warranty deed with temporary construction easement.

MOTION: Upon a motion made by Council Member Dr. Harvey and seconded by Council Member Amezcua to approve the Purchase Contract with John Gebauer Jr. and Patricia A. Gebauer for a special warranty deed with temporary construction easement.

Mayor Wallace Jr. open the floor for any questions to the motion.

There was no discussion.

Motion to approve carried 4-0

12. Consideration, discussion, and possible action on the appointment of a Chairperson to the Public Safety Committee.

The City staff recommended that the City Council appoint a Chairperson to the Public Safety Committee to serve a one-year term.

Mayor Wallace Jr. opened the floor for nominations.

Council Member Dr. Harvey nominated Chief Ryan Phipps.

MOTION: Upon a motion made by Council Member Dr. Harvey and seconded by Council Member Amezcua to appoint Chief Ryan Phipps as Chairperson to the Public Safety Committee to serve a one-year term.

Mayor Wallace Jr. open the floor for any questions to the motion.

There was no discussion.

Motion to approve carried 4-0

13. Consideration, discussion, and possible action on a Resolution in support of the National League of Cities City Innovation Ecosystem (CIE) Program.

The City staff recommended that the City Council approve Resolution No. 2020-12 in support of the National League of Cities City Innovation Ecosystem (CIE) Program.

Mayor Wallace Jr. discussed the City's support to the National League of Cities CIE Program.

Resolution No. 2020-12: A Resolution of The City Council of The City of Manor, Texas, in Support of The National League of Cities City Innovation Ecosystem (CIE) Program.

MOTION: Upon a motion made by Mayor Pro Tem Hill and seconded by Council Member Amezcua, to approve Resolution No. 2020-12 in support of the National League of Cities City Innovation Ecosystem (CIE) Program.

Mayor Wallace Jr. open the floor for any questions to the motion.

The discussion was held regarding the city's commitment to the program.

There was no further discussion.

Motion to approve carried 4-0

14. Consideration, discussion, and possible action on a Resolution in support of Cities United violent prevention efforts.

The City staff recommended that the City Council adopt and approve Resolution No. 2020-13 supporting Cities United violent prevention efforts.

Mayor Wallace Jr. discussed the City's support to Cities United program.

Resolution No. 2020-13: A Resolution of The City Council of The City of Manor, Texas, in Support of the Cities United Violent Prevention Efforts.

MOTION: Upon a motion made by Mayor Pro Tem Hill and seconded by Council Member Amezcua, to adopt and approve Resolution No. 2020-13 supporting Cities United violent prevention efforts.

Mayor Wallace Jr. open the floor for any questions to the motion.

The discussion was held regarding the mission and support to the program and liaison appointment.

Mayor Pro Tem Hill amended her motion to the following.

MOTION: Upon a motion made by Mayor Pro Tem Hill seconded by Council Member Amezcua, to adopt and approve Resolution No. 2020-13 supporting Cities United violent prevention efforts and include the appointment of Program Liaison to Council Member Dr. Harvey for 2021.

There was no further discussion.

Motion to approve carried 4-0

15. Consideration, discussion, and possible action on the appointment(s) of a City Council Member and/or City staff member to serve as the City of Manor Board Liaison to the Manor Chamber of Commerce.

Mayor Wallace Jr. discussed the appointment of a City Council Member and/or City staff member to serve as the City of Manor Board Liaison to the Manor Chamber of Commerce.

City Manager Bolt recommended for City Council to postpone appointment until after the Chamber Election. He stated that a city staff member had submitted her application to serve on the board.

The discussion was held regarding a deadline to submit the board liaison to the Chambers.

City Manager Bolt volunteered to be appointed for a one-year term.

MOTION: Upon a motion made by Council Member Dr. Harvey and seconded by Council Member Amezcua, to appoint City Manager Thomas Bolt to serve as the City of Manor Board Liaison to the Manor Chamber of Commerce for a one-year term.

Mayor Wallace Jr. open the floor for any questions to the motion.

The discussion was held regarding the commitment and communication the board liaison would have between the Chambers and City Council.

There was no further discussion.

Motion to approve carried 4-0

ADJOURNMENT

The Regular Session of the Manor City Council Adjourned at 9:17 p.m. on Wednesday, October 21, 2020.

These minutes approved by the Manor City Council on the 4th day of November 2020.

APPROVED:

Dr. Larry Wallace Jr.
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

Draft Minutes