



**CITY COUNCIL
REGULAR SESSION MINUTES
MARCH 16, 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
Veronica Rivera, Assistant City Attorney
Pauline Gray, P.E. City Engineer

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, March 16, 2022, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

PLEDGE OF ALLEGIANCE

Mayor Harvey led the Pledge of Allegiance.

PROCLAMATIONS

A. Declaring March 20-26, 2022, as “*International Adolescent Health Week*”

Mayor Harvey read and presented proclamation to Dr. Celia Neavel, MD and Nanci Zavaleta, Community Health Educator for Manor Mustang Health Center and People’s Community Clinic.

B. Declaring April 1st – May 31, 2022, as “*MADD PowerTalk21*”

Mayor Harvey read and presented proclamation to Myra McRoy Constable, M.A.H.S., Program Specialist, Mother Against Drunk Driving.

PUBLIC COMMENTS

Robert Battaile, 502 E. Eggleston Street, Manor, Texas spoke in regard to redesign of City Council dais; lights at Timmerman’s Park; and waiver of fees for Bocce League.

Michelle Enriquez, 11123 Hibbs Lane, Manor, Texas spoke in regard to new development of a firing range and wastewater plant by their property. Ms. Enriquez asked for clarification of new development.

No one else appeared at this time.

REPORTS

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

A. Senior Access

Mayor Harvey gave a summary of services Senior Access offers to the community and stated that Senior Access was seeking volunteers, personnel, and grant opportunities.

PUBLIC HEARINGS

- 1. Conduct a public hearing on a Rezoning Application for Manor Commons East for a Planned Unit Development Amendment for 149.247 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract 315, and being located near the intersection of US Hwy 290 and N. FM 973, Manor, TX. Applicant: LIQUE Engineers; Owner: Ahmed Jafferally**

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 spoke in regard to parkland and residential fees for the development.

Juan Rodriguez, 816 Cameron St., Suite 110, San Antonio, Texas, submitted a speaker card in support of this item.

Interim City Manager Dunlop discussed the proposed rezoning application request.

MOTION: Upon a motion made by Council Member Weir 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 Palomino Subdivision, one hundred eighteen (118) lots on 50.34 acres more or less, and being located near the intersection of N. FM 973 and Johnson Road, Manor, TX. Applicant: BGE, Inc.; Owner: DR Horton**

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 spoke in regard to parkland and residential fees for the development.

Interim City Manager Dunlop discussed the proposed Concept Plan.

The discussion was held regarding parkland regulations.

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

There was no further discussion.

Motion to close carried 6-0

At the direction of Mayor Harvey Item No. 4 was pulled from the Consent Agenda to be conducted under Regular Agenda.

CONSENT AGENDA

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

- **March 1, 2022, City Council Workshop Session – Charter Review; and**
- **March 1, 2022, City Council Called Special Session**

5. **Second and Final Reading:** Consideration, discussion, and possible action on an ordinance annexing of 5.796 acres of land, more or less, located in Travis County, including the abutting streets, roadways, and rights-of-way into the corporate limits of Manor, 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. 640: An Ordinance of the City of Manor, Texas Annexing 5.796 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 Wallace and seconded by Council Member Amezcua, to approve the Consent Agenda.

There was no further discussion.

Motion to approve carried 6-0

REGULAR AGENDA

4. **Consideration, discussion, and possible action on the acceptance of the February 2022 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**

HR Manager Vasquez announced that the Economic Development Director, Scott Jones had been hired and would start on Monday, March 28, 2022.

Mayor Harvey thanked Chief Phipps for highlighting the police department's yearly report.

Council Member Weir thanked Chief Phipps for all his department's hard work.

Interim City Manager Dunlop thanked Public Works Director Tuley and the Engineering Department for highlighting the city's capital project status report

MOTION: Upon a motion made by Council Member Amezcua and seconded by Council Member Weir, to approve and accept the February 2022 Departmental Reports.

There was no further discussion.

Motion to approve carried 6-0

At the direction of Mayor Harvey, Item 10 and Item 11 were conducted next.

10. Consideration, discussion, and possible action on the City of Manor fiscal year 2023 Water/Wastewater rate study engagement letter.

The city staff recommended that the City Council approve the City of Manor fiscal year 2023 Water/Wastewater rate study engagement letter.

Director of Finance Collins discussed the proposed Water/Wastewater rate study engagement letter

MOTION: Upon a motion made by Council Member Amezcua and seconded by Council Member Moreno, to approve the City of Manor fiscal year 2023 Water/Wastewater rate study engagement letter.

There was no further discussion.

Motion to approve carried 6-0

11. Consideration, discussion, and possible action on an award of a lease contract for the funding of City vehicles.

The city staff recommended that the City Council award the lease contract to Government Capital Corp. and authorize the Interim City Manager to execute the contract after legal review.

Director of Finance Collins discussed the proposed lease contract for funding of city vehicles.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Wallace, to award the lease contract to Government Capital Corp. and authorize the Interim City Manager to execute the contract after legal review.

There was no further discussion.

Motion to approve carried 6-0

6. First Reading: Consideration, discussion and possible action on an ordinance rezoning Manor Commons East for a Planned Unit Development Amendment for 149.247 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract 315, and being located near the intersection of US Hwy 290 and N. FM 973, Manor, TX. Applicant: LIQUE Engineers; Owner: Ahmed Jafferally

The city staff recommended that the City Council approve the first reading of an ordinance rezoning Manor Commons East for a Planned Unit Development Amendment for 149.247 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract 315, and being located near the intersection of US Hwy 290 and N. FM 973, Manor, TX.

Matt Mitchell with LIQUE Engineering submitted a speaker card but did not wish to speak; however, he was available to answer any questions posed by the City Council.

Ordinance: An Ordinance of the City of Manor, Texas, Amending the Zoning Ordinance by Repealing and Replacing Exhibit “A” to Amend the Manor Commons East 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 Mayor Pro Tem Hill, to approve the first reading of an ordinance rezoning Manor Commons East for a Planned Unit Development Amendment for 149.247 acres, more or less, out of the Greenbury Gates Survey No. 63, Abstract 315, and being located near the intersection of US Hwy 290 and N. FM 973, Manor, TX.

There was no further discussion.

Motion to approve carried 6-0

7. Consideration, discussion and possible action on a Concept Plan for the Palomino Subdivision, one hundred eighteen (118) lots on 50.34 acres more or less, and being located near the intersection of N. FM 973 and Johnson Road, Manor, TX. Applicant: BGE, Inc.; Owner: DR Horton

The city staff recommended that the City Council approve Concept Plan for the Palomino Subdivision, one hundred eighteen (118) lots on 50.34 acres more or less, and being located near the intersection of N. FM 973 and Johnson Road, Manor, TX.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Moreno, to approve a Concept Plan for the Palomino Subdivision, one hundred eighteen (118) lots on 50.34 acres more or less, and being located near the intersection of N. FM 973 and Johnson Road, Manor, TX.

There was no further discussion.

Motion to approve carried 6-0

- 8. 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 Lagos Public Improvement District; approving an Amended and Restated Service and Assessment plan, including the proposed Assessment Roll; calling for and authorizing publication and delivery of notice of a public hearing for April 6, 2022 to consider an ordinance levying assessments on property located within Improvement Area #1 of the Lagos Public Improvement District; directing the filing of the proposed Assessment Roll with the City Secretary to make said proposed Assessment Roll 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 Resolution No. 2022-05.

Assistant City Attorney Rivera discussed the amended and restated service and assessment plan for Lagos PID.

Rob Hayslip with P3Works LLC submitted a speaker card in support of this item but did not wish to speak; however, he was available to answer any questions posed by the City Council.

The discussion was held regarding provision that would be added to the development agreement regarding drainage concerns.

Resolution No. 2022-05 : A Resolution of the City of Manor, Texas Determining the Costs of Certain Authorized Improvements to be Financed by the Lagos Public Improvement District; Approving an Amended and Restated Service and Assessment Plan, Including the Proposed Assessment Roll; Calling for and Authorizing Publication and Delivery of Notice of a Public Hearing for April 6, 2022 to Consider an Ordinance Levying Assessments on Property Located Within Improvement Area #1 of the Lagos Public Improvement District; Directing the Filing of the Proposed Assessment Roll With the City Secretary to Make Said Proposed Assessment Roll 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 Wallace and seconded by Council Member Amezcua, to approve Resolution No. 2022-05 as read.

The discussion was held regarding renovations of parking areas.

The discussion was held regarding the opinion of possible cost for the bond.

There was no further discussion.

Motion to approve carried 6-0

9. Consideration, discussion, and possible action on a change order to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements Phase 2 project.

The city staff recommended that the City Council approve Change Order No. 3 to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements Phase 2 project with Austin Engineering Company, Inc. in the amount of \$44,530.00.

City Engineer Gray discussed the proposed change order for the Wilbarger Creek Wastewater Treatment and Collection System Improvements Phase 2 project.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Wallace, to approve Change Order No. 3 to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements Phase 2 project with Austin Engineering Company, Inc. in the amount of \$44,530.00.

The discussion was held regarding clarification on the easement.

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 8:19 p.m. on Wednesday, March 16, 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 551.071 Consultation with Attorney and Section 1.05, Texas Disciplinary Rules of Professional Conduct - Regarding pending litigation, specifically Cause No. D-1-GN-21-007391; City of Manor, Texas v. Travis County Emergency Services District No. 12, In the 98th District Court, Travis County, Texas; Sections 551.071, 551.072 and 551.087, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding real property located at the corner of Highway 290 and FM 973, Manor, Texas; 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; Sections 551.071 and 551.072, Texas Government Code and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding real property - 10.23 acres more or less located in Travis County, Texas located at the NE corner of Ring Dr and Skimmer Run, Manor, Texas; and Section 551.074 (Personnel Matters) to interview and consider the appointment of an applicant to the position of City Manager. at 8:12 p.m. on Wednesday, February 23, 2022.

The Executive Session was adjourned at 9:57 p.m. on Wednesday, March 16, 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 9:57 p.m. on Wednesday, March 16, 2022.

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

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace to direct staff as discussed in Executive Session for the property located at the corner of Highway 290 and FM 973, Manor, Texas.

There was no further discussion.

Motion to approve carried 6-0

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Amezcua to direct the City Manager to enter in negotiation and execute the earnest money contract for the property located at the NE corner of Ring Drive and Skimmer Run, Manor, Texas.

There was no further discussion.

Motion to approve carried 6-0

ADJOURNMENT

The Regular Session of the Manor City Council Adjourned at 9:59 p.m. on Wednesday, March 16, 2022.

These minutes approved by the Manor City Council on the 6th day of April 2022. *(Audio recording archived)*

APPROVED:

Dr. Christopher Harvey
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary