



**CITY COUNCIL
REGULAR SESSION MINUTES
JULY 17, 2024**

**This meeting was live-streamed on Manor's YouTube Channel
You can access the meeting at <https://www.cityofmanor.org/page/livestream>**

PRESENT:

Dr. Christopher Harvey, Mayor (Absent)

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
Deja Hill, Place 6

CITY STAFF:

Scott Moore, City Manager
Lluvia T. Almaraz, City Secretary
Belen Peña, Finance Director
Ryan Phipps, Chief of Police
Denver Collins, Assistant Chief of Police
Scott Dunlop, Development Services Director
Scott Jones, Economic Development Director
Tracey Vasquez, HR Director
Yalondra V. Santana, Heritage & Tourism Manager
Michael Burrell, Planner
Mathew Woodard, Public Works Director
Phil Green, IT Director
Veronica Rivera, Assistant 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 Pro Tem Emily Hill at 7:00 p.m. on Wednesday, July 17, 2024, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

INVOCATION

Council Member Deja Hill gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Hill led the Pledge of Allegiance.

Mayor Pro Tem Hill announced that Agenda Item No. 14 was being pulled.

PUBLIC COMMENTS

Fay Carter, 18128 Topsail Dr., Manor, Texas, submitted a speaker card and spoke about the Unity of the United States.

Tracy Johnson, 11512 Owling Way, Manor, Texas, submitted a speaker card and expressed his concerns regarding the waste collection services in the Shadowglen subdivision.

Robert Battaile, 502 E. Eggleston St., Manor, Texas, submitted a speaker card and expressed his concerns and opposition to Agenda Items No. 3,5,9,10,12, and 19.

No one else appeared at this time.

REPORTS

A. Update on the Master Plan Grant for Parks, Recreation, and Open Spaces to the Texas Parks and Wildlife Department.

Gandolf Burrus with Grant Development Services provided an update on the Master Plan Grant for Parks, Recreation, and Open Spaces to the Texas Parks and Wildlife Department.

He presented the attached PowerPoint presentation.

The topic of discussion:

- Flood Plain Map Illustration
- Land Usable for Construction
- National Wetland Inventory Map

- Drainage and Redirection Drainage Map
- Cost Estimate

Mr. Burrus stated that the city could not qualify for the grant because of current floodplain issues at Timmermann Park. He suggested that the city would need to talk with the US Army Corps of Engineers about work in the area of the tributary for the park.

City Manager Moore discussed other options the city could analyze for a Master Park Plan.

PUBLIC HEARINGS

- 1. Conduct a public hearing on an Ordinance rezoning the Monarch Ranch Subdivision, being 134.53 acres, more or less, and located at the southwest corner of the intersection at Gregg Lane and FM 973, Manor, TX from Planned Unit Development (PUD) to Planned Unit Development (PUD). Applicant: SEC Planning; Owner: Blackburn Group LLC**

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

Mayor Pro Tem Hill opened the Public Hearing.

Robert Battaile, 502 E. Eggleston St., Manor, Texas, submitted a speaker card and expressed his opposition to this item.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Weir to close the public hearing.

There was no further discussion.

Motion to close carried 6-0

- 2. Conduct a public hearing on an Ordinance rezoning one (1) lot on 0.31 acres, more or less, and being located near the intersection of Gregg Manor Road and West Eggleston Street, Manor, TX from (C-1) Light Commercial to Multi-Family 25 (MF-2). Applicant: MWSW LLP; Owner: DD&B Construction Inc.**

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

Mayor Pro Tem Hill opened the Public Hearing.

Robert Battaile, 502 E. Eggleston St., Manor, Texas, submitted a speaker card and expressed his opposition to this item.

Katherine Nicole with MWSW LLP, 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 the City Council.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Weir to close the public hearing.

There was no further discussion.

Motion to close carried 6-0

CONSENT

3. **Consideration, discussion, and possible action to approve the City Council Minutes of July 3, 2024, Regular Meeting.**
4. **Consideration, discussion, and possible action on accepting the June 2024 City Council Monthly Reports.**
5. **Consideration, discussion, and possible action on accepting the June 2024 Departmental Reports.**
 - **Finance – Belen Peña, Finance Director**
 - **Police – Ryan Phipps, Chief of Police**
 - **Travis County ESD No. 12 – Ryan Smith, Fire Chief**
 - **Economic Development – Scott Jones, Economic Development Director**
 - **Development Services – Scott Dunlop, Development Services Director**
 - **Community Development – Yalondra V. Santana, Heritage & Tourism Manager**
 - **Municipal Court – Sofi Duran, Court Administrator**
 - **Public Works – Matt Woodard, Director of Public Works**
 - **Human Resources – Tracey Vasquez, HR Manager**
 - **IT – Phil Green, IT Director**
 - **Administration – Lluvia T. Almaraz, City Secretary**
6. **Consideration, discussion, and possible action on a Wastewater Utility Easement for the Okra Development.**
7. **Consideration, discussion, and possible action for the purposes of acquiring a Water Utility Easement for the Waterline FM 973 Project.**
8. **Consideration, discussion, and possible action on a Possession and Use Agreement for Utility Easement Purposes for the Waterline FM 973 Project.**

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace to approve the consent agenda.

There was no further discussion.

Motion to approve carried 6-0

REGULAR AGENDA

9. **First Reading: Consideration, discussion, and possible action on an Ordinance rezoning the Monarch Ranch Subdivision, being 134.53 acres, more or less, and located at the southwest corner of the intersection at Gregg Lane and FM 973, Manor, TX from Planned Unit Development (PUD) to Planned Unit Development (PUD). Applicant: SEC Planning; Owner: Blackburn Group LLC**

The city staff recommended that the City Council approve the first reading of an ordinance rezoning the Monarch Ranch Subdivision, being 134.53 acres, more or less, and located at the southwest corner of the intersection at Gregg Lane and FM 973, Manor, TX from Planned Unit Development (PUD) to Planned Unit Development (PUD) with P&Z Commission modifications.

City Planner Burrell discussed the proposed rezoning request.

Mark Baker with SEC Planning submitted a speaker card in support of this item; however, he didn't wish to speak but was available to answer any questions posed by the City Council.

City Attorney Rivera stated that the development agreement had been provided as a redline so that the city council would have an opportunity and additional time to review the revisions.

A discussion was held regarding the developer's request to reduce the dwelling size for the proposed homes.

Rick Hanna with Blackburn Group submitted a speaker card in support of this item; he discussed the reasons for requesting the reduction of the dwelling sizes.

Ordinance: An Ordinance of the City of Manor, Texas, Amending Ordinances Nos. 636 And 681 to Modify the Planned Unit Development Site Plan for the Monarch Ranch Final Planned Unit Development; Rezoning From Planned Unit Development (PUD) 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 Amezcua to approve the first reading of an ordinance rezoning the Monarch Ranch Subdivision, being 134.53 acres, more or less, and located at the southwest corner of the intersection at Gregg Lane and FM 973, Manor, TX from Planned Unit Development (PUD) to Planned Unit Development (PUD) with P&Z Commission modifications.

There was no further discussion.

Motion to approve carried 5-1 (Council Member Deja Hill voted against)

10. First Reading: Consideration, discussion, and possible action on an Ordinance rezoning one (1) lot on 0.31 acres, more or less, and being located near the intersection of Gregg Manor Road and West Eggleston Street, Manor, TX from (C-1) Light Commercial to Multi-Family 25 (MF-2). Applicant: MWSW LLP; Owner: DD&B Construction Inc.

The city staff recommended that the City Council approve the first reading of an ordinance rezoning one (1) lot on 0.31 acres, more or less, and being located near the intersection of Gregg Manor Road and West Eggleston Street, Manor, TX from (C-1) Light Commercial to Multi-Family 25 (MF-2).

City Planner Burrell discussed the proposed rezoning request.

Katherine Nicole with MWSW LLP, 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 the City Council.

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 25 (MF-2); Making Findings of Fact; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Amezcua to approve the first reading of an ordinance rezoning one (1) lot on 0.31 acres, more or less, and being located near the intersection of Gregg Manor Road and West Eggleston Street, Manor, TX from (C-1) Light Commercial to Multi-Family 25 (MF-2).

There was no further discussion.

Motion to approve carried 6-0

11. Consideration, discussion, and possible action on an Amended and Restated Interlocal Agreement for the Austin Regional Intelligence Center (ARIC).

The city staff recommended that the City Council approve the Amended and Restated Interlocal Agreement for the Austin Regional Intelligence Center (ARIC).

Chief Phipps discussed the proposed amendment agreement.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Weir to approve the Amended and Restated Interlocal Agreement for the Austin Regional Intelligence Center (ARIC) and authorize the City Manager to execute the agreement.

There was no further discussion.

Motion to approve carried 6-0

12. Consideration, discussion, and possible action on allocating funds for the Veterans' Wall Dedication Plaque.

The city staff recommended that the City Council approve the purchase of the Veterans Wall Dedication Plaque and allocate funds from the Parks Department in the amount not to exceed \$6,000.

Public Works Director Woodard discussed the proposed purchase of the Veteran's Wall Dedication Plaque.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Amezcua to approve the purchase of the Veterans Wall Dedication Plaque and allocate funds from the Parks Department in the amount not to exceed \$6,000.

There was no further discussion.

Motion to approve carried 6-0

13. Consideration, discussion, and possible action on allocating resources and funds to the Back-to-School Haircut Drive by The Lab Barbershop.

The city staff recommended that the City Council direct city staff to provide support on the Back-to-School Haircut Drive approving the closure of Burnet Street with barricades, rental of tables and chairs, and waiving the special event fees.

J'Rod Franks, owner of The Lab Barbershop, submitted a speaker card and spoke regarding his upcoming event. Mr. Franks requests city support for waiving event fees, road closures, tables, chairs, and tents.

City Manager Moore stated that the Lions Club would assist with the event's tables and chairs and that the city would provide four tents.

City Manager Moore suggested that Mr. Franks discuss parking concerns with business neighbors.

Heritage and Tourism Manager Valderrama stated that the request included waiving the special event fees, road closure, staff, and police fees.

A discussion was held regarding Mr. Franks speaking to his neighbors regarding his event to prevent miscommunication or disagreements among neighbors.

Council Member Moreno asked to see a traffic control plan to review.

A discussion was held regarding the event date, which would be too close to the next council meeting and would not give the owner enough time to advertise.

A discussion was held regarding an estimated cost of city fees.

A discussion was held regarding the road closure concerns.

A discussion was held regarding parking concerns.

A discussion was held regarding the collaboration of other barbershops in the area for future events.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Weir to direct city staff to provide support on the Back-to-School Haircut Drive approving the barricades to be placed as the City Manager suggested and waiving the special event fees.

A discussion was held regarding last year's event and the request to close the road for the kids' safety.

Council Member Hill asked if the location of the event could be changed or considered to be moved to a different location for safety reasons.

Mr. Franks stated that it would be easier for them to have the event at his barbershop because all the needed tools were there.

There was no further discussion.

Motion to approve carried 5-1 (Council Member Amezcua voted against)

Agenda Item No. 14 was pulled and not considered.

~~**14. Consideration, discussion, and possible action on a Municipal Solid Waste Collection, Transportation, and Disposal Contract (Residential, Commercial, Industrial, and Recycling).**~~

15. Consideration, discussion, and possible action on Tax Increment Reinvestment Zone Feasibility & Consulting Services agreement with TXP, Inc.: Manor Industrial TIRZ #2.

The city staff recommended that the City Council approve and authorize the City Manager to execute the service agreement with TXP, Inc., in the amount of \$26,500.

Economic Development Director Jones discussed the proposed agreement.

Travis James with TXP, Inc., discussed the TIRZ process.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace to approve and authorize the City Manager to execute the service agreement with TXP, Inc., in the amount of \$26,500.

There was no further discussion.

Motion to approve carried 6-0

16. Consideration, discussion, and possible action on the Fifth Amendment to the Butler/East Hwy 290 & 13100 N. FM 973 (Manor Crossing) Development Agreement.

The city staff recommended that the City Council approve the Fifth Amendment to the Butler/East Hwy 290 & 13100 N. FM 973 (Manor Crossing) Development Agreement.

City Planner Burrell discussed the proposed amendment agreement.

Katherine Nicole with MWSW LLP, 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 the City Council.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Amezcua to approve the Fifth Amendment to the Butler/East Hwy 290 & 13100 N. FM 973 (Manor Crossing) Development Agreement.

There was no further discussion.

Motion to approve carried 6-0

17. Consideration, discussion, and possible action on a Water Service Transfer Agreement with Manville Water Supply Corporation for the Proposed Water Service Transfer for the Manor Heights Project.

The city staff recommended that the City Council approve the Water Service Transfer Agreement with Manville Water Supply Corporation for the Proposed Water Service Transfer for the Manor Heights Project.

City Attorney Rivera discussed the proposed agreement.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Amezcua to approve the Water Service Transfer Agreement with Manville Water Supply Corporation for the Proposed Water Service Transfer for the Manor Heights Project.

There was no further discussion.

Motion to approve carried 6-0

18. Consideration, discussion, and possible action on a Financial Advisory Contract.

The city staff recommended that the City Council approve the Financial Advisory Contract with SAMCO Capital Markets, Inc. and authorize the City Manager to execute the contract.

Christina Lane, with SAMCO Capital Markets, Inc., discussed the proposed contract for city finance consultant services.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Amezcua to approve the Financial Advisory Contract with SAMCO Capital Markets, Inc. and authorize the City Manager to execute the contract.

A discussion was held regarding the hourly fee.

There was no further discussion.

Motion to approve carried 6-0

At the direction of Mayor Pro Tem Hill, Agenda Item No. 9 was considered after the Executive Session.

20. Consideration, discussion, and possible action on a first renewal of the Interlocal Agreement for Public Health Services between the City of Austin and the City of Manor. Consideration, discussion, and possible action on a Financial Advisory Contract.

The city staff recommended that the City Council approve the first renewal of the Interlocal Agreement for Public Health Services between the City of Austin and the City of Manor.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace to approve the first renewal of the Interlocal Agreement for Public Health Services between the City of Austin and the City of Manor.

A discussion was held regarding the hourly fee.

There was no further discussion.

Motion to approve carried 6-0

Mayor Pro Tem Hill adjourned the regular session of the Manor City Council into Executive Session at 8:50 p.m. on Wednesday, July 17, 2024, in accordance with the requirements of the Open Meetings Law.

EXECUTIVE SESSION

The Manor City Council convened into executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in *Sections 551.071 and 551.072, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel and to deliberate the purchase of real property; Sections 551.071 Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding Shadowglen PUD; Section 551.071 Texas Government Code and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding the Hibbs Lane Parcel; Section 551.071 and 551.087 Texas Government Code and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding the Wonik Project; Section 551.071 and 551.087 Texas Government Code and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding the Lennar Project; Section 551.071 Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding pending litigation, specifically Civil Citation No. J1-CV-24-003083, Austin Bocce League, Robert Battaile, Pres. vs. City of Manor pending in Justice Court, Precinct One; and Section 551.071 Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding pending litigation, specifically Civil Citation No. J1-CV-24-003363, Robert Battaile vs. City of Manor pending in Justice Court, Precinct One* at 8:50 p.m. on Wednesday, July 17, 2024.

The Executive Session was adjourned at 9:59 p.m. on Wednesday, July 17, 2024.

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 the Closed Executive Session at 9:59 p.m. on Wednesday, July 17, 2024.

19. Consideration, discussion, and possible action on a resolution authorizing the purchase and closing of 4.2194 acres, more or less, of real property located in Travis County, Texas, and approval of the Real Estate Contract.

Resolution No. 2024-23: A Resolution of The City of Manor, Texas Authorizing the Purchase and Closing of 4.2194 Acres, More or Less, of Real Property Located in Travis County, Texas for \$18.00 per Square Foot Plus Closing Costs; Providing for Approval of the Real Estate Contract; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace to approve Resolution No. 2024-23 authorizing the purchase and closing of 4.2194 acres, more or less, of real property located in Travis County, Texas, and approval of the Real Estate Contract with no more than \$18.00 a square foot and authorizing the City Manager to execute the contract and related documents for the purchase and closing of 4.2194 acres.

**City Council Regular Session Minutes
July 17, 2024**

There was no further discussion.

Motion to approve carried 6-0

ADJOURNMENT

The Regular Session of the Manor City Council was Adjourned at 10:00 p.m. on Wednesday, July 17, 2024.

The Manor City Council approved these minutes on September 4, 2024.

APPROVED:

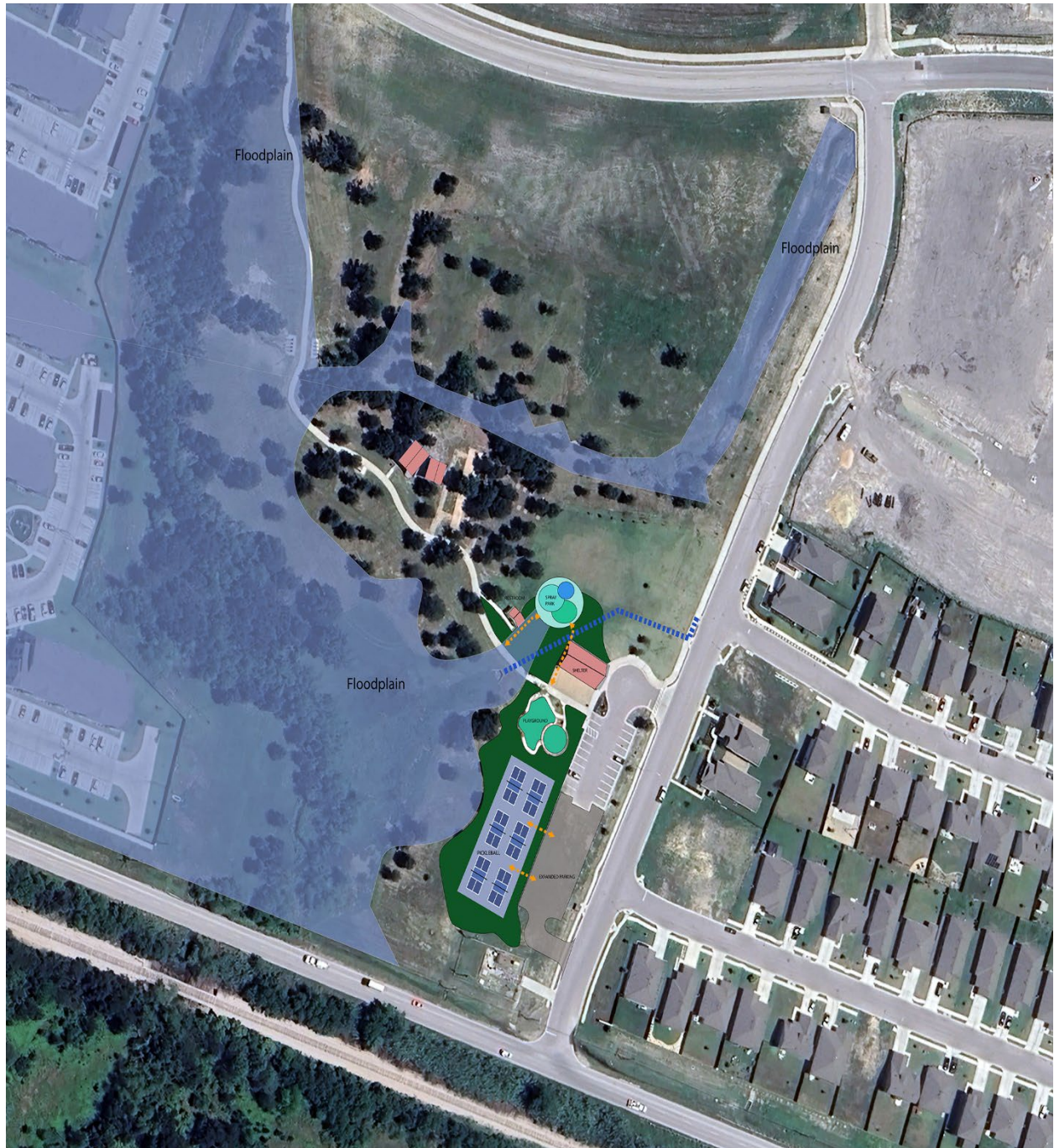
Dr. Christopher Harvey
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

TIMMERMANN PARK ENVIRONMENTAL CONDITIONS

FLOOD PLAIN MAP ILLUSTRATION



LAND USABLE FOR CONSTRUCTION



The map below is a National wetland inventory map showing how the creek tributary was identified in that data layer.



USFWS National Wetland Inventory

MAP SHOWING THE ORIGINAL DRAINAGE AND THE REDIRECTED DRAINAGE



I showed that map to make a point that further analysis will need to be done to talk with USACE about work in the area of the tributary for the park.

COST ESTIMATE

I showed all that to make a point that further analysis will need to be done to talk with USACE about work in the area of the tributary for the park.

So here is the list of items that need to be done.

1. Finalize a list of the activities planned for areas near the water.
2. Develop a clear example or cross section (or 2) of the impact to the water.
3. Hire a firm to conduct:
 - a. a wetland delineation (\$5.5K) (2-3 weeks),
 - b. preliminary jurisdictional determination (JD) (\$4K) (additional 2 weeks), or
 - c. a JD (\$10K) (this would require the application being sent to the USACE for their review – takes 45 days for them to review). –
 - d. Total approximately 2.5 to 3 mos:
4. Determine best method for improvements at the site that will mean the least impact, either avoidance and/or no activities below the ordinary high water mark (OHWM).
 - a. If this is possible, in this scenario there would likely be no submittal to USACE.
 - b. Develop report that clearly identifies the path forward (\$5k)

I would see the entire effort to be approximately \$25K – it could be more depending on the path identified by USACE if it has to go that way.