



RITA G. JONSE, MAYOR
GENE KRUPPA, MAYOR PRO-TEM, PLACE 1
MARIA AMEZCUA, PLACE 2
ANNE WEIR, PLACE 3
ZINDIA PIERSON, PLACE 4
REBECCA DAVIES, PLACE 5
RYAN STONE, PLACE 6

CITY COUNCIL REGULAR MEETING AGENDA

WEDNESDAY, JULY 5, 2017

7:00 P.M.

CITY COUNCIL CHAMBERS, 105 E. EGGLESTON ST.

CALL REGULAR SESSION TO ORDER

PLEDGE OF ALLEGIANCE

PRESENTATIONS

PUBLIC COMMENTS

Comments will be taken from the audience on non-agenda related topics for a length of time, not to exceed three minutes per person. Comments on specific agenda items must be made when the item comes before the Council. To address the City Council, please register on the speaker sign-in sheet at least five-minutes prior to the scheduled meeting time. NO ACTION MAY BE TAKEN BY THE CITY COUNCIL DURING PUBLIC COMMENTS.

CONSENT AGENDA

The following Items will be enacted by one motion. There will be no separate discussion of these items unless requested by the Mayor or a Council Member; in which event, the item will be removed from the consent agenda and considered separately.

- | | |
|--|---------------------------|
| 1. Consideration, discussion, and possible action to approve the minutes for the June 21, 2017 City Council Regular Meeting. | Tom Bolt,
City Manager |
|--|---------------------------|

PUBLIC HEARING

- | | |
|---|---------------------------------------|
| 2. Conduct a public hearing regarding the creation of a Public Improvement District – EntradaGlen. | Tom Bolt,
City Manager |
| 3. Conduct a public hearing regarding the proposed Land Use Assumptions and Capital Improvement Projects as provided by the 2016 Community Impact Fee Advisory Committee. | Scott Dunlop,
Planning Coordinator |

REGULAR AGENDA

- | | |
|---|---------------------------|
| 4. Presentation and possible discussion regarding results of Salary Study prepared by Public Sector for the City of Manor. | Samuel M Heinz,
PSCP |
| 5. Discussion, consideration and possible action to include the findings and recommendations of the Salary Study performed by Public Sector in the City of Manor Personal Policy. | Tom Bolt,
City Manager |
| 6. Discussion, consideration and possible action to adjust salaries identified in the Public Sector study to recommended grades and dollar amounts provided. | Tom Bolt,
City Manager |

EXECUTIVE SESSION

The City Council will now conduct a Closed Executive Session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in:

Section 551.074 Personnel Matter – City Manager contract

OPEN SESSION

The City Council will now reconvene into Open Session pursuant to the provisions of Chapter 551 Texas Government Code and take action on item(s) discussed during Closed Executive Session:

- | | |
|--|---------------------------------------|
| 7. Take action as deemed appropriate in the City Council's discretion regarding the City Manager contract. | |
| 8. Consideration, discussion, and possible action on the creation of a Public Improvement District – EntradaGlen. | Tom Bolt,
City Manager |
| 9. Consideration, discussion, and possible on a resolution approving the land use assumptions and capital improvements plan for the City's water and wastewater impact fee service area and declaring an effective date. | Scott Dunlop,
Planning Coordinator |
| 10. Consideration, discussion and possible action on a second reading of an ordinance rezoning 127.220 acres more or less, located in the A.C. Caldwell Survey, Abstract No. 124, Travis County, Texas, and being a portion of that certain called 267.942 acre tract of land conveyed to Sky Village Kimbro Estates, LLC, as described in document number 2016214460, Official Public Records of Travis County, located near the intersections of Bois D'Arc Road and Tower Road, from R-1 Single Family to R-2 Single Family with a waiver from Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 20(j) Height and Placement Requirements, Chart 1 to allow for 6,000 square foot lots.
Owner: Gordon Reger, Sky Village Kimbro Estates LLC. Applicant: Alex Granados, Kimley-Horn | Scott Dunlop,
Planning Coordinator |
| 11. Consideration, discussion, and possible action on a waiver for Lots 4 and 5 Block 11 Town of Manor, locally known as 900 North Lexington Street, from City of Manor Code of Ordinances, Chapter 4, Article 4.03 Section 4.03.004(b) Parking for Semi-Permanent Food Establishments to waive the requirement for off-street parking.
Owner: Rethann Glass. Applicant: Ingrid and Chris Cannon | Scott Dunlop,
Planning Coordinator |

ADJOURNMENT

In addition to any executive session already listed above, the City Council for the City of Manor reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code for the following purposes:

§551.071 Consultation with Attorney
§551.072 Deliberations regarding Real Property
§551.073 Deliberations regarding Gifts and Donations
§551.074 Personnel Matters
§551.076 Deliberations regarding Security Devices
§551.087 Deliberations regarding Economic Development Negotiations

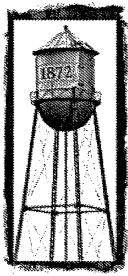
POSTING CERTIFICATION

I, hereby, certify that this notice of the Manor City Council Special Meeting Agenda was posted on this 30th day of June, 2017 at 5:00 P.M., as required by law in accordance with Section 551.043 of the Texas Government Code and remained posted for at least two hours after said meeting was convened.

Thomas Bolt,
City Manager

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS:

The City of Manor is committed to compliance with the Americans with Disabilities Act. Manor City Hall and the council chambers are wheelchair accessible and special marked parking is available. Persons with disabilities who plan to attend this meeting and who may need assistance are requested to contact the City Secretary at 512-272-5555. Provide a 48-hour notice when feasible.



CITY OF
MANOR
EST. ★ 1872
TEXAS

AGENDA ITEM NO. ¹_____

AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action to approve the minutes for the June 21, 2017 City Council Regular Meeting

BACKGROUND/SUMMARY:

No minutes have been generated and will be present at the next regularly scheduled meeting on the 19th.

PRESENTATION: ☐ YES ☒ NO

ATTACHMENTS: ☐ YES (IF YES, LIST IN ORDER TO BE PRESENTED) ☒ NO

STAFF RECOMMENDATION:

PLANNING & ZONING COMMISSION: ☐ RECOMMENDED APPROVAL ☐ DISAPPROVAL ☐ NONE



AGENDA ITEM NO. ²_____

AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 5, 2017

PREPARED BY: Tom Bolt

DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Conduct a public hearing regarding the creation of a Public Improvement District - EntradaGlen

BACKGROUND/SUMMARY:

PRESENTATION: ☐ YES ☒ NO

ATTACHMENTS: ☐ YES (IF YES, LIST IN ORDER TO BE PRESENTED) ☒ NO

STAFF RECOMMENDATION:

PLANNING & ZONING COMMISSION: ☐ RECOMMENDED APPROVAL ☐ DISAPPROVAL ☐ NONE



AGENDA ITEM NO. 3

AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Conduct a public hearing regarding the proposed Land Use Assumptions and Capital Improvement Projects as provided by the 2016 Community Impact Fee Advisory Committee.

BACKGROUND/SUMMARY:

As part of the 10-year Community Impact Fee update the CIF Committee has put forth the proposed land use assumptions and capital improvement projects from which the water and wastewater impact fees will be derived. Prior to a resolution accepting the land use assumptions and capital improvement projects there is a required public hearing.

PRESENTATION: ☐ YES ☒ NO

ATTACHMENTS: ☐ YES (IF YES, LIST IN ORDER TO BE PRESENTED) ☒ NO

STAFF RECOMMENDATION:

PLANNING & ZONING COMMISSION: ☐ RECOMMENDED APPROVAL ☐ DISAPPROVAL ☐ NONE



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 5, 2017

PREPARED BY: Thomas Bolt

DEPARTMENT: Administration - City Manager

AGENDA ITEM DESCRIPTION:

Presentation, discussion and possible action to accept the Salary Study prepared by Public Sector for the City of Manor. Consultant - Samuel M. Heinz, PSCP, Public Sector.

BACKGROUND/SUMMARY:

City Council authorized Public Sector to conduct a salary study on behalf of the City of Manor. The study comprised of selection of comparable cities, employee surveys and review of job descriptions for possible amendment to make similar to comparable cities and to possibly create new job descriptions and assign a salary range (grade).

The surveys were completed and submitted along with current job descriptions. All results were expected to be presented in March. Time constraints and changes to job titles consistent with existing personnel warranted further examination for clarity.

PRESENTATION: ☒ YES ☐ NO

ATTACHMENTS: ☒ YES (IF YES, LIST IN ORDER TO BE PRESENTED) ☐ NO

Salary Study Results and Recommendations

STAFF RECOMMENDATION:

Staff recommends acceptance of the report.

Note: Acceptance of the report closes the project only, and allows for the City to make final payment. The actions by Council with regard to the report and its findings are appropriate under separate agenda items.

PLANNING & ZONING COMMISSION: ☐ RECOMMENDED APPROVAL ☐ DISAPPROVAL ☒ NONE

City of Manor, Texas



**PUBLIC
SECTOR**

**PERSONNEL
CONSULTANTS**

Classification and Compensation Study Discussion

July 5, 2017

Study Phases Completed

- Employees completed job questionnaires to provide content for job classification study; 63 employees in 38 unique job classes
- Salary survey completed for comparison to current pay ranges and for pay plan updating; 17 comparator agencies + private sector data (where applicable)
- Cost estimates to implement new range structure, plus costs to place employees in range based on tenure

Approved Agencies for Comparison

- City of Austin
- City of Belton
- City of Buda
- City of Cedar Park
- City of Copperas Cove
- City of Elgin
- City of Georgetown
- City of Harker Heights
- City of Hutto
- City of Kyle
- City of Leander
- City of Lockhart
- City of Marble Falls
- City of Rockdale
- City of Round Rock
- City of Taylor

-
- Also used private sector data where appropriate from Austin/Central TX Statistical Area
 - Responses received from all comparators
 - Criteria approved by Council to include geographic proximity, population

Overall Survey Findings

- Data was collected on 38/38 job titles (100% of jobs)
- City does not currently have a formal range structure; all jobs have been allocated to formal ranges with a minimum and maximum based on survey findings, internal alignment.
- Actual salaries tend to be very competitive, in-range adjustments needed to prevent compression and ensure employees are placed properly in the range

Recommendations

- Adopt new salary schedule
- Adopt new salary ranges based on survey findings
- Bring individuals up to the minimum of their proposed range
- Move individuals appropriately into ranges based on time in job, need to prevent compression

Cost to Implement: \$114,671, or 3.53% of your current payroll

Summary

- Classification: Title changes and modifications, 38 unique jobs
- Salary Survey: No formal range structure, although actual salaries tend to be competitive; recommended to adopt formal ranges, make adjustments to ensure employees are placed appropriately in ranges
- Questions? Comments?



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 5, 2017

PREPARED BY: Thomas Bolt

DEPARTMENT: Administration - City Manager

AGENDA ITEM DESCRIPTION:

Discussion, consideration and possible action to include the findings and recommendations of the Salary Study performed by Public Sector in the City of Manor Personal Policy.

BACKGROUND/SUMMARY:

City Council authorized Public Sector to conduct a salary study on behalf of the City of Manor. The study comprised of selection of comparable cities, employee surveys and review of job descriptions for possible adjustments to make similar to comparable cities and to creating new job titles and descriptions for positions where staff is currently inappropriately assigned.

Salaries requested are in line with the comparable positions for cities surveyed for the report.

PRESENTATION: ☐ YES ☒ NO

ATTACHMENTS: ☒ YES (IF YES, LIST IN ORDER TO BE PRESENTED) ☐ NO

Salary Study Results and Recommendations

STAFF RECOMMENDATION:

Staff recommends inclusion of the study results as an addendum to the City of Manor Personnel Policy.

PLANNING & ZONING COMMISSION: ☐ RECOMMENDED APPROVAL ☐ DISAPPROVAL ☒ NONE

**City of Manor, TX
FY 2017 Salary Plan**

Page 1 of 1

Table 5 - Salary Ranges Per Job Class - (Job Class Order)

City of Manor, TX		-- Recommended --			
Current Title	Proposed Title	Salary Range	Minimum	Midpoint	Maximum
<u>Administration</u>					
City Secretary	City Secretary	28	\$56,332	\$66,273	\$76,213
Human Resources Coordinator	Human Resources Coordinator	24	\$46,344	\$54,523	\$62,701
Administrative Assistant	Administrative Assistant	17	\$32,936	\$38,748	\$44,560
<u>Finance</u>					
Director of Finance	Director of Finance	37	\$87,389	\$102,811	\$118,232
Office Manager	Utility Billing Supervisor	23	\$44,137	\$51,926	\$59,715
Accounting Clerk	Accounting Clerk	17	\$32,936	\$38,748	\$44,560
Meter Technician	Meter Services Technician	17	\$32,936	\$38,748	\$44,560
Utility Clerk	Utility Billing Clerk	15	\$29,874	\$35,146	\$40,418
Maintenance/Custodian	Custodian	10	\$23,407	\$27,538	\$31,668
<u>Municipal Court</u>					
Court Clerk	Clerk of Court	23	\$44,137	\$51,926	\$59,715
Deputy Court Clerk	Deputy Court Clerk	15	\$29,874	\$35,146	\$40,418
Senior Deputy Court Clerk	Senior Deputy Court Clerk	17	\$32,936	\$38,748	\$44,560
<u>Development Services</u>					
Director of Development Services	Director of Development Services	35	\$79,264	\$93,252	\$107,240
Building Inspector	Building Official	30	\$62,106	\$73,066	\$84,025
Planning Technician	Planning Coordinator	24	\$46,344	\$54,523	\$62,701
Permit Technician	Permit Technician	15	\$29,874	\$35,146	\$40,418
<u>Information Technology</u>					
Information Technology Technician	Systems Administrator	24	\$46,344	\$54,523	\$62,701
<u>Streets/Public Services</u>					
Street Crew Foreman	Streets Foreman	19	\$36,312	\$42,720	\$49,128
Street Crewman	Streets Maintenance Worker	15	\$29,874	\$35,146	\$40,418
<u>Park Services</u>					
Public Works Crew Foreman	Parks Foreman	19	\$36,312	\$42,720	\$49,128
Public Works Mechanic	Mechanic	19	\$36,312	\$42,720	\$49,128
Public Works Crewman	Parks Maintenance Worker	15	\$29,874	\$35,146	\$40,418
<u>Public Works</u>					
Director of Public Works	Director of Public Works	35	\$79,264	\$93,252	\$107,240
Public Works Superintendent	Superintendent of Streets and Parks	27	\$53,649	\$63,117	\$72,584
Utilities Superintendent	Superintendent of Utilities	27	\$53,649	\$63,117	\$72,584
Administrative Assistant	Administrative Assistant	17	\$32,936	\$38,748	\$44,560
Heavy Equipment Operator	Heavy Equipment Operator	17	\$32,936	\$38,748	\$44,560
<u>Water</u>					
Utilities Foreman	Utilities Foreman	19	\$36,312	\$42,720	\$49,128
Utilities Operator	Utilities Maintenance Worker	15	\$29,874	\$35,146	\$40,418
<u>Wastewater</u>					
Utilities Foreman	Utilities Foreman	19	\$36,312	\$42,720	\$49,128
Utilities Operator	Wastewater Plant Operator	19	\$36,312	\$42,720	\$49,128
<u>Police (Sworn Officers)</u>					
Chief of Police	Chief of Police	37	\$87,389	\$102,811	\$118,232
Police Captain	Police Captain	34	\$75,490	\$88,812	\$102,133
Police Lieutenant	Police Lieutenant	31	\$65,211	\$76,719	\$88,227
Detective-Sergeant	Detective Sergeant	28	\$56,332	\$66,273	\$76,213
Police Sergeant	Police Sergeant	28	\$56,332	\$66,273	\$76,213
Police Detective	Police Detective	25	\$48,661	\$57,249	\$65,836
Police Officer I	Police Officer	25	\$48,661	\$57,249	\$65,836
<u>Police Support (Civilian)</u>					
Police Civilian Supervisor	Police Support Services Supervisor	23	\$44,137	\$51,926	\$59,715
Animal Control Officer	Animal Control Officer	15	\$29,874	\$35,146	\$40,418
Police Clerk	Police Records Clerk	17	\$32,936	\$38,748	\$44,560



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 5, 2017

PREPARED BY: Thomas Bolt

DEPARTMENT: Administration - City Manager

AGENDA ITEM DESCRIPTION:

Discussion, consideration and possible action to adjust salaries identified in the Public Sector study to recommended grades and dollar amounts provided.

BACKGROUND/SUMMARY:

City Council authorized Public Sector to conduct a salary study on behalf of the City of Manor. The study comprised of selection of comparable cities, employee surveys and review of job descriptions for possible adjustments to make similar to comparable cities and to creating new job titles and descriptions for positions where staff is currently inappropriately assigned.

Salaries requested are in line with the comparable positions for cities surveyed for the report.

PRESENTATION: ☐ YES ☒ NO

ATTACHMENTS: ☒ YES (IF YES, LIST IN ORDER TO BE PRESENTED) ☐ NO

Salary Study Results and Recommendations

STAFF RECOMMENDATION:

Staff makes no recommendations with regard to establishing the salaries.

PLANNING & ZONING COMMISSION: ☐ RECOMMENDED APPROVAL ☐ DISAPPROVAL ☒ NONE



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 5, 2017

PREPARED BY: Thomas Bolt

DEPARTMENT: Administration - City Manager

AGENDA ITEM DESCRIPTION:

Discussion, consideration and possible action on the City Manager's Contract

BACKGROUND/SUMMARY:

City Council authorized Public Sector to conduct a salary study on behalf of the City of Manor. The study comprised of selection of comparable cities, employee surveys and review of job descriptions for possible adjustments to make similar to comparable cities and to creating new job titles and descriptions for positions where staff is currently inappropriately assigned. The findings of this study if approved should be incorporated into the personnel policy to provide guidance with new hires, merit increases and other promotional opportunities. The schedule also provides a range for new hires based on the level of experience they have from previous positions.

The Salary Study recommends an increase in the City Managers salary. An amendment to the contract would be necessary if there is a salary adjustment.

PROVIDED UNDER SEPARATE COVER

PRESENTATION: ☐ YES ☒ NO

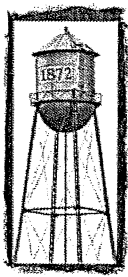
ATTACHMENTS: ☒ YES (IF YES, LIST IN ORDER TO BE PRESENTED) ☐ NO

Salary Study Results and Recommendations
City Manager's Contract.

STAFF RECOMMENDATION:

There is no staff recommendation.

PLANNING & ZONING COMMISSION: ☐ RECOMMENDED APPROVAL ☐ DISAPPROVAL ☒ NONE



CITY OF
MANOR
EST. ★ 1872
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AGENDA ITEM NO. 8

AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on the creation of a Public Improvement District - EntradaGlen

BACKGROUND/SUMMARY:

PRESENTATION: ☐ YES ☒ NO

ATTACHMENTS: ☐ YES (IF YES, LIST IN ORDER TO BE PRESENTED) ☒ NO

STAFF RECOMMENDATION:

PLANNING & ZONING COMMISSION: ☐ RECOMMENDED APPROVAL ☐ DISAPPROVAL ☐ NONE



AGENDA ITEM NO. 9

AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible on a resolution approving the land use assumptions and capital improvements plan for the City's water and wastewater impact fee service area and declaring an effective date.

BACKGROUND/SUMMARY:

As part of the 10-year Community Impact Fee update the CIF Committee has put forth the proposed land use assumptions and capital improvement projects from which the water and wastewater impact fees will be derived. This resolution establishes the land use assumptions and capital improvement projects; the impact fees will be presented to the Council on July 19th and after public hearings considered on September 6th. Land use assumptions are not zoning but rather the assumed amount of water and wastewater service a tract will need based on what the future use of the tract may be.

PRESENTATION: ☐ YES ☒ NO

ATTACHMENTS: ☒ YES (IF YES, LIST IN ORDER TO BE PRESENTED) ☐ NO

Resolution

Land Use Assumptions

Water improvements

Wastewater improvement

STAFF RECOMMENDATION:

It is City staff's recommendation, that a resolution approving the land use assumptions and capital improvements plan for the City's water and wastewater impact fee service area and declaring an effective date be approved.

PLANNING & ZONING COMMISSION: ☐ RECOMMENDED APPROVAL ☐ DISAPPROVAL ☐ NONE

RESOLUTION NO. 2017-

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF MANOR, TEXAS APPROVING THE LAND
USE ASSUMPTIONS AND CAPITAL
IMPROVEMENTS PLAN FOR THE CITY'S WATER
AND WASTEWATER IMPACT FEE SERVICE AREA;
AND DECLARING AN EFFECTIVE DATE.**

WHEREAS, TEXAS LOCAL GOVERNMENT CODE §395.045 states that to impose water and wastewater impact fees, the City Council must, after holding a public hearing, approve Land Use Assumptions and a Capital Improvements Plan for the City's Water and Wastewater Impact Fee service area; and,

WHEREAS, A map of Land Use Assumptions for the Implementation of Impact Fees for the City's Water and Wastewater Impact Fee service area has been prepared for the City as well as a Capital Improvements Plan for Implementation of Water and Wastewater Impact Fees for the City's Water and Wastewater Impact Fee service area have been prepared for the City and,

WHEREAS, The City Council finds and determines that the City has complied with the requirements in TEXAS LOCAL GOVERNMENT CODE §395.042 and §394.043 for publicizing the Land Use Assumptions Map and the Capital Improvements Plan List and Maps before the public hearing on those reports; and,

WHEREAS, The Advisory Committee, met on April 12, 2017 and recommended that the City Council approve the Land Use Assumptions Map and the Capital Improvements Plan Lists and Maps; and,

WHEREAS, The City Council has held a public hearing on July 5, 2017 to consider the Land Use Assumptions Map and the Capital Improvements Plan Lists and Maps.

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

SECTION 1. The Land Use Assumptions Map (a copy of which is attached to this Resolution and incorporated into this Resolution for all purposes) is approved as the City's system-wide land use assumptions for the City's Water and Wastewater Impact Fee service area.

SECTION 2. The Capital Improvements Plan Lists and Maps (copies of which are attached to this Resolution and incorporated into this Resolution for all purposes) are approved as the City's Capital Improvements Plan for the City's Water and Wastewater Impact Fee service area.

SECTION 3. This resolution is in full force and effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED by an affirmative vote of the City Council of the City of Manor, this the 5th day of July 2017.

THE CITY OF MANOR, TEXAS

Rita G. Jonse
Mayor

ATTEST:

City Secretary

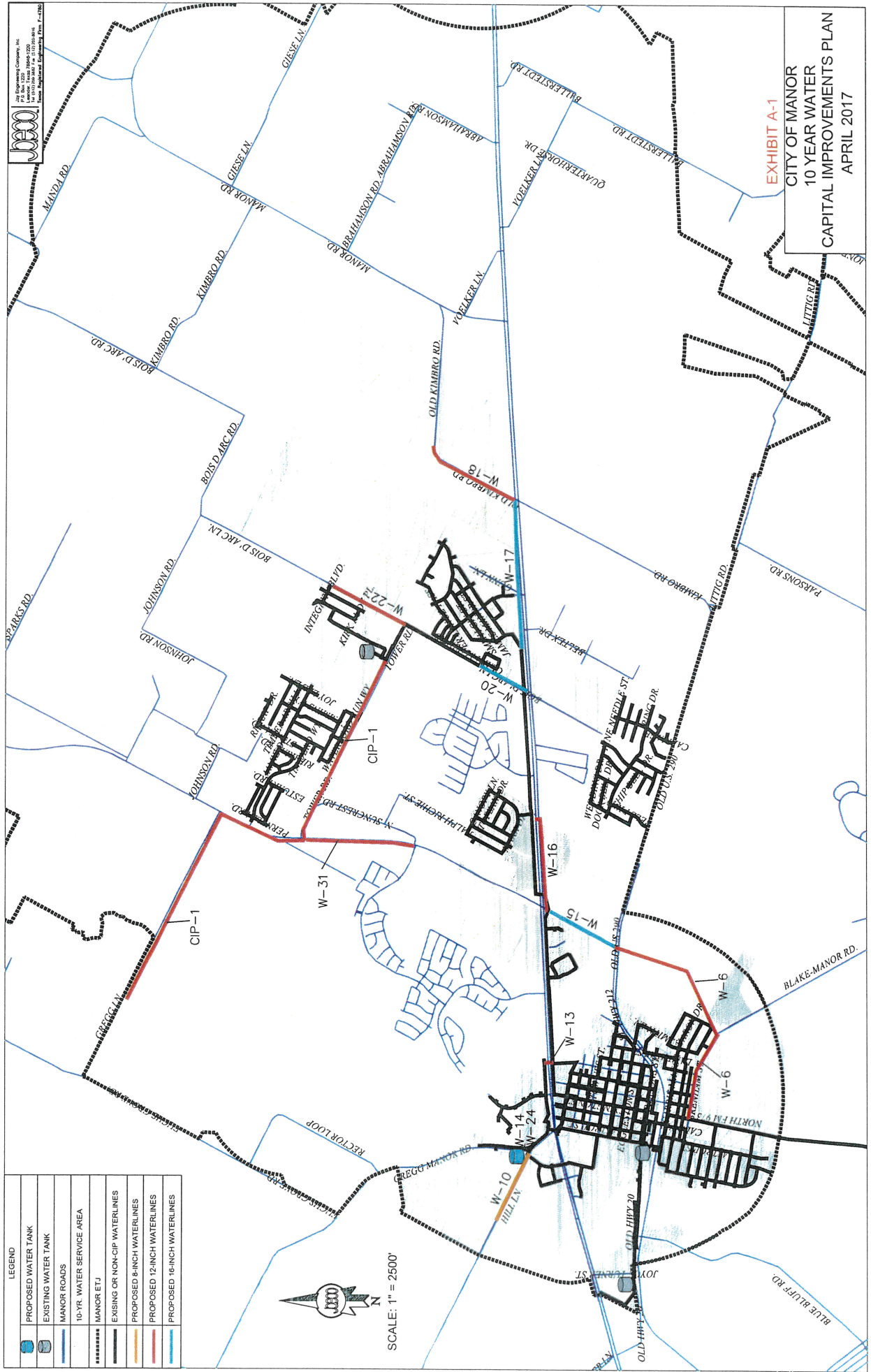
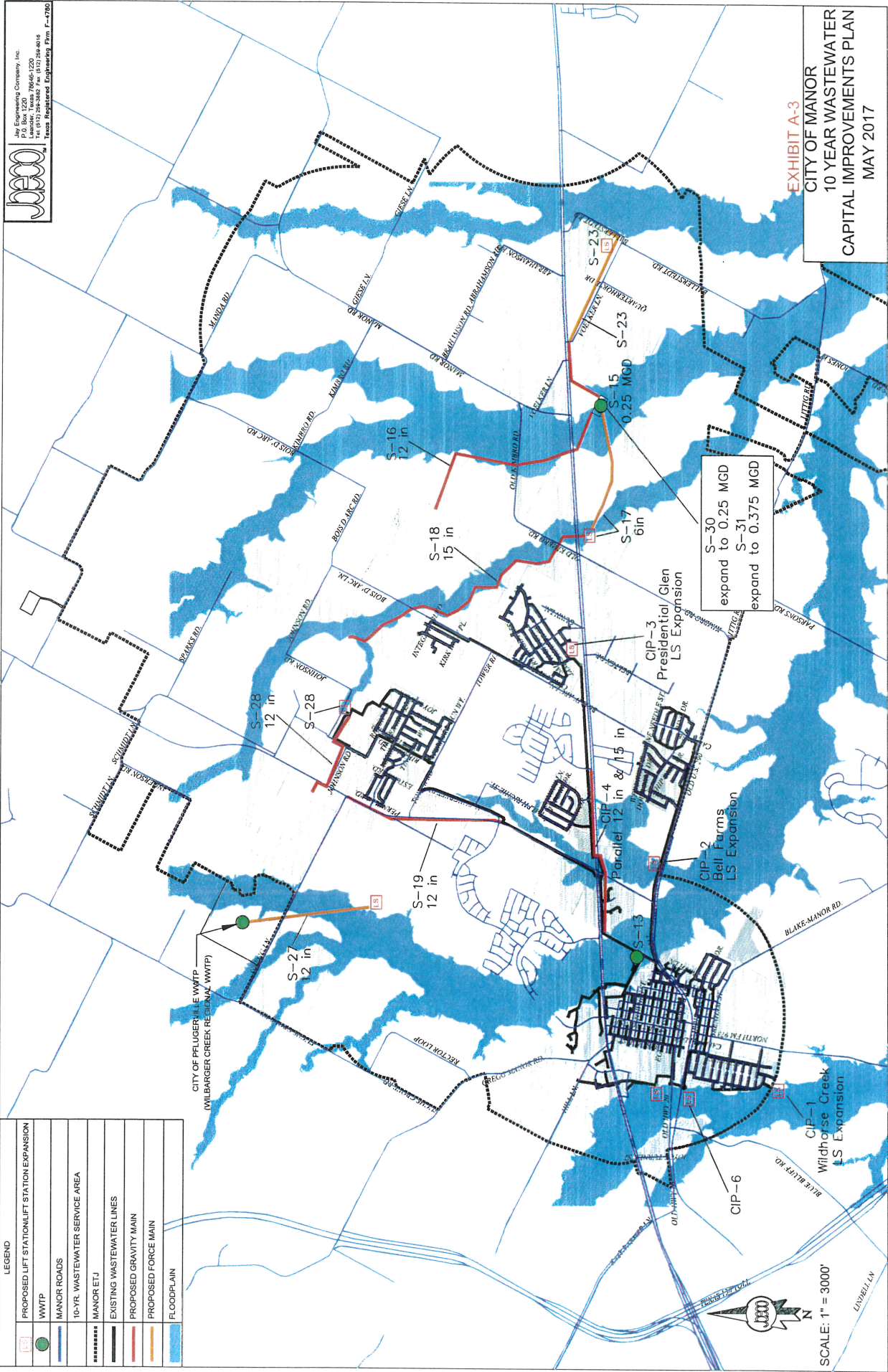


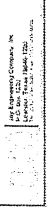
EXHIBIT A-2
CITY OF MANOR WATER IMPROVEMENTS
10-YEAR CAPITAL IMPROVEMENTS PLAN
MAY 2017

Project No.	Year	Description	Construction Cost (2015 Dollars)	Size	Unit	Length (ft)	Construction Cost (adjusted for Inflation @ 5% per annum)	Soft Costs	Contingency (10% + 1% per annum)	Total Project Costs	Detailed Description
W-6	2017	Blake Manor Road Water Line	\$ 268,800.00	12	inch	3,200	\$ 295,680.00	\$ 44,400.00	\$ 37,400.00	\$ 377,000.00	Transmission main from downtown along Blake Manor Road to future FM 973. Includes replacing 400 LF of 6" pipe in Downtown Plant
W-10	2022	Hill Lane Water Line	\$ 289,800.00	12	inch	3,450	\$ 391,230.00	\$ 58,700.00	\$ 72,000.00	\$ 522,000.00	Water Distribution main along Hill Lane to serve new growth
W-13	2025	US 290 Crossing at Golf Course	\$ 100,000.00	12	inch	250	\$ 150,000.00	\$ 22,500.00	\$ 32,800.00	\$ 205,000.00	Connect 12" water lines on north and south sides of US 290
W-14	2021	Gregg Manor Road Water Supply - Ground Storage Tank and Pumps	\$ 883,600.00	250,000	gallon		\$ 1,148,680.00	\$ 172,300.00	\$ 198,100.00	\$ 1,519,000.00	250,000 gal Ground Storage Tank and 1,400 gpm expandable pump station for wholesale water supply connection
W-15	2017	FM 973 Water Line	\$ 246,400.00	16	inch	2200	\$ 271,040.00	\$ 40,700.00	\$ 34,300.00	\$ 346,000.00	Transmission main from US 290 to serve new growth on the east and west sides of FM 973
W-16	2017	US 290 Water Line	\$ 243,600.00	12	inch	2900	\$ 267,960.00	\$ 40,200.00	\$ 33,900.00	\$ 342,000.00	Parallel 12" waterline to increase US 290 capacity
W-17	2018	US 290 Water Line	\$ 540,000.00	16	inch	4400	\$ 621,000.00	\$ 93,200.00	\$ 85,700.00	\$ 800,000.00	Extend transmission main from Presidential Glen to Old Kimbro Road
W-18	2018	Old Kimbro Road Water Line	\$ 474,000.00	12	inch	3000	\$ 545,100.00	\$ 81,800.00	\$ 75,200.00	\$ 702,000.00	Transmission main to serve new growth north of US 290
W-20	2025	Bois D'Arc Lane Water Line	\$ 302,400.00	16	inch	2700	\$ 453,600.00	\$ 68,000.00	\$ 99,100.00	\$ 621,000.00	Transmission main to improve delivery of water from East EST
W-22	2025	Bois D'Arc Lane Water Line	\$ 210,000.00	12	inch	2500	\$ 315,000.00	\$ 47,300.00	\$ 68,800.00	\$ 431,000.00	Transmission main to serve new growth north of Tower Rd
W-24	2025	Gregg Manor Road Pump Improvements	\$ 50,000.00	1200	gpm		\$ 75,000.00	\$ 11,300.00	\$ 16,400.00	\$ 103,000.00	Increase Pump Capacity (and contracted supply) at wholesale water connection
W-31	2018	FM 973 Water Line	\$ 285,600.00	12	inch	3400	\$ 328,440.00	\$ 49,300.00	\$ 45,300.00	\$ 423,000.00	Transmission main along FM 973 from Tower Road to Shadowglen Trace to serve new growth.
Water CIP-1	2017	Gregg Lane to Tower Road Waterline	\$ 1,234,800.00	12	inch	14700	\$ 1,358,280.00	\$ 203,700.00	\$ 171,800.00	\$ 1,734,000.00	Transmission main from Manville WSC Booster Station to East Elevated Storage Tank
Water CIP-2	2018	AMR Water Meters	\$ 600,000.00				\$ 690,000.00	\$ 103,500.00	\$ 69,000.00	\$ 863,000.00	2700 Meter bodies and AMR registers, 1620 replacement meter box lids, software, two vehicle transmitter units, two laptops.
Notes:											
Total										\$ 8,988,000.00	
5-Year Total										\$ 7,106,000.00	



The following projects have been identified as required to serve new growth within the service area, in accordance with approved land use assumptions and as part of the 10-year Capital Improvements Plan

Project No.	Year	Description	Construction Cost (2017 Dollars)	Size	Length	Inflation @ 5% per annum	Soft Costs	Contingency (10% + 1% per annum)	Total Project Costs	Detailed Description
S-13	2018	Addl. Wilbarger WWTP Capacity	\$ 10,500,000.00	0.5 MGD		\$ 11,025,000.00	\$ 1,654,000.00	\$ 1,268,000.00	\$ 13,947,000.00	New Treatment Plant Capacity to Serve Addl Growth
S-15	2018	Cottonwood WWTP, Phase 1, 0.10 MGD	\$ 3,453,000.00	0.10 MGD		\$ 3,625,650.00	\$ 463,000.00	\$ 409,000.00	\$ 4,497,650.00	Built plant at Regional Site, road and electrical improvements add \$500,000
S-16	2018	East Cottonwood Gravity Line	\$ 1,054,000.00	12"	3,200	\$ 1,106,700.00	\$ 166,000.00	\$ 127,000.00	\$ 1,399,700.00	12" Gravity WW line from Kimbro to WWTP (sized for 10- year capacity; would need to be expanded for ultimate capacity)
S-17	2018	West Cottonwood LS and FM	\$ 471,000.00	6" FM and 350 gpm LS	3,700	\$ 494,550.00	\$ 74,200.00	\$ 57,000.00	\$ 625,750.00	Extend ww to regional site, sized for 10-year capacity.
S-18	2018	West Cottonwood Gravity Line, Phase 2	\$ 1,122,000.00	15"	8,200	\$ 1,178,100.00	\$ 176,700.00	\$ 135,000.00	\$ 1,489,800.00	Serves West Cottonwood Sub-Basin up to Bois D'Arc Ln, 15" gravity ww sized for 10-year capacity (would need to be upsized in the future for ultimate capacity)
S-19	2017	FM 973 Gravity Wastewater Line	\$ 591,600.00	12"	5,800	\$ 591,600.00	\$ 88,700.00	\$ 61,000.00	\$ 741,300.00	Serves FM 973 Corridor up to Wilbarger Basin divide (approx. Gregg Ln)
S-23	2024	Willow Lift Station and Force Main	\$ 466,320.00	200 gpm		\$ 629,532.00	\$ 94,400.00	\$ 116,000.00	\$ 839,932.00	Lift Station and Force Main to serve 220 LUEs in Willow Basin along US 290. 10-Yr ADF approx. 60,000 gpd, PWWF
S-27	2026	Wilbarger Lift Station and Force Main to CoP WWTP	\$ 345,520.00	12"	5,100	\$ 501,004.00	\$ 75,200.00	\$ 104,000.00	\$ 680,204.00	Lift Station and Force Main to serve area north of Shadowglen in Wilbarger Basin
S-28	2017	High School gravity line to Stonewater Lift Station; Stonewater lift station improvements	\$ 531,700.00	12	3,100	\$ 531,700.00	\$ 79,800.00	\$ 55,000.00	\$ 666,500.00	Gravity main to serve new high school; upgrades to existing Stonewater Lift Station.
S-30	2021	Expand Cottonwood WWTP to 0.25 MGD Capacity	\$ 2,000,000.00	0.25 MGD		\$ 2,400,000.00	\$ 380,000.00	\$ 359,000.00	\$ 3,119,000.00	New Treatment Plant Capacity to Serve Addl Growth
S-31	2025	Expand Cottonwood WWTP to 0.375 MGD Capacity	\$ 2,000,000.00	0.375 MGD		\$ 2,800,000.00	\$ 420,000.00	\$ 547,000.00	\$ 3,767,000.00	New Treatment Plant Capacity to Serve Addl Growth Change in discharge point increased Phase 1 capacity from 440 to 1026 LUEs, currently at about 706 LUEs. Will need to expand LS when Lagos develops to ultimate 1586 LUE capacity.
CIP-1	2018	Wildhorse Creek Lift Station Expansion	\$ 125,000.00	1,075 gpm, 2nd WW		\$ 131,250.00	\$ 19,700.00	\$ 15,000.00	\$ 165,950.00	Presently at approximately 730 LUEs. Current phase 1 capacity is 1264 LUEs. Ultimate Capacity at phase 2 is 2172.
CIP-2	2023	Bell Farms Lift Station Expansion	\$ 150,000.00	1,400 gpm, 2nd WW		\$ 195,000.00	\$ 29,300.00	\$ 34,000.00	\$ 258,300.00	Presently at approximately 264 LUEs. Current phase 1 capacity is 1119 LUEs. Ultimate Capacity at phase 2 is 3517.
CIP-3	2020	Presidential Glen Lift Station Expansion	\$ 175,000.00	2,275 gpm, 2nd WW	1,566 &	\$ 201,250.00	\$ 30,200.00	\$ 28,000.00	\$ 259,450.00	Presently at approximately 264 LUEs. Current phase 1 capacity is 1119 LUEs. Ultimate Capacity at phase 2 is 3517.
CIP-4	2022	US 290 WW Line Expansion	\$ 603,378.00	12" & 15"	2,760	\$ 754,222.50	\$ 113,100.00	\$ 121,000.00	\$ 988,322.50	Presently at approximately 264 PG-308 SW = 572 LUEs out of 7800 LUE capacity, expansion will double capacity.
CIP-6	2018	Travis County Rural Center Lift Station, force main	\$ 350,000.00	500 gpm	500	\$ 367,500.00	\$ 55,100.00	\$ 42,000.00	\$ 464,600.00	Lift Station and Force Main from Rural Center to existing wastewater line
Total									\$ 33,910,458.50	
5-Year Total									\$ 27,130,954.00	





AGENDA ITEM NO. 10

AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion and possible action on a second reading of an ordinance rezoning 127.220 acres more or less, located in the A.C. Caldwell Survey, Abstract No. 124, Travis County, Texas, and being a portion of that certain called 267.942 acre tract of land conveyed to Sky Village Kimbro Estates, LLC, as described in document number 2016214460, Official Public Records of Travis County, located near the intersections of Bois D'Arc Road and Tower Road, from R-1 Single Family to R-2 Single Family with a waiver from Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 20(j) Height and Placement Requirements, Chart 1 to allow for 6,000 square foot lots.

BACKGROUND/SUMMARY:

This request is for R-2 Single Family zoning with a lot size waiver. Normally under R-2 the lot size is 7,200 sf, 1,000 sq ft home minimum, 50' wide lot, and allows for duplexes. The included waiver is for the lot size to allow 6,000 sf, which could be 50' x 120', which is comparable to Presidential Glen, to which this development is attached. Part of the waiver is an agreement that the minimum home size will be 1,500 sf and a masonry requirement that excluded Hardie Board so the fronts and portions of the sides will be brick or stone. The Planning Commission heard the zoning portion on 6/14 and recommended denial due to increased traffic, poor road conditions, and excessive run-off drainage to downstream property owners.

PRESENTATION: ☐ YES ☒ NO

ATTACHMENTS: ☒ YES (IF YES, LIST IN ORDER TO BE PRESENTED) ☐ NO

Zoning Ordinance

Waiver Request

Area to be zoned

Survey

STAFF RECOMMENDATION:

It is city staff's recommendation that the second reading be postponed to the July 12th Special City Council meeting so the applicant can provide a presentation of their overall development plan.

PLANNING & ZONING COMMISSION: ☐ RECOMMENDED APPROVAL ☒ DISAPPROVAL ☐ NONE

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM SINGLE FAMILY RESIDENTIAL (R-1) TO SINGLE FAMILY RESIDENTIAL (R-2) WITH CONDITIONS; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

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

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

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

Whereas, the property owner has requested a waiver from Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 20(j) Height and Placement Requirements, Chart 1, and;

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

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

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

Section 3. Rezoned Property. The Zoning Ordinance is hereby amended by changing the zoning district for the land and parcel of property described in Exhibit "A" (the "Property"), from the current zoning district Single Family Residential (R-1) to zoning district Single Family Residential (R-2) with the conditions described in Exhibit "B" (the "Waiver"). The Property is accordingly hereby rezoned to Single Family Residential (R-2) with conditions.

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

ORDINANCE NO.

Page 2

PASSED AND APPROVED FIRST READING on this the 21st day of June 2017.

PASSED AND APPROVED SECOND AND FINAL READING on this the 5rd day of July 2017.

THE CITY OF MANOR, TEXAS

Rita G. Jonse,
Mayor

ATTEST:

Frances Aguilar, TRMC, CMC

EXHIBIT "A"

Property Legal Description:

127.220 acres more or less, located in the A.C. Caldwell Survey, Abstract No. 124, Travis County, Texas, and being a portion of that certain called 267.942 acre tract of land conveyed to Sky Village Kimbro Estates, LLC, as described in document number 2016214460, Official Public Records of Travis County

EXHIBIT "B"

Waiver from Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 20(j) Height
and Placement Requirements, Chart 1

May 04, 2017

City of Manor
Attn: Scott Dunlop
105 E. Eggleston St.
Manor, Texas 78653

Re: Sky Village Rezoning
Rezoning – Letter of Intent
NE corner of Bois D Arc and Tower Rd
Manor, Texas 78653

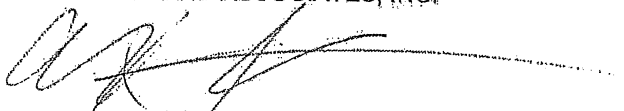
To Whom It May Concern:

Please accept this Summary Letter for the above referenced project. The proposed Sky Village development is located at the northeast corner of Bois D Arc Rd and Tower Rd in Manor, Texas, Travis County. The existing property is approximately 268 acres. The proposed rezoning is for the entire tract. From R-1 zoning to R-2.

The proposed development intends to provide single family housing, as well as parkland. If you have any questions or comments regarding this request, please contact me at 512-418-1771.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Alex Granados, E.I.T.
Civil Analyst

May 11, 2017

City of Manor
Attn: Scott Dunlop
105 E. Eggleston St.
Manor, Texas 78653

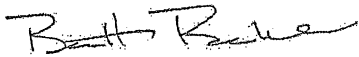
Re: *Sky Village Rezoning & Request for Waiver
Request from Code of Ordinances, Chapter 14 Exhibit A,
Article II, Section 20(j) Height and Placement Requirements, Chart 1*

To Whom It May Concern:

Kimley-Horn on behalf of Sky Village Kimbro Estates LLC is requesting a waiver from the Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 20(j) Height and Placement Requirements. Chart 1 indicated a minimum lot sq. ft. area of 7,200 SF. We request that the minimum lot sq. ft. area be reduced to 6000 SF. As a condition of granting this waiver, Sky Village Kimbro Estates LLC agrees to maintain a minimum home size of 1500 SF with 100% stone/brick masonry (excluding Hardie board/masonry products) on the front of all homes and the remaining 3 sides totaling 100% stone/brick masonry. Sky Village Kimbro Estates LLC also agrees on the restriction of duplexes on rezoned property.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Brett Burke
Project Manager

LEGAL DESCRIPTION
127.220 ACRES OF LAND

127.220 acres of land located in the A.C. Caldwell Survey, Abstract Number 154, Travis County, Texas and being a portion of that certain called 267.942 acre tract of land conveyed to Sky Village Kimbro Estates, LLC, as described in Document Number 2016214460, Official Public Records of Travis County, Texas; said 127.220 acres being more particularly described as follows:

BEGINNING, at a found 60D nail located in the southeasterly right of way line of Bois D Arc Road and marking the most westerly southwest corner of the said 267.942 acres;

THENCE, along the southeasterly right of way line of Bois D Arc Road, the following courses:

North 26deg 34' 25" East, a distance of 97.95 feet, to a point;
North 27deg 29' 03" East, a distance of 2033.50 feet, to a found ½ inch iron rod;

THENCE, leaving the southeasterly right of way line of Bois D Arc and along the boundary lines of the said 267.942 acre tract, the following courses:

South 62deg 00' 08" East, a distance of 1087.10 feet, to a point;
South 27deg 59' 52" West, a distance of 546.56 feet, to a point;
South 52deg 43' 04" East, a distance of 667.78 feet, to a point;
South 39deg 17' 57" East, a distance of 485.70 feet, to a point;
South 30deg 19' 16" East, a distance of 1155.97 feet, to a point;
South 62deg 32' 46" East, a distance of 552.04 feet, to a found ½ inch iron rod;
South 26deg 28' 58" West, a distance of 604.34 feet, to a point;
South 26deg 46' 43" West, a distance of 346.69 feet, to a found 1" iron pipe;
North 62deg 59' 47" West, a distance of 238.66 feet, to a found 60D nail;
North 63deg 39' 43" West, a distance of 66.97 feet, to a found 1" iron pipe;
North 62deg 38' 12" West, a distance of 695.93 feet, to a point;
North 62deg 42' 20" West, a distance of 330.87 feet, to a point;
North 26deg 23' 28" East, a distance of 379.90 feet, to a found ½ inch iron rod;
North 64deg 58' 30" West, a distance of 812.74 feet, to a found 60D nail;
North 64deg 44' 31" West, a distance of 669.79 Feet, to a found 60D nail;
North 63deg 33' 33" West, a distance of 909.33 feet, to the **POINT OF BEGINNING** and containing 127.220 acres (5,541,696 square feet) of land, more or less.

Bearing system based on the Texas Coordinate System of 1983, Central Zone (4203), North American Datum of 1983.

This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

James W. Russell
5/10/17

James W. Russell

Registered Professional Land Surveyor No. 4230

Kimley-Horn and Associates, Inc.

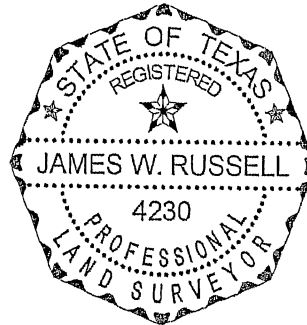
601 NW Loop 410, Suite 350

San Antonio, Texas 78216

Ph. 210-541-9166

jim.russell@kimley-horn.com

TBPLS Firm No. 10193973





LEGEND

IRFC = 1/2" IRON ROD WITH "KHA" CAP
FOUND
IRF = 1/2" IRON ROD (UNLESS
OTHERWISE NOTED)

BOIS D. ARC RD.
(VARIABLE R.O.W.)

N27°29'03"E 2033.50'

(13.502 ACRES)
TUAN V. NGUYEN & NHIEU T. & QUYN
DOC. 2009234510
LEMUUEL KIMBRO SURVEY,
ABSTRACT NO. 456 S61°57'20"E
317.09'

CRAIG & TAMMY
JOHNSON
DOC. 2000050056

(11.919 ACRES)
MARIA RIOJAS
VOL. 13372, PG. 1733

REMAINDER OF 267.942 ACRES
SKY VILLAGE KIMBRO ESTATES LLC,
DOC. 2016214480

1/2" IRF

1/2" IRF

1/2" IRF

1/2" IRF

1/2" IRF

1/2" IRF

A.C. CALDWELL SURVEY NO. 52,
ABSTRACT NO. 154

(9.99 ACRES)
BRIAN S. SCHNEIDER
DOC. 2009198632

PORTION OF 267.942 ACRES
SKY VILLAGE KIMBRO ESTATES LLC,
DOC. 2016214480

(10.16 ACRES)
TONY PARENT
ENTERPRISES INC.
DOC. 2007163554

1/2" IRF

1/2" IRF

1/2" IRF

1/2" IRF

127.220 ACRES
5,541,696 SQ. FT.

15' WATER PIPELINE EASEMENT
VOL. 4822, PG. 1673,
VOL. 4832, 1909

1/2" IRF

1/2" IRF

1/2" IRF

1/2" IRF

1/2" IRF

1/2" IRF

N26°34'25"E
97.95'

60D NAIL
FOUND

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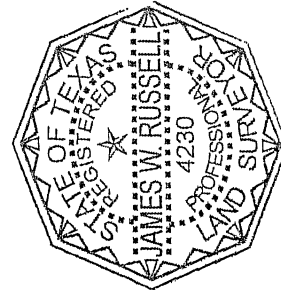
60D NAIL
FOUND

60D NAIL
FOUND

60D NAIL
FOUND

N63°33'33"W 909.33'

P.O.B.



James W. Russell
5/11/17

JAMES W. RUSSELL
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4230
601 NW LOOP 410, SUITE 350
SAN ANTONIO, TEXAS 78216
PH. 210-541-9166
jim.russell@kimley-horn.com

LGI HOMES-TEXAS LLC,
DOC. 2014012328

NOTES:

1. This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.
2. Bearing system based on the Texas Coordinate System of 1983, Central Zone (4203), North American Datum of 1983.

Kimley»Horn

601 NW Loop 410, Suite 350
San Antonio, Texas 78216
FIRM # 10193973
Tel. No. (210) 541-9166
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 500'	RAAC	JWR	05/11/2017	069255700	1 OF 1



Zone		M-1 - Manufactured Housing	M-2 - Manufactured Housing Park	NB - Neighborhood Business	PUD - Planned Unit Development	R-1 - Single Family	R-2 - Single Family	R-3 - Multi Family	R-4 - Multi Family Special	Manor ETJ
A - Agricultural	C-1 - Light Commercial	C-2 - Medium Commercial	DB - Downtown Business District	I - Institutional	IN-1 - Light Industrial	IN-2 - Heavy Industrial				

**Proposed Zoning:
Single Family R-2**

Current Zoning: R-1 Single Family



AGENDA ITEM NO. 11

AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: July 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a waiver for Lots 4 and 5 Block 11 Town of Manor, locally known as 900 North Lexington Street, from City of Manor Code of Ordinances, Chapter 4, Article 4.03 Section 4.03.004(b) Parking for Semi-Permanent Food Establishments to waive the requirement for off-street parking.

BACKGROUND/SUMMARY:

The applicant wishes to locate a food trailer near the corner of Lexington and Murray but no off-street parking has been provided as required by Ordinance. The property owner has indicated, but not filed, future plans to develop parking in this area. Previously there had been a similar business located on the property and after some time a second trailer was permitted which resulted in excessive street parking and the removal of both trailers.

PRESENTATION: ☐ YES ☐ NO

ATTACHMENTS: ☐ YES (IF YES, LIST IN ORDER TO BE PRESENTED) ☐ NO

Waiver

Location Image

Ordinance Section 4.03.004(b)

STAFF RECOMMENDATION:

PLANNING & ZONING COMMISSION: ☐ RECOMMENDED APPROVAL ☐ DISAPPROVAL ☐ NONE

Brain Freeze of Texas
25318 Terrain Park Dr
Spring, TX 77373
June 21, 2017

Mr. Dunlop
Development Services Planner
City of Manor
P.O. Box 387
Manor, Texas 78653

Dear Mr. Dunlop:

Brain Freeze of Texas, a semi-permanent food establishment, seeking to conduct business at 900 Lexington St, on the corner of E. Murray and Lexington (Lot 101 & 103 Block 11 City of Manor) is requesting a waiver from City of Manor Code of Ordinances, Chapter 4, Article 4.03 Section 4.03.004(b) parking for semi-permanent food establishments which requires provisions for off street parking. This city has allowed a semi-permanent food establishment at this same location for at least seven years without issue. In the recent past, however, there were issues that developed due to the addition of a second business at the same location increasing congestion and illegal parking. With only one food establishment on this corner, there is a demonstrated ability to accommodate four to five vehicles temporarily parked to conduct business with the food establishment. Additionally, due to these issues, "no parking" signs have been erected on the adjacent lot to help alleviate concerns.

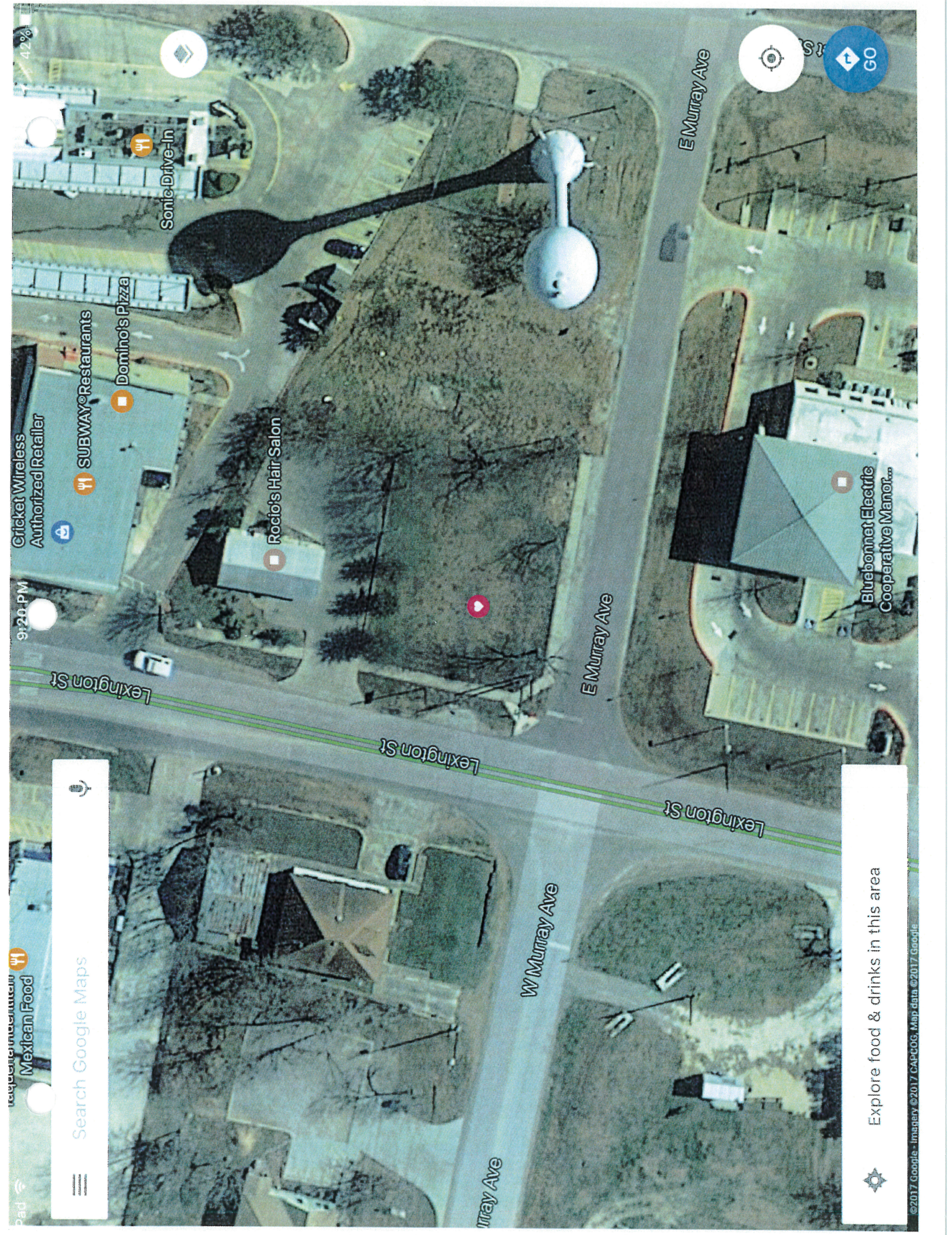
The owner of this lot, Rethann Glass, has expressed a desire to develop this property in the future including on-lot parking. This will take some time to achieve and therefore a waiver is requested from this ordinance so that business may once again be conducted at this location as it has in the past.

During our recent meeting, you mentioned that this issue would need to be brought forward to the city council, therefore we are requesting a hearing on this issue at the July 5th session.

Sincerely,

Ingrid Cannon

Ingrid Cannon, Owner



42%

9:20 PM

Search Google Maps

pad

Sonic Drive-In

Cricket Wireless
Authorized Retailer

SUBWAY® Restaurants

Domino's Pizza

Rocio's Hair Salon

Lexington St

W Murray Ave

E Murray Ave

Bluebonnet Electric
Cooperative Manor...

GO

Explore food & drinks in this area

©2017 Google - Imagery ©2017 CAPCOG, Map data ©2017 Google

ARTICLE 4.03 PEDDLERS, SOLICITORS, FOOD VENDORS, SPECIAL EVENTS AND OUTDOOR SALES^{*}

Division 1. Generally

Sec. 4.03.001 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Food establishment. Coffee shops, cafeterias, short order cafes, restaurants, luncheonettes, day care centers, taverns, sandwich stands, BBQ stands, soda fountains and all other such eating or drinking establishments.

Garage sale. A bona fide sale commonly known as or advertised as a garage sale, lawn sale, attic sale, or rummage sale, or any similar casual sale of personal used goods or merchandise upon a residential property, provided not more than one sale per four-month period occurs upon the residential property which lasts not longer than two consecutive days.

Mobile food establishment. A food establishment operating from a vehicle or any portable structure on a trailer or wheels, that meets all the requirements of Travis County Health District, has received a permit to operate, has a properly licensed operator for the vehicle to be operated, the vehicle otherwise complies with the rules of the road, and that does not remain in any one location for a period of more than two (2) weeks.

Noncommercial purpose or cause. A purpose or cause not created, existing or espoused for the generation of profit or the remuneration of individuals, including, but not limited to, the religious or charitable solicitation of contributions, seeking political support or contributions, the promotion of civic causes, the promotion of conservation of resources or animals, advocating a philosophy or religion, or minors conducting fundraising activities who represent an organization for the benefit of youths, including but not limited to Boy Scouts, Girl Scouts, Little League groups, and school groups.

Open air vendor. Any person who engages in a commercial business within the city of selling, or offering for sale, any goods, merchandise or products, or exhibiting goods or merchandise for sale, or for the purpose of taking orders for the sale thereof, who displays, exhibits, sells, or offers for sale such goods, merchandise or services upon or from any vehicle, cart, stand, stall, tent, or other such structure similar structure [sic], from, in or upon any private commercial or industrial premises or public property. The vending structure shall comply with the applicable zoning and building codes and site development requirements of the city, when applicable. The term does not include peddlers, solicitors, or itinerant vendors who continuously move about from place to place and who do not occupy any particular parcel of private property as a permanent or stationary place for the conduct of their business. The term shall exclude authorized mobile food, seasonal food and temporary food establishments and garage sales compliant with the requirements of this article.

Peddler. Any person, whether a resident of this city or not, who sells or offers for sale for immediate delivery any goods, merchandise, or products by carrying goods, merchandise or products from place to place, house to house, business to business, or street to street, or upon public property. Transfer of payment at the time of sale or later is immaterial. The word "peddler" shall include the terms "solicitor," "itinerant vendor" and "commercial solicitor." This term shall not include individuals connected with a noncommercial purpose or cause or open air vendors.

Permit holder. Any person holding a current permit or license issued pursuant to this article.

Person. An individual human, partnership, co-partnership, firm, company, limited liability partnership or other partnership or other such company, joint venture, joint stock company, trust, estate, governmental entity, association or corporation or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, and the singular shall include the plural where indicated by the context.

Semi-permanent food establishment. A food establishment operating at a fixed nonresidential location after having received a permit to operate for a specific period of time not to exceed one year, that operates from a trailer, stand or building which does not permit access to customers inside of the establishment.

Services. The performance of labor for the benefit of another or at another's command.

Solicitor. Any person who solicits or attempts to solicit the sale or conveyance of any order for services, commercial goods, wares, merchandise, subscriptions, publications, food or products to be delivered at a future date or time by soliciting from place to place, house to house, business to business, or street to street, or upon public property.

Temporary food establishment. A food establishment operating for a temporary period in connection with a fair, carnival, circus, public exhibition, or other similar gathering.

(Ordinance 122-C, sec. 1, adopted 7/11/12)

Sec. 4.03.002 Penalty

Any person convicted of violating any provision of this article shall be guilty of a misdemeanor and shall be subject to a fine in an amount in accordance with the general penalty provided in section 1.01.009 of this code. (Ordinance 122-C, sec. 25, adopted 7/11/12; Ordinance adopting Code)

Sec. 4.03.003 Enforcement

For the purposes of discharging the duties imposed by this article and to enforce its provisions, any peace officer or code enforcement officer is empowered to enter upon any premises for which a permit is issued and take such action to enforce this article as permitted in the Code of Criminal Procedure. Unless otherwise specifically set forth in the ordinances of the city, or in the state law as adopted, allegations and evidence of culpable mental state are not required for proof of an offense. (Ordinance 122-C, sec. 26, adopted 7/11/12)

Sec. 4.03.004 Use of public places; parking for semi-permanent food establishments

(a) Use of public places. It shall be unlawful for any peddler, solicitor, mobile food establishment, temporary food establishment or semi-permanent food establishment, open air vendor or person to sell or solicit or take orders for or offer to sell or take orders for or display any goods, wares, merchandise, animals, photographs, newspapers, magazines, food, drink or confection on any public square, park, street, road, highway, alley, sidewalk or other public property within the limits of the city without having first obtained an appropriate permit authorizing the specific activity at such location as provided for in this article. Noncommercial purposes or causes shall be exempt from permit requirements provided no goods are sold and the activities do not interfere with traffic.

(b) Parking for semi-permanent food establishments. All semi-permanent food establishments must provide for off-street parking. For semi-permanent food establishments located on property shared with another business, the parking area designated for the semi-permanent food establishment must not interfere with parking required for the principal use. A written agreement between the operator or owner of the principal use and the semi-permanent food establishment regarding the availability of parking shall be included with the application. Parking may be provided on adjacent properties with a shared parking agreement similar to the agreement for uses on the same property. Access from any off-site parking shall not be across or along rights-of-way without public sidewalks. Access from parking areas on adjacent properties where no public sidewalks exist shall be constructed on private property in compliance with minimum handicap accessibility standards.

(Ordinance 122-C, sec. 4, adopted 7/11/12; Ordinance adopting Code)

Sec. 4.03.005 Refusal to leave premises

Any peddler, solicitor, mobile food establishment, temporary food establishment operator or semi-permanent food establishment operator who enters upon any premises and refuses to leave such premises, after having been notified or requested to leave by the owner, occupant or person in charge or control of such premises, shall be deemed guilty of a misdemeanor. (Ordinance 122-C, sec. 5, adopted 7/11/12)

Sec. 4.03.006 Entrance to premises restricted

(a) It shall be unlawful for any peddler, solicitor, mobile food establishment, temporary food establishment operator or semi-permanent food establishment operator to enter upon any private premises or to ring the

doorbell or rap or knock in any way in a manner calculated to attract the attention of the occupant when such premises are posted with a sign stating "No Peddlers Allowed" or "No Solicitations Allowed" or other words to such effect.

(b) A person desiring that no merchant or other person engage in home solicitation at his or her residence or business shall exhibit, in a conspicuous place upon or near the main entrance to the building, a weatherproof card, not less than three inches by four inches in size, containing the words "No Peddlers Allowed" or "No Solicitations Allowed" or other words to such effect. The letters shall not be less than two-thirds of an inch in height. Everyone permitted under this article, upon going onto any premises upon which a building is located, shall first examine the main entrance to the building to determine if any notice prohibiting soliciting is exhibited upon or about the main entrance of the building. If a notice complying with this section is exhibited, the permittee shall immediately depart from the premises without disturbing the occupant, unless the visit is the result of a request by the occupant.

(c) No person shall go upon any residential premises and ring the doorbell, or rap or knock upon the door, or create any sound in a manner calculated to attract the attention of the occupant of the residence or for the purpose of securing an audience with the occupant or engaging in or attempting to engage in a home solicitation transaction, if a card, as described in subsection (b) of this section, is exhibited in a conspicuous place upon or near the main entrance to the building, unless the visit is the result of a request made by the occupant.

(d) No person, other than the occupant of the building, shall remove, deface or render illegible a card placed by the occupant pursuant to subsection (b) of this section.

(e) Any person required to be permitted under this article who has gained entrance to a residence, business or other such premises for audience with the occupant, whether invited or not, shall immediately depart from the premises without disturbing the occupant further when requested to leave by an occupant.

(f) Failure to comply with notice signs as provided in subsection (b) or (c) above, refusal to leave when asked as provided in section 4.03.005, and operation after hours as established in section 4.03.007 shall be grounds for revocation of a permit or denial of a permit upon application.

(Ordinance 122-C, sec. 6, adopted 7/11/12)

Sec. 4.03.007 Hours of operation

It shall be unlawful for any peddler or solicitor to engage in the business of peddling or soliciting within the city between the hours of 8:00 p.m. and 6:00 a.m. the following morning, or at any time on Sundays; provided that the following exceptions shall apply to this section only:

(1) The business is conducted pursuant to a specific appointment with, or invitation from, the prospective customer, or with a customer attending an advertised or invitational meeting held by such solicitor or peddler; or

(2) The business is conducted at a location situated on property zoned for a commercial or retail use and the customer travels to such location for the purpose of conducting such business.

(Ordinance 122-C, sec. 7, adopted 7/11/12)


Sec. 4.03.008 Soliciting at intersections

It shall be unlawful for any person to solicit funds, peddle, advertise, or distribute any item within the public right-of-way of any roadway within a distance of less than 50 feet from the center of any intersection or crossing of streets within the city limits or within 200 feet from the center of any intersection along Highway 290 within the city limits. It is a defense to prosecution that the activity was conducted wholly upon private property and otherwise permitted under the ordinances of the city. (Ordinance 122-C, sec. 8, adopted 7/11/12)

State law reference—Solicitation of business by pedestrian, V.T.C.A., Transportation Code, sec. 552.007.

Sec. 4.03.009 Misrepresentation

It shall be unlawful for any peddler to make false or fraudulent statements concerning the quality or nature of any goods, wares, merchandise or services for the purpose of inducing another to purchase the same. (Ordinance 122-C, sec. 9, adopted 7/11/12)

 **Secs. 4.03.010–4.03.040 Reserved**