



RITA G. JONSE, MAYOR  
GENE KRUPPA, PLACE 1  
MARIA AMEZCUA, PLACE 2  
ANNE WEIR, MAYOR PRO TEM, PLACE 3  
ZINDIA PIERSON, PLACE 4  
DEJA HILL, PLACE 5  
TODD SHANER, PLACE 6

## CITY COUNCIL REGULAR MEETING AGENDA

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WEDNESDAY, JANUARY 3, 2018

7:00 P.M.

CITY COUNCIL CHAMBERS, 105 E. EGGLESTON ST.

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### CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

### PLEDGE OF ALLEGIANCE

### 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 City Council Minutes of the December 20, 2017, Regular Meeting.   | Lluvia Tijerina,<br>City Secretary    |
| 2. Consideration, discussion, and possible action on the second and final reading of an ordinance rezoning Lot 2 Manor Storage Plat, locally known as 12421 US Hwy 290 E, 3 acres more or less from Interim Agricultural (A) district zoning to Medium Commercial (C-2) district zoning. <b>Owner:</b> Manor Plaza LLC. <b>Applicant:</b> Gil Engineering Associates, Inc. | Scott Dunlop,<br>Planning Coordinator |

### REGULAR AGENDA

- |  |                                       |
|--|---------------------------------------|
| 3. Consideration, discussion, and possible action on a petition for disannexation for 2.317 acres, Abstract 154 Survey 52 Caldwell A C, locally known as 13330 Old Kimbro Rd, Manor, TX 78653. | Scott Dunlop,<br>Planning Coordinator |
|--|---------------------------------------|

- |   |                                       |
|---|---------------------------------------|
| 4. Consideration, discussion, and possible action on proposed changes to the City of Manor Personnel Policies and Procedures Handbook.  | Tracey Vasquez,<br>HR Coordinator     |
| 5. Consideration, discussion, and possible action on an ordinance amending sections 1.06.032 and 1.06.063 of Article 1.06, Chapter 1, of the Manor Code of Ordinances to comply with Charter provisions regarding the appointment of the City Secretary and the Director of Development Services.   | Thomas Bolt,<br>City Manager          |
| 6. Consideration, Discussion, and Possible action on an ordinance amending Chapter 4 of the Manor City Code by adding Article 4.08 to prohibit smoking in food products establishments, bars, hotel and motel rooms with certain exceptions, and within 15 feet of any opening to a place where smoking is prohibited; providing for an offense if the owner or person in control of an establishment fails to post no smoking signs, advise a patron that smoking is not allowed, or request a patron to leave after having been advised that smoking is not allowed; providing for an exemption for outdoor seating areas of food product establishments. | Thomas Bolt,<br>City Manager          |
| 7. Consideration, discussion, and possible action on a resolution nominating a candidate for the Board of Directors of the Travis Central Appraisal District.   | Thomas Bolt,<br>City Manager          |
| 8. Consideration, discussion, and possible action on the reappointment of Commissioner Keith Miller to Place 6 on the Planning and Zoning Commission.   | Scott Dunlop,<br>Planning Coordinator |
| 9. Consideration, discussion, and possible action on a First Amendment to the Amended and Restated Development Agreement for the Sky Village Subdivision (n/k/a "Manor Heights").   | Paige Saenz,<br>City Attorney         |

## EXECUTIVE SESSION

The City Council will now Convene into executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in:

*Section 551.074 Personnel Matters – Discussion of City Manager’s Evaluation*

## OPEN SESSION

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

## ADJOURNMENT

In addition to any executive session already listed above, the City Council 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 Section §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) and §551.087 (Deliberations regarding Economic Development Negotiations).

## POSTING CERTIFICATION

I, the undersigned authority do hereby certify that this Notice of Meeting was posted on the bulletin board, at the City Hall of the City of Manor, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: Friday, December 29, 2017, by 5:00 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

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Lluvia Tijerina  
City Secretary for the City of Manor, Texas

## 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 accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary at 512.272.5555 or e-mail [ltijerina@cityofmanor.org](mailto:ltijerina@cityofmanor.org).*



## AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** January 3, 2018

**PREPARED BY:** Lluvia Tijerina, City Secretary

**DEPARTMENT:** Administration

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**AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action to approve the City Council Minutes of the December 20, 2017, Regular Meeting.

**BACKGROUND/SUMMARY:**

**PRESENTATION:** ☐ YES ☒ NO

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

December 20, 2017, City Council Regular Meeting Minutes

**STAFF RECOMMENDATION:**

It is City staff's recommendation that the City Council approve the City Council Minutes for the December 20, 2017, Regular Meeting.

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

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**CITY COUNCIL  
REGULAR SESSION MINUTES  
DECEMBER 20, 2017**

**PRESENT:**

Rita G. Jonse, Mayor

**COUNCIL MEMBERS:**

Gene Kruppa, Place 1  
Maria Amezcua, Place 2  
Anne R. Weir, Mayor Pro Tem, Place 3  
Zindia Pierson, Place 4  
Deja Hill, Place 5  
Todd Shaner, Place 6

**CITY STAFF:**

Thomas Bolt, City Manager  
Lluvia Tijerina, City Secretary  
Scott Dunlop, Planning Coordinator  
Lydia Collins, Director of Finance  
Mike, Tuley, Public Works Director  
Ryan Phipps, Chief of Police  
Denver Collins, Captain  
Sarah Friberg, Court Clerk  
Tracey Vasquez, HR Coordinator  
Paige Saenz, 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 Rita G. Jonse at 7:00 p.m. on Wednesday, December 20, 2017, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

**PLEDGE OF ALLEGIANCE**

At the request of Mayor Jonse, Tracey Vasquez, HR Coordinator led the Pledge of Allegiance.

## **PUBLIC COMMENTS**

Coultas "Bill" Kemp, 7309 Burleson Manor Rd., Manor, Texas, spoke before City Council regarding the *Dolly's On Fire* painting. He stated several years ago Beverly donated the *Dolly's On Fire* painting to the City and she was now replacing it with a matted framed original.

Courtney Young, 7301 Oakview Cv., Austin, Texas, spoke before City Council regarding the Wilbarger Creek Conservation Alliance. She explained their mission on how they work with farmers, ranchers, landowners, land trusts, and various sources of public and private funding to prevent fragmentation of family farms and ranches. Ms. Young is requesting for someone to contact in the City regarding the City's conservation plan and interest in natural resources.

Anthony Nguyen, 19905 Tree Sap Way, Round Rock, Texas, spoke before City Council regarding his nomination for the Travis Central Appraisal District Board. Mr. Nguyen discussed the duties of the board and stated he would like to represent the City of Manor. He briefly discussed his educational background and work experience. He is requesting City Council's support and nomination to serve on the Texas Central Appraisal District Board.

No one else appeared to speak at this time.

## **CONSENT AGENDA**

- 1. Consideration, discussion, and possible action to approve the City Council Minutes of the December 6, 2017, Regular Meeting.**
- 2. Consideration, discussion, and possible action on acceptance of the November 2017 Departmental Reports:**
  - **Development Services – Scott Dunlop**
  - **Police – Chief Ryan Phipps**
  - **Municipal Court – Sarah Friberg**
  - **Public Works – Mike Tuley**

Mayor Jonse inquired about the ordinance violations in the Police Report. Chief Phipps explained the different types of ordinance violations the Police Departments is reporting.

Council Member Kruppa inquired about the traffic accidents that were caused by DWI's. Chief Phipps discussed one incident that was caused by a DWI and stated at this time he did not have the total numbers that were related with the DWI's accidents. Council Member Kruppa stated the Police Department has done a great job regarding DWI's arrests.

Council Member Kruppa inquired about the status of the Court of Record. City Manager Bolt stated the City is accepting applications and is still in the process of reviewing ordinances and any other legal documents that would need to be in place or changed before moving forward. He stated the City is pursuing to become a Court of Record.

Council Member Weir commended the Public Works Department for the lights on the tower.

Mayor Jonse thanked the Public Works Department for the lights on the tower and the decorations at Jennie Lee Park.

**3. Consideration, discussion, and possible action on the acceptance of the unaudited November 2017 Monthly Financial Report.**

**MOTION:** Upon a motion made by Council Member Pierson and seconded by Council Member Weir, the Council voted seven (7) For and none (0) Against to approve and adopt all items on the consent agenda. The motion carried unanimously.

**REGULAR AGENDA**

**4. Consideration, discussion, and possible action on the first reading of an ordinance rezoning Lot 2 Manor Storage Plat, locally known as 12421 US Hwy 290 E, 3 acres more or less from Interim Agricultural (A) district zoning to Medium Commercial (C-2) district zoning. Owner: Manor Plaza LLC. Applicant: Gil Engineering Associates, Inc.**

The City staff's recommendation was that the City Council approve the first reading of an ordinance rezoning Lot 2 Manor Storage Plat, locally known as 12421 US Hwy 290 E, 3 acres more or less from Interim Agricultural (A) district zoning to Medium Commercial (C-2) district zoning.

Scott Dunlop, Planning Coordinator, was available to address any questions posed by the City Council.

City Manager Bolt explained the rezoning ordinance. He stated the rezoning had been approved by the P&Z Commission and the board was recommending approval by City Council.

Council Member Weir inquired about the type of business that was going in the location. City Manager Bolt stated the location would be for a fitness center.

**MOTION:** Upon a motion made by Council Member Weir and seconded by Council Member Kruppa, the Council voted seven (7) For and none (0) Against to approve the first reading of an ordinance rezoning Lot 2 Manor Storage Plat, locally known as 12421 US Hwy 290 E, 3 acres more or less from Interim Agricultural (A) district zoning to Medium Commercial (C-2) district zoning. The motion carried unanimously.

**5. Consideration, discussion, and possible action on a waiver from Manor Code of Ordinances, Chapter 14, Article 14.02 Zoning Ordinance, Exhibit A Zoning Ordinance, Article III Site Development Plan Requirements and Special Provisions for Lots 8-10, Block 24 Town of Manor, locally known as 109 South Lexington Street. Owner: CKBK LLC. Applicant: Coultas Kemp - Rudy's Southern Cooking**

The City staff's recommendation was that the City Council approve the waiver from Manor Code of Ordinances, Chapter 14, Article 14.02 Zoning Ordinance, Exhibit A Zoning Ordinance, Article III Site Development Plan Requirements and Special Provisions for Lots 8-10, Block 24 Town of Manor, until such time when a permanent structure is proposed for the property.

Scott Dunlop, Planning Coordinator, was available to address any questions posed by the City Council.

City Manager Bolt explained the waiver request for the food trailer. He stated the waiver motion should be limited to only the food trailer application and location and expire when a proposal for a permanent structure is made.

The discussion was held regarding the location of the food trailer.

Council Member Shaner inquired if the proposal for the permanent structure was never made the temporary permit use could become permanent. City Manager Bolt stated the City had the authorization to withdraw the approval for food trailers regarding the temporary uses. He specified if there was ever an issue regarding compliance with the ordinance the City could resume the permits that have been granted to the food trailers.

**MOTION:** Upon a motion made by Council Member Kruppa and seconded by Council Member Amezcua, the Council voted five (5) For and two (2) Against to approve the waiver from Manor Code of Ordinances, Chapter 14, Article 14.02 Zoning Ordinance, Exhibit A Zoning Ordinance, Article III Site Development Plan Requirements and Special Provisions for Lots 8-10, Block 24 Town of Manor, limited to only this food trailer application and location and expire when a proposal for a permanent structure is made. Council Member Weir and Hill voted against. The motion carried.

Mayor Jonse adjourned the regular session of the Manor City Council into Executive Session at 7:21 p.m. Wednesday, December 20, 2017, in accordance with the requirements of the Open Meetings Law.

#### **EXECUTIVE SESSION**

The City Council will now convene into executive session pursuant to Section 551.071, Texas Government Code, and Section 1.05, Texas Rules of Disciplinary Conduct, to consult with legal counsel regarding potential claims related to land development., at 7:21 p.m., on Wednesday, December 20, 2017, City Council Conference Room of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

The Executive Session was adjourned at 8:01 p.m. on Wednesday, December 20, 2017.

#### **OPEN SESSION**

The City Council will now reconvene into open session to take action as determined appropriate in the City Council's discretion regarding potential claims related to land development at 8:01 p.m. on Wednesday, December 20, 2017, in the Council Chambers of the Manor City Hall.



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

There was no action taken on the items discussed during Executive Session.

**ADJOURNMENT**

**MOTION:** Upon a motion made by Council Member Pierson and seconded by Council Member Weir, the Council voted seven (7) For and none (0) Against to adjourn the regular session of the Manor City Council at 8:02 p.m. on Wednesday, December 20, 2017. The motion carried.

These minutes approved by the Manor City Council on the 3<sup>rd</sup> day of January 2018.

**APPROVED:**

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Rita G. Jonse  
Mayor

**ATTEST:**

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Lluvia Tijerina  
City Secretary



## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: January 3, 2018

PREPARED BY: Scott Dunlop, Planning Coordinator

DEPARTMENT: Development Services

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### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on the second and final reading of an ordinance rezoning Lot 2 Manor Storage Plat, locally known as 12421 US Hwy 290 E, 3 acres more or less from Interim Agricultural (A) district zoning to Medium Commercial (C-2) district zoning. Owner: Manor Plaza LLC. Applicant: Gil Engineering Associates, Inc.

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### BACKGROUND/SUMMARY:

This is the 3 acre property in front of Cube Smart. There is a site plan in review for a 15,000 sf tenant finish out building, in which HT Fitness will occupy approximately half the space. There are also plans for a second 10,000 sf tenant finish out building behind the first one.

P&Z recommended approval 4-0 on December 13th.

The first reading was held on December 20, 2017.

PRESENTATION: ☐ YES ☒ NO

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

Zoning Ordinance

Zoning map

Area Image

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### STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council approve the second and final reading of an ordinance rezoning Lot 2 Manor Storage Plat, locally known as 12421 US Hwy 290 E, 3 acres more or less from Interim Agricultural (A) district zoning to Medium Commercial (C-2) district zoning.

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

## **ORDINANCE NO. 500**

### **AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM INTERIM AGRICULTURAL (A) TO MEDIUM COMMERCIAL (C-2); 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;

**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;

**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;

**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 Interim Agricultural (A) to zoning district Medium Commercial (C-2). The Property is accordingly hereby rezoned to Medium Commercial (C-2).

**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.

**PASSED AND APPROVED FIRST READING** on this the 20<sup>th</sup> day of December 2017.

**PASSED AND APPROVED SECOND AND FINAL READING** on this the 3<sup>rd</sup> day of January 2018.

**THE CITY OF MANOR, TEXAS**

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Rita G. Jonse  
Mayor

**ATTEST:**

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Lluvia Tijerina  
City Secretary

**EXHIBIT “A”**

Property Legal Description:

Lot 1:

LOT 1 BLK A KST/VOELKER TRACT RESUB OF LOT 2 BLK A

Lot 2:

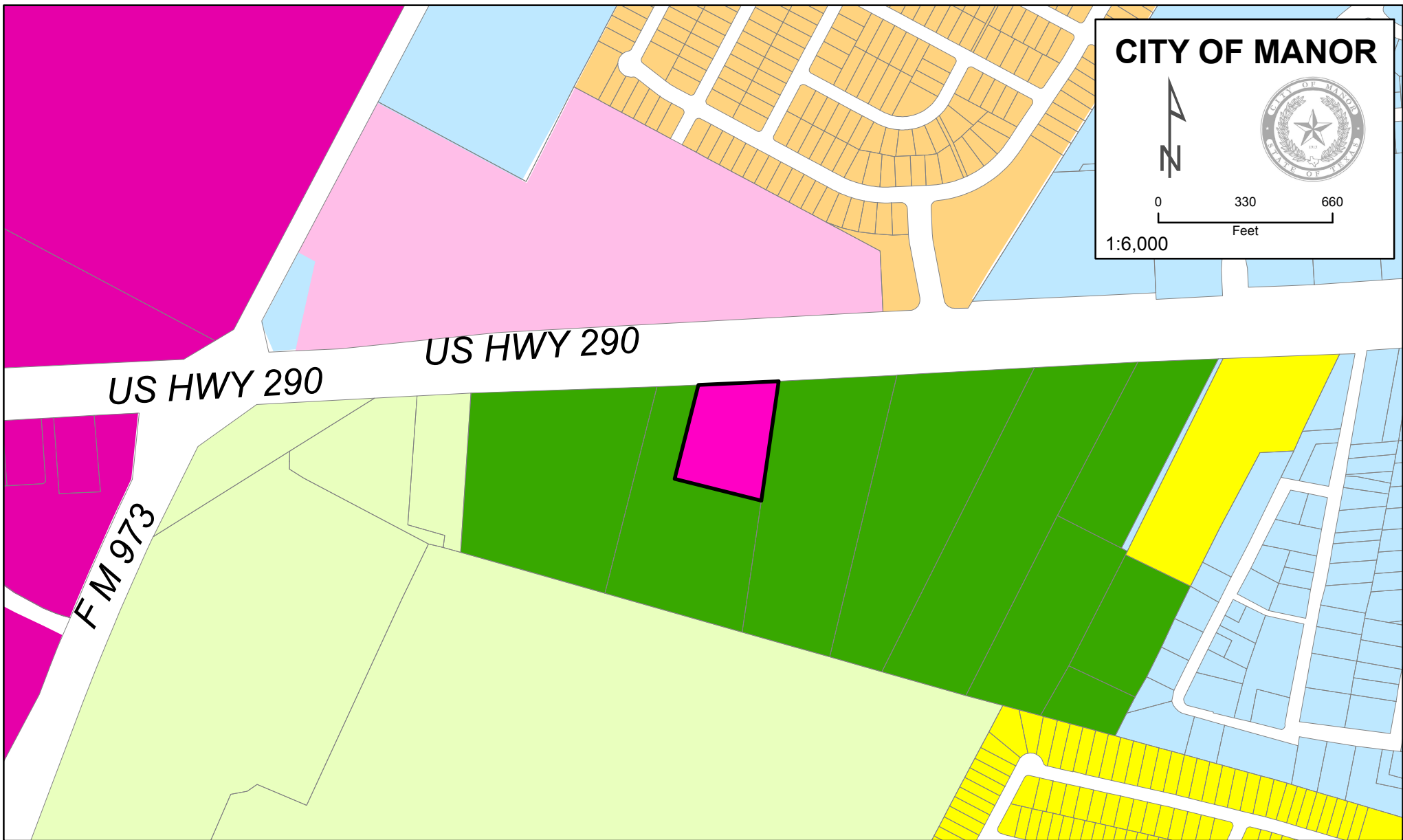
ABS 315 SUR 63 GATES G ACR 5.1828

Lot 3:

ABS 315 SUR 63 GATES G ACR 15.4872 (1-D-1)

Property Address:

14215 Suncrest Road, Manor, Texas 78653



# CITY OF MANOR



0 330 660  
Feet

1:6,000

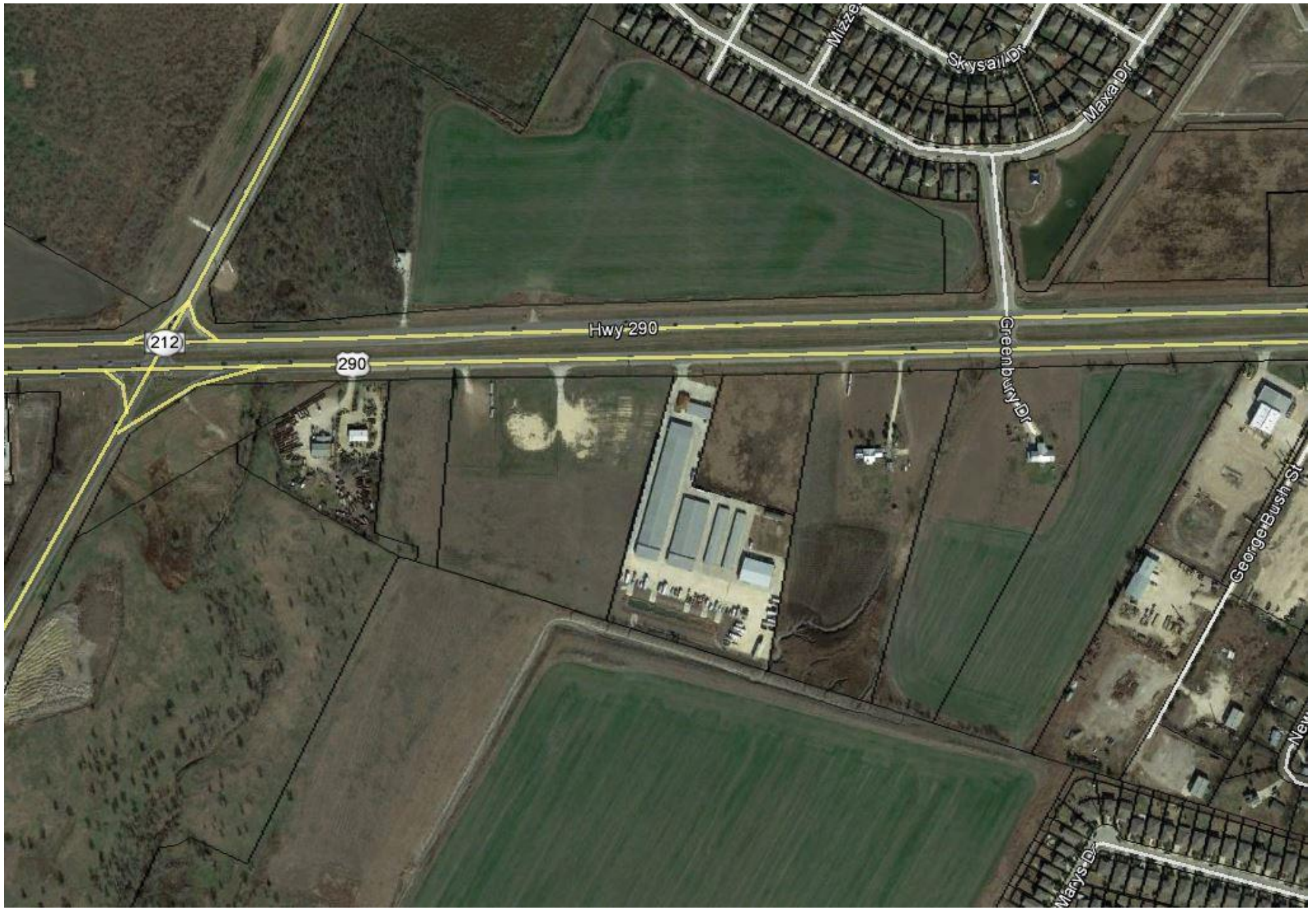
## Proposed Zoning: Medium Commercial C-2

*Current Zoning: Interim Agricultural*

### Zone

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







AGENDA ITEM NO. 3

## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: January 3, 2018

PREPARED BY: Scott Dunlop, Planning Coordinator

DEPARTMENT: Development Services

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### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a petition for disannexation for 2.317 acres, Abstract 154 Survey 52 Caldwell A C, locally known as 13330 Old Kimbro Rd, Manor, TX 78653.

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### BACKGROUND/SUMMARY:

This property was annexed on November 30th. The applicant did not reach out in regards to a development agreement or make inquiries about the annexation.

This property is similarly situated as other properties the city annexed so accepting the petition here could mean other properties might seek disannexation too.

PRESENTATION: ☐ YES ☒ NO

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

Petition letter

Property location

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### STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council deny a petition for disannexation for 2.317 acres, Abstract 154 Survey 52 Caldwell A C.

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



December 12, 20017

Dear Members of the Council,


I am writing this letter requesting disannexation of a single family dewelling located on 2.317 acres at 13330 Old Kimbro Rd., Manor, TX, 78653.

I did not notice the deadline of November 22, 2017 as stated on the letter that I received from the City of Manor RE: Proposed Annexations until it was too late. The DEVELOPMENT AGREEMENT UNDER SECTION 43.035, TEXAS LOCAL GOVERNMENT CODE was somewhat confusing.

I have lived at this address for over 45 years without the service of the City of Manor and I have very limited income and I cannot afford a tax increase.

I request the Council approve this request of disannexation so I can file a notarized petition for disannexation.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Gebauer". The signature is fluid and cursive, with the first name "John" being more prominent than the last name "Gebauer".

John Gebauer  
13330 Old Kimbro Rd.  
Manor, TX 78653  
512/272-4226



0242800260



0242800260

Geo ID 0242800260

Parcel ID 460362

Acres 2.34072



## AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** January 3, 2018

**PREPARED BY:** Tracey Vasquez, HR Coordinator

**DEPARTMENT:** Human Resources

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**AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on proposed changes to the City of Manor Personnel Policies and Procedures Handbook.

**BACKGROUND/SUMMARY:**

As management enforces provisions of the City of Manor Personnel Policies and Procedures Handbook, opportunities for both clarification of policy and response to employee requests have been acknowledged. The following are changes which reflect earlier policy provisions and some modifications to current provisions. Highlights will be additions and red lines will be deletions.

**PRESENTATION:** ☐ YES ☒ NO

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

Sections of the Policy Handbook with added or clarified provisions.

1) On-call and Call- back Compensation.

**STAFF RECOMMENDATION:**

It is the City staff's recommendation that the City Council approve the proposed changes to the City of Manor Personnel Policies and Procedures Handbook with regard to On-call and Call- back compensation.

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

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**Training and probationary period-** During the training and/or probationary periods an employee is not eligible for on-call pay, the stipend will go to the trainer as the trainee cannot perform the duties without proper qualifications.

**Call Back Compensation-** Some instances require an employee to be “called back” to assist with the needs of the City, this is not for regularly scheduled working hours or events, this pay guarantees the individual a two (2) hour minimum earned time at the employee’s regular rate of pay, until overtime requirements have been met, even if the service time was less than two (2) hours.



**Departmental Policies** - Each Department has its own internal procedures for handling on-call services. Departments may establish guidelines for varying levels of response to call- back situations depending upon the nature and importance of the services to be completed.



## AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** January 3, 2018

**PREPARED BY:** Thomas Bolt, City Manager

**DEPARTMENT:** Administration

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**AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on an ordinance amending sections 1.06.032 and 1.06.063 of Article 1.06, Chapter 1, of the Manor Code of Ordinances to comply with Charter provisions regarding the appointment of the City Secretary and the Director of Development Services.

**BACKGROUND/SUMMARY:**

**PRESENTATION:** ☐ YES ☒ NO

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

Ordinance

**STAFF RECOMMENDATION:**

It is the City staff's recommendation that the City Council approve the ordinance amending sections 1.06.032 and 1.06.063 of Article 1.06, Chapter 1, of the Manor Code of Ordinances to comply with Charter provisions regarding the appointment of the City Secretary and the Director of Development Services.

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

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## **ORDINANCE NO. 501**

**AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING SECTIONS 1.06.032 AND 1.06.063 OF ARTICLE 1.06, CHAPTER 1, OF THE MANOR CODE OF ORDINANCES TO COMPLY WITH CHARTER PROVISIONS REGARDING THE APPOINTMENT OF THE CITY SECRETARY AND THE DIRECTOR OF DEVELOPMENT SERVICES; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING AN OPEN MEETINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Manor, Texas (the “City”) desires to amend the procedure for appointment of the city secretary and director of development services to be consistent with the terms of the City Charter; and

**WHEREAS**, the City Council has considered the proposed amendments and finds that the amendments are reasonable and necessary to comply with provisions of the City Charter;

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

**Section 1. Findings.** The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

**Section 2. Amendment of Article 1.06, Section 1.06.032.** Chapter 1, General Provisions, Article 1.06, Officers, Employees and Departments, Section 1.06.032 of the Manor Code of Ordinances is hereby amended in its entirety to read as follows:

**Sec. 1.06.032 Appointment**

The city manager shall appoint the city secretary. The position of city secretary shall be an at-will position, removable with or without cause, serving at the leisure of the city manager. Any vacancy in the office of city secretary shall be filled by the city manager.

**Section 3. Amendment of Article 1.06, Section 1.06.063.** Chapter 1, General Provisions, Article 1.06, Officers, Employees and Departments, Section 1.06.063 of the Manor Code of Ordinances is hereby amended in its entirety to read as follows:

**Sec. 1.06.063 Appointment of director**

The city manager shall appoint the director of development services. The position of director of development services shall be an at-will position, removable with or without cause, serving at the leisure of the city manager. Any vacancy in the office of director of development services shall be filled by the city manager.

**Section 4.**     **Conflicting Ordinances.** Article 1.06, Sections 1.06.032 and 1.06.062, Chapter 1, Manor Code of Ordinance, is amended as provided herein. All ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance as adopted herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other code or ordinance of the City, the terms and provisions of this Ordinance shall govern.

**Section 5.**     **Severability.** If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**Section 6.**     **Open Meetings.** It is hereby officially found and determined that the meeting at which this Ordinance was 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, Chapter 551, Texas Government Code.

**Section 7.**     **Effective Date.** This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Texas Local Government Code.

**PASSED AND APPROVED** this 3<sup>rd</sup> day of January 2018.

**THE CITY OF MANOR, TEXAS**

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Rita G. Jonse  
Mayor

**ATTEST:**

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Lluvia Tijerina  
City Secretary





## AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** January 3, 2018

**PREPARED BY:** Thomas Bolt, City Manager

**DEPARTMENT:** Administration

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**AGENDA ITEM DESCRIPTION:**

Consideration, Discussion, and Possible action on an ordinance amending Chapter 4 of the Manor City Code by adding Article 4.08 to prohibit smoking in food products establishments, bars, hotel and motel rooms with certain exceptions, and within 15 feet of any opening to a place where smoking is prohibited; providing for an offense if the owner or person in control of an establishment fails to post no smoking signs, advise a patron that smoking is not allowed, or request a patron to leave after having been advised that smoking is not allowed; providing for an exemption for outdoor seating areas of food product establishments.

**BACKGROUND/SUMMARY:**

**PRESENTATION:** ☐ YES ☒ NO

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

Ordinance

**STAFF RECOMMENDATION:**

It is the City staff's recommendation that the City Council approve an ordinance amending Chapter 4 of the Manor City Code by adding Article 4.08 to prohibit smoking in food products establishments, bars, hotel and motel rooms with certain exceptions, and within 15 feet of any opening to a place where smoking is prohibited; providing for an offense if the owner or person in control of an establishment fails to post no smoking signs, advise a patron that smoking is not allowed, or request a patron to leave after having been advised that smoking is not allowed; providing for an exemption for outdoor seating areas of food product establishments.

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

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**ORDINANCE NO. 502**

**AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING CHAPTER 4 OF THE MANOR CITY CODE BY ADDING ARTICLE 4.08 TO PROHIBIT SMOKING IN FOOD PRODUCTS ESTABLISHMENTS, BARS, HOTEL AND MOTEL ROOMS WITH CERTAIN EXCEPTIONS, AND WITHIN 15 FEET OF ANY OPENING TO A PLACE WHERE SMOKING IS PROHIBITED; PROVIDING FOR AN OFFENSE IF THE OWNER OR PERSON IN CONTROL OF AN ESTABLISHMENT FAILS TO POST NO SMOKING SIGNS, ADVISE A PATRON THAT SMOKING IS NOT ALLOWED, OR REQUEST A PATRON TO LEAVE AFTER HAVING BEEN ADVISED THAT SMOKING IS NOT ALLOWED; PROVIDING FOR AN EXEMPTION FOR OUTDOOR SEATING AREAS OF FOOD PRODUCT ESTABLISHMENTS; PROVIDING FOR A PENALTY; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING AN OPEN MEETINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Manor has determined that prohibiting smoking and the burning of tobacco-related products is reasonable and necessary to protect the health, welfare, and safety of its citizens and visitors to the City;

**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 incorporated herein as findings of fact.

**Section 2. Addition to Chapter 4.** New Article 4.08 (Smoking Ordinance); New Sections

\* \* \* \* \*

**ARTICLE 4.08      SMOKING PROHIBITIONS**

**Sec. 4.08.001      Definitions**

The following words, when used in this article, shall have the meanings ascribed to them in this section:

Administrative Area. The area of an establishment not generally accessible to the public, including, but not limited to individual offices, stockrooms, and employee lounges, or meeting rooms.

Bar. Any establishment which derives more than 50 percent of its annual gross sales from the sale of alcoholic beverages.

Food products establishment. Any fixed or mobile restaurant, coffee shop, cafeteria, short order café, luncheonette, grill, tea room, sandwich shop, soda fountain, confectionery, ice cream store, refreshment stand, fruit stand, country club, catering service, industrial feeding establishment, or grocery store; private or public where food or drink is prepared for sale or for service on the premises or elsewhere; and any other eating or drinking is prepared for sale or for eating or drinking establishment or operation where food or drink is served or provided for the public with or without charge.

Health care facility. Any institution that provides medical, surgical, or overnight facilities for patients.

Public service area. Any area to which the general public routinely has access for municipal services or which is designated a public service area in a written policy prepared in compliance with this ordinance.

Retail and service establishment. Any establishment which sells goods or services to the general public.

Sign. The official placard designating an area or facility where smoking is prohibited, and must conform to one of the following choices of wording, to-wit:

1. No smoking. Violators fined up to \$500.00
2. The universal symbol for no smoking; or
3. Any other language indicating that the area marked is designated as a nonsmoking area.

All signs must be of sufficient size to accommodate the message contained thereon in letters at least one inch in height.

#### **Sec. 4.08.002            Smoking Prohibited in Certain Public Areas**

- (a) A person commits an offense if the person smokes or possesses a burning tobacco, marijuana, or other plant product in any of the following:
  - (1) A public library, or museum;
  - (2) Hearing rooms, conference rooms, meeting rooms or any public service area of any facility owned, operated, or managed by the city in which public business is conducted, when the public business requires or provides an opportunity for direct participation or observation by the general public;
  - (3) Every publicly or privately-owned theater, auditorium, or other enclosed facility which is open to the public for primary purpose of exhibiting any motion picture, stage drama, musical recital, athletic event, or any other performance or event, in all areas except either in that area commonly known as the lobby, or in areas not open to the public;
  - (4) An elevator used by the public;
  - (5) Any retail or service establishment serving the general public, including, but not limited to any department store, grocery store, or drug store;

- (6) Any food product establishment;
- (7) Any bar, including a bar within a food product establishment;
- (8) In or within 15 feet of any door, operable window/vent or other opening to a place where smoking is prohibited, except as provided for in section 4.08.004 below; or
- (9) Hotels and motels, except as provided for in section 4.08.004 below;
- (b) The owner or person in control of an establishment or area designated in subsection (a) of this section shall post a conspicuous sign at the main entrance to the establishment or area.
- (c) The owner or person in control of an establishment or area regulated by this section commits an offense if he fails to:
  - (1) Post a sign in accordance with subsection (b) of this section;
  - (2) Advise a person who violates this section that smoking is not allowed; or
  - (3) Request a person to remove himself from the location after that person has been advised that smoking is not allowed and that person willfully continues to smoke.
- (d) It shall be a defense to prosecution under subsection (a) that the establishment or area in which the offense takes place does not have a displayed conspicuous sign that smoking is prohibited.

#### **Sec. 4.08.003            Regulation of smoking**

Notwithstanding the provisions of this ordinance, any employer, primary or secondary school administrator, or health care facility provider may designate any building, or portion thereof, as a nonsmoking area. Any employer, primary or secondary school administrator, or health care facility provider who chooses to designate any building, or portion thereof, as a nonsmoking area shall:

- (a) Adopt, implement, and maintain a written smoking policy which shall be communicated to all employees at least three weeks prior to its adoption;
- (b) Prominently display reasonable sized signs that smoking is prohibited; and
- (c) Provide facilities in sufficient numbers and at such locations to be readily accessible for the extinguishment of smoking materials.

#### **Sec. 4.08.004            Exceptions**

The following areas are exempted from the provisions of this ordinance:

- (a) A retail or service establishment which derives more than 50 percent of its annual gross sales from the sale of tobacco, tobacco products, or smoking implements.
- (b) An administrative area within the workplace.
- (c) An unenclosed outdoor seating area associated with a food product establishment, so long as:
  - (1) smoking is prohibited in or within 15 feet of any door, operable window/vent or other opening to a place where smoking is prohibited;
  - (2) the outdoor seating area is not adjacent to a playground or play area for children; or
  - (3) the outdoor seating area is not posted as a nonsmoking area by the owner, operator or person in control of the establishment

- (d) Not more than ten percent of hotel and motel rooms rented to guests and designated as smoking rooms. All smoking rooms on the same floor must be contiguous and smoke from these rooms must not infiltrate into areas where smoking is prohibited under provisions of this ordinance. The status of rooms as smoking or nonsmoking may not be changed, except to add additional nonsmoking rooms.

**Section 3.**     **Penalty.** Any person, firm, or corporation who violates any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof in the Municipal Court, shall be subject to a fine of not more than \$500.00 for each offense. Proof of a culpable mental state shall not be required to establish a violation of this ordinance. Each and every day such offense is continued shall constitute a new and separate offense.

**Section 4.**     **Severability.** If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**Section 5.**     **Repeal.** All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent with or in conflict with the terms and provisions contained herein are hereby repealed only to the extent of such conflict.

**Section 6.**     **Open Meetings.** It is hereby officially found and determined that the meeting at which this Ordinance was 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, Chapter 551, Texas Government Code.

**Section 7.**     **Effective Date.** This Ordinance shall take effect and be in full force and effect on January 3, 2018.

**PASSED AND APPROVED** this 3<sup>rd</sup> day of January 2018.

**THE CITY OF MANOR, TEXAS**

\_\_\_\_\_  
Rita G. Jonse  
Mayor

**ATTEST:**

\_\_\_\_\_  
Lluvia Tijerina  
City Secretary



## AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** January 3, 2018

**PREPARED BY:** Thomas Bolt, City Manager

**DEPARTMENT:** Administration

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**AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action on a resolution nominating a candidate for the Board of Directors of the Travis Central Appraisal District.

**BACKGROUND/SUMMARY:**

**PRESENTATION:** ☐ YES ☒ NO

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

TCAD letter  
resolution

**STAFF RECOMMENDATION:**

It is the City staff's recommendation that the City Council approve a resolution nominating a candidate for the Board of Directors of the Travis Central Appraisal District.

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

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# TRAVIS CENTRAL APPRAISAL DISTRICT

## BOARD OFFICERS

RICHARD LAVINE  
CHAIRPERSON  
KRISTOFFER S. LANDS  
VICE CHAIRPERSON  
ED KELLER  
SECRETARY/TREASURER



MARYA CRIGLER  
CHIEF APPRAISER

## BOARD MEMBERS

TOM BUCKLE  
BRUCE ELFANT  
BRUCE GRUBE  
ELEANOR POWELL  
RICO REYES  
JAMES VALADEZ  
BLANCA ZAMORA-GARCIA

November 13, 2017

The only nominee for the ballot, Rico Reyes, unfortunately is no longer able to serve in this capacity. We are requesting additional nominees for the Board position representing the eastern jurisdictions. Should you desire to make a nomination to the Board, please deliver the name of the nominee to the Chief Appraiser in the form of a resolution on or before January 15, 2018.

On or before January 31, 2018, the Chief Appraiser will prepare a ballot listing all the candidates nominated and deliver a copy of such ballot to the presiding officer of the governing body of each city and school district in western Travis County. The ballot must be returned to the Chief Appraiser by March 1, 2018.

On or before March 15, 2018 the Chief Appraiser will count the votes by such cities and school districts, declare the results thereof, and submit the same to the governing bodies of each city and school district, and to each of the candidates nominated by such cities and school districts. In the event of a tie vote, according to the Property Tax Code, it will be resolved by a method of chance by the Chief Appraiser.

If you desire to submit a nomination, please do so by January 15, 2018 in the form of a resolution to the following address:

Marya Crigler  
Travis Central Appraisal District  
P.O. Box 149012  
Austin, TX 78714-9012

If you have any questions, please feel free to call me at (512) 834-9317, ext. 337.

Sincerely,  
Marya Crigler  
Chief Appraiser  
Travis Central Appraisal District

**RESOLUTION NO. 2018-01**

**A RESOLUTION OF THE CITY OF MANOR, TEXAS  
NOMINATING A CANDIDATE FOR THE BOARD OF  
DIRECTORS OF THE TRAVIS CENTRAL APPRAISAL  
DISTRICT.**

**WHEREAS**, the Travis Central Appraisal District has provided notice that Mr. Rico Reyes is unable to continue to serve and they are accepting nominations for candidates representing the eastern jurisdictions until January 15, 2018 for a new election to fill the current vacancy; and

**WHEREAS**, the City Council of the City of Manor finds it is appropriate to present a nomination for Mr. Jeffery Lewis to be included on the ballot of candidates for the election to the Board of Directors of the Travis Central Appraisal District to fill the current vacancy.

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

That the City Council of the City of Manor hereby presents its nomination of Mr. Jeffery Lewis to be included on the ballot of candidates for election to the Board of Directors of the Travis Central Appraisal District to fill the vacant position representing Eastern Travis County.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, ON THIS THE 3<sup>rd</sup> DAY OF JANUARY 2018.**

**CITY OF MANOR, TEXAS**

\_\_\_\_\_  
Rita G. Jonse, Mayor

**ATTEST:**

\_\_\_\_\_  
Lluvia Tijerina, City Secretary





AGENDA ITEM NO. <sup>8</sup>\_\_\_\_\_

## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: January 3, 2018

PREPARED BY: Scott Dunlop, Planning Coordinator

DEPARTMENT: Development Services

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### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on the reappointment of Commissioner Keith Miller to Place 6 on the Planning and Zoning Commission.

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### BACKGROUND/SUMMARY:

PRESENTATION: ☐ YES ☒ NO

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

Mr. Miller's reappointment application

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### STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council approve the reappointment of Commissioner Keith Miller to Place 6 on the Planning and Zoning Commission for a two-year term.

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



## AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** January 3, 2018

**PREPARED BY:** Paige Saenz, City Attorney

**DEPARTMENT:**

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### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a First Amendment to the Amended and Restated Development Agreement for the Sky Village Subdivision (n/k/a "Manor Heights").

### BACKGROUND/SUMMARY:

This First Amendment to the Amended and Restated Development Agreement for the Sky Village Subdivision would remove the property referred to as Manor Heights South from the original development agreement. Manor Heights South is what was referred to as Phases I-III in the original agreement. A map of Manor Heights South is attached to the First Amendment that is in the Council's packets. After removal of Manor Heights South from the development agreement, Manor Heights South would be developed in accordance with the zoning approved for the property last year, which was Single Family Residential (R-2) with the following conditions: (a) The residential use of duplexes shall be prohibited on the Property. (b) The minimum lot size on the Property shall be 6,000 square feet and the minimum living area per residential unit shall be 1,500 square feet. (c) The masonry requirements for residential units on the Property shall be all brick or stone on the front and brick or stone on portions of the sides. (d) Hardie Board or similar products shall not be used to meet the masonry requirements.

**PRESENTATION:** ☐ YES ☒ NO

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

amendment

### STAFF RECOMMENDATION:

It is the City staff's recommendation that the City Council approve a First Amendment to the Amended and Restated Development Agreement for the Sky Village Subdivision (n/k/a "Manor Heights").

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

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**FIRST AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT  
AGREEMENT  
FOR THE SKY VILLAGE SUBDIVISION (n/k/a “Manor Heights”)**

**THIS FIRST AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR THE SKY VILLAGE SUBDIVISION** (the “First Amendment”) is made and entered into as of this \_\_\_\_ day of \_\_\_\_\_, 2018 (the “Effective Date”), by and between **SKY VILLAGE KIMBRO ESTATES, LLC**, a Texas limited liability company (d/b/a Manor Heights) (“Developer”) and **CITY OF MANOR, TEXAS**, a home-rule municipality (“City”). The Developer and City are sometimes hereinafter collectively referred to as the “Parties”.

**RECITALS**

A. Developer and City are parties to that certain Amended and Restated Development Agreement for the Sky Village Subdivision dated May 15, 2009 (the “Amended and Restated Agreement”).

B. Developer owns the Property as more particularly described in the Amended and Restated Agreement, specifically including a certain proposed section of the Subdivision currently referred to as the “Manor Heights South Section” (sometimes hereinafter referred to as “Manor Heights South”), said section being the same area of the Property identified as Phases I – III on Exhibit A attached to the Amended and Restated Agreement, together with improvements to be located and constructed thereon.

C. Developer and City desire to amend the Agreement to remove Manor Heights South from the Property description set forth in Exhibit A of the Amended and Restated Agreement.

D. The Amended and Restated Agreement as further amended by the terms of this First Amendment is referred to herein as the “Agreement”. All capitalized terms not otherwise defined above in these recitals have the meanings given to them in the Amended and Restated Agreement.

**AMENDMENT**

**NOW, THEREFORE**, in consideration of the mutual promises and covenants contained herein, and in the Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Manor Heights South. The Amended and Restated Agreement is hereby terminated solely as to Manor Heights South. The term Property in the Amended and Restated Agreement shall hereinafter refer to the Property described in Exhibit A to the Amended and Restated Agreement, less Manor Heights South.

2. Findings. In the event of any conflict between the terms of this First Amendment and the Amended and Restated Agreement, this First Amendment shall prevail.

3. Recitals / Construction. The foregoing Recitals, including any exhibits referenced therein, are hereby incorporated by reference and made a part of the Agreement for all purposes. Any capitalized terms used in this Agreement unless expressly defined otherwise shall have the meanings given to them in the Amended and Restated Agreement. Unless the context specifically indicates otherwise, any and all references to sections or other enumerated provisions made in this Agreement shall refer to such sections or provisions of the Amended and Restated Agreement.

4. No Other Amendments. Except as set forth in this First Amendment, the Amended and Restated Agreement shall remain in full force and effect and unamended.

*(Signatures on following page)*

**IN WITNESS WHEREOF** the parties have caused this Agreement to be executed as of the Effective Date.

**DEVELOPER:**

**SKY VILLAGE KIMBRO ESTATES, LLC (d/b/a MANOR HEIGHTS)**

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**CITY OF MANOR, TEXAS:**

By and through its City Council:

\_\_\_\_\_  
Rita G. Jonse  
Mayor

Date: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Lluvia Tijerina  
City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Paige Saenz  
City Attorney

Exhibit A  
Property Description

**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*  
5/11/17

James W. Russell  
Registered Professional Land Surveyor No. 4230  
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TBPLS Firm No. 10193973



