

### CITY COUNCIL REGULAR SESSION MINUTES APRIL 18, 2018

#### 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 (Absent) 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
Frank Phelan, City Engineer
Paige Saenz, City Attorney
Christina Lane, Financial Advisor

#### 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, April 18, 2018, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

#### PLEDGE OF ALLEGIANCE

At the request of Mayor Jonse, Mike Tuley, Public Works Director, led the Pledge of Allegiance.

#### **PROCLAMATIONS**

Declaring the Month of May 2018, as "National Preservation Month"; and Declaring the Week of May 6-12, 2018, as "National Travel & Tourism Week".

Mayor Jonse read and presented two (2) proclamations declaring the month of May 2018, as "National Preservation Month"; and declaring the week of May 6-12, 2018, as "National Travel & Tourism Week" to Thomas Bolt, City Manager.

#### **PUBLIC COMMENTS**

Luis Cardenas, 11912 Jamie Drive, Manor, Texas, spoke before the City Council regarding the speeding issues in his subdivision. He expressed his concerns and he is requesting for additional stop signs to be added in his area.

Danny Burnett, 9900 Highway 290 East, Manor, Texas, read the quote "Watch Your Words".

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 April 4, 2018, Regular Meeting.
- 2. Consideration, discussion, and possible action on acceptance of the March 2018 Departmental Reports:
  - Police Ryan Phipps, Chief of Police
  - Development Services Scott Dunlop, Planning Coordinator
  - Community Development Sammie Hatfield, Community Development Manager
  - Municipal Court Sarah Friberg, Court Clerk
  - Public Works Mike Tuley, Director of Public Works
  - Finance Lydia Collins, Director of Finance

The discussion was held regarding the Water Production & Water Purchase.

Council Member Amezcua requested information on the new guidelines for residents regarding bulk trash pickup. The discussion was held regarding how residents are being informed.

The discussion was held regarding the completion of the slab for the dog kennels.

The discussion was held regarding the use and construction of the Pole Barn.

**MOTION:** Upon a motion made by Council Member Hill and seconded by Council Member Weir, the Council voted six (6) For and none (0) Against to approve and adopt all items on the consent agenda. The motion carried unanimously.

#### PUBLIC HEARING

3. Conduct a public hearing regarding the creation of a Public Improvement District – EntradaGlen.

Mayor Jonse opened the public hearing.

Pete Dwyer, 9900 Highway 290 East, Manor, Texas, presented the attached PowerPoint Presentation regarding the Entrada Glen PID.

Mr. Dwyer discussed the following:

- Concept Plans for Las Entradas and ShadowGlen
- History of ShadowGlen Development and Cottonwood South Commercial
- History of Las Entradas
- 2005 Letter of Intent with the City of Manor regarding Western Woods; Central Lakes; Shadow View Lakeside; and Eastern Woods
- Hill Lane Enhancements
- The Gate Ways
- Established Communities and Businesses in Manor
- Town Center Roadway Network

Danny Burnett, 9900 Highway 290 East, Manor, Texas, submitted a card in support of this item; however, he did not wish to speak but was available to address any questions posed by the City Council.

Sharon Smith, 100 Congress, Suite 1300, Austin, Texas, submitted a card in support of this item; however, she did not wish to speak but was available to address any questions posed by the City Council.

Rick Rosenberg, 8140 N. Mopac Expressway, Austin, Texas, submitted a card in support of this item; however, he did not wish to speak but was available to address any questions posed by the City Council.

**MOTION:** Upon a motion made by Council Member Amezcua and seconded by Council Member Weir, the Council voted six (6) For and none (0) Against to close the Public Hearing. The motion carried unanimously.

Mayor Jonse adjourned the regular session of the Manor City Council into Executive Session at 7:36 p.m. Wednesday, April 18, 2018, in accordance with the requirements of the Open Meetings Law.

#### **EXECUTIVE SESSION**

The City Council convene into Executive Session pursuant to pursuant to Section 551.071 and Section 551.087, Texas Government Code, to deliberate an offer of financial or economic development incentive, at 7:36 p.m., on Wednesday, April 18, 2018, City Council Conference Room of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

The Executive Session was adjourned at 8:27 p.m. on Wednesday, April 18, 2018.

#### **OPEN SESSION**

The City Council reconvened into Open Session to take action as determined appropriate in the City Council's discretion regarding an offer of financial or other economic development incentive at 8:27 p.m. on Wednesday, April 18, 2018, 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.

#### **REGULAR AGENDA**

- 4. A) Consideration, discussion, and possible action on a Resolution creating a Public Improvement District EntradaGlen.
  - B) Consideration, discussion, and possible action on an Agreement Regarding the Dissolution of the EntradaGlen Public Improvement District.

Council Member Weir inquired if all property owners within the Public Improvement District (PID) had been notified by mail and publication regarding the creation of the PID.

Pete Dwyer, 9900 Highway 290 East, Manor, Texas, spoke before City Council regarding the publications and emails that were provided to all property owners within the PID.

City Attorney Saenz stated she was advised there were two (2) property owners within the PID boundaries that were not notified by mail. Ms. Saenz stated the PID was amended and a refreshed notice was provided but two (2) of the property owners within the PID was not included in the second notice. She stated by statue requirements the notice had to be given by mail and publication to all property owners within the PID boundaries.

Sharon Smith, 100 Congress, Suite 1300, Austin, Texas, spoke before City Council regarding the second public notice. Ms. Smith stated they did not agree with Ms. Saenz regarding the notification requirements. Ms. Smith stated the bank and Baylor Scott and White were not included in the mail notice but Mr. Dwyer had contacted them directly and gave them notice.

Ms. Saenz discussed her concerns regarding the notice given to all property owners and issues that may occur during the Bond process for the City if all notice requirements were not met.

Council Member Weir and Council Member Amezcua requested detailed information similar to the Lagos Development with line items that would include the cost and enhancements of the PID.

The discussion was held regarding the road construction of Hill Lane.

Council Member Shaner requested clarification on the Travis County boundaries that are not included within the PID. Mr. Dwyer explained the reasons why TxDOT was not notified and not included within the PID boundaries.

The discussion was held regarding the street development of Gregg Manor South.

Council Member Kruppa discussed the City's Development Ordinance and requirements for the construction of roadways.

Danny Burnett, 9900 Highway 290 East, Manor, Texas, spoke before City Council regarding the City's PID Policy - Development Standards Requirements.

The discussion was held regarding the Manor Transportation Plan.

Mr. Dwyer suggested if the PID could be approved with the exception of not receiving any funds until he provides an itemized reimbursement list.

Rick Rosenberg, 8140 N. Mopac Expressway, Austin, Texas, submitted a card in support of this item; however, he did not wish to speak but was available to address any questions posed by the City Council.

Rob Smith, 10814 Jollyville Road, Building IV, Suite 300, Austin, Texas, submitted a card in support of this item; however, he did not wish to speak but was available to address any questions posed by the City Council.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Amezcua, the Council voted six (6) For and none (0) Against to postpone indefinitely the Las Entradas Public Improvement District formation until such time issues raised by the City Council, City staff and identified by the letter sent to the developers by the City Manager are addressed to satisfaction of all parties concerned. The motion carried unanimously.

5. Consideration, discussion, and possible action on matters related to the Home Rule Charter and proposed amendments.

The City staff's recommendation was that the City Council take action on matters related to the Home Rule Charter and proposed amendments.

City Attorney Saenz discussed the proposed amendments to Section 3.02 Term Limitations of the Charter. She stated Council Member Pierson had other proposed amendments regarding Section 1.07 Concerning Annexation; and Section 7.10 Municipal Court regarding Court of Record.

There was no action taken.

6. Consideration, discussion, and possible action to approve a disbursement of Hotel Occupancy Tax Funds to the Manor Chamber of Commerce for the Manor Heritage Festival.

The City staff's recommendation was that the City Council approve a disbursement of Hotel Occupancy Tax Funds in the amount of \$3,584.63 to the Manor Chamber of Commerce, for the Manor Heritage Festival.

City Manager Bolt discussed the disbursement of Hotel Occupancy Tax Funds to the Manor Chamber of Commerce for the Manor Heritage Festival.

- MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Amezcua the Council voted six (6) For and none (0) Against to approve a disbursement of Hotel Occupancy Tax Funds in the amount of \$3,584.63 to the Manor Chamber of Commerce, for the Manor Heritage Festival. The motion carried unanimously.
- 7. Consideration, discussion, and possible action on the application of Oncor Electric Delivery Company LLC for approval of a distribution cost recovery factor pursuant to Public Utility Regulatory Act (PURA) §36.210 and 16 Texas Administrative Code § 25.243.

The City staff's recommendation was that the City Council deny the application of Oncor Electric Delivery Company LLC for approval of a distribution cost recovery factor pursuant to Public Utility Regulatory Act (PURA) §36.210 and 16 Texas Administrative Code § 25.243.

City Manager Bolt discussed the application of Oncor Electric Delivery Company LLC.

- MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Shaner, the Council voted six (6) For and none (0) Against to deny the application of Oncor Electric Delivery Company LLC for approval of a distribution cost recovery factor pursuant to Public Utility Regulatory Act (PURA) §36.210 and 16 Texas Administrative Code § 25.243. The motion carried unanimously.
- 8. Consideration, discussion, and possible action on Change Orders No. 1 and No. 2 for the 2017 Wastewater Collection System Improvements Project.

The City staff's recommendation was that the City Council approve the proposed Change Orders No. 1 and No. 2 for the 2017 Wastewater Collection System Improvements Project.

City Engineer Phelan discussed the proposed Change Orders No. 1 and No. 2 for the 2017 Wastewater Collection System Improvements Project.

- **MOTION:** Upon a motion made by Council Member Kruppa and seconded by Council Member Shaner, the Council voted six (6) For and none (0) Against to approve the proposed Change Orders No. 1 and No. 2 for the 2017 Wastewater Collection System Improvements Project. The motion carried unanimously.
- 9. Consideration, discussion and possible action on the first reading of an ordinance rezoning Abstract 315, Survey 63 Gates G, 20 acres more or less, locally known as 11811 Arnhamn Lane from Interim Agricultural (A) to Single Family (R-2).

The City staff's recommendation was that the City Council approve the first reading of an ordinance rezoning Abstract 315, Survey 63 Gates G, 20 acres more or less, locally known as 11811 Arnhamn Lane from Interim Agricultural (A) to Single Family (R-1).

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

The discussion was held regarding the difference between R-1 Zoning and R-2 Zoning.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Amezcua, the Council voted four (4) For and two (2) Against to approve the first reading of an ordinance rezoning Abstract 315, Survey 63 Gates G, 20 acres more or less, locally known as 11811 Arnhamn Lane from Interim Agricultural (A) to Single Family (R-1). Mayor Jonse and Council Member Hill voted against. The motion failed.

Mayor Jonse reconsidered the motion for Item No. 9.

MOTION: Upon a motion made by Council Member Shaner and seconded by Council Member Weir, the Council voted five (5) For and one (1) Against to approve the first reading of an ordinance rezoning Abstract 315, Survey 63 Gates G, 20 acres more or less, locally known as 11811 Arnhamn Lane from Interim Agricultural (A) to Single Family (R-1). Council Member Hill voted against. The motion carried.

10. Consideration, discussion and possible action on the first reading of a Conditional Use Permit for Lot 31, Block E, Stonewater Phase 1, locally known as 12310 Waterford Run Way to allow for a Small Childcare Center.

City Manager Bolt discussed the Conditional Use Permit request for 12310 Waterford Run Way to allow for a Small Childcare Center.

Planning Coordinator Dunlop discussed the Planning and Zoning Commission recommendation. He stated the applicant was present prior to the P&Z meeting but left before it started. The applicant was not present during the meeting to answer any questions.

The discussion was held regarding the limit of children within the home for care.

MOTION: Upon a motion made by Council Member Shaner and seconded by Council Member Kruppa, the Council voted six (6) For and none (0) Against to postpone the first reading of a Conditional Use Permit for Lot 31, Block E, Stonewater Phase 1, locally known as 12310 Waterford Run Way to allow for a Small Childcare Center until contact is made with the resident to find out how many children are in the home for care. The motion carried unanimously.

#### **ADJOURNMENT**

The Regular Session of the Manor City Council Adjourned at 9:21 p.m. on Wednesday, April 18, 2018.

These minutes approved by the Manor City Council on the 2<sup>nd</sup> day of May 2018.

APPROVED:

Rita G. Jonse

Mayor

ATTEST:

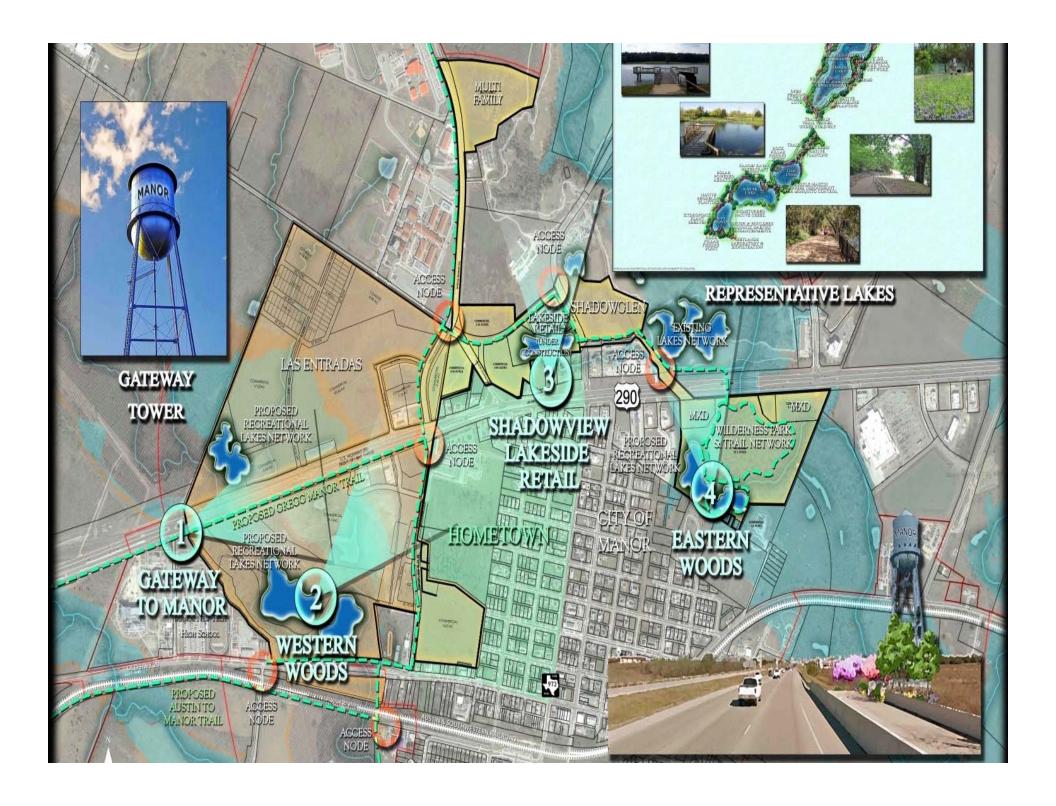
Lluvia Tijerina City Secretary

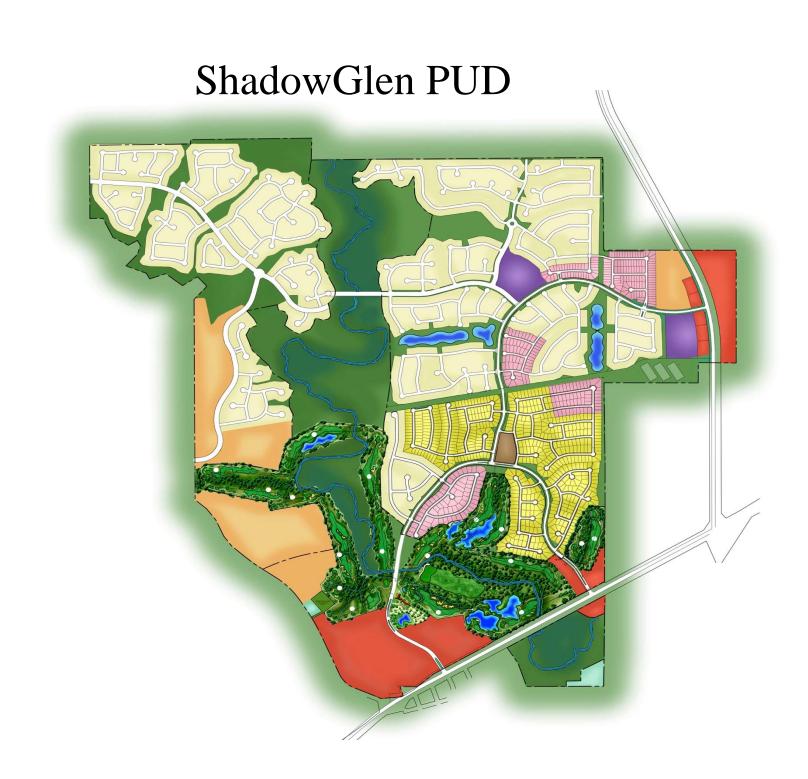
# Las Entradas ShadowGlen EntradaGlen

PID Overview

Las Entradas and ShadowGlen are Gateway Mixed Use Master Planned Communities located on the Western Edge of Manor, Texas.

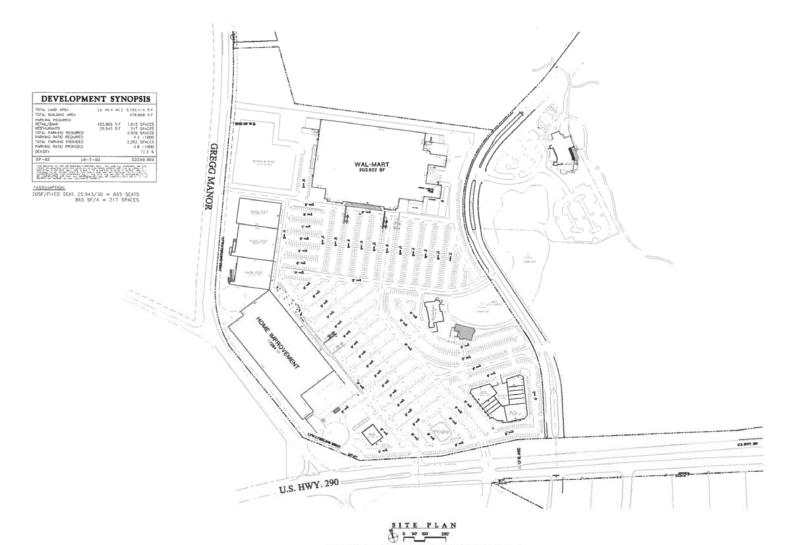
The Approved Concept Plans for both describe a upscale visions for a Live Work Play Developments that can provide a quality first impression when coming into the Community of Manor from the West.





## History of ShadowGlen Development and Cottonwood South Commercial

- Outside City of Manor
- 3 MUDs which combined provide \$160 Mil in Infrastructure
- Moved Travis County MUD 2 and voluntarily annexed into City of Manor (show ShadowGlen Master Plan)
- Secured Levine Development Agreement
- Sweeping S we never liked killed Levine
- Market Crashed

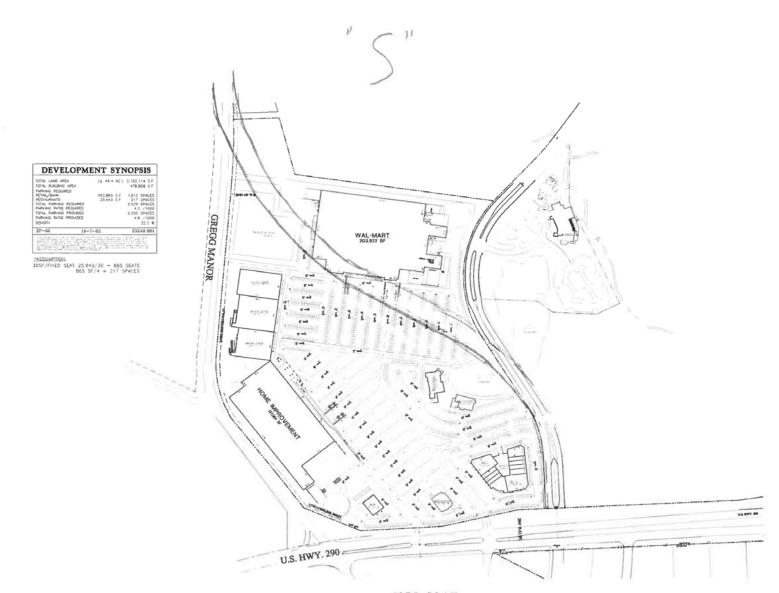


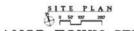


LEVINSON
ASSOCIATES, LP.
IN STREET OF THE PROPERTY OF THE PROP

MANOR TOWN CENTER
PRELIMINARY STUDY
U.S. HWY. 290 & GREGG MANOR
CITY OF MANOR, TEXAS







#### MANOR TOWN CENTER

PRELIMINARY STUDY

U.S. HWY. 290 & GREGG MANOR CITY OF MANOR, TEXAS





### Article III.

### Plan Amendment, Subdivision Approvals

3.01. Plan Amendment. The City intends to amend the Plan to replace the "S" Road with the ROW. In the event that the City does not amend the Plan, Cottonwood's subdivision and development of the Remainder Parcels shall be subject to this Addendum to the extent of any conflict with the Applicable In-City Regulations. The City will make good faith efforts to cause the roadways shown in the Plan to be included in the CAMPO 2040 Regional Transportation Plan, as appropriate, so that construction of such roadways will be eligible for funding from outside sources; provided that nothing shall relieve Cottonwood of its obligations under this Addendum and the Agreement.

### **History of Las Entradas**

- Signed Letter of Intent with City of Manor to get Infrastructure in 2005 (show clip of Agreement)
- Good Faith Negotiations for 3 4 years
- Market Crashed and Presidential Glen's builder left stalling Presidential Glen out. Barney knight and Phil Tate linked any further Development Agreements (Las Entradas)

### **Along came CVS**

- We funded Advanced Funding Agreement for Gregg Manor North (\$525,000)
- Built Las Entradas South Section 1 for CVS, began to fill for Flood Plain Reclamation
- Built Las Entradas North Section 1 to secure Gregg Manor North Funding

# City of Manor Letter of Intent

June 15, 2005

City of Manor 201 E Parsons PO Box 387 Manor, TX 78653

RE: Manor Gateways Growth Corridor Acceleration Plan

#### Letter of Intent

This Letter of Intent, based on preliminary discussions with The Eppright Family, and Cottonwood Holdings, Ltd. dba ShadowGlen by and through their representative Pete Dwyer ("Dwyer") and the City of Manor by and through its Planning and Zoning Commission and its City Council; is entered into effective as of the date of this letter by Dwyer and the City of Manor ("Manor). It is the intent of Dwyer and Manor to proceed in good faith to attempt to negotiate, execute, and escrow the necessary Agreements by the and between Eppright, ShadowGlen, Dwyer and Manor, within to days from the date hereof that would allow to be carried out and effectuate the components of the attached Manor Gateways Growth Corridor Acceleration Plan ("MGGCA Plan") dated June 15th, 2005.

#### Development Agreement:

A Development Agreement that, among other things would allow the planning, zoning, design and development of the general roadway, utility, drainage and parkland improvements consistent with the attached MGGCA Plan. The estimated value and cost of the Development Agreement being approximately \$35,000,000.

#### Consent Agreement:

A Consent Agreement that will consent to and support Dwyer's formation of a Municipal Management District ("MMD") and Chapter 380 Agreement within the city limits of Manor containing the referenced property consistent with the MGGCA Plan in an aggregate value not to exceed \$35,000,000.

Manor Gateways Growth Corridor Acceleration Plan Letter of Intent June 15, 2005 Page 2

#### Annexation Petition:

Upon the approval, execution, and escrow of the above documents, Dwyer will file a petition requesting annexation of the property by Manor subject to the aspects of the Agreement and Plan. Upon the completion of the annexation the documents will be in full force and effect.

Dwyer represents that he owns the property or he has full and sufficient written and documented legal authority to contract for and with respect to the property, and that upon satisfactory completion of the Plan and Agreements, Dwyer and Eppright will petition for annexation of the property.

Dwyer recognizes and understands that Manor does not have the resources available to fund the legal and engineering services reasonably required by the City to complete the studies and reviews reasonably required to accomplish the purposes of this Letter of Intent, and to negotiate the above referenced documents. Upon the execution of this Letter of Intent, Dwyer will deposit with Manor the sum of \$10,000.00 (the "deposit") to be used and applied by Manor to fund and pay the costs and expenses incurred by Manor in completing the studies, reviews, and negotiations to give effect to this Letter of Intent.

Agreed and Approved:

18

Agreed and Approved:

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Consistent with our 2005 Letter of Intent, we began working on Master Plan for:

- Western Woods
- Central Lakes
- ShadowView Lakeside
- Eastern Woods

# Central Lake - ShadowView Lakeside Lake #1 or Lake Rita





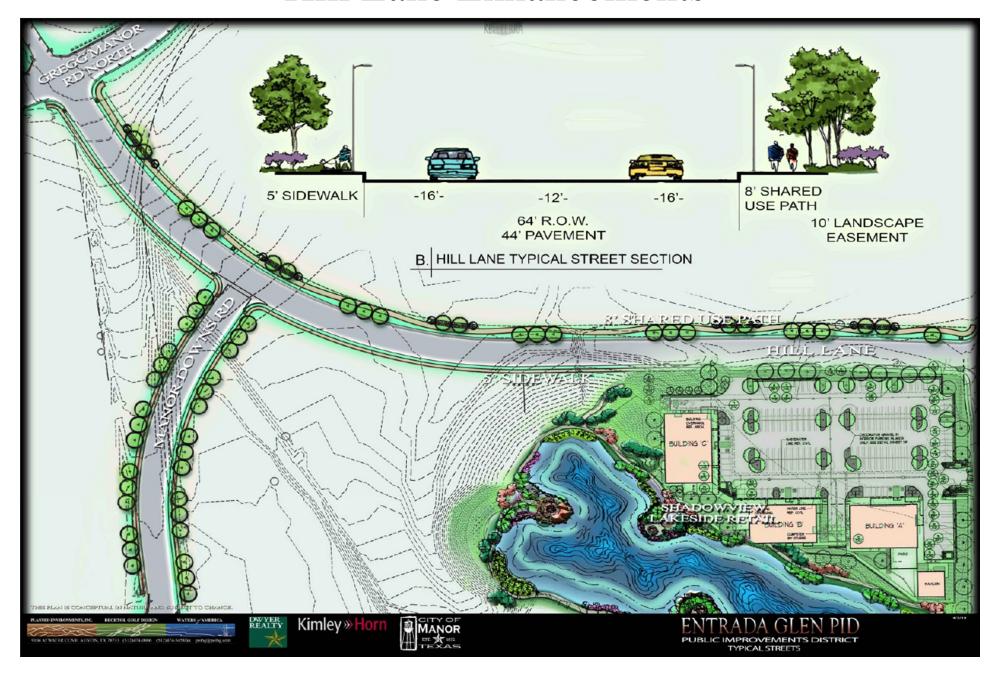




## ShadowView LakeSide Center

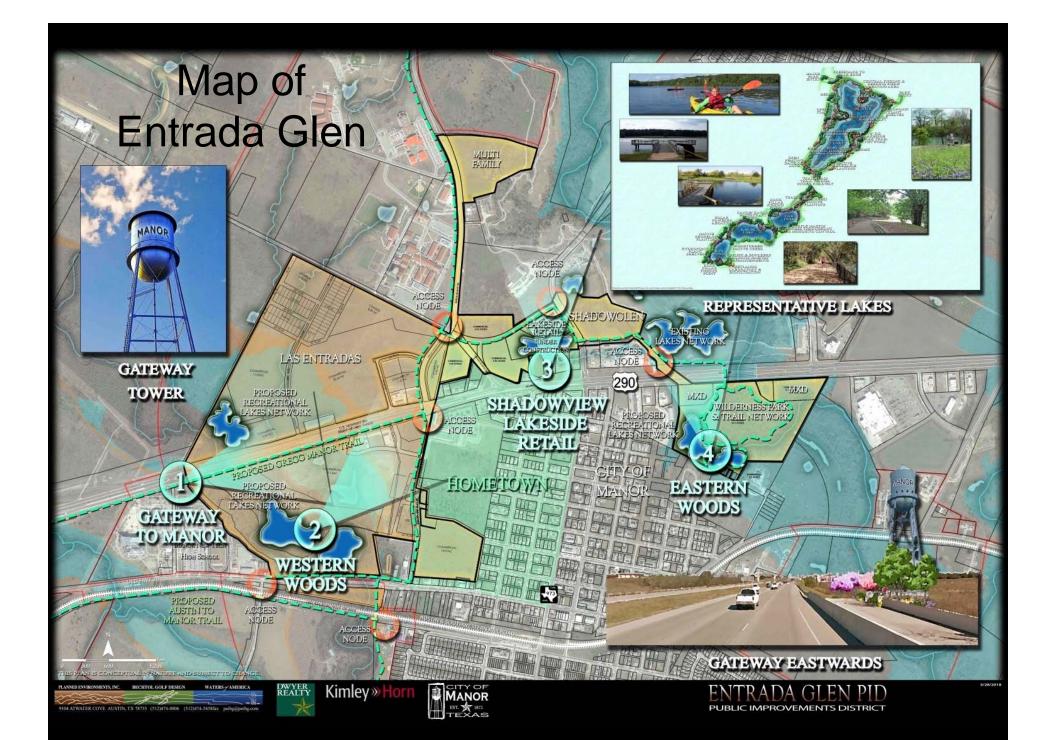


## Hill Lane Enhancements



# Eastern Woods and Eastern Lakes and Walls



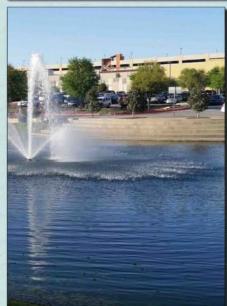
























HIS PLAN IS CONCEPTIAL IN NATURE AND SUBJECT TO CHANGE.







## The GateWays



PUBLIC IMPROVEMENTS DISTRI



Gateway Icon

PLANNED ENVIRONMENTS, INC.

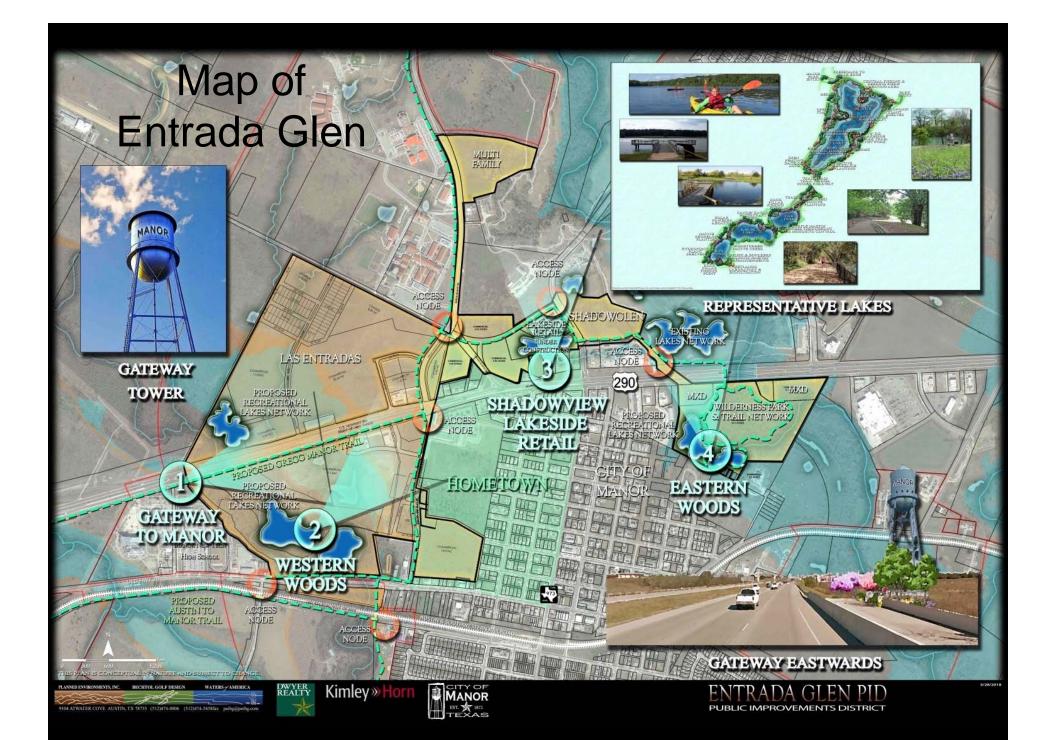
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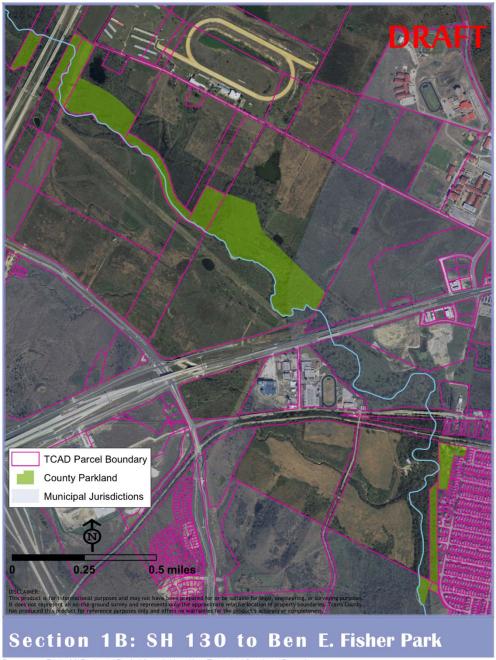
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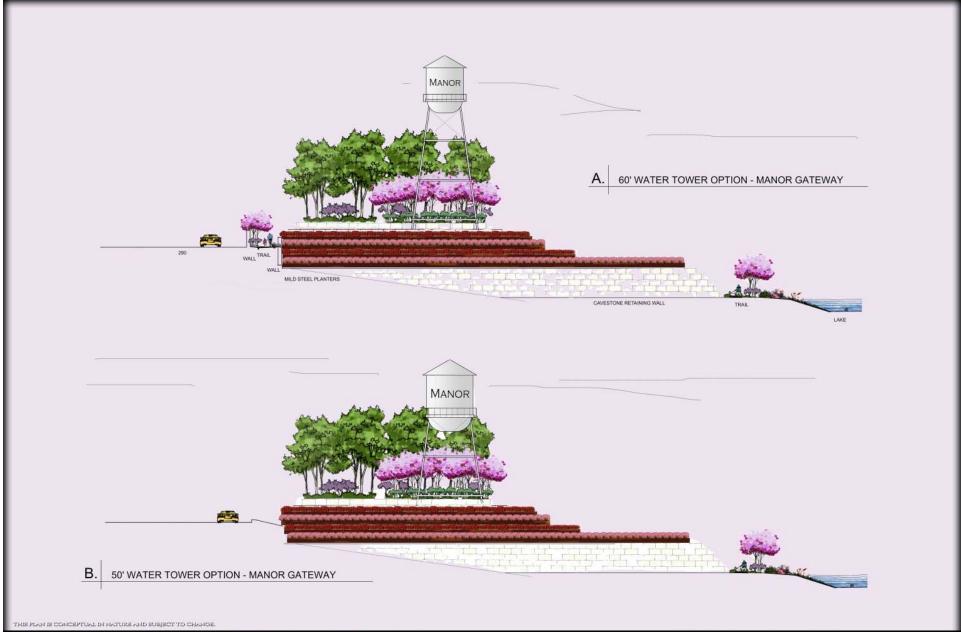
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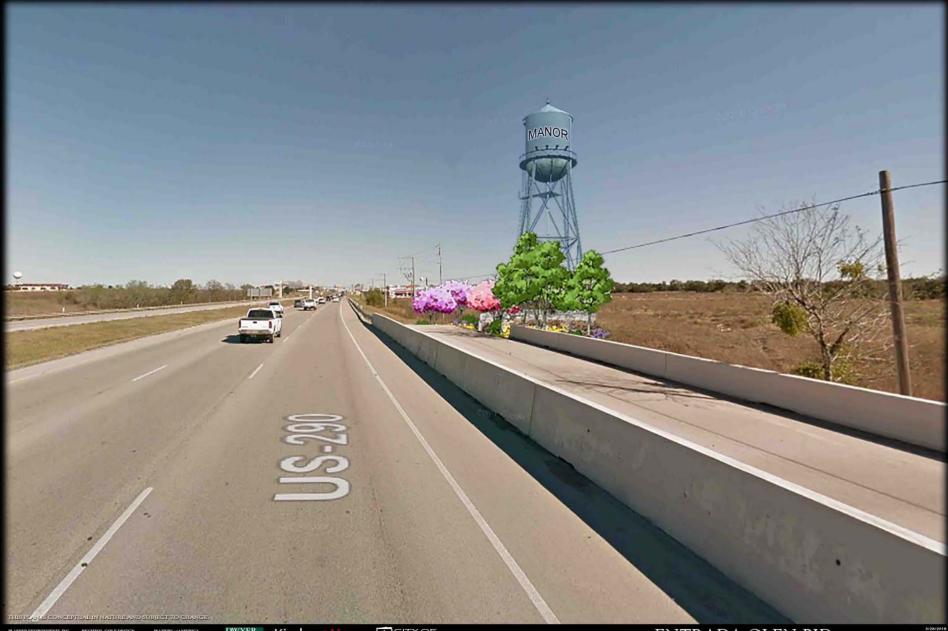


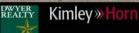


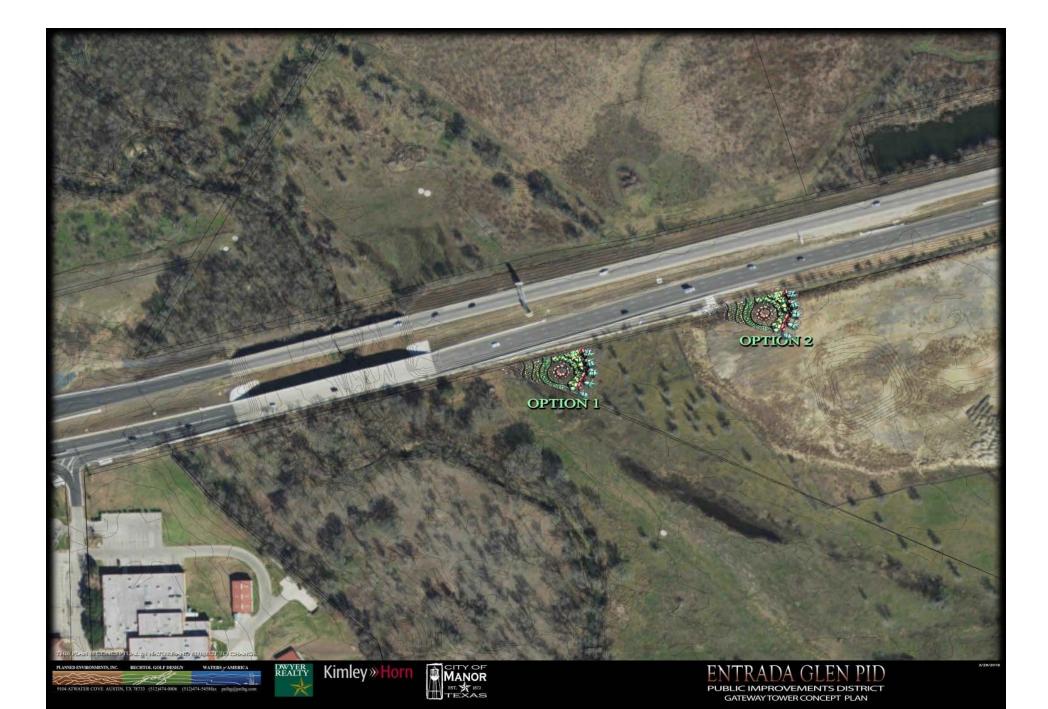






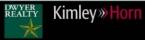
















## Our Communities...









# Have allowed us to bring the following businesses to Manor:

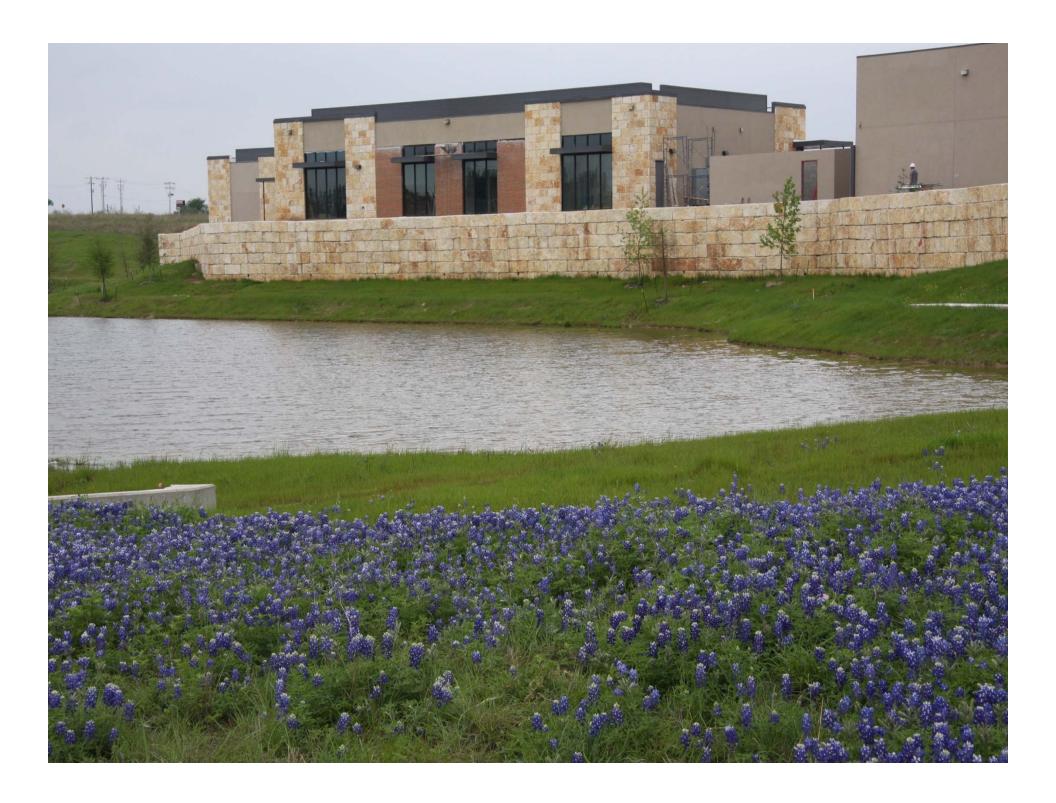
















## Possible Positive Fiscal Impact

# DWYER REALTY COMPANIES - ENTRADA GLEN ENTRADA GLEN PUBLIC IMPROVEMENT DISTRICT FISCAL IMPACT ANALYSIS SUMMARY 6/21/2017

					St	abilized Build
		Rate	30 Year Total		Out at Year 10	
A.)	Ad Valorem Tax Revenues:					
	City of Manor	0.774	\$	148,279,759	\$	4,947,254
	Travis County	0.384	\$	73,545,840	\$	2,453,807
	Travis County Healthcare	0.111	\$	21,182,467	\$	706,739
	Manor ISD	1.515	\$	290,312,528	\$	9,686,081
	Austin Community College	0.102	\$	19,545,794	\$	652,132
	Travis County ESD #12	0.100	\$	19,162,543	\$	639,345
	Total	2.985	\$	572,028,931	\$	19,085,359
B.)	Sales Tax Revenues:					
	City of Manor	1.0%	\$	191,647,102	\$	6,394,176
	Capital Metro	1.0%	\$	191,647,102	\$	6,394,176
	Total	2.0%	\$	383,294,205	\$	12,788,352
	_					
C.)	<b>Hotel Occupancy Tax Revenues:</b>					
	City of Manor	2.00%	\$	9,129,454	\$	304,598
	<u>-</u> -					
D.)	<b>Total City of Manor Revenues</b>		\$	349,056,315	\$	11,646,028
		•				

## Town Center Roadway Network

