



**MANOR CITY COUNCIL
REGULAR MEETING
AGENDA
105 E. EGGLESTON STREET
MANOR, TEXAS 78653
FEBRUARY 17, 2016 · 7:00 P.M.**

CALL TO ORDER AND ANNOUNCE QUORUM 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

1. Consideration, discussion, and possible action to approve the minutes for the February 3, 2016 City Council Regular Meeting.

REGULAR AGENDA

2. Consideration, discussion, and possible action to accept the resignation of Council Member Sherri Hooker.
3. Recognition of outgoing Council Member - Mrs. Sherri Hooker.

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 Council, Place 3 vacancy

Section 551.074 Personnel Matters – Policed Chief position

Section 551.074 Personnel Matters – City Manager 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 on item(s) discussed during Closed Executive Session:

4. The appointment of a Council Member to serve on the City of Manor City Council.
5. Administer oath of office for appointed City Council Member, Place 3.
6. Take action as deemed appropriate in the City Council's discretion regarding the Police Chief position.
7. Take action as deemed appropriate in the City Council's discretion regarding the City Manager evaluation.
8. Consideration, discussion, and possible action on acceptance of the December, 2015 Departmental Reports:

- Development Services – Thomas Bolt
 - Police – Chief Ryan Phipps
 - Municipal Court – Sarah Friberg
 - Public Works – Mike Tuley
9. Consideration, discussion, and possible action on acceptance of the unaudited January, 2016 Monthly Financial Report.
 10. Discussion, consideration, and possible appointment of Lian Stutsman to the City of Manor Planning and Zoning Commission.
 11. Consideration, discussion, and possible action to approve a resolution to designate a planning service provider for the 2015 Texas CDBG Fund contract 7215054.
 12. Consideration, discussion, and possible action to approve a resolution to designate authorized signatory for the 2015 Texas CDBG program contract 7215054.
 13. Consideration, discussion, and possible action to approve a resolution adopting required CDBG Civil Rights policies.
 14. Discussion, consideration, and possible action on a first reading of an ordinance to rezone lots 18-20, block 12 Town of Manor, locally known as 101 East Burton, from light commercial (C-1) zoning to downtown business district (DBD) zoning.
 15. Discussion, consideration, and possible action on a waiver from parking requirements, Ordinance 185(m)(iii), to allow for 29 parking spaces located at Shadowview commercial section 2 lot 1B.
 16. Consideration, discussion, and possible action on a licensing ordinance for gaming machines.

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 certify that this notice of the Manor City Council Meeting was posted on this 12th day of February, 2016 before 5:00 P.M., as required by law in accordance with Section 551.043 of the Texas Government Code.

Frances M. Aguilar – City Secretary

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 Frances Aguilar, City Secretary at 512-272-5555. Provide a forty-eight hour notice when feasible.

DEVELOPMENT SERVICES DEPARTMENT REPORT
PROJECT VALUATION AND FEE REPORT
FOR
CITY OF MANOR, TX
January 1-31, 2016

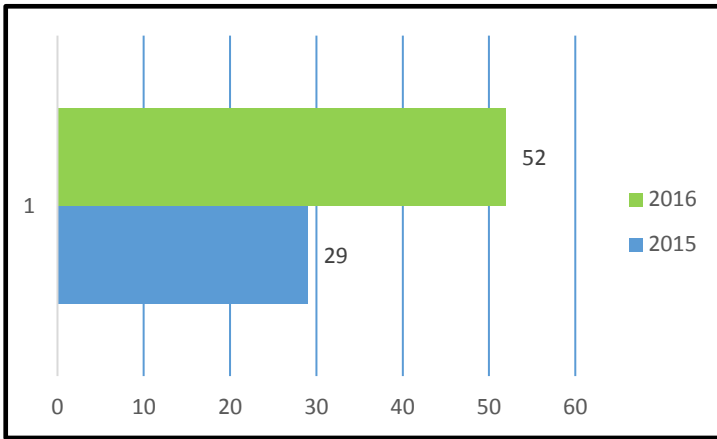
Code	Description	Projects	Segments	Valuation	Fees
102	New Single Family Bldgs-Att Garage	35	175	\$5,626,932.00	\$169,749.40
109	Subdivision	1	1	\$0.00	\$4,270.00
251	Restaurants Drive Thru	1	5	\$105,000.00	\$1,480.00
325E	Existing Public Work & Utilities	2	2	\$4,779.00	\$0.00
645	Demolition-Single Family Houses	1	1	\$2,300.00	\$45.00
DRI	Driveway & Sidewalk Permits	1	1	\$800.00	\$85.00
FEN	Fence Permit	1	1	\$630.00	\$35.00
FOU	Foundation Permit	1	1	\$8,400.00	\$95.00
MEC	Mechanical Permit	1	1	\$8,846.00	\$95.00
PLB	Plumbing Permit	3	3	\$2,550.00	\$285.00
SIG	Sign Permit	6	9	\$71,900.00	\$2,088.96
ZON	Zoning Request	2	2	\$0.00	\$1,215.00
				\$0.00	\$0.00
	Totals	55	202	\$5,832,137.00	\$179,443.36

Total Certificate of Occupancies Issued: 9

Total Inspections(Comm & Res): 219

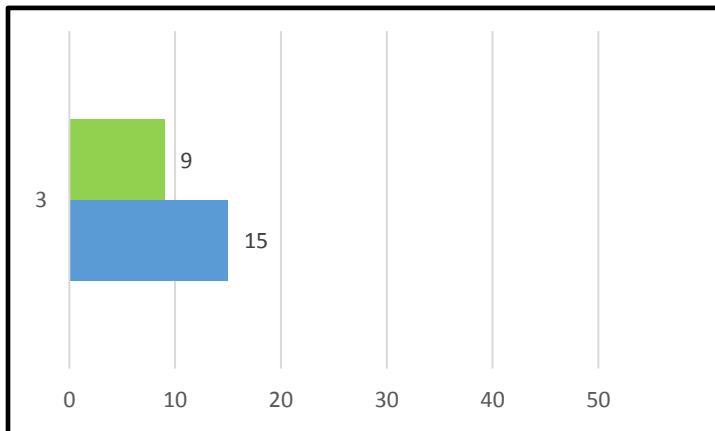
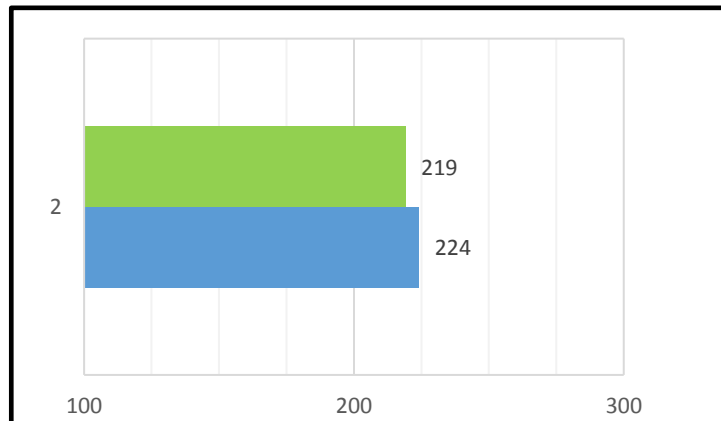
Tom Bolt, City Manager





PERMITS ISSUED
JAN 2016

INSPECTIONS
JAN 2016



COs ISSUED
JAN 2016

DEPARTMENT OF DEVELOPMENT SERVICES
THOMAS BOLT, DIRECTOR





Police Council Reports

January 1-31st, 2016

Numbers in **red** represent the same month, **prior year**.

During the month of January 2016 Manor Police Officers responded to **801/ 908** calls for **service** and issued citations or warnings for 483 individual traffic offenses. The officer's responded to an average of 25.8 calls per day in January 2016.

The Types of calls our officers are responded to are:

Unknown Situations:**57/ 67**

Assist our Community: **108/147**

Residential & Business Property Checks: **41/101**

Assist other agencies:**32/ 42**

Suspicious Circumstances:**25/ 29**

Property Crimes: **25/31**

Crimes against Persons:**37/ 52**

Crimes against our Community:**41/ 40**

Alcohol Related Calls: **5/9**

Drug Related Calls: **21/17**

Animal Related Calls:**18/ 16**

Traffic Issues:**340/ 308**

Motor Vehicle Accidents:**17/ 24**

Fraudulent Crimes:**4/ 1**

City Ordinance Violations: **12/18**

Warrant Arrests:**18/ 6**

Calls in January 2016 are down 11.7% from January 2015

COMPLIMENTS

Complimentary letter on Officer Jessica Jones

Complimentary letter on Officer Kailey Meinhold from Det. Craig Struble

New Police Officer - Andrew Cruise-Bio

Born in San Marcos, Texas... raised in Geronimo, Texas.. Andrew joined the Army after High School where he spent the majority of his service in the Office of the Staff Judge Advocate. After the military he attended Texas State University where he received his BA in Accounting. He was also the president of the Beta Alfa Psi fraternity, in the International Honors Society and the Vice President of NABA (a national accounting organization). He attended the Police Academy AACOG after graduating from Texas State University. The City of Manor is his first appointment as a full time police officer and he is looking forward to serving the community and people of Manor, Texas.

COPY

To: Manor Police Dept.

Just a note to single out a member of your Police Dept. for a job very well done. I am an owner of Boomer's Fireworks, and on New Years Eve, Officer Jessica Jones came to our stand with a complaint from a fireworks competitor. The sign in question, which was placed in the wrong location by N-line traffic maintenance, unfortunately was in an area where the wet ground prohibited moving it. N-line actually got a vehicle stuck and had to call for another vehicle to pull them out.

Jessica, officer Jones, was as PROFESSIONAL as ANY individual I have ever dealt with. She did not come in with an attitude of "Move the sign, OR ELSE." She was doing her very best to make both parties happy, and I would just like to say "THANK you!!!" for the way she handled things. I know that law enforcement gets a lot of negative publicity, but I want to single out Officer Jones for a job well done!!!.

Thank you!!!

Hester Jensen

Robyn Jackson

From: Craig Struble
Sent: Thursday, January 21, 2016 12:06 PM
To: POLICE DEPT
Subject: Good Job!

All,

I wanted to give a shout out to Officer Meinhold who on 1-20-2016 was flagged down and made aware of a Theft of a Motor Vehicle in progress from the Wal-Mart parking lot. Officer Meinhold located the stolen vehicle traveling eastbound on Hwy 290E and was able to stop, apprehend the suspect, and recover the stolen vehicle. The vehicle sustained only minimal damage and was returned to its owner.

Good job on certainly making a complainant happy and serving the City of Manor well.

Manor Case #16-00073

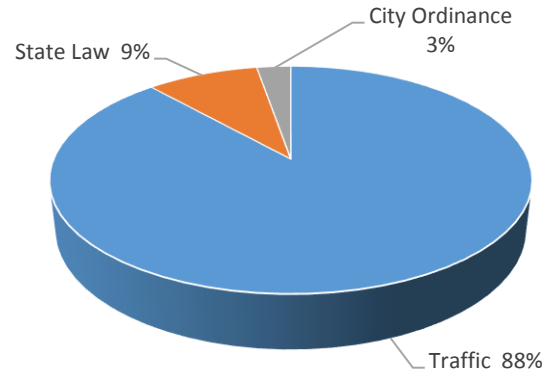
Best Regards,
Detective C. Struble #345
Manor Police Department
402 W Parsons St
Manor, TX 78653
OFFICE: 512-272-8177 ext. 8031
FAX: 512-215-8409

City of Manor Municipal Court

JANUARY 2016

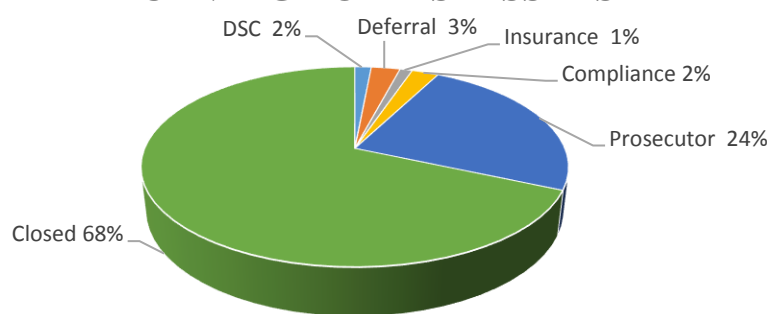
Violations Filed	Jan-16	Jan-15
Traffic	227	272
State Law	23	103
City Ord.	7	15
Total	257	390

PERCENTAGE OF VIOLATIONS



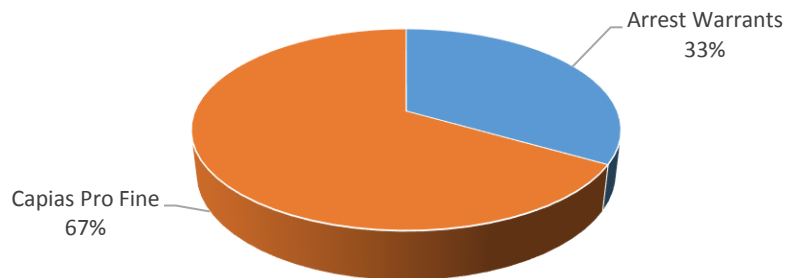
Dismissals	Jan-16	Jan-15
DSC	8	16
Deferral	14	17
Insurance	6	5
Compliance	13	12
Prosecutor	129	22
Closed	368	129
Total	538	201

PERCENTAGE OF DISMISSALS



Warrants	Jan-16	Jan-15
Arrest Warrants	2	258
Capias Pro Fine	4	1
Total	6	259

PERCENTAGE OF WARRANTS



Money Collected in January 2016

Kept By City	\$26,606.19
Kept By State	\$11,845.35
Total	\$38,451.54

Money Collected in January 2015

Kept By City	\$24,803.82
Kept By State	\$10,448.77
Total	\$35,252.59



JANUARY, 2016 REPORT PUBLIC WORKS DEPARTMENT

Street and Public, Parks, and Maintenance Department

In the month of January the Street Department repaired and patched potholes. They also repaired streets and easement roads.

Also in the month of January, the Public Parks and Maintenance Department mowed all city facilities, alleys, and right of ways. They cleaned and maintained city's facilities and parks.

Water and Wastewater Department

In the month of January, the Water Department performed daily maintenance on the water system an average of two to three hours per day. They repaired 9 water leaks and helped with customer service orders. There were 12 water inspections at Presidential Glen, and Las Entradas subdivision.

In January, the Wastewater Department performed daily maintenance on the wastewater plant an average of six to eight hours per day. They cleaned and unstopped 3 wastewater mains. There were 20 wastewater inspections at Stonewater, Presidential Glen, and Las Entradas subdivision.

Water Production & Purchase

In the month of January, 10% percent of the water, we supplied, to our residents was from our well fields, and we purchased 90% from Bluewater and Manville WSC. In January, the estimated population of residents in the City of Manor is 8,300. Estimated Population for Shadowglen is 2,488 residents.

December 22, 2015

Dear City Council,

I write to you to express my interest in being a member of the Planning and Zoning Commission.

As an enthusiastic member of our community, I would like to volunteer my time, skills and talents to assist in planning the future of our changing town. I am a mother of young children and when I think of Manor I think of the future. I think of the milestones children typically encounter and wonder where our community will be along side them. I have enjoyed living in Manor and seeing its landscape change everyday through the many and busy construction sites of buildings and housing developments. With my enthusiasm, I recently recruited my parents to join us in Manor and my father is now a science teacher at Manor High School.

What has piqued my interest in seeking appointment to the Planning and Zoning Commission is my recent involvement in City Works Academy, hosted by the city of Austin. I attended courses that gave a first hand look at what kind of programs and resources Austin has and will be developing to handle the bright and bustling future of our area in accordance the the rich history of our capital city. I was enthralled and excited to see all the departments and how well the City of Austin is handling the opportunities they have and want to be involved in the change and shaping of our community in Manor.

With my unique experience I will enrich the Commissions perspective and enthusiasm for our home. It would be such and incredible gift to be able to learn from the leadership of Manor and watch history being made from the front row as a member of the commission.

I respectfully request your support in being appointed. Thanks for your consideration.

Sincerely,

Lian M. Stutsman

Lian Stutsman

13316 Clara Martin Rd
Manor, TX 78653
714.388.4292

lianstutsman@me.com

EXPERIENCE

Apple Inc., Newport Beach, CA | January 2010- September 2012 Mac Specialist

Mentor, Training Facilitator, Visual Merchandising Coordinator, Visual Merchandising Mentor, assisted with new store opening's maintaining and checking for Apple brand compliance.

Apple Inc., Newport Beach, CA | September 2009 - December 2011 Concierge

Efficiently represented the Apple brand by providing assistance with limited time and interaction, mastered world class costumer service, organized appointments, quickly identified/assessed technical issues to access appropriate solutions.

Forest Home Ojai Valley, Oak View, CA | Jun 2009 - Sep 2009 Activities Coordinator

Program Developer, lead daily staff development, facilitated large group discussion, Recreation Coordinator and Camp Emcee.

Hume Lake Christian Camps, Hume, CA | May 2008 - Aug 2008 Jr. High Camp Coordinator

Camp Emcee, activities Program Leader , Director's Assistant, managed staff schedules, "2nd in command"

Biola University, La Mirada, CA | Aug 2007 - Aug 2008 Student Retention Desk Clerk

Scheduled Appointments, Assistant to Academic Advisor, prepared and preformed copying/printing and faxing

Biola University, La Mirada, CA | Aug 2007 - May 2008 Resident Assistant

Enforced Community Agreements, Identified community problems, issues and opportunities in particular dorms that could be mitigated through better community planning. Developed resident involvement events. Maintained administrative duties for Resident Director.

Hume Lake Christian Camps, Hume, CA | May 2006 - Aug 2006 Lifeguard

Camp Emcee, conducted pool maintenance and management, High Ropes Adventure Course Lead and Mentor

EDUCATION

BIOLA University, La Mirada, CA — Communication Studies, 2009

City Works Academy, Austin, TX- 2015

SKILLS

Technically Savvy, Excellent Communicator, Empathetic, Learns on the Fly, Independent, Team Player, Ethical

Planning Services Selection Criteria

Criteria	Maximum Points	Awarded Points: GrantWorks	Awarded Points: Public Management
Experience	220	205	145
Work Performance	120	115	90
Capacity to Perform	40	40	32
Affirmative Action	20	20	15
Total	400	380	282

Comments: GrantWorks

Experience: Been in business since 1979, staff: planners, engineers, GIS analysts, 2014 – 18 projects, 2013 – 18 projects, 2012 – 12 projects, project team shows a lot of education and experience in engineering, geography/community planning, community development consultants – a lot of experience as city managers/administrators

Work Performance: Good, 202 planning grants completed or underway through 2015, never missed Texas Dept. of Agriculture's contract deadline

Capacity to Perform: 50+ employees, 14 locations – local Austin office, good, over a dozen planning grants done each year since 2010

Affirmative Action: Project team and consultants reflect gender diversity, equal employment opportunity – Information seems to go above and beyond EEO requirements

Comments: Public Management Inc.

Experience: 6 planning grants in 2014, staff: policy planners, public administration, geography/land use, history, GIS, been in business since 1982, personnel experience reflects wide range of specialties (law, psychology, history) but very little that pertains to urban planning – some land management and public management

Work Performance: Good

Capacity to Perform: Good, 0-6 grants per year, based on documents they provided they could do the job

Affirmative Action: Meets the law, State contract – will comply, did not see anything that specifically regarding this, assume that this is adhered to but available resumes do not reflect diversity (ethnic or gender)

RESOLUTION 2016-03

A RESOLUTION OF THE CITY OF MANOR, TEXAS, AUTHORIZING THE AWARD OF PROFESSIONAL SERVICE PROVIDER CONTRACT FOR THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TxCDBG) **PLANNING & CAPACITY BUILDING** FUND CONTRACT 7215054.

WHEREAS, the recent award of a 2015 TxCDBG contract requires implementation by professionals experienced in the implementation of a Planning & Capacity Building contract;

WHEREAS, in order to identify the most qualified providers for these services a Request for Proposals (RFP) process for professional planning services has been completed in accordance with TxCDBG requirements;

WHEREAS, the proposals received by the due date have been reviewed to determine the most qualified and responsive providers for each professional service;

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

Section 1. That _____ be awarded a contract to provide TxCDBG project-related **professional planning services** for the **2015** Planning & Capacity Building Fund contract **7215054**;

Section 2. That any and all contracts or commitments made with the above-named service provider are dependent on the successful negotiation of a contract with the service provider;

PASSED AND APPROVED this 17th day of February, 2016.

CITY OF MANOR, TEXAS

Rita Jonse, Mayor

ATTEST:

Frances M. Aguilar, City Secretary

RESOLUTION 2016-04

A RESOLUTION BY THE CITY OF MANOR, DESIGNATING AUTHORIZED SIGNATOIRES SIGNATORS FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TXCDBG) CONTRACT NUMBER MANOR.

WHEREAS, the City of Manor has received a 2015 Texas Community Development Block Grant award to provide Manor; and

WHEREAS, it is necessary to appoint persons to execute contractual documents and documents requesting funds from the Texas Department of Agriculture, and;

WHEREAS, an original signed copy of the TxCDBG Depository/Authorized Signatories Designation Form (Form A202) is to be submitted with a copy of this Resolution, and;

WHEREAS, the City of Manor acknowledges that in the event that an authorized signatory of the City changes (elections, illness, resignations, etc.) the City must provide TxCDBG with the following:

- a resolution stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and
- a revised TxCDBG *Depository/ Authorized Signatories Designation Form* (Form A202).

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

The **Mayor, Mayor Pro Tem, and City Manager** be authorized to execute contractual documents between the Texas Department of Agriculture and the City for the 2015 Texas Community Development Block Grant Program

The **Mayor, Mayor Pro Tem, City Manager, and City Secretary** be authorized to execute the *State of Texas Purchase Voucher* and *Request for Payment Form* documents required for requesting funds approved in the 2015 Texas Community Development Block Grant Program

PASSED AND APPROVED this 17th day of February, 2016.

CITY OF MANOR, TEXAS

Rita Jonse, Mayor

ATTEST:

Frances M. Aguilar, City Secretary

RESOLUTION 2016-05

Whereas, the City of Manor, Texas, (hereinafter referred to as “City of Manor”) has been awarded TxCDBG funding through a TxCDBG grant from the Texas Department of Agriculture (hereinafter referred to as “TDA”);

Whereas, the City of Manor, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability;

Whereas, the City of Manor, in consideration for the receipt and acceptance of federal funding for the Contract, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections;

Whereas, the City of Manor, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 135, is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the TxCDBG project area;

Whereas, the City of Manor, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State’s certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations;

Whereas, the City of Manor, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds; and

Whereas, the City of Manor, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period, to affirmatively further fair housing;

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

1. Citizen Participation Plan and Grievance Procedures (Form A1013);
2. Section 3 Policy (Form A1002);
3. Excessive Force Policy (Form A1003)
4. Section 504 Policy and Grievance Procedures (Form A1004); and
5. Fair Housing Policy (Exhibit 1015).

PASSED AND APPROVED this 17th day of February, 2016.

CITY OF MANOR, TEXAS

Rita Jonse, Mayor

ATTEST:

Frances M. Aguilar, City Secretary

CITIZEN PARTICIPATION PLAN
City of Manor
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Note to Grant Recipients regarding Limited English Proficiency (LEP) requirements:

In accordance with federal law, if there is a significant number of the population who are non-English speaking residents and are affected by the TxCDBG project, such citizens should have 'meaningful access' to all aspects of the TxCDBG project. To provide 'meaningful access', Grant Recipients may need to provide interpreter services at public hearings or provide non-English written materials that are routinely provided in English. Examples of such vital documents include application, complaint procedures, complaint procedures, answers to complaints, notices, notices of rights and disciplinary action, and any additional documents that contain information that is critical for obtaining federal services and/or benefits, or is required by law. For more information, see LEP.gov

COMPLAINT PROCEDURES

These complaint procedures comply with the requirements of the Texas Department of Agriculture's Texas Community Development Block Grant (TxCDBG) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at the City of Manor, 105 E. Eggleston St., P.O. Box 387, Manor, TX 78653, 512.272.5555 during regular business hours.

Below are the formal complaint and grievance procedures regarding the services provided under the TxCDBG project.

1. A person who has a complaint or grievance about any services or activities with respect to the TxCDBG project, whether it is a proposed, ongoing, or completed TxCDBG project, may during regular business hours submit such complaint or grievance, in writing to the Mayor, at City of Manor P.O. Box 387, Manor, TX 78653 or may call 512.272.5555.
 2. A copy of the complaint or grievance shall be transmitted by the Mayor to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) working days after the date of the complaint or grievance was received.
 3. The Mayor shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to person who made the complaint or grievance within ten (10) days.
 4. If the investigation cannot be completed within ten (10) working days per 3. above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
 5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the TxCDBG for their further review and comment.
 6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.
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TECHNICAL ASSISTANCE

When requested, the City shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of TxCDBG funds. The City, based upon the specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by the City, the following public hearing provisions shall be observed:

1. Public notice of all hearings must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice must include the date, time, location, and topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
2. When a significant number of non-English speaking residents are a part of the potential service area of the TxCDBG project, vital documents such as notices should be published in the predominant language of these non-English speaking citizens.
3. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and the City must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing.
4. A public hearing held prior to the submission of a TxCDBG application must be held after 5:00 PM on a weekday or at a convenient time on a Saturday or Sunday.
5. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City shall comply with the following citizen participation requirements for the preparation and submission of an application for a TxCDBG project:

1. At a minimum, the City shall hold at least one (1) public hearing to prior to submitting the application to the Texas Department of Agriculture.
 2. The City shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.
 3. The public hearing shall include a discussion with citizens as outlined in the applicable TxCDBG application manual to include, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities
-

under the TxCDBG program, and the use of past TxCDBG contract funds, if applicable. Citizens, with particular emphasis on persons of low- and moderate-income who are residents of slum and blight areas, shall be encouraged to submit their views and proposals regarding community development and housing needs. Citizens shall be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.

4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City must comply with the following citizen participation requirements in the event that the City receives funds from the TxCDBG program:

1. The City shall also hold a public hearing concerning any substantial change, as determined by TxCDBG, proposed to be made in the use of TxCDBG funds from one eligible activity to another again using the preceding notice requirements.
2. Upon completion of the TxCDBG project, the City shall hold a public hearing and review its program performance including the actual use of the TxCDBG funds.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, for either a public hearing concerning substantial change to the TxCDBG project or for the closeout of the TxCDBG project, publish notice in both English and Spanish, or other appropriate language and provide an interpreter at the hearing to accommodate the needs of the non-English speaking residents..
4. The City shall retain documentation of the TxCDBG project, including hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

RITA G. JONSE, MAYOR

DATE

SECTION 3 POLICY

In accordance with 12 U.S.C. 1701u, (Section 3), the City of Manor agrees to implement the following steps, which, to the *greatest extent feasible*, will provide job training, employment and contracting opportunities for Section 3 residents and Section 3 businesses of the areas in which the program/project is being carried out.

- A. Introduce and pass a resolution adopting this plan as a policy to strive to attain goals for compliance to Section 3 regulations by increasing opportunities for employment and contracting for Section 3 residents and businesses.
- B. Assign duties related to implementation of this plan to the designated Civil Rights Officer.
- C. Notify Section 3 residents and business concerns of potential new employment and contracting opportunities as they are triggered by grant awards through the use of: Public Hearings and related advertisements; public notices; bidding advertisements and bid documents; notification to local business organizations such as the Chamber(s) of Commerce or the Urban League; local advertising media including public signage; project area committees and citizen advisory boards; local HUD offices; regional planning agencies; and all other appropriate referral sources. Include Section 3 clauses in all covered solicitations and contracts.
- D. Maintain a list of those businesses that have identified themselves as Section 3 businesses for utilization in grant funded procurements, notify those businesses of pending contractual opportunities, and make this list available for general Grant Recipient procurement needs.
- E. Maintain a list of those persons who have identified themselves as Section 3 residents and contact those persons when hiring/training opportunities are available through either the Grant Recipient or contractors.
- F. Require that all Prime contractors and subcontractors with contracts over \$100,000 commit to this plan as part of their contract work. Monitor the contractors' performance with respect to meeting Section 3 requirements and require that they submit reports as may be required by HUD or TDA to the Grant Recipient.
- G. Submit reports as required by HUD or TDA regarding contracting with Section 3 businesses and/or employment as they occur; and submit reports within 20 days of calendar year end which identify and quantify Section 3 businesses and employees.
- H. Maintain records, including copies of correspondence, memoranda, etc., which document all actions taken to comply with Section 3 regulations.

As officers and representatives City of Manor, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Frances M. Aguilar, City Secretary

Rita G. Jonse, Mayor

Date

EXCESSIVE FORCE POLICY

In accordance with 24 CFR 91.325(b)(6), the City of Manor hereby adopts and will enforce the following policy with respect to the use of excessive force:

1. It is the policy of the City of Manor to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations;
2. It is also the policy of the City of Manor to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.
3. The City of Manor will introduce and pass a resolution adopting this policy.

As officers and representatives City of Manor, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Frances M. Aguilar, City Secretary

Rita G. Jonse, Mayor

Date

SECTION 504 POLICY AGAINST DISCRIMINATION BASED ON HANDICAP AND GRIEVANCE PROCEDURES

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), City of Manor hereby adopts the following policy and grievance procedures:

1. Discrimination prohibited. No otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD).
 2. City of Manor does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.
 3. City of Manor's recruitment materials or publications shall include a statement of this policy in 1. above.
 4. City of Manor shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violation of 24 CFR Part 8.
 5. For hearing and visually impaired individuals eligible to be served or likely to be affected by the TxCDBG program, City of Manor shall ensure that they are provided with the information necessary to understand and participate in the TxCDBG program.
 6. Grievances and Complaints
 - a. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for City of Manor) to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
 - b. Complaints should be addressed to the Mayor, P.O. Box 387, Manor, TX, 78653 or call 512.272.5555, who has been designated to coordinate Section 504 compliance efforts.
 - c. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
 - d. A complaint should be filed within thirty (30) working days after the complainant becomes aware of the alleged violation.
 - e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by the Mayor. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
 - f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Mayor, and a copy forwarded to the complainant with fifteen (15) working days after the filing of the complaint where practicable.
-

- g. The Section 504 coordinator shall maintain the files and records of the City of Manor relating to the complaints files.
- h. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for reconsideration should be made to the City of Manor within ten working days after the receipt of the written determination/resolution.
- i. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- j. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that the City of Manor complies with Section 504 and HUD regulations.

As officers and representatives City of Manor, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Frances M. Aguilar, City Secretary

Rita G. Jonse, Mayor

Date

FAIR HOUSING POLICY

In accordance with Fair Housing Act, the City of Manor hereby adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

1. The City of Manor agrees to affirmatively further fair housing choice for all seven protected classes (race, color, religion, sex, disability, familial status, and national origin).
2. The City of Manor agrees to plan at least one activity during the contract term to affirmatively further fair housing.
3. The City of Manor will introduce and pass a resolution adopting this policy.

As officers and representatives City of Manor, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Frances M. Aguilar, City Secretary

Rita G. Jonse, Mayor

Date

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE BY REZONING A PARCEL OF LAND FROM LIGHT COMMERCIAL (C-1) TO DOWNTOWN BUSINESS DISTRICT (DBD); 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 Zoning Ordinance. Ordinance No. 185, as amended, the City of Manor Zoning Ordinance (the "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 Light Commercial (C-1) to zoning district Downtown Business District (DBD). The Property is accordingly hereby rezoned to Downtown Business District (DBD).

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 ____ day of _____ 201__.

PASSED AND APPROVED SECOND AND FINAL READING on this the ____ day of _____ 201__.

ATTEST:

THE CITY OF MANOR, TEXAS

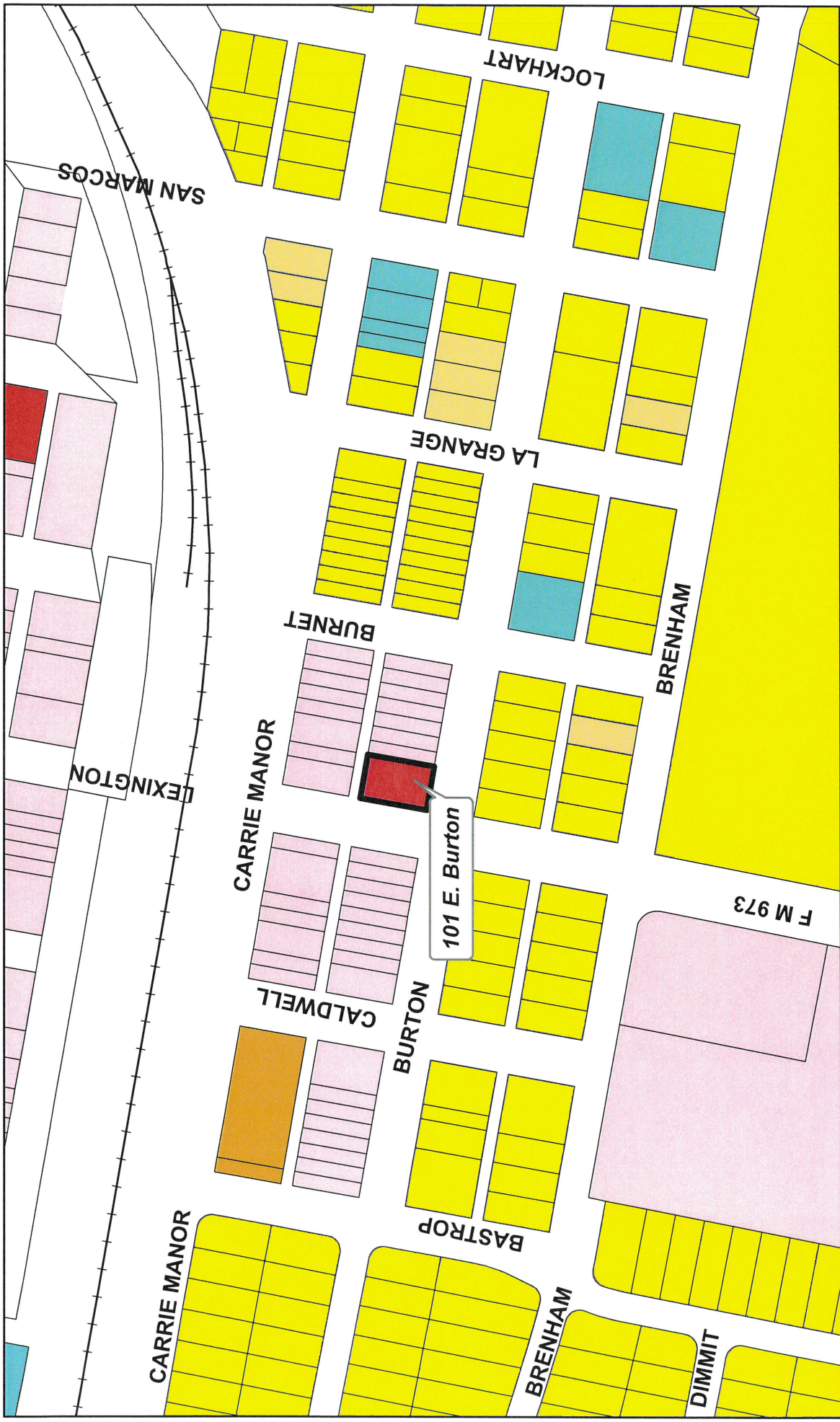
Frances Aguilar, City Secretary

Rita Jonse, Mayor

EXHIBIT "A"

Property Address: 101 East Burton, Manor, Travis County, Texas

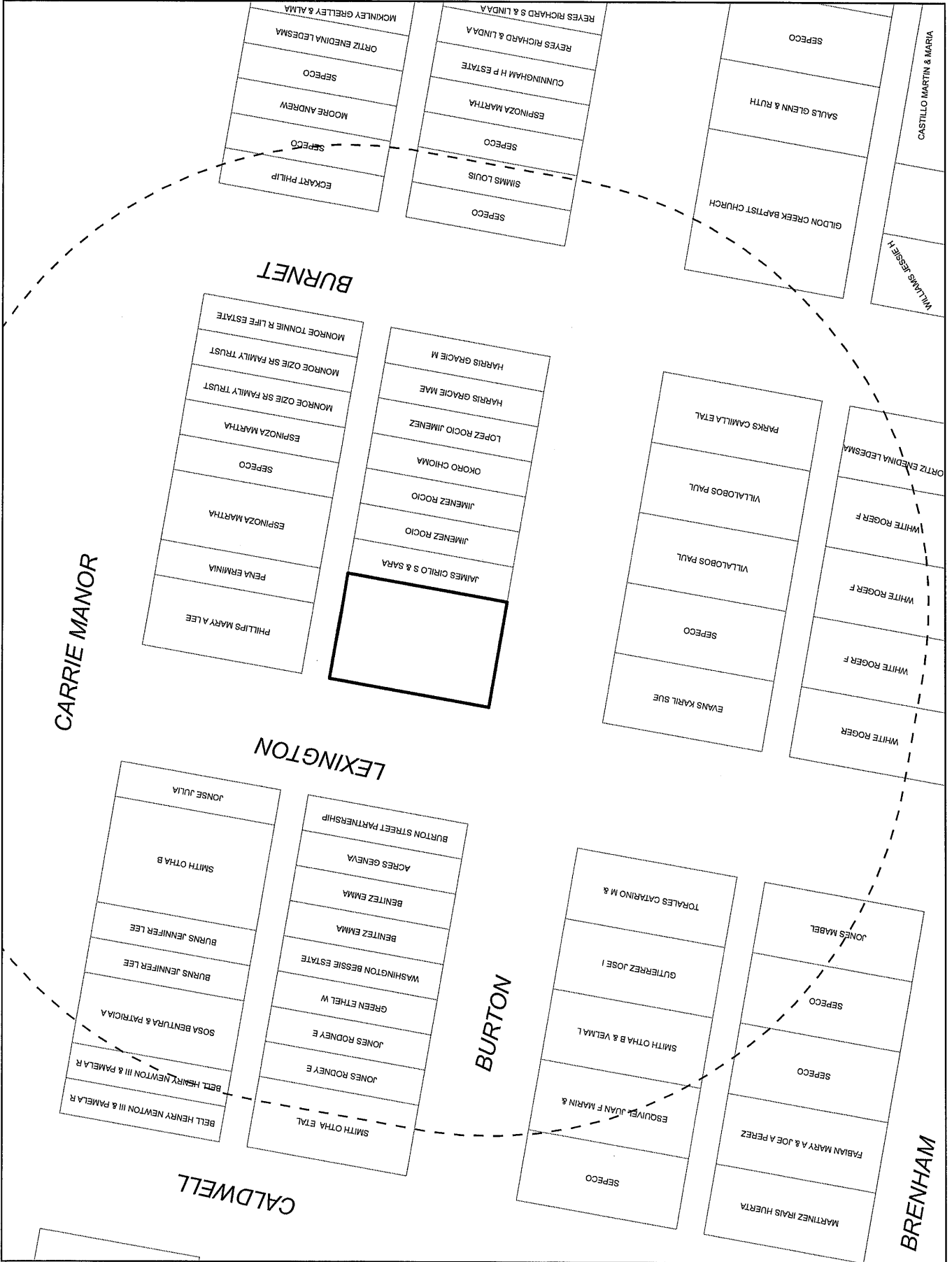
Property Legal Description: Lots 18-20 Blk 12 Town of Manor



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



101 East Burton Proposed Zoning: Downtown Business District



CITY OF
MANOR

EST. ★ 1872

TEXAS

Variance/Waiver Justification***Variance/Waiver Justification:***

NOTE: The reviewing entity must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

I won't be able to live there if it's Commercial ONLY.

Our plan since property was purchased was to live there and have our own business as well.

HARDSHIP:

2. (a) The hardship for which the zoning change or variance/waiver is requested is unique to the property in that:

- (b) The hardship is not general to the area in which the property is located because:

AREA CHARACTER:

3. The zoning change or variance/waiver will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

NOTE: The reviewing entity cannot grant a zoning change or variance/waiver that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.



February 11, 2016

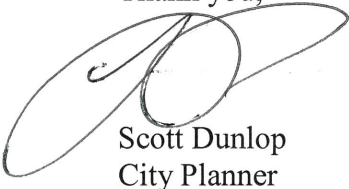
Filiberto de la Luz

RE: 101 East Burton Street rezoning application

Mr. de la Luz,

The Planning and Zoning Commission at the February 10th meeting unanimously voted to recommend rezoning 0.19 acres, lots 18-20 block 20 Town of Manor, 101 East Burton Street from light commercial (C-1) to downtown business district (DBD). The request is now scheduled to go before the City Council on February 17th, 2016 for a first reading and March 1st, 2016 for a final reading.

Thank you,



Scott Dunlop
City Planner

The Tacala Companies
A Franchisee
3750 Corporate Woods Drive
Birmingham, AL 35242
Telephone: 205 443 9627
Fax: 205 443 9727



Elizabeth J. Harkins
Direct Dial: 205-443-9625
Direct Fax: 205-443-9725
E-Mail Address: ej.harkins@tacala.com

January 29, 2016

City of Manor
105 E. Eggleston Street
Manor, Texas 78653

RE: Parking Variance Request for Shadow view Commercial Section 2, Lot1B,
Manor, Travis County, Texas.

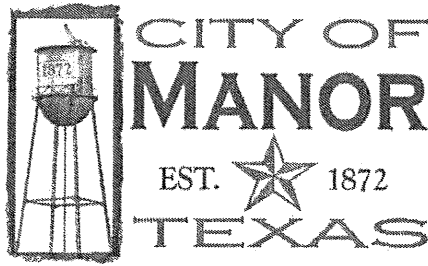
To Whom It May Concern:

Tacala Austin Corp. requests a Parking Variance for the above-referenced location. The current City Ordinance allows a maximum parking count of 26 (based on 150% on the City of Manor's calculation which is 1 space per 4 seats); however, our proposed parking count is 29, as our current plan has 66 seats. The requested parking count variance is necessary based on the parking at other stores of similar size and location.

Very truly yours,

A handwritten signature in black ink, appearing to be "Elizabeth J. Harkins", written over a horizontal line.

Elizabeth J. Harkins
Development Counsel



Variance/Waiver Justification

Variance/Waiver Justification:

NOTE: The reviewing entity must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

MAXIMUM PARKING ALLOWED BY ORDINANCE IS 150% OF 1 SPACE PER 4 SEATS. THIS ESTABLISHMENT HAS 66 SEATS. MAX = 26. WE WOULD LIKE 29 TOTAL.

HARDSHIP:

2. (a) The hardship for which the zoning change or variance/waiver is requested is unique to the property in that:

THIS RESTAURANT NEEDS AN ADDITIONAL 3 SPACES FOR ANTICIPATED MAXIMUM CLIENTEL PLUS STAFF.

- (b) The hardship is not general to the area in which the property is located because:

THIS IS IN A RUD ADJACENT TO TWO OTHER BUSINESSES.

AREA CHARACTER:

3. The zoning change or variance/waiver will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

BOTH ADJACENT PROPERTIES ARE BUSINESSES (STARBUCKS AND DELICIOUS)

NOTE: The reviewing entity cannot grant a zoning change or variance/waiver that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.