



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

## CITY COUNCIL REGULAR MEETING AGENDA

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WEDNESDAY, APRIL 5, 2017

7:00 P.M.

CITY COUNCIL CHAMBERS, 105 E. EGGLESTON ST.

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### CALL REGULAR SESSION TO ORDER

### PLEDGE OF ALLEGIANCE

### PRESENTATIONS

### PUBLIC COMMENTS

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

### CONSENT AGENDA

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

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|--|---------------------------------------|
| 1. Consideration, discussion, and possible action to approve the minutes for the March 1, 2017 City Council Regular Meeting.   | Frances Aguilar,<br>City Secretary    |
| 2. Consideration, discussion, and possible action to approve the minutes for the March 8, 2017 City Council Special Meeting.   | Frances Aguilar,<br>City Secretary    |
| 3. Consideration, discussion, and possible action to approve the minutes for the March 15, 2017 City Council Regular Meeting.  | Frances Aguilar,<br>City Secretary    |
| 4. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone the north 80 feet of Lots 11 - 15, block 30 Town of Manor, which was previously zoned Institutional (I) to Downtown Business District (DB), on September 21, 2011, locally known as 109 Burnet Street. | Scott Dunlop,<br>Planning Coordinator |
| 5. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone 149.66 acres out of the Kimbro Survey Abstract 456, Number 46, which was previously zoned Interim Residential (R-1) to Heavy Industrial (IN-2) on September 17, 2008, locally known as 13910 FM 1100.  | Scott Dunlop,<br>Planning Coordinator |



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|--|---------------------------------------|
| 6. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone Lots 11 - 15, Block 22 Town of Manor, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on September 17, 2008, locally known as 210-218 E Parsons St.                     | Scott Dunlop,<br>Planning Coordinator |
| 7. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone W 15 feet of Lot 17 and Lots 18 - 20, Block 23 Town of Manor, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on September 17, 2008, locally known as 102 E Parsons St. | Scott Dunlop,<br>Planning Coordinator |
| 8. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone Lots 17 - 19, Block 25 Town of, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on September 17, 2008 Manor, locally known as 208 W Parsons St.                         | Scott Dunlop,<br>Planning Coordinator |
| 9. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone Lots 2-3, Block 11 Town of Manor, which was previously zoned Single Family Residential (R-1) to Light Commercial (C-1) on June 21, 2006, locally known as 103-105 E Murray Ave.                              | Scott Dunlop,<br>Planning Coordinator |
| 10. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone Lot 8, Block 14 Town of Manor, which was previously zoned Single Family Residential (R-1) to Single Family Residential (R-2) on April 19, 2006, locally known as 208 E Lane Ave.                            | Scott Dunlop,<br>Planning Coordinator |
| 11. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone Lot 9 & Alley, Block 14 Town of Manor, which was previously zoned Single Family Residential (R-1) to Single Family Residential (R-2) on April 19, 2006, locally known as 210 E Lane Ave.                    | Scott Dunlop,<br>Planning Coordinator |
| 12. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone Lot 5, Block 28 Town of Manor, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on March 15, 2006, locally known as 201 W Parsons St.                                   | Scott Dunlop,<br>Planning Coordinator |
| 13. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone Lot 9, Block 26 Town of Manor, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on March 15, 2006, locally known as 308 W Parsons St.                                   | Scott Dunlop,<br>Planning Coordinator |
| 14. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone Lot 1, Block 27 Town of Manor, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on March 15, 2006, locally known as 309 W Parsons St.                                   | Scott Dunlop,<br>Planning Coordinator |

#### **PUBLIC HEARING**

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|---|---------------------------|
| 15. Conduct a public hearing regarding the creation of a Public Improvement District – EntradaGlen. | Tom Bolt,<br>City Manager |
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#### **REGULAR AGENDA**

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|--|---------------------------|
| 16. Consideration, discussion, and possible action on the creation of a Public Improvement District – EntradaGlen. | Tom Bolt,<br>City Manager |
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|---|---------------------------------------|
| 17. Consideration, discussion, and possible action on a Wheeling Agreement with Manville WCS.   | Frank T. Phelan,<br>City Engineer     |
| 18. Consideration, discussion, and possible action on a first reading of an ordinance annexing 1.68 acres of land, more or less, that is adjacent and contiguous territory to the City, locally known as 12920 Old Hwy 20.  | Scott Dunlop,<br>Planning Coordinator |
| 19. Consideration, discussion, and possible action on a first reading of an ordinance annexing 8.33 acres of land, more or less, that is adjacent and contiguous territory to the City, locally known as 12920 Old Hwy 20.  | Scott Dunlop,<br>Planning Coordinator |
| 20. Consideration, discussion, and possible action on a Special Use Permit, to allow for a temporary residence, for Lot 6, Block 48 Town of Manor, locally known as 309 North Lexington Street.   | Scott Dunlop,<br>Planning Coordinator |
| 21. Consideration, discussion, and possible action on a lease agreement for certain City-owned property, being approximately a 98.286 acre tract, to be for the purposes of grazing cattle, raising and harvesting hay, and maintenance thereof.  | Tom Bolt,<br>City Manager             |
| 22. Consideration, discussion, and possible action on an ordinance, adopting and enacting a new code of ordinances; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof not exceeding \$500 generally or exceeding \$2,000 for violations relating to fire safety, zoning or public health and sanitation; providing for the amendment of such code; and providing when such code and this ordinance shall become effective. | Tom Bolt,<br>City Manager             |
| 23. 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.  | Tom Bolt,<br>City Manager             |

## ADJOURNMENT

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

*§551.071 Consultation with Attorney*

*§551.072 Deliberations regarding Real Property*

*§551.073 Deliberations regarding Gifts and Donations*

*§551.074 Personnel Matters*

*§551.076 Deliberations regarding Security Devices*

*§551.087 Deliberations regarding Economic Development Negotiations*

## POSTING CERTIFICATION

I, hereby, certify that this notice of the Manor City Council Regular Meeting Agenda was posted on this 31<sup>st</sup> day of March, 2017 at 5:00 P.M., as required by law in accordance with Section 551.043 of the Texas Government Code.

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Frances M. Aguilar, TRMC, CMC,  
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 48-hour notice when feasible.*

*This public notice was removed from the bulletin board at the Manor City Hall on:*

\_\_\_\_\_, 2016 at \_\_\_\_\_ am/pm by \_\_\_\_\_.  
City Secretary's Office  
City of Manor, Texas





AGENDA ITEM NO. <sup>1</sup>\_\_\_\_\_

### AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Frances Aguilar

DEPARTMENT: City Secretary's Office

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**AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action to approve the minutes for the March 1, 2017 City Council Regular Meeting.

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**BACKGROUND/SUMMARY:**

PRESENTATION: ☐ YES ☒ NO

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

Minutes from March 1, 2017 City Council Regular Meeting

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**STAFF RECOMMENDATION:**

It is City staff's recommendation, that the City Council approve the minutes for the March 1, 2017 City Council Regular Meeting.

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





**CITY COUNCIL  
REGULAR MEETING MINUTES  
MARCH 1, 2017**

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A regular meeting of the Manor City Council was held on Wednesday, March 1, 2017, in the Manor City Hall City Council Chambers, located at 105 E. Eggleston Street, Manor, Texas.

**COUNCIL MEMBERS**

**PRESENT:**

Mayor, Rita Jonse  
Place 1, Gene Kruppa  
Place 2, Maria Amezcua  
Place 3, Anne Weir  
Place 4, Zindia Pierson  
Place 5, Rebecca Davies  
Place 6, Ryan Stone

**CITY STAFF**

**PRESENT:**

Thomas Bolt, City Manager  
Frances Aguilar, City Secretary

**CALL REGULAR SESSION TO ORDER**

Mayor Rita Jonse announced that a quorum was present and the meeting was called to order at 7:00 P.M.

**PLEDGE OF ALLEGIANCE**

At the request of Mayor Jonse, Ms. Debbie Tucker led the Pledge of Allegiance.

**PRESENTATIONS**

There were no presentations.

**PUBLIC COMMENTS**

There were no public comments.

**CONSENT AGENDA**

1. Consideration, discussion, and possible action to approve the minutes for the February 15, 2017 City Council Regular Meeting.

A motion to approve the minutes for the February 15, 2017 City Council Regular Meeting was made by Council Member Stone, seconded by Council Member Amezcua. The motion carried by the following vote:

Vote: 7 For – 0 Against.



2. Consideration, discussion, and possible action on a second reading of an ordinance rezoning 149 acres more or less in the Greenbury Gates Survey 63, Abstract 315 and the Calvin Baker Survey, Abstract 58, located at the SE corner of US Hwy 290 and FM 973, Manor, TX from single-family residential (R-1) to planned unit development (PUD). Agent: ALM Engineering. Owner: Greenview Development.

**A motion to approve the second reading of an ordinance rezoning 149 acres as presented with the concept plan and the preliminary plan expiring five (5) years after the filing date was made by Council Member Kruppa, seconded by Council Member Stone. The motion carried by the following vote:**

**Vote: 7 For – 0 Against.**

#### **PUBLIC HEARING**

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

**A motion to recess the public hearing regarding the creation of a Public Improvement District – EntradaGlen until March 15, 2017 was made by Council Member Pierson, seconded by Council Member Amezcua. The motion carried by the following vote:**

**Vote: 7 For – 0 Against**

#### **REGULAR AGENDA**

4. Consideration, discussion, and possible action on the creation of the EntradaGlen Public Improvement District.

**A motion to postpone the creation of the EntradaGlen Public Improvement District until March 15, 2017 was made by Council Member Pierson, seconded by Council Member Amezcua. The motion carried by the following vote:**

**Vote: 7 For – 0 Against**

#### **EXECUTIVE SESSION**

**The City Council convened into Executive Session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in at 7:02 P.M.:**

*Section 551.074 Personnel Matter – City Manager evaluation*

*Section 551.074 Personnel Matter – City Manager contract*

#### **OPEN SESSION**

**The City Council reconvened into Open Session pursuant to the provisions of Chapter 551 Texas Government Code and to act on item(s) discussed during Closed Executive Session at 8:00 P.M.**

5. Take action as deemed appropriate in the City Council's discretion regarding the City Manager evaluation.

**There was no action taken on the agenda item.**



6. Take action as deemed appropriate in the City Council's discretion regarding the City Manager contract.

**A motion to approve an increase in the City Manager's base annual salary to \$138,000 and to authorize the City Attorney to execute a new contract starting March 16, 2017 was made by Council Member Kruppa. Seconded by Council Member Amezcua. The motion carried by the following vote:**

**Vote 7 For – 0 Against.**

#### **ADJOURNMENT**

**A motion to Adjourn made by Council Member Weir. Seconded by Council Member Pierson. The motion carried by the following vote:**

**Vote 7 For – 0 Against.**

**Meeting was adjourned at 8:04 P.M.**

#### **APPROVE:**

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Rita G. Jonse  
Mayor

#### **ATTEST:**

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Frances M. Aguilar, TRMC, CMC  
City Secretary





AGENDA ITEM NO. <sup>2</sup>\_\_\_\_\_

### AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Frances Aguilar

DEPARTMENT: City Secretary's Office

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**AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action to approve the minutes for the March 8, 2017 City Council Special Meeting.

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**BACKGROUND/SUMMARY:**

PRESENTATION: ☐ YES ☒ NO

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

Minutes from March 8, 2017 City Council Special Meeting

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**STAFF RECOMMENDATION:**

It is City staff's recommendation, that the City Council approve the minutes for the March 8, 2017 City Council Regular Meeting.

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





**CITY COUNCIL  
SPECIAL MEETING MINUTES  
MARCH 8, 2017**

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A Special Meeting of the Manor City Council was held on Wednesday, March 8, 2017, in the Manor City Hall City Council Chambers, located at 105 E. Eggleston Street, Manor, Texas.

**COUNCIL MEMBERS**

**PRESENT:**

Mayor, Rita Jonse  
Place 2, Maria Amezcua  
Place 3, Anne Weir  
Place 4, Zindia Pierson  
Place 5, Rebecca Davies  
Place 6, Ryan Stone

**ABSENT:**

Place 1, Gene Kruppa

**CITY STAFF**

**PRESENT:**

Scott Dunlop, Planning Coordinator

**CALL REGULAR SESSION TO ORDER**

Mayor Rita Jonse announced that a quorum was present and the meeting was called to order at 7:00 P.M.

**PLEDGE OF ALLEGIANCE**

At the request of Mayor Jonse, Mr. Gabriel Nila led the Pledge of Allegiance.

**PRESENTATIONS**

There were no presentations.

**PUBLIC COMMENTS**

There were no public comments.

**PUBLIC HEARING**

1. Conduct the first public hearing regarding the annexation of property being approximately 1.68 acres of land, located at 12920 Old Hwy 20.

Mr. Mark Thoman spoke in opposition of the annexation. He asked what criteria is used to decide if the annexation is a benefit to the neighbors. He also asked how the annexation will affect the zoning. Mr. Scott Dunlop explained the City will benefit from the annexation, by the potential sales and property tax collection and will also be able to regulate the land use.



2. Conduct the first public hearing regarding the annexation of property being approximately 8.33 acres of land, located at 12920 Old Hwy 20.

**Mr. Mark Thoman voiced concern over the petroleum easement, that crosses the entire length of the property and the potential harm to the neighborhood. Mr. Scott Dunlop stated that a pipeline lies with in the 30-foot easement and crosses several neighborhoods. Mr. Dunlop further stated any development of the property would have to abide by city, state, federal laws.**

#### **REGULAR AGENDA**

3. Consideration, discussion, and possible action on a first reading of a draft municipal service plan for the annexation of property being approximately 1.68 acres of land, located at 12920 Old Hwy 20.

**A motion to approve a first reading of a draft municipal service plan for the annexation of property being approximately 1.68 acres of land, located at 12920 Old Hwy 20 was made by Council Member Pierson, seconded by Council Member Amezcua. The motion carried by the following vote:**

**Vote: 6 For – 0 Against**

4. Consideration, discussion, and possible action on a first reading of a draft municipal service plan for the annexation of property being approximately 8.33 acres of land, located at 12920 Old Hwy 20.

**A motion to approve a first reading of a draft municipal service plan for the annexation of property being approximately 8.33 acres of land, located at 12920 Old Hwy 20 was made by Council Member Pierson, seconded by Council Member Amezcua. The motion carried by the following vote:**

**Vote: 6 For – 0 Against**

#### **ADJOURNMENT**

**A motion to Adjourn made by Council Member Stone. Seconded by Council Member Pierson. The motion carried by the following vote:**

**Vote 6 For – 0 Against.**

**Meeting was adjourned at 7:16 P.M.**

#### **APPROVE:**

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Rita G. Jonse  
Mayor

#### **ATTEST:**

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Frances M. Aguilar, TRMC, CMC  
City Secretary









AGENDA ITEM NO. <sup>3</sup>\_\_\_\_\_

### AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Frances Aguilar

DEPARTMENT: City Secretary's Office

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**AGENDA ITEM DESCRIPTION:**

Consideration, discussion, and possible action to approve the minutes for the March 15, 2017 City Council Regular Meeting.

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**BACKGROUND/SUMMARY:**

PRESENTATION: ☐ YES ☒ NO

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

Minutes from March 15, 2017 City Council Regular Meeting

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**STAFF RECOMMENDATION:**

It is City staff's recommendation, that the City Council approve the minutes for the March 15, 2017 City Council Regular Meeting.

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





**CITY COUNCIL  
REGULAR MEETING MINUTES  
MARCH 15, 2017**

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A regular meeting of the Manor City Council was held on Wednesday, March 15, 2017, in the Manor City Hall City Council Chambers, located at 105 E. Eggleston Street, Manor, Texas.

**COUNCIL MEMBERS**

**PRESENT:**

Mayor, Rita Jonse  
Place 1, Gene Kruppa  
Place 2, Maria Amezcua  
Place 3, Anne Weir  
Place 4, Zindia Pierson  
Place 5, Rebecca Davies  
Place 6, Ryan Stone

**CITY STAFF**

**PRESENT:**

Thomas Bolt, City Manager  
Frances Aguilar, City Secretary

**CALL REGULAR SESSION TO ORDER**

Mayor Rita Jonse announced that a quorum was present and the meeting was called to order at 7:00 P.M.

**PLEDGE OF ALLEGIANCE**

At the request of Mayor Jonse, Mr. Mike Tuley led the Pledge of Allegiance.

**PRESENTATIONS**

There were no presentations.

**PUBLIC COMMENTS**

Ms. Vicki McFarland invited Council to the ribbon cutting for Apple Express Texaco.

**CONSENT AGENDA**

1. Consideration, discussion, and possible action to approve the minutes for the February 1, 2017 City Council Regular Meeting.

**This agenda item was pulled from the agenda.**

2. Consideration, discussion, and possible action to approve the minutes for the February 8, 2017 City Council Special Meeting.

**This agenda item was pulled from the agenda.**



3. Consideration, discussion, and possible action on acceptance of the February, 2017 Departmental Reports:

- Development Services
- Police
- Municipal Court
- Public Works

**A motion to accept the February, 2017 Departmental Reports and Financial Report was made by Council Member Weir, seconded by Council Member Amezcua. The motion carried by the following vote:**

**Vote: 7 For – 0 Against.**

4. Consideration, discussion, and possible action on acceptance of the unaudited February, 2017 Monthly Financial Report.

**This item was approved under Agenda Item 3.**

#### **PUBLIC HEARING**

5. Conduct the second public hearing regarding the annexation of property being approximately 1.68 acres of land, located at 12920 Old Hwy 20.

**Mayor Jonse opened the public hearing. There being no testimony, the public hearing was closed.**

6. Conduct the second public hearing regarding the annexation of property being approximately 8.33 acres of land, located at 12920 Old Hwy 20.

**Mayor Jonse opened the public hearing. There being no testimony, the public hearing was closed.**

**Vote: 7 For – 0 Against**

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

**A motion to recess the public hearing regarding the creation of a Public Improvement District – EntradaGlen until April 5, 2017 was made by Council Member Davies, seconded by Council Member Kruppa. The motion carried by the following vote:**

**Vote: 7 For – 0 Against**

#### **REGULAR AGENDA**

8. Consideration, discussion, and possible action on the creation of the EntradaGlen Public Improvement District.

**A motion to postpone the creation of the EntradaGlen Public Improvement District until April 5, 2017 was made by Council Member Davies, seconded by Council Member Pierson. The motion carried by the following vote:**

**Vote: 7 For – 0 Against**



9. Consideration, discussion, and possible action on a second reading of a draft municipal service plan for the annexation of property being approximately 1.68 acres of land, located at 12920 Old Hwy 20.

**A motion to approve the second reading of the municipal service plan as presented was made by Council Member Kruppa, seconded by Council Member Weir. The motion carried by the following vote:**

**Vote: 7 For – 0 Against**

10. Consideration, discussion, and possible action on a second reading of a draft municipal service plan for the annexation of property being approximately 8.33 acres of land, located at 12920 Old Hwy 20.

**A motion to approve the second reading of the municipal service plan as presented was made by Council Member Pierson, seconded by Council Member Stone. The motion carried by the following vote:**

**Vote: 7 For – 0 Against**

11. Consideration, discussion, and possible action on a first reading of an ordinance rezoning 1.68 acres out of the Greenbury Gates Survey Number 63, Abstract 315 and Calvin Barker Survey 38, Abstract 58, Travis County, located at 12920 Old Hwy 20 from Interim Agricultural (A) to Light Commercial (C-1).

**A motion to postpone the first reading of an ordinance, as presented, and have the Planning & Zoning Commission review the item at their next meeting was made by Council Member Kruppa, seconded by Council Member Amezcua. The motion carried by the following vote:**

**Vote: 7 For – 0 Against**

12. Consideration, discussion, and possible action to approve a disbursement of Hotel Occupancy Tax Funds for the creation of public art to be displayed at 200 E. Parsons Street, locally known as the site of Thermal Mechanical Company.

**A motion to approve the disbursement of Hotel Occupancy Tax Funds, in the amount of \$698.91, for the creation of public art to be displayed at 200 E. Parsons Street, locally known as the site of Thermal Mechanical Company was made by Council Member Davies, seconded by Council Member Weir. The motion carried by the following vote:**

**Vote: 7 For – 0 Against**

13. Consideration, discussion, and possible action to approve a contract with Government Capital, for the financing of police vehicles and authorize the City Manager to sign the contract and other documents related to this transaction.

**A motion to approve a contract with Government Capital, for the financing of police vehicles and authorize the City Manager to sign the contract and other documents related to this transaction was made by Council Member Davies, seconded by Council Member Weir. The motion carried by the following vote:**

**Vote: 7 For – 0 Against**



**ADJOURNMENT**

A motion to Adjourn made by Council Member Pierson. Seconded by Council Member Amezcua. The motion carried by the following vote:

Vote 7 For – 0 Against.

Meeting was adjourned at 8:04 P.M.

**APPROVE:**

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Rita G. Jonse  
Mayor

**ATTEST:**

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Frances M. Aguilar, TRMC, CMC  
City Secretary









## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

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### AGENDA ITEM DESCRIPTION:

4. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone the north 80 feet of Lots 11 - 15, block 30 Town of Manor, which was previously zoned Institutional (I) to Downtown Business District (DB), on September 21, 2011, locally known as 109 Burnet Street.

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### BACKGROUND/SUMMARY:

While doing zoning verification, it was found some properties in the downtown area had been approved to be rezoned but an Ordinance was never created/signed so the maps were never updated. This Ordinance allows for the current Council to certify and create a retroactive Ordinance for a past Council's actions.

PRESENTATION: ☐YES ☐NO

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

Ordinance

Council minutes with rezoning approval

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### STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council approve an ordinance amending the Zoning Ordinance to rezone the north 80 feet of Lots 11 - 15, block 30 Town of Manor, which was previously zoned Institutional (I) to Downtown Business District (DB), on September 21, 2011, locally known as 109 Burnet Street.

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



## **ORDINANCE NO. 460**

### **AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE TO REZONE NORTH 80FT OF LOTS 11-15, BLOCK 30 TOWN OF MANOR WHICH WAS PREVIOUSLY ZONED INSTITUTIONAL (I) TO DOWNTOWN BUSINESS (DB); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the records of the City of Manor, Texas (the “City”) reflect that the owners of the property, described hereinafter (the “Property”), requested that the Property be rezoned from Institutional (I) to Downtown Business (DB);

**WHEREAS**, City records further reflect that after giving ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed zoning and forwarded its recommendation on the rezoning to the City Council;

**WHEREAS**, City records further reflect that after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing reviewed the request and the circumstances of the Property and found that the proposed zoning is consistent with the comprehensive plan of the City;

**WHEREAS**, the approved minutes for the City Council meeting held on September 21, 2011 show that the City Council approved the proposed rezoning of the Property on September 21, 2011; and

**WHEREAS**, this ordinance is being approved to further document the rezoning approval and to cause the zoning maps to be revised accordingly;

**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 Zoning Code of the City of Manor (the “Zoning Ordinance” or Code”), is hereby modified and amended by rezoning the Property as set forth in Section 3 of this Ordinance.

**SECTION 3. Rezoned Property.** The City Council confirms ratifies and approves the action taken by the City Council on September 21, 2011 to declare that the Zoning Ordinance was and is hereby amended by changing the zoning district for the following parcel of land:

All that certain parcel of land being 0.23 acres, more or less, North 80ft of Lots 11-15, Block 30 Town of Manor, Travis County, Texas, filed as Document No. 2010076820 in the official public records of Travis County, as more particularly described in Exhibit “A”, being rezoned from the zoning district Institutional to zoning district Downtown Business.

**SECTION 4. Zoning Map.** The City Engineer is hereby authorized and directed to update the City’s official zoning map as necessary to reflect the zoning districts for the properties set forth in this ordinance.



**SECTION 5. Open Meetings.** That it is hereby officially found and determined that the meeting at which this Ordinance is passed and 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, Tex. Gov't Code*.

**THE ACTIONS TAKEN BY THE CITY COUNCIL DESCRIBED IN SECTION 3 WERE PASSED AND APPROVED** on the 21st day of September, 2011.

**THIS ORDINANCE WAS ADOPTED, APPROVED, AND SIGNED** on the 5th day of April, 2017.

**THE CITY OF MANOR, TEXAS**

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Rita G. Jonse,  
Mayor

**ATTEST:**

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Frances Aguilar, TRMC, CMC  
City Secretary



**EXHIBIT “A”**

109 N. Burnet Street, Manor, TX 78653

North 80ft of Lots 11-15, Block 30 Town of Manor, Travis County, Texas





**MINUTES  
MANOR CITY COUNCIL  
SEPTEMBER 21, 2011 7:00 P.M.**

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**Council Members Attending:**

Mayor, Jeff Turner  
Place 1, Jim Hooker  
Place 2, Gil Burrell  
Place 3, Rita Jonse  
Place 4, Danny Scarbrough  
Place 5, Rebecca Davies  
Place 6, Stacia Forsythe

**City Staff Attending:**

Phil Tate, City Manager  
Tom Bolt, Director Development Svc

***Call to order and announce a quorum is present.***

The meeting was called to order by Mayor Turner at 7:00 p.m. with the Mayor and all members of the council present.

***Pledge of Allegiance***

***Visitor and Citizens Forum***

*Danny Burnett spoke on the CAMPO approval of the US 290 road projects grant.*

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***Consent Agenda***

1. Minutes of the meeting of:
  - August 3, 2011 meeting
  - August 17, 2011 meeting
2. Department Reports
3. Financial Report

A motion was made by Council Member Burrell and seconded by Council Member Forsythe to approve the Consent Agenda. The motion carried unanimously.

***REGULAR AGENDA***

4. Consider and act to rezone the north 80 feet of Lots 11-15, Block 30, Town of Manor, locally know as 109 Burnet St. (former Post Office) from Institutional (I) district zoning to Downtown Business (DB) district zoning. Owner: Bobby & Sheldon Gosey LLC.



A motion was made by Council Member Burrell and seconded by Council Member Hooker to approve the rezoning. The motion carried unanimously.

5. Consider and act on revised ShadowGlen Development Agreement.

Council Member Forsythe moved to approve this agreement and authorize the Mayor to execute the same, subject to final review and agreed revision of variance #11. The motion was seconded by Council Member Burrell and was approved unanimously.

6. Report by George Russell.

George Russell gave a verbal report on his findings and recommendations related to both the city government as well as several city wide issues. No action was taken.

7. Consider and act to ratify the portion of the 2011-2012 budget that reflects an increase in property tax revenues as compared to last year's budget.

Council Member Forsythe moved to ratify the portion of the fiscal year 2011/2012 budget reflecting that more revenues from property taxes will be raised as compared to last year's budget. The motion was seconded by Council Member Hooker and carried unanimously.

8. Consider and act upon an ordinance adopting a budget for fiscal year 2011-2012.

Council Member Forsythe moved to adopt the proposed budget ordinance for Fiscal Year 2011-2012. Council Member Davies seconded the motion and it was approved unanimously.

9. Consider and act upon an ordinance levying ad valorem taxes for the use and support of the municipal government for the fiscal year beginning October 1, 2011 and terminating September 30, 2012.

Council Member Jonse made a motion to adopt the ordinance setting the Ad Valorem Tax rates for Fiscal year 2011-2012. The motion carried unanimously.

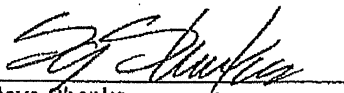
10. Discuss IT position.

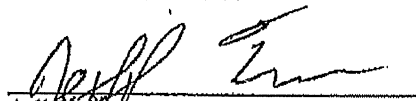
11. Discuss city computer system.

The city manager and council discussed the city's general information technology, computer systems and servers. No action was taken.

12. Adjourn.

ATTEST:

  
Steve Shanks  
City Secretary

  
Jeff Turner  
Mayor





AGENDA ITEM NO. <sup>5</sup>\_\_\_\_\_

## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

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### AGENDA ITEM DESCRIPTION:

5. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone 149.66 acres out of the Kimbro Survey Abstract 456, Number 46, which was previously zoned Interim Residential (R-1) to Heavy Industrial (IN-2) on September 17, 2008, locally known as 13910 FM 1100.

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### BACKGROUND/SUMMARY:

While doing zoning verification, it was found some properties in the downtown area had been approved to be rezoned but an Ordinance was never created/signed so the maps were never updated. This Ordinance allows for the current Council to certify and create a retroactive Ordinance for a past Council's actions.

PRESENTATION: ☐YES ☐NO

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

Ordinance

Council minutes with rezoning approval

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### STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council approve an ordinance amending the Zoning Ordinance to rezone 149.66 acres out of the Kimbro Survey Abstract 456, Number 46, which was previously zoned Interim Residential (R-1) to Heavy Industrial (IN-2) on September 17, 2008, locally known as 13910 FM 1100.

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



## **ORDINANCE NO. 461**

**AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE TO REZONE 149.66 ACRES OUT OF THE KIMRO SURVEY ABSTRACT 456, NUMBER 46 WHICH WAS PREVIOUSLY ZONED INTERIM SINGLE FAMILY (R-1) TO HEAVY INDUSTRIAL (IN-2); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the records of the City of Manor, Texas (the "City") reflect that the owners of the property, described hereinafter (the "Property"), requested that the Property be rezoned from Interim Single Family (R-1) to Heavy Industrial (IN-2);

**WHEREAS**, City records further reflect that after giving ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed zoning and forwarded its recommendation on the rezoning to the City Council;

**WHEREAS**, City records further reflect that after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing reviewed the request and the circumstances of the Property and found that the proposed zoning is consistent with the comprehensive plan of the City;

**WHEREAS**, the approved minutes for the City Council meeting held on September 17, 2008 show that the City Council approved the proposed rezoning of the Property on September 17, 2008; and

**WHEREAS**, this ordinance is being approved to further document the rezoning approval and to cause the zoning maps to be revised accordingly;

**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 Zoning Code of the City of Manor (the "Zoning Ordinance" or Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3 of this Ordinance.

**SECTION 3. Rezoned Property.** The City Council confirms ratifies and approves the action taken by the City Council on September 17, 2008 to declare that the Zoning Ordinance was and is hereby amended by changing the zoning district for the following parcel of land:

All that certain parcel of land being 114.87 acres, more or less, Kimbro L Survey Abstract 456, Number 64, Travis County, Texas, filed as Document No. 2003150661 in the official public records of Travis County, as more particularly described in Exhibit "A", being rezoned from the zoning district Interim Single Family (R-1) to zoning district Heavy Industrial (IN-2).



All that certain parcel of land being 34.83 acres, more or less, Kimbro L Survey Abstract 456, Number 64, Travis County, Texas, filed as Document No. 2003150661 in the official public records of Travis County, as more particularly described in Exhibit "A", being rezoned from the zoning district Interim Single Family (R-1) to zoning district Heavy Industrial (IN-2).

**SECTION 4. Zoning Map.** The City Engineer is hereby authorized and directed to update the City's official zoning map as necessary to reflect the zoning districts for the properties set forth in this ordinance.

**SECTION 5. Open Meetings.** That it is hereby officially found and determined that the meeting at which this Ordinance is passed and 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, Tex. Gov't Code*.

**THE ACTIONS TAKEN BY THE CITY COUNCIL DESCRIBED IN SECTION 3 WERE PASSED AND APPROVED** on the 17th day of September, 2008.

**THIS ORDINANCE WAS ADOPTED, APPROVED, AND SIGNED** on the 5th day of April, 2017.

**THE CITY OF MANOR, TEXAS**

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

**ATTEST:**

\_\_\_\_\_  
Frances Aguilar, TRMC, CMC  
City Secretary



**EXHIBIT “A”**

13910 FM 1100 Rd. Manor, TX 78653

All that certain parcel of land being 114.87 acres, more or less, Kimbro L Survey Abstract 456, Number 64, Travis County, Texas, filed as Document No. 2003150661 in the official public records of Travis County

All that certain parcel of land being 34.83 acres, more or less, Kimbro L Survey Abstract 456, Number 64, Travis County, Texas, filed as Document No. 2003150661 in the official public records of Travis County





**MINUTES  
CITY COUNCIL MEETING  
201 E. PARSONS STREET  
MANOR, TEXAS 78653  
SEPTEMBER 17, 2008 at 7:00 P.M.**

---

**Council members Attending**

Joe Sanchez, *Mayor*  
Ben Boatright, *Mayor Pro-Tem*  
Stacia Forsythe  
Sharon Snowden  
Jamie Jatzlau  
Steve Shanks

**Council Members Absent**

Shelli Egger

**City Staff Present**

Phil Tate, City Manager  
Dustin Haisler, City Secretary

Call to order and announce a quorum is present.

Mayor Sanchez called the meeting to order at 7:00 p.m. and announced a quorum present.

Pledge to the Flag.

**VISITORS/CITIZENS FORUM:**

*At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. Please sign the speaker sign-in sheet if you wish to address the Council.*

*No response may be made or action taken by the Council on these items at this meeting.*

**No citizens signed up to address the Council.**

<b>CONSENT AGENDA</b>
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1. Minutes
2. Financial Reports
3. Departmental Reports



4. Discussion and possible action on a request to approve a Preliminary Plan for New Sweden Estates, located a 160.9 acre tract of land located at or near 12411 Jacobson Rd. Owner: 12411 Jacobson Rd. LP. Staff: Thomas Bolt
5. Discussion and possible action on a request for a Conditional Use Permit to sell Alcoholic Beverages at the Vallarta Mexican Restaurant located at 11007 US HWY 290 E. Tenant: Luis Vasquez. Staff: Thomas Bolt
6. Discussion and possible action on a request to rezone from Interim Single Family Residential – 1 (R-1) district zoning to Heavy Industrial ((IN-2) district zoning for approximately 149.66 acres located on the west side of FM 1100 at Abrahamson Rd. Owner: Tiffany Brick Co. Staff: Thomas Bolt

**Motion by Councilmember Jatzlau, seconded by Councilmember Forsythe, to consent to agenda items 1, 2, 3, 5, 6 and to postpone agenda item number 4 to the October 15, 2008 meeting. Motion passes unanimously 5-0.**

7. Discussion and possible action of a request to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots 11, 12, 13, 14 & 15 Block 22, Town of Manor. Locally known as 210-216 E. Parsons St. Owner: Dusty Farrell. Staff: Thomas Bolt

**Motion by Councilmember Shanks , seconded by Councilmember Boatright, to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots 11, 12, 13, 14 & 15 Block 22, Town of Manor. Locally known as 210-216 E. Parsons St. Motion passes unanimously 5-0.**

8. Discussion and possible action of a request to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots, West 15 ft of Lot 17, Lot 18, 19 & 20, Block 23, Town of Manor. Locally known as 102 Parsons St. Owner: Manor Grocery. Staff: Thomas Bolt

**Motion by Councilmember Forsythe, seconded by Councilmember Jatzlau, to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots, West 15 ft of Lot 17, Lot 18, 19 & 20, Block 23, Town of Manor. Locally known as 102 Parsons St. Owner: Manor Grocery. Staff: Thomas Bolt. Motion passes unanimously 5-0.**

9. Discussion and possible action of a request to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots 17, 18 & 19, Block 24, Town of Manor. Locally known as 208 W. Parsons St. Owner: Mary Lopez. Staff: Thomas Bolt

**Motion by Councilmember Boatright, seconded by Councilmember Shanks, to approve the rezoning from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots 17, 18 & 19, Block 24, Town of Manor. Locally known as 208 W. Parsons St. Motion passes unanimously 5-0.**



## REGULAR AGENDA

10. Discuss and consider an ordinance setting the tax rate for the 2008-2009 fiscal year.

**Motion by Councilmember Forsythe, seconded by Councilmember Shanks, to approve Ordinance #355 for setting the tax rate for the 2008-2009 fiscal year. Motion passes unanimously 5-0.**

11. Discuss alternative water supply proposals.

**City Engineer, Frank Phelan, gave a presentation regarding water supply alternatives for the City of Manor. No action was taken by Council.**

12. Discuss and consider a proposal of SOS Companies for use of the City of Manor's wastewater treatment plant.

**No action was taken by Council.**

## STAFF REPORTS

13. City Engineer's Report

**City Engineer, Frank Phelan, presented an update on numerous city projects. No action was taken by Council.**

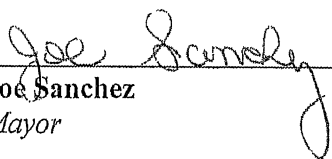
14. City Manager's Report

**City Manager, Phil Tate, updated the Council on current city projects. No action was taken by Council.**

15. Adjourn

**Motion by Councilmember Jatzlau, seconded by Councilmember Shanks, to adjourn the meeting at 7:37 p. m.. Motion passes unanimously 5-0**

**These minutes were approved on December 2, 2009.**

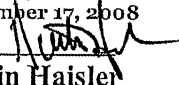
  
**Joe Sanchez**  
Mayor

ATTEST:



Minutes  
Manor City Council  
September 17, 2008

Page 4

  
**Dustin Haisler**  
*City Secretary*





## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

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### AGENDA ITEM DESCRIPTION:

6. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone Lots 11 - 15, Block 22 Town of Manor, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on September 17, 2008, locally known as 210-218 E Parsons St.

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### BACKGROUND/SUMMARY:

While doing zoning verification, it was found some properties in the downtown area had been approved to be rezoned but an Ordinance was never created/signed so the maps were never updated. This Ordinance allows for the current Council to certify and create a retroactive Ordinance for a past Council's actions.

PRESENTATION: ☐YES ☐NO

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

Ordinance

Council minutes with rezoning approval

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### STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council approve an ordinance amending the Zoning Ordinance to rezone Lots 11 - 15, Block 22 Town of Manor, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on September 17, 2008, locally known as 210-218 E Parsons St.

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



## **ORDINANCE NO. 462**

### **AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE TO REZONE LOTS 11-15, BLOCK 22 TOWN OF MANOR WHICH WAS PREVIOUSLY ZONED LIGHT COMMERCIAL (C-1) TO DOWNTOWN BUSINESS (DB); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the records of the City of Manor, Texas (the “City”) reflect that the owners of the property, described hereinafter (the “Property”), requested that the Property be rezoned from Light Commercial (C-1) to Downtown Business (DB);

**WHEREAS**, City records further reflect that after giving ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed zoning and forwarded its recommendation on the rezoning to the City Council;

**WHEREAS**, City records further reflect that after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing reviewed the request and the circumstances of the Property and found that the proposed zoning is consistent with the comprehensive plan of the City;

**WHEREAS**, the approved minutes for the City Council meeting held on September 17, 2008 show that the City Council approved the proposed rezoning of the Property on September 17, 2008; and

**WHEREAS**, this ordinance is being approved to further document the rezoning approval and to cause the zoning maps to be revised accordingly;

**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 Zoning Code of the City of Manor (the “Zoning Ordinance” or Code”), is hereby modified and amended by rezoning the Property as set forth in Section 3 of this Ordinance.

**SECTION 3. Rezoned Property.** The City Council confirms ratifies and approves the action taken by the City Council on September 17, 2008 to declare that the Zoning Ordinance was and is hereby amended by changing the zoning district for the following parcel of land:

All that certain parcel of land being 0.29 acres, more or less, Lot 11 – 15, Block 22 Town of Manor, Travis County, Texas, filed as Document No. 2015028591 in the official public records of Travis County, as more particularly described in Exhibit “A”, being rezoned from the zoning district Light Commercial (C-1) to zoning district Downtown Business (DB).

**SECTION 4. Zoning Map.** The City Engineer is hereby authorized and directed to update the City’s official zoning map as necessary to reflect the zoning districts for the properties set forth in this ordinance.



**SECTION 5. Open Meetings.** That it is hereby officially found and determined that the meeting at which this Ordinance is passed and 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, Tex. Gov't Code*.

**THE ACTIONS TAKEN BY THE CITY COUNCIL DESCRIBED IN SECTION 3 WERE PASSED AND APPROVED** on the 17th day of September, 2008.

**THIS ORDINANCE WAS ADOPTED, APPROVED, AND SIGNED** on the 5th day of April, 2017.

**THE CITY OF MANOR, TEXAS**

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Rita G. Jonse,  
Mayor

**ATTEST:**

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Frances Aguilar, TRMC, CMC  
City Secretary



**EXHIBIT “A”**

210 – 218 E Parsons Street, Manor, TX 78653

All that certain parcel of land being 0.29 acres, more or less, Lot 11 – 15, Block 22 Town of Manor,  
Travis County, Texas, filed as Document No. 2015028591 in the official public records of Travis  
County





**MINUTES  
CITY COUNCIL MEETING  
201 E. PARSONS STREET  
MANOR, TEXAS 78653  
SEPTEMBER 17, 2008 at 7:00 P.M.**

---

**Council members Attending**

Joe Sanchez, *Mayor*  
Ben Boatright, *Mayor Pro-Tem*  
Stacia Forsythe  
Sharon Snowden  
Jamie Jatzlau  
Steve Shanks

**Council Members Absent**

Shelli Egger

**City Staff Present**

Phil Tate, City Manager  
Dustin Haisler, City Secretary

Call to order and announce a quorum is present.

Mayor Sanchez called the meeting to order at 7:00 p.m. and announced a quorum present.

Pledge to the Flag.

**VISITORS/CITIZENS FORUM:**

*At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. Please sign the speaker sign-in sheet if you wish to address the Council.*

*No response may be made or action taken by the Council on these items at this meeting.*

**No citizens signed up to address the Council.**

<b>CONSENT AGENDA</b>
-----------------------

1. Minutes
2. Financial Reports
3. Departmental Reports



4. Discussion and possible action on a request to approve a Preliminary Plan for New Sweden Estates, located a 160.9 acre tract of land located at or near 12411 Jacobson Rd. Owner: 12411 Jacobson Rd. LP. Staff: Thomas Bolt
5. Discussion and possible action on a request for a Conditional Use Permit to sell Alcoholic Beverages at the Vallarta Mexican Restaurant located at 11007 US HWY 290 E. Tenant: Luis Vasquez. Staff: Thomas Bolt
6. Discussion and possible action on a request to rezone from Interim Single Family Residential – 1 (R-1) district zoning to Heavy Industrial ((IN-2) district zoning for approximately 149.66 acres located on the west side of FM 1100 at Abrahamson Rd. Owner: Tiffany Brick Co. Staff: Thomas Bolt

**Motion by Councilmember Jatzlau, seconded by Councilmember Forsythe, to consent to agenda items 1, 2, 3, 5, 6 and to postpone agenda item number 4 to the October 15, 2008 meeting. Motion passes unanimously 5-0.**

7. Discussion and possible action of a request to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots 11, 12, 13, 14 & 15 Block 22, Town of Manor. Locally known as 210-216 E. Parsons St. Owner: Dusty Farrell. Staff: Thomas Bolt

**Motion by Councilmember Shanks , seconded by Councilmember Boatright, to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots 11, 12, 13, 14 & 15 Block 22, Town of Manor. Locally known as 210-216 E. Parsons St. Motion passes unanimously 5-0.**

8. Discussion and possible action of a request to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots, West 15 ft of Lot 17, Lot 18, 19 & 20, Block 23, Town of Manor. Locally known as 102 Parsons St. Owner: Manor Grocery. Staff: Thomas Bolt

**Motion by Councilmember Forsythe, seconded by Councilmember Jatzlau, to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots, West 15 ft of Lot 17, Lot 18, 19 & 20, Block 23, Town of Manor. Locally known as 102 Parsons St. Owner: Manor Grocery. Staff: Thomas Bolt. Motion passes unanimously 5-0.**

9. Discussion and possible action of a request to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots 17, 18 & 19, Block 24, Town of Manor. Locally known as 208 W. Parsons St. Owner: Mary Lopez. Staff: Thomas Bolt

**Motion by Councilmember Boatright, seconded by Councilmember Shanks, to approve the rezoning from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots 17, 18 & 19, Block 24, Town of Manor. Locally known as 208 W. Parsons St. Motion passes unanimously 5-0.**



## REGULAR AGENDA

10. Discuss and consider an ordinance setting the tax rate for the 2008-2009 fiscal year.

**Motion by Councilmember Forsythe, seconded by Councilmember Shanks, to approve Ordinance #355 for setting the tax rate for the 2008-2009 fiscal year. Motion passes unanimously 5-0.**

11. Discuss alternative water supply proposals.

**City Engineer, Frank Phelan, gave a presentation regarding water supply alternatives for the City of Manor. No action was taken by Council.**

12. Discuss and consider a proposal of SOS Companies for use of the City of Manor's wastewater treatment plant.

**No action was taken by Council.**

## STAFF REPORTS

13. City Engineer's Report

**City Engineer, Frank Phelan, presented an update on numerous city projects. No action was taken by Council.**

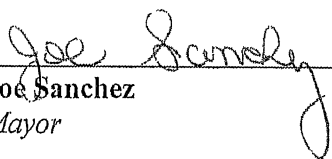
14. City Manager's Report

**City Manager, Phil Tate, updated the Council on current city projects. No action was taken by Council.**

15. Adjourn

**Motion by Councilmember Jatzlau, seconded by Councilmember Shanks, to adjourn the meeting at 7:37 p. m.. Motion passes unanimously 5-0**

**These minutes were approved on December 2, 2009.**

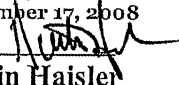
  
**Joe Sanchez**  
Mayor

ATTEST:



Minutes  
Manor City Council  
September 17, 2008

Page 4

  
Dustin Haisler  
*City Secretary*





AGENDA ITEM NO. 7

## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

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### AGENDA ITEM DESCRIPTION:

7. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone W 15 feet of Lot 17 and Lots 18 - 20, Block 23 Town of Manor, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on September 17, 2008, locally known as 102 E Parsons St.

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### BACKGROUND/SUMMARY:

While doing zoning verification, it was found some properties in the downtown area had been approved to be rezoned but an Ordinance was never created/signed so the maps were never updated. This Ordinance allows for the current Council to certify and create a retroactive Ordinance for a past Council's actions.

PRESENTATION: ☐ YES ☐ NO

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

Ordinance

Council minutes with rezoning approval

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### STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council approve an ordinance amending the Zoning Ordinance to rezone W 15 feet of Lot 17 and Lots 18 - 20, Block 23 Town of Manor, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on September 17, 2008, locally known as 102 E Parsons St.

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



## **ORDINANCE NO. 463**

### **AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE TO REZONE W 15FT OF LOT 17 AND LOTS 18 – 20, BLOCK 23 TOWN OF MANOR, WHICH WAS PREVIOUSLY ZONED LIGHT COMMERCIAL (C-1) TO DOWNTOWN BUSINESS (DB); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the records of the City of Manor, Texas (the “City”) reflect that the owners of the property, described hereinafter (the “Property”), requested that the Property be rezoned from Light Commercial (C-1) to Downtown Business (DB);

**WHEREAS**, City records further reflect that after giving ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed zoning and forwarded its recommendation on the rezoning to the City Council;

**WHEREAS**, City records further reflect that after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing reviewed the request and the circumstances of the Property and found that the proposed zoning is consistent with the comprehensive plan of the City;

**WHEREAS**, the approved minutes for the City Council meeting held on September 17, 2008 show that the City Council approved the proposed rezoning of the Property on September 17, 2008; and

**WHEREAS**, this ordinance is being approved to further document the rezoning approval and to cause the zoning maps to be revised accordingly;

**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 Zoning Code of the City of Manor (the “Zoning Ordinance” or Code”), is hereby modified and amended by rezoning the Property as set forth in Section 3 of this Ordinance.

**SECTION 3. Rezoned Property.** The City Council confirms ratifies and approves the action taken by the City Council on September 17, 2008 to declare that the Zoning Ordinance was and is hereby amended by changing the zoning district for the following parcel of land:

All that certain parcel of land being 0.24 acres, more or less, W 15ft Lot 17 and Lots 18-20, Block 23 Town of Manor, Travis County, Texas, filed as Document No. 2015055688 in the official public records of Travis County, as more particularly described in Exhibit “A”, being rezoned from the zoning district Light Commercial (C-1) to zoning district Downtown Business (DB).

**SECTION 4. Zoning Map.** The City Engineer is hereby authorized and directed to update the City’s official zoning map as necessary to reflect the zoning districts for the properties set forth in this ordinance.



**SECTION 5. Open Meetings.** That it is hereby officially found and determined that the meeting at which this Ordinance is passed and 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, Tex. Gov't Code*.

**THE ACTIONS TAKEN BY THE CITY COUNCIL DESCRIBED IN SECTION 3 WERE PASSED AND APPROVED** on the 17th day of September, 2008.

**THIS ORDINANCE WAS ADOPTED, APPROVED, AND SIGNED** on the 5th day of April, 2017.

**THE CITY OF MANOR, TEXAS**

---

Rita G. Jonse,  
Mayor

**ATTEST:**

---

Frances Aguilar, TRMC, CMC  
City Secretary



**EXHIBIT “A”**

102 E. Parsons Street, Manor, TX 78653

All that certain parcel of land being 0.24 acres, more or less, W 15ft Lot 17 and Lots 18-20, Block 23 Town of Manor, Travis County, Texas, filed as Document No. 2015055688 in the official public records of Travis County





**MINUTES  
CITY COUNCIL MEETING  
201 E. PARSONS STREET  
MANOR, TEXAS 78653  
SEPTEMBER 17, 2008 at 7:00 P.M.**

---

**Council members Attending**

Joe Sanchez, *Mayor*  
Ben Boatright, *Mayor Pro-Tem*  
Stacia Forsythe  
Sharon Snowden  
Jamie Jatzlau  
Steve Shanks

**Council Members Absent**

Shelli Egger

**City Staff Present**

Phil Tate, City Manager  
Dustin Haisler, City Secretary

Call to order and announce a quorum is present.

Mayor Sanchez called the meeting to order at 7:00 p.m. and announced a quorum present.

Pledge to the Flag.

**VISITORS/CITIZENS FORUM:**

*At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. Please sign the speaker sign-in sheet if you wish to address the Council.*

*No response may be made or action taken by the Council on these items at this meeting.*

**No citizens signed up to address the Council.**

<b>CONSENT AGENDA</b>
-----------------------

1. Minutes
2. Financial Reports
3. Departmental Reports



4. Discussion and possible action on a request to approve a Preliminary Plan for New Sweden Estates, located a 160.9 acre tract of land located at or near 12411 Jacobson Rd. Owner: 12411 Jacobson Rd. LP. Staff: Thomas Bolt
5. Discussion and possible action on a request for a Conditional Use Permit to sell Alcoholic Beverages at the Vallarta Mexican Restaurant located at 11007 US HWY 290 E. Tenant: Luis Vasquez. Staff: Thomas Bolt
6. Discussion and possible action on a request to rezone from Interim Single Family Residential – 1 (R-1) district zoning to Heavy Industrial ((IN-2) district zoning for approximately 149.66 acres located on the west side of FM 1100 at Abrahamson Rd. Owner: Tiffany Brick Co. Staff: Thomas Bolt

**Motion by Councilmember Jatzlau, seconded by Councilmember Forsythe, to consent to agenda items 1, 2, 3, 5, 6 and to postpone agenda item number 4 to the October 15, 2008 meeting. Motion passes unanimously 5-0.**

7. Discussion and possible action of a request to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots 11, 12, 13, 14 & 15 Block 22, Town of Manor. Locally known as 210-216 E. Parsons St. Owner: Dusty Farrell. Staff: Thomas Bolt

**Motion by Councilmember Shanks , seconded by Councilmember Boatright, to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots 11, 12, 13, 14 & 15 Block 22, Town of Manor. Locally known as 210-216 E. Parsons St. Motion passes unanimously 5-0.**

8. Discussion and possible action of a request to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots, West 15 ft of Lot 17, Lot 18, 19 & 20, Block 23, Town of Manor. Locally known as 102 Parsons St. Owner: Manor Grocery. Staff: Thomas Bolt

**Motion by Councilmember Forsythe, seconded by Councilmember Jatzlau, to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots, West 15 ft of Lot 17, Lot 18, 19 & 20, Block 23, Town of Manor. Locally known as 102 Parsons St. Owner: Manor Grocery. Staff: Thomas Bolt. Motion passes unanimously 5-0.**

9. Discussion and possible action of a request to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots 17, 18 & 19, Block 24, Town of Manor. Locally known as 208 W. Parsons St. Owner: Mary Lopez. Staff: Thomas Bolt

**Motion by Councilmember Boatright, seconded by Councilmember Shanks, to approve the rezoning from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots 17, 18 & 19, Block 24, Town of Manor. Locally known as 208 W. Parsons St. Motion passes unanimously 5-0.**



## REGULAR AGENDA

10. Discuss and consider an ordinance setting the tax rate for the 2008-2009 fiscal year.

**Motion by Councilmember Forsythe, seconded by Councilmember Shanks, to approve Ordinance #355 for setting the tax rate for the 2008-2009 fiscal year. Motion passes unanimously 5-0.**

11. Discuss alternative water supply proposals.

**City Engineer, Frank Phelan, gave a presentation regarding water supply alternatives for the City of Manor. No action was taken by Council.**

12. Discuss and consider a proposal of SOS Companies for use of the City of Manor's wastewater treatment plant.

**No action was taken by Council.**

## STAFF REPORTS

13. City Engineer's Report

**City Engineer, Frank Phelan, presented an update on numerous city projects. No action was taken by Council.**

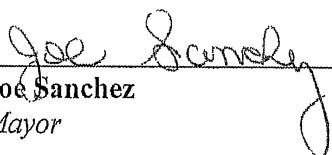
14. City Manager's Report

**City Manager, Phil Tate, updated the Council on current city projects. No action was taken by Council.**

15. Adjourn

**Motion by Councilmember Jatzlau, seconded by Councilmember Shanks, to adjourn the meeting at 7:37 p. m.. Motion passes unanimously 5-0**

**These minutes were approved on December 2, 2009.**

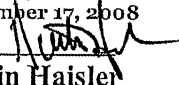
  
**Joe Sanchez**  
Mayor

ATTEST:



Minutes  
Manor City Council  
September 17, 2008

Page 4

  
**Dustin Haisler**  
*City Secretary*





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

## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

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### AGENDA ITEM DESCRIPTION:

8. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone Lots 17 - 19, Block 25 Town of, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on September 17, 2008 Manor, locally known as 208 W Parsons St.

---

### BACKGROUND/SUMMARY:

While doing zoning verification, it was found some properties in the downtown area had been approved to be rezoned but an Ordinance was never created/signed so the maps were never updated. This Ordinance allows for the current Council to certify and create a retroactive Ordinance for a past Council's actions.

PRESENTATION: ☐YES ☐NO

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

Ordinance

Council minutes with rezoning approval

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### STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council approve an ordinance amending the Zoning Ordinance to rezone Lots 17 - 19, Block 25 Town of, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on September 17, 2008 Manor, locally known as 208 W Parsons St.

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



## **ORDINANCE NO. 464**

### **AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE TO REZONE LOTS 17 – 19, BLOCK 25 TOWN OF MANOR WHICH WAS PREVIOUSLY ZONED LIGHT COMMERCIAL (C-1) TO DOWNTOWN BUSINESS (DB); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the records of the City of Manor, Texas (the “City”) reflect that the owners of the property, described hereinafter (the “Property”), requested that the Property be rezoned from Light Commercial (C-1) to Downtown Business (DB);

**WHEREAS**, City records further reflect that after giving ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed zoning and forwarded its recommendation on the rezoning to the City Council;

**WHEREAS**, City records further reflect that after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing reviewed the request and the circumstances of the Property and found that the proposed zoning is consistent with the comprehensive plan of the City;

**WHEREAS**, the approved minutes for the City Council meeting held on September 17, 2008 show that the City Council approved the proposed rezoning of the Property on September 17, 2008; and

**WHEREAS**, this ordinance is being approved to further document the rezoning approval and to cause the zoning maps to be revised accordingly;

**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 Zoning Code of the City of Manor (the “Zoning Ordinance” or Code”), is hereby modified and amended by rezoning the Property as set forth in Section 3 of this Ordinance.

**SECTION 3. Rezoned Property.** The City Council confirms ratifies and approves the action taken by the City Council on September 17, 2008 to declare that the Zoning Ordinance was and is hereby amended by changing the zoning district for the following parcel of land:

All that certain parcel of land being 0.20 acres, more or less, Lots 17-19, Block 25 Town of Manor, Travis County, Texas, as more particularly described in Exhibit “A”, being rezoned from the zoning district Light Commercial (C-1) to zoning district Downtown Business (DB).

**SECTION 4. Zoning Map.** The City Engineer is hereby authorized and directed to update the City’s official zoning map as necessary to reflect the zoning districts for the properties set forth in this ordinance.



**SECTION 5. Open Meetings.** That it is hereby officially found and determined that the meeting at which this Ordinance is passed and 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, Tex. Gov't Code*.

**THE ACTIONS TAKEN BY THE CITY COUNCIL DESCRIBED IN SECTION 3 WERE PASSED AND APPROVED** on the 17th day of September, 2008.

**THIS ORDINANCE WAS ADOPTED, APPROVED, AND SIGNED** on the 5th day of April, 2017.

**THE CITY OF MANOR, TEXAS**

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Rita G. Jonse,  
Mayor

**ATTEST:**

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Frances Aguilar, TRMC, CMC  
City Secretary



**EXHIBIT “A”**

208 W. Parsons Street, Manor, TX 78653

All that certain parcel of land being 0.20 acres, more or less, Lots 17-19, Block 25 Town of Manor,  
Travis County





**MINUTES  
CITY COUNCIL MEETING  
201 E. PARSONS STREET  
MANOR, TEXAS 78653  
SEPTEMBER 17, 2008 at 7:00 P.M.**

---

**Council members Attending**

Joe Sanchez, *Mayor*  
Ben Boatright, *Mayor Pro-Tem*  
Stacia Forsythe  
Sharon Snowden  
Jamie Jatzlau  
Steve Shanks

**Council Members Absent**

Shelli Egger

**City Staff Present**

Phil Tate, City Manager  
Dustin Haisler, City Secretary

Call to order and announce a quorum is present.

Mayor Sanchez called the meeting to order at 7:00 p.m. and announced a quorum present.

Pledge to the Flag.

**VISITORS/CITIZENS FORUM:**

*At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. Please sign the speaker sign-in sheet if you wish to address the Council.*

*No response may be made or action taken by the Council on these items at this meeting.*

**No citizens signed up to address the Council.**

<b>CONSENT AGENDA</b>
-----------------------

1. Minutes
2. Financial Reports
3. Departmental Reports



4. Discussion and possible action on a request to approve a Preliminary Plan for New Sweden Estates, located a 160.9 acre tract of land located at or near 12411 Jacobson Rd. Owner: 12411 Jacobson Rd. LP. Staff: Thomas Bolt
5. Discussion and possible action on a request for a Conditional Use Permit to sell Alcoholic Beverages at the Vallarta Mexican Restaurant located at 11007 US HWY 290 E. Tenant: Luis Vasquez. Staff: Thomas Bolt
6. Discussion and possible action on a request to rezone from Interim Single Family Residential – 1 (R-1) district zoning to Heavy Industrial ((IN-2) district zoning for approximately 149.66 acres located on the west side of FM 1100 at Abrahamson Rd. Owner: Tiffany Brick Co. Staff: Thomas Bolt

**Motion by Councilmember Jatzlau, seconded by Councilmember Forsythe, to consent to agenda items 1, 2, 3, 5, 6 and to postpone agenda item number 4 to the October 15, 2008 meeting. Motion passes unanimously 5-0.**

7. Discussion and possible action of a request to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots 11, 12, 13, 14 & 15 Block 22, Town of Manor. Locally known as 210-216 E. Parsons St. Owner: Dusty Farrell. Staff: Thomas Bolt

**Motion by Councilmember Shanks , seconded by Councilmember Boatright, to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots 11, 12, 13, 14 & 15 Block 22, Town of Manor. Locally known as 210-216 E. Parsons St. Motion passes unanimously 5-0.**

8. Discussion and possible action of a request to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots, West 15 ft of Lot 17, Lot 18, 19 & 20, Block 23, Town of Manor. Locally known as 102 Parsons St. Owner: Manor Grocery. Staff: Thomas Bolt

**Motion by Councilmember Forsythe, seconded by Councilmember Jatzlau, to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots, West 15 ft of Lot 17, Lot 18, 19 & 20, Block 23, Town of Manor. Locally known as 102 Parsons St. Owner: Manor Grocery. Staff: Thomas Bolt. Motion passes unanimously 5-0.**

9. Discussion and possible action of a request to rezone from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots 17, 18 & 19, Block 24, Town of Manor. Locally known as 208 W. Parsons St. Owner: Mary Lopez. Staff: Thomas Bolt

**Motion by Councilmember Boatright, seconded by Councilmember Shanks, to approve the rezoning from Light Commercial (C-1) district zoning to Downtown Business (DB) district zoning Lots 17, 18 & 19, Block 24, Town of Manor. Locally known as 208 W. Parsons St. Motion passes unanimously 5-0.**



## REGULAR AGENDA

10. Discuss and consider an ordinance setting the tax rate for the 2008-2009 fiscal year.

**Motion by Councilmember Forsythe, seconded by Councilmember Shanks, to approve Ordinance #355 for setting the tax rate for the 2008-2009 fiscal year. Motion passes unanimously 5-0.**

11. Discuss alternative water supply proposals.

**City Engineer, Frank Phelan, gave a presentation regarding water supply alternatives for the City of Manor. No action was taken by Council.**

12. Discuss and consider a proposal of SOS Companies for use of the City of Manor's wastewater treatment plant.

**No action was taken by Council.**

## STAFF REPORTS

13. City Engineer's Report

**City Engineer, Frank Phelan, presented an update on numerous city projects. No action was taken by Council.**

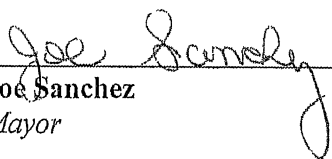
14. City Manager's Report

**City Manager, Phil Tate, updated the Council on current city projects. No action was taken by Council.**

15. Adjourn

**Motion by Councilmember Jatzlau, seconded by Councilmember Shanks, to adjourn the meeting at 7:37 p. m.. Motion passes unanimously 5-0**

**These minutes were approved on December 2, 2009.**

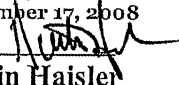
  
**Joe Sanchez**  
Mayor

ATTEST:



Minutes  
Manor City Council  
September 17, 2008

Page 4

  
**Dustin Haisler**  
*City Secretary*





## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

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### AGENDA ITEM DESCRIPTION:

9. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone Lots 2-3, Block 11 Town of Manor, which was previously zoned Single Family Residential (R-1) to Light Commercial (C-1) on June 21, 2006, locally known as 103-105 E Murray Ave.

---

### BACKGROUND/SUMMARY:

While doing zoning verification, it was found some properties in the downtown area had been approved to be rezoned but an Ordinance was never created/signed so the maps were never updated. This Ordinance allows for the current Council to certify and create a retroactive Ordinance for a past Council's actions.

PRESENTATION: ☐ YES ☐ NO

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

Ordinance

Council minutes with rezoning approval

---

### STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council approve an ordinance amending the Zoning Ordinance to rezone Lots 2-3, Block 11 Town of Manor, which was previously zoned Single Family Residential (R-1) to Light Commercial (C-1) on June 21, 2006, locally known as 103-105 E Murray Ave.

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



## **ORDINANCE NO. 465**

### **AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE TO REZONE LOTS 2-3, BLOCK 11 TOWN OF MANOR WHICH WAS PREVIOUSLY ZONED SINGLE FAMILY RESIDENTIAL (R-1) TO LIGHT COMMERCIAL (C-1); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the records of the City of Manor, Texas (the “City”) reflect that the owners of the property, described hereinafter (the “Property”), requested that the Property be rezoned from Single Family Residential (R-1) to Light Commercial (C-1);

**WHEREAS**, City records further reflect that after giving ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed zoning and forwarded its recommendation on the rezoning to the City Council;

**WHEREAS**, City records further reflect that after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing reviewed the request and the circumstances of the Property and found that the proposed zoning is consistent with the comprehensive plan of the City;

**WHEREAS**, the approved minutes for the City Council meeting held on June 21<sup>st</sup>, 2006 show that the City Council approved the proposed rezoning of the Property on June 21<sup>st</sup>, 2006; and

**WHEREAS**, this ordinance is being approved to further document the rezoning approval and to cause the zoning maps to be revised accordingly;

**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 Zoning Code of the City of Manor (the “Zoning Ordinance” or Code”), is hereby modified and amended by rezoning the Property as set forth in Section 3 of this Ordinance.

**SECTION 3. Rezoned Property.** The City Council confirms ratifies and approves the action taken by the City Council on June 21<sup>st</sup>, 2006 to declare that the Zoning Ordinance was and is hereby amended by changing the zoning district for the following parcel of land:

All that certain parcel of land being 0.28 acres, more or less, Lots 2-3, Block 11 Town of Manor, Travis County, Texas, filed as Document No. 2007161464 in the official public records of Travis County, as more particularly described in Exhibit “A”, being rezoned from the zoning district Single Family Residential (R-1) to zoning district Light Commercial (C-1).

**SECTION 4. Zoning Map.** The City Engineer is hereby authorized and directed to update the City’s official zoning map as necessary to reflect the zoning districts for the properties set forth in this ordinance.



**SECTION 5. Open Meetings.** That it is hereby officially found and determined that the meeting at which this Ordinance is passed and 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, Tex. Gov't Code*.

**THE ACTIONS TAKEN BY THE CITY COUNCIL DESCRIBED IN SECTION 3 WERE PASSED AND APPROVED** on the 21st day of June, 2006.

**THIS ORDINANCE WAS ADOPTED, APPROVED, AND SIGNED** on the 5th day of April, 2017.

**THE CITY OF MANOR, TEXAS**

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

**ATTEST:**

\_\_\_\_\_  
Frances Aguilar, TRMC, CMC  
City Secretary



**EXHIBIT “A”**

103 – 105 E. Murray Ave. Manor, TX 78653

All that certain parcel of land being 0.28 acres, more or less, Lots 2-3, Block 11 Town of Manor, Travis County, Texas, filed as Document No. 2007161464 in the official public records of Travis County





**MINUTES  
MANOR CITY COUNCIL  
201 E. PARSONS STREET  
MANOR, TEXAS 78653  
June 21, 2006 at 7:30 P.M.**

**Council Members Attending:**

Jeff Turner, Mayor  
Ben Boatright, Mayor Pro Tem  
Joe Sanchez  
Sam Samaripa  
Sharon Snowden  
Allen Ray

**City Staff Present:**

Phil Tate, City Manager  
Tom Bolt, Director Planning Services  
Delia Luna, City Secretary  
Frank Phelan, City Engineer  
Sheila Limon, City Attorney

**Call to order and announce a quorum is present.**

Mayor Turner called the City Council meeting to order at 7:32 p.m.

**Pledge to the Flag.**

**VISITORS/CITIZENS FORUM:**

At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. Please sign the speaker sign-in sheet if you wish to address the Council. No response may be made or action taken by the Council on these items at this meeting.

**CONSENT AGENDA**

**1. Minutes:**

- a. May 17, 2006
- b. May 24, 2006
- c. June 7, 2006

**2. Financial Reports:**

**3. Departmental Reports:**

**Motion by Councilmember Boatright, seconded by Councilmember Snowden to approve the Consent Agenda. Motion passes 5-0. All Councilmembers present voting aye.**

**REGULAR ITEMS**

**4. Consider and act upon the appointment of a Mayor Pro-Tem.**

**Motion by Councilmember Snowden, seconded by Councilmember Sanchez to appoint Ben Boatright Mayor Pro-Tem for the City of Manor. Motion passes 5-0. All Councilmembers present voting aye.**



5. Consider and act upon Ordinance No. 296 Providing For the Appointment, Powers and Duties of the City Secretary; Providing for Bond; and Providing For Related Matters.

**Motion by Councilmember Snowden, seconded by Mayor Pro-Tem Boatright to approve Ordinance No. 296 Providing For the Appointment, Powers and Duties of the City Secretary, Providing for Bond; and Providing for Related Matters. Motion passes 5-0. All Councilmembers present voting aye.**

6. Consider and act upon the resignation of the City Secretary.

**Motion by Councilmember Snowden, seconded by Councilmember Ray to accept the resignation of Phil Tate, City Secretary. Motion passes 5-0. All Councilmembers present voting aye.**

7. Consider and act upon the appointment of a City Secretary.

**Motion by Councilmember Snowden, seconded by Councilmember Samaripa to appoint Delia Luna as City Secretary for the City of Manor. Motion passes 5-0. All Councilmembers present voting aye.**

8. Report on the HOME Project.

James Conquest gave his report on the Home Project. He informs Council that 3 homes were held up until this morning because of minor changes. Everything is ready and people can start moving in.

## PUBLIC HEARINGS

### ANNEXATIONS:

9. First public hearing on the proposed voluntary annexation of and Service Plan for 281.118 acres, more or less, including the abutting streets, roads and right-of-way, from Zaretsky and Sons, LP, located in Travis County, Texas, abutting the northern City limits; East of Bois D'Arc Lane and abutting the northern boundary of Presidential Glen Subdivision and being more particularly shown and described in the field notes, maps and materials related to the referenced annexation that are available for inspection at City Hall, 201 E. Parsons St., Manor, TX.
- a. Staff Comments: No comments were made by staff
  - b. Open Public Hearing: Mayor Turner opens the public hearing. No comments were made by the public.
  - c. Close Public Hearing: Mayor Turner closes the public hearing.

### REZONING:

10. A public hearing on a request to rezone Block 11, Lots 2 & 3, A.E. Lane Addition, Town of Manor, from Single Family Residential – 1 District to Light Commercial District (C-1). Applicant: Vitale Zaretsky.

103-108 E. murray



- a. Staff Comments: Tom Bolt gave his report to Council
- b. Applicant Comments: Applicants did not show up for the meeting.
- c. Open Public Hearing: Mayor Turner opens the public hearing.
- d. Applicant/Staff Response: No response
- e. Close Public Hearing: Mayor Turner closes the public hearing.
- f. Consider and act upon the rezoning request for Block 11, Lots 2 & 3, A.E. Lane Addition, Town of Manor, from Single Family Residential -1 District to Light Commercial District.

**Motion by Mayor Pro-Tem Boatright, seconded by Councilmember Snowden to approve the rezoning request for Block 11, Lots 2 & 3, A.E. Lane Addition, Town of Manor, from Single Family Residential 1 District to Light Commercial District C-1. Motion passes 5-0. All Councilmembers present voting aye.**

**SUBDIVISIONS:**

11. A public hearing on a Preliminary Plan for Presidential Meadows Subdivision, Section 4-A, Lot 65, Block G. Applicant: Gray Jansing & Associates, Marc Dickey.
  - a. Staff Comments: Tom Bolt gave his report to Council.
  - b. Applicant Comments: No applicants showed up for the hearing.
  - c. Open Public Hearing: Mayor Turner opens the public hearing.
  - d. Applicant/Staff Response: No response
  - e. Close Public Hearing: Mayor Turner closes the public hearing.
  - f. Consider and act upon the Preliminary Plan for Presidential Meadows Subdivision, Section 4-A, Lot 65, Block G.

**Motion by Councilmember Samaripa, seconded by Councilmember Sanchez to approve the Preliminary Plan for Presidential Meadows Subdivision, Section 4-A, Lot 65, Block G. Motion passes 5-0. All Councilmembers present voting aye.**

**ALCOHOLIC BEVERAGES:**

12. A public hearing on a request for a Conditional Use Permit to sell Alcoholic beverages at 11007 Highway 290 East. Applicant: "Uncle Boudreaux Cajun Restaurant".
  - a. Staff Comments: Tom Bolt gave his report to Council.
  - b. Applicant Comments: Applicant gave his presentation to Council.
  - c. Open Public Hearing: Mayor Turner opened the public hearing.
  - d. Applicant/Staff Response: No response
  - e. Close Public Hearing: Mayor Turner closes the public hearing.
  - f. Consider and act upon the request for a Conditional Use Permit to sell Alcoholic beverages at 11007 Highway 290 East.

**Motion by Councilmember Samaripa, seconded by Councilmember Ray to approve the Conditional Use Permit to sell alcoholic beverages with the condition that food sales exceed 51% of the sales. Motion passes 5-0. All Councilmembers present voting aye.**

**ORDINANCES:**

13. A public hearing on a proposed amendment to Ordinance 185, Article II, Sections 25, and 26 to allow certain projections into required setbacks.



- a. Staff Comments: Tom Bolt gave his report to Council.
- b. Open Public Hearing: Mayor Turner opens the public hearing.
- c. Applicant/Staff Response: No response
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Consider and act upon the amendment to Ordinance 185, Article II, Sections 25 and 26 to allow certain projections into required setbacks.

**Motion by Councilmember Snowden, seconded by Councilmember Sanchez to approve the amendment to Ordinance 185, Article II, Section 25 and 26 to allow certain projections into required setbacks. Motion passes 5-0. All Councilmembers present voting aye.**

**ECONOMIC DEVELOPMENT:**

- 14. A public hearing on an Economic Development Ordinance and policy in addition to authorization for City Staff to enter into negotiations for the purpose of attracting business and industrial development to the City of Manor.
  - a. Staff Comments: Tom Bolt and City Attorney Sheila Limon gave their report to Council.
  - b. Open Public Hearing: Mayor Turner opens the public hearing.
  - c. Staff Response: No response.
  - d. Close Public Hearing: Mayor Turner closes the public hearing.
  - e. Action on this agenda item will be taken after Executive Session.

**WAIVERS**

- 15. Consider and act upon a request for a waiver of Ordinance 185, Article III, Section 60.c.1.4 and the City of Austin Transportation Criteria Manual Section 5.3.1.M for Minerva Manor Retail Subdivision, Lot 1, located on Gregg Manor Road at Hill Lane to allow for the reduction in the driveway separation from an intersection/street. Applicant: K-N Corporation, Eric Villarreal.

**Motion by Councilmember Sanchez, seconded by Councilmember Snowden to approve the waiver of Ordinance 185, Article III, Section 60.c.1.3 and the City of Austin Transportation Criteria Manual Section 5.3.1.M for Minerva Manor Retail Subdivision, Lot 1, located on Gregg Manor Road at Hill Lane to allow for the reduction in the driveway separation from an intersection/street. Motion passes 5-0. All Councilmembers present voting aye.**

- 16. Consider and act upon a request for a waiver to the provisions of Ordinance 185, Article I, Section 5, and Replacement Trees for Minerva Manor Retail Subdivision, Lot 1, located on Gregg Manor Road at Hill Lane. Applicant: K-N Corporation, Eric Villarreal. Staff recommendation: to approve the waiver to Ordinance 185, Article I, Section 5, for Replacement Trees with a condition that an amount per caliper of non-replaced trees be paid to the City of Manor Parkland Fund. Staff: Thomas Bolt.



**Motion by Mayor Pro-Tem Boatright, seconded by Councilmember Snowden to approve the waiver to the provisions of Ordinance 185, Article I, Section 5, and Replacement Trees for Minerva Manor Retail Subdivision, Lot 1, located on Gregg Manor Road at Hill Lane, with a condition that \$75.00 per each 2" caliper of non-replaced trees be paid to the City of Manor Parkland Fund. Motion passes 5-0. All Councilmembers present voting aye.**

17. Consider and act upon a waiver to the requirements of the City of Austin Drainage Criteria Manual Section 1.2.4.3 to allow a reduction in the 12 foot maintenance strip around a portion of the perimeter of the detention pond for Carriage Hills Subdivision Sections 2 and 3. Applicant: Heritage Properties, Randy Morine. Staff recommendation: To approve the waiver. Staff: Thomas Bolt.

**Motion by Councilmember Samaripa, seconded by Councilmember Snowden to approve the waiver to the requirements of the City of Austin Drainage Criteria Manual Section 1.2.4.3. to allow a reduction in the 12 foot maintenance strip around a portion of the perimeter of the detention pond for Carriage Hills Subdivision, Sections 2 and 3. Motion passes 5-0. All Councilmembers present voting aye.**

18. Consider and act upon a waiver to Ordinance No. 263, Article II, Section 24 (a)(2) requiring approval of construction plans for the Final Plat for Presidential Meadows Subdivision, Section 4-A, Lot 65, Block G. Applicant: Gray Jansing & Associates, Marc Dickey. Staff recommendation: to waive the submittal/approval of construction plans for Presidential Meadows. Staff: Thomas Bolt.

**Motion by Councilmember Samaripa, seconded by Councilmember Ray to approve the waiver to Ordinance 263, Article II, Section 24 (a)(2) requiring approval of construction plans for the Final Plat for Presidential Meadows Subdivision, Section 4-A, Lot 65, Block G. Motion passes 5-0. All Councilmembers present voting aye.**

## OTHER ITEMS

19. Consider and act upon a license agreement with Cottonwood Holdings, Ltd. for the use of a parking lot.

**Motion by Councilmember Samaripa, seconded by Councilmember Sanchez to accept the license agreement with Cottonwood Holdings, Ltd. for the use of a parking lot. Motion passes 5-0. All Councilmembers present voting aye.**

20. Consider and act on approval of the award contract between Presidential Glen LTD on behalf of Presidential Glen Municipal Utility District and the selected contractor for offsite utilities.

**Motion by Councilmember Sanchez, seconded by Councilmember Samaripa to approve Presidential Glen Ltd., on behalf of Presidential Glen Municipal Utility District, to contract with Cash Construction Company of Texas, Inc. with the bid amount of \$755,908.00 for the offsite utilities, Motion passes 5-0. All Councilmembers present voting aye.**

21. Consider and act upon Resolution No. 2006-07 for Independent Bank.



**Motion by Councilmember Samaripa, seconded by Mayor Pro-Tem Boatright to approve Resolution No. 2006-07 for Independent Bank. Motion passes 5-0. All Councilmembers present voting aye.**

**22. Consider and act upon Resolution No. 2006-08 for Tex Pool.**

**Motion by Councilmember Sanchez, seconded by Councilmember Samaripa to approve Resolution No. 2006-08 for Tex Pool. Motion passes 5-0. All Councilmembers present voting aye.**

**23. Consider and act upon an interim rate adjustment filing of ATMOS Energy.**

**Motion by Councilmember Samaripa, seconded by Councilmember Snowden to deny the interim rate adjustment filing of ATMOS Energy. Motion passes 5-0. All Councilmembers present voting aye.**

**24. Consider and act upon Resolution No. 2006-09, A Resolution by the City of Manor, Texas Suspending the Effective Date For Ninety Days in Connection with the Rate Increase Filing of ATMOS Energy Corporation, Mid-Tex Division on May 31, 2006; Authorizing the City to Join with Other Cities known as the ATMOS Texas Municipalities ("ATM") to Direct the Activities of Lawyer and Consultants; Authorizing the Hiring of Attorneys and Consultants; Requiring Reimbursement of Reasonable Legal and Consultant Expenses; Finding that the Meeting Complies with the Open Meetings Act; Making other Findings and Provisions Related to the Subject; and Declaring an Effective Date.**

**Motion by Councilmember Snowden, seconded by Councilmember Ray to approve Resolution No. 2006-09 as stated above. Motion passes 5-0. All Councilmembers present voting aye.**

**25. Consider and act upon funding for Street and Drainage Project Phase II changes.**

**Motion by Councilmember Samaripa, seconded by Councilmember Sanchez to approve the funding for Street and Drainage Project Phase II changes. Motion passes 5-0. All Councilmembers present voting aye.**

## **EXECUTIVE SESSION**

**26. Convene into Executive Session to deliberate the purchase, lease or value of real property pursuant to §551.072, Texas Government Code, consider purchase, lease or value of real property for a wastewater treatment plant site.**

**28. Convene into Executive Session to deliberate the offer of financial or other incentives to business prospects pursuant to §551.087, Texas Government Code, that the City seeks to have located at the intersection of FM 973 and US 290, and along US 290 west of downtown with which the City is conducting economic development negotiations for the development of Manor Commons and Las Entradas.**



**Mayor Turner announces to the public that the Council will convene into Executive Session to discuss Agenda Item #26 and #28 as stated and convened at 9:48 p.m.**

27. Reconvene from Executive Session and take action as appropriate in the Council's discretion regarding the offer of Earnest Money Contract for the purchase of a wastewater treatment plant site.

**Mayor Turner announces to the public that the Council will reconvene from Executive Session into public hearing at 11:27 p.m. and take possible action on Agenda Item # 26 and #28.**

**No action was taken in Executive Session.**

**Motion by Councilmember Sanchez, seconded by Councilmember Snowden to approve the offer of Earnest Money Contract for the purchase of a wastewater treatment plant site. Motion passes 5-0. All Councilmembers present voting aye.**

29. Reconvene from Executive Session and take action as appropriate in the Council's discretion regarding economic development negotiations:

1. Consider and act upon an Economic Development Ordinance

**Motion by Councilmember Sanchez, seconded by Mayor Pro-Tem Boatright to approve an Economic Development Ordinance for the City of Manor. Motion passes 5-0. All Councilmembers present voting aye.**

2. Consider and act upon an Economic Development Agreement with Greenvue Development (Manor Commons).

**Motion by Councilmember Sanchez, seconded by Councilmember Samaripa to accept the Economic Development Agreement with Greenvue Development (Manor Commons) as outlined and discussed and to prepare it in final format by the City Attorney to be brought back to Council for final review. Motion passes 5-0. All Councilmembers present voting aye.**

## **STAFF REPORTS**

**30. City Engineer's Report:**

RUS Loans – Water Resources Alternatives  
Highway 130 water facility relocation  
Carriage Hills Offsite Utility  
Street and Drainage Improvements  
Presidential Glen Offsite Utilities  
Transportation Master Plan  
FEMA Floodplain Maps – Public Information Meeting scheduled July 25, 2006.  
Manor Water Facilities Reconstruction  
Lane Street Lift Station Decommission  
Creekside Forced Main Rerouting  
Manville Master Meter

City Engineer, Frank Phelan gave his City Engineer's Report.



**31. City Manager's Report:**

US Hwy. 290 Update

City Council e-mail:

Open Records and Open Meetings training options

City Manager gave his City Manager's report.

Dustin Haisler informs Council that they now have e-mail through the City's website.

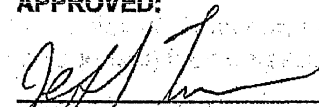
City Secretary, Delia Luna reminds Council that they must complete the Open Meetings training requirements and they can log-on through the Office of the Attorney General's website. She also informs the newly elected Council that they have until September 7, 2006 to complete their training.

**32. Adjourn**

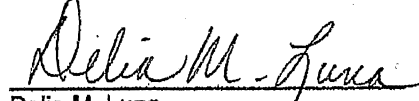
**Motion by Councilmember Samaripa, seconded by Councilmember Snowden to adjourn the meeting at 12:00 midnight. Motion passes 5-0. All Councilmembers present voting aye.**

These minutes were approved by the Manor City Council on July 19, 2006.

**APPROVED:**

  
\_\_\_\_\_  
Jeff Turner, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Delia M. Luna  
City Secretary





## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

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### AGENDA ITEM DESCRIPTION:

10. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone Lot 8, Block 14 Town of Manor, which was previously zoned Single Family Residential (R-1) to Single Family Residential (R-2) on April 19, 2006, locally known as 208 E Lane Ave.

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### BACKGROUND/SUMMARY:

While doing zoning verification, it was found some properties in the downtown area had been approved to be rezoned but an Ordinance was never created/signed so the maps were never updated. This Ordinance allows for the current Council to certify and create a retroactive Ordinance for a past Council's actions.

PRESENTATION: ☐ YES ☐ NO

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

Ordinance

Council minutes with rezoning approval

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### STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council approve an ordinance amending the Zoning Ordinance to rezone Lot 8, Block 14 Town of Manor, which was previously zoned Single Family Residential (R-1) to Single Family Residential (R-2) on April 19, 2006, locally known as 208 E Lane Ave.

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



## **ORDINANCE NO. 466**

### **AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE TO REZONE LOT 8, BLOCK 14 TOWN OF MANOR WHICH WAS PREVIOUSLY ZONED SINGLE FAMILY RESIDENTIAL (R-1) TO SINGLE FAMILY RESIDENTIAL (R-2); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the records of the City of Manor, Texas (the "City") reflect that the owners of the property, described hereinafter (the "Property"), requested that the Property be rezoned from Single Family Residential (R-1) to Single Family Residential (R-2);

**WHEREAS**, City records further reflect that after giving ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed zoning and forwarded its recommendation on the rezoning to the City Council;

**WHEREAS**, City records further reflect that after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing reviewed the request and the circumstances of the Property and found that the proposed zoning is consistent with the comprehensive plan of the City;

**WHEREAS**, the approved minutes for the City Council meeting held on April 19, 2006 show that the City Council approved the proposed rezoning of the Property on April 19, 2006; and

**WHEREAS**, this ordinance is being approved to further document the rezoning approval and to cause the zoning maps to be revised accordingly;

**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 Zoning Code of the City of Manor (the "Zoning Ordinance" or Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3 of this Ordinance.

**SECTION 3. Rezoned Property.** The City Council confirms ratifies and approves the action taken by the City Council on April 19, 2006 to declare that the Zoning Ordinance was and is hereby amended by changing the zoning district for the following parcel of land:

All that certain parcel of land being 0.12 acres, more or less, Lot 8, Block 14 Town of Manor, Travis County, Texas, filed as Document No. 2007188580 in the official public records of Travis County, as more particularly described in Exhibit "A", being rezoned from the zoning district Single Family (R-1) to zoning district Single Family (R-2).

**SECTION 4. Zoning Map.** The City Engineer is hereby authorized and directed to update the City's official zoning map as necessary to reflect the zoning districts for the properties set forth in this ordinance.



**SECTION 5. Open Meetings.** That it is hereby officially found and determined that the meeting at which this Ordinance is passed and 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, Tex. Gov't Code*.

**THE ACTIONS TAKEN BY THE CITY COUNCIL DESCRIBED IN SECTION 3 WERE PASSED AND APPROVED** on the 19th day of April, 2006.

**THIS ORDINANCE WAS ADOPTED, APPROVED, AND SIGNED** on the 5th day of April, 2017.

**THE CITY OF MANOR, TEXAS**

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Rita G. Jonse,  
Mayor

**ATTEST:**

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Frances Aguilar, TRMC, CMC  
City Secretary

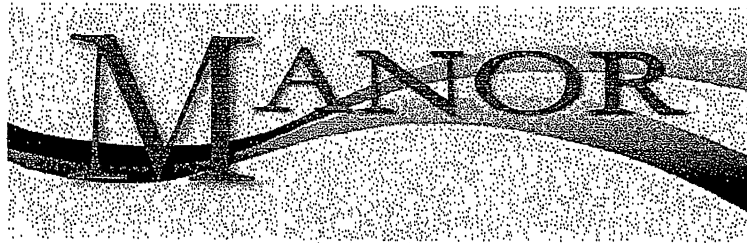


**EXHIBIT “A”**

208 E. Lane Ave, Manor, TX 78653

All that certain parcel of land being 0.12 acres, more or less, Lot 8, Block 14 Town of Manor,  
Travis County, Texas, filed as Document No. 2007188580 in the official public records of Travis  
County





**MINUTES  
MANOR CITY COUNCIL  
201 E. PARSONS STREET  
MANOR, TEXAS 78653  
APRIL 19, 2006 at 7:30 P.M.**

**Council Members Attending:**

Jeff Turner, Mayor  
Vacant  
Ben Boatright  
Sam Samaripa  
Sharon Snowden  
Maud Taylor

**City Staff Present:**

Phil Tate, City Manager  
Tom Bolt, Director Planning Services  
Mike Tuley, Director of Public Services  
Frank Phelan, City Engineer  
Delia Luna, City Clerk

**Call to order and announce a quorum is present.**

Mayor Turner called the City Council meeting to order at 7:30 p.m.

**Pledge to the Flag.**

**A. VISITORS/CITIZENS FORUM:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. Please sign the speaker sign-in sheet if you wish to address the Council. No response may be made or action taken by the Council on these items at this meeting.

Mr. Pete Dwyer handed out information for Central Park and the Las Entradas MUDs to Council and made a presentation.

**B. CONSENT AGENDA:** All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary.

1. Approval of Minutes
2. Financial Reports
3. Departmental Reports
4. Planning and Zoning Commission Report

Motion by Councilmember Boatright to approve the Consent Agenda, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers members present voting aye.

**C. REGULAR ITEMS:**

<b>PUBLIC HEARINGS</b>
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Mayor Turner informs the public that Agenda Items #5, 6, 7, 8 & 9 will be discussed together and that Council will vote on each agenda item individually.

5. Consideration and possible action on a rezoning request for Lot 5, Block 80, Town of Manor also known as 301 W. Townes St. from single family residential - 1 (R-1) district zoning to single-family



residential 2 (R-2) district zoning. P&Z Recommendation: To approve the rezoning from single family residential – 1 zoning district to single family residential - 2 district zoning. Applicant: Austin Habitat for Humanity, Ben Campbell. Staff: Thomas Bolt, Development Services Department.  
[tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt gives an explanation for the rezoning request.
- b. Applicant comments: None
- c. Open Public Hearing: Mayor Turner opens the public hearing.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a rezoning request for Lot 5, Block 80, Town of Manor, also known as 301 W. Townes St. from Single Family Residential zoning district R-1 to single Family Residential zoning district R-2.

**Motion by Councilmember Snowden to approve the rezoning request for Lot 5, Block 80, Town of Manor, also known as 301 W. Townes St. from single family residential (R-1) district zoning to single-family residential (R-2) district zoning, second by Councilmember Samaripa. Motion passes 4-0. All Councilmembers present voting aye.**

6. Consideration and possible action on a rezoning request for Lot 1, Block 56, Town of Manor also known as 601 E. Wheeler St. from single family residential - 1 (R-1) district zoning to single-family residential 2 (R-2) district zoning. P&Z Recommendation: To approve the rezoning from single family residential – 1 zoning district to single family residential - 2 district zoning. Applicant: Austin Habitat for Humanity, Ben Campbell. Staff: Thomas Bolt, Development Services Department.  
[tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt explains the reason for the rezoning request.
- b. Applicant Comments: None
- c. Open Public Hearing: Mayor Turner opens the public hearing.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a rezoning request for Lot 1, Block 56, Town of Manor, also known as 601 E. Wheeler St. from Single Family Residential zoning district R-1 to Single Family Residential District zoning R-2.

**Motion by Councilmember Snowden to approve the rezoning request for Lot 1, Block 56, Town of Manor, also known as 601 E. Wheeler St. from single family residential (R-1) district zoning to single-family residential (R-2) district zoning, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

7. Consideration and possible action on a rezoning request for Lot 8, Block 14, Town of Manor also known as 208 E. Lane Ave. from single family residential - 1 (R-1) district zoning to single-family residential 2 (R-2) district zoning. P&Z Recommendation: To approve the rezoning from single family residential – 1 zoning district to single family residential - 2 district zoning. Applicant: Austin Habitat for Humanity, Ben Campbell. Staff: Thomas Bolt, Development Services Department.  
[tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt explains the reason for the rezoning.
- b. Applicant Comments: None
- c. Open Public Hearing: Mayor Turner opens the public hearing.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a rezoning request for Lot 8 Block 14, Town of Manor, also known as 208 E. Lane Ave. from single-family residential zoning district R-1 to Single Family Residential District zoning R-2

**Motion by Councilmember Snowden to approve the rezoning request for Lot 8, Block 14, Town of Manor, also known as 208 E. Lane Ave. from single family residential R-1 district zoning to Single Family Residential District zoning R-2, second by Councilmember Samaripa. Motion passes 4-0. All Councilmembers present voting aye.**



8. Consideration and possible action on a rezoning request for Lot 9, Block 14, Town of Manor also known as 210 E. Lane Ave. from single family residential - 1 (R-1) district zoning to single-family residential 2 (R-2) district zoning. P&Z Recommendation: To approve the rezoning from single family residential - 1 zoning district to single family residential - 2 district zoning. Applicant: Austin Habitat for Humanity, Ben Campbell. Staff: Thomas Bolt, Development Services Department. [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt explains the rezoning request.
- b. Applicant Comments: None
- c. Open Public Hearing: Mayor Turner opens the public hearing.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a request for rezoning for Lot 9, Block 14, Town of Manor also known as 210 E. Lane Ave. from Single Family Residential District Zoning R-1 to single Family Residential District Zoning R-2.

**Motion by Councilmember Boatright to approve the rezoning request for Lot 9, Block 14, Town of Manor also known as 210 E. Lane Ave. from Single Family Residential R-1 district zoning to Single Family Residential R-2 district zoning, second by Councilmember Snowden. Motion passes 4-0. All Councilmembers present voting aye.**

9. Consideration and possible action on a rezoning request for Lot 10, Block 14, Town of Manor also known as 212 E. Lane Ave. from single family residential - 1 (R-1) district zoning to single-family residential 2 (R-2) district zoning. P&Z Recommendation: To approve the rezoning from single family residential - 1 zoning district to single family residential - 2 district zoning. Applicant: Austin Habitat for Humanity, Ben Campbell. Staff: Thomas Bolt, Development Services Department. [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt explains the rezoning request.
- b. Applicant Comments: None
- c. Open Public Hearing: Mayor Turner opens the public hearing.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a rezoning request for Lot 10, Block 14, Town of Manor also known as 212 E. Lane Ave. from Single Family Residential District Zoning R-1 to Single Family Residential District Zoning R-2.

**Motion by Councilmember Taylor to approve the rezoning request for Lot 10, Block 14, Town of Manor also known as 212 E. Lane Ave. from Single Family Residential District Zoning R-1 to Single Family Residential District Zoning R-2, second by Councilmember Snowden. Motion passes 4-0. All Councilmembers present voting aye.**

10. Consideration and possible action on a request to rezone the West 10 feet of the North 50 feet of Lot 16, Block 30 and the North 50 feet of Lots 17-20 block 30, Town of Manor also known as 102 E. Boyce St. from Light Commercial (C-1) district zoning to Downtown Business (DBD) district zoning. P&Z Recommendation: To approve the rezoning request from light commercial district zoning to downtown business district zoning. Applicant: Bobby & Ann Gosey. Staff: Thomas Bolt, Development Services Department. [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt explains the rezoning request.
- b. Applicant Comments: John Finley spoke on behalf of the applicants.
- c. Open Public Hearing: Mayor Turner opens the public hearing.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a request to rezone the West 10 feet of the North 50 feet of Lot 16, Block 30 and the North 50 feet of Lots 17-20 Block 30, Town of Manor, also known as 102 E. Boyce St. from Light Commercial C-1 district zoning to Downtown Business (DBD) district zoning.



**Motion by Councilmember Samaripa to approve the request to rezone the West 10 feet of the North 50 feet of Lot 16, Block 30 and the North 50 feet of Lots 17-20 Block 30, Town of Manor, also known as 102 E. Boyce St. from Light Commercial C-1 district zoning to Downtown Business (DBD) district zoning, second by Councilmember Snowden. Motion passes 4-0. All Councilmembers present voting aye.**

11. Consideration and possible action on amendments to Ordinance # 185, Article III, Section 62 - Sign Requirements. The amendments include new definitions; and locations for specific types of signs. Staff: Thomas Bolt, 272-5555. Development Services Department [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)
  - a. Staff Comments: Tom Bolt explains the amendments to Ordinance #185.
  - b. Open Public Hearing: Mayor Turner opens the public hearing.
  - c. Close Public Hearing: Mayor Turner closes the public hearing.
  - d. Discussion and possible action on amendment to Ordinance 185, Article III, Section 62 -- Sign Requirements.

**Motion by Councilmember Boatright to approve amendments to Ordinance #185, Article III, section 62 -- Sign Requirements, including new definitions and locations for specific types of signs, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

12. Consideration and possible action on amendments to Ordinance 185, Article II, Chart 1 to revise land area requirements for certain zoning district categories; revise some minimum land area requirements; and establish setbacks for uses other than residential when adjacent to residential zoned properties. Staff: Thomas Bolt, Development Services Department. 272-5555 [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)
  - a. Staff Comments: Tom Bolt explains the amendments to Ordinance #185.
  - b. Open Public Hearing: Mayor Turner opens the public hearing.
  - c. Close Public Hearing: Mayor Turner closes the public hearing.
  - d. Discussion and possible action on amendments to Ordinance 185, Article II, Chart 1 to revise land area requirements for certain zoning district categories; revise some minimum land area requirements; and establish set backs for uses other than residential when adjacent to residential zoned properties.

**Motion by Councilmember Boatright to approve amendments to Ordinance 185, Article II, Chart 1 to revise land area requirements for certain zoning district categories; revise some minimum land area requirements; and establish setbacks for uses other than residential when adjacent to residential zoned properties, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

13. Consideration and possible action on approval of an Ordinance of the City of Manor Amending Ordinance Number 277 In Its Entirety, Establish Fees for Permits; Requiring a Permit to Operate a Food Establishment; Requiring Employment of a Certified Food Manager; Adopting Regulations for Food Establishments, including Food Service Establishments and Retail Food Stores; Establishing a Penalty; Providing Severability, Effective Date, and Open Meetings Clauses; and Providing for Related Matters.

**Motion by Councilmember Boatright to approve an Ordinance of the City of Manor Amending Ordinance Number 277 in its entirety; Establish Fees for Permits; Requiring a Permit to Operate a Food Establishment; Requiring Employment of a Certified Food Manager; Adopting Regulations for Food Establishments, including Food Service Establishments and Retail Food Stores; Establishing a Penalty; Providing Severability, Effective Date, and Open Meetings Clauses; and Providing for Related Matters, second by Councilmember Taylor. Motion passes 3-1. Councilmembers Boatright, Taylor and Snowden voting aye. Councilmember Samaripa voting nay.**



14. Discussion and possible action on an addendum to a development agreement for Presidential Glen located north and abutting Highway 290 and East and abutting Bois D'Arc.

**Motion by Councilmember Samaripa to approve the addendum to a development agreement for Presidential Glen located North and abutting Highway 290 and East and abutting Bois D'Arc., second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

15. Consideration and possible action on a letter of agreement with Carriage Hills to dedicate a wastewater lift station site in exchange for improvements.

**Motion by Councilmember Samaripa to approve a letter of agreement with Carriage Hills to dedicate a wastewater lift station site in exchange for improvements and directs the City Attorney to make any modifications as needed, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

Mayor Turner informs the public that they will convene into Executive Session to discuss Agenda Items # 16 and 18. Council convenes into Executive Session at 8:50 p.m.

16. Convene into Executive Session to deliberate the offer of financial or other incentive to a business prospect pursuant to §551.087, Texas Government Code, that the City seek to have locate within the City limits at the intersection of FM 973 and Highway 290 and with which the city is conducting economic development negotiations for the development of Manor Commons.
18. Convene into Executive Session to deliberate the purchase, lease or value of real property pursuant to §551.072 and §551.073, Texas Government Code, consider purchase, lease or value of real property for a City Hall.

**Council reconvened from Executive Session at 10:07 p.m. No action was taken in Executive Session.**

17. Reconvene from Executive Session and take possible action as appropriate in the Council's discretion regarding financial or economic incentives for Manor Commons.

No action was taken on Agenda Item #17.

19. Reconvene from Executive Session and take action as appropriate in the Council's discretion regarding the purchase or value of real property for use as a City Hall.

**Motion by Councilmember Samaripa to authorize the City Manager to make further negotiations as needed and authorizes the City Manager to sign a letter of intent, second by Councilmember Snowden. Motion passes 4-0. All Councilmembers present voting aye.**

Mayor Turner leaves the Dias.

20. Discussion and possible action on a development agreement for 281.118 acres located north of the City limits along East of Bois D'Arc and abutting Presidential Glen for a development more commonly known as Sky Village.

No action was taken on this agenda item.

#### **STAFF REPORTS**

21. **City Engineer's Report:**  
RUS Loans and Grants  
Highway 130 water facility relocation  
Carriage Hills Offsite Utility



Street and Drainage Improvements  
Presidential Glen Offsite Utilities  
Transportation Master Plan

City Engineer, Frank Phelan gives his City Engineer's Report on the above items.

- 22. City Manager's Report:**  
Special Called meeting  
Commuter Rail  
Closure of John Nagel Street by Capitol Metro  
Clear well tank replacement  
Music video filming  
Miscellaneous other projects

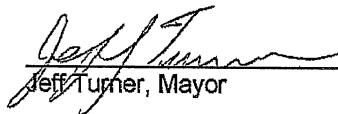
City Manager Phil Tate gives his City Manager's Report on the above items.

- 23. Adjourn**

**Motion by Councilmember Taylor to adjourn the meeting at 10:46 p.m., second by Councilmember Samaripa. Motion passes 4-0. All Councilmembers present voting aye.**

These minutes were approved by the Manor City Council on May 17, 2006.

APPROVED:

  
Jeff Turner, Mayor

Attest:

  
Phil Tate  
City Secretary





## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

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### AGENDA ITEM DESCRIPTION:

11. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone Lot 9 & Alley, Block 14 Town of Manor, which was previously zoned Single Family Residential (R-1) to Single Family Residential (R-2) on April 19, 2006, locally known as 210 E Lane Ave.

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### BACKGROUND/SUMMARY:

While doing zoning verification, it was found some properties in the downtown area had been approved to be rezoned but an Ordinance was never created/signed so the maps were never updated. This Ordinance allows for the current Council to certify and create a retroactive Ordinance for a past Council's actions.

PRESENTATION: ☐ YES ☐ NO

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

Ordinance

Council minutes with rezoning approval

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### STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council an ordinance amending the Zoning Ordinance to rezone Lot 9 & Alley, Block 14 Town of Manor, which was previously zoned Single Family Residential (R-1) to Single Family Residential (R-2) on April 19, 2006, locally known as 210 E Lane Ave.

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



## **ORDINANCE NO. 467**

### **AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE TO REZONE LOT 9 & ALLEY, BLOCK 14 TOWN OF MANOR WHICH WAS PREVIOUSLY ZONED SINGLE FAMILY RESIDENTIAL (R-1) TO SINGLE FAMILY RESIDENTIAL (R-2); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the records of the City of Manor, Texas (the "City") reflect that the owners of the property, described hereinafter (the "Property"), requested that the Property be rezoned from Single Family Residential (R-1) to Single Family Residential (R-2);

**WHEREAS**, City records further reflect that after giving ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed zoning and forwarded its recommendation on the rezoning to the City Council;

**WHEREAS**, City records further reflect that after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing reviewed the request and the circumstances of the Property and found that the proposed zoning is consistent with the comprehensive plan of the City;

**WHEREAS**, the approved minutes for the City Council meeting held on April 19, 2006 show that the City Council approved the proposed rezoning of the Property on April 19, 2006; and

**WHEREAS**, this ordinance is being approved to further document the rezoning approval and to cause the zoning maps to be revised accordingly;

**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 Zoning Code of the City of Manor (the "Zoning Ordinance" or Code"), is hereby modified and amended by rezoning the Property as set forth in Section 3 of this Ordinance.

**SECTION 3. Rezoned Property.** The City Council confirms ratifies and approves the action taken by the City Council on April 19, 2006 to declare that the Zoning Ordinance was and is hereby amended by changing the zoning district for the following parcel of land:

All that certain parcel of land being 0.24 acres, more or less, Lot 9 & Alley, Block 14 Town of Manor, Travis County, Texas, filed as Document No. 2006076181 in the official public records of Travis County, as more particularly described in Exhibit "A", being rezoned from the zoning district Single Family Residential (R-1) to zoning district Single Family Residential (R-2).

**SECTION 4. Zoning Map.** The City Engineer is hereby authorized and directed to update the City's official zoning map as necessary to reflect the zoning districts for the properties set forth in this ordinance.



**SECTION 5. Open Meetings.** That it is hereby officially found and determined that the meeting at which this Ordinance is passed and 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, Tex. Gov't Code*.

**THE ACTIONS TAKEN BY THE CITY COUNCIL DESCRIBED IN SECTION 3 WERE PASSED AND APPROVED** on the 19th day of April, 2006.

**THIS ORDINANCE WAS ADOPTED, APPROVED, AND SIGNED** on the 5th day of April, 2017.

**THE CITY OF MANOR, TEXAS**

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Rita G. Jonse,  
Mayor

**ATTEST:**

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Frances Aguilar, TRMC, CMC  
City Secretary

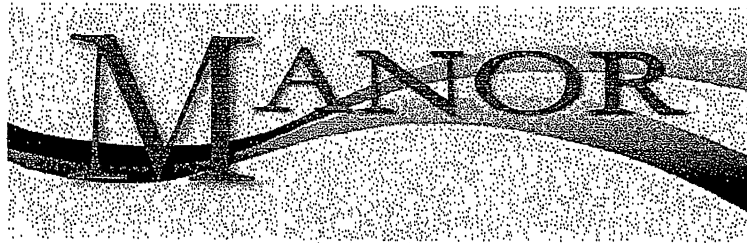


**EXHIBIT “A”**

210 East Lane, Manor, TX 78653

All that certain parcel of land being 0.24 acres, more or less, Lot 9 & Alley, Block 14 Town of Manor, Travis County, Texas, filed as Document No. 2006076181 in the official public records of Travis County





**MINUTES  
MANOR CITY COUNCIL  
201 E. PARSONS STREET  
MANOR, TEXAS 78653  
APRIL 19, 2006 at 7:30 P.M.**

**Council Members Attending:**

Jeff Turner, Mayor  
Vacant  
Ben Boatright  
Sam Samaripa  
Sharon Snowden  
Maud Taylor

**City Staff Present:**

Phil Tate, City Manager  
Tom Bolt, Director Planning Services  
Mike Tuley, Director of Public Services  
Frank Phelan, City Engineer  
Delia Luna, City Clerk

**Call to order and announce a quorum is present.**

Mayor Turner called the City Council meeting to order at 7:30 p.m.

**Pledge to the Flag.**

**A. VISITORS/CITIZENS FORUM:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. Please sign the speaker sign-in sheet if you wish to address the Council. No response may be made or action taken by the Council on these items at this meeting.

Mr. Pete Dwyer handed out information for Central Park and the Las Entradas MUDs to Council and made a presentation.

**B. CONSENT AGENDA:** All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary.

1. Approval of Minutes
2. Financial Reports
3. Departmental Reports
4. Planning and Zoning Commission Report

Motion by Councilmember Boatright to approve the Consent Agenda, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers members present voting aye.

**C. REGULAR ITEMS:**

<b>PUBLIC HEARINGS</b>
------------------------

Mayor Turner informs the public that Agenda Items #5, 6, 7, 8 & 9 will be discussed together and that Council will vote on each agenda item individually.

5. Consideration and possible action on a rezoning request for Lot 5, Block 80, Town of Manor also known as 301 W. Townes St. from single family residential - 1 (R-1) district zoning to single-family



residential 2 (R-2) district zoning. P&Z Recommendation: To approve the rezoning from single family residential – 1 zoning district to single family residential - 2 district zoning. Applicant: Austin Habitat for Humanity, Ben Campbell. Staff: Thomas Bolt, Development Services Department.  
[tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt gives an explanation for the rezoning request.
- b. Applicant comments: None
- c. Open Public Hearing: Mayor Turner opens the public hearing.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a rezoning request for Lot 5, Block 80, Town of Manor, also known as 301 W. Townes St. from Single Family Residential zoning district R-1 to single Family Residential zoning district R-2.

**Motion by Councilmember Snowden to approve the rezoning request for Lot 5, Block 80, Town of Manor, also known as 301 W. Townes St. from single family residential (R-1) district zoning to single-family residential (R-2) district zoning, second by Councilmember Samaripa. Motion passes 4-0. All Councilmembers present voting aye.**

6. Consideration and possible action on a rezoning request for Lot 1, Block 56, Town of Manor also known as 601 E. Wheeler St. from single family residential - 1 (R-1) district zoning to single-family residential 2 (R-2) district zoning. P&Z Recommendation: To approve the rezoning from single family residential – 1 zoning district to single family residential - 2 district zoning. Applicant: Austin Habitat for Humanity, Ben Campbell. Staff: Thomas Bolt, Development Services Department.  
[tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt explains the reason for the rezoning request.
- b. Applicant Comments: None
- c. Open Public Hearing: Mayor Turner opens the public hearing.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a rezoning request for Lot 1, Block 56, Town of Manor, also known as 601 E. Wheeler St. from Single Family Residential zoning district R-1 to Single Family Residential District zoning R-2.

**Motion by Councilmember Snowden to approve the rezoning request for Lot 1, Block 56, Town of Manor, also known as 601 E. Wheeler St. from single family residential (R-1) district zoning to single-family residential (R-2) district zoning, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

7. Consideration and possible action on a rezoning request for Lot 8, Block 14, Town of Manor also known as 208 E. Lane Ave. from single family residential - 1 (R-1) district zoning to single-family residential 2 (R-2) district zoning. P&Z Recommendation: To approve the rezoning from single family residential – 1 zoning district to single family residential - 2 district zoning. Applicant: Austin Habitat for Humanity, Ben Campbell. Staff: Thomas Bolt, Development Services Department.  
[tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt explains the reason for the rezoning.
- b. Applicant Comments: None
- c. Open Public Hearing: Mayor Turner opens the public hearing.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a rezoning request for Lot 8 Block 14, Town of Manor, also known as 208 E. Lane Ave. from single-family residential zoning district R-1 to Single Family Residential District zoning R-2

**Motion by Councilmember Snowden to approve the rezoning request for Lot 8, Block 14, Town of Manor, also known as 208 E. Lane Ave. from single family residential R-1 district zoning to Single Family Residential District zoning R-2, second by Councilmember Samaripa. Motion passes 4-0. All Councilmembers present voting aye.**



8. Consideration and possible action on a rezoning request for Lot 9, Block 14, Town of Manor also known as 210 E. Lane Ave. from single family residential - 1 (R-1) district zoning to single-family residential 2 (R-2) district zoning. P&Z Recommendation: To approve the rezoning from single family residential - 1 zoning district to single family residential - 2 district zoning. Applicant: Austin Habitat for Humanity, Ben Campbell. Staff: Thomas Bolt, Development Services Department. [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt explains the rezoning request.
- b. Applicant Comments: None
- c. Open Public Hearing: Mayor Turner opens the public hearing.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a request for rezoning for Lot 9, Block 14, Town of Manor also known as 210 E. Lane Ave. from Single Family Residential District Zoning R-1 to single Family Residential District Zoning R-2.

**Motion by Councilmember Boatright to approve the rezoning request for Lot 9, Block 14, Town of Manor also known as 210 E. Lane Ave. from Single Family Residential R-1 district zoning to Single Family Residential R-2 district zoning, second by Councilmember Snowden. Motion passes 4-0. All Councilmembers present voting aye.**

9. Consideration and possible action on a rezoning request for Lot 10, Block 14, Town of Manor also known as 212 E. Lane Ave. from single family residential - 1 (R-1) district zoning to single-family residential 2 (R-2) district zoning. P&Z Recommendation: To approve the rezoning from single family residential - 1 zoning district to single family residential - 2 district zoning. Applicant: Austin Habitat for Humanity, Ben Campbell. Staff: Thomas Bolt, Development Services Department. [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt explains the rezoning request.
- b. Applicant Comments: None
- c. Open Public Hearing: Mayor Turner opens the public hearing.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a rezoning request for Lot 10, Block 14, Town of Manor also known as 212 E. Lane Ave. from Single Family Residential District Zoning R-1 to Single Family Residential District Zoning R-2.

**Motion by Councilmember Taylor to approve the rezoning request for Lot 10, Block 14, Town of Manor also known as 212 E. Lane Ave. from Single Family Residential District Zoning R-1 to Single Family Residential District Zoning R-2, second by Councilmember Snowden. Motion passes 4-0. All Councilmembers present voting aye.**

10. Consideration and possible action on a request to rezone the West 10 feet of the North 50 feet of Lot 16, Block 30 and the North 50 feet of Lots 17-20 block 30, Town of Manor also known as 102 E. Boyce St. from Light Commercial (C-1) district zoning to Downtown Business (DBD) district zoning. P&Z Recommendation: To approve the rezoning request from light commercial district zoning to downtown business district zoning. Applicant: Bobby & Ann Gosey. Staff: Thomas Bolt, Development Services Department. [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt explains the rezoning request.
- b. Applicant Comments: John Finley spoke on behalf of the applicants.
- c. Open Public Hearing: Mayor Turner opens the public hearing.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a request to rezone the West 10 feet of the North 50 feet of Lot 16, Block 30 and the North 50 feet of Lots 17-20 Block 30, Town of Manor, also known as 102 E. Boyce St. from Light Commercial C-1 district zoning to Downtown Business (DBD) district zoning.



**Motion by Councilmember Samaripa to approve the request to rezone the West 10 feet of the North 50 feet of Lot 16, Block 30 and the North 50 feet of Lots 17-20 Block 30, Town of Manor, also known as 102 E. Boyce St. from Light Commercial C-1 district zoning to Downtown Business (DBD) district zoning, second by Councilmember Snowden. Motion passes 4-0. All Councilmembers present voting aye.**

11. Consideration and possible action on amendments to Ordinance # 185, Article III, Section 62 - Sign Requirements. The amendments include new definitions; and locations for specific types of signs. Staff: Thomas Bolt, 272-5555. Development Services Department [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)
  - a. Staff Comments: Tom Bolt explains the amendments to Ordinance #185.
  - b. Open Public Hearing: Mayor Turner opens the public hearing.
  - c. Close Public Hearing: Mayor Turner closes the public hearing.
  - d. Discussion and possible action on amendment to Ordinance 185, Article III, Section 62 -- Sign Requirements.

**Motion by Councilmember Boatright to approve amendments to Ordinance #185, Article III, section 62 -- Sign Requirements, including new definitions and locations for specific types of signs, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

12. Consideration and possible action on amendments to Ordinance 185, Article II, Chart 1 to revise land area requirements for certain zoning district categories; revise some minimum land area requirements; and establish setbacks for uses other than residential when adjacent to residential zoned properties. Staff: Thomas Bolt, Development Services Department. 272-5555 [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)
  - a. Staff Comments: Tom Bolt explains the amendments to Ordinance #185.
  - b. Open Public Hearing: Mayor Turner opens the public hearing.
  - c. Close Public Hearing: Mayor Turner closes the public hearing.
  - d. Discussion and possible action on amendments to Ordinance 185, Article II, Chart 1 to revise land area requirements for certain zoning district categories; revise some minimum land area requirements; and establish set backs for uses other than residential when adjacent to residential zoned properties.

**Motion by Councilmember Boatright to approve amendments to Ordinance 185, Article II, Chart 1 to revise land area requirements for certain zoning district categories; revise some minimum land area requirements; and establish setbacks for uses other than residential when adjacent to residential zoned properties, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

13. Consideration and possible action on approval of an Ordinance of the City of Manor Amending Ordinance Number 277 In Its Entirety, Establish Fees for Permits; Requiring a Permit to Operate a Food Establishment; Requiring Employment of a Certified Food Manager; Adopting Regulations for Food Establishments, including Food Service Establishments and Retail Food Stores; Establishing a Penalty; Providing Severability, Effective Date, and Open Meetings Clauses; and Providing for Related Matters.

**Motion by Councilmember Boatright to approve an Ordinance of the City of Manor Amending Ordinance Number 277 in its entirety; Establish Fees for Permits; Requiring a Permit to Operate a Food Establishment; Requiring Employment of a Certified Food Manager; Adopting Regulations for Food Establishments, including Food Service Establishments and Retail Food Stores; Establishing a Penalty; Providing Severability, Effective Date, and Open Meetings Clauses; and Providing for Related Matters, second by Councilmember Taylor. Motion passes 3-1. Councilmembers Boatright, Taylor and Snowden voting aye. Councilmember Samaripa voting nay.**



14. Discussion and possible action on an addendum to a development agreement for Presidential Glen located north and abutting Highway 290 and East and abutting Bois D'Arc.

**Motion by Councilmember Samaripa to approve the addendum to a development agreement for Presidential Glen located North and abutting Highway 290 and East and abutting Bois D'Arc., second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

15. Consideration and possible action on a letter of agreement with Carriage Hills to dedicate a wastewater lift station site in exchange for improvements.

**Motion by Councilmember Samaripa to approve a letter of agreement with Carriage Hills to dedicate a wastewater lift station site in exchange for improvements and directs the City Attorney to make any modifications as needed, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

Mayor Turner informs the public that they will convene into Executive Session to discuss Agenda Items # 16 and 18. Council convenes into Executive Session at 8:50 p.m.

16. Convene into Executive Session to deliberate the offer of financial or other incentive to a business prospect pursuant to §551.087, Texas Government Code, that the City seek to have locate within the City limits at the intersection of FM 973 and Highway 290 and with which the city is conducting economic development negotiations for the development of Manor Commons.
18. Convene into Executive Session to deliberate the purchase, lease or value of real property pursuant to §551.072 and §551.073, Texas Government Code, consider purchase, lease or value of real property for a City Hall.

**Council reconvened from Executive Session at 10:07 p.m. No action was taken in Executive Session.**

17. Reconvene from Executive Session and take possible action as appropriate in the Council's discretion regarding financial or economic incentives for Manor Commons.

No action was taken on Agenda Item #17.

19. Reconvene from Executive Session and take action as appropriate in the Council's discretion regarding the purchase or value of real property for use as a City Hall.

**Motion by Councilmember Samaripa to authorize the City Manager to make further negotiations as needed and authorizes the City Manager to sign a letter of intent, second by Councilmember Snowden. Motion passes 4-0. All Councilmembers present voting aye.**

Mayor Turner leaves the Dias.

20. Discussion and possible action on a development agreement for 281.118 acres located north of the City limits along East of Bois D'Arc and abutting Presidential Glen for a development more commonly known as Sky Village.

No action was taken on this agenda item.

#### STAFF REPORTS

21. **City Engineer's Report:**  
RUS Loans and Grants  
Highway 130 water facility relocation  
Carriage Hills Offsite Utility



Street and Drainage Improvements  
Presidential Glen Offsite Utilities  
Transportation Master Plan

City Engineer, Frank Phelan gives his City Engineer's Report on the above items.

22. **City Manager's Report:**  
Special Called meeting  
Commuter Rail  
Closure of John Nagel Street by Capitol Metro  
Clear well tank replacement  
Music video filming  
Miscellaneous other projects

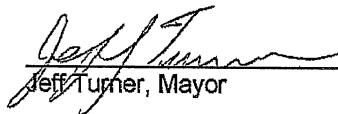
City Manager Phil Tate gives his City Manager's Report on the above items.

23. Adjourn

**Motion by Councilmember Taylor to adjourn the meeting at 10:46 p.m., second by Councilmember Samaripa. Motion passes 4-0. All Councilmembers present voting aye.**

These minutes were approved by the Manor City Council on May 17, 2006.

APPROVED:

  
Jeff Turner, Mayor

Attest:

  
Phil Tate  
City Secretary





## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

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### AGENDA ITEM DESCRIPTION:

12. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone Lot 5, Block 28 Town of Manor, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on March 15, 2006, locally known as 201 W Parsons St.

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### BACKGROUND/SUMMARY:

While doing zoning verification, it was found some properties in the downtown area had been approved to be rezoned but an Ordinance was never created/signed so the maps were never updated. This Ordinance allows for the current Council to certify and create a retroactive Ordinance for a past Council's actions.

PRESENTATION: ☐ YES ☐ NO

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

Ordinance

Council minutes with rezoning approval

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### STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council approve an ordinance amending the Zoning Ordinance to rezone Lot 5, Block 28 Town of Manor, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on March 15, 2006, locally known as 201 W Parsons St.

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



## **ORDINANCE NO. 468**

### **AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE TO REZONE LOT 5, BLOCK 28 TOWN OF MANOR WHICH WAS PREVIOUSLY ZONED LIGHT COMMERCIAL (C-1) TO DOWNTOWN BUSINESS (DB); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the records of the City of Manor, Texas (the “City”) reflect that the owners of the property, described hereinafter (the “Property”), requested that the Property be rezoned from Light Commercial (C-1) to Downtown Business (DB);

**WHEREAS**, City records further reflect that after giving ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed zoning and forwarded its recommendation on the rezoning to the City Council;

**WHEREAS**, City records further reflect that after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing reviewed the request and the circumstances of the Property and found that the proposed zoning is consistent with the comprehensive plan of the City;

**WHEREAS**, the approved minutes for the City Council meeting held on March 15, 2006 show that the City Council approved the proposed rezoning of the Property on March 15, 2006; and

**WHEREAS**, this ordinance is being approved to further document the rezoning approval and to cause the zoning maps to be revised accordingly;

**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 Zoning Code of the City of Manor (the “Zoning Ordinance” or Code”), is hereby modified and amended by rezoning the Property as set forth in Section 3 of this Ordinance.

**SECTION 3. Rezoned Property.** The City Council confirms ratifies and approves the action taken by the City Council on March 15, 2006 to declare that the Zoning Ordinance was and is hereby amended by changing the zoning district for the following parcel of land:

All that certain parcel of land being 0.13 acres, more or less, Lot 5, Block 28 Town of Manor, Travis County, Texas, filed as Document No. 2004134819 in the official public records of Travis County, as more particularly described in Exhibit “A”, being rezoned from the zoning district Light Commercial (C-1) to zoning district Downtown Business (DB).

**SECTION 4. Zoning Map.** The City Engineer is hereby authorized and directed to update the City’s official zoning map as necessary to reflect the zoning districts for the properties set forth in this ordinance.



**SECTION 5. Open Meetings.** That it is hereby officially found and determined that the meeting at which this Ordinance is passed and 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, Tex. Gov't Code*.

**THE ACTIONS TAKEN BY THE CITY COUNCIL DESCRIBED IN SECTION 3 WERE PASSED AND APPROVED** on the 15th day of March, 2006.

**THIS ORDINANCE WAS ADOPTED, APPROVED, AND SIGNED** on the 5th day of April, 2017.

**THE CITY OF MANOR, TEXAS**

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Rita G. Jonse,  
Mayor

**ATTEST:**

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Frances Aguilar, TRMC, CMC



**EXHIBIT “A”**

201 W. Parsons Street, Manor, TX 789653

All that certain parcel of land being 0.13 acres, more or less, Lot 5, Block 28 Town of Manor,  
Travis County, Texas, filed as Document No. 2004134819 in the official public records of Travis  
County





**MINUTES  
MANOR CITY COUNCIL  
201 E. PARSONS STREET  
MANOR, TEXAS 78653  
March 15, 2006 at 7:30 P.M.**

**Council Members Attending:**

Jeff Turner, Mayor  
Vacant  
Ben Boatright  
Sam Samaripa  
Sharon Snowden  
Maud Taylor

**City Staff Present:**

Phil Tate, City Manager  
Tom Bolt, Director Planning Services  
Mike Tuley, Director of Public Services  
Frank Phelan, City Engineer  
Delia Luna, City Clerk

**Call to order and announce a quorum is present.**

Mayor Turner called the City Council meeting to order at 7:35.

**Pledge to the Flag.**

**A. VISITORS/CITIZENS FORUM:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. Please sign the speaker sign-in sheet if you wish to address the Council. No response may be made or action taken by the Council on these items at this meeting.

Danny Burnett with Dwyer Realty addressed his concerns with regard to TxDOT and Hwy. 290 expansion.

**B. CONSENT AGENDA:** All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary.

**1. Approval of Minutes**

- a. February 15, 2006 City Council Meeting
- b. March 1, 2006 City Council Called Meeting

**2. Financial Reports**

**3. Departmental Reports**

**4. Planning and Zoning Commission Report**

**Motion by Councilmember Samaripa to approve the Consent Agenda, second by Councilmember Snowden. Motion passes 4-0. All Councilmembers members voting aye.**

Mayor Turner then proceeds to Agenda Item #9.

**9. City Engineer's Report:**

RUS Loans and Grants  
Highway 130 water facility relocation  
Carriage Hills Offsite Utility  
Street and Drainage Improvements  
Presidential Glen Offsite Utilities  
Transportation Master Plan



Frank Phelan, City Engineer gives Council an update on the current projects that the Engineer is working on. David Simons gives an update on the 290 Expansion.

Mayor Turner proceeds to the Regular Agenda Items.

**C. REGULAR ITEMS:**

1. Consider and act upon a Resolution appointing the City Secretary as the Public Information Coordinator to satisfy the requirements of Section 552.012 of the Texas Government Code for the City of Manor.

**Motion by Councilmember Samaripa to approve a Resolution appointing the City Secretary as the Public Information Coordinator for the City of Manor, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

2. Consider and act upon a Preservation Easement conveyance from the City of Manor to the Texas Historical Commission regarding the Chamberlain-Eppright Home located at 101 E. Wheeler, Manor, Texas.

**Motion by Councilmember Boatright to approve a Preservation Easement conveyance from the City of Manor to the Texas Historical Commission regarding the Chamberlain-Eppright Home located at 101 E. Wheeler, Manor, Texas, second by Councilmember Samaripa. Motion passes 4-0. All Councilmembers present voting aye.**

3. Consider and act upon a Resolution proclaiming the month of April as Fair Housing Month for the City of Manor.

**Motion by Councilmember Samaripa to approve a Resolution proclaiming the month of April as Fair Housing Month for the City of Manor, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

<b>PUBLIC HEARINGS</b>
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1. Consideration and possible action on amendments to Ordinance 185, Section 52 to add permitted uses within the Downtown Business District. Staff: Thomas Bolt, Development Services Department.

- a. Staff Comments: Tom Bolt, Planning Director explains the reasoning for the amendment.
- b. Open Public Hearing: Mayor Turner opens the public hearing.
- c. Close Public Hearing: Mayor Turner closes the public hearing.
- d. Discussion and possible action on amendments to Ordinance 185, Section 52 to add permitted uses within the Downtown Business District.

**Motion by Councilmember Snowden to approve the amendments to Ordinance 185, Section 52 to add permitted uses within the Downtown Business District, second by Councilmember Samaripa. Motion passes 4-0. All Councilmembers voting aye.**

Mayor Turner informs the public that they will discuss Agenda Items 2, 3 and 4 simultaneously.

2. Consideration and possible action on a rezoning request for Lot 5, Block 28, Town of Manor, also known as 201 W. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning. Applicant: Barbarita Sanchez. Staff: Thomas Bolt, Development Services Department.



- a. Staff Comments: Tom Bolt, Planning Director explains to Council the rezoning request for Agenda Items 2, 3 and 4.
- b. Applicant Comments: Not present
- c. Open Public Hearing: Mayor Turner opens the public hearing. There were no citizens comments.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a rezoning request for Lot 5, Block 28, Town of Manor, also known as 201 W. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning.

**Motion by Councilmember Snowden to approve the rezoning request for Lot 5, Block 28, Town of Manor, also known as 201 W. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

3. Consideration and possible action on a rezoning request for Lot 9, Block 26, Town of Manor, also known as 308 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning. Applicant: Brenda Reyes. Staff: Thomas Bolt, Development Services Department.

- a. Staff Comments
- b. Applicant comments
- c. Open Public Hearing
- d. Close Public Hearing
- e. Discussion and possible action on a rezoning request for Lot 9, Block 26, Town of Manor, also known as 308 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning.

**Motion by Councilmember Samaripa to approve the rezoning request for Lot 9, Block 26, Town of Manor, also known as 308 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning, second by Councilmember Snowden. Motion passes 4-0. All Councilmembers present voting aye.**

4. Consideration and possible action on a rezoning request for Lot 1, Block 27, Town of Manor, also known as 309 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning. Applicant: Molly Coleman. Staff: Thomas Bolt, Development Services Department.

- a. Staff Comments
- b. Applicant Comments
- c. Open Public Hearing
- d. Close Public Hearing
- e. Discussion and possible action on a rezoning request for Lot 1, Block 27, Town of Manor, also known as 309 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning.

**Motion by Councilmember Snowden to approve the rezoning request for Lot 1, Block 27, Town of Manor, also known as 309 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

5. Consideration and possible action on a rezoning request for Lot 4, Block 45, Town of Manor, also known as 305 W. Boyce St. from single family residential -1 (R-1) district zoning to single-family residential 2 (R-2) district zoning. Applicant: Ben Campbell. Staff: Thomas Bolt, Development Services Department.



- a. Staff Comments: Tom Bolt, Planning Director informs Council the reasoning for the request.
- b. Applicant Comments: Ben Campbell and Donita Haden explain why they need the rezoning.
- c. Open Public Hearing: Mayor Turner opens the public hearing. No comments from citizens.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a rezoning request for Lot 4, Block 45, Town of Manor, also known as 305 W. Boyce St. from single-family residential -1 (R-1) district zoning to single family residential 2 (R-2) district zoning.

**Motion by Councilmember Samaripa to approve the rezoning request for Lot 4, Block 45, Town of Manor, also known as 305 W. Boyce St. from single-family residential -1 (R-1) district zoning to single family residential 2 (R-2) district zoning, second by Councilmember Snowden. Motion passes 4-0. All Councilmembers present voting aye.**

6. Discuss consider and act upon a request for a Conditional Use Permit for two-thousand (2000) sq/ft. for Liquor Sales at 14001- 14009 Shadowglen Boulevard. Property is zoned Light Commercial (C-1) district. Staff Recommendation: To approve a Conditional Use Permit for two-thousand (2000) sq/ft. for Liquor Sales at 14001- 14009 Shadowglen Boulevard. Applicant: Spasco, Ltd., Sanford Aron. Agent: J. Bradley Greenblum. Staff: Thomas Bolt, 272-5555, Development Services Department [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt, Planning Director informs Council that the applicant are requesting a zoning change to open a liquor store in the shopping strip at Shadowglen and recommends approval.
- b. Applicant Comments: Applicants did not show up for the meeting
- c. Open Public Hearing: Mayor Turner opens the public hearing. Two citizens from Shadowglen subdivision spoke on this agenda item and one was against the liquor store and the other one was in favor of the liquor store.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a request for a Conditional Use Permit for two-thousand (2000) sq/ft. for Liquor Sales at 14001- 14009 Shadowglen Boulevard. Property is zoned Light Commercial (C-1) district.

**Motion by Councilmember Samaripa to table this agenda item until the next council meeting, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

Mayor Turner informs Council that Agenda item 7 does not require action by Council and he proceeds to Agenda Item #8.

7. Discuss consider and act upon a request to reduce the building setbacks on Lot 10, Block 18, of the Town of Manor, locally known as 501 E. Carrie Manor St. as allowed in Ordinance 185, Section 20, (j).1. Staff recommendation is to approve the requested reduction in setback requirements as allowed in Ordinance 185, Section 20, (j).1. Applicant: Cardell Dewitty. Staff: Thomas Bolt, 272-5555, Development Services Department. [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments
- b. Applicant Comments
- c. Open Public Hearing
- d. Close Public Hearing
- e. Discussion and possible action on a request to reduce the building setbacks on Lot 10, Block 18, of the Town of Manor, locally known as 501 E. Carrie Manor St. as allowed in Ordinance 185, Section 20, (j).1.

8. Discuss, consider and act on Preliminary Plat for Presidential Meadows, Section 4-A, Lot 65, Block G. Staff Recommendation: To deny as submitted the Preliminary Plat for Presidential Meadows,



Section 4-A, Lot 65, Block G and Final Plat. Applicant: Cottonwood Holdings, LTD. Agent: TC&B, Staff: Thomas Bolt, 272-5555, [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt informs Council the City is recommending to deny the preliminary plat as submitted because several changes need to be done before approval.
- b. Applicant Comments: Applicant did not attend the meeting.
- c. Open Public Hearing: Mayor Turner opens the public hearing. No comments from citizens.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a Preliminary Plat for Presidential Meadows, Section 4-A, Lot 65, Block G.

**Motion by Councilmember Samaripa to deny the Preliminary Plat for Presidential Meadows, Section 4-A, Lot 65, Block G as submitted, second by Councilmember Boatright. Motion passes 4-0. All Councilmembers present voting aye.**

#### **STAFF REPORTS**

10. **City Manager's Report:**  
Special Called meeting March 22, 2006  
Commuter Rail  
Closure of John Nagel street by Capitol Metro  
Clear well tank replacement  
Music video filming  
Miscellaneous other projects

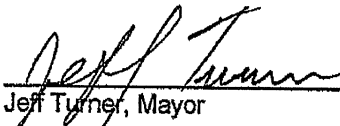
City Manager Phil Tate gives a report on the above items.

11. Adjourn

**Motion by Councilmember Samaripa to adjourn the meeting at 9:25 p.m., second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

These minutes were approved by the Manor City Council on April 19, 2006.

APPROVED:

  
Jeff Turner, Mayor

Attest:

  
Phil Tate  
City Secretary









## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

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### AGENDA ITEM DESCRIPTION:

13. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone Lot 9, Block 26 Town of Manor, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on March 15, 2006, locally known as 308 W Parsons St.

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### BACKGROUND/SUMMARY:

While doing zoning verification, it was found some properties in the downtown area had been approved to be rezoned but an Ordinance was never created/signed so the maps were never updated. This Ordinance allows for the current Council to certify and create a retroactive Ordinance for a past Council's actions.

PRESENTATION: ☐ YES ☐ NO

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

Ordinance

Council minutes with rezoning approval

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### STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council approve an ordinance amending the Zoning Ordinance to rezone Lot 9, Block 26 Town of Manor, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on March 15, 2006, locally known as 308 W Parsons St.

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



## **ORDINANCE NO. 469**

### **AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE TO REZONE LOT 9, BLOCK 26 TOWN OF MANOR WHICH WAS PREVIOUSLY ZONED LIGHT COMMERCIAL (C-1) TO DOWNTOWN BUSINESS (DB); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the records of the City of Manor, Texas (the “City”) reflect that the owners of the property, described hereinafter (the “Property”), requested that the Property be rezoned from Light Commercial (C-1) to Downtown Business (DB);

**WHEREAS**, City records further reflect that after giving ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed zoning and forwarded its recommendation on the rezoning to the City Council;

**WHEREAS**, City records further reflect that after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing reviewed the request and the circumstances of the Property and found that the proposed zoning is consistent with the comprehensive plan of the City;

**WHEREAS**, the approved minutes for the City Council meeting held on March 15, 2006 show that the City Council approved the proposed rezoning of the Property on March 15, 2006; and

**WHEREAS**, this ordinance is being approved to further document the rezoning approval and to cause the zoning maps to be revised accordingly;

**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 Zoning Code of the City of Manor (the “Zoning Ordinance” or Code”), is hereby modified and amended by rezoning the Property as set forth in Section 3 of this Ordinance.

**SECTION 3. Rezoned Property.** The City Council confirms ratifies and approves the action taken by the City Council on March 15, 2006 to declare that the Zoning Ordinance was and is hereby amended by changing the zoning district for the following parcel of land:

All that certain parcel of land being 0.13 acres, more or less, Lot 9, Block 26 Town of Manor, Travis County, Texas, as more particularly described in Exhibit “A”, being rezoned from the zoning district Light Commercial (C-1) to zoning district Downtown Business (DB).

**SECTION 4. Zoning Map.** The City Engineer is hereby authorized and directed to update the City’s official zoning map as necessary to reflect the zoning districts for the properties set forth in this ordinance.



**SECTION 5. Open Meetings.** That it is hereby officially found and determined that the meeting at which this Ordinance is passed and 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, Tex. Gov't Code*.

**THE ACTIONS TAKEN BY THE CITY COUNCIL DESCRIBED IN SECTION 3 WERE PASSED AND APPROVED** on the 15th day of March, 2006.

**THIS ORDINANCE WAS ADOPTED, APPROVED, AND SIGNED** on the 5th day of April, 2017.

**THE CITY OF MANOR, TEXAS**

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Rita G. Jonse,  
Mayor

**ATTEST:**

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Frances Aguilar, TRMC, CMC  
City Secretary



**EXHIBIT “A”**

308 W. Parsons Street, Manor, TX 78653

All that certain parcel of land being 0.13 acres, more or less, Lot 9, Block 26 Town of Manor,  
Travis County, Texas





**MINUTES  
MANOR CITY COUNCIL  
201 E. PARSONS STREET  
MANOR, TEXAS 78653  
March 15, 2006 at 7:30 P.M.**

**Council Members Attending:**

Jeff Turner, Mayor  
Vacant  
Ben Boatright  
Sam Samaripa  
Sharon Snowden  
Maud Taylor

**City Staff Present:**

Phil Tate, City Manager  
Tom Bolt, Director Planning Services  
Mike Tuley, Director of Public Services  
Frank Phelan, City Engineer  
Delia Luna, City Clerk

**Call to order and announce a quorum is present.**

Mayor Turner called the City Council meeting to order at 7:35.

**Pledge to the Flag.**

**A. VISITORS/CITIZENS FORUM:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. Please sign the speaker sign-in sheet if you wish to address the Council. No response may be made or action taken by the Council on these items at this meeting.

Danny Burnett with Dwyer Realty addressed his concerns with regard to TxDOT and Hwy. 290 expansion.

**B. CONSENT AGENDA:** All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary.

**1. Approval of Minutes**

- a. February 15, 2006 City Council Meeting
- b. March 1, 2006 City Council Called Meeting

**2. Financial Reports**

**3. Departmental Reports**

**4. Planning and Zoning Commission Report**

**Motion by Councilmember Samaripa to approve the Consent Agenda, second by Councilmember Snowden. Motion passes 4-0. All Councilmembers members voting aye.**

Mayor Turner then proceeds to Agenda Item #9.

**9. City Engineer's Report:**

RUS Loans and Grants  
Highway 130 water facility relocation  
Carriage Hills Offsite Utility  
Street and Drainage Improvements  
Presidential Glen Offsite Utilities  
Transportation Master Plan



Frank Phelan, City Engineer gives Council an update on the current projects that the Engineer is working on. David Simons gives an update on the 290 Expansion.

Mayor Turner proceeds to the Regular Agenda Items.

**C. REGULAR ITEMS:**

1. Consider and act upon a Resolution appointing the City Secretary as the Public Information Coordinator to satisfy the requirements of Section 552.012 of the Texas Government Code for the City of Manor.

**Motion by Councilmember Samaripa to approve a Resolution appointing the City Secretary as the Public Information Coordinator for the City of Manor, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

2. Consider and act upon a Preservation Easement conveyance from the City of Manor to the Texas Historical Commission regarding the Chamberlain-Eppright Home located at 101 E. Wheeler, Manor, Texas.

**Motion by Councilmember Boatright to approve a Preservation Easement conveyance from the City of Manor to the Texas Historical Commission regarding the Chamberlain-Eppright Home located at 101 E. Wheeler, Manor, Texas, second by Councilmember Samaripa. Motion passes 4-0. All Councilmembers present voting aye.**

3. Consider and act upon a Resolution proclaiming the month of April as Fair Housing Month for the City of Manor.

**Motion by Councilmember Samaripa to approve a Resolution proclaiming the month of April as Fair Housing Month for the City of Manor, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

<b>PUBLIC HEARINGS</b>
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1. Consideration and possible action on amendments to Ordinance 185, Section 52 to add permitted uses within the Downtown Business District. Staff: Thomas Bolt, Development Services Department.

- a. Staff Comments: Tom Bolt, Planning Director explains the reasoning for the amendment.
- b. Open Public Hearing: Mayor Turner opens the public hearing.
- c. Close Public Hearing: Mayor Turner closes the public hearing.
- d. Discussion and possible action on amendments to Ordinance 185, Section 52 to add permitted uses within the Downtown Business District.

**Motion by Councilmember Snowden to approve the amendments to Ordinance 185, Section 52 to add permitted uses within the Downtown Business District, second by Councilmember Samaripa. Motion passes 4-0. All Councilmembers voting aye.**

Mayor Turner informs the public that they will discuss Agenda Items 2, 3 and 4 simultaneously.

2. Consideration and possible action on a rezoning request for Lot 5, Block 28, Town of Manor, also known as 201 W. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning. Applicant: Barbarita Sanchez. Staff: Thomas Bolt, Development Services Department.



- a. Staff Comments: Tom Bolt, Planning Director explains to Council the rezoning request for Agenda Items 2, 3 and 4.
- b. Applicant Comments: Not present
- c. Open Public Hearing: Mayor Turner opens the public hearing. There were no citizens comments.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a rezoning request for Lot 5, Block 28, Town of Manor, also known as 201 W. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning.

**Motion by Councilmember Snowden to approve the rezoning request for Lot 5, Block 28, Town of Manor, also known as 201 W. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

3. Consideration and possible action on a rezoning request for Lot 9, Block 26, Town of Manor, also known as 308 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning. Applicant: Brenda Reyes. Staff: Thomas Bolt, Development Services Department.

- a. Staff Comments
- b. Applicant comments
- c. Open Public Hearing
- d. Close Public Hearing
- e. Discussion and possible action on a rezoning request for Lot 9, Block 26, Town of Manor, also known as 308 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning.

**Motion by Councilmember Samaripa to approve the rezoning request for Lot 9, Block 26, Town of Manor, also known as 308 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning, second by Councilmember Snowden. Motion passes 4-0. All Councilmembers present voting aye.**

4. Consideration and possible action on a rezoning request for Lot 1, Block 27, Town of Manor, also known as 309 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning. Applicant: Molly Coleman. Staff: Thomas Bolt, Development Services Department.

- a. Staff Comments
- b. Applicant Comments
- c. Open Public Hearing
- d. Close Public Hearing
- e. Discussion and possible action on a rezoning request for Lot 1, Block 27, Town of Manor, also known as 309 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning.

**Motion by Councilmember Snowden to approve the rezoning request for Lot 1, Block 27, Town of Manor, also known as 309 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

5. Consideration and possible action on a rezoning request for Lot 4, Block 45, Town of Manor, also known as 305 W. Boyce St. from single family residential -1 (R-1) district zoning to single-family residential 2 (R-2) district zoning. Applicant: Ben Campbell. Staff: Thomas Bolt, Development Services Department.



- a. Staff Comments: Tom Bolt, Planning Director informs Council the reasoning for the request.
- b. Applicant Comments: Ben Campbell and Donita Haden explain why they need the rezoning.
- c. Open Public Hearing: Mayor Turner opens the public hearing. No comments from citizens.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a rezoning request for Lot 4, Block 45, Town of Manor, also known as 305 W. Boyce St. from single-family residential -1 (R-1) district zoning to single family residential 2 (R-2) district zoning.

**Motion by Councilmember Samaripa to approve the rezoning request for Lot 4, Block 45, Town of Manor, also known as 305 W. Boyce St. from single-family residential -1 (R-1) district zoning to single family residential 2 (R-2) district zoning, second by Councilmember Snowden. Motion passes 4-0. All Councilmembers present voting aye.**

6. Discuss consider and act upon a request for a Conditional Use Permit for two-thousand (2000) sq/ft. for Liquor Sales at 14001- 14009 Shadowglen Boulevard. Property is zoned Light Commercial (C-1) district. Staff Recommendation: To approve a Conditional Use Permit for two-thousand (2000) sq/ft. for Liquor Sales at 14001- 14009 Shadowglen Boulevard. Applicant: Spasco, Ltd., Sanford Aron. Agent: J. Bradley Greenblum. Staff: Thomas Bolt, 272-5555, Development Services Department [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt, Planning Director informs Council that the applicant are requesting a zoning change to open a liquor store in the shopping strip at Shadowglen and recommends approval.
- b. Applicant Comments: Applicants did not show up for the meeting
- c. Open Public Hearing: Mayor Turner opens the public hearing. Two citizens from Shadowglen subdivision spoke on this agenda item and one was against the liquor store and the other one was in favor of the liquor store.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a request for a Conditional Use Permit for two-thousand (2000) sq/ft. for Liquor Sales at 14001- 14009 Shadowglen Boulevard. Property is zoned Light Commercial (C-1) district.

**Motion by Councilmember Samaripa to table this agenda item until the next council meeting, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

Mayor Turner informs Council that Agenda item 7 does not require action by Council and he proceeds to Agenda Item #8.

7. Discuss consider and act upon a request to reduce the building setbacks on Lot 10, Block 18, of the Town of Manor, locally known as 501 E. Carrie Manor St. as allowed in Ordinance 185, Section 20, (j).1. Staff recommendation is to approve the requested reduction in setback requirements as allowed in Ordinance 185, Section 20, (j).1. Applicant: Cardell Dewitty. Staff: Thomas Bolt, 272-5555, Development Services Department. [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)
  - a. Staff Comments
  - b. Applicant Comments
  - c. Open Public Hearing
  - d. Close Public Hearing
  - e. Discussion and possible action on a request to reduce the building setbacks on Lot 10, Block 18, of the Town of Manor, locally known as 501 E. Carrie Manor St. as allowed in Ordinance 185, Section 20, (j).1.
8. Discuss, consider and act on Preliminary Plat for Presidential Meadows, Section 4-A, Lot 65, Block G. Staff Recommendation: To deny as submitted the Preliminary Plat for Presidential Meadows,



Section 4-A, Lot 65, Block G and Final Plat. Applicant: Cottonwood Holdings, LTD. Agent: TC&B, Staff: Thomas Bolt, 272-5555, [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt informs Council the City is recommending to deny the preliminary plat as submitted because several changes need to be done before approval.
- b. Applicant Comments: Applicant did not attend the meeting.
- c. Open Public Hearing: Mayor Turner opens the public hearing. No comments from citizens.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a Preliminary Plat for Presidential Meadows, Section 4-A, Lot 65, Block G.

**Motion by Councilmember Samaripa to deny the Preliminary Plat for Presidential Meadows, Section 4-A, Lot 65, Block G as submitted, second by Councilmember Boatright. Motion passes 4-0. All Councilmembers present voting aye.**

#### **STAFF REPORTS**

10. **City Manager's Report:**  
Special Called meeting March 22, 2006  
Commuter Rail  
Closure of John Nagel street by Capitol Metro  
Clear well tank replacement  
Music video filming  
Miscellaneous other projects

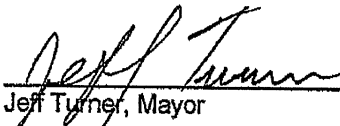
City Manager Phil Tate gives a report on the above items.

11. Adjourn

**Motion by Councilmember Samaripa to adjourn the meeting at 9:25 p.m., second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

These minutes were approved by the Manor City Council on April 19, 2006.

APPROVED:

  
Jeff Turner, Mayor

Attest:

  
Phil Tate  
City Secretary









## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

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### AGENDA ITEM DESCRIPTION:

14. Consideration, discussion, and possible action on an ordinance amending the Zoning Ordinance to rezone Lot 1, Block 27 Town of Manor, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on March 15, 2006, locally known as 309 W Parsons St.

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### BACKGROUND/SUMMARY:

While doing zoning verification, it was found some properties in the downtown area had been approved to be rezoned but an Ordinance was never created/signed so the maps were never updated. This Ordinance allows for the current Council to certify and create a retroactive Ordinance for a past Council's actions.

PRESENTATION: ☐ YES ☐ NO

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

Ordinance

Council minutes with rezoning approval

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### STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council approve an ordinance amending the Zoning Ordinance to rezone Lot 1, Block 27 Town of Manor, which was previously zoned Light Commercial (C-1) to Downtown Business District (DB) on March 15, 2006, locally known as 309 W Parsons St.

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



## **ORDINANCE NO. 470**

### **AN ORDINANCE OF THE CITY OF MANOR, TEXAS, AMENDING THE ZONING ORDINANCE TO REZONE LOT 1, BLOCK 27 TOWN OF MANOR WHICH WAS PREVIOUSLY ZONED LIGHT COMMERCIAL (C-1) TO DOWNTOWN BUSINESS (DB); MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the records of the City of Manor, Texas (the “City”) reflect that the owners of the property, described hereinafter (the “Property”), requested that the Property be rezoned from Light Commercial (C-1) to Downtown Business (DB);

**WHEREAS**, City records further reflect that after giving ten days written notice to the owners of land within two hundred feet of the Property, the Planning & Zoning Commission held a public hearing on the proposed zoning and forwarded its recommendation on the rezoning to the City Council;

**WHEREAS**, City records further reflect that after publishing notice of the public hearing at least fifteen days prior to the date of such hearing, the City Council at a public hearing reviewed the request and the circumstances of the Property and found that the proposed zoning is consistent with the comprehensive plan of the City;

**WHEREAS**, the approved minutes for the City Council meeting held on March 15, 2006 show that the City Council approved the proposed rezoning of the Property on March 15, 2006; and

**WHEREAS**, this ordinance is being approved to further document the rezoning approval and to cause the zoning maps to be revised accordingly;

**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 Zoning Code of the City of Manor (the “Zoning Ordinance” or Code”), is hereby modified and amended by rezoning the Property as set forth in Section 3 of this Ordinance.

**SECTION 3. Rezoned Property.** The City Council confirms ratifies and approves the action taken by the City Council on March 15, 2006 to declare that the Zoning Ordinance was and is hereby amended by changing the zoning district for the following parcel of land:

All that certain parcel of land being 0.20 acres, more or less, Lot 1, Block 27 Town of Manor, Travis County, Texas, filed as Document No. 2006249077 in the official public records of Travis County, as more particularly described in Exhibit “A”, being rezoned from the zoning district Light Commercial (C-1) to zoning district Downtown Business (DB).

**SECTION 4. Zoning Map.** The City Engineer is hereby authorized and directed to update the City’s official zoning map as necessary to reflect the zoning districts for the properties set forth in this ordinance.



**SECTION 5. Open Meetings.** That it is hereby officially found and determined that the meeting at which this Ordinance is passed and 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, Tex. Gov't Code*.

**THE ACTIONS TAKEN BY THE CITY COUNCIL DESCRIBED IN SECTION 3 WERE PASSED AND APPROVED** on the 15th day of March, 2006.

**THIS ORDINANCE WAS ADOPTED, APPROVED, AND SIGNED** on the 5th day of April, 2017.

**THE CITY OF MANOR, TEXAS**

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Rita G. Jonse,  
Mayor

**ATTEST:**

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Frances Aguilar, TRMC, CMC  
City Secretary



**EXHIBIT “A”**

309 W. Parsons Street, Manor, TX 78653

All that certain parcel of land being 0.20 acres, more or less, Lot 1, Block 27 Town of Manor,  
Travis County, Texas





**MINUTES  
MANOR CITY COUNCIL  
201 E. PARSONS STREET  
MANOR, TEXAS 78653  
March 15, 2006 at 7:30 P.M.**

**Council Members Attending:**

Jeff Turner, Mayor  
Vacant  
Ben Boatright  
Sam Samaripa  
Sharon Snowden  
Maud Taylor

**City Staff Present:**

Phil Tate, City Manager  
Tom Bolt, Director Planning Services  
Mike Tuley, Director of Public Services  
Frank Phelan, City Engineer  
Delia Luna, City Clerk

**Call to order and announce a quorum is present.**

Mayor Turner called the City Council meeting to order at 7:35.

**Pledge to the Flag.**

**A. VISITORS/CITIZENS FORUM:** At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. Please sign the speaker sign-in sheet if you wish to address the Council. No response may be made or action taken by the Council on these items at this meeting.

Danny Burnett with Dwyer Realty addressed his concerns with regard to TxDOT and Hwy. 290 expansion.

**B. CONSENT AGENDA:** All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary.

**1. Approval of Minutes**

- a. February 15, 2006 City Council Meeting
- b. March 1, 2006 City Council Called Meeting

**2. Financial Reports**

**3. Departmental Reports**

**4. Planning and Zoning Commission Report**

**Motion by Councilmember Samaripa to approve the Consent Agenda, second by Councilmember Snowden. Motion passes 4-0. All Councilmembers members voting aye.**

Mayor Turner then proceeds to Agenda Item #9.

**9. City Engineer's Report:**

RUS Loans and Grants  
Highway 130 water facility relocation  
Carriage Hills Offsite Utility  
Street and Drainage Improvements  
Presidential Glen Offsite Utilities  
Transportation Master Plan



Frank Phelan, City Engineer gives Council an update on the current projects that the Engineer is working on. David Simons gives an update on the 290 Expansion.

Mayor Turner proceeds to the Regular Agenda Items.

**C. REGULAR ITEMS:**

1. Consider and act upon a Resolution appointing the City Secretary as the Public Information Coordinator to satisfy the requirements of Section 552.012 of the Texas Government Code for the City of Manor.

**Motion by Councilmember Samaripa to approve a Resolution appointing the City Secretary as the Public Information Coordinator for the City of Manor, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

2. Consider and act upon a Preservation Easement conveyance from the City of Manor to the Texas Historical Commission regarding the Chamberlain-Eppright Home located at 101 E. Wheeler, Manor, Texas.

**Motion by Councilmember Boatright to approve a Preservation Easement conveyance from the City of Manor to the Texas Historical Commission regarding the Chamberlain-Eppright Home located at 101 E. Wheeler, Manor, Texas, second by Councilmember Samaripa. Motion passes 4-0. All Councilmembers present voting aye.**

3. Consider and act upon a Resolution proclaiming the month of April as Fair Housing Month for the City of Manor.

**Motion by Councilmember Samaripa to approve a Resolution proclaiming the month of April as Fair Housing Month for the City of Manor, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

<b>PUBLIC HEARINGS</b>
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1. Consideration and possible action on amendments to Ordinance 185, Section 52 to add permitted uses within the Downtown Business District. Staff: Thomas Bolt, Development Services Department.

- a. Staff Comments: Tom Bolt, Planning Director explains the reasoning for the amendment.
- b. Open Public Hearing: Mayor Turner opens the public hearing.
- c. Close Public Hearing: Mayor Turner closes the public hearing.
- d. Discussion and possible action on amendments to Ordinance 185, Section 52 to add permitted uses within the Downtown Business District.

**Motion by Councilmember Snowden to approve the amendments to Ordinance 185, Section 52 to add permitted uses within the Downtown Business District, second by Councilmember Samaripa. Motion passes 4-0. All Councilmembers voting aye.**

Mayor Turner informs the public that they will discuss Agenda Items 2, 3 and 4 simultaneously.

2. Consideration and possible action on a rezoning request for Lot 5, Block 28, Town of Manor, also known as 201 W. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning. Applicant: Barbarita Sanchez. Staff: Thomas Bolt, Development Services Department.



- a. Staff Comments: Tom Bolt, Planning Director explains to Council the rezoning request for Agenda Items 2, 3 and 4.
- b. Applicant Comments: Not present
- c. Open Public Hearing: Mayor Turner opens the public hearing. There were no citizens comments.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a rezoning request for Lot 5, Block 28, Town of Manor, also known as 201 W. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning.

**Motion by Councilmember Snowden to approve the rezoning request for Lot 5, Block 28, Town of Manor, also known as 201 W. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

3. Consideration and possible action on a rezoning request for Lot 9, Block 26, Town of Manor, also known as 308 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning. Applicant: Brenda Reyes. Staff: Thomas Bolt, Development Services Department.

- a. Staff Comments
- b. Applicant comments
- c. Open Public Hearing
- d. Close Public Hearing
- e. Discussion and possible action on a rezoning request for Lot 9, Block 26, Town of Manor, also known as 308 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning.

**Motion by Councilmember Samaripa to approve the rezoning request for Lot 9, Block 26, Town of Manor, also known as 308 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning, second by Councilmember Snowden. Motion passes 4-0. All Councilmembers present voting aye.**

4. Consideration and possible action on a rezoning request for Lot 1, Block 27, Town of Manor, also known as 309 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning. Applicant: Molly Coleman. Staff: Thomas Bolt, Development Services Department.

- a. Staff Comments
- b. Applicant Comments
- c. Open Public Hearing
- d. Close Public Hearing
- e. Discussion and possible action on a rezoning request for Lot 1, Block 27, Town of Manor, also known as 309 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning.

**Motion by Councilmember Snowden to approve the rezoning request for Lot 1, Block 27, Town of Manor, also known as 309 E. Parsons St. from light commercial (C-1) district zoning to downtown business district (DBD) district zoning, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

5. Consideration and possible action on a rezoning request for Lot 4, Block 45, Town of Manor, also known as 305 W. Boyce St. from single family residential -1 (R-1) district zoning to single-family residential 2 (R-2) district zoning. Applicant: Ben Campbell. Staff: Thomas Bolt, Development Services Department.



- a. Staff Comments: Tom Bolt, Planning Director informs Council the reasoning for the request.
- b. Applicant Comments: Ben Campbell and Donita Haden explain why they need the rezoning.
- c. Open Public Hearing: Mayor Turner opens the public hearing. No comments from citizens.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a rezoning request for Lot 4, Block 45, Town of Manor, also known as 305 W. Boyce St. from single-family residential -1 (R-1) district zoning to single family residential 2 (R-2) district zoning.

**Motion by Councilmember Samaripa to approve the rezoning request for Lot 4, Block 45, Town of Manor, also known as 305 W. Boyce St. from single-family residential -1 (R-1) district zoning to single family residential 2 (R-2) district zoning, second by Councilmember Snowden. Motion passes 4-0. All Councilmembers present voting aye.**

6. Discuss consider and act upon a request for a Conditional Use Permit for two-thousand (2000) sq/ft. for Liquor Sales at 14001- 14009 Shadowglen Boulevard. Property is zoned Light Commercial (C-1) district. Staff Recommendation: To approve a Conditional Use Permit for two-thousand (2000) sq/ft. for Liquor Sales at 14001- 14009 Shadowglen Boulevard. Applicant: Spasco, Ltd., Sanford Aron. Agent: J. Bradley Greenblum. Staff: Thomas Bolt, 272-5555, Development Services Department [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt, Planning Director informs Council that the applicant are requesting a zoning change to open a liquor store in the shopping strip at Shadowglen and recommends approval.
- b. Applicant Comments: Applicants did not show up for the meeting
- c. Open Public Hearing: Mayor Turner opens the public hearing. Two citizens from Shadowglen subdivision spoke on this agenda item and one was against the liquor store and the other one was in favor of the liquor store.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a request for a Conditional Use Permit for two-thousand (2000) sq/ft. for Liquor Sales at 14001- 14009 Shadowglen Boulevard. Property is zoned Light Commercial (C-1) district.

**Motion by Councilmember Samaripa to table this agenda item until the next council meeting, second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

Mayor Turner informs Council that Agenda item 7 does not require action by Council and he proceeds to Agenda Item #8.

7. Discuss consider and act upon a request to reduce the building setbacks on Lot 10, Block 18, of the Town of Manor, locally known as 501 E. Carrie Manor St. as allowed in Ordinance 185, Section 20, (j).1. Staff recommendation is to approve the requested reduction in setback requirements as allowed in Ordinance 185, Section 20, (j).1. Applicant: Cardell Dewitty. Staff: Thomas Bolt, 272-5555, Development Services Department. [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)
  - a. Staff Comments
  - b. Applicant Comments
  - c. Open Public Hearing
  - d. Close Public Hearing
  - e. Discussion and possible action on a request to reduce the building setbacks on Lot 10, Block 18, of the Town of Manor, locally known as 501 E. Carrie Manor St. as allowed in Ordinance 185, Section 20, (j).1.
8. Discuss, consider and act on Preliminary Plat for Presidential Meadows, Section 4-A, Lot 65, Block G. Staff Recommendation: To deny as submitted the Preliminary Plat for Presidential Meadows,



Section 4-A, Lot 65, Block G and Final Plat. Applicant: Cottonwood Holdings, LTD. Agent: TC&B, Staff: Thomas Bolt, 272-5555, [tbolt@cityofmanor.com](mailto:tbolt@cityofmanor.com)

- a. Staff Comments: Tom Bolt informs Council the City is recommending to deny the preliminary plat as submitted because several changes need to be done before approval.
- b. Applicant Comments: Applicant did not attend the meeting.
- c. Open Public Hearing: Mayor Turner opens the public hearing. No comments from citizens.
- d. Close Public Hearing: Mayor Turner closes the public hearing.
- e. Discussion and possible action on a Preliminary Plat for Presidential Meadows, Section 4-A, Lot 65, Block G.

**Motion by Councilmember Samaripa to deny the Preliminary Plat for Presidential Meadows, Section 4-A, Lot 65, Block G as submitted, second by Councilmember Boatright. Motion passes 4-0. All Councilmembers present voting aye.**

#### **STAFF REPORTS**

10. **City Manager's Report:**  
Special Called meeting March 22, 2006  
Commuter Rail  
Closure of John Nagel street by Capitol Metro  
Clear well tank replacement  
Music video filming  
Miscellaneous other projects

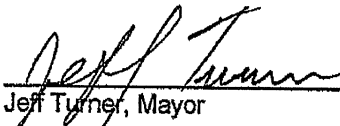
City Manager Phil Tate gives a report on the above items.

11. Adjourn

**Motion by Councilmember Samaripa to adjourn the meeting at 9:25 p.m., second by Councilmember Taylor. Motion passes 4-0. All Councilmembers present voting aye.**

These minutes were approved by the Manor City Council on April 19, 2006.

APPROVED:

  
Jeff Turner, Mayor

Attest:

  
Phil Tate  
City Secretary









### AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Frances Aguilar

DEPARTMENT: City Secretary's Office

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**AGENDA ITEM DESCRIPTION:**

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

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**BACKGROUND/SUMMARY:**

PRESENTATION: ☐ YES ☒ NO

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

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**STAFF RECOMMENDATION:**

It is City staff's recommendation that the City Council recess the public hearing regarding the creation of a Public Improvement District – EntradaGlen.

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









### AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: March 15, 2017

PREPARED BY: Tom Bolt

DEPARTMENT: Administration

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AGENDA ITEM DESCRIPTION:

16. Consideration, discussion, and possible action on the creation of a Public Improvement District – EntradaGlen.

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BACKGROUND/SUMMARY:

PRESENTATION: ☐ YES ☒ NO

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

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STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council postpone the creation of the EntradaGlen Public Improvement District.

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









### AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Frank T. Phelan, P.E.

DEPARTMENT: Engineering

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AGENDA ITEM DESCRIPTION:

17. Consideration, discussion, and possible action on a Wheeling Agreement with Manville WCS.

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BACKGROUND/SUMMARY:

Manor purchases water from EPCOR that is delivered ("wheeled") through Manville WSC lines. The contract for wheeling water needs to be extended. The extension will provide time to install a new City of Manor line that will negate the need for the wheeling arrangement.

PRESENTATION: ☒ YES ☐ NO

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

Proposed wheeling contract

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STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council approve the wheeling agreement.

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



**STATE OF TEXAS**

**§**

**TRAVIS COUNTY**

**§**

**CONTRACT FOR WHEELING OF WATER**

This contract is made by and between Manville Water Supply Corporation, a Texas nonprofit corporation and member owned retail public water utility (hereinafter "Manville"), and the City of Manor, Texas (hereinafter "Manor").

**WHEREAS**, Manor has a contract to purchase wholesale water from Epcor 130 Project, Inc. ("EPCOR") for use in Manor's retail water public utility operations; and

**WHEREAS**, neither EPCOR nor Manor have existing infrastructure capable of transferring the water from EPCOR's supply point to Manor's point of delivery; and

**WHEREAS**, Manville has existing infrastructure in the form of transmission lines, with excess capacity and is capable, on a temporary basis, of transporting the said water from EPCOR's supply point to Manor's desired point of delivery;

**NOW, THEREFORE**, Manville and Manor agree that Manville will accept, on behalf of Manor, the quantities of water purchased from EPCOR by Manor at Manville's existing connection with EPCOR at Gregg Lane, Travis County, Texas. Manville will convey the said water through Manville's existing infrastructure to Manor at one or more delivery points to be specified by Manville at its sole discretion. Manville will transport the water provided by EPCOR through Manville's transmission lines to the agreed points of delivery at or near Manor, Texas, (a process hereinafter called "wheeling") on the following terms and conditions:

1. This contract is contingent upon EPCOR and Manor entering into and maintaining a wholesale water supply contract, for the purchase and sale of water to be wheeled through Manville's infrastructure.
2. The term of this contract shall be three (3) years, beginning on March 13, 2017, and continuing until March 13, 2020. It is agreed and stipulated that Manville will no longer have excess capacity to wheel water through its infrastructure after the three (3) year term of this contract, and all wheeling of water under the terms of this contract shall terminate on March 13, 2020 without further notice. This contract is not subject to automatic renewal or to extension after the three year term, except by action of the Manville board of directors.



3. It is agreed and stipulated that all water that is the subject of this contract is to be provided by EPCOR, at its sole expense, and that, as between the parties, EPCOR shall have sole responsibility for delivering water to Manville's point of connection with EPCOR. Manville shall have no responsibility for failures of EPCOR to deliver water to the point of connection, and is under no obligation to provide or deliver water from other sources upon failure or inability of EPCOR to deliver.
4. Initial water pick-up and delivery points, whether one or more, shall be designated on the attached Exhibit A. Manville shall have no responsibility for the design, engineering, financing, contribution, maintenance, operation and inspection of EPCOR infrastructure on the EPCOR side of the delivery point to Manville's system. In addition, Manor, at its sole expense shall pay for the Master Meters at the pickup points and the points of delivery including installation and inspection thereof. Manville shall, at its sole expense, be responsible for all extensions of infrastructure necessary to deliver the water to the Manor delivery points including the design, engineering, financing, construction, and inspection thereof. Manville shall not be responsible for the cost of any master meters at the pick up or delivery points, or for the cost of testing and maintenance of such meters.
5. The water to be wheeled shall be measured by master meters installed at the designated pick-up points and at the designated delivery points. The meters shall be installed at the expense of Manor. The meters shall be of a design, size, location, and configuration approved by Manville. The meters shall be calibrated semi-annually by Manor and more frequently upon request of either party. If recalibration is requested more frequently than once semi-annually, the cost of the calibration shall be borne by the party requesting recalibration. Any meter registering within the American Water Works Association (or its successor) standards for that type and size of meter shall be deemed to be accurate. If any meter is found to be inaccurate, billing will be recalculated for the preceding six months only. Manville shall read the meters at least once for each monthly billing cycle. Manville will bill Manor for the quantity of water wheeled on or about the first day of each month during the term hereof, for the amount of water wheeled since the preceding billing date. Payment shall be due within thirty days of the date of each bill. Failure to timely pay all amounts due under this contract shall entitle Manville, in addition to other remedies at law, to terminate wheeling services without further notice.
6. The price for Manville's wheeling services under this contract shall be as follows: For the first calendar year of this contract, the sum of \$1.25 per one thousand gallons of water wheeled; For the second calendar year of this contract, the sum of \$1.50 per one thousand gallons of water wheeled; For the third and final calendar year of this contract, the sum of \$1.75 per one thousand gallons of water wheeled, whereupon this contract shall terminate.



7. The quantity of water wheeled under this contract shall be equal to the maximum allocation provided for in Manor's contract for the purchase of wholesale water from EPCOR. Wheeling and delivery shall be at a rate not exceeding 540 gallons per minute (GPM) and at a minimum hydraulic grade (under normal operating conditions) of 690' AMSL at the master meter(s) located at the points of pickup and delivery.
8. In the event of water quality concerns by the Texas Commission on Environmental Quality (TCEQ) Manor and Manville shall cooperate to determine the cause of the TCEQ action. Water quality samples may be taken at the pick-up and delivery points by both parties. If the water samples indicate the source of the problem originates from water delivered by EPCOR, Manor, having contractual remedies against EPCOR, agrees to indemnify and hold Manville harmless for all claims, liabilities, actions, or causes of action related to the quality of the water delivered to the point of delivery and commingled with Manville's water. However, if samples indicate that the source of the problem originates solely from within the Manville system or from comingled EPCOR /Manville, water then Manville shall indemnify and hold Manor harmless for all claims, liabilities, actions or causes of action related to the quality of water delivered to the Manor point of delivery. All water quality testing necessary or appropriate to the performance of this agreement shall be at the expense of Manor. Notwithstanding the foregoing, testing of the water shall be accomplished not less than semi-annually, by Manor at Manor's expense. All tests results, for whatever reason taken, shall be promptly furnished to Manville.
9. Manville shall have no responsibility for storage of water on either the pick-up end of the underlying sales transaction, or on the receiving end, or at any points in between.
10. No water wheeled under the terms of this contract shall be of such a quality that it may, in the sole determination of Manville, degrade Manville's own water supply, or its infrastructure, and Manville may decline acceptance of any such water.
11. Manville is responsible for maintenance and timely repair of breaks in its transmission lines and facilities, and for notice thereof to applicable governmental entities.
12. There are no third party beneficiaries to this contract. Neither EPCOR nor the retail water customers of Manor are third party beneficiaries.
13. The provisions of this contract are severable. If any part of this contract or the application thereof is ever found by any court of competent jurisdiction or regulatory authority to be invalid for any reason, the remainder of this contract or its application to other circumstances shall not be affected thereby.



14. During the term of this contract, Manor will on a daily basis take no more than the full amount of water allocated to it by its water purchase contract with EPCOR. Manor will accept and pay for all water delivered by Manville to Manor up to the daily contractual amounts. Manville is also entitled, by restriction of flow or other means, to regulate the rate of delivery to Manor through its lines when and if Manor takes water in excess of its daily contractual amounts. In all cases where Manor intends to reduce or increase its daily contractual take from EPCOR, Manor will provide to Manville not less than thirty days written notice. If adjustments to Manor's daily contractual take from EPCOR result in billing variances to Manville, or penalties assessed by EPCOR, Manor will reimburse Manville for any such charges on the next convenient billing cycle.
15. The parties agree and stipulate that all water passing through the Manor point of delivery is presumed to be water subject to this contract, and Manor will receive no other water except that wheeled by Manville.
16. This contract constitutes the entire agreement of the parties relative to the subject matter, and supersedes all prior or agreements, representations, covenants, or warranties, whether oral or in writing, respecting the subject matter. Each party shall have the status of independent contractor hereunder and shall be solely responsible for the proper direction of its employees hereunder. The employees of either party shall not be considered employees or borrowed servants of the other for any reason.
17. This contract shall be construed under the laws of the State of Texas. Venue for any suit arising under this contract shall be Travis County, Texas.
18. During the term of this contract each party agrees and covenants that it will not encroach or seek to encroach upon the retail water utility service areas of the other, or to provide retail service to any customer or potential customer in the service area of the other, as reflected in the then current water certificates of convenience and necessity of each party.
19. In the event that either party is rendered unable by force majeure to carry out its obligations under this contract, either in whole or in part, then the obligations of that party to the extent affected by force majeure, shall be suspended during the continuance of the inability, provided, however, that due diligence shall be exercised to resume performance at the earliest practicable time. The cause of the event of force majeure shall, as far as possible, be remedied with all reasonable diligence. The term "force majeure" includes Acts of God, strikes, lockouts, industrial disturbances, criminal conduct, sabotage, acts of a public enemy, orders of government, insurrections, riots, natural disasters including storms, fires, line breakage, or partial or complete failure of water supply or transmission capability, or other inability of either party to perform that are not within the control of the party, and could not have been avoided by the exercise of due diligence. Force majeure shall not relieve Manor from its obligation to pay for wheeling services as herein set out.



20. Representations and Warranties by Manville. Manville is a Texas non- profit corporation, Manville warrants, represents, covenants, and agrees that it is duly organized, validly existing and in good standing under the laws of the state of its incorporation or organization and is duly authorized and in good standing to conduct business in the State of Texas, that it has all necessary power and has received all necessary approvals to execute and deliver this Agreement, and the individual executing the Agreement on behalf of Manville has been duly authorized to act for and on behalf of Manville. Manor warrants that it has all necessary power and has received all necessary approvals to execute and deliver this Agreement, and the individual executing the Agreement on behalf of Manor has been duly authorized to act for and on behalf of Manor.
21. Franchise Tax Certification. Manville certifies that it is not currently delinquent in the payment of any franchise Taxes due under Chapter 171 of the Texas Tax Code, or that the corporation is exempt from the payment of such taxes.
22. Eligibility Certification. Manville certifies that the individual or business entity in the Agreement is not ineligible to receive the award of any payments under the Agreement and acknowledges that the Agreement may be terminated and payment withheld if this certification is inaccurate.
23. Texas Family Code Child Support Certification. Manville certifies that no officer or member of the board is delinquent in child support obligations and therefore is not ineligible to receive the award of or payments under the Agreement and acknowledges that the Agreement may be terminated and payment withheld if this certification is inaccurate.

The execution of this contract is duly authorized by the City Council of Manor, Texas, and by the Board of Directors of Manville Water Supply Corporation.

**EXECUTED IN MULTIPLE ORIGINALS this** the 5<sup>th</sup> day of April, 2017.

**Manville Water Supply Corporation**

**City of Manor, Texas**

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Tony Graf,  
General Manager

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Rita G. Jonse,  
Mayor

**Attest:**

**Attest:**

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By:  
Title:

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Frances Aguilar, TRMC, CMC  
City Secretary





## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

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### AGENDA ITEM DESCRIPTION:

18. Consideration, discussion, and possible action on a first reading of an ordinance annexing 1.68 acres of land, more or less, that is adjacent and contiguous territory to the City, locally known as 12920 Old Hwy 20.

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### BACKGROUND/SUMMARY:

This is the first reading of an ordinance on a voluntary annexation of 1.68 acres at 12920 Old Hwy 20 near the Bell Farms Subdivision.

PRESENTATION: ☐ YES ☐ NO

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

Ordinance  
Municipal Service Plan  
Location Map

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### STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council approve the first reading of an ordinance annexing 1.68 acres of land.

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



## **ORDINANCE NO. 471**

**AN ORDINANCE OF THE CITY OF MANOR, TEXAS ANNEXING 1.68 ACRES OF LAND, MORE OR LESS, THAT IS ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY; APPROVING A SERVICE PLAN FOR THE ANNEXED AREA; MAKING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS;** the City of Manor, Texas (“the City”) is home rule municipality authorized by State law to annex territory lying adjacent and contiguous to the City;

**WHEREAS;** the owner of the property, as hereinafter described, made written request for the City to annex such property in compliance with the *Tex. Loc. Gov’t Code*;

**WHEREAS;** the property is adjacent to the present city limits and contiguous with the city limits;

**WHEREAS;** the City Council has heard and has decided to grant the request;

**WHEREAS;** two separate public hearings were conducted prior to consideration of this Ordinance in accordance with § 43.063 of the *Tex. Loc. Gov’t. Code*;

**WHEREAS;** notice of the public hearing was published in a newspaper of general circulation in the City and the territory proposed to be annexed not more than twenty (20) nor less than (10) days prior to the public hearings;

**WHEREAS;** the City intends to provide services to the property to be annexed according to the Service Plan attached hereto as Exhibit “B”

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

**SECTION 1.** All of the above premises and findings of fact are found to be true and correct and are incorporated into the body of this Ordinance as if copied herein in their entirety.

**SECTION 2.** That the following described property (hereinafter referred to as the “Annexed Property”) is hereby annexed into the corporate limits of the City of Manor:

All portions of that certain tract or parcel of land not previously annexed into the city limits, being 1.68 acres of land out of the Greenbury Gates survey number 63, Abstract 315 and Calvin Barker survey number 38, Abstract 58, both in Travis County, and being a portion of that certain Silvino Suarez and Santiago Suarez 10.001 acre tract recorded in document number 2006212794, Official Public Records of Travis County, Texas, being more particularly described in Exhibit “A” attached hereto and incorporated herein for all purposes.

**SECTION 3.** That the Service Plan submitted herewith is hereby approved as part of this Ordinance, made a part hereof and attached hereto as Exhibit “B”.



**SECTION 4.** That the future owners and inhabitants of the Annexed Property shall be entitled to all of the rights and privileges of the City as set forth in the Service Plan attached hereto as Exhibit “B”, and are further bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be hereafter adopted.

**SECTION 5.** That the official map and boundaries of the City, heretofore adopted and amended be and hereby are amended so as to include the Annexed Property as part of the City of Manor.

**SECTION 6.** That the Annex Property shall be temporarily zoned District “A” as provided in the City Zoning Ordinance, until permanent zoning is established therefore.

**SECTION 7.** That 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 severable.

**SECTION 8.** That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov’t. Code*.

**SECTION 9.** That it is hereby officially found and determined that the meeting at which this Ordinance is passes was open to the public as required and that public notice of the time, place, and purpose of said meeting was given required by the Opens Meeting Act, *Chapt. 551, Tex. Gov’t Code*.

**PASSED AND APPROVED** on its first reading this the 5th day of April, 2017.

**PASSED AND APPROVED** on its second reading this the 19th day of April, 2017.

**THE CITY OF MANOR, TEXAS**

---

Rita G. Jonse,  
Mayor

**ATTEST:**

---

Frances Aguilar, TRMC, CMC  
City Secretary



**EXHIBIT “A”**

Property description: +/- 1.68 acres

All portions of that certain tract or parcel of land not previously annexed into the city limits, being 1.68 acres of land out of the Greenbury Gates survey number 63, Abstract 315 and Calvin Barker survey number 38, Abstract 58, both in Travis County, and being a portion of that certain Silvino Suarez and Santiago Suarez 10.001 acre tract recorded in document number 2006212794, Official Public Records of Travis County, Texas



# LEGEND

- 1/2" ROD FOUND
- 1/2" ROD SET
- CALCULATED POINT
- MAG NAIL SET
- WIRE FENCE
- WOOD FENCE
- RECORD INFORMATION
- UTILITY POLE
- OVERHEAD UTILITY LINE(S)
- MANHOLE
- GAS WARNING SIGN
- INSIDE OF SUBJECT BOUNDARY
- OUTSIDE OF SUBJECT BOUNDARY
- POINT OF BEGINNING
- DRAINAGE ESMT
- WASTEWATER UTILITY ESMT
- TEMPORARY CONSTRUCTION ESMT

TEMPORARY BENCHMARK (TBM) IS TOP OF MAG NAIL SET. ELEVATION = 510.35' NAVD 1988 DATUM.

LOT 1  
BELL FARMS  
PHASE ONE-A  
(DOC. NO. 200500049)

BELL FARMS  
PHASE TWO-A  
(DOC. NO. 200700061)

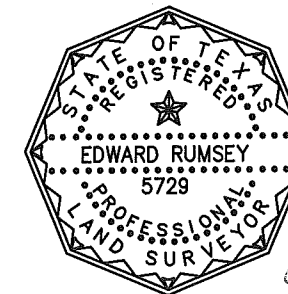
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## RESTRICTIONS

SUBJECT TO A 30' GAS LINE EASEMENT AS SHOWN ON PLAT RECORDED IN DOCUMENT NUMBER 200500049.  
SUBJECT TO A 15' DRAINAGE EASEMENT RECORDED IN DOCUMENT NUMBER 2002104786.  
SUBJECT TO A WASTEWATER UTILITY EASEMENT PER DOC. NO. 2005066495.  
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SUBJECT TO EASEMENTS PER VOL.396, PG.219 AND VOL.600, PG.997. (NOT PLOTTABLE)  
SUBJECT TO BLANKET TYPE EASEMENTS PER VOL.867, PG.34 AND VOL.4823, PG.1940.

## LEGAL DESCRIPTION

BEING 1.68 ACRES OF LAND, OUT OF THE GREENBURY GATES SURVEY NUMBER 63, ABSTRACT NUMBER 315 AND THE CALVIN BARKER SURVEY NUMBER 38, ABSTRACT NUMBER 58, BOTH IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN SILVINO SUAREZ AND SANTIAGO SUAREZ 10.001 ACRE TRACT RECORDED IN DOCUMENT NUMBER 2006212794, OFFICIAL PUBLIC RECORDS, SAID COUNTY, SAID 1.68 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.



TO THE LIEN HOLDER AND / OR OWNERS OF THE PREMISES SURVEYED AND TO:

## TEXAS TITLE

I DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE OF THE PROPERTY LEGALLY DESCRIBED HEREON AND THAT THERE ARE NO BOUNDARY LINE CONFLICTS, ENCROACHMENTS OVERLAPPING OF IMPROVEMENTS, OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND CERTIFIES ONLY TO THE LEGAL DESCRIPTION AND EASEMENTS SHOWN ON THE REFERENCED TITLE COMMITMENT. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

BELL FARMS  
PHASE THREE  
(DOC. NO. 201400093)

\*\*\*NOTICE\*\*\*

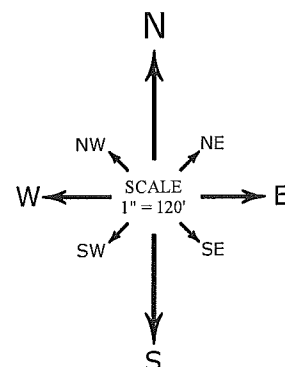
BEFORE DESIGN BEGINS ON THE SUBJECT PROPERTY THE OWNER SHOULD CHECK THE LOCAL GOVERNING AUTHORITIES ABOUT BUILDING SETBACKS AND OTHER BUILDING REQUIREMENTS.

REMAINDER OF 10.00 ACRES  
SILVINO SUAREZ and  
SANTIAGO SUAREZ  
10.001 ACRES  
(DOC. NO. 2006212794)

1.68ACRES

SILVINO SUAREZ and  
SANTIAGO SUAREZ  
10.001 ACRES  
(DOC. NO. 2006212794)

TREE LIST	
500	10.5" HACKBERRY
501	8" HACKBERRY
502	11" HACKBERRY
503	12.5" HACKBERRY
504	10" HACKBERRY
505	12" HACKBERRY
506	11" HACKBERRY



**ALLSTAR**  
Land surveying  
9020 ANDERSON MILL RD  
AUSTIN, TEXAS 78729  
(512) 249-8149 PHONE  
(512) 331-5217 FAX  
TBPLS FIRM NO. 10135000

## F.I.R.M. MAP INFORMATION

THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD-PLAIN, AND HAS A ZONE "X" RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS F.I.R.M. MAP NO. 48453C0485J PANEL: 0485J  
DATED: AUGUST 18, 2014  
THIS CERTIFICATION IS FOR INSURANCE PURPOSES ONLY AND IS NOT A GUARANTEE THAT THIS PROPERTY WILL OR WILL NOT FLOOD. CONTACT YOUR LOCAL FLOOD PLAIN ADMINISTRATOR FOR THE CURRENT STATUS OF THIS TRACT.

## ADDRESS

DOREID AWAD  
12920 OLD HIGHWAY 20  
MANOR, TRAVIS COUNTY, TEXAS

SURVEY DATE:	DECEMBER 02, 2016	FIELD BY:	DERICK SOLOMON	03/25/2016
TITLE CO.:	TEXAS TITLE	CALC. BY:	CHRIS ZOTTER	03/30/2016
G.F. NO.:	1602157-10	DRAWN BY:	SEAN SUTTON	03/30/2016
JOB NO.:	A1200116 - A0306316	UPDATE BY:	SEAN SUTTON	12/02/2016
		RPLS CHECK:	EDWARD RUMSEY	12/02/2016

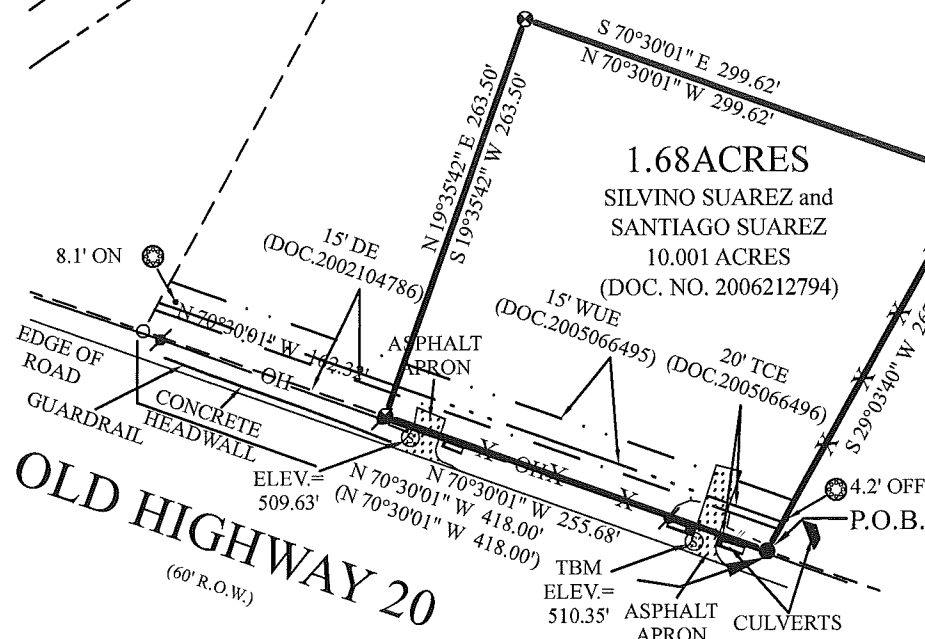




EXHIBIT "A"  
LEGAL DESCRIPTION

BEING 1.68 ACRES OF LAND, OUT OF THE GREENBURY GATES SURVEY NUMBER 63, ABSTRACT NUMBER 315, AND THE CALVIN BARKER SURVEY NUMBER 38, ABSTRACT NUMBER 58, BOTH OF TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN SILVINO SUAREZ ABD SANTIAGO SUAREZ 10.001 ACRE TRACT RECORDED IN DOCUMENT NUMBER 2006212794, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 1.68 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod found in the northerly right-of-way line of Old Highway 20, at the southwest corner of Bell Farms Phase Three, a subdivision recorded in Document Number 201400093, Official Public Records, said county, same being the southeast corner of said 10.001 acre tract, for the southeast corner hereof;

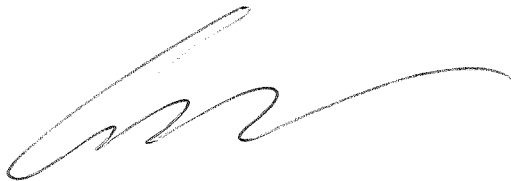
THENCE North 70 degrees 30 minutes 01 seconds West, along said right-of-way line and the southerly line of said 10.001 acre tract, 255.68 feet to a calculated point in said line, for the southwest corner hereof, from which an iron rod set at the southwest corner of said 10.001 acre tract bears, North 70 degrees 30 minutes 01 seconds West, 162.32 feet;

THENCE North 19 degrees 35 minutes 42 seconds East, through said 10.001 acre tract, 263.50 feet to a calculated point, for the northwest corner hereof;

THENCE South 70 degrees 30 minutes 01 seconds East, continuing through said 10.001 acre tract, 299.62 feet to a calculated point in the westerly line of said subdivision, same being in the easterly line of said 10.001 acre tract, for the northeast corner hereof, from which an iron rod found at the northeast corner of said 10.001 acre tract bears, North 29 degrees 03 minutes 40 seconds East, 754.51 feet;

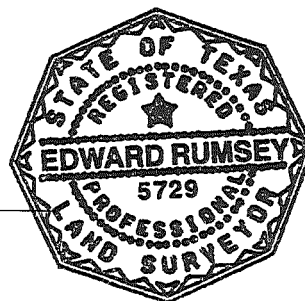
THENCE South 29 degrees 03 minutes 40 seconds West, along the westerly line of said subdivision and the easterly line of said 10.001 acre tract, 267.21 feet to the POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT), ONLY.



EDWARD RUMSEY  
TX R.P.L.S. No. 5729  
Job No. A1200116 – A0306316

12/02/2016  
Date





**EXHIBIT “B”**

Approved municipal Service Plan



**EXHIBIT “B”****MUNICIPAL SERVICES PLAN  
FOR PROPERTY TO BE  
ANNEXED INTO THE CITY OF MANOR**

**WHEREAS**, the City of Manor, Texas (the “City”) intends to institute annexation proceedings for tracts of land described more fully hereinafter (referred to herein as the “subject property”);

**WHEREAS**, *Section 43.056, Loc. Gov't. Code*, requires a service plan be adopted with the annexation ordinance;

**WHEREAS**, the subject property is not included in the municipal annexation plan and is exempt from the requirements thereof;

**WHEREAS**, infrastructure provided for herein and that existing are sufficient to service the subject property on the same terms and conditions as other similarly situated properties currently within the City limits and no capital improvements are required to offer municipal services on the same terms and conditions as other similarly situated properties within the City;

**WHEREAS**, the owner(s) of the subject property agree they will benefit from the City’s development restrictions and zoning requirements, as well as other municipal services provided by the City, which are good and valuable consideration for this service plan; and

**WHEREAS**, it is found that all statutory requirements have been satisfied and the City is authorized by *Chapt. 43, Loc. Gov't. Code*, to annex the subject property into the City;

**NOW, THEREFORE**, the following services will be provided for the subject property on the effective date of annexation:

(1) **General Municipal Services.** Pursuant to the requests of the owner and this Plan, the following services shall be provided immediately from the effective date of the annexation:

A. Police protection as follows:

Routine patrols of areas, radio response to calls for police service and all other police services now being offered to the citizens of the City.

B. Fire protection and Emergency Medical Services as follows:

Fire protection by agreement between the City and the ESD’s present personnel and equipment of the ESD fire fighting force and the volunteer fire fighting force with the limitations of water available. Radio response for Emergency Medical Services with the present contract personnel and equipment of the ESD.



C. Solid waste collection services as follows:

Solid waste collection and services as now being offered to the citizens of the City.

D. Animal control as follows:

Service by present personnel, equipment and facilities or by contract with a third party, as provided within the City.

E. Maintenance of parks and playgrounds within the City.

F. Inspection services in conjunction with building permits and routine City code enforcement services by present personnel, equipment and facilities.

G. Maintenance of other City facilities, buildings and service.

H. Land use regulation as follows:

On the effective date of annexation, the regulatory and zoning jurisdiction of the City shall be extended to include the annexed area, and the use of all property therein shall be grandfathered; and shall be temporarily zoned "A" with the intent to rezone the subject property upon request of the landowner or staff. The Planning & Zoning Commission and the City Council will consider rezoning the subject property at future times in response to requests submitted by the landowner(s) or authorized city staff.

(2) **Scheduled Municipal Services.** Due to the size and vacancy of the subject property, the plans and schedule for the development of the subject property, the following municipal services will be provided on a schedule and at increasing levels of service as provided in this Plan:

A. Water service and maintenance of water facilities as follows:

(i) Inspection of water distribution lines as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of water service, water service will be provided to the subject property, or applicable portions thereof, by the utility holding a water certificate of convenience and necessity ("CCN") for the subject property or portions thereof (the "CCN holder") and, as applicable, the utility providing wholesale or retail water service to said CCN holder. Absent a water CCN, by the utility in whose jurisdiction the subject property, or portions thereof as applicable, is located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of water service. If connected to the City's water utility system, the subject property owner shall construct the internal water lines and pay the costs of line extension and construction of such facilities necessary to provide water service to the subject property as required in City ordinances. Upon acceptance of the water lines within the subject property and any off-site improvements, water service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly



situated areas and customers of the City; subject to all the ordinances, regulations and policies of the City in effect from time to time. The system will be accepted and maintained by the City in accordance with its usual acceptance and maintenance policies. New water line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances of the City in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of a water well that is in use on the effective date of the annexation and is in compliance with applicable rules and regulations shall be permitted and such use may continue until the subject property owner requests and is able to connect to the City's water utility system.

B. Wastewater service and maintenance of wastewater service as follows:

(i) Inspection of sewer lines as provided by statutes of the State of Texas.

(ii) (a) In accordance with the applicable rules and regulations for the provision of wastewater service, wastewater service will be provided to the subject property, or applicable portions thereof, by the utility holding a wastewater CCN for the subject property, or portions thereof as applicable, or absent a wastewater CCN, by the utility in whose jurisdiction the subject property, or portions thereof as applicable, is located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of wastewater service. If connected to the City's wastewater utility system, the subject property owner shall construct the internal wastewater lines and pay the costs of line extension and construction of facilities necessary to provide wastewater service to the subject property as required by City ordinances. Upon acceptance of the wastewater lines within the subject property and any off-site improvements, wastewater service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City, subject to all the ordinances, regulations and policies of the City in effect from time to time. The wastewater system will be accepted and maintained by the City in accordance with its usual policies. Requests for new wastewater line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of a septic system that is in use on the effective date of the annexation and is in compliance with all applicable rules and regulations shall be permitted and such use may continue until the subject property owner requests and is able to connect to the City's wastewater utility system.

C. Maintenance of streets and rights-of-way as appropriate as follows:

(i) Provide maintenance services on existing public streets within the subject property and other streets that are hereafter constructed and finally accepted by the City. The maintenance of the streets and roads will be limited as follows:

(A) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.; and



(B) Routine maintenance as presently performed by the City.

(ii) The City will maintain existing public streets within the subject property, and following installation and acceptance of new roadways by the City as provided by city ordinance, including any required traffic signals, traffic signs, street markings, other traffic control devices and street lighting, the City will maintain such newly constructed public streets, roadways and rights-of-way within the boundaries of the subject property, as follows:

(A) As provided in C(i)(A)&(B) above;

(B) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies;

(C) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards; and

(D) Installation and maintenance of street lighting in accordance with established policies of the City;

(iii) The outer boundaries of the subject property abut existing roadways. The property owner agrees that no improvements are required on such roadways to service the property.

(3) **Capital Improvements.** Construction of the following capital improvements shall be initiated after the effective date of the annexation: None. Upon development of the subject property or redevelopment, the landowner will be responsible for the development costs the same as a developer in a similarly situated area under the ordinances in effect at the time of development or redevelopment. No additional capital improvements are necessary at this time to service the subject property the same as similarly situated properties.

(4) **Term.** If not previously expired, this service plan expires at the end of ten (10) years.



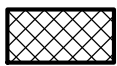
(5) **Property Description.** The legal description of the subject property is as set forth in the Annexation Ordinance and exhibits attached to the Annexation Ordinance to which this Service Plan is attached.





1:5,000  
1 inch = 417 feet

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

-  City Limits
-  8.33 Acre Property
-  1.68 Acre Property

# Proposed Annexation Property







## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

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### AGENDA ITEM DESCRIPTION:

19. Consideration, discussion, and possible action on a first reading of an ordinance annexing 8.33 acres of land, more or less, that is adjacent and contiguous territory to the City, locally known as 12920 Old Hwy 20.

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### BACKGROUND/SUMMARY:

This is the first reading of an ordinance on a involuntary annexation of 8.33 acres at 12920 Old Hwy 20 near the Bell Farms Subdivision.

PRESENTATION: ☐YES ☐NO

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

Ordinance  
Municipal Service Plan  
Location Map

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### STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council approve the first reading of an ordinance annexing 8.33 acres of land.

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



## **ORDINANCE NO. 472**

**AN ORDINANCE OF THE CITY OF MANOR, TEXAS ANNEXING 8.33 ACRES OF LAND, MORE OR LESS, THAT IS ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY; APPROVING A SERVICE PLAN FOR THE ANNEXED AREA; MAKING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS;** the City of Manor, Texas (“the City”) is home rule municipality authorized by State law to annex territory lying adjacent and contiguous to the City;

**WHEREAS;** the property is adjacent to the present city limits and contiguous with the city limits;

**WHEREAS;** the City Council has heard and has decided to grant the request;

**WHEREAS;** two separate public hearings were conducted prior to consideration of this Ordinance in accordance with § 43.063 of the *Tex. Loc. Gov’t. Code*;

**WHEREAS;** notice of the public hearing was published in a newspaper of general circulation in the City and the territory proposed to be annexed not more than twenty (20) nor less than (10) days prior to the public hearings;

**WHEREAS;** the City intends to provide services to the property to be annexed according to the Service Plan attached hereto as Exhibit “B”

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

**SECTION 1.** All of the above premises and findings of fact are found to be true and correct and are incorporated into the body of this Ordinance as if copied herein in their entirety.

**SECTION 2.** That the following described property (hereinafter referred to as the “Annexed Property”) is hereby annexed into the corporate limits of the City of Manor:

All portions of that certain tract or parcel of land not previously annexed into the city limits, being 1.68 acres of land out of the Greenbury Gates survey number 63, Abstract 315 and Calvin Barker survey number 38, Abstract 58, both in Travis County, and being a portion of that certain Silvino Suarez and Santiago Suarez 10.001 acre tract recorded in document number 2006212794, Official Public Records of Travis County, Texas, being more particularly described in Exhibit “A” attached hereto and incorporated herein for all purposes.

**SECTION 3.** That the Service Plan submitted herewith is hereby approved as part of this Ordinance, made a part hereof and attached hereto as Exhibit “B”.

**SECTION 4.** That the future owners and inhabitants of the Annexed Property shall be entitled to all of the rights and privileges of the City as set forth in the Service Plan attached hereto as Exhibit “B”, and are further bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be hereafter adopted.



**SECTION 5.** That the official map and boundaries of the City, heretofore adopted and amended be and hereby are amended so as to include the Annexed Property as part of the City of Manor.

**SECTION 6.** That the Annex Property shall be temporarily zoned District “A” as provided in the City Zoning Ordinance, until permanent zoning is established therefore.

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**SECTION 8.** That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov’t. Code*.

**SECTION 9.** That it is hereby officially found and determined that the meeting at which this Ordinance is passes was open to the public as required and that public notice of the time, place, and purpose of said meeting was given required by the Opens Meeting Act, *Chapt. 551, Tex. Gov’t Code*.

**PASSED AND APPROVED** on its first reading this the 5th day of April, 2017.

**PASSED AND APPROVED** on its second reading this the 19th day of April, 2017.

**THE CITY OF MANOR, TEXAS**

---

Rita G. Jonse,  
Mayor

**ATTEST:**

---

Frances Aguilar, TRMC, CMC  
City Secretary



**EXHIBIT “A”**

Property description: +/- 8.33 acres

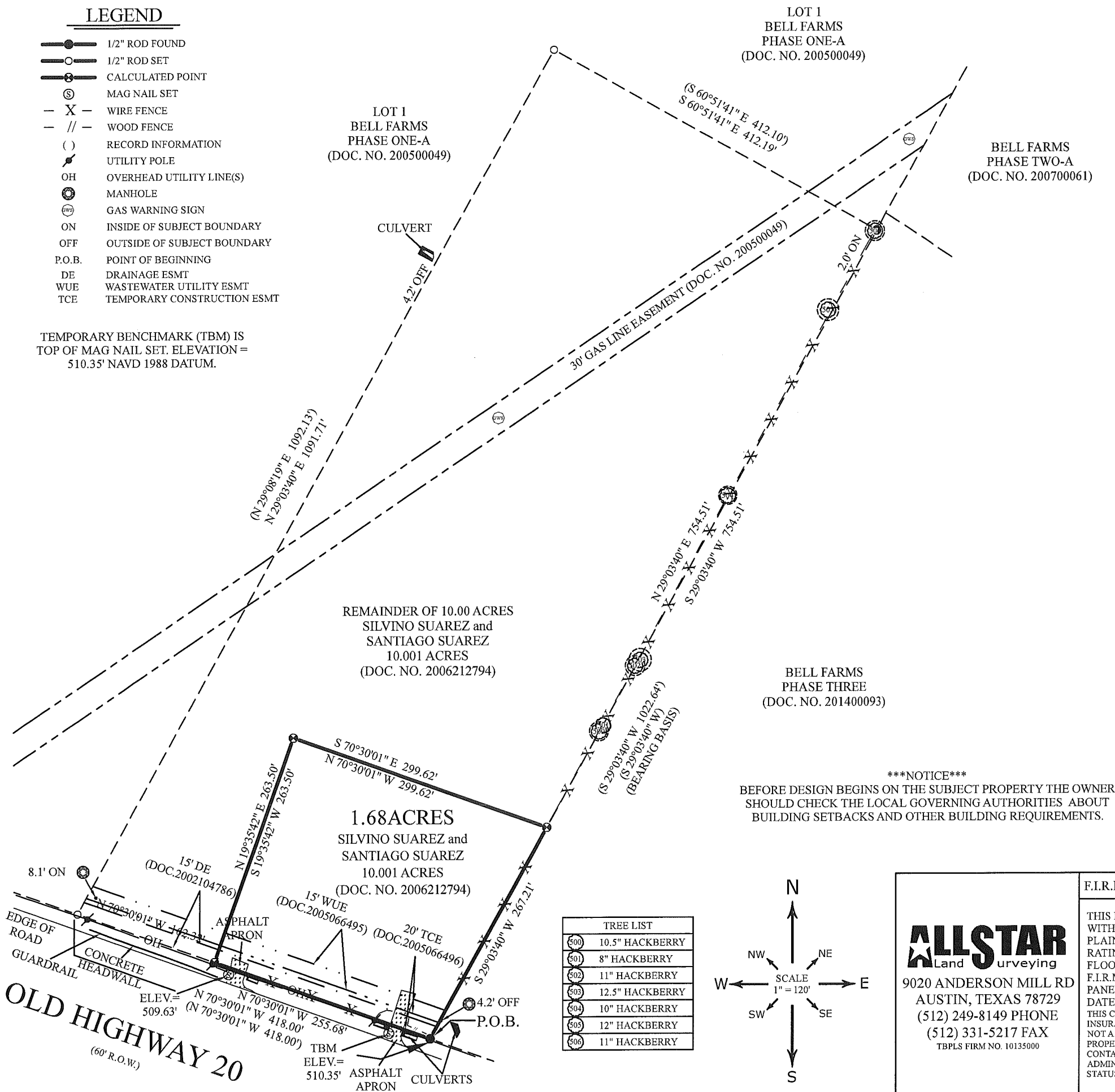
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- OUTSIDE OF SUBJECT BOUNDARY
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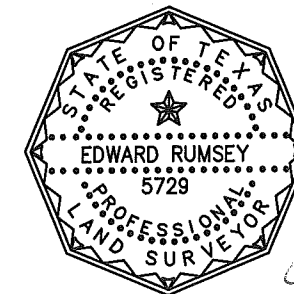


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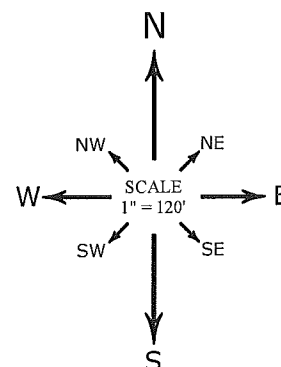
TO THE LIEN HOLDER AND / OR OWNERS OF THE PREMISES SURVEYED AND TO:

## TEXAS TITLE

I DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE OF THE PROPERTY LEGALLY DESCRIBED HEREON AND THAT THERE ARE NO BOUNDARY LINE CONFLICTS, ENCROACHMENTS OVERLAPPING OF IMPROVEMENTS, OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND CERTIFIES ONLY TO THE LEGAL DESCRIPTION AND EASEMENTS SHOWN ON THE REFERENCED TITLE COMMITMENT. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

\*\*\*NOTICE\*\*\*  
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TREE LIST	
500	10.5" HACKBERRY
501	8" HACKBERRY
502	11" HACKBERRY
503	12.5" HACKBERRY
504	10" HACKBERRY
505	12" HACKBERRY
506	11" HACKBERRY



**ALLSTAR** Land surveying  
9020 ANDERSON MILL RD  
AUSTIN, TEXAS 78729  
(512) 249-8149 PHONE  
(512) 331-5217 FAX  
TBPLS FIRM NO. 10135000

## F.I.R.M. MAP INFORMATION

THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD-PLAIN, AND HAS A ZONE "X" RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS F.I.R.M. MAP NO. 48453C0485J PANEL: 0485J  
DATED: AUGUST 18, 2014  
THIS CERTIFICATION IS FOR INSURANCE PURPOSES ONLY AND IS NOT A GUARANTEE THAT THIS PROPERTY WILL OR WILL NOT FLOOD. CONTACT YOUR LOCAL FLOOD PLAIN ADMINISTRATOR FOR THE CURRENT STATUS OF THIS TRACT.

## ADDRESS

**DOREID AWAD**  
12920 OLD HIGHWAY 20  
MANOR, TRAVIS COUNTY, TEXAS

SURVEY DATE:	DECEMBER 02, 2016	FIELD BY:	DERICK SOLOMON	03/25/2016
TITLE CO.:	TEXAS TITLE	CALC. BY:	CHRIS ZOTTER	03/30/2016
G.F. NO.:	1602157-10	DRAWN BY:	SEAN SUTTON	03/30/2016
JOB NO.:	A1200116 - A0306316	UPDATE BY:	SEAN SUTTON	12/02/2016
		RPLS CHECK:	EDWARD RUMSEY	12/02/2016



EXHIBIT "A"  
LEGAL DESCRIPTION

BEING 1.68 ACRES OF LAND, OUT OF THE GREENBURY GATES SURVEY NUMBER 63, ABSTRACT NUMBER 315, AND THE CALVIN BARKER SURVEY NUMBER 38, ABSTRACT NUMBER 58, BOTH OF TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN SILVINO SUAREZ ABD SANTIAGO SUAREZ 10.001 ACRE TRACT RECORDED IN DOCUMENT NUMBER 2006212794, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 1.68 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod found in the northerly right-of-way line of Old Highway 20, at the southwest corner of Bell Farms Phase Three, a subdivision recorded in Document Number 201400093, Official Public Records, said county, same being the southeast corner of said 10.001 acre tract, for the southeast corner hereof;

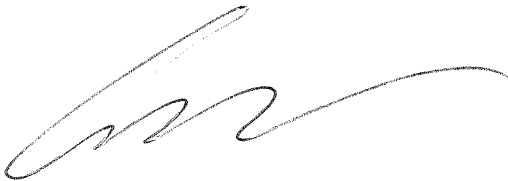
THENCE North 70 degrees 30 minutes 01 seconds West, along said right-of-way line and the southerly line of said 10.001 acre tract, 255.68 feet to a calculated point in said line, for the southwest corner hereof, from which an iron rod set at the southwest corner of said 10.001 acre tract bears, North 70 degrees 30 minutes 01 seconds West, 162.32 feet;

THENCE North 19 degrees 35 minutes 42 seconds East, through said 10.001 acre tract, 263.50 feet to a calculated point, for the northwest corner hereof;

THENCE South 70 degrees 30 minutes 01 seconds East, continuing through said 10.001 acre tract, 299.62 feet to a calculated point in the westerly line of said subdivision, same being in the easterly line of said 10.001 acre tract, for the northeast corner hereof, from which an iron rod found at the northeast corner of said 10.001 acre tract bears, North 29 degrees 03 minutes 40 seconds East, 754.51 feet;

THENCE South 29 degrees 03 minutes 40 seconds West, along the westerly line of said subdivision and the easterly line of said 10.001 acre tract, 267.21 feet to the POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT (BY SEPARATE INSTRUMENT), ONLY.



EDWARD RUMSEY  
TX R.P.L.S. No. 5729  
Job No. A1200116 – A0306316

12/02/2016

Date





**EXHIBIT “B”**

Approved municipal Service Plan



**EXHIBIT “B”****MUNICIPAL SERVICES PLAN  
FOR PROPERTY TO BE  
ANNEXED INTO THE CITY OF MANOR**

**WHEREAS**, the City of Manor, Texas (the “City”) intends to institute annexation proceedings for tracts of land described more fully hereinafter (referred to herein as the “subject property”);

**WHEREAS**, *Section 43.056, Loc. Gov't. Code*, requires a service plan be adopted with the annexation ordinance;

**WHEREAS**, the subject property is not included in the municipal annexation plan and is exempt from the requirements thereof;

**WHEREAS**, infrastructure provided for herein and that existing are sufficient to service the subject property on the same terms and conditions as other similarly situated properties currently within the City limits and no capital improvements are required to offer municipal services on the same terms and conditions as other similarly situated properties within the City;

**WHEREAS**, the owner(s) of the subject property agree they will benefit from the City’s development restrictions and zoning requirements, as well as other municipal services provided by the City, which are good and valuable consideration for this service plan; and

**WHEREAS**, it is found that all statutory requirements have been satisfied and the City is authorized by *Chapt. 43, Loc. Gov't. Code*, to annex the subject property into the City;

**NOW, THEREFORE**, the following services will be provided for the subject property on the effective date of annexation:

(1) **General Municipal Services.** Pursuant to the requests of the owner and this Plan, the following services shall be provided immediately from the effective date of the annexation:

A. Police protection as follows:

Routine patrols of areas, radio response to calls for police service and all other police services now being offered to the citizens of the City.

B. Fire protection and Emergency Medical Services as follows:

Fire protection by agreement between the City and the ESD’s present personnel and equipment of the ESD fire fighting force and the volunteer fire fighting force with the limitations of water available. Radio response for Emergency Medical Services with the present contract personnel and equipment of the ESD.



C. Solid waste collection services as follows:

Solid waste collection and services as now being offered to the citizens of the City.

D. Animal control as follows:

Service by present personnel, equipment and facilities or by contract with a third party, as provided within the City.

E. Maintenance of parks and playgrounds within the City.

F. Inspection services in conjunction with building permits and routine City code enforcement services by present personnel, equipment and facilities.

G. Maintenance of other City facilities, buildings and service.

H. Land use regulation as follows:

On the effective date of annexation, the regulatory and zoning jurisdiction of the City shall be extended to include the annexed area, and the use of all property therein shall be grandfathered; and shall be temporarily zoned "A" with the intent to rezone the subject property upon request of the landowner or staff. The Planning & Zoning Commission and the City Council will consider rezoning the subject property at future times in response to requests submitted by the landowner(s) or authorized city staff.

(2) **Scheduled Municipal Services.** Due to the size and vacancy of the subject property, the plans and schedule for the development of the subject property, the following municipal services will be provided on a schedule and at increasing levels of service as provided in this Plan:

A. Water service and maintenance of water facilities as follows:

(i) Inspection of water distribution lines as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of water service, water service will be provided to the subject property, or applicable portions thereof, by the utility holding a water certificate of convenience and necessity ("CCN") for the subject property or portions thereof (the "CCN holder") and, as applicable, the utility providing wholesale or retail water service to said CCN holder. Absent a water CCN, by the utility in whose jurisdiction the subject property, or portions thereof as applicable, is located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of water service. If connected to the City's water utility system, the subject property owner shall construct the internal water lines and pay the costs of line extension and construction of such facilities necessary to provide water service to the subject property as required in City ordinances. Upon acceptance of the water lines within the subject property and any off-site improvements, water service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly



situated areas and customers of the City; subject to all the ordinances, regulations and policies of the City in effect from time to time. The system will be accepted and maintained by the City in accordance with its usual acceptance and maintenance policies. New water line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances of the City in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of a water well that is in use on the effective date of the annexation and is in compliance with applicable rules and regulations shall be permitted and such use may continue until the subject property owner requests and is able to connect to the City's water utility system.

B. Wastewater service and maintenance of wastewater service as follows:

(i) Inspection of sewer lines as provided by statutes of the State of Texas.

(ii) (a) In accordance with the applicable rules and regulations for the provision of wastewater service, wastewater service will be provided to the subject property, or applicable portions thereof, by the utility holding a wastewater CCN for the subject property, or portions thereof as applicable, or absent a wastewater CCN, by the utility in whose jurisdiction the subject property, or portions thereof as applicable, is located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of wastewater service. If connected to the City's wastewater utility system, the subject property owner shall construct the internal wastewater lines and pay the costs of line extension and construction of facilities necessary to provide wastewater service to the subject property as required by City ordinances. Upon acceptance of the wastewater lines within the subject property and any off-site improvements, wastewater service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City, subject to all the ordinances, regulations and policies of the City in effect from time to time. The wastewater system will be accepted and maintained by the City in accordance with its usual policies. Requests for new wastewater line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of a septic system that is in use on the effective date of the annexation and is in compliance with all applicable rules and regulations shall be permitted and such use may continue until the subject property owner requests and is able to connect to the City's wastewater utility system.

C. Maintenance of streets and rights-of-way as appropriate as follows:

(i) Provide maintenance services on existing public streets within the subject property and other streets that are hereafter constructed and finally accepted by the City. The maintenance of the streets and roads will be limited as follows:

(A) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.; and



(B) Routine maintenance as presently performed by the City.

(ii) The City will maintain existing public streets within the subject property, and following installation and acceptance of new roadways by the City as provided by city ordinance, including any required traffic signals, traffic signs, street markings, other traffic control devices and street lighting, the City will maintain such newly constructed public streets, roadways and rights-of-way within the boundaries of the subject property, as follows:

(A) As provided in C(i)(A)&(B) above;

(B) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies;

(C) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards; and

(D) Installation and maintenance of street lighting in accordance with established policies of the City;

(iii) The outer boundaries of the subject property abut existing roadways. The property owner agrees that no improvements are required on such roadways to service the property.

(3) **Capital Improvements.** Construction of the following capital improvements shall be initiated after the effective date of the annexation: None. Upon development of the subject property or redevelopment, the landowner will be responsible for the development costs the same as a developer in a similarly situated area under the ordinances in effect at the time of development or redevelopment. No additional capital improvements are necessary at this time to service the subject property the same as similarly situated properties.

(4) **Term.** If not previously expired, this service plan expires at the end of ten (10) years.

(5) **Property Description.** The legal description of the subject property is as set forth in the Annexation Ordinance and exhibits attached to the Annexation Ordinance to which this Service Plan is attached.


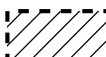





1:5,000

1 inch = 417 feet

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

-  City Limits
-  8.33 Acre Property
-  1.68 Acre Property

# Proposed Annexation Property







## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5 2017

PREPARED BY: Scott Dunlop

DEPARTMENT: Development Services

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### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Special Use Permit, to allow for a temporary residence, for Lot 6, Block 48 Town of Manor, locally known as 309 North Lexington Street.

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### BACKGROUND/SUMMARY:

This is a special use permit to allow a family to reside in a recreational vehicle parked on a driveway at 309 N Lexington temporarily while their home is repaired following a fire.

PRESENTATION: ☐ YES ☐ NO

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

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### STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council approve a Special Use Permit for Lot 6, Block 48 Town of Manor, to allow for a temporary residence, for a duration of 6 months with the ability to extend if circumstances warrant.

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









## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Tom Bolt

DEPARTMENT: Administration

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### AGENDA ITEM DESCRIPTION:

21. Consideration, discussion, and possible action on a lease agreement for certain City-owned property, being approximately a 98.286 acre tract, to be for the purposes of grazing cattle, raising and harvesting hay, and maintenance thereof.

---

### BACKGROUND/SUMMARY:

The City-owned property lease is up for renewal. This is for approval for the City to enter into a new lease agreement for a 5year term.

PRESENTATION: ☐YES ☐NO

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

Lease agreement

Description map

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### STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council approve lease agreement for certain City-owned property, being approximately a 98.286 acre tract, to be for the purposes of grazing cattle, raising and harvesting hay, and maintenance thereof.

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



STATE OF TEXAS

§

TRAVIS COUNTY

§

### LEASE

This lease is made and entered into between Mike Sellers and Larry Sellers, Sr., 2241 Hogeye Road, Manor, Texas 78653, hereinafter known as “Lessee” and the City of Manor, P. O. Box 387, Manor, Texas 78653-0387, hereinafter known as “Lessor”, hereinafter sometimes referred to collectively as the Parties.

**NOW, THEREFORE**, for and in consideration of the above recitals and the terms, conditions and agreements stated in this Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

**Section 1. Lease of Ground.** Lessor hereby leases to Lessee, and Lessee hereby takes and rents from Lessor, that certain land being approximately a 98.286 acre tract, more or less, as more particularly described in Exhibit “A” hereto (the “Leased Premises”), to be used by Lessee for the purposes of grazing cattle, raising and harvesting hay, and maintenance thereof.

**Section 2. Rental Payments.** Lessee agrees to and shall pay Lessor at the City Hall of Manor, Texas, or at such other location as directed, five (5) payments due annually for the use and occupancy of the Leased Premises, each payment equal to \$650.00, hereinafter known as the “Rental Payments”. The Rental Payments shall be due on April 5<sup>th</sup>, beginning in 2017 and annually thereafter through 2022. Lessee shall be solely responsible for obtaining any agricultural or other tax exemptions.

**Section 3. Duration or Termination of Agreement.** This contract shall become effective on April 5, 2017 and shall continue in force until April 4, 2022. After written notice is delivered and a thirty (30) day cure period, this contract may be terminated for cause in the event that either Party materially breaches the terms of this Agreement.

**Section 4. Rights and Duties of Lessee.** Lessee shall be permitted to utilize the Leased Premises for the term of this agreement for the purpose of grazing cattle of a quantity approved in accordance with accepted ranching practices and for the growing, producing, and harvesting of hay. Lessee shall:

- (a) Lessee shall repair and maintain all fencing required to contain Lessee’s cattle on the Leased Premises, save and except for any fencing surrounding the wastewater facility. Lessee shall however be responsible for repair of any damage to fences surrounding the wastewater site caused by Lessee’s cattle. Such existing fence is to be repaired to the extent necessary to hold cattle. Lessor may utilize and operate an electric fence to keep cattle from the wastewater site.
- (b) Be permitted to bird hunt on the Leased Premises, so long as the wastewater facility and City employees are not disturbed by such actions. No discharging of a firearm is permitted within 1,000 feet of the wastewater facility. The City may at anytime provide notice to Lessee regarding problems with Lessee’s hunting activities and if such issues are not subsequently resolved, Lessor is free to terminate Lessee’s hunting privileges.



- (c) Have the right to ingress and egress upon the Lease Premises to perform under the terms of this Agreement only.
- (d) Not remove any improvements made to the Leased Premises unless otherwise provided in writing by Lessor. All improvements to the fence must remain. Other improvements made solely at the expense of Lessee that shall not damage the Lease Premises may be removed if Lessee paid the full expense of such improvements.
- (e) Comply with all applicable laws, ordinances, rules and regulations in its possession, use and maintenance of the Leased Premises.

**Section 5. Breach.** A breach or default under this Lease shall have occurred upon:

- (a) Failure by Lessee to pay when due any Rental Payments or other sums payable by Lessee hereunder, immediately upon written notice from Lessor; or
- (b) Breach by Lessee of any other term, covenant, condition, warranty, or provision contained in this Lease or of any other obligation owing or due to Lessor, including, without limitation, such terms, covenants, conditions, warranties, or provisions the violation of which are specifically designated as events of breach or default of Lessee hereunder, and further including but not limited to improper use of the Leased Premises or failure correct a deficiency in the use of the premises after notice in violation of any applicable laws, rules, or regulations, and such breach continuing after notice and reasonable opportunity to cure.

**Section 6. Rights Upon Lessee Default.** Upon the occurrence of any event of breach or default, Lessor shall have the option to provide written notice to the defaulting Lessee allowing thirty (30) days in which to cure such default. If the Lessee fails to cure such default in that time, Lessor shall have the right, in addition to and not in limitation of any other remedy permitted by law or by this Lease, to terminate this Lease, in which event Lessee shall immediately surrender the Leased Premises to Lessor. If Lessee shall fail to so surrender the Leased Premises, Lessor may without notice and without prejudice to any other remedy Lessor may have for possession or arrears in rent, enter upon and take possession of the Leased Premises and expel or remove Lessee and its effects without being liable to prosecution or any claim for damages therefor.

**Section 7. Liabilities and Occupancy After Lease Termination.** It is agreed and understood that any holding over by Lessee of the Leased Premises after the expiration of this Lease shall operate and be construed as a tenancy from day to day at a rental equal to twice the Rental Payment then in effect pursuant to this Lease. Termination of this Lease shall not relieve Lessee from the payment of any sum or sums that shall be due and payable to the Lessor, and such termination shall not prevent Lessor from enforcing the payment of any such sum, claim or damages by any remedy provided for by law or at equity, or from Lessor recovering damages from Lessee for any default thereunder.

**Section 8. Notices.** Any notice required or desired to be given under this Lease shall be in writing and shall be personally delivered or given by mail. Any notice given shall be deemed to have been given when hand delivered or, if mailed, as of seventy-two hours from the time when notice was deposited in the United States mails (certified or registered, return receipt requested, postage prepaid), addressed to the party to be served with a copy as indicated herein. Either party may change its address for purposes of notice by giving notice of such change of address to the other party.



**Section 9. Amendments and Changes.** No alteration, addition or amendment to the terms of this Agreement shall be made except by a formal written amendment hereto executed by both parties. Any and all agreements heretofore made, if any, between the parties regarding the subject matter of this Agreement have been reduced to writing and are contained herein. This Agreement states the sole and exclusive terms of agreement between the parties regarding the subject matter of this Agreement, and any and all prior agreements, regarding such subject matter, not set forth herein are null and void.

**Section 10. Compliance with Laws.** Lessee shall conduct operations under and provide all services pursuant to this Lease in compliance with all applicable laws, rules, regulations, including municipal ordinances and Texas Commission on Environmental Quality (TCEQ). Any provisions of this Lease that may be in conflict with the regulations of the TCEQ shall be null and void and such TCEQ regulations shall apply. If any violations of TCEQ regulations or this contract occurs, Lessor will notify Lessee, giving Lessee not more than 15 days to correct such violations. Each party covenants that it shall take no action of any type that would endanger the maintenance of the TCEQ permit issued to Lessor.

**Section 11. Indemnity.** Lessee agrees, to the fullest extent permitted by law, to indemnify and hold harmless Lessor and its officers, directors, agents, employees and representatives from and against all liability for any and all claims, suits, demands, and/or actions arising from or based upon intentional or negligent acts or omissions on the part of Lessee, its officers, directors, agents, representatives, employees, members, visitors, contractors and subcontractors which may arise out of or result from Lessee's occupancy or use of the Leased Premises and/or activities conducted in connection with or incidental to this Lease. Lessee shall also indemnify Lessor and its officers, directors, agents, representatives and employees against any and all mechanic's and materialmen's liens or any other types of liens imposed upon the Leased Premises arising as a result of Lessee's conduct or activity. This indemnity provision shall apply regardless of the nature of the injury or harm alleged, whether for injury or death to persons or damage to property, and whether such claims are alleged as common law, statutory or constitutional claims, or otherwise. And, this indemnity provision shall apply whether the basis for claims, suit, demand, and/or action may be attributable in whole or in part to the Lessee, or to any of its agents, representatives, employees, members, visitors, contractors, and subcontractors, or to anyone directly or indirectly employed by any of them.

**Section 12. Texas Law Governs.** This agreement shall be governed by and construed in accordance with the laws of the State of Texas and shall be performable in Travis County, Texas. Venue shall lie exclusively in Travis County, Texas.

**Section 13. Prohibition of Exclusive Right.** It is understood and agreed that nothing herein contained shall be construed to grant or authorize the granting of an exclusive right.

**Section 14. Severability.** In case any one or more of the provisions contained herein shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Lease, but this Lease shall be construed as if such invalid, illegal or unenforceable provision had not been contained herein. However, if Lessee's obligation to pay the Rental Payments or any other payment due to be paid by Lessee pursuant to this Lease is determined to be invalid or unenforceable, this Lease shall terminate.



**IN WITNESS WHEREOF**, the parties have executed this Agreement by their officers thereunto duly authorized as of the \_\_\_\_ day of \_\_\_\_\_, 2017.

**Mike Sellers**  
**(Lessee)**

**City of Manor, Texas**  
**(Lessor)**

\_\_\_\_\_  
Mike Sellers

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

**Larry Sellers**  
**(Lessee)**

**Attest:**

\_\_\_\_\_  
Larry Sellers

\_\_\_\_\_  
Frances Aguilar, TRMC, CMC  
City Secretary



**EXHIBIT "A"**

**LEGAL DESCRIPTION OF PROPERTY**

ABS 1 SUR 22 ALEXANDER A ACR 98.2860



Property Identification #: 738185

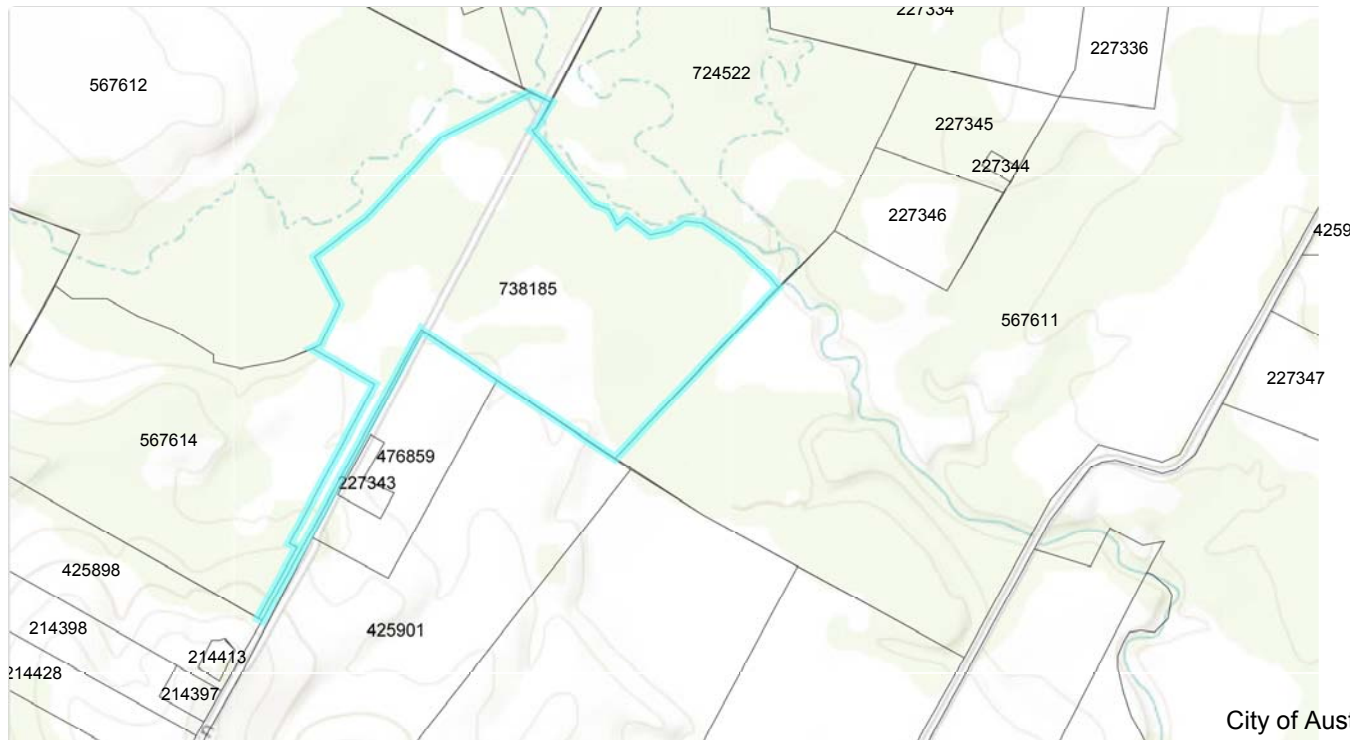
Property Information: 2017

Owner Identification #: 215624

Geo ID: 0226900333  
Situs Address: HIBBS LN TX 78653  
Property Type: Real  
State Code: E1

Legal Description: ABS 1 SUR 22  
ALEXANDER A ACR  
98.2860  
Abstract: A0001  
Neighborhood: FORMERLY BEXMP  
Appraised Value: N/A  
Jurisdictions: 03, 68, 0A, 2J, 34, 72

Name: CITY OF MANOR  
Exemptions: EX-XV  
DBA: Null



Travis CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Travis County Appraisal District expressly disclaims any and all liability in connection herewith.









AGENDA ITEM NO. 22

## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Tom Bolt

DEPARTMENT: Administration

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### AGENDA ITEM DESCRIPTION:

22. Consideration, discussion, and possible action on an ordinance, adopting and enacting a new code of ordinances; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof not exceeding \$500 generally or exceeding \$2,000 for violations relating to fire safety, zoning or public health and sanitation; providing for the amendment of such code; and providing when such code and this ordinance shall become effective.

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### BACKGROUND/SUMMARY:

PRESENTATION: ☐ YES ☐ NO

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

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### STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council approve an ordinance, adopting and enacting a new code of ordinances; as presented.

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



## **ORDINANCE NO. 473**

**AN ORDINANCE OF THE CITY OF MANOR, TEXAS, ADOPTING AND ENACTING A NEW CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF NOT EXCEEDING \$500 GENERALLY OR EXCEEDING \$2,000 FOR VIOLATIONS RELATING TO FIRE SAFETY, ZONING OR PUBLIC HEALTH AND SANITATION; PROVIDING FOR THE AMENDMENT OF SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.**

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

**SECTION 1.** That the Code of Ordinances of the City of Manor, Texas, consisting of Chapters 1 through 14, each inclusive, and Appendices, is hereby adopted and enacted which shall supersede all other general and permanent ordinances of the City passed on or before January 4, 2017.

**SECTION 2.** All ordinances of a general and permanent nature enacted on or before January 4, 2017, and not included in the Code or recognized and continued in force by reference therein, are repealed.

**SECTION 3.** The codification consists of all ordinances as codified therein and as may be revised pursuant to the ordinance codification process and as evidenced by the memorandum of understanding, provided as a part of said process.

**SECTION 4.** The repeal provided for in Section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

**SECTION 5.** Unless a differing penalty is expressly provided for within the Code, every person convicted of a general violation of any provision of the Code or any rule, ordinance, or police regulation of the City shall be punished by a fine not to exceed \$2,000.00 for violations of all such rules, ordinances and police regulations that govern fire safety, zoning, or public health and sanitation, including dumping of refuse, and not exceeding \$500.00 for all other violations. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the City may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

**SECTION 6.** Additions or amendments to the Code when passed in such form as to indicate the intention of the City Council to make same a part of the Code shall be deemed to be incorporated into the Code, so that reference to the Code includes the additions and amendments.

**SECTION 7.** Ordinances adopted after January 4, 2017, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.



**SECTION 8.** This ordinance and the Code adopted hereby shall become effective upon final passage of this ordinance.

**DULY PASSED AND APPROVED** on this the 5<sup>th</sup> day of April, 2017.

**THE CITY OF MANOR, TEXAS**

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

**ATTEST:**

\_\_\_\_\_  
Frances Aguilar, TRMC, CMC  
City Secretary









## AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 5, 2017

PREPARED BY: Tom Bolt

DEPARTMENT: Administration

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### AGENDA ITEM DESCRIPTION:

23. 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.

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### BACKGROUND/SUMMARY:

PRESENTATION: ☐ YES ☐ NO

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

Application

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### STAFF RECOMMENDATION:

It is City staff's recommendation, that the City Council approve a disbursement of Hotel Occupancy Tax Funds to the Manor Chamber of Commerce, for the Manor Heritage Festival.

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



**CITY OF MANOR HOTEL OCCUPANCY TAX FUNDING APPLICATION**

Name of Organization Manor Chamber of Commerce  
Address: P.O. Box 936  
City, State, Zip: Manor, Texas 78653  
Contact Name: Vicki McFarland Phone Number: (512) 272-5699  
Email Address: manorchamber@att.net Organization's creation date: 2003  
Website address for event or sponsoring entity: www.manorchamber.com  
Organization's tax status: non-profit ☒ private/for profit ☐ Tax ID # \_\_\_\_\_

**Purpose of Organization:**

The Manor Chamber of Commerce is a community organization whose mission is to "serve and support the members" so their success will strengthen our community.

Name of event or program: Manor Heritage Festival  
Date of event or program: April 28-29, 2017 Amount Requested: \$6,500  
Primary location of event or program: Burnet Street in front of "Old" City Hall

**Tell us about your event or project:**

The Manor Heritage Festival is an annual event that provides a wide variety of music and dance performances by professional musicians as well as Manor ISD Fine Arts students. In addition, vendors (about half are local residents and the other half come from the central Texas region) showcase hand-made items as well as commercial jewelry arts and crafts items, business organizations, churches, non-profit organizations and food booths. Business information and non-profit organizations also have booths that showcase the services they provide.



Projected number of attendees: Approximately 1,000 participants

Percentage of attendees that will be staying overnight in hotels: 5%

How many years have you held this Event or Program: 9 years

Estimated number of hotel room nights that will be generated by the Event: 4 rooms

Do your promotional materials/website note area lodging facilities that can host participants: Yes

How will you measure the impact of your event on area hotel activity?

A block of rooms will be reserved at America's Best Value Inn and Suites using a "Festival Rate". After the Festival is completed, the Chamber office manager will contact the Inn to see if any of the designated rooms were utilized.

Copies of the flier will be on display at the Inn several weeks prior to the event in hopes that people staying at the Inn will want to return to attend the Festival.

How will the event promote tourism and the convention and hotel industry?

Fliers advertising the event will mention the "Festival Rate" for hotel rooms to promote staying at the Inn since it is approximately 5 blocks from the site of the Festival.

Supplemental information required with application:

- ☒ Last year's financial statement (Profit & Loss) for your organization
- ☒ Projected budget for entire event
- ☒ List of board of directors with contact phone numbers
- ☒ Copy of 501(c) letter from Internal Revenue Service
- ☒ Identify other sources of funding

The information contained herein and attached to this application is true and correct to the best of my knowledge. I hereby acknowledge that any funding received from the City of Manor must be expended as I have represented, in this application and according to any requirements set by the City of Manor City Council and according to the program guidelines. I agree that if funds are not expended accordingly, in the opinion of the City of Manor, said funds will be returned to the City of Manor within ten (10) days from the date the City of Manor demands such.

Vicki McFarland  
Authorized Signature for the Applicant

March 30, 2017

Date

Vicki McFarland

Name Printed or Typed

Office Manager

Title



**Manor Chamber of Commerce**  
**Profit & Loss 2016**  
 January through December 2016

	Jan - Dec 16
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
Pageant Income	1,625.00
Heritage Fest Income	
Sponsor Income	8,102.00
Booth Fees	838.00
Total Heritage Fest Income	8,940.00
Donation	100.00
Fund Raiser Income	
Christmas in the Park	721.00
Concession Sales	670.00
Meetings - Raffle Basket	656.00
Vendor Booths	410.00
Total Fund Raiser Income	2,457.00
Investment Fees	9,950.00
Meetings - Income	5,714.00
Sponsorship	
Christmas in the Park Sponsorsh	2,220.00
Veterans Day Celebration	200.00
Sponsorship - Other	4,400.00
Total Sponsorship	6,820.00
Total Income	35,606.00
Gross Profit	35,606.00
<b>Expense</b>	
Event Expenses	
Veteran's Day Celebration	172.24
Total Event Expenses	172.24
Bad check	0.00
Advertising & Promotions	5,000.00
Charitable Contributions	425.00
Concession Items	266.20
Dues & Subscriptions	392.00
Equipment Rental	100.00
Facility Use	475.00
Fundraiser - Expense	
Pageant Expense	135.36
Christmas in the Park	861.18
Supplies	60.68
Total Fundraiser - Expense	1,057.22
Insurance	939.75
Meals & Entertainment	5,106.96
Misc Expense	12.31
Office Supplies	
Computer/Technology	429.70
Office Supplies - Other	1,135.89
Total Office Supplies	1,565.59
Payroll	
Payroll Taxes	566.53
Payroll - Other	6,360.00
Total Payroll	6,926.53
Postage & Delivery	89.50
Property Taxes	25.00
Reimbursement Clearing Account	0.00
Rent	5,400.00
Repair & Maintenance	62.56
Security	765.00
Storage Fees	990.00
Supplies	64.98
Telephone & telecommunications	1,277.38
Utilities	



**Manor Chamber of Commerce**  
**Profit & Loss 2016**  
January through December 2016

	Jan - Dec 16
Electricity	636.58
Total Utilities	636.58
Website	
Web Development	1,035.00
Total Website	1,035.00
Total Expense	32,784.80
Net Ordinary Income	2,821.20
Other Income/Expense	
Other Income	
Interest Income	7.09
Total Other Income	7.09
Net Other Income	7.09
Net Income	2,828.29



# **4<sup>th</sup> Annual Manor Heritage Festival – Fri/Sat April 28-29, 2017**

## **2017 Projected Budget**

### **HOT Funds: Advertising**

Printing fliers, posters	\$800
Signs and banners	\$500
Newspaper advertising	<u>\$800</u>
Total	\$2,100

### **HOT Funds: Music/ Promoting the Arts**

Professional stage	\$1,700
Friday night musicians	\$1,800
Public Address system	\$300
Saturday musicians	<u>\$600</u>
Total	\$4,475

**Total Projected Expenses using HOT Funds = \$6,500**

### **Other Expenses NOT covered by HOT Funds**

75 rental chairs	\$75
Police	\$1,000
Portapotties	\$450
Concession stand expenses	<u>\$400</u>
Total:	\$1,925





### *Our Mission*

To serve and support our members so  
Their success strengthens our community.

#### **2017 Officers**

Stacy O'Brien  
*President*  
Law Office of Jamie Balagia

Dr. Carla Gasparini  
*Vice President*  
Hill Country Eye Care

Latonya Sherrell  
*Secretary*  
TEC Copy and Print Shop

Nancy Boatright  
*Treasurer*  
Boatright Bookkeeping

Rita Jonse  
*Past President*  
City of Manor

#### **Board Members**

Tom Bolt  
*City of Manor*

Cole Bolton  
Frontier Bank - Elgin

Canyon Franzetti  
*Canitan*

Jessie Jacquez  
*World Pay US*

Mitchell Johnson  
*Creative World Learning  
Center*

Davina Merkel  
Healing with Horses Ranch

Tim Schultz  
*Bluebonnet Electric Cooperative*

Debbie Young

#### **Staff**

Vicki McFarland

## Contact Information for Chamber Board of Directors

### **Officers**

President Stacy O'Brien	(512) 913-0532
Vice President Dr. Carla Gasparini	(512) 294-3066
Secretary LaTonya Sherrell	(512) 947-3645
Treasurer – Nancy Boatright	(512) 925-1813

### **Board Members**

Tom Bolt	(512) 845-5910
Cole Bolton	(903) 721-1682
Canyon Franzetti	(512) 638-0099
Jessie Jacquez	(512) 906-9006
Mitchell Johnson	(512) 422-3210
Davina Merkel	(512) 775-3131
Tim Schultz	(512) 992-6238
Debbie Young	(512) 423-7933
Rita Jonse	(512) 461-7100

***Manor Chamber of Commerce...where commerce and community intersect.***

P.O. Box 936 Manor, Texas 78653 • Phone: (512) 272-5699 • Email: [ManorChamber@att.net](mailto:ManorChamber@att.net)  
[www.ManorChamberOfCommerce.com](http://www.ManorChamberOfCommerce.com)



## Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

Print or type  
See Specific Instructions on page 2.

Name (as shown on your income tax return)

**Manor Chamber of Commerce**

Business name/disregarded entity name, if different from above

Check appropriate box for federal tax

classification (required): ☐ Individual/sole proprietor ☒ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶

☐ Exempt payee

☐ Other (see instructions) ▶

Address (number, street, and apt. or suite no.)

**P.O. Box 936**

City, state, and ZIP code

**Manor, Texas 78763**

List account number(s) here (optional)

Requester's name and address (optional)

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number

    -    -    

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Employer identification number

7 4 - 2 4 9 9 8 6 1

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

Sign  
Here

Signature of  
U.S. person ▶

*Dicki McFarland*

Date ▶

3/30/2017

### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

#### Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

**Note.** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.



## **4<sup>th</sup> Annual Manor Heritage Festival – Fri/Sat April 28-29, 2017**

### **Other Sources of Funding For 2017 Manor Heritage Festival**

Vendors pay a \$50 booth fee to participate in the Festival.

2016 vendor income - \$838

The Chamber solicits its members to serve as sponsors for the Festival.

Sponsorships - \$3,102

These funds are used to pay for Festival expenses that are not covered by HOT funding.



## SUPPORT CONSIDERATIONS CHECKLIST

Name of Event:	Manor Heritage Festival
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Yes

\_\_\_\_\_ The event "directly enhances and promotes tourism AND the convention and hotel industry." (Tax Code, Section 351.101) **(This is a requirement)**

#3 and #4

\_\_\_\_\_ The event qualifies under AT LEAST ONE of the following categories:

**(Please circle category number)**

- (1) the establishment, improvement, or maintenance of a convention center or visitor information center
- (2) the facilitation of convention registration
- (3) advertising, solicitations and promotions that attract tourists and convention delegates to City of Manor NOTE: If applying under this category, legitimate media must be utilized IN ADVANCE of the event (examples include direct mail, postage, newspapers, magazines, radio, television, billboards, newsletters, brochures and other collateral material)
- (4) the encouragement, promotion, improvement and application of the arts -NOTE: Must be a viable art form (examples include: instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording)
- (5) the enhancement of historical restoration and preservation projects
- (6) funding costs in certain counties to hold sporting events that substantially increase hotel activity: (cities within counties of under 1 million population)
- (7) the enhancement or upgrading of existing sports facilities or sports fields for certain municipalities
- (8) funding transportation systems for tourists

Yes

\_\_\_\_\_ The application is filled out thoroughly and completely with all requested documentations attached.

Yes

\_\_\_\_\_ The Post Event Analysis for last year's event has been previously submitted. (Write "N/A" if you did not receive support last year)

Yes

\_\_\_\_\_ It has been determined how the event will track out-of-town guests, demonstrating that the event will attract tourists that will support the convention and hotel industry.