



**CITY COUNCIL
REGULAR SESSION MINUTES
FEBRUARY 21, 2018**

PRESENT:

Rita G. Jonse, Mayor

COUNCIL MEMBERS:

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

CITY STAFF:

Thomas Bolt, City Manager
Lluvia Tijerina, City Secretary
Scott Dunlop, Planning Coordinator
Lydia Collins, Director of Finance
Mike, Tuley, Public Works Director
Ryan Phipps, Chief of Police
Denver Collins, Captain
Sarah Friberg, Court Clerk
Sammie Hatfield, Community Development Manager
Paige Saenz, City Attorney
Frank Phelan, City Engineer

REGULAR SESSION – 7:00 P.M.

With a quorum of the Council Members present, the regular session of the Manor City Council was called to order by Mayor Rita G. Jonse at 7:00 p.m. on Wednesday, February 21, 2018, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENTS

No one appeared to speak at this time.

CONSENT AGENDA

- 1. Consideration, discussion, and possible action to approve the City Council Minutes of the February 7, 2018, Regular Meeting.**
- 2. Consideration, discussion, and possible action on acceptance of the November 2017 Departmental Reports:**
 - **Development Services – Scott Dunlop**
 - **Police – Chief Ryan Phipps**
 - **Municipal Court – Sarah Friberg**
 - **Public Works – Mike Tuley**
 - **Finance – Lydia Collins**

Mayor Jonse inquired about the traffic and ordinance violations on the Police Department Report. Chief Phipps explained the violations for the month. The discussion was held regarding the yearly racial profile report.

The discussion was held regarding the removal of debris and trash from South Lampasas Street next to rail road tracks.

The discussion was held regarding the concrete slab and drainage system for the new dog kennels.

Council Member Weir thanked the Public Works Mowing and Projects Crew for their hard work.

Council Member Hill thanked the Public Works Department for the drainage improvements in the Bell Farm Community.

Mayor Jonse thanked Lydia Collins, Finance Director for the 2016-2017 Allocation Comparison Chart.

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

PRESENTATION

Presentation of Film Friendly Certification for Manor, Texas, by Kim LeBlanc, Production & Community Relations Specialist, Texas Film Commission.

Kim LeBlanc with Texas Film Commission, P.O. Box 13246, Austin, Texas, presented the Film Friendly Certificate to Thomas Bolt, City Manager.

At the request of Mayor Jonse Public Hearing Item No. 3 and Regular Agenda Item No. 4 will be conducted after Executive Session.

REGULAR AGENDA

5. Consideration, discussion, and possible action on an agreement between the City of Manor and Iron Mountain Information Management, LLC for storage services.

The City staff's recommendation was that the City Council approve the agreement between the City of Manor and Iron Mountain Information Management, LLC for storage services.

City Manager Bolt explained the agreement between the City of Manor and Iron Mountain Information Management, LLC.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Kruppa, the Council voted six (6) For and none (0) Against to approve the agreement between the City of Manor and Iron Mountain Information Management, LLC for storage services. The motion carried unanimously.

6. Consideration, discussion, and possible action on a contract between the City of Manor and Pitney Bowes for postage services.

The City staff's recommendation was that the City Council approve the contract between the City of Manor and Pitney Bowes for postage services.

City Manager Bolt discussed the contract between the City of Manor and Pitney Bowes for postage services for the City.

Council Member Kruppa inquired if there was any other search regarding the software computer base postage. Finance Director Collins stated there was a comparison with other vendors and Pitney Bowes was the most affordable.

MOTION: Upon a motion made by Council Member Amezcua and seconded by Council Member Pierson, the Council voted six (6) For and none (0) Against to approve a contract between the City of Manor and Pitney Bowes for postage services. The motion carried unanimously.

7. Consideration, discussion, and possible action on amending Article 5.04, Chapter 5 of the Manor Code of Ordinances regarding the possession, manufacture, assembly, storage, and ignition of fireworks within the City.

The City staff's recommendation was that the City Council approve an ordinance amending Article 5.04, Chapter 5 of the Manor Code of Ordinances regarding the possession, manufacture, assembly, storage, and ignition of fireworks within the City.

Chief of Police Phipps discussed the ordinance amending Article 5.04, Chapter 5 of Manor Code of Ordinances.

The discussion was held regarding the state fire code regulations that the Fire Marshal would enforce.

MOTION: Upon a motion made by Council Member Hill and seconded by Council Member Amezcua the Council voted six (6) For and none (0) Against to approve Ordinance No. 504 Amending Article 5.04, Chapter 5 of the Manor Code of Ordinances regarding the possession, manufacture, assembly, storage, and ignition of fireworks within the City. The motion carried unanimously.

8. Consideration, discussion, and possible action on an ordinance establishing a maximum prima facie speed limit on FM 973 within the City limits of the City of Manor.

The City staff's recommendation was that the City Council approve an ordinance establishing a maximum prima facie speed limit on FM 973 within the City limits of the City of Manor.

City Manager Bolt discussed the speed limit change on FM 973 within the City limits of City of Manor.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Pierson, the Council voted six (6) For and none (0) Against to approve Ordinance No. 510 for traffic and rate of speed therein, on FM 973 in the City limits of the City of Manor. The motion carried unanimously.

9. Consideration, discussion, and possible action on an ordinance amending the Manor Code of Ordinances, Chapter 13 Utilities, Article 13.01 to add provisions for underground utilities.

The City staff's recommendation was that the City Council postpone an ordinance amending the Manor Code of Ordinances, Chapter 13 Utilities, Article 13.01 to add provisions for underground utilities to the March 21st Council meeting.

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

MOTION: Upon a motion made by Council Member Pierson and seconded by Council Member Kruppa, the Council voted six (6) For and none (0) Against to postpone an ordinance amending the Manor Code of Ordinances, Chapter 13 Utilities, Article 13.01 to add provisions for underground utilities to the March 21, 2018, City Council meeting. The motion carried unanimously.

10. Consideration, discussion, and possible action on a first reading of an ordinance amending Manor Code of Ordinances Chapter 14 Zoning to amend Definitions; Amendments; Handicapped Parking Requirements; C-1 Light Commercial permitted uses and conditions and limitations; C-2 Medium Commercial permitted uses and conditions and limitations; C-3 Heavy Commercial permitted uses and conditions and limitations; Construction Plan application requirements; Open Space lot coverage requirements; R-1 Single Family permitted and conditional uses; R-2 Single Family permitted and conditional uses; and Downtown Business District permitted and conditional uses.

The City staff's recommendation was that the City Council approve the first reading of an ordinance amending Manor Code of Ordinance Chapter 14.

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

City Manager Bolt discussed the ordinance amending Manor Code of Ordinances Chapter 14 Zoning.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Pierson, the Council voted six (6) For and none (0) Against to approve the first reading of an ordinance amending Manor Code of Ordinances Chapter 14. The motion carried unanimously.

11. Consideration, discussion, and possible action on a first reading of an ordinance rezoning Lots 1-10 Block 8 Lane AE Addition, 1.25 acres more or less, locally known as 709 North Lexington, from Single Family Residential (R-1) district zoning to Neighborhood Business (NB) district zoning. Owner: Rebecca Davies. Applicant: Rebecca Davies.

The City staff's recommendation was that the City Council approve the first reading of an ordinance rezoning Lots 1-10 Block 8 Lane AE Addition, 1.25 acres more or less, locally known as 709 North Lexington, from Single Family Residential (R-1) district zoning to Neighborhood Business (NB) district zoning.

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

Kay Forsythe, 710 Lexington St., Manor, Texas, spoke before City Council in opposition to this item. She discussed her concerns regarding the traffic that it will bring on Lexington Street.

City Manager Bolt discussed the rezoning of the lots and expressed his concerns regarding the preservation of the historical homes for the Neighborhood Business District. He stated that the Planning and Zoning Commission had denied the rezoning.

The discussion was held regarding the Business District expansion on Lexington Street.

Council Member Hill inquired if the rezoning could be designated for both residential and commercial use. City Manager Bolt clarified the use for both residential and commercial use could only be used in the Downtown Business District.

Council Member Amezcua and Council Member Hill stated they would abstain. The appropriate Conflict of Interest Affidavits have been filled out and filed with the City Secretary.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Pierson, the Council voted four (4) For, two (2) Abstained, and none (0) Against to approve the first reading of an ordinance rezoning Lots 1-10 Block 8 Lane AE Addition, 1.25 acres more or less, locally known as 709 North Lexington, from Single Family Residential (R-1) district zoning to Neighborhood Business (NB) district zoning. The motion carried.

12. Consideration, discussion and possible action on a Concept Plan for 14870 Bois D’Arc Road, twenty (20) lots on 20.02 acres more or less located at 14870 Bois D’Arc Road. Owner: L4S, LLC. Applicant: Southwest Engineers, Inc.

The City staff's recommendation that the City Council approve a Concept Plan for 14870 Bois D’Arc Road, twenty (20) lots on 20.02 acres more or less located at 14870 Bois D’Arc Road.

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

City Manager Bolt discussed the Concept Plan for 14870 Bois D’Arc Road and stated the Planning and Zoning Commission had denied approval. He clarified the Concept Plan meets City’s requirements and is in compliance with the City’s Ordinance.

MOTION: Upon a motion made by Council Member Pierson and seconded by Council Member Amezcua, the Council voted five (5) For and one (1) Against to approve a Concept Plan for 14870 Bois D’Arc Road, twenty (20) lots on 20.02 acres more or less located at 14870 Bois D’Arc Road. Council Member Hill voted against. The motion carried.

13. Consideration, discussion and possible action on a waiver request for Lot 3 Manor Market Subdivision, locally known as 11809 US Hwy 290 E, from Chapter 14 Exhibit A, Article II, Section 44(c)(ii) and Chapter 10 Exhibit A, Article IV, Section 60 (c)(i)(l)(4) to waive the requirement to extend a sidewalk along the entire frontage of the property. Owner: Quick and Clean 60 LLC. Applicant: Sofia Hernandez, 3K1 Consulting

The City staff's recommendation that the City Council approve a waiver request for Lot 3 Manor Market Subdivision, locally known as 11809 US Hwy 290 E, from Chapter 14 Exhibit A, Article II, Section 44(c)(ii) and Chapter 10 Exhibit A, Article IV, Section 60 (c)(i)(l)(4) to waive the requirement to extend a sidewalk along the entire frontage of the property.

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

City Manager Bolt discussed the waiver request for Lot 3 Manor Market Subdivision regarding sidewalks.

Council Member Weir stated she would abstain from discussion. The appropriate Conflict of Interest Affidavit had been filled out and filed with the City Secretary.

MOTION: Upon a motion made by Council Member Pierson and seconded by Council Member Amezcua, the Council voted five (5) For, one (1) Abstained, and none (0) Against to approve a waiver request for Lot 3 Manor Market Subdivision, locally known as 11809 US Hwy 290 E, from Chapter 14 Exhibit A, Article II, Section 44(c)(ii) and Chapter 10 Exhibit A, Article IV, Section 60 (c)(i)(l)(4) to waive the requirement to extend a sidewalk along the entire frontage of the property. The motion carried.

14. Consideration, discussion and possible action on a waiver request for the southern transition on the 10-foot curb inlet on the east side of Almodine Road in front of Lot 136, Block H, Phase 2A Stonewater from Chapter 10 Exhibit A, Article III, Section 41(b) to allow for a 5-foot curb inlet transition. Owner: Continental Homes of Texas. Applicant: Peggy Carrasquillo, Kitchen Table Civil Solutions.

The City staff's recommendation was that the City Council approve a waiver request for the southern transition on the 10-foot curb inlet on the east side of Almodine Road in front of Lot 136, Block H, Phase 2A Stonewater from Chapter 10 Exhibit A, Article III, Section 41(b) to allow for a 5-foot curb inlet transition.

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

At the request of City Manager Bolt, City Engineer Phelan discussed the waiver request for the southern transition on the 10-foot curb inlet on the east side of Almodine Road.

MOTION: Upon a motion made by Council Member Hill and seconded by Council Member Amezcua, the Council voted six (6) For and none (0) Against to approve a waiver request for the southern transition on the 10-foot curb inlet on the east side of Almodine Road in front of Lot 136, Block H, Phase 2A Stonewater from Chapter 10 Exhibit A, Article III, Section 41(b) to allow for a 5-foot curb inlet transition. The motion carried unanimously.

15. Consideration, discussion, and possible action on a resolution supporting a proposed Merritt Manor Housing Community for Senior Citizens.

The City staff's recommendation was that the City Council not support the development at this time.

Colby Denison, 1515 W. 35th Street, Manor, Texas, conducted the attached PowerPoint Presentation on Merritt Manor. He discussed all the amenities that are provided to the seniors. Mr. Denison discussed the architectural site plan for Merritt Manor. Mr. Denison is requesting the Council's support and approval of a Resolution supporting the proposed Merritt Manor Housing Community for Senior Citizens.

Jackie Weissmiller, 306 Saddle Tree Lane, Dripping Springs, Texas, spoke before City Council in support of this item. She discussed her work experience with Merritt Communities. Ms. Weissmiller discussed all activities and educational classes that are provided for the Seniors within the Merritt Communities.

Council Member Kruppa inquired about the percentage and age group of the residents that are Seniors. He questioned the advertisement of a senior Community vs a Low-Income Community. Ms. Weissmiller explained the age group was for 55 and older. She discussed the income requirements for the senior community.

Liz Myers, 2101 Railroad St. #3201, Georgetown, Texas, spoke before City Council in support of this item. She discussed her reasons for living in the independent living senior facility.

Geraldine Carolan, 2101 Railroad St. #1202, Georgetown, Texas, spoke before City Council in support of this item. She discussed the benefits to seniors for providing low-income housing.

Charles Friday, 3201 Bluffs Landing Way, Round Rock, Texas, spoke before City Council in support of this item. He discussed his experience living in a senior independent living facility. He stated there should be more independent living facilities for seniors.

Cheryl Dorothy, 2101 Railroad St. #3302, Georgetown, Texas, submitted a card in support of this item; however, she did not wish to speak.

City Manager Bolt stated he supported the senior facilities but he could not support the location for this development. He discussed the reasons for not supporting the development.

Mr. Denison explained the importance of the approval for the Resolution. He stated the Resolution would need to be approved in order to move forward with the application process that is due on March 1, 2018. He stated the zoning applications would be submitted later.

The discussion was held regarding the land swap.

Pete Dwyer with Dwyer Realty Companies spoke before City Council in support of this item. He stated the development is part of Las Entradas. Mr. Dwyer discussed the social and economic benefits the community will have with this type of development. Mr. Dwyer stated he would not judge the multi-family zoning as a loss of commercial property or commercial revenue because he promised the land swapped for commercial use. He stated the reason why the zoning application had not been filed was that they were waiting for the grant approval for the developer. He is requesting for Council to reconsider and approve the Resolution. Mr. Dwyer stated he would work the math out for the commercial zoning and is proposing 110% if needed.

City Manager Bolt discussed the issue with the concept plan that will need an amendment and the rezoning that needs to be approved by the Planning and Zoning Commission.

The discussion was held regarding the process of the development; the submission of the zoning application; and the concept plan.

Council Member Pierson clarified if the approval for the Resolution was only to apply for the grant from the Housing Community Department. Mr. Denison confirmed the approval was only for the Resolution and for the opportunity to apply for the grant to move forward with the development.

The discussion was held regarding the award for the development and what would happen if the funding was not awarded.

Council Member Amezcua inquired why the development could not be moved to a different location. City Manager Bolt stated that area was not zoned for multi-family residential.

Mr. Denison discussed the limited time they normally have to plan for the site development after the allocation plan is approved.

Mr. Dwyer discussed the property development location and stated they could reconfigure (single-family) R-2 to add more commercial use and to extend more roads with the Las Entrada Plan. He stated the site is developed and ready to move forward. The discussion was held regarding the tax revenue for the development.

City Manager Bolt discussed the process for the concept plan and the zoning process for approval. He stated the process can take several weeks. City Manager Bolt stated his concerns regarding the development of this location.

Mr. Denison discussed the reasons why the site was chosen for the development and the reasons why the development can't be relocated.

The discussion was held regarding the swap of land from residential to commercial use.

City Manager Bolt inquired about the two locations that were proposed for the development. He stated there were three proposals that the City had received regarding the senior citizen's facilities. He stated his concerns regarding oversaturation.

Mr. Denison stated he was the only competitor and all others had withdrawn the application process.

The discussion was held regarding the waiver of the fees.

Council Member Kruppa expressed his concerns regarding the language on the Resolution stating in-kind contribution and the letter from the Texas Department of Housing stating Multifamily. Mr. Denison explained the in-kind contribution would only be for \$500 and stated his development was only for seniors 55 and older.

Mayor Jonse stated she would abstain from discussion. The appropriate Conflict of Interest Affidavit had been filled out and filed with the City Secretary.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Pierson, the Council voted three (3) For, one (1) Abstained, and two (2) Against to approve the resolution for the senior housing project with the amendment of the Resolution Section Three stating the in-kind contribution is for \$500 fee waiver. Mayor Jonse abstained; Council Member Weir and Council Member Hill voted against. The motion failed.

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

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

MOTION: Upon a motion made by Council Member Amezcua and seconded by Council Member Pierson, the Council voted six (6) For and none (0) Against to postpone matters related to the Home Rule Charter and proposed amendments to the March 7th City Council meeting. The motion carried unanimously.

17. Consideration, discussion, and possible action on an Addendum to Development Agreement for the Shadowglen Subdivision.

The City staff's recommendation was that the City Council approve an Addendum to Development Agreement for the Shadowglen Subdivision.

Planning Coordinator Dunlop explained the Addendum to the Development Agreement for the Shadowglen Subdivision.

MOTION: Upon a motion made by Council Member Pierson and seconded by Council Member Amezcua, the Council voted six (6) For and none (0) Against to approve an Addendum to Development Agreement for the Shadowglen Subdivision. The motion carried unanimously.

18. Consideration, discussion, and possible action on the first reading of an ordinance rezoning Abstract 260 Survey 22 Elison T, 33.89 acres more or less, locally known as 12700 Sparks Road, from Interim Single Family Residential (R-1) district zoning to Manufactured Home (M-1) district zoning. Owner: Ulises Hernandez. Applicant: Mike McMinn, McMinn Land Surveying Co.

The City staff's recommendation was that the City Council deny an ordinance rezoning Abstract 260 Survey 22 Elison T, 33.89 acres more or less, locally known as 12700 Sparks Road, from Interim Single Family Residential (R-1) district zoning to Manufactured Home (M-1) district zoning.

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

City Manager Bolt stated the applicant has pulled his request and is recommending denial for the record.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Pierson, the Council voted six (6) For and none (0) Against to deny an ordinance rezoning Abstract 260 Survey 22 Elison T, 33.89 acres more or less, locally known as 12700 Sparks Road, from Interim Single Family Residential (R-1) district zoning to Manufactured Home (M-1) district zoning. The motion carried unanimously.

19. Consideration, discussion, and possible action on the development of policies governing Public Improvement Districts and Tax Increment Reinvestment Zones.

The City staff's recommendation was that the City Council take action on the development of policies governing Public Improvement Districts and Tax Increment Reinvestment Zones.

Jon Snyder with P3 Works, 1808 W. 6th Street, Austin, Texas, conducted the attached PowerPoint presentation regarding Public Improvement District Policy Overview.

Mr. Snyder discussed the Location Requirements on the policy. He discussed the Application Fee and Professional Services Reimbursement Agreement.

Mr. Snyder discussed the Development Standards on the policy. The discussion was held regarding the average home price.

Mr. Snyder discussed the Collection of Assessments and Disclosure to Homeowners.

Mr. Snyder discussed the City Consultants that would be hired by the City.

Mr. Snyder explained the Total Equivalent Tax Rate Chart. The discussion was held regarding the prepaid process.

Mr. Snyder discussed the Assessment Term/Bond Term and the PID Bond standards.

The discussion was held regarding the City Consultants fees. City Manager Bolt advised there should be an amount set for the Consultants fees.

The discussion was held regarding the Development Standards for the average home price to be set at \$30,000.

The discussion was held regarding the Maximum Assessment Tax Rate.

The discussion was held regarding the PID Bond performance standards requirements for the developer.

Rick Rosenberg with DPG Inc., 8140 N. Mopac Expressway, Austin, Texas, spoke before City Council regarding the Development Standards for the developer. He discussed the Maximum Assessment Tax Rate. He expressed his concerns regarding the true-up calculations. Mr. Rosenberg discussed the PID Bond performance standard requirements for the developer.

Robert Rivera with FMS Bonds from Dallas, Texas, spoke before City Council regarding the establishment of the PID Policy. Mr. Rivera introduced Tripp Davenport with FMS Bonds from Dallas, Texas. Mr. Davenport spoke before City Council regarding the assessment tax rate. He discussed the cash deposit that is being required from the developer.

City Attorney Saenz discussed the modifications to the PID Policy. She stated the first change would state the Professional Services Reimbursement Agreement will require the developer to deposit funds in the amount of \$45,000 and additional \$25,000 would be added when the deposit balance reached \$10,000 and any funds not used would be returned to the developer at the completion of the project and the developer may recover the professional fees paid under the agreement at the closing. The second change in the Development Standards Section No. 5. would state preference will be given to projects where average home price is expected to exceed other surrounding new home community pricing by a minimum of \$30,000. The third change in the Maximum Assessment Section, the last sentence regarding a true-up calculation will stay in the policy. The final change in the PID Bonds Section No. 3. would include the assurance that the developer has the ability to fund the remainder of the Public Improvement. She discussed the City's Subdivision Ordinance requirements for a final plat approval. She advised the wording of the payment and performance bonds would be removed from the policy and the equity capital requirement would stay in place.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Weir, the Council voted six (6) For and none (0) Against to approve and adopt the PID Policy with the modifications that were discussed with the City Attorney and Authorize the Mayor to execute the final revised PID Policy. The motion carried unanimously.

At the request of Mayor Jonse the City Council did not Convene into Executive Session.

PUBLIC HEARING

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

The City staff's recommendation was that the City Council recess the creation of a Public Improvement District-EntradaGlen to the March 7, 2018, Regular City Council Meeting.

Mayor Jonse opened the public hearing.

MOTION: Upon a motion made by Council Member Pierson and seconded by Council Member Amezcua, the Council voted six (6) For and none (0) Against to recess the creation of a Public Improvement District - EntradaGlen to the March 7, 2018, Regular Council Meeting. The motion carried unanimously.

REGULAR AGENDA

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

The City staff's recommendation was that the City Council postpone the creation of a Public Improvement District-EntradaGlen to the February 21, 2018, Regular City Council Meeting.

MOTION: Upon a motion made by Council Member Pierson and seconded by Council Member Amezcua, the Council voted six (6) For and none (0) Against to postpone the creation of a Public Improvement District-EntradaGlen to the March 7, 2018, Regular City Council Meeting. The motion carried unanimously.

Pete Dwyer with Dwyer Realty Companies spoke before City Council regarding Item No. 15. He is requesting for the City Council to reconsider the vote for the approval of the Resolution. Mr. Dwyer stated the developer had misunderstood and thought the Resolution had passed. He stated the developer would have the opportunity to move forward with the application process to apply for the grant.

City Attorney Saenz explained the rule for the motion to be reconsidered by the City Council Member who voted against.

Council Member Hill reconsidered Item No. 15.

15. Consideration, discussion, and possible action on a resolution supporting a proposed Merritt Manor Housing Community for Senior Citizens.

MOTION: Upon a motion made by Council Member Pierson and seconded by Council Member Kruppa, the Council voted four (4) For, one (1) Abstained, and one (1) Against to approve the resolution for the senior housing project with the amendment of the Resolution Section Three stating the in-kind contribution is for \$500 fee waiver. Mayor Jonse abstained; Council Member Weir voted against. The motion carried.

ADJOURNMENT

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Pierson, the Council voted six (6) For and none (0) Against to adjourn the regular session of the Manor City Council at 10:08 p.m. on Wednesday, February 21, 2018. The motion carried.

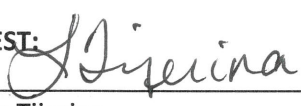
These minutes approved by the Manor City Council on the 7th day of March 2018.

APPROVED:

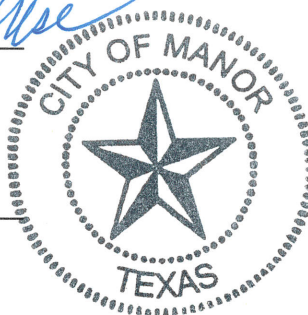


Rita G. Jonse
Mayor

ATTEST:



Lluvia Tijerina
City Secretary





Merritt Manor

Manor City Council

Rita G. Jonse
Gene Kruppa
Maria Amezcua
Anne R. Weir
Zindia Pierson
Deja Hill
Todd Shaner





Proven Team

COLBY DENISON

Founder, CEO, & Developer

*Denison Development
Veritee Property Solutions*

History

- Developed, owns and operates portfolio of 1,400+ units in Central Texas over the past decade
- Colby has never sold a community he's developed.
- Over a decade of experience with every type of regulatory agency.
- Exemplary compliance record with Texas Dept of Housing & Community Affairs
- Proven track record of quality development of mixed income housing of every type and every level of service.

JACKIE WEISSMILLER

Director of Operations

Veritee Property Solutions

History

- 25+ years in Property Management overseeing Conventional/LIHTC multifamily/senior/mixed-use portfolio of up to 2800 units
- Property Management experience across the country leading and coordinating strategic initiatives and operational plans for portfolio standardization.
- Familiar with legal and audit compliance, regulatory agency compliance, risk management, safety, marketing initiatives, training, pricing, human resources, preventive maintenance, contract services, financial services, ancillary services
- Proven outstanding diplomacy which consistently produces win-win results for customers, partners, clients and company.

Achievements

- Decorated list of awards, including Leadership Awards, Manager of the Year, Property of the Year, and Property Turnaround of the Year.
- Certified Apartment Manager and Certified Apartment Property Supervisor through National Apartment Association.



Merritt – Our Values





Resident Amenities

- Dedicated Activities Director for Each Community
- Community Dining Room
- Furnished lounges, library and reading rooms
- Entertainment rooms: arts and crafts, gaming
- Movie theater
- Fitness center
- State of the Art Business center with computers and printers
- Community Kitchen
- Beauty salon
- Swimming Pool with Instructor lead Fitness classes
- Community Bus



Community Dining Room





Community Library





Community Game Room





More Gaming...





Movie Theater





Fitness Center





Business Center





Resort Style Swimming Pool





Salon





Community Dog Park





Community Transportation





Unit Interior





Unit Kitchen





Unit Bedroom





Unit Bathroom





Senior Activities Menu



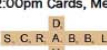
- **Day trips** to museums, concerts, parks, Christmas lights, neighboring towns, etc.
- **Shopping:** groceries, mall, boutiques
- **Games:** bridge, bingo, bunco, canasta, cards, dominoes, mahjong
- **Quarterly events:** New Years, Mardi Gras, St. Patrick's Day, fish fry's, Open House, Casino night
- **Celebrations:** Birthday and New Resident celebrations
- **Recurring Events**
 - Bi-annual networking
 - Weekly live entertainment
 - Book club, writing club, art club
 - Dancing, choir / sing-along
 - Instructor led exercise classes
 - Movie nights



Senior Activities Calendar

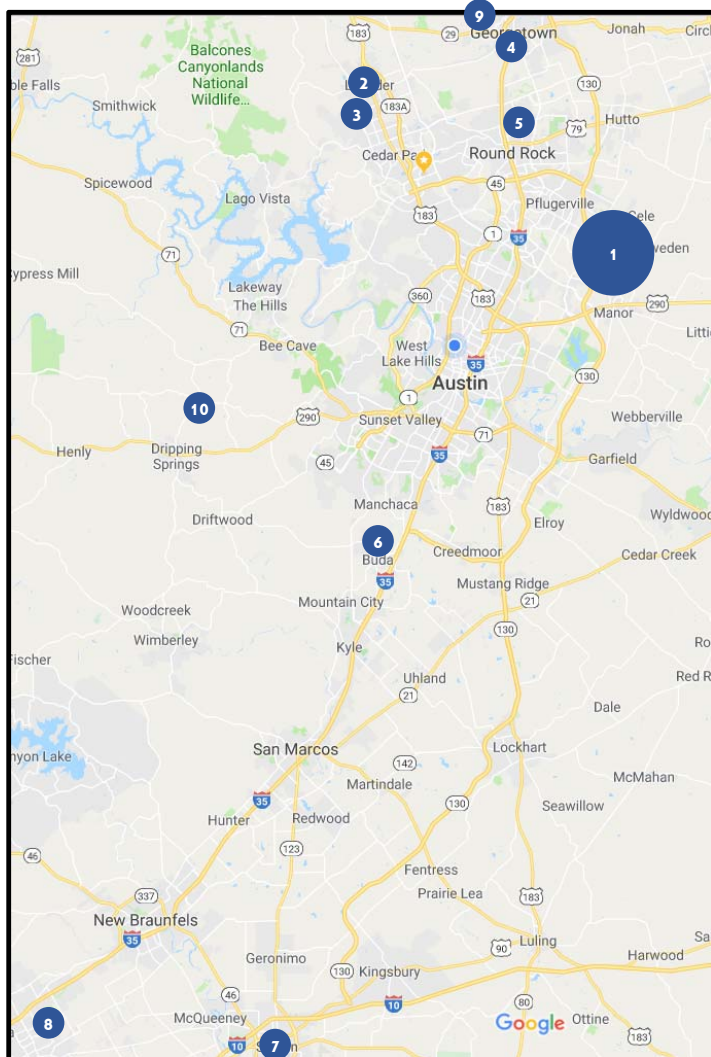
February 2018



28	29	30	31	1 RENT DUE 9:00am Wal-Mart 9:30am Fit & Strong 11:30am Buda Senior Center 2:00pm Computer Training	2 9:30am Tai Chi 2:00pm Coffee Hour with Laura & Crystal 3:00pm Craft Class 5:00pm Movie: GROUND HOG DAY	3 3:00pm 
4 2:00pm Cards, Mexican Train, Scrabble & Skip Bo 4:00pm SUPER BOWL PARTY! We will provide hotdogs Chips & Drinks Feel free to bring Your favorite side dish! 	5 9:00am Losing It Exercise 9:30am HEB 12:30pm Target/Dollar Tree 3:00pm BINGO	6 \$50.00 Late Fee Due 9:30am Tai Chi 10:30am Coffee & Donuts with Maria McCullough from Golden Outlook Ins. 1:00pm Adult Coloring Hour	7 8:30am Walk Out Exercise 9:30am Chair Exercise 3:00pm 	8 9:00am Wal-Mart 9:30am Fit & Strong Exercise 11:30am Buda Senior Center 6:00pm -8:00pm Food Bank Cooking Class	9 9:30am Tai Chi 2:00pm Coffee Hour 3:00pm Craft Class	10 3:00pm 
11 2:00pm  Mexican Train, Scrabble & Skip Bo	12 9:00am Losing It Exercise 9:30am HEB 12:30pm Wal-Mart 3:00pm BINGO	13 9:30am Tai Chi 10:30am Coffee Hour 1:00pm Adult Coloring Hour 2:00pm Woodforest-Tiffany AARP course in 3 parts 4:00pm Mardi Gras Party! 	14 HAPPY VALENTINES DAY! 8:30am Walk Out Exercise 9:30am Chair Exercise 3:00pm BINGO 	15 9:00am Wal-Mart 9:30am Fit & Strong Exercise 11:30am Buda Senior Center 2:00pm Computer Training	16 9:30am Tai Chi 2:00pm Coffee Hour 4:00pm Movie Hour with Movie: Fried Green Tomatoes 	17 3:00pm BINGO 
18 2:00pm Cards, Scrabble & Skip Bo 	19 OFFICE CLOSED FOR PRESIDENTS DAY!	20 9:30am Tai Chi 10:30am Coffee Hour with Maria Golden Outlook Ins. 1:00pm Adult Coloring Hour	21 8:30am Walk Out Exercise 9:30am Chair Exercise 3:00pm BINGO	22 9:00am Wal-Mart 9:30am Fit & Strong Exercise 11:30am Buda Senior Center 2:00pm BIRTHDAY PARTY!	23 9:30am Tai Chi 2:00pm Coffee Hour 3:00pm Craft Class	24 3:00pm BINGO 
25 2:00pm Cards, Mexican Train, & Skip Bo 	26 9:00am Losing It Exercise 9:30am HEB 12:30pm Wal-Mart 3:00pm BINGO	27 9:30am Tai Chi 10:30am Coffee Hour & BLOOD PRESSURE with Brookdale-Diana 1:00pm Adult Coloring Hour 	28 8:30am Walk Out Exercise 9:30am Chair Exercise 3:00pm BINGO	1	2	3



Where we are Located



1 Merritt Manor Senior Village
2018 – 146 units (senior)

2 Merritt Leander Station Senior Village
2011 – 192 units (senior)

3 Merritt Legacy
2014 – 208 units (multifamily)

4 Merritt San Gabriel Senior Village
2007 – 100 units (senior)

5 Merritt Bluffs Landing Senior Village
2009 – 144 units (senior)

6 Merritt Creekside Villas Senior Village
2010 – 144 units (senior)

7 Merritt Stratton Oaks
2006 – 100 units (multifamily)

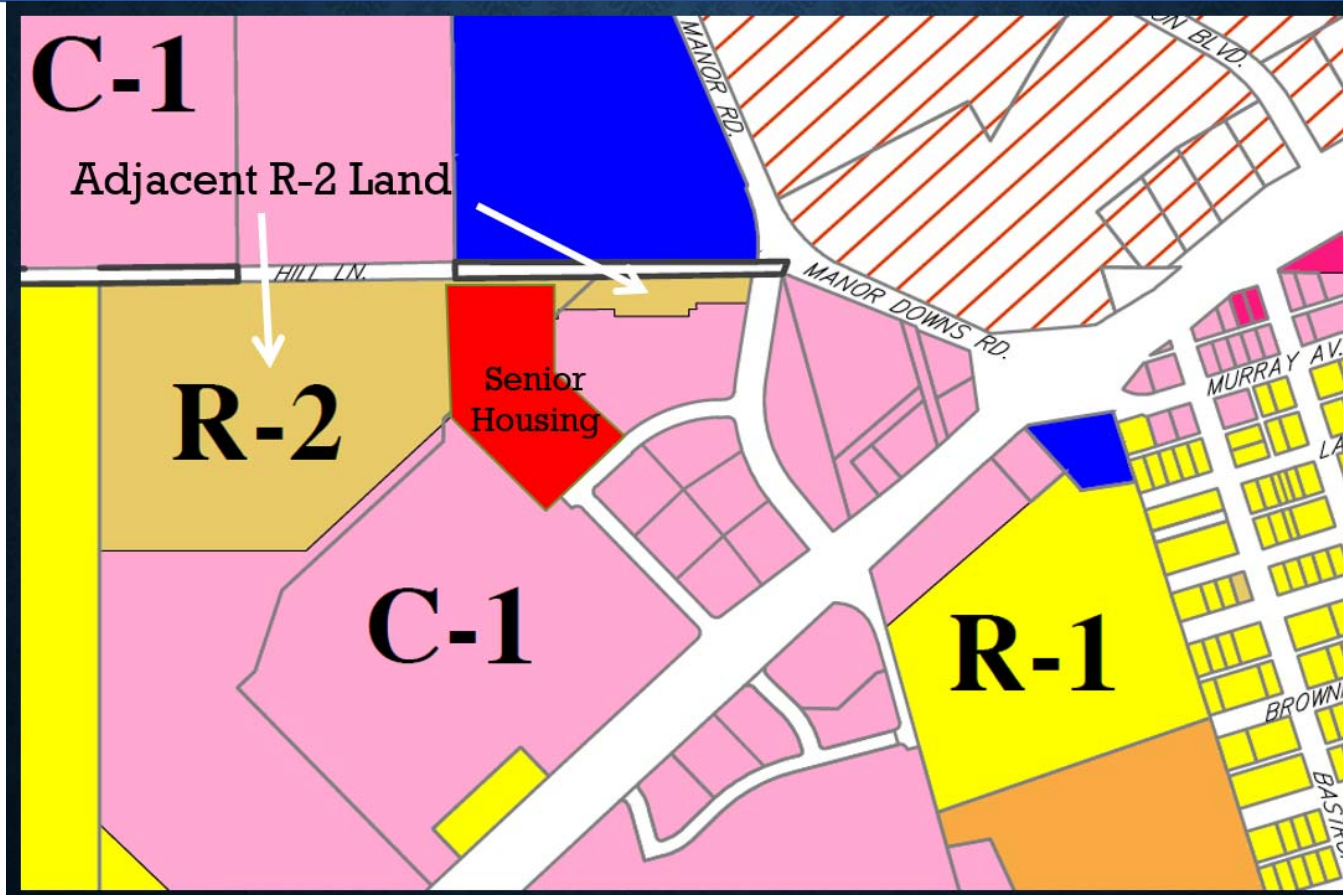
8 Merritt Lakeside Senior Village
2012 – 176 units (senior)

9 Merritt Heritage Senior Village
2016 – 244 units (senior)

10 Merritt Hill Country Senior Village
2016 – 80 units (senior)



Site Location / Rezoning





Working Closely with the Communities We Serve



****Ribbon cutting with the Mayor on our 3rd Community in Leander**



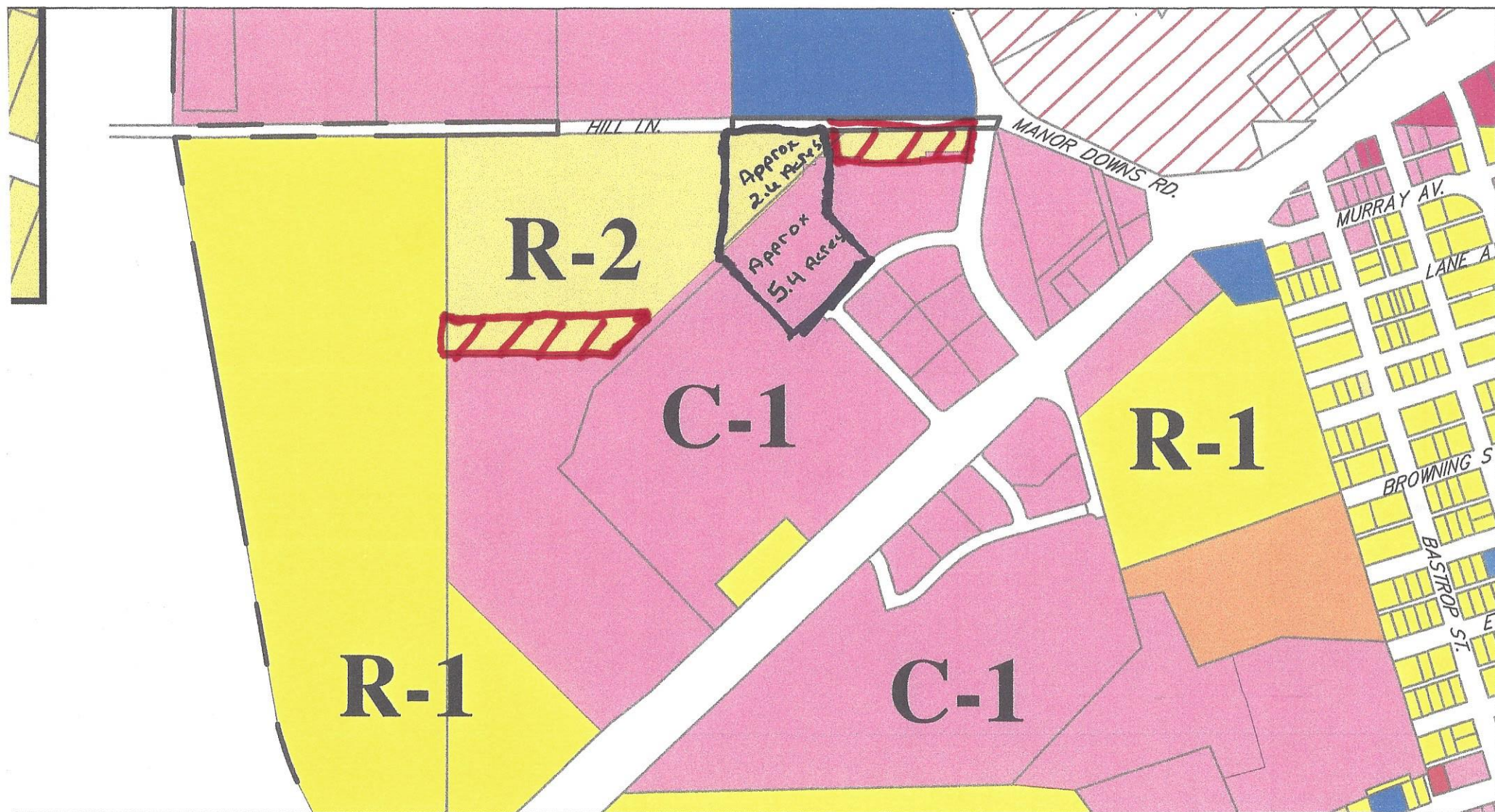
Building Lasting Relationships with Cities



****Breaking ground in Schertz
with the Mayor and Chamber**



****Breaking ground on our 2nd
Community in Georgetown**





PID Policy Overview

FEBRUARY 21, 2018

Introduction

A Public Improvement District (“PID”) in accordance with Texas Local Government Code Chapter 372 provides the City of Manor (“the City”) an economic development tool that finances the costs of public improvements that benefit a definable part of the City. A PID may be located either within the City’s corporate limits or within its extra-territorial jurisdiction. PIDs allow the costs of public improvements to be borne by those who receive special benefits from the improvements.

The purpose of this PID policy is to outline the policies and procedures the City will use to consider whether creation of a PID, the levy of PID assessments, and issuance of PID bonds is in the best interest of the City. Any aspect not specifically addressed by this policy will be considered on an individual project basis.

The City may, on a case-by-case project basis, waive a requirement of this policy if it does not conflict with state or federal law. Any requirements waived shall be noted in the resolution approving the PID petition, or other relevant document, and must include a finding that the waiver is in the best interest of the City.

Location

The City will consider a petition for formation of a PID within the City's corporate limits and within its extra-territorial jurisdiction ("the ETJ"). For projects within the ETJ:

1. a development agreement must be entered into prior to the levy of assessments requiring (i) compliance with the City's development standards, (ii) City building permits, and (iii) easements over City streets to enable the City to collect franchise fees;
2. a maintenance assessment will be required to maintain roads at the City's standards; and
3. a separate services assessment for police and/or fire may be required if the City determines it is in its best interest.

Application Fee and Professional Services Reimbursement Agreement

A non-refundable application fee of \$15,000.00 is required at the time a petition is filed. If the City determines it is in its best interest to establish a PID, a Professional Services Reimbursement Agreement will be entered into with the developer. The Professional Services Reimbursement Agreement will require the developer to deposit funds (in addition to the amounts already required to pay for the City's costs for staff including the City Attorney, City Engineer and City Planning staff) to pay for third party consultants including, but not limited to, Bond Counsel, Financial Advisor, PID Administrator, Trustee, Underwriter, Appraiser, and Market Study Analysts.

Development Standards

The City will consider petitions for PID projects that support real estate development which confer benefits to the City to a degree that is superior to benefits typically generated by projects that do not involve PID financing.

1. The project must include improvements that enhance the City's master plan, including the City's thoroughfare plan and water and wastewater plans (improvements must exceed current subdivision regulations) and advance the City's trail and park plans.
2. Any improvements that are offsite or are part of the City's master plans must obtain approval from the City Engineer prior to being included in the PID.
3. Preference will be given to high quality projects that exceed the City's subdivision requirements for overall design, building standards and amenities with enhanced landscaping and appealing architecture throughout.
4. Preference will be given to mixed use projects that include a mix of residential and commercial uses.
5. Preference will be given to projects where average home price is expected to exceed other surrounding new home community pricing by \$75,000.
6. Preference will be given to projects within the ETJ that voluntarily annex into the City's corporate limits.

Collection of Assessments

Prior to the levy of assessments, the City will enter into an agreement with Travis County to include the annual PID installments on the Travis County Tax Bill.

Disclosure to Homeowners

To satisfy disclosure to homeowners, the City will require the petitioner to comply with the following:

1. Landowner's Agreement to be recorded in the Official Public Records of Travis County.
2. Signage at major entryways and exits.
3. Signage and information flyers in any sales centers within the PID that include:
 - a. Frequently Asked Questions
 - b. Total Assessment
 - c. Average Annual Installment
 - d. Equivalent Tax Rate
4. Homebuyer disclosure documents in accordance with Section 5.014 of the Texas Property Code.
5. Developer contracts with homebuilders must require the homebuilder to disclose the PID on any MLS listing.

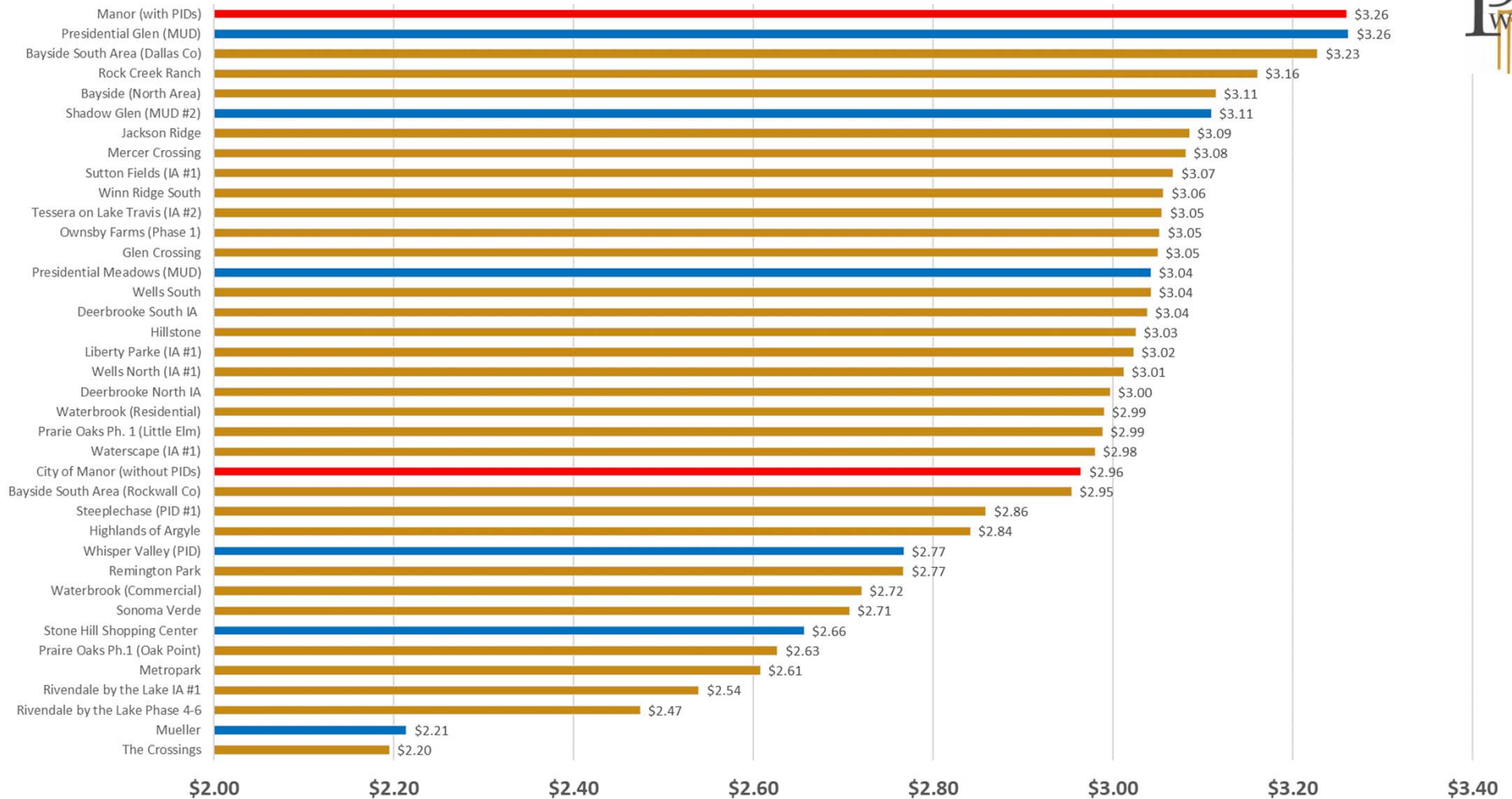
City Consultants

The City will independently select a Bond Counsel, Financial Advisor, PID Administrator, Trustee and Market Study Analyst. With input by the Developer, the City will select an Underwriter and Appraiser. The City's PID Administrator will draft the Service and Assessment Plan and prepare all annual updates.

Maximum Assessment

The annual PID installment shall not exceed an amount that increases the total equivalent tax rate above \$3.26. A true-up calculation will be performed at each bond issuance and upon filing of a final plat to ensure that the maximum assessment is not exceeded, which may result in a mandatory prepayment from the developer.

TOTAL EQUIVALENT TAX RATE



True-up Calculation

	Estimated at time of SAP	Actual	Difference
# of Lots	100	75	(25)
Home Value	\$ 300,000	\$ 300,000	\$ -
Assessed Value	\$ 30,000,000	\$ 22,500,000	\$ (7,500,000)

True-up Calculation

	Estimated at time of SAP	Actual	Difference
# of Lots	100	75	(25)
Home Value	\$ 300,000	\$ 300,000	\$ -
Assessed Value	\$ 30,000,000	\$ 22,500,000	\$ (7,500,000)
<i>Sample Homeowner Tax Bill:</i>			
Total City/School/Local Taxes	\$ 2.96439	\$ 2.96439	\$ -
PID Equivalent Tax Rate	0.2956	0.3942	0.0985
Total	\$ 3.26000	\$ 3.35854	\$ 0.09854
Total Annual PID Installment per Home	\$ 887	\$ 1,182	\$ 296
Total Assessment Per Home	\$ 10,805	\$ 14,406	\$ 3,602

True-up Calculation

	Estimated at time of SAP	Actual	Difference
# of Lots	100	75	(25)
Home Value	\$ 300,000	\$ 300,000	\$ -
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Total	\$ 3.26000	\$ 3.35854	\$ 0.09854
Total Annual PID Installment per Home	\$ 887	\$ 1,182	\$ 296
Total Assessment Per Home	\$ 10,805	\$ 14,406	\$ 3,602
Mandatory Prepayment		\$ (3,602)	
Assessment Per Home		\$ 10,805	
Total Annual PID Installment per Home		\$ 887	
PID Equivalent Tax Rate		\$ 0.2956	
Total Equivalent Tax Rate		\$ 3.2600	

Assessment Term/Bond Term

The maximum term of a PID assessment is not to exceed 30 years and the assessment term must equal the bond term.

PID Bonds

The following performance standards shall apply to PID bonds:

1. Minimum appraised value to lien ratio of 3:1.
2. All improvements to be funded with PID bonds must be fully engineered and bid. A competitive bidding process with at least three bids will be required.
3. Developer is required to demonstrate committed capital in the form of cash deposit, proof of bank financing, or letter of credit to the City with an amount confirmed by an engineer's opinion of probable cost, which represents the difference between budgeted cost to complete the public improvements assumed to be complete in the appraisal and the net proceeds of the PID bonds. The form of committed capital (cash deposit, letter of credit or bank commitment) will be determined by the City on a case-by-case basis on advice from its Financial Advisor.

Comments



PID Policy Workshop

FEBRUARY 7, 2018

PID Policy Purpose and Overview

- PID Policy should set clear requirements for:
 - Types of projects that the City will consider allowing a PID
 - Homeowner Disclosure
 - Financial Terms
 - Equivalent Tax Rate
 - Bond Term
 - Conditions Precedent to Issuing Bonds
- Policy helps streamline discussions between developers and City staff
- Individual provisions can be waived by City Council on a case by case basis
- The policy can be simple (allows Staff to negotiate) or extremely detailed (requires everything to come through Council)

Project Requirements

- City Limits and/or ETJ
- Type of project
 - Size
 - Density
 - Absorption schedule
 - Mixed uses
- Enhanced landscaping requirements
- Standards that exceed City's subdivision requirements (residential vs commercial)
 - Subdivision overall design
 - Minimum lot size (i.e. 50' or greater)
 - Building standards
 - Amenities
 - Parks and open space
- Internal Subdivision Improvements that advance City's Master Plans
 - Thoroughfare Plan
 - Water and Wastewater
 - Trails and parks
- Offsite Improvements that advance City's Master Plans
 - Thoroughfare Plan
 - Water and Wastewater
 - Trails and parks
 - Sign off from City Engineer

Cash Contributions to the City

- City of Kyle requires a cash contribution equal to 10% of net bond proceeds to City general fund for projects in the ETJ which refuse to annex
- Travis County requires developer to pay 10% of net bond proceeds to support County programs
- City of Dripping Springs requires a cash contribution equal to 1/9 of net bond proceeds to City general fund
- Some Cities require police/fire/road maintenance assessment for projects in ETJ
- May include any other conditions/prerequisites determined by City

Disclosure to Homeowners

- Landowner's Agreement recorded in Official Public Records
- Signage at major entryways and exits, similar to MUDs
- Information signage and flyers in sales centers
 - PID FAQs
 - Equivalent Tax Rate
 - Total Assessment
 - Annual Installment
- Requirement to place on Travis County Tax Bill
 - Typically included in mortgage escrow
 - PID Assessment "picked up" by title/mortgage companies
- Homebuyer Disclosure Documents

City Professional Team and District Administration

- How does the City choose the Professional Team?
 - Bond Counsel (Typically chosen independently by City)
 - Financial Advisor (Typically chosen independently by City)
 - PID Administrator (Typically chosen independently by City)
 - Trustee (Typically chosen independently by City)
 - Underwriter (Typically selected by City with input from developer)
 - Appraiser (Typically selected by City with input from developer)
- Application Fee and/or Professional Services Agreement
 - Pays expenses for 3rd party consultants
 - Can pay for City staff time
- Some Cities require City PID Administrator to draft Service and Assessment Plan

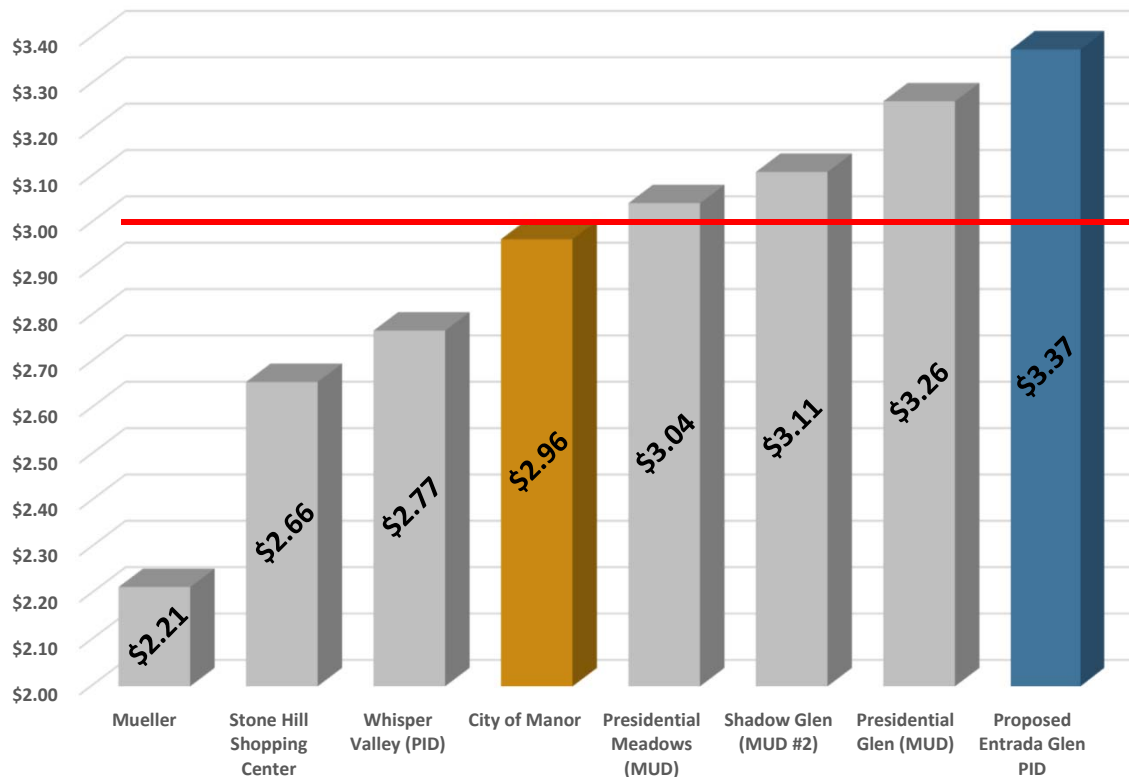
Assessment Term/Bond Term

- Term of assessment directly impacts benefit of PID to the developer. The longer the term, the greater the benefit
- PID Act allows PID Bonds to have a term of up to 40 years
 - Typical Term is 30 years
 - Some cities limit bond term to 20 or 25 years
- Typically Assessment Term matches Bond Term
- In some cases developers will request assessments to exceed the term of the bonds

Maximum Equivalent Tax Rate



2017 Tax Rate Per \$100 of Assessed Value



	2017 Tax Rate	+/- vs. Manor
Mueller	\$ 2.21	\$ (0.75)
Stone Hill Shopping Center	\$ 2.66	\$ (0.31)
Whisper Valley (PID)	\$ 2.77	\$ (0.20)
City of Manor	\$ 2.96	\$ -
Presidential Meadows (MUD)	\$ 3.04	\$ 0.08
Shadow Glen (MUD #2)	\$ 3.11	\$ 0.15
Presidential Glen (MUD)	\$ 3.26	\$ 0.30
Proposed Entrada Glen PID	\$ 3.37	\$ 0.41

Should residential and commercial rates be the same or different?

Should City Issue PID Bonds?

- Cash Flow PIDs
 - Annual Installments paid to developer
 - **No upfront money, not as beneficial to developers**
 - Maximum interest rate allowed (currently 9.5% for 1st 5 years, 5.5% thereafter)
 - Developers can privately monetize revenue stream, but less efficient than bonds

- PID Bonds
 - Annual Installments paid to bond holders
 - **Upfront money, interest rates are lower due to tax exempt nature of bonds**
 - Bonds are secured solely from PID assessments
 - City does not have financial or moral obligation, but City will have “headline risk” and requirement to comply with bond covenants
 - City should be reimbursed if unable to issue bank qualified debt as a result of PID Bonds

Bond Requirements

- Value to Lien Ratio
 - 3:1 requirement or dependent on credit
 - Minimum requirement per parcel
 - Mandatory prepayment requirement
- Developer contribution
 - Cash, LOC, Bank Commitment, or dependent on transaction
- Status of development may require the following:
 - Proceeds used for construction
 - Acquire completed improvements
 - Require all improvements to be complete