



Rita G. Jonse, Mayor
Gene Kruppa, Place 1
Maria Amezcua, Mayor Pro Tem, Place 2
Anne Weir, Place 3
Dr. Larry Wallace Jr., Place 4
Deja Hill, Place 5
Valerie Dye, Place 6

**CITY COUNCIL
REGULAR MEETING
AGENDA**

Wednesday, February 20, 2019

7:00 p.m.

Manor City Hall – Council Chambers
105 E. Eggleston Street

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

PLEDGE OF ALLEGIANCE

PROCLAMATION

Declaring the month of February 2019, as “National African American History Month”

PUBLIC COMMENTS

Comments will be taken from the audience on non-agenda related topics for a length of time, not to exceed three (3) minutes per person. Comments on specific agenda items must be made when the item comes before the Council. To address the City Council, please complete the white card and present it to the City Secretary prior to the meeting. **No Action May be Taken by the City Council During Public Comments**

CONSENT AGENDA

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless requested by the Mayor or a Council Member; in which event, the item will be removed from the consent agenda and considered separately.

1. Consideration, discussion, and possible action to approve the City Council Minutes of the February 6, 2019, Regular Meeting. Lluvía Tijerina,
City Secretary

2. Consideration, discussion, and possible action on the acceptance of the January 2019 Departmental Reports:
- Thomas Bolt,
City Manager
- Police – Ryan Phipps, Chief of Police
 - Development Services – Scott Dunlop, Assistant Dev. Services Director
 - Community Development – Sammie Hatfield, Comm. Dev. Manager
 - Municipal Court – Sarah Friberg, Court Clerk
 - Public Works – Mike Tuley, Director of Public Works
 - Finance – Lydia Collins, Director of Finance

REGULAR AGENDA

3. Consideration, discussion, and possible action on a resolution authorizing and directing the securing of a fire damaged property, finding such fire damaged property presents a danger to the public safety and is in the best interest of the city, and authorizing city staff to attempt to address the matter with the owner or proceed with a hearing and/or abatement.
- Thomas Bolt,
City Manager
4. Consideration, discussion, and possible action on a waiver request from Manor Code of Ordinances Chapter 14, Exhibit A, Article II, Section 20(j)(3) on Lot 10 & the West half of Lot 9, Block 38, Town of Manor, locally known as 502 East Eggleston to allow for 0ft rear setback for an accessory structure. **Applicant:** Robert Battaile. **Owner:** Robert Battaile.
- Scott Dunlop,
Asst. Dev. Services
Director
5. Consideration, discussion, and possible action on a waiver request from Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 34(a) for 9.973 acres of land situated in the James Manor Survey No. 40, Abstract No. 546 to allow for a unit density of 25.15 per acre. **Applicant:** Kimley-Horn & Associates. **Owner:** W2 Real Estate Partners
- Scott Dunlop,
Asst. Dev. Services
Director
6. Consideration, discussion, and possible action on a waiver request from Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 34(b)(iv)(C) and Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 20(m) to allow for reduction to the minimum number of parking spaces per each living unit to 1.8. **Applicant:** Kimley-Horn & Associates. **Owner:** W2 Real Estate Partners
- Scott Dunlop,
Asst. Dev. Services
Director
7. Consideration, discussion, and possible action on an Interlocal Cooperation Agreement between Travis County and the City of Manor relating to on-site septic system permitting services.
- Scott Dunlop,
Asst. Dev. Services
Director
8. Consideration, discussion, and possible action on Change Order No. 1 for the 2017 Water Distribution System Improvements Project.
- Frank T. Phelan,
P.E., City Engineer

EXECUTIVE SESSION

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

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

OPEN SESSION

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

9. Consideration, discussion, and possible action on an amendment to the City Manager's Contract.

ADJOURNMENT

In addition to any executive session already listed above, the City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section §551.071 (Consultation with Attorney), §551.072 (Deliberations regarding Real Property), §551.073 (Deliberations regarding Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations regarding Security Devices) and §551.087 (Deliberations regarding Economic Development Negotiations).

POSTING CERTIFICATION

I, the undersigned authority do hereby certify that this Notice of Meeting was posted on the bulletin board, at the City Hall of the City of Manor, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: Friday, February 15, 2019, by 5:00 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

/s/Lluvia Tijerina, TRMC

City Secretary for the City of Manor, Texas

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS:

The City of Manor is committed to compliance with the Americans with Disabilities Act. Manor City Hall and the Council Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary at 512.272.5555 or e-mail ltijerina@cityofmanor.org

PROCLAMATION

WHEREAS, In 1976, African American History Month was formally adopted to honor and affirm the importance of African American History throughout our American experience, and serves to promote cultural enrichment, ethnic pride, and self-esteem by celebrating the lives and achievements of great African Americans; and

WHEREAS, During African American History Month, we celebrate the many achievements and contributions made by African Americans to our economic, cultural, spiritual, and political development; and

WHEREAS, the 2019 national theme for the observance is “Black Migrations”; and emphasizes the movement of people of African descent to new destinations and subsequently to new social realities; and

WHEREAS, African American History Month is a time for all Americans to remember the stories and teachings of those who helped build our nation, took a stance against prejudice to build lives of dignity and opportunity, advanced the cause of civil rights and strengthened families and communities; and

WHEREAS, during African American History Month all Americans are encouraged to reflect on past successes and challenges of African Americans and look to the future to continue to improve society so that we live up to the ideals of freedom, equality and justice; and

WHEREAS, the City of Manor is proud to honor the history and contributions of African Americans in our community, throughout state, and nation.

NOW, THEREFORE, I Rita G. Jonse, Mayor of the City of Manor, and on behalf of the Manor City Council, do hereby proclaim the month of February 2019 as:

"NATIONAL AFRICAN AMERICAN HISTORY MONTH"

I encourage all citizens to celebrate our diverse heritage and culture and continue our efforts to create a world that is more just, peaceful, and prosperous for all.

PROCLAIMED this 20th day of February 2019.

Rita G. Jonse, Mayor
City of Manor



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: February 20, 2019

PREPARED BY: Lluvia Tijerina, City Secretary

DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action to approve the City Council Minutes of the February 6, 2019, Regular Meeting.

BACKGROUND/SUMMARY:

PRESENTATION: ☐ YES ☒ NO

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

February 6, 2019, Regular Meeting Minutes

STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council approve the City Council Minutes of the February 6, 2019, Regular Meeting.

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



**CITY COUNCIL
REGULAR SESSION MINUTES
FEBRUARY 6, 2019**

PRESENT:

Rita G. Jonse, Mayor

COUNCIL MEMBERS:

Gene Kruppa, Place 1
Maria Amezcua, Mayor Pro Tem, Place 2
Anne R. Weir, Place 3
Dr. Larry Wallace Jr., Place 4 (Absent)
Deja Hill, Place 5
Valerie Dye, Place 6

CITY STAFF:

Thomas Bolt, City Manager
Lluvia Tijerina, City Secretary
Scott Dunlop, Assistant Development Services Director
Frank Phelan, P.E., 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 Jonse at 7:00 p.m. on Wednesday, February 6, 2019, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

PLEDGE OF ALLEGIANCE

At the request of Mayor Jonse, City Engineer Phelan, led the Pledge of Allegiance.

PROCLAMATION

Declaring the week of February 11-17, 2019, as “National LULAC Week”

Mayor Jonse read and presented a proclamation declaring the week of February 11-17, 2019, as “National LULAC Week” to Gabriel Nila, President, LULAC Council; Leon Hernandez, District Director; and Gavino Fernandez Jr., Deputy Director.

PUBLIC COMMENTS

No one appeared to speak at this time.

CONSENT AGENDA

1. Consideration, discussion, and possible action to approve the City Council Minutes:

- **January 16, 2019, Regular Meeting**
- **January 16, 2019, Special Meeting**

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

REGULAR AGENDA

2. Consideration, discussion, and possible action on a conditional use request for 3 acres out of Abstract 315 Survey 63 Gates G, locally known as 13812 Bois D’Arc Road, to allow for a service station. Applicant: Professional StruCIVIL Engineers, Inc. Owner: Dessau Road, LLC

The City staff’s recommendation was that the City Council approve the second final reading of a conditional use request for 3 acres out of Abstract 315 Survey 63 Gates G, locally known as 13812 Bois D’Arc Road, to allow for a service station with the condition the service station area is limited to the area shown on the presented Preliminary Site Plan submitted with the application and the number of fuel dispensers is limited to four (4) pumps.

Scott Dunlop, Assistant Development Services Director, was available to address any questions posed by the City Council.

Diane Bernal, PSCE, Inc., 12710 Research Blvd., Suite 390, Austin, Texas, submitted a card in support of this item; however, she did not speak but was available to address any questions posed by the City Council.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Dye the Council voted four (4) For and two (2) Against to approve the second final reading of a conditional use request for 3 acres out of Abstract 315 Survey 63 Gates G, locally known as 13812 Bois D’Arc Road, to allow for a service station with the condition the service station area is limited to the area shown on the presented Preliminary Site Plan submitted with the application and the number of fuel dispensers is limited to four (4) pumps. Council Member Weir and Mayor Pro Tem Amezcua voted against. The motion carried.

3. Consideration, discussion, and possible action on a waiver request from Manor Code of Ordinances, Chapter 3, Article 3.10, Section 3.10.007(1) Freestanding High-Profile Sign – Single Tenant, for Abstract 58, Survey 38 Barker C, locally known as 12720 N. FM 973, Manor, TX to allow for a high-profile sign. Applicant: Gene Smith. Owner: Eternal Faith Baptist Church

The City staff's recommendation was that the City Council approve a waiver request from Manor Code of Ordinances, Chapter 3, Article 3.10, Section 3.10.007(1) Freestanding High-Profile Sign – Single Tenant, for Abstract 58, Survey 38 Barker C, locally known as 12720 N. FM 973, Manor, TX to allow for a high-profile sign.

Scott Dunlop, Assistant Development Services Director, was available to address any questions posed by the City Council.

City Manager Bolt discussed the waiver request for 12720 N. FM 973, Manor, TX. He stated the sign ordinance would be amended to allow high-profile signs in this location due to future construction planned in the area.

The discussion was held regarding the timing of the ordinance changes and the issues of the current sign in place.

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 a waiver request from Manor Code of Ordinances, Chapter 3, Article 3.10, Section 3.10.007(1) Freestanding High-Profile Sign – Single Tenant, for Abstract 58, Survey 38 Barker C, locally known as 12720 N. FM 973, Manor, TX to allow for a high-profile sign. The motion carried unanimously.

4. Consideration, discussion, and possible action on a contract addendum with Jay Engineering Company, Inc. for preparation and submittal of a discharge permit application for the renewal and amendment of the Cottonwood Creek WWTP permit.

The City staff's recommendation was that the City Council approve the contract addendum with Jay Engineering Company, Inc. for preparation and submittal of a discharge permit application for the renewal and amendment of the Cottonwood Creek WWTP permit.

City Manager Bolt discussed the contract addendum with Jay Engineering Company, Inc. He stated the renewal is completed every five (5) years.

City Engineer Phelan discussed the contract addendum with Jay Engineering Company, Inc. He explained the process of the permit application for the Cottonwood Creek WWTP Permit and the Wilbarger Creek WWTP permit.

The discussion was held regarding the permitting and publication fees that are not included in the addendum. City Engineer Phelan stated the fees are fundable through the City's Impact Fee Program.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Mayor Pro Tem Amezcua the Council voted six (6) For and none (0) Against to approve the contract addendum with Jay Engineering Company, Inc. for preparation and submittal of a discharge permit application for the renewal and amendment of the Cottonwood Creek WWTP permit. The motion carried unanimously.

5. Consideration, discussion, and possible action on a contract addendum with Jay Engineering Company, Inc. for preparation and submittal of a discharge permit application for the renewal and amendment of the Wilbarger Creek WWTP permit.

The City staff's recommendation was that the City Council approve the contract addendum with Jay Engineering Company, Inc. for preparation and submittal of a discharge permit application for the renewal and amendment of the Wilbarger Creek WWTP permit

City Engineer Phelan discussed the contract addendum with Jay Engineering Company, Inc.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Mayor Pro Tem Amezcua the Council voted six (6) For and none (0) Against to contract addendum with Jay Engineering Company, Inc. for preparation and submittal of a discharge permit application for the renewal and amendment of the Wilbarger Creek WWTP permit. The motion carried unanimously.

6. Consideration, discussion, and possible action on approving an agreement for Public Improvement District (PID) bond counsel services.

The City staff's recommendation was that the City Council approve entering into an agreement with Bickerstaff Heath Delgado Acosta, LLC to provide PID bond counsel services.

City Manager Bolt discussed the agreement for the PID Bond Counsel Services. He stated the fees were paid through the Bond and the City had been pleased with services in the past with Bickerstaff.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Dye the Council voted six (6) For and none (0) Against to approve entering into an agreement with Bickerstaff Heath Delgado Acosta, LLC to provide PID bond counsel services. The motion carried unanimously.

7. Consideration, discussion, and possible action on an ordinance closing, vacating and abandoning a 20' x 250' alley right-of-way located perpendicular to Lexington Street and N. Caldwell Street and between and parallel to W. Lane Avenue and W. Townes Street, located in Block 8, Lots 1-10, Lane A E Addition.

The City staff's recommendation was that the City Council approve Ordinance No. 541 closing, vacating and abandoning a 20' x 250' alley right-of-way located perpendicular to Lexington Street and N. Caldwell Street and between and parallel to W. Lane Avenue and W. Townes Street, located in Block 8, Lots 1-10, Lane A E Addition.

City Manager Bolt discussed the closing, vacating, and abandoning of a 20' x 250' alley right-of-way perpendicular to Lexington Street and N. Caldwell Street and between and parallel to W. Lane Avenue and W. Townes Street.

The discussion was held regarding the purpose for alleyways in a city. City Manager Bolt stated alleyways provided access to different services for the home. He stated utilities were accessed through the alleyways for older homes.

Rebecca Davies, 709 N. Lexington Street, Manor, Texas, spoke before City Council in support of this item. She explained the survey regarding the alleyway on her property and stated she has been paying taxes on the property.

The discussion was held regarding the sale of the property and how future owners could possible sale each lot without the alleyway.

Council Member Dye inquired if the property was a historical marker. City Manager Bolt stated only the home structure was considered historical not the land.

The discussion was held regarding the process for a new owner to subdivide and replat a new alleyway if the alleyway was to be removed.

MOTION: Upon a motion made by Council Member Dye and seconded by Council Member Kruppa the Council voted two (2) For and four (4) Against to approve Ordinance No. 541 closing, vacating and abandoning a 20' x 250' alley right-of-way located perpendicular to Lexington Street and N. Caldwell Street and between and parallel to W. Lane Avenue and W. Townes Street, located in Block 8, Lots 1-10, Lane A E Addition. Council Member Weir; Council Member Hill; Mayor Pro Tem Amezcua; and the Mayor voted against. The motion failed.

Mayor Jonse adjourned the regular session of the Manor City Council into Executive Session at 7:40 p.m. Wednesday, February 6, 2019, in accordance with the requirements of the Open Meetings Law.

EXECUTIVE SESSION

The Manor City Council convened into executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in: *Section 551.074 Personnel Matters – Discussion of City Manager’s Contract; and Section 551.072 Deliberations Regarding Real Property - An ordinance closing, vacating and abandoning a 20' x 250' alley right-of-way located perpendicular to Lexington Street and N. Caldwell Street and between and parallel to W. Lane Avenue and W. Townes Street, located in Block 8, Lots 1-10, Lane A E Addition* at 7:40 p.m., on Wednesday, February 6, 2019, City Council Conference Room of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

The Executive Session was adjourned at 8:15 p.m. on Wednesday, February 6, 2019.

OPEN SESSION

The City Council reconvene into Open Session pursuant to the provisions of Chapter 551 Texas Government Code at 8:15 p.m. on Wednesday, February 6, 2019, in the Council Chambers of the Manor City Hall.

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

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

MOTION: Upon a motion made by Mayor Pro Tem Amezcua and seconded by Council Member Weir the Council voted six (6) For and none (0) Against to have the Mayor contact the City Attorney to finalize the City Manager’s Contract. The motion carried unanimously.

Council Member Hill advised she would recused herself from discussion and consideration of the following item as she was previously interested on the property. The appropriate Conflict of Interest Affidavit had been filled out and filed with the City Secretary.

- *Section 551.072 Deliberations Regarding Real Property - An ordinance closing, vacating and abandoning a 20' x 250' alley right-of-way located perpendicular to Lexington Street and N. Caldwell Street and between and parallel to W. Lane Avenue and W. Townes Street, located in Block 8, Lots 1-10, Lane A E Addition*

MOTION: Upon a motion made by Council Member Dye and seconded by Council Member Kruppa the Council voted two (2) For and three (3) Against to approve Ordinance No. 541 closing, vacating and abandoning a 20' x 250' alley right-of-way located perpendicular to Lexington Street and N. Caldwell Street and between and parallel to W. Lane Avenue and W. Townes Street, located in Block 8, Lots 1-10, Lane A E Addition. Council Member Weir; Mayor Pro Tem Amezcua; and the Mayor voted against. The motion failed.

ADJOURNMENT

The Regular Session of the Manor City Council Adjourned at 8:16 p.m. on Wednesday, February 6, 2019.

These minutes approved by the Manor City Council on the 20th day of February 2019.

APPROVED:

Rita G. Jonse
Mayor

ATTEST:

Lluvia Tijerina, TRMC
City Secretary

Draft Minutes



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: February 20, 2019

PREPARED BY: Thomas Bolt, City Manager

DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on the acceptance of the January 2019 Departmental Reports.

BACKGROUND/SUMMARY:

- Police – Ryan Phipps, Chief of Police
- Development Services – Scott Dunlop, Assistant Dev. Services Director
- Community Development – Sammie Hatfield, Comm. Dev. Manager
- Municipal Court – Sarah Friberg, Court Clerk
- Public Works – Mike Tuley, Director of Public Works
- Finance – Lydia Collins, Director of Finance

PRESENTATION: ☐ YES ☒ NO

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

January 2019 Departmental Reports

STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council approve and accept the January 2019 Departmental Reports.

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



Manor Police Department

Monthly Council Report

Ryan S. Phipps - Chief of Police

Date of Meeting: 1/20/2019

January 2019

| Activity | Reported Month | Same month Prior year | Percentage difference | |
|------------------------|----------------|-----------------------|-----------------------|--|
| Calls for Service | 1637 | 1389 | 17.8↑ | Patrol Car Rental Last Month \$615.00 YTD \$615.00 |
| Average CFS per day | 52.8 | 44.8 | 17.8↑ | |
| Open Cases | 15 | 17 | 11.7↓ | |
| Charges Filed | 47 | 51 | 7.8↓ | |
| Alarm Responses | 45 | 36 | 25↑ | |
| Drug Cases | 14 | 8 | 75↑ | |
| Family Violence | 13 | 7 | 85.7↑ | |
| Arrests Fel/Misd | 12 Fel/35 Misd | 12Fel/ 21 Misd | 0Fel/66 Misd↑ | |
| Animal Control | 46 | 55 | 16.3↓ | |
| Traffic Accidents | 37 | 24 | 54↑ | |
| DWI Arrests | 10 | 7 | 42.8↑ | |
| Traffic Violations | 657 | 522 | 25.8↑ | |
| Impounds | 112 | DNA | DNA | |
| Ordinance Violations | 42 | 73 | 42.4↓ | |
| Victim Services Cases | 30 | DNA | DNA | |
| Total Victims Served | 49 | DNA | DNA | |
| Seizures | DNA | DNA | DNA | |
| Laboratory Submissions | 10 | 5 | 100↑ | |

Notes:

*DNA- DATA NOT AVAILABLE



Manor Police Department

Monthly Council Report

Ryan S. Phipps - Chief of Police

Date of Meeting: 1/16/2019

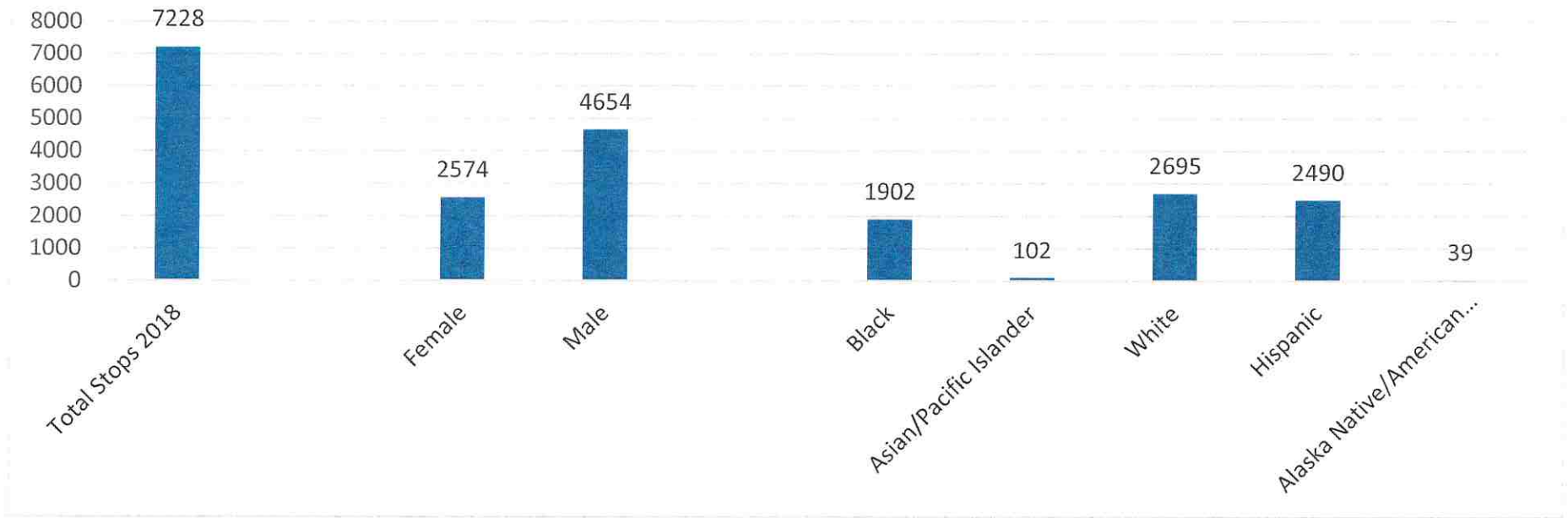
END OF YEAR

| Activity | 2018 | 2017 | Percentage difference |
|------------------------|----------------|----------------|-----------------------|
| Calls for Service | 17743 | 16691 | 6.3↑ |
| Average CFS per day | 48.6 | 45.7 | 6.3↑ |
| Open Cases | 37 | 32 | 15.6↑ |
| Charges Filed | 652 | 866 | 24.7↓ |
| Alarm Responses | 444 | 495 | 10.3↓ |
| Drug Cases | 175 | 215 | 18.6↓ |
| Family Violence | 118 | 90 | 31.1↑ |
| Arrests F/M | 220Fel/433MISD | 192FEL/695MISD | 14.5Fel↑/37.6↓MISD |
| Animal Control | 432 | 372 | 16.1↑ |
| Traffic Accidents | 457 | 365 | 25.2↑ |
| DWI Arrests | 159 | 100 | 59↑ |
| Traffic Violations | 7043 | 7223 | 2.49↓ |
| Impounds | 974 | DNA | Apr-18 |
| Ordinance Violations | 398 | 431 | 7.6↓ |
| Victim Services cases | 212 | DNA | Jun-18 |
| Total Victims Served | 294 | DNA | Jun-18 |
| Seizures | DNA | DNA | DNA |
| Laboratory Submissions | 95 | 117 | 18.8↓ |

Notes:

*DNA- DATA NOT AVAILABLE

2018 Racial Profiling Stats



Racial Profiling Report | Full report

| | |
|------------------------------------|---------------------------------|
| Agency Name: | Manor Police Department |
| Reporting Date: | 01/30/2019 |
| TCOLE Agency Number: | 453211 |
| Chief Administrator: | Ryan S Phipps |
| Agency Contact Information: | |
| Phone: | N/A |
| Email: | police@cityofmanor.org |
| Mailing Address: | PO BOX 317 Manor Texas 78653 |

This Agency filed a full report

Manor Police Department has adopted a detailed written policy on racial profiling. Our policy:

- 1.) clearly defines acts constituting racial profiling;
- 2.) strictly prohibit peace officers employed by the Manor Police Department from engaging in racial profiling;
- 3.) implements a process by which an individual may file a complaint with the Manor Police Department if the individual believes that a peace officer employed by the Manor Police Department has engaged in racial profiling with respect to the individual;
- 4.) provides public education relating to the agency's complaint process;
- 5.) requires appropriate corrective action to be taken against a peace officer employed by the Manor Police Department who, after an investigation, is shown to have engaged in racial profiling in violation of the Manor Police Department's policy adopted under this article;
- 6.) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - a.) the race or ethnicity of the individual detained;
 - b.) whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - c.) whether the peace officer knew the race or ethnicity of the individual detained before

detaining that individual; and

7.) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision(6) to:

a.) the Commission on Law Enforcement; and

b.) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

Executed by: Ryan S Phipps

Chief Administrator

Manor Police Department

Date: 01/30/2019

Total stops: 7228

Gender

Female: 2574

Male: 4654

Race or ethnicity

Black: 1902

Asian/Pacific Islander: 102

White: 2695

Hispanic/Latino: 2490

Alaska Native/American Indian: 39

Was race or ethnicity known prior to stop?

Yes: 38

No: 7190

Reason for stop?

Violation of law: 259

Pre existing knowledge: 161

Moving traffic violation: 5081

Vehicile traffic violation: 1727

Street address or approximate location of the stop

City street: 3068

US highway: 3831

State highway: 55

County road: 204

Private property or other: 70

Was a search conducted?

Yes: 527

No: 6701

Reason for Search?

Consent: 38

Contraband: 17

Probable cause: 300

Inventory: 134

Incident to arrest: 38

Was Contraband discovered?

Yes: 275

No: 252

Description of contraband

Drugs: 171

Currency: 1

Weapons: 2

Alcohol: 61

Stolen property: 3

Other: 37

Result of the stop

Verbal warning: 0

Written warning: 3350

Citation: 3786

Written warning and arrest: 22

Citation and arrest: 47

Arrest: 23

Arrest Total

Total: 12

Arrest based on

Violation of Penal Code: 40

Violation of Traffic Law: 12

Violation of City Ordinance: 5

Outstanding Warrant 35

Was physical force resulting in bodily injury used during stop

Yes: 2

No: 7226

Submitted electronically to the



The Texas Commission on Law Enforcement

**DEVELOPMENT SERVICES DEPARTMENT REPORT
PROJECT VALUATION AND FEE REPORT**

January 1-31, 2019

| Description | Projects | Valuation | Fees | Detail |
|-------------------------------|----------|-----------------|--------------|------------------------------|
| Commercial Demolition | 1 | \$0.00 | \$192.00 | Las Salsas (old post office) |
| Commercial Electrical | 1 | \$2,500.00 | \$252.00 | |
| Commercial Foundation | 1 | | \$439.00 | |
| Commercial Irrigation | 1 | \$20,000.00 | \$172.00 | |
| Commercial Plumbing | 1 | \$100,000.00 | \$172.00 | |
| Commercial New | 1 | \$241,538.64 | \$19,422.40 | Pr. Heights Amenity Center |
| Residential Accessory | 1 | \$5,500.00 | \$105.00 | |
| Residential Driveway | 1 | \$7,000.00 | \$95.00 | |
| Residential Foundation | 3 | | \$291.00 | |
| Residential Fence | 1 | \$2,000.00 | \$107.00 | |
| Residential Electric | 5 | \$45,479.01 | \$535.00 | |
| Residential Mechanical/HVAC | 1 | \$915.00 | \$107.00 | |
| Residential Irrigation | 11 | \$21,850.00 | \$1,177.00 | |
| Residential Swimming Pool/Spa | 1 | \$40,289.00 | \$212.00 | |
| Residential Remodel/Repair | 1 | \$10,000.00 | \$277.00 | |
| Residential New | 41 | \$11,736,551.86 | \$168,373.00 | |
| Residential Plumbing | 2 | \$2,800.00 | \$214.00 | |
| | | | | |
| Totals | 74 | \$12,236,423.51 | \$192,142.40 | |

Total Certificate of Occupancies Issued: 29

Total Inspections(Comm & Res): 1,121

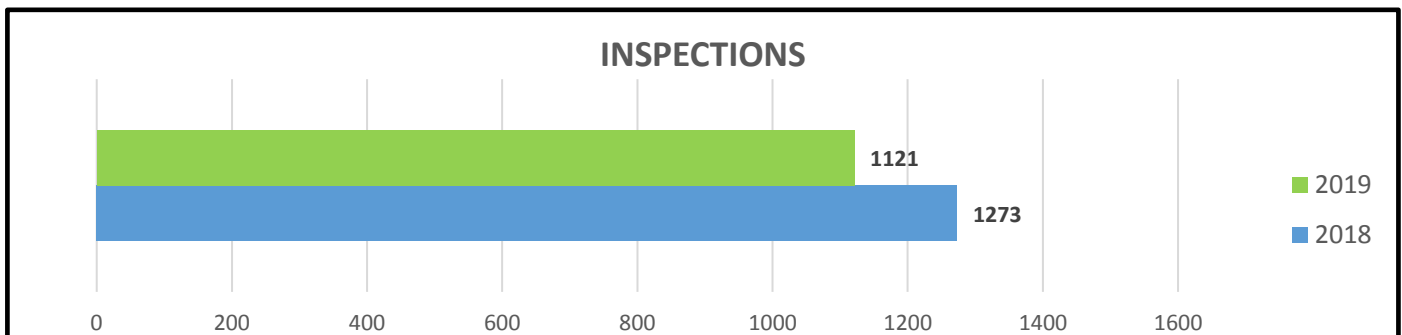
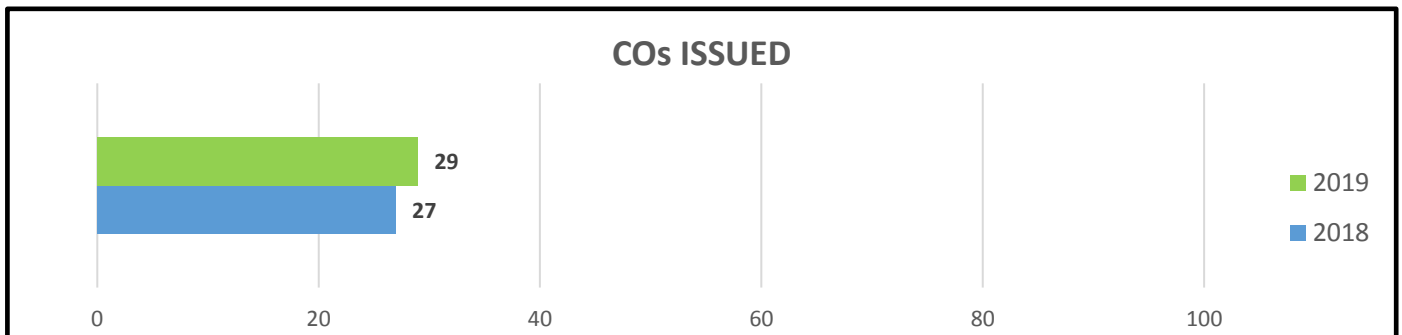
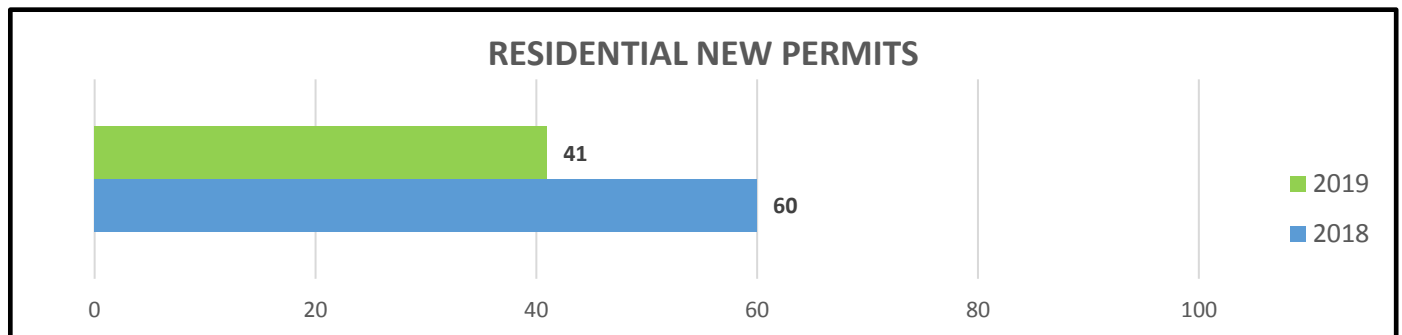
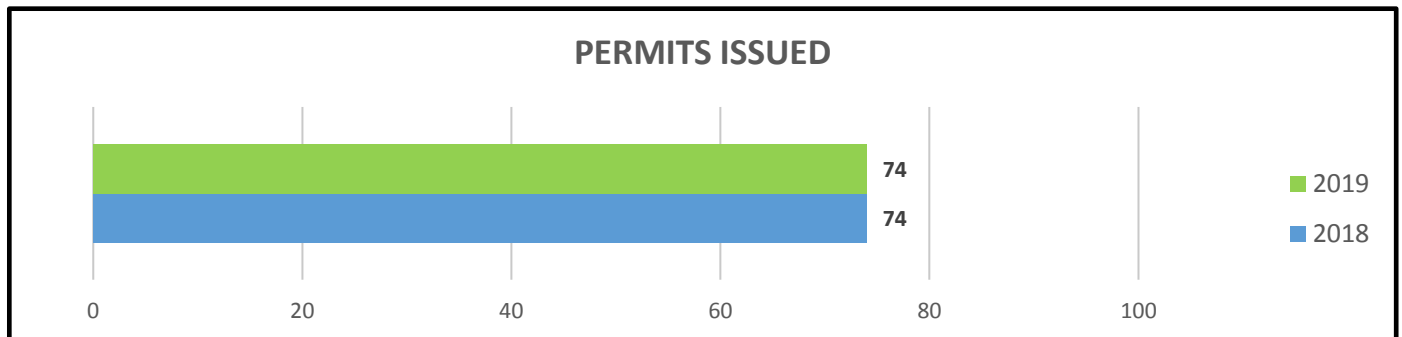
Tom Bolt, City Manager





January 2019

DEPARTMENT OF DEVELOPMENT SERVICES
THOMAS BOLT, DIRECTOR





MEMO

To: Mayor and City Council Members
From: Sammie Hatfield, Community Development Manager
Date: February 20, 2019
RE: January Monthly Report

COMMUNITY DEVELOPMENT

Texas Down Town Association: Serving on the planning committee for the annual conference to be held in Georgetown.

Park Dedication Ceremony (Manor Commons Park): *Tentative Date – June 1st researched entertainers to perform at the event. Contacted vendors to provide stage and other necessary equipment for the event.*

Manor Arts Council: Attended the monthly board meeting. Searching for studio space for a local performing arts group.

Texas Main Street Program Application: Invited the State Coordinator to present a program for an upcoming chamber of commerce luncheon.

Vendor list. Continuing to add to and update the list of potential vendors.

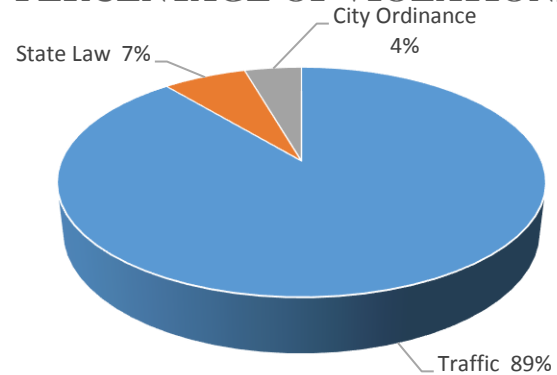
Easter Event: researched providers for new activities for the event. Researched pricing for bulk ordering of pre-filled Easter eggs. Prepared a draft budget for the event. Secured an in-kind sponsor to provide refreshments for the event.

City of Manor Municipal Court

JANUARY 2019

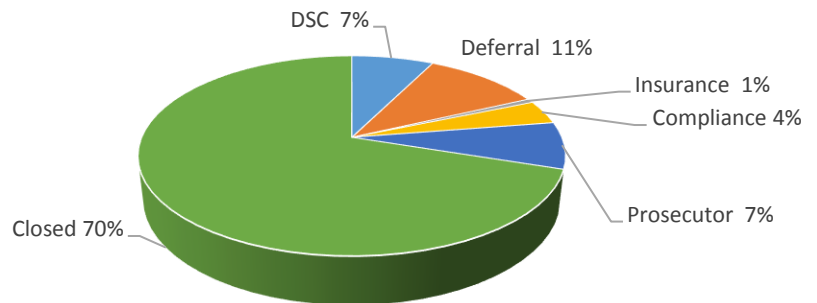
| Violations Filed | Jan-19 | Jan-18 |
|-------------------------|---------------|---------------|
| Traffic | 513 | 384 |
| State Law | 38 | 27 |
| City Ord. | 26 | 8 |
| Total | 577 | 419 |

PERCENTAGE OF VIOLATIONS



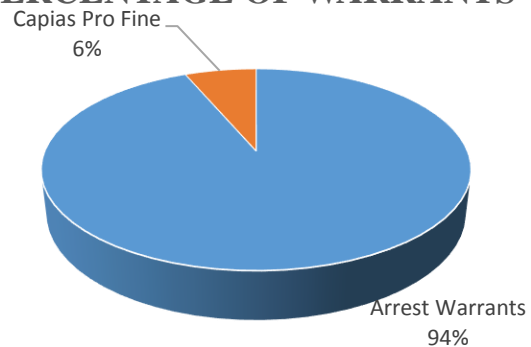
| Dismissals | Jan-19 | Jan-18 |
|-------------------|---------------|---------------|
| DSC | 46 | 28 |
| Deferral | 66 | 66 |
| Insurance | 4 | 9 |
| Compliance | 24 | 9 |
| Prosecutor | 47 | 10 |
| Closed | 435 | 393 |
| Total | 622 | 515 |

PERCENTAGE OF DISMISSALS



| Warrants | Jan-19 | Jan-18 |
|-----------------|---------------|---------------|
| Arrest Warrants | 409 | 136 |
| Capias Pro Fine | 28 | 34 |
| Total | 437 | 170 |

PERCENTAGE OF WARRANTS



Money Collected in January 2019

| | |
|---------------|--------------------|
| Kept By City | \$49,490.14 |
| kept By State | \$27,158.35 |
| Total | \$76,648.49 |

Money Collected in January 2018

| | |
|---------------|--------------------|
| Kept By City | \$52,188.65 |
| Kept By State | \$28,716.52 |
| Total | \$80,905.17 |



MEMO

To: Mayor and City Council Members
From: Mike Tuley, Director of Public Works
Date: February 20, 2019
RE: January Monthly Report

Public Works Department

Street and Public, Parks, and Maintenance Department

In the month of January, the Public Parks and Maintenance Department mowed all city facilities, alleys, and right of ways. They cleaned and maintained all city's facilities and parks. They performed all maintenance on city vehicles and heavy equipment. In January, the Street Department repaired streets, curbs and signs.

Water and Wastewater Department

In January, the Water Department performed daily maintenance on the water system, repaired water mains, set water meters and tested the water daily. In January, the Wastewater Department performed daily maintenance on the wastewater plant. They cleaned and unstopped wastewater mains.

Water Production & Purchase

In the month of January 22% of the water we supplied to our residents was from our wells, and we purchased 78% from EPCOR and Manville WSC. In January, the estimated population of residents in the City of Manor is 12,251. Estimated population for ShadowGlen is 3,439 residents.

Subdivision Inspections

- Street Inspections- 5
- Water Inspections- 2
- Wastewater Inspections- 5

Streets and Parks Monthly Report January 2019

Daily Duties and Projects 1/1/2019-1/31/2019

HAPPY NEW YEAR!

- **1/2/2019-** As we all know, the year started out with some heavy rains. This is where the street department will come in handy every time. All low water crossings are barricaded until water recedes. The street department will also keep an eye on drains that could potentially clog with debris. It was a successful day and night and the Manor community were all safe. Turn Around Don't Drown!
- **1/3/2019-** Voelker Rd. falls under our streets and drainage maintenance. North of the Voelker roads, sits hundreds of acres of farm land. Anytime we have heavy rains, the farm land decides to dump tons of loose soil on our roads making it very dangerous for vehicles to pass. The streets department decided to create a bar ditch on the north side of the road that will help funnel the water and dirt to the west as fast as it can. We will monitor this issue in our next rain event.
- **1/3/2019-** What goes up must come down! Well, this is the time that we say goodbye to all the festive lights around town. City staff removed all Christmas lights from around town and will store them away until next year.
- **1/5/2019-** The city will take in Christmas trees for 3 weeks after Christmas to be recycled. Once the city receives the trees, they will get ran through the tree chipper and reused for mulch.
- **1/5/2019-** At one point, county owned half of Voelker Lane. Where their street met ours, was a very noticeable transition point. City staff used 1 ton of asphalt to feather the transition out to make it a safer means of access.
- **1/7/2019-** As you may know, city does have quite a bit of allies that need to be maintained. During growing season, the allies are mowed once a week. During the winter months, the mowing crew will work their way through each one trimming back trees and tall vegetation. This will prepare them to begin mowing in the spring.
- **1/7/2019-** The streets department will fill pot holes any chance they get to keep up with them. 3 tons of hot mix was used to fill pot holes all over town.
- **1/8/2019-** Park staff installed 2 new center pull paper towel dispensers in both restrooms. Park staff will continue to ensure that bathrooms are always clean and ready to use.
- **1/9/2019-** As you may have noticed, there are plenty of uneven sidewalks around town. Most sidewalks are still in good shape but just need to be leveled. The approach we used was to drill through the sidewalks and pump liquid concrete until sidewalk become even. 25 different areas were repaired on Wedding Drive and Pecan Hill Cove. Very exciting Project!
- **1/10/2019-** In the summer months, city hall is filled with annual potato vines. Once the cold arrives all annuals die and go dormant. That's when winter annuals come into play. Park staff installed over 100 winter annuals to enhance city hall grounds through the winter.

- **1/10/2019-** The mowing crew spent more time on the west side of old town clearing allies.
- **1/11/2019-** Repaired and replaced 2 areas of asphalt in Stonewater subdivision. Used a total of 5 tons of asphalt.
- **1/11/2019-** The City of Manor population signs were changed out with new skins and numbers. The new population on the sign is now 11,925.
- **1/12/2019-** City hall is a very busy location and needs to look it's best every day. The city had 2 employees come in on a Saturday to make sure all limestone was pressure washed to remove mildew.
- **1/15/2019-** Auction time on Gov Deals! 8 items were sent to auction for 14 days. 14 days later all 8 items sold. This was the second auction round the city has held with great success. This relieves so much space for the city and keeps the city from collecting items that would ultimately just sit around for years.
- **1/17/2019-** The street department headed back out to Voelker Lane to lay down erosion control matting on the new bar ditch the city installed. This will help with erosion during a rain event. Grass seed was also spread on the matting to ensure faster revegetating.
- **1/17/2019-** Mowing crew assisted the parks crew to ensure all playground surfacing at all parks were tilled and fluffed. This needs to be done 3 times a year to guarantee softest surface possible in case of a fall of playground equipment.
- **1/18/2019-** Valley gutters are typically in cul-de-sacs to funnel water into a drainage area. They are large strips of concrete in the middle of the asphalt road. Sometimes when ground settles these concrete valley gutters stop draining properly and need to be raised. This is exactly what was done to one in Hamilton Point. High pressure foam was used to raise this area to original grade.
- **1/22/2019-** Illegal dumping is a constant issue mostly at our sites that are out of town to the south. The mowing division will continue to keep these areas junk free. Signs were also installed by the streets division to prevent illegal dumping.
- **1/22/2019-** The mowing division continued to clear alley ways. This particular alley is where pounds of wildflower seed was laid 2 years ago and should enhance the look once the flowers are back. The alley is in between West Townes and West Lane.
- **1/24-25/2019-** As we all know; Jennie Lane Park will hold quite a bit of water after a rain. 8 yards of chocolate loam and 1350 square feet of bermuda sod was brought in to eliminate this low laying areas. This is a work in progress to completely eliminate these areas so continuing to monitor these spots are a must.
- **1/24/2019-** One of the most important steps into the longevity of asphalt and concrete is prevent water from entering the soil underneath. Anytime cracks appear on asphalt and or concrete they will need to be sealed. This is what was done on a valley gutter in Hamilton Point.

- **1/28/2019-** Bell Farms park is our only park that has a basketball court. Over the years and after hundreds of kids hanging on the rim the goal has started to lean too much for comfort. The goal was dug out and new rebar was installed. 800 pounds of concrete was then poured in the hole to ensure the goal is upright and safe.
- **1/30/2019-** Bell Farms park drainage ditch for many years has had an issue with washouts. Concrete was used as a means of rip rap to avoid the land from eroding any more than it already has. Aesthetically it was not very pleasing, so the city decided to remove all concrete and starting to install 5"-8" bull rock to serve instead. Project will be complete in the month of February.
- **1/30/2019-** The city had a new pole barn and asphalt parking lot installed months ago at the city yard. The asphalt lot was never planned to get striped, so the streets department lined out parking spaces and laid some nice bright white stripes down. The asphalt pad now looks like a parking lot.

Certifications and Classes

Parks and mowing division attended a chemical safety class at a local landscape nursery. The class went over basics on safety and daily use of herbicides. Employees that carry a chemical license earned 2 credit hours for the year.

Inspections/Warranties /New subdivision Walkthroughs and Pre-con meetings

Presidential Heights Phase 3&4- Phase 3 have quite a few homes being built and will continue until complete. Phase 4 has all roads paved and utilities in. Will be starting on home building in the coming weeks.

Stonewater North Phase 1 & 3- All roads are paved and have been inspected. Homes will begin in the following weeks once all grounds are stabilized.

Presidential Glen Phase 7- Phase 7 has been busy on building multiple homes. For the next few months phase 7 will concentrate on finishing all houses.

Lagos phase 1- Houses are going up extremely fast and will be done before we all know it. Inspections are done weekly to ensure all contractors are keeping the subdivision clean and safe.

Manor Commons- If you have not noticed, there has been yards of top soil moving from site to site all over Manor Commons. Soon all that will come to a stop and you will start to see the original and final grade of the land. The park playground is moving along and will be complete shortly. The construction is projected to be completed by May of 2019.

Water Monthly Report January 2019

For the month of January, the Water Department had 16 service calls, 3 repair jobs, 18 maintenance jobs, 2 inspections, and flushed all dead-end mains.

Service calls include: Low water pressure calls, meter leaks, line locates, brown water calls, disconnect water services, connect water services, and meter change outs.

Repair Calls:

403 West Wheeler- Repaired a 2" broken main sch 40 pvc pipe by JT,FZ,RM,CD 1-18-19.
11603 Marshall - Repaired a 3/4 service line break notified customer by FZ,TM,IS 1-28-19.
110 West Eggleston - Repaired a 3/4 service line break by FZ,RM,CD 1-30-19.

Maintenance:

Clear Well - Changed cl2 bottle 150 lbs. by TM,CD 1-9-19.
City Yard Pump Room - Replaced 6 light bulbs that were burned out by FZ,TM,CD 1-9-19.
Data Flow - Alex Harrangus with Data Flow Service updated servers for SCADA at city yard by JT 1-8-19.
Aqua Tech Lab - Took 1st set of 5 Bac T samples and drop off by RM 1-9-19.
Well 1 and Well 3 - Replaced batteries in Scada box by TM 1-9-19.
5311 Gilbert Lane -Replaced batteries in Scada box in clear well pump room by TM 1-9-19.
East Elevated Water Tower -Replaced batteries in Scada box by TM 1-9-19.
Well Number 2 - Replaced cable from TCU unit to antenna by JT,AH,RM 1-16-19.
Intermediate Ground storage tank FM 973 @130 -Replaced cable from TCU unit to antenna by JT,AH,RM 1-16-19.
804 Bastrop St.- Marked utilities so Bluebonnet Electric can set new poles by FZ,CD,IS 1-17-19.
La Grange and Wheeler NE corner- Weed eat around water valves and painted valve lid and casing blue by FZ,IS 1-18-19.
Creeside Subdivision - Repaint 22 fire hydrants that were fading with new red paint by FZ,IS 1-22-19.
Clearwell at 5311 Gilbert RD - Repaired broken vent line chlorinator # 2 by RM,CD 1-23-19.
Aqua Tech Lab- Took 2nd set of 5 Bac T samples and drop off to Aqua Tech Lab by RM 1-22-19.
TCEQ - Took quarterly samples with TCEQ at 18320 Maxa and East elevated storage tank , clear well at Gilbert Lane by JT,RM 1-28-19.
110 West Eggleston - Called 811 for locates so we can repair service line leak by RM 1-28-19.
Creeside Subdivision - Repaint 25 fire hydrants that were fading with new red paint all
Creeside fire hydrants have been repainted by FZ,IS 1-22-19.
Creeside Subdivision – Painted all water valves lids blue by FZ,IS 1-31-19.

Inspections:

Stonewater Section 8 - Raising of water valve castings by Liberty Civil by JT,RM 1-14-19 thru 1-17-19.
Stonewater Section 8 - Installing meter boxes by Liberty Civil Construction and JT,RM 1-18-19.

Wastewater Monthly Report January 2019

For the month of January, the Wastewater Department had 11 service calls, 5 repair jobs, 22 maintenance jobs and 5 inspections.

Service Calls:

11608 Lapoynor- Replaced cap and lid by JT,TM 1-2-19.
18200 Topsail - Replaced sewer cap lid in side walk with metal lid by GS 1-4-19.
301 West Wheeler - Sewer clog - city side was clear- clog was due to heavy rainfalls. Notified customer. Level dropped soon as rain quit by RM 1-3-19.
109 West Wheeler -Sewer clog-clog was on customer side service notified customer by RM 1-4-19.
14422 Cummins Way- Jetted and cleared city side service. Notified customer. Called locates to make repairs by RM 1-7-19.
508 E. Jessie - Sewer clog - jetted and cleared city side- customer side holding water due not having proper fall on service line notified customer by RM 1-6-19.
201 N. Lampasas St -Sewer clog - jetted and cleared city side service and notified customer by door tag by RM 1-8-19.
309 West Parsons - Sewer clog - jetted city side and cleared. Notified customer by RM, TM 1-14-19.
600 East Parsons St -Manor Excel School - jetted city side main and cleared. Notified customer by JT, RM 1-18-19.
210 West Burton - Sewer choke - jetted city side main and cleared by FZ, IS 1-29-19.
201 West Burton - Sewer choke - jetted city side main and cleared by FZ, CD,IS 1-30-19.

Repair Calls:

WWTP- Sand Filter back washed tripped out had to replace overload relay Thermal unit by JT,JR,RB 1-2-19.
WWTP- Pulled back wash pump in sand filter dropped off at Hamilton Electric for repairs. Installed a temporary pump for back wash pump until pump is repaired 1-4-19.
205 West Townes- Replaced a broken clean out cap and lid by TM 1-7-19.
301 west Wheeler- Replaced broken clean out cap and lid by TM 1-7-19.
14422 Cummins Way- Repaired wastewater service line from clean out to main with Liberty Civil Construction and FZ,IS 1-9-19.
WWTP- Picked up sand filter pump from Hamilton Electric and installed back into sand filter bridge by JT,RM,JR, Pump Solutions 1-9-19.

Maintenance:

WWTP- Changed cl2 bottle 150 lbs. by JR,CD 1-4-19.
Brenntag - Ordered 6 bottles of 150 lbs. cl2 for WWTP by JT 1-9-19.
ADS flow meter Manhole number 3 - Reboot manhole ADS flow meter in Manhole hole number 3 in alley between 100 Blk East Blake Manor and Burton area.
14422 Cummins St- Called locates and marked work in white paint so we can make repairs by FZ, RM 1-8-19
ADS flow meter Manhole number 2 - Reboot manhole ADS flow meter in Manhole hole number 2 at 100 Blk N. Burnet by RM 1-9-19.
WWTP- Blew out center well and cleaned rags out by JR,CD,IS 1-10-19.
Presidential Heights Lift Station - Replaced batteries in Scada Box by TM 1-10-19.
Presidential Glen Lift Station-Replaced batteries in Scada Box by TM 1-10-19.
WWTP- Replaced broken door knob to office by FZ,JR 1-11-19.

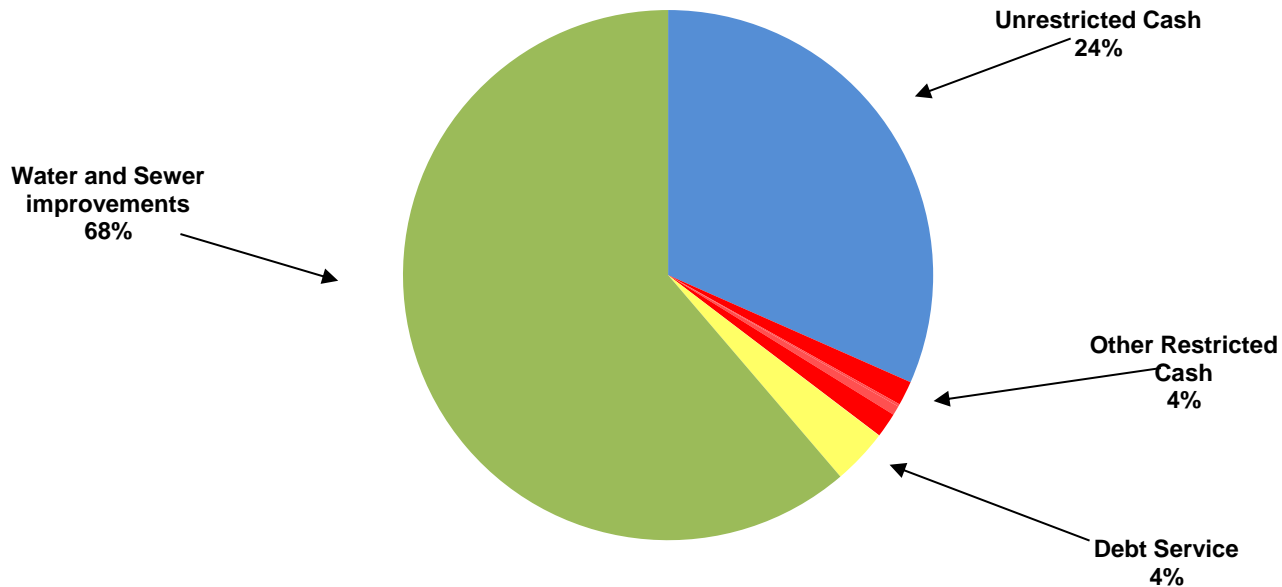
201 West Townes - Marked utilities in front of property so bluebonnet electric can set pole by FZ,IS,CD 1-11-19.
206 West Eggleston - Called for locates in rear of property so we can make new sewer tap by FZ,CD 1-11-19.
Creeside Lift Station - Change 300-gallon tote of hydrogen peroxide by RM,TM 1-14-19.
WWTP Sand Filter - Vac old sand out of sand filter and replaced with new sand by FZ,JR,CD,IS 1-14-19.
Lampasas Between Eggleston and Wheeler- Hydro jet wastewater main for maintenance by RM,CD 1-11-19.
Lagrange to San Marcos Street - Hydro jet wastewater main for maintenance by RM,CD 1-11-19.
Bastrop Street to Caldwell Street -Hydro jet wastewater main for maintenance by RM,CD 1-11-19 .
WWTP- Change cl2 Bottle number 2 150 lbs. gas cylinder.
ADS flow meter number 1 -rest manhole ads flow meter number 1 in alley 218 West Carrie Manor by RM 1-17-19.
ADS flow meter number 4-rest manhole ads flow meter number 4 at 201 N. Burnet St by RM 1-17-19.
All Lift Stations - Insulated all back flow preventers by RM,TM 1-17-19.
804 Bastrop St.- Marked wastewater main and services so Bluebonnet Electric can set new poles by FZ,CD,IS 1-17-19.
John Nagle to Lampasas Street-hydro jet wastewater main for maintenance by RM,CD 1-31-19.

Inspections:

ShadowGlen Section 24A and 24B – Finished pulling mandrels with JL Gray Construction by CD 1-9-19.
Stonewater Section 8 - Raising of manhole castings by Liberty Civil by JT,RM 1-14-19 thru 1-18-19.
Village at Manor Commons - Pressure and vacuum test and pulled mandrels with Lowden Construction by RM 1-23-19.
Village at Manor Commons- Core of manhole by Allied Underground construction by JT,RM 1-29-19.
Stonewater Section 8 - Raising of manhole castings by Liberty civil by JT,RM 1-14-19 thru 1-30-19.

**CITY OF MANOR, TEXAS
CASH AND INVESTMENTS
As Of January, 2019**

| CASH AND INVESTMENTS | GENERAL FUND | UTILITY FUND | DEBT SERVICE FUND | SPECIAL REVENUE FUNDS | CAPITAL PROJECTS FUND | TOTAL |
|--------------------------------------|-------------------------|-------------------------|----------------------------------|--------------------------------------|--------------------------------------|----------------------|
| Unrestricted: | | | | | | |
| Cash for operations | \$ 5,464,317 | \$ 6,657,592 | | | \$ - | \$ 12,121,910 |
| Restricted: | | | | | | |
| Tourism | | | | 569,230 | | 569,230 |
| Court security and technology | 55,790 | | | | | 55,790 |
| Rose Hill PID | | | | 219,936 | | 219,936 |
| Customer Deposits | | 580,120 | | | | 580,120 |
| Park | 8,696 | | | | | 8,696 |
| Debt service | | | 1,295,445 | | | 1,295,445 |
| Capital Projects | | | | | | |
| Water and sewer improvements | | 16,111,359 | | 7,373,657 | | 23,485,016 |
| TOTAL CASH AND INVESTMENTS | \$ 5,528,803 | \$ 23,349,072 | \$ 1,295,445 | \$ 8,162,823 | \$ - | \$ 38,336,142 |



Overview of funds:

\$ 97,291.36 sales tax collected
 GF is in a favorable status.
 UF is in a favorable status
 DSF is in a favorable status
 CIP Fund is in a favorable status



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: February 20, 2019

PREPARED BY: Thomas Bolt, City Manager

DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a resolution authorizing and directing the securing of a fire damaged property, finding such fire damaged property presents a danger to the public safety and is in the best interest of the city, and authorizing city staff to attempt to address the matter with the owner or proceed with a hearing and/or abatement.

BACKGROUND/SUMMARY:

On February 1st a fire destroyed a partially built, abandoned, unoccupied home at 208 East Carrie Manor. Building Official Greg Eller and Deputy Fire Marshal have provided written opinions that the structure is an imminent threat. Per ordinance, the Council can accept that determination and proceed with abatement. This resolution offers a number of options for Council. First can be to not accept it and do nothing, second is follow code section 3.04 and declare it a dangerous building. This begins a longer process of securing the property, hearings, and action. Third is to declare it an imminent threat. A declaration of imminent threat allows immediate abatement then notice to the owner. The building official and deputy fire marshal have provided opinions the stability of the structure is an imminent threat to an adjacent property and recommend that course of action.

PRESENTATION: ☐ YES ☒ NO

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

Resolution No. 2019-01

Notice to owner

ESD 12 letter

Images

STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council approve Resolution No. 2019-01 authorizing and directing the securing of a fire damaged property, finding such fire damaged property presents an imminent threat to the public safety and is in the best interest of the city to declare the property an imminent threat, and authorizing city staff to address the matter with abatement.

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

RESOLUTION NO. 2019-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, AUTHORIZING AND DIRECTING THE SECURING OF FIRE DAMAGED PROPERTY; FINDING THAT SUCH FIRE DAMAGED PROPERTY PRESENTS A DANGER TO THE PUBLIC SAFETY AND IS IN THE BEST INTEREST OF THE CITY; AUTHORIZING THE CITY STAFF TO ATTEMPT TO ADDRESS THIS MATTER WITH THE OWNER OR PROCEED WITH HEARING AND/OR ABATEMENT.

Whereas, on or about February 1, 2019, a fire occurred at 208 E. Carrie Manor, Manor, Texas 78653 which burnt an unoccupied, partially constructed home (“Building”).

Whereas, on February 11, 2019, Travis County Emergency Services District No. 12, Deputy Fire Marshal (Fire Marshal) issued a letter to the City of Manor (“City”) concerning such fire and the condition left of such Building together with a finding that such Building was structurally unsound and unsecured.

Whereas, on February 13, 2019, the City sent a letter to the last known owner of such Building including a copy of such letter from the Fire Marshal and Building Official and notified such owner that such Building needed to be secured until such time as the Fire Marshal’s and Building Official’s concerns about structural integrity of the Building were resolved.

Whereas, given the public safety concerns expressed by and related to the Building being unsecured as well as the overall structural integrity of such Building, City personnel desire to have City Council review the Fire Marshal’s and Building Official’s assessments and determine the further steps that need to be taken to protect the safety in and around such Building and those who may attempt to gain entry therein.

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

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council further finds and determines that the immediate securing of such Building is in the best interest of the City pursuant to Section 3.04.008, City’s Code of Ordinances should the current owner fail to secure such Building by the time of this City Council meeting.

Section 2. Hearing Sought. The City Council further finds that the City’s Code Enforcement authority who determines that the Building is a dangerous building shall, pursuant to Section 3.04. give notice to the present owner on or before the 11th day after such Building is secured and the owner’s entitlement to request a hearing concerning the securing of such Building and/or whether such Building constitutes a dangerous building; such hearing shall be before the City’s Board of Adjustment, at which time the City personnel may seek to have the Building declared dangerous and abated.

Section 3. Alternatively Seek to Abate. City Staff shall also be given the authority to handle this matter pursuant to Section 3.01.011, City's Code of Ordinances if the Fire Marshal and Building Official concludes that there is an immediate danger to the health, life or safety of any person exists as a result of any building, by abating such Building prior to a hearing and thereafter following the process outlined in the rest of such Section.

Section 4. Ratification of Actions. All actions, notices and negotiations heretofore taken and entered into by the City Council, the City Manager, the Code Enforcement, the Fire Marshal and any other city staff are hereby reauthorized, confirmed, ratified, approved and adopted by the Council.

PASSED AND ADOPTED this 20th day of February 20, 2019.

THE CITY OF MANOR, TEXAS

Rita G. Jonse,
Mayor

ATTEST:

Lluvia Tijerina, TRMC
City Secretary



Building Permits & Inspections
permits@cityofmanor.org

13 February 2019

Antonio Galvan Ledesma
5709 JM Holloway Ln.
Austin, TX 78724
512-939-2997

SUBJECT: Violation of City of Manor Ordinance
Property at: 208 East Carrie Manor, Manor, TX 78653
Legal Description: Lot 1 BLK 20 MANOR TOWN OF

Dear Antonio Ledesma:

On February 1, 2019 a fire destroyed the structure located at 208 East Carrie Manor, Manor, TX (Lot 1, Block 20 Town of Manor). Pursuant to Manor Code of Ordinances the Building Official and Fire Marshall have begun proceedings to declare the structure an imminent threat. As owner you must secure the property in a manner agreeable to the City to prevent unauthorized entry onto the property and into the structure. At the next regularly scheduled City Council meeting on February 20th they will make a determination to have the City secure the premises if you have failed to do so by that time. All costs incurred by the City will be placed upon you as the property owner. Further, the City Council will determine if the structure poses an imminent threat that necessitates immediate abatement. You are encouraged to respond to this notice or attend the City Council meeting on February 20th to inform the City if you plan to abate the structure and when. If you fail to respond, the City shall abate the imminent threat and all costs incurred by the City will be placed upon you as the property owner.

City Council meeting, February 20th, 2019 at 105 East Eggleston Street, Manor, TX at 7 PM.

Following are the assessments of the Building Official and Fire Marshall.

Building Official Greg Eller,

I visually inspected your property located at 208 East Carrie Manor that incurred major damage from a fire that occurred on February 1, 2019. It is my opinion that this structure is unsafe and in imminent danger of collapse, Per **2015 International Property Maintenance Code (IPMC) 109.1 Imminent danger**. "When, in the opinion of the *code official*, there is *imminent danger* of failure or collapse of a building or structure that endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building *occupants* or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or



Building Permits & Inspections

permits@cityofmanor.org

materials, or operation of defective or dangerous equipment, the *code official* is hereby authorized and empowered to order and require the *occupants* to vacate the *premises* forthwith. The *code official* shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same".

Immediate demolition action needs to occur. This structure needs to be demolished and totally removed from this property. A demolition permit is required. Application for a demolition permit may be applied for www.mygovernmentonline.org.

If a demolition permit is not procured, the City may order demolition and removal at your expense per **2015 IPMC 110.3 Failure to comply**. If the *owner* of a *premises* or owner's authorized agent fails to comply with a demolition order within the time prescribed, the *code official* shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

This notice is in reference of the following city ordinances but not limited to:

Sec. 3.01.010 Notice of violation; citations

(c) Imminent threat. If an officer charged with enforcement of this chapter determines a situation constitutes an immediate threat to the public health, safety and welfare, and the owner, occupant or responsible party for the property is absent or fails to immediately remedy the violation, the city council may, at a regular session or at an emergency session called for the purpose of considering the issue, upon evidence heard, determine that an emergency exists and order such action as may be required to protect the public health, safety and welfare. In such event, the city may prosecute an action in any court of competent jurisdiction to recover its costs.

Sec. 3.01.011 Right to abate dangerous conditions without notice

Whenever an immediate danger to the health, life or safety of any person exists as a result of any building or premises violations or conditions on any lot, parcel or premises within the city, the city may abate the nuisance without notice to the owner. If the utility connections to the property need to be disconnected to the property to prevent further risk or damage, the building official may direct that the necessary utilities be disconnected. In the event the city abates the nuisance under this section, the city shall forward notice to the owner within ten (10) days in the manner set forth herein.



Building Permits & Inspections
permits@cityofmanor.org

Sec. 3.01.013 Assessment of costs of abatement; lien

- (a) Authority. Cumulative of the city's remedy by fine, as set forth herein, the city may do such work or cause the same to be done to remedy such condition to remove such matter from such owner's premises at the city's expense and charge the same to the utility bill of such property and assess the same against the real estate or lot or lots upon which such expense is incurred.
- (b) Assessment of costs. Expenditures plus ten (10) percent per annum interest on the expenditures from the date of such payment by the city shall be added to the next billing cycle for utility bills for the real estate or lot or lots, if not already paid. Payment shall be due and payable in full by the owner or occupant at the time of payment of such utility bill. If the property is unoccupied, no utilities shall be furnished to the property where the work occurred until such obligation, as herein set out, payable to the city for abatement of any nuisance described herein is paid in full.
- (c) Lien. Upon filing with the county clerk of a statement by the city secretary or designee of such expenses, the city shall have a privileged lien upon said real estate or lot or lots, second only to tax liens and liens for street improvements, to secure the expenditure so made and ten (10) percent per annum interest on the amount from the date of such payment so made by the city.
- (d) Suit to recover costs. The city may, additionally, institute suit and recover such expenses and foreclose such lien in any court of competent jurisdiction, and the statement so filed with the county clerk or a certified copy thereof shall be prima facie proof of the amount expended in any such work or improvements to remedy such condition or remove any such matter.

Sincerely,

Thomas Bolt
City Manager



Travis County ESD #12

Fire Prevention Division
11200 Gregg Lane • PO Box 846
Manor, Texas 78653
O: 512-272-4502 • F: 512-428-5114

GREGG ELLER
BUILDING OFFICAL / INSPECTOR
CITY OF MANOR
105 E. EGGLESTON STREET
MANOR, TX 78653

February 11, 2019

RE: Dangerous Structure
208 East Carrie Manor St., Manor, TX 78653

SPECIFIC COMMENTS:

On 01 February 2019, an unoccupied, partially constructed two story residential structure was involved in a fire.

The structure suffered heavy fire damage to load bearing members of the structure including wooden trusses, some of which were completely consumed by the fire, while others suffered heavy charring.

In my opinion the structure is currently structurally unsound. The fire damage is significant enough that the fire investigation was suspended for firefighter safety due to the possibility of structural collapse.

The structure is not secured against unauthorized entry.

If the building owner disagrees with this assessment a third-party licensed engineer should present a report to the TCESD12 Fire Prevention Division.

SECTION 110 UNSAFE BUILDINGS

[A] 110.1 General. If during the inspection of a premises, a building or structure, or any building system, in whole or in part, constitutes a clear and inimical threat to human life, safety or health, the *fire code official* shall issue such notice or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section, **and shall refer the building to the building department for any repairs, alterations, remodeling, removing or demolition required.**



Travis County ESD #12

Fire Prevention Division
11200 Gregg Lane • PO Box 846
Manor, Texas 78653
O: 512-272-4502 • F: 512-428-5114

[A] 110.1.1 Unsafe conditions. Structures or existing equipment that are or hereafter become unsafe or deficient because of inadequate *means of egress* or which constitute a fire hazard, **or are otherwise dangerous to human life or the public welfare**, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. **A vacant structure that is not secured against unauthorized entry as required by Section 311 shall be deemed unsafe.**

[A] 110.4 Abatement. The *owner*, the owner's authorized agent, operator or occupant of a building or premises **deemed unsafe by the fire code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.**

311.1.1 Abandoned premises. Buildings, structures and premises for which an *owner* cannot be identified or located by dispatch of a certificate of mailing to the last known or registered address, which persistently or repeatedly become unprotected or unsecured, **which have been occupied by unauthorized persons** or for illegal purposes, **or which present a danger of structural collapse** or fire spread to adjacent properties **shall be considered abandoned, declared unsafe and abated by demolition or rehabilitation in accordance with the International Property Maintenance Code and the International Building Code.**

GENERAL COMMENTS:

106.1 Inspection authority. The *fire code official* has authorized to enter and examine any building, structure, marine vessel, vehicle or premises in accordance with Section 104.3 for the purpose of enforcing this code.

106.2 Inspections. The *fire code official* is authorized to conduct such inspections as are deemed necessary to determine the extent of compliance with the provisions of this code and to approve reports of inspection by *approved* agencies or individuals. The *fire code official* is authorized to engage such expert opinion as deemed necessary to report upon unusual, detailed or complex technical issues subject to the approval of the governing body.

Bill Carlson
Deputy Fire Marshal
Travis County ESD 12
737-802-8925





















AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: February 20, 2019

PREPARED BY: Scott Dunlop, Assistant Development Director

DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a waiver request from Manor Code of Ordinances Chapter 14, Exhibit A, Article II, Section 20(j)(3) on Lot 10 & the West half of Lot 9, Block 38, Town of Manor, locally known as 502 East Eggleston to allow for 0ft rear setback for an accessory structure. Applicant: Robert Battaile. Owner: Robert Battaile.

BACKGROUND/SUMMARY:

Our zoning ordinance was previously amended to allow accessory structures to be a minimum of 5' for side and rear property lines because the previous setback had been up to 25'. This property's fence was placed to encroach upon the alley so if the accessory structure were placed 5' from the property line it would be approx. 10' from the fence, which is not desirable to the property owner. This property has a 20' alley behind it, as many properties in the older part of town do. A waiver granted based on the proximity to the alley would mean all properties with an alley would have 0' rear setbacks for accessory structures because they all could claim that rationale. Due to this, there is not a unique hardship or practical difficulty faced by the owner to complying with the regulations as written.

PRESENTATION: ☐ YES ☒ NO

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

Waiver request

Property images

STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council deny a waiver request from Manor Code of Ordinances Chapter 14, Exhibit A, Article II, Section 20(j)(3) on Lot 10 & the West half of Lot 9, Block 38, Town of Manor, locally known as 502 East Eggleston to allow for 0ft rear setback for an accessory structure.

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

Robert Battaile
502 E Eggleston St
Manor TX 78653
512-662-2955
battaile@calexas.com

Re: Setback Waiver for Storage Building

February 1, 2019

Scott Dunlop, Mayor and City Council Members

Hello to all,

I am writing to respectfully request a waiver to the minimum 5' setback from the property line for accessory building codes in the Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 20(j)(3). The legal description for my property is Lot 10 and the West half of Lot 9 in Block 38. It is my hope that this can be considered at the Feb. 20 meeting.

I have received a permit based upon the attached Survey, but as I reflect on my unique situation I felt it appropriate to request a waiver such that I may be allowed to place the building 5' from the existing fence and line of trees along the "alley." Per the Survey done in the year 2000, the property line is about 6-7' inside the fence.

I use quotation marks around the word alley because this thoroughfare hasn't been used for decades. There is a utility pole and power lines blocking it; and a sewer main and underground cables as well. In many ways, it has been "abandoned" and my neighbor to the south has been doing all of the maintenance and mowing. Certainly, we would never want the trees removed.

The property is on a corner lot and there is a fire hydrant across the street. Thus, easy access for emergency needs without the need for the alleyway access.

Moving the setback to 5' from the fence line will afford greater visual space from the street and make for better use of the yard area now and in the future. It's hard to know how the lot lines, power access and alleyways were developed long ago. This house was built in the 1920's. However, it is very apparent that an allowance for this waiver is by far the best arrangement in this situation.

Thank you for your consideration and understanding.

Sincerely,

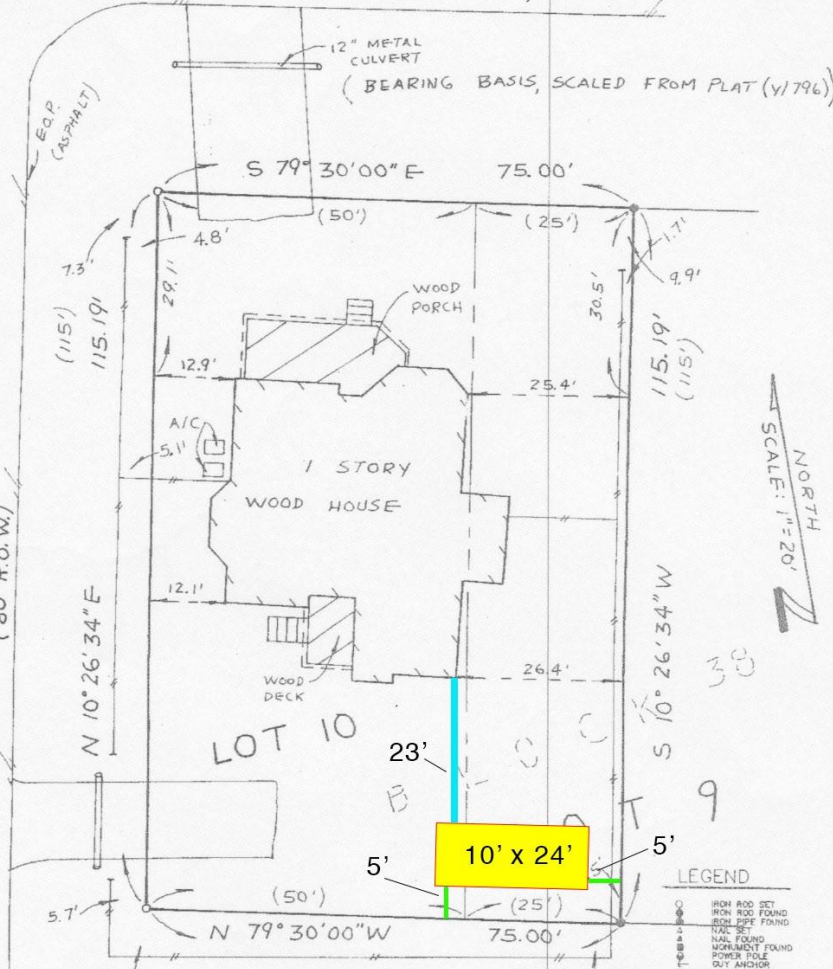


Robert Battaile

Attachments: Survey, Lot Photos

EAST EGGLESTON STREET (80' R.O.W.)

LOCKHART STREET
(80' R.O.W.)



NORTH
SCALE: 1"=20'

LEGEND

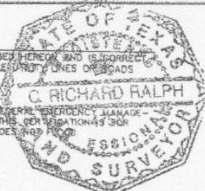
- IRON ROD SET
- IRON ROD FOUND
- IRON PIPE FOUND
- NAIL SET
- NAIL FOUND
- MONUMENT FOUND
- POWER POLE
- OUT ANCHOR
- WATER METER
- TELEPHONE PEDISTAL
- ELECTRIC BOX
- WOOD FENCE
- CHAIN LINK FENCE
- WIRE FENCE
- OVERHEAD ELECTRICAL LINE
- BUILDING LINE
- BLUEDONNET ELECTRIC/COOPERATIVE INC. EASEMENT
- P.U.C. PUBLIC UTILITY EASEMENT
- UTILITY EASEMENT
- ORANGE EASEMENT
- RECORD DATA
- E.S.P. EASE OF PAYMENT

SIGNED
Y. *Mark V. Gregg*
DATE

UNOPENED 20' ALLEY

TO THE OWNERS, LIENHOLDERS, AND:
THE UNDERSIGNED DOES HEREBY CERTIFY THAT AN ON THE GROUND SURVEY WAS THIS DAY MADE OF THE PROPERTY AS DESCRIBED HEREON AND IS CORRECT
WITH DISCREPANCIES, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR EASEMENTS
IN PLACE, AS SHOWN HEREON.
G.F. # 00-7005276 REVISED-A

THE SUBJECT PROPERTY IS LOCATED IN ZONE X AND IS NOT WITHIN THE 100 YEAR FLOOD HAZARD AREA AS SHOWN ON FEDERAL FLOOD INSURANCE RATE MAP (F.I.R.M.) PANEL NO. 48453C0055E DATED 6-16-93. THIS CERTIFICATION IS FOR
MENT AGENCY (F.I.R.M.) FLOOD INSURANCE RATE MAP (F.I.R.M.) PANEL NO. 48453C0055E DATED 6-16-93. THIS CERTIFICATION IS FOR
INSURANCE PURPOSES ONLY AND IS NOT INTENDED AS AN INDICATION OF WHETHER OR NOT THE SUBJECT PROPERTY DOES OR DOES NOT FLOOD.
C. Richard Ralph 5-30-2000
REGISTERED PROFESSIONAL LAND SURVEYOR DATE

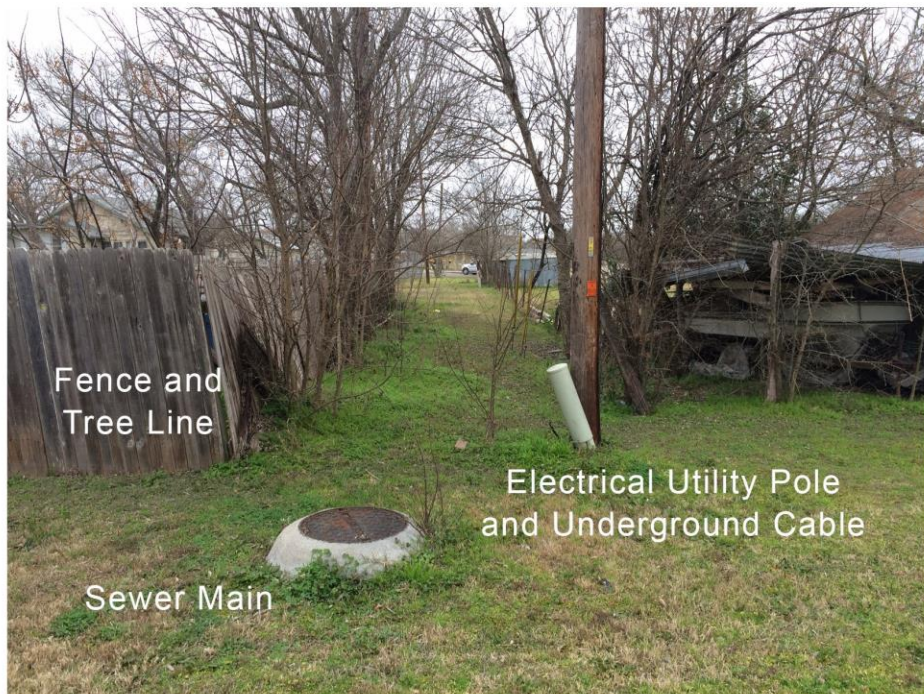


ADDRESS: 502 EAST EGGLESTON STREET

PROFESSIONAL LAND SURVEYORS
1003 JEFFERSON STREET
BASTROP, TEXAS 78602
PH: (512) 303-0952
FAX: (512) 332-0961
PROSURV@AOL.COM

REFERENCE: MARK V. GREGG
LEGAL DESCRIPTION: LOT 10 AND THE WEST 1/2 OF LOT 9,
BLK. 38, TOWN OF MANOR, (VOL. V, PG. 796),
DEED RECORDS TRAVIS COUNTY, TEXAS
DRAWN: *SGM* DATE: 5-30-2000 PROJECT NO.: 0039218
CHECKED: C.R.R. REVISED: FIELD BOOK: 20/8

502 E Eggleston St.







AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: February 20, 2019

PREPARED BY: Scott Dunlop, Assistant Development Director

DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a waiver request from Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 34(a) for 9.973 acres of land situated in the James Manor Survey No. 40, Abstract No. 546 to allow for a unit density of 25.15 per acre. Applicant: Kimley-Horn & Associates. Owner: W2 Real Estate Partners

BACKGROUND/SUMMARY:

Our current ordinance allows for a maximum of 23 units per acre. This had been increased from 21 units per acre in 2016. Manor only has 1 multifamily classification (R-4 is reserved for residents with special needs). Most other jurisdictions have 3 or 4 multifamily classifications. Our next zoning ordinance update has a consideration to increase the number of MF classifications. As considered the three would be 21 u/a, 25 u/a, and 28 u/a. Under this scenario R-3 would move from 23 u/a to 25 u/a. Granting this waiver request would solidify that number in the future zoning amendment. This property, 10 acres behind Riata Ford, will have access on the Gregg Manor extension which connects to US 290 and Old Hwy 20. Access from the established area of town will be gated fire access only, as shown on the preliminary layout. Allowing 25 u/a will permit them 246 units. There is a the potential they'll acquire adjacent land, about 3/4 acre which would increase their unit count to 276. The 246 unit plan (Plan A) is shown in the attached preliminary layout.

PRESENTATION: ☐ YES ☒ NO

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

Waiver, survey, Jurisdiction comparisons, Plan A (246 unit) layout, unit breakdowns.

STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council approve waiver request from Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 34(a) for 9.973 acres of land situated in the James Manor Survey No. 40, Abstract No. 546 to allow for a unit density of 25 per acre.

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



February 12, 2019

City of Manor City Council
City of Manor – City Hall
105 E. Eggleston Street
Manor, TX 78653

**Re: Request for Waiver
W2 Multi-Family Manor
9.973 Acre Tract of Land situated in the James Manor Survey No. 40, Abstract No. 546,
Travis County, Texas**

Dear City of Manor City Council:

Please accept this letter, on behalf of W2 Real Estate Partners, as a written request for a Waiver of Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 34(a) related to maximum unit density and Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 34(b)(iv)(C) and Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 20(m) related to required parking spaces of the City of Manor Code of Ordinances for the above referenced project.

Per Section 34(a), not more than 23 units per acre are allowed for proposed development. We are requesting a waiver to increase this from 23 units per acre to 25.15 units per acre.

Per Section 34(b)(iv)(C) and Section 20(m), a minimum of two (2) off-street parking spaces shall be provided for each living unit. We are requesting a waiver to lower the minimum parking spaces from 2 to 1.8 spaces per each living unit.

Another contributing factor to the request for additional density is due to our site's voluntary giving of right-of-way to the future Gregg Manor Road extension. This hardship reduces the site's maximum density per code. Secondly, due to the site's location related to the tollway, the pending Las Entradas commercial walkable retail, and its proximity to the existing Cap Metro transit station, we feel that these requested waivers are in line with market demands and fit within reasonable development guidelines.

Yours very truly,

KIMLEY-HORN AND ASSOCIATES, INC.

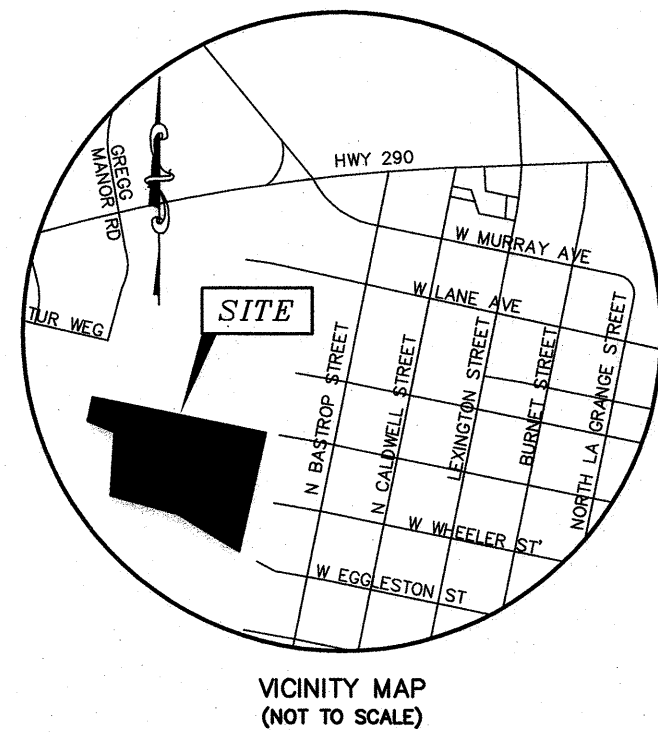
A handwritten signature in blue ink, appearing to read "H. Hudson".

Harrison M. Hudson, P.E.

Senior Project Manager

| City | Manor | City of Austin | | Georgetown | Leander | Kyle |
|--------------------------|-------|----------------|------|------------|---------|-------|
| Zoning | MF | MF-2 | MF-3 | MF-2 | MF | R-3-3 |
| Density (Units per Acre) | 23 | 23 | 36 | 24 | 25 | 28 |
| Parking Required | 492 | 405 | 405 | 425 | 405 | 492 |

| Project Plan | Plan A | Plan B |
|------------------------|------------|------------|
| One Bedroom Units | 174 | 192 |
| Two Bedroom Units | 72 | 84 |
| Total | 246 | 276 |
| Parking Spaces Planned | 444 | 515 |
| Parking Req'd (Sp/Un) | 1.80 sp/un | 1.87 sp/un |
| Density Req'd (Un/Ac) | 24.85 | 25.32 |

VICINITY MAP
(NOT TO SCALE)

CALLLED 39.891 ACRES
LAS ENTRADAS DEVELOPMENT
CORPORATION
DOCUMENT NO. 2006119671
O.P.R.T.C.T.

30' WIDE WATERLINE
EASEMENT
DOCUMENT NO. 2002188193
O.P.R.T.C.T.

FIELD NOTE
POINT OF
BEGINNING

50' WIDE
RIGHT-OF-WAY
TO
THE CITY OF MANOR, TEXAS
DOCUMENT NO. 2005078669
O.P.R.T.C.T.

CALLLED 20.00 ACRES
ROBERT J JOHNSON, CURT D JOHNSON,
AND GERALD W BROESCHE
DOCUMENT NO. 2003030623
O.P.R.T.C.T.

SCALE: 1" = 60'

TITLE COMMITMENT NOTE:

ONLY THOSE EASEMENTS AND THAT INFORMATION LISTED IN FIRST AMERICAN TITLE INSURANCE COMPANY TITLE COMMITMENT OF NO. 201802745, EFFECTIVE DATE DECEMBER 11, 2018, ISSUED DATE JANUARY 10, 2019, AND RELISTED BELOW WERE CONSIDERED FOR THIS SURVEY. NO OTHER EASEMENT RESEARCH WAS PERFORMED BY CP&Y, INC.

SCHEDULE B:

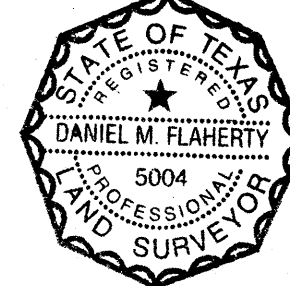
- 10a. WATER LINE EASEMENT GRANTED TO THE CITY OF MANOR, TEXAS, BY INSTRUMENTS RECORDED IN VOLUME 5016, PAGE 1981 OF THE DEED RECORDS AND VOLUME 8782, PAGE 352 OF THE REAL PROPERTY RECORDS, BOTH OF TRAVIS COUNTY, TEXAS - VOLUME 8782, PAGE 352, DOES AFFECT AS SHOWN; EASEMENT TO WATER MAIN IN VOLUME 5016, PAGE 1981 IS NOT SHOWN. "BLANKET TYPE" AND LIMITED TO STAY WITHIN 20 FEET OF FENCE OR PROPERTY LINE.
- 10b. FENCE LINES DO NOT CONFORM TO BOUNDARY LINES AS SHOWN ON SURVEY DATED SEPTEMBER 5, 2017, PREPARED BY FRED L. DODD, JR., REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6392 ("THE SURVEY").
- 10c. ANY AND ALL LEASES, RECORDED OR UNRECORDED, WITH RIGHTS OF TENANTS IN POSSESSION. - NOT AN EASEMENT
- 10d. EASEMENTS, OR CLAIMS OF EASEMENTS, WHICH ARE NOT RECORDED IN THE PUBLIC RECORDS. - NOT PLOTTABLE
- 10e. RIGHTS OF PARTIES IN POSSESSION. (OWNER POLICY ONLY) - NOT AN EASEMENT
- 10f. WATER UTILITY EASEMENT GRANTED TO THE CITY OF MANOR, BY INSTRUMENT DATED APRIL 11, 2012, RECORDED UNDER DOCUMENT NO. 2012056708 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. - DOES AFFECT AS SHOWN

SURVEYOR'S CERTIFICATE

TO: W2 OZ GP LLC, A TEXAS LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS, FIRST AMERICAN TITLE INSURANCE COMPANY, AND HERITAGE TITLE COMPANY OF AUSTIN, INC., AS OF THE DATE HEREOF, THAT THIS MAP AND THE SURVEY ON WHICH IT IS BASED SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR CATEGORY 1A, CONDITION II SURVEY, AND FURTHER CERTIFIES THAT THE ATTACHED PRINT OF SURVEY SHOWS: (I) A FIXED AND DETERMINABLE POSITION AND LOCATION OF THE LAND DESCRIBED THEREON (II) THE LOCATION OF ALL STRUCTURES, AND OTHER VISIBLE IMPROVEMENTS SITUATED ON THE LAND; AND (III) ALL DRIVEWAYS OR OTHER CUTS IN THE CURBS ALONG ANY STREET UPON WHICH THE LAND ABUTS. EXCEPT AS SHOWN OR NOTED ON SAID PRINT OF SURVEY, THERE ARE NO VISIBLE EASEMENTS OR RIGHTS-OF-WAY AFFECTING THE LAND OR OTHER EASEMENTS OR RIGHTS-OF-WAY EXCEPT AS LISTED IN THE TITLE COMMITMENT FROM FIRST AMERICAN TITLE INSURANCE COMPANY THE PRINT OF SURVEY REFLECTS BOUNDARY LINES OF THE DESCRIBED LAND WHICH "CLOSE" BY CALCULATION.

FINAL BOUNDARY MONUMENTS WERE LOCATED/VERIFIED ON: 01-08-19

ANY REPRESENTATION OF THIS SURVEY BY CP&Y, INC. DATED PRIOR TO FEBRUARY 07, 2019 IS NULL AND VOID AND IS HEREBY SUPERSEDED BY THIS DOCUMENT.



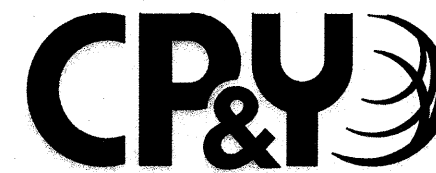
02-07-2019
DATE

Daniel M. Flaherty
CP&Y, INC.
ONE CHISHOLM TRAIL, SUITE 130
ROUND ROCK, TEXAS 78681
TBPLS FIRM NO. 10184125
PHONE: (512) 248-0065
WORK ORDER NO. 1900204

LAND TITLE SURVEY
OF
ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND
CONTAINING 9.973 ACRES, MORE OR LESS,
SITUATED IN THE JAMES MANOR SURVEY NO. 40,
ABSTRACT NO. 546,
TRAVIS COUNTY, TEXAS

PREPARED FOR:
KIMLEY-HORN AND ASSOCIATES, INC.,
2600 VIA FORTUNA
TERRACE I, SUITE 300
AUSTIN, TEXAS 78746

PREPARED BY:



1 Chisholm Trail, Suite 130, Round Rock, Texas 78681 512.248.0065
TEXAS REGISTERED ENGINEERING FIRM F-1741
TBPLS 10194125

METES AND BOUNDS DESCRIPTION OF A

9.973 ACRE TRACT OF LAND
SITUATED IN THE JAMES MANOR SURVEY NO. 40, ABSTRACT NO. 546
TRAVIS COUNTY, TEXAS

BEING A 9.973 ACRE TRACT OF LAND SITUATED IN THE JAMES MANOR SURVEY NO. 40, ABSTRACT NO. 546, TRAVIS COUNTY TEXAS; BEING ALL OF THAT CERTAIN CALLED 9.982 ACRE TRACT OF LAND AS DESCRIBED IN A SPECIAL WARRANTY DEED TO AWSM INVESTMENTS LLC, AND RECORDED IN DOCUMENT NO. 2017030906 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS, (O.P.R.T.C.T.) TEXAS; SAID 9.973 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD FOUND MARKING THE COMMON NORTHWEST CORNER OF SAID 9.982 ACRE TRACT AND THE SOUTHWEST CORNER OF THAT CERTAIN CALLED 20.00 ACRE TRACT OF LAND AS DESCRIBED IN A SPECIAL WARRANTY DEED TO ROBERT J JOHNSON, CURT D JOHNSON, AND GERALD W BROESCHE, AND RECORDED IN DOCUMENT NO. 2003030623, O.P.R.T.C.T.; SAID POINT ALSO BEING ON THE EAST LINE OF THAT CERTAIN CALLED 39.891 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED TO LAS ENTRADAS DEVELOPMENT CORPORATION, A TEXAS CORPORATION, AND RECORDED IN DOCUMENT NO. 2006119671, O.P.R.T.C.T., AND BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE COMMON NORTH LINE OF SAID 9.982 ACRE TRACT AND THE SOUTH LINE OF SAID 20.00 ACRE TRACT, **SOUTH 82° 06' 06" EAST**, FOR A DISTANCE OF **954.31 FEET** TO A 1/2-INCH IRON ROD WITH AN ILLEGIBLE YELLOW CAP STAMPED "RPLS 369..." FOUND FOR THE COMMON NORTHEAST CORNER OF SAID 9.982 ACRE TRACT AND THE SOUTHEAST CORNER OF SAID 20.00 ACRE TRACT, AND BEING ON THE WEST LINE OF A SUBDIVISION CALLED ORIGINAL TOWN OF MANOR, A SUBDIVISION FILED ON JANUARY 14, 1872, AND RECORDED IN VOLUME V, PAGE 796 OF THE DEED RECORDS OF TRAVIS COUNTY TEXAS, (D.R.T.C.T.), FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE COMMON EAST LINE OF SAID 9.982 ACRE TRACT AND THE WEST LINE OF SAID SUBDIVISION, **SOUTH 10° 17' 31" WEST**, FOR A DISTANCE OF **641.92 FEET** TO A 60D NAIL FOUND IN THE REMAINS OF A FENCE POST FOR THE COMMON SOUTHEAST CORNER OF SAID 9.982 ACRE TRACT AND THE NORTHEAST CORNER OF THAT CERTAIN CALLED 105.170 ACRE TRACT OF LAND AS DESCRIBED IN A WARRANTY DEED TO LAS ENTRADAS DEVELOPMENT CORPORATION AND RECORDED IN DOCUMENT NO. 2007002485, O.P.R.W.C.T., FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE COMMON SOUTH LINE OF SAID 9.982 ACRE TRACT AND THE NORTH LINE OF SAID 105.170 ACRE TRACT, THE FOLLOWING FIVE (5) CALLS:

- NORTH 60° 17' 47" WEST**, FOR A DISTANCE OF **398.94 FEET** TO A 60D NAIL FOUND FOR AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;
- (L-1) **NORTH 61° 34' 07" WEST**, FOR A DISTANCE OF **38.19 FEET** TO A 60D NAIL FOUND FOR AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;
- NORTH 81° 36' 45" WEST**, FOR A DISTANCE OF **357.88 FEET** TO A 1/2-INCH IRON ROD FOUND FOR AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;
- NORTH 03° 07' 00" EAST**, FOR A DISTANCE OF **335.58 FEET** TO A 1/2-INCH IRON ROD WITH ORANGE CAP STAMPED "CAPITAL" FOUND FOR AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;
- NORTH 73° 43' 44" WEST**, FOR A DISTANCE OF **146.66 FEET** TO A 1/2-INCH IRON ROD WITH ORANGE CAP STAMPED "CAPITAL" FOUND FOR THE WESTERNMOST CORNER OF SAID 9.982 ACRE TRACT, SAME BEING A CORNER OF SAID 105.170 ACRE TRACT, AND BEING ON THE EAST LINE OF SAID 39.891 ACRE TRACT, FOR THE WESTERNMOST CORNER HEREOF;

THENCE, WITH THE COMMON WEST LINE OF SAID 9.982 ACRE TRACT AND THE EAST LINE OF SAID 39.891 ACRE TRACT, **NORTH 12° 26' 11" EAST**, FOR A DISTANCE OF **121.33 FEET** TO THE **POINT OF BEGINNING** AND CONTAINING 9.973 ACRES OF LAND, MORE OR LESS, BASED ON THE SURVEY PERFORMED BY CP&Y, INC., ROUND ROCK, TEXAS.

LEGEND

- = 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- = 60D NAIL FOUND
- W = WATER VALVE
- M = WATER METER
- ⊕ = FIRE HYDRANT
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- () = RECORD CALL PER DEED TO AWSM INVESTMENTS LLC AND RECORDED IN DOCUMENT NO. 2017030906 O.P.R.T.C.T.
- [] = RECORD CALL PER A LAND TITLE SURVEY SIGNED AND SEALED ON 09-05-2017 BY FRED L. DODD, JR. R.P.L.S. NO. 6392
- O.P.R.T.C.T. = OFFICIAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS
- D.R.T.C.T. = DEED RECORDS TRAVIS COUNTY, TEXAS
- P.R.T.C.T. = PLAT RECORDS TRAVIS COUNTY, TEXAS

| LINE TABLE | | |
|------------|-----------------|----------|
| LINE | BEARING | LENGTH |
| L-1 | N 61°34'07" W | 38.19' |
| | (N 57°55' W) | (38.65') |
| | (N 61°31'59" W) | (38.54') |

ZONING NOTE:
THE PROPERTY IS ZONED R-3 MULTIFAMILY.

DUE TO FREQUENT CHANGES AND DIFFERENT INTERPRETATIONS OF ZONING ORDINANCES, IT'S THE SOLE RESPONSIBILITY OF THE OWNER TO CONTACT THE CITY OF MANOR CONCERNING ANY QUESTIONS OR INTERPRETATIONS OF THE ZONING REQUIREMENTS.

FLOOD NOTE:
BY GRAPHIC PLOTTING ONLY, THIS PROPERTY APPEARS TO BE IN A NON-SHADED ZONE "X" AS SHOWN ON THE FLOOD INSURANCE RATE MAP NO. 4845300480J AND 4845300480J, WHICH BEARS AN EFFECTIVE DATE OF AUGUST 18, 2014. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

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BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, (NAD83, CENTRAL ZONE) BASED UPON LEICA'S CENTRAL TEXAS GPS COOPERATIVE CORS RTK NETWORK (SMARTNET).

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1. THE SURVEYOR HAS NOT CONDUCTED AN ABSTRACT OF THE SUBJECT TRACT.
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3. SUBJECT TO ANY AND ALL COVENANTS, RESTRICTIONS, EASEMENTS AND CONDITIONS THAT MAY BE APPLICABLE.

SHEET 1 OF 1



| DATA | | | | 3 | Story | | | | | |
|-----------|----|-------|---------|--------------------------|-------|--------|----|---------|--------|---------|
| 34 | A | UNITS | 1BD/1BA | 710 | SF | 24,140 | SF | 13.82% | | |
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| 246 UNITS | | | | TOTAL NET RENTABLE AREA: | | | | 208,572 | SF | 100.00% |

AVERAGE SQUARE FOOTAGE:

848 SQ. FT.

Building cover

| | | | | | |
|-----------|------------------|---------|------|------------------------|------------|
| LAND: | 9.973 Acres | 434,438 | S.F. | buildings | 99688 |
| DENSITY | 24.67 Units/Acre | | | garages | 8783 |
| LAND-ROW: | 9.834 Acres | 428,360 | S.F. | est sidewalk/pool deck | 25000 |
| DENSITY | 25.02 Units/Acre | | | drives | 153176 |
| | | | | Total | 66% 286647 |

| PARKING PROVIDED: | Standard | CMPCT | Accessible | | | | |
|-------------------|----------|-------|------------|-----|----|-----|--------|
| | | | Regular | Van | TA | | |
| Leasing | 13 | 0 | 0 | 1 | 1 | 14 | Spaces |
| Surface | 386 | 0 | 7 | 1 | 8 | 394 | Spaces |
| Carports | 0 | 0 | 0 | 0 | 0 | 0 | Spaces |
| Detached Garages | 35 | 0 | 0 | 1 | 1 | 36 | Spaces |
| | 434 | 0 | 7 | 3 | 10 | 444 | Total |

318 Number of Bedrooms

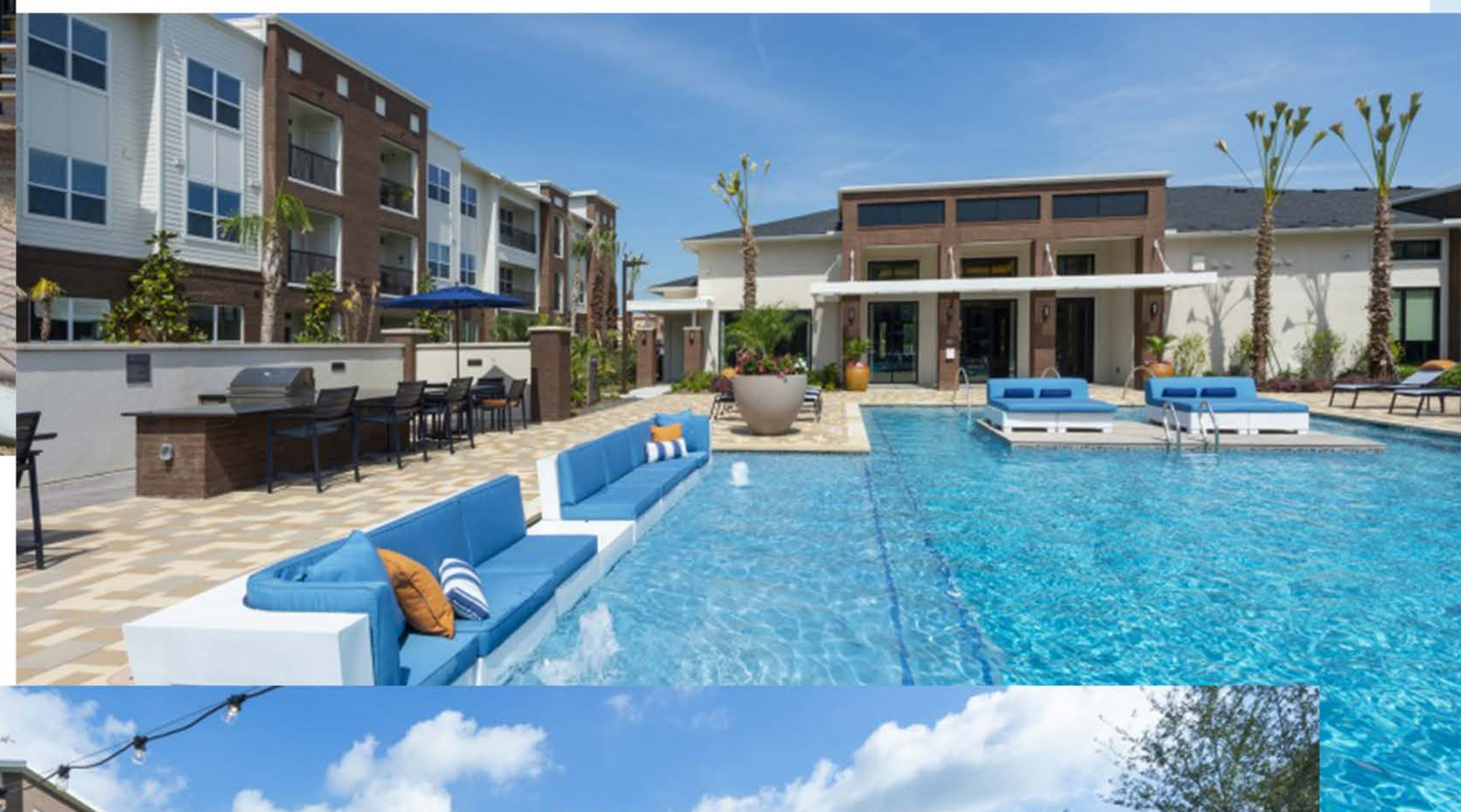
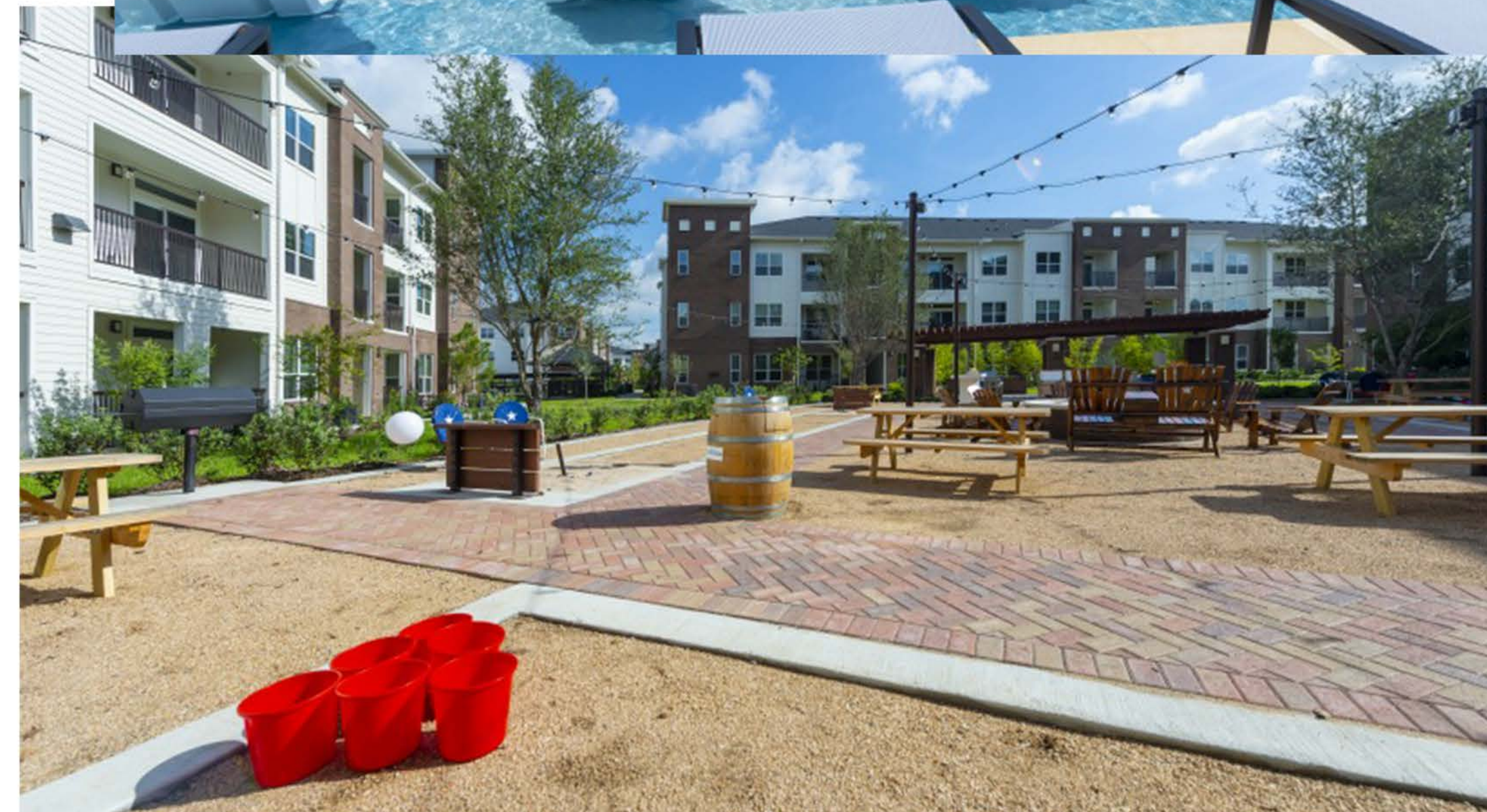
2.25%

1.396 Spaces per Bedroom

| | | | | | | |
|--------|------|------|---|------|-------|--------|
| RATIO: | 1.80 | TO 1 | Handicap Required Parking = 2% of Total | | | |
| MIX | | | Required parking (1.05per bedroom) | | | |
| | 174 | 1 BR | 70.73% | 1.6 | 278.4 | Spaces |
| | 72 | 2 BD | 29.27% | 1.60 | 115.2 | Spaces |
| | 246 | | 100.00% | | 393.6 | Spaces |

| | | | | |
|----------------------|---------|------|----|---------|
| Leasing/Club/Fitness | Leasing | 5000 | SF | Parking |
| | Fitness | 1800 | SF | |
| | Lobby | 0 | SF | |
| | | 0 | SF | |
| TOTAL CLU | | 6800 | SF | |

Open Space 2.94462 Acres



COMMUNITY

RETREAT

AMENITIES



The Emerald @ Manor Manor, Texas

Date : 2019.02.14

PROJECT #: 18-072

CONCEPTUAL DESIGN - Mood Board

Steinberg
Dickey

Collaborative, LLP



The Emerald @ Manor

Manor, Texas



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: February 20, 2019

PREPARED BY: Scott Dunlop, Assistant Development Director

DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a waiver request from Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 34(b)(iv)(C) and Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 20 (m) to allow for reduction to the minimum number of parking spaces per each living unit to 1.8. Applicant: Kimley-Horn & Associates. Owner: W2 Real Estate Partners

BACKGROUND/SUMMARY:

Our current parking requirements for multi-family are the same as for single family residential which is 2 spaces for each living unit and 1/2 space for each additional bedroom above 2. With 174 1-bedroom and 72 2-bedrooms under Plan A (246 units), they're required 492 spaces. They have proposed to provide 444 spaces or 48 less. When comparing nearby jurisdictions (Austin, Georgetown, Leander, Kyle, Pflugerville, Cedar Park) they all require fewer parking spaces, except Kyle. Georgetown and Pflugerville equaled 425 because they require an additional 5% for visitor parking. Kyle follows the same calculation as Manor while the remaining jurisdictions (Austin, Leander, Cedar Park) required 405 spaces. As part of the zoning ordinance update, modifications to the parking calculation table are being proposed. Staff feels providing sufficient parking spaces for visitors is important so following the calculations of Georgetown and Pflugerville would keep Manor consistent and competitive with most jurisdictions but provide a slightly higher rate to accommodate visitors.

PRESENTATION: ☐ YES ☒ NO

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

Waiver, survey, comparison calculations, layout, unit breakdown

STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council approve a waiver request from Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 34(b)(iv)(C) and Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 20(m) to allow for 1.5 spaces per 1-bedroom unit, 2 spaces per 2-bedroom unit, 2.5 spaces per 3+ bedroom unit and an additional 5% of total spaces for visitor use.

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



February 12, 2019

City of Manor City Council
City of Manor – City Hall
105 E. Eggleston Street
Manor, TX 78653

**Re: Request for Waiver
W2 Multi-Family Manor
9.973 Acre Tract of Land situated in the James Manor Survey No. 40, Abstract No. 546,
Travis County, Texas**

Dear City of Manor City Council:

Please accept this letter, on behalf of W2 Real Estate Partners, as a written request for a Waiver of Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 34(a) related to maximum unit density and Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 34(b)(iv)(C) and Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 20(m) related to required parking spaces of the City of Manor Code of Ordinances for the above referenced project.

Per Section 34(a), not more than 23 units per acre are allowed for proposed development. We are requesting a waiver to increase this from 23 units per acre to 25.15 units per acre.

Per Section 34(b)(iv)(C) and Section 20(m), a minimum of two (2) off-street parking spaces shall be provided for each living unit. We are requesting a waiver to lower the minimum parking spaces from 2 to 1.8 spaces per each living unit.

Another contributing factor to the request for additional density is due to our site's voluntary giving of right-of-way to the future Gregg Manor Road extension. This hardship reduces the site's maximum density per code. Secondly, due to the site's location related to the tollway, the pending Las Entradas commercial walkable retail, and its proximity to the existing Cap Metro transit station, we feel that these requested waivers are in line with market demands and fit within reasonable development guidelines.

Yours very truly,

KIMLEY-HORN AND ASSOCIATES, INC.

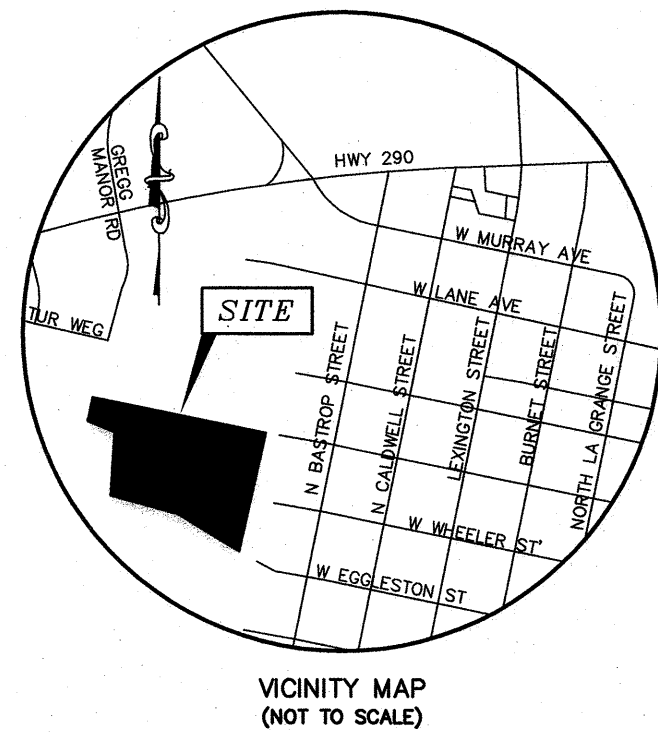
A handwritten signature in blue ink, appearing to read "H. M. Hudson".

Harrison M. Hudson, P.E.

Senior Project Manager

| City | Manor | City of Austin | | Georgetown | Leander | Kyle |
|--------------------------|-------|----------------|------|------------|---------|-------|
| Zoning | MF | MF-2 | MF-3 | MF-2 | MF | R-3-3 |
| Density (Units per Acre) | 23 | 23 | 36 | 24 | 25 | 28 |
| Parking Required | 492 | 405 | 405 | 425 | 405 | 492 |

| Project Plan | Plan A | Plan B |
|------------------------|------------|------------|
| One Bedroom Units | 174 | 192 |
| Two Bedroom Units | 72 | 84 |
| Total | 246 | 276 |
| Parking Spaces Planned | 444 | 515 |
| Parking Req'd (Sp/Un) | 1.80 sp/un | 1.87 sp/un |
| Density Req'd (Un/Ac) | 24.85 | 25.32 |

VICINITY MAP
(NOT TO SCALE)

CALLLED 39.891 ACRES
LAS ENTRADAS DEVELOPMENT
CORPORATION
DOCUMENT NO. 2006119671
O.P.R.T.C.T.

30' WIDE WATERLINE
EASEMENT
DOCUMENT NO. 2002188193
O.P.R.T.C.T.

FIELD NOTE
POINT OF
BEGINNING

50' WIDE
RIGHT-OF-WAY
TO
THE CITY OF MANOR, TEXAS
DOCUMENT NO. 2005078669
O.P.R.T.C.T.

CALLLED 20.00 ACRES
ROBERT J JOHNSON, CURT D JOHNSON,
AND GERALD W BROESCHE
DOCUMENT NO. 2003030623
O.P.R.T.C.T.

SCALE: 1" = 60'

TITLE COMMITMENT NOTE:

ONLY THOSE EASEMENTS AND THAT INFORMATION LISTED IN FIRST AMERICAN TITLE INSURANCE COMPANY TITLE COMMITMENT OF NO. 201802745, EFFECTIVE DATE DECEMBER 11, 2018, ISSUED DATE JANUARY 10, 2019, AND RELISTED BELOW WERE CONSIDERED FOR THIS SURVEY. NO OTHER EASEMENT RESEARCH WAS PERFORMED BY CP&Y, INC.

SCHEDULE B:

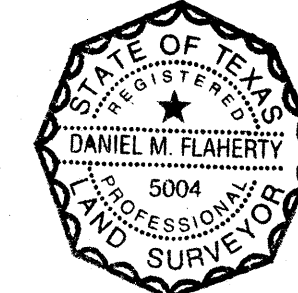
- 10a. WATER LINE EASEMENT GRANTED TO THE CITY OF MANOR, TEXAS, BY INSTRUMENTS RECORDED IN VOLUME 5016, PAGE 1981 OF THE DEED RECORDS AND VOLUME 8782, PAGE 352 OF THE REAL PROPERTY RECORDS, BOTH OF TRAVIS COUNTY, TEXAS - VOLUME 8782, PAGE 352, DOES AFFECT AS SHOWN; EASEMENT TO WATER MAIN IN VOLUME 5016, PAGE 1981 IS NOT SHOWN. "BLANKET TYPE" AND LIMITED TO STAY WITHIN 20 FEET OF FENCE OR PROPERTY LINE.
- 10b. FENCE LINES DO NOT CONFORM TO BOUNDARY LINES AS SHOWN ON SURVEY DATED SEPTEMBER 5, 2017, PREPARED BY FRED L. DODD, JR., REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6392 ("THE SURVEY").
- 10c. ANY AND ALL LEASES, RECORDED OR UNRECORDED, WITH RIGHTS OF TENANTS IN POSSESSION. - NOT AN EASEMENT
- 10d. EASEMENTS, OR CLAIMS OF EASEMENTS, WHICH ARE NOT RECORDED IN THE PUBLIC RECORDS. - NOT PLOTTABLE
- 10e. RIGHTS OF PARTIES IN POSSESSION. (OWNER POLICY ONLY) - NOT AN EASEMENT
- 10f. WATER UTILITY EASEMENT GRANTED TO THE CITY OF MANOR, BY INSTRUMENT DATED APRIL 11, 2012, RECORDED UNDER DOCUMENT NO. 2012056708 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. - DOES AFFECT AS SHOWN

SURVEYOR'S CERTIFICATE

TO: W2 OZ GP LLC, A TEXAS LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS, FIRST AMERICAN TITLE INSURANCE COMPANY, AND HERITAGE TITLE COMPANY OF AUSTIN, INC., AS OF THE DATE HEREOF, THAT THIS MAP AND THE SURVEY ON WHICH IT IS BASED SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR CATEGORY 1A, CONDITION II SURVEY, AND FURTHER CERTIFIES THAT THE ATTACHED PRINT OF SURVEY SHOWS: (I) A FIXED AND DETERMINABLE POSITION AND LOCATION OF THE LAND DESCRIBED THEREON (II) THE LOCATION OF ALL STRUCTURES, AND OTHER VISIBLE IMPROVEMENTS SITUATED ON THE LAND; AND (III) ALL DRIVEWAYS OR OTHER CUTS IN THE CURBS ALONG ANY STREET UPON WHICH THE LAND ABUTS. EXCEPT AS SHOWN OR NOTED ON SAID PRINT OF SURVEY, THERE ARE NO VISIBLE EASEMENTS OR RIGHTS-OF-WAY AFFECTING THE LAND OR OTHER EASEMENTS OR RIGHTS-OF-WAY EXCEPT AS LISTED IN THE TITLE COMMITMENT FROM FIRST AMERICAN TITLE INSURANCE COMPANY THE PRINT OF SURVEY REFLECTS BOUNDARY LINES OF THE DESCRIBED LAND WHICH "CLOSE" BY CALCULATION.

FINAL BOUNDARY MONUMENTS WERE LOCATED/VERIFIED ON: 01-08-19

ANY REPRESENTATION OF THIS SURVEY BY CP&Y, INC. DATED PRIOR TO FEBRUARY 07, 2019 IS NULL AND VOID AND IS HEREBY SUPERSEDED BY THIS DOCUMENT.

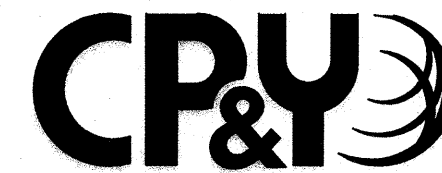
02-07-2019
DATE

Daniel M. Flaherty
CP&Y, INC.
ONE CHISHOLM TRAIL, SUITE 130
ROUND ROCK, TEXAS 78681
TBPLS FIRM NO. 10184125
PHONE: (512) 248-0065
WORK ORDER NO. 1900204

LAND TITLE SURVEY
OF
ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND
CONTAINING 9.973 ACRES, MORE OR LESS,
SITUATED IN THE JAMES MANOR SURVEY NO. 40,
ABSTRACT NO. 546,
TRAVIS COUNTY, TEXAS

PREPARED FOR:
KIMLEY-HORN AND ASSOCIATES, INC.,
2600 VIA FORTUNA
TERRACE I, SUITE 300
AUSTIN, TEXAS 78746

PREPARED BY:



1 Chisholm Trail, Suite 130, Round Rock, Texas 78681 512.248.0065
TEXAS REGISTERED ENGINEERING FIRM F-1741
TBPLS 10194125

METES AND BOUNDS DESCRIPTION OF A

9.973 ACRE TRACT OF LAND
SITUATED IN THE JAMES MANOR SURVEY NO. 40, ABSTRACT NO. 546
TRAVIS COUNTY, TEXAS

BEING A 9.973 ACRE TRACT OF LAND SITUATED IN THE JAMES MANOR SURVEY NO. 40, ABSTRACT NO. 546, TRAVIS COUNTY TEXAS; BEING ALL OF THAT CERTAIN CALLED 9.982 ACRE TRACT OF LAND AS DESCRIBED IN A SPECIAL WARRANTY DEED TO AWSM INVESTMENTS LLC, AND RECORDED IN DOCUMENT NO. 2017030906 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS, (O.P.R.T.C.T.) TEXAS; SAID 9.973 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD FOUND MARKING THE COMMON NORTHWEST CORNER OF SAID 9.982 ACRE TRACT AND THE SOUTHWEST CORNER OF THAT CERTAIN CALLED 20.00 ACRE TRACT OF LAND AS DESCRIBED IN A SPECIAL WARRANTY DEED TO ROBERT J JOHNSON, CURT D JOHNSON, AND GERALD W BROESCHE, AND RECORDED IN DOCUMENT NO. 2003030623, O.P.R.T.C.T.; SAID POINT ALSO BEING ON THE EAST LINE OF THAT CERTAIN CALLED 39.891 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED TO LAS ENTRADAS DEVELOPMENT CORPORATION, A TEXAS CORPORATION, AND RECORDED IN DOCUMENT NO. 2006119671, O.P.R.T.C.T., AND BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE COMMON NORTH LINE OF SAID 9.982 ACRE TRACT AND THE SOUTH LINE OF SAID 20.00 ACRE TRACT, **SOUTH 82° 06' 06" EAST**, FOR A DISTANCE OF **954.31 FEET** TO A 1/2-INCH IRON ROD WITH AN ILLEGIBLE YELLOW CAP STAMPED "RPLS 369..." FOUND FOR THE COMMON NORTHEAST CORNER OF SAID 9.982 ACRE TRACT AND THE SOUTHEAST CORNER OF SAID 20.00 ACRE TRACT, AND BEING ON THE WEST LINE OF A SUBDIVISION CALLED ORIGINAL TOWN OF MANOR, A SUBDIVISION FILED ON JANUARY 14, 1872, AND RECORDED IN VOLUME V, PAGE 796 OF THE DEED RECORDS OF TRAVIS COUNTY TEXAS, (D.R.T.C.T.), FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE COMMON EAST LINE OF SAID 9.982 ACRE TRACT AND THE WEST LINE OF SAID SUBDIVISION, **SOUTH 10° 17' 31" WEST**, FOR A DISTANCE OF **641.92 FEET** TO A 60D NAIL FOUND IN THE REMAINS OF A FENCE POST FOR THE COMMON SOUTHEAST CORNER OF SAID 9.982 ACRE TRACT AND THE NORTHEAST CORNER OF THAT CERTAIN CALLED 105.170 ACRE TRACT OF LAND AS DESCRIBED IN A WARRANTY DEED TO LAS ENTRADAS DEVELOPMENT CORPORATION AND RECORDED IN DOCUMENT NO. 2007002485, O.P.R.W.C.T., FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE COMMON SOUTH LINE OF SAID 9.982 ACRE TRACT AND THE NORTH LINE OF SAID 105.170 ACRE TRACT, THE FOLLOWING FIVE (5) CALLS:

- NORTH 60° 17' 47" WEST**, FOR A DISTANCE OF **398.94 FEET** TO A 60D NAIL FOUND FOR AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;
- (L-1) **NORTH 61° 34' 07" WEST**, FOR A DISTANCE OF **38.19 FEET** TO A 60D NAIL FOUND FOR AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;
- NORTH 81° 36' 45" WEST**, FOR A DISTANCE OF **357.88 FEET** TO A 1/2-INCH IRON ROD FOUND FOR AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;
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| LINE TABLE | | |
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| | (N 57°55' W) | (38.65') |
| | (N 61°31'59" W) | (38.54') |

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GENERAL NOTES:
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3. SUBJECT TO ANY AND ALL COVENANTS, RESTRICTIONS, EASEMENTS AND CONDITIONS THAT MAY BE APPLICABLE.

SHEET 1 OF 1

| JOB NO. | FIELDBOOK NO.S | SURVEY DATE | FILE NAME | DRAWN BY | DRAFT DATE | CHECKED BY | PLAT # |
|----------|----------------|-------------|-----------------|----------|------------|------------|--------|
| 1900204R | RR 345 & 347 | 01-08-2019 | 1900204R-SURVEY | YYG | 01-09-2019 | DMF | D-2244 |

| NO. | | DATE | REVISIONS | BY |
|-----|------------|------|-------------------------------------|-----|
| 1 | 01-10-2019 | | ADDRESSED REVISED TITLE COMMITMENT | YYG |
| 2 | 01-25-2019 | | ADDRESSED TITLE COMPANY CORRECTIONS | YYG |

| NO. | | DATE | REVISIONS | BY |
|-----|------------|------|---|-----|
| 3 | 02-07-2019 | | ADDRESSED REVISED TITLE COMMITMENT ITEM 10A | YYG |

| DATA | | | | 3 | Story | | | | | |
|-----------|----|-------|---------|--------------------------|-------|--------|----|---------|--------|---------|
| 34 | A | UNITS | 1BD/1BA | 710 | SF | 24,140 | SF | 13.82% | | |
| 68 | As | UNITS | 1BD/1BA | 710 | SF | 48,280 | SF | 27.64% | 41.46% | |
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| 12 | Ca | UNITS | 2BD/2BA | 1,086 | SF | 13,032 | SF | 4.88% | 29.27% | |
| 246 UNITS | | | | TOTAL NET RENTABLE AREA: | | | | 208,572 | SF | 100.00% |

AVERAGE SQUARE FOOTAGE:

848 SQ. FT.

Building cover

| | | | | | |
|-----------|------------------|---------|------|------------------------|------------|
| LAND: | 9.973 Acres | 434,438 | S.F. | buildings | 99688 |
| DENSITY | 24.67 Units/Acre | | | garages | 8783 |
| LAND-ROW: | 9.834 Acres | 428,360 | S.F. | est sidewalk/pool deck | 25000 |
| DENSITY | 25.02 Units/Acre | | | drives | 153176 |
| | | | | Total | 66% 286647 |

| PARKING PROVIDED: | Standard | CMPCT | Accessible | | | | |
|-------------------|----------|-------|------------|-----|----|-----|--------|
| | | | Regular | Van | TA | | |
| Leasing | 13 | 0 | 0 | 1 | 1 | 14 | Spaces |
| Surface | 386 | 0 | 7 | 1 | 8 | 394 | Spaces |
| Carports | 0 | 0 | 0 | 0 | 0 | 0 | Spaces |
| Detached Garages | 35 | 0 | 0 | 1 | 1 | 36 | Spaces |
| | 434 | 0 | 7 | 3 | 10 | 444 | Total |

318 Number of Bedrooms

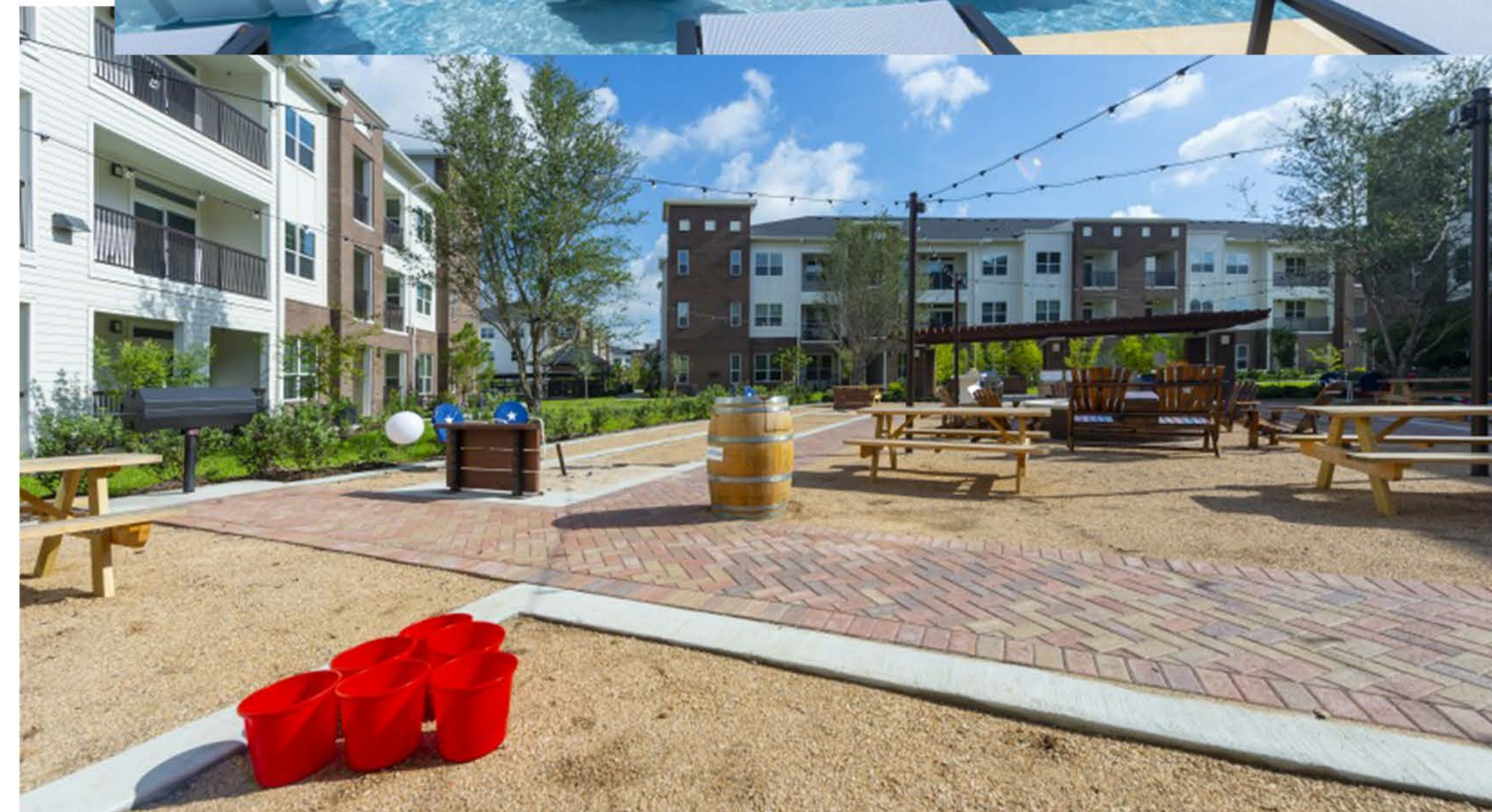
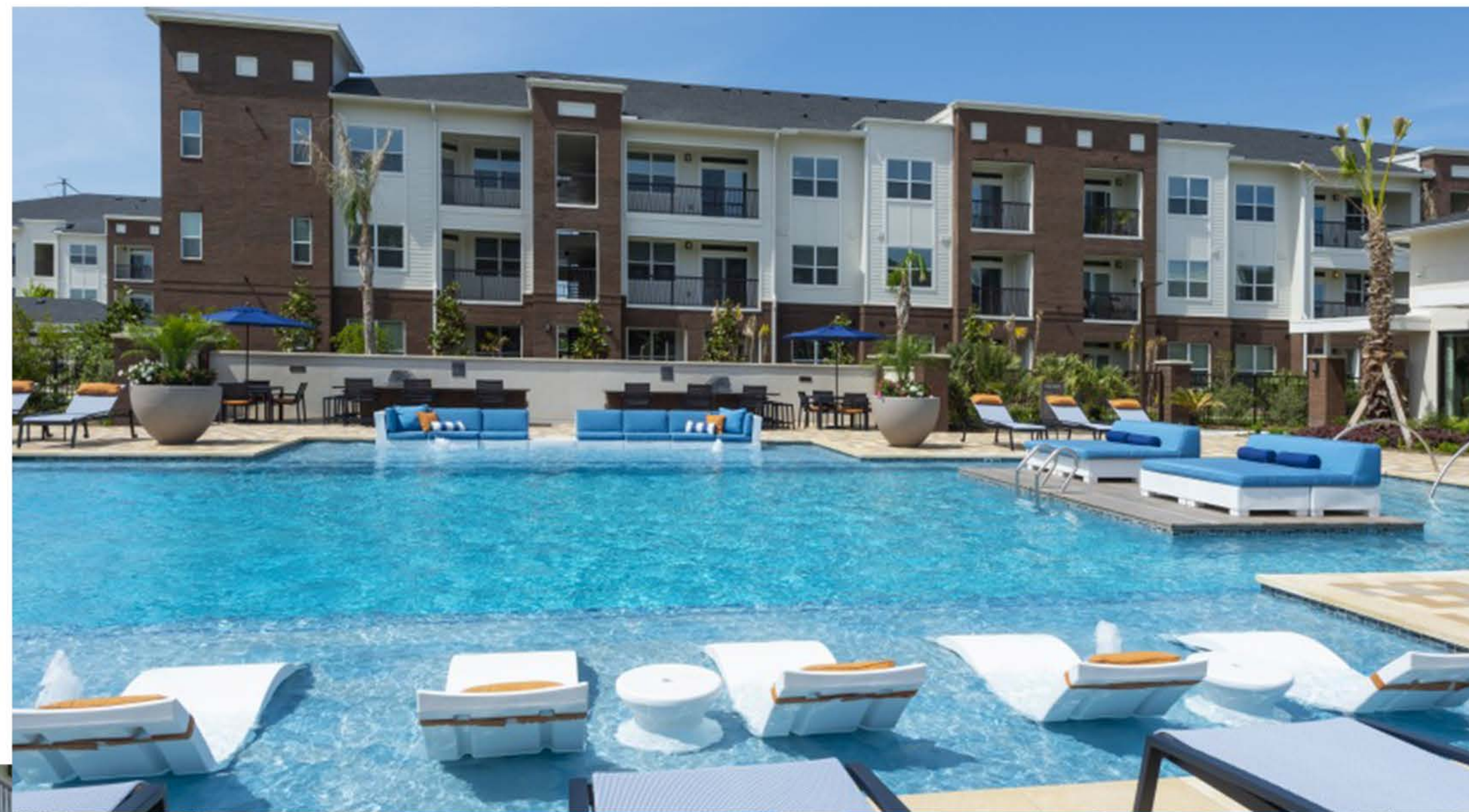
2.25%

1.396 Spaces per Bedroom

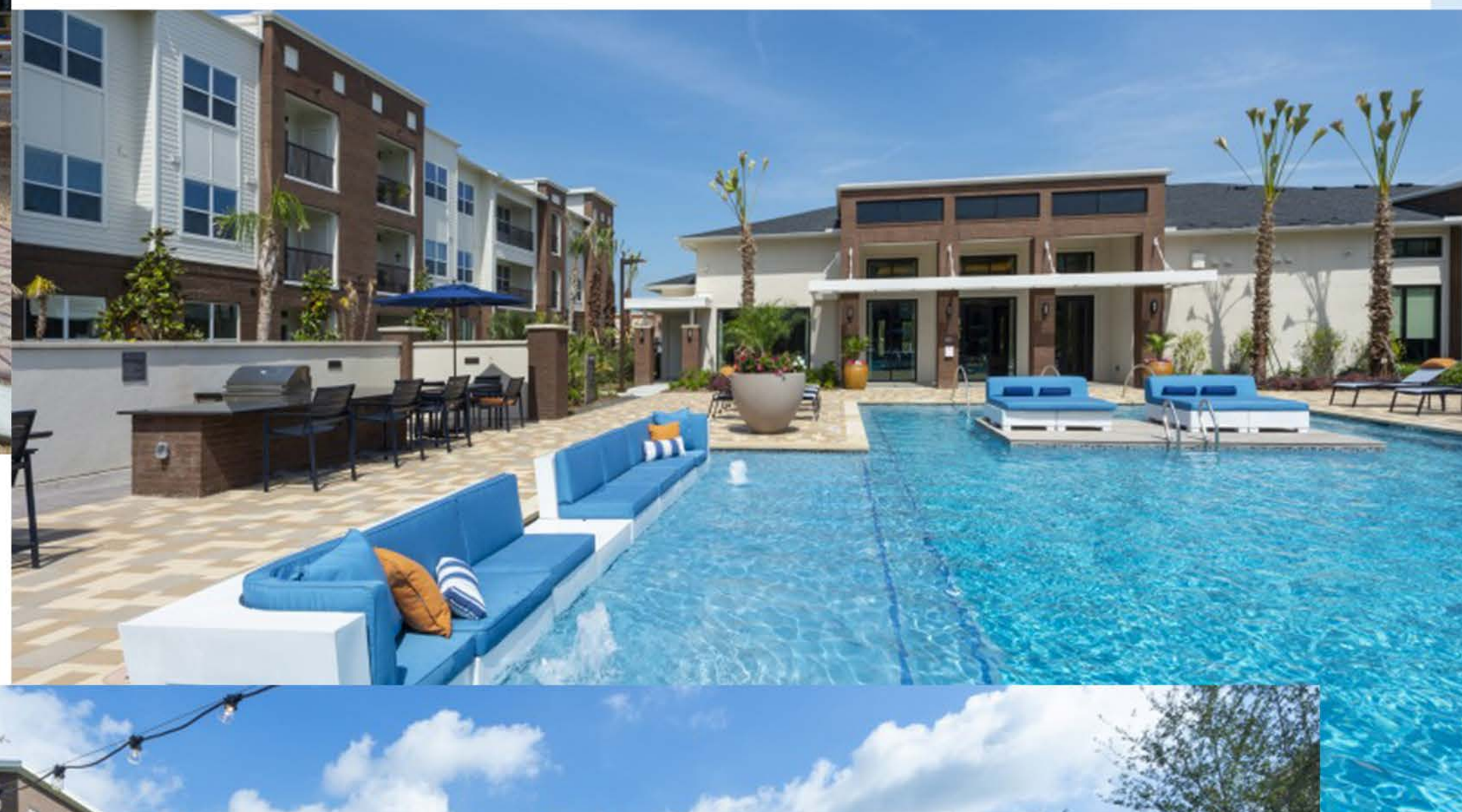
| | | | | | | |
|--------|------|------|---|------|-------|--------|
| RATIO: | 1.80 | TO 1 | Handicap Required Parking = 2% of Total | | | |
| MIX | | | Required parking (1.05per bedroom) | | | |
| | 174 | 1 BR | 70.73% | 1.6 | 278.4 | Spaces |
| | 72 | 2 BD | 29.27% | 1.60 | 115.2 | Spaces |
| | 246 | | 100.00% | | 393.6 | Spaces |

| | | | | |
|----------------------|---------|------|----|---------|
| Leasing/Club/Fitness | Leasing | 5000 | SF | Parking |
| | Fitness | 1800 | SF | |
| | Lobby | 0 | SF | |
| | | 0 | SF | |
| TOTAL CLU | | 6800 | SF | |

Open Space 2.94462 Acres



RETREAT



AMENITIES



The Emerald @ Manor Manor, Texas

Date : 2019.02.14

PROJECT #: 18-072

CONCEPTUAL DESIGN - Mood Board

Steinberg
Dickey

Collaborative, LLP



The Emerald @ Manor

Manor, Texas



AGENDA ITEM NO. 7

AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: February 20, 2019

PREPARED BY: Scott Dunlop, Assistant Development Director

DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on an Interlocal Cooperation Agreement between Travis County and the City of Manor relating to on-site septic system permitting services.

BACKGROUND/SUMMARY:

Areas within our city limits do not currently have city wastewater service. The city does not have professional review capacity to review and issue permits for on-site septic systems. This interlocal allows the County and their staff to provide the review and permitting within city limits. The cost to the city is 10% of each permit fee. Travis County charges \$505.00 for non-standard installations and \$285.00 for standard. It is intended at the time a permit is applied for with Manor that indicates the need for a septic permit with the County a fee of either \$50 or \$30 will be applied to the other building permit fees to cover the costs incurred by the city to the county.

PRESENTATION: ☐ YES ☒ NO

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

Interlocal

STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council approve an Interlocal Cooperation Agreement between Travis County and the City of Manor relating to on-site septic system permitting services and authorize the City Manager to finalize the agreement and for the Mayor to execute the final agreement.

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

**INTERLOCAL COOPERATION AGREEMENT
BETWEEN TRAVIS COUNTY AND THE CITY OF MANOR
RELATING TO ON-SITE SEPTIC SYSTEM PERMITTING SERVICES**

THIS INTERLOCAL COOPERATION AGREEMENT (the "Agreement") is made and entered into by and between Travis County, Texas, a political subdivision of the State of Texas ("COUNTY") and the City of Manor, Texas, a municipal corporation of the State of Texas ("CITY") by and through its governing body (COUNTY and CITY together, the "Parties").

RECITALS

- A. The County is an authorized agent of the Texas Commission on Environmental Quality ("TCEQ") with respect to issuing permits for, inspecting, and monitoring the operation and construction of on-site sewage facilities ("OSSFs") within COUNTY's area of jurisdiction as set forth in the Travis County Code chapter entitled "Rules of Travis County, Texas for On-Site Sewage Facilities" ("County's OSSF Rules").
- B. CITY has requested that COUNTY amend the County's OSSF Rules so that COUNTY's area of jurisdiction will include the corporate limits of CITY and thereby allow COUNTY to issue permits for, inspect, and monitor the construction and operation of OSSFs within CITY's corporate limits.
- C. In reliance on CITY's request, COUNTY has submitted an amendment to TCEQ to amend the County's OSSF Rules to include the corporate limits of Manor in COUNTY's area of jurisdiction regarding OSSFs.
- D. The Parties agree that including the corporate limits of CITY in COUNTY's area of jurisdiction will provide CITY's residents and COUNTY's residents greater public health and environmental protection than if CITY's corporate limits are not included in COUNTY's area of jurisdiction with respect to the operation of OSSFs.
- D. The City recognizes that COUNTY will incur additional costs if COUNTY's area of jurisdiction is expanded to include CITY's corporate limits, and CITY desires to offset those additional costs by paying some of those additional costs.
- E. The Parties desire that this Agreement conform in all respects with the requirements of the Interlocal Cooperation Act, Texas Government Code Chapter 791.

In consideration of the premises and the mutual covenants and agreements set forth herein, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

AGREEMENT

- 1. Effective Date.
 - (a) This Agreement takes effect upon the last date of due execution of the Agreement by City and County (the "Effective Date") and continues in force and effect for a one-year period. This Agreement shall be renewed automatically for an additional year each year thereafter, unless terminated earlier by thirty days written notice from one party to the other.
 - (b) On the Effective Date:

- (1) COUNTY will take the appropriate steps to amend the County's OSSF Rules, including publishing notice of and conducting a public meeting regarding the proposed revisions to the County's OSSF Rules; and
 - (2) CITY will take appropriate steps to notify its residents of the proposed revisions to the County's OSSF Rules.
 - (c) Notwithstanding any provision to the contrary, COUNTY is not required to process any applications for OSSFs pursuant to this Agreement until the date COUNTY receives notice from TCEQ that TCEQ has approved an amendment to the County's OSSF Rules for COUNTY's area of jurisdiction to include the corporate limits of CITY.
2. For services provided pursuant to this Agreement, the CITY shall pay the COUNTY ten percent of the amount the COUNTY charges applicants, according to the COUNTY'S then-current fee schedule, for each application or request the COUNTY receives for an OSSF in the CITY'S corporate limits, excluding the state research fund fee and any other amount the COUNTY collects on behalf of the State of Texas. The COUNTY shall invoice the CITY and the CITY shall pay COUNTY no later than 30 days after CITY's receipt of the invoice. The invoice provided by the COUNTY to the CITY shall identify by line item each address served as requested by the applicant or requestor. If the COUNTY revises its fee schedule, a copy of the revised fee schedule will be sent to the CITY.
 3. All payments by CITY to COUNTY shall be from current revenue funds available to CITY.
 4. TO THE EXTENT PERMITTED BY LAW, CITY SHALL HOLD HARMLESS AND INDEMNIFY COUNTY, ITS OFFICIALS, AGENTS, AND EMPLOYEES FROM AND AGAINST ANY AND ALL CLAIMS, DEMANDS, LIABILITIES, JUDGMENTS, LOSSES, DAMAGES, AND SUITS, INCLUDING ALL EXPENSES OF LITIGATION, COURT COSTS, AND ATTORNEY'S FEES, FOR INJURY TO OR DEATH OF ANY PERSON OR FOR DAMAGE TO ANY PROPERTY AND ANY OTHER ACT OR OMISSION ARISING FROM OR IN CONNECTION WITH THE SERVICES PROVIDED TO CITY PURSUANT TO THIS AGREEMENT WHERE SUCH INJURIES, DEATH, OR DAMAGES ARE CAUSED BY CITY'S SOLE NEGLIGENCE OR THE JOINT NEGLIGENCE OF CITY AND COUNTY. IT IS THE EXPRESSED INTENTION OF THE PARTIES THAT THE INDEMNITY PROVIDED IN THIS PARAGRAPH 4 IS INDEMNITY BY CITY TO PROTECT COUNTY FROM THE CONSEQUENCES OF COUNTY'S JOINT OR CONCURRENT NEGLIGENCE ARISING OUT OF OR IN CONNECTION WITH THIS AGREEMENT; PROVIDED, HOWEVER, THE INDEMNITY IN THIS PARAGRAPH 4 SHALL HAVE NO APPLICATION TO ANY CLAIMS, DEMANDS, LIABILITIES, JUDGMENTS, LOSSES, DAMAGES, OR SUITS RESULTING FROM THE GROSS NEGLIGENCE OR THE SOLE NEGLIGENCE, FAULT, OR STRICT LIABILITY OF COUNTY.
 6. Neither party may assign any of the rights or duties created by this Agreement without the prior written approval of the other party. It is acknowledged by CITY that no agent, employee, or representative of COUNTY has any authority to assign any part of this Agreement unless expressly granted that authority by the Travis County Commissioners Court (the "Commissioners Court"). It is acknowledged by COUNTY that no agent, employee, or representative of CITY has any authority to assign any part of this

Agreement unless expressly granted that authority by the City of Manor City Council (the "City Council").

7. This Agreement may not be amended except in writing signed by both parties. No agent, employee, or representative of CITY or COUNTY has the authority to amend this Agreement, unless expressly granted that authority by the City Council or Commissioners Court, respectively.
8. This Agreement shall be binding upon and inure to the benefit of the successors, assigns, administrators, and legal representatives of the parties to this Agreement.
9. Either party may terminate this Agreement, without cause, upon thirty days written notice to the other party. If either party terminates this Agreement, COUNTY has the right to receive payment for all services provided before the date of termination and not previously paid.
10. The recitals set forth above are incorporated herein. This Agreement constitutes the sole and only agreement of the parties to the Agreement and supersedes any prior understandings or written or oral agreements between the parties concerning the subject matter herein.
11. Any notice required or permitted to be delivered under this Agreement shall be deemed received on the earlier of (a) actual receipt or (b) when sent by U.S. Mail, postage prepaid, certified mail, return receipt requested, addressed to CITY or COUNTY, as the case may be, at the following addresses:

CITY:

City of Manor
Attn: Tom Bolt, City Manager (or successor)
105 E Eggleston Street
Manor, Texas 78653

with copy to (registered or certified mail with return receipt is not required):

The Knight Law Firm, L.L.P
Attn: Paige Saenz
223 West Anderson Lane, Suite A-105
Austin, Texas 78752

COUNTY:

Cynthia McDonald (or successor)
County Executive, TNR
P. O. Box 1748
Austin, Texas 78767

with copy to (registered or certified mail with return receipt is not required):

David Escamilla (or successor)
Travis County Attorney
P. O. Box 1748
Austin, Texas 78767
Attn: File No. 356.95

12. CITY and COUNTY shall comply with all applicable federal, state, county, and city laws, rules, orders, ordinances, and regulations applicable to performance of this Agreement.
13. This Agreement shall be construed under the laws of the State of Texas and all obligations of the parties hereunder are performable in Travis County, Texas.
14. Third Party Rights Not Created. This Agreement is not intended to and shall not be construed to create any rights or remedies in any person or legal entity that is not a party to it and the Parties are not waiving any defense or immunity to which they are entitled against any person or legal entity that is not a party to this Agreement.
15. Invalid Provision. Any clause, sentence, provision, paragraph, or article of this agreement held by a court of competent jurisdiction to be invalid, illegal, or ineffective shall not impair, invalidate, or nullify the remainder of this Agreement, but the effect thereof shall be confined to the clause, sentence, provision, paragraph, or article so held to be invalid, illegal, or ineffective.
16. This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which together constitute one and the same instrument. The terms of this Agreement shall become binding upon each party when each has executed one of the counterparts.

CITY:
THE CITY OF MANOR,
a Texas municipal corporation

Rita Jonse, Mayor

Date: _____

ATTEST:

Lluvia Tijerina, City Secretary

COUNTY:
TRAVIS COUNTY,
a Texas political subdivision

Sarah Eckhardt, County Judge

Date: _____



AGENDA ITEM NO. 8

AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: February 20, 2019

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

DEPARTMENT: City Engineer

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on Change Order No. 1 for the 2017 Water Distribution System Improvements Project.

BACKGROUND/SUMMARY:

The change order is necessary to address changes in project scope resulting from Travis County plan review comments that required the addition of flow-able fill and supplemental environmental controls. The change order also includes additional pavement repair resulting from adjustment of the water line assignment from outside of pavement to inside of pavement to avoid a conflict with a wastewater forced main discovered when the contractor was potholing utilities. Ongoing construction in the area also includes new driveways, requiring additional boring and casement work.

PRESENTATION: ☒ YES ☐ NO

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

Change Order No. 1

STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council approve the proposed Change Order No. 1 for the 2017 Water Distribution System Improvements Project.

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

CHANGE ORDER

ORDER NO.: 1

DATE: February 13, 2019

AGREEMENT DATE: March 21, 2018

NAME OF PROJECT: 2017 Water Distribution System Improvements

OWNER: City of Manor

CONTRACTOR: Skyblue Utilities, Inc.

The following changes are hereby made to the CONTRACT DOCUMENTS:

1. Justification:

- Item 1: Add 9 LF Bid Item No. 1, 2" PVC Drain Line @ \$11.96/LF;
- Item 2: Remove 6 LF Bid Item No. 3, 8" PVC C-900 Dr 18 Water Line @ \$33.22/LF;
- Item 3: Remove 166 LF Bid Item No. 4, 12" PVC C-900 Dr 18 Water Line @ \$34.92/LF;
- Item 4: Add 130 LF Bid Item No. 5, 12" Ductile Iron Pipe @ \$71.03/LF;
- Item 5: Add 1 EA Bid Item No. 6, Stabilized Construction Entrance @ \$1,368.00/EA;
- Item 6: Remove 1 EA Bid Item No. 13, 12" Gate Valve w/ Valve Box & Lid @ \$2,259.48/EA;
- Item 7: Add 170 LF Bid Item No. 17, Bore for 12" Water Line @ \$142.50/LF;
- Item 8: Add 10 LF Bid Item No. 18, Bored Steel Encasement Pipe @ \$242.29/LF;
- Item 9: Remove 2 EA Bid Item No. 22, Remove & Restore Road Signs @ \$456.00/EA;
- Item 10: Add 2,412 LF Bid Item No. 23, Asphalt Pavement Repair @ \$28.50/LF;
- Item 11: Add 42 LF Bid Item No. 24, Concrete Repair @ \$57.00/LF;
- Item 12: Remove 16 LF Bid Item No. 25, Gravel Driveway Repair @ \$9.12/LF;
- Item 13: Remove 10 SF Bid Item No. 26, Remove & Replace Rock Riprap @ \$3.42/SF;
- Item 14: Remove 37 SF Bid Item No. 27, Remove Exist. Flex. Base Driveway @ \$1.14/SF
- Item 15: Add 114 SF Bid Item No. 28, Install New Flex. Base Driveway @ \$2.28/SF
- Item 16: Remove 6,276 LF Bid Item No. 34, Restoration & Revegetation of disturbed areas @ \$0.91/LF
- Item 17: Add 976 LF Bid Item No. 35, Silt Fence @ \$2.28/LF
- Item 18: Add 1,080 LF Change Order Item C.O.1-1, 12" Dia. Mulch Socks, including installation, maintenance and removal, complete and in place @ \$11.50/LF;
- Item 19: Add 1 EA Change Order Item C.O.1-2, Connect to exist. Hydrant lead, including all transition gaskets and fittings, complete and in place @ \$3,450.00/EA;
- Item 20: Add 1,314 CY Change Order Item C.O.1-3, Flowable Fill per COA Specification 402S @ \$143.75/CY

2. Change to CONTRACT PRICE:

Original CONTRACT PRICE: \$1,259,046.33

Current CONTRACT PRICE adjusted by previous CHANGE ORDER \$1,259,046.33

The CONTRACT PRICE due to this CHANGE ORDER will be increased or (decreased) by:
\$300,635.16

New CONTRACT PRICE including this CHANGE ORDER will be: \$1,559,681.49

3. Change to CONTRACT TIME:

The CONTRACT TIME will be increased or (decreased) by 252 calendar days. The date for completion of all work will be June 8, 2019

4. Approvals Required:

To be effective, this order must be signed by all parties to the Agreement if it changes the scope or objective of the PROJECT, or as may otherwise be required by the SUPPLEMENTAL GENERAL CONDITIONS.

Recommended by: Frank T. Phelan, P.E.

Signed: _____

Frank T. Phelan

Ordered by: Guillermina Sanchez M.

Signed: _____

Guillermina Sanchez M.

Accepted by: _____

Signed: _____

JACO



AGENDA ITEM NO. 9

AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: February 20, 2019

PREPARED BY: Tracey Vasquez, HR Coordinator

DEPARTMENT: HR

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on an amendment to the City Manager's Contract.

BACKGROUND/SUMMARY:

PRESENTATION: ☐ YES ☒ NO

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

STAFF RECOMMENDATION:

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