



**CITY COUNCIL
REGULAR SESSION MINUTES
JULY 17, 2019**

PRESENT:

Rita G. Jonse, Mayor

COUNCIL MEMBERS:

Gil Burrell, Place 1
Maria Amezcua, Mayor Pro Tem, Place 2
Anne R. Weir, Place 3
Dr. Larry Wallace Jr., Place 4
Deja Hill, Place 5
Valerie Dye, Place 6

CITY STAFF:

Thomas Bolt, City Manager
Lluvia Tijerina, City Secretary
Lydia Collins, Director of Finance
Ryan Phipps, Chief of Police
Denver Collins, Captain
Scott Dunlop, Assistant Development Services Director
Sarah Friberg, Court Clerk
Michael Tuley, Director of Public Works

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, July 17, 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, Lydia Collins, Director of Finance led the Pledge of Allegiance.

PUBLIC COMMENTS

Shubhada Saxena with Aspire to Age, PBC, 555 E. 5th Street, Austin, Texas, spoke before City Council regarding the older adult services that are currently provided in the Austin area. Ms. Saxena introduced herself and discussed her background in social services. She is offering her assistance for older adult services in the Manor area for Asian Americans. Ms. Saxena requested more information on the needs for older adult services that are needed in the Manor community.

No one else appeared to speak at this time.

CONSENT AGENDA

Mayor Jonse advised that Agenda Item No. 4 would be removed from the Consent Agenda per Council Member Hill for individual consideration and explanation. The remaining items on the Consent Agenda were recommended as followed:

- 1. Consideration, discussion, and possible action to approve the City Council Minutes of the June 19, 2019, Regular Meeting.**
- 2. Consideration, discussion, and possible action on the acceptance of the June 2019 Departmental Reports:**
 - **Police – Ryan Phipps, Chief of Police**
 - **Development Services – Scott Dunlop, Assistant Dev. Services Director**
 - **Municipal Court – Sarah Friberg, Court Clerk**
 - **Public Works – Mike Tuley, Director of Public Works**
 - **Finance – Lydia Collins, Director of Finance**
- 3. Second and Final Reading: Consideration, discussion and possible action on an ordinance rezoning 5.091 acres of land out of the A C Caldwell Survey No. 52, Abstract 154, locally known as 15105 US Hwy 290 E, from Agricultural (A) to Medium Commercial (C-2). Applicant: AAA Storage LLC Owner: AAA Storage LLC**

Ordinance No. 544: An Ordinance of The City of Manor, Texas, Amending the Zoning Ordinance by Rezoning a Parcel of Land from Agricultural (A) to Medium Commercial (C-2); Making Findings of Fact; and Providing for Related Matters.

MOTION: Upon a motion made by Mayor Pro Tem Amezcua and seconded by Council Member Weir the Council voted seven (7) For and none (0) Against to approve and adopt all remaining items on the Consent Agenda. The motion carried unanimously.

- 4. Second and Final Reading: Consideration, discussion and possible action on an ordinance rezoning 18.67 acres of land out of the Gates G Survey No. 63, Abstract 315, locally known as 12511 and 12601 US Hwy 290 E, from Agricultural (A) to Multi-Family (R-3) and Medium Commercial (C-2). Applicant: Callaway Architecture Owner: Pilot and Legacy Opportunity Fund, LLC**

Ordinance No. 545: An Ordinance of the City of Manor, Texas, Amending the Zoning Ordinance by Rezoning 18.69 Acre Tracts of Land from Agricultural (A) to Multi-Family (R-3) and Medium Commercial (C-2); Making Findings of Fact; and Providing for Related Matters.

The City staff's recommendation was that the City Council approve the second and final reading of Ordinance No. 545 for 18.67 acres of land out of the Gates G Survey No. 63, Abstract 315, locally known as 12511 and 12601 US Hwy 290 E, from Agricultural (A) to Multi-Family (R-3) and Medium Commercial (C-2) with the condition to cap affordable housing to 25% of dwelling units.

Council Member Hill inquired about the condition to cap affordable housing to 25% of dwelling units and the layout from Agriculture (A) to Medium Commercial (C-2).

City Manager Bolt explained that the request is only for the rezoning at this time and not for the layout of the project. He discussed the cap of 25% for affordable housing.

MOTION: Upon a motion made by Council Member Dr. Wallace Jr. and seconded by Council Member Dye the Council voted six (6) For and one (1) Against to approve the second and final reading of Ordinance No. 545 for 18.67 acres of land out of the Gates G Survey No. 63, Abstract 315, locally known as 12511 and 12601 US Hwy 290 E, from Agricultural (A) to Multi-Family (R-3) and Medium Commercial (C-2) with the condition to cap affordable housing to 25% of dwelling units. Council Member Hill voted against. The motion carried.

PUBLIC HEARINGS

- 5. Public Hearing and First Reading: Consideration, discussion and possible action on an ordinance rezoning 24.15 acres of land out of the James Manor Survey No. 40, Abstract 546, near Gregg Manor Road and Hill Lane and known as Las Entradas North, from Single Family (R-2) and Light Commercial (C-1) to Multi-Family (R-3) and Light Commercial (C-1). Applicant: Kimley-Horn & Assoc. Owner: Las Entradas Development Corporation**

Mayor Jonse opened the public hearing.

The City staff's recommendation was that the City Council postpone the public hearing and the first reading of an ordinance rezoning 24.15 acres of land out of the James Manor Survey No. 40, Abstract 546, near Gregg Manor Road and Hill Lane and known as Las Entradas North, from Single Family (R-2) and Light Commercial (C-1) to Multi-Family (R-3) and Light Commercial (C-1) to the August 21, 2019 Regular City Council Meeting.

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

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Hill the Council voted seven (7) For and none (0) Against to postpone the public hearing and the first reading of an ordinance rezoning 24.15 acres of land out of the James Manor Survey No. 40, Abstract 546, near Gregg Manor Road and Hill Lane and known as Las Entradas North, from Single Family (R-2) and Light Commercial (C-1) to Multi-Family (R-3) and Light Commercial (C-1) to the August 21, 2019, Regular City Council Meeting. The motion carried unanimously.

6. Public Hearing and First Reading: Consideration, discussion and possible action on an ordinance rezoning 0.56 acres of land out of the James Manor Survey No. 40, Abstract 546, locally known as 430 West Parsons Street, from Single Family (R-1) to Light Commercial (C-1). Applicant: Rene Maruri Avilez Owner: Rene Maruri Avilez

Mayor Jonse opened the public hearing.

The City staff's recommendation was that City Council conduct a public hearing and approve the first reading of an ordinance rezoning 0.56 acres of land out of the James Manor Survey No. 40, Abstract 546, locally known as 430 West Parsons Street, from Single Family (R-1) to Light Commercial (C-1).

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

Council Member Burrell expressed his concerns regarding the rezoning in that location. He discussed the City staff's recommendations at the P&Z Commission meetings. He stated that when he was on the P&Z Commission at times, they did not have the opportunity to address rezoning issues due to staff's recommendations.

Council Member Burrell asked Council Member Dr. Wallace Jr., if he was ever given instructions by City staff on items that needed to be approved prior to the P&Z Commission meetings when he was part of the Commission. Council Member Dr. Wallace Jr. stated that items were presented as they are presented to Council in Regular Meetings with staff's recommendations only. He stated he was never directed to vote a certain way on any items prior to P&Z Commission meetings. Council Member Dr. Wallace stated items were also voted against even if city staff recommended approval.

Council Member Burrell stated the location was still too dangerous for the rezoning request.

Maricela Ponce, 430 W. Parsons St., Manor, Texas, spoke before City Council in support of this item. Ms. Ponce discussed her views regarding the potential for light commercial development in that location.

Council Member Dr. Wallace Jr. inquired about the 20/30-year Economic Development Plan for Lexington and Parson area. City Manager Bolt stated that Parson Street would eventually be another gateway to the city. He discussed the future development of the extension of Gregg Manor. He stated staff had always supported the commercial zoning for that area due to the current economic changes.

The discussion was held regarding the Economic Development Plan for the Lexington Street and Parson Street area.

The discussion was held regarding the C-1 requirements for development.

City Manager Bolt discussed the temporary uses that are currently in place on Parson St.

The discussion was held regarding the flood plain limitations on the area.

Mayor Pro Tem Amezcua inquired about the residential homes located in that area. City Manager Bolt stated that the residential homes in the area were currently vacant.

The discussion was held regarding other categories of rezoning in that location.

Council Member Hill inquired about the neighbors next to the property in questioned.

Ms. Ponce stated that one property was vacant, and the owner planned to request for rezoning to C-1 as well in the near future.

MOTION: Upon a motion made by Council Member Hill and seconded by Council Member Dye the Council voted seven (7) For and none (0) Against to close the Public Hearing. The motion carried unanimously.

MOTION: Upon a motion made by Council Member Weir and seconded by Mayor Pro Tem Amezcua the Council voted seven (7) For and none (0) Against to postpone the first reading of an ordinance rezoning 0.56 acres of land out of the James Manor Survey No. 40, Abstract 546, locally known as 430 West Parsons Street, from Single Family (R-1) to Light Commercial (C-1) until further clarification on the supermajority vote to overrule the Planning and Zoning Commission recommendations.

- 7. Public Hearing and First Reading: Consideration, discussion and possible action on an ordinance amending Ordinance 459 Manor Commons East Planned Unit Development to repeal and replace Exhibit A to rezone 14.64 acres from Commercial-PUD to Commercial PUD/Multi-Family, being located near the intersection of N. FM 973 and Old Hwy 20. Applicant: ALM Engineering, Inc. Owner: Greenview Development 973, LP.**

Mayor Jonse opened the public hearing.

The City staff's recommendation was that the City Council conduct a public hearing and approve the first reading of an ordinance amending Ordinance 459 Manor Commons East Planned Unit Development to repeal and replace Exhibit A to rezone 14.64 acres from Commercial-PUD to Commercial PUD/Multi-Family, being located near the intersection of N. FM 973 and Old Hwy 20.

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

City Manager Bolt discussed the amendment to Ordinance No. 459 for the 14.64 acres from Commercial-PUD to Commercial PUD/Multi-Family

The discussion was held regarding the expansion of FM 973.

MOTION: Upon a motion made by Council Member Hill and seconded by Mayor Pro Tem Amezcua the Council voted seven (7) For and none (0) Against to close the Public Hearing. The motion carried unanimously.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Dye the Council voted six (6) For and one (1) Against to approve the first reading of an ordinance amending Ordinance 459 Manor Commons East Planned Unit Development to repeal and replace Exhibit A to rezone 14.64 acres from Commercial-PUD to Commercial PUD/Multi-Family, being located near the intersection of N. FM 973 and Old Hwy 20. Council Member Hill voted against. The motion carried.

REGULAR AGENDA

8. Consideration, discussion, and possible action on the Annual Audit of the Basic Financial Statements of the City of Manor, Texas for the year ended September 30, 2018.

The City staff's recommendation was that the City Council accept and approve the Annual Audit of the Basic Financial Statements of the City of Manor, Texas for the year ended September 30, 2018.

Lydia Collins, Director of Finance, was available to address any questions posed by the City Council.

Jeremy Myers with Atchley & Associates, 1005 La Posada Drive, Austin, Texas, spoke before City Council regarding the audit findings for the City of Manor. Mr. Myers discussed GASB 75 regarding the city pension benefits. He stated overall the audit was very successful and there were no concerns at this time. He thanked City staff for their help throughout the audit process.

Council Member Dr. Wallace Jr. inquired about the significant amount of difference between the expenses of Streets; Municipal Court; and Sanitation for Governmental Activities from 2017 to 2018.

Director of Finance Collins explained the short fall on the amount for streets was due to the weather and the project was not completed as projected.

Mr. Myers stated that the Budget Amendment was accepted and approved with the short fall amounts recorded for the street project delay.

The discussion was held regarding the budget amounts for Municipal Court Expenditures. Director of Finance Collins discussed the expenditures of three (3) attorney judges and training for court bailiffs. She stated due to the addition of staff and training the expenditures for the court department increased.

Mayor Jonse thanked Mr. Myers for his services. Mr. Myers also stated there were no Audit Findings for the fiscal year ending in 2018.

MOTION: Upon a motion made by Council Member Dr. Wallace Jr. and seconded by Mayor Pro Tem Amezcua Council voted seven (7) For and none (0) Against to accept and approve the Annual Audit of the Basic Financial Statements of the City of Manor, Texas for the year ended September 30, 2018. The motion carried unanimously.

9. Consideration, discussion, and possible action on a waiver request for Manor Heights Subdivision from Manor Code of Ordinances, Chapter 10, Article III, Section 41(b)(1) Drainage Improvements to only waive the requirements of Section 1.2.2(D) of the City of Austin's Drainage Criteria Manual. Applicant: Kimley-Horn & Associates. Owner: Sky Village Kimbro Estates, LLC.

The City staff's recommendation was that the City Council approve a waiver request for Manor Heights Subdivision from Manor Code of Ordinances, Chapter 10, Article III, Section 41(b)(1) Drainage Improvements to only waive the requirements of Section 1.2.2(D) of the City of Austin's Drainage Criteria Manual.

City Manager Bolt discussed the drainage waiver request for Manor Heights Subdivision.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Burrell the Council voted seven (7) For and none (0) Against to approve a waiver request for Manor Heights Subdivision from Manor Code of Ordinances, Chapter 10, Article III, Section 41(b)(1) Drainage Improvements to only waive the requirements of Section 1.2.2(D) of the City of Austin's Drainage Criteria Manual. The motion carried unanimously.

10. Acknowledge the resignation of Planning and Zoning Commissioner Gil Burrell, Place No. 3 and declare a vacancy.

The City staff's recommendation was that the City Council acknowledge the resignation of Planning and Zoning Commissioner Gil Burrell, Place No. 3 and declare a vacancy.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Dye the Council voted seven (7) For and none (0) Against to acknowledge the resignation of Planning and Zoning Commissioner Gil Burrell, Place No. 3 and declare a vacancy. The motion carried unanimously.

11. Acknowledge the resignation of Planning and Zoning Commissioner Mike Burke, Place No. 4 and declare vacancy.

The City staff's recommendation was that the City Council acknowledge the resignation of Planning and Zoning Commissioner Mike Burke, Place No. 4 and declare vacancy.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Dr. Wallace Jr. the Council voted seven (7) For and none (0) Against to acknowledge the resignation of Planning and Zoning Commissioner Mike Burke, Place No. 4 and declare vacancy. The motion carried unanimously.

Mayor Jonse adjourned the regular session of the Manor City Council into Executive Session at 7:46 p.m. Wednesday, July 17, 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 551.087, Texas Government Code, to deliberate an offer of financial or economic development incentive.* at 7:46 p.m., on Wednesday, July 17, 2019, City Council Conference Room of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

The Executive Session was adjourned at 8:10 p.m. on Wednesday, July 17, 2019.

OPEN SESSION

The City Council reconvene into Open Session to take action as determined appropriate in the City Council's discretion regarding an offer of financial or other economic development incentive at 8:10 p.m. on Wednesday, July 17, 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.


There was no action taken.

ADJOURNMENT

The Regular Session of the Manor City Council Adjourned at 8:10 p.m. on Wednesday, July 17, 2019.


These minutes approved by the Manor City Council on the 7th day of August 2019.

APPROVED:



Rita G. Jonse
Mayor

ATTEST:


Lluvia T. Almaraz, TRMC
City Secretary