



Dr. Larry Wallace Jr., Mayor
Emily Hill, Place 1
Maria Amezcua, Place 2
Dr. Christopher Harvey, Place 3
Danny Scarbrough, Place 4
Deja Hill, Mayor Pro Tem, Place 5
Valerie Dye, Place 6

**CITY COUNCIL
REGULAR MEETING
AGENDA**

Wednesday, February 5, 2020

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

PRESENTATION

Tiny Library Presentation by Eagle Scout Colton Dwyer

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:
Lluvia T. Almaraz,
City Secretary
 - January 15, 2020, Called Special Session; and
 - January 15, 2020, Regular Meeting

REGULAR AGENDA

2. Consideration, discussion, and possible action on an award of a construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements Phase 2 Project.
Frank T. Phelan, P.E.,
City Engineer
3. Consideration, discussion and possible action for a variance request under Manor Code of Ordinances, Chapter 8, Article 8.03 Sex Offender Residency.
Thomas Bolt,
City Manager

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 Evaluation*

OPEN SESSION

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

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, January 31, 2020, by 5:00 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

/s/ Lluvia T. Almaraz, 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

Little Free Library Proposal



Boy Scout Colton Dwyer

Eagle Scout Rank and Project

The Rank of Eagle Scout is the highest rank a Boy Scout can achieve.

To obtain the Eagle Scout Rank, each aspiring scout must complete a long list of requirements, one of the biggest being a community service project, completely supervised and organized by the scout.



What is a Little Free Library?

A Little Free Library is a small, public containment unit for books and magazines.

The LFL works off of an honor system in which anyone is allowed to take a book and leave a book, similar to a book exchange.

The LFL is 100% free to anyone wanting to participate and requires no membership or ID.



Little Free Library 501 Nonprofit



The materials to build the containment unit will be provided by Little Free Library, which allows you to purchase the parts to construct the containment unit.

Any money needed to purchase parts, etc. will be funded by donations.

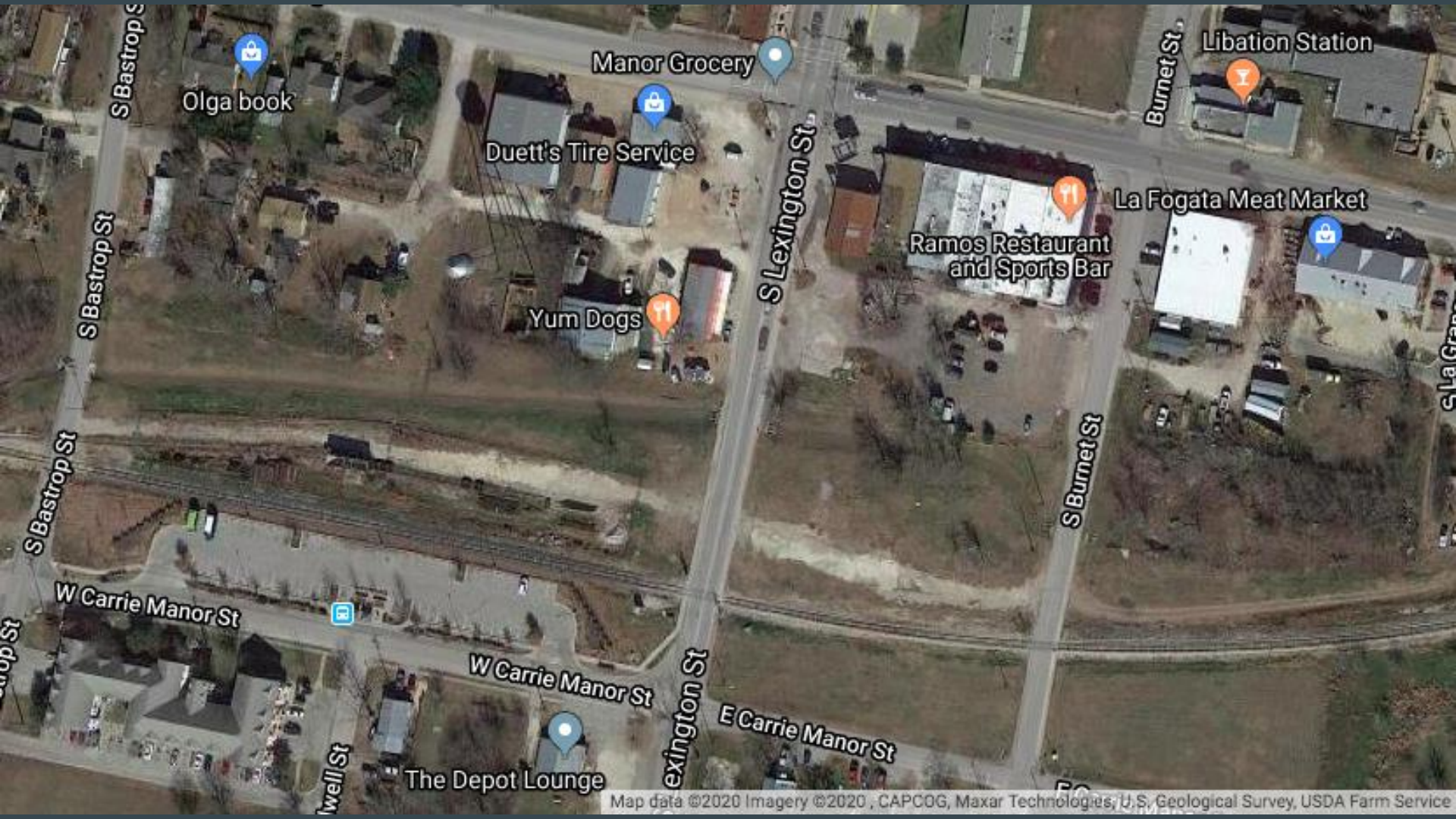
The initial deposit of books, will be collected through a book drive held at the troop as well, and the containment unit will be assembled by volunteer scouts wishing to earn service hours.

Why Little Libraries?

- Increase accessibility to books for the entire community
- Foster healthy communal traditions and discussions
- Access to books increases public literacy

Location, Location, Location

- Public Space
- Near Transportation
- Well Lit
- Safe!



Olga book

Manor Grocery

Duett's Tire Service

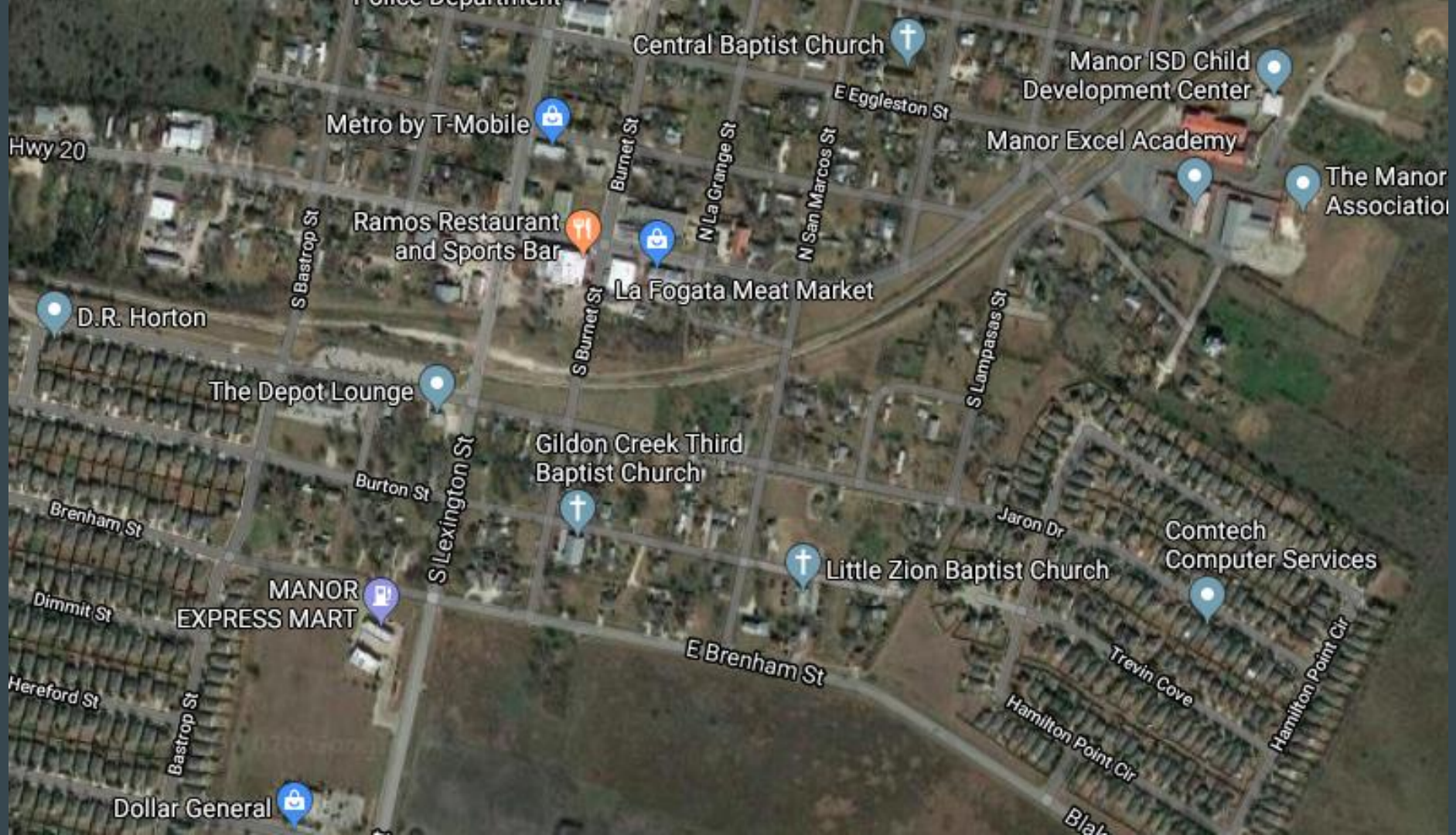
Yum Dogs

Ramos Restaurant
and Sports Bar

La Fogata Meat Market

Libation Station

The Depot Lounge



Central Baptist Church

Manor ISD Child Development Center

Manor Excel Academy

The Manor Association

Metro by T-Mobile

Ramos Restaurant and Sports Bar

La Fogata Meat Market

D.R. Horton

The Depot Lounge

Gildon Creek Third Baptist Church

Little Zion Baptist Church

Comtech Computer Services

MANOR EXPRESS MART

Dollar General

What Next?



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: February 5, 2020

PREPARED BY: Lluvia T. Almaraz, City Secretary

DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

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

- January 15, 2020, Called Special Session; and
- January 15, 2020, Regular Meeting

BACKGROUND/SUMMARY:

PRESENTATION: YES NO

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

January 15, 2020, Called Special Session

January 15, 2020, Regular Meeting

STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council approve the City Council Minutes of the January 15, 2020, Called Special Session; and January 15, 2020, Regular Meeting.

PLANNING & ZONING COMMISSION: RECOMMENDED APPROVAL DISAPPROVAL NONE



**CITY COUNCIL
CALLED SPECIAL SESSION MINUTES
JANUARY 15, 2020**

PRESENT:

Dr. Larry Wallace Jr., Mayor

COUNCIL MEMBERS:

Emily Hill, Place 1
Maria Amezcua, Place 2
Dr. Christopher Harvey, Place 3
Danny Scarbrough, Place 4
Deja Hill, Mayor Pro Tem, Place 5
Valerie Dye, Place 6

CITY STAFF:

Thomas Bolt, City Manager
Lluvia T. Almaraz, City Secretary

SPECIAL SESSION – 6:00 P.M.

With a quorum of the Council Members present, the special session of the Manor City Council was called to order by Mayor Dr. Larry Wallace Jr. at 6:00 p.m. on Wednesday, January 15, 2020, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

PLEDGE OF ALLEGIANCE

At the request of Mayor Dr. Wallace Jr., Council Member Dye, led the Pledge of Allegiance.

REGULAR AGENDA

1. Interview Candidates for appointment to the Charter Review Committee.

Mayor and City Council interviewed the following Candidates:

- Craig Smith
- John Burrell
- Ruben J. Cardona

- Delisa Hamilton
- Jennifer Wissmann
- Joshua Abraham Hay
- Adriana Gamez
- Maria Denise Benitez

2. Consideration, discussion, and possible action on the appointment of seven (7) members to the Charter Review Committee for a six-month term.

MOTION: Upon a motion made by Council Member Scarbrough and seconded by Council Member Dye, the Council voted seven (7) “ayes” and no (0) “nays” to appoint John Burrell; Ruben J. Cardona; Delisa Hamilton; Jennifer Wissmann; Joshua Abraham Hay; Adriana Gamez; and Maria Denise Benitez to the Charter Review Committee for a six-month term. The motion carried unanimously.

ADJOURNMENT

The Special Session of the Manor City Council Adjourned at 6:57 p.m. on Wednesday, January 15, 2020.

These minutes approved by the Manor City Council on the 5th day of February 2020.

APPROVED:

Dr. Larry Wallace Jr.
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary



**CITY COUNCIL
REGULAR SESSION MINUTES
JANUARY 15, 2020**

PRESENT:

Dr. Larry Wallace Jr., Mayor

COUNCIL MEMBERS:

Emily Hill, Place 1
Maria Amezcua, Place 2
Dr. Christopher Harvey, Place 3
Danny Scarbrough, Place 4
Deja Hill, Mayor Pro Tem, Place 5
Valerie Dye, Place 6

CITY STAFF:

Thomas Bolt, City Manager
Lluvia T. Almaraz, City Secretary
Ryan Phipps, Chief of Police
Lydia Collins, Director of Finance
Scott Dunlop, Assistant Development Services Director
Debbie Charbonneau, Community Development Manager
Sarah Friberg, Court Administrator
Michael Tuley, Public Works Director
Tracey Vasquez, HR Coordinator

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 Dr. Larry Wallace Jr. at 7:00 p.m. on Wednesday, January 15, 2020, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

PLEDGE OF ALLEGIANCE

At the request of Mayor Dr. Wallace Jr., Chief of Police Phipps, led the Pledge of Allegiance.

PRESENTATIONS

Recognitions of outgoing Associate Judge Mark Goodner; and Presiding Judge Robby Chapman, presented by Mayor Dr. Wallace Jr.

Mayor Dr. Wallace Jr., presented the recognition awards to outgoing Associate Judge Mark Goodner; and Presiding Judge Robby Chapman.

PROCLAMATIONS

A. Declaring the Month of January, as “National Mentor Month”

Mayor Dr. Wallace Jr., read and presented a proclamation declaring the month of January, as “National Mentor Month” to Mayra Hernandez, Mentor Coordinator for Manor ISD.

B. Declaring Monday, January 20, 2020, as “Martin Luther King, Jr. Day”

Mayor Dr. Wallace Jr., read and presented a proclamation declaring Monday, January 20, 2020, as “Martin Luther King, Jr. Day” to Council Member Dr. Harvey.

C. Declaring the Month of February, as “Black History Month”

Mayor Dr. Wallace Jr., read and presented a proclamation declaring the month of February, as “Black History Month” to Mayor Pro Tem Deja Hill.

PUBLIC COMMENTS

William Willner, 202 W. Wheeler Street, Manor, Texas, spoke before City Council regarding the drainage issues on his property. He expressed his concerns regarding the road erosion by his property. Mr. Willner also spoke on behalf of his neighbor Mr. Joe Banda, who is requesting a proper study be completed by the City to address the drainage issues on the city road.

Vicki McFarland, P.O. Box 936, Manor, Texas, spoke before City Council regarding the Manor Free Clinic. She announced the Free Medical Clinic would be open on Saturday, January 18th from 9am – 2pm at Oak Meadows Elementary School. She thanked all sponsors that have reached out to support the clinic and the City of Manor. Council Member Amezcua thanked Ms. McFarland for all her support on all organizations she’s involved with.

No one else appeared to speak at this time.

CONSENT AGENDA

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

- **December 14, 2019, Retreat - Workshop Session; and**
- **December 18, 2019, Regular Meeting**

2. Consideration, discussion, and possible action on the acceptance of the December 2019 Departmental Reports:

- **Police – Ryan Phipps, Chief of Police**
- **Development Services – Scott Dunlop, Assistant Dev. Services Director**
- **Community Development – Debbie Charbonneau, Community Dev. Manager**
- **Municipal Court – Sarah Friberg, Court Clerk**
- **Public Works – Michael 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 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 Pro Tem Deja Hill inquired about the zoning on Item 3. City Manager Bolt confirmed and stated the first reading was approved at the December 18, 2019, regular meeting.

MOTION: Upon a motion made by Council Member Scarbrough and seconded by Council Member Amezcua, the Council voted six (6) “ayes” and one (1) “nays” to approve and adopt all items on the Consent Agenda. Mayor Pro Tem Deja Hill voted against. The motion carried

PUBLIC HEARING

4. Public Hearing: Conduct a public hearing upon an Ordinance rezoning 0.675 acres more or less, located at 10814 US Hwy 290 East, Manor, TX, from Light Commercial (C-1) to Medium Commercial (C-2).

Mayor Dr. Wallace Jr., opened the public hearing.

The City staff recommended that the City Council postpone the public hearing to the February 19, 2020, Regular Council Meeting.

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

MOTION: Upon a motion made by Council Member Dr. Harvey and seconded by Council Member Hill, the Council voted seven (7) “ayes” and no (0) “nays” to postpone the Public Hearing to the February 19, 2020, Regular Council Meeting. The motion carried unanimously.

REGULAR AGENDA

5. **First Reading: Consideration, discussion, and possible action on an ordinance rezoning 0.675 acres more or less, located at 10814 US Hwy 290 East, Manor, TX, from Light Commercial (C-1) to Medium Commercial (C-2). Applicant: Kimley-Horn and Associates. Owner: Cottonwood Holdings, LTD**

The City staff recommended that the City Council postpone the first reading of an ordinance rezoning 0.675 acres more or less, located at 10814 US Hwy 290 East, Manor, TX, from Light Commercial (C-1) to Medium Commercial (C-2) to the February 19, 2020, Regular Council Meeting.

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

MOTION: Upon a motion made by Council Member Scarbrough and seconded by Council Member Dr. Harvey, the Council voted seven (7) “ayes” and no (0) “nays” to postpone the first reading of an ordinance rezoning 0.675 acres more or less, located at 10814 US Hwy 290 East, Manor, TX, from Light Commercial (C-1) to Medium Commercial (C-2) to the February 19, 2020, Regular Council Meeting. The motion carried unanimously.

6. **Consideration, discussion and possible action on a resolution approving determination of Multiple Use Agreements – TXDOT.**

The City staff recommended that the City Council approve Resolution No. 2020-01 authorizing the termination of the Multiple Use Agreement between the State and the City of Manor dated May 20, 2009; and the termination of the Multiple Use Agreement between the State and the City of Manor dated June 15, 2011.

City Manager Bolt discussed the termination of Multiple Use Agreements with TXDOT.

The discussion was held regarding the termination of agreements.

MOTION: Upon a motion made by Council Member Dye and seconded by Council Member Amezcua, the Council voted seven (7) “ayes” and no (0) “nays” to approve Resolution No. 2020-01 authorizing the termination of the Multiple Use Agreement between the State and the City of Manor dated May 20, 2009; and the termination of the Multiple Use Agreement between the State and the City of Manor dated June 15, 2011. The motion carried unanimously.

7. **Consideration, discussion, and possible action on entering into a service agreement with Atchley & Associates for performing an audit of the financial statements of the City of Manor.**

The City staff recommended that the City Council approve a service agreement with Atchley & Associates; and Authorize the City Manager to sign the engagement letter.

At the direction of City Manager Bolt, Finance Director Collins discussed the service agreement with Atchley & Associates regarding the audit services for the City of Manor.

The discussion was held regarding the communication with Council regarding audit findings.

The discussion was held regarding the years of service with Atchley & Associates.

The discussion was held regarding the cost of audit services with Atchley & Associates.

The discussion was held regarding the auditors with Atchley & Associates.

MOTION: Upon a motion made by Council Member Scarbrough and seconded by Council Member Dye, the Council voted seven (7) “ayes” and no (0) “nays” to approve a service agreement with Atchley & Associates; and Authorize the City Manager to sign the engagement letter. The motion carried unanimously.

8. Consideration, discussion, and possible action on an appointment to serve as the Capital Area Council of Governments (CAPCOG) General Assembly Representative for the City of Manor.

The City staff recommended that the City Council appoint Mayor Dr. Larry Wallace Jr., to serve as the Capital Area Council of Governments (CAPCOG) General Assembly Representative for the City of Manor.

City Manager Bolt discussed the organization of Capital Area Council of Governments (CAPCOG).

The discussion was held regarding the responsibilities of the representative for the City of Manor with CAPCOG.

Mayor Dr. Wallace Jr. asked if any other Council was interested in serving on the board. Council Member Scarbrough stated he would like to be considered for appointment.

Mayor Dr. Wallace Jr. opened the floor for Council to rescind the motion given.

There was no rescinded motion.

MOTION: Upon a motion made by Council Member Dye and seconded by Council Member Amezcua, the Council voted seven (7) “ayes” and no (0) “nays” to appoint Mayor Dr. Larry Wallace Jr., to serve as the Capital Area Council of Governments (CAPCOG) General Assembly Representative for the City of Manor. The motion carried unanimously.

9. Consideration, discussion, and possible action upon a Concept Plan for IDEA- Manor, one (1) lot on 13.19 acres more or less, located near N. FM 973 and Suncrest Road, Manor, TX. Applicant: Pape-Dawson Engineers. Owner: IDEA Public Schools.

The City staff recommend that the City Council approve a Concept Plan for IDEA-Manor, one (1) lot on 13.19 acres more or less, located near N. FM 973 and Suncrest Road, Manor, TX.

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

City Manager Bolt discussed the Concept Plan for IDEA-Manor.

The discussion was held regarding the subdivision concept plan process.

The discussion was held regarding the timeline of the development.

The discussion was held regarding the Traffic Impact Analysis (TIA) requirements.

Council Member Dr. Harvey discussed his concerns regarding the additional traffic issues FM 973 would have with this development.

The discussion was held regarding TXDOT permitting process for state roads.

Mayor Dr. Wallace Jr., expressed his concerns regarding economic development in the area and how the development would impact other businesses.

The discussion was held regarding the County's involvement with the development.

The discussion was held regarding the attraction to other potential businesses for the area.

The discussion was held regarding the process for traffic control after development.

Asst. Development Director Dunlop explained how all City requirements would be set on the development agreement.

The discussion was held regarding the potential impact on emergency services.

Council Member Dr. Harvey suggested for the City to conduct talking points with the community regarding the development.

City Manager Bolt stated the development agreement would be presented to Council for approval. He stated Council would have the opportunity at that time to address issues.

MOTION: Upon a motion made by Council Member Dye and seconded by Council Member Scarbrough, the Council voted seven (7) “ayes” and no (0) “nays” to approve a Concept Plan for IDEA-Manor, one (1) lot on 13.19 acres more or less, located near N. FM 973 and Suncrest Road, Manor, TX. The motion carried unanimously.

10. First Reading: Consideration, discussion, and possible action on an amendment to the Manor Code of Ordinances Chapter 14 Zoning to amend sections General including Application, and Definitions; Zoning District and Regulations including General Requirements and Limitations, Zoning of Annexed Areas, and Establishment of Zoning Districts; Construction Plans; Conditional Use Permits; Nonconforming Uses; Sexually Oriented Businesses; and other related matters.

The City staff recommended that the City Council postpone this item to the February 19, 2020, Regular Council Meeting.

MOTION: Upon a motion made by Council Member Scarbrough and seconded by Council Member Amezcua, the Council voted seven (7) “ayes” and no (0) “nays” to postpone this item to the February 19, 2020, Regular Council Meeting. The motion carried unanimously.

ADJOURNMENT

The Regular Session of the Manor City Council Adjourned at 8:02 p.m. on Wednesday, January 15, 2020.

These minutes approved by the Manor City Council on the 5th day of February 2020.

APPROVED:

Dr. Larry Wallace Jr.
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: February 5, 2020

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

DEPARTMENT: City Engineer

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on an award of a construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements Phase 2 Project.

BACKGROUND/SUMMARY:

The project includes the construction of a new lift station and an expansion/improvements to an existing lift station. The lift stations will pump wastewater across the City from the Gilliland Creek basin to the Wilbarger basin for treatment at the expanded Wilbarger Creek Wastewater Treatment Plant.

PRESENTATION: YES NO

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

Letter of Award Recommendation
Bid Tabulation
Agreement

STAFF RECOMMENDATION:

It is City staff's recommendation that the City Council award a construction contract to Austin Engineering Company Inc. for the Wilbarger Creek Wastewater Treatment and Collection System Phase 2 project.

PLANNING & ZONING COMMISSION: RECOMMENDED APPROVAL DISAPPROVAL NONE

JAY ENGINEERING COMPANY, INC.
P.O. Box 1220 (512) 259-3882
Leander, TX 78646 Fax 259-8016
Texas Registered Engineering Firm F-4780

January 28, 2020

Honorable Dr. Larry Wallace Jr., Mayor
City of Manor
P.O. Box 387
Manor, TX 78653

Re: Wilbarger Creek Wastewater Treatment and Collection System Improvements Phase 2
Letter of Award Recommendation

Dear Mayor Wallace:

Bids were publicly opened and read on January 21, 2020 for the above referenced project. As reflected on the attached Bid Tabulation, three (3) bids were received. The lowest, responsive, responsible bidder is Austin Engineering Company, Inc. We have contacted this bidder and confirmed he wants the contract at the amount bid.

As a result of our evaluation, and verification of contractor references, we hereby recommend the City award a construction contract to Austin Engineering Company, Inc. in the amount of \$1,931,100.00 for all Base Bid work, with final amounts dependent on actual installed quantities. The project is to be funded with Community Impact Fee funds and is within the fundable range.

We have prepared a Notice of Award and Agreement for execution by you in the event the City Council votes to follow this recommendation. Once the Contractor signs the Agreement and all bond and insurance requirements have been satisfied, a Notice to Proceed will be issued. Under the General Conditions of the Agreement, the Contractor shall begin construction within ten (10) days of the notice to proceed and substantially complete the project within two hundred and ten (210) calendar days, excluding any justified delays.

Please let us know if you have any questions in this regard.

Sincerely,



Frank T. Phelan, P.E.

FTP/s

Attachment

PN: 100-068-20

BID TABULATION

Bid Date: 1/21/2020

Project: Wilbarger Creek Wastewater Treatment and Collection System Improvements Phase 2

Owner: City of Manor, Texas

Engineer: Jay Engineering Company, Inc.

Checked By Frank T. Phelan, P.E.

Bid Item	1	2	3	4	5	6	
Description	Stormwater Pollution Prevention Plan, including plan, notices, inspections and maintenance, complete and in place per Lump Sum	Engineered Trench Safety Plan, complete and in place per Lump Sum	Bypass pumping plan and bypass pumping, complete and in place per Lump Sum	Radio Telemetry SCADA system, including all SCADA integrator equipment and services as specified in Division 11, Section D of the project specifications, complete and in place per the Lump Sum bid allowance amount	Carrie Manor Lift station, including E&S controls, site work, foundations, wet well, pumps, valves, manholes, piping, structures, VFDs electrical work, controls, SCADA system, genset, ATS, chemical feed system, jib crane hoist, fencing, access road, restoration and revegetation, and all appurtenances, complete and in place per Lump Sum	Creekside Lift Station improvements, including E&S controls, site work, foundations, wet well, pumps, piping, VFDs, electrical work, controls, genset, ATS, jib crane, hoist, fencing, access road, restoration, and all appurtenances, complete and in place per Lump Sum	Total of Bid Items
Quantity	1	1	1	1	1	1	
Unit	LS	LS	LS	LS	LS	LS	
Bidder							
Austin Engineering Co., Inc. 3317 Ranch Road 620 North Austin, Texas 78734	Unit Price \$4,500.00	Unit Price \$20,000.00	Unit Price \$20,000.00	Unit Price \$21,600.00	Unit Price \$1,075,000.00	Unit Price \$790,000.00	\$1,931,100.00
	Item Cost \$4,500.00	Item Cost \$20,000.00	Item Cost \$20,000.00	Item Cost \$21,600.00	Item Cost \$1,075,000.00	Item Cost \$790,000.00	
Excel Construction Services, LLS 1202 Leander Drive Leander, Texas 78641	Unit Price \$5,000.00	Unit Price \$40,000.00	Unit Price \$75,000.00	Unit Price \$21,600.00	Unit Price \$1,210,200.00	Unit Price \$977,000.00	\$2,328,800.00
	Item Cost \$5,000.00	Item Cost \$40,000.00	Item Cost \$75,000.00	Item Cost \$21,600.00	Item Cost \$1,210,200.00	Item Cost \$977,000.00	
Keystone Construction PO Box 90398 Austin, Texas 78709	Unit Price \$10,000.00	Unit Price \$20,000.00	Unit Price \$10,000.00	Unit Price \$21,600.00	Unit Price \$1,300,000.00	Unit Price \$1,200,000.00	\$2,561,600.00
	Item Cost \$10,000.00	Item Cost \$20,000.00	Item Cost \$10,000.00	Item Cost \$21,600.00	Item Cost \$1,300,000.00	Item Cost \$1,200,000.00	

AGREEMENT

STATE OF TEXAS)(

COUNTY OF TRAVIS)(

THIS AGREEMENT, made and entered into this 5th day of February AD 2020, by and between the City of Manor, Texas, a general law city and municipal corporation, with principal offices located at 105 E. Eggleston St., Manor, Texas 78653, hereinafter termed OWNER, or CITY and Austin Engineering Company, Inc. a Type C Corporation, with principal offices located at 3317 Ranch Road 620 North, Austin, TX 78734 hereinafter termed CONTRACTOR.

WITNESSETH: That for and in consideration of the mutual terms, conditions, and covenants of this Agreement and the accompanying documents between Owner and Contractor and for and in consideration of payments as set forth therein, Contractor hereby agrees with the said Owner to commence and complete the following Project:

**WILBARGER CREEK WASTEWATER TREATMENT
AND COLLECTION SYSTEM IMPROVEMENTS PHASE 2
FOR THE CITY OF MANOR, TEXAS**

for all base bid work and all extra work in connection therewith, under the terms as stated in the Contract Documents and at CONTRACTOR's own proper cost and expense to furnish all the materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and other accessories and services necessary to construct and complete WILBARGER CREEK WASTEWATER TREATMENT AND COLLECTION SYSTEM IMPROVEMENTS PHASE 2 (the "Project" or "Work"), in accordance with the Contractor's Proposal, Instructions to Bidders, Special Provisions, Supplementary Conditions, General Conditions, Performance bond, Payment bond, Drawings, Plans and Technical Specifications and other drawings and printed or written explanatory matter thereof, and the addenda therefore, as prepared by Jay Engineering Company, Inc. herein entitled the ENGINEER, and approved by the OWNER, all of which are made a part hereof and collectively evidence and constitute the entire contract (the "Contract Documents").

The CONTRACTOR hereby agrees to commence work within **ten (10)** days after the date written notice to do so shall have been given to him, and to complete work within:

Base Bid Work– TWO HUNDRED TEN (210) calendar days for substantial completion of lift stations.

Base Bid Work– TWO HUNDRED FORTY (240) calendar days for final completion of all work.

after the date specified in the written Notice To Proceed.

Waiver of any breach of this Agreement shall not constitute waiver of any subsequent breach.

The OWNER agrees to pay the CONTRACTOR, for satisfactory performance of this Agreement, in current funds the price or prices shown in the Contractor's Proposal, which forms a part of this contract, such payments to be subject to proper completion of the contract, in the total amount of \$1,931,100.00 (One Million Nine Hundred Thirty-One Thousand One Hundred Dollars and no Cents), subject to proper additions and deductions (the "Contract Amount"), all as provided in the General Conditions of this Agreement. The financial obligations of the City under

this Agreement shall be paid from current funds and shall be subject to funds being appropriated and budgeted in sufficient amounts to satisfy such obligations.

Although drawn by the OWNER, both parties hereto expressly agree and assert that in the event of any dispute over its meaning or application, this Agreement shall be interpreted reasonably and fairly, and neither more strongly for nor against either party.

The CONTRACTOR agrees that time is of the essence on this contract and that for each calendar day of delay beyond the time established for completion of the work specified and contracted for, the Owner may withhold permanently from the CONTRACTOR'S compensation the sum of **One Thousand Dollars (\$1,000.00)** as stipulated liquidated damages for delay.

In accordance with Chapter 2270, Texas Government Code, the CITY may not enter into a contract with a company for goods and services unless the contract contains a written verification from the company that it: (a) does not boycott Israel; and (2) will not boycott Israel during the term of the contract. The signatory executing this contract on behalf of the company verifies that CONTRACTOR does not boycott Israel and will not boycott Israel during the term of this Agreement.

IN WITNESS WHEREOF, both parties have caused this Agreement to be signed in their respective corporate names by duly authorized representatives, and the parties hereby bind themselves, their successors and assigns for the faithful and full performance of the terms and provisions hereof.

EXECUTED on the latest date of the signatories indicated below

OWNER

CONTRACTOR

By: _____

By: _____

Title: Mayor, City of Manor

Title: _____

Printed Name: _____

Printed Name: _____

Date Signed: _____

Date Signed: _____

ATTEST:

ATTEST:

Lluvia T. Almaraz,
City Secretary, City of Manor



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: February 5, 2020

PREPARED BY: Thomas Bolt, City Manager

DEPARTMENT: Administration

AGENDA ITEM DESCRIPTION:

Consideration, discussion and possible action for a variance request under Manor Code of Ordinances, Chapter 8, Article 8.03 Sex Offender Residency.

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
