



**NOTICE OF A REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF SUNSET VALLEY, TEXAS
TUESDAY, FEBRUARY 15, 2022
6:00 P.M.**

Notice is hereby given that the City Council of the City of Sunset Valley, Texas will hold a regular meeting on Tuesday, the 15th day of February 2022 at 6:00 P.M. in the Council Chambers, Municipal Building, 3205 Jones Road, Sunset Valley, Texas.

Due to current COVID-19 restrictions and Travis County Order 2022-01, the number of public participants allowed into the Council Chambers may be limited. Under the current order, masks are required to enter City Hall. The public is encouraged to leave public comments via Open Town Hall here: <https://www.opentownhall.com/11621>. The comments will be read by the Council Members. Additionally, the public may livestream the meeting using this link: www.sunsetvalley.org/livestream.

On this date, the following items will be discussed, to-wit:

1. Call to order of the City Council.
2. Citizen/Public Communication
3. Staff Reports
 - A. [Administration](#)
 - B. [Public Works](#)
 - C. [Public Safety](#)
4. Council consideration of agenda items for approval on consent

Items Which May Be Considered and Acted on Consent

5. [Consider and act on approval of the minutes from the February 1-2, 2022 regular meeting. \(Mayor Bruner/Administration\)](#)
6. [Consider and act on authorizing Engineering Task Order #13 for replacement of the Highway 290 Wastewater Line in an amount not to exceed \\$45,000 to be funded from the FY22 CIP Project List. \(Mayor Pro tem Carmona/Public Works\)](#)

7. Consider and act on approval of a Proclamation declaring March 2022 as Spring Cleaning Month in Sunset Valley. (Mayor Bruner/Public Works)
8. Consider and act on approval of Guidelines for Display of Art in Public Places as recommended by the Sunset Valley Arts Commission. (Council Member Johnson/Administration)
9. Consider and act on acceptance of the 2021 Racial Profiling Report to be submitted to the Texas Commission on Law Enforcement. (Council Member Johnson/Public Safety)
10. Consider and act on changing the regular City Council meeting dates in March 2022 to the 8th and the 22nd. (Mayor Bruner/Administration)
11. Consider and act on approval of an Ordinance amending the Zoning Classification for 6405 Brodie Lane (SF to NC) and amending the City's Zoning Map as previously approved by City Council on February 1, 2022. (Mayor Bruner/Administration)

Presentation Items for Discussion and Possible Action

12. Consider and act on approval of an Ordinance amending the FY 2021 Budget (Budget Amendment #2 – FY 21) and appropriation of a budget surplus. (Council Members Litchfield and Rosengarten)
 - A. Budget Adjustment
 - B. Transfer/Subsidy Adjustment
 - C. Budget Sweep (informational only - no action)
13. Consider and act on appointments to the Parks and Open Space Plan Ad hoc Committee. (Mayor Bruner/Public Works)
14. Consider and act on amendment to Financial Policy (FP) 105 Establish Accountability in Budget Monitoring item (d) and (e) by allowing the City Administrator to make budget adjustments between departments when total expenditures do not increase the total department appropriation and creating a standard reporting timeframe and format. (Council Members Reetz and Rosengarten)

Executive Session Items – Possible Action in Open Session

15. Convene into Executive Session pursuant to Texas Government Code Section 551.071 and Texas Disciplinary Rules of Professional Conduct Section 1.05 to consult with the City's Legal Counsel concerning legal issues and/or Section 551.074, Personnel Matters.

- A. Consult with City's Legal Counsel and/or City Administrator regarding possible legal concerns related to Budget Adjustments and Financial Policies

16. Reconvene into Open Session

17. Adjourn

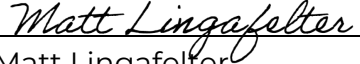
Executive Session Notice

Council may announce that it will deliberate in a closed session any matter listed on this agenda for which an exception to open meetings requirements (Open Meetings Act, Chapter 551 of the Texas Government Code) permits such closed deliberation, as announced at the time of such closed session, including but not limited to: (i) consultation with the City's attorney pursuant to Tex. Gov't Code § 551.071 and Texas Disciplinary Rules of Professional Conduct Section 1.05; (ii) deliberation of personnel matters pursuant to Tex. Gov't Code § 551.074. The City Council may deliberate and take action in open session on any issue that may be discussed in executive session.

Remote Participation Notice

AT THIS MEETING AT THE STATED LOCATION, A QUORUM OF THE CITY COUNCIL WILL BE PHYSICALLY PRESENT AND THIS NOTICE SPECIFIES THE INTENT TO HAVE A QUORUM PRESENT THERE, AND THE MEMBER OF THE CITY COUNCIL PRESIDING OVER THE MEETING WILL BE PHYSICALLY PRESENT AT THAT LOCATION. ONE OR MORE MEMBERS OF THE CITY COUNCIL MAY PARTICIPATE IN THIS MEETING REMOTELY, AND IF SO, VIDEOCONFERENCE EQUIPMENT PROVIDING TWO-WAY AUDIO AND VIDEO DISPLAY AND COMMUNICATION WITH EACH MEMBER WHO IS PARTICIPATING BY VIDEOCONFERENCE CALL WILL BE MADE AVAILABLE.

I certify that the above notice of meeting was posted at City Hall, 3205 Jones Road, Sunset Valley, Texas, on the 10th day of February 2022 at 6:00 P.M.



Matt Lingafelter
City Secretary

Administration Report

02.15.22



Council Information Requests	<p>FY22 Budget/Expense Reports – click here for the report</p> <p>Website Launch 2.22.22 – memo attached</p>
Issues	<ul style="list-style-type: none">• COVID-19 Protocols• Rescheduling Council Meetings in March (Agenda Item #10)
Resident Information Requests	N/A
Upcoming Meetings & Topics of Interest	<p>Zoning Commission 2.23.22</p> <ul style="list-style-type: none">• 6405 Brodie SUPs (Restaurant and Alcohol)• Short Term Rentals (may move to April agenda) <p>Board of Adjustment 3.02.22</p> <ul style="list-style-type: none">• 11 Sunset Variance Request• 6405 Brodie Landscaping Buffer <p>City Council Retreat 03.04-05.22</p> <ul style="list-style-type: none">• Strategic Planning
Upcoming Topics for Agenda or Discussion	<ul style="list-style-type: none">• Development Process Review• Document Management System/Archiving Files• Computer Equipment Purchases• Financial Policies and Procedures• 9 Sunset Trail Variance Request• Budget Planning

Development &
Commercial
Permitting Activity

- 6405 Brodie proposed development
 - Various commercial remodels
-

CITY COUNCIL MEETING DATE: FEBRUARY 15, 2022



ADMINISTRATION REPORT – WEBSITE UPDATE

STAFF PREPARER/CONTACT INFORMATION: Matt Lingafelter, Asst. to the City Admin. mlingafelter@sunsetvalley.org; Council Member Johnson, rjohnson@sunsetvalley.org

The new City of Sunset Valley Granicus Website will officially launch on February 22nd. Staff has been working to make sure that the new website is updated and working properly prior to the launch. And a special thank you to Council Member Johnson who has provided a great deal of technical support and expertise through this process. Also, another special thank you to former Council Member Karen Medicus, who was crucial in getting this project off the ground, and has continued to assist and attend meetings.

Much of the old content and pages from the former GovOffice website were migrated over by Granicus. This service was included in the contract for the new website – Granicus would migrate up to 200 pages of content. Unfortunately, because of the way we posted Council & Committee agendas, minutes and agenda packets, we created thousands of documents and hundreds of pages on the old website. The conversion ratio for Granicus was 20 documents/pdfs = one page, so Granicus was not going to be able to migrate the entire contents of the old site and stay within the project's budget.

Additionally, as staff has navigated through this process, we have learned that a website CMS (the back end of your website) is not where an organization should store their documents, or be the only place where a document lives. With limited staff resources and time, as the project moved forward, we realized that it would not be possible to migrate over Council and Committee agendas and other documents prior to 2021.

Ultimately, the solution to this problem, and to other document and record-related issues in the City, is to purchase and implement a Document Management System (DMS). Staff began researching and vetting various DMS in late 2021, including Laserfische, Box, and eFileCabinet. After evaluating their capabilities, staff and Council Member Johnson are recommending Laserfische.

Laserfische, if chosen as the City's DMS, will allow for a Public Portal where residents and the public can have access to certain information, if it is made public by staff. This will allow us to display all of the old Agendas and documents that lived on the old website, and even scan older agendas and minutes from pre-2009.

Here is an example of the Laserfische Public Portal: [Lakeport, California](#)

Council Member Johnson is working on a solution to “freeze” the current, GovOffice Website, so that even when the new website launches, we will still retain all of the data and documents from the old website. Additionally, we will have access to the old website until the end of September, since we have paid for hosting through the end of the fiscal year. The GovOffice/old website will still be accessible using sunsetvalleytx.govoffice2.com. If you encounter absolute links to sunsetvalley.org, just use the replace the domain with sunsetvalleytx.govoffice2.com.

Council Member Johnson performed a backup of the GovOffice website on 01.21.22 which resulted in 7.29 GB worth of pages and documents, and he will perform another backup on 02.22.22.

While we are implementing Laserfische (or whichever DMS we choose), and while we index all of the old documents, staff will utilize a form on the new website where residents can request any agenda, set of minutes, or other document from 2009-2020. This form will notify staff who can then respond and send the requested documents to the resident as soon as possible. This form will not be treated as a Public Information Request (Open Records), and will only apply to Council/Committee Agenda and other documents.

Public Works Report

February 15th, 2022

Carolyn Meredith, Public Works Director



Projects Ongoing
or Planned

Projects

- CIP-See attached
- Violet Crown Trail-Preconstruction meeting re-scheduled for February 17th. Construction will begin Late February/Early March beginning at Home Depot BLVD.

Water

- Austin Water Contract
- Emergency Preparedness Plan-in process.
- Valve Maintenance Schedule
- Water Use and Water Loss Report
- Backflow Weather Protection-2 Protective boxes have been received and installed. Awaiting arrival of final box.
- AMI Pilot Program- Pilot Program participants contacted.

Wastewater

- Investigating Purchase of a generator for the lift station.
- Jetting of 290 Wastewater line.
- 290 Sewer Replacement-Engineering Task Order.

Streets

- Alpha Paving awarded contract.
- Erosion Repair on Reese.

Parks and Open Space

- RFQ for Parks and Open Space Master Plan-Council Action Item.

- Yellowtail Pond Trail-Drainage repaired; trail work will continue.
- Coordination of Valley Creek Park Trail Connection to South Hills Conservation Area-Volunteer day scheduled for February 22nd

Urban Forestry

- Urban Forestry- Citywide Planting Plan.

Drainage and Water Quality

- Water Quality Pond Maintenance RFB

Facilities

- Emergency Power at PW/CH
- City Hall Repairs

Planning

- Comprehensive Plan Updates
- Land Development Code Changes
- Website Updates

Training and Education

- Maintenance Techs will begin classes on Wastewater Collection. New Maintenance tech scheduled for Basic Water Course
- NIMS/ICS training

Completed
Maintenance Items

- Storm Preparation/Emergency Response
- Boil Water Notice-All samples came back negative for coliform bacteria
- Supplemental Flushing of water lines due to boil water notice
- Mulch Deliveries
- Irrigation/City Pond assistance with Chasco
- Remove sand and salt from streets following the freeze
- Installation of Backflow Protection Devices

	<ul style="list-style-type: none"> • General City Maintenance • Irrigation Checks • Lift Station Maintenance • Meter Reading • Line Locates • Yellowtail Cove drainage repair • City Hall Streaming Assistance
Utility Project Assistance – Oversight	<ul style="list-style-type: none"> • Working with vendors and other organizations on agreements for mutual aid and assistance.
Resident Information Requests	<ul style="list-style-type: none"> • Tree Inspections/Removal Permits • Development Requests
Meetings	
Upcoming Topics for Agenda or Discussion	<ul style="list-style-type: none"> • Water Quality Pond Maintenance RFB • Curbside Brush Chipping • Lift Station Amendment to Engineering Task Order/Release for construction bids

Public Safety Report

City Council Meeting 2.15.2022



Council Information Requests	N/A
Projects Ongoing or Planned (See project planning sheet)	<ul style="list-style-type: none">• Citywide Security Cameras: Cameras installed and training completed 2/10/2022• Texas Police Chiefs Best Practices Recognition Program• Emergency Exercise Tabletop 2/22/2022• Emergency Operations Purchases
Issues	<ul style="list-style-type: none">• Illegal camping• Speed violations on Jones and adjacent streets• Unrestrained animals

Resident Information Requests	N/A
Meetings	2.28.2022 Public Safety Meeting
Upcoming Topics for Agenda or Discussion	
Council Action Requests	

Eyes on Sunset Valley

The department is continuing on ongoing effort to help the city maintain a clean and orderly appearance. On a weekly basis officers are removing abandoned shopping carts and remnants of campsites from public spaces. In addition, our officers are conducting foot patrols of the trails several days each week in order to monitor conditions in the area. Please call the police department at 512.892.1384 and report abandoned property. Officers will impound any identifiable personal property found. The police department and public works will be doing a cleanup of the US Highway 290 easement in Sunset Valley into 2022.

Police Department Phone

The police department phone line has been updated and is now more user friendly. Callers now have the option of leaving a message or remaining on the line and being directed to a dispatcher. In addition, voice messages are sent to the receiver's email so that they can be returned more efficiently. Residents are reminded to please call 911 for in-progress calls.

CITY COUNCIL MEETING DATE: FEBRUARY 15, 2022



CITY COUNCIL AGENDA ITEM #5

STAFF PREPARER/CONTACT INFORMATION: Matt Lingafelter, City Secretary
mlingafelter@sunsetvalley.org

COUNCIL SPONSOR: Mayor Bruner/Administration

SUBJECT: MINUTES

DESCRIPTION: Consider and act on approval of the minutes from February 1-2, 2022 regular meeting.

BACKGROUND: N/A

APPLICABLE CODE SECTIONS: TEXAS LOCAL GOVT. CODE 22.073

FUNDING:

CURRENT YEAR FISCAL BUDGET				
ACCOUNT	BUDGET	ENCUMBERED	THIS ITEM	REMAINING
N/A	\$0	\$0	\$0	\$0
PRIOR YEAR FISCAL BUDGET(S)				
BUDGET YEAR	ACCOUNT	AMOUNT	TOTAL	NOTES

STAFF RECOMMENDATION: APPROVE

SUPPORTING MATERIALS PROVIDED: YES (HYPERLINKED BELOW)

- [DRAFT MINUTES 02.01-02.22](#)

CITY COUNCIL MEETING DATE: FEBRUARY 15TH, 2022



CITY COUNCIL AGENDA ITEM #6

STAFF PREPARER/CONTACT INFORMATION: Carolyn Meredith, Public Works Director
cmeredith@sunsetvalley.org

COUNCIL SPONSOR: Mayor Pro tem Carmona, acarmona@sunsetvalley.org

SUBJECT: WASTEWATER LINES

DESCRIPTION: Consider and act on authorizing Engineering Task Order #13 for replacement of the Highway 290 Wastewater Line in an amount not to exceed \$45,000 to be funded from the FY22 CIP Project List.

BACKGROUND: Repairs to the HWY 290 wastewater line was proposed as part of the Capital Improvement Plan. Originally only parts of the line were considered problematic and in need of repair. Since that time, the line has been inspected and surveyed. The data gathered from this study show that the line needs to be replaced in its entirety. A large section of pipe does not meet the minimum slope required by the Texas Commission on Environmental Quality (TCEQ). Due to these factors, replacement of the entire line is recommended.

The Public Works Committee reviewed the project and recommended the following:

The committee motioned to recommend the project to City Council for approval of the HWY 290 sewer line. Review of the line from HWY 290 to the lift station should also be conducted to ensure proper slope and function. Ken motioned; Randy Machemehl seconded. All in favor.

In addition to recommending this project to move forward the Public Works Committee recommended a review of the sewer line from HWY 290 to the lift station. This section of line has not been problematic. However, surveying is included as part of the task order and the manhole at 290 where the line turns toward the lift station will be included in the survey. If further evaluation of that area is necessary City Staff will work with the engineer to ensure that all sections of sewer line function properly.

The project budget was originally estimated for replacing 325 feet of the line. The project is now recommended to replace the entire section of line which is approximately 700 linear feet.

	Budget estimates in CIP for replacement of 325 linear feet of wastewater line	Budget estimates for replacing 700 linear feet of wastewater line
Engineering	\$20,000	\$45,000
Construction	\$100,000	\$200,100
ROW Prep/Traffic Control	Not included	\$58,510
Contingency	\$30,000	\$25,861
Total	\$150,000	\$329,471

It is anticipated that the budget will need to be adjusted once bids have been received prior to construction authorization of the wastewater line.

APPLICABLE CODE SECTIONS: N/A

FUNDING: Capital Improvement Plan-Wastewater

CURRENT YEAR FISCAL BUDGET							
FUND	DEPT.	ACCT.	DESC.	BUDGET	ENCUMBERED	THIS ITEM	REMAINING
GIP-290 Sewer Line				\$150,000		\$45,000	\$105,000
PRIOR YEAR FISCAL BUDGET(S)							
BUDGET YEAR	FUND	DEPT.	DESC.	ACCOUNT	AMOUNT	TOTAL	NOTES
NA							

STAFF RECOMMENDATION: Authorize Engineering task order #13.

SUPPORTING MATERIALS PROVIDED: [290 WASTEWATER LINE DOCUMENTS](#)

CITY COUNCIL MEETING DATE: FEBRUARY 15, 2022



CITY COUNCIL AGENDA ITEM #7

STAFF PREPARER/CONTACT INFORMATION: Carolyn Meredith, Public Works Director
cmeredith@sunsetvalley.org

COUNCIL SPONSOR: Mayor Bruner, mbruner@sunsetvalley.org

SUBJECT: SPRING CLEANING MONTH

DESCRIPTION: Consider and act on approval of a Proclamation declaring March 2022 as Spring Cleaning Month in Sunset Valley.

BACKGROUND: Every year the city declares March "Spring Cleaning Month" in which the Public Works Department will promote a cooperative city-wide effort to encourage recycling and facilitate in the removal of bulky refuse and hazardous waste from the residences of Sunset Valley, Texas. If Covid numbers decrease, the Public Works Department would like to host an outdoor Spring Cleaning Month Open House event in March (most likely later in the month).

APPLICABLE CODE SECTIONS: N/A

FUNDING: N/A

CURRENT YEAR FISCAL BUDGET							
FUND	DEPT.	ACCT.	DESC.	BUDGET	ENCUMBERED	THIS ITEM	REMAINING
PRIOR YEAR FISCAL BUDGET(S)							
BUDGET YEAR	FUND	DEPT.	DESC.	ACCOUNT	AMOUNT	TOTAL	NOTES

STAFF RECOMMENDATION: Approve Proclamation.

SUPPORTING MATERIALS PROVIDED:

- PROCLAMATION



**A PROCLAMATION BY THE MAYOR AND
CITY COUNCIL OF THE CITY OF SUNSET VALLEY, TEXAS,
DECLARING THE MONTH OF MARCH, 2022
“SPRING CLEANING MONTH”
AND TO ENCOURAGE A HEALTHY AND AESTHETICALLY
PLEASING ENVIRONMENT FOR ALL**

WHEREAS, a community oriented “Spring Cleaning Month” is the most cost effective way for the Public Works Department to serve the citizens of Sunset Valley; AND,

WHEREAS, the removal of dead limbs and brush from the residences of Sunset Valley is necessary to control pests, reduce fire hazards, and promote the health of trees and shrubs; AND,

WHEREAS, Travis County and the City of Austin accept the otherwise non-disposable hazardous waste generated in Sunset Valley free of charge; AND,

WHEREAS, recycling saves the State of Texas millions of dollars in disposal costs, generates jobs, is recognized as the first and easiest way for Texans to get involved with taking care of Texas and saves a tremendous amount of important resources; NOW, THEREFORE

BE IT PROCLAIMED BY THE CITY COUNCIL OF THE CITY OF SUNSET VALLEY, TEXAS THAT:

The Month of March, 2022 shall be “Spring Cleaning Month” in which the Public Works Department will promote a cooperative city wide effort to encourage recycling and facilitate in the removal of bulky refuse and hazardous waste from the residences of Sunset Valley, Texas.

Passed and adopted on the _____ day of _____, 2022

Mayor Marc Bruner

Attest: _____
Matt Lingafelter, City Secretary

CITY COUNCIL MEETING DATE: FEBRUARY 15, 2022



CITY COUNCIL AGENDA ITEM #8

STAFF PREPARER/CONTACT INFORMATION: Matt Lingafelter, City Secretary
mlingafelter@sunsetvalley.org

COUNCIL SPONSOR: Council Member Rob Johnson, rjohnson@sunsetvalley.org

SUBJECT: PUBLIC ART POLICY

DESCRIPTION: Consider and act on approval of Guidelines for Display of Art in Public Places as recommended by the Sunset Valley Arts Commission.

BACKGROUND: The Sunset Valley Arts Commission has been hoping to implement a policy for Art in Public Places for over two years. The Commission began researching policies in late 2019.

In 2021, the Arts Commission had two goals, which were approved by Council:

1. Promote cultural tourism within the City
2. Enhance and integrate art in the community

Having guidelines in place to help the City select art to display in public places will help the Commission and the City to achieve both of these goals.

These guidelines were drafted by the City Attorney after the Arts Commission submitted their research. These guidelines are broad in scope, and would help the City evaluate various art mediums (sculptures, paintings, etc.) to be displayed, purchased, on loan, etc. in various places throughout the City.

The Commission identified the following locations in the City where public art, either purchased or sponsored by the City, may be displayed:

- a. Interior City Buildings and surrounding exterior spaces
- b. City-owned Properties, including greenspaces and parks
- c. Trail System, City Right-of-Ways and Infrastructure
- d. Spaces in collaboration with community business partners

After reviewing the guidelines drafted by legal, the Commission made some additional edits, and are now recommending they be adopted by the City Council.

Having this policy in place will assist the City Council and various Commissions/Committees as the beautification and other projects move forward.

FUNDING: N/A

CURRENT YEAR FISCAL BUDGET				
ACCOUNT	BUDGET	ENCUMBERED	THIS ITEM	REMAINING
N/A	\$0	\$0	\$0	\$0
PRIOR YEAR FISCAL BUDGET(S)				
BUDGET YEAR	ACCOUNT	AMOUNT	TOTAL	NOTES

STAFF RECOMMENDATION: Approve and adopt the guidelines

SUPPORTING MATERIALS PROVIDED: YES (HYPERLINKED BELOW)

- [GUIDELINES FOR DISPLAY OF ART IN PUBLIC PLACES](#)

CITY COUNCIL MEETING DATE: FEBRUARY 15, 2022



CITY COUNCIL AGENDA ITEM #9

STAFF PREPARER/CONTACT INFORMATION: Chief Carter, lcarter@sunsetvalley.org

COUNCIL SPONSOR: Council Member Rob Johnson, rjohnson@sunsetvalley.org

SUBJECT: RACIAL PROFILING REPORT

DESCRIPTION: Consider and act on acceptance of the 2021 Racial Profiling Report to be submitted to the Texas Commission on Law Enforcement.

BACKGROUND: Prior to March 1st of each year, in accordance with Article 2.132 (7) of the Texas Code of Criminal Procedure, the police department must submit a report to both its governing body and the Texas Commission on Law Enforcement (TCOLE), of data collected on the race or ethnicity of individuals stopped for traffic violations and subsequently cited, searched, and/or arrested. In addition, the Department must conduct and submit a comparative analysis of the collected data. This report is commonly referred to as the annual racial profiling report.

The Sunset Valley Police Department has submitted its report to TCOLE and is in full compliance with the Texas Racial Profiling Law. It should be noted that the Department did not receive a complaint involving racial profiling in 2021.

FUNDING:

CURRENT YEAR FISCAL BUDGET				
ACCOUNT	BUDGET	ENCUMBERED	THIS ITEM	REMAINING
N/A	\$0	\$0	\$0	\$0
PRIOR YEAR FISCAL BUDGET(S)				
BUDGET YEAR	ACCOUNT	AMOUNT	TOTAL	NOTES

STAFF RECOMMENDATION: Acknowledge receipt of the 2021 Racial Profiling Report as submitted to TCOLE

SUPPORTING MATERIALS PROVIDED: YES (HYPERLINKED BELOW)

- [2021 RACIAL PROFILING REPORT](#)

CITY COUNCIL MEETING DATE: FEBRUARY 15, 2022



CITY COUNCIL AGENDA ITEM #10

STAFF PREPARER/CONTACT INFORMATION: Matt Lingafelter, City Secretary
mlingafelter@sunsetvalley.org

COUNCIL SPONSOR: Mayor Bruner/Administration

SUBJECT: COUNCIL MEETINGS

DESCRIPTION: Consider and act on changing the regular City Council meeting dates in March 2022 to the 8th and the 22nd.

BACKGROUND: The first regular meeting date for the City Council falls on the same date as the Tuesday, March 1st State and local primaries. Sunset Valley City Hall is an official Travis County polling location.

They Mayor and staff are proposing the change the regular meeting dates from the first and third Tuesday to the second and fourth Tuesday in March.

APPLICABLE CODE SECTIONS: CHAPTER 31.01

FUNDING: N/A

STAFF RECOMMENDATION: APPROVE

SUPPORTING MATERIALS PROVIDED: NO

CITY COUNCIL MEETING DATE: FEBRUARY 15, 2022



CITY COUNCIL AGENDA ITEM #11

STAFF PREPARER/CONTACT INFORMATION: Matt Lingafelter, City Secretary
mlingafelter@sunsetvalley.org

COUNCIL SPONSOR: Mayor Bruner/Administration

SUBJECT: ZONING AMENDMENT

DESCRIPTION: Consider and act on approval of an Ordinance amending the Zoning Classification for 6405 Brodie Lane (SF to NC) and amending the City's Zoning Map as previously approved by Council on February 1, 2022.

BACKGROUND: On February 1st the City Council approved a request for a zoning reclassification at 6405 Brodie Lane from Single Family Residential to Neighborhood Commercial. This followed the required public hearings and a recommendation from the Zoning Commission, which was given on January 26th.

The Zoning Change was approved by Council subject to the following conditions:

- 10-foot fence along the east boundary of the property
- Limiting operating hours to 11 pm
- Dark sky lighting as presented by the applicant
- Security fence around the property
- Adding additional trees to contribute to the vegetative buffer
- Work with the Drakers between now and platting of the property
- At the platting stage, ensure adequate traffic circulation, which may or may not include installing a turning lane on Brodie
- Engaging a Traffic Engineer for a traffic study

[The Backup for the Zoning Change Application and Zoning Commission hearing can be viewed here.](#)

The proposed Ordinance will codify the Zoning Change as well as update the City's Zoning Map.

APPLICABLE CODE SECTIONS: [SECTION 150.064 LDC](#)

FUNDING: N/A

STAFF RECOMMENDATION: APPROVE

SUPPORTING MATERIALS PROVIDED:

- ORDINANCE
- PROPOSED MAP

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SUNSET VALLEY, TEXAS, AMENDING THE ZONING ORDINANCE TO REZONE A 4.976 ACRE TRACT, MORE OR LESS, 6405 BRODIE LANE, OWNED BY ESTATE OF BETTY GRUBBS; CURRENTLY “SF” SINGLE FAMILY RESIDENTIAL TO “NC” NEIGHBORHOOD COMMERCIAL WITH CONDITIONS; MAKING FINDINGS OF FACT AND OPEN MEETING CLAUSES; AND PROVIDING FOR RELATED MATTERS INCLUDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Estate of Betty Grubbs is the owner of a 4.976 acre tract, more or less located at 6405 Brodie Lane (the “Property”). Gary McIntosh, the Independent Executor of the Estate of Betty Grubbs, has authorized Thomas and Justin Trubiana to act as the agents on behalf of the Estate and such agents have requested that the Property described hereinafter be rezoned; and

WHEREAS, after giving and posting proper written notice, the Planning and Zoning Commission held a public hearing on the proposed zoning and forwarded its recommendation on the rezoning to the City Council; and

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

WHEREAS, the City Council finds that amending the zoning district applicable to the Property described herein is consistent with the goals, standards, and policies of the current Comprehensive Land Use Plan of the City of Sunset Valley;

WHEREAS, development likely to occur as a result of the proposed change in zoning classification can be served adequately by utilities, water supply systems, wastewater systems, and drainage facilities; and

WHEREAS, development likely to occur as a result of the proposed change in zoning classification can be served adequately by the following services: police protection, fire protection, and emergency medical care;

WHEREAS, development likely to occur as a result of the proposed change in zoning classification will not disrupt the existing uses of land in the vicinity;

WHEREAS, the proposed change in zoning classification, together with the special conditions offered and approved and development likely to occur as a result of the proposed change in zone classification with conditions will not negatively affect the value of property and improvements in the vicinity;

WHEREAS, the City Council finds that the Property subject to this Ordinance should be rezoned as set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNSET VALLEY, TEXAS, THAT:

SECTION 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. Amendment of Zoning Classification and Map. The zoning classification for the Property and the zoning maps adopted by the City are hereby modified and amended by rezoning the Property as set forth in Section 3 of this Ordinance, said Property being more particularly described as follows:

6405 Brodie Lane, Sunset Valley, Travis County, Texas 78745 – 4.976-acre tract, Theodore Bissell Survey No. 18, Abstract No. 3, Travis County, Texas.

SECTION 3. Rezoned Property. Upon the Planning and Zoning Commission’s recommendation and final report, the City Council declares that the Zoning Classification and Zoning Maps are hereby amended by changing the zoning district for the Property. The Property is hereby rezoned from the current zoning of “SF” Single Family Residential to “NC” Neighborhood Commercial.

SECTION 4. Condition of Zoning. The Neighborhood Commercial use of the Property is hereby limited with the conditions as follows:

- 10-foot fence along the east boundary of the property
- Limiting operating hours to 11 pm
- Dark sky lighting as presented by the applicant
- Security fence around the property
- Adding additional trees to contribute to the vegetative buffer
- Work with the Drakers between now and platting of the property
- At the platting stage, ensure adequate traffic circulation, which may or may not include installing a turning lane on Brodie
- Engaging a Traffic Engineer for a traffic study
- Ensuring that water runoff conditions from the property to 759 Oakdale Drive have improved from the current conditions

SECTION 5. Open Meetings. That it is hereby officially found and determined that the meeting at which this Ordinance is passed and open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the *Open Meetings Act, Chap. 551, Texas Government Code.*

SECTION 6. Prior Inconsistent Ordinances/Zoning Map. All prior ordinance(s) establishing a different zoning classification for the Property are hereby repealed. The zoning maps adopted by the City shall reflect the change effected by this Ordinance.

SECTION 7. Effective Date. This ordinance shall be effective immediately upon adoption.

SECTION 8. Severability. If any provision of this Ordinance is found by a court of competent jurisdiction to be void or unenforceable, such void or unenforceable provision shall be severed as though it never formed a part of the Ordinance, and all other provisions hereof shall remain in full force and effect.

THE FOREGOING WAS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SUNSET VALLEY, TEXAS, on the _____ day of February 2022.

Marc Bruner, Mayor

ATTEST:

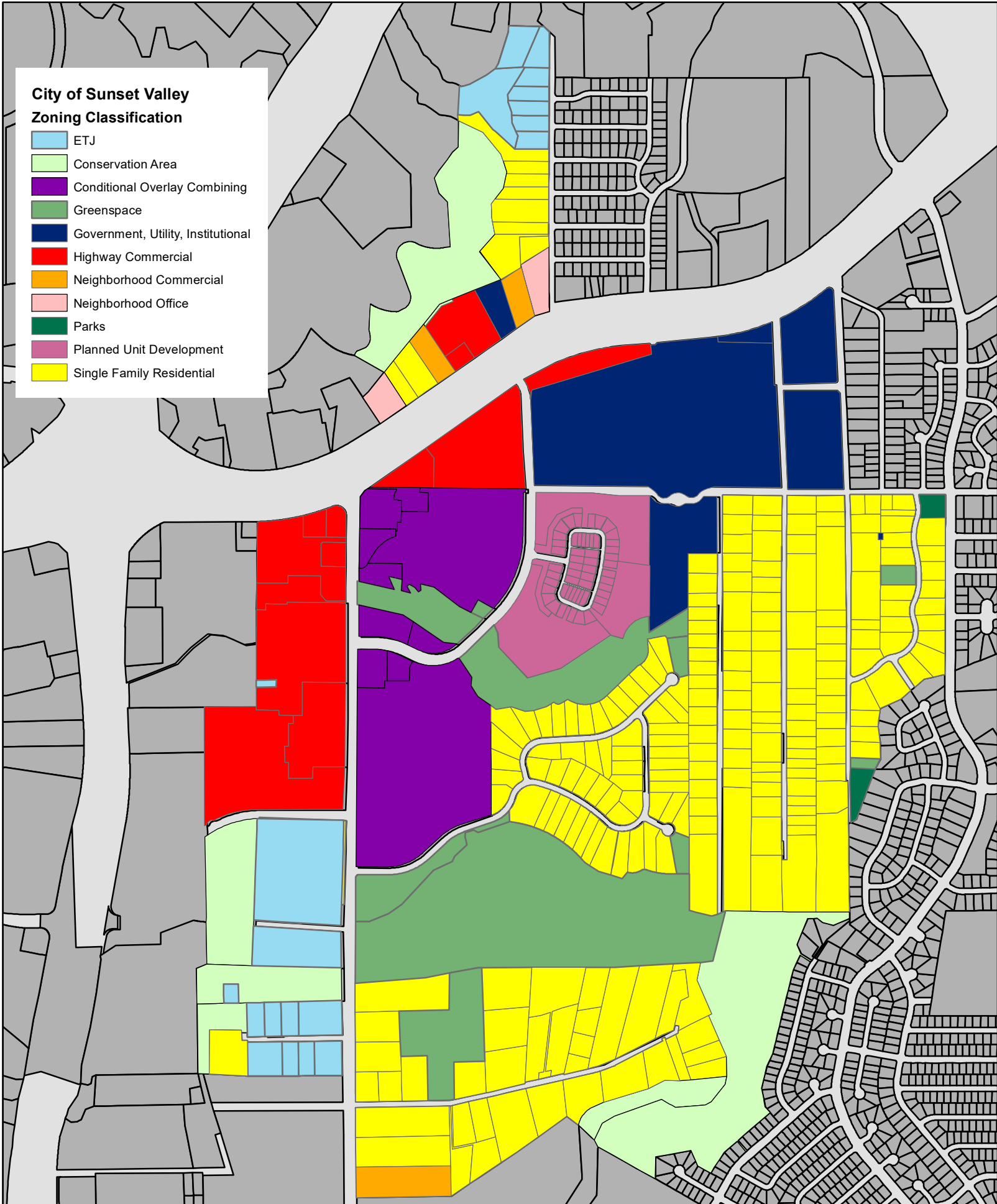
Matt Lingafelter, City Secretary

Zoning Map February 2022

City of Sunset Valley

Zoning Classification

- ETJ
- Conservation Area
- Conditional Overlay Combining
- Greenspace
- Government, Utility, Institutional
- Highway Commercial
- Neighborhood Commercial
- Neighborhood Office
- Parks
- Planned Unit Development
- Single Family Residential



CITY COUNCIL MEETING DATE: FEBRUARY 15, 2022



CITY COUNCIL AGENDA ITEM #12

STAFF PREPARER/CONTACT INFORMATION: Suzanna Fleegal, Accounting Manager,
sfleegal@sunsetvalley.org

DESCRIPTION: Consider and act on approval of Ordinance amending the FY 2021 Budget (Budget Amendment #2 – FY 21) and appropriation of a budget surplus.

BACKGROUND: Semi-annually, Finance will submit a budget adjustment for items that were either not budgeted at the appropriate level, or new items that may have arisen during the year that were not considered when preparing the original budget. The ending FY21 actual budget had surplus revenues of \$1.6M, and we came under budget in adopted expenses by \$746K.

Budget & Finance voted on Budget Adjustment #2 on 1/27/2022. The motion that passed 4-1, as “Due to noncompliance with Financial Policies, this Budget Amendment be returned to the Council without a vote to review and take appropriate action.” Further discussions in future meetings that address Financial Policies related to this issue are planned.

Several comments were provided by members of the committee, specifically the chair during the last OpenTown Hall session. The comments are addressed by the City Accountant in the final pages of this agenda item.

Budget Adjustment #2 (Attachment A)

This will be the second budget adjustment of the FY 21 year, the last of which was approved by Council on 8/2/21. The total amount of this budget adjustment is for \$414,429.22. Of that, only \$37,534.42 will need to be taken from the \$1.6M of excess revenues in the General Fund. All other items will be funded with available funds from underbudget expenses in their respective departments (total: \$259,962.15), American Rescue Plan Funds (\$100,000) and a transfer from Repair & Replacement funds (\$16,932.65).

It is important to note that the overall budget was in line with the overall amount approved by Council. Budgeted Revenues of \$7,084,576 and Expenses of \$6,527,294 at year end were Actual Revenues of \$8,730,560 and Actual Expenses of \$5,782,057.

However, City of Sunset Valley Financial Policies prevent transfers among line items in departments within the same fund by staff for items less than \$500 and by the Mayor

for items over \$500 but less than \$2,500. Historically, all budget adjustments have been brought before City Council. For example, if the Police Department budget was underbudget in line 5000-Salaries by \$50,000, but overbudget in line 5656 – Liability Insurance by \$20,000, the City’s Financial Policy prevents staff or the Mayor from doing an internal transfer of funds within the department, even if the net result is the department is still under budget by \$30,000.

Budget Adjustment Summary

Total Budget Adjustment	(414,429.22)
Available Funds from Underbudget Expenses	259,962.15
American Rescue Plan Funds	100,000.00
Repair & Replacement Funds	16,932.65
Surplus General Fund Revenues	<u>37,534.42</u>
	<u>414,429.22</u>

Subsidy/Transfer Amendment (Attachment B)

Each year, a transfer from the General Fund to the Utility Fund is made to subsidize the utility expenses. We budgeted \$590,435 to be subsidized in FY21, but since we came in underbudget on many expenses, we can reduce the subsidy to \$312,812.65, thereby saving \$277,622.35. Historically, the amount that was budgeted for utility subsidy was transferred, even when not required. However, the Utility Fund Reserve is a restricted account with less flexibility than the General Fund Reserve. By amending the subsidy to reduce the transfer, it will allow an extra \$277,622.35 fall to General Fund reserves, that would normally have fallen to Utility Reserve.

Sunset Valley also exceeded revenue expectations in Crime Control, thus allowing the budgeted \$102,806 transfer from General Fund to Crime Control to be cancelled.

The last item in this section is the Open Space Planning earmarked funds that were approved by Council in September. The \$700K would need to be transferred from the excess \$1.6M in revenues from the General Fund.

FY21 Utility Subsidy Budget Adjustment						
Department	FY21 Actual Expenses	FY21 Actual Revenues	Profit (Deficit)	FY21 Budgeted Subsidy	FY21 Suggested Subsidy	Difference
05-Water	719,087.99	671,335.44	(47,752.55)	263,425.00	47,752.55	215,672.45
06-Wastewater	614,938.65	508,082.67	(106,855.98)	172,681.00	106,855.98	65,825.02
07-Solid Waste	165,138.98	6,934.86	(158,204.12)	149,657.00	158,204.12	(8,547.12)
25-Drainage	74,554.19	102,251.67	27,697.48	4,672.00	-	4,672.00
	1,573,719.81	1,288,604.64	(285,115.17)	590,435.00	312,812.65	277,622.35

Appropriation of the Budget Surplus (Attachment C)

FY21 Transfer Budget Adjustment						
Department	FY21 Actual Expenses	FY21 Actual Revenues	Profit (Deficit)	FY21 Budgeted Transfer	FY21 Suggested Transfer	Difference
19-Crime Control	371,231.41	422,176.32	50,944.91	102,806.00	\$0	(102,806.00)

FY21 Open Space Earmarked Funds						
Department	FY21 Actual Expenses	FY21 Actual Revenues	Profit (Deficit)	FY21 Budgeted Transfer	FY21 Suggested Transfer	Difference
09-General Government	-	-	-	-	\$700,000	700,000.00

The last piece of this agenda item is for policy discussion and ultimate decision by the Council. At the end of every fiscal year, all the underbudget expenses for the year are swept into reserves in each fund. In FY21, we did a great job at staying underbudget on many of the expenses allowing us to be able to sweep \$539,536.73 back to the respective fund balances.

If the above subsidy/transfer amendment also passes, that would be a total of \$919,965.08 that is able to fall back to fund balance. That is the \$277,622.35 in the Utility Fund plus \$102,806 from the Crime Control Fund for a total of \$380,428.35 and the \$539,536.73 mentioned above.

The rationale for transferring back the Utility Surplus and Crime Control into the General Fund, is that it is the least restrictive fund. In the uncertain financial times of COVID, and as a city that relies solely on sales tax, it is imperative that the City have flexibility with its funds. Both the Utility Account and the Crime Control funds are classified as Enterprise Fund and Special Revenue Fund respectively by internal practice, however, both accounts are truly Special Revenue Funds in that they require a subsidy from the General Fund to sustain solvent operations. Staff will discuss this classification with the auditors to determine the classification that best fits the legal parameters of the funds, however that does not affect the discussion at hand. Leaving unspent funds in a rigid fund classification removes any ability for the city to transfer funds should the need arise in the future.

Additionally,

Total Budget Sweep Across All Funds	
General Fund Sweep	117,449.57
Utility Fund Sweep	181,182.76
Street Fund Sweep	40,643.66
HOT Fund Sweep	50,459.13
Venue Fund Sweep	42,100.09
Crime Control Fund Sweep	53,694.63
Drainage Fund Sweep	54,006.89
Total Budget Sweep Across All Funds	539,536.73

STAFF RECOMMENDATION: Approve all budget adjustments and the surplus appropriation to allow excess funds back to General Fund Balance from the Utility Fund and Crime Control Fund.

SUPPORTING MATERIALS PROVIDED: [**CLICK HERE TO ACCESS BACKUP**](#)

- FY21 BUDGET ADJUSTMENT #2
- FY21 SUBSIDY/TRANSFER AMENDMENT
- FY21 BUDGET SWEEP
- ORDINANCE
- CLARIFICATION ON COMMENTS

CITY COUNCIL MEETING DATE: FEBRUARY 15, 2022



CITY COUNCIL AGENDA ITEM #13

STAFF PREPARER/CONTACT INFORMATION: Carolyn Meredith, Public Works Director
cmeredith@sunsetvalley.org

COUNCIL SPONSOR: Mayor Bruner, mbruner@sunsetvalley.org

SUBJECT: PARKS AND OPEN SPACE PLAN

DESCRIPTION: Consider and act on appointment of members to the Parks and Open Space Ad Hoc Committee.

BACKGROUND: Council has secured the services of a consultant to help the City develop a Parks and Open Space Plan. Council also authorized development of a Parks and Open Space Ad hoc Committee to help facilitate development of the plan. Requests were made for residents to submit applications for committee appointments.

Residents have until February 11th to submit applications. A list of applicants will be posted once all applications have been received.

APPLICABLE CODE SECTIONS: N/A

FUNDING:

CURRENT YEAR FISCAL BUDGET							
FUND	DEPT.	ACCT.	DESC.	BUDGET	CONTRACT AUTHORIZED	THIS ITEM	REMAINING
Parks and Open Space Plan				\$50,000	\$49,993	\$0	\$7
PRIOR YEAR FISCAL BUDGET(S)							
BUDGET YEAR	FUND	DEPT.	DESC.	ACCOUNT	AMOUNT	TOTAL	NOTES

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STAFF RECOMMENDATION: Appoint Committee Members

SUPPORTING MATERIALS PROVIDED: NO

APPLICANTS:

- KERI COLLINS
- DEBORAH SAUNDERS
- HELEN BESSE
- SUMMER WOOTEN
- RUSSEL HARDING
- LIZ STICE
- RICHARD HAYES
- ROGER EDMONDSON
- LISA VERSACI
- SASHA RUSSELL



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COUNCIL MEETING DATE: FEBRUARY 15, 2022

CITY COUNCIL AGENDA ITEM #14

STAFF PREPARER/CONTACT INFORMATION: Suzanna Fleegal, Accounting Manager
sfleegal@sunsetvalley.org

COUNCIL SPONSOR: Council Member Rosengarten rosengarten@sunsetvalley.org and
Councilmember Reetz WRetz@sunsetvalley.org

SUBJECT: ADMINISTRATION / BUDGET POLICIES

DESCRIPTION: Consider and act on amendment to Financial Policy (FP) 105 Establish Accountability in Budget Monitoring item (d) and (e) by allowing the City Administrator to make budget adjustments between departments when total expenditures do not increase the total department appropriation and creating a standard reporting timeframe and format. **

Update 2.15.22: There was an error on the wording of this agenda item, but the correction could not be made since it was within the 72-hour timeframe. The agenda item should read, "Consider and act on amendment to Financial Policy (FP) 105 Establish Accountability in Budget Monitoring item (d) and (e) by allowing the City Administrator to make budget adjustments **within departments when total expenditures do not increase the total department appropriation and creating a standard reporting timeframe and format."**

BACKGROUND: Financial policies have been brought up recently with regard to the FY21 budget adjustments. In order to reduce unnecessary budget adjustments, a change to the financial policies is needed. Allowing departmental transfers that do not affect the bottom line will allow more room for unexpected expenses and will also reduce unnecessary costs to make room for those unexpected expenses.

APPLICABLE SECTIONS OF CODE: [Financial Policies](#)

FUNDING: N/A



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STAFF RECOMMENDATION: N/A

SUPPORTING MATERIALS PROVIDED: YES/ NO: [CLICK HERE FOR THE BACKUP](#)

- FP 105 AS PROPOSED
- EXAMPLES FROM OTHER CITIES
 - a. MANOR
 - b. BUDA
 - c. AISD