



**MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF SUNSET VALLEY, TEXAS
TUESDAY, FEBRUARY 1-2, 2022
5:30 P.M.**

COUNCIL MEMBERS PRESENT

Marc Bruner, Mayor
Mayor Pro tem Alfonso Carmona
Council Member Rob Johnson
Council Member Justin Litchfield
Council Member Wanda Reetz
Council Member Rudi Rosengarten

STAFF PRESENT

Sylvia Carrillo, City Administrator
Carolyn Meredith, Public Works Director
Lenn Carter, Chief of Police
Matt Lingafelter, City Secretary
Barbara Boulware-Wells, City Attorney
Duncan Moore, A/V Technician

1. Call to order of the City Council.

- Mayor Bruner called the meeting to order at 5:34 P.M.

2. Citizen/Public Communication

- None

3. Staff Reports

• **Administration**

- Sylvia Carrillo delivered the Administration report
- Speed Hump/Speeding Survey results presentation
- Presentation by Brent Stein with the Austin Runner's Club
 - \$18k donation presented to Marathon Kids on behalf of the Daisy Dash run in October 24, 2021
- Development Review process – Mayor directed staff to bring back an agenda item to address the items that need immediate action
- Rescheduling Council Retreat – potential dates of Friday and Saturday, February 25th and 26th

• **Public Works**

- Question from Council Member Carmona on hiring of the Public Works Superintendent
- Carolyn Meredith delivered the Public Works Report
- Question from Council Member Carmona on winter weather preparation
- Request from Council Member Rosengarten – coding the CIP

expenses

- This will be provided in the second meeting of every month for an expense report for Professional Services (Engineer, Legal, IT)

- **Public Safety**

- Chief Carter delivered the Public Safety Report
- Update on installation of the security cameras

4. Consider and act on approval of Ordinance amending the FY 2021 Budget (Budget Amendment #2 – FY 21) and appropriation of a budget surplus. (Mayor Bruner/Administration)

- A. Budget Adjustment
- B. Transfer/Subsidy Adjustment
- C. Budget Sweep (informational only - no action)

- Mayor Bruner and Sylvia Carrillo introduced this agenda item
- Overview of financial policies and procedures by the City Administrator
- Statement from Council Member Litchfield
 - Comments from Council Members in response

Mayor Pro tem Carmona motion to move into Executive Session to discuss this item, seconded by Council Member Rosengarten. Comments from Council Member Rosengarten on the motion.

Council Member Johnson voted no
 Council Member Litchfield voted no
 Council Member Reetz voted no

Mayor Pro tem Carmona voted yes
 Council member Rosengarten voted yes

With three votes against, the motion failed.

Council Member Rosengarten made a motion to approve Budget Amendment #2, \$37,534.42 from reserves – no decision on the transfer subsidy adjustment – and to place an item for Financial Policy review in Executive Session, for Council to review at a future meeting. The motion was seconded by Council Member Reetz.

Question from Mayor Pro tem Carmona regarding the budget surplus amount.
 Comments from additional Council Members.

The motion was withdrawn by Council Member Rosengarten. The second, Council Member Reetz, agreed to withdrawing the motion.

Comments by the City Administrator. Future Agenda Item for financial policies and oversight, and potential February 15th Executive Session. Staff was given direction to coordinate this request with the Mayor and Council.

5. Council consideration of agenda items for approval on consent

Council Member Rosengarten made a motion to approve Agenda Items #6, as amended, 7, 8, 9, and 15. Seconded by Council Member Reetz. All voted in favor

Items Which May Be Considered and Acted on Consent

- 6. Consider and act on approval of the minutes from the January 4, 2022 regular meeting. (Mayor Bruner/Administration) *Agenda item approved on consent***
- 7. Consider and act on approval of the destruction/recycling of outdated computer equipment assets. (Mayor Bruner/Administration) *Agenda item approved on consent***
- 8. Consider and act on approval of a Statement of Work with Canales and Co. to act as Creative Development Director for the City of Sunset Valley in an amount not to exceed \$86,525 and authorizing the Mayor and City Attorney to execute a contract based on an approved Statement of Work. (Council Member Reetz/Administration) *Agenda item approved on consent***
- 9. Consider and act on approval of an interlocal agreement with the City of Austin for a Utility Box Mini-Mural Project in an amount not to exceed \$3,750 to be funded from the Economic Development line item for beautification purposes. (Council Members Johnson and Reetz) *Agenda item approved on consent***
- 10. Consider and act on award of bid to Asakura Robinson in an amount not to exceed \$49,993 to complete the Parks and Open Space Plan and creation of an Ad hoc Committee to facilitate the final recommendations to Council. (Council Member Litchfield/Public Works) *Agenda Item discussed on February 2nd***

Council reconvened session at 5:03 P.M. on February 2, 2022, and began with Agenda Item #10.

- Mayor Bruner introduced the agenda item
- Comments from Council Member Reetz
 - Requested an actionable and open-ended plan
 - Requested different age groups to be represented on the ad hoc committee

Council Member Reetz made a motion to accept Asakura's Robinson in an amount not to exceed \$49,993 to complete the Parks and Open Space Plan and creation of an Ad hoc Committee to facilitate the final recommendations to Council, with the Committee

being made up of balanced representation of geographic and age distributions. The motion was seconded by Council Member Rosengarten.

Comments from Council Members.

Council Member Reetz amended her motion to include geographical distribution, to which the second, Council Member Rosengarten, agreed.

Additional comments and discussion by Council Members.

Council Member Reetz called the question. All voted in favor, and Council proceeded to vote on the motion that was on the floor. All voted in favor, and the motion carried.

11. **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 FY 21-22 CIP Project List (Mayor Pro tem Carmona/Public Works) Agenda Item discuss on February 2nd**
 - Mayor Bruner commented on this agenda item and the budget process for CIP Projects
 - Comments from Mayor Pro tem Carmona, and discussion with Carolyn Meredith, Public Works Director

Council Member Johnson made a motion to table the agenda item, seconded by Council Member Reetz. All voted in favor and the item was tabled.

Presentation Items for Discussion and Possible Action

12. **Public Hearing to consider a request for a Zoning Change at 6405 Brodie Lane from SF (Single Family Residential) to NC (Neighborhood Commercial). – TIME CERTAIN 7:00 P.M.**
 - Public Hearing opened at 7:00 P.M.
 - Presentation by Sylvia Carrillo on the zoning change application
 - Applicant's Presentation:
 - Justin Trubiana, applicant
 - Cameron Campbell, Landscape Architect
 - Blayne Stansberry, Engineer
 - Michael Whelan, Land Use Attorney
 - Tom Trubiana, applicant
 - Questions from Council Members for the applicants
 - Public Comments:
 - Scott Draker
 - Gary McIntosh
 - Jody Conradt
 - Helen Besse (OpenGov)
 - Melissa Gonzales
 - Joe Koizen

- Public Hearing closed at 8:26 P.M.

13. Consider and act on a request for a Zoning Change at 6405 Brodie Lane from SF (Single Family Residential) to NC (Neighborhood Commercial)

- Mayor Bruner asked the Council if they had any other additional questions for the applicants or staff, or would entertain a motion
- Questions for the applicants related to parking and traffic
- Comments from Mayor Pro tem Carmona on commercial properties along Brodie Lane
- Comments from Council Members Johnson and Reetz on the project

Council Member Reetz made a motion to approve the Zoning Change subject to the following conditions, which includes the conditions incorporated with the recommendation from the Zoning Commission:

- 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

The motion was seconded by Council Member Litchfield.

Initially, Council Member Reetz requested a traffic study (TIA). Council Member Johnson also requested that additional conditions and/or issues be addressed:

- water runoff condition has improved from the condition that exists today
- fence maintenance
- sound engineering
- ensuring no parking for the project on Oakdale
- ensure seating meats with the building code
- mitigate any smell issues with HVAC issues

Council Member Reetz agreed to the conditions presented by Council Member Johnson. However, the second, Council Member Litchfield, only agreed to the water runoff and traffic study conditions.

Comment from Mayor Pro tem Carmona asked to add ensure the City's platting ordinance is followed as it is related to utility infrastructure.

Comments from Michael Whelan and Blayne Stansberry on traffic impacts and studies,

and comment from the City Administrator.

Council Member Reetz made a motion to extend meeting past 9:00 P.M., seconded by Council Member Johnson. All voted in favor, and the meeting was extended.

Council Member Reetz amended her motion to accept a traffic study by a traffic engineer (not a full TIA), to which the second, Council Member Litchfield, agreed.

Additional Citizen Comment from Melissa Gonzales.

Council Member Johnson voted yes

Mayor Pro tem Carmona voted no

Council Member Litchfield voted yes

Council Member Reetz voted yes

Council Member Rosengarten voted yes

With four votes in favor, the motion carried and the Zoning Change was approved.

14. Consider and act on approval of a final site plan and landscaping plan for 4800 W. Highway 290 which includes the following variance requests from Townbridge Homes, LLC (Mayor Bruner/Administration):

- Impervious Cover, Chapter 150.332(H), previously Chapter 4.301 Impervious Cover subsection (h)
- Schedule of Off-Street Parking Requirements, Chapter 150.587, previously Chapter 10 Parking and Fire Lanes, Section 10.102 Schedule of Off-Street Parking Requirements
- Fire Lanes, Chapter 150.606 (D), Chapter 10 Parking and Fire Lanes, Section 10.201 Fire Lanes, subsection (a)
- Chapter 150.593(C), Table 3, previously Chapter 10.108 Design Standard subsection (c), Table 3

Alternative Landscape Compliance

- Chapter 150.689(B), previously Chapter 13.700 Variance and Alternative Landscape Compliance subsection (b) allows for Alternative Landscape Compliance for the parking area

- Sylvia Carrillo, City Administrator, introduced the agenda item
- Ron Thrower, representing the applicant, spoke about the various scenarios the applicant is presenting to Council regarding parking and impervious cover calculations.
- Comments from Gary Freeland, City Engineer
- Questions from Mayor Pro tem Carmona about Austin Fire Department review of the site plan – response by the applicant, Aaron Levy
- Citizen Comments:
 - Jean Wilkins
 - Ingrid Morton
 - Melissa Gonzales
- Statement from Aaron Levy the applicant

THIS IS NOT A TRANSCRIPT OF THE MEETING. A RECORDING OF THIS MEETING IS ON THE CITY'S WEBSITE.

- Mayor Bruner read and summarized comments from Open Town Hall
- Questions from Council Members for the applicant

Council Member Litchfield made a motion to approve the variance 10.102 reduction in parking 44 to 36, 4.301 impervious cover increase 21.75% with the adjustment, approve 10.201 Fire Lanes, 10.108 design standards for the drive aisles – scenario #5, seconded by Council Member Johnson

Question from Council Member Rosengarten regarding reducing office space. Comments on ensuring a space is not leased that the onsite parking cannot support.

Council Member Johnson voted yes
Council Member Litchfield voted yes
Council Member Reetz voted yes

Mayor Pro tem Carmona voted no
Council member Rosengarten voted no

With three votes in favor, the motion carried.

Council discussed continuing the meeting until tomorrow so they could finish the final three agenda items.

Council Member Reetz made a motion to continue the meeting until the next day (Wednesday, February 2nd) at 5:00 P.M. seconded by Council Member Johnson. All voted in favor and the motion carried.

The meeting was adjourned 10:07 P.M. for the day, to reconvene at 5:00 P.M. on Wednesday, February 2nd.

15. **Consider and act on a bid from Thomas Graphics Inc. for banner production in an amount not to exceed \$8,089.24 from the Economic Development line item allocated for beautification purposes. (Council Member Reetz/Administration) Agenda item approved on consent**

Executive Session Items – Possible Action in Open Session

16. **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. Agenda Item discussed on February 2nd**
- **City Facilities**

Council Member Johnson made a motion to move into Executive Session, seconded by Council Member Litchfield. All voted in favor, and the motion carried.

Council convened into Executive Session at 5:39 P.M. (February 2nd).

17. Reconvene into Open Session

Council reconvened into Open Session at 5:59 P.M. and took no action.

Brief discussion by the Council on the process for calling a Special Meeting.

18. Adjourn

Council Member Johnson made a motion to adjourn, seconded by Council Member Reetz. All voted in favor, and the meeting adjourned at 6:01 P.M. (February 2nd).

Marc Bruner
Mayor

Attest:

Matt Lingafelter
City Secretary

Minutes approved on February 15, 2022