



**MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF SUNSET VALLEY, TEXAS
TUESDAY, MARCH 8, 2022
6:00 P.M.**

COUNCIL MEMBERS PRESENT

Mayor Marc Bruner
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
Melissa Marquez, Administrative Assistant
Veronica Rivera, City Attorney
Suzanna Fleegal, Accounting Manager
Duncan Moore, A/V Technician

1. Call to order of the City Council.

- Mayor Bruner called the meeting to order at 6:01 PM

2. Citizen/Public Communication:

- Danny Horrigan

3. Staff Reports

- A. Sylvia Carrillo, City Administrator, delivered the Administration Report
- Budget Report
 - Issues with Attorney and error in coding to insurance liability – reiterated financial policies and counter measures to prevent this type of overage again.
 - Bring back report related to attorney expenses
- B. Carolyn Meredith, Public Works Director, delivered the Public Works Report
- CIP Monthly Update
 - Part 1 – update as to project status and remove redundant reports
 - Streamline reports – OpenGov dashboard
 - Update on Stearns

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

- C. Chief Carter delivered the Public Safety Report
- Implementation of Safety Updates to City Facilities
 - Will now be provided as a CIP update
 - RFP will be provided – review of security survey, policy, training, etc.

4. Council consideration of agenda items for approval on consent

Council Member Rosengarten made a motion to approve Agenda Items #5 as amended, 6, 7, 8 and 9 on consent, seconded by Council Member Johnson. All voted in favor and the motion carried.

Items Which May Be Considered and Acted on Consent

- 5. Consider and act on approval of the minutes from the February 15, 2022 regular meeting and March 2, 2022 called meeting. *Agenda Item Approved on Consent***
- 6. Consider and act on releasing a Request for Qualifications (RFQ) for Professional Services to provide revisions to the Land Development Code. (Council Member Litchfield/Administration) *Agenda Item Approved on Consent***
- 7. Consider and act on the following items for the Stearns Lift Station Project. (Mayor Pro tem Carmona/Public Works) *Agenda Item Approved on Consent***
- Authorization of Amendment to Engineering Task Order
 - Approval of the Release for Bids for Construction
- 8. Consider and act on approval of the Release for Bids for the Water Quality Pond Project. (Mayor Pro tem Carmona/Public Works) *Agenda Item Approved on Consent***
- 9. Consider and act on a recommendation from the Planning and Environmental Committee to have the Adventure Build at the Sunset Valley ArtFest and have it open for two weekends following the ArtFest during the hours of the SFC farmers' market. (Council Member Litchfield/Public Works) *Agenda Item Approved on Consent***

Presentation Items for Discussion and Possible Action

- 10. Public Hearing to consider requests for two Special Use Permits at 6405 Brodie Lane. (Mayor Bruner/Administration) – TIME CERTAIN 7:00 P.M.**
- There were no public comments at the Public Hearing
- 11. Consider and act on a request for a Special Use Permit to operate a**

restaurant within the NC (Neighborhood Commercial) District under Section 150.101 of the Land Development Code at 6405 Brodie Lane

- Staff explanation to Council Members on why the Special Use Permit agenda items are separate from the variance request items
- Council Member Johnson asked a question to the applicant's traffic engineer on Austin Fire Department access
 - Response from Bobak Tehrany, Traffic Engineer
- Council Member Johnson asked a question to the Applicant's Civil Engineer on the cistern
 - Response from Blayne Stansberry, Civil Engineer
- Council Discussion

Council Member Rosengarten made a motion to approve the Special Use Permit to operate a restaurant within the Neighborhood Commercial District under Section 150.101 of the Land Development Code at 6405 Brodie Lane, with the conditions from the approval of the zoning change on February 1st, and the additional condition of improvement of greater than 10% of the existing water runoff conditions. The motion was seconded by Council Member Litchfield.

Council Members discussed the motion, which will not be an approval of the site plan or watershed development permit.

Citizen Comment from Scott Draker who opposed the Special Use Permit.

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.

12. Consider and act on a request for a Special Use Permit for alcoholic beverages to be sold in a restaurant for on-premise consumption under Section 150.103(A) of the Land Development Code at 6405 Brodie Lane

- Michael Whelan, attorney for the applicants, addressed the alcohol Special Use Permit
- Citizen Comment from Scott Draker who opposed the Special Use Permit and alcohol sales at the site

Council Member Litchfield made a motion to approve a Special Use Permit for alcoholic beverages to be sold in a restaurant for on-premise consumption under Section 150.103(A) of the Land Development Code at 6405 Brodie Lane, including Sections 1-5 of 150.103(A). The motion was seconded by Council Member Reetz.

Brief discussion by Council Members.

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.

13. Consider and act on approval of the following variance requests at 6405 Brodie Lane. (Mayor Bruner/Administration):

- **Impervious Cover, Chapter 150.332(H), previously Chapter 4.301 Impervious Cover subsection (h)**
- **Section 150.593 Parking Dimension Standards**
- **City Engineer Response to Request from Applicant**

Blayne Stansberry, Civil Engineer, made a presentation on the variance requests and the proposed site plan.

Comments, questions and discussion by Council.

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

Council convened into Executive Session at 8:32 P.M.

Council reconvened into Open Session at 9:00 P.M.

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

Council Member Rosengarten made a motion to approve the variance to Section 150.332(H) for impervious cover and Section 150.593 Parking Dimension Standards as presented, based on the findings, and with the condition that if the restaurant Special Use Permit is no longer valid, the variances will no longer be in place. The motion was seconded by Council Member Johnson.

Citizen Comment from Scott Draker who opposed both variances.

Council Member Johnson voted yes Mayor Pro tem Carmona voted no
Council Member Reetz voted yes Council Member Litchfield voted no
Council Member Rosengarten voted yes

With three votes in favor, the motion carried.

14. Consider and act on approval of Budget Adjustment #6 for FY 2022, as recommended by the Budget & Finance Committee. (Council Member

Rosengarten/Administration)

- A. **Computer Equipment Purchases from Repair & Replacement**
- B. **Laserfische Document Management System**
- C. **Approval of an Ordinance amending the FY 2022 Budget (Budget Amendment #6)**

Council members discussed the posting of the backup information for this agenda item. It was determined that the agenda and this item were properly noticed.

Mayor Pro tem Carmona asked that the item be tabled to a later date. Council Member Johnson requested that the item be tabled to later in the meeting (this item was initially discussed after Agenda Item #4 and prior to Agenda Item #10).

Council Member Reetz made a motion to approve an Ordinance amending the FY 2022 Budget, approving Budget Adjustment #6, seconded by Council Member Johnson.

Discussion by Council Members and questions for staff.

Council Member Reetz called the question, seconded by Council Member Rosengarten.

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, Council proceeded to vote on the motion.

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.

15. Adjourn

With no Agenda Items remaining, Mayor Bruner adjourned the meeting at 9:59 P.M.

Marc Bruner
Mayor

Attest:

Matt Lingafelter
City Secretary

Minutes approved on March 22, 2022