



**NOTICE OF A REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF SUNSET VALLEY, TEXAS
TUESDAY, APRIL 19, 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 19th of April 2022 at **6:00 P.M.** in the Council Chambers, Municipal Building, 3205 Jones Road, Sunset Valley, Texas, at which time the following items will be discussed, to-wit:

1. Call to order of the City Council.
2. Citizen/Public Communication
3. Council consideration of agenda items for approval on consent

Items Which May Be Considered and Acted on Consent

4. Consider and act on approval of the minutes from the April 5, 2022 regular meeting and work session.
5. Consider and act on approval of an Ordinance amending Chapter 31 aligning Standing Committee and Arts Commission appointments with the fiscal year. (Mayor Bruner/Administration)
6. Consider and act on approval of an Ordinance amending the FY 2022 Budget (Budget Amendment #7), as recommended by the Budget and Finance Committee. (Council Member Rosengarten/Administration)

Presentation Items for Discussion and Possible Action

7. Presentation, discussion and possible action on initiating zoning amendments for the following city-owned properties (Council Members Johnson/Litchfield):
 - A. 6107 Brodie Lane
 - B. 6401 Brodie Lane
 - C. 37 Lone Oak Trail
8. Presentation, discussion and possible action on utilizing Open Town Hall for public comments for City Council and public meetings. (Council Member Reetz/Rosengarten)

9. Presentation, discussion and possible action on City Hall as a community center, based on a recommendation from the Community & Economic Development Committee (Council Member Reetz/Administration):
 - A. Approval of a feasibility study, not to exceed \$10,000
 - B. Approval of an Ordinance amending the FY 2022 Budget (Budget Amendment #8)

Executive Session Items – Possible Action in Open Session

10. Convene into Executive Session pursuant to Texas Government Code Section 551.071 and 551.074 and Texas Disciplinary Rules of Professional Conduct Section 1.05 to consult with the City's Legal Counsel concerning legal issues, personnel matters and real property:
 - A. Offer for potential sale and development of real property
11. Reconvene into Open Session
12. 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 14th day of April 2022 at 6:00 P.M.


Matt Lingafelter
City Secretary

CITY COUNCIL MEETING DATE: APRIL 19, 2022



CITY COUNCIL AGENDA ITEM #4

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 the April 5, 2022 regular meeting and work session.

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

- DRAFT MINUTES 4-05-2022



**MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF SUNSET VALLEY, TEXAS
TUESDAY, APRIL 5, 2022
6:00 P.M.**

COUNCIL MEMBERS PRESENT

Mayor Pro tem Carmona
Council Member Justin Litchfield
Council Member Wanda Reetz
Council Member Rudi Rosengarten

COUNCIL MEMBERS ABSENT

Mayor Marc Bruner
Council Member Johnson

STAFF PRESENT

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

1. Call to order of the City Council.

Mayor Pro tem Carmona called the meeting to order at 6:10 P.M.

2. Citizen/Public Communication:

- Danny Horrigan
- Melissa Gonzales
- Staff directed Council to Open Town Hall comments related to the work session
- Council Member Rosengarten recognized Mickie Powers, who was chosen as a finalist for KXAN's Remarkable Woman of the Year

3. Staff Reports:

- Sylvia Carrillo, City Administrator, delivered the administrative report
 - Questions from Council Member Litchfield on the Professional Services fees report
 - Question from Mayor Pro tem on parkland, greenspace and conservation zoning designations
- Carolyn Meredith, Public Works Director, delivered the Public Works Report
 - Comment from Council Member Rosengarten thanking staff for the CIP information displayed on the website
 - Question from Mayor Pro tem Carmona on the leak on Lone Oak
- Chief Carter delivered the Public Safety Report

4. Council consideration of agenda items for approval on consent

Council Member Rosengarten made a motion to approve Agenda Items #5, 6, 7

THIS IS NOT A TRANSCRIPT OF THE MEETING. A RECORDING OF THIS MEETING IS ON THE CITY'S WEBSITE.
on consent, seconded by Council Member Reetz. 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 March 22, 2022 regular meeting and work session. Agenda Item Approved on Consent**
6. **Consider and act on cancelling the July 5, 2022 City Council regular meeting. (Mayor Bruner/Administration) Agenda Item Approved on Consent**
7. **Consider and act on appointing Barbara Wilson as a regular member of the Arts Commission and an alternate member to the Board of Adjustment. (Mayor Bruner/Administration) Agenda Item Approved on Consent**

Presentation Items for Discussion Only – no action

8. **Presentation, discussion, and possible staff direction on the Comprehensive Plan updates, as recommended by the Planning & Environmental Committee. (Council Member Litchfield/Administration)**
 - Carolyn Meredith introduced the agenda item and updated the Council on the Planning & Environmental Committee's review and update of the City's Comprehensive Plan
 - Comments from Council Member Reetz on the definition of low-density and the adoption versus exploration of Atlas 14
 - Citizen Comments:
 - Melissa Gonzales
9. **Presentation, discussion, and possible staff direction on parking signage for the trailheads at the Meadows and on Oakdale Drive. (Council Member Rosengarten/Administration)**
 - Chief Carter gave an update on the parking signs at 37 Lone Oak
 - Comments from Council Members and staff on options to address the parking issues at the trailheads
 - Suggestion of a possibly public-private parking partnership with the Village Shopping Center
 - Individual subdivisions and areas will be surveyed to see what type of parking and street safety regulations the residents want to see
 - Public Safety Committee will review at a future agenda

Executive Session Items – Possible Action in Open Session

10. **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.**
 - **Accounting, finance and human resources staffing needs**

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

Council convened into Executive Session at 7:10 P.M.

11. Reconvene into Open Session.

City Council reconvened into Open Session at 8:05 P.M.

Council Member Rosengarten made a motion to accept the resignation of Suzanna Fleegal with direction given to the City Administrator by Council, seconded by Council Member Litchfield. All voted in favor and the motion carried.

12. Adjourn

Council Member Litchfield made a motion to adjourn, seconded by Council Member Reetz. All voted in favor and the meeting was adjourned at 8:06 P.M.

DRAFT



**MINUTES OF A WORK SESSION
OF THE CITY COUNCIL
OF THE CITY OF SUNSET VALLEY, TEXAS
TUESDAY, APRIL 5, 2022
5:00 P.M. - 6:00 P.M.**

COUNCIL MEMBERS PRESENT

Mayor Pro tem Carmona
Council Member Justin Litchfield
Council Member Wanda Reetz
Council Member Rudi Rosengarten

STAFF PRESENT

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

COUNCIL MEMBERS ABSENT

Mayor Marc Bruner
Council Member Johnson

1. Call to order of the City Council

Mayor Pro tem Carmona called the work session to order at 5:00 P.M.

2. Citizen/Public Communication:

- Melissa Gonzales

3. Council will discuss the following items, but take no action:

- Staffing needs
- Development Process review

Council discussed the Community Vitality Coordinator position and other staffing needs in the administration department.

Council discussed and made recommendations for the development process. Discussion and recommendations by staff on what changes should be made. Comments from legal on changes in the Local Government Code.

4. Directive to the City Administrator by the Mayor regarding follow-up work products for a future Council Agenda.

The Mayor Pro tem and Council directed the City Administrator to bring the items discussed to a future Council meeting for appropriate action.

5. Adjourn

Mayor Pro tem Carmona adjourned the work session at 6:00 P.M.

CITY COUNCIL MEETING DATE: APRIL 19, 2022



CITY COUNCIL AGENDA ITEM #5

STAFF PREPARER/CONTACT INFORMATION: Matt Lingafelter, Asst. to the City Admin.
milingafelter@sunsetvalley.org

COUNCIL SPONSOR: Mayor Bruner, mbruner@sunsetvalley.org

SUBJECT: COMMITTEE APPOINTMENTS

DESCRIPTION: Consider and act on approval of an Ordinance amending Chapter 31 aligning Standing Committee and Arts Commission appointments with the fiscal year.

BACKGROUND: At a Council-Committee work session in July 2021, the Mayor and City Council asked for Committee for feedback on Committee structure and processes. After discussion amongst the five Standing Committees and the Arts Commission, their recommendations were to align committee appointments with the fiscal year rather than elections. The support for this change was reaffirmed at the joint session of Council and Committee leadership in March 2022.

Aligning the appointments with the fiscal year would allow the Committees to elect their leadership and begin their work when the fiscal year begins, just after their budgets have been approved by City Council. The feedback from Committees was that often time appointments do not occur until mid-December, or even early-January, and a quarter of the fiscal year has already passed. Committees would barely be getting started with their current fiscal year projects when it is suddenly time to begin planning for the next fiscal year budget requests.

The Ordinance amending Chapter 31 (see attached) would see Council making appointments for the Budget & Finance, CED, P&E, Public Safety and Public Works Committees, as well as the Arts Commission, at the last Council Meeting in September, which is also the meeting where the next fiscal year's budget is adopted.

If adopted, staff's recommendation is for Council to implement beginning September 2022, but rather than the standard appointment process, adopting an "open enrollment" concept. Standing Committee and Arts Commission members that were appointed in December 2021 could be reappointed in September 2022 without completing an application, since they would not have served a full 12-month term. They would remain members until September 30, 2023.

Residents that wish to join a Committee or the Arts Commission could complete an application during “open enrollment” and be appointed on September 20th to serve one year. Staff would begin taking applications in late July or early August. Additionally, if any current member on the Committee/Commission did not wish to continue serving, they could resign during the “open enrollment” period.

BOA AND ZONING

Appointments to the Board of Adjustment or Zoning Commission are not affected by these proposed changes. These appointments will continue to be aligned with the City’s election. Unlike Standing Committee and Arts Commission appointments, these are two-year appointments, like the elected officials. In early October 2022, staff will begin asking for applications for Zoning Commissioners, and appointments will be made for the Commission on November 22nd, as set forth in Section 150.031 of the Land Development Code.

APPLICABLE CODE SECTIONS: 31.17 & 31.35

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

- DRAFT ORDINANCE

ORDINANCE # _____

AN ORDINANCE AMENDING CITY OF SUNSET VALLEY, TEXAS CODE OF ORDINANCES SECTION 31.17 “APPOINTMENT OF MEMBERS” AND SECTION 31.35 “ARTS COMMISSION” RELATING TO THE APPOINTMENT OF MEMBERS TO STANDING COMMITTEES AND THE ARTS COMMISSION, PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City desires to make changes to the appointment of members of Standing Committees and the Arts Commission in order to align with the City’s fiscal year.

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

SECTION 1. Amendment of Ordinance. The City of Sunset Valley, Texas’ Code of Ordinances Section 31.17 is hereby amended as follows:

§ 31.17 APPOINTMENT OF MEMBERS.

(A) Committee members shall be appointed by the City Council.

(B) Committee members will be appointed at ~~the first regular meeting following the city elections or as soon thereafter as possible~~ the last meeting in September in alignment with the fiscal year so that committees may be seated at the commencement of the fiscal year. Additional appointments may be made from time to time as determined by the Council to fill a vacancy or to add additional member(s) or alternate(s).

(C) Committee member appointments will be for a term of one year or until appointments are made following the city elections.

(D) In the event of the resignation of a regular member, the City Council shall give consideration to appointing sitting alternate members as regular members, prior to appointment of new regular members.

(E) No individual may serve concurrently as a regular member on more than two Standing or Special Committees.

(F) No individual may serve concurrently as a regular or alternate member of a Standing Committee while also serving on the City Council, Zoning Commission, or Board of Adjustment.

(G) There are four categories of committee appointments:

(1) Regular members shall be residents of the city and will have full voting privileges and count toward a meeting quorum.

(2) Alternate members shall be residents of the city and will not have voting privileges or count toward a meeting quorum except as provided in § [31.19\(B\)](#).

(3) Honorary members are not required to be city residents and do not have voting privileges or count toward a quorum.

(4) City Council Liaison is the City Council member assigned to a committee as a non-voting member. The City Council Liaison provides communication between the City Council and the committee. The City Council Liaison cannot be an officer of the committee. The City Council Liaison shall have the following roles:

(a) Serves as the primary two-way communications channel between Council and standing committees, and the Arts Commission.

(b) Advises the City Council of any activities conducted by the committee or commission through quarterly reports at Council meetings or work sessions.

(c) Helps resolve questions the committee or commission may have about the role of

Council or municipal government.

(d) Advises the committee or commission on most recent Council action or activities related to the committee or commission.

(e) Establishes formal or informal contact with the chairperson of the committee or commission and effectively communicates the role of the City Council Liaison.

(f) Provides procedural direction and relays Council's position to the committee or commission.

(g) Assists the committee or commission in staying on track and focused on council outcomes/goals assigned to them.

(h) Encouraged to attend all meetings of the assigned committee or commission.

(5) The Liaison shall provide a quarterly written report to the Council.

(Ord. 70619-B, passed 6-19-2007; Ord. 100706-B, passed 7-6-2010; Ord. 140805, passed 8-5-2014; Ord. 141217-B, passed 12-17-2014; Ord. 170110-A, passed 1-10-2017; Ord. 181218-B, passed 12-18-2018; Ord. 200204, passed 2-4-2020; Ord. 210105, passed 1-5-2021)

SECTION 2. Amendment of Ordinance. The City of Sunset Valley, Texas' Code of Ordinances Section 31.35 is hereby amended as follows:

§ 31.35 ARTS COMMISSION.

(A) Appointment of members to Sunset Valley Arts Commission.

(1) Commission members shall be appointed by the City Council.

(2) Commission members will be appointed ~~at the first regular meeting following the city elections or as soon thereafter as possible~~ at the last meeting in September in alignment with the fiscal year so that the Commission may be seated at the commencement of the fiscal year.

(3) Commission member appointments will be for a term of one year.

(B) Structure of Commission.

(1) The City Council Liaison is the City Council member assigned to the Arts Commission as a non-voting member and counts toward the quorum. The City Council Liaison provides communication

between the City Council and the committee. The City Council Liaison cannot be an officer of the committee.

(2) Commissions shall be composed of at least five regular members who shall be residents of the city.

(3) Alternates may be appointed who shall also be residents of the city.

(4) One honorary member may be appointed who has experience in a field relating to the standing Commission and may or may not be a resident of the city.

(5) The Commission shall select a chairperson and a vice-chairperson who will serve as chairperson in the chairperson's absence.

(6) The Commission shall select a secretary who is responsible for preparing the minutes of each Commission meeting. The secretary may be the city staff assigned to the Commission.

(C) Purpose of Sunset Valley Arts Commission. The purpose of the Commission is to serve in an advisory capacity to assist and make recommendations to Council and department heads to research, develop, implement, and evaluate policies, programs, and projects related to the arts, and in particular encourage and promote tourism in the city.

(D) Rules of Sunset Valley Arts Commission.

(1) The chairperson or vice-chairperson of the Commission shall be in attendance at all Commission meetings.

(2) A majority of regular Commission members shall constitute a quorum.

(3) The Commission shall not be required to conduct their meetings in accordance with the Texas Open Meetings Act; however, the Commission shall adhere to the following, whether the meeting is held in-person or virtually:

1. All meetings shall be open to the public; if held virtually, a link shall be published on the posted agenda;
2. All meetings shall require a quorum of the regular Commission members;
3. All meetings shall allow members of the public to comment during the appropriate comment period;
4. Agendas shall be posted at least 72 hours in advance of the meeting, and if the meeting is virtual shall include the virtual link and shall be recorded through the platform that they are held within (e.g. GoToTraining, Zoom, Teams, etc.)
5. Minutes shall be taken at each meeting and shall be filed with the City Secretary within 24 hours of being approved.

(4) Members will hold a meeting as soon as possible after appointment by the Council, to review Commission actions of the previous year and plan for the current year.

(5) At the first meeting after appointment by the Council, the Commission may approve a regular Commission meeting schedule.

(6) Upon request by any member, the chairperson shall call a meeting within 30 days or other time period that is reasonable under the circumstances.

(7) Members do not possess legislative powers and are vested only with the authority to fulfill the purposes of the Commission as set forth in division (C) above.

(8) Commissions shall meet a minimum of once every three months.

(E) Reporting to Council.

(1) Commission reports will be made quarterly at City Council meetings.

(2) Subjects and any supporting material must be given to the City Secretary no later than noon Thursday preceding the regular Council meetings.

(F) Hotel Occupancy Tax Funds. In addition to complying with the requirements of Tex. Tax Code Ch. 351, and any other applicable law, with respect to any expenditures of funds collected by the city pursuant to Tex. Tax Code Ch. 351, the Commission must present any and all proposed expenditures to the City Council for approval.

SECTION 3. Effective Date. This Ordinance shall be effective immediately upon adoption.

SECTION 4. 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.

PASSED AND APPROVED AND ADOPTED this the 19th day of April 2022.

ATTEST:

CITY OF SUNSET VALLEY, TEXAS

Matt Lingafelter, City Secretary

Marc Bruner, Mayor



#ITSGOODTOBEHERE

COUNCIL MEETING DATE: APRIL 19, 2022

CITY COUNCIL AGENDA ITEM #6

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

COUNCIL SPONSOR: Council Member Rosengarten rosengarten@sunsetvalley.org

SUBJECT: ADMINISTRATION / BUDGET ADJUSTMENT

DESCRIPTION: Consider and act on approval of an Ordinance amending the FY 2022 Budget (Budget Amendment #7), as recommended by the Budget and Finance Committee

BACKGROUND: Budget and Finance Committee reviewed this item on 3/31/2022 and recommended it to council for approval. Here is an overview of the items on the agenda:

- Engineer Review Building Inspections: This account is used for costs related to building inspections for permits and development plan review from the engineers and inspectors (McComis). The increased cost is due to many more permits this year compared to prior years. The cost is offset by revenue for those permits which totals \$30,805 as of March.
- Attorney: The attorney sent invoices for FY21 worth \$36,602.25 to the wrong email so they didn't get paid until this year. To continue receiving legal representation in FY22, a budget adjustment is necessary. We have corrected the issue with the law firm and are receiving invoices as normal.
- Volunteer Awards Banquet: CED is requesting \$9000 for events (Spring Fling, Movies on the Lawn, and Game Night) in FY22. Budget & Finance saw the incorrect accounting string (01-01-5475) but has since been corrected. The request is the same but with an updated account.

Total General Fund: \$55,602.25

- Equipment Acquisition- Wastewater: The lift station is in dire need of a new generator for emergencies. The cost of this is estimated at \$30,000.

Total Utility Fund: \$30,000



- 800 mghz Radios: The radios have been purchased, but the cost of installation has increased from the original estimate. The original purchase was in Repair & Replacement Fund.

Total Repair & Replacement Fund: \$2450.00

#ITSGOODTOBEHERE

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

FUNDING:

CURRENT YEAR FISCAL BUDGET							
FUND	DEPT.	ACCT.	DESC.	Current Balance	Encumbered	THIS ITEM	REMAINING
GF			Transfer in from General Fund Reserves	\$8,041,326.09	0	\$55,602.25	\$7,985,723.84
R&R			Transfer in from Repair & Replacement Reserves	\$551,201.03	0	\$2,450	\$548,751.03
UT			Transfer in from Utility Reserves	\$4,511,231.22	0	\$30,000	\$4,481,231.22
PRIOR YEAR FISCAL BUDGET(S)							
BUDGET YEAR	FUND	DEPT.	DESC.	ACCOUNT	AMOUNT	TOTAL	NOTES

STAFF RECOMMENDATION: Approval

SUPPORTING MATERIALS PROVIDED: YES/NO:

- BUDGET ADJUSTMENT #6 FY22
- FY22 BUDGET ADJUSTMENTS HISTORICAL
- ORDINANCE

Budget Adjustment #7 FY22							
Misc Items							
Fund	Dpt	GL	GL Description	Adopted Budget	Proposed Increase	Amended Budget	Notes
01	01	5312	Engineer Review Building Inspections	14,250.00	10,000.00	24,250.00	Increase in permit activity and inspections
01	01	5306	Attorney	50,000.00	36,602.25	86,602.25	Invoices being sent to incorrect email address for a large portion of FY21 bills. The total amount has been settled, and was paid out of the FY22 budget with the firm agreeing to a 50% discount for a portion of the invoices. This adjustment will cover the remaining contract amount for FY22 budget.
01	09	5558	Community Events- Spring Fling	2,375.00	9,000.00	11,375.00	Post COVID - additional Spring Fling, Movies on the Lawn, and Game Night events
02	05	5625	Equipment Acquisition - Wastewater	-	30,000.00	30,000.00	Purchase of a new generator for the lift station to provide continual power during power outages.
19	19	5613	800 mghz Radios	10,495.00	2,450.00	12,945.00	Original purchase did not include installation. Original purchase was from R&R
				77,120.00	88,052.25	165,172.25	
Funding							
Fund	Funding			Current Balance	Proposed Funding	Ending Balance	
01	Transfer in from General Fund Reserves			8,041,326.09	55,602.25	7,985,723.84	
02	Transfer in from Utility Reserves - Wastewater			4,511,231.22	30,000.00	4,481,231.22	
21	Transfer in from Repair & Replacement			551,201.03	2,450.00	548,751.03	
				13,103,758.34	88,052.25	13,015,706.09	
Budget Adjustment Total					88,052.25		

FY22 Budget Adjustments- Council Approved

#	Date Approved	Reason	Amount	Account String	Date Entered Into MIP
1	11/9/2021	Engineering Task Order	18,275.00	01-01-5330	1/26/2022
2	11/16/2021	Medical Insurance & HRA	26,957.84	see sheet	1/26/2022
3	11/16/2021	Surveillance Cameras	27,500.00	19-19-5625	1/26/2022
4	11/16/2021	CED Beautification	66,512.00	01-01-5310	1/26/2022
5	12/7/2021	Job Descriptions	12,667.00	see sheet	1/26/2022
6	3/8/2022	Various Items- Land, LDC	1,087,064.45	see sheet	4/7/2022

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 210921 AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND TERMINATING SEPTEMBER 30, 2022 AND MAKING TRANSFERS AND APPROPRIATIONS OF FUNDS FOR ACCOUNTS AFFECTING THE GENERAL FUND, UTILITY FUND, REPAIR AND REPLACEMENT FUND, AND THE CRIME CONTROL AND PREVENTION FUND.

WHEREAS, the City Council of the City of Sunset Valley, Texas, deems it necessary to amend Ordinance No. 210921 to meet unexpected and/or unforeseen conditions that could not have been included in the original budget using reasonably diligent thought and attention.

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

Ordinance No. 210921 passed and approved on September 21, 2021, is hereby amended, to provide for the line-item adjustments and transfers set forth in Attachment A, Budget Amendment #7, attached hereto and incorporated herein. Except as specifically affected by the transfers and appropriations reflected on the attached Attachment A, the budget for Fiscal Year 2021-2022 as previously approved, shall remain in full force and effect.

PASSED AND APPROVED this 19TH DAY OF APRIL 2022.

Marc Bruner
Mayor

ATTEST:

Matt Lingafelter, City Secretary

CITY COUNCIL MEETING DATE: APRIL 19, 2022



CITY COUNCIL AGENDA ITEM #7

STAFF PREPARER/CONTACT INFORMATION: Sylvia Carrillo, scarrillo@sunsetvalley.org

COUNCIL SPONSOR: Councilmembers Johnson (rjohnson@sunsetvalley.org) and Litchfield (jlitchfield@sunsetvalley.org)

SUBJECT: Administration/Land Development Code

DESCRIPTION: Presentation, discussion and possible action on initiating zoning amendments for the following city-owned properties:

- A. 6107 Brodie Lane
- B. 6401 Brodie Lane
- C. 37 Lone Oak Trail

BACKGROUND: The above listed properties are City owned and zoned as Single Family residential. The Council sponsors would like to initiate a zoning change to Parkland, Greenspace/Preservation, or Conservation, as presented in the Land Development Code.

The Council may initiate a zoning change according to Section 150.064(B)(2). Zoning changes initiated by City Council “shall not become effective without first giving notice and holding hearings in accordance with § [150.060](#).” City Council discussion and possible action should provide direction to the Mayor and city staff on which properties and what zoning categories to apply for.

After Council action, the Mayor and staff will prepare an application and a zoning report to be presented to the Zoning Commission. A notice of Public Hearing will be prepared and sent to property owners within 500 feet of the properties Council elects to initiate a zoning change.

The Zoning Commission will hold a Public Hearing, and then make a recommendation to City Council to approve or deny the requested zoning amendments. Ultimately, the applications will be brought back to Council with the Zoning Commission’s recommendations for final adoption.

Each zoning category intent is described below.

§ 150.220 INTENT OF PARKLAND DISTRICT.

To provide publicly owned parcels for parks and recreation, including active and passive recreation, water quality protection, air purification, and continuity of aesthetic open space and nature area buffering for the citizens of Sunset Valley.

§ 150.222 INTENT OF GREENSPACE/PRESERVATION DISTRICT.

To provide publicly and privately owned parcels for permanent open space or preservation purposes, including passive recreation, wildlife habitat, ecological and historical preservation, water quality protection, air purification, science education, nature observation, and continuity of aesthetic open space and natural area buffering for the citizens of Sunset Valley.

§ 150.224 INTENT OF THE CONSERVATION DISTRICT.

To provide publicly and privately owned parcels for permanent conservation purposes including space for wildlife habitat (including federally listed endangered species habitat), ecological and geological preservation, water quality protection, air purification, science education, nature observation, and continuity of aesthetic open space and nature area buffering for the citizens of Sunset Valley.

APPLICABLE CODE SECTIONS: Code of Ordinances, Local Government Code

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: N/A – Staff will take the Council recommendation and create a Zoning Report for hearing and presentation to the Zoning Commission.

SUPPORTING MATERIALS PROVIDED:

- LAND DEVELOPMENT CODE SECTIONS APPLICABLE TO PARKLAND, GREENSPACE/PRESERVATION, AND CONSERVATION DISTRICT
- MAP SHOWING CURRENT ZONING & SUBJECT PROPERTIES

P, PARKLAND; G, GREENSPACE AND PRESERVATION; AND C, CONSERVATION

§ 150.220 INTENT OF PARKLAND DISTRICT.

To provide publicly owned parcels for parks and recreation, including active and passive recreation, water quality protection, air purification, and continuity of aesthetic open space and nature area buffering for the citizens of Sunset Valley.

§ 150.221 PARKLAND DISTRICT PERMITTED USES AND DEVELOPMENT STANDARD.

<i>Land Uses</i>	<i>Development Standards</i>	
<i>Permitted Uses</i>	<i>Site Requirements</i>	<i>Supplementary Requirements</i>
1. Public Parks 2. Publicly owned Open Areas 3. Conservation area or easement 4. Vehicular parking 5. Playground equipment and other recreational structures 6. Drainage improvements, Water quality protection facilities, Infiltration/Passive detention facilities 7. Shelters related to park uses and activities 8. Paths and trails, including foot bridges 9. Uses permitted in a Greenspace/Preservation District 10. Uses permitted in a Conservation District 11. Other uses and structures similar or incidental to the above permitted uses	1. Direct public access must be provided for parks and active recreation areas. 2. Any improved parking surfaces must be for park-related uses and conform with the city's approved Parks and Open Space Management Plan.	1. Only vegetation included in the city's approved plant list may be used. 2. Maintenance, management and construction practices must conform to the city's approved Parks and Open Space Management Plan.

§ 150.222 INTENT OF GREENSPACE/PRESERVATION DISTRICT.

To provide publicly and privately owned parcels for permanent open space or preservation purposes, including passive recreation, wildlife habitat, ecological and historical preservation, water quality protection, air purification, science education, nature observation, and continuity of aesthetic open space and natural area buffering for the citizens of Sunset Valley.

§ 150.223 GREENSPACE/PRESERVATION DISTRICT PERMITTED USES AND DEVELOPMENT STANDARD.

<i>Land Uses</i>	<i>Development Standard</i>	
<i>Permitted Uses</i>	<i>Site Requirements</i>	<i>Supplementary Requirements</i>

<ol style="list-style-type: none"> 1. Publicly owned Open Areas 2. Privately owned Open Areas 3. Conservation area or easement 4. Drainage improvements, water quality protection facilities, infiltration/passive detention facilities 5. Paths and trails, including foot bridges and pedestrian links 6. Historical sites and structures 7. Uses permitted in a Conservation District 8. Other uses and structures similar or incidental to the above permitted uses 9. Buffering, berming or other visual or sound mitigation not in conflict with the intention of the Greenspace/Preservation District 10. Motorized Vehicular access in the Greenspace/Preservation District is restricted to emergency vehicles, City of Sunset Valley vehicles or for specifically approved City of Sunset Valley projects and activities that are consistent with the goals and objectives of the Conservation District. 	<ol style="list-style-type: none"> 1. Direct public access is not required in the Greenspace/Preservation District 	<ol style="list-style-type: none"> 1. Only vegetation included in the city's approved plant list may be used. 2. Maintenance, management and construction practices must conform to the city's approved Parks and Open Space Management Plan. 3. Pets are not allowed, except when under direct control of owner in certain time periods, in accordance with the city's approved Parks and Open Space Management Plan.
--	---	---

§ 150.224 INTENT OF THE CONSERVATION DISTRICT.

To provide publicly and privately owned parcels for permanent conservation purposes including space for wildlife habitat (including federally listed endangered species habitat), ecological and geological preservation, water quality protection, air purification, science education, nature observation, and continuity of aesthetic open space and nature area buffering for the citizens of Sunset Valley.

§ 150.225 CONSERVATION DISTRICT PERMITTED USES AND DEVELOPMENT STANDARD.

<i>Land Uses</i>	<i>Development Standard</i>	
<i>Permitted Uses</i>	<i>Site Requirements</i>	<i>Supplementary Requirements</i>
<ol style="list-style-type: none"> 1. Boundary fences and applicable signage 2. Publicly owned Open Areas 3. Privately owned Open Areas 4. Conservation area or easement 5. Motorized Vehicular access in the Conservation District is restricted to emergency vehicles, City of Sunset Valley vehicles or for specifically approved City of Sunset Valley projects and activities that are consistent with the goals and objectives of the Conservation District. 	<ol style="list-style-type: none"> 1. Direct public access is not required in the Conservation District. 	<ol style="list-style-type: none"> 1. Only endemic vegetation may be used. 2. Maintenance and management practices must conform to the city's approved Parks and Open Space Management Plan. 3. The only structures permitted are those that adhere to the intent of the Conservation District. 4. Pets are not allowed, except when under direct control of owner in certain time periods, in accordance with the city's approved Parks and Open Space Management Plan. 5. Public access may be restricted in accordance with the city's approved Park and Open Space Management Plan.

CITY COUNCIL MEETING DATE: APRIL 19, 2022



CITY COUNCIL AGENDA ITEM #8

STAFF PREPARER/CONTACT INFORMATION: Matt Lingafelter, Asst. to the City Admin.
mlingafelter@sunsetvalley.org

COUNCIL SPONSOR: Wanda Reetz, wreetz@sunsetvalley.org and Rudi Rosengarten,
rrosengarten@sunsetvalley.org

SUBJECT: ADMINISTRATION – PUBLIC COMMENTS

DESCRIPTION: Presentation, discussion and possible action on utilizing Open Town Hall for public comments for City Council and other public meetings.

BACKGROUND: [Open Town Hall](#), which is powered by OpenGov, is the City's online resident engagement portal. The City implemented Open Town Hall in 2020 during the COVID-19 Pandemic. The forum was opened not only as a feedback and resident survey forum, but also as a way for the public to comment on meeting agendas. An individual Open Town Hall forum is opened for every City Council, Committee, Board and Commission meeting for the City.

While public comments left for committee meetings are very rare on Open Town Hall, residents will frequently post comments for Council Meetings. At the Council Retreat in March, Council directed staff to evaluate Open Town Hall as a method of public comments for City Council and other official public meetings. Although the forum does allow the public to easily comment, Council discussed their dissatisfaction with Open Town Hall as it is more akin to social media (such as the support feature, similar to a "like"), as well as residents posting minutes before the meeting begins, where Council has not had time to read the comments.

Prior to Open Town Hall and the pandemic, public comments could be given at a Council Meeting, as required by the Local Government Code. In addition to in-person testimony, the public could send written comments either directly to Council Members via their public email addresses (sunsetvalley.org), or by sending written comments to the City Secretary.

PUBLIC TESTIMONY

The following is from the Texas Local Government Code, Chapter 551 Open Meetings:

Sec. 551.007. PUBLIC TESTIMONY. (a) This section applies only to a governmental body described by Sections [551.001](#)(3)(B)-(L).

(b) A governmental body shall allow each member of the public who desires to address the body regarding an item on an agenda for an open meeting of the body to address the body regarding the item at the meeting before or during the body's consideration of the item.

(c) A governmental body may adopt reasonable rules regarding the public's right to address the body under this section, including rules that limit the total amount of time that a member of the public may address the body on a given item.**

(d) This subsection applies only if a governmental body does not use simultaneous translation equipment in a manner that allows the body to hear the translated public testimony simultaneously. A rule adopted under Subsection (c) that limits the amount of time that a member of the public may address the governmental body must provide that a member of the public who addresses the body through a translator must be given at least twice the amount of time as a member of the public who does not require the assistance of a translator in order to ensure that non-English speakers receive the same opportunity to address the body.

(e) A governmental body may not prohibit public criticism of the governmental body, including criticism of any act, omission, policy, procedure, program, or service. This subsection does not apply to public criticism that is otherwise prohibited by law.

**Sunset Valley rules regarding public testimony may be found in Chapter 30:

§ 30.10 ADDRESSING THE COUNCIL.

(A) *Written communication.* Interested parties or their authorized representative may address the Council by written communications regarding any matter involving the business or affairs of the city or otherwise within the scope of authority of the City Council.

(B) *Oral communication.* Any person desiring to address the Council at a public meeting may do so in accordance with applicable procedures and restrictions of this chapter. A person making a presentation to the Council will comply with any direction of the Presiding Officer for the order of speakers, and commencement or interruption of the person's presentation to the Council. A person may address the Council at the beginning of a Council meeting on any matter concerning the city's business that is not included on the agenda for the meeting. In accordance with the Texas Open Meetings Act ("Act"), deliberation by the Council of such unscheduled matters may not occur except for the limited purposes provided by the Act. A person may address the Council regarding a matter included on the agenda for the meeting either at the beginning of the meeting when citizen comments are taken, or at the time the particular matter is taken up by the Council.

(C) *Manner of addressing Council; time limit.* Each person addressing the Council shall give his or her name and address in an audible tone of voice, and unless further time is granted by the Council, shall limit his or her address to four minutes. Applicants for permits or approvals or their representatives may be given a longer time to present an application. Special procedures for dividing a fixed amount of time for each side on an issue or question, to be allocated among those on each side by the proponents of the side, may be established when an unusually large number of speakers have indicated a desire to address the Council on a matter. Unless the city provides equipment that simultaneously translates a presentation and allows the Council to hear such translation simultaneously, persons making a presentation to the Council through a translator shall be permitted twice the amount of time to make a presentation as is provided to those not presenting through a translator. All remarks shall be addressed to the Council as a body and not to any Council Member thereof. No person, other than the Council Members and the person then addressing the Council shall be permitted to enter into any discussion without the permission of the Presiding Officer. No question may be asked of a Council Member except through the Presiding Officer.

WRITTEN COMMUNICATION

Aside from addressing City Council at a meeting, either during Citizen/Public Comments, or when the agenda item of interest is being considered, Council should determine what forms of written/electronic communication it wishes to be official. Additionally, after review by staff and legal, neither state nor local law requires the Mayor, Council to read any written public comments during the meeting. However, best practice would be to at least affirm receipt of the number or written comments in favor or opposed to a specific agenda item. Written public comments will also be filed with the agenda packet and kept as public record.

Council has several options moving forward:

- Leave Open Town Hall as is, and as a tool for public comments for meetings
- Leave Open Town Hall for public comments, but disable the support feature
- Remove Open Town Hall for public comments, and create an alternative public comment form via the City's website

In all these options, the public always has the option to attend a meeting in-person to address the Council. And if they cannot attend the meeting in-person, they always have the option of emailing the Council Members directly, or emailing the City Secretary or other city staff, to have their comments forwarded to the Council.

Open Town Hall may be kept for resident surveys, feedback, and community engagement for projects, plans and other city matters.

FUNDING: NA

STAFF RECOMMENDATION: N/A

SUPPORTING MATERIALS PROVIDED: NO

CITY COUNCIL MEETING DATE: APRIL 19, 2022



CITY COUNCIL AGENDA ITEM #9

STAFF PREPARER/CONTACT INFORMATION: Sylvia Carrillo, scarrillo@sunsetvalley.org

COUNCIL SPONSOR: Councilmember Reetz, wreetz@sunsetvalley.org

SUBJECT: ADMINISTRATION/ENGINEERING

DESCRIPTION: Presentation, discussion and possible action on City Hall as a community center, based on a recommendation from the Community & Economic Development Committee (Council Member Reetz/Administration):

- A. Approval of a feasibility study, not to exceed \$10,000
- B. Approval of an Ordinance amending the FY 2022 Budget (Budget Amendment #9)

BACKGROUND: The CED Committee would like to delve further into the possibility of utilizing City Hall as a community gathering space. They would like to explore the possibility of opening the back-office area into a complete open space to allow for additional gathering space.

This request will require a feasibility study to determine architectural requirements, code requirements, etc.

The request is for an amount not to exceed \$10,000 for architectural and engineering review of the building plans and deliver a final assessment of probable costs.

This is an amendment to the current year budget as this was not a previously approved project.

APPLICABLE CODE SECTIONS: Financial Policies

FUNDING:

CURRENT YEAR FISCAL BUDGET							
FUND	DEPT.	ACCT.	DESC.	BUDGET	ENCUMBERED	THIS ITEM	REMAINING
01-General Fund	01- General Fund	5327	Engineering Design Fees	\$327		\$10,000	(\$9,673)
PRIOR YEAR FISCAL BUDGET(S)							
BUDGET YEAR	FUND	DEPT.	DESC.	ACCOUNT	AMOUNT	TOTAL	NOTES

STAFF RECOMMENDATION: Approve an amount not to exceed \$10,000 for a Task Order to FreelandTurk to assess and provide a statement of probable costs to the City of Sunset Valley.

SUPPORTING MATERIALS PROVIDED: YES

- BUDGET AMENDMENT
- BUDGET AMENDMENT ORDINANCE

Budget Adjustment #8 FY22

Misc Items

Fund	Dpt	GL	GL Description	Adopted Budget	Proposed Increase	Amended Budget	Notes
01	01	5327	Engineering Desgin Fees	327.00	9,673.00	10,000.00	City Hall Conversion Feasibility Study
				327.00	9,673.00	10,000.00	

Funding

Fund	Funding	Current Balance	Proposed Funding	Ending Balance
01	Transfer in from General Fund Reserves	8,041,326.09	9,673.00	8,031,653.09
		8,041,326.09	9,673.00	8,031,653.09

Budget Adjustment Total

9,673.00

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 210921 AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND TERMINATING SEPTEMBER 30, 2022 AND MAKING TRANSFERS AND APPROPRIATIONS OF FUNDS FOR ACCOUNTS AFFECTING THE GENERAL FUND.

WHEREAS, the City Council of the City of Sunset Valley, Texas, deems it necessary to amend Ordinance No. 210921 to meet unexpected and/or unforeseen conditions that could not have been included in the original budget using reasonably diligent thought and attention.

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

Ordinance No. 210921 passed and approved on September 21, 2021, is hereby amended, to provide for the line-item adjustments and transfers set forth in Attachment A, Budget Amendment #8, attached hereto and incorporated herein. Except as specifically affected by the transfers and appropriations reflected on the attached Attachment A, the budget for Fiscal Year 2021-2022 as previously approved, shall remain in full force and effect.

PASSED AND APPROVED this 19TH DAY OF APRIL 2022.

Marc Bruner
Mayor

ATTEST:

Matt Lingafelter, City Secretary