



**NOTICE OF A REGULAR MEETING  
OF THE CITY COUNCIL  
OF THE CITY OF SUNSET VALLEY, TEXAS  
TUESDAY, MAY 17, 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 17<sup>th</sup> day of May 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 May 3, 2022 regular meeting and work session.
5. Consider and act on appointment of Barbara Wilson as a regular member and Walter Jenkins as an alternate member of the Board of Adjustment. (Mayor Bruner/Administration)
6. Consider and act on approval of the October 2021 – March 2022 financial statements, as recommend by the Budget & Finance Committee. (Council Member Rosengarten/Administration)
7. Consider and act on approval of an Ordinance amending the FY 2022 Budget (Budget Amendment #9) reallocating Arts Commission General Fund funds for ARTFEST expenses. (Council Member Johnson/Administration)
8. Consider and act on approval of the Request for Proposals for landscaping maintenance. (Mayor Bruner/Public Works)
9. Consider and act on the following City Hall maintenance items (Mayor Bruner/Public Works):
  - A. Award of Contract to the Rock Services for painting the interior and exterior of City Hall
  - B. Award of Contract to the Rock Services for electrical work in City Hall
  - C. Approval of an Ordinance amending the FY 2022 Budget (Budget Amendment #10) for Repair and Replacement Funds for City Hall maintenance

*Presentation Items for Discussion and Possible Action*

10. Public Hearing to consider updates and revisions to the City of Sunset Valley's Comprehensive Plan and Future Lane Use Map (first of four scheduled Public Hearings) – TIME CERTAIN 7:00 P.M.
11. Consider and act on approval of the following staffing items:
  - A. Organizational Chart and Administration Department Restructuring
  - B. Community Coordinator – New Position
  - C. Code/Trail Enforcement Officer – New Part-time Position
  - D. Ordinance Amending the FY 2022 Budget (Budget Amendment #11)
12. Consider and act on approval of an Ordinance amending the Land Development Code, creating Sections 150.118-150.129 for Short-term Rental Registration regulations under Zoning – Land Use. (Mayor Bruner/Administration)
13. 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 12<sup>th</sup> day of May 2022 at 6:00 P.M.

  
Matt Lingafelter  
City Secretary

CITY COUNCIL MEETING DATE: MAY 17, 2022



## CITY COUNCIL AGENDA ITEM #4

STAFF PREPARER/CONTACT INFORMATION: Matt Lingafelter, City Secretary  
[mlingafelter@sunsetvalley.org](mailto:mlingafelter@sunsetvalley.org)

COUNCIL SPONSOR: Mayor Bruner/Administration

SUBJECT: MINUTES

DESCRIPTION: Consider and act on approval of the minutes from the May 3, 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 5-03-2022



**NOTICE OF A REGULAR MEETING  
OF THE CITY COUNCIL  
OF THE CITY OF SUNSET VALLEY, TEXAS  
TUESDAY, MAY 3, 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  
Matt Lingafelter, City Secretary  
Carolyn Meredith, Public Works Director  
Lenn Carter, Chief of Police  
Suzanna Fleegal, Accounting Manager  
Barbara Boulware-Wells, Attorney  
Duncan Moore, A/V Technician

**1. Call to order of the City Council.**

Mayor Bruner called the meeting to order at 6:08 P.M.

Statement by Mayor Bruner on an Executive Session Item from the April 19<sup>th</sup> meeting regarding a real estate offer.

**2. Citizen/Public Communication:**

- Melissa Gonzales
- Question from Council Member Johnson for legal

**3. Staff Reports**

- A. Sylvia Carrillo delivered the Administrative Report
  - o Suzanna Fleegal delivered the Professional Fees Budget Report
    - Questions from Council Members
- B. Carolyn Meredith, Public Works Director, delivered the Public Works Report
  - o Statement from Council Member Rosengarten on mosquitos between the Village Shopping Center and Lovegrass Lane
  - o Statement from Council Member Johnson on ARTFEST and the Adventure Build; additional statement from Council Member Rosengarten
- C. 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, with

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

corrections, 6, 7, 8, 9, and 10, 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 April 19, 2022 regular meeting and work session. Agenda Item Approved on Consent**
6. **Consider and act on approval of an Ordinance amending Chapter 31 aligning Standing Committee appointments with the fiscal year. (Mayor Bruner/Administration) Agenda Item Approved on Consent**
7. **Consider and act on approval of a Temporary Special Use Permit for Academy Sports & Outdoors to hold a customer appreciation event in the parking lot of 5400 Brodie Lane on Saturday, May 14, 2022. (Mayor Bruner/Administration) Agenda Item Approved on Consent**
8. **Consider and act on approval of a contract with Entech, in an amount not to exceed \$62,139, for Surveillance and Access Control Systems. (Council Member Johnson/Public Safety) Agenda Item Approved on Consent**
9. **Consider and act on award of contract to H3LRS, LLC dba Divided Water Solutions for water quality pond repair and maintenance. (Mayor Pro tem Carmona/Public Works) Agenda Item Approved on Consent**
10. **Consider and act on approval of the Request for Bids for Public Works Reception Area Enclosure. (Mayor Bruner/Public Safety/Public Works) Agenda Item Approved on Consent**
11. **Consider and act on approval of re-issuing a watershed development variance at 4400 Stearns Lane. (Mayor Bruner/Administration)**
  - Overview by Carolyn Meredith, Public Works Director
  - Mayor Pro tem Carmona asked to see the Connect GIS Map for the City
  - Council Member Rosengarten asked questions to the applicant, Amy Hageman, regarding their property
  - Additional questions from Mayor Pro tem Carmona
    - Becky Jeanes, Engineer for the applicants, addressed the Council

Council Member Rosengarten made a motion to approve the watershed development variance, as previously approved, with the five findings and the improvements as presented, seconded by Council Member Reetz.

Council Member Johnson voted yes  
Council Member Reetz voted yes  
Council Member Rosengarten voted yes

Mayor Pro tem Carmona voted no  
Council Member Litchfield voted no

With three votes in favor, the motion carried.

*Presentation Items for Discussion and Possible Action*

**12. Public Hearing to consider a request to amend the Land Development Code, creating Sections 150.118-150.129 for Short-term Rental Registration regulations under Zoning – Land Use – TIME CERTAIN 7:00 P.M.**

- Mayor Bruner opened the Public Hearing at 7:09 P.M.
- Staff Presentation
- Statements from Legal
- Discussion by City Council Members on the proposed regulations
- Staff made notes on corrections, deletions, and additions to the proposed regulations
- Mayor Bruner closed Public Hearing at 8:09 P.M.

**13. Consider and act on approval of an Ordinance amending the Land Development Code, creating Sections 150.118-150.129 for Short-term Rental Registration regulations under Zoning – Land Use. (Mayor Bruner/Administration)**

Staff was directed to bring back this agenda item with corrections and additions from Council, bring back fee schedules from surrounding cities, and potential owner-occupied versus non-owner-occupied registrants.

**14. Adjourn**

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

Council convened into Executive Session at 8:33 P.M.

Council reconvened into Open Session at 8:58 P.M and took no action.

Mayor Bruner clarified that the Council convened into Executive Session under Section 551.074 of the Texas Local Government Code.

Council Member Litchfield made a motion to adjourn, seconded by Council Member Reetz. All voted in favor, and the meeting adjourned at 8:59 P.M.



**NOTICE OF A WORK SESSION  
OF THE CITY COUNCIL  
OF THE CITY OF SUNSET VALLEY, TEXAS  
TUESDAY, MAY 3, 2022  
5:00 P.M. - 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  
Matt Lingafelter, City Secretary  
Carolyn Meredith, Public Works Director  
Lenn Carter, Chief of Police  
Suzanna Fleegal, Accounting Manager  
Barbara Boulware-Wells, Attorney

**1. Call to order of the City Council**

Mayor Bruner called the Work Session to order at 5:00 P.M.

**2. Citizen/Public Communication (Limited to 3 minutes):**

- Helen Besse
- Melissa Gonzales

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

- A. Review of the proposed Organizational Chart, including the Assistant City Administrator, Community Vitality Coordinator, and Code/Trail Enforcement Officer positions, and associated costs of employment (computer, etc)**
- B. Review of a City Secretary contractual position**
- C. Direction to the Budget & Finance Committee to review costs and make recommendations related to:**
  - i. A part time Accountant**
  - ii. Removing the TexaScapes contract and replacing it with in-house staff**

Introduction by the Mayor, and presentation by the City Administrator.

Discussion amongst the Mayor, Council Members, and city staff on staffing.

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

Bring back Assistant City Administrator position, with direction for the City Secretary role, assessing Community Vitality Coordinator, including title name

and job duties, and the Code Enforcement Officer position to a future Agenda.

Refer part-time financial assistance as well as bringing TexaScapes contract in-house to the Budget and Finance Committee.

5. **Adjourn**

Mayor Bruner closed the Work Session at 5:59 P.M.



CITY COUNCIL MEETING DATE: APRIL 5, 2022



## CITY COUNCIL AGENDA ITEM #5

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STAFF PREPARER/CONTACT INFORMATION: Matt Lingafelter, City Secretary  
[mlingafelter@sunsetvalley.org](mailto:mlingafelter@sunsetvalley.org)

COUNCIL SPONSOR: Mayor Bruner [mbruner@sunsetvalley.org](mailto:mbruner@sunsetvalley.org) /Administration

SUBJECT: BOARD ASSIGNMENTS

DESCRIPTION: Consider and act on appointing Barbara Wilson as a regular member and Walter Jenkins as an alternate member of the Board of Adjustment.

BACKGROUND: Barbara Wilson was appointed as an alternate member to the Board on April 9<sup>th</sup> by Council. Since her appointment, she has already served on the Board, hearing two variances in April, and attended a work session with staff.

Walter Jenkins, who has been a member for several years, is currently travelling the country and is frequently unable to attend meetings and Public Hearings for the Board. He notified staff and the Chair and asked to be made an alternate.

APPLICABLE CODE SECTIONS: [Section 31.35 Arts Commission](#), [150.046 BOA Members](#)

FUNDING: N/A

STAFF RECOMMENDATION: Approve

SUPPORTING MATERIALS PROVIDED: NO

COUNCIL MEETING DATE: MAY 17<sup>TH</sup>, 2022



## CITY COUNCIL AGENDA ITEM #6

STAFF PREPARER/CONTACT INFORMATION: Suzanna Fleegal, Accounting Manager

Council Sponsor: Rudi Rosengarten/Administration

SUBJECT: OCTOBER 2021 – MARCH 2022 FINANCIAL STATEMENTS

DESCRIPTION: Consider and act on approval of the October 2021 – March 2022 financial statements, as recommend by the Budget & Finance Committee

BACKGROUND: The October 2021 – March 2022 Financial Statements were approved by Budget & Finance Committee on 3/31/2022 and 4/28/2022. You can find the digital OpenGov Financial Statements at the links provided below.

- [October 2021](#)
- [November 2021](#)
- [December 2021](#)
- [January 2022](#)
- [February 2022](#)
- [March 2022](#)

CURRENT YEAR FISCAL BUDGET							
FUND	DEPT.	ACCT.	BUDGET	FY 22 EXPENDITURES	FY 22 YTD PROPOSED	THIS ITEM	REMAINING
PRIOR YEAR FISCAL BUDGET(S)							
BUDGET YEAR	FUND	DEPT.	DESC.	ACCOUNT	AMOUNT	TOTAL	NOTES

FUNDING: N/A

STAFF RECOMMENDATION: Approve

SUPPORTING MATERIALS PROVIDED:

- OCTOBER 2021 FINANCIAL STATEMENT (PDF AND LINK)
- NOVEMBER 2021 FINANCIAL STATEMENT (PDF AND LINK)
- DECEMBER 2021 FINANCIAL STATEMENT (PDF AND LINK)
- JANUARY 2022 FINANCIAL STATEMENT (PDF AND LINK)
- FEBRURAY 2022 FINANCIAL STATEMENT (PDF AND LINK)
- MARCH 2022 FINANCIAL STATEMENT (PDF AND LINK)



# October 2021 Financial Statement

City of Sunset Valley

October 2021

## October Sales Tax Report

Date	Sales for the month of		PROJECTED Monthly Collections (Budget) FY21	ACTUAL Monthly Collections FY21	Monthly Overage/ (Shortfall)	% Above or (Below) Monthly Budget	Total Collections FY21	% of Total Projected Budget	% Above or (Below) Total Budget	ACTUAL Monthly Collections FY21	Increase/ (Decrease) from previous year	% Above or (Below) from previous year
Oct	August	2020	\$360,466.24	<b>\$537,953.08</b>	\$177,486.84	49.2%	\$537,953.08	10.1%	49.2%	\$433,705.00	\$104,248.08	24.0%
Nov	September	2020	\$413,686.97	<b>\$0.00</b>						\$497,739.00		
Dec	October	2020	\$395,694.62	<b>\$0.00</b>						\$476,091.00		
Jan	November	2020	\$409,500.55	<b>\$0.00</b>						\$492,702.00		
Feb	December	2020	\$559,595.57	<b>\$0.00</b>						\$673,293.00		
Mar	January	2021	\$358,181.46	<b>\$0.00</b>						\$430,956.00		
Apr	February	2021	\$299,843.45	<b>\$0.00</b>						\$360,765.00		
May	March	2021	\$542,687.01	<b>\$0.00</b>						\$652,949.00		
Jun	April	2021	\$474,529.18	<b>\$0.00</b>						\$570,943.00		
Jul	May	2021	\$476,073.42	<b>\$0.00</b>						\$572,801.00		
Aug	June	2021	\$532,377.65	<b>\$0.00</b>						\$640,545.00		
Sep	July	2021	\$481,248.88	<b>\$0.00</b>						\$579,028.00		
			\$5,303,885.00	<b>\$537,953.08</b>					49.2%	\$6,381,517.00	\$104,248.08	24.0%

## FY22 October Revenues

2021-10 Revenues	
Category	Oct 2021
Administration	\$439,884.96
Street Repair/Replacement Funds	\$72,121.11
Water Department	\$42,604.31
Green Tax	\$35,972.59
Crime Control & Prevention Distri...	\$35,778.79
Other	\$37,819.04

## FY22 October Expenses

2021-10 Expenses	
Category	Oct 2021
Public Safety	\$144,046.36
Administration	\$133,453.90
Public Works	\$60,487.04
Crime Control & Prevention Distri...	\$21,718.57
Hotel Occupancy Tax	\$12,556.53
Other	\$55,395.25

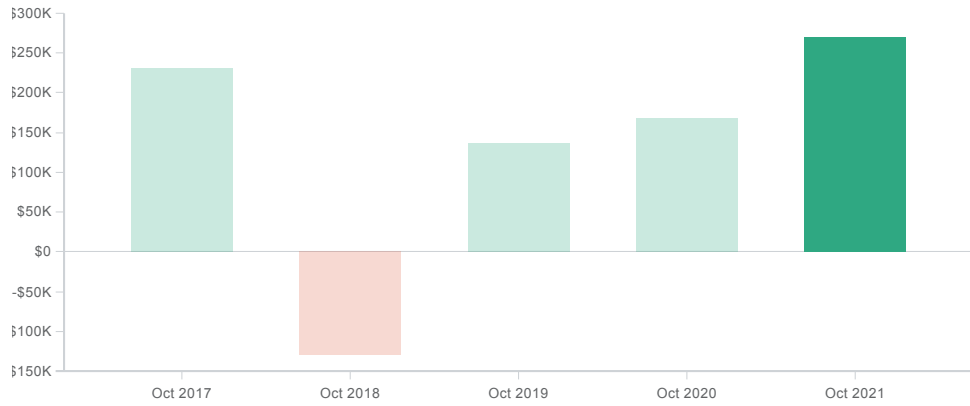
[Click here to open October 2021 Financial Transactions PDF- Revenues](#)

[Click here to open October 2021 Financial Transactions PDF- Expenses](#)



**FY22 October 5 Year History**

Data Updated 12 weeks ago



**\$269,739.83**

Revenues Less Expenses in Oct 2021

FY 22 October Financial Summary		
<b>Revenues</b>		
General Fund		441,077
Utility Fund		70,671
Street Fund		72,121
Hotel Occupancy Tax Fund		36
Venue Tax Fund		35,973
Crime Control Tax Fund		35,779
GN Equipment Repair & Replacement Fund		29
City Facilities Fund		5
Drainage Fund		8,490
CIP		-
<b>Total</b>		<b>664,181</b>
<b>Expenses</b>		
General Fund		342,041
Utility Fund		27,025
Street Fund		3,595
Hotel Occupancy Tax Fund		12,537
Venue Tax Fund		6,082
Crime Control Tax Fund		21,719
GN Equipment Repair & Replacement Fund		-
City Facilities Fund		8,420
Drainage Fund		2,870
CIP		3,350
<b>Total</b>		<b>427,659</b>
<b>Profit (loss)</b>		
General Fund		99,036
Utility Fund		43,646
Street Fund		68,526
Hotel Occupancy Tax Fund		(12,521)
Venue Tax Fund		29,891
Crime Control Tax Fund		14,060
GN Equipment Repair & Replacement Fund		29
City Facilities Fund		(8,415)
Drainage Fund		5,620
CIP		(3,350)
<b>Total</b>		<b>236,522</b>
<b>Ending Fund Balance in Bank</b>		
General Fund		8,434,759
Utility Fund		4,590,100
Street Fund		7,577,261
Hotel Occupancy Tax Fund		687,374
Venue Tax Fund		2,075,266
Crime Control Tax Fund		608,965
GN Equipment Repair & Replacement Fund		551,055
City Facilities Fund		102,746
Drainage Fund		661,540
<b>Total</b>		<b>25,280,066</b>

City of Sunset Valley

OpenGov

www.sunsetvalley.org



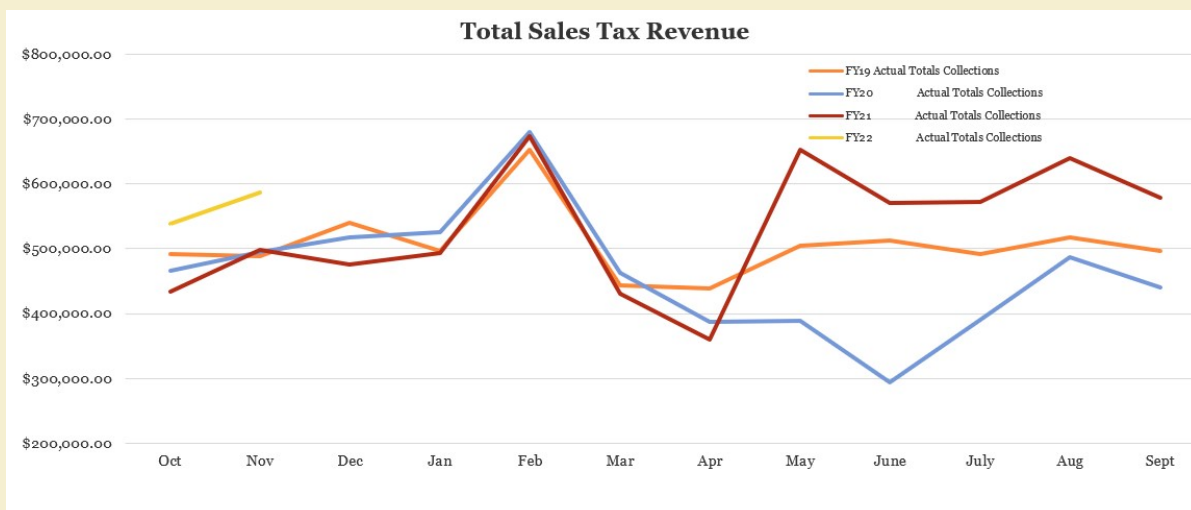
# November 2021 Financial Statement

City of Sunset Valley

November 2021

## November Sales Tax Report

Date	Sales for the month of		PROJECTED Monthly Collections (Budget) FY21	ACTUAL Monthly Collections FY21	Monthly Overage/ (Shortfall)	% Above or (Below) Monthly Budget	Total Collections FY21	% of Total Projected Budget	% Above or (Below) Total Budget	ACTUAL Monthly Collections FY21
Oct	August	2020	\$360,466.24	<b>\$537,953.08</b>	\$177,486.84	49.2%	\$537,953.08	10.1%	49.2%	\$433,705.00
Nov	September	2020	\$413,686.97	<b>\$586,084.40</b>	\$172,397.43	41.7%	\$586,084.40	11.1%	41.7%	\$497,739.00
Dec	October	2020	\$395,694.62	<b>\$0.00</b>						\$476,091.00
Jan	November	2020	\$409,500.55	<b>\$0.00</b>						\$492,702.00
Feb	December	2020	\$559,595.57	<b>\$0.00</b>						\$673,293.00
Mar	January	2021	\$358,181.46	<b>\$0.00</b>						\$430,956.00
Apr	February	2021	\$299,843.45	<b>\$0.00</b>						\$360,765.00
May	March	2021	\$542,687.01	<b>\$0.00</b>						\$652,949.00
Jun	April	2021	\$474,529.18	<b>\$0.00</b>						\$570,943.00
Jul	May	2021	\$476,073.42	<b>\$0.00</b>						\$572,801.00
Aug	June	2021	\$532,377.65	<b>\$0.00</b>						\$640,545.00
Sep	July	2021	\$481,248.88	<b>\$0.00</b>						\$579,028.00
			\$5,303,885.00	<b>\$1,124,037.48</b>					45.5%	\$6,381,517.00



## FY22 November Revenues

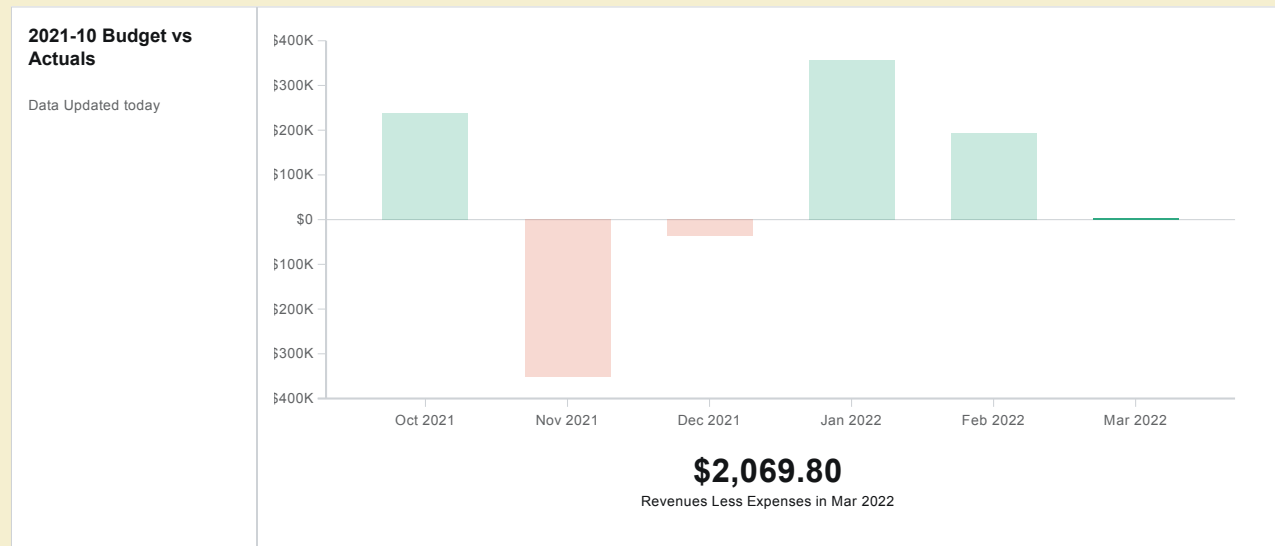
2021-11 Revenues	
Category	Nov 2021
Administration	\$481,426.00
Street Repair/Replacement Funds	\$78,557.07
Hotel Occupancy Tax	\$52,223.85
Water Department	\$47,334.39
Green Tax	\$39,187.09
Other	\$83,607.58

## FY22 November Expenses

2021-11 Expenses	
Category	Nov 2021
Green Tax	\$1,006,258.02
Public Safety	\$100,762.19
Administration	\$78,680.72
Water Department	\$61,105.94
Wastewater Department	\$42,774.46
Other	\$80,748.80

[Click here to open November 2021 Financial Transactions PDF- Revenues](#)

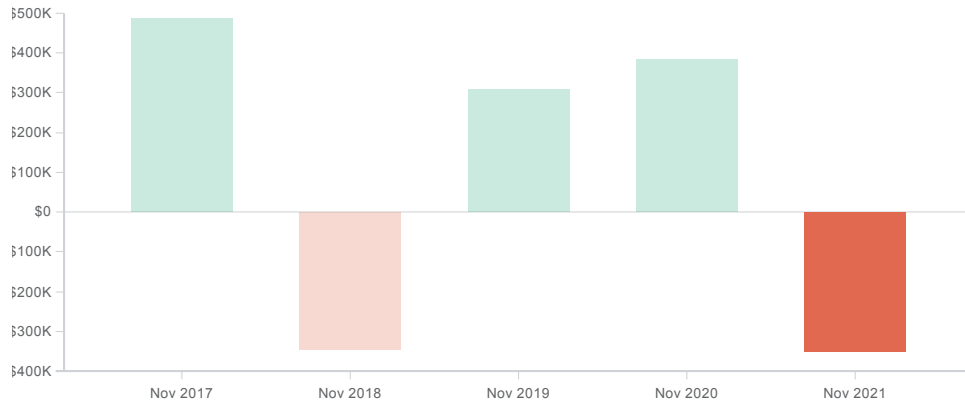
[Click here to open November 2021 Financial Transactions PDF- Expenses](#)





**FY22 November 5 Year History**

Data Updated today



**-\$351,562.60**

Revenues Less Expenses in Nov 2021

FY22 November Financial Summary		
<b>Revenues</b>		
General Fund		484,028
Utility Fund		80,823
Street Fund		78,557
Hotel Occupancy Tax Fund		52,224
Venue Tax Fund		39,187
Crime Control Tax Fund		38,985
CN Equipment Repair & Replacement Fund		30
City Facilities Fund		6
Drainage Fund		8,496
CIP		-
<b>Total</b>		<b>782,336</b>
<b>Expenses</b>		
General Fund		225,552
Utility Fund		109,340
Street Fund		4,926
Hotel Occupancy Tax Fund		5,000
Venue Tax Fund		1,006,258
Crime Control Tax Fund		5,063
CN Equipment Repair & Replacement Fund		-
City Facilities Fund		3,276
Drainage Fund		2,427
CIP		10,580
<b>Total</b>		<b>1,370,422</b>
<b>Profit (loss)</b>		
General Fund		260,476
Utility Fund		(28,517)
Street Fund		73,631
Hotel Occupancy Tax Fund		47,224
Venue Tax Fund		(967,071)
Crime Control Tax Fund		33,922
CN Equipment Repair & Replacement Fund		30
City Facilities Fund		(3,270)
Drainage Fund		6,069
CIP		(10,580)
<b>Total</b>		<b>(588,086)</b>
<b>Ending Fund Balance in Bank</b>		
General Fund		7,635,662
Utility Fund		4,603,392
Street Fund		7,621,994
Hotel Occupancy Tax Fund		687,411
Venue Tax Fund		2,075,379
Crime Control Tax Fund		647,950
CN Equipment Repair & Replacement Fund		551,111
City Facilities Fund		102,752
Drainage Fund		669,950
<b>Total</b>		<b>24,595,601</b>

City of Sunset Valley

OpenGov

www.sunsetvalley.org



# December 2021 Financial Statement

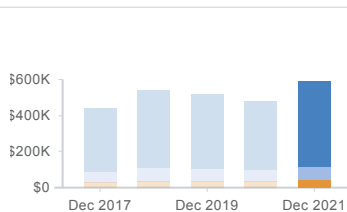
City of Sunset Valley

December 2021

## December Sales Tax Report

Date	Sales for the month of		PROJECTED Monthly Collections (Budget) FY22	ACTUAL Monthly Collections FY22	Monthly Overage/ (Shortfall)	% Above or (Below) Monthly Budget	Total Collections FY22	% of Total Projected Budget	% Above or (Below) Total Budget	ACTUAL Monthly Collections FY21	Increase/ (Decrease) from previous year	% Above or (Below) from previous year
Oct	August	2021	\$360,466.24	<b>\$537,953.08</b>	\$177,486.84	49.2%	\$537,953.08	10.1%	49.2%	\$433,705.00	\$104,248.08	24.0%
Nov	September	2021	\$413,686.97	<b>\$586,084.40</b>	\$172,397.43	41.7%	\$586,084.40	11.1%	41.7%	\$497,739.00	\$88,345.40	17.7%
Dec	October	2021	\$395,694.62	<b>\$589,741.53</b>	\$194,046.91	49.0%	\$589,741.53	11.1%	49.0%	\$476,091.00	\$113,650.53	23.9%
Jan	November	2021	\$409,500.55	<b>\$0.00</b>						\$492,702.00		
Feb	December	2021	\$559,595.57	<b>\$0.00</b>						\$673,293.00		
Mar	January	2022	\$358,181.46	<b>\$0.00</b>						\$430,956.00		
Apr	February	2022	\$299,843.45	<b>\$0.00</b>						\$360,765.00		
May	March	2022	\$542,687.01	<b>\$0.00</b>						\$652,949.00		
Jun	April	2022	\$474,529.18	<b>\$0.00</b>						\$570,943.00		
Jul	May	2022	\$476,073.42	<b>\$0.00</b>						\$572,801.00		
Aug	June	2022	\$532,377.65	<b>\$0.00</b>						\$640,545.00		
Sep	July	2022	\$481,248.88	<b>\$0.00</b>						\$579,028.00		
			\$5,303,885.00	<b>\$1,713,779.01</b>					46.7%	\$6,381,517.00	\$306,244.01	21.9%

FY22 December Sales Tax 5 Year History



**\$589,741.53**  
Revenues in Dec 2021

FY22 December Sales Tax Budget to Actuals

Data Updated 4 days ago



**\$1,713,779.01**

In Revenues of \$5,303,885.00 Budgeted through Dec 2021

FY22 December Sales Tax Budget to Actuals %

Data Updated 4 days ago



**32.31%**

In Revenues of \$5,303,885.00 Budgeted through Dec 2021

## Revenues

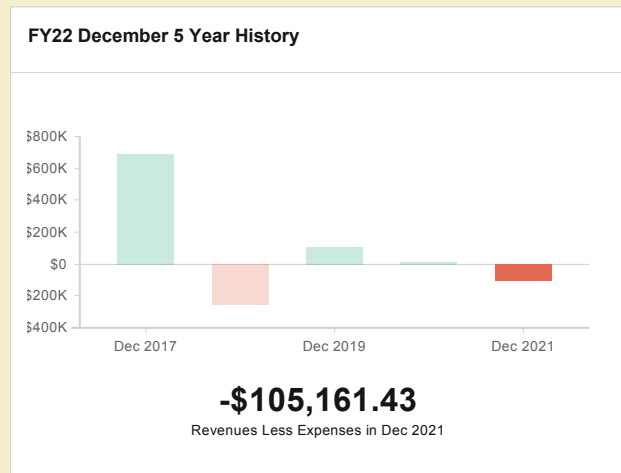
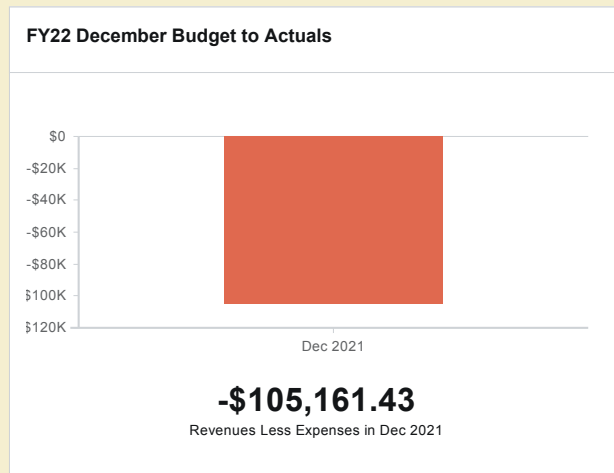
FY22 December Revenues	
Category	Dec 2021
Administration	\$479,906.48
Street Repair/Replacement Funds	\$79,219.97
Green Tax	\$39,479.74
Crime Control & Prevention Distri...	\$39,262.89
Wastewater Department	\$32,968.65
Other	\$34,890.66

## Expenses

FY22 December Expenses	
Category	Dec 2021
Public Safety	\$137,656.24
Administration	\$76,971.90
Water Department	\$51,373.74
Wastewater Department	\$41,324.72
Public Works	\$35,075.86
Other	\$62,224.36

[Click here to open December 2021 Financial Transactions PDF- Revenues](#)

[Click here to open December 2021 Financial Transactions PDF- Expenses](#)



FY22 December Ending Fund Balance in Bank		
General Fund		7,763,988
Utility Fund		4,600,901
Street Fund		7,700,726
Hotel Occupancy Tax Fund		687,464
Venue Tax Fund		2,114,615
Crime Control Tax Fund		687,212
GN Equipment Repair & Replacement Fund		551,154
City Facilities Fund		102,760
Drainage Fund		678,039
<b>Total</b>		<b>24,886,858</b>

LOGOTYPE

OpenGov

Add links



# FY22 January Financial Statement

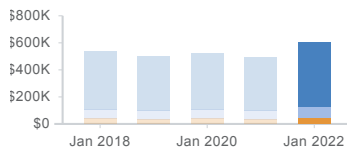
City of Sunset Valley

January 2022

## January Sales Tax Report

Date	Sales for the month of		PROJECTED Monthly Collections (Budget) FY22	ACTUAL Monthly Collections FY22	Monthly Overage/ (Shortfall)	% Above or (Below) Monthly Budget	Total Collections FY22	% of Total Projected Budget	% Above or (Below) Total Budget	ACTUAL Monthly Collections FY21	Increase/ (Decrease) from previous year	% Above or (Below) from previous year
Oct	August	2021	\$360,466.24	<b>\$537,953.08</b>	\$177,486.84	49.2%	\$537,953.08	10.1%	49.2%	\$433,705.00	\$104,248.08	24.0%
Nov	September	2021	\$413,686.97	<b>\$586,084.40</b>	\$172,397.43	41.7%	\$586,084.40	11.1%	41.7%	\$497,739.00	\$88,345.40	17.7%
Dec	October	2021	\$395,694.62	<b>\$589,741.53</b>	\$194,046.91	49.0%	\$589,741.53	11.1%	49.0%	\$476,091.00	\$113,650.53	23.9%
Jan	November	2021	\$409,500.55	<b>\$609,517.16</b>	\$200,016.61	48.8%	\$609,517.16	11.5%	48.8%	\$492,702.00	\$116,815.16	23.7%
Feb	December	2021	\$559,595.57	<b>\$0.00</b>						\$673,293.00		
Mar	January	2022	\$358,181.46	<b>\$0.00</b>						\$430,956.00		
Apr	February	2022	\$299,843.45	<b>\$0.00</b>						\$360,765.00		
May	March	2022	\$542,687.01	<b>\$0.00</b>						\$652,949.00		
Jun	April	2022	\$474,529.18	<b>\$0.00</b>						\$570,943.00		
Jul	May	2022	\$476,073.42	<b>\$0.00</b>						\$572,801.00		
Aug	June	2022	\$532,377.65	<b>\$0.00</b>						\$640,545.00		
Sep	July	2022	\$481,248.88	<b>\$0.00</b>						\$579,028.00		
			\$5,303,885.00	<b>\$2,323,296.17</b>					47.2%	\$6,381,517.00	\$423,059.17	22.3%

FY22 January Sales Tax 5 Year History



**\$609,517.16**  
Revenues in Jan 2022

FY22 January Sales Tax Budget to Actuals

Data Updated 4 days ago



**\$2,323,296.17**

In Revenues of \$5,303,885.00 Budgeted through Jan 2022

FY22 January Sales Tax Budget to Actuals

Data Updated 4 days ago



**43.80%**

In Revenues of \$5,303,885.00 Budgeted through Jan 2022

## Revenues

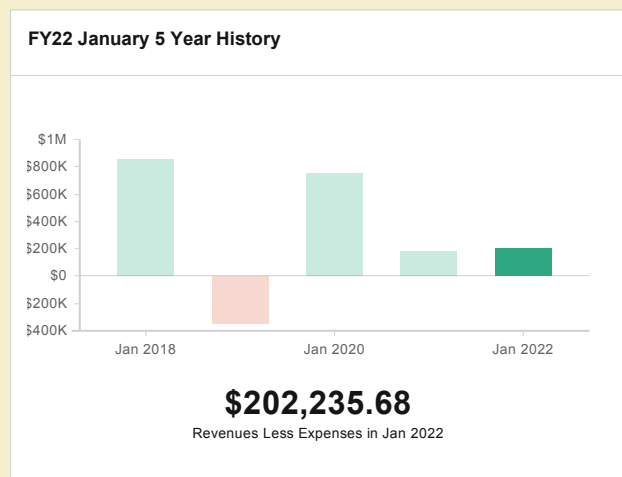
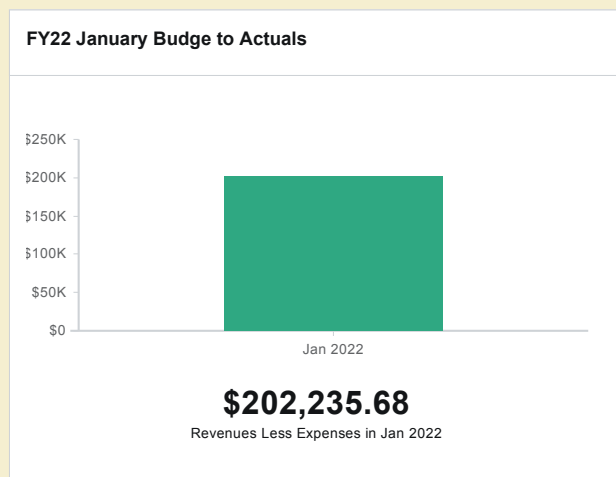
2022-01 Revenues	
Category	Jan 2022
Administration	\$498,321.58
Street Repair/Replacement Funds	\$82,494.75
Green Tax	\$40,973.41
Crime Control & Prevention Distri...	\$40,591.83
Wastewater Department	\$33,112.79
Other	\$38,140.67

## Expenses

2022-01 Expenses	
Category	Jan 2022
Public Safety	\$145,184.49
Administration	\$66,472.43
Water Department	\$61,472.23
Public Works	\$45,501.98
Wastewater Department	\$38,563.86
Other	\$68,904.66

[Click here to open January 2022 Financial Transactions PDF- Revenues](#)

[Click here to open January 2022 Financial Transactions PDF- Expenses](#)



FY22 January Ending Fund Balance in Bank		
General Fund		8,050,632
Utility Fund		4,528,498
Street Fund		7,701,364
Hotel Occupancy Tax Fund		687,521
Venue Tax Fund		2,114,790
Crime Control Tax Fund		727,752
GN Equipment Repair & Replacement Fund		551,199
City Facilities Fund		102,768
Drainage Fund		684,286
<b>Total</b>		<b>25,148,811</b>

LOGOTYPE

OpenGov

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# FY22 February Financial Statement

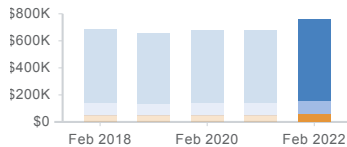
City of Sunset Valley

February 2022

## February Sales Tax Report

Date	Sales for the month of		PROJECTED Monthly Collections (Budget) FY22	ACTUAL Monthly Collections FY22	Monthly Overage/ (Shortfall)	% Above or (Below) Monthly Budget	Total Collections FY22	% of Total Projected Budget	% Above or (Below) Total Budget	ACTUAL Monthly Collections FY21	Increase/ (Decrease) from previous year	% Above or (Below) from previous year
Oct	August	2021	\$360,466.24	<b>\$537,953.08</b>	\$177,486.84	49.2%	\$537,953.08	10.1%	49.2%	\$433,705.00	\$104,248.08	24.0%
Nov	September	2021	\$413,686.97	<b>\$586,084.40</b>	\$172,397.43	41.7%	\$586,084.40	11.1%	41.7%	\$497,739.00	\$88,345.40	17.7%
Dec	October	2021	\$395,694.62	<b>\$589,741.53</b>	\$194,046.91	49.0%	\$589,741.53	11.1%	49.0%	\$476,091.00	\$113,650.53	23.9%
Jan	November	2021	\$409,500.55	<b>\$609,517.16</b>	\$200,016.61	48.8%	\$609,517.16	11.5%	48.8%	\$492,702.00	\$116,815.16	23.7%
Feb	December	2021	\$559,595.57	<b>\$759,866.87</b>	\$200,271.30	35.8%	\$759,866.87	14.3%	35.8%	\$673,293.00	\$86,573.87	12.9%
Mar	January	2022	\$358,181.46	<b>\$0.00</b>						\$430,956.00		
Apr	February	2022	\$299,843.45	<b>\$0.00</b>						\$360,765.00		
May	March	2022	\$542,687.01	<b>\$0.00</b>						\$652,949.00		
Jun	April	2022	\$474,529.18	<b>\$0.00</b>						\$570,943.00		
Jul	May	2022	\$476,073.42	<b>\$0.00</b>						\$572,801.00		
Aug	June	2022	\$532,377.65	<b>\$0.00</b>						\$640,545.00		
Sep	July	2022	\$481,248.88	<b>\$0.00</b>						\$579,028.00		
			\$5,303,885.00	<b>\$3,083,163.04</b>					44.9%	\$6,381,517.00	\$509,633.04	20.4%

FY22 February Sales Tax 5 Year History



**\$759,866.87**  
Revenues in Feb 2022

FY22 February Sales Tax Budget to Actuals

Data Updated 4 days ago



**\$3,083,163.04**

In Revenues of \$5,303,885.00 Budgeted through Feb 2022

FY22 February Sales Tax Budget to Actuals

Data Updated 4 days ago



**58.13%**

In Revenues of \$5,303,885.00 Budgeted through Feb 2022



## Revenues

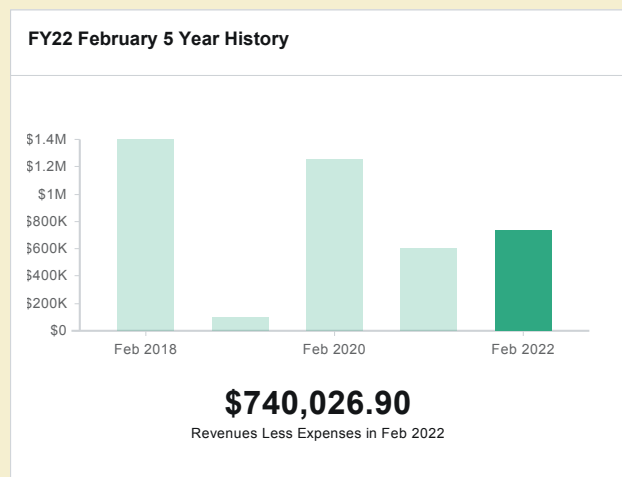
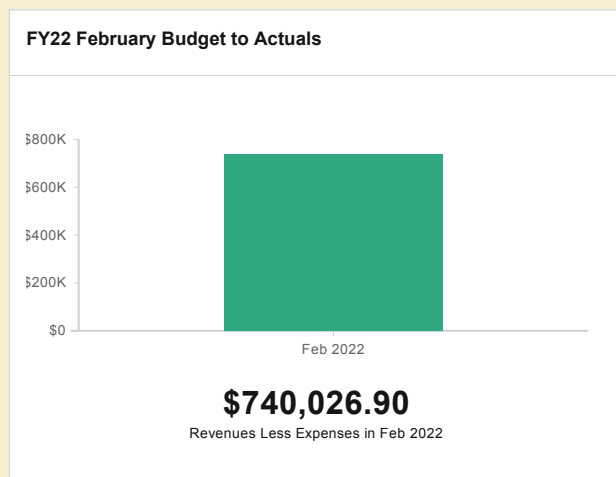
2022-02 Revenue	
Category	Feb 2022
Administration	\$619,434.12
Street Repair/Replacement Funds	\$101,984.77
Green Tax	\$50,844.79
Crime Control & Prevention Distri...	\$50,594.45
Wastewater Department	\$32,249.58
Other	\$44,045.56

## Expenses

2022-02 Expenses	
Category	Feb 2022
Administration	\$89,651.98
Public Safety	\$89,527.97
Water Department	\$37,337.68
Public Works	\$35,889.24
Wastewater Department	\$35,606.05
Other	\$73,647.57

[Click here to open February 2022 Financial Transactions PDF- Revenues](#)

[Click here to open February 2022 Financial Transactions PDF- Expenses](#)



FY22 February Ending Fund Balance in Bank		
General Fund		8,573,728
Utility Fund		4,503,772
Street Fund		7,702,036
Hotel Occupancy Tax Fund		687,581
Venue Tax Fund		2,114,974
Crime Control Tax Fund		778,347
GN Equipment Repair & Replacement Fund		551,247
City Facilities Fund		102,777
Drainage Fund		684,346
<b>Total</b>		<b>25,698,808</b>

LOGOTYPE

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# FY22 March Financial Statement

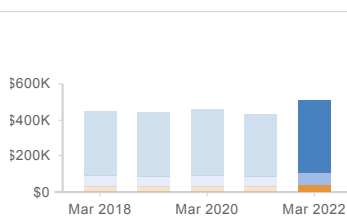
City of Sunset Valley

March 2022

## March Sales Tax Report

Date	Sales for the month of		PROJECTED Monthly Collections (Budget) FY22	ACTUAL Monthly Collections FY22	Monthly Overage/ (Shortfall)	% Above or (Below) Monthly Budget	Total Collections FY22	% of Total Projected Budget	% Above or (Below) Total Budget	ACTUAL Monthly Collections FY21	Increase/ (Decrease) from previous year	% Above or (Below) from previous year
Oct	August	2021	\$360,466.24	<b>\$537,953.08</b>	\$177,486.84	49.2%	\$537,953.08	10.1%	49.2%	\$433,705.00	\$104,248.08	24.0%
Nov	September	2021	\$413,686.97	<b>\$586,084.40</b>	\$172,397.43	41.7%	\$586,084.40	11.1%	41.7%	\$497,739.00	\$88,345.40	17.7%
Dec	October	2021	\$395,694.62	<b>\$589,741.53</b>	\$194,046.91	49.0%	\$589,741.53	11.1%	49.0%	\$476,091.00	\$113,650.53	23.9%
Jan	November	2021	\$409,500.55	<b>\$609,517.16</b>	\$200,016.61	48.8%	\$609,517.16	11.5%	48.8%	\$492,702.00	\$116,815.16	23.7%
Feb	December	2021	\$559,595.57	<b>\$759,866.87</b>	\$200,271.30	35.8%	\$759,866.87	14.3%	35.8%	\$673,293.00	\$86,573.87	12.9%
Mar	January	2022	\$358,181.46	<b>\$509,904.94</b>	\$151,723.48	42.4%	\$509,904.94	9.6%	42.4%	\$430,956.00	\$78,948.94	18.3%
Apr	February	2022	\$299,843.45	<b>\$0.00</b>						\$360,765.00		
May	March	2022	\$542,687.01	<b>\$0.00</b>						\$652,949.00		
Jun	April	2022	\$474,529.18	<b>\$0.00</b>						\$570,943.00		
Jul	May	2022	\$476,073.42	<b>\$0.00</b>						\$572,801.00		
Aug	June	2022	\$532,377.65	<b>\$0.00</b>						\$640,545.00		
Sep	July	2022	\$481,248.88	<b>\$0.00</b>						\$579,028.00		
			\$5,303,885.00	<b>\$3,593,067.98</b>					44.5%	\$6,381,517.00	\$588,581.98	20.1%

FY22 March Sales Tax 5 Year History



**\$509,904.94**  
Revenues in Mar 2022

FY22 March Sales Tax Budget to Actuals

Data Updated yesterday



**\$3,593,067.98**

In Revenues of \$5,303,885.00 Budgeted through Mar 2022

FY22 March Sales Tax Budget to Actuals

Data Updated yesterday



**67.74%**

In Revenues of \$5,303,885.00 Budgeted through Mar 2022

## Revenues

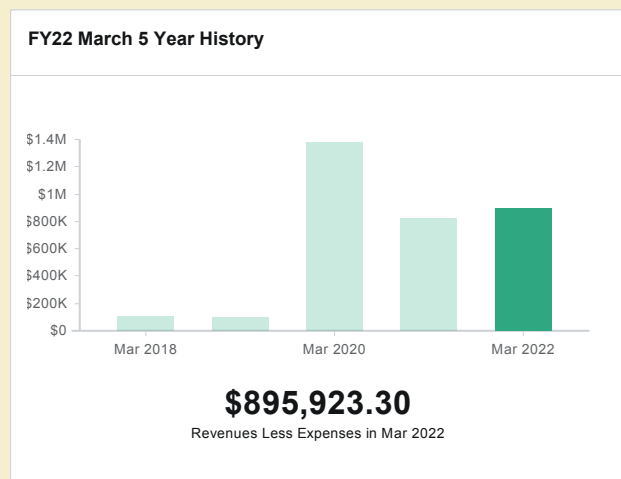
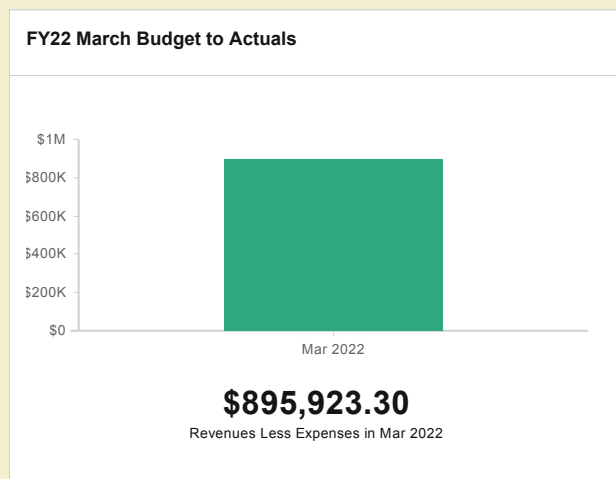
FY22 March Revenues	
Category	Mar 2022
Administration	\$441,736.75
Street Repair/Replacement Funds	\$69,762.40
Hotel Occupancy Tax	\$56,572.98
Green Tax	\$34,483.24
Crime Control & Prevention Distri...	\$34,050.32
Other	-\$3,126.77

## Expenses

FY22 March Expenses	
Category	Mar 2022
Public Safety	\$141,184.88
Administration	\$116,398.23
Public Works	\$56,029.18
Wastewater Department	\$46,114.66
Water Department	\$37,062.01
Other	\$80,549.49

[Click here to open FY22 March Financial Transactions PDF- Revenues](#)

[Click here to open FY22 March Financial Transactions PDF- Expenses](#)



FY22 March Ending Fund Balance in Bank		
General Fund		8,820,641
Utility Fund		4,482,235
Street Fund		7,703,813
Hotel Occupancy Tax Fund		687,740
Venue Tax Fund		2,115,462
Crime Control Tax Fund		812,397
GN Equipment Repair & Replacement Fund		551,375
City Facilities Fund		102,801
Drainage Fund		684,503
<b>Total</b>		<b>25,960,966</b>

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## CITY COUNCIL AGENDA ITEM #7

---

STAFF PREPARER/CONTACT INFORMATION: Suzanna Fleegal, Accounting Manager

Council Sponsor: Rob Johnson/Administration

SUBJECT: BUDGET ADJUSTMENT FOR ART FEST

DESCRIPTION: Consider and act on approval of an Ordinance amending the FY 2022 Budget (Budget Amendment #9) reallocating Arts Commission General Fund funds for ARTFEST expenses

BACKGROUND: Art Fest occurred on Saturday 4/30/2022. The Arts Commission was using an estimated budget based on the proposal they submitted in FY20 since the event was cancelled that year. Since then, there were a few items that had unexpectedly increased in cost due to the rise of inflation. They also made fewer sales than projected leading to a reduction in expected revenue. Art Fest earned a total of \$13,476 in revenue which they budgeted to use as an offset for expenses incurred. Arts Commission is proposing to reallocate budget from their General Fund line item to cover the remainder of the Art Fest expenses. We are still waiting on several invoices to come in. We are also unable to pay a few invoices we have received until the budget adjustment is approved.

Below you will find a balance sheet for the costs vs expenses before and after the proposed budget adjustment.

<b>Art Fest Balance Sheet</b>		
Revenues	\$ 39,915.00	HOT- Operations Budget
	\$ 41,435.00	HOT-Advertising Budget
	\$ 3,000.00	In-kind Donation
	<u>\$ 84,350.00</u>	
Expenses	\$ 98,572.47	Advertising & Operations- Estimate
	\$ 3,000.00	In-Kind Expenses
	<u>\$ 101,572.47</u>	
Surplus/Deficit	<u>\$ (17,222.47)</u>	
Budget Adjustment	\$ 13,476.00	Art Fest Revenue Received- Expense Offset
	\$ 7,000.00	GF- Arts Commission Available Budget

CURRENT YEAR FISCAL BUDGET							
FUND	DEPT.	ACCT.	BUDGET	FY 22 EXPENDITURES	FY 22 YTD PROPOSED	THIS ITEM	REMAINING
01	09	5552	\$26,400	\$1667		\$7,000*	\$17,733
16	16	5551	\$39,915	\$39,915			\$0
16	16	6551	\$41,435	\$41,435			\$0
PRIOR YEAR FISCAL BUDGET(S)							
BUDGET YEAR	FUND	DEPT.	DESC.	ACCOUNT	AMOUNT	TOTAL	NOTES
FY21	16	16	ArtFest	5551 & 6551	\$0		Art Fest cancelled
FY20	16	16	ArtFest	5551 & 6551	\$81,350		

FUNDING: Transferring budget from one line to another. \* \$3,253.53 additional provided to cover any unforeseen remaining invoices.

STAFF RECOMMENDATION: Approve

SUPPORTING MATERIALS PROVIDED:

- BUDGET ADJUSTMENT #9
- BUDGET ORDINANCE

**Budget Adjustment #9 FY22**

Misc Items							
Fund	Dpt	GL	GL Description	Adopted Budget	Proposed Increase	Amended Budget	Notes
16	16	5551	Sunset Valley Arts Commission- Arts Fest	39,915.00	20,476.00	60,391.00	Moving funding for extra Art Fest expenses from other Arts Commission projects
				<b>39,915.00</b>	<b>20,476.00</b>	<b>60,391.00</b>	
Funding							
Fund	Dpt	GL	GL Description	Current Balance	Proposed Funding	Ending Balance	
01	09		Arts Commission Revenues	13,476.00	13,476.00	-	
01	09	5552	Sunset Valley Arts Commission- Community Programs	24,773.03	7,000.00	17,773.03	
				<b>24,773.03</b>	<b>20,476.00</b>	<b>17,773.03</b>	
<b>Budget Adjustment Total</b>					<b>20,476.00</b>		



**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 AND HOTEL OCCUPANCY TAX 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 #9, 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 17<sup>TH</sup> DAY OF MAY 2022.

\_\_\_\_\_  
Marc Bruner  
Mayor

ATTEST:

\_\_\_\_\_  
Matt Lingafelter, City Secretary

COUNCIL MEETING DATE: MAY 17<sup>TH</sup>, 2022



## CITY COUNCIL AGENDA ITEM #8

STAFF PREPARER/CONTACT INFORMATION: Carolyn Meredith (Public Works Director)

Council Sponsor: Mayor Bruner (mbruner@sunsetvalley.org)

SUBJECT: REQUEST FOR BIDS (RFB) – LANDSCAPING MAINTENANCE

DESCRIPTION: Consider and act on approval of the Request for Bids for Landscaping Services.

BACKGROUND: The City’s current contract for landscaping services was bid in 2019. The service is now up to be rebid for the 2022-2023 fiscal year. The Department has prepared an RFB based on the current landscaping contract.

CURRENT YEAR FISCAL BUDGET							
FUND	DEPT.	ACCT.	BUDGET	FY 22 EXPENDITURES	FY 22 YTD PROPOSED	THIS ITEM	REMAINING
04	04	5350	\$161,702	\$98,211			\$81,509
Grounds Maintenance	18	5350	\$13,260				
PRIOR YEAR FISCAL BUDGET(S)							
BUDGET YEAR	FUND	DEPT.	DESC.	ACCOUNT	AMOUNT	TOTAL	NOTES
2021	Grounds Maintenance	04		5350	\$173,923		

FUNDING: Grounds Maintenance

STAFF RECOMMENDATION: Release the RFB for bidding.

SUPPORTING MATERIALS PROVIDED: LANDSCAPING MAINTENANCE

**CITY OF SUNSET VALLEY  
3205 JONES ROAD  
SUNSET VALLEY, TEXAS 78745  
REQUEST FOR PROPOSALS (RFP)**

RFP NO: **06212019**

DATE ISSUED: **06/21/2019**

ITEMS/SERVICES:

DATE CLOSED: **07/31/2019**

Landscaping Services

The City of Sunset Valley is accepting proposals until 2:00 P.M. July 31<sup>st</sup> (Submission deadline) for Landscaping Services of Municipal Properties and Right of Way located within Sunset Valley, Texas. A MANDATORY WALK-THROUGH will be held on Monday July 1st, 2019 at 2:00 at City Hall.

**GENERAL INSTRUCTIONS**

- 1) Submit ONE (1) original and TWO (2) complete copies for a total of THREE (3) sets of the proposal in accordance with the terms and conditions of this RFP.
- 2) A complete and full proposal package will include proposal response, Bid Sheets (Attachment A), Certificate of Non-Discrimination (Attachment B), Ethics Affidavit (Attachments C and C-1), and Drug and Alcohol Free Workplace Certification (Attachment D), as a condition for consideration.
- 3) BID BONDS REQUIRED: YES  NO
- 4) A MANDATORY WALK-THROUGH WILL BE HELD ON JULY 1<sup>st</sup> AT 2 P.M. AT CITY HALL, 3205 JONES ROAD, SUNSET VALLEY. The walk-through will include on-site inspection of the property.
- 5) PLEASE MARK YOUR ENVELOPE:  
Project Name: Landscaping Services  
RFP No:06212019  
Contractors Name: \_\_\_\_\_
- 6) SEND OR HAND DELIVER SEALED BID ENVELOPE TO:  
City of Sunset Valley  
Attn: City Secretary  
3205 Jones Road  
Sunset Valley, Texas 78745

## I. INTRODUCTION

It is the intent of this specification to secure a contract for professional landscaping services, which will provide necessary routine maintenance of landscaped areas and right of ways for the City of Sunset Valley. The scope of services covers city-owned property and right of ways.

Organic options will be considered first. Contractor will use "environmental preferable" products.

A list of products that the vendor will use shall be available for approval by the City of Sunset Valley.

The City will award contract based on the scoring criteria and the contractor that represents a best value.

## II. MANDATORY WALK-THROUGH

**All prospective CONTRACTORS are required to attend a pre-bid conference. The walk-through is scheduled for Monday July 1st, 2019 at 2:00 PM at City Hall 3205 Jones Road, Sunset Valley, Texas 78745.**

The purpose of the walk-through will include:

- Review of City objectives;
- Overview of specifications, descriptions, and solicitation terms, conditions, documents, and required submittals;
- Discussion of problems, which might prevent obtaining the proper services or equipment/supplies, at a fair and reasonable price, or any issues that inhibit a fair and accurate solicitation or restrict competition.

Bidders having questions concerning specifications should submit them in writing to the contact and address shown on Page 7 of this solicitation. **Questions should be submitted no later than close of business, 5:00 PM, July 22nd, 2019** so that appropriate information may be researched and made available to all bidders.

## III. SUMMARY OF SITE

The areas for this project are found throughout the City of Sunset Valley. The sites for this project include City owned properties and right of ways. Maps of locations are attached.

## IV. SCOPE OF SERVICES

### 1. Scheduling and Communication

- The contractor shall provide landscaping services during normal business hours of Monday-Friday 8am-5pm not including recognized holidays and major City events. Work will be scheduled to accommodate these programs.
- Contractor will appoint one of his/her employees as 'Manager' for the contract. This contract manager will act as a single point of contact for all communication.
- Contract manager will meet each month with the City's representative to go over monthly progress and adapt schedules to demands of the sites.
- Each week the contract manager will submit an itemized check sheet listing which items are planned for the week.

- Contractor will work with the City to provide a flexible level of service to allow for the best care and maintenance of City properties.

## **2. General Requirements**

- Contractor will provide an on-site crew leader with a valid driver's license and transportation during all times work is being performed. Crew leader will be required to communicate in the English language.
- Bidder shall use equipment appropriate to each site. Use of weed whips will be necessary in most culverts and for edging purposes.
- Any soil disturbance/erosion caused by the contractor's equipment will be the responsibility of the contractor. Rehabilitation of these areas will be in compliance with current City Code.
- Contractor shall notify the City's representative 48 hours prior to application of any pesticide or fertilizer on Sunset Valley properties.
- Attached are the City of Sunset Valley's Landscape Maintenance Guidelines. All work will comply with these guidelines.

**3. Mowing.** Contractor shall furnish a crew of reliable and experienced landscaping professionals to complete mowing operations of the following areas:

- **Commercial Right of Ways**

- Brodie Lane (HWY 290W to Grand Reserve Apartments)
- Ernest Robles Way (Brodie Lane to Hwy 290)
- Westgate Blvd. (Western side from Jones Road to 2<sup>nd</sup> Bridge)
- MSG. Bob Horrigan Trail
- Home Depot Boulevard (Brodie Lane west to end of street)

- **Residential Right of Ways**

- Entry Lovegrass Lane (formal entry from Brodie Lane to intersection with Yellowtial Cove)
- Jones Road
- Sycamore Trail

- **City Properties**

- 3205 Jones Road (Municipal Buildings)
- 5012 Westgate Blvd.
- 1 Sunset Trail
- Sunset Valley Villas
- Farmer's Park

General Requirements for mowing include:

- Contractor shall remove all ground litter prior to mowing
- Contractor shall remove grass and leaf debris from streets, driveways, rock culverts, sidewalks, and foot trails upon completion of services.

- Contractor shall maintain a minimum mowing height of four inches (4") in residential and commercial areas.
- Contractor shall edge/trim all sidewalks, trails, curbs, culverts, mailboxes, street signs, fire hydrants, tree wells, fence lines, boulders, and any other areas as directed by the City's Representative.
- Contractor shall cut or otherwise remove vegetation from cracks in streets, curbing, sidewalks, and trails.
- Contractor shall not use line trimmers to trim lawn grasses or weeds around trees.
- Contractor shall mow and edge all commercial right-of-ways every 7-10 days during the growing season or as needed up to 44 cycles per year.
- Contractor shall mow and edge all residential rights of ways every 10-14 days during the growing season or as needed throughout the year, with a maximum number of 26 cycles.
- Contractor shall mow all City Properties every 7-10 days during the growing season or as needed up to 48 cycles per year excluding the Sunset Valley Villas (10-14 days during the growing season) with a maximum of 26 cycles.
- Contractor shall de-thatch and aerate turf areas on city properties once a year in the spring, leaving aeration plugs on the ground.
- Over seeding for fall/winter lawn color is not included.
- Weed and pest control must comply with the Landscape Maintenance guidelines and permission to apply chemicals must be granted by City's Representative prior to application.
- **Weeding**
  - Manual Removal: Remove noticeable weeds by mechanical or hand extraction as needed. Primary weed control shall be through the promotion of healthy plant material and horticultural practices.
  - Chemical Removal: Chemical herbicides may only be used as a last resort. Permission to apply chemicals must be granted by the City's representative before application.
- **Fertilizing**
  - Contractor shall annually perform a soil analysis test for each area to determine what additional micro-macro nutrients are needed. Contractor will then follow through with soil amendments to address needs. A copy of the test results and the treatment plan will be provided to the City for documentation purposes.
  - Contractor shall apply low nitrogen, slow release fertilizers for lawns and plants. Only organic fertilizers and soil amendments shall be applied.
- **Pest and Disease Control**
  - The application of chemicals (including fertilizers pesticides, and herbicides), if application is approved by City, shall be in strict accordance with the laws of the State of Texas by certified applicators. City's IPM for each specific site shall be strictly adhered to by Contractor and his certified applicator.

- Maintain irrigation to avoid over watering that result in fungal growth.
- Contractor will be responsible for treating fire ant mounds in the right of ways, turf, and landscaped areas.

**4. Landscape Bed Maintenance:** Contractor shall furnish a crew of reliable and experienced landscaping professionals to complete landscape bed maintenance (including edging) of the following areas:

- Ernest Robles Way (Medians)
- 3205 Jones Road (All Municipal Buildings)
- City Hall @Jones Road Center Median
- Home Depot Blvd. Medians
- 10 Sunset Trail
- 5012 Westgate Blvd.
- 1 Sunset Trail
- Town Loop Beds
- Pond at Burger Center (Corner of Jones Road and MSG. Horrigan Trail)
- Villas Buffer

Requirements for Landscape Bed Maintenance include:

- **Mulch Application and Maintenance**
  - Contractor shall install a minimum two inch layer of mulch twice a year, once in the spring and once in the fall in all landscaped beds.
  - City will provide mulch for contractor to install. Contractor will be required to provide equipment to transport mulch to each site, coordinate loading material, transport mulch, and clean up all areas disturbed through the mulching process.
- **Fertilizing**
  - Contractor shall annually perform a soil analysis test for each area to determine what additional micro-macro nutrients are needed. Contractor will then follow through with soil amendments to address needs. A copy of the test results and the treatment plan will be provided to the City for documentation purposes.
  - Contractor shall apply low nitrogen, slow release fertilizers for lawns and plants. Only organic fertilizers and soil amendments shall be applied.
  - Fertilize with specified organic fertilizer twice per year (spring and fall)
  - Water beds after application to move fertilizer through the mulch to soil.
- **Shrubs**
  - Prune shrubs as necessary in accordance with the best horticultural practices and to maintain natural shape.
  - Prune shrubs away from buildings, air vents, and walkways. Clear areas around signs to provide a clear view of pedestrians and vehicular traffic.

- **Groundcover**
  - Prune back groundcover once per year, in early spring.
  - Prune ground cover when it approaches onto paved areas and other planting areas.
- **Perennials**
  - Pick-prune perennials after blooms are spent, throughout the season.
  - Cut back herbaceous perennials to 3"-6" height in the winter after a hard freeze and cover with a 3" depth of mulch.
- **Weed and Pest Control**
  - Manual Removal: Remove noticeable weeds by mechanical or hand extraction as needed. Primary weed control shall be through the promotion of healthy plant material and best horticultural practices.
  - Chemical Removal: Chemical herbicides may only be used as a last resort. Permission to apply chemicals must be granted by the City's representative before application.
  - The application of chemicals (including fertilizers pesticides, and herbicides), if application is approved by City, shall be in strict accordance with the laws of the State of Texas by certified applicators. Integrated Pest Management (IPM) for each specific site shall be strictly adhered to by Contractor and his certified applicator.
  - Maintain irrigation to avoid over watering that results in fungal growth. Contractor is responsible for reporting all irrigation problems to the City representative.
  - Contractor will be responsible for treating fire ant mounds in the landscaped areas.

## 5. Tree Requirements

- **Tree Wells and Watering Rings**
  - Contractor will install mulch in all tree wells and watering rings in all medians and at all other trees located in sites to be maintained which currently have mulched wells and watering rings.
  - Contractor will install a three inch (3") depth layer of mulch two times a year, once in the spring and once in the fall in all formal area tree wells and watering rings.
  - Mulch will be supplied from the City.
  - Contractor will maintain all watering rings at a minimum diameter of thirty six inches.
- **Weed and Pest Control**
  - Maintain trees, tree wells, and watering rings free of vines, weeds, moss, and parasitic plant material at all times.
  - Manual Removal: Remove noticeable weeds by mechanical or hand extraction as needed. Primary weed control shall be through the promotion of healthy plant material and best horticultural practices.
  - Chemical Removal: Chemical herbicides may only be used as a last resort. Permission to apply chemicals must be granted by the City's representative before application.



- The application of chemicals (including fertilizers pesticides, and herbicides), if application is approved by City, shall be in strict accordance with the laws of the State of Texas by certified applicators. City's IPM for each specific site shall be strictly adhered to by Contractor and his certified applicator.
- Maintain irrigation to avoid over watering that results in fungal growth. Contractor is responsible for reporting all irrigation problems to the City representative.
- Contractor will be responsible for treating fire ant mounds in the tree wells.
- Contact City Arborists before pruning
- **Tree Pruning**
  - Contact City Arborist before pruning.
  - Tree shall be pruned to promote healthy growth and form. Trees will be pruned in accordance with ISA and ANSI A300 standards.
  - Trees may be pruned for clearance and safety as needed.
- **Staking, Guying, and Trunk Protection**
  - Inspect monthly all staking and guying to prevent girdling.
  - Remove stakes when necessary.
  - Line trimmers shall not be used to trim grasses or weeds around trees.

## **6. Irrigation Maintenance Requirements**

- Monitor each site for runoff, ponding, or wilting. Adjust program as required.
- Maintenance adjustment of irrigation heads and nozzles shall be performed regularly to eliminate overspray onto impervious surfaces (including sidewalks and streets) adjacent to landscaped areas.
- Maintain irrigation systems to eliminate waste of water due to loss of heads, broken pipes, or maladjusted or clogged nozzles.
- Completely inspect irrigation systems monthly to assure proper operation of all heads, valves, and controllers.
- Provide documentation of settings, repairs (performed and needed), technician name, date, and time.
- Notify City immediately if system requires emergency attention.
- Contractor is responsible for notifying City regarding damaged areas, dry areas, or other problems related to the site irrigation systems.

**7. Supervision of Work.** Contractor shall conduct regular systematic inspection of his/her/their work crew, and shall be responsible for providing adequate supervision to assure competent and satisfactory performance of the services required under this Contract. Contractor is responsible for the safety of the crew. Eye and ear protection, dust masks, reflective vests, and traffic cones are required. Contractor shall notify the Parks and Grounds Supervisor by phone, letter, or email of any special comments on landscaping needs.

## V. REFERENCES

Provide a list of at least three (3) references documenting your experience. Each reference should include the individual's name, title and a current telephone number. In addition, please provide:

- a. A listing of commercial locations where the company is currently providing landscaping services; and
- b. Information on the experience and/or qualifications of personnel to be assigned to project;

Individuals identified as references will be assured of anonymity to the fullest degree possible under the Freedom of Information Law.

## VI. COST OF SERVICES

Respondents shall provide:

- A fixed monthly cost per area for the landscaping services identified in the scope of services;
- Alternative bids as requested.

## VII. PROPOSAL REQUIREMENTS

CONTRACTORS wishing to be considered in the selection process must submit one original and two (2) copies for a total of three (3) complete sets of their proposal no later than 2:00 p.m., local time, July 31<sup>st</sup>, 2019.

Copies of the RFP are available for pick up at Sunset Valley City Hall, Monday – Friday during working hours (8AM-5PM). The CITY will not be liable for any costs incurred by the CONTRACTOR in replying to this RFP.

The CITY will not pay for the cost to mail or deliver this RFP to interested CONTRACTORS. The CITY is not liable for any costs for work or services performed by the selected CONTRACTOR prior to a written Notice to Proceed.

The complete proposal package shall be plainly marked as shown in the box below. The Package (three copies in total) shall contain the proposal transmittal letter and the CONTRACTOR'S technical and qualification proposal, with the proposed compensation.

The proposal transmittal letter shall be on company letterhead signed by a person authorized to submit and sign a proposal, the partner name, address, telephone number, the name of the person authorized to submit/sign the proposal, and his/her title, telephone number and e-mail address.

**Contractors Name**  
**Address**

**City of Sunset Valley**  
**ATTN: CITY SECRETARY**  
**3205 Jones Road**  
**Sunset Valley, TX 78745**

**Project: Landscaping Services**  
**RFP: 06212019**

- A. Late Proposals.** Proposals received after the designated time will not be considered in the selection process and will be retained unopened until after award. The CITY reserves the right to accept or reject any or all proposals and to waive informalities or irregularities in the selection process.
- B. Addendums to the RFP.** If it becomes necessary to revise any part of the RFP or otherwise provide additional information, an addendum will be issued by the CITY.
- C. Bid Bond.** Each proposal shall be accompanied by a cashier's check or certified check upon a national or state bank in an amount not less than five percent (5%) of the total annual price of service payable without recourse to the City of Sunset Valley, or a bid bond in the same amount from a reliable surety company as a guarantee that the CONTRACTOR will enter into a contract and execute required performance and payment bonds. Within 10 days after the Contract is executed, the City will return checks provided as bid security.
- D. Confidential Information.** To the extent permitted under Texas law, all proposals will be kept confidential. In the event any proposed CONTRACTOR believes that any information submitted with its proposal is confidential, classified or proprietary business information, such information should be explicitly identified and marked. The reason for such designation should also be stated. Proposals will only be accepted from CONTRACTORS authorized to do business in the State of Texas.
- E. Request for Information.** Requests for further information or questions regarding this Request for Proposal should be addressed to the individual listed below. UNAUTHORIZED CONTACT REGARDING THIS REQUEST FOR PROPOSAL WITH CITY EMPLOYEES MAY RESULT IN DISQUALIFICATION. Any oral communication will be considered unofficial and non-binding. Proposers shall rely only on written addenda issued by the individual listed below.

Carolyn Meredith, Parks and Natural Resource Manager  
3205 Jones Road  
Sunset Valley, TX 78745  
Telephone: (512) 891-9103  
E-mail: [cmeredith@sunsetvalley.org](mailto:cmeredith@sunsetvalley.org)

## **VIII. SELECTION CRITERIA**

The following criteria will be considered, although not exclusively, in determining which firm is hired.

1. References/Responsive History with the City of Sunset Valley (20 points)
2. Cost (40 points)
3. Responsiveness to Scope of Project (20 points)
4. Experience in organic landscaping practices and IPM (20 points)

A selection panel will be convened to evaluate the proposals. The City will award the contract based on the scoring criteria and the contractor that represents a best value.

## **IX. GENERAL CONDITIONS**

### **A. CONTRACT**

A contract equally binding between the CONTRACTOR and the CITY shall be produced if and when CONTRACTORS proposal is accepted by the CITY. The CONTRACTOR shall not sell assign, transfer or convey this contract in whole or in part without the prior written consent of the CITY.

### **B. DRUG FREE WORKPLACE**

It is the policy of the City of Sunset Valley to maintain a drug-free work place. CONTRACTORS and their employees are expected to report to work with an appropriate mental and physical condition for work. CONTRACTORS must complete and adhere to Drug and Alcohol Free Workplace Certification, **Attachment D**, and submit with this proposal for consideration.

### **C. ETHICS/CONFLICTS OF INTEREST**

No public official or CITY employee shall have a personal or financial interest in this contract. CONTRACTOR shall not offer gifts or anything of value nor enter into any business arrangement with any employee, official or agent of the CITY during the procurement period or life of the contract. CONTRACTORS must disclose any prior or existing business relationship with CITY employee, officials or agent; and submit Ethics Affidavit with proposal **Attachments C and C-1**.

### **D. HOLD HARMLESS**

The CONTRACTOR shall defend, indemnify and save harmless the CITY and all its officers, agents and employees from all suits, actions, or other claims of any character, name and description brought for or on account of any injuries or damages received or sustained by any person, persons or property on account of any negligent act or fault of the bidder, or of any agent, employee, subcontractor or supplier in the execution of, or performance under, any contract which may result from bids award. CONTRACTOR indemnifies and will indemnify that save harmless the CITY from liability, claim or demand on their part, agents servants, customer, and or employees whether such liability, claim or demand arise from the event or casualty happening or within

the occupied premises themselves or happening upon or in any of the halls, entrances, stairways or approaches of or to the facilities within which the occupied premises are located. CONTRACTOR shall pay any judgment with costs, which may be obtained, against the CITY growing out of such injury or damages.

#### **E. HOLIDAYS AND HOURS OF WORK**

No work shall be allowed on designated holidays, unless specific prior arrangements have been made. Work will be scheduled around major city events and holidays. The majority of work will take place after 6:00 p.m.

#### **F. INSURANCE**

The CONTRACTOR responsible for services performed at the site will provide proof of Worker's Compensation Insurance, General Liability Insurance, and Umbrella Liability Insurance. The CONTRACTOR should not include such insurance costs in its proposal. Insurance requirements are located in **Attachment E**.

#### **G. NON DISCRIMINATION AND EMPLOYMENT**

The CITY encourages equal employment opportunity practices on the part of private businesses and persons seeking to do business with the CITY are expected to comply with applicable Federal and Texas State laws, regulations and orders relating to equal employment and non-discrimination with regard to employees and subcontractors. Bidders must complete **Attachment B** and return with proposal.

#### **X. PAYMENT**

Invoices must be fully itemized, and provide sufficient information for approving payment and for auditing purposes. Invoices must be accompanied by receipt for services in order for payment to be processed. Invoices shall reference contract number and shall be mailed to the Accountant.

Payment will be made upon receipt and acceptance by the CITY of item(s) ordered and receipt of a valid invoice, in accordance with the State of Texas Prompt Payment Act, Chapter 2251, Government Code VTCA.

#### **Landscaping Services for CITY OF SUNSET VALLEY Release Date June 19, 2019.**

#### **XI . SCHEDULE (dates are subject to change)**

- Issue RFP to potential bidders: June 21, 2019
- Mandatory** walk through July 1st, 2019 at 2:00 p.m.
- Deadline for Proposals July 31, 2019
- Recommendation to Council August 20, 2019
- Start of Contract October 1, 2019

**ATTACHMENT A**  
**LANDSCAPING SERVICES BID SHEETS**

Mowing of Turf Areas	Approximate Acreage	Cost per Cycle	Maximum Number of Cycles	Cost Per Year
<b>Commercial Right of Ways</b>				
Brodie Lane	5.5		44	
Westgate Boulevard	0.35		26	
MSG. Bob Horrigan Trail	0.5		26	
Ernest Robles Way	2		44	
Home Depot Boulevard	0.65		44	
<b>Residential Right of Ways</b>				
Jones Road	3.75		26	
Lovegrass Lane Formal Entry	2		26	
Sycamore Trail	0.1		26	
<b>City Properties</b>				
City Hall Complex	1.25		48	
5012 Westgate BLVD.	0.25		48	
1 Sunset Trail	0.5		48	
Sunset Valley Villas	0.5		26	
Farmers Park	.25		26	
Total				

Landscaped Beds	Approximate Acreage	Cost Per Year
City Hall @ Jones Road Center Median	0.1	
Town Loop	0.5	
City Hall Complex	0.5	
City Hall Rain Garden	0.15	
Ernest Robles Way Median	0.15	
5012 Westgate Blvd	0.1	
1 Sunset Trail	0.1	
Home Depot Boulevard Medians	0.1	
Pond Landscaping at Burger Center	0.5	
Villas Parkland	1.75	
Lovegrass Lane Formal Entry	0.5	
10 Sunset	0.1	
Total		

Tree Maintenance	Approx. Amount	Total Cost Per Year
Median Trees and other Mulched Tree Wells	210	

Total Cost of Annual Landscaping Services	
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**ATTACHMENT B**  
**LANDSCAPING SERVICES**  
**CERTIFICATION OF NON-DISCRIMINATION**

The CONTRACTOR hereby certifies not to discriminate and to comply with the CITY's Non-Discrimination provision of this Request for Proposal. The CITY's Policy on Non-Discrimination requires compliance with applicable Federal and Texas state laws, regulations and orders relating to equal employment opportunity and non-discrimination.

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Contractor

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Signature

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Title

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Date

**ATTACHMENT C  
ETHICS AFFIDAVIT**

STATE OF TEXAS                    }

COUNTY OF TRAVIS}

Date: \_\_\_\_\_

Name of Affiant: \_\_\_\_\_

Title of Affiant: \_\_\_\_\_

Business Name of Bidder: \_\_\_\_\_

County of Bidder: \_\_\_\_\_

Affiant on oath swears that the following statements are true:

1. Affiant is authorized by Bidder to make this affidavit for Bidder.
2. Affiant is fully aware of the facts stated in this affidavit.
3. Affiant can read the English language.
4. Bidder has received the list of key contracting persons associated with this invitation for bids, which is attached to this affidavit as Exhibit C-2.
5. Affiant has personally read Exhibit C-1 and C-2 to this Affidavit.
6. Affiant has no knowledge of any key contracting person on Exhibit "A" with whom Bidder is doing business or has done business during the 365-day period immediately before the date of this affidavit whose name is not disclosed in the Invitation for Bids.

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Address



**ATTACHMENT C-1**  
**LANDSCAPING SERVICES**  
**ACKNOWLEDGMENT OF CONTACT WITH KEY CONTRACTING PERSONNEL**

Bidder acknowledges doing business or has done business during the 365 day period immediately prior to the date on which this bid is due with the following key persons and warrants that these are the only such key persons:

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If no one is listed above, Bidder warrants that Bidder is not doing business and has not done business during the 365-day period immediately prior to the date on which this bid is due with any key person.

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Signature

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Print Name

**EXHIBIT C-2**  
**LANDSCAPING SERVICES**  
**LIST OF KEY CONTRACTING PERSONS**  
**City of Sunset Valley**

July 1, 2019

<u>Position Held</u>	<u>Name of Individual</u>
Mayor	Rose Cardona
Mayor Pro-Tem	Ketan Kharod
Councilmember	Rudi Rosengarten
Councilmember	Marc Bruner
Councilmember	Melissa Gonzales
Councilmember	Phil Ellett
Interim City Administrator	Sara Wilson
Director of Public Works	Katy Phillips
Accountant	Rae Gene Greenough
Parks and Natural Resource Manager	Carolyn Meredith
Parks and Grounds Supervisor	Sam Cantu

**ATTACHMENT D**  
**LANDSCAPING SERVICES**  
**DRUG-FREE WORKPLACE CERTIFICATION**

It is the policy of the City of Sunset Valley to maintain a drug-free work place. CONTRACTORS, SUBCONTRACTORS and their employees are expected to report to work with an appropriate mental and physical condition for work; and are not to report to or remain at work under the influence of intoxicants. For the purpose of this policy, intoxicants include abused inhalants such as glue or paint thinner, alcoholic beverages, and any drug which is not legally obtainable or which is legally obtainable but has not been legally obtained or not used for their prescribed purposes.

In order to have a drug-free workplace, CONTRACTOR shall:

1. Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the workplace, the CONTRACTOR'S policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the commodities or contractual services that are under this proposal a copy of the statement specified in Subsection (1).
4. Notify the employees that, as a condition of working under this proposal, the employee will abide by the terms of the statement and will notify the employer of any conviction or plea of guilty or nolo contendere to, of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction. CONTRACTOR will impose a sanction on any employee who is so convicted or require the satisfactory participation in a drug abuse assistance or rehabilitation.
5. Make a good faith effort to continue to maintain a drug-free workplace through implementation of applicable laws, rules and regulations.

As the person authorized to sign the statement, I certify that this CONTRACTOR complies fully with the above requirements.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Print Name and Title \_\_\_\_\_

**ATTACHMENT E**  
**LANDSCAPING SERVICES**  
**CITY INSURANCE REQUIREMENTS**

**Insurance Provided by the CONTRACTOR**

For any Contract resulting from this request for proposals, the CONTRACTOR shall, prior to Notice to Proceed, provide the CITY with a Certificate of Insurance in the below listed minimum amounts and shall maintain such coverage in effect for the full duration of the Contact, unless such Contract specified different coverage or amounts. Each insurance policy to be furnished by successful bidder shall include, by endorsement to the policy, a statement that a notice shall be given to the CITY by certified mail thirty (30) days prior to cancellation or upon any material change in coverage.

1. Workers' Compensation	\$500,000	
2. Employer's Liability	\$500,000	
3. Bodily Injury Liability:	\$500,000	per each occurrence
Except automobile	\$1,000,000	aggregate
4. Automobile Bodily Injury Liability	\$500,000	per each person
	\$1,000,000	per each occurrence
5. Automobile Property Damage	\$500,000	per each occurrence
6. Excess Umbrella Liability	\$500,000	per each occurrence

# City of Sunset Valley-Landscaping Services



Locations: Westgate Lane, Jones Road, Sunset Trail

Landscaping beds at 5012 Westgate Lane, 1 Sunset Trail, and 10 Sunset Trail are to be maintained as part of the contract.

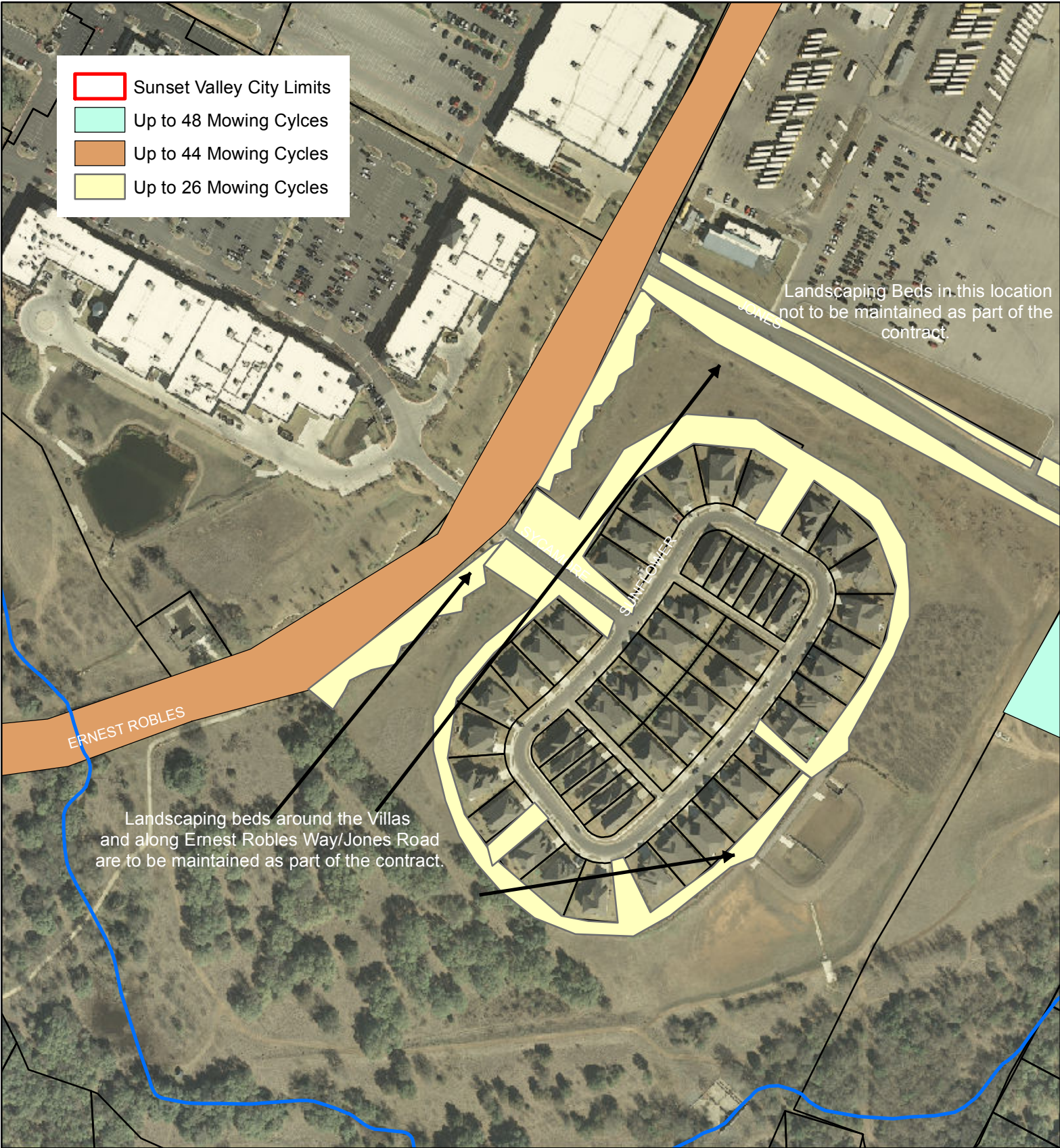
# City of Sunset Valley-Landscaping Services



Locations: Jones Road, MSG Horrigan Trail

Landscaping beds at the corner of Jones and MSG Horrigan Trail to be maintained. All landscaping beds at the City Facilities property to be maintained. Landscaping beds located across from the City Facilities and within the road are also to be maintained as part of the contract.

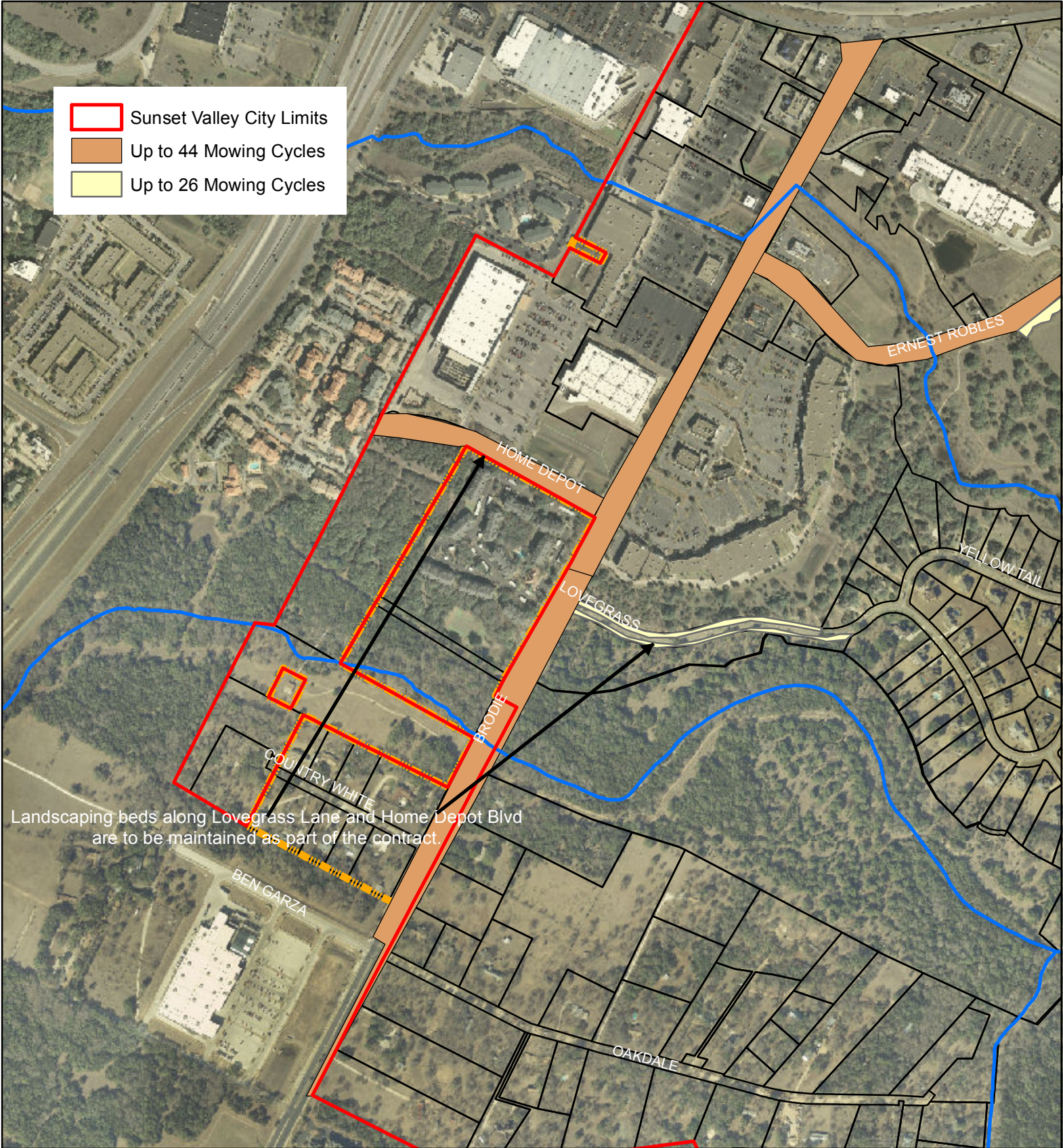
# City of Sunset Valley-Landscaping Services



Locations: Jones Road, Ernest Robles Way, Sycamore Trail

Landscaping beds surrounding the Villas at Sunset Valley are to be maintained as part of the contract.  
All landscaped medians within Ernest Robles Way to be maintained as part of the contract.  
The landscaping beds on the North side of Jones Road belong to AISD and are not covered by the contract.

# City of Sunset Valley-Landscaping Services



Locations: Ernest Robles Way, Brodie Lane, Home Depot Blvd, and Lovegrass Lane

Landscaping beds along Lovegrass Lane and Home Depot Blvd are to be maintained as part of this contract.



COUNCIL MEETING DATE: MAY 17<sup>TH</sup>, 2022



## CITY COUNCIL AGENDA ITEM #9

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STAFF PREPARER/CONTACT INFORMATION: Dakota Burns (Public Works Superintendent) [Dburns@sunsetvalley.org](mailto:Dburns@sunsetvalley.org)

Council Sponsor: Mayor Bruner, [mbruner@sunsetvalley.org](mailto:mbruner@sunsetvalley.org)

SUBJECT: CITY HALL MAINTENANCE

DESCRIPTION: Consider and act on the following City Hall maintenance items:

- A. Award of Contract to the Rock Services for painting the interior and exterior of City Hall
- B. Award of Contract to the Rock Services for electrical work in City Hall
- C. Approval of an Ordinance amending the FY 2022 Budget (Budget Amendment #10) for Repair and Replacement Funds for City Hall maintenance

BACKGROUND: City Hall needs updated painting, electrical repairs and wiring for the Audio/Visual upgrades.

The City issued a request for bids in April. The request received eight respondents for painting and two respondents for electrical repair. The Public Works Department is recommending awarding of both contracts to The Rock Services. They have the background and experience to assist in both the painting and electrical work at City Hall. This company has shown professionalism in their bidding process. They have also successfully performed work in painting City Hall in the past. The other respondents were incomplete and inaccurate.

The contract will include the following repair and maintenance items:

### **City Hall Painting**

City Hall will get painting on the exterior and interior. Exterior will include all paintable surfaces re-painted or stained. Any damaged sections will be repaired before painting. Interior will include painting of walls and ceiling in the Council Chambers, painting of walls and ceiling in the bathrooms, and an add alternate will be painting the lobby walls and ceiling.

### **City Hall Light and Fan Repairs**

City Hall will get lighting repairs and fix fan repairs on the interior. Current lighting and fans are intermittently working. Spotlights will be moved back to prevent down lighting on Council to prevent shadows.

**City Hall A/V Upgrade**

City Hall is getting an upgraded A/V system. This system will require conduit and wire to be ran to three locations.

FUNDING:

CURRENT YEAR FISCAL BUDGET							
FUND	DEPT.	ACCT.	BUDGET	FY 22 EXPENDITURES	THIS ITEM	REMAINING	
01	04	5740	\$15,000	\$7,107	\$48,620/\$42,120	-\$40,727/ -\$34,227	
PRIOR YEAR FISCAL BUDGET(S)							
BUDGET YEAR	FUND	DEPT.	DESC.	ACCOUNT	AMOUNT	TOTAL	NOTES

STAFF RECOMMENDATION: Award Contracts

SUPPORTING MATERIALS PROVIDED:

- BID RESPONSE PRICING SHEETS
- BUDGET ADJUSTMENT #10 OPTION A (WITH LOBBY PAINTING)
- BUDGET ADJUSTMENT #10 OPTION A (WITHOUT LOBBY PAINTING)

**City of Sunset Valley**  
 Bid Tabulation Sheet  
 Department: Public Works  
 Project or Item: City Hall Painting

Project Date: May  
2022

Staff Contact: Dakota  
Burns

Specifications: Paint Interior and Exterior of City Hall

Vendor Information (Company Contact Person Phone, Fax, Address)	Date of Bid	Days bid is valid	Total Cost
The Rock Services, LLC 4409 S. 1st St. Austin TX 78745	4/26/2022	30	\$ 36,865.00
Austin Professional Painting 5555 N. Lamar Austin, Texas 78751 (Ste. L103)	4/19/2022	30	\$ 40,223.98
Tex Painting 10304 E Ben White Blvd, Austin, TX 78745	4/20/2022	30	\$ 37,200.00
Mainstream Construction Services LLC. 5401 S. FM 1626, Suite 170-406 Kyle, Tx 78640	4/23/2022	30	\$ 25,900.00
CX2 CONSTRUCTION, INC. 19507 FM 150 W, DRIFTWOOD TX 78619	5/11/2022		No Bid
Xevex Counstruction PO BOX 681, BUDA TX 78610	5/11/2022		No Bid
Arcadia Construction 6200 La Naranja Ln, Austin, TX 78749	4/19/2022		No Bid

**City of Sunset Valley**

Bid Tabulation Sheet

Department: Public Works

Project or Item: City Hall Electrical

Specifications: Fix Lights and Fans and install A/V Electrical

Project Date: May  
2022

Staff Contact: Dakota  
Burns

Vendor Information (Company Contact Person Phone, Fax, Address)	Date of Bid	Days bid is valid	Total Cost
The Rock Services, LLC 4409 S. 1st St. Austin TX 78745	5/12/2022	30	\$ 11,755.00
Tony's Electrical Services, LLC 2414 Perkins Drive Austin, Texas 78744	5/3/2022	30	\$ 14,500.00



## **Interior & Exterior Painting of Sunset Valley City Hall**

3205 Jones Road  
Sunset Valley TEXAS 78745

Submitted By:

### **The Rock Services, LLC**

4409 S. 1st St.  
Austin TX 78745

[office@therockservicesaustin.com](mailto:office@therockservicesaustin.com)

[www.therockservicesaustin.com](http://www.therockservicesaustin.com)

**The Rock Services, LLC**

4409 S. 1st St.  
Austin TX 78745

office@therockservicesaustin.com  
www.therockservicesaustin.com



**Estimator**

Chris Hernandez  
Mobile: (512) 796-6388  
chris@therockservicesaustin.com

**Customer**

Dakota Burns  
City of Sunset Valley  
3205 Jones Road  
Sunset Valley Texas 78745  
Mobile: (737) 529-6729  
dburns@sunsetvalley.org

**Estimate**

Job Name	Interior & Exterior Painting of Sunset Valley City Hall
Job Number	443 (2)
Issue Date	April 12, 2022
Valid Until	May 12, 2022

Item	Quantity	Amount
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**Interior Painting**

<b>Painting</b>	<b>1 Ea</b>	<b>\$19,250.00</b>
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*Areas Included: Gypsum Walls & Ceilings only in Council Chambers, Lobby Area/ Entry Foyer, 2 Bathrooms, & hallway*

*Scope:*

- Protect all floors with ram board & mask off all hardware & fixtures.
- Prep all gypsum by filling in all hairline cracks and nail holes with caulk.
- Tape/ float any major damaged gypsum.
- Apply 2 coats of paint in eggshell sheen to all gypsum walls
- Apply 2 coats of paint in flat sheen to all gypsum ceilings

**\*\*PLEASE NOTE:**

- Sunset Valley staff will remove & reinstall insulating boards/panels from walls in council chambers.
- Kitchen, meeting room, & AV room will not be repaired nor painted and is not included per Sunset Valley's request.

*Cost Breakdown by Area:*

- Council Chambers & Restrooms \$12,750
- Lobby/Foyer Area \$6,500

<b>Scissor lift rental</b>	<b>1 Ea</b>	<b>\$1,320.00</b>
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**Exterior Painting**

<b>Pressure Wash all Paintable Surfaces of Building</b>	<b>1 Ea</b>	<b>\$1,200.00</b>
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*\*All other masonry and not painted surfaces are not included in pressure washing.*

Item	Quantity	Amount
<b>Full Exterior Paint</b> <b>Satin Olive Green Color-match</b> <b>All siding, Trim, Soffit</b>	1 Ea	\$8,455.00
<b>Incl. Prep work</b> -Pressure wash all paintable surfaces to prepare -Caulk in all joints/cracks and fill nail holes <i>Satin Olive Green Color-match paint to all Siding, Trim, &amp; Soffit</i>  <i>Includes:</i> -Prepwork -Caulk in all joints/cracks and fill nail holes		
<b>Staining</b> <b>Semi-Solid Cedar (Match)</b> - Stain all Fascia, Soffit (Porch Overhang), Porch Posts, Beams/Headers, Rafters (approx. 670' Of fascia)	1 Ea	\$5,760.00
<i>Semi-solid Cedar Color-Match</i> -Stain all Fascia, soffit (porch overhang), Porch posts, Beams/Headers, & Rafters -To include sanding and retaining back door & side lite to administration area only. -Replace 1"x8"x95" cedar trim on right side of door.  *Note All other exterior doors including Door Trim & Frames will not be painted, Left As is by request. **Courtyard Pergola and Lattice Structure staining not included in line item, will be separate		
<b>Repair Trim Treatment around 7 columns</b>	1 Ea	\$880.00
<i>Replace 32" of 1x8 Trim and Flat quarter round around bottom of 7 columns under porch area</i>		
<b>Price</b>		<b>\$36,865.00</b>

**Terms**

- The Rock Services will provide all materials, tools/equipment, and labor.
- A 35% deposit is required upfront to begin project and the remaining 65% will be due immediately upon completion.

\_\_\_\_\_ Date \_\_\_\_\_  
 Chris Hernandez  
 The Rock Services, LLC

\_\_\_\_\_ Date \_\_\_\_\_  
 Dakota Burns  
 City of Sunset Valley



## **Sunset Valley City Hall Electrical Work**

3205 Jones Road  
Sunset Valley TEXAS 78745

Submitted By:

### **The Rock Services, LLC**

4409 S. 1st St.  
Austin TX 78745

[office@therockservicesaustin.com](mailto:office@therockservicesaustin.com)

[www.therockservicesaustin.com](http://www.therockservicesaustin.com)



## The Rock Services, LLC

4409 S. 1st St.  
Austin TX 78745

office@therockservicesaustin.com

www.therockservicesaustin.com



### Estimator

Chris Hernandez

Mobile: (512) 796-6388

chris@therockservicesaustin.com

### Customer

Dakota Burns  
City of Sunset Valley  
3205 Jones Road  
Sunset Valley Texas 78745

Mobile: (737) 529-6729

dburns@sunsetvalley.org

## Estimate

Job Name	Sunset Valley City Hall Electrical Work
Job Number	446 (2)
Issue Date	May 5, 2022
Valid Until	June 4, 2022

Item	Quantity	Amount
<b>Install 150 ft of 1" metal conduit for 3 cameras in Council Chambers and pull hdmi &amp; cat 5 cables through</b> <i>*High ceiling 25 ft</i> <i>**City of sunset valley will connect hdmi and cat 5 cables; we will only pull them through new conduit.</i>	1 Ea	\$2,580.00
<b>Replace 9 light fixtures with LED fixtures at all sconces in lobby and council chambers</b> <i>**Allowance to purchase inside of sconce LED components \$150/sconce (\$1,350 total in parts)</i>	1 Ea	\$2,815.00
<b>Relocate 3 spots lights from one rafter to another about 12' away at council chamber ceiling</b> <i>*Includes conduit and wiring.</i> <i>*High ceiling 25Ft</i>	1 Ea	\$1,360.00
<b>Ceiling Fans</b> <i>*High ceiling 25 ft</i> <i>*Swap out 2 non working ceiling fans in council chambers with working fans from lobby area.</i> <i>*Install 2 new similar ceiling fans in lobby area</i> <i>*Includes 6-8Ft extension rod</i> <i>*Allowance of \$1,500 to purchase 2 similar 3 blade ceiling fans and hardware</i>	1 Ea	\$3,300.00
<b>Run power and install 3 outlets for cameras</b> <i>*Run separate conduit for power</i>	1 Ea	\$1,000.00
<b>Pull electrical permit through Sunset Valley</b> <i>*This includes our admin fees and use of our master license.</i> <i>*City of sunset valley will pay for actual permit fees.</i>	1 Ea	\$700.00

# Estimate

May 5, 2022

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<b>Price</b>	<b>\$11,755.00</b>
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## Terms

- The Rock Services will provide all labor, materials, and tools/equipment necessary to complete job.
- A 35% deposit is required upfront to begin project and the remaining 65% will be due immediately upon completion.
- \*\*Please note, if a second mobilization is required to come back and pull hdmi & cat 5 cable, a \$1,000 fee will apply.

\_\_\_\_\_ Date \_\_\_\_\_

Chris Hernandez  
The Rock Services, LLC

\_\_\_\_\_ Date \_\_\_\_\_

Dakota Burns  
City of Sunset Valley

**Budget Adjustment #10 FY22- Option A (With Lobby Painting)**

Misc Items							
Fund	Dpt	GL	GL Description	Adopted Budget	Proposed Increase	Amended Budget	Notes
01	04	5740	Repair & Maintenance - Buildings	15,000.00	48,620.00	63,620.00	Electrical services and painting including the lobby painting
				<b>15,000.00</b>	<b>48,620.00</b>	<b>63,620.00</b>	
Funding							
Fund	Description			Current Balance	Proposed Funding	Ending Balance	
21	Repair & Replacement Fund Balance			501,374.53	48,620.00	452,754.53	
<b>Budget Adjustment Total</b>				<b>-</b>			

Budget Adjustment #10 FY22- Option B (Without Lobby Painting)							
Misc Items							
Fund	Dpt	GL	GL Description	Adopted Budget	Proposed Increase	Amended Budget	Notes
01	04	5740	Repair & Maintenance - Buildings	15,000.00	42,120.00	57,120.00	Electrical services and painting NOT including the lobby painting
				<b>15,000.00</b>	<b>42,120.00</b>	<b>57,120.00</b>	
Funding							
Fund	Description			Current Balance	Proposed Funding	Ending Balance	
21	Repair & Replacement Fund Balance			501,374.53	42,120.00	459,254.53	
<b>Budget Adjustment Total</b>					-		

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 REPAIR AND REPLACEMENT 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 #10, 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 17<sup>TH</sup> DAY OF MAY 2022.

\_\_\_\_\_  
Marc Bruner  
Mayor

ATTEST:

\_\_\_\_\_  
Matt Lingafelter, City Secretary

CITY COUNCIL MEETING DATE: MAY 17, 2022



## CITY COUNCIL AGENDA ITEM #10

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STAFF PREPARER/CONTACT INFORMATION: Matt Lingafelter, Asst. to the City Admin.  
[mlingafelter@sunsetvalley.org](mailto:mlingafelter@sunsetvalley.org)

COUNCIL SPONSOR: Mayor Bruner, [mbruner@sunsetvalley.org](mailto:mbruner@sunsetvalley.org)

SUBJECT: COMPREHENSIVE PLAN

DESCRIPTION: Public Hearing to consider updates and revisions to the City of Sunset Valley's Comprehensive Plan and Future Land Use Map – first of four scheduled

BACKGROUND: The Planning and Environmental Committee has completed its preliminary revisions to the City's Comprehensive Plan. As a General Law City, the Comprehensive Plan acts as the City's main source for planning and land use decisions. Those decisions affect other portions of the Land Development Code. As the Committee continues refine the document, and before it is ultimately adopted by City Council, feedback from the community is necessary to ensure that the Comprehensive Plan reflects the needs and desires of the residents of Sunset Valley. The Comprehensive Plan and Future Land Use Map were last updated in 2011.

### **What is a Comprehensive Plan?**

A comprehensive plan is a plan adopted by a city for the purpose of promoting sound development of a city and public health, safety, and welfare. The Comprehensive Plan helps inform and drive decisions related to-provisions on land use, transportation, and public facilities and is used to coordinate and guide the establishment of development regulations.-It can consist of a single plan, or a coordinated set of plans organized by subject and geographic area. Because the Comprehensive Plan drives land use, the City's Future Land Use Map will be updated in alignment with the Comprehensive Plan.

### **Public Feedback**

The local government code requires certain actions for adoption of a comprehensive plan, including Public Hearings. The following schedule meets both state and local guidelines for public input, and gives ample opportunity for public feedback and discussion on the proposed revisions:

- *Town Hall Meeting – Monday, April 25<sup>th</sup> from 6 – 8 pm*

- **City Council Meeting – Tuesday, May 17<sup>th</sup> at 7:00 pm – Public Hearing #1**
- Public Works Open House – Saturday, May 21<sup>st</sup> from 9 am – noon
- Zoning Commission Meeting – Wednesday, May 25<sup>th</sup> at 6 pm – Public Hearing #2
- City Council Meeting – Tuesday, June 7<sup>th</sup> at 7 pm – Public Hearing #3
- City Council Meeting – Tuesday, June 21<sup>st</sup> at 7 pm – Public Hearing #4

Additional Town Hall or other public meetings may need to be scheduled. Additionally, the Zoning Commission may ask for a joint meeting with the City Council, or request an additional meeting, to review the revisions and make their recommendations.

APPLICABLE CODE SECTIONS: [Chapter 213 Texas Local Government Code](#)

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: N/A

SUPPORTING MATERIALS PROVIDED:

- [COMPREHENSIVE PLAN STORY PAGE](#)

CITY COUNCIL MEETING DATE: MAY 17, 2022



## CITY COUNCIL AGENDA ITEM #11

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STAFF PREPARER/CONTACT INFORMATION: Sylvia Carrillo, [scarrillo@sunsetvalley.org](mailto:scarrillo@sunsetvalley.org)

COUNCIL SPONSOR: Mayor Bruner, [mbruner@sunsetvalley.org](mailto:mbruner@sunsetvalley.org)

SUBJECT: Administration/Human Resources

DESCRIPTION: Consider and act on approval of the following staffing items:

- A. Organizational Chart and Administration Department Restructuring
- B. Community Coordinator – New Position
- C. Trail/Community Resource Officer – New Part-time Position
- D. Ordinance Amending the FY 2022 Budget (Budget Amendment #10) in an amount not to exceed \$57,764.02

BACKGROUND:

### **A. The Organizational Chart and Administration Department Restructuring**

The proposed Organizational Chart (included with backup) includes two new positions, the Community Coordinator, and the Part-time Code/Trail Enforcement Officer, as well as a restructuring and reclassification of two current Administrative staff members.

The first administrative position is the Assistant City Administrator, which is a reclassification from the current Assistant to the City Administrator. The “Assistant To” while a common role in many organizations, has “topped out” in our city. The current incumbent is assigned and accomplishing work well above the Assistant To role, and an upgrade is warranted.

The second administrative position is the Assistant City Secretary/Court Clerk, which is a reclassification from the current Administrative Assistant/Court Clerk. In recent staffing discussions, and follow-up from the Council retreat, separating and/or offloading the duties of City Secretary from the proposed Assistant City Administrator has been a goal of the Mayor and City Administrator. At previous work sessions, a contractual City Secretary position was proposed. Based on Council feedback, that position was reconsidered, and the following is offered as an alternative: continue to develop the current Court Clerk to assume the role of the City Secretary.

The Sunset Valley Municipal Court is small court and has a relatively low case load. The Court Clerk role in Sunset Valley has, for the past few decades, been either a part-time



position, or more recently split with other administrative positions. The current Court Clerk has been in the position for one year and is ready to take on more roles within the organization.

Both the City Secretary and Court Clerk positions are ministerial, and require a similar set of skills, including record keeping, legal documentation, scheduling, and attention to detail. Merging these two positions is a natural fit, rather than creating a new position or hiring an additional contractor. It was determined that the Court Clerk, with at least a year of training and onboarding, could absorb the duties and role of the City Secretary. A small increase is warranted in this fiscal until the incumbent is fully training.

If Council approves the Org Chart and Administrative Department changes, the plan is for the current City Secretary to begin training the Court Clerk to take on the City Secretary role and be appointed in November 2023. Below is a table outlining the job duties that will be offloaded from the Assistant City Administrator, and given to the (Assistant) City Secretary and/or the Community Coordinator:

ASSISTANT CITY ADMINISTRATOR DUTIES TO BE OFFLOADED	CITY SECRETARY	COMMUNITY COORDINATOR
Staff Liaison to Arts Commission		X
Staff Liaison to CED Committee		X
Publish Monthly Newsletter		X
Council Agendas - review, proof and post	X	
Zoning and BOA Agendas - review, proof and post	X	
Committee Agendas - review, proof and post	X	
Council Minutes - create, review and post	X	
Other Minutes - review and post	X	
Public Information Requests	X	
Record Retention	X	
Legal Notices, Public Hearing Notices, etc.	X	
Certifies Documents, Administers Oaths of Office	X	
Municipal Election Administrator	X	
iContact Notifications to Residents	X	X

**B. Community Coordinator – new position**

The Community Coordinator (“Vitality” removed from title after feedback from Council) was born out of discussions from the Marketing Ad Hoc Committee and the City Council to engage businesses and residents and keep both informed as to city happenings. Council has discussed this position several times at previous work sessions, and the current job description captures feedback from those discussions, as well as input from current administrative staff.

Essential Job Duties for the Community Coordinator include:

- Staff Liaison to Arts Commission
- Staff Liaison to CED Committee
- Publication of a Monthly Newsletter
- Email blasts and mailouts to residents
- Helps facilitate and participates in resident events (game night, spring fling)
- Facilitates volunteer recruitment for Committees/Boards/Commissions
- Facilitates volunteer opportunities (Neighborhood Watch, Nature Watch, etc.)
- Maintains database of current retailers and their contact information
- Assists with the resolution of code violations, residential and commercial
- Assists in facilitation of meetings and events with the business community

**C. Trail Patrol/Community Resource Officer – new part-time position**

The Code/Trail Enforcement officer position is a request born out of both the Public Safety Committee and Public Works as a method to assist in monitoring our trails and commercial areas to keep them safe and sightly, addressing code and safety issues immediately to reach quick resolution. This position would tag team with the Community Vitality Coordinator and Assistant City Administrator for bringing potential code violations into compliance.

**D. FUNDING:** This item will require a budget amendment as the new positions were not previously planned in the current year FY 21-22 budget. The positions are included in the FY 22-23 proposed budget. Additionally, the reclassification of positions requires funding for the current budget for staffing

FUND	DEPT.	ACCT.	DESC.	BUDGET	ENCUMBERED	THIS ITEM
01- General Fund	01- Administration	5000 - Staffing	Assistant City Administrator	\$103,835 (Loaded rate)		<b>\$5,200</b> (increase to Grade 9 at entry into the grade, for the remaining 4.5 months of the year (See attached Payscale)
01- General Fund	01- Administration 03 - Municipal Court	5000- Staffing	Court Clerk	\$76,804 (Loaded rate)		<b>\$575</b> (increase of 3% per hour increase for the remaining 4.5 months)
01- General Fund	01- Administration	5000- Staffing	Community Vitality Coordinator (new staff position- Grade 6)	\$0		Not to exceed <b>\$30,000</b> if hired at midpoint for the remaining 4.5 months of the fiscal year (See attached Payscale)
01 - General Fund	02-Public Safety	5000- Staffing	Part Time Code/Trails (new officer position)	\$0		Not to exceed <b>\$14,196</b> (Exempt position) for the remaining 4.5 months of the fiscal
01 - General Fund	01- Administration	5140- TMRS				\$4,949.91
01 - General Fund	01- Administration	5121- Med Insurance				\$2,442.20

01 - General Fund	01- Administration	5122- Dental Insurance				\$140.28
01 - General Fund	01- Administration	5123- Vision Insurance				\$27.48
01 - General Fund	01- Administration	5120- AD&D				\$15.60
01 - General Fund	01- Administration	5124- LTD				\$104.00
01 - General Fund	01- Administration	5126- STD				\$80
01- General Fund	03 - Municipal Court	5140- TMRS				\$33.55
					<b>Total</b>	<b>\$57,764.02</b>

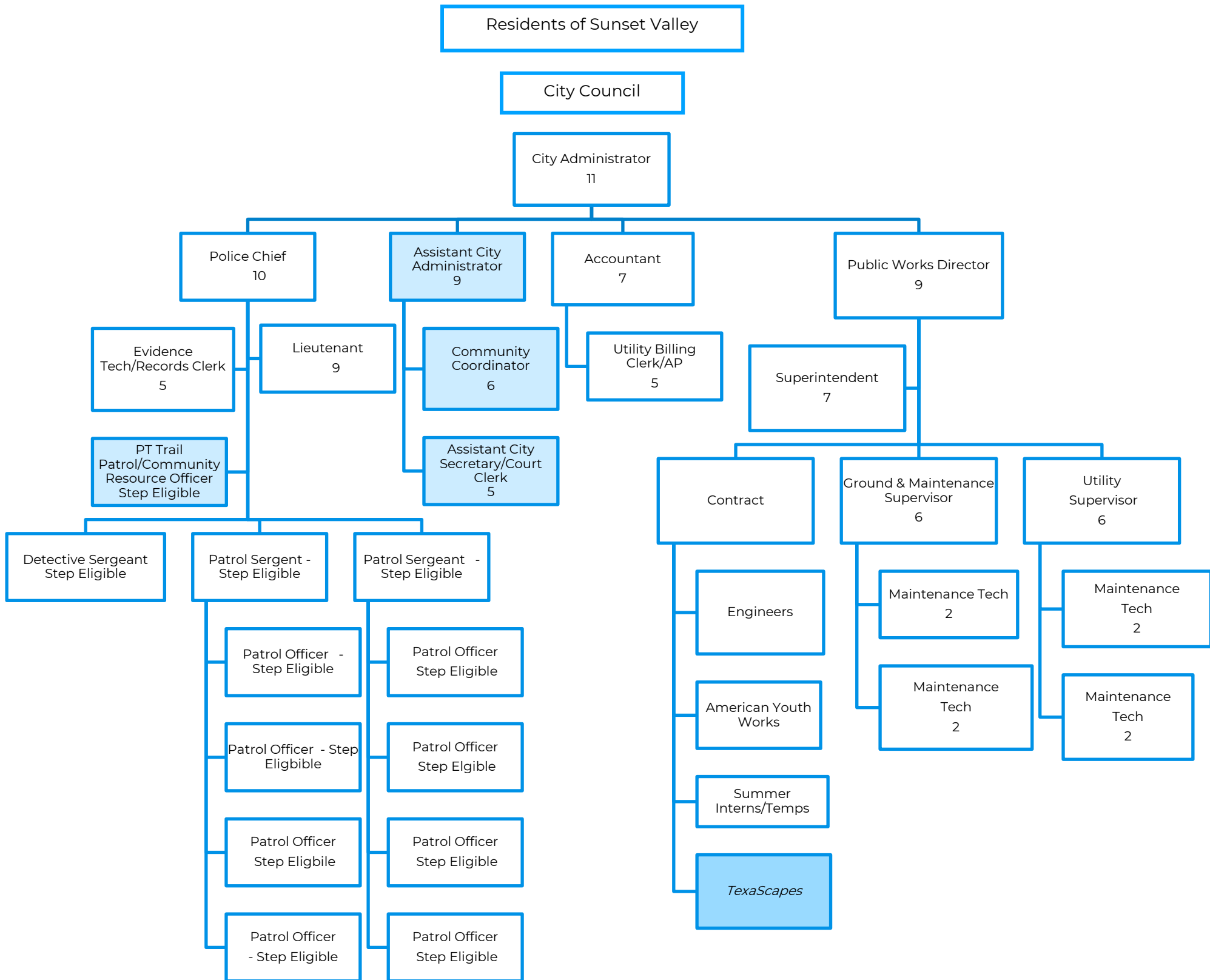
**RECOMMENDATION: APPROVE**

**SUPPORTING MATERIALS PROVIDED: YES**

1. ORGANIZATIONAL CHART
2. JOB DESCRIPTIONS
  - A. ASSISTANT CITY ADMINISTRATOR
  - B. CITY SECRETARY DUTIES
  - C. COMMUNITY COORDINATOR
  - D. TRAILS/COMMUNITY RESOURCE OFFICER
3. PAYSCALE
4. BUDGET AMENDMENT #11 & ORDINANCE

# THE PROPOSED ORGANIZATIONAL CHART

5.17.22





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## **ASSISTANT CITY ADMINISTRATOR**

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Department: Administration      FLSA Status: Exempt      Pay Grade: 9  
Reports To: City Administrator      Revised Date: 12.7.21      Approved Date:

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### **GENERAL STATEMENT OF THE POSITION**

Maintains close communication with and provides administrative support to the City Administrator, Mayor, City Council, Boards, Commissions and Standing Committees. Manages special projects and coordinates projects between city departments. Assists in the development of overall city goals, policies and priorities as determined by City Council. Supervises administrative clerical staff and coordinates daily operations of the development services and municipal court departments. Provides information to the public, other city departments, and other interested parties. Manages and maintains the City Website. Handles basic IT issues and acts as a liaison to the City's IT provider. Provides administrative support to the Zoning Commission and Board of Adjustment.

### **SPECIFIC DUTIES AND RESPONSIBILITIES**

Meets with and advises the city Administrator, Mayor, and City Council related to administrative programs and policies. Keeps the City Administrator, Mayor, and City Council informed on the progress of administrative and development matters.

Attends City Council meetings, Zoning Commission meetings, Board of Adjustment meetings, and other official city meetings as needed.

Assists in the development of overall city goals, policies, and priorities as determined by the City Council. Develops recommendations and assists in the drafting and implementation of policies, laws, ordinances, resolutions, and programs related to assigned activities.

Represents the City and coordinates ongoing relationships between the City and residents, in the development of strategies to assist with planning and implementing projects that impact the community, as well as address resident needs and concerns.

Represents the City and coordinates ongoing relationships between the City and community stakeholders, including other governmental organizations (City of Austin, Travis County, etc.), AISD, commercial center management, and business owners/managers.

May serve as the City Administrator in the absence of the City Administrator.

Oversees and supervises the work of the staff and third-party contractors responsible for development and permitting. Facilitates Development Review meetings between staff, outside agencies, and applicants when needed.

Supervises the Community Vitality Coordinator. Coordinates and supervises all official communications to residents of Sunset Valley, including email notifications and the City's newsletter

Responds to complaints of potential code violations related to signs, building occupancy, dangerous buildings, construction, land use, zoning or other code related matters.

Responds to and attempts to resolve citizen questions and complaints. Reports problems to the City Administrator and recommends solutions of identified problems and initiate and/or participate in efforts to improve service deliver.

Coordinates efforts with police, planning, buildings and related departments, the prosecuting attorney, and other staff agencies as needed.

Research, coordinate and implement special projects and studies.

Coordinates all requests for information or reports from staff to "close the loop" on outstanding issues.

Assists the City Administrator with City Council Action Requests and Citizen Information Requests.

Supervises the Administrative Assistant/Court Clerk. Coordinates and supervises the daily operations of the development services and municipal court departments. Assists the City Administrator and Accounting Manager with the preparation of the Municipal Court, Administration and General Government Fiscal Budgets.

IT technical support liaison, including contacting outside vendor for support services. Handles basic IT issues, communication between office and IT contractor for major issues.

Coordinates with administrative staff and other departments to keep the City website updated and maintained.

Provides administrative support to the Zoning Commission and Board of Adjustment. May provide support to the City Administrator in receiving and processing applications for zoning changes, variance requests and other land use applications. Provides necessary documentation to applicants, public officials, and citizens. Attends and records minutes for the Zoning Commission and Board of Adjustment meetings.

Maintains planning, zoning, and other relevant records. Maintains Special Use Permits and Temporary Special Use Permits.

## **MINIMUM EDUCATION AND TRAINING**

Bachelor's degree in public or business administration, planning, or a related field, plus three years of experience in public administration; or any equivalent combinations of education and experience which provides the required knowledge, skills, and abilities. Master's degree in Public Administration preferred but not required.

### **Knowledge of:**

Effective management and leadership principles budgeting procedures, multi-funded financing operations and relevant rules and relations; and guidelines prepared by state and federal agencies on a variety of programs.

### **Skill/Ability to:**

Establish and maintain effective working relationships with officials in local, state, and federal governments, and in the private sector; select, develop, organize, motivate, and effectively utilize staff; communicate effectively, both orally and in writing; gather, compile, analyze, and evaluate a variety of data, and make sound decisions regarding those data as they apply to providing services; negotiate reasonable and fair contracts on behalf the city; analyze, evaluate, and communicate complex technical information and data to non-technical persons; recognize, evaluate, and respond adequately to a variety of policy issues faced by the city; operate computer software packages; and maintain effective working relationships with co-workers and the general public.



## **MINIMUM QUALIFICATIONS AND STANDARDS**

### **Physical Requirements:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to sit; use hands to finger, handle, or feel; reach with hands and arms; bend and kneel; and talk and hear. The employee frequently is required to lift and/or move objects weighing up to 20 pounds, such as books and stacks of records. Specific vision abilities required by this job include close vision and ability to adjust focus. The employee must be able to move from location to location within the City while working; and must be able to occasionally travel outside of the City.

### **Interpersonal Communication:**

Requires the ability to function and communicate with co-workers, representative from other agencies or the public both visually and verbally. Contacts usually involve discussion of an immediate and specific situation or obtaining or presenting data or statistics. Includes the ability to make decisions and makes choices between policies, rules, or procedures.

### **Language Ability:**

Ability to read, analyze, and interpret general business periodicals, professional journals, technical procedures, or governmental regulations. Ability to write reports, business correspondence, and procedure manuals. Ability to effectively present information and respond to questions from groups of managers, clients, customers, and the public.

### **Mathematical Skills:**

Basic mathematical skills required.

### **Computer Skills:**

To perform this job successfully, an individual should have knowledge of contact management systems; internet software; document management software; spreadsheet software, and word processing software.

### **Reasoning Skills:**

Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form. Ability to deal with problems involving several concrete variables in standardized situations.

**Work Environment:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually moderate. The employee frequently faces difficult and stressful situations. The employee has frequent contact with the public and other organizations; interactions often involve sensitive or difficult issues that require persuasion and negotiation. The employee is constantly required to change tasks frequently and to perform tedious exacting work. The employee is frequently required to work under time pressures to meet deadlines, to perform multiple tasks simultaneously, and to work closely with others as part of a team. The employee is required to work in the evenings several times a month.



## CITY SECRETARY DUTIES

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*These duties will continue to be performed by the Assistant City Administrator, while the Court Clerk undergoes training to absorb the following roles and responsibilities. The plan is for the Court Clerk to be appointed City Secretary in November 2023.*

Coordinates with other departments in preparing the agendas for City Council, Zoning Commission, Board of Adjustment, Arts Commission and Standing Committee meetings.

Attends and records minutes for City Council meetings.

Prepares and coordinates publication, posting and distribution of legal notices for public meetings and hearings. Assures that legal requirements are met for publication and posting of agenda and notices in accordance with state statutes and city policies

Certifies documents; administers oaths of office and maintains custody of the city seal.

Serves as Records Management Officer for the City; manages, facilitates, and handles all technical support for Public Records; administers Records Management Program; interprets Local Government Records Act. Maintains custody of official records and archives of the city including ordinances, resolutions, judgments, and minutes.

Responsible for receiving and processing all Public Information requests (Open Records). Responds within the time constraints established by State law.

Provides information on Open Meeting Laws and compliance to city staff as well as members of the City Council, Boards and Commissions.

Serves as Municipal Election Administrator, coordinates municipal elections through the County; Receives candidate applications and required forms; Prepares, advertises, and posts all required election notices and documents; Collects and retains campaign filings for elected officials

# SUNSET VALLEY

IT'S GOOD TO BE HERE

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## COMMUNITY COORDINATOR

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Department: Administration      FLSA Status: Non-Exempt      Pay Grade: 6  
Reports To: Assistant City Administrator  
Approved Date:

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### GENERAL STATEMENT OF THE POSITION

Under general supervision, the Community Coordinator serves as a resource and liaison for residents, businesses, and visitors by facilitating the development and achievement of problem solving including but not limited to building civic partnerships between City Departments, community businesses, residential neighborhoods, and visitors to the City. The Community Coordinator is responsible for ensuring a vibrant strategy of on-going community engagement and activity with all City stakeholders.

### Specific Duties and Responsibilities

#### Essential Functions

- Develop and maintain a resident engagement strategy and implementation plan:
  - Seek to open dialogue, create communication networks, and build relationships with the community.
  - Create greater involvement and improved communication between the City and its constituency
  - Directs community engagement outreach efforts including but not limited to monthly newsletters, mailouts, website updates, iContact, and other communication methods.
  - Establish and maintain ways to directly engage residents.

- Creates and nurtures City connection to community stakeholders through regular interaction, relationship building and follow-through:
  - Assist the Assistant City Administrator with the planning, promotion, and implementation of City initiatives, programs, services, and events.
  - Identify community needs and reflect those needs to the City Departments.
  - Collaborate effectively with all City Departments.
  - Assist the Assistant City Administrator with community and resident meetings.
  - Participates and helps coordinate community events.
  - Staff liaison to both the Community & Economic Development (CED) Committee and the Arts Commission, and other committees as needed.
  - Attends CED and Arts Commission meetings, assists the Chair with preparing Agendas and minutes
  
- Serve as the main Point of Contact (POC) to increase participation/volunteerism and support in the City's Initiatives:
  - Facilitate volunteer recruitment for City committees, boards, and commissions.
  - Facilitate volunteer opportunities for groups within the City such as Neighborhood Watch and Sunset Valley Nature Watch, as well as other organizations outside of the City to help with projects throughout the City.
  - Coordinate and train volunteers for events.
  - Participates in volunteer projects.
  
- Assists City Staff in finding resolutions for community or neighborhood problems.
  - Participates in developing options for resolutions of community or neighborhood problems.
  - Works with Administration and facilitates involvement of City staff in neighborhood and community building efforts.
  - Identifies City and other resources which can be used in problem solving resident, business, and visitor issues.
  - Assists and facilitates code enforcement throughout the City.
  
- Assist in the coordination and support for engagement with the local retail community.
  - Visit all Sunset Valley business owners and get to know them and their challenges
  - Establish ongoing communications with retailers and invite them to participate in local promotions, events, and retail round tables

- Work toward the unified promotion of Sunset Valley throughout the retail community (address corrections, use of hashtags, geo-tagging, use of official branded materials, etc.)
- Present a future SV retail pitch deck to property managers and owners and discuss vision and future of SV retail with them.
- Assist facilitation of quarterly retail round table meetings with local retailers to keep them up to date and show them the next season's media plans/campaigns/materials and other upcoming opportunities
- Assist Administration with a future annual Sunset Valley business event/summit—help identify potential new business targets, plan event, oversee agenda, confirm speakers, coordinate with venue
- Keep an up-to-date database of current retailers and their contact information
- Inform various parties (city staff, committees, department leads) of changes in the retail community and updating various marketing materials, store maps and directories accordingly
- Work with leasing agents to identify event opportunities in vacant spaces and create a program to brand empty spaces using SV branded attributes and benefits
- Work with Administration to consider improvements to façades, walkability, gathering spaces that align with overall SV goals
- Work with leasing agents and property owners by presenting them with data, media reports and other pro-retail programs and insights gleaned from city funded campaigns, programs, etc.
- Performs other duties as assigned, including receptionist and other administrative department duties.

### **Minimum Requirements**

- Bachelor's degree in Public Relations, Public Administration, Communications, Marketing, or closely related field.
- Three years previous experience in community outreach, local government, corporate communications, or other related environment that includes public relations, communications, journalism, or marketing.
- Proficiency in Microsoft Office suite. Experience with Microsoft Publisher preferred.
- Valid Driver's License.

### **Physical Requirements:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to walk; sit and talk or hear. The employee is frequently required to stand. The employee is regularly required to reach with hands and arms; stoop, kneel, crouch, or crawl and taste or smell. The employee must frequently lift and/or move up to 25 pounds and occasionally lift and/or move up to 75 pounds. Specific vision abilities required by this job include close vision and color vision.

### **Interpersonal Communication:**

Requires the ability to function and communicate with co-workers, representative from other agencies or the public both visually and verbally. Contacts usually involve discussion of an immediate and specific situation. Includes the ability to make decisions and makes choices between policies, rules, or procedures.

### **Language Ability:**

Ability to read, analyze, and interpret general business periodicals, professional journals, technical procedures, or governmental regulations. Ability to write reports, business correspondence, and procedure manuals. Ability to effectively present information and respond to questions from groups of managers, clients, customers, and the public.

### **Mathematical Skills:**

Ability to calculate figures and amounts such as proportions, percentages, area, circumference, and volume. Ability to apply concepts of basic algebra and geometry.

### **Reasoning Ability:**

Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists. Ability to interpret a variety of instructions furnished in written, oral, diagram, or schedule form.

### **Computer Skills:**

To perform this job successfully, an individual should have knowledge of Internet software; and Word Processing software. Experience with publishing and graphic design software is preferred.

### **Work Environment:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually moderate, but can be noisy as the employee spends a significant amount of time outside the office working on job sites.



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## **PART-TIME TRAIL PATROL/COMMUNITY RESOURCE OFFICER**

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Department: Police      FLSA Status: Part-Time      Step: (varies)  
Reports To: Police Chief      Revised Date: 5.3.22      Approved Date:

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### **GENERAL STATEMENT OF THE POSITION**

The Trail Patrol/Community Resource Officer is responsible for providing public safety and security on City trails and acting as a liaison to the community concerning City ordinances, animal control issues and other needs. The Trail Patrol/CRO will have other responsibilities including meeting with citizens/businesses on an as needed basis, to review and troubleshoot possible problem issues within and around the City, assess any potential problems, and ensure that City officials are aware of any unique issues.

The Trail Patrol/Community Resource Officer is a licensed police officer who will work with other City departments and various local agencies to develop cooperative strategies to ensure that problems are resolved effectively and in a timely manner.

#### **Knowledge:**

Must be a TCOLE licensed police officer with knowledge of modern law enforcement and crime prevention principles and practices, the ability to read, analyze, and interpret governmental regulations, technical procedures, solve practical problems with a variety of variables in situations where limited guidelines exist within a community policing environment according to City expectations and standards.

#### **Skills/Abilities:**

Establish and maintain effective working relationships with residents, officials in local, state, and federal governments, and in the business-sector; make sound decisions regarding enforcement activities, safely operate police motor vehicles, make decisions in emergency situations, retain details of incidents, and prepare accurate reports.



## **MINIMUM QUALIFICATIONS AND STANDARDS**

### **Physical Requirements:**

The physical demands described here are representative of those that must be met by employees to successfully perform the essential functions of patrol officers. Must be able to work in a variety of environments including outdoors, in patrol cars or other modes of transportation or on foot, during extreme weather, hot, cold, or wet, and at times, during hostile or dangerous situations.

### **Interpersonal Communication:**

Requires the ability to function and communicate with co-workers, representative from other agencies or the general public both visually and verbally. Contacts usually involve discussion of an immediate and specific situation or obtaining or presenting data or statistics. Includes the ability to make decisions and makes choices between policies, rules, or procedures.

### **Language Ability:**

Requires the ability to function and effectively communicate in a positive manner with co-workers, representative from other agencies or the general public both visually and verbally. Contacts usually involve discussion of an immediate and specific situation that can include the ability to make decisions and choices between policies, rules, or procedures.

### **Mathematical Skills:**

Basic mathematical skills required.

### **Computer Skills:**

To perform this job successfully, candidates should have knowledge of certain programs, systems, or software; Report Management Systems (RMS); Database software; Mobile Data Computer operations; Microsoft Word, PowerPoint, Outlook, and Excel.

### **Reasoning Skills:**

Ability to interpret and carry out variety of instructions furnished in written, oral, diagram, or schedule form. Must use past experience, training and/or education to engage in problem-solving in order to determine solutions to various situations.

**Work Environment:**

Work involves frequent walking and standing, in a variety of environments including outdoors, in patrol cars or other modes of transportation or on foot, during extreme weather, hot, cold, or wet, and at times, during hostile or dangerous situations. Working on varied shifts and being subject to call back or call in due to mandated scheduling or emergency situations.

DRAFT

Adopted 2021 Pay Scale - Civilian

GRADE	MINIMUM	MIDPOINT	MAXIMUM	INCREASE FROM MIN TO MID TO MAX	POSITION			Notes
0	\$20,800.00	\$26,000.00	\$31,200.00	\$5,200.00	Temp/Interns/Teen Program - \$10-15 hr			
1	\$31,200.00	\$33,540.00	\$35,880.00	\$2,340.00	No License Required			
2	\$31,200.00	\$34,878.00	\$38,556.00	\$3,678.00	Maintenance Technician I -(First series of licenses and adjustment at 6 months)			Grade has step within the grade Grade 3, step 1 is in entry, step 2, Step 3, and Step 4 include acquiring additional licenses -Each step is indicative of licening requirements.
3	\$38,556.00	\$41,409.50	\$44,263.00	\$2,853.50	Maintenance Technician II			
4	\$44,263.00	\$47,889.50	\$51,516.00	\$3,626.50				
5	\$52,000.00	\$55,900.00	\$59,800.00	\$3,900.00	Administrative Assistant/Court Clerk	Administrative Assistant/Utility Clerk	Records & Evidence Technician	
6	\$59,800.00	\$64,285.00	\$68,770.00	\$4,485.00	<b>Community Coordinator</b>	Utility Supervisor	Grounds & Maintenance Supervisor	
7	\$68,770.00	\$75,000.00	\$82,771.00	\$7,771.00	Accounting Manager	Superintendent		
8	\$82,771.00	\$88,978.83	\$95,186.65	\$6,207.82			City Secretary/Assistant to the CA	
9	\$95,186.65	\$104,697.33	\$114,208.00	\$9,510.67	Director of Public Works	Lieutenant	<b>Assistant City Administrator</b>	
10	\$114,208.00	\$122,773.60	\$131,339.20	\$8,565.60	Chief of Police			
11	\$131,339.20	\$142,649.00	As Determined by Council	\$11,309.80	City Administrator			

\*Community Coordinator was previously called Communications/Management Assistant (generic) and is slated as a Grade 6. Salary range from 59,800 to 68,770. Loaded rate would be approximately 80,730 to 92,839

**Budget Adjustment #11 FY22**

Staffing Changes

Fund	Dpt	GL	GL Description	Adopted Budget	Proposed Increase	Amended Budget	Notes
01	01	5000	Salaries	382,377.00	35,487.50	417,864.50	Assistant City Administrator, Community Vitality Coordinator, and 50% of Court Clerk
01	01	5140	TMRS City Contribution	43,820.00	4,949.91	48,769.91	Assistant City Administrator, Community Vitality Coordinator, and 50% of Court Clerk
01	01	5121	Medical Insurance	38,373.00	2,442.20	40,815.20	Community Vitality Coordinator
01	01	5122	Dental Insurance	1,683.00	140.28	1,823.28	Community Vitality Coordinator
01	01	5123	Vision Insurance	330.00	27.48	357.48	Community Vitality Coordinator
01	01	5120	AD&D Insurance	187.00	15.60	202.60	Community Vitality Coordinator
01	01	5124	Long Term Disability	1,248.00	104.00	1,352.00	Community Vitality Coordinator
01	01	5126	Short Term Disability	960.00	80.00	1,040.00	Community Vitality Coordinator
01	02	5000	Salaries	789,594.00	14,196.00	803,790.00	Code/Trails Officer
01	03	5000	Salaries	40,973.00	287.50	41,260.50	50% Court Clerk
01	03	5140	TMRS City Contribution	3,316.00	33.55	3,349.55	50% Court Clerk
				<b>1,302,861.00</b>	<b>57,764.02</b>	<b>1,360,625.02</b>	

Funding

Fund	Description	Current Balance	Proposed Funding	Ending Balance
01	General Fund Reserve	8,820,640.73	57,764.02	8,762,876.71
<b>Budget Adjustment Total</b>				

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 #11, 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 17<sup>TH</sup> DAY OF MAY 2022.

\_\_\_\_\_  
Marc Bruner  
Mayor

ATTEST:

\_\_\_\_\_  
Matt Lingafelter, City Secretary

CITY COUNCIL MEETING DATE: MAY 17, 2022



## CITY COUNCIL AGENDA ITEM #12

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**STAFF PREPARER/CONTACT INFORMATION:** Sylvia Carrillo, City Administrator.  
[scarrillo@sunsetvalley.org](mailto:scarrillo@sunsetvalley.org)

**SUBJECT:** LAND DEVELOPMENT CODE -ZONING - SHORT TERM RENTAL REGULATIONS

**DESCRIPTION:** Public Hearing to consider a request to amend the Land Development Code, creating sections 150.118 thru 150.129 for Short-term Rental Registration Regulations under Zoning-Land Use.

**BACKGROUND:** The Zoning Commission was directed by the Mayor and City Council to discuss the possible regulation of short-term rentals (STRs) in the City of Sunset Valley. At the July meeting, the Commissioners directed staff to bring back regulations from other cities with a variety of stringency to their regulations of short-term rentals (STR). Upon further review by Legal, while a Special Permit process cannot be used to regulate the STRs, a simplified registration process can be adopted as a matter of public safety and information.

At the April 27<sup>th</sup> meeting, the Commission made final edits to the proposed regulations with a unanimous recommendation to forward to the Council for approval.

At the May 3, 2022 City Council meeting, Council requested a definition of bedroom be added to the regulations.

The attached copy is an amended version with that definition inserted.

**STAFF RECOMMENDATION:** Adopt the proposed regulations as recommended by the Zoning Commission and Council requested changes.

SUPPORTING MATERIALS PROVIDED: YES

- PROPOSED REGULATIONS
- STR REGISTRATION PROCESS CHART
- ORDINANCE

## **SHORT-TERM RENTAL REGISTRATION PROCESS IN SINGLE FAMILY DISTRICTS**

### **Section 150.118. -- . Purpose and applicability of Short-Term Rental Registration.**

The purpose of this division is to establish regulations for the registration and use of short-term rentals for single family dwelling units. The requirements of this division apply only to short term rentals, as defined herein, located in single family residential districts established under the city's Zoning Ordinance. Nothing in this division, however, shall be construed to be a waiver of the requirement to assess and collect hotel occupancy taxes for any residential rental for less than 30 consecutive days, or any other applicable provision of the Sunset Valley Code of Ordinances.

### **Section 150.119. --. Definitions for Short-Term Rentals.**

*Advertise* means the written, audio, oral or other methods of drawing the public's attention whether by brochure, written literature or on-line posting to a short-term rental in order to promote the availability of the short-term rental.

*Bedroom or Sleeping Unit* as required by the International Residential Code shall contain the following:

- (1) Egress – shall contain 2 methods of egress, one to exterior via a door measuring 36” in width or greater or window measuring 2ft x 3ft and one to the interior via a door measuring 32” in width or greater*
- (2) Ceiling Height - Minimum ceiling height of 7 feet from the floor to the ceiling*
- (3) Size - Be a minimum of 70 square feet and it must have at least 7 feet in any horizontal direction*
- (4) Light and Ventilation –*
  - (a) Must have window glazing of at least 8% of the floor area*
  - (b) Natural ventilation for outdoor airs through a window that are not less than 4% of the floor size.*
- (5) Must be able to be heated and cooled and maintain a temperature of at least 68 degrees F*
- (6) A smoke alarm must be installed in every bedroom*

*Guest House* A single guest house, as that term that is defined in the City of Sunset Valley Land Development Code, which is used for human habitation of which the maximum number of occupants permitted for the dwelling unit is three times the number of bedrooms per the Texas Property Code, Section 92.010.

*Host* means the person, firm, corporation, partnership, or association, assigned the duty and responsibility by the owner to manage or rent the residence for a short-term rental.

*Hotel occupancy tax* means the hotel occupancy tax as defined in Chapter 112 of the Sunset Valley Code of Ordinances and Chapter 3 of the Texas Tax Code.

*Local emergency contact* means an individual other than the registrant, who resides within 20 miles of the subject property, and who is designated by the owner/registrant to act as the owner's authorized agent if the owner has traveled outside of the immediate area or is otherwise unavailable. The local emergency contact should be reachable on a 24-hour basis, have access to the short-term rental property, and be authorized by the owner to act in the owner's absence to address any complaints, disturbances, and emergencies.

*Owner* means the person who, in accordance with the most recently recorded deed, deed of trust, security instrument, trust instrument, affidavit of heirship, muniment of title or other similar document indicating title to real property recorded in the Official Public Records of Travis County, Texas, is vested in, the ownership, dominion or title of real property, including, but not limited to:

- (1) The owner of a fee simple title;
- (2) The owner of a life estate;
- (3) The purchaser named in an executory contract for conveyance entered in compliance with title 2,

chapter 5, subchapter D of the Texas Property Code, or

- (4) A mortgagee, receiver, executor or trustee in control of real property.

*Person* means an individual, corporation, business trust, estate, trust, partnership or association, two or more persons having a joint or common interest, or any other legal or community entity.

*Primary residence* means the usual dwelling place of the registrant's residential dwelling and is documented as such by at least two of the following: motor vehicle registration, driver's license, Texas State Identification card, voter registration, property tax documents, or utility bill. For purpose of this chapter, a person may have only one primary residence.

*Short-term rental (STR)* is defined as "the rental of any residence or residential structure, means a single family residence with the following criteria, or a portion of a residence or residential structure for a period of less than 30 days". The term does not include

- (1) A unit that is used for a nonresidential purpose, including an educational, health care, retail, restaurant, banquet space, or event center purpose or another similar use;
- (2) A bed and breakfast; or
- (3) A hotel/residence hotel.
- (4) A structure that is not permanently affixed such as a travel trailer.

*A residential structure* means a single-family residence as referred to in this article is a:

- (1) One-family dwelling (detached): A dwelling designed and constructed for occupancy by one family and located on a lot or separate building tract and having no physical connection to a building located on any other lot or tract;
- (2) One-family dwelling (attached): A dwelling which is joined to another dwelling at one or more sides by a party wall or abutting separate wall and which is designed for occupancy by one family
- (3) Guest House: a single guest house, as that term that is defined in the City of Sunset Valley Land Development Code, which is used for human habitation of which the maximum number of occupants permitted for the dwelling unit is three times the number of bedrooms per the Texas Property Code, Section 92.010.

*Residential districts:* Includes the following districts: SF- Single Family or any Planned Development District defined as a residential use in the Code of Ordinances.

*Short term rental registration* means the registration issued by the Building Official or their designee pursuant to this article.

### **Section 150.120 --. Short-Term rental registration requirements.**

- A. No person shall hereafter advertise, offer to rent or rent, lease, sublease, license or sublicense a residential property within the city as a short-term rental for which a registration has not been properly made and filed with the City of Sunset Valley. Registration shall be made upon forms furnished by the city for such purpose and shall specifically require the following minimum information:
  1. Name, address, phone number and e-mail address of the property owner(s) of the short-term rental property.
  2. Verification that this short-term rental property is the registrant's property.
  3. Name, address, phone number and e-mail address of the designated local emergency contact.
  4. The maximum number of occupants permitted for the dwelling unit is three times the number of bedrooms per the Texas Property Code, Section 92.010.
  5. A submission of a sketch floor plan of the dwelling with dimensioned room layout.
  6. Site plan/survey of the property indicating maximum number of vehicles that can be legally parked on the property, without encroaching onto street, sidewalks or alleys; other public rights-of-way or public property.
  7. Property owner must submit complete list of all rentals within the City advertised on all media sites.



8. Name, address, e-mail address, and telephone number of the resident owner, nonresident owner, property manager, resident manager, local emergency contact, and mortgagee, if there is a mortgage against property.
9. Trade name, if any, of resident owner or nonresident owner.
10. Names and addresses of all registered agents should the parties named in this subsection be filing entities.
11. Zoning classification(s).
12. Acknowledgement of receipt of a copy of this article and agreement to comply with all provisions of this article as a condition to receiving and maintaining a short-term rental registration.
13. The registrant shall provide a copy of the filed Comptroller of Public Accounts' Form AP-102 (hotel occupancy tax questionnaire);

### **Section 150.121. -- . Inspection required for Short-Term Rental Registration.**

- A. Upon registration and renewal, and prior to the first rental occupant of a short-term rental property, after such registration and renewal, the owner is required to schedule an inspection of the residential structure with the City of Sunset Valley to determine compliance with the minimum property standards in the Code of Ordinances.
  1. If only a portion of the premises is offered for rent, then that portion plus shared amenities and points of access shall be inspected.
  2. If, upon completion of the inspection, the premises are found to be in violation of one or more provisions of applicable city codes and ordinances, the city shall provide written notice of such violation and shall set a re-inspection date for violation to be corrected prior to its occupancy.

### **Section 150.122. --. Restrictions on Short-Term Rentals.**

- A. *External signage.* There shall be no external on-site or off-site advertising signs or displays indicating the property is a short-term rental.
- B. *Limit on occupants allowed:*

There shall be a maximum occupancy of three persons per bedroom, including adult and children.

- C. *Limits on number of vehicles.* There shall be a maximum of one motor vehicle per bedroom, or maximum number of motor vehicle that can be accommodated within the garage and driveway, without extending over the public rights of way (alleys and sidewalks) whichever is less.
- D. *Advertisement and contracts.* Any advertisement of the property as a short-term rental and all rental contracts must contain language that specifies the allowed maximum number of occupants and maximum number of vehicles.
- E. *Other restrictions.* It is unlawful:
  1. To operate or allow to be operated a short-term rental without first registering the property in which the rental is to occur with the city in accordance with this article;
  2. To advertise or offer a short-term rental without first registering the property in which the rental is to occur with the city in accordance with this article; documented advertisement of the subject property as a short-term rental, online or offline, shall be considered evidence of a violation of this ordinance;
  3. To operate a short-term rental that does not comply with all applicable city and state laws and codes;
  4. To operate a short-term rental without paying the required hotel occupancy taxes;
  5. Permit the use of the short-term rental for the purpose of housing sex offenders; operating a structured sober, recovery or other purpose living home or similar enterprise; selling illegal drugs; selling alcohol or another activity that requires a permit or license under the Alcoholic Beverage Code; gambling house; or operating as a sexually oriented business.
  6. To operate more than one short-term rental per property at any one time.

### **Section 150.123. -- Brochure and safety features for Short-Term Rentals.**

- A. *Informational brochure.* Each registrant operating a short-term rental shall provide to guests a brochure that includes:
  - 1. The registrant's 24-hour contact information;
  - 2. The host's 24-hour contact information if the property owner is not within the city limits when guests are renting the premises;
  - 3. Pertinent neighborhood information including, but not limited to, parking restrictions, restrictions on noise and amplified sound, and trash collection schedules;
  - 4. Information to assist guests in the case of emergencies posing threats to personal safety or damage to property, including emergency and non-emergency telephone numbers for police, fire and emergency medical services providers and instructions for obtaining severe weather, natural or manmade disaster alerts and updates.
- B. *Safety features.* Each short-term rental registrant shall provide in the premises working smoke detectors in accordance with adopted codes and at least one working carbon monoxide detector and alarm, and one working fire extinguisher. The premises shall, otherwise comply with applicable Codes of Ordinance including but not limited to Building and Fire Codes.
- C. A placard that is clearly visible on the structure is required displaying the registration number and name of designated local contact with their 24/7 contact information.
- D. Parking by renters or their guests shall not encroach upon or obstruct ingress, egress, or access to the neighboring properties;

### **Section 150.124. --. Notification of approval of Short-Term Rental.**

Within ten days of the approval of a short-term rental registration or renewal, a notice will be sent to all property owners within 200 feet of the property, and shall include the 24-hour complaint line, and pertinent information about this article.

### **Section 150.125. --. Registration term, fees, and renewal of Short-term Rentals.**

- A. All registrations approved under this chapter shall be valid for a period of one year from the date of its issuance.
  - 1. The fees for registration of a short-term rentals shall be as established by resolution of the city council and may include the following:
    - a. The initial registration fee,
    - b. A late fee of twice the established the fee
- B. Upon receipt of an application for renewal of the registration, the City Administrator or their designee may deny the renewal if there is reasonable cause to believe that:
  - 1. The registrant has violated any ordinance of the city, or any state, or federal law on the premises or has permitted such a violation on the premises by any other person; or
  - 2. There are grounds for suspension, revocation, or other registration sanction as provided in this article.

### **Section 150.126. --. Inspections; re-inspections; suspension and revocation of Short-term Rental registration.**

- (a) *Inspections; access.* The resident owner, nonresident owner, resident manager and property manager, as a condition to the issuance of a short-term rental registration required by this article, shall consent and agree to permit and allow the city's building official or their designee to make the following inspections of the short-term rental when and as needed to ensure compliance with this article:

- (1) Right and access to inspect all portions of the premises and structures located on the premises that are not dwelling units, including, but not limited to, all storage areas, detached garages, and swimming pools, upon reasonable advance notice being given to the resident owner, nonresident owner, property manager or resident manager;
  - (2) Right and access to inspect all unoccupied dwelling units upon giving reasonable notice to resident owner, nonresident owner, resident manager, or property manager;
  - (3) Right and access to inspect all occupied dwelling units when, upon receipt of reliable information, the building official or their designee has reason to believe that violations of the ordinances of the city or state law exist that involve serious threats to life, safety, health, and property; and
  - (4) Before the short-term rental registration and any renewal of the short-term rental registration is approved, and before the rental of any single-family residence as a short-term rental under this article, the resident owner, nonresident owner, resident manager, or property manager shall request an inspection and make the single-family residence available for inspection by the building official or their designee. The building official or their designee and the resident owner, nonresident owner, resident manager, and property manager shall agree on a reasonable date and time for the requested inspection.
- (b) *Admission to premises.* The building official or their designee may enforce the provisions of this article upon presentation of proper identification to the occupant in charge of the short-term rental and may enter, with the occupant's permission, any short-term rental between the hours of 8:00 a.m. and 6:00 p.m.; provided, however, that in cases of emergency where extreme hazards are known to exist which may involve imminent injury to persons, loss of life, or severe property damage, the building official or their designee may enter the short-term rental referenced in subsection (a) of this section at any time and upon presentation of identification and the occupant's permission shall not apply. Whenever the building official is denied admission to inspect any short-term rental under this provision, inspection shall be made only under authority of a warrant issued by a magistrate authorizing the inspection.
- (c) *Reinspection.* If any of the inspections authorized by this article require a second reinspection due to noted violations, then a reinspection fee as listed in the City's fee schedule shall be paid prior to the second reinspection.
- (d) *Suspension or revocation of registration.* Failure of an owner to comply with the provisions of this article after receipt of written notice of the violation from the building official or their designee setting out the violations and the time allowed to rectify the violations, the short-term rental registration authorized by this article issued to the owner may be suspended or revoked by the Administration department.
- (e) *Reinstatement.* Any person requesting a reinstatement or reissuance of a short-term rental registration that has been suspended or revoked shall be required to apply for and receive a new short-term rental registration issued under this article upon review by the Administration department that all conditions causing the revocation have been met.

### **Section 150.127A. --. Revocation/appeal of Short-term Rental Registration.**

- A. Registration maybe denied and/or revoked by the city administrator or designee upon a finding by the noncompliance with any provisions of this article or violations of the Zoning Ordinance, or other applicable city codes.
- B. A registration may be subject to revocation of their registration if there are three or more violations within a twelve-month period of this article or other safety, health and welfare ordinances of the city.
- C. The Administration department or their designee, shall issue a notice of violation of any provision of this article or violations as provided herein. Such notice shall include the date, time and synopsis of the facts surrounding such violation.
- D. An Registrant who wishes to appeal the denial or revocation of a registration under this article, shall file an appeal with the Board of Adjustment for reinstatement of a denied or revoked registration.
- E. The Board of Adjustment shall conduct an evidentiary hearing, take testimony and receive any documented evidence to determine whether the decision of city administrator or designee should be upheld or overturned.
- F. At the hearing, the Board of Adjustment shall receive a testimony and evidence to contest the decision to

deny or revoke a registration.

- G. The Board of Adjustment upon completion of a hearing, shall upon a majority vote of four-fifths of the board overturn the decision of the city administrator or designee.
- H. After a registration under this article has been revoked an owner may not reapply until after a 12-month period of any revocation or appeal.
- I. All decisions of the Board of Adjustment under this article shall be deemed final.

**Section 150.127B. --. Violations and penalties for Short-term Rentals.**

Violation of this ordinance upon conviction shall be punished by a fine not to exceed the sum of \$2,000.00 for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

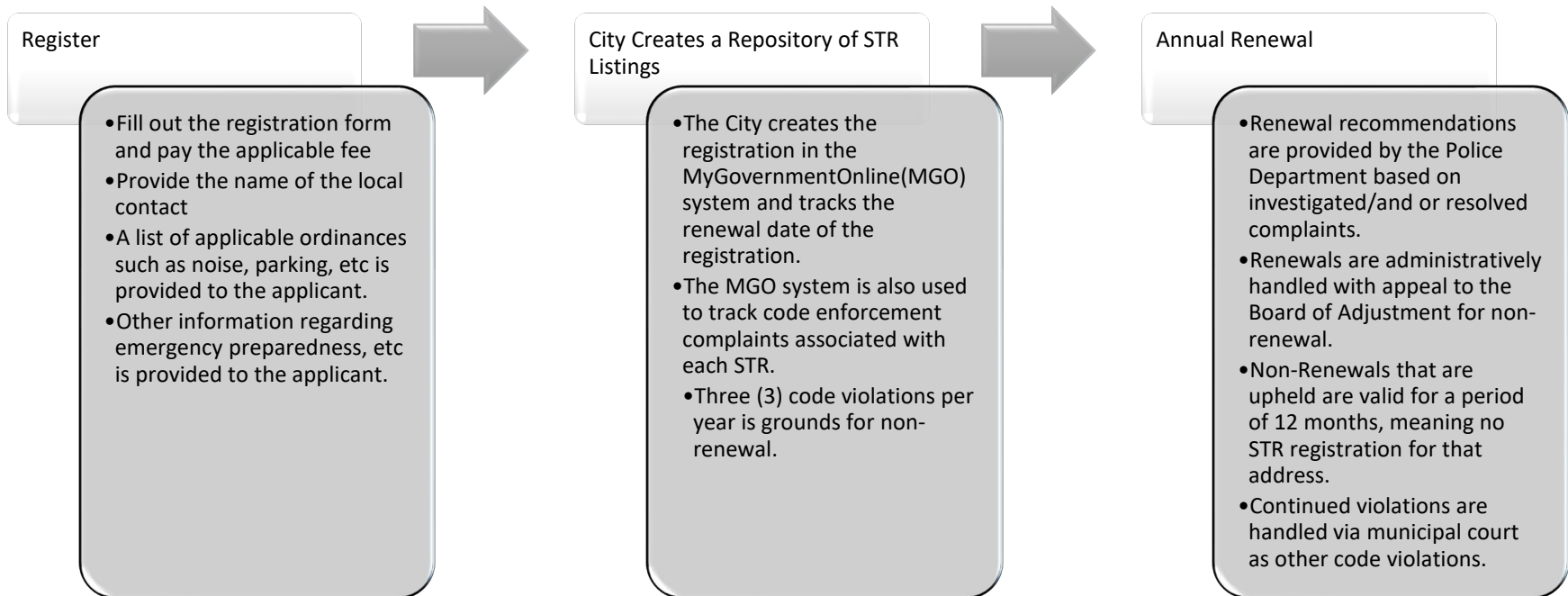
**Section 150.128. --. Fees for Short-term Rental Registration.**

All fees for registration, inspection, or renewal, including any late fees or exemptions, as provided in this article, shall be as established by resolution of the city council.

**Section 150.129. --. Presumption; presentation of documents or affidavit for Short-term Rental Registration.**

- (a) *Presumption.* It shall be a rebuttable presumption that a single-family residence that is occupied by one or more person(s) who are not the owner is being occupied pursuant to an agreement between the owner and the occupant(s) of the single-family residence wherein the occupant(s) have agreed to lease said residence from the owner.
- (b) *Presentation of documents or affidavits.* Any resident owner or nonresident owner claiming that the owner is not required to obtain a short-term rental registration pursuant to this article shall, not later than five business days following receipt of a written request of the building official or their designee or, in the case of an appeal filed pursuant to section --- of this article deliver to the City Administrator a true and correct copy of any agreements, documents of title, letters of administration, letters testamentary, executory contracts for conveyance (also known as "contracts for deed"), affidavits, or other documents that establish to the satisfaction of the community development department that a landlord/tenant relationship does not exist between the owner and the occupant(s) of the single-family residence. Unless an extension of the time for delivery of such documents or affidavits is granted by the building official or their designee or city administrator, as the case may be, the failure of the owner to present the requested documents within the time provided by this subsection (b) shall result in the presumption described in subsection (a) above, becoming irrefutable.

# Proposed Short Term Registration Process



ORDINANCE # \_\_\_\_\_

**AN ORDINANCE CREATING SECTIONS 150.118-150.129 IN THE LAND DEVELOPMENT CODE REGARDING SHORT-TERM RENTAL REGISTRATION PROCESS FOR PROPERTIES ZONED SINGLE FAMILY RESIDENTIAL, PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Zoning Commission of the City of Sunset Valley has reviewed and is recommending adoption of these regulations, establishing a process for short-term rental registration for properties zoned single family residential.

**WHEREAS**, the Zoning Commission held a Public Hearing on April 27, 2022, and the City Council held a Public Hearing on May 3, 2022.

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

**SECTIONS 150.118-150.129** are established within the Land Development Code, as follows:

***SHORT-TERM RENTAL REGISTRATION PROCESS IN SINGLE FAMILY DISTRICTS***

**Section 150.118. -- . Purpose and applicability of Short-Term Rental Registration.**

The purpose of this division is to establish regulations for the registration and use of short-term rentals for single family dwelling units. The requirements of this division apply only to short term rentals, as defined herein, located in single family residential districts established under the city's Zoning Ordinance. Nothing in this division, however, shall be construed to be a waiver of the requirement to assess and collect hotel occupancy taxes for any residential rental for less than 30 consecutive days, or any other applicable provision of the Sunset Valley Code of Ordinances.

**Section 150.119. --. Definitions for Short-Term Rentals.**

*Advertise* means the written, audio, oral or other methods of drawing the public's attention whether by brochure, written literature or on-line posting to a short-term rental in order to promote the availability of the short-term rental.

*Bedroom or Sleeping Unit* as required by the International Residential Code shall contain the following:

- (1) Egress – shall contain 2 methods of egress, one to exterior via a door measuring 36” in width or greater or window measuring 2ft x 3ft and one to the interior via a door measuring 32” in width or greater*
- (2) Ceiling Height - Minimum ceiling height of 7 feet from the floor to the ceiling*
- (3) Size - Be a minimum of 70 square feet and it must have at least 7 feet in any horizontal direction*

*(4) Light and Ventilation –*

*(a) Must have window glazing of at least 8% of the floor area*

*(b) Natural ventilation for outdoor airs through a window that are not less than 4% of the floor size.*

*(5) Must be able to be heated and cooled and maintain a temperature of at least 68 degrees F*

*(6) A smoke alarm must be installed in every bedroom*

*Guest House* A single guest house, as that term that is defined in the City of Sunset Valley Land Development Code, which is used for human habitation of which the maximum number of occupants permitted for the dwelling unit is three times the number of bedrooms per the Texas Property Code, Section 92.010.

*Host* means the person, firm, corporation, partnership, or association, assigned the duty and responsibility by the owner to manage or rent the residence for a short-term rental.

*Hotel occupancy tax* means the hotel occupancy tax as defined in Chapter 112 of the Sunset Valley Code of Ordinances and Chapter 3 of the Texas Tax Code.

*Local emergency contact* means an individual other than the registrant, who resides within 20 miles of the subject property, and who is designated by the owner/registrant to act as the owner's authorized agent if the owner has traveled outside of the immediate area or is otherwise unavailable. The local emergency contact should be reachable on a 24-hour basis, have access to the short-term rental property, and be authorized by the owner to act in the owner's absence to address any complaints, disturbances, and emergencies.

*Owner* means the person who, in accordance with the most recently recorded deed, deed of trust, security instrument, trust instrument, affidavit of heirship, muniment of title or other similar document indicating title to real property recorded in the Official Public Records of Travis County, Texas, is vested in, the ownership, dominion or title of real property, including, but not limited to:

- (1) The owner of a fee simple title;
- (2) The owner of a life estate;
- (3) The purchaser named in an executory contract for conveyance entered in compliance with title 2, chapter 5, subchapter D of the Texas Property Code, or
- (4) A mortgagee, receiver, executor or trustee in control of real property.

*Person* means an individual, corporation, business trust, estate, trust, partnership or association, two or more persons having a joint or common interest, or any other legal or community entity.

*Primary residence* means the usual dwelling place of the registrant's residential dwelling and is documented as such by at least two of the following: motor vehicle registration, driver's license, Texas State Identification card, voter registration, property tax documents, or utility bill. For purpose of this chapter, a person may have only one primary residence.

*Short-term rental (STR)* is defined as "the rental of any residence or residential structure, means a single family residence with the following criteria, or a portion of a residence or residential structure for a period of less than 30 days". The term does not include:

- (1) A unit that is used for a nonresidential purpose, including an educational, health

care, retail, restaurant, banquet space, or event center purpose or another similar use;

- (2) A bed and breakfast; or
- (3) A hotel/residence hotel.
- (4) A structure that is not permanently affixed such as a travel trailer.

*A residential structure* means a single-family residence as referred to in this article is a:

- (1) One-family dwelling (detached): A dwelling designed and constructed for occupancy by one family and located on a lot or separate building tract and having no physical connection to a building located on any other lot or tract;
- (2) One-family dwelling (attached): A dwelling which is joined to another dwelling at one or more sides by a party wall or abutting separate wall and which is designed for occupancy by one family
- (3) Guest House: a single guest house, as that term that is defined in the City of Sunset Valley Land Development Code, which is used for human habitation of which the maximum number of occupants permitted for the dwelling unit is three times the number of bedrooms per the Texas Property Code, Section 92.010.

*Residential districts*: Includes the following districts: SF- Single Family or any Planned Development District defined as a residential use in the Code of Ordinances.

*Short term rental registration* means the registration issued by the Building Official or their designee pursuant to this article.

### **Section 150.120 --. Short-Term rental registration requirements.**

- A. No person shall hereafter advertise, offer to rent or rent, lease, sublease, license or sublicense a residential property within the city as a short-term rental for which a registration has not been properly made and filed with the City of Sunset Valley. Registration shall be made upon forms furnished by the city for such purpose and shall specifically require the following minimum information:
  1. Name, address, phone number and e-mail address of the property owner(s) of the short-term rental property.
  2. Verification that this short-term rental property is the registrant's property.
  3. Name, address, phone number and e-mail address of the designated local emergency contact.
  4. The maximum number of occupants permitted for the dwelling unit is three times the number of bedrooms per the Texas Property Code, Section 92.010.
  5. A submission of a sketch floor plan of the dwelling with dimensioned room layout.
  6. Site plan/survey of the property indicating maximum number of vehicles that can be legally parked on the property, without encroaching onto street, sidewalks or alleys; other public rights-of-way or public property.
  7. Property owner must submit complete list of all rentals within the City advertised on all media sites.
  8. Name, address, e-mail address, and telephone number of the resident owner, nonresident owner, property manager, resident manager, local emergency contact, and mortgagee, if



there is a mortgage against property.

9. Trade name, if any, of resident owner or nonresident owner.
10. Names and addresses of all registered agents should the parties named in this subsection be filing entities.
11. Zoning classification(s).
12. Acknowledgement of receipt of a copy of this article and agreement to comply with all provisions of this article as a condition to receiving and maintaining a short-term rental registration.
13. The registrant shall provide a copy of the filed Comptroller of Public Accounts' Form AP-102 (hotel occupancy tax questionnaire);

**Section 150.121. -- . Inspection required for Short-Term Rental Registration.**

- A. Upon registration and renewal, and prior to the first rental occupant of a short-term rental property, after such registration and renewal, the owner is required to schedule an inspection of the residential structure with the City of Sunset Valley to determine compliance with the minimum property standards in the Code of Ordinances.
  1. If only a portion of the premises is offered for rent, then that portion plus shared amenities and points of access shall be inspected.
  2. If, upon completion of the inspection, the premises are found to be in violation of one or more provisions of applicable city codes and ordinances, the city shall provide written notice of such violation and shall set a re-inspection date for violation to be corrected prior to its occupancy.

**Section 150.122. --. Restrictions on Short-Term Rentals.**

- A. *External signage.* There shall be no external on-site or off-site advertising signs or displays indicating the property is a short-term rental.
- B. *Limit on occupants allowed:*

There shall be a maximum occupancy of three persons per bedroom, including adult and children.

- C. *Limits on number of vehicles.* There shall be a maximum of one motor vehicle per bedroom, or maximum number of motor vehicle that can be accommodated within the garage and driveway, without extending over the public rights of way (alleys and sidewalks) whichever is less.
- D. *Advertisement and contracts.* Any advertisement of the property as a short-term rental and all rental contracts must contain language that specifies the allowed maximum number of occupants and maximum number of vehicles.
- E. *Other restrictions.* It is unlawful:
  1. To operate or allow to be operated a short-term rental without first registering the property in which the rental is to occur with the city in accordance with this article;
  2. To advertise or offer a short-term rental without first registering the property in which the rental is to occur with the city in accordance with this article; documented advertisement of the subject property as a short-term rental, online or offline, shall be considered evidence of a violation of this ordinance;

3. To operate a short-term rental that does not comply with all applicable city and state laws and codes;
4. To operate a short-term rental without paying the required hotel occupancy taxes;
5. Permit the use of the short-term rental for the purpose of housing sex offenders; operating a structured sober, recovery or other purpose living home or similar enterprise; selling illegal drugs; selling alcohol or another activity that requires a permit or license under the Alcoholic Beverage Code; gambling house; or operating as a sexually oriented business.
6. To operate more than one short-term rental per property at any one time.

**Section 150.123. -- Brochure and safety features for Short-Term Rentals.**

- A. *Informational brochure.* Each registrant operating a short-term rental shall provide to guests a brochure that includes:
  1. The registrant's 24-hour contact information;
  2. The host's 24-hour contact information if the property owner is not within the city limits when guests are renting the premises;
  3. Pertinent neighborhood information including, but not limited to, parking restrictions, restrictions on noise and amplified sound, and trash collection schedules;
  4. Information to assist guests in the case of emergencies posing threats to personal safety or damage to property, including emergency and non-emergency telephone numbers for police, fire and emergency medical services providers and instructions for obtaining severe weather, natural or manmade disaster alerts and updates.
- B. *Safety features.* Each short-term rental registrant shall provide in the premises working smoke detectors in accordance with adopted codes and at least one working carbon monoxide detector and alarm, and one working fire extinguisher. The premises shall, otherwise comply with applicable Codes of Ordinance including but not limited to Building and Fire Codes.
- C. A placard that is clearly visible on the structure is required displaying the registration number and name of designated local contact with their 24/7 contact information.
- D. Parking by renters or their guests shall not encroach upon or obstruct ingress, egress, or access to the neighboring properties;

**Section 150.124. --. Notification of approval of Short-Term Rental.**

Within ten days of the approval of a short-term rental registration or renewal, a notice will be sent to all property owners within 200 feet of the property, and shall include the 24-hour complaint line, and pertinent information about this article.

**Section 150.125. --. Registration term, fees, and renewal of Short-term Rentals.**

- A. All registrations approved under this chapter shall be valid for a period of one year from the date of its issuance.
  1. The fees for registration of a short-term rentals shall be as established by resolution of the city council and may include the following:

- a. The initial registration fee,
  - b. A late fee of twice the established the fee
- B. Upon receipt of an application for renewal of the registration, the City Administrator or their designee may deny the renewal if there is reasonable cause to believe that:
- 1. The registrant has violated any ordinance of the city, or any state, or federal law on the premises or has permitted such a violation on the premises by any other person; or
  - 2. There are grounds for suspension, revocation, or other registration sanction as provided in this article.

**Section 150.126. --. Inspections; re-inspections; suspension and revocation of Short-term Rental registration.**

- (a) *Inspections; access.* The resident owner, nonresident owner, resident manager and property manager, as a condition to the issuance of a short-term rental registration required by this article, shall consent and agree to permit and allow the city's building official or their designee to make the following inspections of the short-term rental when and as needed to ensure compliance with this article:
- (1) Right and access to inspect all portions of the premises and structures located on the premises that are not dwelling units, including, but not limited to, all storage areas, detached garages, and swimming pools, upon reasonable advance notice being given to the resident owner, nonresident owner, property manager or resident manager;
  - (2) Right and access to inspect all unoccupied dwelling units upon giving reasonable notice to resident owner, nonresident owner, resident manager, or property manager;
  - (3) Right and access to inspect all occupied dwelling units when, upon receipt of reliable information, the building official or their designee has reason to believe that violations of the ordinances of the city or state law exist that involve serious threats to life, safety, health, and property; and
  - (4) Before the short-term rental registration and any renewal of the short-term rental registration is approved, and before the rental of any single-family residence as a short-term rental under this article, the resident owner, nonresident owner, resident manager, or property manager shall request an inspection and make the single-family residence available for inspection by the building official or their designee. The building official or their designee and the resident owner, nonresident owner, resident manager, and property manager shall agree on a reasonable date and time for the requested inspection.
- (b) *Admission to premises.* The building official or their designee may enforce the provisions of this article upon presentation of proper identification to the occupant in charge of the short-term rental and may enter, with the occupant's permission, any short-term rental between the hours of 8:00 a.m. and 6:00 p.m.; provided, however, that in cases of emergency where extreme hazards are known to exist which may involve imminent injury to persons, loss of life, or severe property damage, the building official or their designee may enter the short-term rental referenced in subsection (a) of this section at any time and upon presentation of identification and the occupant's permission shall not apply. Whenever the building official is denied admission to inspect any short-term rental under this provision, inspection shall be made only under authority of a warrant issued by a magistrate authorizing the inspection.
- (c) *Reinspection.* If any of the inspections authorized by this article require a second reinspection

due to noted violations, then a reinspection fee as listed in the City's fee schedule shall be paid prior to the second reinspection.

- (d) *Suspension or revocation of registration.* Failure of an owner to comply with the provisions of this article after receipt of written notice of the violation from the building official or their designee setting out the violations and the time allowed to rectify the violations, the short-term rental registration authorized by this article issued to the owner may be suspended or revoked by the Administration department.
- (e) *Reinstatement.* Any person requesting a reinstatement or reissuance of a short-term rental registration that has been suspended or revoked shall be required to apply for and receive a new short-term rental registration issued under this article upon review by the Administration department that all conditions causing the revocation have been met.

**Section 150.127A. --. Revocation/appeal of Short-term Rental Registration.**

- A. Registration maybe denied and/or revoked by the city administrator or designee upon a finding by the noncompliance with any provisions of this article or violations of the Zoning Ordinance, or other applicable city codes.
- B. A registration may be subject to revocation of their registration if there are three or more violations within a twelve-month period of this article or other safety, health and welfare ordinances of the city.
- C. The Administration department or their designee, shall issue a notice of violation of any provision of this article or violations as provided herein. Such notice shall include the date, time and synopsis of the facts surrounding such violation.
- D. An Registrant who wishes to appeal the denial or revocation of a registration under this article, shall file an appeal with the Board of Adjustment for reinstatement of a denied or revoked registration.
- E. The Board of Adjustment shall conduct an evidentiary hearing, take testimony and receive any documented evidence to determine whether the decision of city administrator or designee should be upheld or overturned.
- F. At the hearing, the Board of Adjustment shall receive a testimony and evidence to contest the decision to deny or revoke a registration.
- G. The Board of Adjustment upon completion of a hearing, shall upon a majority vote of four-fifths of the board overturn the decision of the city administrator or designee.
- H. After a registration under this article has been revoked an owner may not reapply until after a 12-month period of any revocation or appeal.
- I. All decisions of the Board of Adjustment under this article shall be deemed final.

**Section 150.127B. --. Violations and penalties for Short-term Rentals.**

Violation of this ordinance upon conviction shall be punished by a fine not to exceed the sum of \$2,000.00 for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**Section 150.128. --. Fees for Short-term Rental Registration.**

All fees for registration, inspection, or renewal, including any late fees or exemptions, as provided in

this article, shall be as established by resolution of the city council.

**Section 150.129. --. Presumption; presentation of documents or affidavit for Short-term Rental Registration.**

- (a) *Presumption.* It shall be a rebuttable presumption that a single-family residence that is occupied by one or more person(s) who are not the owner is being occupied pursuant to an agreement between the owner and the occupant(s) of the single-family residence wherein the occupant(s) have agreed to lease said residence from the owner.
- (b) *Presentation of documents or affidavits.* Any resident owner or nonresident owner claiming that the owner is not required to obtain a short-term rental registration pursuant to this article shall, not later than five business days following receipt of a written request of the building official or their designee or, in the case of an appeal filed pursuant to section --- of this article deliver to the City Administrator a true and correct copy of any agreements, documents of title, letters of administration, letters testamentary, executory contracts for conveyance (also known as "contracts for deed"), affidavits, or other documents that establish to the satisfaction of the community development department that a landlord/tenant relationship does not exist between the owner and the occupant(s) of the single-family residence. Unless an extension of the time for delivery of such documents or affidavits is granted by the building official or their designee or city administrator, as the case may be, the failure of the owner to present the requested documents within the time provided by this subsection (b) shall result in the presumption described in subsection (a) above, becoming irrefutable.

**SECTION 2.** Effective Date. This Ordinance shall be effective immediately upon adoption.

**SECTION 3.** 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 9<sup>th</sup> day of November, 2021.

**ATTEST:**

**CITY OF SUNSET VALLEY, TEXAS**

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Matt Lingafelter, City Secretary

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Marc Bruner, Mayor