



**NOTICE OF A REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF SUNSET VALLEY, TEXAS
TUESDAY, JUNE 21, 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 21st day of June 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 June 7, 2022 regular meeting and work session.
5. Consider and act on approval of an Ordinance calling for the Regular Election of the Mayor and Council Members on November 8, 2022. (Mayor Bruner/Administration)
6. Consider and act on approval of the April 2022 Financial Statements as recommended by the Budget & Finance Committee. (Council Member Rosengarten/Administration)
7. Consider and act on approval of an amendment to Financial Policy 315 regarding travel expense reimbursement for city staff as recommended by the Budget & Finance Committee. (Council Member Rosengarten/Administration)
8. Consider and act on approval of an interlocal agreement with the City of Austin for a Utility Box MiniMural Project in an amount not to exceed \$14,000 to be funded from the Economic Development line item for beautification purposes. (Council Members Johnson and Reetz)
9. Consider and act on denying all bids for the Public Works Reception Area Enclosure Project. (Mayor Bruner/Public Works)

Presentation Items for Discussion and Possible Action

10. 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)
11. Consider and act on approval of a variance for 5601 Brodie Lane, the Village Shopping Center, from the following sections of the Land Development Code (Council Member Reetz/Administration):
 - A. Section 150.527(D)(6) – Prohibitions – bulbs with a color temperature above 3,000 Kelvin
 - B. Section 150.528(B)(1) – Architectural Landscaping Lighting – Architectural and landscape lighting that is directed downward onto a wall, tree or other landscape feature shall be included in the total lumen limits per site standards
 - C. Section 150.529(E)(5) – Additional Requirements – Outdoor up-lighting is prohibited
 - D. Section 150.529(A) – Total Lumens – Maximum 100,000 lumens per acre

Presentation Items for Discussion Only – No Action

12. Discussion and staff direction on the Comprehensive Plan. (Mayor Bruner/Administration)
13. Update on the negotiations with City of Austin related to the Water Contract. (Mayor Pro tem Carmona/Administration)
14. Adjourn

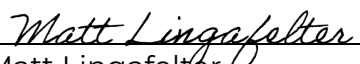
Executive Session Notice

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 16th day of June 2022 at 6:00 P.M.


Matt Lingafelter
City Secretary

CITY COUNCIL MEETING DATE: JUNE 21, 2022



CITY COUNCIL AGENDA ITEM #4

STAFF PREPARER/CONTACT INFORMATION: Melissa Marquez, Assistant City Secretary
mmarquez@sunsetvalley.org

COUNCIL SPONSOR: Mayor Bruner/Administration

SUBJECT: MINUTES

DESCRIPTION: Consider and act on approval of the minutes from the June 7, 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 6-7-2022



**MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF SUNSET VALLEY, TEXAS
TUESDAY, JUNE 7, 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, Asst. City Administrator
Dakota Burns, Public Works Superintendent
Kyle Sorahan, Accounting
Suzanna Fleegal, Accounting Manager
Veronica Rivera, Attorney
Duncan Moore, A/V Technician

1. Call to order of the City Council.

- Mayor Bruner called the meeting to order at 6:04 pm
- Mayor Bruner delivered an opening statement on the passing of Dr. Browning
- Mayor Bruner made a statement on the utility box mural located on Westgate and Jones.

2. Citizen/Public Communication

- *Melissa Gonzales*

3. Staff Reports

A. *Matt Lingafelter, Asst. City Administrator* delivered the Administration Report:

- Questions from Mayor Bruner regarding Laserfische terms and accessibility to documents
- Mayor Pro tem Carmona expressed interest to make website more user friendly

B. *Dakota Burns, PW Superintendent* delivered the Public Works Report

- Council Member Litchfield suggested creating a trail/ pathway in front of City Hall to cross through easier
- Statement from Mayor Bruner regarding project to repair damages to council ring due to hit and run and doing more research to determine what would be the best option for it since it stores some history value in Sunset Valley. 10K possible cost for relocating.
- Additional statement from Council Member Reetz also wanting to get more historical background on council ring

- o Council Member Rob Johnson suggested repairing electrical panel at Farmer's Market

C. Public Safety

- o *Written report only. Chief Carter was on vacation.*

4. **Presentation by the Sunset Valley Arts Commission on ARTFEST 2022. (Council Member Johnson/Administration)**

- Michele Golden delivered recap on ARTFEST. Overall, successful turnout and received positive feedback based on survey. Looking for areas of improvement.
- Made a proposal to have the remaining funds be kept in ARTFEST budget to be used for the following year.
- Statement by Mayor Bruner congratulating successful turnout
- Statement by Council Member Reetz suggested relocating ARTFEST to the shopping center instead of having it at the Burger Center
- Statement by Council Member Rosengarten about possibly setting a later date and time for the following year.
- Statement from Mayor Pro tem Carmona curious how parking and traffic turned out due to high attraction and how it can be better handled and controlled.
- Statement from Council Member Johnson on high event turn out, also addressed noise complaints from art vendors caused by generators from the food vendors and looking for recommendations on how that can be improved to provide a better overall experience.

5. **Council consideration of agenda items for approval on consent**

Council Member Rosengarten made a motion to approve Agenda Items #6 with corrections and item #8 on consent, seconded by Council Member Litchfield. All voted in favor and the motion carried.

Items Which May Be Considered and Acted on Consent

6. **Consider and act on approval of the minutes from the May 17, 2022, regular meeting and work session. Agenda item approved on consent.**

7. **Consider and act on approval of a Temporary Special Use Permit for JDRF to hold their One Walk event at 3200 Jones Road on October 30, 2022. (Mayor Bruner/Administration)**

- Council Member Johnson addressed concern on having both JDRF and Daisy Dash event a week apart from each other regarding promotion/traffic and wanted to ensure a plan would be set in place for both upcoming events.

Council Member Johnson made a motion to approve, seconded by Council Member Reetz. All voted in favor and the motion carried.

8. **Consider and act on approval of the Request for Proposals for Informational Technology Support Services. (Mayor Bruner/Administration) Agenda item approved on consent.**

9. **Consider and act on denying all bids for the Stearns Lane Lift Station Rehabilitation Project.** (Mayor Pro tem Carmona/Public Works)

- Statement from Mayor Pro tem Carmona regarding why estimate given by engineers for cost of work were much less than actual bids and it was determined that it was due to economy, would prefer better given analysis of predicting cost of projects.
- Litchfield agreed with Mayor Pro tem Carmona statement and suggested completing projects one at a time rather than all at once to provide a better workflow.

Council Member Rosengarten made a motion to approve item# 9, seconded by Council Member Reetz. All voted in favor and the motion was carried.

10. **Consider and act on approval of an Ordinance amending the FY 2022 Budget (Budget Amendment #12) for various departmental and repair and replacement expenses. (Council Member Rosengarten/Administration)**

- Sylvia Carrillo, City Administrator provided overview of item
- Questions and comments from Council Members regarding the radios purchased by the Police Department, and appropriate funding
- Comments from Council Member Reetz regarding the Crime Control reserves
- Additional comments by Council Members

Council Member Rosengarten made a motion to approve an Ordinance amending the FY 2022 Budget (Budget Amendment #12) for various departmental and repair and replacement expenses as amended, seconded by Council Member Johnson.

Council Members discussing amendment and fund balances.

Mayor Bruner asked the Council Members to vote for the motion on the floor. All voted in favor and the motion was carried.

11. **Consider and act on approval of an amendment to the Statement of Work for the Canales and Co. contract. (Council Member Reetz/Administration)**

- Sylvia Carrillo, City Administrator introduced agenda item.
- Jose Canales provided overview of the amendment to change the scope of work
- Statement from Council Member Reetz in agreement to change the scope of work on the project from commercial/ radio advertisement to beautification
- Comments from Mayor Pro tem Carmona regarding budget for this item.

Council Member Reetz made a motion to approve the amendments to the Statement of Work, seconded by Council Member Litchfield. All voted in favor and the motion carried.

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)**

- Mayor Bruner introduced agenda item.

- Additional overview by Sylvia Carrillo, City Administrator
- Council Member Litchfield explains his reasoning to his edits/ recommendations for STR regulations. Overall, is in preference to simplify registration process to not overwhelm applicants.
- Mayor Pro tem Carmona asked Legal for input regarding conflict of interest for this matter.
- Additional comments from Mayor Bruner and Council Member Johnson
- Council Member Rosengarten asked questions to resident Sharon Drinkwine, regarding her input on STR requirements for safety portion

Council Member Johnson made a motion to extend meeting to one hour, seconded by Mayor Pro tem Carmona

All voted in favor and the Motion passes

- Statement from Council Member Reetz to review Council Member Litchfield's suggestions to STR regulation more closely to ensure property rights for both sides are taken into consideration
- Matt Lingafelter confirms with Legal if it would be possible to use item into work session and then to be voted on for approval for Council Meeting

Council Member Reetz made a motion to table the item to the next work session and to be added to the regular agenda for council approval, seconded by Mayor Pro tem Carmona. All voted in favor and the motion carried.

13. **Adjourn**

Mayor Bruner adjourned the meeting at 9:22 p.m.



**MINUTES OF A WORK SESSION
OF THE CITY COUNCIL
OF THE CITY OF SUNSET VALLEY, TEXAS
TUESDAY, JUNE 7, 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, Asst. City Administrator
Dakota Burns, Public Works Director
Veronica Rivera, Attorney
Kyle Sorahan, Accounting Manager
Duncan Moore, A/V Technician

1. Call to order of the City Council

Mayor Bruner called the Works Session at 5:02 P.M.

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

None

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

A. Updates to Emergency Operations Plan and follow-up

Mayor Bruner introduced the work session topic, followed up by an overview of the Emergency Operations Plan by the City Administrator.

Council Members made comments on the Plan and asked questions of staff members. Some Council Members made requests for updates to the plan, updates to the website, and other educational and informational requests.

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

Mayor Bruner directed staff to research certain items and make necessary updates to the website. The Mayor directed staff to bring back the Emergency Operations Plan and provide an update in August, with any considerations for the preparation of the FY23 Budget.

5. Adjourn

Mayor Bruner adjourned the Work Session at 5:57 P.M.

CITY COUNCIL MEETING DATE: JUNE 21, 2022



CITY COUNCIL AGENDA ITEM #5

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

COUNCIL SPONSOR: Mayor Bruner/Administration

SUBJECT: ELECTIONS

DESCRIPTION: Consider and act on approval of an Ordinance calling for the Regular Election of the Mayor and two (2) Council Members on November 8, 2022.

BACKGROUND: The seats held by Mayor Bruner, Mayor Pro tem Alfonso Carmona, and Council Member Rob Johnson are up for election this year. The election date is Tuesday, November 8, 2022.

The first day for filing an application for a place on the ballot is Saturday, July 23, 2022, and the last day for filing an application is Monday, August 22, 2022 at 5:00 P.M. Applications must be filed at the City Administrative Offices (Public Works Building) with the City Secretary or Court Clerk, and can be filed Monday through Friday, from 8:00 A.M. to 5:00 P.M.

Approval of the ordinance will call the Election of Officers for the Mayor and two Council seats. Travis County will conduct the election as per the interlocal agreement.

APPLICABLE CODE SECTIONS: [TX LOCAL GVT CODE CHPT 22](#), SV ORDS [30.18](#), [31.01](#)

FUNDING: Estimated election expense split between FY22 and FY23

CURRENT YEAR FISCAL BUDGET				
ACCOUNT	BUDGET	ACTUALS	THIS ITEM	REMAINING
01-01-5615 election	\$950	\$528.34	\$475 (estimate)	\$53.34
NEXT FISCAL YEAR BUDGET				
BUDGET YEAR	ACCOUNT	BUDGET	THIS ITEM	NOTES
2022-2023	01-01-5615	\$950	\$475 (estimate)	

STAFF RECOMMENDATION: APPROVE

SUPPORTING MATERIALS PROVIDED: YES

- ORDINANCE

Tuesday, November 8, 2022 - Uniform Election Date

Deadline to Post Notice of Candidate Filing Deadline (Local Political Subdivisions Only)	Thursday, June 23, 2022 for local political subdivisions that have a first day to file for their candidates ¹
First Day to File for a Place on the General Election Ballot (Local Political Subdivisions Only)	Saturday, July 23, 2022
Last Day to Order General Election or Special Election on a Measure	Monday, August 22, 2022
Last Day to File for a Place on the General Election Ballot (Local Political Subdivisions Only)²	Monday, August 22, 2022 at 5:00 p.m.
Last Day to File a Declaration of Write-in Candidacy (Local Political Subdivisions Only)	Friday, August 26, 2022
Last Day to Register to Vote	Tuesday, October 11, 2022* *First business day after Columbus Day
First Day of Early Voting by Personal Appearance	Monday, October 24, 2022
Last Day to Apply for Ballot by Mail (Received, not Postmarked)	Friday, October 28, 2022
Last Day of Early Voting by Personal Appearance	Friday, November 4, 2022
Last day to Receive Ballot by Mail	Tuesday, November 8, 2022 (Election Day) at 7:00 p.m. if carrier envelope is not postmarked, OR Wednesday, November 9, 2022 (next business day after Election Day) at 5:00 p.m. if carrier envelope is postmarked by 7:00 p.m. at the location of the election on Election Day (unless overseas or military voter deadlines apply) ⁴

ORDINANCE # _____

AN ORDINANCE OF THE CITY OF SUNSET VALLEY, TEXAS, CITY COUNCIL, CALLING FOR A REGULAR ELECTION ON TUESDAY, NOVEMBER 8, 2022, TO ELECT THE MAYOR AND TWO (2) CITY COUNCIL MEMBERS; PROVIDING FOR THE CONDUCT OF THE ELECTION; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, Texas Election Code Ann., Section 3.004(a) directs that the governing body of the City of Sunset Valley, Texas shall order the regular general election for City Officers;

WHEREAS, Tuesday, November 8, 2022 is the next uniform election date, and, on such date, there shall be elected the following officials for this City: the Mayor and two (2) City Council Members for the City Council;

WHEREAS, the Texas Election Code is applicable to said election and this ordinance establishes procedures consistent with the Code, and designates the voting place for the election;

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

SECTION 1. That an election shall be held on the 8th day of November 2022, which is the first uniform election date more than thirty (30) days after passage of this Ordinance, for the voters of the City of Sunset Valley, Texas (the "City") to elect the following officers: the Mayor and two (2) City Council Members to serve on the City Council of the City of Sunset Valley, Texas to serve a term of two (2) years each. Candidates at the election for the above offices shall file their application to become a candidate with the City Secretary of the City, at the Public Works Building, 3203 Jones Rd., Sunset Valley, TX 78745, beginning on Saturday, July 23, 2022 (hours will be determined) and 5:00 p.m. on Monday, August 23, 2022. All applications for candidacy shall be on a form as prescribed by the *Tex. Elec. Code*. The order in which the names of the candidates for each office are to be printed on the ballot shall be determined by a drawing conducted by the City Secretary held at the Public Works Building, at least 72 hours after the City Secretary posts notice of such drawing.

SECTION 2. That Notice of the Election ordered herein shall be given in the manner prescribed by Texas Election Code Ann., Section 4.003 and 4.004. A notice containing a substantial copy of this ordinance shall be posted on the bulletin board used for posting notice of meetings of the governing body at City Hall and at the aforesaid polling place not later than the twenty-first (21st) day before the election, and by publishing said Notice of Election (in English and Spanish) at least one time, not earlier than thirty (30) days nor later than ten (10) days prior to said election, in a newspaper in general circulation in the City. The Travis County Elections Administrator is authorized and shall give all notices required for the election

SECTION 3. The ballots used for the general election shall comply with the *Texas Election Code* and be in the form provided by the City to the Travis County Elections Administrator for use on the voting devices used by the Travis County Elections Administrator.

SECTION 4. The official ballots, together with such other election materials as are required by the *Texas Elections Code*, as amended, shall be printed in both the English and Spanish languages and shall contain such provisions, markings and language as required by law.

SECTION 5. The Sunset Valley City Secretary and his/her employees and appointees, and the election judges, alternate judges and clerks properly appointed for the election, shall hold and conduct the election in compliance with state law for the entire City.

SECTION 6. There shall be one (1) election precinct for the election, which shall contain and include all the geographic area within the City. The polling place for citizens of the Ward 1 of the City shall be the City Hall, 3205 Jones Rd., Sunset Valley, TX 78745. The polls shall remain open on the day of the election from 7:00 a.m. to 7:00 p.m.

SECTION 7. Early voting, both by personal appearance and by mail, will be conducted by the City Secretary, who is hereby designated and appointed as the Early Voting Clerk for the general election for City residents residing in Travis County in accordance with the *Texas Election Code*. Early Voting for the above designated election shall be at City Hall, 3205 Jones Rd., Sunset Valley, TX 78745. Early voting shall commence on Monday, October 24, 2022, and continue through Friday, November 4, 2022, and early voting polls shall remain open for the time specified by the *Texas Election Code*.

SECTION 8. The general election shall be held and conducted by the Travis County Elections Administrators in compliance with the *Texas Election Code*, and only resident qualified voters of the City shall be eligible to vote at the election. The Elections Administrator is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election. Returns of the election shall be made known as soon as possible after the closing of the polls; and the election returns shall be canvassed by the City Council not earlier than November 11, 2022, nor later than November 19, 2022.

SECTION 9. This ordinance shall be in full force and effect from and after its passage on the date shown below; provided that if any term or provision of this Ordinance conflicts with, or is inconsistent with, the *Texas Elections Code*, the *Texas Election Code* shall govern and control and the Travis County Elections Administrator shall comply with the Texas Elections Code.

SECTION 10. It is officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required *Chapter 551, Texas Government Code*.

THE FOREGOING WAS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SUNSET VALLEY, TEXAS, on the 21st day of June 2022.

Marc Bruner, Mayor

ATTEST:

Matt Lingafelter, City Secretary

COUNCIL MEETING DATE: JUNE 21, 2022



CITY COUNCIL AGENDA ITEM #6

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

COUNCIL SPONSOR: Administration/Council Member Rosengarten
rosengarten@sunsetvalley.org

SUBJECT: APRIL 2022 FINANCIAL STATEMENTS

DESCRIPTION: Consider and act on approval of the April 2022 Financial Statements as recommended by the Budget & Finance Committee.

BACKGROUND: The interactive budget links for the financial statements are included above. Also included is information the committee requested to see related to sales tax, expenses, and fund balance information. The Budget & Finance Committee recommended these statements for approval on June 2, 2022.

[Please use this link to view the interactive OpenGov story for the April 2022 Financial Statements](#)

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

FUNDING: N/A

STAFF RECOMMENDATION: Approval

SUPPORTING MATERIALS PROVIDED: YES/NO:

- a. APRIL 2022 FINANCIAL STATEMENTS



April 2022 Financial Statements

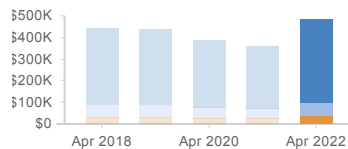
City of Sunset Valley

FY 2021-2022

April 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	\$537,953.08	\$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	\$586,084.40	\$172,397.43	41.7%	\$1,124,037.48	21.2%	41.7%	\$497,739.00	\$88,345.40	17.7%
Dec	October	2021	\$395,694.62	\$589,741.53	\$194,046.91	49.0%	\$1,713,779.01	32.3%	49.0%	\$476,091.00	\$113,650.53	23.9%
Jan	November	2021	\$409,500.55	\$609,517.16	\$200,016.61	48.8%	\$2,323,296.17	43.8%	48.8%	\$492,702.00	\$116,815.16	23.7%
Feb	December	2021	\$559,595.57	\$759,866.87	\$200,271.30	35.8%	\$3,083,163.04	58.1%	35.8%	\$673,293.00	\$86,573.87	12.9%
Mar	January	2022	\$358,181.46	\$509,904.94	\$151,723.48	42.4%	\$3,593,067.98	67.7%	42.4%	\$430,956.00	\$78,948.94	18.3%
Apr	February	2022	\$299,843.45	\$484,118.44	\$184,274.99	61.5%	\$4,077,186.42	76.9%	61.5%	\$360,765.00	\$123,353.44	34.2%
May	March	2022	\$542,687.01	\$0.00						\$652,949.00		
Jun	April	2022	\$474,529.18	\$0.00						\$570,943.00		
Jul	May	2022	\$476,073.42	\$0.00						\$572,801.00		
Aug	June	2022	\$532,377.65	\$0.00						\$640,545.00		
Sep	July	2022	\$481,248.88	\$0.00						\$579,028.00		
			\$5,303,885.00	\$4,077,186.42					46.9%	\$6,381,517.00	\$711,935.42	22.1%

FY22 April Sales Tax History 5 Years



\$484,118.44
Revenues in Apr 2022

FY22 April Sales Tax Budget to Actuals

Data Updated today



\$4,077,186.42

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

FY22 April Sales Tax Budget to Actuals

Data Updated today



76.87%

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

Revenues

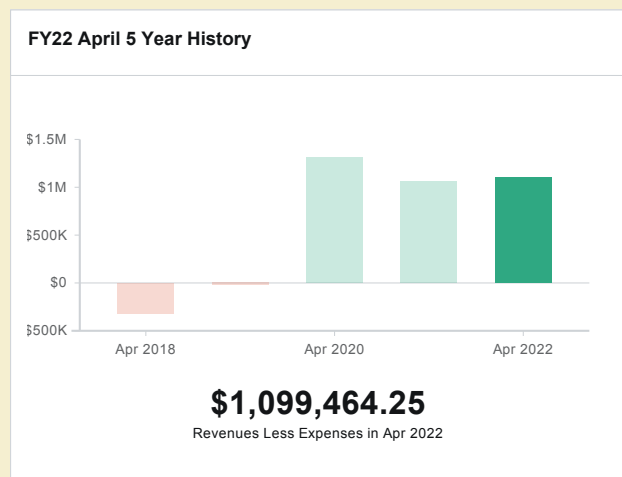
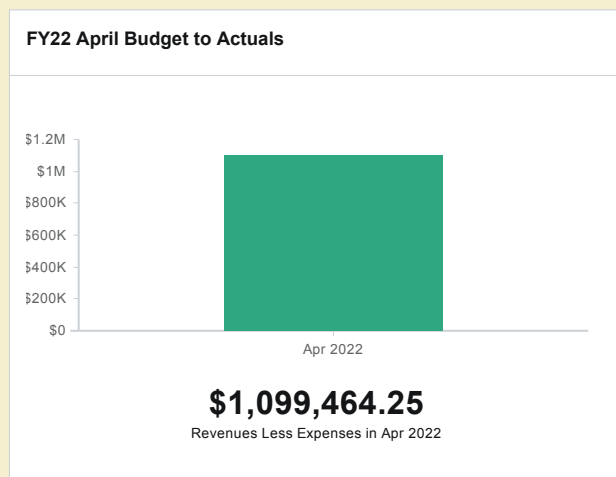
FY22 April Revenues	
Category	Apr 2022
Administration	\$401,115.09
Street Repair/Replacement Funds	\$67,453.72
Water Department	\$49,347.52
Green Tax	\$33,095.25
Wastewater Department	\$32,741.18
Other	\$50,713.35

Expenses

FY22 April Expenses	
Category	Apr 2022
Administration	\$101,070.00
Wastewater Department	\$77,013.83
Water Department	\$60,622.66
Public Safety	\$57,988.17
Crime Control & Prevention Distri...	\$43,804.67
Other	\$97,067.48

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

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



FY22 April Ending Balance in Bank by Fund		
General Fund		8,488,683
Utility Fund		4,437,363
Street Fund		8,035,915
Hotel Occupancy Tax Fund		687,756
Venue Tax Fund		2,280,891
Crime Control Tax Fund		844,889
GN Equipment Repair & Replacement Fund		551,576
City Facilities Fund		102,838
Drainage Fund		702,006
Total		26,131,919

LOGOTYPE

OpenGov

Add links

COUNCIL MEETING DATE: JUNE 21, 2022



CITY COUNCIL AGENDA ITEM #7

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

COUNCIL SPONSOR: Administration/Council Member Rosengarten
rosengarten@sunsetvalley.org

SUBJECT: FINANCIAL POLICY FP-315- TRAVEL EXPENSE REIMBURSEMENT

DESCRIPTION: Consider and act on approval of an amendment to Financial Policy 315 regarding travel expense reimbursement for city staff as recommended by the Budget & Finance Committee.

BACKGROUND: During a recent training trip for a staff member, it was discovered that the staff member borrowed money to travel due to the City's policy of paying for travel in a reimbursement method. Travel for the benefit of the City should never be an onerous financial burden to staff.

The attached redline version of FP-315 includes staff and Budget & Finance recommended changes to move from a reimbursement method to an advance payment method with reporting requirements to reconcile the travel documents once complete.

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

FUNDING: No funding for this item

STAFF RECOMMENDATION: Approval

SUPPORTING MATERIALS PROVIDED: YES/NO:

- a. FP-315 WITH STAFF AND BUDGET & FIANANCE RECOMMENDED CHANGES

Travel Expense Reimbursement

Policy Reference: FP315
Effective Date: ~~April 16, 2013~~ June 21, 2022

Intent: To provide general guidelines for travel necessary for City operations, and ensure that all costs are justified and fully supported by appropriate documentation, ~~and original receipts. Reimbursement for travel is intended to provide repayment to City Council and staff members for costs incurred in travel. Travel by staff and Council is intended to advance education and improvement of City operations. Travel should not be an undue burden where an employee or Councilmember is unable to travel due to the inability to pay and then seek reimbursement.~~

A. General Guidelines

All out of town travel must be approved in advance by the City Administrator. If the City Administrator is not available, the Department Head may approve travel. ~~Travel must be directly related to the employees position or in the interest of the City of Sunset Valley.~~

No reimbursement will be made for costs not directly related to the City of Sunset Valley; ~~for costs not authorized under the City of Sunset Valley grant rules; for costs not authorized by appropriate supervisory personnel; for undocumented or unreasonable costs; or for expenses not backed by a receipt.~~ Tax exemption certificates must be carried and used in appropriate circumstances.

B. Travel ~~Reimbursement~~ Payment Schedule

~~Reimbursement shall occur no later than 2 weeks after the a~~ Appropriate in-town and out-of-town travel documentation are received by the Accounting Department and approved by the Department Head. ~~Reimbursement will be made as explained below.~~ Advance payment for travel is made according to US General Services Administration (GSA) guideline maximums per destination traveled. Amounts greater than the GSA maximum will only be approved by the City Administrator and the Mayor.

C. Mileage

Mileage for travel by personal vehicle will be reimbursed at the IRS standard. Distance will be determined by the traveler's vehicle odometer or a software mapping program. For in-town travel, mileage shall be calculated to/from the office. If a ~~business-related~~ business-related errand or training is run before coming to the office or at the end of the business day, distance will be the round trip mileage from the point of origin. For example, if going from the office to bank and

then home at the end of the day, mileage paid will be from office to bank doubled (RT); or if at the beginning of the day employee goes from home to training and then to office, mileage paid will be from home to training doubled (RT)--employee cannot claim from training back to office. For out-of-town travel, mileage shall be calculated to/from home or office - whichever was the actual travel route.

D. In-Town Travel

In-town travel is Sunset Valley, Texas and Austin, Texas. ~~Travelers cannot collect meal per diem for in-town travel.~~ Employees are allowed to claim mileage for in-town business related errands or training (see "Mileage" for more details about how to determine how mileage is calculated for payment). Documentation for reimbursement must include the beginning and ending odometer readings for each day, origination and destination points, and total miles traveled. A software mapping program may also determine distance between points of travel.

E.D. Out-of-Town Travel

Out-of-town travel is defined as travel to locations outside of Sunset Valley and Austin, Texas. All travel to out-of-town locations must be pre-approved by the City Administrator. For out-of-town travel, public transportation (airlines, car rental, taxis) will be ~~reimbursed-advanced~~ on the basis of reasonable cost and with appropriate documentation. Documentation for use of personal vehicle must include beginning and ending odometer readings for each day, origination and destination points, and total miles traveled. A software mapping program may also determine distance between points of travel.

F.E. Travel Time

1. When a workday begins and ends with air travel, employees should document their workday as beginning from the time they reach the airport (not to exceed 120 minutes prior to the scheduled flight time) and ending when they leave the airport (not when they arrive home).
2. Employees who drive overnight are considered working all the time they are driving and should document their workday accordingly.
3. Employees traveling overnight on business (for more than one day) should document their time spent in traveling (except for meal periods) based on their normal working hours on their non-working days, such as Saturday, Sunday, and holidays, as well as on their regular working days.
4. Travel time as a passenger on an airplane, train, boat, bus or automobile outside of regular working hours is not considered work time by the Wage and Hour Division unless the employee is engaged in meetings or completing other work assignments (Wage and Hour Division, Department of Labor).
5. Meal periods are non-compensable time.

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G.F. Airline Travel

~~1. All air travel and car rental must be pre-approved in writing by the City Administrator or his/her designee and Department Head prior to purchase/the reservation. In the case of Airline Travel only, a copy of the itinerary must be attached to a signed purchase order and forwarded to the Accounting Department, as this acts as the approval for payment of airline tickets billed through the City's corporate card. Airline travel shall be at less than first class,~~
1. unless unavailable.—Employees are required to take the lowest fare available. If they do not, they must have the written approval of the City Administrator.

~~The portion of the ticket remaining after the flight ticket is used shall serve as the receipt.~~

H.G. Car Rental

~~Car rental may be pre-approved via a purchase order for out-of-town travel involving air travel. In all other cases, the staff person is responsible for payment of the rental car (e.g. Sunset Valley will not reimburse for rental) unless prior approval has been granted by the Department Head and the City Administrator or his/her designee. Car rental should be for the least expensive compact automobile immediately available which will serve the needs of the trip. The car rental form/receipt serves as documentation for reimbursement.~~

Employees who elect to have the car rental agency fill the gas tank are responsible for paying the difference between the market price and the price charged by the rental agency. Receipts for gas must be turned in to close out the travel voucher.

H.H. Taxi

Taxi service will include the cost of the fare. Tips will be ~~reimbursed~~ advanced up to ten percent (10%) of the fare.

J.I. Lodging

Lodging will be paid at actual reasonable cost with efforts made to obtain the State of Texas per diem rate and not exceed the maximum GSA rate. Costs in excess of the GSA rate will require City Administrator and Mayoral approval. ~~of \$104.00 per night. Rates over \$104.00 per night may be approved under special conditions. These special conditions are:~~

- ~~1. attending a prior approved training, conference or retreat at the hotel/lodging~~
- ~~2. attending a prior approved professional meeting at the hotel~~
- ~~3. room is occupied by two staff persons and the cost of one room is less than two separate rooms~~
- ~~4. if less expensive lodging will require considerable more travel time~~

K.J. Per Diem

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For in town training, if meals are not provided with the registration fee, a per diem at the lunch rate will be paid if you are in training for more than 5 hours.

Per diem is paid ~~to reimburse employees~~ for meals during out-of-town travel at the standard GSA rate for the destination traveled. ~~As some meals may cost more than per diem and others less, per diem is paid based upon whether an employee is in a travel status (has left home or office on an out of town trip and has not returned to home or office from that trip) at the approximate time of each meal and regardless of the actual cost of meals.~~ Receipts are not required for meals.

Per diem shall be paid on the following basis ~~(State of Texas per diem rates):~~ GSA standard rates for the destination traveled. <https://www.gsa.gov/travel/plan-book/per-diem-rates>

Out of Town Travel status during:	Per diem paid:
Breakfast 7:00 – 8:00 a.m.	\$12.00
Lunch 12:00 – 1:00 p.m.	\$18.00
Dinner 6:00 – 7:00 p.m.	\$36.00

~~If an employee is at a conference or training and registration includes meals, the per diem for those meals will not be paid.~~

~~L.~~K. Parking

The City of Sunset Valley will reimburse for parking when conducting City business when documented by an official receipt (i.e. receipts for parking garages, short-term/long-term parking, etc.).

~~M.~~L. Tips

Tips related to meals during out of town travel are not reimbursable ~~due to per diem payments.~~

M. Reimbursable Receipts

All receipts for reimbursable expenses (parking, car rental, taxi, etc.) must be turned in within 7 days. If the receipts are not received in the 7 days, the employee must reimburse the city within 30 days or it may be docked from their pay.

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Adopted: November 8, 2000
Amended: May 8, 2002
Amended: April 16, 2013

CITY COUNCIL MEETING DATE: JUNE 21, 2022



CITY COUNCIL AGENDA ITEM #8

STAFF PREPARER/CONTACT INFORMATION: Matt Lingafelter, Asst. City Administrator
mblingafelter@sunsetvalley.org

COUNCIL SPONSOR: Council Members Rob Johnson & Wanda Reetz
rjohnson@sunsetvalley.org, wreetz@sunsetvalley.org

SUBJECT: PUBLIC ARTS – BEAUTIFICATION

DESCRIPTION: Consider and act on approval of an interlocal agreement with the City of Austin for a Utility Box MiniMural Project in an amount not to exceed \$14,000 to be funded from the Economic Development line item for beautification purposes.

BACKGROUND: The utility cabinet at the northwest corner of Jones Rd and Westgate Blvd has historically been the target of graffiti. The vigilant eye of residents like Mark Wells and tireless work of Sam Cantu have kept such vandalism at bay for periods of time. Applying a broken windows theory of policing we believe a mural could further reduce defacement in the area.

The program, called Mini Murals, was started by UP Art Studio in Houston to streamline this process. It was then later adopted by Austin.
<https://www.austintexas.gov/page/artbox-program>



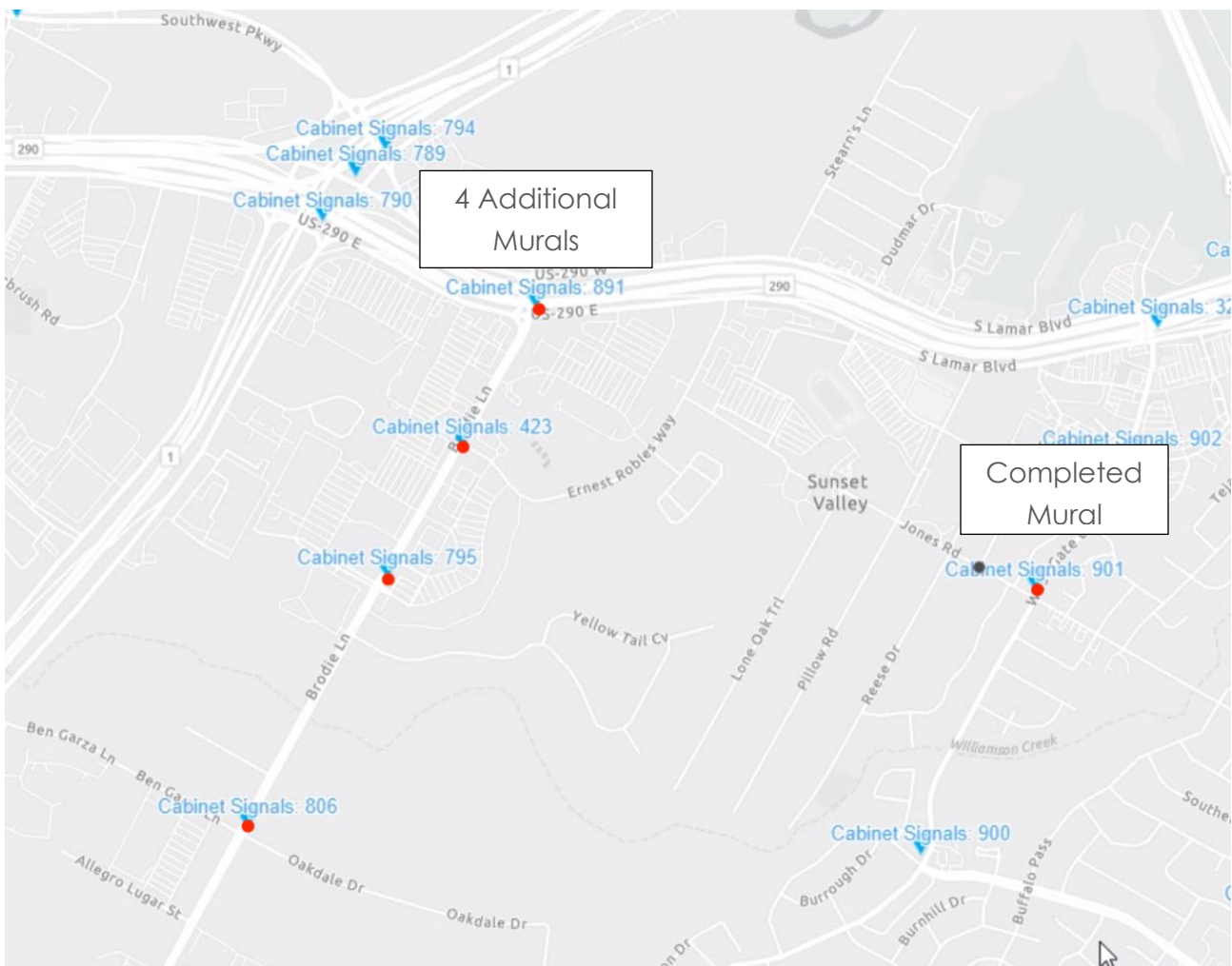
The first mini mural was completed at Jones and Westgate on June 4, 2022, painted by artist Avery O. Artists Avery O and Helena Martin were the top choices by members of both the Arts Commission and CED Committee, and would be asked to paint two each of the four utility boxes along Brodie Lane.

The turnkey program includes everything we need from beginning to end:

- Coordination with City of Austin
- Utility cabinet selection
- Utility cabinet prep and replacement (if needed)
- Community outreach
- Facilitation of artist and theme selection
- Artist payment (over \$1,000)
- Utility cabinet clear coating
- Photoshoots during production and after completion
- Social media promotion

The total cost for this utility cabinet is \$3,500 per box and estimated completion is six months after initiation.

If successful, this program can then be leveraged to introduce art along the Brodie Lane corridor with its four utility cabinets to beautify our commercial district.



FUNDING:

CURRENT YEAR FISCAL BUDGET							
FUND	DEPT.	ACCT.	DESC.	BUDGET	ENCUMBERED	THIS ITEM	REMAINING
01 – General Fund	01-Admin.	5310 Economic Development		\$54,672.46		\$14,000	\$40,672.46

STAFF RECOMMENDATION: Approve

SUPPORTING MATERIALS PROVIDED: YES

- MINI MURAL SPONSORSHIP AGREEMENT
- ARTIST REGISTRY – AVERY O
- ARTIST REGISTRY – HELENA MARTIN



MINI MURAL BY AVERY O AT WESTGATE & JONES ROAD

UP Art Studio, LLC

www.upartstudio.org



Estimate

ADDRESS

Rob Johnson
City of Sunset Valley, Texas
3205 Jones Rd.
Sunset Valley, Texas 78745

ESTIMATE # 1003

DATE 05/30/2022

ACTIVITY	QTY	RATE	AMOUNT
Mini Murals Traffic signal control cabinet art	4	3,500.00	14,000.00

Payment can be made via:

TOTAL

\$14,000.00

(1) Quickbooks

(2) Bank Wire

Wire Instructions

Bank: JPMorgan Chase Bank, N.A.

Address: 545 W 19th St, Houston, TX 77008

Account No: 273328630

ABA Routing: 111000614

BIC/SWIFT Code: CHASUS33

UP Art Studio, LLC | 7138768802

(3) Make all checks payable to:

UP Art Studio, LLC

809 Joyce St, Houston, TX 77009 (NEW ADDRESS!)

Accepted By

Accepted Date

Artist Profile

Avery O Design



Name	Avery Orendorf
Website	www.averyodesign.com
Instagram	@Averyodesign
Facebook	@AveryODesign
Twitter	---
Zip Code	78704

Artist Biography

Avery Orendorf is an Austin-based muralist, illustrator and dabbler in the Fine Arts. She lives with her husband and two sons south of the river where she spends her days designing, painting, playing and doing more laundry than she'd like to talk about. She hates cooking dinner and believes that a 100% taco diet is completely acceptable.

Avery's hand-painted and hand-drawn graphics utilize clean line work, strong color combos and repeating patterns to create intricate but simple art pieces with a deep story potential. Her work is made for creative spaces, both on walls and on pages..

Avery started painting after an early career as a non profit professional and a quick break as a stay-at-home mom. Finger painting was fun and all, but Avery quickly realized that she needed a greater artistic challenge, so she opened the door to a new venture. A full creative life gives her all the necessary energy for epic Nerf battles at home.

Avery jumped feet first into the art world on a whim. She is self-taught through plenty of practice and hustle. She has managed in a few short years to develop a style of art that is fabulous, distinct and recognizable.

Avery's work has been shown at Women and Their Work Gallery, Art for the People Gallery, Art.Work Austin, SprATX gallery and the Zach Scott Theatre as well as during the annual West Austin Studio Tour and East Austin Studio Tour.

On the interwebs, Avery has been featured in The Austin Chronicle, Voyage Austin, ShoutoutHTX, Voyage Houston, WDAM Hattiesburg, Visit Austin, an Apartment Therapy House Call, and again for mural work and a furniture project . Avery has also been featured in Almost Real Things, SprATX and LiveMom.

Artist Profile

Avery O Design



ARTWORK EXAMPLES



Artist Profile

Helena Martin



Name	Helena Martin
Website	helenamartinart.com
Instagram	@helena_paints
Facebook	/Helenamartinart
Twitter	---
Zip Code	78751

Artist Biography

Based in Austin TX, Helena Martin's colorful murals can be seen throughout the US and abroad. Portraiture, flora, fauna and a rich use of color are some of the signatures of her aesthetic. Martin creates works for corporate and non-profit clients nationwide as well as teaching urban art workshops for children and adults alike.

Artist Profile
Helena Martin



MINI MURAL PAINTED FOR ATD



Artist Profile
Helena Martin



ARTWORK EXAMPLES



COUNCIL MEETING DATE: JUNE 21ST, 2022



CITY COUNCIL AGENDA ITEM #9

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

Council Sponsor: Mayor Bruner, mbruner@sunsetvalley.org

SUBJECT: PUBLIC WORKS DEPARTMENT RECEPTION AREA

DESCRIPTION: Consider and act on denying all bids for Public Works Reception Area Enclosure Project.

BACKGROUND: The safety of staff has become an item of critical importance. A CIP project budget was developed in the FY 21-22 budget. Project scope and construction was released as a bid document. The City received bids for the Public Works Reception Area on June 13th, 2022. The City received only one bid and due the bid came in much higher than anticipated. The bidder was requested to provide pricing for ballistic glass for the area. Due to this, the entire counterspace would have to be rebuilt to accommodate the weight of the glass. This increased the cost of the project to over three times what was estimated for the project. The Public Works Department is recommending that all bids be denied at this time. If Council agrees, the project can be released for bids again using traditional glass which should not require such extensive reconstruction.

FUNDING: CURRENT YEAR FISCAL BUDGET						
FUND	DEPT.	ACCT.	BUDGET	FY 22 EXPENDITURES	THIS ITEM	REMAINING
Capital Improvement- 30	02- Public Safety	5764- Public Safety Improvements	115,000	68,353	TBD	46,647

STAFF RECOMMENDATION: Deny Bids and allow the project to be rebid without the use of ballistic glass.

SUPPORTING MATERIALS PROVIDED: BID DOCUMENT

Appendix A – Scope of Services

1. Project Title: Public Works Reception Area
2. Scope of Services Contact: Questions about the technical nature of the Scope of Services, etc. may be directed to Dakota Burns Public Works Superintendent through email at dburns@sunsetvalley.org.
3. Bid Evaluation Factors:

Bid Price	Factor
Lump Sum	Bidder with overall most competitive rates.

4. Key Events Schedule:
 - A. Response Release Date May 16th, 2022
 - B. Mandatory Pre-Submittal Meeting June 1st, 2022 at 2:00 pm at 3203 Jones Road, Sunset Valley, TX 78745.
 - C. Deadline for Submittal of Written Questions is June 6th, 2022 at 5:00 p.m.
 - D. Sealed Responses Due and opened on June 13th, 2022 at 2:00 p.m.
 - E. Anticipated Award Date June 21st, 2022

5. Scope of Services:

Project Overview:

Contractor will be responsible for the design and installation of the following:

- Enclosing reception area with glass to include a passthrough window.
- Build a wall at reception area to close off public access from the lobby.
- Extend reception counter.
- Add built-in bookshelf to lobby side of reception wall

Public Works Reception Area

APPENDIX A-BID SHEET

Public Works Reception Area				
Item No.	Quantity	Unit	Item Description	Amount
Public Works Reception Area				
1	1	LS	Design Services	\$ 5,000.00
2	1	LS	Glass Window Installation	\$ 90,600.00
3	1	LS	Wall to close off public access.	\$ 6,900.00
4	1	LS	Lobby Bookshelf	\$ 7,400.00
5	1	LS	Extend reception counter	\$ 43,400.00


Authorized Signature of Bidder

6-13-22

Date

APPENDIX B-BID VERIFICATION

Bid Verification Submittal Checklist

(To determine validity of Bid - all bids received without the following items will be considered non-responsive and will be rejected. Forms from previous solicitations for goods or services will not be used in place of the required forms for this RFB-05042022A.

- Appendix A must be completed, signed, and included in the Bid submittal.
- Appendix B must be completed, signed, and included in the Bid submittal.
- Appendix C – Conflict of Interest Form (CIQ Form) must be completed, signed, and included in the Bid submittal.
- Form 1295 filed online
- Appendix E– HB 89 Verification Form must be completed, signed, and included in the Bid submittal.
- Appendix F- Non-discrimination Form must be completed, signed and included in the Bid Submittal.
- Appendix G-Acknowledgement of contact with key contracting persons must be completed, signed, and included in the Bid submittal.
- Appendix H-Drug Free Workplace Certification must be completed, signed, and included in the Bid submittal.
- Certificate of Insurance showing Proof of Contractor's Ability to Meet the Insurance Requirements.
- Signed Addendum(s) (If any are issued by Owner).
- Contact information for 3 references.

All bids must be submitted to the City of Sunset Valley with this page included

RFB NO:	05042022A
Project Title	Public Works Reception Area
Submittal Deadline	May 31 st 2022 at 2:00 p.m.
Submit Hardcopies to:	Dakota Burns City of Sunset Valley 3203 Jones Road Sunset Valley, Texas 78745

Bidder's Information

Bidder's Legal Name:	The Rock Services, LLC
Address:	P.O. Box 152528
City, State & Zip	Austin, TX 78715
Federal Employers Identification Number #	81-1216228
Bidder's Point of Contact:	Christopher Hernandez
Phone Number:	(512)-796-6388
E-Mail Address:	chris@therockservicesaustin.com

Bidder Authorization

I, the undersigned, have the authority to execute this Bid in its entirety as submitted and enter a contract on behalf of the Bidder.

Printed Name of Representative Name:	Christopher Hernandez
Position:	Estimator / PM
Signature:	Christopher Hernandez
Date:	6-13-22

1. CONTRACT AWARD INFORMATION:

- A. Term of Contract** Any contract resulting from this RFB shall be effective from the date that the Notice to Proceed is received by the contractor and shall remain in effect for THREE (3) years.
- B. Federal, State and/or Local Identification Information**
 - i. Centralized Master Bidders List registration number: _____
 - ii. Prime contractor HUB / MWBE registration number: _____
 - iii. Employer Identification Number (EIN)/Federal Tax Identification Number: 81-1216228
 - iv. An individual Bidder acting as a sole proprietor must also enter the Bidder's Social Security Number: _____

2. CONTRACT TERMS AND CONDITIONS. EXCEPT WHERE BIDDER MAKES SPECIFIC EXCEPTION IN THE SUBMITTED BID, ANY CONTRACT RESULTING FROM THIS RFB WILL CONTAIN THE FOLLOWING TERMS AND CONDITIONS, WHICH BIDDER HEREBY ACKNOWLEDGES, AND TO WHICH BIDDER AGREES BY SUBMITTING A BID:

A. Standard Terms and Conditions

- i. **Taxpayer Identification:** Bidders must provide the City with a current W-9 before any goods or services can be procured from the Bidder.

B. Governing Law and Venue: All Bids submitted in response to this solicitation and any resulting contract shall be governed by, and construed in accordance with the laws and court decisions of the State of Texas. Any legal or equitable actions arising from this request for Bids, or any resulting contract shall be brought before an appropriate court located in Travis County.

C. Resolution of Program Non-compliance and Disallowed Costs: In the event of any dispute, claim, question, or disagreement arising from or relating to this agreement, or the breach thereof, including determination of responsibility for any costs disallowed because of non-compliance with federal, state or TxCDBG program requirements, the parties hereto shall use their best efforts to settle the dispute, claim, question or disagreement. To this effect, the parties shall consult and negotiate with each other in good faith within 30 days of receipt of a written notice of the dispute or invitation to negotiate and attempt to reach a just and equitable solution satisfactory to both parties. If the matter is not resolved by negotiation within 30 days of receipt of written notice or invitation to negotiate, the parties agree first to try in good faith to settle the matter by mediation administered by the American Arbitration Association under its Commercial Mediation Procedures before resorting to arbitration, litigation, or some other dispute resolution procedure. The parties may enter into a written amendment to this Agreement and choose a mediator that is not affiliated with the American Arbitration Association. The parties shall bear the costs of such mediation equally. [This section may also provide for the qualifications of the mediator(s), the locale of meetings, time limits or any other item of concern to the parties. If the matter is not resolved through such mediation within 60 days of the initiation of that procedure, either party may proceed to file suit.

D. Termination for Cause: The occurrence of any one or more of the following events will justify termination of the contract by the City for cause:

1. The successful Bidder fails to perform in accordance with the provisions of these specifications; or
2. The successful Bidder violates any of the provisions of these specifications; or
3. The successful Bidder disregards laws or regulations of any public body having jurisdiction; or
4. The successful Bidder transfers, assigns, or conveys any or all of its obligations or duties under the contract to another without written consent of the City.
5. If one or more of the events identified in Subparagraphs 1 (1) through (4) occurs, the City may, terminate the contract by giving the successful Bidder seven (7) Calendar days written notice. In such case, the successful Bidder shall only be entitled to receive payment for

goods and services provided before the effective date of termination. The successful Bidder shall not receive any payment on account of loss of anticipated profits or revenue or other economic loss resulting from such termination.

6. When the contract has been so terminated by the City, such termination shall not affect any rights or remedies of the City then existing or which may thereafter accrue.
7. A "Termination for Cause" clause will be added to selected Bidder's contract with Sunset Valley.

E. Termination for Convenience: This contract may be cancelled or terminated at any time by giving vendor thirty (30) days written notice. Vendor may be entitled to payment for services actually performed; to the extent said services are satisfactory. A "Termination for Convenience" clause will be added to selected Bidder's contract with City of Sunset Valley.

F. Force Majeure: To the extent that either party to this Contract shall be wholly or partially prevented from the performance within the term specified of any obligation or duty placed on such party by reason of or through strikes, stoppage of labor, riot, fire, flood, acts of war, insurrection, accident, order of any court, act of God, or specific cause reasonably beyond the party's control and not attributable to its neglect or nonfeasance, in such event, the time for the performance of such obligation or duty shall be suspended until such disability to perform is removed. Determination of force majeure shall rest solely with City of Sunset Valley.

G. Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708): Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

H. Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387): Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251- 1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

- I. Affirmative Action/EOE:** Sunset Valley is an Affirmative Action/Equal Opportunity Employer and strives to attain goals for of the Housing and Urban Development Act of 1968 (12U.S.C. 1701u) as amended. During the performance of an awarded contract, the contractor agrees as follows:
- i. The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places. Available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.
 - ii. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin.
 - iii. The Contractor will not discourage or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This Provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the contractor's legal duty to furnish information.
 - iv. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
 - v. The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
 - vi. The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.
 - vii. In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this

contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

- viii. The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (i) through (vii) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance; Provided, however, That in the event a contractor becomes involved in, or is threatened with litigation with a subcontractor or vendor as a result of such direction by the administering agency the contractor may request the United States to enter into such litigation to protect the interests of the United States.
- ix. The applicant further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, That if the applicant so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.
- x. The applicant agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.
- xi. The applicant further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive order. In addition, the applicant agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the applicant under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received

from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings.

- xii. **Subcontracts.** Each nonexempt prime contractor or subcontractor shall include the equal opportunity clause in each of its nonexempt subcontracts.

J. Payment Terms: Unless otherwise specified in the Scope of Services or otherwise agreed to in writing by City of Sunset Valley, payment terms for the City are Net 30 days upon receipt of invoice after receipt of goods or services. A 5% retainage will held from each invoice until the completion of the project. Pay applications must be submitted to the Public Works Director for approval and processing for payment. Sunset Valley will pay based on percentage of completion at the time of pay application submission pending verification from the Public Works Director. Final approval will be based on inspection of the project for verification of compliance with all aspects of the scope of work listed within Appendix A of this RFB. The work performed in accordance with this contract shall be paid for using lump sum and unit pricing. This price is full compensation for all task listed in the bid submitted by the vendor and must include all necessary fees, charges and bonds needed to complete this work. Sunset Valley will NOT pay any fees to the vendor other than the agreed upon bid price.

K. Liquidated Damages: Should the CONTRACTOR fail to complete the requirements set forth in the scope of work, Sunset Valley will suffer damage. The amount of damage suffered by Sunset Valley is difficult, if not impossible, to determine at this time. Therefore, the CONTRACTOR shall pay Sunset Valley as liquidated damages, the following:

- i. The CONTRACTOR shall pay Sunset Valley liquidated damages of \$100 per day for each day past the specified start date (starting on the eleventh calendar day from the date the Contractor receives a purchase order) agreed to by the City of Sunset Valley and the Contractor.
- ii. The CONTRACTOR shall pay the City of Sunset Valley liquidated damages of \$1500 per incident where the CONTRACTOR fails to repair damages that are caused by the CONTRACTOR and/or subcontractor(s). Application of liquidated damaged does not release the CONTRACTOR from the responsibility of resolving or repairing • The amounts specified above are mutually agreed upon as reasonable and the proper amount of liquidated damages the City of Sunset Valley would suffer in the aforementioned examples.

L. Warranty of Products and Services: All products furnished under this contract shall be warranted to be merchantable and good quality and fit for the purposes intended as described in this bid, to the satisfaction of City and in accordance with the manufacturers specifications, terms, and conditions of the scope of work (Appendix A), and all services performed shall be warranted to be of a good and workmanlike quality, in addition to, and not in lieu of, any other express written warranties provided.

M. Funding: State of Texas statutes prohibit the obligation and expenditure of public funds beyond the fiscal year for which a budget has been approved. Orders or other

obligations that may arise beyond the end of the current fiscal year shall be subject to approval of budget funds.

- N. Taxes:** The City is exempt from all federal excise taxes and all state and local sales and use taxes. If such taxes are listed on a Bidder's invoice, they will not be paid.
- O. Insurance:** The Bidder, consistent with its status as an independent contractor, shall carry, and shall require any of its subcontractors to carry, at least the following insurance in such form, with such companies, and in such amounts (unless otherwise specified) as City may require:
- i. Worker's Compensation and Employer's Liability insurance, including All States Endorsement, to the extent required by federal law and complying with the laws of the State of Texas;
 - ii. Commercial General Liability insurance, including Blanket Contractual Liability, Broad Form Property Damage, Personal Injury, Completed Operations/Products Liability, Premises Liability, Medical Payments, Interest of Employees as additional insureds, and Broad Form General Liability Endorsements, for at least One Million Dollars (\$1,000,000) Combined Single Limit Bodily Injury and Property Damage on an occurrence basis;
 - iii. Comprehensive Automobile Liability insurance covering all owned, non-owned or hired automobiles to be used by the Contractor, with coverage for at least One Million Dollars (\$1,000,000) Combined Single Limit Bodily Injury and Property Damage.

Contractor shall submit proof to City of Sunset Valley that said contractor has the ability to meet all insurance requirements listed above.

- 3. Indemnification:** Bidder agrees to defend, indemnify and hold harmless the City of Sunset Valley, all of its officers, agents, employees, appointees and volunteers from and against all claims, actions, suits, demands, proceedings, costs, damages and liabilities, including reasonable attorneys' fees, court costs, related expenses for personal injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by Bidder's breach of any of the terms or provisions of any contract awarded as a result of this solicitation, or by any negligent or strictly liable act or omission of the Bidder, its officers, agents, employees, or subcontractors, in the performance of an awarded contract; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the City, its officers, agents or employees, and in the event of joint and concurrent negligence or fault of the Bidder and City, responsibility and indemnity, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without waiving any governmental immunity available to the City under Texas law and without waiving any defenses of the parties under Texas law. The provisions of this paragraph are solely for the benefit of the parties hereto and are not intended to create or grant any rights, contractual or otherwise, to any other person or entity.

IN SUBMITTING A RESPONSE TO THIS RFB, THE RESPONDENT AGREES THAT IT WAIVES ANY CLAIMS IT HAS OR MAY HAVE AGAINST THE CITY, THE CITY'S EMPLOYEES, OFFICERS, AGENTS, REPRESENTATIVES, AND THE MEMBERS OF THE CITY'S GOVERNING BODY IN CONNECTION WITH OR ARISING OUT OF THIS

RFB, INCLUDING, THE ADMINISTRATION OF THE RFB, THE BASIS FOR SELECTION, THE EVALUATIONS OF THE RESPONSES, THE METHOD USED FOR SELECTION, AND ANY DISCLOSURE OF INFORMATION REGARDING THE RESPONSES OR EVALUATIONS. THE SUBMISSION OF A BID CONSTITUTES THE ACCEPTANCE BY THE RESPONDENT OF THE EVALUATION TECHNIQUE DESCRIBED IN THIS RFB. THE PERSON SIGNING ON BEHALF OF BIDDER CERTIFIES THAT THE SIGNER HAS AUTHORITY TO SUBMIT THE BID ON BEHALF OF THE BIDDER AND TO BIND THE BIDDER TO ANY RESULTING CONTRACT I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND ALL REQUIREMENTS SETFORTH IN THIS REQUEST FOR BIDS:

Christopher Hernandez
Authorized Signatory for Contractor

Christopher Hernandez
Printed Name

6-13-22
Date

The Rock Services, LLC
Company Name

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

The Rock Services, LLC
Austin, TX United States

Certificate Number:
2022-898498

Date Filed:
06/13/2022

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Sunset Valley

Date Acknowledged:

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

05042022A

Enclosing reception area with glass, adding a wall and bookshelf, extending a countertop. All at public works bldg

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 UNSWORN DECLARATION

My name is Christopher Hernandez, and my date of birth is 12-17-1989

My address is 1909 Goldilocks Lane, Manchaca, Tx, 78652, USA
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Travis County, State of Texas, on the 13 day of June, 2022
(month) (year)

Christopher Hernandez
Signature of authorized agent of contracting business entity (Declarant)

- A sponsored research contract of an institution of higher education;
- An interagency contract of a state agency or an institution of higher education;
- A contract related to health and human services if: the value of the contract cannot be determined at the time the contract is executed; and any qualified vendor is eligible for the contract;
- A contract with a publicly traded business entity, including a wholly owned subsidiary of the business entity;*
- A contract with an electric utility, as that term is defined by Section 31.002, Utilities Code;* or
- A contract with a gas utility, as that term is defined by Section 121.001, Utilities Code.* The newly exempt contract types are marked with an asterisk.

Why do I need to include my date of birth and address when I sign Form 1295? Was this always the case? In 2017, the legislature amended the law to require Form 1295 to include an "unsworn declaration" which includes, among other things, the date of birth and address of the authorized representative signing the form. The change in the law applies to contracts entered into, renewed, or amended on or after January 1, 2018. The unsworn declaration, including the date of birth and address of the signatory, replaces the notary requirement that applied to contracts entered into before January 1, 2018.

Will my date of birth and address appear on the TEC's website when I file the form? No. The TEC filing application does not capture the date of birth or street address of the signatory and it will not appear on forms that are filed using the TEC filing application. Although the TEC does not capture the date of birth and street address of the signatory, the contracting state agency or governmental agency will have a physical copy of the form that includes the date of birth and address of the signatory. The TEC cannot answer whether the contracting state agency or governmental agency may release such information. Questions regarding the Texas Public Information Act may be directed to the Office of the Attorney General. See also *Paxton v. City of Dallas*, No. 03-13-00546-CV, 2015 Tex. App. LEXIS 5228, at *10-11 (App.—Austin May 22, 2015)

APPENDIX E

House Bill 89 VERIFICATION

I, Christopher Hernandez, the undersigned representative of The Rock Services, LLC (hereafter referred to as company) being an adult over the age of eighteen (18) years of age, after being duly sworn by the undersigned notary, do hereby depose and verify under oath that the company named above, under the provisions of Subtitle F, Title 10, Government Code Chapter 2270.001, Texas Government Code:

- 1. Does not boycott Israel currently; and
- 2. Will not boycott Israel during the term of the contract the above-named Company, business or individual with City of Sunset Valley.

Pursuant to Section 2270.001, Texas Government Code:

- 1. "Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes; and
- 2. "Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or any limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit.

Christopher Hernandez
Authorized Signatory for Contractor

Christopher Hernandez
Printed Name

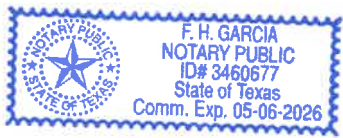
6-13-22
Date

The Rock Services, LLC
Company Name

ON THIS THE 13 day of June, 2022, personally appeared Christopher Hernandez, the above-named person, who after by me being duly sworn, did swear and confirm that the above is true and correct.

NOTARY SEAL

[Signature] NOTARY SIGNATURE



APPENDIX F
Public Works Reception Area

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.

The Rock Services, LLC

Contractor

Christopher Huff

Signature

Estimator / PM

Title

6-13-22

Date

APPENDIX G

Public Works Reception Area

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:

Dakota Burns

If no one is listed above, Bidder on oath swears that the following statements are true:

1. Bidder is authorized by Bidder to make this affidavit for Bidder.
2. Bidder is fully aware of the facts stated in this affidavit.
3. Bidder has received the list of key contracting persons associated with this invitation for bids, which is attached to this affidavit as Exhibit G-1.
4. Bidder has personally read Appendix G and G-1 to this RFB.
5. Bidder 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.

Christopher Hunk
Authorized Signatory for Contractor

Christopher Hernandez
Printed Name

6-13-22
Date

The Rock Services, LLC
Company Name

EXHIBIT G-1

Public Works Reception Area

LIST OF KEY CONTRACTING PERSONS

Position Held	Name of Individual
Mayor	Marc Bruner
Councilmember	Justin Litchfield
Councilmember	Rudi Rosengarten
Councilmember	Alfonso Carmona
Councilmember	Wanda Reetz
Councilmember	Robert Johnson
City Administrator	Sylvia Carrillo
Public Works Director	Carolyn Meredith
Public Works Superintendent	Dakota Burns
Accountant	Suzanna Fleegal

APPENDIX H

Public Works Reception Area

DRUG-FREE WORKPLACE CERTIFICATION

It is the policy of the City of Sunset Valley to maintain a drug-free workplace. 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.


Authorized Signatory for Contractor

Christopher Hernandez
Printed Name

6-13-22
Date

The Rock Services, LLC
Company Name

APPENDIX I

Public Works Reception Area

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 Contract, 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

APPENDIX J

Public Works Reception Area

Provide a list of three (3) references of clients documenting their experience working with your company.

- Each reference should include the individual's name, title, description, tenure of service for the client and contact information (telephone number and email address).
- *Individuals identified as references will be assured of anonymity to the fullest degree possible under the Freedom of Information Law.*

1) Gilbert Ceballos - Swinerton Builders - Estimator
- Commercial tape/float & Paint jobs for 2 years
(714) 612-7344
gilberto.cebaldos@swinerton.com

2) Brian Copeland - Austin Realty - Realtor/Investor
- Commercial framing, grid ceilings, Demo, drywall
& paint for 1 year
(512)-576-0288
briancoplend12@gmail.com

3) Floyd Rouse - Avanath Capital - Regional Manager
- Build Back Work after Water Damage, Painting,
cabinets, Countertops, Remodeling for 4 years
(949)-274-1796
frouse@avanath.com

Request for Taxpayer Identification Number and Certification

**Give Form to the
requester. Do not
send to the IRS.**

Print or type
See Specific Instructions on page 2.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. THE ROCK SERVICES, LLC	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification; check only one of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ C <small>Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.</small> <input type="checkbox"/> Other (see instructions) ▶	4 Exemptions (codes apply only to certain entities, not individuals; see Instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
5 Address (number, street, and apt. or suite no.) PO. BOX 152528	Requester's name and address (optional)
6 City, state, and ZIP code AUSTIN, TX 78715	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number									
or									
Employer identification number									
8	1	-	1	2	1	6	2	2	8

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here	Signature of U.S. person ▶ <i>Gilmar Hernandez</i>	Date ▶ <i>3/10/17</i>
------------------	--	-----------------------

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.
Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

DECLARATIONS
RENEWAL

COMMERCIAL UMBRELLA LIABILITY
INSURANCE POLICY
NATIONWIDE MUTUAL FIRE INS CO
ONE NATIONWIDE PLAZA
COLUMBUS OH 432152220

Policy Number: **ACP CAF 3048605770**

ITEM 1
Named Insured: **THE ROCK SERVICES**

ITEM 2
Address: **9420 LIGHTWOOD LOOP
AUSTIN TX 787485018**

Agent: **Christopher Lawrence Batten**
Address: **HUNTSVILLE TX 77340 36 42 80284 0056**
PRODUCER: **CHRISTOPHER BATTEN**

ITEM 3
Policy Period : From 12:01 A.M., **02/28/22** to 12:01 A.M., **02/28/23**

ITEM 4
Schedule of Underlying Insurance: See Endorsement No. UMB 00 01

ITEM 5
Retained Limit Aggregate: **NONE**

ITEM 6
Limits of Insurance: a) **\$2,000,000** Each Occurrence
b) **\$2,000,000** Products - Completed Operations Aggregate
c) **\$2,000,000** Other Aggregate

ITEM 7
Coverage A - Excess Follow Form Liability Insurance
 B - Umbrella Liability Insurance

ITEM 8
Premium : Amount
\$1,500.00

ITEM 9										
Endorsements:	UMB0052	0115	UMB7010	0514	UMB4204	1113	IN7158	0520	IN7163	0102
	UMB0001	0309	UMB0002	0413	UMB4208	0310	UMB4207	0710	IN7532	0710
	UMB0016	0310	UMB0039	0712	UMB4202	0310	UMB0064	0120	IN7913	0520
	UMB7012	0514								

Renewal or Replacement No. **ACP CAF 3038605770**

Countersigned By _____
Authorized Representative

NATIONWIDE MUTUAL FIRE INSURANCE COMPANY MUTUAL COMPANY CONDITIONS ENDORSEMENT

POLICYHOLDER MEMBERSHIP IN THE COMPANY

(Applicable Only to Policies Issued by Nationwide Mutual Fire Insurance Company in States Other than the State of Texas)

Because this policy is issued by Nationwide Mutual Fire Insurance Company (the "Company"), the first named insured listed on the declarations page ("named insured") is a member of the Company issuing the policy while this or any other policy issued by the Company is in force. While a member, the named insured is entitled to one vote only – regardless of the number of policies issued to the named insured – either in person or by proxy at meetings of members of the Company.

The annual meeting of members of the Company will be held each year at the Home Office of the Company in Columbus, Ohio, at 9:30 a.m. on the first Thursday of April. If the Board of Directors of Nationwide Mutual Fire Insurance Company should elect to change the time or place of that meeting, the Company will mail notice of the change to the member's last known address. The Company will mail this notice at least 10 days in advance of the meeting date.

This policy is non-assessable, meaning that the named insured is not subject to any assessment beyond the premiums required for each policy term.

POLICYHOLDER DIVIDEND PROVISIONS

The named insured is entitled to any Dividends which are declared by the Board of Directors of the Company in accordance with law and which are applicable to coverages provided in this policy.

POLICYHOLDER MEMBERSHIP IN THE COMPANY IN TEXAS

(Applicable Only to Policies Issued by Nationwide Mutual Fire Insurance Company in the State of Texas)

1. MUTUALS – MEMBERSHIP AND VOTING NOTICE. The named insured is notified that, by virtue of this policy, the named insured is a member of the Nationwide Mutual Fire Insurance Company of Columbus, Ohio, (the "Company") and is entitled, as is lawfully provided in the charter, constitution, and by-laws to vote either in person or by proxy in any or all meetings of said Company. Each member is entitled to only one vote regardless of the number of policies owned. The annual meetings of the members of the Company are held in the Home Office, at Columbus, Ohio, on the first Thursday of April, in each year, at 9:30 o'clock a.m.

2. MUTUALS – PARTICIPATION CLAUSE WITHOUT CONTINGENT LIABILITY. No Contingent Liability: This policy is non-assessable. The named insured is a member of the Company and shall participate, to the extent and upon the conditions fixed and determined by the Board of Directors in accordance with the provisions of law, in the distribution of dividends so fixed and determined.

POLICYHOLDER DIVIDEND PROVISIONS

The named insured shall be entitled to participate in a distribution of the surplus of the Company, as determined by its Board of Directors from time to time, after approval in accordance with the provision of the Texas Insurance Code, of 1951, as amended.

IN WITNESS WHEREOF: Nationwide Mutual Fire Insurance Company has caused this policy to be signed by its President and Secretary, and countersigned by a duly authorized representative of the Company.

Secretary

President
Nationwide Mutual Fire Insurance Company

NATIONWIDE MUTUAL FIRE INS CO

COMMERCIAL UMBRELLA LIABILITY
FORMS AND ENDORSEMENTS SUMMARY

Number: **ACP CAF 3048605770**

Period:
From **02/28/22** To **02/28/23**

FORM/ENDORSEMENT	DATE	TITLE
IN7158	0520	TEXAS CONSUMER PROTECTION NOTICE
IN7163	0102	TEXAS DISCLOSURE FORM
IN7532	0710	NOTICE TO POLICY HOLDERS TEXAS POLICY EXCLUSIONS DISCLOSURES
IN7913	0520	TEXAS LOSS CONTROL SERVICES
UMB0001	0309	SCHEDULE OF UNDERLYING INSURANCE
UMB0002	0413	COMMERCIAL UMBRELLA LIABILITY POLICY
UMB0016	0310	EXCL-DESIGNATED OPERATIONS COV BY A CONSOLIDATED (WRAP-UP) I
UMB0039	0712	EXCLUSION - SUBSIDENCE OF LAND - COVERAGE B
UMB0052	0115	CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM
UMB0064	0120	CONDITIONAL EXCLUSION OF TERRORISM (RELATING TO DISPOSITION
UMB4202	0310	TEXAS ABUSE OR MOLESTATION EXCLUSION - COVERAGE A AND COVERA
UMB4204	1113	TEXAS CHANGES
UMB4207	0710	TX ASBESTOS, ELECTRONIC EMISSIONS OR LEAD EXCLUSION-COVERAGE
UMB4208	0310	TEXAS CHANGES - OTHER UMBRELLA LIABILITY POLICIES
UMB7010	0514	EXCLUSION-ACCESS OR DISCLOSURE OF CONFIDENTIAL OR PERSONAL I
UMB7012	0514	DEFINITION OF OCCURRENCE AMENDATORY ENDORSEMENT FOR CONTRACT

Policy Number: **ACP CAF 3048605770**
 Policy Period: **02/28/22** to **02/28/23**

ITEM 4.

Schedule Of Underlying Insurance (as identified by the entry of a company name, policy number, policy period and limits):

X Commercial General Liability or Businessowners Liability	Limits (\$)	
NATIONWIDE P & C	2000000	General Aggregate
Policy Number: ACP GLKO 3048605770	2000000	Products-Completed Operations Aggregate
Policy Period: 02/28/22 to 02/28/23	1000000	Personal and Advertising Injury
	1000000	Each Occurrence

Commercial Auto Liability	Limits (\$)	
COLONIAL COUNTY MUTUAL INS CO	1000000	Each Accident
Policy Number: ACP BATX 3048605770		
Policy Period: 02/28/22 to 02/28/23		

Employer's Liability or Stop Gap Liability	Limits (\$)	
Policy Number:		Bodily Injury by Accident - Each Accident
Policy Period: to		Bodily Injury by Disease – Each Employee
		Bodily Injury by Disease – Policy Limit

Policy Number:	Limits (\$)	
Policy Period: to		

Policy Number:	Limits (\$)	
Policy Period: to		

Policy Number:	Limits (\$)	
Policy Period: to		

Policy Number:	Limits (\$)	
Policy Period: to		

IMPORTANT NOTICE: RESTRICTIONS, LIMITATIONS AND EXCLUSIONS TO THE ABOVE SCHEDULED UNDERLYING INSURANCE (OR ANY REPLACEMENTS THEREOF) WILL ACT AS RESTRICTIONS, LIMITATIONS AND EXCLUSIONS TO COVERAGE A OF THIS POLICY.

NATIONWIDE PROPERTY & CASUALTY INS CO
ONE NATIONWIDE PLAZA
COLUMBUS, OH 43215-2220

80284
RENEWAL

COMMERCIAL GENERAL LIABILITY DECLARATIONS

Policy Number: **ACP GLKO 3048605770**

Named Insured: **THE ROCK SERVICES**

Address: **9420 LIGHTWOOD LOOP
AUSTIN TX 78748-5018**

Agent: **Christopher Lawrence Batt 42-80284-056**
Address: **HUNTSVILLE TX 77340 PRODUCER: CHRISTOPHER BATTEN**

Policy Period: From **02/28/22** to **02/28/23** 12:01 A.M. standard time at the address of the named insured as stated herein.

In return for the payment of the premium, and subject to all the terms of this policy, we agree with you to provide the insurance as stated in this policy.

LIMITS OF INSURANCE

GENERAL AGGREGATE LIMIT (other than products-completed operations)	\$	2,000,000
PRODUCTS-COMPLETED OPERATIONS AGGREGATE LIMIT	\$	2,000,000
PERSONAL AND ADVERTISING INJURY LIMIT	\$	1,000,000
EACH OCCURRENCE LIMIT	\$	1,000,000
DAMAGE TO PREMISES RENTED TO YOU LIMIT (any one premises)	\$	100,000
MEDICAL EXPENSE LIMIT (any one person)	\$	5,000

Retroactive Date (CG0002 only)

The Named Insured is: **LIMITED LIABILITY CO**
Business of the Named Insured is: **JANITORIAL SERVICES**
Audit Period: **ANNUAL**

ENDORSEMENTS ATTACHED TO THIS POLICY

SEE COMMERCIAL GENERAL LIABILITY FORMS AND ENDORSEMENTS SCHEDULE

TOTAL ADVANCE PREMIUM \$ 1,541.00

Replacement or
Renewal Number **ACP GLKO3038605770**
A PACKAGE MODIFICATION FACTOR HAS BEEN APPLIED

Countersigned By _____
Authorized Representative

GL-D (10-98)

DIRECT BILL LM36 22001

INSURED COPY

ACP GLKO 3048605770

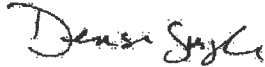
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0001727

NATIONWIDE PROPERTY AND CASUALTY INSURANCE COMPANY

IN WITNESS WHEREOF, Nationwide Property And Casualty Insurance Company has caused this policy to be signed by its President and Secretary, and countersigned by a duly authorized representative of the Company.



SECRETARY



PRESIDENT

**NATIONWIDE PROPERTY & CASUALTY INS CO
 ONE NATIONWIDE PLAZA
 COLUMBUS, OH 43215-2220**

COMMERCIAL GENERAL LIABILITY SCHEDULE

Policy Number: **ACP GLKO 3048605770**

Item No., Location and Description of Hazards	Code No.	Premium Basis	Rates		Advance Premium	
			OTHER	PR/CO	OTHER	PR/CO
001A TX-005 HANDYMAN	95625	PAYROLL 31,900	PER THOUSAND 15.329	10.231	\$489	\$327

**CG7287
 9420 LIGHTWOOD LOOP**

**AUSTIN
 TX787485018**

005B TX-005 CG2010	49950				\$35	
006B TX-005 CG2010	49950				\$35	
007B TX-005 CG2010	49950				\$35	
008B TX-005 CG2010	49950				\$35	
009B TX-005 CG2010	49950				\$35	
010B TX-005 CG2010	49950				\$35	
011B TX-005 CG2010	49950				\$35	
012B TX-005 CG2010	49950				\$35	
013B TX-005 CG2010	49950				\$35	

Total Advance Other and PR/CO

TOTAL ADVANCE PREMIUM

NOTE: For classes based on payroll each Executive Officer, Sole Proprietor or Partner may be subject to a fixed amount.

GL-DS (12-93)

NATIONWIDE PROPERTY & CASUALTY INS CO
 ONE NATIONWIDE PLAZA
 COLUMBUS, OH 43215-2220

COMMERCIAL GENERAL LIABILITY SCHEDULE

Policy Number: **ACP GLKO 3048605770**

Item No., Location and Description of Hazards	Code No.	Premium Basis	Rates		Advance Premium	
			OTHER	PR/CO	OTHER	PR/CO
014B TX-005 CG2010	49950				\$35	
015B TX-005 CG2001	49950				\$75	
001C TX-005 CG7288 - CONTRACTORS ENHANCEMENT ENDORSE MENT	77470	FLAT CHARGE	FLAT		\$300	

Total Advance Other and PR/CO **\$1,214** **\$327**

TOTAL ADVANCE PREMIUM **\$1,541**

NOTE: For classes based on payroll each Executive Officer, Sole Proprietor or Partner may be subject to a fixed amount.

GL-DS (12-93)

NATIONWIDE PROPERTY & CASUALTY INS CO
ONE NATIONWIDE PLAZA
COLUMBUS, OH 43215-2220

COMMERCIAL GENERAL LIABILITY FORMS AND ENDORSEMENTS

Number: **ACP GLKO 3048605770**

Period: From **02/28/22** To **02/28/23**

Named Insured: **THE ROCK SERVICES**

Form	Date	Title
CG0001	0413	COMMERCIAL GENERAL LIABILITY COVERAGE FORM
CG0103	0606	TEXAS CHANGES
CG0300	0196	DEDUCTIBLE LIABILITY INSURANCE
CG2001	0413	PRIMARY AND NONCONTRIBUTORY - OTHER INSURANCE CONDITION
CG2010	0413	ADDL INS-OWNERS, LESSEES OR CONTRACTORS-SCHEDULED PERSON OR ORGANIZATION
CG2010	0413	ADDL INS-OWNERS, LESSEES OR CONTRACTORS-SCHEDULED PERSON OR ORGANIZATION
CG2010	0413	ADDL INS-OWNERS, LESSEES OR CONTRACTORS-SCHEDULED PERSON OR ORGANIZATION
CG2010	0413	ADDL INS-OWNERS, LESSEES OR CONTRACTORS-SCHEDULED PERSON OR ORGANIZATION
CG2010	0413	ADDL INS-OWNERS, LESSEES OR CONTRACTORS-SCHEDULED PERSON OR ORGANIZATION
CG2010	0413	ADDL INS-OWNERS, LESSEES OR CONTRACTORS-SCHEDULED PERSON OR ORGANIZATION
CG2010	0413	ADDL INS-OWNERS, LESSEES OR CONTRACTORS-SCHEDULED PERSON OR ORGANIZATION
CG2010	0413	ADDL INS-OWNERS, LESSEES OR CONTRACTORS-SCHEDULED PERSON OR ORGANIZATION
CG2010	0413	ADDL INS-OWNERS, LESSEES OR CONTRACTORS-SCHEDULED PERSON OR ORGANIZATION
CG2010	0413	ADDL INS-OWNERS, LESSEES OR CONTRACTORS-SCHEDULED PERSON OR ORGANIZATION
CG2010	0413	ADDL INS-OWNERS, LESSEES OR CONTRACTORS-SCHEDULED PERSON OR ORGANIZATION
CG2106	0514	EXCLUSION - ACCESS OR DISCLOSURE OF CONFIDENTIAL OR PERSONAL INFORMATION
CG2167	1204	FUNGI OR BACTERIA EXCLUSION
CG2170	0115	CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM
CG2187	0115	CONDITIONAL EXCLUSION OF TERRORISM (RELATING TO DISPOSITION OF FEDERAL TERRORIS
CG2279	0413	EXCLUSION - CONTRACTORS - PROFESSIONAL LIABILITY
CG2639	1207	TEXAS CHANGES - EMPLOYMENT - RELATED PRACTICES EXCLUSION
CG7120	0710	EXCLUSION - ASBESTOS, ELECTRO-MAGNETIC EMISSIONS AND LEAD - TEXAS
CG7259	0908	EXCLUSION - VIOLATION OF CONSUMER PROTECTION STATUTES
CG7287	1211	DEFINITION OF OCCURRENCE AMENDATORY ENDORSEMENT FOR CONSTRUCTION DEFECTS
CG7288	1216	CONTRACTORS ENHANCEMENT ENDORSEMENT INCLUDING MEDICAL PAYMENTS
CG7420	0616	EXCLUSION - SUBSIDENCE OF LAND
IL0017	1198	COMMON POLICY CONDITIONS
IL0021	0908	NUCLEAR ENERGY LIABILITY EXCLUSION
IL0168	0908	TEXAS CHANGES - DUTIES
IL0275	1113	TEXAS CHANGES - CANCELLATION AND NONRENEWAL PROVISINS FOR CASUALTY LINES

GLDF (02-93)

NATIONWIDE PROPERTY & CASUALTY INS CO
ONE NATIONWIDE PLAZA
COLUMBUS, OH 43215-2220

COMMERCIAL GENERAL LIABILITY FORMS AND ENDORSEMENTS

Number: **ACP GLKO 3048605770**

Period: From **02/28/22** To **02/28/23**

Named Insured: **THE ROCK SERVICES**

Form	Date	Title
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IMPORTANT NOTICES

IN5017	0593	IMPORTANT NOTICE FOR RENEWAL POLICIES
IN7158	0520	TEXAS CONSUMER PROTECTION NOTICE
IN7163	0102	TEXAS DISCLOSURE FORM
IN7544	0910	NOTICE TO POLICY HOLDERS TEXAS POLICY EXCLUSIONS DISCLOSURE
IN7809	1115	DATA BREACH & IDENTITY RECOVERY SERVICES
IN7913	0520	TEXAS LOSS CONTROL SERVICES

GLDF (02-93)

DIRECT BILL LM36 22001

INSURED COPY

ACP GLKO 3048605770

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0001732

CITY COUNCIL MEETING DATE: JUNE 21, 2022



CITY COUNCIL AGENDA ITEM #10

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

SUBJECT: LAND DEVELOPMENT CODE -ZONING - STR REGULATIONS

DESCRIPTION: Consider and act on approval of an Ordinance amending 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 27th meeting, the Commission made final edits to the proposed regulations with a unanimous recommendation to forward to the Council for approval. Council visited these regulations on the May 3 and May 17, 2022 and directed staff to create a modified inspection checklist to be incorporated into the process as well as research the fees assessed by other cities for the registration process.

Attached with this agenda item is a process chart of the potential process for registration and regulation of Short-term rentals, as well as the proposed regulations created in Section 150.118-150.129 of the Land Development Code. On June 7th, Council Member Litchfield proposed changes to both the regulations and the inspection list. Council discussed the proposed changes during the regular meeting and directed staff to schedule a work session on June 21st prior to the regular meeting to finalize their discussion and hopefully reach consensus on the regulations, making any changes during the work session.

In addition to finalizing the STR Registration regulations, Council also needs to determine the fee schedule for the registration. Staff has proposed a \$250 annual registration and inspection fee. Council requested a breakdown of fees from other cities:

City of Austin	STR License	
Application		\$643
Renewal (annual)		\$355

City of Westlake Hills	Special Use Permit	
Initial Permit		\$250
Renewal Permit (annual)		\$250

City of Buda	STR Permit	
New Application		\$150
Annual Renewal		\$150

City of San Antonio	STR Permit	
Permit (3 years)		\$110

There are currently no STR regulations in Bee Cave, Georgetown, Kyle and Round Rock, and a City Ordinance forbids STRs in the City of Rollingwood.

STAFF RECOMMENDATION: Adopt the proposed regulations based on Council deliberation during the June 21st work session

SUPPORTING MATERIALS PROVIDED: YES

- [WORK SESSION INFORMATION](#) (HYPERLINK)
- STR ORDINANCE

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. No vehicle parking area shall cause the site to be in violation of impervious cover requirements without a variance of such having been approved by the City Council.
- 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.
 - (5) The inspection list will be provided to the registrant prior to the inspection being scheduled.
- (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 may be 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 7th day of June 2022.

ATTEST:

CITY OF SUNSET VALLEY, TEXAS

Matt Lingafelter, City Secretary

Marc Bruner, Mayor



COUNCIL MEETING DATE: JUNE 21, 2022

CITY COUNCIL AGENDA ITEM #11

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

COUNCIL SPONSOR: Administration/Council Member Reetz wreetz@sunsetvalley.org

SUBJECT: VARIANCE TO THE LAND DEVELOPMENT CODE

DESCRIPTION: Consider and act on approval of a variance for 5601 Brodie, the Village Shopping Center, from the following sections of the Land Development Code:

- A. Section 150.527(D)(6) - Prohibitions - bulbs with a color temperature above 3,000 Kelvin
- B. Section 150.528(B)(1) – Architectural Landscaping Lighting - Architectural and landscape lighting that is directed downward onto a wall, tree or other landscape feature shall be included in the total lumen limits per site standards
- C. Section 150.529(E)(5) – Additional Requirements - Outdoor up-lighting is prohibited
- D. Section 150.529(A) – Total Lumens - Maximum 100,000 lumens per acre

BACKGROUND: The Village Shopping Center is updating their light fixtures in the shopping center to LED lights for aesthetics, cost savings, and safety. The proposed submittal is not in compliance with existing codes and requires a variance. Staff has worked with the applicant to reduce the variance request, and the applicant has complied on 6 of the 10 items called out in the original submittal. 4 items remain. The applicant has submitted their variance request and letter citing an increase in the number of vagrants in the darker areas of the center causing safety concerns for the tenants. Additionally, the center has been criticized for appearing to be closed in the evenings. The center is the only center with larger trees and therefore causing an obstruction to some lighting in the area.

APPLICABLE SECTIONS OF CODE: City of Sunset Valley Land Development Code, Chapter 150.527, 150.528, 150.529.

FUNDING: N/A

STAFF RECOMMENDATION: Approval

SUPPORTING MATERIALS PROVIDED: YES / NO:

- a. VARIANCE REQUEST LETTER
- b. CITY ENGINEER REVIEW COMMENTS
- c. APPLICANT COMMENTS
- d. PLAN SUBMITTAL
- e. PHOTO EXAMPLES

June 16th, 2022

RE: Sunset Valley Village

Lighting Retrofit Variance Request Identified Hardships

It is the intent of On-Site Lighting and Survey LLC along with our client to request a variance for the portions of our proposed lighting plan that are not in compliance with the Outdoor Lighting section of the City of Sunset Valley LDC Sections 150.525 through 150.535.

1. We believe strict application of the Outdoor Lighting section of the City of Sunset Valley LDC Sections 150.525 through 150.535 will cause undue hardship to the property owner and deprive the owner of reasonable use of their land on the basis of reduced lighting. A reduction in light will reduce the perceived overall safety to the customers after daylight hours as well as promote vagrancy in and around the center which has already been noted as a concern with the current lighting. The shopping center will also appear less lit in comparison to other shopping centers within the City of Sunset Valley as well as outside of the city which would result in a fewer number of customers visiting the center.
2. A variance is essential to improving and preserving the integrity of the shopping center as a safe, well lit, and welcoming place for customers to shop.
3. Granting a variance would not be detrimental to the public health, safety or welfare, or injurious to other property in the area. As mentioned in section 1 above, a variance would actually promote a more safe and secure shopping experience and workplace. There are no neighboring properties that would be impacted by the proposed lighting plan. There is no other business or housing in direct vicinity of the shopping center. Both the setback from Brodie Lane and the foliage of the trees around the property prevent unintended light spill from needlessly impacting the properties and roadways around the center.

Thank you,

Marshall Tromborg

Construction Manager
1111 Highway 25 North Suite 201
Buffalo, MN 55313
Main Line # 763-684-1548
Direct Line # 763-682-7114
Cell # 612-801-6233

February 8, 2022 (revised June 15, 2022)

On-Site Lighting & Survey, LLC
1111 Highway 25 North, Suite 201
Buffalo, MN 55313

RE: Sunset Valley Village

Dear On-Site Lighting & Survey, LLC:

We have reviewed the lighting plan submittal for Sunset Valley Village and have the following comments. Some comments may reference the City of Sunset Valley Land Development Code (LDC) and can be found at the Development Department's webpage at sunsetvalley.org.

LIGHTING PLAN COMMENTS

- ~~1. Please reference the Outdoor Lighting section of the LDC starting at Section 150.525 as it appears several of the light fixtures are not compliant with this section for Non-Residential Lighting Zones.~~
2. Most bulbs appear to exceed 3,000 Kelvin, this is not allowed – Section 150.527(D)(6).

Client is concerned with public safety and not compliant.

- ~~3. Several wall packs and light fixtures appear to not be full cutoff, this is not allowed – Section 150.527(D)(5).~~
- ~~4. The existing photometric schedules do not provide enough information to confirm, but please note that all existing outdoor lighting that is not in compliance with this chapter will not be allowed to have a non-conforming status and must be discontinued or brought into conformance within 90 days after the issuance of a building permit for exterior changes or additions. The outdoor lighting updates will need to meet the requirements of this chapter – Section 150.527(E)(3)(a)4.~~

Partial Compliance for sconce up light correction during construction.

- ~~5. Please confirm the requirements of Section 150.528 (A) for automatic switching requirements is being met.~~
6. Up lighting is not allowed for architectural/landscape lighting, and it appears some fixtures are proposed to provide up lighting and any downlighting on these elements must be included in the total lumen limits – Section 150.528(B)(1), Section 150.529(E)(5).

Not Compliant

7. Please provide additional information to meet Section 150.529(A) by identifying the method to count total site lumens and following the requirements of Section 150.529(B) or (C).

Not Compliant

Field work proposed to meet compliance during construction.

- ~~8. Please provide more information to note compliance with Section 150.529(E)(1-5).~~

9. Please note requirements for Section 150.529(F) Lighting under canopies and overhangs to confirm compliance with this section of the chapter.

Data not provided/unknown.

- ~~10. Section 150.532 Submission of Plans and Evidence of Compliance provides more information on the submittal requirements for this section of the LDC, please provide the additional information required in this section, specifically in Section (A)(2) and (A)(4).~~

If you have any questions about these comments, please feel free to call me at (830) 377-4555.

Sincerely,

Gary Freeland, P.E., CFM
Consultant City Engineer for the City of Sunset Valley

Cc: Carolyn Meredith

June 16th, 2022

RE: Sunset Valley Village

Lighting Retrofit Plan Review Comment Response(s)

1. Per LDC Section 150.527(D)(6), we are not in compliance with the 3000 Kelvin CCT requirement. All lamps within our plan are specified at 4000 Kelvin CCT. We are taking exception to this requirement as this requirement significantly reduces perceived light levels and is not a standard for retail shopping center parking lots. We find this to be a matter of safety and perceived accessibility for clients wishing to visit the shopping center after daylight hours as well as the public perception of the shopping center as compared to competitor shopping centers within the City of Sunset Valley as well as outside the city. On-Site Lighting has been providing lighting and lighting designs for shopping centers and other national retailers throughout the country for over 20 years and has not seen this as a standard requirement anywhere else.
2. There is existing architectural/landscape flood lighting that is not a part of the scope of work that is specifically designed to highlight the heritage tree on the site as a focal point for the shopping center as well as the community. We are taking exception to Section 150.528(B)(1), Section 150.529(E)(5) and request approval to leave the existing luminaires to preserve the aesthetic integrity and continue to highlight the heritage tree. There are only two fixtures not in compliance with this section.
3. Per Section 150.529(A), we are using the hardscape method (Table B) to show lumens per acre. We are exceeding the total allowable lumens per acre of hardscape per Section 150.529. We are taking exception to this section due to light safety levels as a reduction to meet compliance would reduce the light levels by over one half the current proposed plan. Currently, our plan has an average of 3.06 footcandles in the main parking field. If lumen calculations are taken for the property as a whole, the plan is well within the required total lumen count per acre for the site.
4. Regarding Section 150.529(F), lumen calculations per luminaire have not been accounted for in the total lighting plan. We do not have the measurements of distance from the edge of the canopy to the center of the fixture to make those calculations. We also do not have the total square footage of the under canopy area.

It is the intent of On-Site Lighting and Survey LLC along with our client to request a variance for the remaining portions of this proposed plan that are not in compliance with the Outdoor Lighting section of the City of Sunset Valley LDC Sections 150.525 through 150.535.

Thank you,

Marshall Tromborg

Construction Manager
1111 Highway 25 North Suite 201
Buffalo, MN 55313
Main Line # 763-684-1548
Direct Line # 763-682-7114
Cell # 612-801-6233

SITE LIGHTING PROPOSAL

FOR

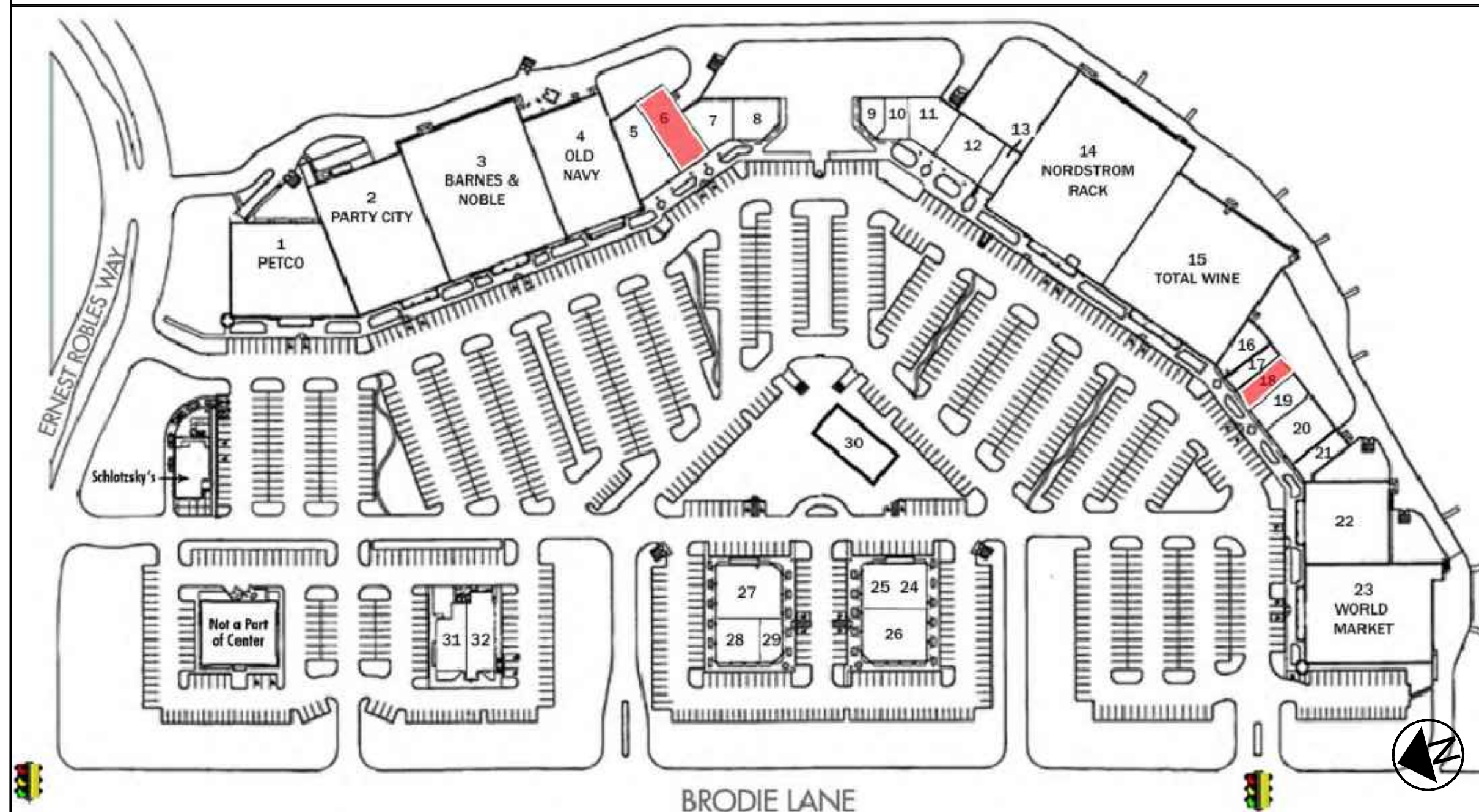
SUNSET VALLEY VILLAGE

LOCATED AT
5601 BRODIE LANE
AUSTIN, TX 78745

APPLICABLE CODES & COMPLIANCE STATEMENT

- ALL DRAWINGS AND SPECS ARE BASED ON:**
- 1 City of Sunset Valley, TX
Code of Ordinances.
Title XV: Land Usage.
Chapter 150: Land Development Code.
Outdoor Lighting.
Chapters 150.525 through 150.535
 - 2 Per 150.527(D)(6); Proposed lighting has a color temperature of 4000 Kelvin. We are taking exception to the 3000 Kelvin requirement.
 - 3 Per 150.527(D)(5); All Proposed Wall Packs are rated as full cutoff by the manufacturer. Please refer to specification sheets & the associated specification book included with this submittal.
 - 4 Per 150.528(A); All lighting is controlled by a photocell or time clock capable of extinguishing the lights during daylight hours or hours of non operation.
 - 5 Per 150.529; We are using the hardscape method (Table B) to show lumens per acre. We are exceeding the limit of 100,000 Lumens per acre. See sheet SL280 for hardscape area calculations & site lumen totals.

SITE PLAN



CBRE

PROPERTY OWNER

CBRE

2100 MCKINNEY AVENUE
SUITE 1250
DALLAS, TX 75201

ON-SITE LIGHTING & SURVEY, LLC
PROJECT MANAGER

MARSHALL TROMBORG
Ph: 763.682.7114

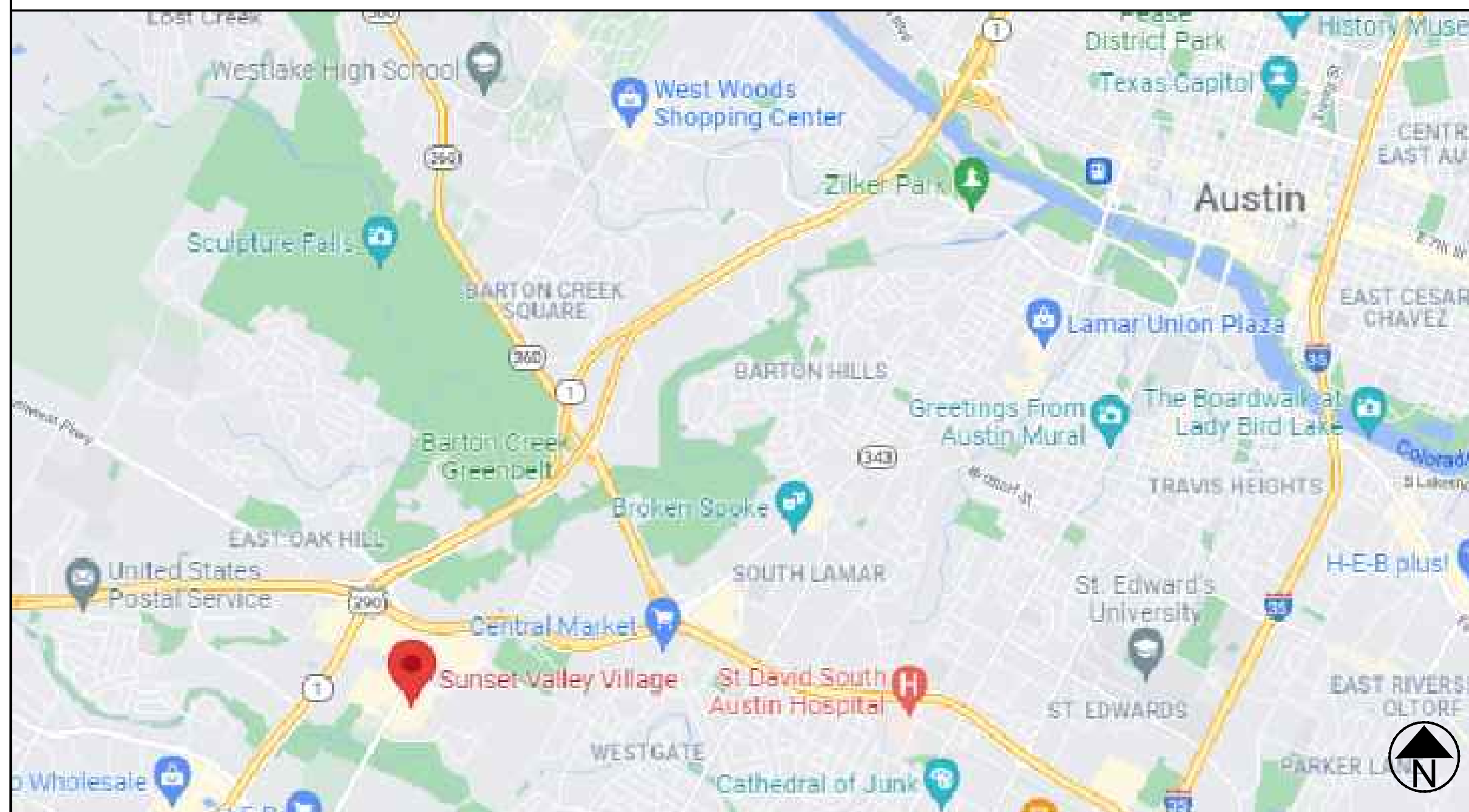
marshall.tromborg@onsitelighting.com

SHEET INDEX

SHEET	SHEET DESCRIPTION	ISSUE DATE 02.15.2022	ISSUE DATE 06.08.2022		
COVER	PROJECT INFORMATION	◆	◆		
SL100	EXISTING PHOTOMETRIC PLAN	◆	◆		
SL200	SITE LIGHTING PHOTOMETRIC PLAN	◆	◆		
SL220	SITE LIGHTING PLAN	◆	◆		
SL240	LUMINAIRE SCHEDULES	◆	◆		
SL260	BUILDING MOUNT DETAILS	◆	◆		
SL261	BUILDING MOUNT DETAILS	◆	◆		
SL262	BUILDING MOUNT DETAILS	◆	◆		
SL280	HARDSCAPE DETAIL & LUMEN SUMMARY	◆	◆		
SL300	SPECIFICATION SHEETS	◆	◆		
SL301	SPECIFICATION SHEETS	◆	◆		

LEGEND: INCLUDED ◆ NOT INCLUDED N/A REVISED AS NOTED ◇

AREA MAP



CONTRACTOR NOTE

THE CONTRACTOR SHALL ACCEPT THE SITE AS IS. THE CONTRACTOR SHALL ASSESS CONDITIONS, AND THE KIND, QUALITY AND QUANTITY OF THE WORK REQUIRED. THE OWNER AND ENGINEER MAKE NO GUARANTEE IN REGARD TO THE ACCURACY OF ANY INFORMATION THAT WAS OBTAINED DURING INVESTIGATIONS.

THE CONTRACTOR SHALL:

- MAKE A THOROUGH SITE INSPECTION IN ORDER TO FIELD CHECK EXISTING SITE CONDITIONS.
- CORRELATE CONDITIONS WITH THE DRAWINGS.
- RESOLVE ANY POSSIBLE CONSTRUCTION CONFLICTS WITH THE OWNER AND ENGINEER PRIOR TO COMMENCEMENT OF WORK.

On-Site Lighting & Survey, LLC

1111 HIGHWAY 25 NORTH, SUITE 201
BUFFALO, MN 55313

PH: 763.684.1548
FAX: 763.682.9048

www.onsitelighting.com

PROJECT #	CBRE5601
SUBMITTAL DATE	06.08.2022
SHEET#	COVER

PROPERTY OWNER

PROJECT INFO

ENGINEER INFO

ENGINEER SEAL

REVISIONS

SHEET DESCRIPTION

PROJECT #

ISSUE DATE

DESIGN LEVEL

AGI

CAD

SHEET#

DESCRIPTION
CITY COMMENTS RE: UPLIGHT & FULL CUTOFF FIXTURES

INT
CDH

DATE
06/08/2022

#

1 2 3 4 5 6

EXISTING PHOTOMETRIC PLAN

CBRE5601

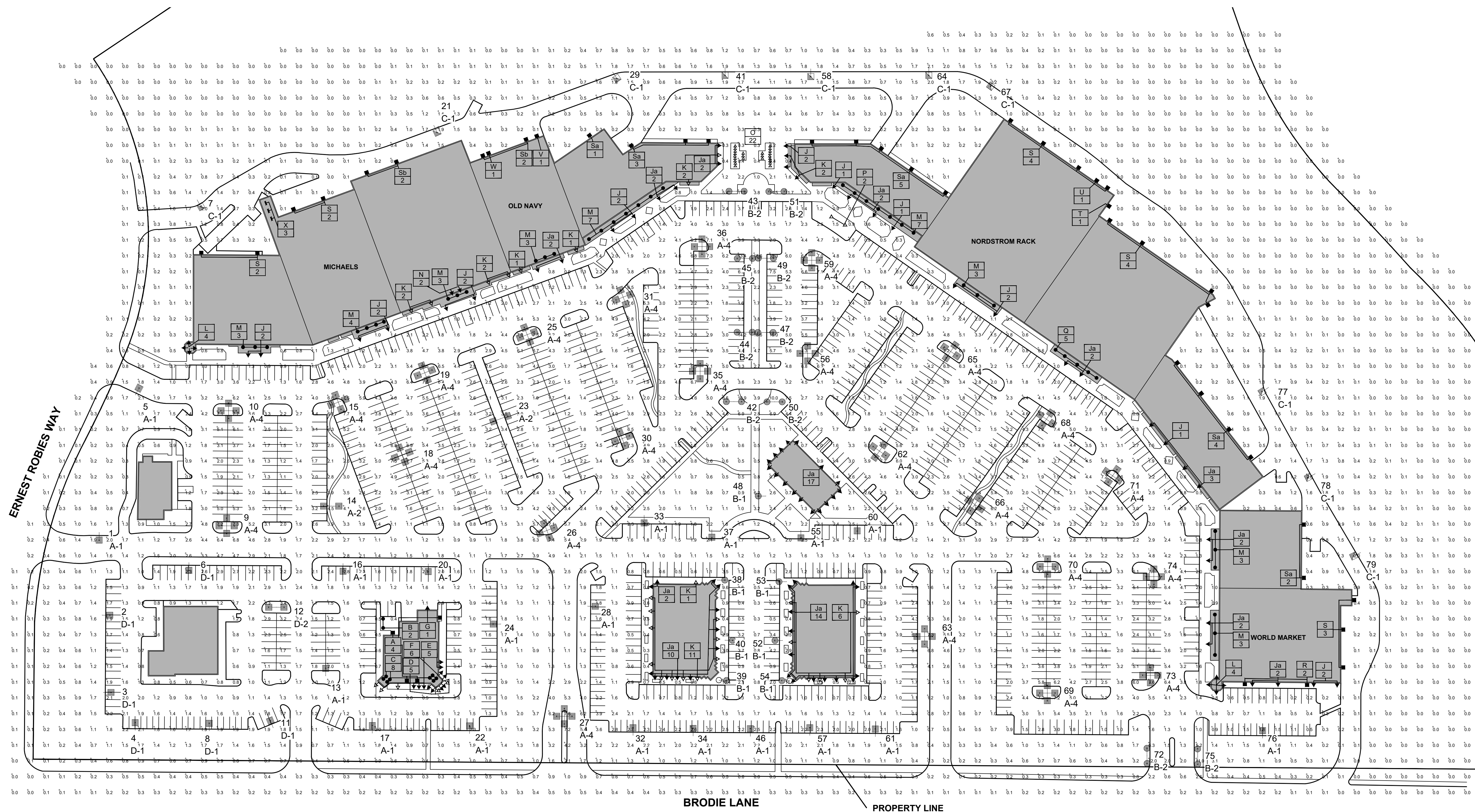
06.08.2022

2

C.D.HEANER

C.D.HEANER

SL100



1 EXISTING PHOTOMETRIC PLAN
SCALE: 1"=60'-0"



LUMINAIRE SCHEDULE							
SYMBOL	QTY	LABEL	ARRANGED	TLL	LLF	DESCRIPTION	BUG RATING
	19	A-1	SINGLE	44000	0.50	EXISTING FIXT 400W MH VERT FG 31'-0 MTG HT	B5-U3-G5
	2	A-2	BACK-BACK	44000	0.50	EXISTING FIXT 400W MH VERT FG 31'-0 MTG HT	B5-U3-G5
	24	A-4	4 @ 90 DEGREES	44000	0.50	EXISTING FIXT 400W MH VERT FG 31'-0 MTG HT	B5-U3-G5
	7	B-1	SINGLE	18000	0.50	EXISTING DECO 175W MH HORIZ FG 11'-0 MTG HT 13' POLE	B2-U3-G2
	10	B-2	BACK-BACK	18000	0.50	EXISTING DECO 175W MH HORIZ FG 11'-0 MTG HT 13' POLE	B2-U3-G2
	10	C-1	SINGLE	44000	0.50	EXISTING FIXT 400W MH VERT FG 27'-6 MTG HT	B5-U3-G5
	6	D-1	SINGLE	44000	0.50	EXISTING FIXT 400W MH VERT FG 31'-0 MTG HT	B5-U3-G5
	1	D-2	BACK-BACK	44000	0.50	EXISTING FIXT 400W MH VERT FG 31'-0 MTG HT	B5-U3-G5

DISCLAIMER
BUILDING MOUNTS FIXTURES SHOWN MAY NOT CONTRIBUTE TO PHOTOMETRIC LIGHT LEVELS.

CALCULATION SUMMARY						
LABEL	AVG	MAX	MIN	AVG/MIN	MAX/MIN	# PTS
ENTRY & EXIT	3.83	7.6	1.0	3.83	7.60	19
MAIN DRIVE	3.27	7.5	0.6	5.45	12.50	119
MAIN PARKING	2.89	15.0	0.3	9.63	50.00	915

BASED ON THE INFORMATION PROVIDED, ALL DIMENSIONS AND LUMINAIRE LOCATIONS SHOWN REPRESENT RECOMMENDED POSITIONS. THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING OR FUTURE FIELD CONDITIONS.
THE LIGHTING PATTERN REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER THE CONTROLLED CONDITIONS UTILIZING CURRENT INDUSTRY STANDARD LAMP RATINGS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS, AND OTHER VARIABLE FIELD CONDITIONS.
FOR ADDITIONAL LIGHTING INFORMATION CONTACT:
On-Site Lighting & Survey, LLC
PH: 763.684.1548



SUNSET VALLEY VILLAGE
5601 BRODIE LANE
AUSTIN, TX 78745

PROPERTY OWNER

PROJECT INFO

ENGINEER INFO

ENGINEER INFO

ENGINEER SEAL

REVISIONS	
DESCRIPTION	
CITY COMMENTS RE: UPLIGHT & FULL CUTOFF FIXTURES	

DATE	INIT	CDH
06/08/2022		

SHEET DESCRIPTION

PROJECT #

ISSUE DATE

DESIGN LEVEL

AGI

CAD

SHEET#

SITE LIGHTING PHOTOMETRIC PLAN

CBRE5601

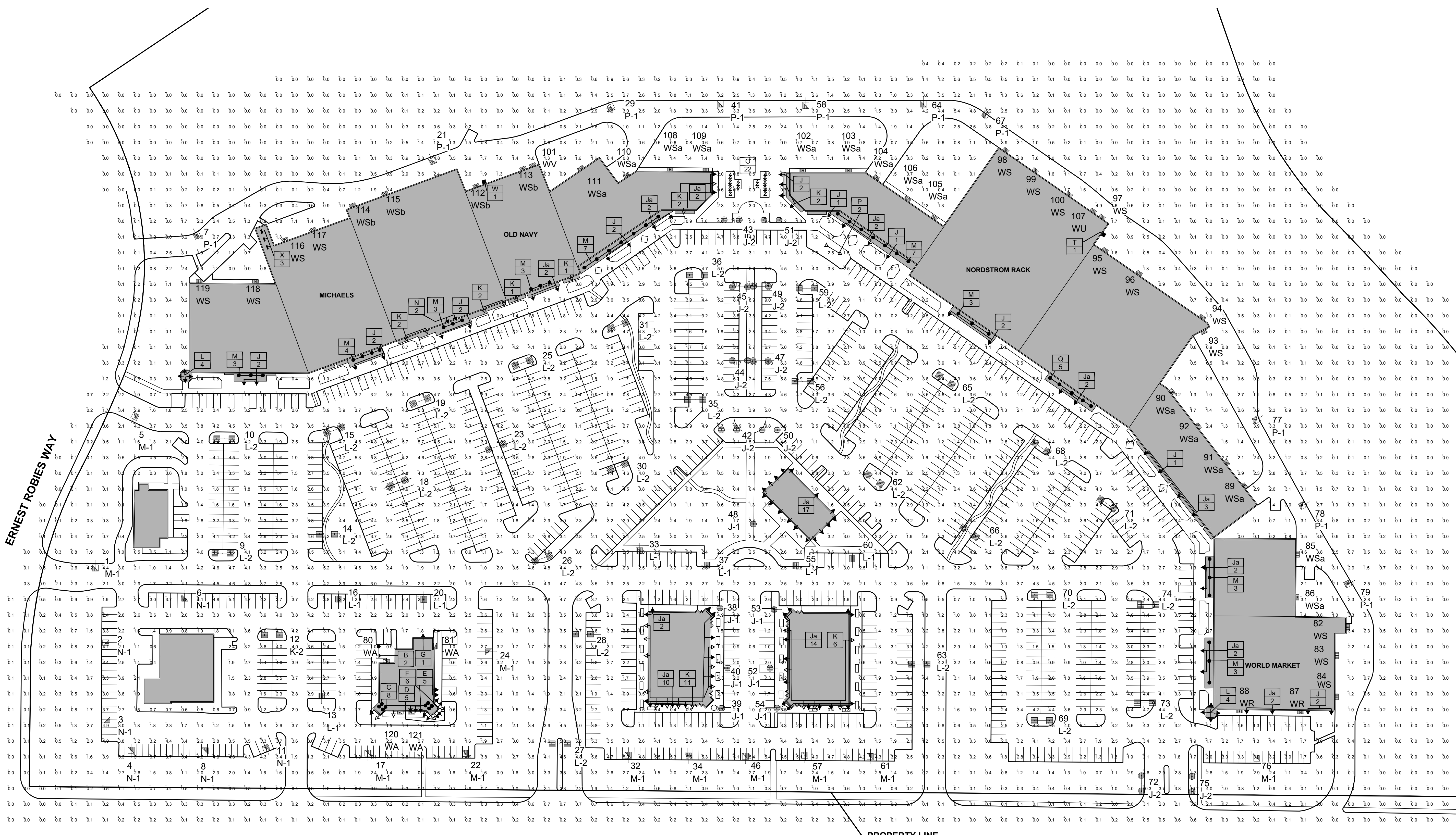
06.08.2022

2

C.D.HEANER

C.D.HEANER

SL200



1 SITE LIGHTING PHOTOMETRIC PLAN
SCALE: 1" = 60'-0"

CALCULATION SUMMARY						
LABEL	AVG	MAX	MIN	AVG/MIN	MAX/MIN	# PTS
ENTRY & EXIT	3.81	5.3	2.1	1.81	2.52	19
MAIN DRIVE	3.21	6.0	0.2	16.05	30.00	119
MAIN PARKING	3.06	13.8	0.3	10.20	46.00	915

GENERAL NOTE
LUMINAIRE SCHEDULES LOCATED ON SHEET SL240

BASED ON THE INFORMATION PROVIDED, ALL DIMENSIONS AND LUMINAIRE LOCATIONS SHOWN REPRESENT RECOMMENDED POSITIONS. THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING OR FUTURE FIELD CONDITIONS.

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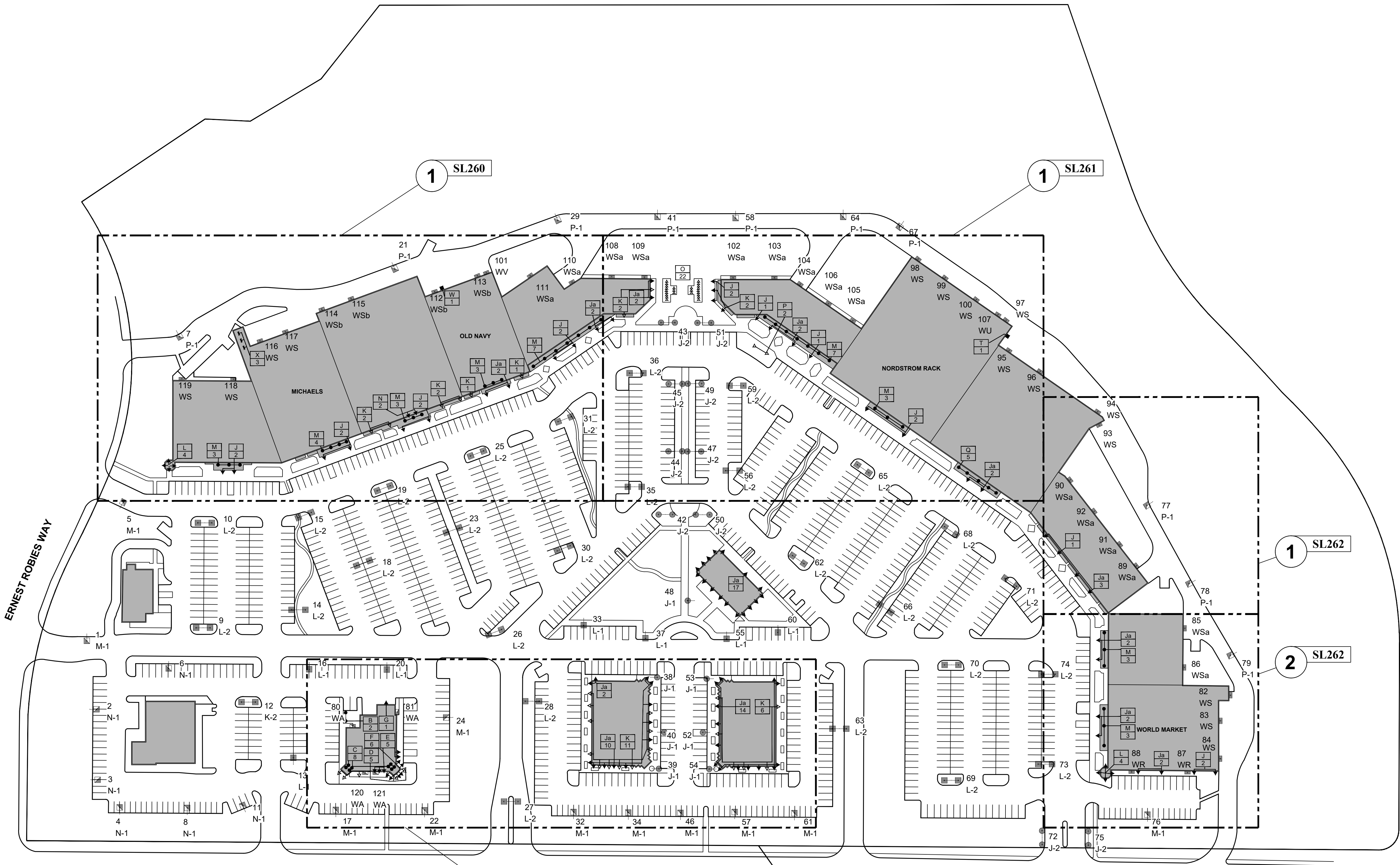
FOR ADDITIONAL LIGHTING INFORMATION CONTACT:
On-Site Lighting & Survey, LLC
PH: 763.684.1548



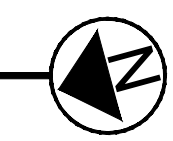
SUNSET VALLEY VILLAGE

5601 BRODIE LANE
AUSTIN, TX 78745

PROPERTY OWNER	CBRE																												
PROJECT INFO	SUNSET VALLEY VILLAGE 5601 BRODIE LANE AUSTIN, TX 78745																												
ENGINEER INFO																													
ENGINEER SEAL																													
REVISIONS	<table border="1"> <thead> <tr> <th>#</th> <th>DATE</th> <th>INIT</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>06/08/2022</td> <td>CDH</td> <td>CITY COMMENTS RE: UPLIGHT & FULL CUTOFF FIXTURES</td> </tr> <tr> <td>2</td> <td></td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> <td></td> </tr> <tr> <td>4</td> <td></td> <td></td> <td></td> </tr> <tr> <td>5</td> <td></td> <td></td> <td></td> </tr> <tr> <td>6</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	#	DATE	INIT	DESCRIPTION	1	06/08/2022	CDH	CITY COMMENTS RE: UPLIGHT & FULL CUTOFF FIXTURES	2				3				4				5				6			
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SHEET DESCRIPTION	SITE LIGHTING PLAN																												
PROJECT #	CBRE5601																												
ISSUE DATE	06.08.2022																												
DESIGN LEVEL	2																												
AGI	C.D.HEANER																												
CAD	C.D.HEANER																												
SHEET#	SL220																												



1 SITE LIGHTING PLAN
SCALE: 1" = 70'-0"



GENERAL NOTE
LUMINAIRE SCHEDULES LOCATED ON SHEET SL240

BASED ON THE INFORMATION PROVIDED, ALL DIMENSIONS AND LUMINAIRE LOCATIONS SHOWN REPRESENT RECOMMENDED POSITIONS. THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING OR FUTURE FIELD CONDITIONS.

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FOR ADDITIONAL LIGHTING INFORMATION CONTACT:
On-Site Lighting & Survey, LLC
PH: 763.684.1548



SUNSET VALLEY VILLAGE
5601 BRODIE LANE
AUSTIN, TX 78745

ENGINEER INFO

ENGINEER INFO

ENGINEER SEAL

REVISIONS		DESCRIPTION
#	DATE	DESCRIPTION
1	06/08/2022	CITY COMMENTS RE: UPLIGHT & FULL CUTOFF FIXTURES
2		
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LUMINAIRE SCHEDULES

PROJECT # CBRE5601

ISSUE DATE 06.08.2022

DESIGN LEVEL 2

AGI C.D.HEANER

CAD C.D.HEANER

SHEET: SL240

LUMINAIRE SCHEDULE							
SYMBOL	QTY	LABEL	ARRANGED	TLL	LLF	DESCRIPTION	BUG RATING
	7	J-1	SINGLE	N.A.	0.90	NEW DECO 66W LED T5LR 11'-0 MTG HT 13'-0 POLE (4000K/9481 LUMENS) VISIONAIRE ODN-1-T5LR-10L-4K-UNV-AM-BZ-C2-H3	B4-U0-G3
	10	J-2	BACK-BACK	N.A.	0.90	NEW DECO 66W LED T5LR 11'-0 MTG HT 13'-0 POLE (4000K/9481 LUMENS) VISIONAIRE ODN-1-T5LR-10L-4K-UNV-AM-BZ-C2-H3	B4-U0-G3
	1	K-2	BACK-BACK	N.A.	0.90	NEW FIXT 208W LED T5LS 31'-0 MTG HT (4000K/29371 LUMENS) VISIONAIRE VMX-II-T5LS-30L-4K-UNV-UAM-BZ-RPP3	B5-U0-G3
	7	L-1	SINGLE	N.A.	0.90	NEW FIXT 208W LED T5LS 31'-0 MTG HT (4000K/29371 LUMENS) VISIONAIREVMX-II-T5LS-30L-4K-UNV-UAM-BZ-RPP3	B5-U0-G3
	27	L-2	BACK-BACK	N.A.	0.90	NEW FIXT 208W LED T5LS 31'-0 MTG HT (4000K/29371 LUMENS) VISIONAIRE VMX-II-T5LS-30L-4K-UNV-UAM-BZ-RPP4	B5-U0-G3
	11	M-1	SINGLE	N.A.	0.90	NEW FIXT 172W LED T3 31'-0 MTG HT (4000K/24013 LUMENS) VISIONAIRE VMX-II-T3-25L-4K-UNV-UAM-BZ-RPP3	B3-U0-G4
	6	N-1	SINGLE	N.A.	0.90	NEW FIXT 172W LED T3 31'-0 MTG HT (4000K/24013 LUMENS) VISIONAIRE VMX-II-T3-25L-4K-UNV-UAM-BZ-RPP3	B3-U0-G4
	10	P-1	SINGLE	N.A.	0.90	NEW FIXT 172W LED T3 27'-6 MTG HT (4000K/24013 LUMENS) VISIONAIRE VMX-II-T3-25L-4K-UNV-UAM-BZ-RPP3	B3-U0-G4
	4	WA	SINGLE	N.A.	0.90	NEW WALL PACK 26W LED 8'-0 MTG HT (4000K/3017 LUMENS) VISIONAIRE PGRS-2-T4-16LC-5-4K-UNV-WM-GY-EBPL	B1-U0-G1
	2	WR	SINGLE	N.A.	0.90	NEW WALL PACK 41W LED 25'-0 MTG HT (4000K/5722 LUMENS) CREE C-LITEC-WP-A-FCA-05-40K-DB	B2-U2-G2
	15	WS	SINGLE	N.A.	0.90	NEW WALL PACK 41W LED 30'-0 MTG HT (4000K/5722 LUMENS) CREE C-LITE C-WP-A-FCA-05-40K-DB	B2-U2-G2
	15	WSa	SINGLE	N.A.	0.90	NEW WALL PACK 41W LED 15'-0 TO 20'-0 MTG HT (4000K/5722 LUMENS) CREE C-LITEC-WP-A-FCA-05-40K-DB	B2-U2-G2
	4	WSb	SINGLE	N.A.	0.90	NEW WALL PACK 41W LED 20'-0 MTG HT (4000K/5722 LUMENS) CREE C-LITE C-WP-A-FCA-05-40K-DB	B2-U2-G2
	1	WU	SINGLE	4594.5	0.90	NEW WALL PACK FIXT 40W LED 12'-0 MTG HT (4000K/4595 LUMENS) SYLVANIA 61833 - WALPAKC5B/040UNVD8SC2/C1/BZ/P	B2-U0-G1
	1	WV	SINGLE	4594.5	0.90	NEW WALL PACK FIXT 40W LED 8'-0 MTG HT (4000K/4595 LUMENS) SYLVANIA 61833 - WALPAKC5B/040UNVD8SC2/C1/BZ/P	B2-U0-G1

BUILDING MOUNT SCHEDULE PROPOSED				
SYMBOL	QTY	LABEL	MANUFACTURER	CATALOG NUMBER/ DESCRIPTION
	2	B	GREEN CREATIVE	EXISTING BOLLARD FIXTURE, RETROFIT WITH LED, 57823 - 5.5PLS/840/HYB/GX23
	8	C		LEAVE EXISTING RECESSED CAN, LED
	5	D	DISRUPTIVE SSL	EXISTING WALL SCONCE, RETROFIT WITH LED, XSTRIP-15-40K-80-ED
	5	E		LEAVE EXISTING WALL PACK, LED
	6	F		LEAVE EXISTING DOWN LIGHT, LED
	1	G		LEAVE EXISTING WALL SCONCE, LED
	17	J	GREEN CREATIVE	EXISTING WALL SCONCE, RETROFIT WITH LED BULB, 98564 - 9A19/940/277V & FIELD MODIFIED TO ELIMINATE ANY UPLIGHT
	72	Ja		EXISTING WALL SCONCE, LED, FIELD MODIFIED TO ELIMINATE ANY UPLIGHT
	28	K	VISIONAIRE	REPLACEMENT WALL PACK, PGRS-1-T4-16LC-5-4K-UNV-WM-BZ
	8	L	SATCO	REPLACEMENT TOWER UPLIGHT FLOOD FIXTURE, 65-535 - LED 30W MEDIUM FLOOD LIGHT
	36	M	OSLP	REPLACEMENT RECESSED CAN FIXTURE, 57876 - 27CDLA8/840/277V
	2	N	DISRUPTIVE SSL	EXISTING WALL SCONCE FIXTURE, RETROFIT WITH LED, XSTRIP-15-40K-80-ED
	22	O		LEAVE EXISTING FLOOD FIXTURE, LED
	2	P		LEAVE EXISTING TREE FLOOD FIXTURE, LED, THESE FIXTURES HIGHLIGHT THE FEATURE "HERITAGE TREE".
	5	Q	JH LARSON	REPLACEMENT RECESSED CAN FIXTURE, 65476 - LEDRT6/R3C/1500UD/9SC8
	1	T	CREE	REPLACEMENT WALL PACK 22W LED FULL CUTOFF, CREE C-LITE C-WP-A-FCA-03-40K-DB
	1	W	JH LARSON	REPLACEMENT WALL PACK 120W LED FULL CUTOFF, 61841 WALPAKC5C/120UNVD8SC2/C1/BZ/P
	3	X	JH LARSON	REPLACEMENT 8'-0" VAPOR TIGHT FIXTURE, 60355 - VAPOR1B/065UNVD840/96EC/GR
MISC. ITEM SCHEDULE				
	7	J-1 ARM	VISIONAIRE	VA101-S-S1-CSTM-WM-BZ-NO SCROLL
	20	J-2 ARM	VISIONAIRE	VA101-S-S1-CSTM-WM-BZ-NO SCROLL
	5	Q	JH LARSON	75082 - RT6/8/TRIMEXT

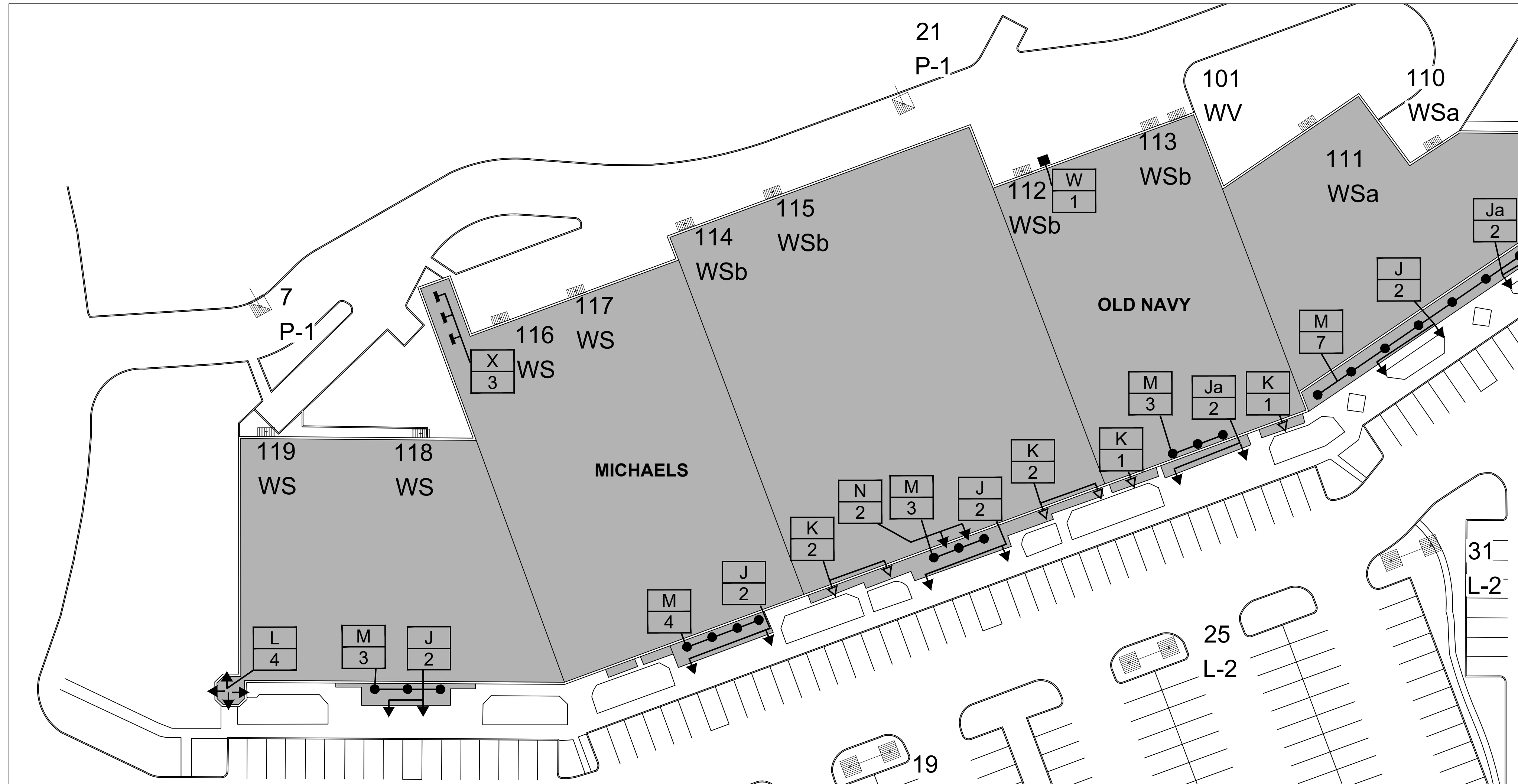
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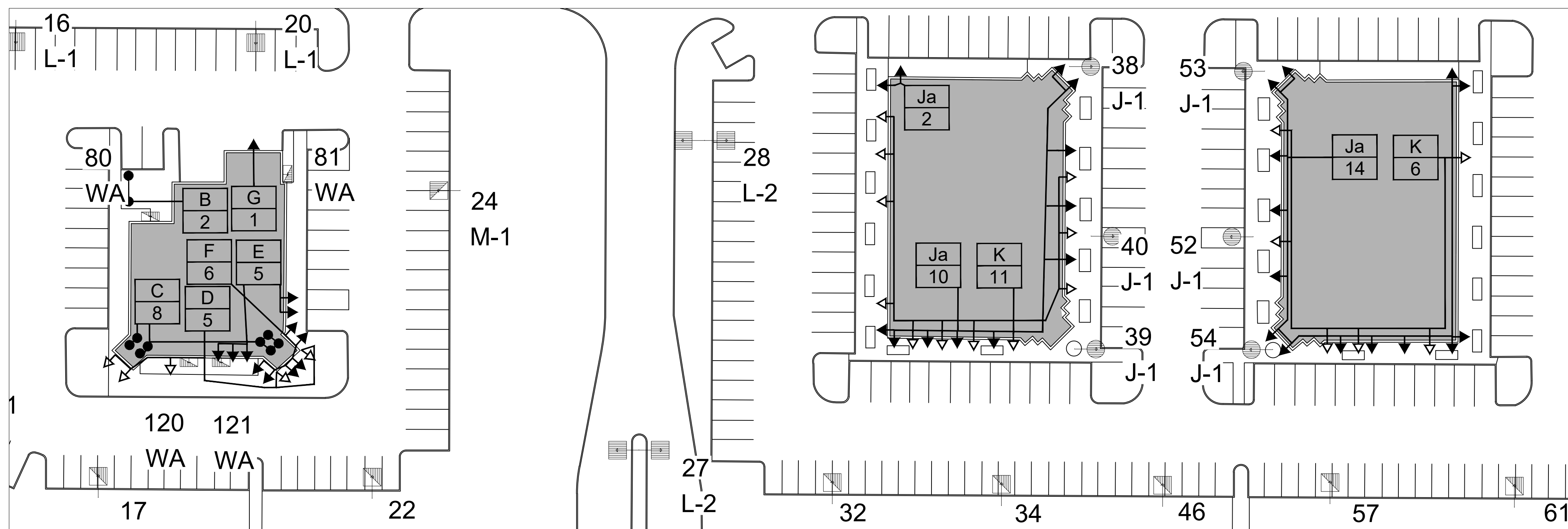
FOR ADDITIONAL LIGHTING INFORMATION CONTACT:
On-Site Lighting & Survey, LLC
PH: 763.684.1548



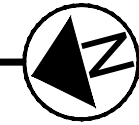
SUNSET VALLEY VILLAGE
5601 BRODIE LANE
AUSTIN, TX 78745



1 BUILDING MOUNT DETAIL
SCALE: 1"= 20'-0"



1 BUILDING MOUNT DETAIL
SCALE: 1"= 20'-0"



GENERAL NOTE
LUMINAIRE SCHEDULES LOCATED ON SHEET SL240

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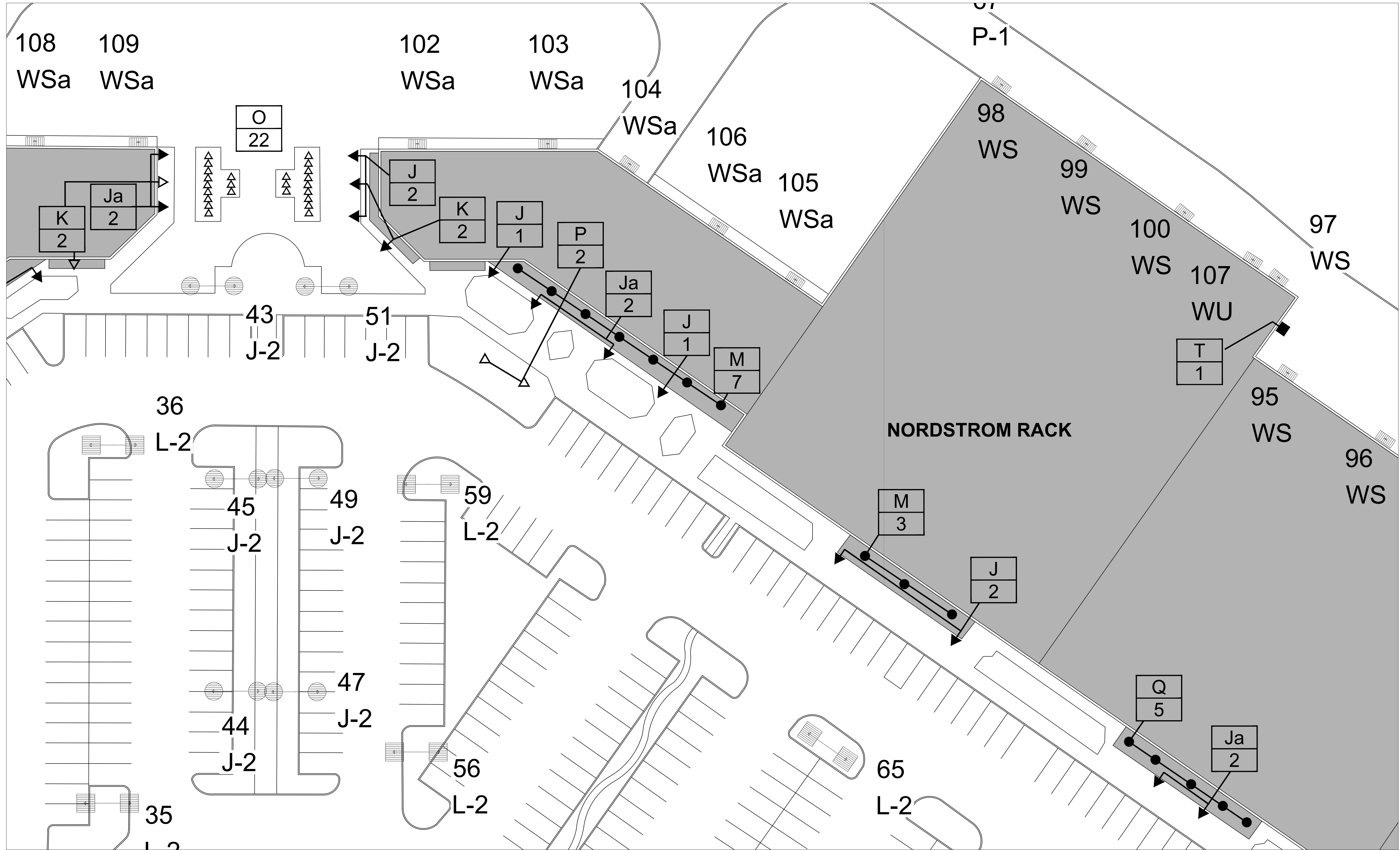
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PROPERTY OWNER		PROJECT INFO		ENGINEER INFO		ENGINEER SEAL		REVISIONS																																				
CBRE		SUNSET VALLEY VILLAGE 5601 BRODIE LANE AUSTIN, TX 78745						<table border="1"> <thead> <tr> <th>#</th> <th>DATE</th> <th>INT</th> <th>CDH</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>06/08/2022</td> <td></td> <td></td> <td>CITY COMMENTS RE: UPLIGHT & FULL CUTOFF FIXTURES</td> </tr> <tr> <td>2</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>4</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>5</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>6</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		#	DATE	INT	CDH	DESCRIPTION	1	06/08/2022			CITY COMMENTS RE: UPLIGHT & FULL CUTOFF FIXTURES	2					3					4					5					6				
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CBRE5601		06.08.2022		2		C.D.HEANER		C.D.HEANER																																				
SHEET#								SL260																																				



SUNSET VALLEY VILLAGE
5601 BRODIE LANE
AUSTIN, TX 78745

PROPERTY OWNER: CBRE
PROJECT INFO: SUNSET VALLEY VILLAGE
ENGINEER INFO: [Blank]
ENGINEER SEAL: [Blank]



1 BUILDING MOUNT DETAIL
SCALE: 1" = 20'-0"

GENERAL NOTE
LUMINAIRE SCHEDULES LOCATED ON SHEET SL240

BASED ON THE INFORMATION PROVIDED, ALL DIMENSIONS AND LUMINAIRE LOCATIONS SHOWN REPRESENT RECOMMENDED POSITIONS. THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING OR FUTURE FIELD CONDITIONS.

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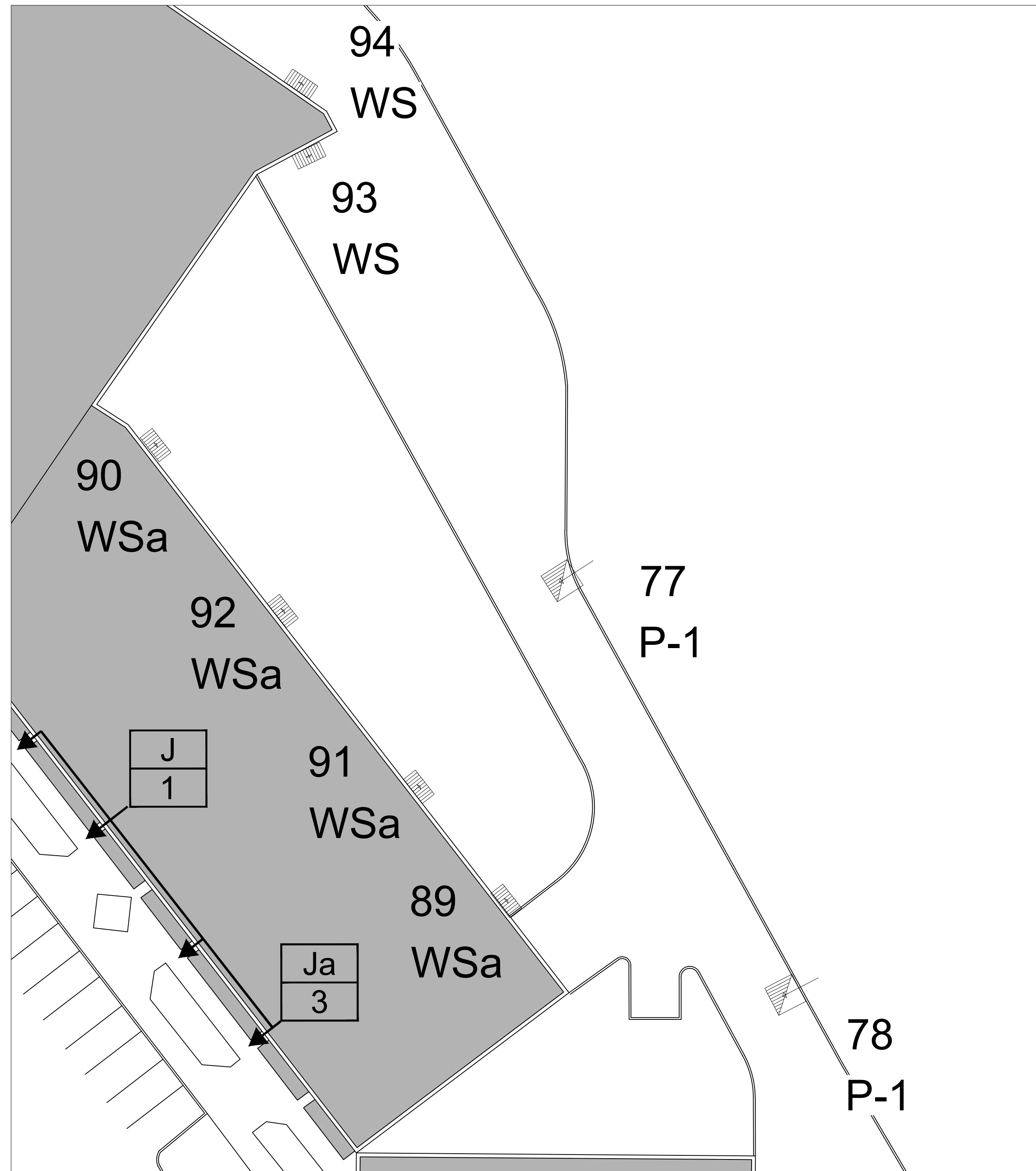
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SHEET DESCRIPTION	BUILDING MOUNT DETAILS
PROJECT #	CBRE5601
ISSUE DATE	06.08.2022
DESIGN LEVEL	2
AGI	C.D.HEANER
CAD	C.D.HEANER
SHEET#	SL261

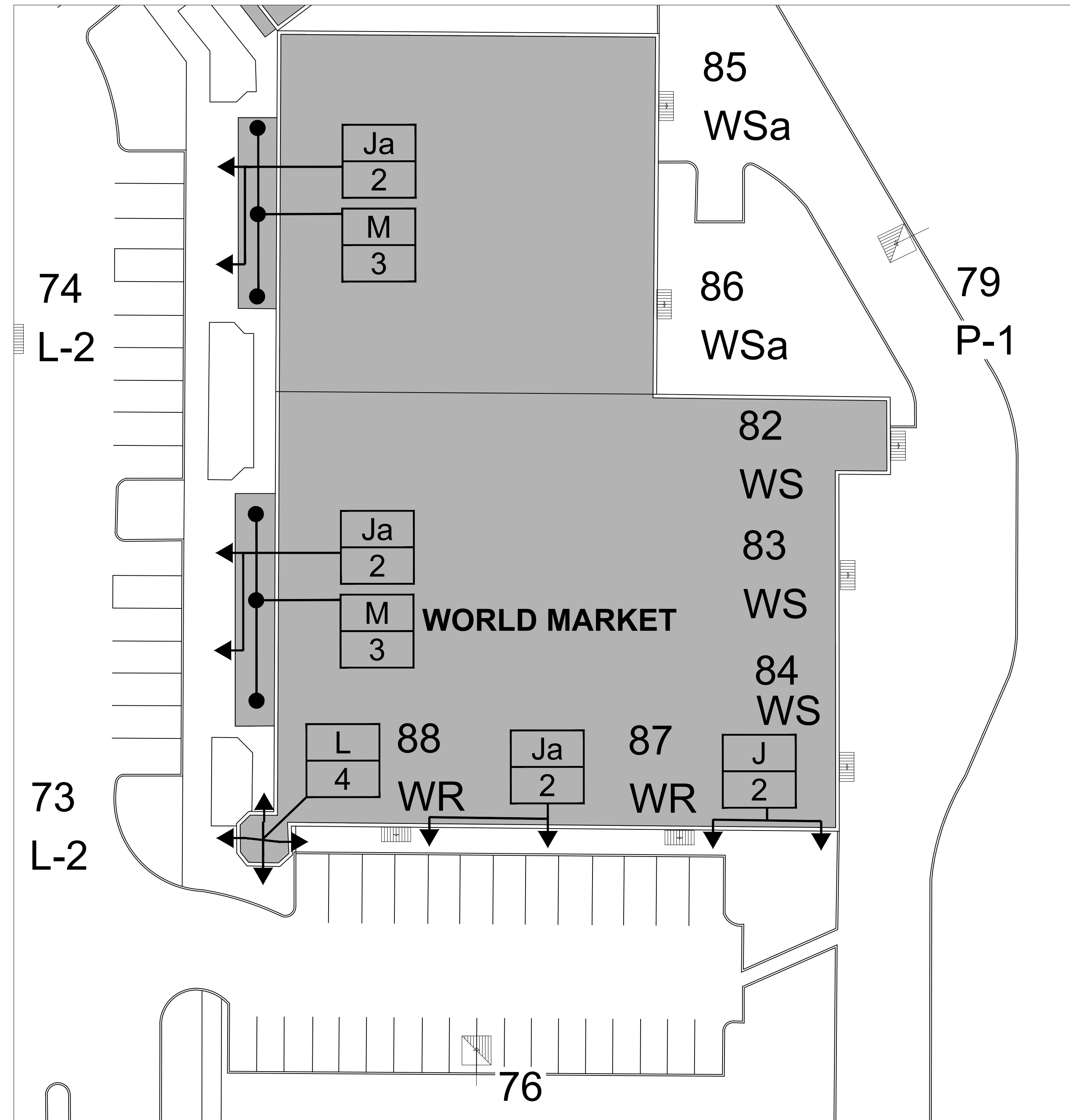
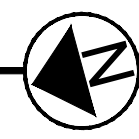


SUNSET VALLEY VILLAGE
5601 BRODIE LANE
AUSTIN, TX 78745

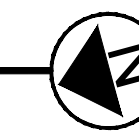
PROPERTY OWNER: CBRE
PROJECT INFO: SUNSET VALLEY VILLAGE
ENGINEER INFO: [Blank]
ENGINEER SEAL: [Blank]



1 BUILDING MOUNT DETAIL
SCALE: 1"= 20'-0"



2 BUILDING MOUNT DETAIL
SCALE: 1"= 20'-0"



GENERAL NOTE
LUMINAIRE SCHEDULES LOCATED ON SHEET SL240

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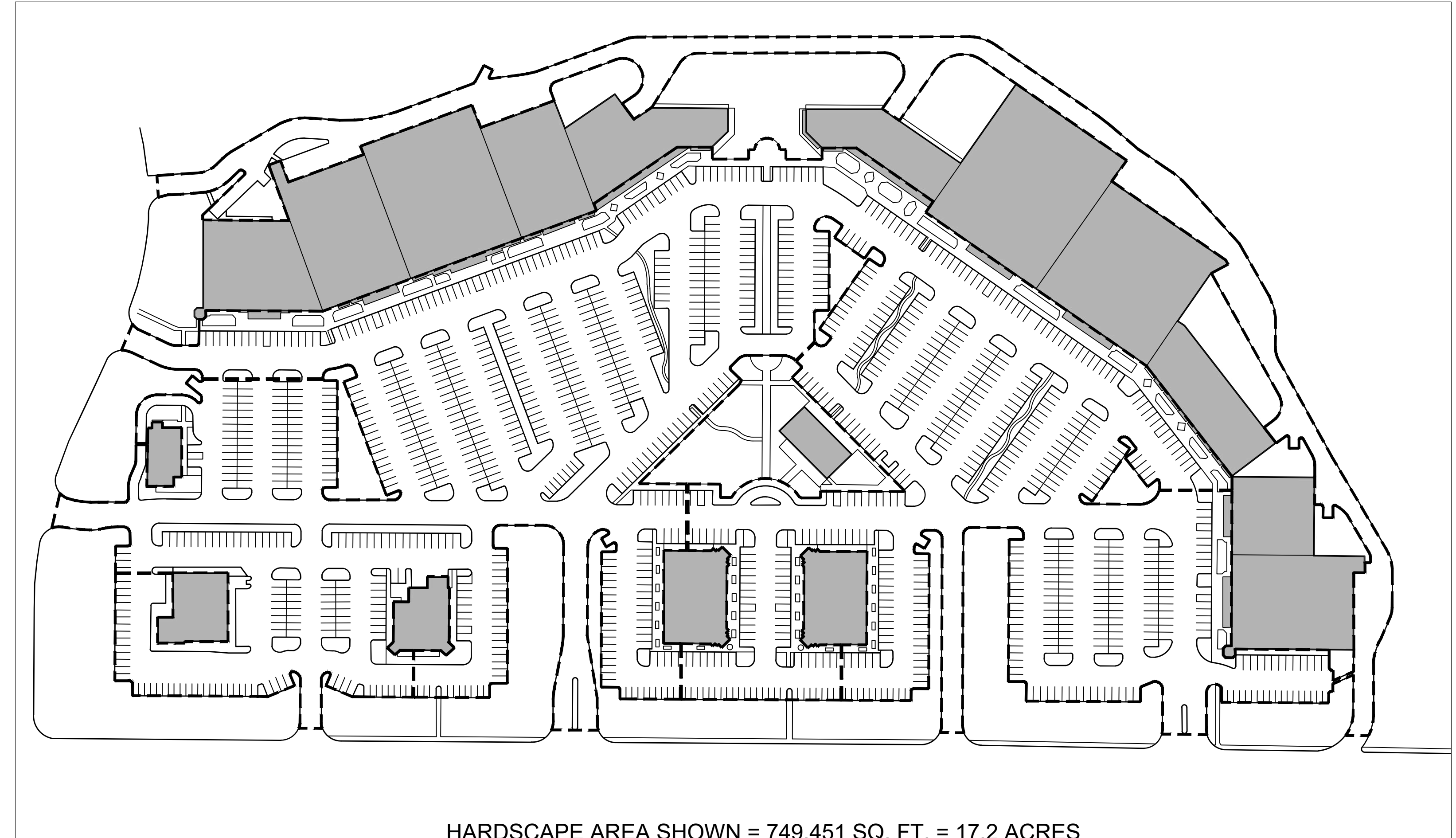
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6				

SHEET DESCRIPTION	BUILDING MOUNT DETAILS
PROJECT #	CBRE5601
ISSUE DATE	06.08.2022
DESIGN LEVEL	2
AGI	C.D.HEANER
CAD	C.D.HEANER
SHEET#	SL262



SUNSET VALLEY VILLAGE
5601 BRODIE LANE
AUSTIN, TX 78745



HARDSCAPE AREA SHOWN = 749,451 SQ. FT. = 17.2 ACRES

1 HARDSCAPE AREA DETAIL
SCALE: 1"= 100'-0"

CALCULATION - LUMENS PER ACRE/HARDSCAPE
TOTAL HARDSCAPE AREA = 17.2 ACRES
TOTAL SITE LUMENS = 3,682,954
LUMENS PER ACRE = 3,682,954 / 17.2 = 214,125

TOTAL AREA INSIDE PROPERTY LINES = 43.0 ACRES
TOTAL SITE LUMENS = 3,682,954
LUMENS PER ACRE (ENTIRE SITE) = 3,682,954 / 43.0 = 85,650

LUMINAIRES - SCHEDULE OF LUMENS

LABEL	QTY OF FIXTS	QTY OF LUMINAIRES	LUMENS PER LUMINAIRE	TOTAL LUMENS	DESCRIPTION	NOTES
J-1	7	7	9481	66,367	DECO FIXTURE	
J-2	10	20	9481	189,620	DECO FIXTURE	
K-2	1	2	29,371	58,742	AREA FIXTURE	
L-1	7	7	29,371	205,597	AREA FIXTURE	
L-2	27	54	29,371	1,586,034	AREA FIXTURE	
M-1	11	11	24,013	264,143	AREA FIXTURE	
N-1	6	6	24,013	264,143	AREA FIXTURE	
P-1	10	10	24,013	240,130	AREA FIXTURE	
WA	4	4	3017	12,068	WALL PACK	FULL CUTOFF
WR	2	2	5722	11,444	WALL PACK	FULL CUTOFF
WS	15	15	5722	85,830	WALL PACK	FULL CUTOFF
WSa	15	15	5722	85,830	WALL PACK	FULL CUTOFF
WSb	4	4	5722	22,888	WALL PACK	FULL CUTOFF
WU	1	1	4595	4595	WALL PACK	FULL CUTOFF
WV	1	1	4595	4595	WALL PACK	FULL CUTOFF
B	2	2	520	1040	BOLLARD RELAMP	
C	8	8	1800	14,400	EXISTING LED REC CAN	
D	5	5	2046	10,230	SCONCE RELAMP	
E	5	5	2800	14,000	EXIST LED WALL PACK	FULL CUTOFF
F	6	6	2800	16,800	EXIST LED DOWN LIGHT	SIGN LIGHTING
G	1	1	2380	2380	EXIST LED SCONCE	NO UPLIGHT
J	17	17	860	14,620	SCONCE RELAMP	FIELD MODIFY, NO UPLIGHT
Ja	72	72	2925	210,600	EXIST LED SCONCE	FIELD MODIFY, NO UPLIGHT
K	28	28	3016	84,448	WALL PACK	FULL CUTOFF
L	8	8	3427	27,416	REPL LED FLOOD	INSIDE TOWER LIGHTING
M	36	36	2171	78,156	REPL REC CAN	
N	2	2	2046	4092	SCONCE RELAMP	
O	22	22	1650	36,300	EXIST LED FLOOD	DOWNLIGHT UNDER ROOFS
P	2	2	6468	12,396	EXIST LED TREE FLOOD	
Q	5	5	2000	10,000	REPL REC CAN	
T	1	1	14,400	14,400	REPL LED WALL PACK	FULL CUTOFF - OVER LOADING DOCK
W	1	1	3400	3400	REPL LED WALL PACK	FULL CUTOFF
X	3	3	8750	26,250	VAPOR TIGHT FIXT	
TOTAL SITE LUMENS				3,682,954		

NOTE:
LUMENS OF EXISTING FIXTURES ARE BASED ON FIELD SURVEY, PHOTOS & GENERAL INDUSTRY STANDARDS OF LUMENS PER WATT. WE CANNOT GUARANTEE THE LUMEN ACCURACY OF EXISTING FIXTURES.

GENERAL NOTE
LUMINAIRE SCHEDULES LOCATED ON SHEET SL240

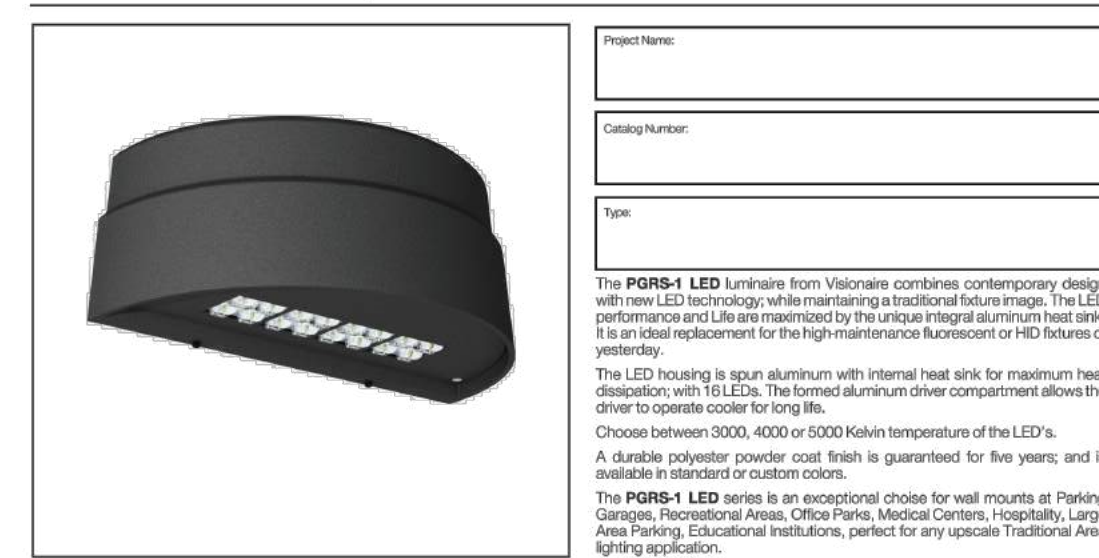
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PH: 763.684.1548

PROPERTY OWNER	CBRE					
PROJECT INFO	SUNSET VALLEY VILLAGE 5601 BRODIE LANE AUSTIN, TX 78745					
ENGINEER INFO						
ENGINEER SEAL						
REVISIONS	NO.	DATE	DESCRIPTION	INT.	CDH	
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	3					
	4					
	5					
	6					
SHEET DESCRIPTION	HARDSCAPE DETAIL & LUMEN SUMMARY					
PROJECT #	CBRE5601					
ISSUE DATE	06.08.2022					
DESIGN LEVEL	2					
AGI	C.D.HEANER					
CAD	C.D.HEANER					
SHEET#	SL280					

PGRS-1 LED Specifications



MODEL	OPTICS	SOURCE	CURRENT	KELVIN	VOLTAGE	MOUNTING	FINISH	OPTIONS
PGRS-1	T2 Type 2	16LC	3 300mA	3K 3000K	UNV 120-277V	WM Wall Mount	BZ Black	PC-120 Button Type Photocell
	T3 Type 3		5 500mA	4K 4000K			SBK Smooth Back	PC-200 Button Type Photocell
	T4 Type 4		7 700mA	5K 5000K			WH White	PC-277 Button Type Photocell



1 FIXTURE TYPE K SPECIFICATION SHEET

NUVO 65-535
LED 30W MEDIUM FLOOD LIGHT

SATCO NUVO	
Project Name	Active
Location	Bronze
Prepared By	3427
Location	4009
Temperature	Cool White
IP Rating	IP65

Specifications	
Technology	LED
CRI	80+
Voltage	100V-277V
Beam Angle	130
Rated Hours	50000
Operating Temperature	-30C (-4F) to a maximum of +45C (+113F)
Dimmable	Non-Dimmable
Weight (lb.)	2.54

Dimensions	
Height (in.)	1.91
Width (in.)	7.09
Length (in.)	9.19

Compliance	
Safety Listing	cULus
Location Rating	Wet
UL Application	Wall
Energy Star	No
DLC Approved	Yes
DLC ID	PLHVOBGSUULO
CEC Status	California T24 Compliant
CA Prop 65	Lead
RoHS Compliant	Yes

Additional Information: 1/2" Thread knuckle mount
Warranty: 5 Year Limited

2 FIXTURE TYPE L SPECIFICATION SHEET

INNOCIT 8" COMMERCIAL DOWNLIGHT

SPECIFICATION FEATURES	
• Mechanical	- INNOCIT, with integrated driver, retrofits existing commercial housings and is field accessible from below the ceiling. Stainless steel spring action clips accommodate 1/2" to 2" ceiling thicknesses.
• Electrical	- Field select from three lumen outputs using SelectDrive technology. Universal 120-277V, 50/60 Hz driver. Non-dimmable.
• Thermal	- Die cast heat sink maximizes passive thermal management and achieves a L70 rated lifetime of 40,000 hours.
• Compliance and Warranty	- cULus Listed and Classified for damp locations. Not for use where directly exposed to weather or water. IC Rated for direct contact with insulation. 5 year parts warranty for complete fixture.

BENEFITS	
• Field select lumen output with SelectDrive	
• Quick and easy installation with spring action clips	
• Universal housing compatibility	
• Universal 120-277V, 50/60 Hz driver	
• Available in 2700K, 3000K, 3500K & 4000K CCT	

APPLICATIONS	
• Commercial	
• Educational	
• Retail	
• Hospitality	

ORDERING INFORMATION			
Series	Size	CRI	Dimming
STC0LA Commercial Downlight 27W Adjustable	8" 8"	80	277V 120-277V Non-Dimmable
STC0LA 2700K			27 2700K
STC0LA 3000K			30 3000K
STC0LA 3500K			35 3500K
STC0LA 4000K			40 4000K

LINE DRAWINGS	
FIXTURE HEIGHT 4.5" (114mm)	INSIDE DIAMETER 7.1" (178mm)
OUTSIDE DIAMETER 10.1" (257mm)	CEILING CUTOUT
	Minimum: Ø7.9" (200mm) Maximum: Ø9.3" (236mm)

3 FIXTURE TYPE M SPECIFICATION SHEET

SYLVANIA Luminares UltraLED™ Selectable Downlights

Wattage Comparison	
Traditional Source	LED System
18" 20W CFL	18" LED
23" 20W CFL	14.5" LED
20W @ 2500K CFL	17" LED
	Energy Savings
	38% - 52%
	37% - 44%
	47% - 52%

Ambient Operating Range
-4°F to +104°F (-20°C to +40°C)

Certifications and Listings
- cETLus
- ENERGY STAR
- RoHS
- FCC

Installation
- Installation performed as a stand-alone kit (without frame) is recommended for hard ceiling. Installation of a recessed incandescent frame is recommended for tiled ceiling application for proper support of the retrofit kit.

Rated Life
- 60,000 hours (L70)

Warranty
- 5-year (please see LEDLUM001)

SYLVANIA LEDLUM055R3 10-20

4 FIXTURE TYPE Q SPECIFICATION SHEET

SYLVANIA Luminares Vapor Tight

Dimensions			
2.0 20W	24.0" (610mm)	4.0" (102mm)	2.3" (58mm)
4.0 20W	48.0" (1220mm)	3.4" (86mm)	3.3" (84mm)
4.0 400W	48.0" (1220mm)	4.0" (102mm)	3.3" (84mm)
4.0 80W	48.0" (1220mm)	4.0" (102mm)	3.3" (84mm)
8.0 65W	96" (2438mm)	4.0" (102mm)	3.3" (84mm)

Specifications
Weight: 2 R, 2.5 lb (1.2 kg) 4 R, 5.8 lb (2.6 kg) 8 R, 12.5 lb (5.7 kg)
Construction: One-piece polycarbonate housing with one-piece polycarbonate lens and stainless steel clips.
LED System: LED system with a life rating of 24,000 hours (R40) L70 40,000.
Electrical: Offered in 20, 25, 40, 50 and 65 Watts. The luminaire is designed to operate through the 120V-277V universal voltage and 50/60-Hz high universal voltage range. The LED driver has a 2.5AV inrush surge protection and a constant current driver, meeting UL 1310 and UL 48 Class 2 with built-in over-temperature protection. The power factor is >0.95 and THD is <5.0%.
Dimming: The driver is 0-10V dimmable down to Full Power reference the dimmer compatibility document (LEDLUM012).
Color Characteristics: CRI-90, CCT of 4000K or 5000K.
Optics: Type V distribution with a clear etched polycarbonate lens or optional offset lens (sold separately).
Installation: Luminaire mounts to recessed outlet box or can surface or chain mounted (chain not included). Connector available for tandem wiring. External controls can be added through existing conduits.
Operating Temperature: -40°F to +122°F (-40°C to +50°C).
BB-114" (2876mm) x 122" (3100mm) x 10" (254mm)
Landscape: cULus listed to UL 1598 standards for wet locations, IP65 or IP67 rated, and ETL. Installation listed for NSF splash zones. IP67 with an RHM-4X robot, and ETL. Installation listed for NSF splash zones. IP67 with an RHM-4X robot.
Warranty: Standard 5-year luminaire warranty (LEDLUM001).
Note: Specifications subject to change without notice. ES files available online.

Wattage Comparison Chart

Vapor Tight	Traditional System	LED System	Energy Savings
20W	35	20W	33%/41%
1.92 18	27	20W	29%/47%
3.84 18	45	20W	54%/64%
5.76 18	63	20W	69%/69%
7.68 18	81	20W	73%
9.60 18	99	20W	77%
11.52 18	117	20W	79%
13.44 18	135	20W	81%
15.36 18	153	20W	83%
17.28 18	171	20W	85%
19.20 18	189	20W	87%
21.12 18	207	20W	89%
23.04 18	225	20W	91%

Ordering Guide

Item Number: VAPOR XX / XXX / XXX D B XX / XX / XX / GR / XX

Product Generation: VAPOR 18
Name: VAPOR 18
Size: 18" x 18" x 10"
Voltage: 120-277V
Power: 20W
Beam Angle: 130°
Color: 4000K
Type: V Distribution
Type V Distribution

SYLVANIA LEDLUM001R7 11-20

5 FIXTURE TYPE X SPECIFICATION SHEET

On-Site Lighting & Survey, LLC

1111 HIGHWAY 25 NORTH
SUITE 201
BUFFALO MN 55313
PH: 763.684.1548
FAX: 763.682.9048

CBRE

SUNSET VALLEY VILLAGE

5601 BRODIE LANE
AUSTIN, TX 78745

REVISIONS	DESCRIPTION		INIT	DATE	1	2	3	4	5	6
	DATE	CDH								
	CITY COMMENTS RE: UPLIGHT & FULL CUTOFF FIXTURES			06/06/2022						

SPECIFICATION SHEETS

SHEET DESCRIPTION	PROJECT #	ISSUE DATE	DESIGN LEVEL	AGI	CAD	SHEET#
	CBRE5601	06.08.2022	2	C.D.HEANER	C.D.HEANER	SL301

BASED ON THE INFORMATION PROVIDED, ALL DIMENSIONS AND LUMINAIRE LOCATIONS SHOWN REPRESENT RECOMMENDED POSITIONS. THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING OR FUTURE FIELD CONDITIONS.

THE LIGHTING PATTERN REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER THE CONTROLLED CONDITIONS UTILIZING CURRENT INDUSTRY STANDARD LAMP RATINGS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS, AND OTHER VARIABLE FIELD CONDITIONS.

FOR ADDITIONAL LIGHTING INFORMATION CONTACT:
On-Site Lighting & Survey, LLC
PH: 763.684.1548

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FOR ADDITIONAL LIGHTING INFORMATION CONTACT:
On-Site Lighting & Survey, LLC
PH: 763.684.1548



1,000



2,000



3,000



4,000



5,000



6,000



7,000



8,000

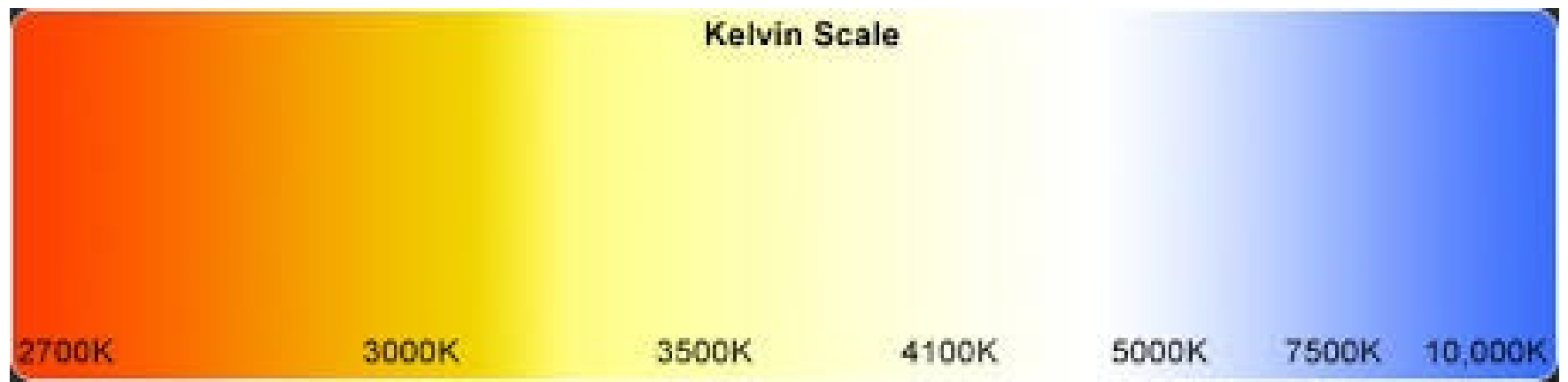


9,000



10,000 K

Warm  COLOR TEMPERATURE SCALE  Cool





COUNCIL MEETING DATE: JUNE 21, 2022

CITY COUNCIL AGENDA ITEM #12

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

COUNCIL SPONSOR: Mayor Bruner mbruner@sunsetvalley.org/Administration

SUBJECT: COMPREHENSIVE PLAN

DESCRIPTION: Presentation, discussion, and staff direction on the Comprehensive Plan

BACKGROUND: The P&E Committee has completed their review of the City's Comprehensive Plan, the lead document to all Master Plans and Zoning. It was presented to the Zoning Commission, and the Commission expressed concerns on the amount of public input both by residents and committees.

Staff is proposing the following:

- Council approves final mission and vision statements July 2022
- Joint Committee Meeting in July 2022 to discuss the overall document
- Individual Committee Meetings in August & September 2022
- Joint Committee Meeting to review all committee comments October 2022
- Zoning Commission & Legal Review November – January 2023
- Draft Document to Council March 2023 for Preliminary Review- No Action
- Public Comment Period March 2023 – April 2023
- Final Action May 2023

APPLICABLE SECTIONS OF CODE: City of Sunset Valley Code of Ordinances

FUNDING: N/A

STAFF RECOMMENDATION: Approval of the Calendar

SUPPORTING MATERIALS PROVIDED: [COMP PLAN STORYBOARD](#) (HYPERLINK)

COUNCIL MEETING DATE: JUNE 21ST, 2022



CITY COUNCIL AGENDA ITEM #13

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

Council Sponsor: Mayor Pro tem Carmona, acarmona@sunsetvalley.org

SUBJECT: AUSTIN WATER CONTRACT

DESCRIPTION: Update on Austin Water Contract Negotiations.

BACKGROUND: The City of Austin and the City of Sunset Valley are currently negotiating the wholesale water contract. The City of Austin is transferring to a 5 year template contract for all wholesale water customers. Additionally, there are obligations within the current water contract for the City of Sunset Valley to build water infrastructure by 2022, that the City will not be able to fulfill. As such, both cities are negotiating a new contract to address these needs. The City of Sunset Valley and City of Austin are working on two separate agreements. One agreement will be the wholesale water contract that specifically addresses Sunset Valley's purchase of water and wastewater treatment from the City of Austin. The second agreement will be for transferring customers who are currently being served by the City of Austin to the City of Sunset Valley for water service. The wholesale water contract will be sent for legal review this month and then to the respective Councils for consideration.

In the 2007 contract, the City of Sunset Valley was to install new master meters for AISD, Stearn's Lane, and Country White Lane. These areas are either served by the City of Austin or have small individual meters that feed two properties. The City of Austin no longer wishes to have master meters feeding one or two properties. As such the following is proposed for the customer transfer agreement:

- The City of Sunset Valley purchase the existing City of Austin infrastructure feeding Sunset Valley Elementary School and the Toney Burger Center. The City of Austin's line will be capped and the infrastructure connected to the existing Sunset Valley line in Jones Road.
- The City of Sunset Valley may negotiate the purchase of the meter and private water line feeding the Barn on Country White Lane. The City of Sunset Valley would then continue the water line down Country White Lane providing water service to those homes as well as improved fire protection.
- The Townbridge development on HWY 290 will be making a connection into the 290 waterline operated by the City of Sunset Valley. The City of Sunset Valley

may join into a cost participation agreement to bring the waterline down HWY 290 and around to Stearn's Lane. This participation agreement will be presented to the City Council in July. This will allow the City to provide water to the lift station as well as set the stage for any future infrastructure the City will need to build to reduce the number of master meters along Stearn's Lane. The City of Austin and City of Sunset Valley are working to determine what will trigger the removal of individual master meters along Stearn's Lane. This trigger has not been determined at this time.

Separating the customer transfer agreement from the wholesale water contract will be beneficial to the City as one is not dependent upon the other. The final details of the customer transfer agreement are still being negotiated and will be brought before the Public Works Committee and City Council. We have no estimated costs at this time.

FUNDING: Water Infrastructure – no estimated costs at this time

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

STAFF RECOMMENDATION: Continue negotiations with the City of Austin

SUPPORTING MATERIALS PROVIDED: NO