



MINUTES OF A REGULAR MEETING OF THE  
**CITY COUNCIL**  
OF THE CITY OF SUNSET VALLEY, TEXAS HELD  
TUESDAY MAY 1, 2007 AT 6:30 P.M. IN THE  
MUNICIPAL BUILDING LOCATED AT 3205 JONES ROAD

**Present:**

Cat Quintanilla, Mayor  
Susan Jung, Mayor Pro-Tem  
Jeff Mills, Councilmember  
Robb Buchanan, Councilmember  
John Moore, Councilmember  
Bob Garrett, Councilmember

**Sunset Valley Staff:**

Katy Phillips, Director of Public Works  
Trish Houston, Chief of Police  
Vanessa Shrauner, Assistant Deputy City Administrator  
Jessica Scott, Legal Counsel  
Don Rauschuber, Engineering Counsel  
Trish Kabel, City Secretary

**Absent:**

Jayme Foley, Deputy City Administrator

A-1: Call to order of the City Council  
Meeting was called to order at 6:44 p.m.

A-2 : Citizen Communication on agenda items

- Mayor Quintanilla was the first to speak on citizen communications. Several citizens were called but opted to hold till the agenda item that they were interested in came up. Those who were ready to speak follow:
  - Tricia Murphy – 15 Pillow Road - On issue of securing our water sources I support the Mayor. I also support the Mayor on the purchase of 37 Lone Oak Trail. She also stated that in the end we are all on the same side.
  - Karen Medicus – 36 Pillow Road - Thanks to Council and to all for their help at the first ever Arts Showcase. Look forward to doing it again next year.

- Dell Shaw – 5 Curley Mesquite Dr. I am on the Finance Committee and we are \$72 thousand dollars short on our projected revenue. Why are we trying to purchase land when we are already short on money?
- Jim Gaines – 50 Pillow Road – Supports purchasing all the land that we can and use it for green space.
- Ursula Gaines – 50 Pillow Road - The City can not afford to pass up on purchasing property when it becomes available. The city must buy property on our borders to keep our City beautiful.
- Michael Francis – 16 Lone Oak – Supports purchasing land is a good idea. The concern is what we are going to end up with.
- Mary Black - 15 Pillow Road - Supports purchasing land when it becomes available. I have been a strong advocate for connecting the trails. On the water issue, this is something that we have been talking about for decades.
- Roger Edmondson – 744 Oakdale Dr. – Supports connecting to the City of Austin for our water. City is offering much more for Bob’s land than they would for my land on Brodie Ln.
- Councilmember Moore – 15 Lone Oak Trail - . He stated that misinformation can be solved by having open discussions. Councilmember Moore has been trying to get an open discussion on the water issue and has been hitting road blocks, he would like the Director of Public Works available to Council when needed. Councilmember Moore has been doing research and learning more about water and would like to have an open discussion about this matter.
- Marshall McHone – 11 Pillow Road – Supports acquiring the land and the he believes the price is reasonable. On our well situation City Council is going in the right direction and I support the Mayor on this issue.
- Nelson Guda – 3 Reese Drive – Supports purchasing the land at 37 Lone Oak. On the water situation we should keep our well and our flexibility.
- Melisa Gonzales – 26 Reese Drive – It’s important that we purchase any green space that we can. We need to focus on our water situation and get something done now.
- Liz Wright – PD – you Rock, Council needs to start paying themselves because they work very hard. Water needs to be taken care of now, we need to finish what we start.
- Randy Williams – 12 Reese Drive – Urge the City to avail themselves of all information that is available regarding water. Discussions will help to come to the right conclusions. We need various water sources.
- Sue Kalar, 34 Lovegrass Lane, – Supports green space purchase, on water issues we don’t have enough facts to have an open discussion.
- Helen Basse – 795 Oakdale Dr. – Supports the citizens of Lone Oak to decide what happens to the land although she is concerned about the appraisal price. Supports the Espy Contract just wants Council to be sure about what we are receiving for your \$32,000 dollars.
- George Schmidt – 34 Lone Oak Trail – Supports purchase of 37 Lone Oak and feels that citizens should have input on the use of the land. Did not mention water issue.
- Corina Milan – 40 Lone Oak – supports purchase of the land. Citizens should have input on the use. On the water issue we should have the option to switch so she supports the Mayor and the City on the contract with Austin.

- Oscar Duron – 18 Lone Oak Trail – Supports land purchase, supports City and Mayor on water issue.
- Bruce Smith – 44 Pillow Road – Supports purchase of land, on water issue he would like to know what our options are.

A-3 : Staff, Committee and Mayor’s Reports

a. Police Department:

Chief Houston and Councilmember Moore presented awards to Officer Samantha Barnes and Officer Larry Flaniken for recognition above and beyond the call of duty when they apprehended two burglary suspects.

b. Public Works:

Katy Phillips, Director of Public Works, gave a brief update on her department. She reported that this Saturday is Arbor Day and invited all to attend. She also reported that and that a TV program called Kids World was recognizing Sunset Valley Elementary 4<sup>th</sup> graders for their work in the Community Gardens.

c. Administrative Department:

Jayne Foley, was absent due to an injury.

Vanessa Shrauner, Assistant Deputy City Administrator, reported that the new Directory would be out by the end of next week and will be delivered to everyone’s door step.

d. Committee/Council Member Area Reports

Councilmember Moore reported that the Public Safety Committee met yesterday and noted that a large number of registered sexual offenders were living very close to our Sunset Valley Children and that the Committee was doing research on what can be done to keep our children safe.

e. Mayor’s Report

Mayor Quintanilla reported that the “Meet the Candidates” reception is coming up on Thursday, May 3<sup>rd</sup>, Arbor Day is this Saturday and should be lots of fun for the family. Also the Arts Showcase was a huge success.

A-4 : Council consideration of agenda items for approval on consent

A motion to approve items A-9, A-15, A-16, A-19, A-20, A-22 was made on consent by Councilmember Mills and seconded by Councilmember Buchanan. Councilmember Mills also asked that items A-10 and A-28 be put after A-7.

All voted yes and the motion carried.

A-9: Consideration and possible approval of Rainwater Collection Rebate Program (Public Works/Katy Phillips)

A-15: Review and consider approval of the financial statements for February 2007. (Administrative / Finance Committee)

A-16: Consideration and possible acceptance of a Warranty Deed for the transfer of Lot 17 to the City of Sunset Valley from Villas at Sunset Valley Homestead, Ltd. (Public Works)

A-19: Consideration and possible approval to sell surplus police equipment and vehicles to Smithville Police Department. (Chief Houston)

A- 20: Consideration and possible approval of a Temporary Special Use Permit for the Sustainable Shopper's Ball to be held in conjunction with the Farmer's Market at the Toney Burger Center on May 19<sup>th</sup>. (Administrative)

A-22: Consideration and possible approval of a Resolution extending the Gas Franchise granted to ONEOK, Inc. for a period of 60 days and providing for severability and an effective date. (Legal)

A motion was made by Councilmember Mills to move A-10 & A-28 after A-7, the motion was seconded by Councilmember Buchanan. All voted yes and the motion carried.

A-5: Open discussion on the possible purchase of property at 37 Lone Oak Trail including the option for the City to purchase under the self-funding policy. (Reasons for consideration for purchase fall under land acquisition criterion adopted by Council February 6, 2007 and include but are not limited to: site to place street replacement drainage improvements/ water quality ponds for Lone Oak; Site for City waterline expansions/looping; Additional access to the Nature Area for citizens and fire control; preservation of historical equestrian area for citizens and Conservation Rangers; preservation of green space and local property values; and City ownership of floodway/creek property for restoration. (Mayor Quintanilla)

Discussion opened with Mayor Pro-Tem speaking about the City's plans on connecting the trails. "Councilmember Mills then explained how the law constrains the amount that the city can offer to pay for any land purchase." Council decided to go into Executive Session at this time.

THE CITY COUNCIL WENT INTO EXECUTIVE SESSION AT 9:00 P.M.

A-6: EXECUTIVE SESSION:

The City Council will announce that it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to discuss matters related to land acquisition and advice of Counsel as specifically listed on this agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Land Acquisition Section 551.072

EX-1 Discussion of acquisition of property at 37 Lone Oak Trail

EX-2 Final details on pending land acquisition of Oakdale green space tract to satisfy Lowe's land mitigation settlement with shared designated funds from Sunset Valley, Lowe's and the City of Austin

EX-3 Advice of Counsel – Section 551.071

Updates of ongoing negotiations on the working contract with the City of Austin for Water and Wastewater.

THE CITY COUNCIL RECONVENED INTO REGULAR SESSION AT 9:55 P.M.

A motion was made by Councilmember Mills and seconded by Mayor Pro-Tem to table items A-12, A-17, A-18, A-23, A-24, A-25 and A-29. All voted yes and the motion carried.

A-12 : Presentation on update of improvement options for the Brodie Lane / William Cannon Intersection. (Public Works/Katy Phillips)

A-17: Consideration and possible approval of an Ordinance establishing Offenses for a property owner to fail to remove graffiti on his property, providing for a penalty; and providing for severability and an effective date. (Chief Houston)

A-18: Consideration and possible approval of an Ordinance regulating solicitation, peddling, canvassing and vending in the City including the hours when soliciting may occur; prohibiting uninvited solicitation; providing for a penalty; and providing for severability and an effective date. (Chief Houston)

A-23: Resolution to have a Professional photographer photograph each newly elected City Council (including mayor) and provide City with a wood plaque displaying the Council on an 8x10 photo with City logo and each Council Members name engraved on a gold colored plate, discuss procedure for allotting up to \$500.00 for the photography, printing and engraving services. Historical documentation will begin with the current seated council, discussion on re-allocating necessary funds from the current years budget. Photo plaque is to be displayed in the City Hall common areas or the Council chambers. (Councilmember Moore)

A-24 : Workshop with Legal team to review the Open Meetings Act. Discuss how, and to what extent this applies to standing committees,

ad hoc committees and other types of committees. Discuss what can and cannot be done by committee members when a quorum is not present for a scheduled meeting and what constitutes a defined quorum. (Councilmember Moore)

A-25: Presentation from legal team of exactly what the procedure is for putting an item on the zoning commissions agenda. Who is in charge of the agenda, how the agenda is managed. Who is responsible for making notices of the agenda and what means of notification we must make with notices of zoning commission meetings. (Councilmember Moore)

A-29: Consideration and possible approval of City Council Minutes from April 17, 2007. (Administrative)

A-7: Consideration and possible action authorizing the Mayor to negotiate a contract toward the purchase of property at 37 Lone Oak Trail. (Mayor Quintanilla)

A motion to approve was made by Councilmember Mills and seconded by Mayor Pro-Tem Jung , the condition of approval of the purchase of 37 Lone Oak is that the property be used for no use other than the existing use or a use that does not increase density, noise or traffic flow above single family residential use. Councilmember Mills, Moore, Buchanan, and Mayor Pro Tem `Jung voted yes, Councilmember Garrett recused. The motion carried.

A-10 : Review and consider approval of a work order submitted by Espey Consultants for design services related to the testing and design of a new Public groundwater treatment plant in an amount not to exceed \$31,230. ( Funding for this item is provided under General Government Projects the amount of \$75,000). (Public Works)

Several residents decided to speak on this issue:

- Karen Medicus, 36 Pillow Road, stated that she is a 12 year resident and she is tired of waiting for something to be done on the water situation.
- Marshall McHone, 11 Pillow Road, stated that he had heard it all before. He suggested that Council stop wasting time and just get the job done.
- Councilmember Mills stated that he wants to poll all of the citizens of Sunset Valley to see what they want done on the water situation.
- Mary Black – 15 Pillow Road, stated that we need water and something has to be done now .
- Councilmember Moore stated that he agreed with Councilmember Mills that a survey needs to go out to all Sunset Valley citizens to see what they want to do.

A motion to approve the Espey Design with addition of filtration was made by Councilmember Garrett and seconded by Mayor Pro-Tem Jung. Councilmember Mills,

Buchanan Garrett, and Mayor Pro Tem Jung voted yes and Councilmember Moore voted no. The motion carried.

A-28 : Discuss and give direction to staff to send out a notice to all residents before May 20<sup>th</sup> requesting their input on what direction they would like to see the city go in terms of water sources. Included in this notice will be an explanation of the cost estimates and implications of each option. Final approval of the notice wording must be approved by a vote of the Council. This notice would request for the citizens to mail, fax or email their comments and choices back in to the city within 30 days, indicating which of the following choices they are in favor of; ( Councilmember Moore)

- 1) Building a new water plant and a new well
- 2.) Shutting down the well altogether and going to City of Austin as the sole source of water
- 3) Keeping the water system as it is and investing in maintaining it under the current system and the proposed water contract currently under consideration
- 4) Other options can be added by Council.

Council decided that this issue had already been discussed and taken care of along with item A-10

A-11: Consideration and possible approval of awarding a contract for median improvements to Brodie Lane. (Public Works/Katy Phillips).

A motion to approve was made by Councilmember Mills and seconded by Councilmember Garrett. All voted yes and the motion carried.

A13: Public Hearing to consider amending the 06/07 Fiscal Year Budget to provide adjustments to the City Budget. (Administration)

- a) Open Hearing
- b) Presentation
- c) Citizen comments
- d) Close Hearing

A-14: Consideration and possible approval of an Ordinance amending Ordinance 070123 adopting and approving a Budget for the 06/07 Fiscal Year. (Administration)

A motion to approve Ordinance 070123 was made by Mayor Pro-Tem Jung and seconded by Councilmember Mills. All voted yes and the motion carried.

A-21: Consideration and possible approval of a Resolution approving issuance of a Request for Proposal for Wireless Internet Network implementation and maintenance and providing for severability and an effective date. (Legal)

A motion to approve a Resolution for the Wireless Internet Network with timeline submitted by Councilmember Buchanan was made by Councilmember Buchanan and seconded by Mayor Pro-Tem Jung. All voted yes and the motion carried.

A motion to table items A-26 and A-8 was made by Councilmember Buchanan and seconded by Councilmember Mills. All voted yes and the motion carried.

A-26 : Resolution to create The Sunset Valley Comprehensive Flood Abatement Program (CFAP). Discuss long and short term goals and objectives of CFAP. Intent of CFAP is to roll all the various efforts of the City to mitigate the threat of flooding and bring those projects together in a focused effort to eliminate the 5 year flood plain throughout the city. Presentation from staff of project binders with all current projects and backup materials for all projects involving flood mitigation drainage (including road construction – if it has any drainage or runoff enhancements), flood control, and changes to the Land Code that involve flood or water runoff concerns (Council Members Jeff Mills and John Moore)

A-8: Consideration and possible approval of an Ordinance amending the Land Development Code to add Section 4.103 (g) and amend Section 4.201 to provide an Administrative approval mechanism for construction of certain exempted structures in the Water Quality Transition Zone; amend 4.301 to correct and clarify changes recently made allowing for certain structures to be exempted from Impervious Cover; and providing for severability and an effective date. (Legal Jessica Scott)

A-27 : Consideration and approval of the recommendation from the Finance Committee to outsource Payroll Services with an effective date being the second pay period in May. Presentation from staff (Vanessa and Rae Gene) on vendors and hear recommendation. (Councilmember Moore – Finance Committee)

A motion to approve was made by Councilmember Garrett and seconded by Councilmember Buchanan. All voted yes and the motion carried.

A motion to adjourn was made by Mayor Pro-Tem Jung and seconded by Councilmember Buchanan. All voted yes and the motion carried.

COUNCIL ADJOURNED AT 12:00 P.M. MIDNIGHT

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Cat Quintanilla  
Mayor

Attest:

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Trish Kabel  
City Secretary