



CITY OF ROLLINGWOOD CITY COUNCIL MEETING MINUTES

Wednesday, June 21, 2023

Notice is hereby given that the City Council of the City of Rollingwood, Texas held a meeting, open to the public, in the Municipal Building at 403 Nixon Drive in Rollingwood, Texas on June 21, 2023 at 5:30 PM. Members of the public and the City Council were able to participate in the meeting virtually, as long as a quorum of the City Council and the presiding officer were physically present at the Municipal Building, in accordance with the Texas Open Meetings Act. A video recording of the meeting was made and will be posted to the City's website and available to the public in accordance with the Texas Public Information Act upon written request.

CALL BUDGET WORKSHOP AND REGULAR CITY COUNCIL MEETING TO ORDER

1. Roll Call

Mayor Gavin Massingill called the meeting to order at 5:34 p.m.

Present Members: Mayor Gavin Massingill, Mayor Pro Tem Sara Hutson, Council Member Phil McDuffee, Council Member Kevin Glasheen, Council Member Alec Robinson, and Council Member Brook Brown.

Also Present: City Secretary Desiree Adair, City Attorney Charles Zech, Finance Director Abel Campos, Public Works Director Izzy Parra, Development Services Manager Nikki Stautzenberger, Interim Police Chief Kristal Muñoz, Utility Billing Manager Veronica Hernandez, and Assistant to the City Administrator Makayla Rodriguez.

BUDGET WORKSHOP

2. Update and discussion on the FY 2023-2024 Budget

Mayor Gavin Massingill discussed the updates to the Budget Calendar and provided an overview of the different types of funds.

Mayor Gavin Massingill discussed the budget action requests and revenue and expense reports (unaudited) for each department and the respective funds. The 12 funds include the General fund, Water fund, Street Maintenance fund, Court Security fund, Court Technology fund, Court Efficiency fund, Debt Service 2014, Debt Service 2019, Debt Service 2020, Debt Service 2023 (new fund), Drainage fund, and Wastewater fund. The departments contained within the funds include Administration, Development Services, Sanitation, Utility Billing, Streets, Police, Courts, Parks, Public Works, Department 50 in Courts, and Department 35 in Drainage fund.

Mayor Gavin Massingill recessed the meeting for a short break.

Mayor Gavin Massingill brought the meeting back to order at 7:21 p.m.

PUBLIC COMMENTS

There were no public comments.

PRESENTATIONS

3. Discussion on a report from the Police Department regarding speed limit enforcement and allocation of time between traffic enforcement and other departmental tasks

Council Member Kevin Glasheen discussed speed limit enforcement in the City.

Interim Police Chief Kristal Munoz spoke regarding allocation of Police department time between traffic enforcement and other duties and provided a map of speed limits within the City. The City Council and Interim Chief Munoz discussed hours spent on traffic enforcement and other departmental duties, the speed trailer summary, and speed limits within the City.

4. Report on fields 3, 4 and 5 rehabilitation project

Council Member Kevin Glasheen reported that they have substantially completed the fields 3, 4 and 5 rehabilitation project. He thanked the generous donors who contributed to the project, the Public Works Department, and volunteers that supported the project.

Council Member Phil McDuffee added that work was able to be done to the lower park as well since the City had already rented the equipment.

CONSENT AGENDA

All Consent Agenda items listed are considered to be routine by the City Council and may be enacted by one (1) motion. There will be no separate discussion of Consent Agenda items unless a City Council Member has requested that the item be discussed, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Regular Agenda.

5. Discussion and possible action on the minutes from the May 17, 2023 City Council meeting
6. Discussion and possible action on the minutes from the June 9, 2023 Special City Council Meeting
7. Discussion and possible action on a resolution to join the Purchasing Cooperative of America

Mayor Pro Tem Sara Hutson asked to pull item 6 from the Consent Agenda.

Council Member Phil McDuffee moved to approve the Consent Agenda excepting for item 6. Council Member Alec Robinson seconded the motion. The motion carried with 5 in favor and 0 against.

Council Member Phil McDuffee moved to approve the minutes from June 9. Council Member Alec Robinson seconded the motion. The motion carried with 4 in favor, 0 against, and 1 abstention (Hutson).

REGULAR AGENDA

8. Update from K. Friese + Associates on the status of the Water System Upgrades as approved at the November 2022 bond election

Greg Blackburn, of K. Friese + Associates, provided a presentation regarding the status of the Water System Upgrades. He presented a recap of the Water CIP, schedule update, preliminary cost estimates, cost estimates, options for bidding the projects, community outreach, and proposed bond packages.

Mayor Gavin Massingill explained that there are unexpended balances that are eligible to fund additional street paving so that the paving and water line upgrade pieces fit together. He also discussed how the Google Fiber installation would be considered during this project.

The City Council and Greg Blackburn discussed project timing, trench sizing, the abandonment projects, and bid packages.

Shanthi Jayakumar, 3309 Park Hills Drive, explained that she was the street liaison when she was on City Council, and that savings were observed by working with Travis County for street paving.

9. Discussion and possible action on a recommendation regarding the amount of the 2023 GO Bond Issuance for Water System Improvements one through five.

The Mayor and City Council, James Gilley with US Capital Advisors, and Taylor Raymond with Orrick, discussed the recommended debt structure, timing difference before the second bond issuance, and the additional issuance cost with a second issuance, and interest and payments on a bond issuance.

James Gilley explained that they need to know this evening the final dollar amount and final structure. He discussed the different options provided in the tax rate analysis he prepared for this meeting. The City Council and James Gilley discussed the level debt service option and the impact to the City's tax rate, as well as interest rates.

Council Member Brook Brown moved to approve the recommendation issue bonds in the amount of \$3.9M as presented, and instruct Bond Counsel and Financial Advisor to proceed with the issuance of \$3.9M general obligation bonds for the design and construction of the water system improvements using a level debt structure. Mayor Pro Tem Sara Hutson seconded the motion. The motion carried with 5 in favor and 0 against.

10. Discussion and possible action on a recommendation from ATS regarding establishing a survey benchmark network for the City of Rollingwood

Andrew Jimenez, of ATS Engineers, explained their recommendation to establish a control network for the City using existing manhole lids. Mr. Jimenez and the City Council discussed the benefits of this project, the deliverable of a GIS map to be published publicly for all contractors

that work within the City of Rollingwood, the timeline, the upfront cost and costs to recalibrate annually, and the scope of work.

Andrew Jimenez and the City Council discussed whether the water line project would affect this project, and how the manholes would be used for the data collection.

Mayor Gavin Massingill called up item 11 at this time.

Item continued after item 11.

Mayor Pro Tem Sara Hutson moved approval of a proposed establishment of a benchmark network in the City. Council Member Brook Brown seconded the motion.

Council Member Alec Robinson discussed that he is hesitant to approve this right in the middle of budget.

Mayor Pro Tem Sara Hutson amended her motion not to exceed \$25,000.

Mayor Gavin Massingill stated that he would talk to K. Friese + Associates to see if data is transferable that will drive down the cost.

The City Council further discussed this proposal and how to work with K. Friese + Associates to see if there is any data overlap.

The motion carried with 4 in favor and 1 against (Robinson).

Mayor Gavin Massingill returned to item 11 at this time.

11. Public hearing, discussion and possible action regarding the addition of requirements to the City's Code of Ordinances related to building height verifications

Mayor Gavin Massingill asked Andrew Jimenez to discuss how this would transfer to the field in the height verification process.

Andrew Jimenez discussed how the data established by the benchmark network can be used in the height verification process. He also discussed that they have come up with ways to observe data on the City's land to aid in the goal of preserving the native land and elevations.

Mayor Gavin Massingill explained that this creates a repeatable process.

The City Council discussed surveying done recently for the water project and whether any of that data would translate to this process.

Council Member Kevin Glasheen asked if the \$25,000 is a not to exceed estimate or hard cost. Andrew Jimenez explained that this is an estimate but that he doesn't anticipate it taking more time or costing more.

Andrew Jimenez discussed cost of the certifications and turnaround time, explaining that they would need 48-72 hours notice and data would be provided 24 hours after that. He also discussed the unit rate of \$500 per certification and that the form would be stamped by a professional licensed surveyor.

Mayor Gavin Massingill moved back to item 10 at this time.

Item continued after item 10.

Mayor Gavin Massingill opened the public hearing at 8:49 p.m.

No individuals spoke during the public hearing.

Mayor Gavin Massingill closed the public hearing and moved back in to regular session at 8:49 p.m.

Mayor Gavin Massingill discussed that staff has requested to bring this back in a cleaner way where there is a two-part process, one where we take an original snapshot of the beginning of a project, before demolition or site disturbance to set a baseline, and then follow up with verifications at the time of framing and at as built.

Andrew Jimenez, with ATS, discussed the original design survey verification.

Dave Bench, 1 Randolph Place, asked about the survey interval and Andrew Jimenez answered that a typical design interval would be one foot.

Andrew Jimenez further discussed the process of verifying original surveys submitted by builders and that there would be a checklist of data that would be required to be included on the surveys so that ATS could verify the data accuracy.

Mayor Gavin Massingill discussed what staff would be requesting to bring back at the next meeting.

Development Services Manager Nikki Stautzenberger discussed current demolition permit requirements, explaining that currently it only allows the home to be taken down to the foundation with no site development. She also explained that any site disturbance would fall within a new construction permit with new drainage plan.

Mayor Gavin Massingill stated that staff would bring back a code amendment with a bifurcated process and a checklist from ATS for rules and guidelines that any surveyor should follow.

The City Council further discussed this process.

Dave Bench spoke regarding his excitement of this discussion. He discussed the necessity of surveying even properties that are proposed to be more than 5 feet below the maximum height, and encouraged a preliminary survey for all projects.

12. Discussion and possible action on a request from the CRCRC regarding the scope of the Committee, timeline, additional information to be added into the survey, and information distribution to the CRCRC, City Council and Planning and Zoning Commission

City Secretary Desiree Adair discussed that the CRCRC members have requested clarification on the scope of the committee in terms of residential issues that don't necessarily relate to the residential code including sidewalks, street lighting, speed bumps and speed limits. They have also requested to add in Dark Sky, drainage, floor-area ratio and tree considerations.

Dave Bench, CRCRC Member, discussed that these topics have emerged as themes in emails from residents and the committee wants to be sure they are covering what needs to be covered.

Council Member Kevin Glasheen moved to respond “no” to sidewalks, street lighting, speed bumps and speed limits and “yes” to trees, dark skies, floor to area ratio and drainage only to the extent that it affects construction on a lot, such as impervious cover. Council Member Phil McDuffee seconded the motion.

Council Member Sara Hutson stated that she thought the whole point of the CRCRC was to focus on things that happen inside the boundaries of residential lots.

Council Member Kevin Glasheen amended his motion to respond “no” to sidewalks, street lighting, speed bumps and speed limits because those are things that are outside the boundaries of the lot and that we want to focus on things that have to do with residential construction and redevelopment, and those things would include trees, dark skies (which means lighting on the houses), floor to area ratio and impervious cover or anything else that they recommend that the citizens are concerned about that affect the redevelopment and construction of houses on a lot. Council Member Brook Brown seconded the motion. The motion carried with 5 in favor and 0 against.

City Secretary Desiree Adair discussed the CRCRC request to clarify the speed in which recommendations need to be delivered to Council and the P&Z vs. inclusivity and community input.

Council Member Sara Hutson stated that getting public input is the most important.

Dave Bench discussed the time that this process is taking including the survey.

Council Member Kevin Glasheen moved to remove the timing guidance that was given previously and leave it to the discretion of the committee to produce their results as they think its appropriate balancing the interests of public input and efficiency and results. Council Member Brook Brown seconded the motion.

Council Member Phil McDuffee discussed including a deadline of some sort on community input.

Dave Bench discussed the difficulties of working within posted meetings.

Council Member Sara Hutson questioned whether council members could attend these meetings or if we could post some meetings as joint meetings.

City Attorney Charles Zech discussed his recommendations regarding quorums of Council at other meetings.

The motion carried with 5 in favor and 0 against.

City Secretary Desiree Adair discussed that the CRCRC wants to know what the City Council would like to see on the survey, if anything.

Dave Bench stated that the draft survey will be out soon and the Council can submit comments.

City Secretary Desiree Adair discussed the request from a CRCRC member to include City Council and P&Z members to the email distribution list that goes to the CRCRC.

The City Council discussed this option and City Secretary Desiree Adair let them know that all emails to the CRCRC are now posted in their meeting packets.

Dave Bench discussed that many of the emails are already going to the City Council but the CRCRC wants to know whether the Council wants to see them all so that Council has more background.

The City Council discussed the preference for Council to just review the PDF of the emails posted in the packet.

Shanthi Jayakumar, 3309 Park Hills Dr., requested that the City focus on the CRCRC generated survey, not from other surveys going around the City.

13. Discussion and possible action on a recommendation to alter citywide speed limits

Mayor Gavin Massingill asked Interim Police Chief Kristal Munoz why there are advisory speed limits and she explained that they are posted in areas where it is recommended you do not go the posted speed limits. Council Member Kevin Glasheen further explained why these are used.

Interim Police Chief Kristal Munoz stated that West Lake Hills is all 25 mph.

Mayor Gavin Massingill recommended lowering the speed to 25 mph throughout the City.

Council Member Brook Brown asked what the cost of new speed limit signs would be, and she asked this be handled as an exception to the budget.

Council Member Kevin Glasheen moved to lower the speed limit across the City to 25 mph. Council Member Phil McDuffee seconded the motion.

The City Council discussed speed limits in surrounding areas, cost, enforcement of speed limits.

Council Member Brook Brown stated that she has seen an increase in patrolling and enforcement and has heard similar comments from citizens and thanked Chief Munoz.

The motion carried with 5 in favor and 0 against.

Mayor Gavin Massingill stated that staff would do some research on the number of signs and cost and roll that into the next budget discussion as an exceptional item.

Shanthi Jayakumar discussed notification of this change.

14. Discussion and possible action on code enforcement activities, including current enforcement policy and procedures for violations and repeat violators

Mayor Pro Tem Sara Hutson discussed that she would like to know the policies and procedures of code enforcement as she has noticed a number of repeat violations.

Council Member Brook Brown discussed a meeting she had with Interim Police Chief Kristal Munoz regarding multiple issues with one construction project. She explained that she would like a process that includes biweekly drives of the City with a checklist of issues/requirements that would hold contractors accountable.

Mayor Gavin Massingill discussed that he thought the code enforcement process had already been cleaned up but is glad that these details are getting worked out now.

Interim Police Chief Kristal Munoz discussed construction work hours and requested direction from City Council.

Mayor Gavin Massingill and Council Member Brook Brown debated the construction hours. City Council discussed the hours and the parameters for providing a citation.

Shanthy Jayakumar, 3309 Park Hills stated that she felt that the 7:00 p.m. closing should be strictly adhered to.

The City Council discussed how to apply the construction hours requirement.

Kevin Schell, 300 Pleasant Drive, asked for clarification about construction activity times and discussed his experience with a property violating construction hours.

Interim Police Chief Kristal Munoz responded to the questions posed about enforcement of construction hours.

City Attorney Charles Zech discussed how the citations are being handled and whether there is evidence to convict. He suggested properly defining construction activity in the Code to assist the officers in what is a violation and what will be upheld in court.

Council Member Kevin Glasheen discussed that a simple solution is that gates can't be unlocked before 7:00 am and must be locked after 7:00 pm, and they get a warning on the first violation and a citation after that.

City Attorney Charles Zech further discussed the need for clarification in the code regarding construction activities.

The City Council further discussed how to handle repeat offenses.

Council Member Kevin Glasheen moved to give guidance to the Police Department to make a bright line rule that people will not be on the property, no construction workers, no subcontractors, etc. before 7:00 am or after 7:00 pm. and that a warning, and then a citation will be given if they don't comply. Council Member Brook Brown seconded the motion.

Interim Police Chief Kristal Munoz stated that an email would be sent to contractors to follow up on this.

Council Member Brook Brown asked how to get the silt fence violations enforced and Development Services Manager Nikki Stautzenberger discussed her current procedure for enforcing silt fence violations. She asked for direction on this matter and the City Council discussed instances of violations.

Council Member Brook Brown further discussed how enforcement of silt fences should work and explained that the problem will correct itself if followed.

Mayor Gavin Massingill discussed that if staff witnesses a silt fence violation, they have until end of day to correct the silt fence. If the next morning it is not corrected, they get a warning if it is the first time or a citation if it is a repeat offense.

Development Services Manager Nikki Stautzenberger asked whether this should be the same procedure for all construction related violations and the City Council further discussed this matter.

The motion carried with 5 in favor and 0 against.

15. Discussion and possible action regarding ethical obligations, policies, and ordinances for board and commission members and Rollingwood elected officials

Mayor Gavin Massingill called up item 16 to be discussed in conjunction with item 15.

Mayor Pro Tem Sara Hutson discussed issues that have come up related to ethics and elected and appointed officials. She recommended revising the board and commission application to require people to include properties they own or anything they have a financial interest in within the City so that there is transparency of interests.

Mayor Gavin Massingill explained that boards and commissions are an extension of the policymaking of the City Council and that the options Council has are limited relating to elected officials. He requested that City Attorney Charles Zech define a conflict of interest.

City Attorney Charles Zech explained that state law has specific conflicts of interest. He read the related section from Chapter 171 of the Texas Local Government Code explaining conflicts of interest and implications. He stated that the City could have a stricter code if desired.

Council Member Kevin Glasheen asked whether the Council had a problem with a home builder being on the Planning and Zoning Commission and the City Council discussed this.

City Attorney Charles Zech discussed whether this applied to the Planning and Zoning Commission.

Council Member Kevin Glasheen suggested that a revised code of ethics or something drafted based on what another City has be brought back for the Council to look at.

Council Member Sara Hutson discussed that her main concern is transparency.

Council Member Brook Brown stated that we need the rules for board and commission members and Council, as well as a conflict of interest disclosure form on our website explaining when conflicts must be disclosed.

Shanthi Jayakumar, 3309 Park Hills discussed some documents that she had from her time serving on Council and shared those with Council Member Hutson.

16. Discussion and possible action to revise the city application for boards, commissions, special work groups, Council members and mayor to include all property interests within Rollingwood

and all affiliations with companies, groups, and associations that could present a conflict of interest

This item was discussed in conjunction with item 15.

17. Update and discussion on park lessee compliance with capital improvements as required by the lease agreement

Council Member Kevin Glasheen discussed that the question came up of whether the Little League and Girls Softball had complied with the capital improvements required in the lease. They have sorted it out, and these groups have complied with the lease.

Mayor Gavin Massingill discussed that staff has been working to keep an operations chart with annual requirements, particularly before the board members roll off so that there may be information to share.

Council Member Kevin Glasheen discussed the term of the ten-year lease and City Attorney Charles Zech discussed that a body cannot reasonably contract away its legislative authority and it would depend on the facts of the situation.

18. Discussion and possible action to install an additional gate on fields 3, 4 and 5

Council Member Kevin Glasheen explained his proposal for the installation of an additional gate to fields 3, 4 and 5. He stated that this would only cost approximately \$3,000 to \$3,500 and could be funded by private donations and that he is looking for Council support of this project.

Council Member Alec Robinson asked if the Park Commission had seen this project yet and Council Member Kevin Glasheen stated that he would take it to the Park Commission first.

The City Council discussed getting this to the Park Commission at a meeting soon and Mayor Gavin Massingill asked that Council Member Kevin Glasheen submit the information for an exceptional item in the budget process.

Council Member Kevin Glasheen again suggested that the cost of this project could be covered by private fundraising.

Council Member Sara Hutson stated her concern of doing this without getting approval of the Park Commission and Council Member Kevin Glasheen agreed.

Council Member Kevin Glasheen moved to approve this item subject to Park Commission approval and if Park Commission approves it then we go forward with it. Council Member Phil McDuffee seconded the motion. The motion carried with 5 in favor and 0 against.

19. Discussion and possible action to suspend leasing and use of fields 3, 4 and 5 for a limited period to allow for sod restoration

Council Member Kevin Glasheen discussed the sustainability of the temporary fence on fields 3, 4 and 5 when there are 50-100 small kids on the fields and that it could make their camp work with only using fields 1 and 2.

Council Member Kevin Glasheen stated that no action was needed at this time and this was just administrative.

20. Discussion and possible action on getting proposals from a landscape architect for parking lot, trail and / or drainage improvements at the park

Council Member Kevin Glasheen pulled this item from the agenda for now, explaining that there have been preliminary discussions with the RCDC and that more work needed to be done first.

Shanthi Jayakumar, 3309 Park Hills Drive, discussed that she spoke with Park Commission members and this item is at the top of their list. She explained her concerns about the number of kids that use the fields at once, parking concerns in and around the park, and safety.

Council Member Kevin Glasheen explained that he pulled this item because of initial resistance to parking improvements and explained the avenues he wants to explore before having Council action.

Shanthi Jayakumar asked for no big signs to be allowed to be put up on the fencing at the park.

Council Member Kevin Glasheen stated that he wanted to bring this back with more details at the next meeting and in the interim to meet with Shanthi and others and keep building consensus.

Mayor Pro Tem Sara Hutson discussed the park master plan that already exists.

Council Member Kevin Glasheen discussed that this is not a park master plan but instead bringing up specific, biddable projects and working with the park commission and RCDC to get some of these projects done.

Council Member Brook Brown recommended taking this item to the Park Commission and it coming as a recommendation to the City Council and Council Member Kevin Glasheen agreed that was the process that needs to be followed.

21. Discussion regarding RCDC funds for possible improvements to Hatley Park and the sidewalk along Edgegrove Drive

Council Member Kevin Glasheen asked about Council interest for the sidewalk along Edgegrove Drive.

Mayor Gavin Massingill explained that there is interest in a sidewalk on Edgegrove Drive but the infrastructure issues that exist with the low water crossing have always been a concern. The City Council discussed the City right-of-way along this road.

Mayor Gavin Massingill also discussed that if the bridge ever had to be raised it would also be a good idea to harden the lines in that area as well. He further discussed what could be done in this area if it is aligned with the infrastructure issues in this area.

22. Discussion and possible action on Board of Adjustment hearing procedures including the requirement for presenters/speakers to be sworn in and equitable presentation opportunities for all parties

Mayor Pro Tem Sara Hutson described the last Board of Adjustment meeting that she attended, and that she wanted to know what authority Council has to ensure that the BOA is following its procedures. She also asked about whether it was required to be sworn in before speaking.

City Attorney Charles Zech read Local Government Code Chapter 211.008 (e) and explained that the Board of Adjustment has to adopt the rules, the rules have to be consistent with city ordinance, and approved by City Council.

Mayor Pro Tem Sara Hutson asked what could be done if they did not follow the rules and City Attorney Charles Zech explained the options of the Council.

Mayor Pro Tem Sara Hutson asked whether state law required witnesses to be sworn in before the BOA, and City Attorney Charles Zech stated that it is best practice for witnesses to be sworn in but not a requirement.

The City Council and City Attorney Charles Zech discussed what the Council's process should be if they are not happy with the way the BOA is conducting their meeting. He also discussed that the City's ordinance could be changed to require certain things.

The City Council and City Attorney Charles Zech discussed the process of signing oaths.

Council Member Brook Brown discussed her experience at the BOA meeting.

City Attorney Charles Zech suggested that an affirmation be signed.

Council Member Brook Brown moved to amend the ordinance creating the Board of Adjustment to require that all persons presenting testimony at a Board of Adjustment hearing be sworn, and ask that the Board of Adjustment add that requirement to their rules of procedure. Mayor Pro Tem Sara Hutson seconded the motion. The motion carried with 4 in favor and 1 against (Robinson).

23. Discussion and possible action to provide feedback on the proposed changes to Barton Springs Road from Stratford Drive to South Lamar Boulevard

Mayor Gavin Massingill described the proposed changes to Barton Springs Road and the presentation at the link provided. The City Council discussed these changes and Mayor Gavin Massingill suggested that staff could work on a letter similar to the issues raised in the letter responding to the Zilker Park Vision Plan.

Council Member Phil McDuffee moved to rinse and repeat the letter regarding the Zilker Park Vision Plan. Mayor Pro Tem Sara Hutson seconded the motion. The motion carried with 5 in favor and 0 against.

ADJOURNMENT OF MEETING

Mayor Gavin Massingill adjourned the meeting at 11:42 p.m.

Minutes Adopted on the 19th day of July, 2023.



Gavin Massingill, Mayor

ATTEST:



Desiree Adair, City Secretary