



CITY OF ROLLINGWOOD CITY COUNCIL MEETING MINUTES

Wednesday, October 18, 2023

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 October 18, 2023. 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 REGULAR CITY COUNCIL MEETING TO ORDER

1. Roll Call

Mayor Gavin Massingill called the meeting to order at 7:02 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 Administrator Ashley Wayman, City Attorney Charles Zech, Finance Director Abel Campos, City Secretary Desiree Adair, Development Services Manager Nikki Stautzenberger, Police Chief Kristal Muñoz, and Assistant to the City Administrator Makayla Rodriguez.

PUBLIC COMMENTS

The following individuals spoke during public comments:

- Jerry Fleming, 305 Nixon Drive, spoke regarding the drainage projects. Please see attachment A for his comments.

PUBLIC HEARING

2. Public hearing, discussion and possible action regarding a Special Use Permit application for 2712 Bee Cave Road #106 to authorize operation of a restaurant, including alcoholic beverage sales, for on-premise consumption

City Administrator Ashley Wayman explained that this address is in the C-2 zoning district. Proper notice was given and this went to the Planning & Zoning Commission on October 11th and they recommended approval of the Special Use Permit application. She described the items in the agenda packet.

Mayor Gavin Massingill opened the public hearing at 7:14 p.m.

Carlos Yescas, with Pepita's Café, stated that they are anxious to open and get going. He invited all to stop by and try their restaurant.

Mayor Gavin Massingill closed the public hearing at 7:15 p.m.

Council Member Brook Brown moved for approval of Special Use Permit application for 2712 Bee Cave Road #106 to authorize operation of a restaurant, including alcoholic beverage sales, for on-premise consumption. Mayor Pro Tem Sara Hutson seconded the motion. The motion carried with 5 in favor and 0 against.

PRESENTATIONS

3. Presentation and discussion on the Quarterly Investment Report for the 4th Quarter

The 4th quarter investment report was presented to City Council. Finance Director Abel Campos explained that all investments are with TexPool. He stated that this is a safe investment for the City of Rollingwood.

4. Presentation and discussion on the Budget Review for the 4th Quarter

Finance Director Abel Campos presented the Budget Review for the 4th Quarter to City Council. He mentioned property tax collection, general fund collection, and expenditures. He discussed the Water fund and Wastewater fund collection and expenditures. Mr. Campos explained that these numbers are preliminary, prior to audit.

5. Presentation of the Pavement Condition Assessment by WSB Engineering

Mayor Gavin Massingill stated that they would return to this item shortly.

Mayor Gavin Massingill called up this item at the conclusion of item 9 at 7:53 p.m.

Mayor Gavin Massingill explained that this was a budget item from last year and that this report was done in concert with the design of the Water CIP. He also discussed that this report is a step towards ensuring that our streets remain in good condition.

Jay Kennedy, with WSB engineering, provided a presentation of the 2023 Pavement Management Report. He discussed the objective and visual inspections, calculated a Pavement Condition Index (PCI), compared three approaches to pavement maintenance, and recommended an annual budget to the City of Rollingwood for pavement maintenance. Mr. Kennedy also provided pictures of pavement ratings and which type of maintenance is required. He discussed repair costs with asphalt deterioration and a five-year CIP scenario comparison. He explained that WSB recommends an annual pavement maintenance budget of \$275,000 to \$300,000 with the goal to maintain the city's current average pavement rating. Mr. Kennedy provided six next steps for achieving the pavement condition.

City Council asked questions of Mr. Kennedy. He suggested prioritizing steps one and two, which are to incorporate pending projects into the overall system and develop a prioritized list of projects.

Mayor Gavin Massingill stated that staff would work with WSB to determine the cost of the next steps.

Mr. Kennedy discussed that projects would be grouped by streets and not recommended to be completed segment by segment.

Mayor Gavin Massingill called up item 10 at this time.

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.

6. Discussion and possible action on the minutes from the September 20, 2023 City Council meeting
7. Discussion and possible action on the minutes from the September 28, 2023 Special City Council meeting
8. Discussion and possible action to accept Amie Rodnick's resignation from the Planning and Zoning Commission and thank her for her service

Mayor Pro Tem Sara Hutson moved to approve the Consent Agenda. Council Member Phil McDuffee seconded the motion. The motion carried with 5 in favor and 0 against.

REGULAR AGENDA

9. Discussion and possible action to select a contractor for the Water CIP and Drainage projects

City Administrator Ashley Wayman explained that last Thursday was the bid opening for the Water CIP and drainage projects.

Greg Blackburn, of K. Friese + Associates, described the base bid and the alternate packages. He stated that K. Friese + Associates recommends AO Services for their low bid and references.

Mayor Gavin Massingill thanked AO Services for their bid and described how the bid packages were put together with maximum flexibility. He also discussed that full-street repaving will fit within the budget.

Council Member Kevin Glasheen asked when construction could start. Mr. Blackburn estimated a start date in November with 18 months of construction.

City Council asked questions regarding the timing and prioritization of the projects. Council Member Brook Brown recommended notices be sent out to residents 30 days in advance if their streets will be worked on during the holidays.

Mayor Gavin Massingill discussed process, easement acquisition, and timing. Council Member Brook Brown asked for coordination between K. Friese + Associates and Google Fiber installation and a report for the next meeting.

Mayor Pro Tem Sara Hutson recalled that bond funds available are \$5.3 million. Mayor Gavin Massingill elaborated on the funds that were authorized in the November 2022 election and the amount that has currently been issued for this project.

Mr. Blackburn recommended authorizing a contingency of five percent to cover change orders for the project. He explained the base bid includes pavement trench repair, but the alternatives include full width street paving, so there would be a savings in materials cost that would offset the contingency.

Council Member Brook Brown asked what would happen if the water project is constructed but Google Fiber is not yet complete. Karl Sonntag, Director of Construction at AO Services, described how they would coordinate the paving with the project. Council Member Brook Brown expressed her concerns with the micro trenching that Google Fiber would do.

Council Member Alec Robinson asked about the background of the company and how they were able to bid this project at this price. Mr. Sonntag provided a history of the company and their experience with water projects. He explained that their production ability and the size of their company factored into their lower bid price.

Council Member Brook Brown stated that she inspected the bid from AO services and saw that they had a lot of experience with these types of projects.

Mayor Gavin Massingill discussed how K. Friese + Associates ran references on AO Services and have worked with them in the past.

Kevin Schell, 300 Pleasant Drive, asked for the logic behind the order of the projects, and Mayor Gavin Massingill explained the thought behind the prioritization of the Water CIP packages.

Mr. Sonntag and the City Council further discussed that the estimated start date of the projects would be in 2024 and general timing of the projects including the drainage projects.

Mayor Gavin Massingill further explained the funding from the bonds and the funding for the drainage projects.

Mayor Gavin Massingill let the City Council know that City Administrator Ashley Wayman would be reaching out to schedule a special meeting as soon as all four easements for the drainage projects are signed.

Mayor Gavin Massingill moved back to item 5 at this time.

10. Discussion and possible action to grant the Mayor authority to negotiate a contract for Construction Oversight of the Water CIP Bond Program Packages 1-4 and drainage projects as selected by the City Council

Mayor Gavin Massingill explained the reasoning and the purpose for hiring a person for Construction Oversight services, and the role that this person would play. He explained that this

position would work closely with Public Works staff to make sure that the project is proceeding as it should.

Greg Blackburn, of K. Friese + Associates, explained that this person will not be there every day but will be there for the critical portions of the project to minimize issues on the project.

Mayor Gavin Massingill explained that this person will be independent and contracted directly with the City.

Council Member Kevin Glasheen discussed hiring an owner's representative and explained the importance of the Construction Oversight being independent.

Council Member Brook Brown asked about qualifications of this individual and the budget for this position and Mayor Gavin Massingill explained the qualifications and estimated that it would cost \$120,000 for the 18-month period of construction.

Mayor Pro Tem Sara Hutson requested more information and that this item be brought back to the special city council meeting.

Mayor Gavin Massingill stated that if everyone is comfortable with investigating this position further that he would ensure that more information would be brought back at the special city council meeting.

Council Member Brook Brown requested a monthly council report to keep the Council and citizens informed and asked who would ensure that the city GIS map is updated with as-built information. She explained that this should be assigned to someone so that it doesn't fall through the cracks.

Mr. Blackburn stated that it's standard that the contractor provide a monthly update to K. Friese with what has been built and that usually the full as-built set it prepared at the end.

City Administrator Ashley Wayman explained that K. Friese + Associates provides this information to the City and the City provides it to WSB Engineering so that the data can be incorporated. She also explained the process for the quarterly update of the city's GIS map update.

Mayor Gavin Massingill asked Mr. Blackburn and staff to work together to see if updating of the GIS Map is in the city's contract with K. Friese + Associates and if not, possibly bring back a contract scope amendment.

Mayor Gavin Massingill thanked Mr. Blackburn for his work and guidance through the bid process.

11. Discussion and possible action on a proposal from Crossroads Utility Services for the Lead & Copper Revised Rule (LCRR) Data Collection Services, due on Oct 14, 2024

City Administrator Ashley Wayman explained the revised rule from the EPA requiring certain documentation of our water system. The goal is to get safe water access by replacing all lead service lines. Crossroads brought this proposal for these services to the City for \$4,500.

Council Member Kevin Glasheen moved to approve the contract. Council Member Phil McDuffee seconded the motion.

City Council discussed the proposal and their concerns.

The motion passed with 5 in favor and 0 against.

12. Discussion and possible action on a recommendation from the Park Commission regarding the use of the lower park for a movie night event open to Eanes Elementary families on December 2, 2023

City Administrator Ashley Wayman explained that this item is a recommendation from the Park Commission with Eanes Elementary hiring two police officers and one maintenance person.

Courtney Harvey explained that the movie "Home Alone" will be shown and discussed working with the police department to have a Brown Santa event incorporating the spirit of service. They will have a crew cleaning up that night and will return the next morning. They have requested bathroom usage at the fieldhouse and City Hall for ADA compliance.

Council Member Kevin Glasheen moved to approve the Park Commission recommendation. Council Member Brook Brown seconded the motion.

Mayor Pro Tem Sara Hutson brought attention to an email from a resident that was unhappy with the event.

Council Member Kevin Glasheen explained that there was a lot of consideration from Park Commission and confirmed that this is a non-profit event.

The City Council discussed the location in the Park and size considerations.

The motion carried with 5 in favor and 0 against.

13. Discussion and possible action to appoint a new member to the Planning and Zoning Commission

City Administrator Ashley Wayman explained the applications that have been submitted for membership on the Planning and Zoning Commission and those that have confirmed they are still interested.

Dave Bench, 1 Randolph Place, acknowledged his support for Genie Nyer and asked for special consideration.

Council Member Kevin Glasheen moved to appoint Genie Nyer. Council Member Brook Brown seconded the motion.

Council Member Alec Robinson asked questions about the timing of the applications, and City Council discussed fit for the position.

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

14. Discussion and possible action regarding the policy of leasing fields 3,4, and 5 and fields 1 and 2 to I9 Sports

Council Member Kevin Glasheen discussed the policy of leasing fields to I9 and would like Council to consider contracting with I9 for fields 1 and 2 only.

Council Member Kevin Glasheen moved to direct City staff to when they lease to I9 to have them use fields 1 and 2 instead of 3, 4, and 5 and if that's a major problem, you can come back and let us know if they need relief from that. Council Member Phil McDuffee seconded the motion.

City Administrator Ashley Wayman explained that the policy is to direct them to the smallest field available that fits the group.

Council Member Alec Robinson discussed how Park Commission spent a lot of time determining the rates for leasing fields and would like Park Commission to take a look at this item.

City Administrator Ashley Wayman explained the guidelines that groups are asked to follow when requesting to use the fields.

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

15. Discussion and possible action regarding fundraising for the Park capital improvements and an endowment

Council Member Kevin Glasheen discussed his work with the Park Commission on maintenance issues and capital improvement projects. He explained that RCDC and the Park Commission brought up private fundraising for funding capital improvement projects. The Park Commission would be the principal to fundraise.

Mayor Gavin Massingill explained that there is an existing line item in the budget for Park donations.

Mayor Pro Tem Sara Hutson discussed historical donations for trees, benches, the fieldhouse, and memorial dedications. In the past, the projects were identified and then fundraising occurred.

Shanthi Jayakumar, 3309 Park Hills Drive, explained that the Women's club raises money for beautification of the park. She stated that the Park Commission should be the starting point for Park projects. She is very passionate about the Park and would like to continue to maintain it for the people who use the Park. She is committed to supporting grass roots level projects.

Council Member Phil McDuffee discussed Park Commission fundraising and that people are willing to donate to specific agenda items. He would like Park commission to identify and prioritize projects and then do fundraising directly related to those projects.

Council Member Kevin Glasheen asked that City Council support Park Commission requests.

16. Discussion and possible action regarding a Park Commission request for a full drainage study of the upper and lower park by a civil engineer; consider including a detention pond north of the Western Hills Athletics facility and coordinate drainage from the park with construction of the new Western Hills tennis court and new City Hall

Council Member Kevin Glasheen explained that he thought a drainage study would be useful, and that at least two citizens have suggested a detention pond.

Council Member Kevin Glasheen moved to ask City staff to get our engineering firm to give us a proposal to do a drainage study that covers the entire park, and considers possible

coordination with the future City Hall construction or with Western Hills work, and include in the study the utility and potential cost of a detention pond. Council Member Phil McDuffee seconded the motion.

Council Member Brook Brown asked for the status of the WHAC permit. Development Services Manager Nikki Stautzenberger explained that they just finished the notification period and went to K Friese + Associates for drainage review this week.

City Council discussed a drainage study of the Park and the impact of the new City Hall and the new WHAC facility.

Council Member Kevin Glasheen restated his motion to ask our engineers to give us a proposal for a drainage plan as recommended by the Park Commission and requested by the Park Commission.

Council Member Kevin Glasheen amended his motion to just limit it to asking the engineering firm to give us a proposal for a drainage study of the Upper and Lower Park and they should propose the scope and propose cost of that and they might give us options on the scope. Council Member Phil McDuffee seconded the motion. The motion carried with 5 in favor and 0 against.

17. Discussion regarding coyote incidents in the neighborhood

Council Member Kevin Glasheen discussed a recent coyote incident and a resident's service on the Travis County Austin Animal Advisory Commission with information regarding coyotes and legal options.

Mayor Gavin Massingill discussed a previous incident in the City of Rollingwood with coyote sightings and discussed the life cycle with deer and coyotes.

Shanthi Jayakumar, 3309 Park Hills, requested that the City add skunks to this discussion. She asked that they come together as a community to work on this issue.

18. Update on the MoPac South Project

Mayor Gavin Massingill posted this item so that the public could see the response from CTRMA to the City's letter that was recently sent.

Mayor Gavin Massingill recognized Assistant to the City Administrator Makayla Rodriguez for being accepted to Texas State University into the MPA program.

ADJOURNMENT OF MEETING

Mayor Gavin Massingill adjourned the meeting at 9:35 p.m.

Minutes Adopted on the _____ day of _____, 2023.

Gavin Massingill, Mayor

ATTEST:

Desiree Adair, City Secretary

Attachment A
Jerry Fleming Public Comment

Attachment A

My name is Jerry Fleming and I reside at 305 Nixon Dr.

My comments are generated by my experience with the Nixon/Pleasant Dr drainage project.

First it should be noted that the mayor and staff have spent many hours of their time working with the consultant, utility rep and Rollingwood citizens.

A neighbor, more informed than I, once said that the citizens of Rollingwood are all smart, all alpha, believe they have all the facts and have the solution. Well, I admit I do not have all the facts but I do have a recommendation for the council on the next city project. That is to hire a professional engineer design project manager where the city engineer is missing or is not qualified.

On the civil engineering drainage project, the project consultant was also the city engineer. However, I saw no evidence of the city engineer's presence at any time.

Now larger institutions have in-house architect and engineers, civil, structural and MEP to review their consultants' design of their capital projects such as State of Texas Facilities Commission, UT Systems, City of Austin, Travis County Integral Care, formerly MHMR, AISD, and Fort Cavazos, formerly Fort Hood. I have worked with all of them at one time or another and they all work similarly.

What they do and their functions I have incorporated into six reasons to hire a professional engineer/architect project manager.

Reason #1. Preliminary design review

Project design manager reviews consultant's preliminary design scheme for adherence to program requirements and appropriacy of proposed solutions. The designer wants a solution that works. The owner wants to keep it working. Even storm sewer systems have maintenance.

Reason #2 – Invoice Verification

Project manager can verify consultant's invoice because he knows what is left to be done on the project and when a design is complete. He verifies appropriacy of public expenditures and provides professional justification. That is very important.

Reason #3 – Communication

It is not common for construction projects to involve homeowners who are probably not familiar with construction, cannot read drawings and do not know the language and terms. It is a world into itself and common sense says plenty of time should be allotted to educating people and showing them what is involved.

Communications should be with all the all homeowners and not just one. If conversations are held with only one, it should not be surprise that the resulting design is found unacceptable to those not consulted.

The project manager can make sure that all homeowners are informed and treated equally, more or less.

Reason #4 – Continuity of Project Design

Time is of the essence applies not just to the construction phase but also to the design process. After a pause, designers and their staff take time to become familiar with project details again, what decisions have been made and how to implement those decisions. The longer the delay, the longer the "refresh"

period. Long stops are a disruption to the work flow in the designer's office where projects are usually under a deadline to finish.

Similarly with homeowners, after a couple months delay they may be frustrated that there are no revised drawings to review.

A project manager can push the project design and proceed in an orderly and timely manner.

He also knows that a project can be finish and put on a temporary pause before going out to bid. In this case the designer is entitled to review the project for code changes and obsolete model numbers before going to bid as an additional service.

Reason #5 – Quality Control

Professional project manager brings a pair of fresh and experienced eyes to the project that can spot discrepancies, missing details and makes for a smoother construction process. He also facilitates that mark-ups are included in the drawings or a reason why it is not included.

Reason #6 - Finalizing drawings and Bid Documents

By maintaining continuity of the design process the professional project manager can give the homeowners the opportunity to review the "final" drawings. If there are requested items, the project manager can ensure that they are included or at least discussed.

This final step can eliminate a chaotic scramble to produce an addendum within a limited time. If items are left off the addendum and there is no time for another addendum, then items are included by a change order which are more expensive.

Cost of the professional project manager. Based on my review time I would estimate the fee at 2% of project cost and on an hourly basis up to a max. The expense can be offset by reducing change orders which can range from say 1% to 10%. His depends on the many factors with one being the quality and accuracy of the drawings.

It is possible the project manager fee is completely covered by reducing change orders. However even if it does not, all the reasons mentioned previously add value to the design process and to the project.

Thank you for your time and all your volunteer time spent doing the city's business which allows me to stay home and watch TV. And also to Ashley, Nikki and city staff for all their time and dealing professionally with Rollingwood citizens. That is not easy.

Thank you.