



AGENDA

Town Council

Monday, September 9, 2024

6:00 pm Work Session and 7:00 pm Regular Meeting

Sunnyvale Town Hall
Council Chambers
127 N Collins Rd.
Sunnyvale, TX. 75182

A. Work Session - 6 p.m.

1. Hold a discussion and provide direction to Staff related to the proposed FY 2024-2025 budget.
2. Hold a discussion and provide direction to Staff related to Gateway Park.
3. Hold a discussion and provide direction to Staff related to the Clay Commerce Business Park.
4. Hold a discussion and provide direction to Staff related to Ordinance 2024-07 amending the Unified Development Ordinance (UDO) related to Fence Standards.
5. Hold a discussion and provide direction to Staff related to speed limits.

B. Regular Meeting - 7 p.m.

C. Invocation

D. Pledge of Allegiance

E. Call Meeting to Order

F. Announcements and Acknowledgements

Pursuant to Texas Government Code Section 551.0415 the Mayor, Council and Staff may report on the following items: (1) expression of thanks, congratulations or condolences; (2) information about holiday schedules; (3) recognition of individuals; (4) reminders about upcoming Town Council events; (5) information about community events; (6) announcements involving imminent threat to public health and safety.

G. Public Comment

The Town Council invites citizens to address the Town Council on any matter, except items on the agenda and public hearings that are included on the agenda. Comments related to items on the agenda and public hearings will be heard when the specific item/hearing starts. Citizen comments are limited to three (3) minutes, unless otherwise required by law. To address the Council, please fill out a Public Comment Card and submit it to a staff member prior to the Public Comment section on the agenda. The Council is not permitted to take any action or

discuss any item not listed on the agenda. Council may choose to place the item on a future agenda.

H. Consent Agenda Items

1. [Consider and act upon the minutes from the Aug. 12, 2024, Town Council meeting. Aug. 26, 2024 Minutes.pdf](#)

I. Public Hearing Items

1. Discuss, consider and act upon all matters incident and related to the issuance and sale of "Town of Sunnyvale, Texas, Tax Notes, Series 2024", including the adoption of an Ordinance 2024-16 authorizing the issuance of such notes.

[SUNNYVALE TAX NOTES 2024 - Draft Ordinance with Exhibits.pdf](#)
2. Hold a public hearing, discuss, consider and act upon the first reading of Ordinance 2024-10 of the Town Council of the Town of Sunnyvale, Texas making appropriations for the support of the Town of Sunnyvale fiscal year beginning October 1, 2024, and ending September 30, 2025, and adopting the annual budget of the Town of Sunnyvale for the 2024-2025 fiscal year.
[ORD 2024-10 Adopting FY 2024-25 Budget.docx](#)
[Budget Highlights FY25.pdf](#)
[Final Budget Exhibit](#)
[2024-2025 5 Year Plan](#)
[4B EDC](#)
[2024-2025 5 year Capital Plan.pdf](#)
[Budget Notice for Publication.docx](#)
3. Hold a public hearing, discuss, consider and act upon the first reading of Ordinance 2024-11 of the Town of Sunnyvale, Texas ratifying the property tax increase reflected in the Town's fiscal year 2024-2025 budget, providing a savings clause and providing for an effective date.

[ORD 2024-11 Ratifying the Property Tax Rate.docx](#)
4. Hold a public hearing, discuss, consider and act upon the first reading of ordinance 2024-12, an ordinance of the Town of Sunnyvale, Texas, adopting a tax rate and levying property taxes for tax year 2024; enacting provisions relating to the subject and purpose of this ordinance; incorporation of premises; providing a savings clause; and providing for an effective date.
[ORD 2024-12 Levying the Property Taxes.docx](#)
5. Discuss, consider and act upon the first reading of Ordinance 2024-14; an ordinance of the Town of Sunnyvale, Texas (Town), amending Appendix A, "Fee Schedule," Article A5.000, "Utility Related Fees," Section A5.004, "Water Rates," and Section A5.005 "Wastewater Rates" in the code of ordinances to adopt new water rates, and wastewater rates; providing for incorporation of premises; providing for amendments; repealing any ordinance in conflict with the ordinance; providing for severability; and providing an effective date.
[ORD 2024-14 Water and Sewer Rates.docx](#)
[Sunnyvale Proposed Rates FY 2025_08-15-24.pdf](#)

6.

Hold a public hearing, discuss, consider and act upon the first reading of Ordinance 2024-08 regarding a Planned Development concept plan and ordinance amendment of the Gateway Park Planned Development Ordinance No. 21-24 and Ordinance No. 21-13 as it relates to the Gateway Park mixed use development, generally located at the southeast corner of Town East Boulevard and Belt Line Road, consisting of approximately 60.457 acres tract of land within Planned Development (PD) zoning district. **Case 1812-Z/Gateway Park Planned Development (PD) Zoning Amendment.**

[Staff Report.pdf](#)

[Ordinance 2024-08 Gateway Park Planned Development \(PD\).](#)

[Map.pdf](#)

[Current Gateway Park PD Ordinance No. 21-13 and 21-24.pdf](#)

[Signage Exhibit.pdf](#)

7.

Hold a public hearing, discuss, consider and act upon the first reading of Ordinance 2024-09 regarding a Special Use Permit (SUP) to allow a convenience store with gasoline service station associated with a proposed Tom Thumb Grocery Store, generally located at the southeast corner of Town East Boulevard and Belt Line Road, consisting of approximately 1.47 acres tract of land, part of a 6.877 acres tract of land, described as Lot 3, Block 1, Gateway Park, within Gateway Park Planned Development (PD) zoning district. **Case 1813-SUP/Tom Thumb Gasoline Service Station SUP.**

[Staff Report.pdf](#)

[SUP Ordinance No. 2024-09 Tom Thumb C-Store.pdf](#)

[Map.pdf](#)

[Convenience Store and Gasoline Service Station Plans.pdf](#)

J. Discussion and Action Items

1.

Consider and act upon approval of a Replat of Lots 2R1, 2R2, 3R, 4, & 5, Gateway Park, being a replat of Lots 2, & 3, Gateway Park, an addition to the Town of Sunnyvale, Dallas County, Texas, to realign lot lines, create two new lots, and dedicate additional easements for the property generally located at the southeast corner of Town East Boulevard and Belt Line Road, consisting of approximately 21.752 acres tract of land within Planned Development (PD) zoning district. **Case 1819-PLT/Gateway Park Replat.**

[Map.pdf](#)

[Gateway Park Replat.pdf](#)

[Gateway Park - Recorded Plat - Lots 1 thru 3, Blk. 1.pdf](#)

2.

Discuss, consider, and act upon Resolution 2024-17 approving the Site Plan in accordance with Section 3.07.06 of the Unified Development Ordinance. **Case 1814-SP Gateway Park-Tom Thumb-Retail Site Plan.**

[Staff Report.pdf](#)

[Resolution No. 2024-17 Tom Thumb-Retail Site Plan.pdf](#)

[Map.pdf](#)

[Detailed Site Plan.pdf](#)

[Truck Auto-Turn Analysis.pdf](#)
[Landscape Plan.pdf](#)
[Tom Thumb Building Elevations & Renderings.pdf](#)
[Retail Building Elevations.pdf](#)

3. Discuss, consider and act upon approving a bid from IBCTX, LLC, in the amount of \$523,250 for the East Fork Road Bridge at Duck Creek Emergency Repair Project and authorizing the Town Manager to execute the contract.

[East Fork Road Bridge Emergency Repair-Bid Tabulation](#)
[IBCTX List of Projects.pdf](#)
[2024-08-30 East Fork - Kimley-Horn Associates - Letter of Recommendation.pdf](#)

4. Discuss, consider and act upon the first reading of Ordinance 2024-13; an ordinance of the Town of Sunnyvale, Texas (Town) amending Appendix A, "Fee Schedule", Article A5.000 Utility Related Fees, "Solid Waste Collection Rate" A5.003".
[ORD 2024-13 Solid Waste Rates.docx](#)

K. Executive Session

1. Section 551.071 - Consultation with Attorney
To seek the advice of the Town's attorney about pending or contemplated litigation; or a settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this Chapter.
 - Sunnyvale US 80, et al. v. Town of Sunnyvale, et al., Cause No. DC-24-00252
 - Town of Sunnyvale, Texas v. Zaxo Group and the real property located at 150 Lawson Road, Sunnyvale, Texas, in rem, Cause No. DC-24-04756
 - Zaxo Group v. Town of Sunnyvale, Cause No. DC-24-04435
 - Paul VanMeter v. Sunnyvale SC Lot Venture, Ltd., et al., Cause No. DC-24-00690
 - Brief Council regarding UDO text amendment
 - Roles and duties of Mayor and Council Members: Subpoena to Town

Section 551.087 - Economic Development

To deliberate the offer of a financial or other incentive to a business prospect.

- Gateway Park
- Daniel Steel Incentive

L. End Executive Session

1. Consider official action, if any, on matters discussed in executive session.

Section 551.071 - Consultation with Attorney

- Sunnyvale US 80, et al. v. Town of Sunnyvale, et al., Cause No. DC-24-00252
- Town of Sunnyvale, Texas v. Zaxo Group and the real property located at 150 Lawson Road, Sunnyvale, Texas, in rem, Cause No. DC-24-04756
- Zaxo Group v. Town of Sunnyvale, Cause No. DC-24-04435
- Paul VanMeter v. Sunnyvale SC Lot Venture, Ltd., et al., Cause No. DC-24-00690
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Section 551.087 - Economic Development

- Gateway Park
- Daniel Steel Incentive

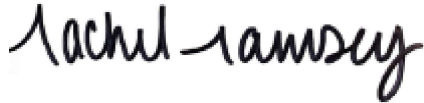
M. Adjourn

NOTE: The Town Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the Town); §551.072 (purchase, exchange, lease or value of real property); §551.074 (personnel or to hear complaints against personnel); §551.076 (deployment, or specific occasions for implementation of security personnel or devices); and §551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

The Town of Sunnyvale is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the Town Secretary at 972-226-7177 at least 48 hours prior to the meeting.

Notice is hereby given that the Sunnyvale Town Council will conduct its Regular Meeting on Monday, Sept. 9, 2024 at the Sunnyvale Town Hall. The public is encouraged to attend the meeting. Email comments may also be submitted to rachel.ramsey@townofsunnyvale.org by 3 p.m. the day of the meeting. The link to the live stream of the meeting will be posted on Sunnyvale's Facebook page Town of Sunnyvale – Government.

I hereby certify that the foregoing notice was posted at Town Hall, 127 N. Collins Rd., Sunnyvale, Texas and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting:



Rachel Ramsey, Director of Administration/Town Secretary

Date Posted: Sept. 6, 2024

Time Posted: 3:45 p.m.

Date Removed from Bulletin Board: _____

Removed By: _____