

**City of Dripping Springs  
City Council**

**Regular Meeting Agenda  
Tuesday, April 14, 2009  
7:00 p.m.**

**511 Mercer Street, Dripping Springs, Texas**

**I. CALL TO ORDER AND ROLL CALL**

Mayor & City Council Members

Mayor Todd Purcell

Council Member Santos Alba

Council Member Joe Volpe

Mayor Pro Tem Bill Foulds

Council Member Doug Phillip

Council Member H.A. "Spider" Williams

City Staff/Appointed Officials

City Administrator Michelle Fischer

Deputy City Administrator Ginger Faught

Development Coordinator Jon Thompson

Planning & Zoning Commission Chair Craig Koenig

City Treasurer Gina Gillis

City Secretary Jo Ann Touchstone

City Attorney Alan Bojorquez

Special Counsel Susan Zachos

**II. PLEDGE OF ALLEGIANCE**

A. Pledge of Allegiance

**III. PRESENTATIONS BY CITIZENS**

*Floor open to discussion on any subject. No action may be taken by law. Citizens wishing to speak shall do so after being recognized by the Mayor. The Mayor and City Council may establish a time limit as necessary.*

**IV. CONSENT ITEMS**

*The following items may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council Member or citizen, in which event those items will be pulled from the consent agenda for separate consideration.*

- A. Approval of Regular Meeting Minutes February 10, 2009
- B. Approval of Regular Meeting Minutes February 17, 2009
- C. Approval of Regular Meeting Minutes, March 10, 2009
- D. Approval of Special Meeting Minutes, March 26, 2009
- E. Approval of Treasurer's Report for March 2009
- F. FY 2009 Founders Day Participation Agreements between the City of Dripping Springs and:
  - 1. Brad Traiham for Musical Performance
  - 2. Drowning for Soul for Musical Performance
  - 3. Running with Scissors for Musical Performance
  - 4. Edison Chair for Musical Performance
  - 5. Jim Halfpenny Band for Musical Performance
  - 6. Michael Myers for Musical Performance
  - 7. Bobby Pounds for Musical Performance
  - 8. Lucky Tubb for Musical Performance
  - 9. Frank Cavitt for Musical Performance
  - 10. AMA Global Services, LLC for Musical Performance
  - 11. Michael Shane Borden for Musical Performance

12. Church of the Springs for Site Clean-up
13. Church of the Springs for Trash Removal
14. Austin Outhouse for Port-o-lets
15. Dan Bristow for Security
16. Spencer Berry for Sound and Lighting Services for Stages

G. Agreement between the City of Dripping Springs and Statewide Patrol, Inc for Security at Founders Day Festival

H. Proclamation Declaring April 2009 National Cancer Awareness Month

**V. SITE DEVELOPMENTS/SUBDIVISIONS/ZONING/ON SITE SEWAGE FACILITIES/SIGNS/VARIANCES/WAIVERS/SPECIAL EXCEPTIONS/ANNEXATIONS**

*Consideration and Possible Action on:*

A. Public Hearing on Annexation for inclusion of the following properties into the City of Dripping Springs Corporate City Limits:

14.49 acres, more or less, out of the E.B. Hargraves Survey, Abstract No. 240, in Hays County, Texas (Centerlake Business Park); and

14.477 acres, more or less, out of the E.B. Hargraves Survey, Abstract No. 240, in Hays County, Texas (Innerstep Office Park); and

12.00 Acres out of the George W. Lindsey Survey No. 138, Abstract No. 289 Hays County, Texas (New Life Lutheran Church); and

64.72 Acres of Land out of the Thomas R. Jackson League Abstract No. 9 in Hays County, Texas (Charro Ranch Park)

B. Petition Requesting Annexation for inclusion of the following properties into the City of Dripping Springs Corporate City Limits:

55.72 Acre Tract of Land Being a Portion of Lot 2, Block C, Poundhouse Hills, Section Two, *Stephen Smith, Owner, Morningstar Development, L.L.C.*

1. Public Hearing
2. Acceptance of Petition

C. Hill Country Horsepower Ranch – Site Development Permit, 451 South Canyonwood (*Ed Taddia, owner*)

1. Update from Ed Taddia Regarding Landscaping and Screening Discussions with Neighbors
2. Assessment of Administrative Penalties

D. Site Plan – Dripping Springs Independent School District New High School, Phase 3, *Mard Herrick, Ph. D.*

1. Presentation
2. Development Coordinator’s Report
3. Planning & Zoning Commission Report
4. Public Hearing
5. Site Plan

E. Resubdivision – Ray Moore Subdivision, Lot 2, Paul’s Valley Drive at Fitzhugh Road, *William Maas, Owner*

1. Presentation
2. Development Coordinator’s Report
3. Planning & Zoning Commission Report
4. Public Hearing
5. Resubdivision

- F. Reconsideration of Sign Variance – Pioneer Bank, 100 Creek Road – Request to exclude a portion of the monument structure in the measurement of the signable area/to allow a monument sign to exceed the maximum signable area for a monument sign in a nonresidential zoning district and to exceed the cumulative sign area limitation for a single business
  - 1. Presentation
  - 2. Sign Administrator’s Report
  - 3. Public Hearing
  - 4. Reconsideration of Variance
  
- G. Sign Variance Requests – Springs Family YMCA, 27216 Ranch Road 12, *Kristi Paul, Executive Director*
  - 1. Presentation
  - 2. Sign Administrator’s Report
  - 3. Planning & Zoning Commission Report
  - 4. Public Hearing
  - 5. Variance Request to Section 7.1, Prohibited Signs, to Allow a Changeable Copy Sign
  - 6. Variance Request to Section 9.2, Cumulative Sign Limitations, to Exceed Total Allowable Signable Area
  - 7. Variance Request to Section 8.2.14, Monument Signs, to Exceed Maximum Height Allowable
  
- H. Master Signage Plan & Sign Variance Requests to Allow Off Premise Directional Signs–Hawthorne, Sawyer Ranch Road, *Tim Sawtelle, Hanna-Magee, L.P.*
  - 1. Presentation
  - 2. Sign Administrator’s Report
  - 3. Planning & Zoning Commission Report
  - 4. Public Hearing
  - 5. Sign A-Pulte Homes & Wilshire Homes
  - 6. Sign C-Wilshire Homes, Pulte Homes, Resident Club & Model Home Park
  - 7. Sign D-Wilshire Homes & Pulte Homes
  - 8. Sign E-Wilshire Homes & Pulte Homes
  - 9. Sign F-Pulte Homes & Wilshire Homes
  - 10. Sign G-Pulte Homes & Wilshire Homes
  - 11. Sign I-Wilshire Homes & Pulte Homes

**VI. BUSINESS**

*Consideration and Possible Action On*

- A. Hotel Occupancy Tax Committee Recommendation of Hotel Occupancy Tax Expenditures
  
- B. Reconsideration of Acceptance of Fiscal Year 2008 Audit
  
- C. Fiscal Year 2009 Founders Day Participation Agreement between the Hill Country Social Club and City of Dripping Springs
  
- D. Agreement between the Hays County and The City of Dripping Spring to Utilize the Stephenson Building located at 311 Old Fitzhugh for a Hospitality Area during the 2009 Founders Day Event
  
- E. Request for the City’s consent to the possible creation of a municipal management district in and around Driftwood or other alternatives relating to financing the improvement and maintenance of services and infrastructure in that area
  
- F. Applications for Wastewater Service for WSC “Indication of Interest” Payment Customers
  - 1. 507 Old Fitzhugh Rd., Ben Sorrell, Owner
  - 2. 27800 Ranch Road 12, Roger S. Hanks Residuary Trust, Owner
  - 3. 100 Old Fitzhugh Rd., J.O. Eckols, Owner
  - 4. 200 U.S. Highway 290, Vithal Reddy Bogale, Owner

- G. Request from the Owners of The Commons Shopping located at 100 Commons Road, Dripping Springs, to partially connect to the City's Wastewater Collection System for a Period not to Exceed 30 Days
- H. Texas Parks & Wildlife Department Local Park Grant Program Project Agreement for Harrison Ranch Park, Project Number 50-000409
- I. Professional Services Agreement for Landscape Architectural Design Services between the City of Dripping Springs and RVi for Harrison Ranch Park Schematic Design Services
- J. Amendment No. 1 to May 2008 Professional Services Agreement for Landscape Architectural Design Services between the City of Dripping Springs and RVi for Harrison Ranch Park for Grant Administration, Alternative Site Plan Concepts, and Ongoing Consultation and Coordination
- K. Letter of Agreement between the City of Dripping Springs and Aus S. T. Kyle, Ltd. (John Lloyd) for the acquisition of 2.07 acres out of the ABS 289, G. Lindsey Survey owned by Glen T. Goode and Anne T. Davison
- L. Casting of City Proxies for the Dripping Springs Water Supply Corporation Board Election
- M. Water Service Termination Agreement between the City of Dripping Springs and Dripping Springs Water Supply Corporation
- N. Resolution No. 2009-17 – A Resolution Accepting Construction and Public Dedication of Street and Right-of-Way Improvements for Planned Development District Number One (PDD #1), that Being Rob Shelton Boulevard
- O. Ordinance No. 1520.5 – An Ordinance of the City of Dripping Springs Creating the Harrison Ranch Park Committee
- P. Contract for Creek Road Improvements between Cyclone Construction, LLC and the City of Dripping Springs
- Q. Construction Contract between the City and Waste Water Solutions for the Construction of Service Line Connections for the First \$100 Deposit Connections (Emergency Connections)
  - 1. Acceptance of Improvements and Final Payment
- R. South Regional Wastewater System Contract with Key Enterprises, Inc. for Wastewater Collection System, Including Contract, Change Orders, and Bond Issues
- S. Ordinance No. 1630.21 - An Ordinance of the City of Dripping Springs Cancelling the May 9, 2009 General Election And Declaring Each Unopposed Candidate Elected To Office

*Ordenanza No. 1630.21 - Una Ordenanza de la Ciudad de Dripping Springs Cancelando la Elección General del día 9 de Mayo de 2009 y Declarando a Cada Candidato sin Oposición Elegido a la Oficina*

## **VII. EXECUTIVE SESSION**

*The City Council for the City of Dripping Springs has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development).*

- A. Consultation with City Attorney Regarding Letter of Agreement between the City of Dripping Springs and Aus S. T. Kyle, Ltd. (John Lloyd) for the acquisition of 2.07 acres out of the ABS 289, G. Lindsey Survey owned by Glen T. Goode and Anne T. Davison 551.072 (Deliberations about Real Property)
- B. Consultation with City Attorney Regarding Site Development, Hill Country Horse Power Ranch, 451 South Canyonwood (551.071: Consultation with Attorney)
- C. Legislative Update: Report from City Attorney regarding the 81<sup>st</sup> Texas Legislature, including status of bills regulating political subdivisions, utilities or other entities providing municipal sewer and/or water services; lawful options and legal implications (551.071: Consultation with City Attorney)
- D. Consultation with attorney regarding the City's consent to the possible creation of a municipal management district in and around Driftwood or other alternatives relating to financing the improvement and maintenance of services and infrastructure in that area. (551.071: Consultation with Attorney)
- E. Consultation with City Attorney regarding South Regional Wastewater System Contract with Key Enterprises, Inc. for Wastewater Collection System, Including Contract, Change Orders, and Bond Issues (551.071: Consultation with Attorney)
- F. Consultation with City Attorney regarding Applications for Wastewater Service for WSC "Indication of Interest" Payment Customers (551.071: Consultation with Attorney)
  - 1. 507 Old Fitzhugh Rd., Ben Sorrell, Owner
  - 2. 27800 Ranch Road 12, Roger S. Hanks Residuary Trust, Owner
  - 3. 100 Old Fitzhugh Rd., J.O. Eckols, Owner
  - 4. 200 U.S. Highway 290, Vithal Reddy Bogale, owner
- G. Water Service Termination Agreement Between the City of Dripping Springs and Dripping Springs Water Supply Corporation (551.071: Consultation with Attorney)
- H. Consultation with City Attorney regarding options for obtaining and permitting subsurface wastewater drip irrigation lands for the disposal of wastewater treated under the authorization of Texas Pollutant Discharge Elimination System Permit No. WQ0014488001 at the City's South Regional Wastewater Treatment Facilities and Collection System (551.071: Consultation with Attorney and 551.072: Purchase, Exchange, Lease or Value of Real Property).
- I. Consultation with City Attorney about settlement offers in the matter of Texas Commission on Environmental Quality "Water Quality Land Application (No Discharge) Permit No. WQ0014488002," to be issued to the City for the treatment of domestic wastewater at a daily average flow not to exceed 250,000 gallons per day and disposal via a public access subsurface drip irrigation system located within the Scenic Greens development and approximately 4.4 miles west of Dripping Springs along U.S. Highway 290 in Hays County, Texas(551.071: Consultation with Attorney).

## **VIII. ANNOUNCEMENTS**

- A. Regular City Council Meeting, May 20, 2009
- B. Regular Parks & Recreation Meeting, May 19, 2009
- C. Regular Planning & Zoning Commission Meeting, May 27, 2009
- D. Regular Historic Preservation Commission Meeting, June 2, 2009
- E. Regular Founders Day Commission Meeting, TBD

## **IX. ADJOURN**

*Notice is posted in accordance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated. I certify that the above notice of meeting was posted on the bulletin board at City of Dripping Springs City Hall and Dripping Springs Postal Service Building on the \_\_\_\_\_ of \_\_\_\_\_, 2009 at \_\_\_\_\_ o'clock \_\_M. I further certify that the following News media was properly notified of this meeting as stated above:*

*Century News and News Dispatch.*

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*Jo Ann Touchstone, City Secretary*

*All agenda items listed above are eligible for discussion  
and action unless otherwise specifically noted.*

*This facility is wheelchair accessible. Accessible parking spaces are available.  
Requests for auxiliary aids and services must be made 48 hours prior to this  
meeting by calling (512) 858-4725.*