

**City of Dripping Springs  
City Council**

**Regular Meeting Agenda  
Tuesday, October 20, 2009  
6:00 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

City Secretary Jo Ann Touchstone  
City Attorney Alan Bojorquez  
Special Counsel Susan Zachos

Mayor Purcell calls the meeting to order at 6:00 p.m. All present except Joe Volpe, Ginger Faught, Alan Bojorquez, and Jon Thompson. Also present City Attorney Trey Jackson and Special Counsel Derek Seals.

**II. PLEDGE OF ALLEGIANCE**

A. Pledge of Allegiance – Mayor Pro Tem Foulds leads the pledge.

**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.*

*None.*

**IV. BUSINESS**

***Consideration and Possible Action On***

- A. Public Hearing to give all interested persons the right to appear and be heard on the proposed Strategic Partnership Agreement between the City of Dripping Springs and Hays County Water Control and Improvement District No. 1 ("District"), under which the City would be required to make certain payments to the District, and would be authorized to annex the following property within the District for the limited purpose of collecting Sales and Use Tax Revenues: 106.35 acres of land out of the William S. Holton Survey No. 57, the Alec McGown Survey No. 699, the John Sellars Survey No. 3, and the E.B. Hargraves Survey No. 4 in Hays County, Texas.

No one speaks.

Mayor Purcell motions to recess. Mayor Pro Tem Foulds seconds. Recess at 6:04 p.m.

Reconvened to Regular Session at 6:11 p.m.

Mayor Pro Tem Foulds motions to move item B to after item G. Councilman Williams seconds. Motion passes, 4-0.

- B. First Amendment to the Water and Wastewater Utility Agreement for the Scenic Greens Development between the City of Dripping Springs and Paintbrush 290 GP LLC, to accommodate the terms of the Texas Commission on Environmental Quality proposed permit No. WQ0014488002 – No action taken.
- C. Ordinance No. 1750.2 – An Ordinance Amending the Solid Waste Franchise Ordinance – Councilman Phillip motions to approve. Mayor Pro Tem Foulds seconds. Motion passes, 4-0.
- D. Ordinance No. 1000.4 – An Ordinance of the City of Dripping Springs Establishing General Policies and Procedures – Mayor Pro Tem Foulds motions to approve subject to staff recommendations. Councilman Williams seconds. Motion passes, 3-1. Councilman Phillip opposed.
- E. Ordinance No. 1000.5 - An Ordinance of the City of Dripping Springs Establishing Official Offices of the City – Mayor Pro Tem Foulds motions to approve Draft B. Councilman Phillip seconds. Motion passes, 4-0.
- F. Approval of Fiscal Year 2010 Meeting Schedule for City Council & Commissions – Mayor Pro Tem Foulds motions to approve. Councilman Williams seconds. Motion passes, 4-0.
- G. A Settlement Agreement among the City, Save Our Springs Alliance, Robert Tod and Doug Weirman, to resolve disputes regarding the pending 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 – Derek Seal speaks regarding proposed provisions. City Council discusses terms of Agreement with Ted Stewart, representative of Paintbrush Ltd.

## **V. 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).*

Councilman Williams motions to adjourn to Executive Session. Councilman Phillip seconds. Adjourned to Executive Session at 6:11 p.m. Those present: Mayor Purcell, Mayor Pro Tem Foulds, Councilman Phillip, Councilman Williams, Councilman Alba, City Administrator Michelle Fischer, Jo Ann Touchstone, Susan Zachos and Trey Jackson. Moved item B from Business to Executive Session. Reconvened to Regular Session at 7:05 p.m.

- A. Consultation with City Attorney Regarding Strategic Partnership Agreement between the City of Dripping Springs and Hays County Water Control and Improvement District No.1 (551.071: Consultation with Attorney).
- B. Consultation with City Attorney regarding Request for Attorney General Opinion RQ0822GA (551.071: Consultation with Attorney).
- C. Consultation with City Attorney regarding A Settlement Agreement among the City, Save Our Springs Alliance, Robert Tod and Doug Weirman, to resolve disputes regarding the pending 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*).

- D. Consultation with City Attorney regarding negotiations for a contract for water service termination between the City of Dripping Springs and the Dripping Springs Water Supply Corporation, the legal requirements for termination of the water services of a person whose sewage service account is in arrears for nonpayment, and statutory and regulatory provisions requiring the Texas Commission on Environmental Quality to issue an order requiring water service termination where a utility providing sewer service has obtained funding through the State or Federal government for the provision, expansion or upgrading of its sewer service. (551.071: *Consultation with Attorney*).
- E. Discussion Regarding Personnel Matters: Employee Schedules; Employee Job Titles and Descriptions; Municipal Court Personnel (551.074: *Personnel Matters*).

## **VI. ANNOUNCEMENTS**

- A. Regular City Council Meeting, November 10, 2009
- B. Regular Parks & Recreation Meeting, November 9, 2009
- C. Regular Planning & Zoning Commission Meeting, October 27, 2009
- D. Regular Historic Preservation Commission Meeting, November 2, 2009
- E. Regular Founders Day Commission Meeting, November 2, 2009

## **VII. ADJOURN**

*Councilman Phillip Motions to adjourn. Councilman Williams Seconds. Meeting adjourned at 7:58 p.m.*