

**City of Dripping Springs
City Council**

**Regular Meeting Agenda
Tuesday, February 10th, 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

City Secretary Jo Ann Touchstone

Deputy City Administrator Ginger Faught

City Attorney Alan Bojorquez

Development Coordinator Jon Thompson

Special Counsel Susan Zachos

Planning & Zoning Commission Chair Craig Koenig

City Treasurer Gina Gillis

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.

A. Update from Hays Trinity Groundwater Conservation District Regarding State of Affairs, Mark Hemmingway, Board Member

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, January 13th, 2009
- B. Approval of Regular Meeting Minutes, January 20th, 2009
- C. Approval of Treasurer's Report for January 2009
- D. Request from Founders Day Commission to Erect Sponsorship Signage at the Triangle February 11th through April 20th, 2009
- E. Fleet Maintenance of Texas Service Agreement for Generac Generator #2 for the South Regional Wastewater System Treatment Plant
- F. Professional Service Agreement Between the City of Dripping Springs and Pave Texas Engineering and Testing, Inc. for Testing and Inspection Services
- G. Amendment to the Interest Rate Limitation Contained in Article I, Section 3(b) of the Hays County Municipal Utility District No. 5 Consent Agreement for the Issuance of 2009 Tax Notes
- H. Proclamation Declaring February 24th Bradley Davis Day in Recognition of His 100th Birthday

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

Consideration and Possible Action on:

A. Ordinance No. 1803.60 - An Ordinance of the City of Dripping Spring Annexing 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).

1. Public Hearing
2. Ordinance No. 1803.60

B. Concept Plan - MAK Foster Ranch, LP Commercial Tract, *Dean Koleada, P.E., Makar Properties, LLC*

1. Presentation

C. Site Development – Hill Country Horsepower Ranch – 451 South Canyonwood, *Ed and Georgina Taddia, Owners*

1. Presentation
2. Staff Report
3. Planning & Zoning Commission Report
4. Public Hearing
5. Variance to Exceed Maximum Cut and Fill (Site Development Ordinance Section 13.1)
6. Site Development

D. Poundhouse Hills, Phase 2, Lot 2, Block C, Shawnee Trail – Replat, *Stephen Smith, Owner*

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

E. Ledgestone Properties Office Complex – Site Development Plan, 235 Ledgestone Drive, *Felix Manka and Robert Callegari, Owners*

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

F. Bella Vista, Phase One, 163.65 Acres of Land out of the Texas Central RR. Co. Survey Abstract No. 621 – Final Plat, *Scott Tomhave, Owner*

1. Presentation
2. Development Coordinator's Report
3. Planning & Zoning Commission Report
4. Public Hearing
5. Final Plat

G. Broadway Bank, Variance Request to Exceed the Cumulative Total Signable Area for a Single Unit Property, Section 9.2.1 - 320 East Hwy 290, *Paul Rohlf, Budget Signs*

1. Presentation
2. Sign Administrator's Report
3. Planning & Zoning Commission Report
4. Public Hearing
5. Variance

- H. Proposed Amendments to Planned Development District Ordinance No. 1220.11 and Planned Development District No. 1 Agreement

VI. REPORTS OF AGENCIES, COMMISSIONS & STAFF

- A. Parks & Recreation Commission – Ashley Seay, Parks & Recreation Coordinator

VII. NEW BUSINESS

Consideration and Possible Action On:

- A. Contract Between the City of Dripping Springs and Recon Services, Inc. for Solid Waste Collection Services
- B. Ordinance No. 1750.10 – An Ordinance of the City of Dripping Springs Establishing a Solid Waste Franchise
 - 1. Public Hearing
 - 2. Ordinance No. 1750.10
- C. Request from Dripping Springs Independent School District for Waiver of Fees for Food Establishment Inspections for Dripping Springs High School, Dripping Springs Middle School, Dripping Springs Elementary, Walnut Springs, and Dripping Springs Child Development Center, *Mard Herrick, Superintendent*
- D. Easement Agreement for Utilities between the City of Dripping Springs and the Dripping Springs Independent School District for 10,010 sq ft of land situated in the Philip A Smith Survey No. 26, Abstract No. 415, in Hays County Texas (Karhan Park) for the Installation of a Water Line and related Facilities
- E. Agreement between the United States Geological Survey (USGS) and the City of Dripping Springs for sampling and analysis of surface water and ground water in the amount of \$5,000 for the City's participation, to be performed by USGS under the terms of the "Quality Assurance Project Plan: Wastewater Indicators and Isotope Analysis in the Barton Springs Segment of the Edwards Aquifer" dated December 18, 2008
- F. Resolution No. 2009-13 - A Resolution of the City of Dripping Springs Requesting the Members of the 81st Legislative Session of the State of Texas to Support Legislation that Increases Funding for the Texas Recreation & Parks Account Local Park Grant Program and the Texas State Park System
- G. City of Dripping Springs Parks, Recreation & Open Space Department Request to Hold a Hill Country Tasting Event—Texas Wines, Beers and Food at Founders Day Festival April 17th through 19th, 2009
- H. Discussion of Interlocal Agreement between the City of Dripping Spring and the Dripping Springs Independent School District Community Education Department for City Parks and Recreation Programming
- I. Approval of Harrison Ranch Park Summer Day Camp Program
- J. Ordinance No. 1250.20 – An Ordinance of the City of Dripping Springs Amending the Sign Ordinance 1250.19
- K. Ordinance No. 1100.33 – An Ordinance of the City of Dripping Springs Amending the FY 2009 Budget
- L. Electrical Service Agreement Between the City of Dripping Springs and Pedernales Electric Cooperative
- M. License Agreement Between the City of Dripping Springs and Country Homes International to authorize Country Homes International to install a private lateral sewer collection line that will extend within the City's Right-of-Way on the Public

Alley between 302 and 300 Mercer from property owned by Country Homes International and located at 302 Mercer, Dripping Springs, Texas, 78620, to the portion of the City's centralized wastewater collection System that is also within the Right-of-Way on Mercer Street, and to facilitate the City's ability to provide wastewater service to Country Homes International's Property

N. Resolution No. 2009-14 - A Resolution of the City of Dripping Springs Accepting Construction of Sports Park Road

O. Resolution No. 2009-15 - A Resolution of the City of Dripping Springs Requesting The State of Texas Transfer Ownership of Property Known as Old Highway 290 to the City of Dripping Springs in Exchange for the Transfer of Responsibility for Maintenance of the Road

P. Acceptance of Bid from Lonestar Paving for Creek Road Improvements

Q. Approval of Contract for Election Services between the City of Dripping Springs and the Hays County Elections Officer for the May 2009 Municipal Election

Aprobación del Contrato de Servicios de Elecciones entre la Ciudad de Dripping Springs y el Oficial de Elecciones del condado de Hays para la Elección Municipal en Mayo de 2009

R. Approval of Contract for Election Services between the City of Dripping Springs and the Dripping Springs Independent School District for the May 2009 Municipal Election

Aprobación del Contrato de Servicios de Elecciones entre la Ciudad de Dripping Springs y el Distrito Independiente de Escuelas de Dripping Springs para la Elección Municipal en Mayo de 2009

S. Ordinance No. 1630.20—Order of the City Council of the City of Dripping Springs, Texas, Calling the General Election for Officers to be held within said Municipality on the 2nd Saturday in May that being the uniform Election date of May 9, 2009, and making provision for the conduct of the election and resolving other matters incident and relating to the holding of such election

Ordenanza No. 1630.20 – Por orden del Concilio Municipal de la Ciudad de Dripping Springs, Tejas, se anuncia la Elección General de oficiales que tomaran lugar dentro del municipio dicho el 2nd Sábado en Mayo, cual es la fecha uniforme para Elección, el día 9 de Mayo de 2009. Criando la conducta de tal elección y resolviendo cualquier otros incidentes relacionados y referente a la tenencia de tal elección

T. Ordinance No. 1070.41 – An Ordinance of the City of Dripping Springs Amending the Fee Schedule to Establish and Amend Certain Sign Permit Fees

U. South Regional Wastewater System Contracts 2 and 4 for Wastewater Collection System, Wastewater Treatment Facilities, and Subsurface Drip Irrigation System, Including Contract, Change Orders, and Bond Issues

1. Key Enterprises, Inc.
2. Keystone Construction, Inc.

VIII. 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 "The Matter of the Application of Hays County Water Control & Improvement District No 1 (Belterra) for Amendment to Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014293001" seeking authorization to discharge up to 500,000 gallons per day of treated wastewater to Bear Creek, now pending before the Texas Commission on Environmental Quality in SOAH DOCKET NO. 582-08-0202, TCEQ DOCKET NO. 2007-1426-MWD (551.071: Consultation with Attorney).
- B. Legislative Update: Report from City Attorney regarding the 81st Texas Legislature, including status of bills (if any) 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)
- C. Discussion Regarding Potential Land Acquisition for Water Quality Protection, Water Quality Detention Facilities, and Parkland/Open Space and Possible Grant Application to Hays County for Funding Assistance (551.071: Consultation with Attorney and 551.072: Purchase, Exchange, Lease or Value of Real Property)
- D. Real Property Acquisition—2.07 acres out of the ABS 289, G. Lindsey Survey owned by Gleen T. Goode and Anne T. Davison (551.072: Deliberations about Real Property)
- E. Consultation with City Attorney regarding statutory process and legal options for obtaining certain public right-of-way and/or real estate interests from the Texas Department of Transportation (TxDOT): (a) Old Highway 290 (aka, "C.R. 320"); and (b) Mercer
- F. Consultation with City Attorney Regarding Site Development, Hill Country Horse Power Ranch, 451 South Canyonwood (551.071: Consultation with Attorney)

IX. ANNOUNCEMENTS

- A. Regular City Council Meeting, February 17, 2009
- B. Regular Parks & Recreation Meeting, February 23, 2009
- C. Regular Planning & Zoning Commission Meeting, February 24, 2009
- D. Regular Historic Preservation Commission Meeting, March 2, 2009
- E. Regular Founders Day Commission Meeting, February 17, 2009

X. 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.

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.*