

**City of Dripping Springs
City Council**

**Regular Meeting Agenda
Tuesday, July 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 & Special Meeting Minutes, June 9, 2009

Approval of Regular & Special Meeting Minutes, June 16, 2009

B. Approval of Treasurer's Report for June 2009

C. Appointment of Planning & Zoning Commissioners Craig Koenig, Danny Hubbard, Kimberly Gerlovich and Larry McClung, Terms to Expire 2011

D. Appointment of Joe Volpe to Parks and Recreation Commission, Term to Expire 2011

E. Appointment of Wendy Taddia to Historic Preservation Commission, Term to Expire 2011

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

Consideration and Possible Action on:

A. Leal Vineyard – Site Plan, Phase 1, 2100 Creek Road, *Frank Leal, Owner*

1. Presentation

2. Development Coordinator's Report

3. Planning & Zoning Commission Report
 4. Public Hearing
 5. Site Plan
- B. Memory Lane Event Center – Site Development, *KC Memory Lane, Mike Morgan, Owner*
- a. Presentation
 - b. Development Coordinator’s Report
 - c. Planning & Zoning Commission Report
 - d. Public Hearing
 - e. Site Development
- C. Request for 30 Day Extension of Final Plat Approval in accordance with Section 5.9, Returns to City, of the City of Dripping Springs Subdivision Ordinance for Dripping Springs Ranch, Phase 2, Tr 4, Fawn Meadow Drive and Cattle Trail Drive, *Gene Williams, Owner*
- D. Request for 30 Day Extension of Final Plat Approval in accordance with Section 5.9, Returns to City, of the City of Dripping Springs Subdivision Ordinance for Rancho Bella, Fawn Meadow Drive and Cattle Trail Drive, *Gene Williams, Owner*
- E. Request for 30 Day Extension of Final Plat Approval in accordance with Section 5.9, Returns to City, of the City of Dripping Springs Subdivision Ordinance for Ray Moore Subdivision, Lot 2, 13701 Fitzhugh Road (Paul’s Valley Drive at Fitzhugh Road), *William Maas, Owner*
- F. Public Hearing on Annexation for inclusion of the following property into the City of Dripping Springs Corporate City Limits:
- 10.01 +/- Acres of Land out of the William Walker Survey No. 130, being all of lots 18, 19, 10 & 24 of Sunset Canyon II-C, a subdivision in Hays County, Texas
(*Timothy Decker, Owner*)
- G. Ordinance No. 1220.45 – Ordinance of the City of Dripping Springs Changing the Zoning Classification of the following property located in the City of Dripping Springs City Limits, Hays County, Texas: Garnett Subdivision, Lots 1 & 2, from SF-1 – Single Family Residential – to GUI – Government/ Utility/ Institution (*Dripping Springs United Methodist Church, 28708 Ranch Road 12, Chuck Lemmond, Board of Trustees Chairman*)
1. Presentation
 2. Development Coordinator’s Report
 3. Planning & Zoning Commission Report
 4. Public Hearing
 5. Ordinance No. 1220.45
- H. Poundhouse Hills, Section 2, Lot 2, Block C – Replat, *Stephen Smith, Owner*
1. Presentation
 2. Development Coordinator’s Report
 3. Planning & Zoning Commission Report
 4. Public Hearing
 5. Replat
- I. Mountain Oaks Subdivision, Lot 9 – Replat, *Shirley Ann Combs, Owner*
- a. Presentation
 - b. Development Coordinator’s Report
 - c. Planning & Zoning Commission Report
 - d. Public Hearing
 - e. Replat

- J. Highpointe Subdivision, Phase 5, Section 1 – Final Plat
 - a. Presentation
 - b. Development Coordinator’s Report
 - c. Planning & Zoning Commission Report
 - d. Public Hearing
 - e. Final Plat

- K. Founders Memorial Park Parking Lot Site Plan, *480 Founders Park Road*
 - a. Presentation
 - b. Development Coordinator’s Report
 - c. Planning & Zoning Commission Report
 - d. Public Hearing
 - e. Site Plan

- L. Highpointe Subdivision Master Signage Plan – Sign Variance Request, *BHM Highpointe, Ltd., Tim Sawtelle*
 - a. Presentation
 - b. Sign Administrator’s Report
 - c. Planning & Zoning Commission Report
 - d. Public Hearing
 - e. Sign Variance Request from Section 8.1.4, Minimum 8 Foot Setback from Right-of-Way

VI. WORKSHOP

No Action To Be Taken

- A. Belterra Commercial Development Agreement between the City of Dripping Springs and MAK Foster Ranch, L.P concerning 106.35 acres of land out of the William S. Holton Survey No. 57, the Alec Mc Gown Survey No. 699, the John Sellars Survey No.3, and the E.B. Hargraves Survey No.4, Hays County, Texas, and being a 101.35 acre portion of that certain 603.58 acre tract of land as conveyed to CPH Foster Ranch, L.P. by special warranty deed recorded in Volume 1763, Page 304, of the official public records of Hays County, Texas, said CPH Foster Ranch, L.P. now known as Mak Foster Ranch, L. P. according to that certain affidavit of name change recorded in Volume 1988, Page 701 of the official public records of Hays County, Texas, together with all of Lot 1, Block C, Belterra Phase Two, Section 5B, a subdivision in Hays County, Texas, according to the map or plat thereof recorded in Volume 12, Page 186, of the plat records of Hays County, Texas
 - 1. Development Coordinator’s Report
 - 2. Variances/Waivers/Alternative Standards
 - a. Site Development Ordinance--Allowable Cut & Fill, Clearing, Rough-cutting , and Demolition
 - b. Subdivision Ordinance--Sidewalks
 - c. Technical Construction Standards& Specifications Manual and Water Quality Protection Ordinance--Impervious Cover
 - d. Zoning Ordinance--Gross Floor Area of Non-residential Structures
 - e. Lighting Ordinance--Alternative Standards
 - f. Technical Construction Standards & Specifications Manual--Traffic Calming Measures
 - g. Sign Ordinance--Maximum Number of Real Estate Signs Permitted Per Lot
 - h. Landscaping Ordinance--Alternative Standards
 - i. Exterior Design & Architectural Standards Ordinance--Alternative Standards

VII. REPORTS OF AGENCIES, COMMISSIONS & STAFF

- A. Update on Creek Road Drainage Improvement Project - City Engineer Rick Coneway
- B. Farmers Market Update – Market Manager Jo Ann Touchstone

VIII. BUSINESS

Consideration and Possible Action On

- A. Resolution No. 2009-25- A Resolution of the City of Dripping Springs Designating an Official Radio Station
- B. Request from American Legion Post 290 for Amendment to Lease Agreement for Building Located at the Triangle, *Stanley Foster, Commander Elect, American Legion Post 290*
- C. Request from American Legion Post 290 for City's Approval of Application for Certificate of Appropriateness for the Exterior Painting of the Building located at the Triangle, *Stanley Foster, Commander Elect, American Legion Post 290*
 - 1. Historic Preservation Commission Report
 - 2. Certificate of Appropriateness
- D. Lease Agreement Between the City of Dripping Springs and Grace Food Pantry for the Dear Hall Building
- E. Agreement between the City of Dripping Springs and Weigelt Enterprises, LLC for Rob Shelton Boulevard and Pond Landscaping and Irrigation Maintenance
- F. Ordinance No. 1460.13 – An Ordinance of the City of Dripping Establishing Traffic Controls within Harrison Ranch Park
 - 1. Public Hearing
 - 2. Ordinance No. 1460.13
- G. Ordinance No. 1100.35 – An Ordinance of the City of Dripping Springs Amending the 2009 Fiscal Year Budget
- H. Ordinance No. 1070.45 – An Ordinance of the City of Dripping Springs Amending the Fee Schedule
- I. Resolution No. 2009-26 – A Resolution of the City of Dripping Springs Creating a Comprehensive Plan Steering Committee
- J. Resolution No. 2009-27 – A Resolution of the City of Dripping Springs Releasing the Maintenance Bond for the Hidden Springs II Subdivision
- K. Bid Proposals for Playground Surfacing at Sports and Recreation Park
 - 1. Parks & Recreation Commission Report
- L. Update on Commercial Hall Tract Development Agreement between the City of Dripping Springs and Aus S.T. Kyle, Ltd, 17.5870 acres, situated in the George W. Lindsay Survey No. 138, Abstract No. 289, and the Edward W. Brown Survey No. 136, Abstract No. 44, both in Hays County Texas, Volume 2724, Page 103), *John Lloyd, Owner*
- M. Update on Residential Hall Tract Development Agreement between the City of Dripping Springs and Aus S.T. Kyle, Ltd, 132.6017 acres, situated in the George W. Lindsay Survey No. 138, Abstract No. 289, the Edward W. Brown Survey No. 136, Abstract No. 44 and the Philip A. Smith Survey No. 26, Abstract No. 415, all in Hays County, Texas, Volume 2724, Page 103, *John Lloyd, Owner*
- N. 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
- O. Appointment of Mayor Pro Tem Term to Expire July 2011

- P. South Regional Wastewater System Contracts 2, 3, and 4 for Wastewater Collection System, Wastewater Treatment Facilities, and Subsurface Drip Irrigation System, Including Contract, Change Orders, and Bond Issues
- Q. Resolution 2009-28: A Resolution of the City of Dripping Springs Accepting the Construction of the Wastewater Collection System from Key Enterprises, Inc. (Contract 2-Phase 2 Wastewater Collection System for the City of Dripping Springs South Regional Wastewater System)

IX. 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 Commercial Lease Agreement for the Dear Hall Office Spaces Between the City of Dripping Springs and Grace Food Pantry, 551.071 (Consultation with Attorney)
- B. 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).
- C. Consultation with City Attorney about status and settlement offers in the matter of the City of Dripping Springs Proposed Water Quality Land Application Permit No. WQ0014488002 for the disposal of treated domestic wastewater at a daily average flow not to exceed 250,000 gallons per day via a public access subsurface drip irrigation system with a minimum area of 57.39 acres, 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 South Regional Wastewater System Contracts for Wastewater Collection System, Including Contract, Change Orders, and Bond Issues (551.071: Consultation with Attorney)
- E. 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)

X. ANNOUNCEMENTS

- A. Regular City Council Meeting, August 11, 2009
- B. Regular Parks & Recreation Meeting, August 10, 2009
- C. Regular Planning & Zoning Commission Meeting, July 28, 2009
- D. Regular Historic Preservation Commission Meeting, August 3, 2009

XI. 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.*