

**City of Dripping Springs  
City Council**

**Regular Meeting Agenda  
Tuesday, November 10, 2009  
511 Mercer Street, Dripping Springs, Texas**

**5:30 p.m. – Workshop & Executive Session  
7:00 p.m. – Business Items, Public Hearings, Action Items**

**I. CALL TO ORDER AND ROLL CALL – 5:30 p.m.**

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 Chair Craig Koenig

City Secretary Jo Ann Touchstone

City Attorney Alan Bojorquez

Special Counsel Susan Zachos

**II. WORKSHOP**

***No action to be taken. Staff Reports regarding Consent, Site Developments, Subdivisions, Zoning, On Site Sewage Facilities, Signs, Variances, Waivers, Special Exceptions, Annexations, Alternate Standards, Business, and Other Agenda Items listed below.***

**III. 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 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*).
- B. Consultation with City Attorney regarding 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 and to clarify the obligations of the City and Paintbrush 290 under the Agreement (551.071: *Consultation with Attorney*).

- C. Consultation with City Attorney Regarding Possible Extension of deadline to execute deeds and easements that are the subject of the Letter of Intent between the City of Dripping Springs, Aus S. T. Kyle, Ltd. (John Lloyd) and Glenn T. Goode and Anne T. Davison for the acquisition of approximately 2.07 acres out of the ABS 289, G. Lindsey Survey owned by Glenn T. Goode and Anne T. Davison, and possible authorization for Mayor to execute the deeds and easements if no substantial substantive changes are made 551.072 (*Deliberations about Real Property*)
- D. Consultation with City Attorney Regarding Amendment to Interlocal Agreement between the City of Dripping Springs and Dripping Springs Independent School District for the Conveyance of the Stephenson Building Property and Karhan Park Property 551.072 (*Deliberations about Real Property*)

**IV. RECESS**

**V. RECONVENE AT 7:00 p.m.**

**VI. PLEDGE OF ALLEGIANCE**

- A. Pledge of Allegiance

**VII. 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.*

**VIII. 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, October 13, 2009
- B. Approval of Regular Meeting Minutes, October 20, 2009
- C. Approval of Special Meeting Minutes, October 29, 2009
- D. Approval of Treasurer’s Report for October 2009
- E. Approval of Street Closure and Traffic Plan for Christmas on Mercer Street Event to be held December 5, 2009
- F. Appointment of John Holdridge to the Historic Preservation Commission, Term to Expire June 2010
- G. A Proclamation of the City of Dripping Springs, Texas Recognizing the Dripping Springs High School Tiger Band for its Outstanding Achievement at the State 4A UIL Marching Band Competition

**IX. SITE DEVELOPMENTS/SUBDIVISIONS/ZONING/ON SITE SEWAGE FACILITIES/SIGNS/VARIANCES/WAIVERS/ALTERNATE STANDARDS/ANNEXATIONS**

***Consideration and Possible Action On:***

- A. Berg & Florio Medical Center — Request for a Variance from the City’s On-Site Sewage Facility Rules to Allow the Pump and Haul of Wastewater Effluent and Sewage on a Temporary Basis, *Kyle Florio, Owner*
  - 1. Presentation
  - 2. Environmental Health Inspector’s Report
  - 3. Public Hearing
  - 4. Variance
- B. Ordinance No. 1220.50 – 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: 320 Timberline Street, The North Forty Addition, Section Two and Resubdivision of Lot 25, The

North Forty Section One, from Manufactured Home (MH) to Single Family Four (SF-4), Carole Crumley, *Owner*

1. Presentation
2. Development Coordinator's Report
3. Planning & Zoning Commission Report
4. Public Hearing
5. Ordinance No. 1220.50

C. Consideration of Sign Variance Requests - Austin Brevita, 1600 E Hwy 290, *Duane & Tiffany Youngren, Owners*

1. Presentation
2. Sign Administrator's Report
3. Planning & Zoning Commission Report
4. Public Hearing
5. Sign Variance Request from Section 6.4, Nonconforming Signs: Permits for Other Signs
6. Sign Variance Request from Section 8.2.1, Wall Signs, to Exceed Allowable Number of Signs
7. Sign Variance Request from Section 8.2.1, Wall Signs, to Exceed 10% of Area Wall

## **X. REPORTS OF AGENCIES, COMMISSIONS & STAFF**

A. Farmers Market Report – Jo Ann Touchstone & Ashley Seay, Market Managers

## **XI. BUSINESS**

### ***Consideration and Possible Action On:***

- A. Presentation from U.S. Census Bureau Regarding 2010 Census, *David Dickens, U. S. Census Bureau*
- B. Resolution No. 2010-4- A Resolution of the City of Dripping Springs Supporting the 2010 United States Census
- C. Requests from Dripping Springs Elementary School Parent Teacher Association to Erect Signage at the Triangle November 19<sup>th</sup> through November 21<sup>st</sup> for Annual Fall Fair and Waiver of Sign Permit Fee
- D. Request from Hays County Water Conservation Working Group to Hold “Rainwater Revival” Event Saturday, May 8, 2010 from 8:00 a.m. to 6:00 p.m. on a Portion of Mercer Street, *Alan Rossing*
- E. Harrison Ranch Park Concept Plan
  1. Presentation, RVi, Barbara Austin
  2. Public Hearing
  3. Concept Plan
- F. Chapter 380 Economic Development Agreement with Makar Properties for Belterra Commercial
- G. Ordinance No. 1250.22 – An Ordinance of the City of Dripping Springs Amending the City's Sign Ordinance
  1. Sign Administrator's Report
  2. Planning & Zoning Commission Report
  3. Public Hearing
  4. Ordinance No. 1250.22
- H. Amendment to Interlocal Agreement between the City of Dripping Springs and Dripping Springs Independent School District for the Conveyance of the Stephenson Building Property and Karhan Park Property
- I. Possible Extension of deadline to execute deeds and easements that are the subject of the Letter of Intent between the City of Dripping Springs, Aus S. T. Kyle, Ltd.

(John Lloyd) and Glenn T. Goode and Anne T. Davison for the acquisition of approximately 2.07 acres out of the ABS 289, G. Lindsey Survey owned by Glenn T. Goode and Anne T. Davison, and possible authorization for Mayor to execute the deeds and easements if no substantial substantive changes are made

- J. 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
- K. 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 and to clarify the obligations of the City and Paintbrush 290 under the Agreement
- L. Lease Agreement between the City of Dripping Springs and Ashley Seay to Rent a Portion of Harrison Ranch Park House
- M. Resolution No. 2010-5 – A Resolution of the City of Dripping Springs Granting the Mayor and the City Administrator Authority to Access the City's Safe Deposit Box at Wells Fargo Bank, Change the Locks, and Manage the Contents

## **XII. EXECUTIVE SESSION**

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## **XIII. ANNOUNCEMENTS**

- A. Regular City Council Meeting, November 17, 2009
- B. Regular Parks & Recreation Meeting, December 7, 2009
- C. Regular Planning & Zoning Commission Meeting, November 17, 2009
- D. Regular Historic Preservation Commission Meeting, December 7, 2009
- E. Regular Founders Day Commission Meeting, December 8, 2009

## **XIV. 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 the City Dripping Springs website, [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) on the \_\_\_\_\_ of \_\_\_\_\_, 2009 at \_\_\_\_\_ o'clock \_\_M.*

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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.*