

**City of Dripping Springs
City Council**

**Regular Meeting Agenda
Tuesday, September 8, 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 Attorney Alan Bojorquez

Development Coordinator Jon Thompson

Planning & Zoning Commission Chair Craig Koenig

City Secretary Jo Ann Touchstone

Special Counsel Susan Zachos

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 Pedernales Electric Cooperative, Tim Nance

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, August 11, 2009

B. Approval of Regular Meeting Minutes, August 18, 2009

C. Approval of Treasurer's Report for August 2009

D. Approval of Request from Dripping Springs United Methodist Church's Junior Bible Quiz Ministry for a Reduction of Fees to Rent a Portion of the Triangle for \$250.00 for their Annual Pumpkin Patch October 10 through November 1, 2009

E. Acceptance of Proposal from Donald L. Allman, CPA to perform auditing services for the City of Dripping Springs for the fiscal year beginning October 1, 2008 and ending September 30, 2009

F. Interlocal Agreement between the City of Dripping Springs and Texas Municipal League for Employee Benefits Pool

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

Consideration and Possible Action on:

A. Sign Variance Request – Dripping Springs Presbyterian Church, 100 South Canyonwood Drive, Nancy Marroquin, Pastor

1. Presentation
 2. Sign Administrator's Report
 3. Planning & Zoning Commission Report
 4. Public Hearing
 5. Sign Variance Request from Section 8.2.13, to Exceed the Maximum Number of Monument Signs Allowed Along a Public Right of Way
- B. Sign Variance Request – Dripping Springs Pharmacy, 100 Commons, *Mark J. Lander, The Mooreland Group, LLC, Project Manager, Dripping Springs Pharmacy*
1. Presentation
 2. Sign Administrator's Report
 3. Planning & Zoning Commission Report
 4. Public Hearing
 5. Sign Variance Request from Section 8.2.19, to Exceed the Maximum Signable Area of a Projecting Sign
- C. Sign Variance Request – Crossroads Hair Design, 27951 Ranch Road 12, *Kristi Kiewlich, Owner*
1. Presentation
 2. Sign Administrator's Report
 3. Planning & Zoning Commission Report
 4. Public Hearing
 5. Sign Variance Request from Section 8.1.4, Setback from Right-of-Way
- D. Sign Variance Request – Walgreens/Red Box, 27495 Ranch Road 12, *Lee Ritchey, Walgreens Store Manager*
1. Presentation
 2. Sign Administrator's Report
 3. Planning & Zoning Commission Report
 4. Public Hearing
 5. Sign Variance Request from Section 6, Non Conforming Signs, 6.4, Permits for Other Signs
 6. Sign Variance Request from Section 9.2.1, Cumulative Sign Limitations for a Single Unit Property in a Non-Residential Area on a Corner Lot
- E. Ordinance No. 1220.48 – 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: 28515 Ranch Road 12, Abs 415, Philip A. Smith Survey, 1.00 ac., R17880, from Single Family Four (SF-4) to Commercial Services (CS), *John Rosato and Carolyn Shilthuis, Owners*
1. Presentation
 2. Development Coordinator's Report
 3. Planning & Zoning Commission Report
 4. Public Hearing
 5. Ordinance No. 1220.48
- F. Site Plan – Hays County WCID # 1 Wastewater Treatment Plant Expansion, *12930 Nutty Brown Rd*
1. Presentation
 2. Development Coordinator's Report
 3. Planning & Zoning Commission Report
 4. Public Hearing
 5. Site Plan

VI. REPORTS OF AGENCIES, COMMISSIONS & STAFF

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

VII. BUSINESS

Consideration and Possible Action On

- A. Lease Agreement Between the City of Dripping Springs and Grace Food Pantry for the Dear Hall Building
- B. Facilities Use Agreement between the City of Dripping Springs and the Dripping Springs Lions Club for the 2009 Christmas on Mercer Street Event
- C. Request from the Dripping Springs Youth Sports Association to Hold “Founders Under the Stars” Fundraising Event at Founders Memorial Park on October 3, 2009
- D. Request from Dripping Springs Youth Sports Association for City to Apply to Dripping Springs Water Supply Corporation and the Lower Colorado River Authority for Variances to Irrigate Sports and Recreation Park and Founders Memorial Park Fields Under Water Restrictions
- E. Performance Contract between the City of Dripping Springs and John Wolfe for Wild West Festival
- F. Proposed Fiscal Year 2010 Budget and Proposed 2009 Ad Valorem Tax Rate of \$0.1025 per \$100.00 assessed valuation
 1. Public Hearing
- G. Resolution No. 2009-29 - A Resolution of the City of Dripping Springs Accepting Construction and Public Dedication of Street and Right-Of-Way Improvements for Creek Road
- H. Ordinance No.1220.49 - An Ordinance of the City of Dripping Springs Amending the City’s Zoning Ordinance Sections 3.8.3 (a), Multi family, 3.11.3(a) General Retail, and 3.12.3(a) Commercial Services to delete the language of “two stories” in the Height Regulations sections and limit the height of Main Buildings to forty feet (40’) as currently exists in these same sections
 1. Staff Report
 2. Planning & Zoning Commission Report
 3. Public Hearing
 4. Ordinance No.1220.49
- I. Letter of Agreement 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
- J. 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*
 1. Presentation
 2. Development Coordinator’s Report
 3. Planning & Zoning Commission Report
 4. Public Hearing
 5. Alternate Standard to Allow Appropriation of Impervious Cover on a Lot by Lot basis, not to exceed eighty percent (80%) impervious cover on each lot and not to exceed sixty percent (60%) over the entire project.
 6. Commercial Hall Tract Development Agreement
- K. 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*

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

 5. Variance from Subdivision Ordinance No. 1230.6, Section 11.3.4--Approach Roads and Access: Variance to allow a single point for vehicular access for a subdivision with more than 50 lots.
 6. Variance from Subdivision Ordinance No. 1230.6, Section 11.3.4(b) and Section 14.2—Lot Frontage: Variance to allow a minimum lot frontage of 20 feet for flag lots.
 7. Variance from Subdivision Ordinance No. 1230.6, Section 14.3—Irregular Shaped Lots: Variance to allow irregular shaped lots and/or flag lots.
 8. Variance from Subdivision Ordinance No. 1230.6, Section 11.21.1—Maximum Block Length (Urban Subdivision): Variance to allow residential blocks in an urban subdivision to exceed one thousand two hundred (1,200) feet between the center lines of intersections.
 9. Variance from Subdivision Ordinance No. 1230.6, Section 11.22—Cul-de-Sac: Variance to Allow a Cul-de-Sac Street length in excess of 2,000 feet.
 10. Variance from Zoning Ordinance No. 1220.01, Section 3.4.4—Minimum Lot Setback Requirements: Variance to allow a minimum of 10 foot side yard and 15 foot rear yard setbacks.
 11. Variance from Zoning Ordinance No. 1220.01, Section 3.4.4—Area Regulations: Variance to Allow up to 50% Impervious Cover on a Lot.
 12. Variance from Zoning Ordinance No. 1220.01, Section 5.23—Flag Lots: Variance to Allow Flag Lots in Excess of ten percent (10%) of the entire Subdivision.
 13. Residential Hall Tract Development Agreement
- L. Ordinance No. 1940.10 - An Ordinance of the City of Dripping Springs Establishing Regulations for an Identity Theft Prevention Program; Providing for the following: Rules; Standards; Procedures; Providing a Repealing Clause; Providing a Severability Clause; and Providing an Effective Date
1. Public Hearing
 2. Ordinance No. 1940.10
- M. Wastewater Service Impact Agreement between the City of Dripping Springs and Dripping Springs Independent School District
- N. 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
- O. Resolution No. 2009-30 – A Resolution of the City of Dripping Springs, Texas, Authorizing the Mayor to Execute, Deliver and Receive any and all Documents and Take Such Action as He Deems Appropriate in Connection with the Interlocal Agreement Between the City of Dripping Springs and the Dripping Springs Independent School District for the Exchange of Properties Known as Karhan Park and the Stephenson Building
- P. Ordinance No. 1720.8 - Amendment to City of Dripping Springs "Ordinance Establishing Wastewater Service Rates, Charges, and Tap Fees and Adopting General Policies with Respect to the City's Wastewater System," to revise City wastewater rates, and to codify the ordinance in City of Dripping Springs Code

of Ordinances at Vol. 1, Art. 10: Utilities, Ch. 4, Wastewater & Sewer, Subch. A: General Policies and Rates

1. Public Hearing
2. Ordinance No. 1720.8

Q. Appointment of Comprehensive Plan Steering Committee Members

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 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)
- B. Consultation with City Attorney Regarding 551.072 (Deliberations about Real Property)
- C. Consultation with City Attorney Regarding Wastewater Service Impact Agreement between the City of Dripping Springs and Dripping Springs Independent School District 551.071 (Consultation with Attorney)
- D. Consultation with City Attorney Regarding Ordinance No. 1720.8 - Amendment to City of Dripping Springs "Ordinance Establishing Wastewater Service Rates, Charges, and Tap Fees and Adopting General Policies with Respect to the City's Wastewater System," to revise City wastewater rates, and to codify the ordinance in City of Dripping Springs Code of Ordinances at Vol. 1, Art. 10: Utilities, Ch. 4, Wastewater & Sewer, Subch. A: General Policies and Rates 551.071 (Consultation with Attorney)

IX. ANNOUNCEMENTS

- A. Regular City Council Meeting, September 15, 2009
- B. Regular Parks & Recreation Meeting, September 14, 2009
- C. Regular Planning & Zoning Commission Meeting, September 22, 2009
- D. Regular Historic Preservation Commission Meeting, October 5, 2009
- E. Regular Founders Day Commission Meeting, TBD

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.