



**City of Dripping Springs**  
**City Council & Board of Adjustment Workshop & Regular Meeting**  
Tuesday, August 13, 2019 at 6:00 PM  
City Hall Council Chambers  
511 Mercer Street - Dripping Springs, TX 78620

**I. CALL TO ORDER AND ROLL CALL**

*Mayor/City Council/Board of Adjustment:*

*Mayor Todd Purcell*

*Mayor Pro Tem Bill Foulds*

*Council Member Travis Crow*

*Council Member Wade King*

*Council Member John Kroll*

*Council Member Taline Manassian*

*City Staff/Appointed Officials/Consultants:*

*City Administrator Michelle Fischer*

*Deputy City Administrator Ginger Faught*

*City Secretary Andrea Cunningham*

*Assistant City Attorney Laura Mueller*

*City Treasurer Gina Gillis*

*Code Enforcement/Inspector Aaron Reed*

*Parks & Community Services Director Mariana Espinoza*

*Dripping Springs Ranch Park Manager Lynne Dickinson*

*Planning Director Jason Lutz*

*City Engineer Chad Gilpin*

*TIRZ Project Manager Keenan Smith*

*Planning & Zoning Commission Chair Mim James*

**II. WORKSHOP**

*No action will be taken during the Workshop.*

**A. Fiscal Year 2020 Municipal Budget and Tax Rate.**

Gina Gillis, City Treasurer

**B. Presentation and discussion regarding State Law Changes regarding House Bill 3167 and its effect on City Subdivision, Site Development, and Parkland Dedication Ordinances.**

Laura Mueller, Assistant City Attorney

**III. RECESS**

**IV. RECONVENE AT 6:30 P.M.**

**V. PLEDGE OF ALLEGIANCE**

**VI. PRESENTATION OF CITIZENS**

*The floor is open for Citizens wishing to speak on items that are not on the posted agenda or for items that are on the agenda, but do not have a public hearing, and speakers are encouraged to sign in prior to speaking. Citizens wishing to speak shall do so after being recognized by the Mayor. Speakers are allowed two (2) minutes to speak, which the Mayor or City Council may extend. By law no action may be taken during Presentations of Citizens.*

**VII. CONSENT AGENDA**

*The following items are anticipated to require little or no individualized discussion due to their nature being clerical, ministerial, mundane or routine. In an effort to enhance the efficiency of City Council meetings, it is intended that these items will be acted upon by the City Council with a single motion because no public hearing or determination is necessary. However, a City Council Member or citizen may request separate deliberation for a specific item, in which event those items will be removed from the consent agenda prior to the City Council voting on the consent agenda as a collective, singular item. Prior to voting on the consent agenda, the City Council may add additional items that are listed elsewhere on the same agenda.*

- A. Approval of the City Council and Board of Adjustment Regular Meeting Minutes of July 9, 2019.**
- B. Approval of the City Treasurer's Report for July 2019.**
- C. Approval of the Appointment of John Pettit to the Transportation Committee for a term ending June 30, 2021.**
- D. Approval of a Use Agreement between the City of Dripping Springs and the Dripping Springs Vocational Ag Booster Association, Inc. regarding the use of the Dripping Springs Ranch Park and Event Center.**  
Sponsor: Council Member King
- E. Approval of a Facilities Use Agreement between the City of Dripping Springs and the Dripping Springs Lions Club for Christmas on Mercer event to be held Saturday, December 7, 2019.**  
Sponsor: Council Member King
- F. Approval of a Co-Sponsorship Agreement between the City of Dripping Springs and Springs Veterinary Care for Tails and Trails event to be held at Founders Memorial Park Saturday, September 28, 2019.**  
Sponsor: Council Member King
- G. Approval of an Amendment to the Project Agreement between the City of Dripping Springs and the State of Texas, acting through the Texas Parks and Wildlife Department, for Dripping Springs Founders Memorial Park, Project Amendment Number 20-000209, regarding a property conversion and substitution.**

- H. **Approval of Amended Resolution No. 2019-R27, a Resolution Authorizing application for funding under the 2019 Texas Department of Transportation's Transportation Alternatives Program for the Dripping Springs Rob Shelton Boulevard Pedestrian Sidewalk Project from Sports Park Drive across US 290 to Founders Park Project (ID #: 0\_AUS\_DrippingSprings01\_SRTS-TA) and City Local Match Commitment; and Authorizing the Mayor to Act as the City's Authorized Representative in all matters pertaining to the City's Participation.**
- I. **Approval of a Professional Services Agreement between the City of Dripping Springs and Terracon Consultants, Inc. regarding Geotechnical Engineering Services related the South Regional Water Reclamation Treatment Plant Expansion Project.**  
Sponsor: Mayor Pro Tem Foulds
- J. **Approval of the Amended and Restated Retail Water Service Agreement between the City of Dripping Springs and Meritage Homes of Texas, LLC.**  
Sponsor: Mayor Pro Tem Foulds
- K. **Approval of a Resolution Accepting Substantial Completion of Improvements and Approving and Accepting Maintenance Bond for Headwaters Commercial Street and Site Improvements**  
Sponsor Mayor Pro Tem Foulds
- L. **Approval of a Resolution Accepting Substantial Completion of Improvements and Approving and Accepting Maintenance Bond for Water Infrastructure to Serve the Driftwood Ranch Tract.**  
Sponsor Mayor Pro Tem Foulds
- M. **Approval of an Amendment to Exhibit C of the Wastewater Service Agreement between the City of Dripping Springs and Meritage Homes of Texas, LLC.**
- N. **Approval of form of the Kelly and Fernando Pulido Small Barn Donation Agreement, for repairs and maintenance to the Small Barn and associated outdoor arena field; providing for the following: donation amount, scope of donation project, duration of donation, and criteria for acceptance.**  
Sponsor: Council Member King
- O. **Approval of a Co-Sponsorship Agreement between the City of Dripping Springs and the Central Texas Arabian Horse Association regarding events at the Dripping Springs Ranch Park scheduled for October 5, 2019, December 14, 2019, February 8, 2020, July 11 - 12, 2020 and September 26 - 27, 2020.**

#### **VIII. BOARD OF ADJUSTMENT**

*The Board of Adjustment will consider items related to appeals of administrative land use determinations, requests for variances and special exceptions related to land use projects, and other items as provided for in the Dripping Springs Code of Ordinances.*

- A. **Public hearing, discussion and consideration of approval regarding Sign Variance Requests for Circle K/Valero, located at 13810 Sawyer Ranch Rd., Dripping Springs, TX, to have additional Wall Signs on the Building and Fuel Canopies.**

Kaliki Mendoza, Comet Signs, LLC, Applicant's Representative

1. Presentation
2. Sign Administrator's Report
3. Public Hearing
4. Variance Request to Allow a Wordmark Wall Sign on the Fuel Canopy
5. Variance Request to Allow a Logo Wall Sign on the Fuel Canopy
6. Variance Request to Allow a Wordmark Wall Sign on the Diesel Fuel Canopy
7. Variance Request to Allow a Wall Sign on the East Side of the Building

## IX. BUSINESS

- A. Public hearing, discussion and consideration of approval of a Resolution Authorizing the Submission of a Nomination for Funding from Texas Department of Transportation's 2019 Transportation Alternatives Program; and Authorizing the Mayor to Act as the City's Authorized Representative in all matters pertaining to the City's Participation in 2019 Transportation Alternatives Program.**

1. Staff Report
2. Public Hearing
3. Resolution

- B. Public hearing, discussion and consideration of approval regarding Parkland Dedication requirements for the "Driftwood Golf & Ranch Club" Phase 1 Final Plat located at 11100 RR-967 (N. Side), Buda, TX 78610.**

1. Presentation
2. Staff Report
3. Parks & Recreation Commission Report
4. Public Hearing
5. Parkland Dedication

- C. Public hearing, discussion and consideration of approval regarding Parkland Dedication requirements for the "Grotto" multi-family development located at 1459 W. Hwy 290 and Quail Farm Road, Dripping Springs, TX 78620.**

1. Presentation
2. Staff Report
3. Parks & Recreation Commission Report
4. Public Hearing
5. Parkland Dedication

- D. Public hearing, discussion and consideration of approval regarding Parkland Dedication requirements for the "Bunker Ranch Phase 5" multi-family condominium development located at the southwest intersection of W. Hwy 290 and Bunker Ranch Road.**

1. Presentation
2. Staff Report

3. Parks & Recreation Commission Report
4. Public Hearing
5. Parkland Dedication

- E. Public hearing, discussion and consideration of approval regarding SUB2019-0028 : Arrowhead Ranch Phase 4 Preliminary Plat for Arrowhead Ranch Subdivision; approximately 127.896 acres Located at the end of Arrowhead Ranch Boulevard, Dripping Springs TX 78620 (Legal Description: A0222 BENJAMIN F HANNA SURVEY, ACRES 183.793). Applicant: Carlson, Brigance & Doering, Inc.**

1. Presentation
2. Staff Report (Chad Gilpin)
3. Planning & Zoning Commission Report
4. Public Hearing
5. Preliminary Plat

- F. Public hearing, discussion and consideration of approval regarding a Zoning Amendment Ordinance related to ZA2019-0002: to consider a requested zoning change from Single-Family Residential District – Low Density (SF-1) to Multiple – Family Residential District (MF) for property located at 26700 Ranch Rd 12, Dripping Springs, Texas (Legal Description: ABS 415 9-3106-01-15 Philip A Smith Survey 10.00 AC MH- AKA Western Woods, Hays County, TX). Applicant: Jon Thompson**

1. Presentation
2. Staff Report
3. Planning & Zoning Commission Report
4. Public Hearing
5. Zoning Amendment Ordinance

- G. Public hearing, discussion and consideration of approval regarding a Zoning Amendment Ordinance related to ZA2019-0005: to consider a requested zoning amendment to a Conditional Overlay to allow the land use of "Convenience Store with (or Without) Gasoline Sales" for the area located at the corner of East US Hwy 290 and Sawyer Ranch Rd, Dripping Springs, Texas 78620, also identified as the location of "QuikTrip". This area is currently zoned General Retail (GR) with a conditional overlay applied in August 2007 by Ordinance No. 1220.020, also known as "Conditional Overlay: Shops at Highpointe," governing the approximately 10 acres at this location (Legal Description: Approximately 10.0 acres of land, Tract A, Sawyer Springs Subdivision, recorded in Volume 12, Page 240, Plat Records, Hays County, Texas). The applicant is requesting that this conditional overlay be removed from their 3 acre portion of the property ( Legal Description: A 3.151 acre tract of land, situated in the City of Dripping Springs, out of the E.B. Hargraves Survey No. 4, Abstract 240, Hays County, Texas, and being a portion of a 9.730 acre tract of land as conveyed to QuikTrip Corporation in Instrument No. 18008144 of the Official Public Records of Hays County, Texas). - Applicant requested postponement to the September 10, 2019 City Council Meeting.**

Applicant: JD Dudley

1. Presentation
2. Staff Report (Jason Lutz)
3. Planning & Zoning Commission Report
4. Public Hearing
5. Zoning Amendment Ordinance (applicant request for postponement)

- H. Public hearing, discussion and consideration of approval regarding a Development Agreement Amendment related to DA2019-0001: to remove an approximate 7.105-acre tract from the overall 24.69 acres referred to as the "Hall Commercial Tract" Development Agreement under Section 4.1.3 of the original Development Agreement, located at the northwest intersection of RR-12 and Whisenant Lane.**

Applicant: Jon Thompson

1. Presentation
2. Staff Report (Jason Lutz)
3. Planning & Zoning Commission Report
4. Public Hearing
5. Development Agreement Amendment

- I. Public hearing, discussion and consideration of approval regarding a Zoning Amendment Ordinance related to ZA2019-0007: to consider a requested zoning change from General Retail (GR) to Commercial Services (CS) for an approximate 1.250 acres tract out of the G. W. Lindsay Survey, Abstract No. 289, located at the northwest corner of Ranch Road 12 and Whisenant Lane, Dripping Springs, Texas, No. 289.**

Applicant: Jon Thompson

1. Presentation
2. Staff Report (Jason Lutz)
3. Planning & Zoning Commission Report
4. Public Hearing
5. Zoning Amendment Ordinance

- J. Discuss and consider approval of a Letter of Support from the City of Dripping Springs for the Arts Alliance of Central Texas's Application to the Meadows Foundation for the renovation of the Stephenson Building**

Sponsor: Council Member Manassian

- K. Discuss and consider approval of an Ordinance Authorizing the Issuance of \$23,500,000 City of Dripping Springs, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2019; and other related matters.**

Sponsor: Mayor Pro Tem Foulds

- L. Discuss and consider approval of a Resolution Authorizing the Deputy City Administrator, the Designated Representative of the City, to Execute an Agreement with the Texas Water Development Board for Funding in the Amount of \$1,000,000.**

Sponsor: Mayor Pro Tem Foulds

- M. Discuss and consider approval of a Wastewater Service and Fee Agreement between the City of Dripping Springs and Jim Karhan regarding approximately 32.674 acres of land out of the Phillip A. Smith Survey No. 26, Abstract No. 415, Hays County, Texas.  
Sponsor: Mayor Pro Tem Foulds**
- N. Discuss and consider approval of a Wastewater Service and Fee Agreement between the City of Dripping Springs and Mickey Davidson Kroll regarding approximately 1.339 acres of land out of the Phillip A. Smith Survey No. 26, Abstract No. 415, Hays County, Texas.  
Sponsor: Mayor Pro Tem Foulds**
- O. Discuss and consider approval of a Wastewater/Easement Agreement between the City of Dripping Springs and Cannon regarding the Cannon Ranch Subdivision**
- P. Discuss and consider approval of an Agreement between the City of Dripping Springs, Oryx Development, LLC, and Headwaters Municipal Utility District of Hays County and Concerning the Creation and Operation of the Headwaters Commercial Defined Area.  
Sponsor: Mayor Pro Tem Foulds**
- Q. Discuss and consider approval of an Amendment to an Interlocal Agreement (the “Agreement”), by and between the City of Dripping Springs, a general law city in Hays County, Texas (hereinafter the “City”), Dripping Springs Independent School District (hereinafter the “District”), Dripping Springs Community Library District (the “Library”), and Tax Increment Reinvestment Zone #1 and Tax Increment Reinvestment Zone #2, Dripping Springs, Texas (the “TIRZ”) (collectively the “Parties”), in connection with the development and construction of the Town Center Project, extending the Term and increasing plan study fees.  
Sponsor: Council Member Manassian**
- R. Discuss and consider approval of an Amendment to the Agreement, made and entered into in June 2018 by and between the City of Dripping Springs, Texas (hereinafter referred to as the “City”) and Economic and Planning Systems, Inc. (hereinafter referred to as “Contractor”).**
- S. Appeal of administrative decision to charge professional and consultant fees as determined by ordinance as it relates to the SD2017-005 and SD2019-0021 for the Mark Black Wedding Venue and Mark Black Wedding Venue Amendment.**

**X. REPORTS**

*Reports of Staff, Boards, Commissions, Committees, Boards and Agencies. All reports are on file and available for review upon request.*

- A. Parks and Community Services Department Monthly Report**
- B. Economic Development Committee Report  
Kim Fernea, Chair**

**C. Transportation Committee Report**

Erik Burgeson, Chair

**D. Maintenance & Facilities Report**

Craig Rice, Facilities Director

**XI. 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). The City Council for the City of Dripping Springs may act on any item listed in Executive Session in Open Session or move any item from Executive Session to Open Session for action.*

**A. Consultation with City Attorney regarding legal issues related to legislation before the Texas Legislature pursuant to the City of Dripping Springs 2019 Legislative Program.**

Consultation with Attorney, 551.071

**B. Consultation with City Attorney regarding legal issues related to the Transportation Plan and Transportation Options.**

Consultation with Attorney, 551.071

**C. Deliberation of Real Property and Consultation with City Attorney regarding the purchase, exchange, lease, or value of real property related to property located in Headwaters at Barton Creek.**

Consultation with Attorney, 551.071; Deliberation of Real Property, 551.072

**D. Consultation with City Attorney regarding legal issues related to Headwaters Bond Funding Authorization.**

Consultation with Attorney, 551.071

**E. Consultation with City Attorney regarding legal issues related to the Headwaters Development Agreement.**

Consultation with Attorney, 551.071

**F. Consultation with City Attorney regarding legal issues related to the Water Reclamation Project and regarding Easement Acquisition.**

Consultation with Attorney, 551.071

**G. Consultation with City Attorney regarding legal issues related to the Dripping Springs Water Supply Corporation Retail Water Service.**

Consultation with City Attorney, 551.071

**H. Consultation with City Attorney and Deliberation regarding the purchase, exchange, lease, or value of real property related to the Tax Increment Reinvestment Zone.**

Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072



**I. Consultation with City Attorney regarding legal issues related to recent legislation and case law related to fees charged for land development applications and process for land development applications.**

Consultation with City Attorney, 551.071

**XII. UPCOMING MEETINGS**

**A. City Council & BOA Meetings**

August 20, 2019 at 6:00 p.m.

September 10, 2019 at 6:00 p.m. (6:00 p.m. Workshop / 6:30 p.m. Regular Meeting)

September 17, 2019 at 6:00 p.m.

October 8, 2019 at 6:00 p.m. (6:00 p.m. Workshop / 6:30 p.m. Regular Meeting)

**B. Board, Commission & Committee Meetings**

Utility Commission, August 14, 2019 at 4:00 p.m.

Farmers Market Board, August 15, 2019 at 10:00 a.m.

Emergency Management Commission, August 20, 2019 at 12:00 p.m.

Transportation Committee, August 26, 2019 at 3:30 p.m.

Planning & Zoning Commission, August 27, 2019 at 6:30 p.m.

Economic Development Committee, August 28, 2019 at 4:00 p.m.

Parks & Recreation Commission, September 3, 2019 at 6:00 p.m.

Historic Preservation Commission, September 4, 2019 at 4:00 p.m.

TIRZ No. 1 & No. 2 Board, September 9, 2019 at 4:00 p.m.

Founders Day Commission, September 9, 2019 at 6:30 p.m.

**XIII. ADJOURN**

**XIV. TEXAS OPEN MEETINGS ACT PUBLIC NOTIFICATION & POSTING OF MEETING**

*All agenda items listed above are eligible for discussion and action unless otherwise specifically noted. This notice of meeting is posted in accordance with Chapter 551, Government Code, Vernon's Texas Codes. Annotated.*

*I certify that this notice of meeting was posted at the City of Dripping Springs City Hall and website, [www.cityofdrippingpsrings.com](http://www.cityofdrippingpsrings.com), on August 9, 2019 at 5:05 p.m.*

  
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City Secretary

*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.*

