A Special Workshop and Regular Meeting of the City Council of Dripping Springs, Texas was held Tuesday, August 14, 2018 at 5:00 p.m., in the Council Chambers located at City Hall, 511 Mercer Street, Dripping Springs, Texas.

I. CALL TO ORDER AND ROLL CALL - 5:00 p.m.

City Council Members present were:
Mayor Todd Purcell
Mayor Pro Tem Bill Foulds (arrived at 6:30 p.m.)
Council Member Travis Crow
Council Member Wade King (arrived at 5:58 p.m.)
Council Member Taline Manassian

City Council Members absent were:
Council Member John Kroll

City Staff and Appointed Officials present were:
City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Secretary Andrea Cunningham
City Treasurer Gina Gillis
City Planner Anjali Naini
City Engineer Chad Gilpin
Emergency Planning Coordinator Roman Baligad
Parks & Community Services Director Mariana Espinoza
Pool Manager Aaron Bond
Farmers Market Manager Laurel Robertson
Assistant City Attorney Laura Mueller
Planning and Zoning Commission Chair Mim James
Emergency Management Commission Chair Bonnie Humphrey
Farmers Market Association Board Chair Gouri Johannsen

With a quorum of the City Council present, Mayor Todd Purcell called the Special Workshop to order at 5:58 p.m.

II. WORKSHOP

No action to be taken during workshop. 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.

A. Fiscal Year 2019 Budget Workshop
1. Revised Budget Planning Calendar
2. General Fund
3. Parks
   a. Parkland Dedication
   b. Landscaping
4. Farmers Market
5. Founders Day


Mayor Purcell announced that staff has presented the City Council with a balanced budget that does not increase the ad valorem taxes. The City Council was presented the first half of the budget and will review the second half at the Workshop scheduled for August 21, 2018 at 5:30 p.m.

A motion was made by Council Member Manassian to recess into Executive Session under Texas Local Government Code Sections 551.071 and 551.072, and to include Executive Session Items A, F and G. Council Member Crow seconded the motion which carried unanimously 4 to 0.

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 Allocation of Wastewater Capacities and Potential Alternatives and Options to Currently Planned Wastewater Discharge Permitting Plans, Including Potential Additional Area Needed to Meet Wastewater Service Needs (551.071 Consultation with City Attorney and 551.072 Purchase, Exchange, Lease, or Value of Real Property)

F. Consultation with City Attorney regarding the Contested Case Hearing, TCEQ Docket No. 2017-1749- MWD, SOAH Docket No. 582-18-3000, Application by the City of Dripping Springs for TPDES Permit No. WQ0014488003 (551.071 Consultation with City Attorney)

G. Consultation with City Attorney regarding legal consultation and advice related to retail water service by the City of Dripping Springs (551.071 Consultation with City Attorney)

The City Council met in Executive Session from 6:02 p.m. – 6:29 p.m.
No vote or action was taken in Executive Session. Mayor Purcell closed the Executive Session and returned the meeting to Open Session at 6:29 p.m.

III. RECESS

The City Council did not recess.

IV. RECONVENE AT 6:30 p.m.

With a quorum of the City Council present, Mayor Purcell called the meeting to order at 6:30 p.m.

V. PLEDGE OF ALLEGIANCE

Council Member Crow led the Pledge of Allegiance to the Flag.

VI. PRESENTATION OF 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 establish a time limit of two (2) minutes per speaker, for a total of thirty (30) minutes. The Mayor and City Council may extend the session.

Anne Zabolio with Thundering Paws Animal Sanctuary spoke regarding her support for the San Marcos Regional Animal Shelter proposing the adoption of a no kill shelter and requested the support of the City Council of Dripping Springs.

The following Citizens spoke regarding their opposition to the Lauren Concrete Inc.'s Proposed Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls, Registration No. 152632, and requested the City Council's support of their opposition:
1. Janet Culver (2 minutes yielded from Tim Cooper)
2. Ed Michal
3. Paul Mason
4. Randy Livingston
5. Greg Cheever
6. Beth Pohl

VII. CONSENT ITEMS

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 Regular Meeting Minutes of June 12, 2018, and the Special Meeting Minutes of July 2, 2018

B. Approval of the City Treasurer’s Report for July 2018

C. Approval of An Ordinance of the City of Dripping Springs Amending Chapter 12, Article 3.006 Of The Dripping Springs Code Of Ordinances To Empower The Code Enforcement And Construction Inspector To Issue Citations; And Providing For The Following: Findings Of Fact; Enactment; Repealer; Severability; Codification; Effective Date; And Proper Notice And A Meeting (Sponsor: Mayor Purcell)

Filed as Ordinance No. 2018-16.

A motion was made by Council Member King to approve the Consent Agenda. Council Member Crow seconded the motion which carried unanimously 4 to 0.

VIII. SUBDIVISION/SITE DEVELOPMENT/ ZONING/SIGNAGE/CONDITIONAL USE PERMITS/VARIANCES/WAIVERS/SPECIAL EXCEPTIONS

Discussion and Possible Action on Zoning, Conditional Use Permits, Subdivision, Site Development, Signage, Variances, Special Exceptions, Waivers and other matters:

A. An Ordinance of the City of Dripping Springs Amending Chapter 26, Appendix "C" of the City of Dripping Springs Code of Ordinances; Amending Regulations for a Master Sign Plan for the Beltterra Commercial Subdivision; Providing for the Following: Rules; Standards; Procedures; and Findings of Fact; Codification; Repealer; Severability; Proper Notice and Meeting; Enforcement Including Criminal Penalties Including Criminal Fines Not to Exceed $500.00 and Civil Fines of Up to $500.00

1. Staff Report

Michelle Fischer presented the staff report which is on file. The current ordinance did not address window signs. This amendment will incorporate window signs into the ordinance allowing for enforcement of violations. Staff recommends approval of the ordinance.

2. Planning and Zoning Commission Report

Chair James: Commission recommended approval 6 to 0.

3. Public Hearing

No one spoke during the Public Hearing.

4. Ordinance

A motion was made by Mayor Pro Tem Foulds to approve an Ordinance of the City of Dripping Springs Amending Chapter 26, Appendix "C" of the City of Dripping Springs Code of Ordinances; Amending Regulations for a Master Sign Plan for the Beltterra
Commercial Subdivision; Providing for the Following: Rules; Standards; Procedures; and Findings of Fact; Codification; Repealer; Severability; Proper Notice and Meeting; Enforcement Including Criminal Penalties Including Criminal Fines Not to Exceed $500.00 and Civil Fines of Up to $500.00. Council Member King seconded the motion which carried unanimously 4 to 0.

Filed as Ordinance No. 2018-18.

Mayor Pro Tem Foulds requested staff look into television screens in window store fronts.

B. SUB2018-0008: A Preliminary Plat for 7 Lots Totaling 14.61 Acres Known as the Shire Subdivision, Section 2, Located at 1111 Hays County Acres Road in the Extraterritorial Jurisdiction of the City of Dripping Springs, Texas, and further Described as: 14.61 Acres out of 126.7243 out of the Richard Vaughn Survey No. 7, as Conveyed by Deed as Recorded in Document No. 04016647 of the Official Public Records of Hays County, Texas. Applicant, Travis Flake

1. Presentation – no presentation was given.

2. Staff Report

Chad Gilpin presented the staff report which is on file. The Planning & Zoning Commission recommended approval of the preliminary plat with following three conditions:

1. The applicant shall submit a Geologic Site Survey identifying CEFs and required setbacks (if any).
2. The applicant shall obtain 1445 approval from Hays County.
3. The applicant shall satisfy both conditions 1 and 2 above before the August 14th City Council meeting.

Staff confirms the applicant has satisfied the conditions and recommends approval of the preliminary plat.

3. Planning and Zoning Commission Report

Chair James: Commission recommended approval 6 to 0 with the aforementioned conditions.

4. Public Hearing

No one spoke during the Public Hearing.

5. Preliminary Plat
A motion was made by Mayor Pro Tem Foulds to approve SUB2018-0008: A Preliminary Plat for 7 Lots Totaling 14.61 Acres Known as the Shire Subdivision, Section 2, Located at 1111 Hays Country Acres Road in the Extraterritorial Jurisdiction of the City of Dripping Springs, Texas, and further Described as: 14.61 Acres out of 126.7243 out of the Richard Vaughn Survey No. 7, as Conveyed by Deed as Recorded in Document No. 04016647 of the Official Public Records of Hays County, Texas. Council Member King seconded the motion which carried unanimously 4 to 0.

IX. BUSINESS

Consideration and Possible Action On:

A. An Ordinance of the City of Dripping Springs Amending the City of Dripping Springs Code of Ordinances, Chapter 28, Article 28.04 - Site Development; and Providing for the Following: Findings of Fact; Enactment; Repealer; Severability; Codification; Effective Date; and Proper Notice and Meeting (Sponsor: Mayor Pro Tem Bill Foulds)

1. Staff Report

Anjali Naini presented the staff report which is on file. The Planning & Zoning Commission recommended approval of the ordinance with the following conditions:

1. Staff clean up language regarding Dripping Springs Independent School District submittals not need review.
2. Replace Board of Adjustment with subcommittee language.
3. For all development receiving administrative approval provide notices through signage, website and property owner letters within 300 feet, and not newspaper.

Staff addressed conditions 1 and 2, however, recommends the removal of the property letter requirement for site plans under administrative review. Staff recommends postponement of consideration of the ordinance for further review regarding notifications.

2. Planning and Zoning Commission Report

Chair James: Commission recommended approval of ordinance with the aforementioned conditions, 6 to 0.

3. Public Hearing

No one spoke during the Public Hearing.

4. Ordinance

A motion was made by Mayor Pro Tem Foulds to postpone the item to the September 18, 2018 Regular City Council meeting. Council Member King seconded the motion which carried unanimously 4 to 0.
B. Consideration and Possible Action on Advance Funding Agreement between the City of Dripping Springs and The State of Texas Acting Through The Texas Department of Transportation For A Transportation Alternatives Set-Aside Program Project, State-Selected Off-System (CSJ # 0914-33-079) for the Dripping Springs Sportsplex Drive Sidewalks Project; Authorizing City Staff to Submit Executed Contract to TxDOT (Sponsor: Council Member Manassian)

Gandolf Burrus, Grant Development Services President, spoke regarding the item.

A motion was made by Mayor Pro Tem Foulds to approve an Advance Funding Agreement between the City of Dripping Springs and The State of Texas Acting Through The Texas Department of Transportation For A Transportation Alternatives Set-Aside Program Project, State-Selected Off-System (CSJ # 0914-33-079) for the Dripping Springs Sportsplex Drive Sidewalks Project; Authorizing City Staff to Submit Executed Contract to TxDOT. Council Member King seconded the motion which carried unanimously 4 to 0.

C. Discuss and Consider Staff Direction regarding an Amendment to the Zoning Code in regards to membership of the Board of Adjustment (Sponsor: Mayor Pro Tem Bill Foulds)

Laura Mueller presented the staff report which is on file. Staff recommends City Council direct the Assistant City Attorney to draft an amendment allowing for the appointment of two alternate members of the Board of Adjustment. The alternates may not serve on the Planning & Zoning Commission.

The City Council directed staff to draft an amendment for consideration at later City Council meeting.

D. Hill Country Rally for Kids Co-Sponsorship Agreement and Temporary Street Closures from Mercer St at 290 to Mercer and RR12, Mercer St at Buff, Wallace, San Marcos and Old Fitzhugh September 15, 2018 (Sponsor: Council Member Wade King)

Mariana Espinoza presented the staff report. The applicant has applied for a Special Event Permit and a Temporary Road Closure Permit. The Parks & Recreation Commission recommended approval of the item.

A motion was made by Council Member King to approve the Hill Country Rally for Kids Co-Sponsorship Agreement and Temporary Street Closures from Mercer St at 290 to Mercer and RR12, Mercer St at Buff, Wallace, San Marcos and Old Fitzhugh September 15, 2018. Council Member Crow seconded the motion which carried unanimously 4 to 0.

E. Dripping Springs Songwriter's Festival Co-Sponsorship Agreement and Temporary Street Closures for Mercer St from San Marcos to Old Fitzhugh October 19-21, 2018 (Sponsor: Council Member Wade King)
A motion was made by Mayor Pro Tem Foulds to approve the Dripping Springs Songwriter's Festival Co-Sponsorship Agreement and Temporary Street Closures for Mercer St from San Marcos to Old Fitzhugh October 19-21, 2018. Council Member King seconded the motion which carried unanimously 4 to 0.

F. Recommendation regarding a Special Event Permit for the Twilight and Starlight Event to be held October 6, 2018 and the Pioneer Day Event to be held September 22, 2018 at the Pound House located in Founders Memorial Park (Sponsor: Council Member Wade King)

Marian Espinoza presented the staff report. The applicant has applied for a Special Event Permit and a Temporary Road Closure Permit. The Parks & Recreation Commission recommended approval of the item.

A motion was made by Council Member King to approve a Special Event Permit for the Twilight and Starlight Event to be held October 6, 2018 and the Pioneer Day Event to be held September 22, 2018 at the Pound House located in Founders Memorial Park. Council Member Manassian seconded the motion which carried unanimously 4 to 0.

G. Dripping Springs Visitors Bureau Request for Hotel Occupancy Tax Funding for Holiday Lighting Displays (Sponsor: Council Member Taline Manassian)

Council Member Manassian announced that the Visitors Bureau has withdrawn their request for funds.

No action was taken on this item.

H. Facilities Use Agreement between the City of Dripping Springs and the Dripping Springs Lions Club for the use of Mercer Street during the Christmas on Mercer Event December 1, 2018 (Sponsor: Council Member Wade King)

A motion was made by Council Member King to approve a Facilities Use Agreement between the City of Dripping Springs and the Dripping Springs Lions Club for the use of Mercer Street during the Christmas on Mercer Event December 1, 2018. Mayor Pro Tem Foulds seconded the motion which carried unanimously 4 to 0.

I. Reconsider action taken at the July 10, 2018 Regular City Council Meeting regarding the appointment of Patrick Rose, Rex G. Baker, III, John Kroll and Elaine Cogburn to the Economic Development Committee for terms ending June 30, 2019; and the Consideration of the appointment of Patrick Rose, Rex G. Baker, Elaine Cogburn, and John Kroll to the Economic Development Committee for terms ending June 1, 2020, and the reappointment of Patrick Rose as Chair

1. Staff Report
Andrea Cunningham presented the staff report which is on file. Staff recommends approval of the item.

2. Reconsider Previous Action

A motion was made by Council Member King to reconsider action taken at the July 10, 2018 Regular City Council Meeting regarding the appointment of Patrick Rose, Rex G. Baker, III, John Kroll and Elaine Cogburn to the Economic Development Committee for terms ending June 30, 2019. Council Member Crow seconded the motion which carried unanimously 4 to 0.

3. Appointment of Committee Members

A motion was made by Council Member King to approve the appointment of Patrick Rose, Rex G. Baker, Elaine Cogburn, and John Kroll to the Economic Development Committee for terms ending June 1, 2020, and the reappointment of Patrick Rose as Chair. Council Member Crow seconded the motion which carried unanimously 4 to 0.

J. Discuss and Consider the Appointment of one (1) individual the Planning & Zoning Commission for a term expiring June 30, 2020

Andrea Cunningham presented the staff report which is on file. Staff recommends the approval the item.

Planning & Zoning Commission Chair Mim James and Vice James Martin recommend the appoint of Martin Garza, Jr.

A motion was made by Council Member King to appoint Martin Garza, Jr. to the Planning & Zoning Commission for a term expiring June 30, 2020. Council Member Crow seconded the motion which carried unanimously 4 to 0.

K. Discuss and Consider the Appointment of individuals to the Hotel Occupancy Tax Grant Program Application Review and Recommendation Committee for funds to be distributed in Fiscal Year 2019

A motion was made by Council Member King to appoint Vicky Lewis, David Fralic, Ashley Sansalone and Nick Dotin to the Hotel Occupancy Tax Grant Program Application Review and Recommendation Committee. Council Member Crow seconded the motion which carried unanimously 4 to 0.

L. A Resolution granting the petition for the voluntary annexation of 200.4 acres out of the Philip A. Smith League commonly known as the Scott Tract in Hays County, Texas and setting dates, times, and place for public hearings of certain property by the City of Dripping Springs, Texas and authorizing and directing the Mayor to publish notice of such public hearings
I. Staff Report

Laura Mueller presented the staff report. The City Council has approved the Development Agreement for this tract, which is on file with the City and Hays County. Staff recommends approval of the resolution.

2. Public Hearing

No one spoke during the Public Hearing.

3. Resolution

A motion was made by Mayor Pro Tem Foulds to approve a Resolution granting the petition for the voluntary annexation of 200.4 acres out of the Philip A. Smith League commonly known as the Scott Tract in Hays County, Texas and setting dates, times, and place for public hearings of certain property by the City of Dripping Springs, Texas and authorizing and directing the Mayor to publish notice of such public hearings. Council Member King seconded the motion which carried unanimously 4 to 0.

Filed as Resolution No. 2018-R23

M. Professional Services Agreement with CMA Engineering for Upgrades to the Dripping Springs Independent School District (DSISD) Lift Station located in Founders Ridge (Sponsor: Mayor Pro Tem Bill Foulds)

1. Staff Report

Ginger Faught presented the staff report which is on file. The upgrades to the lift station are required and all costs incurred will be paid by the developer of Founders Ridge. Staff recommends approval of the agreement.

A motion was made by Council Member King to approve a Professional Services Agreement with CMA Engineering for Upgrades to the Dripping Springs Independent School District (DSISD) Lift Station located in Founders Ridge. Mayor Pro Tem Foulds seconded the motion which carried unanimously 4 to 0.

N. Termination of Dripping Springs Ranch Park Ranch House Lease between Nick Stewart and the City of Dripping Springs (Sponsor: Mayor Todd Purcell)

A motion was made by Mayor Pro Tem Foulds to approve the termination of Dripping Springs Ranch Park Ranch House Lease between Nick Stewart and the City of Dripping Springs. Council Member King seconded the motion which carried unanimously 4 to 0.

City Council requested staff look into the division of the utilities and make sure that the division is appropriate for the number of current tenants.
O. Extension of Fee Waiver in Exchange for Services at Dripping Springs Ranch Park for an RV Site  (Sponsor: Mayor Todd Purcell)

1. Staff Report – no staff report was presented

A motion was made by Council Member King to approve the extension of Fee Waiver in Exchange for Services at Dripping Springs Ranch Park for an RV Site. Mayor Pro Tem Foulds seconded the motion which carried unanimously 4 to 0.

P. Amendment/Addendum to the Interlocal Contract for Licensing SCPDC Software between the City of Dripping Springs, South Central Planning and Development Commission and Capital Area Council of Governments, and regarding the addition of the Code Enforcement Module for the City's MyPermitNow Software Program  (Sponsor: Mayor Pro Tem Bill Foulds)

1. Staff Report

Ginger Faught presented the staff report which is on file. The addition of the Building Permit and Code Enforcement Modules will increase staff efficiency and tracking capabilities. Staff recommends approval of the amendment.

A motion was made by Council Member King to approve an Amendment to the Interlocal Contract for Licensing SCPDC Software between the City of Dripping Springs, South Central Planning and Development Commission and Capital Area Council of Governments, and regarding the addition of the Building Permit and Code Enforcement Modules for the City's MyPermitNow Software Program. Mayor Pro Tem Foulds seconded the motion which carried 3 to 1, with Council Member Crow opposed.

X. REPORTS OF AGENCIES, COMMISSIONS AND STAFF

Mayor Purcell announced that reports are on file and available for review upon request.

A. Parks and Community Services Monthly Report
B. Dripping Springs Ranch Park Monthly Report
C. Transportation Committee Monthly Report
D. Economic Development Committee Monthly Report

A motion was made by Mayor Pro Tem Foulds to recess into Executive Session under Texas Local Government Code Sections 551.071, and to include Executive Session Items D, E and G. Council Member Crow seconded the motion which carried unanimously 4 to 0.

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
A. Consultation with City Attorney Regarding Allocation of Wastewater Capacities and Potential Alternatives and Options to Currently Planned Wastewater Discharge Permitting Plans, Including Potential Additional Area Needed to Meet Wastewater Service Needs (551.071 Consultation with City Attorney and 551.072 Purchase, Exchange, Lease, or Value of Real Property)

B. Deliberation regarding the potential purchase of all or a portion of real property related to the Transportation Plan. (551.072 Purchase, Exchange, Lease or Value of Real Property)

C. Consultation with City Attorney related to legal issues related to creation of a separate Board of Adjustment and Board of Adjustment membership and procedure. (551.071 Consultation with City Attorney).

D. Consultation with City Attorney Regarding on Processes and Procedures Related to the Extent of the Jurisdiction of the City in the City Limits and Extraterritorial Jurisdiction. (551.071 Consultation with City Attorney).

E. Consultation with City Attorney regarding legal issues related to Stephenson Building Lease. (551.071 Consultation with City Attorney).

F. Consultation with City Attorney regarding the Contested Case Hearing, TCEQ Docket No. 2017-1749- MWD, SOAH Docket No. 582-18-3000, Application by the City of Dripping Springs for TPDES Permit No. WQ0014488003 (551.071 Consultation with City Attorney)

G. Consultation with City Attorney regarding legal consultation and advice related to retail water service by the City of Dripping Springs (551.071 Consultation with City Attorney)

The City Council met in Executive Session from 7:32 p.m. to 7:50.

No vote or action was taken in Executive Session. Mayor Purcell closed the Executive Session and returned the meeting to Open Session at 7:51 p.m.

XII. ANNOUNCEMENTS

A. August 21, 2018 - Regular City Council Meeting, 5:00 PM Workshop/6:00 PM Meeting

B. September 11, 2018 - Regular City Council Meeting, 5:00 PM Workshop/6:30 PM Meeting

C. September 18, 2018 - Regular City Council Meeting, 5:00 PM Workshop/6:00 PM Meeting

XIII. ADJOURN

A motion was made by Mayor Pro Tem Foulds to adjourn the meeting. Council Member Crow seconded the motion which carried unanimously 4 to 0.
This regular meeting adjourned at 7:51 p.m.

DATE APPROVED: September 11, 2018

Todd Purcell, Mayor

ATTEST:

Andrea Cunningham, City Secretary