

# Regular City Council

## Meeting Minutes

January 15, 2019 at 6:00 p.m.

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A Regular Meeting of the City Council of Dripping Springs, Texas was held Tuesday, January 15, 2019 beginning at 6:00 p.m., in the Council Chambers located at City Hall, 511 Mercer Street, Dripping Springs, Texas.

### I. CALL TO ORDER AND ROLL CALL

Mayor & City Council Members present were:

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 present were:

City Administrator Michelle Fischer  
Deputy City Administrator Ginger Faught  
City Secretary Andrea Cunningham  
Parks & Community Services Director Mariana Espinoza  
Planning Director Jason Lutz  
Assistant City Attorney Laura Mueller  
TIRZ Project Manager Keenan Smith

### II. PLEDGE OF ALLEGIANCE

Dripping Springs Boy Scout Troop 101 presented the Colors and led the chamber in the Pledge of Allegiance.

### III. PRESENTATION OF CITIZENS

*The floor is open for Citizens wishing to speak on items that are not on the posted agenda or 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.*

No one spoke during Presentation of Citizens.

### IV. CONSENT AGENDA

- A. **Approval of the City Council & Board of Adjustment Regular Meeting Minutes of December 11, 2018.**
- B. **Approval of the appointment of Kim Fernea as the Chair of the Economic Development Committee.**

A motion was made by Council Member Kroll to approve the Consent Agenda. Mayor Pro Tem Foulds seconded the motion which carried unanimously 5 to 0.

Mayor Purcell introduced Kim Fernea, who was in the audience.

## V. BUSINESS

- A. **Discuss and consider approval of a Donation Agreement between Foundation Church DS and The City of Dripping Springs for upgrades to the Sports and Recreation Park Satellite Restrooms located on the south side of the park near the soccer fields.**  
Sponsor: Council Member King

Mariana Espinoza presented the staff report which is on file. Staff recommends approval of the Donation Agreement.

A motion was made by Council Member King to approve a Donation Agreement between Foundation Church DS and The City of Dripping Springs for upgrades to the Sports and Recreation Park Satellite Restrooms located on the south side of the park near the soccer fields. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

The City Council directed staff to have the Maintenance Director review the improvements.

- B. **Discuss and consider approval of the selection of bid(s) for Grounds Maintenance and approval of an Agreement(s) between the City of Dripping Springs and Contractor(s) for Grounds Maintenance.**  
Sponsor: Mayor Todd Purcell

Michelle Fischer presented the staff report which is on file. The City received two bids: Worthy Commercial and Canyon Creek Landscaping both of which the City has had agreements with in the past. Canyon Creek Landscaping came in with the lowest bid, and staff recommends selection of Canyon Creek Landscaping and approval of an Agreement with the section regarding the Wastewater Treatment Plant removed and striking the Alternate Bid for additional mowing at the Wastewater Treatment Plant.

A motion was made by Council Member Kroll to selection Canyon Creek Landscaping bid for Grounds Maintenance and to approve an agreement between the City of Dripping Springs and Canyon Creek Landscaping for Grounds Maintenance with staff recommendations to remove the section regarding the Wastewater Treatment Plant and strike the Alternate Bid for additional mowing at the Wastewater Treatment Plant. Council Member King seconded the motion which carried unanimously 5 to 0.

- C. **Discuss and consider approval of an Ordinance Amending the Park Rules.**  
Sponsor: Council Member Wade King

Council Member Manassian asked Laura Mueller if the City is regulating handguns in parks. Laura Mueller explained that State Law regulates licensed gun owners, and that the amendment is regulating only non-licensed gun owners in City parks. Council Member Manassian requested staff to clean up the

grammatical errors, and asked whether or not subsection (b) could be changed to or, rather than and. Laura Mueller confirmed that it would be acceptable to change to or.

A motion was made by Council Member Kroll to approve an Ordinance Amending the Park Rules with non-substantive technical items as discussed. Council Member King seconded the motion which carried unanimously 5 to 0.

**Filed as Ordinance No. 201-04**

- D. Discuss and consider approval of the realignment of Emergency Management Commissioner Dillon Polk's seat designation from Non-Profit to At-Large, and to adjust term coincide with the At-Large seat term of January 1, 2021.**

Staff report on file.

A motion was made by Mayor Pro Tem Foulds to approve the realignment of Emergency Management Commissioner Dillon Polk's seat designation from Non-Profit to At-Large, and to adjust term coincide with the At-Large seat term of January 1, 2021. Council Member King seconded the motion which carried unanimously 5 to 0.

- E. Discuss and consider the appointment of one individual to the Emergency Management Commission as Nonprofit Organization Representative for a term ending January 1, 2020.**

Staff report on file.

A motion was made by Council Member King to approve the appointment of Amy Roedel individual to the Emergency Management Commission as Nonprofit Organization Representative for a term ending January 1, 2020. Mayor Pro Tem Foulds seconded the motion which carried unanimously 5 to 0.

- F. Discuss and consider approval of Professional Service Agreements between the City of Dripping Springs and McCall Parkhurst & Horton L.L.P, The AL Law Group, SAMCO Capital Markets, Inc., CMA Engineering, Bojorquez Law Firm, P.C., and Horizon Environmental Services, Inc. regarding the City's Request for Qualifications related to Wastewater System Improvements expected to be funded by the Texas Water Development Board.**

Sponsor: Mayor Pro Tem Foulds

Ginger Faught presented the staff report. The Professional Services Agreements for consideration are the result of a Request for Bids regarding projects related to the City's application for Wastewater System Improvements expected to be funded by the Texas Water Development Board. Ginger noted that the proposal attached to the Horizon Environmental Engineering PSA has been revised to reflect the multiple EIDs prepared and submitted for the different phases of the project.

*1. Bound Counsel - McCall Parkhurst & Horton L.L.P*

2. *Special Wastewater Counsel - The AL Law Group*
3. *Financial Advisor - SAMCO Capital Markets, Inc.*
4. *Engineering Services - CMA Engineering*
5. *General Counsel Services - Bojorquez Law Firm, P.C.*
6. *Environmental Services - Horizon Environmental Services, Inc.*

A motion was made by Mayor Pro Tem Foulds to approve Professional Service Agreements between the City of Dripping Springs and McCall Parkhurst & Horton L.L.P, The AL Law Group, SAMCO Capital Markets, Inc., CMA Engineering, Bojorquez Law Firm, P.C., and Horizon Environmental Services, Inc. with revised proposal, regarding the City's Request for Qualifications related to Wastewater System Improvements expected to be funded by the Texas Water Development Board. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

- G. Discuss and consider approval of TIRZ Priority Projects: Planning and Engineering Support Services Addendum between HDR Engineering, Inc., McCann Adams, and the City of Dripping Springs related to Task Order No. 2 Scopes of Work and Fee Proposals.**

Sponsor: Council Member John Kroll

Keenan Smith presented the staff report which is on file. The amendments will apply to the current contracts on file for Fiscal Year 2019, and the TIRZ Board has recommended City Council approval.

A motion was made by Council Member Kroll to approve TIRZ Priority Projects: Planning and Engineering Support Services Addendum between HDR Engineering, Inc., McCann Adams, and the City of Dripping Springs related to Task Order No. 2 Scopes of Work and Fee Proposals. Council Member Crow seconded the motion which carried unanimously 5 to 0.

- H. Discuss and consider approval of an Interlocal Cooperation Agreement between the City of Dripping Springs and the City of Austin regarding the release of property in the City of Austin's Extraterritorial Jurisdiction.**

Sponsor: Mayor Pro Tem Foulds

A motion was made by Mayor Pro Tem Foulds to approve an Interlocal Cooperation Agreement between the City of Dripping Springs and the City of Austin regarding the release of property in the City of Austin's Extraterritorial Jurisdiction. Council Member King seconded the motion which carried unanimously 5 to 0.

Laura Mueller explained that Austin is releasing territory out of its ETJ and the City will annex the territory into the Dripping Springs ETJ.

- I. Discuss and consider approval of a Resolution Accepting a Petition and setting public hearing dates for the Voluntary Annexation of approximately 18.355 acres, which includes adjacent right-of-way, situated in the Benjamin F. Hanna Survey No. 28, Abstract No. 222, Hays County, Texas, generally located at Quail Farm Drive and south of U.S. Highway 290, between Rose Drive and Roger Hanks Parkway.**

1. *Presentation – no presentation given.*

2. *Staff Report*

Jason Lutz presented the staff report which is on file. Staff recommends approval of the resolution.

3. *Resolution Accepting a Petition of Voluntary Annexation*

A motion was made by Mayor Pro Tem Foulds to approve a Resolution Accepting a Petition and setting public hearing dates for the Voluntary Annexation of approximately 18.355 acres, which includes adjacent right-of-way, situated in the Benjamin F. Hanna Survey No. 28, Abstract No. 222, Hays County, Texas, generally located at Quail Farm Drive and south of U.S. Highway 290, between Rose Drive and Roger Hanks Parkway. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

**Filed as Resolution No. 2019-R02**

- J. Discuss and consider potential Amendment to Application for the Clean Water State Revolving Fund (CWSRF) Loan Program currently pending before the Texas Water Development Board.**

No discussion or action was taken on this item.

A motion was made by Mayor Pro Tem Foulds to adjourn into Executive Session under Texas Government Code Section 551.071, and regarding Executive Session Agenda Item B. Council Member Crow seconded the motion which carried unanimously 5 to 0.

**VI. 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 property located in the City of Austin's Extraterritorial Jurisdiction.**  
Consultation with City Attorney, 551.071
- B. Consultation with City Attorney regarding legal issues related to the Proposed Cannon Ranch Development Agreement.**  
Consultation with City Attorney, 551.071

- C. **Consultation with City Attorney regarding legal issues related to Application for the Clean Water State Revolving Fund (CWSRF) Loan Program currently pending before the Texas Water Development Board.**

Consultation with City Attorney, 551.071

The City Council met in Executive Session from 6:25 p.m. – 6:44 p.m.

No vote or action was taken during Executive Session.

Mayor Purcell returned the meeting to Open Session at 6:44 p.m.

## VII. UPCOMING MEETINGS

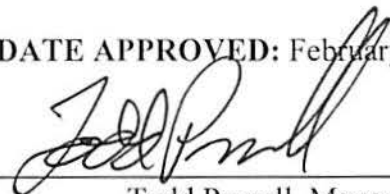
- A. **City Council & Board of Adjustment Regular Meetings:**  
January 17, 2019 - 4:00 p.m. Transportation Master Plan Public Open House  
February 12, 2019 - 5:30 p.m. Workshop, 6:30 p.m. Regular Meeting  
February 19, 2019 - 6:00 p.m. Regular Meeting
- B. **December/January Board & Commission Meetings:**  
January 17, 2019 - 10:00 a.m. Farmers Market Association Board  
January 17, 2019 - 5:00 p.m. Emergency Management Commission  
January 22, 2019 - 6:30 p.m. Planning & Zoning Commission  
February 4, 2019 - 4:00 p.m. TIRZ No 1 No. 2 Board  
February 4, 2019 - 6:00 p.m. Parks & Recreation Commission

## VIII. ADJOURN

A motion was made by Mayor Pro Tem Foulds to adjourn the meeting. Council Member Crow seconded the motion which carried unanimously 5 to 0.

This regular meeting adjourned at 6:45 p.m.

**DATE APPROVED:** February 19, 2019



Todd Purcell, Mayor

**ATTEST:**



Andrea Cunningham, City Secretary

