

Regular City Council Meeting

Meeting Minutes

February 19, 2019 at 6:00 p.m.

A Regular Meeting of the City Council of Dripping Springs, Texas was held Tuesday, February 19, 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 (arrived at 6:03 p.m.)
Council Member Travis Crow
Council Member Wade King
Council Member John Kroll
Council Member Taline Manassian

City Staff, Appointed Officials and Consultants:

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Secretary Andrea Cunningham
Parks & Community Services Director Mariana Espinoza
Building Official & Utility Billing Coordinator Sarah Holden
Assistant City Attorney Laura Mueller
Historic Preservation Commissioner Melissa Starr
Historic Preservation Commissioner Bruce Lewis
Historic Preservation Consultant Keenan Smith

With a quorum of the City Council present, Mayor Purcell called the meeting to order at 6:01 p.m.

II. PLEDGE OF ALLEGIANCE

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

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.

Tony Kimball with Spitzer & Associates spoke regarding Spitzer & Associates' response to the City's TDWB Improvement Project Request for Qualifications related to Easement Acquisition.

IV. CONSENT AGENDA

- A. **Approval of the City Council and Board of Adjustment Regular Meeting Minutes of January 8, 2019 and January 15, 2019.**
- B. **Approval of a Professional Services Agreement Between the City of Dripping Springs and Cathy B. Designs for graphic design for the 2019 Founders Day Festival**
Sponsor: Mayor Purcell
- C. **Approval of a Resolution accepting the Petition requesting Consent of the City of Dripping Springs for Driftwood Conservation District to Annex approximately 37 acres of into the Driftwood Conservation District.**
Sponsor: Mayor Pro Tem Foulds

Filed as Resolution No. 2019-R06.

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

V. BUSINESS

- A. **Public Hearing #1 for the purpose of receiving public comments on the proposed initiation of voluntary annexation proceedings under Section 43.024 of the Local Government Code for approximately 18.355 acres, situated in the Benjamin F. Hanna Survey No. 28, Abstract No. 222, Hays County, Texas, generally located at Quail Farm Drive south of U.S. Highway 290.**
Applicant: Jon Thompson

1. Presentation

Applicant Jon Thompson was present and available for questions from the City Council.

2. Staff Report

Ginger Faught presented the staff report which is on file.

3. Public Hearing

No one spoke during the Public Hearing.

- B. **Discuss and consider approval of final Logo Concept for the Dripping Springs Historic Preservation Commission**
Sponsor: Mayor Purcell

1. Presentation

Melissa Starr presented the item and reviewed the process of selecting the logo explaining that the logo will be used on brochures, banners and Chamber materials.

Michelle Fisher presented the staff report which is on file. Staff recommends approval of the logo recommended by the Historic Preservation Commission.

2. Approval of Logo Concept

A motion was made by Mayor Pro Tem Foulds to approve the final Logo Concept for the Dripping Springs Historic Preservation Commission. Council Member Manassian seconded the motion which carried unanimously 5 to 0.

C. Discuss and consider approval of the Mercer Street "Heritage Oaks" Space Concept Sketch Plan, and the purchase of Planters and Other Amenities for the Mercer Street Historic District.

Sponsor: Council Member Manassian

Keenan Smith presented the staff report which is on file. Staff recommends approval of the item.

A motion was made by Council Member Kroll to approve the Mercer Street "Heritage Oaks" Space Concept Sketch Plan, and to authorize staff administrative approval of the purchase of items that are within the Historic Preservation Budget. Council Member Crow seconded the motion which carried unanimously 5 to 0.

D. Discuss and consider approval of the Third Amendment to the Wholesale Water Supply Agreement between the City of Dripping Springs and the Lower Colorado River Authority and regarding the Driftwood Development.

Sponsor: Mayor Pro Tem Foulds

Ginger Faught presented the staff report which is on file. Staff recommends approval of the item.

A motion was made by Council Member Kroll to approve the Third Amendment to the Wholesale Water Supply Agreement between the City of Dripping Springs and the Lower Colorado River Authority and regarding the Driftwood Development. Mayor Pro Tem Foulds seconded the motion which carried unanimously 5 to 0.

E. Discuss and consider approval of a Resolution supporting legislation prohibiting the erection of off-premise signs adjacent to and visible from Ranch to Market Road 1826, Ranch to Market Road 150, and Ranch to Market Road 967 in Hays County, Texas, and regarding the 86th Texas Legislative Session House Bill 1303.

Sponsor: Mayor Purcell

Ginger Faught presented the item. Staff recommends approval of the Resolution.

A motion was made by Mayor Pro Tem Foulds to approve a Resolution supporting legislation prohibiting the erection of off-premise signs adjacent to and visible from Ranch to Market Road 1826, Ranch to Market Road 150, and Ranch to Market Road 967 in Hays County, Texas, and regarding the 86th Texas Legislative Session House Bill 1303. Council

Member Kroll seconded the motion which carried 4 to 1, with Council Member Manassian abstaining.

Filed as Resolution No. 2019-R07.

- F. Discuss and consider approval of a Resolution of Support for the proposed Ranch Court Apartments and approving an Application for Low Income Housing Tax Credits to finance such project and providing an in-kind contribution for such project.**

Sponsor: Mayor Pro Tem Foulds

Mayor Purcell and Council Member Kroll recused from this item and exited the Council Chambers. Mayor Pro Tem Foulds presided over the item.

Jon Thompson introduced the item and Jamie McDonald with Wilhoit Properties gave a presentation on the item which is on file.

A motion was made by Mayor Pro Tem Foulds to approve a Resolution of Support for the proposed Ranch Court Apartments and approving an Application for Low Income Housing Tax Credits to finance such project and providing an in-kind contribution for such project. Council Member King seconded the motion which carried 4 to 1 with Council Member Kroll recused.

Filed as Resolution No. 2019-R08.

- G. Discuss and consider approval of an Ordinance amending Article A1.001 (General Provisions), Fee Schedule of the Dripping Springs Code of Ordinances; Amending Dripping Spring Fee Schedule related to City Fees.**

Sponsor: Mayor Todd Purcell

1. Staff Report

Michelle Fischer presented the staff report. Staff recommends approval of the Ordinance.

2. Public Hearing

No one spoke during the Public Hearing.

3. Approval of Ordinance Amending the Fee Schedule

A motion was made by Mayor Pro Tem Foulds to approve an Ordinance amending Article A1.001 (General Provisions), Fee Schedule of the Dripping Springs Code of Ordinances; Amending Dripping Spring Fee Schedule related to City Fees. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2019-07.

- H. Discuss and consider approval of an Ordinance amending Section 1.02.041; Regular Meetings, establishing a new meeting time for City Council.**

Sponsor: Mayor Purcell

Mayor Purcell presented the item. The City Council had previously discussed that they are not regularly using the full one hour for the workshop, and this ordinance is a result of discussions to reduce the workshop from one hour to one-half hour.

A motion was made by Mayor Pro Tem Foulds to approve an Ordinance amending Section 1.02.041; Regular Meetings, establishing a new meeting time for City Council. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

City Council directed Communications Coordinator Bonnie Gonzalez to do a press release on the item.

Filed as Ordinance No. 2019-08.

- I. Discuss and consider the Responses to the City's Request for Qualifications related to Wastewater System Improvements expected to be funded by the Texas Water Development Board and authorize staff to negotiate Contracts for the following services:**

- 1. Surveying; and**
- 2. Easement Acquisition.**

Ginger Faught presented the item. Staff recommends the selection of SAM, LLC for Surveying and HDR Engineering, Inc. for Easement Acquisition Services.

A motion was made by Mayor Pro Tem Foulds to accept the Request for Qualifications related to Wastewater System Improvements expected to be funded by the Texas Water Development Board from SAM, LLC for Surveying Services and HDR Engineering, Inc. for Easement Acquisition Services, and to authorize staff to negotiate Contracts. Council Member King seconded the motion which carried unanimously 5 to 0.

The City Council directed staff to look into the option of having two Surveying Services contractors.

- J. Public Hearing #2 for the purpose of receiving public comments on the proposed initiation of voluntary annexation proceedings under Section 43.024 of the Local Government Code for approximately 18.355 acres, situated in the Benjamin F. Hanna Survey No. 28, Abstract No. 222, Hays County, Texas, generally located at Quail Farm Drive south of U.S. Highway 290.**

Applicant: John Thompson

- 1. Presentation – no presentation given.*
- 2. Staff Report – no staff report given.*
- 3. Public Hearing*

No one spoke during the Public Hearing.

VI. REPORTS

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

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A. **Economic Development Committee Report** Kim Fernea, Chair

A motion was made by Mayor Pro Tem Foulds to recess into Executive Session as authorized by Texas Government Code Sections 551.071, 551.072 and 551.074 and regarding Executive Session Agenda Items A – D. Council Member Crow seconded the motion which carried unanimously 5 to 0.

VII. 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. **Deliberation of Real Property transaction and consultation with City Attorney regarding property located in Headwaters at Barton Creek.**
Consultation with Attorney, 551.71; Deliberation of Real Property, 551.072
- B. **Consultation with City Attorney regarding legal issues related to potential land use and utilities changes under state law.**
Consultation with City Attorney, 551.071
- C. **Consultation with City Attorney regarding legal issues related to the Inspection Service Agreement between the City of Dripping Springs and Bureau Veritas.**
Consultation with Attorney, 551.71
- D. **Consultation with City attorney regarding legal issues related to additional Personnel and Job Description for Residential Plan Reviewer and Inspector.**
Personnel Matters, 551.074 and Consultation with Attorney, 551.071

The City Council met in Executive Session from 6:45 p.m. – 7:20 p.m.

Council Member Crow recused from Executive Session Agenda Item B and exited the Executive Session.

No vote or action was taken during Executive Session. Mayor Purcell returned the meeting to Open Session at 7:20 p.m. Council Member Crow did not return to Open Session and left the City Council Meeting.

A motion was made by Council Member Manassian to pull Executive Session Agenda Item D for action by the City Council. Council Member King seconded the motion which carried unanimously 5 to 0.

A motion was made by Council Member Manassian to approve the Job Description for Residential Plan Reviewer and Inspector, and to authorize City Administration to post the position. Council Member King seconded the motion which carried 3 to 1, with Mayor Pro Tem Foulds abstaining.

VIII. UPCOMING MEETINGS


- A. **City Council & Board of Adjustment Regular Meetings:**
March 5, 2019 - 6:00 p.m. Special Meeting
March 12, 2019 - 5:30 p.m. Workshop, 6:30 p.m.. Regular Meeting
March 19, 2019 - 6:00 p.m. Regular Meeting
- B. **February/March Board & Commission Meetings:**
February 21, 2019 - 10:00 a.m. Farmers Market Association Board
February 21, 2019 - 5:00 p.m. Emergency Management Commission
February 26, 2019 - 6:30 p.m. Planning & Zoning Commission
March 4, 2019 - 4:00 p.m. TIRZ No 1 No. 2 Board
March 4, 2019 - 6:00 p.m. Parks & Recreation Commission
March 6, 2019 - 4:00 p.m. Historic Preservation Commission

IX. ADJOURN

A motion was made by Council Member Kroll to adjourn the meeting. Council Member King seconded the motion which carried unanimously 5 to 0.

This regular meeting adjourned at 7:22 p.m.

DATE APPROVED: March 12, 2019



Todd Purcell, Mayor

ATTEST



Andrea Cunningham, City Secretary

