

City Council & Board of Adjustment Minutes

Workshop and Regular Meeting

June 12, 2018 at 5:30 p.m.

A Regular Meeting of the City Council of Dripping Springs, Texas was held Tuesday, June 12, 2018 at 5:30 p.m., in the Council Chambers located at City Hall, 511 Mercer Street, Dripping Springs, Texas.

I. CALL TO ORDER AND ROLL CALL - 5:30 p.m.

Council Members present were:

Mayor Todd Purcell (arrived at 5:56 p.m.)
Mayor Pro Tem Bill Foulds
Council Member Travis Crow (arrived at 5:50 p.m.)
Council Member Wade King (arrived at 6:38 p.m.)
Council Member John Kroll
Council Member Taline Manassian

City Staff/Appointed Officials

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Secretary Andrea Cunningham
City Treasurer Gina Gillis
City Planner Anjali Naini
Parks & Community Services Director Mariana Espinoza
Dripping Springs Ranch Park Manager Lynne Dickinson
City Engineer Chad Gilpin
Assistant City Attorney Laura Mueller
Planning and Zoning Commission Chair Mim James
TIRZ No. 1 & No. 2 Project Manager Keenan Smith

With a quorum of the City Council present, Mayor Pro Tem Foulds called the meeting to order at 5:35 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.

The City Council discussed the following agenda items with staff, and no action was taken on these items:

- 1) Item IX, B – City Treasurer’s Report
- 2) Item XI, A – Budget Planning Calendar
- 3) Item XI, B – Collie Club of Austin Fee Reduction for DSRP Use

The City Council recessed from 5:43 p.m. – 5:58 p.m.

Mayor Pro Tem returned the Workshop to Open Session at 5:58 p.m.

A motion was made by Mayor Pro Tem Foulds to recess into Executive Session to discuss Executive Session Agenda Items A – F, and under Texas Government Code Sections 551.071, 551.072, 551.073, 551.074, 551.076 and 551.086; and Business Items C and D under Texas Government Code Sections 551.071 and 551.074. Council Member Kroll seconded the motion, which carried unanimously 5 to 0.

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 the Proposed Settlement Agreement between the City of Dripping Springs and other Parties regarding Texas Pollutant Discharge Elimination System Permit No. WQ001448803** *(551.071 Consultation with City Attorney)*
- B. 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)*
- C. 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)*
- D. Consultation with City Attorney regarding the status of Development Agreements and Utility Agreements with regards to Big Sky/Scott Ranch, Cannon Residential and Commercial, Rutherford North, and Driftwood 552** *(551.071 Consultation with City Attorney)*
- E. Deliberation regarding the employment, compensation, benefits, and duties of the City of Dripping Springs Building Official** *(551.074 Personnel Matters; 551.071 Consultation with City Attorney)*
- F. 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).*

The City Council met in Executive Session from 6:00 p.m. – 6:45 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 6:48 p.m.

III. RECESS

The City Council did not recess the meeting after Executive Session.

IV. RECONVENE AT 6:30 p.m.

Mayor Purcell returned the meeting to Open Session, and called the meeting to order at 6:48 p.m.

V. PLEDGE OF ALLEGIANCE

Mayor Purcell invited the visiting Boy Scout Troop to lead the meeting in the Pledge of Allegiance to the Flag.

VI. PROCLAMATION

A. A Proclamation proclaiming June 9, 2018 as Girl Scout Gold Award Day in Dripping Springs, Texas, Sponsor: Mayor Pro Tem Foulds

Council Member Kroll read and presented the proclamation to Pamela Carroll with Girl Scouts of Central Texas.

B. A Proclamation proclaiming June 12, 2018 as "Kay Allen Day" in the City of Dripping Springs, Texas Sponsor: Mayor Purcell

Council Member King read the and presented the proclamation to Kay Allen.

VII. 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 (3) minutes. The Mayor and City Council may extend the session.

No one spoke during Presentation of Citizens.

VIII. ELECTIONS

Consideration and Possible Action On:

A. Ceremonial swearing in of newly elected Mayor and Council Members, Judge Marilyn Miller, City of Dripping Springs Municipal Court Judge

1. Mayor Elect Todd Purcell
2. Council Member Elect Wade King
3. Council Member Elect John Kroll

Municipal Court Judge Marilyn Miller administered the Oath of Office to Mayor Elect Todd Purcell, Council Member Elect Wade King, and Council Member Elect John Kroll.

B. Discussion and possible action to elect a Mayor Pro Tem to serve a term of one year

A motion was made by Council Member King to nominate Council Member Bill Foulds for the position of Mayor Pro Tem. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

IX. 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.

Without objection from the City Council, Mayor Purcell removed Consent Item A for separate consideration.

B. Approval of City Treasurer's Report for May 2018

C. Approval of Revised Application and Guidelines for the Hotel Occupancy Tax Grant Program for Fiscal Year 2018-2019; and Approval for the City Administrator to begin accepting applications

D. Approval of a Resolution Ratifying the City's consent to Hays County Development District No. 1 Annexing property described as 11.802 acres and 18.532 acres into the boundaries of the District

Filed as Resolution No. 2018-R19

E. Approval of a Resolution Ratifying the City's consent to Hays County Development District No. 1 Annexing property described as 196 acres in to the boundaries of the District

Filed as Resolution No. 2018-R20

F. Approval of Resolution releasing construction bond number K09297157 and approving replacement construction bond number 9272880 for Arrowhead Ranch, Section 1 Public Improvements

Filed as Resolution No. 2018-R22

G. Approval of a Resolution approving and accepting construction bond for Headwaters Commercial Phase I, Public Improvements; providing for provisions; effective date; and proper notice and meeting

Filed as Resolution No. 2018-R21

H. Approval of Commercial Wastewater Payment Agreement Between the City of Dripping Springs and Berg & Florio, O.D., P.A. for Property Located at 421 Sportsplex Drive Sponsor: Mayor Pro Tem Foulds

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

Without objection from the City Council, Mayor Purcell took up Consent Item A individually.

A. Approval of the Regular City Council meeting minutes of May 8, 2018 and May 15, 2018

A motion was made by Council Member King to approve Consent Item A. Council Member Crow seconded the motion which carried 3 to 0 to 2, with Mayor Pro Tem Foulds and Council Member Manassian abstaining.

X. 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. Revised Preliminary Plat for Howard Ranch Sec. 5, located at 23255 FM 150 W, Driftwood, TX 78619. Applicant, Bill Couch, CBD, Inc.

1. Presentation

Brent Pasquarella with CDB, Inc. was available for questions from the City Council.

2. Staff Report (Chad Gilpin, P.E.)

Chad Gilpin presented the staff report which is on file. Staff recommends approval of the item.

3. Planning and Zoning Commission Report

Chair James: Commission recommended approval 7 to 0.

4. Public Hearing

No one spoke during the Public Hearing.

5. Revised Preliminary Plat

A motion was made by Council Member King to approve the Revised Preliminary Plat for Howard Ranch Sec. 5, located at 23255 FM 150 W, Driftwood, TX 78619. Council Member Crow seconded the motion which carried unanimously 5 to 0.

B. SD2018-0003: Site Development Permit for Pig Pen BBQ Food Court, a 0.856 Acre Tract Zoned CS-Commercial Services, Located at 1005 W Hwy 290, Dripping Springs, TX 78620. Applicant, Jon Thompson.

1. Presentation – there was no presentation

2. Staff Report (Anjali Naini)

Anjali Naini presented the staff report which is on file. Staff recommends approval of the item.

3. *Planning and Zoning Commission Report*

Chair James: Commission recommended approval 7 to 0.

4. *Public Hearing*

No one spoke during the Public Hearing.

5. *Site Development Plan*

A motion was made by Council Member King to approve SD2018-0003: Site Development Permit for Pig Pen BBQ Food Court, a 0.856 Acre Tract Zoned CS-Commercial Services, located at 1005 W Hwy 290, Dripping Springs, TX 78620. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

C. PDD No.8 - Blue Blazes Ranch: An Ordinance of the City of Dripping Springs, Texas Rezoning a Tract of Land Totaling Approximately 35.018 Acres from AG-Agriculture to Planned Development District No. 8 with Base Zoning District CS-Commercial Services in Development Area 1, and GR-General Retail in Development Areas 2 through 5, and Further Described as Follows: 35.018 acres out of the William Walker Survey No. 130, Abstract 475, being all of Lots A1, A2, and A3 of the Replat of Tract A, Vista Ranch, a Subdivision in Hays County, Texas, Volume 14, Pages 12-13 of the Plat Records of Hays County, Texas. Applicant, Henry Gilmore

1. *Presentation*

Henry Gilmore presented the item.

2. *Staff Report (Anjali Naini)*

Anjali Naini presented the staff report which is on file. Staff recommends approval of the item.

3. *Planning & Zoning Commission Report*

Chair James: Commission recommended approval 7 to 0.

4. *Public Hearing*

No one spoke during the Public Hearing.

5. *Blue Blazes Ranch PDD No. 8*

A motion was made by Council Member King to approve PDD No.8 - Blue Blazes Ranch: An Ordinance of the City of Dripping Springs, Texas Rezoning a Tract of Land Totaling Approximately 35.018 Acres from AG-Agriculture to Planned Development

District No. 8 with Base Zoning District CS-Commercial Services in Development Area 1, and GR-General Retail in Development Areas 2 through 5, and Further Described as Follows: 35.018 acres out of the William Walker Survey No. 130, Abstract 475, being all of Lots A1, A2, and A3 of the Replat of Tract A, Vista Ranch, a Subdivision in Hays County, Texas, Volume 14, Pages 12-13 of the Plat Records of Hays County, Texas. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2018-14

D. Blue Blazes Master Sign Plan: An Ordinance Enacting Chapter 26, Appendix "C" of the Dripping Springs Code of Ordinances; Establishing Regulations for a Master Sign Plan for the Blue Blazes Ranch Development; and Providing for the Following: Rules; Standards; Procedures; and Findings of Fact; Codification; Repealer; Severability; Proper Notice and Meeting; Enforcement Including Criminal Fines Not to Exceed \$500.00 and Civil Fines of up to \$500.00. Applicant, Henry Gilmore

1. *Presentation – there was no presentation*

2. *Staff Report (Anjali Naini)*

Anjali Naini presented the staff report which is on file. Staff recommends approval of the item.

3. *Planning and Zoning Commission Report*

Chair James: Commission recommended approval 7 to 0.

4. *Public Hearing*

No one spoke during the Public Hearing.

5. *Master Sign Plan*

A motion was made by Council Member Kroll to approve the Blue Blazes Master Sign Plan: An Ordinance Enacting Chapter 26, Appendix "C" of the Dripping Springs Code of Ordinances; Establishing Regulations for a Master Sign Plan for the Blue Blazes Ranch Development; and Providing for the Following: Rules; Standards; Procedures; and Findings of Fact; Codification; Repealer; Severability; Proper Notice and Meeting; Enforcement 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 5 to 0.

Filed as Ordinance No. 2018-15

XI. BUSINESS

Consideration and Possible Action On:

A. Fiscal Year 2018-2019 City of Dripping Springs Budget Planning Calendar

A motion was made by Council Member Kroll to approve the Fiscal Year 2018-2019 City of Dripping Springs Budget Planning Calendar. Council Member King seconded the motion which carried unanimously 5 to 0.

B. Request from the Collie Club of Austin to hold a show at Dripping Springs Ranch Park January 5 and 6, 2019 with Reduced Fees *Sponsor: Council Member King*

Lynne Dickinson presented the staff report which is on file. Staff recommends approval of the item.

A motion was made by Council Member King to approve a Request from the Collie Club of Austin to hold a show at Dripping Springs Ranch Park January 5 and 6, 2019 with Reduced Fees. Council Member Crow seconded the motion which carried unanimously 5 to 0.

C. Fee Waiver in Exchange for Services at Dripping Springs Ranch Park for an RV Site *Sponsor: Mayor Purcell*

A motion was made by Mayor Pro Tem Foulds to approve a Fee Waiver in Exchange for Services at Dripping Springs Ranch Park for an RV Site, with the condition that staff provide the City Council with a 45-day review. Council Member King seconded the motion which carried unanimously 5 to 0.

D. Request from Dripping Springs Ranch Park Maintenance Worker for Administrative leave From July 7 through July 29, 2018 *Sponsor: Council Member King*

A motion was made by Council Member King to approve a Request from Dripping Springs Ranch Park Maintenance Worker for Administrative leave From July 7 through July 29, 2018. Mayor Pro Tem Foulds seconded the motion which carried unanimously 5 to 0.

Council Member King left the dais and exited the Council Chambers. He was not present for action taken on items E through H.

E. Project Management / Staff Support & Coordination Services Addendum between HDR Engineering, Inc., McCann Adams and City of Dripping Springs *Sponsor: Council Member Kroll*

Kennan 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 Project Management / Staff Support & Coordination Services Addendum between HDR Engineering, Inc., McCann Adams and City of Dripping Springs. Council Member Manassian seconded the motion which carried 4 to 0 to 1, with Council Member King abstaining due to absence.

F. Selection of P3 Advisor for the TIRZ Town Center Project; Authorization for the Mayor to execute a professional services agreement *Sponsor: Council Member Kroll*

Kennan 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 Selection of Economic & Planning Systems, Inc. (EPS) as the P3 Advisor for the TIRZ Town Center Project; and Authorization for the Mayor to execute a professional services agreement. Council Member Manassian seconded the motion which carried 4 to 0 to 1, with Council Member King abstaining due to absence.

G. Subscription Agreement between the City of Dripping Springs and Granicus for Agenda and Minutes Software (Peak Agenda) Sponsor: Council Member Manassian

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

A motion was made by Council Member Kroll to approve a Subscription Agreement between the City of Dripping Springs and Granicus for Agenda and Minutes Software (Peak Agenda). Council Member Manassian seconded the motion which carried 4 to 0 to 1, with Council Member King abstaining due to absence.

H. Appointment of Building Official

Ginger Faught spoke regarding the item and recommended the appointment of Utility and Building Coordinator Sarah Holden as the City's Building Official.

A motion was made by Council Member Kroll to appoint Utility and Building Coordinator Sarah Holden as the City's Building Official. Council Member Manassian seconded the motion which carried 3 to 1 to 1, with Council Member Crow opposed and Council Member King abstaining due to absence.

XII. REPORTS OF AGENCIES, COMMISSIONS AND STAFF

Reports are on file with the City Secretary's Office and available for review upon request.

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

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

XIII. 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.

F. 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).

The City Council met in Executive Session from 7:27 p.m. – 7:44 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 7:44 p.m.

XIV. ANNOUNCEMENTS

A. June 19, 2018 - Regular City Council Meeting, 6:00 PM

B. July 10, 2018 - Regular City Council Meeting, 5:30 PM Workshop/6:30 PM Meeting

C. July 17, 2018 - Regular City Council Meeting, 6:00 PM


D. August 14, 2018 - Regular City Council Meeting, 5:30 PM Workshop/6:30 PM Meeting

XV. ADJOURN

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

This regular meeting adjourned at 7:45 p.m.

Date Approved: July 10, 2018



Todd Purcell, Mayor

Attest:



Andrea Cunningham, City Secretary

