



City of Dripping Springs
City Council & Board of Adjustment Regular Meeting
Tuesday, December 11, 2018 at 5:30 PM
City Hall Council Chambers
511 Mercer Street - Dripping Springs, TX 78620

The City Council Workshop has been cancelled and the Regular Meeting will begin at 5:30 p.m.

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

Parks & Community Services Director Mariana Espinoza

Dripping Springs Ranch Park Manager Lynne Dickinson

Planning Director Jason Lutz

City Engineer Chad Gilpin

Communications Coordinator Bonnie Gonzalez

Planning & Zoning Commission Chair Mim James

Historic Preservation Consultant Keenan Smith

II. PLEDGE OF ALLEGIANCE

- A. Dripping Springs Cub Scout Pack 280 to lead Pledge of Allegiance to the Flag

III. PROCLAMATIONS & PRESENTATIONS

No action to be taken on proclamations and presentations. The City Council may choose to discuss and take public comment on these items as necessary.

- A. Proclamation in Recognition of the Lions Club and their Contributions to the

Community

Sponsor: Council Member King

- B. Presentation of Dripping Springs Film Friendly Community Certificate by Kim LeBlanc with the Texas Film Commission**

IV. 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.

V. 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 November 13, 2018 Workshop and Regular meeting Minutes of the City Council & Board of Adjustment**
- B. Approval of the November 2018 City Treasurer Report**
- C. Approval of Co-Sponsorship Agreement between DS Ag Boosters and the City of Dripping Springs to hold the Dripping Springs Fair and Rodeo in July 2019 at Dripping Springs Ranch Park and Event Center.**
Sponsor: Mayor Purcell
- D. Approval of a License Agreement between the City of Dripping Springs and the Dripping Springs Visitors Bureau Regarding the Display of Holiday Decorations on City Property and In City Right-of-Way.**
Sponsor: Mayor Purcell
- E. Approval of a Co-Sponsorship Agreement between the City of Dripping Springs and New Life Lutheran Church, and regarding the Thirsty Thursday 2019 Events**
Sponsor: Council Member King
- F. Approval of Co-Sponsorship between the City of Dripping Springs and the Dripping Springs Chamber of Commerce regarding the 2019 First Thursday Event**
Sponsor: Council Member King
- G. Approval of a Resolution of the City of Dripping Springs Approving the Founders Memorial Park Master Plan.**
Sponsor: Council Member King

- H. Approval of a Co-Sponsorship Agreement between the City of Dripping Springs and Hill Country Health Management Team for Community Clinic Enrollments and Public Health Campaigns.**
Sponsor: Mayor Purcell
- I. Approval of a Resolution of the City of Dripping Springs Texas (“City”), Consenting to Bond for Reunion Ranch Water Control and Improvement District of Hays County (“District”).**
Sponsor: Mayor Pro Tem Foulds
- J. Approval of Temporary Road Closure of Wallace to Bluff Street on February 2, 2019 from 12:00 p.m. to 4:00 p.m. and a Co-Sponsorship Agreement between the City of Dripping Springs and Dripping Springs High School Baseball Booster Club regarding a Washer Tournament Fundraiser**
Sponsor: Council Member King
- K. Approval of Resolution Appointing Alternate Members to the Board of Adjustment.**
Sponsor: Mayor Pro Tem Foulds
- L. Approval of the City of Drippings City Council, Boards, Commissions and Committees Meeting Calendar for the 2019 Calendar Year, and the City of Dripping Springs 2019 City Hall Holiday and Closure Schedule**
- M. Approval of a Resolution of the City of Dripping Springs Consenting to and Approving Assignment of one (1) Wastewater Living Unit Equivalent from Lot 1, JWLP Family Final Plat to Lot 2, JWLP Family Final Plat**
Sponsor: Mayor Pro Tem Foulds
- N. Approval of the appointment of Darrell Debish to the Founders Day Commission to fill a vacated seat for a term ending June 30, 2020**
- O. Approval of the reappointment of Kay Allen, Scott Collard, Ron Hood and Robert Lamb the Emergency Management Commission for terms ending January 1, 2021**
- P. Approval of a Resolution Appointing Dave Edwards, Mim James, Missy Atwood, Dr. Bruce Gearing, and John McIntosh to the TIRZ No. 1 & No. 2 Board of Directors for terms ending December 31, 2020**
- Q. Approval to postpone indefinitely SUB2018-0028: Proposed Final Plat, with a requested variance from Article 28.02 Subdivision Ordinance, Sec. 14 Lots, Sub. Sec. 14.2 Frontage, to allow multiple lots to utilize a shared access easement and not require the construction of an improved public or private street, on Creek Road in Dripping Springs, Texas (Legal Description: Cypress Fork Ranch Subdivision, Lots 1-4, Final Plat, totaling 19.050 acres out of the Benjamin F. Hanna League Survey, No. 28, Abstract No. 222, Hays County, TX . Applicant Jen Paisely, P.E.**
- R. Approval to postpone indefinitely VAR2018-0009: A request of Three Variances to include: (1) an encroachment into the front and side yard building setback to allow construction on an existing slab; (2) a 25' side yard setback for new construction**

instead of the required 40'; and (3) a request for the 80 foot building separation requirement be reduced to no less than the separation requirements found in the current building and fire codes, and regarding property located at 505 Old Fitzhugh Road Dripping Springs, TX, Abstract 0415 Philip A Survey, 7.38 Acres, Hays County. Applicant Rafael Varela

S. Approval to postpone indefinitely SUB2018-0053: a proposed conceptual plan for the "Forbes Tract," located at 14455 FM 1826 on the north side of FM 1826, (Legal Description +/-107.19 acres out of A0224 Richard Hailey Survey). The subdivision is proposed to have 78 single-family residential lots, 7 streets, and requesting a variance to the minimum lot size of 1.5 acres for lots with public water and septic to a minimum lot size of 1.00 acres. Applicant Pablo H. Martinez

T. Approval to postpone to the January 8, 2019 City Council & Board of Adjustment Regular Meeting DA2018-0001 (Driftwood 522): a proposed Development Agreement for approximately 522.636 acres of land located in the City's extraterritorial jurisdiction (ETJ) located southeast of the intersection of FM 1826 and FM 967, and west of Brangus Road (legal description: Tract 1-522.25 Acres and Tract 2-0.1793 Acre out of the Freelove Woody Survey No. 23, Abstract No. 20, Hays County, Texas). Applicant Don Bosse

The proposed development will consist of residential areas, parkland and open space. The proposed Development Agreement includes several provisions, including but not limited to the following: provision of housing; provision of utilities; parkland dedication; environmental protection standards; density and impervious cover limitations and standards; hilltop preservation; outdoor lighting; and architectural standards. The proposed project includes, but is not limited to the following proposed variances/alternative standards: water quality performance standards and development; minimum lot sizes; sidewalks; maximum cuts and fills; residential block lengths and cul-de-sac lengths; maximum impervious cover; minimum lot frontage; and street cross-sections in regards to fire access.

U. Approval to postpone to the January 8, 2019 City Council & Board of Adjustment Regular Meeting SUB2018-0023: a preliminary plat application establishing a 5 lot subdivision, including a variance request for required water quality buffer zones (WQBZ) for the Cobb Ranch Estates Subdivision, approximately 19 acres located at 1840 Reunion Ranch Blvd (Legal Description: 1906 acres out of the Seaborn J. Whatley Survey). Applicant Jon Thompson

V. Approval to postpone to the January 8, 2019 City Council & Board of Adjustment Regular Meeting SUB2018-0046: a replat to combine lots 13A and 14A into a newly created lot 13B, located at 1347 Trebled Waters Trail, Dripping Springs, Texas (Legal Description: Howard Ranch Subdivision, Sec. 2, Lots 13A and 14A, totaling 10.7344 acres, Hays County, TX). Applicant Jon Thompson

W. Approval of a Resolution Accepting Improvements and Approving Maintenance Bond for Streets, Drainage and Wastewater Improvements in the Founders Ridge Subdivision
Sponsor: Mayor Pro Tem Foulds

- X. Discuss and consider approval of a Professional Services Agreement between the City of Dripping Springs and HDR Engineering, Inc. regarding Engineering Services for Fiscal Year 2019**
Sponsor: Mayor Pro Tem Foulds

VI. SUBDIVISIONS, SITE DEVELOPMENT, ZONING, SIGNAGE, CONDITIONAL USE PERMITS, VARIANCES, WAIVERS AND SPECIAL EXCEPTIONS

- A. Discuss and consider approval regarding SUB2018-0048 a replat to combine lots 21 and 22 into a newly created lot 21A, located at 140 Rodgers Ravine CV, Driftwood, Texas (Legal Description: Rim Rock Subdivision, Phase 3, Sec. 3, Lots 21 and 22, totaling 2.1792 acres, Hays County, TX). Applicant Jon Thompson**
1. Presentation
 2. Staff Report (Chad Gilpin)
 3. Planning and Zoning Commission Report
 4. Public Hearing
 5. SUB2018-0048 Replat
- B. Discuss and consider approval regarding SUB2018-0050 a replat of Lot 15 of the Blue Creek Ranch Subdivision to modify the boundaries of an existing water quality buffer zone in order to comply with updated regulations for property located at 550 Blue Creek Drive, Dripping Springs, Texas (Legal Description: Blue Creek Ranch Subdivision, Lot 15, totaling 6.243 acres, Hays County, TX). Applicant Jon Thompson**
1. Presentation
 2. Staff Report (Chad Gilpin)
 3. Planning and Zoning Commission Report
 4. Public Hearing
 5. SUB2018-0050 Replat
- C. Discuss and consider approval of an Ordinance regarding ZA2018-0006 a requested zoning change from Commercial Services District (CS) to Office (O) for property located at 700 W. Hwy 290, Dripping Springs, Texas (Legal Description: JWLP Family Final Plat Subdivision, Lot 1, Hays County, TX). Applicant Rex Baker**
1. Presentation
 2. Staff Report (Jason Lutz)
 3. Planning and Zoning Commission Report
 4. Public Hearing
 5. ZA2018-0006 Ordinance
- D. Discuss and consider approval of an Ordinance regarding ZA2018-0007 a requested zoning change from General Retail District (GR) to Local Retail District (LR) for property located at 13834 Sawyer Ranch Road, Dripping Springs, Texas (Legal Description: Sawyer Ranch 33 Subdivision, Tract 2, Lot 2-A1-B, Hays County, TX). Applicant Jon Thompson**
1. Presentation
 2. Staff Report (Jason Lutz)
 3. Planning and Zoning Commission Report
 4. Public Hearing

5. ZA2018-0007 Ordinance
ZA2018-0007 Premiere Dance Ordinance
ZA2018-0007 Premiere Dance Staff Report

VII. BUSINESS

- A. **Discuss and consider approval of an Amendment to the Chapter 380 Economic Development Agreement between the City of Dripping Springs and Endeavor**
Sponsor: Council Member Kroll
1. Public Hearing
- B. **Approval of DA2018-0004: Belterra Commercial Development Agreement Second Amendment between the City of Dripping Springs and ERG Belterra, Ltd.**
Sponsor: Mayor Purcell
- C. **Discuss and consider approval of a Nonstandard Wholesale and Retail Water Service Agreement between the City of Dripping Springs and Double L Development, LLC and regarding Double L Ranch (AKA-Anarene Development)**
Sponsor: Mayor Pro Tem Foulds
- D. **Discuss and consider approval of a Wastewater Utility & Service Fee Agreement between the City of Dripping Springs and Double L Development, LLC and regarding Double L Ranch (AKA-Anarene Development)**
Sponsor: Mayor Pro Tem Foulds
- E. **Discuss and consider approval of a Professional Services Agreement between the City of Dripping Springs and Focused Advocacy for legislative services.**
Sponsor: Council Member Kroll
- F. **Discuss and consider approval of an Ordinance Disannexing an approximately 7.4307 acre parcel of land located in the Alex McGown Survey in the Corporate City Limits of the City of Dripping Springs**
- G. **Discuss and consider approval of a Resolution Accepting a Petition and setting public hearing dates for the Voluntary Annexation of approximately 14.018 acres, which includes adjacent right-of-way, situated in the Benjamin F. Hanna Survey No. 28, Abstract No. 222, Hays County, Texas, generally located north of U.S. Highway 290, west of Bell Springs Road, and east of Farrell Lane.**
- H. **Discuss and consider termination of Mowing Contract between the City of Dripping Springs and Worthy Commercial, LLC on January 31, 2019**
Sponsor: Mayor Purcell
- I. **Discuss and consider approval of an Agreement between the Hays County Livestock Board and the City of Dripping Springs for Parking at Dripping Springs Ranch Park.**
Sponsor: Mayor Purcell

- J. Discuss and consider approval of an Amendment to the Interlocal 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”), as an amendment to the Interlocal Agreement entered into on or around March 26, 2018 in connection with the development and construction of the Town Center Project in order to extend duration of Interlocal Agreement.
Sponsor: Council Member Kroll**
- K. Discuss and consider approval of a Dripping Springs Ranch Park Tractor Sponsorship Agreement between the City of Dripping Springs and ACM Tractors regarding the use of sponsored equipment for Dripping Springs Ranch Park Events.
Sponsor: Mayor Purcell**
- L. Discuss and consider approval of an Appeal of the Planning and Zoning Commission's Denial of an Application for Certificate of Appropriateness for the Installation of a Water Tank and Signage Element for property located at 300 Mercer Street, Dripping Springs, TX. Applicant, Dripping Springs Outfitters d/b/a Springs Provisions**
1. Presentation
 2. Staff Report
 3. Planning and Zoning Commission Report
 4. Public Hearing
 5. COA2018-0010: 300 Mercer Street
- M. Discuss and consider approval of a Sign Variance Request to Allow Additional Signs at 300 Mercer Street, Dripping Springs, TX. Applicant, Dripping Springs Outfitters**
1. Presentation
 2. Staff Report (Michelle Fischer)
 3. Planning and Zoning Commission Report
 4. Public Hearing
 5. Sign Variance Request
- N. Discuss and Consider Approval of a Lease Agreement between the City of Dripping Springs and Employee regarding the Ranch Park House for a term of One Year.
Sponsor: Mayor Purcell**
- O. Discuss and consider approval of an Ordinance creating the City of Drippings Utility Commission.
Sponsor: Mayor Pro Tem Foulds**
1. Public Hearing

VIII. REPORTS

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

- A. Parks & Community Services Monthly Report**

- B. Dripping Springs Ranch Park Monthly Report**
- C. Economic Development Committee Monthly Report**
- D. Transportation Committee Monthly Report**

IX. 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 Settlement Agreement between the City of Dripping Springs and Other Parties regarding Texas Pollutant Discharge Elimination System Permit No. WQ001448803; and the Creation of a Utility Commission**
Consultation with City Attorney, 551.071
- B. Deliberation regarding the potential purchase of all or a portion of real property related to the Transportation Plan.**
Purchase, Exchange, Lease or Value of Real Property, 551.072
- C. Consultation with City Attorney regarding legal issues related to election options for the City Council**
Consultation with City Attorney, 551.071
- D. Consultation with City Attorney regarding legal issues related to pay.**
Consultation with City Attorney, 551.071

X. UPCOMING MEETINGS

- A. City Council & Board of Adjustment Regular Meetings:**
December 18, 2018 - 6:00 p.m. Regular Meeting
January 8, 2019 - 5:30 p.m. Workshop, 6:30 p.m. Regular Meeting
January 15, 2019 - 6:00 p.m. Regular Meeting
- B. December/January Board & Commission Meetings:**
December 17, 2018 - 6:30 p.m. Planning & Zoning Commission
December 20, 2018 - 10:00 a.m. Farmers Market Board
December 20, 2018 - 5:00 p.m. Emergency Management Commission
January 7, 2019 - 4:00 p.m. TIRZ No. 1 & No. 2 Board
January 7, 2019 - 6:00 p.m. Parks & Recreation Commission
January 9, 2019 - 4:00 p.m. Historic Preservation Commission
January 14, 2019 - 6:30 p.m. Founders Day Commission

XI. ADJOURN

TEXAS OPEN MEETINGS PUBLIC NOTIFICATION

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.cityofdrippingprings.com, on December 7, 2018 at 5:00 p.m.



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.

