

**City of Dripping Springs
City Council**

**Regular Meeting Agenda
Tuesday, August 11, 2009
7:00 p.m.**

511 Mercer Street, Dripping Springs, Texas

I. CALL TO ORDER AND ROLL CALL

Mayor & City Council Members

Mayor Todd Purcell

Council Member Santos Alba

Council Member Joe Volpe

Mayor Pro Tem Bill Foulds

Council Member Doug Phillip

Council Member H.A. "Spider" Williams

City Staff/Appointed Officials

City Administrator Michelle Fischer

City Attorney Alan Bojorquez

Development Coordinator Jon Thompson

Planning & Zoning Commission Chair Craig Koenig

City Secretary Jo Ann Touchstone

Special Counsel Susan Zachos

City Treasurer Gina Gillis

II. PLEDGE OF ALLEGIANCE

A. Pledge of Allegiance

III. PRESENTATIONS BY 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 may establish a time limit as necessary.

IV. CONSENT ITEMS

The following items may be acted upon in one motion. No separate discussion or action is necessary unless requested by a Council Member or citizen, in which event those items will be pulled from the consent agenda for separate consideration.

- A. Approval of Regular & Special Meeting Minutes, June 9, 2009
- B. Approval of Regular & Special Meeting Minutes, June 16, 2009
- C. Approval of Regular and Special Meeting Minutes, July 14, 2009
- D. Approval of Treasurer's Report for July 2009
- E. Appointment of Founders Day Commissioners, Terms to Expire 2011: Evan Taddia (Lions Club), Wayne Burklund (Lions Club), Mara Cardwell (St. Martin), Neil Fox (St. Martin)
- F. Appointment of Gwen Tao to Serve on Historic Preservation Commission, Term to Expire 2011
- G. Request from Hill Country Bible Church to Erect Signage August 12th through August 29th Advertising Its First Annual Dog Fair on August 29th at the following locations: the "Triangle" and Entrance to Founders Memorial Park
- H. Consent to the Shared Use Agreement between the Dripping Springs Youth Sports Association and the Dripping Springs Independent School District for the UIL Soccer Field at the Dripping Springs Sports & Recreation Park
- I. Request from Friends of the Pound House to utilize a portion of Founders Memorial Park for the Pound House Fall Fest on September 26, 2009, *Fall Fest 2009 Co-chair Sandra Coe*

- J. Request from Friends of the Pound House to erect signage September 12th – 28th advertising the Pound House Fall Fest on September 26, 2009 at the following locations: the “Triangle”; Entrance to Founders Memorial Park; and Entrance to Sports Park, *Fall Fest 2009 Co-chair Sandra Coe*

V. SITE DEVELOPMENTS/SUBDIVISIONS/ZONING/ON SITE SEWAGE FACILITIES/SIGNS/VARIANCES/WAIVERS/SPECIAL EXCEPTIONS/ANNEXATIONS/ALTERNATE STANDARDS

Consideration and Possible Action on:

- A. Ordinance No. 1803.63 - An Ordinance of the City of Dripping Spring Annexing the following property into the City of Dripping Springs Corporate City Limits:

10.01 +/- Acres of Land out of the William Walker Survey No. 130, being all of lots 18, 19, 10 & 24 of Sunset Canyon II-C, a subdivision in Hays County, Texas
(*Timothy Decker, Owner*)

1. Public Hearing
2. Ordinance No. 1830.63

- B. Sign Variance – Dripping Springs United Methodist Church, 28708 Ranch Road 12, *Mike Firle, DSUMC Trustee Representative*

1. Presentation
2. Sign Administrator’s Report
3. Planning & Zoning Commission Report
4. Public Hearing
5. Sign Variance Request from Section 7.1. (c), Prohibited Signs, to Allow a Changeable Copy Sign

- C. Ordinance No. 1220.47 – Ordinance of the City of Dripping Springs Changing the Zoning Classification of the following property located in the City of Dripping Springs City Limits, Hays County, Texas: 105 Brookside Drive, Lot 2, Block B, North Forty Addition #2, from CS (Commercial Services) and MH (Manufactured Home) to LR (Local Retail), *H.C. Carter, Owner*

1. Presentation
2. Development Coordinator’s Report
3. Planning & Zoning Commission Report
4. Public Hearing
5. Ordinance No. 1220.47

- D. Howard Ranch Subdivision, Section 2, Lots 15 & 16, Block A – Replat, *Keith Middleton, Owner*

1. Presentation
2. Development Coordinator’s Report
3. Planning & Zoning Commission Report
4. Public Hearing
5. Replat

VI. REPORTS OF AGENCIES, COMMISSIONS & STAFF

- A. Farmers Market Report – Market Manager Jo Ann Touchstone

VII. BUSINESS

Consideration and Possible Action On

- A. Request from American Legion Post 290 for City’s Approval of Applications for Certificates of Appropriateness for the Exterior Repairs and Alterations of the Building located at the Triangle, *Stanley Foster, Commander Elect, American Legion Post 290*

1. Staff Report
2. Certificates of Appropriateness

- B. Request from First Baptist Church for Waiver of Building Permit Fee for Construction of New Church Building, *Charlie Haydon*

- C. Request from Pedernales Electric Cooperative for Waiver of Site Development and Building Code Permitting Requirements and Fees for Improvements to Electrical Substation Yard Located at 153 Post Oak Drive, *Robert A. Peterson, P.E., System Engineering Manager*

- D. Belterra Commercial Development Agreement between the City of Dripping Springs and MAK Foster Ranch, L.P concerning 106.35 acres of land out of the William S. Holton Survey No. 57, the Alec Mc Gown Survey No. 699, the John Sellars Survey No.3, and the E.B. Hargraves Survey No.4, Hays County, Texas, and being a 101.35 acre portion of that certain 603.58 acre tract of land as conveyed to CPH Foster Ranch, L.P. by special warranty deed recorded in Volume 1763, Page 304, of the official public records of Hays County, Texas, said CPH Foster Ranch, L.P. now known as Mak Foster Ranch, L. P. according to that certain affidavit of name change recorded in Volume 1988, Page 701 of the official public records of Hays County, Texas, together with all of Lot 1, Block C, Belterra Phase Two, Section 5B, a subdivision in Hays County, Texas, according to the map or plat thereof recorded in Volume 12, Page 186, of the plat records of Hays County, Texas
 - 1. Development Coordinator's Report
 - 2. Planning & Zoning Commission Report
 - 3. Public Hearing
 - 4. Variances/Waivers/Alternative Standards
 - a. Site Development Ordinance--Allowable Cut & Fill, Clearing, Rough-cutting , and Demolition
 - b. Subdivision Ordinance--Sidewalks
 - c. Technical Construction Standards& Specifications Manual and Water Quality Protection Ordinance--Impervious Cover
 - d. Zoning Ordinance--Gross Floor Area of Non-residential Structures
 - e. Lighting Ordinance--Alternative Standards
 - f. Technical Construction Standards & Specifications Manual--Traffic Calming Measures
 - g. Sign Ordinance--Maximum Number of Real Estate Signs Permitted Per Lot
 - h. Landscaping Ordinance--Alternative Standards
 - i. Exterior Design & Architectural Standards Ordinance--Alternative Standards
 - 5. Development Agreement pursuant to Texas Local Government Code Section 212.172

- E. Economic Development Agreement between the City of Dripping Springs and Mak Foster Ranch, L.P.

- F. Ordinance 1310.30 – An Ordinance of the City of Dripping Springs Expanding the Extraterritorial Jurisdiction of the City of Dripping Springs, Hays County, Texas, to Include 10.276 Acres, from the Freeloove Woody Survey, Abstract No. 20 (420 Elder Hill Road), Within the Extraterritorial Jurisdiction of the City of Dripping Springs
 - 1. Public Hearing
 - 2. Ordinance No. 1310.30

- G. Appointment of Planning & Zoning Commission Member Whit Smith (City/ETJ), Term to Expire 2010

- H. Fourth Amendment to the Economic Development Agreement between the City of Dripping Springs and B & O Investors, LTD

- I. Interlocal Agreement between the City of Dripping Springs and Dripping Springs Independent School District for the Conveyance of the Stephenson Building Property and Karhan Park Property
- J. Water Termination Agreement between the City of Dripping Springs and the Dripping Springs Water Supply Corporation
- K. Interlocal Joint Billing Agreement between the City of Dripping Springs and the Dripping Springs Water Supply Corporation
- L. Scheduled Maintenance Agreement Between the City of Dripping Springs and Kaeser Compressors, Inc. for the City's South Regional Wastewater Treatment Plant
- M. South Regional Wastewater System Contracts 2, 3, and 4 for Wastewater Collection System, Wastewater Treatment Facilities, and Subsurface Drip Irrigation System, Including Contract, Change Orders, and Bond Issues
- N. Reconsideration of Resolution 2009-28: A Resolution of the City of Dripping Springs Accepting the Construction of the Wastewater Collection System from Key Enterprises, Inc. (Contract 2-Phase 2 Wastewater Collection System for the City of Dripping Springs South Regional Wastewater System)

VIII. 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).

- A. Update on Settlement Agreement between the City of Dripping Springs and Save Our Springs Alliance, Inc on the matter of Texas Commission on Environmental Quality "Water Quality Land Application (No Discharge) Permit No. WQ0014488002," to be issued to the City for the treatment of domestic wastewater at a daily average flow not to exceed 250,000 gallons per day and disposal via a public access subsurface drip irrigation system located within the Scenic Greens development and approximately 4.4 miles west of Dripping Springs along U.S. Highway 290 in Hays County, Texas 551.071 (Consultation with Attorney)
- B. Consultation with City Attorney Regarding Fourth Amendment to the Economic Development Agreement between the City of Dripping Springs and B & O Investors, LTD 551.071 (Consultation with Attorney)
- C. Consultation with City Attorney Regarding Interlocal Agreement between the City of Dripping Springs and Dripping Springs Independent School District for the Conveyance of the Stephenson Building Property and Karhan Park Property, 551.072 (Deliberations about Real Property)
- D. Consultation with City Attorney Regarding Water Termination Agreement between the City of Dripping Springs and the Dripping Springs Water Supply Corporation, 551.071 (Consultation with Attorney)
- E. Consultation with City Attorney Regarding Interlocal Joint Billing Agreement between the City of Dripping Springs and the Dripping Springs Water Supply Corporation, 551.071 (Consultation with Attorney)
- F. Consultation with City Attorney regarding South Regional Wastewater System Contracts for Wastewater Collection System, Including Contract, Change Orders, and Bond Issues (551.071: Consultation with Attorney)

- G. Consultation with City Attorney Regarding Applicability of municipal ordinances, procedures and fees to construction activities of Pedernales Electric Cooperative, Inc. Staff Briefing. Request for Waiver of Fees, 551.071
(Consultation with Attorney)

IX. ANNOUNCEMENTS

- A. Regular City Council Meeting, September 8, 2009
- B. Regular Parks & Recreation Meeting, September 14, 2009
- C. Regular Planning & Zoning Commission Meeting, August 25, 2009
- D. Regular Historic Preservation Commission Meeting, September 14, 2009

X. ADJOURN

*Notice is posted in accordance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated. I certify that the above notice of meeting was posted on the bulletin board at City of Dripping Springs City Hall and Dripping Springs Postal Service Building on the _____ of _____, 2009 at _____ o'clock __M. I further certify that the following News media was properly notified of this meeting as stated above:
Century News and News Dispatch.*

Jo Ann Touchstone, City Secretary

*All agenda items listed above are eligible for discussion
and action unless otherwise specifically noted.*

*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.*