

**City of Dripping Springs
City Council**

**Regular Meeting Agenda
Tuesday, October 14, 2008
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

Deputy City Administrator Ginger Faught

Development Coordinator Jon Thompson

Planning & Zoning Commission Chair Craig Koenig

City Treasurer Gina Gillis

City Secretary Jo Ann Touchstone

City Attorney Alan Bojorquez

Special Counsel Susan Zachos

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 Meeting Minutes, September 9, 2008
- B. Approval of Regular Meeting Minutes, September 16, 2008
- C. Approval of Treasurer's Report for September 2008
- D. Approval of Fiscal Year 2009 Meeting Schedule for City Council & Commissions
- E. Resolution No. 2009-1: A Resolution of the City of Dripping Springs Acknowledging & Accepting Conflicts of Interest Affidavit Submitted by Pun Nio
- F. Founders Day Festival Contract for Graphic Design Services between the City of Dripping Springs and Pun Nio Graphics
- G. Appointment of Parks & Recreation Commissioner, Term to Expire June 2010: Michael Powell (DSISD)
- H. Resolution No. 2009-2 – A Resolution of the City of Dripping Springs Finding that the Livestrong Challenge Charity Bike Ride Scheduled to be Held on Sunday, October 26, 2008, In and Near the City, Serves a Valid and Legitimate Public Purpose, and Authorizing the City's Support of and Cooperation with the Event

- I. Agreement for the Temporary Closure of State Right of Way between the City of Dripping Springs and the State of Texas for the Livestrong Challenge Charity Bike Ride on Sunday, October 26, 2008
- J. Sports and Recreation Park Concession Stand Use Agreement between City and Dripping Springs Youth Sports Association
- K. Resolution 2009-3 – A Resolution of the City of Dripping Springs, Approving an Agreement between the City and the Hays-Caldwell Women’s Center for the Provision of Victim Services
- L. Proclamation Declaring October National Domestic Violence Awareness Month

V. REPORTS OF AGENCIES, COMMISSIONS AND STAFF

- A. Wastewater Treatment Plant Operators Report – Patrick King, Professional General Management Services (PGMS)
- B. Development Coordinator’s Report – Jon Thompson

VI. SITE DEVELOPMENTS/SUBDIVISIONS/ZONING/ON SITE SEWAGE FACILITIES/SIGNS/VARIANCES/WAIVERS/ANNEXATIONS/ SPECIAL EXCEPTIONS

Consideration and Possible Action on:

- A. Site Development Plan – Ridge at Ramsey Ranch, 2600 US Hwy 290 East, *Mike Firle and Randy Voorheis, Owners*
 - 1. Presentation
 - 2. Development Coordinator’s Report
 - 3. Planning & Zoning Commission Report
 - 4. Public Hearing
 - 5. Variance Request from Site Development Ordinance No.3000.1, Section 13.2, Cut and Fills
 - 6. Site Development Plan
- B. Public Hearing on Annexation for inclusion of the following properties into the City of Dripping Springs Corporate City Limits:
 - 3.45 acre tract of Land Being a Portion of Lot 2, Block C, Poundhouse Hills, Section II, *Stephen Smith, Morningstar Development, LLC*
 - 21.126 acre tract of land out of the Edward W. Brown Survey, No. 136,A-44, Hays County, Texas (Dripping Springs Elementary School), *Mard Herrick, Ph.D, Superintendent*
- C. Preliminary Plat – Arrowhead Ranch, 2303 US Hwy 290 West, *Forestar Realty, Darlene Louk*
 - 1. Presentation
 - 2. Development Coordinator’s Report
 - 3. Planning & Zoning Commission Report
 - 4. Public Hearing
 - 5. Preliminary Plat
- D. Site Development Plan – Berg & Florio Medical Center, 421 & 451 Sportsplex Drive; Sportsplex Subdivision, Phase 3, Lots 5 & 6, *Berg & Florio OD, PA, Owner*
 - 1. Presentation
 - 2. Development Coordinator’s Report
 - 3. Planning & Zoning Commission Report
 - 4. Public Hearing
 - 5. Site Development Plan

VII. OLD BUSINESS

Consideration and Possible Action on:

- A. Ordinance No. 1100.30 – An Ordinance of the City of Dripping Springs Amending the Fiscal Year 2008 Budget

VIII. NEW BUSINESS

Consideration and Possible Action on:

- A. Request from Van Granger of Frosty's Trees to Rent a Portion of the Triangle from November 25th through December 23rd for \$625.00
- B. Application by City for Temporary Wine Permit for Wine Tasting Event Program at Harrison Ranch House
- C. Agreement between the City of Dripping Springs and Ashley Seay to Lease a Portion of the Harrison Ranch Park House
- D. Ordinance No. 1070.38 - An Ordinance of the City of Dripping Springs Amending Fee Schedule Ordinance No. 1070.37
 - 1. Parks & Recreation Commission Recommendation for Setting Park Use Permit Fees
 - 2. Staff Report and Recommendation
 - 3. Public Hearing
 - 4. Ordinance No. 1070.38
- E. Lawn Maintenance Contract between Chad's Lawn Service and the City of Dripping Springs
 - 1. Parks & Recreation Commission Report
 - 2. Staff Report & Recommendation
 - 3. Approval of Lawn Maintenance Contract
- F. Ordinance No. 1470.1 - An Ordinance of the City of Dripping Springs Setting Speed Limits and Stop Intersections and Approving Traffic Control Devices
 - 1. Presentation, City Engineer Rick Coneway
 - 2. Public Hearing
 - 3. Ordinance No. 1470.1
- G. Ordinance No. 1460.1 – An Ordinance of the City of Dripping Springs Amending the Traffic Control Inventory Ordinance
- H. Temporary Moratorium on the Siting, Locating and Construction of Certain Financial Institutions, and Amendments to Code of Ordinances Relating to Zoning of Banks, Credit Unions, Savings and Loans
- I. Lease Agreement between the City of Dripping Springs and Toshiba Business Solutions or Ricoh for City Hall Office Equipment
- J. Ordinance 1100.31 - An Ordinance of the City of Dripping Springs Amending the Fiscal Year 2009 Budget Founders Commission Revenues and Expenses
- K. The Dripping Springs Independent School District ("DSISD") September 25, 2008 request to the City for wastewater service through the City's South Regional Wastewater Treatment Facilities and Collection System, to serve DSISD's projected needs for its current Middle School, new High School and Walnut Springs Elementary School
- L. Authorize Staff to prepare and file with the Texas Commission on Environmental Quality (TCEQ) an application to amend the service area of the City's Certificate of Convenience and Necessity (CCN) No. 20967 for wastewater service
- M. Authorize City Staff to negotiate the terms of a contract governing the City's participation, at the request of LCRA, in a contract with the United States

Geological Survey for sampling and analysis of surface and groundwater quality in Hays County

- N. 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
 - 1. Key Enterprises, Inc.
 - 2. Precision Commercial Plumbing
 - 3. Keystone Construction, Inc.
- O. City of Dripping Springs North Forty Area 56 First Time Sewer Services, Phase 2, Community Development Block Grant Wastewater Project 725261, between the City of Dripping Springs and Wastewater Operations, LLC
- P. City of Dripping Springs North Forty Area 26 First Time Sewer Services, Phase 1, Community Development Block Grant Wastewater Project 727119, between the City of Dripping Springs and Wastewater Operations, LLC

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).

- A. Consultation with Attorney regarding substantive and procedural law affecting an application to the Texas Commission on Environmental Quality to amend the service area of the City's Certificate of Convenience and Necessity No. 20967 for wastewater service (551.071: Consultation with Attorney)
- B. Consultation with Attorney about the request from Lower Colorado River Authority for the City to participate in a contract with the United States Geological Survey for sampling and analysis of surface and groundwater quality in Hays County (551.071: Consultation with Attorney)
- C. Consultation with City Attorney regarding a contract for water service termination between the City of Dripping Springs and the Dripping Springs Water Supply Corporation, the legal requirements for termination of the water services of a person whose sewage service account is in arrears for nonpayment, and statutory and regulatory provisions requiring the Texas Commission on Environmental Quality to issue an order requiring water service termination where a utility providing sewer service has obtained funding through the State or Federal government for the provision, expansion or upgrading of its sewer service. (551.071: Consultation with Attorney)
- D. Discussion regarding potential land acquisition for water quality and detention facilities (551.071: Consultation with Attorney)
- E. Consultation with City Attorney regarding Scope of Services and Consulting Contract between the City of Dripping Springs and Leonard Olson (551.071: Consultation with Attorney)
- F. Amendment to Wastewater Service and Impact Fee Agreement between City of Dripping Springs and Howard Land and Cattle, LTD., *Erik Howard* (551.071: Consultation with Attorney)
- G. Consultation with City Attorney regarding options for obtaining and permitting subsurface wastewater drip irrigation lands for the disposal of wastewater treated under the authorization of Texas Pollutant Discharge Elimination System Permit No. WQ0014488001 at the City's South Regional Wastewater Treatment Facilities and Collection System, including area needed to meet the future wastewater service needs

of the Dripping Springs Independent School District. (551.071: Consultation with Attorney and 551.072: Purchase, Exchange, Lease or Value of Real Property)

- H. Consultation with City Attorney regarding negotiation of contract for a prospective gift of real property to the City (551:073: deliberate negotiate contract for a prospective gift or donation to the City)
- I. Consultation with City Attorney regarding Texas Commission of Environmental Quality requirements for water and sewer utility line installation. (551.071: Consultation with Attorney)
- J. Consultation with City Attorney about substantive and procedural laws governing wastewater service connection to, and rates and charges for customers of, the City's South Regional Wastewater Treatment Facilities and Collection System. (551.071: Consultation with Attorney)
- K. Acquisition of Mercer Street and Old Hwy 290 (CR 320) from the Texas Department of Transportation (551.071: Consultation with Attorney and 551.072: Purchase, Exchange, Lease or Value of Real Property)

X. ANNOUNCEMENTS

- A. Regular City Council Meeting, October 21, 2008
- B. Regular Parks & Recreation Meeting, October 27, 2008
- C. Regular Planning & Zoning Commission Meeting, October 28, 2008
- D. Regular Historic Preservation Commission Meeting, November 3, 2008
- E. Regular Founders Day Commission Meeting, November 4, 2008

XI. 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 _____, 2008 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.*