

## City Council & Board of Adjustment Minutes

### Special Workshop and Regular Meeting August 21, 2018 at 5:30 p.m.

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A Special Workshop and Regular Meeting of the City Council of Dripping Springs, Texas was held Tuesday, August 21, 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.

City Council Members present were:

Mayor Todd Purcell  
Mayor Pro Tem Bill Foulds  
Council Member Travis Crow  
Council Member Wade King  
Council Member John Kroll  
Council Member Taline Manassian (*arrived at 5:37 p.m.*)

City Staff/Appointed Officials present were:

City Administrator Michelle Fischer  
Deputy City Administrator Ginger Faught  
City Secretary Andrea Cunningham  
City Treasurer Gina Gillis  
Parks & Community Services Director Mariana Espinoza  
Dripping Springs Ranch Park Manager Lynne Dickinson  
Communications Coordinator Bonnie Gonzalez  
Assistant City Attorney Laura Mueller  
TIRZ No. 1 & No. 2 Project Manager Keenan Smith

#### 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.*

##### A. Budget Workshop

1. *TIRZ No. 1 & No. 2*

Keenan Smith presented the proposed budget for TIRZ No. 1 & No. 2 for Fiscal Year 2018-2019 which is on file.

2. *Wastewater Utility Fund*

Gina Gillis presented the Wastewater Utility Fund requests for Fiscal Year 2018-2019 which is on file. Inframark has made some progress regarding Dripping Springs Water Supply billing; however, fees have risen while service has declined. Staff is looking into changing the billing service provider.

3. *Impact Fees – no discussion on impact fees*

4. *Dripping Springs Ranch Park*

Michelle Fischer briefly discussed the current lease for the Dripping Springs Ranch Park House.

5. *Debt Service – no discussion on debt service*

Mayor Purcell asked the City Council if they had any questions on the listed budget items, and with none asked, the Mayor proceeded with other budget items from Staff.

Michelle Fischer asked if there were any questions regarding the Historic Preservation Commission requests, being none, Mayor Purcell continued with staff budget reports.

Gina Gillis asked if there were any questions regarding the Hotel Occupancy Tax, and being none, Mayor Purcell proceeded with the Special Workshop.

A motion was made by Mayor Pro Tem Foulds to recess into Executive Session under Texas Local Government Code Sections 551.071, 551.072 and 551.074, and to include Executive Session Items A - E. 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 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)**
- B. Consultation with City Attorney regarding the Contested Case Hearing, TCEQ Docket No. 2017-1749- MWD, SOAH Docket No. 582-18-3000, Application by the City of Dripping Springs for TPDES Permit No. WQ0014488003 (551.071 Consultation with City Attorney)**
- C. Consultation with City Attorney regarding the proposed Lauren Concrete Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls, Registration No. 152632 (551.071 Consultation with City Attorney)**

- D. Consultation with City Attorney regarding legal issues related to Stephenson Building Lease. (551.071 Consultation with City Attorney and 551.072 Purchase, Exchange, Lease or Value of Real Property).**
- E. Discussion of Personnel Matters related to duties, appointment, pay, and employment of City Administrator-Michelle Fischer, Deputy City Administrator-Ginger Faught, City Secretary-Andrea Cunningham, Receptionist-Angie Tubbs, Maintenance Director, Public Works Director, Parks and Community Services Director-Mariana Espinoza, DSRP Manager-Lynne Dickinson, Administrative Assistant-Rachel Goodnight, Accounting Clerk-Penny Appleman, Communications Coordinator-Bonnie Gonzalez, IT Coordinator-Misty Dean, Development Coordinator-Molly Mulloy, City Planner I-Anjali Naini, City Planner II, Planning Assistant-Amanda Padilla, Emergency Planning Coordinator-Roman Baligad, Code Enforcement & Construction Inspector-Aaron Reed, Building Official & Utility Clerk-Sarah Holden, Building Permit Technician-Megan Chamberlain, City Maintenance Workers-Raoul Asuan, Jim Bass, Cody Kinsey, DSRP Maintenance Director, DSRP Facility Coordinator, DSRP Facility Attendant, DSRP Maintenance Workers-Sheri Kapanaka, Chris Fries, Nick Spillar, Farmers Market Manager-Laurel Robertson, (551.074 Personnel Matters).**

The City Council met in Executive Session from 5:37 – 6:47 p.m.

No action or vote was taken during Executive Session.

Mayor Purcell returned the meeting to Open Session at 6:47 p.m.

### **III. RECESS**

The City Council did not recess and proceeded directly to the Regular Meeting Agenda.

### **IV. RECONVENE AT 6:00 p.m.**

Mayor Purcell reconvened the Regular Meeting at 6:47 p.m.

### **V. PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Foulds led the Pledge of Allegiance to the Flag.

### **VI. SPECIAL CITY COUNCIL RESOLUTION**

- A. A Resolution of the City of Dripping Springs, Texas, Expressing Concerns Regarding Public Health, Safety, and Welfare Implications of Concrete Batch Plant Proposed by Lauren Concrete Inc. at 4901 W Highway 290, Dripping Springs, Texas, Urging Thorough Review of Related Permit Applications (Sponsor-Mayor Todd Purcell)**

Mayor Purcell read the Resolution.

A motion was made by Mayor Pro Tem Foulds to approve a Resolution of the City of Dripping Springs, Texas, Expressing Concerns Regarding Public Health, Safety, and Welfare Implications of Concrete Batch Plant Proposed by Lauren Concrete Inc. at 4901 W Highway 290, Dripping Springs, Texas, Urging Thorough Review of Related Permit Applications. Council Member King seconded the motion which carried 4 to 1, with Council Member Crow opposed.

Mayor Purcell directed staff to forward the Resolution to the appropriate entities for consideration.

**Filed as Resolution No. 2018-R24.**

## 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 (30) minutes. The Mayor and City Council may extend the session.*

The following spoke during Presentation of Citizens in opposition to the Proposed Lauren Concrete Batch Plant:

- Ed Michal
- Janet Culver
- Delea Hankins
- Tim Cooper

## VIII. 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.*

### A. Approval of the Regular City Council meeting minutes of July 10, 2018

A motion was made by Council Member Kroll to approve the Consent Agenda. Council Member Manassian seconded the motion which carried unanimously 5 to 0.

## IX. BUSINESS

### A. Presentation and Consideration of Approval of Tax Increment Reinvestment Zone - Old Fitzhugh Road Concept Plan (Sponsor: Council Member John Kroll)

1. Presentation
2. Staff/Consultant Report

Keenan Smith gave a presentation and presented the staff report which are on file. Staff recommends approval of the Concept Plan.

*3. Public Hearing*

No one spoke during the Public Hearing.

*4. Concept Plan*

A motion was made by Council Member King to approve the Tax Increment Reinvestment Zone - Old Fitzhugh Road Concept Plan. Mayor Pro Tem Foulds seconded the motion which carried unanimously 4 to 1, with Council Member Kroll abstaining.

**B. Discuss and Consider Approval of Improvements and Reimbursements Related to the Chapter 380 Economic Development Agreement for Belterra Commercial (*Sponsor: Council Member Kroll*)**

*1. Presentation*

Principal with Endeavor Real Estate Group Nelson Crowe gave a presentation on the item which is on file.

*2. Staff Report*

Laura Mueller presented the staff report which is on file. Staff recommends postponement of the item for further staff review.

A motion was made by Mayor Pro Tem Foulds to postpone the item to the Regular City Council Meeting of September 18, 2018. Council Member King seconded the motion which carried unanimously 5 to 0.

**C. Discuss and Consider Approval of a Park Dedication Agreement regarding Founders Memorial Park between the City of Dripping Springs and Meritage Homes of Texas, LLC, and regarding the approved Development Agreement between the City of Dripping Springs and Meritage Homes of Texas, LLC**

*1. Presentation – no presentation was given*

*2. Staff Report*

Laura Mueller presented the staff report which is on file. Staff recommends approval of the item.

*3. Parks & Recreation Committee Recommendation*

The Parks & Recreation Committee recommended approval of the Agreement.

*4. Public Hearing*

No one spoke during the Public Hearing.

*5. Parkland*

A motion was made by Council Member Kroll to approve the Park Dedication Agreement regarding Founders Memorial Park between the City of Dripping Springs and Meritage Homes of Texas, LLC, and regarding the approved Development Agreement between the City of Dripping Springs and Meritage Homes of Texas, LLC. Council Member Manassian seconded the motion which carried unanimously 5 to 0.

**D. Discuss and Consider Approval of a Professional Services Agreement with Grant Development Services regarding the Founders Memorial Park Dedication Agreement**

Laura Mueller presented the staff report, staff recommends approval of the agreement.

Gandolf Burrus, Principal with Grant Development Services, Inc. was present and available for questions.

A motion was made by Council Member Kroll to approve the Professional Services Agreement with Grant Development Services regarding the Founders Memorial Park Dedication Agreement. Council Member King seconded the motion which carried unanimously 5 to 0.

**E. Discuss and Consider the Approval of a Co-Sponsorship Agreement between the City of Dripping Springs and Texas A&M Forest Service regarding "Coffee & Conservation" to be held August 24, 2018 (Sponsor: Council Member Wade King)**

Mariana Espinoza presented the staff report which is on file. The event is strictly and informational session where citizens can ask questions and get information regarding the conservation of trees. Staff recommends approval of the agreement.

A motion was made by Council Member King to approve the Co-Sponsorship Agreement between the City of Dripping Springs and Texas A&M Forest Service regarding "Coffee & Conservation" to be held August 24, 2018. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

**F. Discuss and Consider a Co-Sponsorship Agreement between the City of Dripping Springs, the TNSF Association and the Hays County Master Naturalists regarding the Texas Night Sky Festival to be held on March 30 -31, 2019 at Dripping Springs Ranch Park and Event Center (Sponsor: Council Member Wade King)**



Mariana Espinoza presented the staff report which is on file. Staff recommends approval of the agreement.

A motion was made by Council Member King to approve the Co-Sponsorship Agreement between the City of Dripping Springs, the TNSF Association and the Hays County Master Naturalists regarding the Texas Night Sky Festival to be held on March 30 -31, 2019 at Dripping Springs Ranch Park and Event Center. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

**G. Discuss and Consider Approval of an Ordinance adding Article 6.07 to the City Code of Ordinances enacting guidelines for filming within the City Limits; Empowering the City Administrator to issue Film Permits pursuant to those guidelines; Providing for: enactment; repealer; severability; and proper notice and meeting (Sponsor: Council Member Taline Manassian)**

A motion was made by Mayor Pro Tem Foulds to approve an Ordinance adding Article 6.07 to the City Code of Ordinances enacting guidelines for filming within the City Limits; Empowering the City Administrator to issue Film Permits pursuant to those guidelines; Providing for: enactment; repealer; severability; and proper notice and meeting. Council Member King seconded the motion which carried unanimously 5 to 0.

**Filed as Ordinance No. 2018-19**

**H. City Staff Update and Review of Archive Social Software (Sponsor: Council Member Taline Manassian)**

Bonnie Gonzalez presented the staff report which is on file.

No action was taken on this item.

**I. Discuss and Consider the Proposed Tax Rate for the Fiscal Year 2019**

A motion was made by Council Member Kroll to increase the property tax rate by the adoption of a tax rate of \$0.19 per \$100 of appraised value, which is effectively a 5.26 percent (5.26%) increase in the tax rate. Mayor Pro Tem Foulds seconded the motion which carried unanimously 5 to 0.

**J. Discuss and Consider a call for a Public Hearings on the Proposed Tax Rate and the Proposed Budget for Fiscal Year 2019**

A motion was made by Council Member Kroll to call for two public hearings on the tax rate which will be on September 11, 2018 and September 18, 2018; and one public hearing on the Proposed Budget for Fiscal Year 2019 to be held on September 18, 2018. Mayor Pro Tem Foulds seconded the motion which carried unanimously 5 to 0.

A motion was made by Mayor Pro Tem Foulds to recess into Executive Session under Texas Government Code Section 551.071 and 551.074, and Executive Agenda Item E and Business Item B (XI.B). Council Member Crow seconded the motion which carried unanimously 4 to 0, with Council Member King not present at the time of voting.

## **X. EXECUTIVE SESSION**

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The City Council met in Executive Session from 7:57 – 8:05 p.m.

No vote or action was taken in Executive Session.

Mayor Purcell returned the meeting to Open Session at 8:05 p.m.

#### XI. ANNOUNCEMENTS

A. September 11, 2018 - Regular City Council Meeting, 5:30 PM Workshop/6:30 PM Meeting

B. September 18, 2018 - Regular City Council Meeting, 6:00 PM Regular Meeting

C. October 9, 2018 - Regular City Council Meeting, 5:30 PM Workshop/6:30 PM Meeting

#### XII. ADJOURN

A motion was made by Mayor Pro Tem Foulds to adjourn the meeting. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

This regular meeting adjourned at 8:05 p.m.

**DATE APPROVED:** September 11, 2018



Todd Purcell, Mayor

**ATTEST:**



Andrea Cunningham, City Secretary

