



DRIPPING SPRINGS
Texas

CITY COUNCIL REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, November 07, 2023, at 6:00 PM

MINUTES

CALL TO ORDER AND ROLL CALL

With a quorum of the City Council present, Mayor Foulds, Jr. called the meeting to order at 6:02 p.m.

City Council Members present were:

Mayor Bill Foulds, Jr.
Council Member Place 2 Wade King
Council Member Place 3 Geoffrey Tahuahua
Council Member Place 4 Travis Crow
Council Member Place 5 Sherrie Parks

Council Member absent was:

Mayor Pro Tem Taline Manassian

Staff, Consultants & Appointed/Elected Officials present were:

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
Deputy City Administrator Shawn Cox
City Attorney Laura Mueller
People & Communications Director Lisa Sullivan
DSVB Manager Pam King
City Secretary Andrea Cunningham
IT Director Jason Weinstock
Parks & Community Services Director Andy Binz
DSRP Manager Emily Nelson
Community Events Coordinator Johnna Krantz
Public Works Director Aaron Reed
Deputy Public Works Director Craig Rice
Planning Director Tory Carpenter
Planning & Zoning Commission Chair Mim James
Planning & Zoning Commission Vice Chair Tammie Williamson

PLEDGE OF ALLEGIANCE

Council Member Crow led the Pledge of Allegiance to the Flag.

PRESENTATION OF CITIZENS

A member of the public who desires to address the City Council regarding any item on an agenda for an open meeting may do so at presentation of citizens before an item or at a public hearing for an item during the City Council's consideration of that item. Citizens wishing to discuss matters not contained within the current agenda may do so, but only during the time allotted for presentation of citizens. Speakers are allowed two (2) minutes to speak during presentation of citizens or during each public hearing. Speakers may not cede or pool time. Members of the public requiring the assistance of a translator will be given twice the amount of time as a member of the public who does not require the assistance of a translator to address the City Council. It is the request of the City Council that members of the public wishing to speak on item(s) on the agenda with a noticed Public Hearing hold their comments until the item(s) are presented for consideration. Speakers are encouraged to sign in. Anyone may request a copy of the City's policy on presentation of citizens from the city secretary. By law no action may be taken during Presentations of Citizens.

No one spoke during Presentations of Citizens.

PRESENTATIONS

Presentations are for discussion only and no action shall be taken.

Council Member Parks read and presented a Proclamation proclaiming November 6 – 10, 2023, as “Municipal Courts Week” in the City of Dripping Springs. Municipal Court Clerk Andrea Cunningham accepted the proclamation on behalf of the Municipal Court.

1. 2023 TxDOT TASA Program Old Fitzhugh Road Sidewalk Project

Aaron Reed, Public Works Director

Aaron Reed gave the presentation which is on file.

2. Update on Dripping Springs Ranch Park Event Center Western Wonderland

Emily Nelson, Dripping Springs Ranch Park Manager

Emily Nelson gave the presentation which is on file.

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.

3. Approval of the October 17, 2023, City Council regular meeting minutes.

4. Approval of the Appointment of Susan Kimball as Chair of the Economic Development Committee for a term ending June 1, 2024. Sponsor: Mayor Bill Foulds, Jr.

5. **Approval of Job Descriptions for Deputy City Attorney and Accountant/Financial Analyst.** *Sponsor: Mayor Bill Foulds, Jr.*
6. **Approval of the License Agreement between the City of Dripping Springs and Tejas Heritage Homes for the use and maintenance of a portion of the Hays Street Right-of-Way fronting Lot 6 of the Hays Street Subdivision.** *Sponsor: Mayor Bill Foulds Jr.*
7. **Approval of the following Founders Day Commission appointments for terms ending June 30, 2025: At-Large Members, Dee Marsh and Brian Daniel; Lions Club Representative, Susan Warwick; Cook-Off Club Representative, Lisa Garza; and St. Martin de Porres Catholic Church Representatives, Darrell Debish and Mike Handley.**

A motion was made by Council Member Tahuahua to approve Consent Agenda items 3 – 7. Council member Crow seconded the motion which carried unanimously 4 to 0.

BUSINESS AGENDA

8. **Discuss and consider approval of a Vendor Agreement between the City of Dripping Springs and Peak Beverage Texas LLC for exclusive alcoholic beverage services at Dripping Springs Ranch Park.** *Sponsor: Council Member Sherrie Parks*

Emily Nelson presented the staff report which is on file. Staff recommends approval of the agreement.

A motion was made by Council Member Parks to approve a Vendor Agreement between the City of Dripping Springs and Peak Beverage Texas LLC for exclusive alcoholic beverage services at Dripping Springs Ranch Park. Council Member Crow seconded the motion which carried unanimously 4 to 0.

9. **Discuss and consider approval an Ordinance Amending Chapter 28 - Subdivisions and Site Development, Article 28.04 Site Development, and Exhibit "A" Subdivision Ordinance including amendments to address recent legislation, modify review procedures, modify exemptions, and provide other changes.** *Sponsor: Mayor Bill Foulds, Jr.*

a. Staff Report – Tory Carpenter presented the staff report which is on file. Staff recommends approval of the ordinance.

b. Planning & Zoning Commission Report – Mim James presented the commission report. The commission recommend approval with conditions as presented in the staff report.

c. Public Hearing – No one spoke during the Public Hearing.

d. Ordinance – A motion was made by Council Member Tahuahua to approve an Ordinance Amending Chapter 28 - Subdivisions and Site Development, Article 28.04 Site Development, and Exhibit "A" Subdivision Ordinance including amendments to address recent legislation, modify review procedures, modify exemptions, and provide other changes with direction to staff to evaluate the Mayor's concerns in regard to utilities and provide a presentation with options to the City Council within 90 days. Council

Member Parks seconded the motion which carried 3 to 1, with Council Member Crow opposed.

Filed as Ordinance 2023-37

- 10. Discuss and consider approval of a Resolution adopting a Permanent Employee Referral Incentive Program Policy.** *Sponsor: Council Member Sherrie Parks.*

Lisa Sullivan presented the staff report which is on file. Staff recommends approval of the resolution.

A motion was made by Council Member Parks to approve a Resolution adopting a Permanent Employee Referral Incentive Program Policy. Council Member King seconded the motion which carried unanimously 4 to 0.

Filed as Resolution No. 2023-R35

- 11. Discuss and consider approval of a Resolution Amending the City of Dripping Springs Personnel Manual.** *Sponsor: Mayor Bill Foulds, Jr.*

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

A motion was made by Council Member Crow to approve a Resolution adopting a Permanent Employee Referral Incentive Program Policy. Council Member Parks seconded the motion which carried unanimously 4 to 0.

Filed as Resolution No. 2023-R36

- 12. Public hearing and consideration of approval of an Ordinance amending Chapter 2 Administration, Division 4 Founders Day Commission, Section 2.04.094(c) Organization and Meetings related to Meeting Frequency.** *Sponsor: Council Member Sherrie Parks*

a. Staff Report – Andrea Cunningham presented the staff report which is on file. Staff recommends approval of the ordinance. The Founders Day Commission recommended approval of the ordinance at the October 23, 2023, regular meeting.

b. Public Hearing – No spoke during the Public Hearing.

c. Ordinance – A motion was made by Council Member Parks to approve an Ordinance amending Chapter 2 Administration, Division 4 Founders Day Commission, Section 2.04.094(c) Organization and Meetings related to Meeting Frequency. Council Member Crow seconded the motion which carried unanimously 4 to 0.

Filed as Ordinance No. 2023-38

- 13. Public hearing and consideration of approval of an Ordinance regarding an Amendment to the Fiscal Year 2023-2024 Budget.**

a. Staff Report – Shawn Cox presented the staff report which is on file. Staff recommends approval of the ordinance.

b. Public Hearing – No one spoke during the Public Hearing.

c. Ordinance – A motion was made by Council Member Tahuahua to approve an Ordinance regarding an Amendment to the Fiscal Year 2023-2024 Budget. Council Member Parks seconded the motion which carried unanimously 4 to 0.

Filed as Ordinance No. 2023-39

14. Discuss and consider selection of bidder and approval of the Shane Lane Reconstruction Project Agreement between the selected bidder and the City of Dripping Springs and authorization for staff to finalize the agreement.

Aaron Reed presented the staff report which is on file. Staff recommends approval of Aaron Concrete for the project.

A motion was made by Council Member Tahuahua to select Aaron Concrete for the Shane Lane Reconstruction Project and to authorize staff to finalize the project agreement. Council Member King seconded the motion which carried unanimously 4 to 0.

15. Discuss and consider approval of a Resolution Accepting Improvements and Approving and Accepting a Maintenance Bond for Rob Shelton Blvd. Street and Drainage Improvements. Applicant: CC Carlton Industries, Ltd.

Aaron Reed presented the staff report which is on file. Staff recommends approval of the resolution.

A motion was made by Council Member Crow to approve a Resolution Accepting Improvements and Approving and Accepting a Maintenance Bond for Rob Shelton Blvd. Street and Drainage Improvements. Council Member Parks seconded the motion which carried unanimously 4 to 0.

Filed as Resolution No. 2023-R37

REPORTS

Reports of Staff, Boards, Commissions, Committees, Boards and Agencies. All reports are on file and available for review upon request. The City Council may provide staff direction; however, no action may be taken.

16. September Maintenance Report
Craig Rice, Deputy Public Works Director

17. October Maintenance Report
Craig Rice, Deputy Public Works Director

18. Planning Department Report
Tory Carpenter, Planning Director

A motion was made by Council Member Tahuahua to adjourn into Executive Session under Texas Government Code Section 551.071, Consultation with Attorney, and regarding Executive Session Agenda Item 20. Council Member Crow seconded the motion which carried unanimously 4 to 0.

EXECUTIVE SESSION AGENDA

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.

- 19. Consultation with Attorney related to legal issues regarding personnel policy changes.** *Consultation with Attorney, 551.071*

- 20. Consultation with Attorney regarding legal issues related to the South Regional Water Reclamation Project, Wastewater, and Amendment 2 Permits, Wastewater Service Area and Agreements, Water Service, Wastewater Fees, and related items.** *Consultation with Attorney, 551.071*

The City Council met in Executive Session from 7:09 p.m. – 7:25 p.m.

No vote or action was taken during Executive Session. Mayor Foulds, Jr. returned the meeting to Open Session at 7:25 p.m.

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

November 21, 2023, at 6:00 p.m. (CC)
December 5, 2023, at 6:00 p.m. (CC & BOA)
December 19, 2023, at 6:00 p.m. (CC)
January 2, 2024, at 6:00 p.m. (CC & BOA)

Board, Commission & Committee Meetings

November 8, 2023, Utility Commission at 4:00 p.m.
November 13, 2023, TIRZ No. 1 & No. 2 Board at 4:00 p.m.
November 13, 2023, Founders Day Commission at 6:30 p.m.
November 16, 2023, Farmers Market Committee at 10:00 a.m.
November 16, 2023, Emergency Management Commission at 12:00 p.m.

ADJOURN

A motion was made by Council Member Tahuahua to adjourn the meeting. Council Member Parks seconded the motion which carried unanimously 4 to 0.

This regular meeting adjourned at 7:25 p.m.

APPROVED ON: December 5, 2023

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary