



CITY COUNCIL REGULAR MEETING
City of Dripping Springs
Council Chambers, 511 Mercer St, Dripping Springs, TX
Tuesday, August 03, 2021 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 6:00 p.m.

City Council Members present were:

Mayor Bill Foulds, Jr.
Mayor Pro Tem Taline Manassian
Council Member Place 2 Wade King
Council Member Place 3 Geoffrey Tahuahua
Council Member Place 4 April Harris Allison
Council Member Place 5 Sherrie Parks

Staff, Consultants & Appointed/Elected Officials present were:

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Attorney Laura Mueller
City Treasurer Shawn Cox
City Secretary Andrea Cunningham
Communications Director Lisa Sullivan
IT Coordinator Misty Dean
Public Works Coordinator Aaron Reed
Programs & Aquatics Manager Mack Rusick
City Engineer Chad Gilpin
Planning Consultant Robyn Miga
Transportation Consultant Leslie Pollack
Planning & Zoning Commission Chair Mim James
Utility Commission Vice Chair Chuck Miller

WORKSHOP

Workshop items are for discussion only and no action will be taken.

1. Presentation and discussion regarding Budget Activities related to the City of Dripping Springs Fiscal Year 2022 Budget.

Shawn Cox gave a presentation on the budget which is on file.

No action was taken.

CITY COUNCIL REGULAR MEETING

PLEDGE OF ALLEGIANCE

Council Member King 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 Presentation of Citizens.

PROCLAMATIONS & PRESENTATIONS

2. Presentation of Recognition Awards for Public Service on a City Board, Committee, or Commission. Sponsor: Mayor Foulds, Jr.

Amber Ballman, Parks & Recreation Commission

Martin Garza, Founders Day Commission

Jim Langford, Utility Commission

Meghan Lind, Utility Commission

Roger Newman, Planning & Zoning Commission

Dan O'Brien, Emergency Management Commission and TIRZ No. 1 & No. 2 Board

Jean Reimers, Historic Preservation Commission

David Vincent, Farmers Market Association Board

Robbie Zamora, Parks & Recreation Commission

Mayor Foulds, Jr. and Mayor Pro Tem Taline Manassian presented Awards for Public Service.

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. **A Resolution accepting water and easement conveyance and accepting a maintenance bond for Driftwood water lines.**

Filed as Resolution No. 2021-R25

A motion was made by Mayor Pro Tem Manassian to approve Consent Agenda Item 1. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

BUSINESS AGENDA

4. **Public hearing and consideration of approval of an Ordinance regarding ZA2021-0003: an application for a Zoning Amendment and Conditional Use Overlay to consider a proposed zoning map amendment from Two-Family Residential- Duplex (SF-4) to Single Family Residential-Town Center (SF-3) and with a proposed conditional use overlay restricting the site further for two properties located approximately at 102 S. Bluff Street, Dripping Springs, Texas. Legal Description ORIGINAL TOWN OF DRIPPING SPRINGS, BLOCK 10, Lot 4-5-6 & 9, ACRES 0.519 and ORIGINAL TOWN OF DRIPPING SPRINGS, BLOCK 10, Lot 1-3 & 10-12, ACRES 0.9445. Applicant: Jon Thompson, J Thompson Professional Consulting, LLC**
 - a. **Presentation:** Project engineer John Doucet with Doucet and Associates spoke, and the application for zoning amendment is being withdrawn.
 - b. **Staff Report:** Robyn Miga's staff report is on file. The applicant has withdrawn the request for zoning amendment.
 - c. **Planning and Zoning Commission Report:** No report presented.
 - d. **Public Hearing:** No one spoke during the Public Hearing.
 - e. **Zoning Amendment and Conditional Overlay:** No action was taken on this item.
5. **Public hearing and consideration of approval of an Ordinance regarding ZA2021-0004: an application for a Zoning Amendment to consider a proposed zoning map amendment from SF-1 (Single-Family Residential — Low Density) to SF-2 (Single-Family Residential-Moderate Density) for an approximately 1.82-acre tract at 1232 Creek Road, Dripping Springs, Texas. Legal Description CREEK ROAD VILLAS, LOTS 1-2, ACRES 1.82; and P.A SMITH SURVEY 0.99 ACRE A0415. Applicant: Jon Thompson, J Thompson Professional Consulting, LLC**
 - a. **Presentation:** Applicant Jon Thompson presented the item.
 - b. **Staff Report:** Robyn Miga presented the staff report which is on file. Staff recommends approval of the zoning amendment.
 - c. **Planning and Zoning Commission Report:** Chair James presented the report. The Commission recommended approval unanimously 7 to 0.

d. Public Hearing: No one spoke during the Public Hearing.

e. Zoning Amendment: **Filed as Ordinance No. 2021-27**

A motion was made by Council Member King to approve ZA2021-0004: an application for a Zoning Amendment to consider a proposed zoning map amendment from SF-1 (Single-Family Residential — Low Density) to SF-2 (Single-Family Residential-Moderate Density) for an approximately 1.82-acre tract at 1232 Creek Road, Dripping Springs, Texas. Council Member Harris-Allison seconded the motion which carried unanimously 5 to 0.

Via unanimous consent the City Council considered Business Agenda Items 6 – 10. Action was taken after the reading of item 10.

6. Public Hearing and consideration of approval of an Ordinance and Annexation Agreement regarding approximately 283 acres of the Cynosure Tract north of 290 and east of RR 12 adjacent to the Big Sky and Headwaters subdivisions. Applicant: Rex Baker, Baker & Robertson

a. Presentation: Peter Verdicchio with SEC Planning, and John Doucet with Doucet and Associates gave a presentation related to Business Agenda Items 6 – 10, which is on file.

b. Staff Report: Laura presented the staff report for Business Agenda Items 6 – 10, which is on file. Staff recommends postponement of all items to August 17, 2021, to allow more time to complete related documents

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

d. Ordinance: Action was taken later in the agenda.

e. Agreement: Action was taken later in the agenda.

7. Public hearing and consideration of approval of an Ordinance regarding PDD2021-002 Cynosure-Wild Ridge: an application for a Planned Development District to consider an ordinance enacting Planned Development District Number 13 and approving the zoning change from Agriculture (AG) to Planned Development District Number 13 (PDD #13) with a base zoning of SF-3 for up to 960 units with some local retail uses to be located on approximately 283 acres on the Cynosure Tract north of the Cannon Tract and east of the Scott Tract northeast of city limits. Applicant: Rex Baker, Baker & Robertson

a. Presentation

b. Staff Report

c. Planning and Zoning Commission Report: Chair James presented the report. The Commission recommended approval unanimously 7 to 0.

d. Public Hearing: No one spoke during the Public Hearing.

e. Planned Development District Ordinance

- 8. Discuss and consider approval of a Transportation Enhancement Agreement between the City of Dripping springs and Meritage related to street, utility, and park improvements on the Cynosure Tract. Applicant: Rex Baker, Baker & Robertson**
- 9. Discuss and consider approval of a Utility Agreements for Wastewater Service and Water Service between the City of Dripping Springs and Meritage for an approximately 283 acre tract at Cynosure Ranch for up to 960 dwelling units. Applicant: Rex Baker, Baker & Robertson**
- 10. Discuss and consider approval of a Resolution consenting to creation and operation of a Municipal Utility District at Cynosure Ranch a 283 acre tract north of 290 and east of RR 12 adjacent to Headwaters and Big Sky subdivisions. Applicant: Rex Baker, Baker & Robertson**

A motion was made by Mayor Pro Tem Manassian to postpone Business Agenda Items 6 – 10 to the August 17, 2021, Regular City Council Meeting. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

- 11. Discuss and consider approval of an Ordinance Amending the City of Dripping Springs Fee Schedule related to Food Establishment Fees and On Site Sewage Facility Fees. Sponsor: Mayor Bill Foulds, Jr.**

Michelle Fischer presented the staff report which is on file. Staff recommends approval of the fee schedule amendments.

A motion was made by Council Member Harris-Allison to approve an Ordinance Amending the City of Dripping Springs Fee Schedule related to Food Establishment Fees and On Site Sewage Facility Fees. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2021-28

- 12. Discuss and consider the Appointment of two (2) At-Large Members and one (1) Hays Trinity Groundwater Conservation District Representative to the Utility Commission for terms ending June 30, 2023; and the appointment of a Commission Member to serve as the Chair for a term of one (1) year.**

Andrea Cunningham and Ginger Faught presented the staff report which is on file.

A motion was made by Council Member Tahuahua to reappoint Roger Kew to the Utility Commission as the Hays Trinity Groundwater Conservation District Representative for a term ending June 30, 2023; and to appoint Chuck Miller as the Chair of the Utility Commission for a term of one (1) year. Council Member King seconded the motion which carried unanimously 5 to 0.

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.

Report is on file and available for review upon request.

13. City Attorney Report

Laura Mueller, City Attorney

A motion was made by Mayor Pro Tem Manassian to adjourn into Executive Session under Texas Government Code Sections 551.071, Consultation with City Attorney and 551.072, Deliberation of Real Property. Council Member Harris-Allison seconded the motion which carried unanimously 5 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.

- 14. Consultation with City Attorney and Deliberation of Real Property regarding legal issues related to Real Property for the Tax Increment Reinvestment Zone including the Town Center Project and uses.** *Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072*
- 15. Consultation with City Attorney and Deliberation of Real Property regarding the extension of Roger Hanks Parkway including related agreements.** *Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.071.*
- 16. Consultation with City Attorney regarding legal issues and Deliberation of Real Property related to the Wild Ridge Subdivision and Agreement related to the Wild Ridge Subdivision.** *Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072*
- 17. Consultation with City Attorney and Deliberation of Real Property regarding legal issues related to Wastewater Operations, agreements related to Wastewater, the South Regional Water Reclamation Expansion Project Easement Acquisition, Wastewater Discharge Permit, and operation of the Lazy W WCID in the Extraterritorial Jurisdiction of the City of Dripping Springs.** *Consultation with City Attorney, 551.071; Deliberation regarding Real Property, 551.072*
- 18. Consultation with City Attorney for legal issues related to the provision of retail utility services.** *(551.071, Consultation with City Attorney).*
- 19. Consultation with City Attorney regarding legal issues related to ongoing developments including Rob Shelton Improvements and Texas Department of Transportation and other sources of funding related to improvements and the provision of wastewater to PDD 11 and legal issues related Bunker Ranch annexation and zoning.** *Consultation with City Attorney, 551.071*

The City Council met in Executive Session from 7:20 – 8:45 p.m.

No vote or action was taken during Executive Session. Mayor Foulds, Jr. returned the meeting to Open Session at 8:45 p.m.

UPCOMING MEETINGS

City Council Meetings

August 17, 2021 at 6:00 p.m.

September 7, 2021 at 6:00 p.m.

September 21, 2021 at 6:00 p.m.

Board, Commission & Committee Meetings

September 8, 2021, Utility Commission at 4:00 p.m.

September 13, 2021, TIRZ No. 1 & No. 2 Board at 4:00 p.m.

September 13, 2021, Founders Day Commission at 6:30 p.m.

September 14, 2021, Planning & Zoning Commission at 6:30 p.m.

September 16, 2021, Farmers Market Association Board at 10:00 a.m.

September 16, 2021, Emergency Management Commission at 12:00 p.m.

ADJOURN

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

This regular meeting adjourned at 8:46 p.m.

APPROVED ON: August 17, 2021

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary