



City Council Regular Meeting

City of Dripping Springs Council Chambers

511 Mercer Street - Dripping Springs, TexasTexas

Tuesday, March 05, 2024, at 6:00 PM

MINUTES

CALL TO ORDER & ROLL CALL

With a quorum of the City Council present, Mayor Foulds, Jr., called the meeting to order at 6:05 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 Travis Crow
Council Member Place 5 Sherrie Parks

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
Deputy City Attorney Aniz Alani
City Secretary Andrea Cunningham
IT Director Jason Weinstock
People & Communications Director Lisa Sullivan
Planning Director Tory Carpenter
Parks & Community Services Director Andy Binz
Community Events Coordinator Johnna Krantz
Building Official Shane Pevehouse
Planning & Zoning Commission Vice Chair Tammie Williamson
Financial Advisor Chris Lane

PLEDGE OF ALLEGIANCE

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

PRESENTATION OF CITIZENS

A member of the public that wishes to address the City Council on any issue, regardless of whether it is posted on this agenda, may do so during Presentation of Citizens. It is the request of the City Council that individuals wishing to speak on agenda items with a public hearing hold their comments until the item is being considered. Individuals are allowed two (2) minutes each to speak and may not cede or pool time. Those requiring the assistance of a translator will be allowed additional time to speak. Individuals are

not required to sign in; however, it is encouraged. Individuals that wish to share documents with the City Council must present the documents to the City Secretary or City Attorney providing at least seven (7) copies; if seven (7) copies are not provided, the City Council will receive the documents the following day. Audio Video presentations will not be accepted during Presentation of Citizens. By law no action shall be taken during Presentation of Citizens; however, the Mayor may provide a statement of specific factual information, recitation of existing policy, or direction or referral to staff.

The following individuals spoke regarding the Texas Department of Transportation plan for the Highway 290 Expansion and expressed their opposition to the plan citing: absence of public hearings and direct community communication and engagement, overall size and scope of project to large for the area, devastation to hill country views and scenery, issues with traffic density and high speed accidents, and loss of small town.

Yousif Seedhom
Eli del Angel
Eli Alford
Peter Silvester

Kurt Swogger
Lyle Shanley
Dennis Robles
Trish Ladan

Lauren Naylor
Rae Ann Shanley
David Henderson

CONSENT AGENDA

The following items will be acted upon in a single motion and are considered to be ministerial or routine. No separate discussion or action on these items will be held unless pulled at the request of a member of the City Council or City staff.

- 1. Approval of the February 20, 2024, City Council regular meeting minutes.**
- 2. Approval of Rate Increase from Bojorquez Law Firm, P.C. Sponsor: Mayor Bill Foulds, Jr.**
- 3. Approval of a Resolution approving the Traffic Control Plan for Road Closures Related to the April 8, 2024 Total Eclipse. Sponsor: Council Member Sherrie Parks**

Filed as Resolution No. 2024-R05

- 4. Approval of a Resolution finding that the Founders Day Parade Scheduled to be held on Friday, April 26, 2024, in and near the City, serves a Valid and Legitimate Public Purpose, and Authorizing the City's Support of and Cooperation with the Event and adopting the Founders Day Festival Traffic and Security Plan. Sponsor: Council Member Sherrie Parks**

Filed as Resolution No. 2024-R05

- 5. Approval of a Founders Day Participation Agreement between the City of Dripping Springs and the Dripping Springs Lions Club regarding Food Vendors for the 2024 Founders Festival. Sponsor: Council Member Sherrie Parks**

6. **Approval of a Founders Day Participation Agreement between the City of Dripping Springs and the Dripping Springs Cook-Off Club regarding Cooker's Booths for the 2024 Founders Day Festival.** *Sponsor: Council Member Sherrie Parks*
7. **Approval of an Agreement between the Dripping Springs Independent School District, Dripping Springs Lions Club, and the City of Dripping Springs related to property use for the 2024 Founders Day Festival.** *Sponsor: Council Member Sherrie Parks*
8. **Approval of a Founders Day Participation Agreement between the City of Dripping Springs and St. Martin de Porres Catholic Church regarding Arts & Crafts Booths for the 2024 Founders Day Festival.** *Sponsor: Council Member Sherrie Parks*
9. **Approval of a Founders Day Participation Agreement between the City of Dripping Springs and the Dripping Springs Lions Club regarding the 2024 Founders Day Festival Carnival.** *Sponsor: Council Member Sherrie Parks*
10. **Approval of an Ordinance for the involuntary release of one (1) property from the Extraterritorial Jurisdiction.** *Applicant: Steve Zoerner*

Filed as Ordinance No. 2024-08

A motion was made by Mayor Pro Tem Manassian to approve Consent Agenda Items 1 – 10. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

BUSINESS AGENDA

Council Member Crow recused from this item, stepping down from the dais and exiting the Council Chambers.

11. **Public hearing, discussion, and consideration of approval an Ordinance Authorizing the Issuance of City of Dripping Springs, Texas, Tax Note, Series 2024; Authorizing the Levy of an Ad Valorem Tax in Support of the Note; Authorizing Execution of an Investment Letter and Paying Agent/Registrar Agreement; Awarding the Sale of the Note; and Authorizing Other Matters Related to the Issuance of the Note.** *Sponsor: Mayor Bill Foulds, Jr.*

a. Staff Report – Shawn Cox and Chris Lane presented the staff report which is on file. Chris Lane clarified that Amegy is callable at any time and reviewed the received bids. Staff recommends awarding the bid to Amegy Bank.

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

c. Ordinance – A motion was made by Mayor Pro Tem Manassian to approve an Ordinance Authorizing the Issuance of City of Dripping Springs, Texas, Tax Note, Series 2024; Authorizing the Levy of an Ad Valorem Tax in Support of the Note; Authorizing Execution of an Investment Letter and Paying Agent/Registrar Agreement; Awarding the Sale of the Note; and Authorizing Other Matters Related to the Issuance of the Note and working with Amegy Bank. Council Member King seconded the motion which carried 4 to 0 to 1, with Council Member Crow recused.

Filed as Ordinance No. 2024-09

Council Member Crow returned to the Council Chambers and took his seat at the dais.

- 12. Discuss and consider approval of an Appeal from Site Development Fees for property located in the City of Dripping Springs ETJ (extraterritorial jurisdiction).** *Applicant: Jarrett Halley, EI*

Tory Carpenter presented the staff report which is on file. Staff recommends approval of the appeal and direction on fees for site development in the ETJ.

A motion was made by Council Member Tahuahua to approve an Appeal from Site Development Fees for property located in the City of Dripping Springs ETJ (extraterritorial jurisdiction) for a twenty percent (20%) reduction in fees, with direction to staff to prepare an ordinance regarding separate ETJ and City Limit fees to include a twenty percent (20%) reduction for properties in the ETJ . Mayor Pro Tem Manassian seconded the motion which carried unanimously 5 to 0.

- 13. Public hearing, discussion, and consideration of approval of proposed amendments to the Standards of Care Ordinance, Chapter 16 Public Ways and Places, Article 16.02. Parks and Recreation, Division 3. Youth Programs' Standards of Care.** *Sponsor: Council Member Sherrie Parks*

a. Staff Report – Andy Binz presented the staff report which is on file. Staff recommends approval of the amendments.

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

c. Ordinance – A motion was made by Council Member Parks to approve proposed amendments to the Standards of Care Ordinance, Chapter 16 Public Ways and Places, Article 16.02. Parks and Recreation, Division 3. Youth Programs' Standards of Care. Council Member Crow seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2024-10

- 14. Discuss and consider approval of extending a Road Closure Agreement between the City of Dripping Springs and the Texas Department of Transportation for the 2024 Founders Day Festival.** *Sponsor: Council Member Sherrie Parks*

Johnna Krantz presented the staff report which his on file. Staff recommends approval of the agreement.

A motion was made by Council Member Parks to approve a Road Closure Agreement between the City of Dripping Springs and the Texas Department of Transportation for the 2024 Founders Day Festival. Mayor Pro Tem Manassian seconded the motion which carried unanimously 5 to 0.

15. Discuss and consider approval of Award of Agreement from received bids for Founders Sidewalk Connectivity Project. Sponsor: Council Member Wade King

Shawn Cox presented the staff report which is on file. Staff recommends approval of DigDug for the project.

A motion was made by Mayor Pro Tem Manassian to approve Award of Agreement for Founders Sidewalk Connectivity Project to DigDug Construction, with authorization to staff to prepare a Professional Services Agreement and authorization to City Administrator to execute the agreement upon approval by the City Attorney. Council Member King seconded the motion which carried unanimously 5 to 0.

16. Public hearing, discussion, and consideration of approval of an Ordinance repealing and replacing Article 28.06 Landscaping and Tree Preservation, including changing procedures, tree preservation requirements, and landscaping changes. Sponsor: Mayor Pro Tem Taline Manassian

a. Staff Report – Laura Mueller presented the staff report which is on file and Planning & Zoning Commission Vice Chair Tammie Williamson was available for questions. Staff recommends approval of the ordinance.

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

c. Ordinance – A motion was made by Mayor Pro Tem Manassian to approve an Ordinance repealing and replacing Article 28.06 Landscaping and Tree Preservation, including changing procedures, tree preservation requirements, and landscaping changes, with the condition that staff inset corrections noted by Council Member Tahuahua regarding Root Zone, and that 5(a) should read seventy-five percent (75%) and radial distance should be removed. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2024-11

17. Public hearing, discussion, and consideration of approval of an Ordinance Approving a Master Sign Plan for Trailhead Market. Applicant: Carrie Wood, Ion Art

a. Applicant Presentation – Carrie Wood gave a presentation which is on file.

b. Staff Report – Shane Pevehouse presented the staff report which is on file. Staff recommends approval of the ordinance.

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

d. Ordinance – A motion was made by Council Member King to approve an Ordinance Approving a Master Sign Plan for Trailhead Market. Council Member Parks seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2024-12

18. Public hearing, discussion, and consideration of approval of an Ordinance Approving a Master Sign Plan for Cannon Ranch. Applicant: Cynthia McCalmont, SEC Planning

- a. Applicant Presentation** – Cynthia McCalmont gave a presentation which is on file.
- b. Staff Report** – Shane Pevehouse presented the staff report which is on file. Staff recommends approval of the ordinance, and the Parks & Recreation Commission also recommended approval.
- c. Public Hearing** – No one spoke during the Public Hearing.
- d. Ordinance** – A motion was made by Mayor Pro Tem Manassian to approve an Ordinance Approving a Master Sign Plan for Cannon Ranch. Council Member Parks seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2024-13

19. Public Hearing, discussion, and consideration of a proposed amendment to the Fiscal Year 2024 Budget regarding the purchase of Holiday Decorations. Sponsor: Mayor Bill Foulds, Jr.

- a. Staff Report** – Shawn Cox presented the staff report which is on file. Staff recommends approval of the amendment.
- b. Public Hearing** – No one spoke during the Public Hearing.
- c. Ordinance** – A motion was made by Mayor Pro Tem Manassian to approve an amendment to the Fiscal Year 2024 Budget regarding the purchase of Holiday Decorations. Council Member Parks seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2024-14

20. Discuss and consider adoption of the City of the Dripping Springs Budget Calendar for Fiscal Year 2025. Sponsor: Mayor Bill Foulds, Jr.

Shawn Cox presented the staff report which is on file. Staff recommends approval of the budget calendar.

A motion was made by Mayor Pro Tem Manassian to approve the Dripping Springs Budget Calendar for Fiscal Year 2025. Council Member King seconded the motion which carried 4 to 1 to 0, with Council Member Tahuahua opposed.

21. Public hearing, discussion, and consideration of approval of an Ordinance amending Chapter 1, Section 1.02.045(a) City Council Boards and Commissions, and regarding Mayoral appointments to City of Dripping Springs Committees; and the Mayoral appointment of a City Council member and Chair to the Emergency Management Committee. Council Member Geoffrey Tahuahua

a. Staff Report – Andrea Cunningham 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

d. Appointment

A motion was made by Mayor Pro Tem Manassian to approve an Ordinance amending Chapter 1, Section 1.02.045(a) City Council Boards and Commissions, and regarding Mayoral appointments to City of Dripping Springs Committees; and the appointment of a Council Member Tahuahua as the Chair of the Emergency Management Committee. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2024-15

A motion was made by Mayor Pro Tem Manassian to adjourn into Closed Session under Texas Government Code Sections 551.071, Consultation with Attorney and 551.072, Deliberation of Real Property, and regarding Closed Session Agenda Item 22. Council Member Crow seconded the motion which carried unanimously 5 to 0.

CLOSED SESSION

The City Council has the right to adjourn into closed session on any item on this agenda and at any time during the course of this meeting to discuss any matter as authorized by law or by the Open Meetings Act, Texas Government Code Sections 551.071 (Consultation With Attorney), 551.072 (Deliberation Regarding Real Property), 551.073 (Deliberation Regarding Prospective Gifts), 551.074 (Personnel Matters), 551.076 (Deliberation Regarding Security Devices or Security Audits), and 551.087 (Deliberation Regarding Economic Development Negotiations), and 551.089 (Deliberation Regarding Security Devices or Security Audits). Any final action or vote on any Closed Session item will be taken in Open Session.

Council Member Crow recused from Closed Session, stepping off the dais and exiting the Council Chambers.

- 22. 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**
- 23. Consultation with Attorney and Deliberation of Real Property regarding financing for the acquisition of public property. Consultation with Attorney, 551.071 and Deliberation Regarding Real Property, 551.072**

The City Council met in Closed Session from 7:51 p.m. – 8:11 p.m.

No vote or action was taken during Closed Session. Mayor Foulds, Jr. returned the meeting to Open Session at 8:11 p.m.

Council Member Crow did not return to the Council Chambers for the remainder of the meeting.

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

March 19, 2024, at 6:00 p.m. (CC)

April 2, 2024, at 6:00 p.m. (CC & BOA)

April 16, 2024, at 6:00 p.m. (CC)

Board, Commission, & Committee Meetings

March 7, 2024, Historic Preservation Commission at 4:00 p.m.

March 11, 2024, Founders Day Commissioner at 6:30 p.m.

March 13, 2024, DSRP Board at 11:00 a.m.

March 18, 2024, TIRZ Board at 4:00 p.m.

March 20, 2024, Parks & Recreation Commission at 6:00 p.m.

March 21, 2024, Farmers Market Committee at 10:00 a.m.

March 21, 2024, Emergency Management Committee at 12:00 p.m.

March 21, 2024, Utility Commission at 4:00 p.m.

ADJOURN

A motion was made by Mayor Pro Tem Manassian to adjourn the meeting. Council Member Tahuahua seconded the motion which carried unanimously 4 to 0.

This regular meeting adjourned at 8:11 p.m.

APPROVED ON: *April 2, 2024*

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary