



CITY COUNCIL & BOARD OF ADJUSTMENT WORKSHOP & REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St - Dripping Springs, TX

Tuesday, August 11, 2020 at 6:00 PM

MINUTES

MEETING SPECIFIC VIDEOCONFERENCE INFORMATION

Join Zoom Meeting:

<https://us02web.zoom.us/j/89355013054?pwd=cnpKOFICQ3IweTNKTEFxQzhqS2xCZz09>

Meeting ID: 893 5501 3054

Passcode: 750828

Dial Toll Free:

877 853 5257 US Toll-free

888 475 4499 US Toll-free

Find your local number: <https://us02web.zoom.us/u/kRmWVoux>

Join by Skype for Business: <https://us02web.zoom.us/skype/89355013054>

CALL TO ORDER AND ROLL CALL

City Council Members present were:

Mayor Bill Foulds, Jr.

Mayor Pro Tem Taline Manassian

Council Member Place 2 Wade King

Council Member Place 3 Todd Purcell

Council Member Place 4 April Harris Allison

Council Member Place 5 Travis Crow

Staff, Consultants & Appointed Officials present were:

City Administrator Michelle Fischer

Deputy City Administrator Ginger Faught

City Attorney Laura Mueller

City Treasurer Gina Gillis

City Secretary Andrea Cunningham

Parks & Community Services Director Kelly Schmidt

Senior Planner Amanda Padilla

City Engineer Chad Gilpin

Communications Director Lisa Sullivan

Emergency Management Coordinator Roman Baligad

Planning Consultant Robyn Miga

Planning & Zoning Commission Chair Mim James
TIRZ Project Manager Keenan Smith

With a quorum of the City Council present, Mayor Foulds called the meeting to order at 6:00 p.m.

WORKSHOP

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

1. Discussion regarding the Fiscal Year 2020-2021 Municipal Budget and 2020 Ad Valorem Tax Rate.

Gina Gillis presented the staff report which is on file.

Via unanimous consent the City Council heard the Presentation on Hays County Parks & Open Space Commission's Recommended Projects submitted by the City of Dripping Springs, the Dripping Springs Skate Park Inc., and TIRZ Board No. 1 & 2.

Kelly Schmidt, Michelle Fischer and Keenan Smith presented the staff report which is on file.

A motion was made by Mayor Pro Tem Manassian to recess the meeting to 6:30 p.m. Council Member Crow seconded the motion which carried unanimously 5 to 0.

The City Council recessed 6:25 - 6:30 p.m.

Mayor Foulds returned the meeting to Open Session at 6:30 p.m.

CITY COUNCIL & BOARD OF ADJUSTMENT REGULAR MEETING

PLEDGE OF ALLEGIANCE

Mayor Foulds led the Pledge of Allegiance to the Flag.

PROCLAMATIONS & PRESENTATIONS

No action to be taken on proclamations and presentations. The City Council may choose to discuss and take public comment on these items as necessary.

2. Presentation on Hays County Parks & Open Space Commission's Recommended Projects submitted by the City of Dripping Springs, the Dripping Springs Skate Park Inc., and TIRZ Board No. 1 & 2.

This item was presented during the Workshop, and the staff report is on file and available for review upon request.

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.

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 July 14, 2020 City Council & Board of Adjustment Workshop & Regular Meeting Minutes and the July 21, 2020 City Council Regular Meeting Minutes.**
- 4. Approval of the July 2020 City Treasurer's Report.**
- 5. Approval a Resolution of the City Council of the City of Dripping Springs, Texas approving a DSRP Sponsorship Policy to Allow the Dripping Springs Ranch Park Board to recommend, and the City Council to approve, Certain Requests for Reduced Fees for Dripping Springs Ranch Park Use.**
Filed as Resolution No. 2020-R33
- 6. Approval of a Resolution Accepting Improvements and Approving and Accepting a Maintenance Bond for Western Springs Apartments Wastewater Improvements.**
Filed as Resolution No. 2020-R34
- 7. Approval of Revised Job Description for the Dripping Springs Ranch Park Event Center Coordinator.**

A motion was made by Mayor Pro Tem Manassian to approve Consent Agenda Items 3 – 7. Council Member King seconded the motion which carried unanimously 5 to 0.

BOARD OF ADJUSTMENT

CALL TO ORDER AND ROLL CALL

Board Members present were.:

Chair Bill Foulds, Jr.

Board Member Taline Manassian

Board Member Wade King

Board Member Todd Purcell

Board Member April Harris-Allison

BOARD OF ADJUSTMENT AGENDA

8. **Public hearing and consideration of *postponement* regarding VAR2020-0013: Special Exception Application to consider a special exception request to reduce the side setback to five (5) feet for two (2) corner lots within the Planned Development District No. 10 (PDD 10) at the properties located at 133 Dome Peak Terrace and 159 Delaware Mountains Terrace (Lot 9, Block 9 and Lot 9, Block 10 of Big Sky Ranch, Phase 1). Applicant: Christopher A. Reid, PE**

a) Presentation

Rex Baker, Applicant Attorney, presented the item and was available for questions.

b) Staff Report

Amanda Padilla presented the staff report which is on file. Staff recommends postponement of the item.

c) Planning & Zoning Commission Report

Chair James: Commission recommended postponement to the August 25th Planning & Zoning Commission and requested that the applicant provide alternatives to the variance.

d) Public Hearing

No one spoke during the Public Hearing.

e) Special Exception

A motion was made by Board Member Manassian to postpone VAR2020-0013: Special Exception Application to consider a special exception request to reduce the side setback to five (5) feet for two (2) corner lots within the Planned Development District No. 10 (PDD 10) at the properties located at 133 Dome Peak Terrace and 159 Delaware Mountains Terrace (Lot 9, Block 9 and Lot 9, Block 10 of Big Sky Ranch, Phase 1) to the September 8, 2020 Board of Adjustment regular meeting. Board Member Harris-Allison seconded the motion which carried unanimously 6 to 0.

CITY COUNCIL

BUSINESS AGENDA

9. **Public hearing and consideration of approval of an Ordinance regarding CUP2020-0007: Application for a Conditional Use Permit to allow the Use Mini-Warehouse – Self Storage located at 2300 W US Hwy 290, Dripping Springs TX 78620, which is Zoned Commercial Services. Applicant: Glenda Jacoby**

a) Presentation

Applicant Glenda Jacoby was available for questions and stated that she has submitted all documentation related to the Planning & Zoning Commission recommendation.

b) Staff Report

Robyn Miga presented the staff report which is on file. Staff recommends approval of the conditional use permit with the following conditions:

1. All signage on the site that does not comply with the city's ordinances today be removed and replaced with signs that meet code requirements today;
2. The site be required to comply with the city's lighting ordinance; - Landscaping be required to be planted along the frontage of U.S. 290, including improving the appearance of the drainage pond that's located adjacent to U.S. 290;
3. U-Hauls are not stored where they can be seen from U.S. 290;
4. The area shown for RV Storage shall comply with Section 5.13, Open Storage, of the city's code of ordinances, as well as comply with zoning regulations for the Commercial Services District, which does not allow for more than 5% of the property to be utilized as open storage; and
5. The property will be required to work with the city's architect regarding exterior design requirements for the proposed structures in order to be compliant with Article 24.03 of the city's code.

c) Planning & Zoning Commission Report

Chair James: Commission recommended approval with staff recommendations 6 to 0 to 1, with Commissioner Strong abstaining. Conditions include amending Staff Condition No. 3 to read "No more than two (2) U-Hauls are not stored where they can be seen from U.S. 290", and that City Engineer address drainage concerns and parking during Site Development Plan Review.

d) Public Hearing

No one spoke during the Public Hearing.

e) Ordinance for Conditional Use Permit

A motion was made by Mayor Pro Tem Manassian to approve CUP2020-0007: Application for a Conditional Use Permit to allow the Use Mini-Warehouse – Self Storage located at 2300 W US Hwy 290, Dripping Springs TX 78620 with direction to the City Engineer to address drainage and parking during site plan review and with the following conditions:

1. All signage on the site that does not comply with the city's ordinances today be removed and replaced with signs that meet code requirements today;
2. The site be required to comply with the city's lighting ordinance; - Landscaping be required to be planted along the frontage of U.S. 290, including improving the appearance of the drainage pond that's located adjacent to U.S. 290;
3. No more than two U-Hauls to be stored where they can be seen from U.S. 290;

4. The area shown for RV Storage shall comply with Section 5.13, Open Storage, of the city's code of ordinances, as well as comply with zoning regulations for the Commercial Services District, which does not allow for more than 5% of the property to be utilized as open storage; and
5. The property will be required to work with the city's architect regarding exterior design requirements for the proposed structures in order to be compliant with Article 24.03 of the city's code.

Council Member Harris-Allison seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2020-41

10. **Discuss and consider the Appointment of one individual to the Utility Commission as a representative of the Hays Trinity Groundwater Conservation District and for a term ending June 30, 2022.**

Mayor Foulds presented the item and the staff report is on file.

A motion was made by Mayor Pro Tem Manassian to appoint Jeff Foremen to the Utility Commission as the Hays Trinity Groundwater Conservation District Representative for a term ending June 30, 2022. Council Member King seconded the motion which carried unanimously 5 to 0.

BUDGET

11. **Public hearing and consideration of approval of an Ordinance enacting the Municipal Budget for Fiscal Year 2020-2021; funding municipal purposes; authorizing expenditures; providing for the following: findings of fact: enactment; filing of budget; repealer; severability; effective date; and proper notice and meeting.**

a) Staff Report

Gina Gillis presented the staff report which is on file and available for review upon request.

b) Public Hearing

Victoria Chips spoke during the Public Hearing and expressed opposition to Parks expenditures and asked about Transportation Infrastructure projects.

c) Budget Ordinance

A motion was made by Council Member Purcell to approve an Ordinance enacting the Municipal Budget for Fiscal Year 2020-2021; funding municipal purposes; authorizing expenditures; providing for the following: findings of fact: enactment; filing of budget; repealer; severability; effective date; and proper notice and meeting. Mayor Pro Tem Manassian seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2020-42

12. **Public Hearing on an Ordinance approving the 2020 Ad Valorem Tax Rate and Levy of .2026 per one hundred dollars (\$100.00) of assessed valuation of all taxable property**

within the Corporate City Limits; providing for penalties and interest; and providing for the following: findings of fact; severability; savings clause; publication and effective date.

a) Staff Report

Gina Gillis presented the staff report. Staff recommends that the City maintain the tax rate of .19 per \$100.00 of valuation, and to postpone action to August 18, 2020.

b) Public Hearing

Mayor Foulds opened the Public Hearing for a proposed rate of .19 per \$100 of assessed valuation. No one spoke during the Public Hearing.

c) Tax Rate Ordinance

A motion was made by Council Member Harris-Allison to postpone consideration of an Ordinance approving the 2020 Ad Valorem Tax Rate and Levy of .2026 per one hundred dollars (\$100.00) of assessed valuation of all taxable property within the Corporate City Limits; providing for penalties and interest; and providing for the following: findings of fact; severability; savings clause; publication and effective date to the August 18, 2020 Regular City Council Meeting. Council Member King seconded the motion which carried unanimously 5 to 0.

13. Discuss and consider approval of a Resolution ratifying the Municipal Budget for Fiscal Year 2020-2021; funding municipal purposes; authorizing expenditures; filing of budget; repealer; severability; effective date; and proper notice.

A motion was made by Council Member Harris-Allison to postpone consideration of a Resolution ratifying the Municipal Budget for Fiscal Year 2020-2021; funding municipal purposes; authorizing expenditures; filing of budget; repealer; severability; effective date; and proper notice to the August 18, 2020 Regular City Council Meeting. 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.

14. Transportation Committee Monthly Report

Jim Martin, Interim Chair

15. Economic Development Committee Report

Kim Fernea, Committee Chair

16. Maintenance & Facilities Monthly Report

Craig Rice, Maintenance Director

17. Parks & Community Services Monthly Report

Kelly Schmidt, Parks & Community Services Director

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.

A motion was made by Mayor Pro Tem Manassian to adjourn into Executive Session under Texas Government Codes Sections 551.071, Consultation with City Attorney and 551.072, Deliberation of Real Property, and regarding Executive Session Agenda Items 19 and 21. Council Member Harris-Allison seconded the motion which carried unanimously 5 to 0.

- 18. Consultation with City Attorney regarding legal issues related to Emergency Management, Disaster Declaration, and Emergency Orders.** *Consultation with City Attorney, 551.071*
- 19. Deliberation of Real Property and Consultation with City Attorney regarding legal issues related to Real Property for the Tax Increment Reinvestment Zone including the Town Center Project and uses and real property in the Triangle and Veterans Memorial Park.** *Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072*
- 20. Deliberate employment, evaluation, duties, and compensation for the following: City Administrator; Deputy City Administrator; City Attorney; Executive Assistant; City Secretary & Municipal Court Clerk; Records Management Clerk; Finance Director; Accounting Clerk; Accounts Receivable Clerk; Communications Director; Receptionist; Information Technology Coordinator; IT Intern; Senior Planner; Planning Assistant Brandon Elliott; Planning Assistant Alicia Lundy-Morse; GIS Analyst; Planning & Development Intern; Emergency Management Coordinator; Public Works Coordinator; Code Enforcement Inspector; Building Official & Utility Coordinator; Building Permit Technician; Residential Plans Examiner & Inspector; Maintenance Director; Maintenance Workers Jim Bass, Sesario Garza, Timothy Tyree, and Bill Stevens; Maintenance & Service Worker; Parks & Community Services Director; Events & Programs Specialist; Program Event Coordinator; Farmers Market Manager; Founders Pool Manager; DSRP Event Center Manager; DSRP Event Center Coordinator; DSRP Customer Service Specialist; DSRP Lead Ranch Hand; DSRP Ranch Hands Sheri Kapanka, Sean Untersee, and Joseph Schorp; DSRP Event Center Technician.** *Personnel Matters, 551.074*
- 21. Consultation with City Attorney regarding legal issues related to VAR2020-0013 for the Big Sky Subdivision.** *Consultation with City Attorney, 551.071*

The City Council met in Executive Session from 7:30 p.m. to 7:49 p.m. No vote or action was taken during Executive Session.

Mayor Foulds returned the meeting to Open Session at 7:49 p.m.

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

August 18, 2020 at 6:00 p.m.

September 8, 2020 at 6:00 p.m. (Workshop 6:00 / Regular Meeting 6:30)

September 15, 2020 at 6:00 p.m.

Board, Commission & Committee Meetings

August 12, 2020 Utility Commission at 4:00 p.m.

August 18, 2020 Emergency Management Commission at 12:00 p.m.

ADJOURN

A motion was made by Council Member Purcell to adjourn the meeting. Council Member King seconded the motion which carried unanimously 5 to 0.

This regular meeting adjourned at 7:50 p.m.

APPROVED ON: September 8, 2020

Bill Foulds, J., Mayor

ATTEST:

Andrea Cunningham, City Secretary