



CITY COUNCIL REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, December 21, 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 & Marketing Director Lisa Sullivan
Planning Director Howard Koontz
Senior Planner Tory Carpenter
Planning Assistant Warlan Rivera
Public Works Director Aaron Reed
Planning & Zoning Commission Chair Mim James
TIRZ No. 1 & No. 2 Board Chair Dave Edwards
TIRZ Project Manager Keenan Smith

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Manassian led the Pledge of Allegiance.

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.

PRESENTATIONS

- 1. TIRZ Priority Projects Presentation.** *Keenan Smith, TIRZ Project Manager.*

Dave Edwards introduced the item.

Keenan Smith gave a 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.

Mayor Foulds, Jr. noted that Item 7 should regard the November 2021 report which is attached to the agenda packet.

- 2. Approval of the December 7, 2021, City Council regular meeting minutes.**
- 3. Approval of a Resolution Accepting Improvements and Approving a Maintenance Bond for Caliterra Phase 4 Section 11 Wastewater Improvements and Releasing a Construction Bond.**

Filed as Resolution No. 2021-R42

- 4. Approval of a Commercial Lease Agreement between the City of Dripping Springs and the Dripping Springs Visitors Bureau for property located at 511 Mercer Street, Dripping Springs, Texas, and commonly known as Dear Hall. Sponsor: Mayor Pro Tem Manassian.**
- 5. Approval of a Commercial Lease Agreement between the City of Dripping Springs and the Dripping Springs Chamber of Commerce for property located at 511 Mercer Street, Dripping Springs, Texas, and commonly known as Dear Hall. Sponsor: Mayor Pro Tem Manassian.**

6. **Approval of assignment of various CMA Engineering Contracts to Burgess & Niple with current engineer Robby Callegari, P.E.**
7. **Approval of the September 2021 City Treasurer's Report.**
8. **Approval of Amendments to Task Order No. 1 regarding the East Interceptor and Task Order No. 2 regarding the West Interceptor and the related Professional Services Agreement between the City of Dripping Springs and HDR Engineering, Inc. Sponsor: Mayor Bill Foulds, Jr.**

A motion was made by Council Member Tahuahua to approve Consent Agenda Items 1 – 8 with corrected minutes as presented. Council Member Parks seconded the motion which carried unanimously 5 to 0.

BUSINESS AGENDA

9. **Public hearing and consideration of approval of an Ordinance regarding ZA2021-0005: an application to consider a proposed zoning map amendment from Single Family- Low Density (SF-1) to Manufactured Home (MH) for approximately 2.279 acres out of the Phillip A. Smith Survey located at 910 Creek Road. Applicant: Jon Thompson**

a. Presentation – Jon Thompson presented the item. Property owners Michael and Sumer Scott spoke regarding the item.

b. Staff Report – Tory Carpenter presented the staff report which is on file. Staff recommends approval of the zoning amendment.

c. Planning & Zoning Commission Report – Chair James presented the report. The Commission recommended approval 6 to 0.

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

e. Ordinance – A motion was made by Council Member King to approve ZA2021-0005: an application to consider a proposed zoning map amendment from Single Family- Low Density (SF-1) to Manufactured Home (MH) for approximately 2.279 acres out of the Phillip A. Smith Survey located at 910 Creek Road. Council Member Harris-Allison seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2021-50

10. **Public hearing and consideration of approval of an Ordinance regarding ZA2021-0010: an application to consider a proposed zoning map amendment from Manufactured Home (MH) to General Retail (GR) for an approximately 1.44 acres consisting of lots 1, 2, 3, 26, 27, and 28, block C out of the North Forty Section 2 subdivision located at the intersection of Ranch Road 12 and Timberline Drive. Applicant: Gilbert J. Guerra, P.E., Rio Delta Engineering.**

a. Presentation – Gilbert Guerra was present and available for questions from the City Council.

b. Staff Report – Tory Carpenter presented the staff report which his on file. Staff recommends approval of the zoning amendment.

c. Planning & Zoning Commission Report – Chair James presented the report. The Commission recommended approval 4 to 0.

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

e. Ordinance – A motion was made by Council Member Tahuahua to approve ZA2021-0010: an application to consider a proposed zoning map amendment from Manufactured Home (MH) to General Retail (GR) for an approximately 1.44 acres consisting of lots 1, 2, 3, 26, 27, and 28, block C out of the North Forty Section 2 subdivision located at the intersection of Ranch Road 12 and Timberline Drive. Council Member Parks seconded the motion which carried 3 to 2, with Mayor Pro Tem Manassian and Council Member King opposed.

Filed as Ordinance No. 2021-51

- 11. Public hearing and consideration of approval of an Ordinance regarding ZA2021-0009: an application for an amendment to the Shops at Highpointe Conditional Overlay for an approximately 10.0 acres of land out of tract A of the Sawyer Springs Subdivision located at the corner of US 290 and Sawyer Ranch Road. Applicant: JD Dudley, QuikTrip Corporation.**

The applicant withdrew their application for amendment to the Shops at Highpointe Conditional Overlay. Mayor Foulds, Jr. held the Public Hearing to which no one spoke, and no action was taken.

- a. Presentation**
- b. Staff Report**
- c. Planning & Zoning Commission Report**
- d. Public Hearing**
- e. Ordinance**

- 12. Discuss and consider approval of an Ordinance amending the City of Dripping Springs Fee Schedule to include Water Meter and Inspection Fees.**

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

A motion was made by Mayor Pro Tem Manassian to approve an Ordinance amending the City of Dripping Springs Fee Schedule to include Water Meter and Inspection Fees. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2021-52

- 13. Discuss and consider an ordinance amending Article 2.04 of the Dripping Springs Code of Ordinances as it relates to the Emergency Management Commission meetings and authority. Sponsor: Councilmember Harris-Allison.**

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

A motion was made by Council Member Harris-Allison to approve an ordinance amending Article 2.04 of the Dripping Springs Code of Ordinances as it relates to the Emergency Management Commission meetings and authority. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2021-53

- 14. Discuss and consider approval of the Appointment of Bonnie Humphrey, Bill Little, Gordon DeWitte and Russell Paxton to the Emergency Management Commission for terms ending January 1, 2024; and Appointment of a Chair and Vice Chair to serve for a term concurrent with their respective seat expiration.**

No action was taken on this item.

A motion was made by Mayor Pro Tem Manassian to adjourn into Executive Session under Texas Government Code Section 551.071, Consultation with City Attorney and regarding Executive Session Agenda Items 18 – 20. Council Member King seconded the motion which carried unanimously 5 to 0.

- 18. Consultation with City Attorney regarding to legal issues related to the extension of benefits under current agreements with the Visitors Bureau. 551.071, Consultation with Attorney**
- 19. Consultation with City Attorney regarding legal issues related to planning matters, wastewater capacity, comprehensive plan, and processes related to approvals. 551.071, Consultation with City Attorney**
- 20. Consultation with City Attorney on legal issues related to an Amended Interlocal Agreement with Hays County as it relates to subdivision review in the extraterritorial jurisdiction. 551.071, Consultation with Attorney**

The City Council met in Executive Session from 7:25 p.m. – 8:05 p.m.

No action or vote was taken during Executive Session. Mayor Foulds, Jr. returned the meeting to Open Session.

OPEN SESSION

- 15. Discuss and consider possible action regarding a Request for Resolution and Agreement related to extension of health benefits to the Dripping Springs Visitors Bureau under current City contract with Texas Municipal League Health Benefits Pool.**

A motion was made by Mayor Pro Tem Manassian to authorize staff to prepare a resolution and agreement for City Council consideration related to the extension of health benefits to the Dripping Springs Visitors Bureau under current City contract with Texas Municipal League Health Benefits Pool. Council Member Harris-Allison seconded the motion which carried unanimously 5 to 0.

REPORTS

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

Reports are on file and available for review upon request.

16. Parks & Community Services November 2021 Director's Report

Kelly Schmidt, PCS Director

17. Planning Report: Moratorium

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.

18. Consultation with City Attorney regarding to legal issues related to the extension of benefits under current agreements with the Visitors Bureau. 551.071, Consultation with Attorney

19. Consultation with City Attorney regarding legal issues related to planning matters, wastewater capacity, comprehensive plan, and processes related to approvals. 551.071, Consultation with City Attorney

20. Consultation with City Attorney on legal issues related to an Amended Interlocal Agreement with Hays County as it relates to subdivision review in the extraterritorial jurisdiction. 551.071, Consultation with Attorney

The City Council met in Executive Session earlier in the meeting.

UPCOMING MEETINGS

City Council & Board of Adjustment Meeting

December 28, 2021, at 5:00 p.m. (Exceptions & Waivers)

January 4, 2022, at 6:00 p.m. (CC & BOA)

January 11, 2022, at 5:00 p.m. (Exceptions & Waivers)

January 18, 2022, at 6:00 p.m. (CC)

January 25, 2022, at 5:00 p.m. (Exceptions & Waivers)

Board, Commission & Committee Meetings

December 28, 2021, Planning & Zoning Commission at 6:30 p.m.

January 3, 2022, Parks & Recreation Commission at 6:00 pm.

January 5, 2022, Dripping Springs Ranch Park Board at 12:00 p.m.

January 6, 2022, Historic Preservation Commission at 4:00 p.m.

January 10, 2022, TIRZ No. 1 & No. 2 Board at 4:00 p.m.

January 10, 2022, Founders Day Commission at 6:30 p.m.
January 12, 2022, Utility Commission at 4:00 p.m.

ADJOURN

A motion was made by Council Member Harris-Allison to adjourn the meeting. Council Member Parks seconded the motion which carried unanimously 5 to 0.

This regular meeting adjourned at 8:07 p.m.

APPROVED ON: January 4, 2022

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary