



# **CITY COUNCIL & BOARD OF ADJUSTMENT REGULAR MEETING**

**City of Dripping Springs**

**Council Chambers, 511 Mercer St, Dripping Springs, TX**

**Tuesday, January 12, 2021 at 6:00 PM**

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## **MINUTES**

### **MEETING SPECIFIC VIDEOCONFERENCE INFORMATION**

***Join Zoom Meeting***

<https://us02web.zoom.us/j/86715238174?pwd=Z1ZKdTNNLzloSmcxb2kzViszczZZdz09>

***Meeting ID:*** 867 1523 8174

***Passcode:*** 237984

***Dial Toll Free:***

877 853 5257 US Toll-free

888 475 4499 US Toll-free

***Find your local number:*** <https://us02web.zoom.us/j/86715238174>

***Join by Skype for Business:*** <https://us02web.zoom.us/skype/86715238174>

### **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/Elected Officials present were:***

City Administrator Michelle Fischer

Deputy City Administrator Ginger Faught

City Attorney Laura Mueller

City Treasurer Gina Gillis

Finance Director Shawn Cox

City Secretary Andrea Cunningham

Communications Director Lisa Sullivan

Senior Planner Amanda Padilla

City Engineer Chad Gilpin

Public Works Coordinator Aaron Reed

Parks & Community Services Director Kelly Schmidt  
DSRP Event Center Manager Tina Adams  
Planning & Zoning Commission Chair Mim James  
TIRZ No. 1 & No. 2 Board Chair Dave Edwards  
Parks Planning Consultant Brent Luck  
Planning Consultant Robyn Miga

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

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### **WORKSHOP**

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

1. **Discussion of Proposed Concept Plan for a portion of the Cannon Tract.** *Sponsor: Mayor Foulds.*

Steven Pierce gave a presentation which is on file.

2. **Discussion of Proposed Concept Plan for Cynosure tract also known as Wild Ridge.** *Sponsor: Mayor Foulds.*

Peter Verdichhio presented a video which can be found here:

<https://www.youtube.com/watch?v=ViI6Jhtc1EI>

No action or vote was taken during the Workshop.

The City Council recessed from 7:55 p.m. – 8:07 p.m. Mayor Foulds returned the meeting to Open Session at 8:07 p.m.

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### **CITY COUNCIL REGULAR MEETING**

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#### **PLEDGE OF ALLEGIANCE**

Council Member Purcell 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**

- 3. Proclamation recognizing the Public Service of Mim James for four years of service on the TIRZ No. 1 & No. 2 Board.**

Mayor Pro Tem Taline Manassian read and presented the proclamation to Mim James.

## **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.*

- 4. Approval of the City Council regular meeting minutes of December 8, 2020 and December 15, 2020; and the special meeting minutes of December 22, 2020.**
- 5. Approval of the December 2020 City Treasurer's Report.**
- 6. Approval of a Joint Election Agreement between the City of Dripping Springs and Dripping Springs Independent School District regarding the May 1, 2021 General Municipal Election.**
- 7. Approval of an Election Services Contract between the City of Dripping Springs and Hays County Elections Administrator regarding the May 1, 2021 General Municipal Election.**
- 8. Approval of a Joint Elections Agreement between the City of Dripping Springs and Hays County regarding the May 2021 General Municipal Election.**
- 9. Approval of a Resolution Accepting Improvements as Complete and Approving A Maintenance Bond for Bunker Ranch Subdivision Phase 3 Streets and Drainage Improvements.**
- Filed as Resolution No. 2021-R01**
- 10. Approval of a Resolution Accepting Improvements as Complete and Approving Maintenance Bonds for Arrowhead Ranch Subdivision Phase 4 Streets, Drainage, Wastewater Improvements, and Erosion Control and Releasing a Construction Bond.**

**Filed as Resolution No. 2021-R02**

**11. Approval of a Facility Use Agreement between the City of Dripping Springs and Tiger Splash TAAF Swim Team for use of the Founders Memorial Park Pool for 2021.**

A motion was made by Mayor Pro Tem Manassian to approve Consent Agenda Items 4-11, with amended minutes as circulated. Council Member King seconded the motion which carried unanimously 5 to 0.

**BUSINESS AGENDA**

**12. Public hearing and consideration of approval regarding an Ordinance amending Chapter 30, Exhibit A Zoning Ordinance and Appendix E Zoning Use Regulations to allow an accessory structure use to a principal use in Government/Utility/Institutional Districts.**

*a) Staff report*

Amanda Padilla presented the staff report which is on file. Staff recommends approval of the ordinance.

*b) Planning and Zoning Commission report*

Chair James: Commission recommended approval unanimously 7 to 0.

*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 amending Chapter 30, Exhibit A Zoning Ordinance and Appendix E Zoning Use Regulations to allow an accessory structure use to a principal use in Government/Utility/Institutional Districts. Council Member Harris-Allison seconded the motion which carried 4 to 1, with Council Member Purcell opposed.

**Filed as Ordinance No. 2021-01**

**13. Public hearing and consideration of approval regarding an Ordinance amending Chapter 28, Exhibit A Subdivision Ordinance, Sec 4.10 Revisions to Approved Preliminary Plat to update regulations to major and minor revisions and an Ordinance amending Appendix A: Article A1.000 (General Provisions) of the Dripping Springs Code of Ordinances; Amending the Dripping Springs Fee Schedule Section 4: Subdivision and Section 9: Parks & Recreation to modify fees for preliminary plat reviews.**

*a) Staff report*

Amanda Padilla presented the staff report which is on file. Staff recommends approval of the ordinances.

*b) Planning and Zoning Commission report*

Chair James: Commission recommended approval 6 to 0, with Commission Strong opposed

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

*d) Preliminary Plat Ordinance*

*e) Fee Schedule Ordinance*

A motion was made by Council Member Purcell to approve an Ordinance amending Chapter 28, Exhibit A Subdivision Ordinance, Sec 4.10 Revisions to Approved Preliminary Plat to update regulations to major and minor revisions and an Ordinance amending Appendix A: Article A1.000 (General Provisions) of the Dripping Springs Code of Ordinances; Amending the Dripping Springs Fee Schedule Section 4: Subdivision and Section 9: Parks & Recreation to modify fees for preliminary plat reviews. Mayor Pro Tem Manassian seconded the motion which carried unanimously 5 to 0.

**Filed as Ordinance No. 2021-02 (Preliminary Plat Revisions)**

**Filed as Ordinance No. 2021-03 (Preliminary Plat Fee Schedule Amendment)**

- 14. Public hearing and consideration of approval regarding an Ordinance amending Chapter 28, Article 29.03 Parkland Dedication. The proposed amendment will update regulations, requirements for dedication of Parkland, and criteria for fee-in-lieu, and consideration of an Ordinance amending Appendix A: Article A1:000 (General Provisions) of the Dripping Springs Code of Ordinances; Amending the Dripping Springs Fee Schedule Section 3: Site Development and Section 4: Subdivision and Creation of Park Development Fee Fund.**

*a) Staff report*

Robyn Miga and Brent Luck presented the staff report which is on file. Staff recommends approval of the ordinances.

*b) Planning and Zoning Commission report*

Chair James: Commission recommended approval unanimously 7 to 0.

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

*d) Parkland Dedication Ordinance*

*e) Fee Schedule Ordinance*

A motion was made by Council Member Purcell to approve an Ordinance amending Chapter 28, Article 29.03 Parkland Dedication. The proposed amendment will update regulations, requirements for dedication of Parkland, and criteria for fee-in-lieu, and

consideration of an Ordinance amending Appendix A: Article A1:000 (General Provisions) of the Dripping Springs Code of Ordinances; Amending the Dripping Springs Fee Schedule Section 3: Site Development and Section 4: Subdivision and Creation of Park Development Fee Fund with the condition that the Land Dedication Requirements, Persons per DU be calculated at 2.00 instead of 3.03. Council Member Crow seconded the motion which carried unanimously 5 to 0.

**Filed as Ordinance No. 2021-04 (Parkland Dedication Amendment)**

**Filed as Ordinance No. 2021-05 (Parkland Dedication Fee Schedule Amendment)**

- 15. Discuss and consider the Appointment of five (5) individuals to the Emergency Management Commission for terms ending January 1, 2023.**

Andrea Cunningham presented the staff report which is on file.

A motion was made by Council Member Purcell to appoint Scott Collard, Doug Fowler, Ron Hood, Kay Allen and Dillon Polk to the Emergency Management Commission for terms ending January 1, 2023. Council Member King seconded the motion which carried unanimously 5 to 0.

- 16. Discuss and consider approval of a Resolution regarding the Appointment of an individual to the Tax Increment Reinvestment Zone No. 1 & No. 2 Board for a term ending December 31, 2021. Sponsor: Mayor Pro Tem Manassian.**

Laura Mueller presented the staff report which is on file. Staff recommends postponement of the item until the School Board has decided on an appointment.

No action was taken on this item.

- 17. Discuss and consider possible action regarding a Real Property Purchase Agreement between the City of Dripping Springs and Dripping Springs Independent School for Dripping Springs Independent School District property located at 510 Mercer Street, Dripping Springs, Texas 78620 and possible action on Interlocal Agreement between the City of Dripping Springs, Dripping Springs Independent School District, Hays County, and Dripping Springs Community Library. Sponsor: Mayor Pro Tem Manassian.**

Laura Mueller presented the staff report which is on file. Staff recommends postponement of the item to the January 19, 2021 meeting.

No action was taken on this item.

- 18. Discuss and consider possible action regarding a Request for Refund of Master Sign Plan Fee for The Shops at Ledgestone. Applicant Charlie Hill, President, DH Investments, Manager, Shops at Ledgestone, LLC.**

Michelle Fischer presented the staff report which is on file. Staff recommends a refund of \$3300.00.

A motion was made by Council Member Harris-Allison to approve a Request for Refund of Master Sign Plan Fee for The Shops at LedgeStone in the amount of \$3300.00 Council Member Crow 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.*

Reports are on file and available for review upon request.

**19. Transportation Committee Monthly Report**

*Jim Martin, Interim Committee Chair*

**20. Parks & Community Services Director's Monthly Report**

*Kelly Schmidt, PCS Director*

**21. Maintenance Director's Monthly Report**

*Craig Rice, Maintenance 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.*

**22. Consultation with City Attorney regarding legal issues related to Emergency Management, Disaster Declaration, and Emergency Orders. Consultation with City Attorney, 551.071**

**23. Consultation with City Attorney and Deliberation of Real Property regarding property acquisition related to the South Regional Water Reclamation Project. Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072**

**24. 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**

**25. Consultation with City Attorney regarding legal issues related to the Zoning Ordinance, Development Agreements, easements, and density of development. Consultation with Attorney, 551.071**

The City Council did not meet in Executive Session.

## **UPCOMING MEETINGS**

**City Council Meetings**

January 19, 2021 at 6:00 p.m.

February 9, 2021 at 6:00 p.m.

February 16, 2021 at 6:00 p.m.

**Board, Commission & Committee Meetings**

January 13, 2021 at 4:00 p.m. Utility Commission

January 21, 2021 at 10:00 a.m. Farmers Market Association Board

January 21, 2021 at 12:00 p.m. Emergency Management Commission

January 25, 2021 at 3:30 p.m. Transportation Committee

January 26, 2021 at 6:30 p.m. Planning & Zoning Commission

January 27, 2021 at 4:00 p.m. Economic Development Committee

**ADJOURN**

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

This regular meeting adjourned at 9:38 p.m.

**APPROVED ON:** February 9, 2021

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Bill Foulds, Jr., Mayor

**ATTEST:**

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Andrea Cunningham, City Secretary