



DRIPPING SPRINGS
Texas

CITY COUNCIL & BOARD OF ADJUSTMENT WORKSHOP & REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, August 01, 2023 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 6:02 p.m.

City Council Members present were:

Mayor Bill Foulds, Jr.

Mayor Pro Tem Taline Manassian

Council Member Place 2 Wade King (left meeting at 9:05 p.m.)

Council Member Place 3 Geoffrey Tahuahua

Council Member Place 5 Sherrie Parks

City Council Member absent was:

Council Member Place 4 Travis Crow

Staff, Consultants & Appointed/Elected Officials

City Administrator Michelle Fisher

Deputy City Administrator Ginger Faught

Interim Deputy City Administrator / City Treasurer Shawn Cox

City Attorney Laura Mueller

People & Communications Director Lisa Sullivan

City Secretary Andrea Cunningham

IT Director Jason Weinstock

Parks & Community Services Director Andy Binz

DSRP Manager Emily Nelson

Farmers Market Manager Charlie Reed

Community Events Coordinator Johnna Krantz

Public Works Director Aaron Reed

Planning Director Tory Carpenter

Building Official Shane Pevehouse

Deputy Public Works Director Craig Rice

Emergency Management Coordinator Roman Baligad

Law Clerk Michelle Farris

Planning & Zoning Commission Chair Mim James

Farmers Market Committee Chair Gouri Johannsen

Farmers Market Committee Member Erika Fritz

PLEDGE OF ALLEGIANCE

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

PROCLAMATIONS & PRESENTATIONS

1. **Proclamation proclaiming the week of August 6 - 12, 2023, as "Farmers Market Week" in the City of Dripping Springs, Texas. Sponsor: Council Member Sherrie Parks**

Council Member Parks read and presented the proclamation to staff and members of the Farmers Market Committee.

WORKSHOP

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

2. **Presentation and discussion regarding the proposed Municipal Budget for Fiscal Year 2024.**

Shawn Cox gave a presentation which is on file.

BOARD OF ADJUSTMENT

CALL TO ORDER AND ROLL CALL

With a quorum of the Board Members present, Chair Foulds, Jr. called the meeting to order at 6:37 p.m.

Board of Adjustment Members present:

Board Chair Bill Foulds, Jr.
Board Member Taline Manassian
Board Member Wade King
Board Member Geoffrey Tahuahua
Board Member Sherrie Parks

Board of Adjustment Member absent was:

Board Member Travis Crow

BOARD OF ADJUSTMENT AGENDA

3. **Public hearing and consideration of approval of VAR2023-0005: an application for a variance to allow a reduction in the parking requirement for a property located at 249 Sportsplex Drive. Applicant: Chris Nygard**

a. Applicant Presentation – Applicant was not present.

b. Staff Report – Tory Carpenter presented the staff report which his on file. Staff recommends denial of the variance request.

c. Planning & Zoning Commission Report – Chair Mim James presented the Planning & Zoning Commission report. The Commission recommended denial of the variance request unanimously, 4 to 0.

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

e. Variance – A motion was made by Board Member King to deny VAR2023-0005: an application for a variance to allow a reduction in the parking requirement for a property located at 249 Sportsplex Drive. Board Member Manassian seconded the motion which carried unanimously 5 to 0.

Chair Foulds, Jr. closed the Board of Adjustment Meeting and continued with the regular City Council agenda.

CITY COUNCIL

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.

The following individuals spoke in support of the reconnection of Shane Lane and Golden Eagle Lane as part of the Roger Hanks Parkway extension project. They cited traffic and safety concerns that are getting worse the longer it takes to complete the reconnection.

Mickey Bowers
James Reinstra
Monica Corlett

Alan Hutchinson
Aaron Bale

Kathy Reinstra
Kevin Corlett

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 Pro Tem Manassian stepped down from the dais and exited the Council Chambers.

4. **Approval of the July 18, 2023, City Council workshop and regular meeting minutes.**
5. **Approval of the Reappointment of Kim Fernea, Becky Atkins, Melanie Fenelon, and Whit Hanks, and the Appointment of Lucy Hanson to the Economic Development Committee for terms ending June 30, 2025; and, the Appointment of Kim Fernea as the Committee Chair for a term ending June 1, 2024.**
6. **Approval of a Resolution of the City of Dripping Springs Consenting to the Issuance of Bonds by Headwaters Municipal Utility District of Hays County. Applicant: Chris Lane, SAMCO Capital**

Filed as Resolution No. 2023-R27

A motion was made by Council Member Parks to approve Consent Agenda Items 4 – 6. Council Member Tahuahua seconded the motion which carried unanimously 3 to 0.

Mayor Pro Tem Manassian reentered the Council Chambers and took her seat at the dais.

BUSINESS AGENDA

7. **Discuss and consider approval of a Resolution Repealing the Co-Sponsorship Policy.**
Sponsor: Council Member Geoffrey Tahuahua

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

No action was taken on this item.

8. **Public hearing and consideration of approval of an Ordinance adopting regulations for the protection of the city logo and city seal and prohibiting the unauthorized use thereof; and providing for the licensing of the city logo and city seal in certain circumstances.** *Sponsor: Council Member Geoffrey Tahuahua*

a. Staff Report – Laura Mueller 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 – No action was taken on this item.

9. **Discuss and consider approval of a Lease Agreement with AUC Group, LLC. for a Wastewater Plant Expansion at Arrowhead Ranch.** *Sponsor: Mayor Bill Foulds, Jr.*

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

A motion was made by Mayor Pro Tem Manassian to approve a Lease Agreement with AUC Group, LLC. for a Wastewater Plant Expansion at Arrowhead Ranch. Council Member Tahuahua seconded the motion which carried unanimously 4 to 0.

- 10. Discuss and consider approval of a Resolution adopting a Family Medical Leave Act Policy and related policies for the City of Dripping Springs.** *Sponsor: Mayor Bill Foulds, Jr.*

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

A motion was made by Council Member Tahuahua to approve a Resolution adopting a Family Medical Leave Act Policy and related policies for the City of Dripping Springs, with direction to staff to clarify jury duty and bring back to City Council for consideration. Council Member King seconded the motion which carried unanimously 4 to 0.

Filed as Resolution No. 2023-R28

- 11. Public hearing and consideration of approval of an Ordinance Amending Chapter 28.03: Subdivisions and Site Development, Parkland Dedication and Parkland Development, and regarding requirements for Parkland Dedication and Fee in Lieu of Parkland Dedication for residential developments.** *Sponsor: Mayor Bill Foulds, Jr.*

a. Staff Report – Tory Carpenter 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 – A motion was made by Mayor Pro Tem Manassian to postpone the item to the August 15, 2023. City Council Regular Meeting. Council Member Parks seconded the motion which carried unanimously 4 to 0.

- 12. Public hearing and consideration of approval of an Ordinance Amending the City of Dripping Springs Fee Schedule as it relates to Parkland Dedication fees for residential projects and Building Inspection Fees.** *Sponsor: Mayor Bill Foulds, Jr.*

a. Staff Report – Shane Pevehouse 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 – A motion was made by Council Member Tahuahua to approve an Ordinance Amending the City of Dripping Springs Fee Schedule as it relates to Building Inspection Fees and omitting the fee changes as they relate to Parkland Dedication Fees for Residential Projects. Council Member Parks seconded the motion which carried unanimously 4 to 0.

Filed as Ordinance No. 2023-23

Mayor Foulds, Jr. stepped down from the dais and exited the Council Chambers. Mayor Pro Tem Manassian presided over the meeting.

13. Public hearing and consideration of approval of an Ordinance of the City of Dripping Springs, Texas Amending the current 2022-2023 Fiscal Year Budget; Finding Municipal Purposes; Authorizing Expenditures.

a. Staff Report – Sean Cox 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 – A motion was made by Council Member Parks to approve an Ordinance of the City of Dripping Springs, Texas Amending the current 2022-2023 Fiscal Year Budget; Finding Municipal Purposes; Authorizing Expenditures. Council Member King seconded the motion which carried unanimously 4 to 0.

Filed as Ordinance No. 2023-24

Mayor Foulds, Jr. reentered the Council Chambers, returned to his seat on the dais and presided over the remainder of the meeting.

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.

14. June Maintenance Report

Craig Rice, Deputy Public Works Director

15. Planning Department Report

Tory Carpenter, Planning Director

A motion was made by Mayor Pro Tem Manassian to adjourn into Executive Session under Texas Government Code Sections 551.071, Consultation with Attorney, 551.072, Deliberation of Real Property, and 551.074, Deliberation of Personnel Matters, and regarding Executive Session Agenda Items 16, and 18 – 20. Council Member Parks seconded the motion which carried unanimously 4 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.

Council Member King stepped down from the dais and exited the Council Chambers and Executive Session at 9:05 p.m. He did not return to the meeting.

16. **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*
17. **Consultation with Attorney regarding to legal issues related to the Co-Sponsorship Policy and City Logo Use.** *Consultation with Attorney, 551.071*
18. **Deliberation regarding the appointment, employment, evaluation, reassignment, compensation, policies, and duties of Penny Appleman, Roman Baligad, Andrew Binz, Kevin Campbell, Tory Carpenter, Shawn Cox, Andrea Cunningham, Brandon Elliott, Melanie Engels, Fletcher Engstrom, Mark Escobedo, Manny Espinosa, Jose Esquivel, Ginger Faught, Michelle Fischer, Sesarío Garza, Cathy Gieselman, Katherine Griego, Kyle Hagen, Wacey Hanger, Stephanie Hartnett, Johnathon Hill, Caylie Houchin, Robert Hutson, Alison Jamieson, Sheri Kapanka, Amy Kappler, Johnna Krantz, Charles Gray Lahrman, Samantha Larghe, Heron Longoria, Ryane Maceyra, Laura Mueller, Emily Nelson, Anthony Pennell, Shane Pevehouse, Cameron Queen, Aaron Reed, Charles Reed, Craig Rice, Warlan Rivera, Jessica Selina Segovia, Mackenzie Rusick, Teresa Sanders, Lily Sellers, Nick Spillar, William Stevens, Riley Sublett, Lisa Sullivan, Andrew Thompson, Jason Weinstock, and Utility Services Manager.** *Consultation with Attorney, 551.071; Deliberation of Personnel Matters, 551.074*
19. **Consultation with Attorney and Deliberation of Real Property regarding legal and real estate issues related to potential facility sites and street extensions and expansions.** *Consultation with Attorney, 551.071; Deliberation Regarding Real Property, 551.072*
20. **Consultation with Attorney related to legal issues regarding Parks Facilities.** *Consultation with Attorney, 551.071*

The City Council met in Executive Session from 9:03 p.m. – 10:22 p.m.

No vote or action was taken during Executive Session. Mayor Foulds, Jr. returned the meeting to Open Session at 10:22 p.m.

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

August 15, 2023, at 6:00 p.m. (CC)
September 5, 2023, at 6:00 p.m. (CC & BOA)
September 19, 2023, at 6:00 p.m. (CC)
October 3, 2023, at 6:00 p.m. (CC & A)

Board, Commission & Committee Meetings

August 2, 2023 DSRP Board at 11:00 a.m.
August 7, 2023, Parks & Recreation Commission at 6:00 p.m.

August 8, 2023, Planning & Zoning Commission at 6:00 p.m.
August 9, 2023, Utility Commission at 4:00 p.m.
August 14, 2023, TIRZ No. 1 & No. 2 Board at 4:00 p.m.
August 14, 2023, Founders Day Commission at 6:30 p.m.
August 17, 2023, Farmers Market Committee at 10:00 a.m.
August 17, 2023, Emergency Management Commission at 12:00 p.m.

ADJOURN

A motion was made by Council Member Parks to adjourn the meeting. Mayor Pro Tem Manassian seconded the motion which carried unanimously 3 to 0.

APPROVED ON: August 15, 2023

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary