



**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78620**

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**Submitted By:** Aniz Alani, Deputy City Attorney

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**Council Meeting Date:** September 3, 2024

**Agenda Item Wording:** **Discuss and consider termination of the Use Agreement between the City of Dripping Springs and the Dripping Springs Mountain Bike Club governing access to multi-use trails at Dripping Springs Ranch Park.**  
*Sponsor: Council Member Sherrie Parks.*

**Agenda Item Requestor:**

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**Summary/Background:** At a meeting between members of the Dripping Springs Mountain Bike Club (“Club”) Board and City staff on August 15, 2024 to discuss a new form of agreement to replace the 2016 current agreement allowing access to multi-use trails at Dripping Springs Ranch Park for mountain bike training.

Under the terms of the proposed new agreement, the Club would maintain a roster of registered members, pay a \$100 annual use fee per biker in lieu of performing trail maintenance, distribute tags to be attached to registered member’s bikes while using the trails, attend an annual orientation session, and collect waivers from each member, and provide volunteer service in lieu of reimbursing the arborist expenses at a rate equivalent to \$20/hour.

The Club stated that the new agreement proposed by the City was unacceptable to them. Instead, the Club’s Board advised that it wished to end its relationship with the City and relocate its training activities elsewhere.

The Club’s Board also indicated that it would provide the City with its proposal for settling the City’s outstanding claim for arborist expenses incurred in connection with the Club’s unauthorized modifications to the trails in April 2024.

On August 28, 2024, the Club wrote to the City denying responsibility for the full extent of the \$5,425 in arborist expenses incurred by the City. The Club proposed to pay \$600 toward these expenses. Finally, the Club indicated its intention to “return to regular citizen access without exclusive use”.

**Options for Council's Consideration**

There are five issues for Council's direction:

1. Termination of the current use agreement;
2. Settlement, if any, of the City's outstanding claim;
3. Absent a negotiated settlement, potential options for enforcing the contractual indemnity under the current use agreement;
4. Possible restrictions of use of the DSRP trails for mountain biking, including limiting use to individuals or groups with an approved waiver agreement with the City covering, for example, safety orientation, waiver of liability, times of use, and user fees; and
5. Direction to staff to negotiate future agreement governing access to multi-use trails at Dripping Springs Ranch Park.

**Commission Recommendations:**

N/A

**Recommended Council Actions:**

Termination of the Use Agreement.  
Discussion and possible direction on other items.

**Attachments:**

2016 Joint Use Agreement for Mountain Bike Trails  
August 26, 2024 letter from DSISD  
August 27, 2024 letter from Club  
Arborist scope of work and costs

**Next Steps/Schedule:**

Notification to the Dripping Springs Mountain Bike Club of any decisions.  
If approved, draft and approval of updated policies and ordinances related to use of the trails at the Dripping Springs Ranch Park.