



## CITY COUNCIL REGULAR MEETING

### City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, November 16, 2021 at 6:00 PM

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## 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  
City Attorney Laura Mueller  
City Secretary Andrea Cunningham  
Planning Director Howard Koontz  
Communications & Marketing Director Lisa Sullivan  
City Treasurer Shawn Cox  
Planning Assistant Warlan Rivera  
Planning & Zoning Commission Chair Mim James  
Planning & Zoning Commissioner Christian Bourguignon  
Lighting Consultant Cindy Luongo Cassidy

### PLEDGE OF ALLEGIANCE

Michelle Fischer 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.*

Cathy Greer spoke in favor of the moratorium and also spoke about the issues and impact of growth on the community.

Marilyn Harrison spoke regarding issues and impact of growth on the community specifically addressing transportation and traffic.

Eugene Foster spoke regarding the Village Grove Development and the projects impact on traffic and transportation and sustainability.

## **PROCLAMATIONS & PRESENTATIONS**

### **1. Presentation of Be A Star Awards**

Mayor Foulds, Jr. and Cindy Luongo Cassidy presented the awards.

## **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.*

### **2. Approval of the November 2, 2021, City Council Regular Meeting Minutes.**

### **3. Approval of a Resolution Related to the Enforcement of the Fire Code in Certain Subdivisions including Anarene Investments Tract/Double L Development by the City of Dripping Springs. Sponsor: Bill Foulds, Jr., Mayor.**

**Filed as Resolution No. 2021-R37**

### **4. Approval of the October 2021 City Treasurer's Report.**

A motion was made by Council Member Tahuahua to approve Consent Agenda Items 2 – 4. Council Member Parks seconded the motion which carried unanimously 5 to 0.

## **BUSINESS AGENDA**

### **5. Discuss and consider approval of a Resolution of the City of Dripping Springs authorizing the expenditure of American Rescue Plan Coronavirus Local Fiscal Recovery Funds for the Dr. Pound Farmstead. Applicant: Dr. Pound Farmstead**

Michelle Fischer presented the staff report which is on file. Staff recommends approval of the resolution.

Betty Meyers spoke on behalf of the applicant and discussed the financial impact COVID has had on the Dr. Pound Farmstead.

A motion was made by Council Member Harris-Allison to approve a Resolution of the City of Dripping Springs authorizing the expenditure of American Rescue Plan Coronavirus Local Fiscal Recovery Funds for the Dr. Pound Farmstead. Mayor Pro Tem Manassian seconded the motion which carried unanimously 5 to 0.

**Filed as Resolution No. 2021-R38**

- 6. Discuss and consider approval of an Annexation Petition and direction to staff to negotiate an Annexation Agreement with owners to annex approximately 17.307 acres in the extraterritorial jurisdiction, situated in the Philip A. Smith Survey Abstract No. 415 located on Founders Road Dripping Springs, Texas 78620 (Tax ID: 85794). Applicant: Brian Estes, P.E.**

- a. Presentation** – No presentation was given.

- b. Staff Report** – Howard Koontz presented the staff report which is on file. Staff recommends approval of the petition.

- c. Annexation Petition** – A motion was made by Council Member Harris-Allison to approve an Annexation Petition with direction to staff to negotiate an Annexation Agreement with owners to annex approximately 17.307 acres in the extraterritorial jurisdiction, situated in the Philip A. Smith Survey Abstract No. 415 located on Founders Road Dripping Springs, Texas 78620 (Tax ID: 85794). Council Member Parks seconded the motion which carried unanimously 5 to 0.

- 7. Public Hearing and First Reading of an Ordinance of the City of Dripping Springs, Texas ("City") enacting a Temporary Moratorium on the Acceptance, Authorization, and Approvals necessary for the Subdivision, Site Planning, Development, or Construction in the City Limits and Extraterritorial Jurisdiction, providing for Findings of Fact, Definitions, Applicability, Purpose, Enactment, Duration, Extension, Exceptions, and Exemptions, Determination and Appeals, Repealer, Severability, Enforcement, Effective Date, and Proper Notice and Meeting. Sponsor: Mayor Foulds, Jr.**

- a. Staff Report** – Laura Mueller presented the staff report which is on file.

- b. Planning and Zoning Report** – Chair James presented the report. The Commission recommended City Council approval 6 to 0.

- c. Public Hearing** – David Glen spoke in opposition to the moratorium expressing concerns with existing projects and overall communication.

**d. Moratorium Ordinance** – Mayor Foulds, Jr. announced that this is the first reading of the ordinance and a second reading and possible action on the moratorium would occur at the City Council Special Meeting scheduled for November 22, 2021, at 6:00 p.m. The City Council discussed waivers and exceptions and the Hays County 1445 Agreement. No action was taken on this item.

## 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.

- 8. Maintenance Director's Monthly Report**  
*Craig Rice, Maintenance Director*
- 9. Economic Development Committee Report**  
*Kim Fernea, EDC Chair*

A motion was made by Mayor Pro Tem Manassian to pull Executive Session Agenda Item 10 into Open Session for possible action. Council Member Harris-Allison seconded the motion which carried unanimously 5 to 0.

- 10. Consultation with City Attorney on opioid settlement.** *Consultation with City Attorney, 551.071*

Laura Mueller presented the staff report which is on file.

No action was taken on this item.

## 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.*

- 10. Consultation with City Attorney on opioid settlement.** *Consultation with City Attorney, 551.071*
- 11. Consultation with City Attorney regarding legal issues related to ongoing developments including Rob Shelton Improvements and Texas Department of Transportation and other sources of funding related to improvements and the provision of wastewater to PDD No. 11; and, legal issues related to Bunker Ranch annexation and zoning.** *Consultation with City Attorney, 551.071*
- 12. Consultation with City Attorney and Deliberation of Real Property regarding the extension of Roger Hanks Parkway including related agreements.** *Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072*

13. **Consultation with City Attorney regarding legal issues related to the provision of retail utility services.** *Consultation with City Attorney, 551.071*
14. **Consultation with City Attorney related to planning matters, wastewater capacity, comprehensive plan, and processes related to approvals.** *Consultation with City Attorney, 551.071*

The City Council did not meet in Executive Session.

## UPCOMING MEETINGS

### City Council & Board of Adjustment Meetings

November 22, 2021, at 6:00 p.m. (CC Special Meeting)

December 7, 2021, at 6:00 p.m. (CC & BOA)

December 21, 2021, at 6:00 p.m. (CC)

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

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

### Board, Commission & Committee Meetings

November 18, 2021, Farmers Market Committee at 10:00 a.m.

November 18, 2021, Emergency Management Commission at 12:00 p.m.

November 23, 2021, Planning & Zoning Commission at 6:30 p.m.

December 1, 2021, Dripping Springs Ranch Park Board at 12:00 p.m.

December 2, 2021, Historic Preservation Commission at 4:00 p.m.

December 6, 2021, Parks & Recreation Commission at 6:00 p.m.

December 8, 2021, 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 7:11 p.m.

**APPROVED ON:** December 7, 2021

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Bill Foulds, Jr., Mayor

**ATTEST:**

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Andrea Cunningham, City Secretary