



CITY COUNCIL REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX
Tuesday, May 11, 2021 at 6:00 PM

MINUTES

MEETING SPECIFIC VIDEOCONFERENCE INFORMATION

Join Zoom Meeting

<https://us02web.zoom.us/j/84334603270?pwd=aHNvKzJ0QmhuS0lGaHN6K1J4SjdyQT09>

Meeting ID: 843 3460 3270

Passcode: 995350

Dial Toll Free:

877 853 5257 US Toll-free

888 475 4499 US Toll-free

Find your local number: <https://us02web.zoom.us/u/kbFhyjxdd5>

Join by Skype for Business: <https://us02web.zoom.us/skype/84334603270>

CALL TO ORDER AND ROLL CALL

With a quorum of the City Council present, Mayor Foulds, Jr. called the meeting to order at 6:05 p.m.

City Council Members

Mayor Bill Foulds, Jr.

Mayor Pro Tem Taline Manassian

Council Member Place 2 Wade King

Council Member Place 4 April Harris Allison

Council Member Place 5 Travis Crow

Staff, Consultants & Appointed/Elected Officials

City Administrator Michelle Fischer

Deputy City Administrator Ginger Faught

City Attorney Laura Mueller

City Treasurer Gina Gillis

Finance Director Shawn Cox

Communications Director Lisa Sullivan

City Secretary Andrea Cunningham

Senior Planner Amanda Padilla

Public Works Coordinator Aaron Reed

Parks & Community Services Director Kelly Schmidt

IT Coordinator Misty Dean
City Planner Abraham Martinez
City Engineer Chad Gilpin
Emergency Management Coordinator Roman Baligad
Architectural Consultant Keenan Smity, City Lights Design
Planning & Zoning Commission Chair Mim James
Historic Preservation Commission Chair Bruce Lewis

PLEDGE OF ALLEGIANCE

Council Member Crow 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.

Tom Crawford and Vicky Lewis spoke regarding public restrooms on Mercer Street.

PROCLAMATIONS & PRESENTATIONS

- 1. Approval of a Proclamation of the City of Dripping Springs Recognizing the Service and Contributions of City Treasurer Gina Gillis and Proclaiming May 13, 2021 "Gina Gillis Day". Sponsor: Mayor Bill Foulds, Jr.**

Todd Purcell read and presented the proclamation to Gina Gillis.

Via unanimous consent the City Council approved a Proclamation of the City of Dripping Springs Recognizing the Service and Contributions of City Treasurer Gina Gillis and Proclaiming May 13, 2021 "Gina Gillis Day".

ELECTIONS

- 2. Approval of an Ordinance canvassing returns and declaring results of the General Election held on May 1, 2021 for the purpose of electing three (3) City Council Members for Place 1, Place 3 and Place 5; and providing for the following: election, canvassing the returns, election results, authorization to execute, effective date, and proper notice and meeting.**

A motion was made by Mayor Pro Tem Manassian to approve **an Ordinance canvassing returns and declaring results of the General Election held on May 1, 2021 for the purpose of electing three (3) City Council Members for Place 1, Place 3 and Place 5; and providing for the following: election, canvassing the returns, election results, authorization to execute, effective date, and proper notice and meeting.** Council Member Harris-Allison seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2021-16

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.

- 3. Approval of the April 13, 2021 City Council & Board of Adjustment regular meeting minutes, and the April 20, 2021 City Council regular meeting minutes.**
- 4. Approval of a Professional Services Agreement between the City of Dripping Springs and Gina Gillis for Financial Services.**
- 5. Approval of the Appointment of Russell Paxton to the Emergency Management Commission as representative of Non-Profit Organizations and for a term ending January 1, 2022.**
- 6. Approval of a Resolution Appointing Deputy City Manager Ginger Faught to Place 3 of the Driftwood Economic Development Municipal Management Board of Directors.**

Filed as Resolution No. 2021-R12

- 7. Approval of the Heritage Traffic Impact Analysis and required Transportation Improvements listed in the HDR Technical Memo. Applicant: Alex Granados, P.E. Kimley-Horn & Associates**
- 8. Approval of the April 2021 City Treasurer's Report.**

A motion was made by Mayor Pro Tem Manassian to approve Consent Agenda Items 3 – 8. Council Member Harris-Allison seconded the motion which carried unanimously 5 to 0.

BUSINESS AGENDA

- 9. Public hearing and consideration of possible action of an Annexation Ordinance and Service Agreement (ANNEX2021-0002), and an Ordinance for zoning amendment (ZA2021-0002) from AG, Agricultural to Single-Family Residential District – Moderate Density (SF-2) and Multiple-Family Residential District (MF) with a Conditional Use**

Overlay for an approximately 78.021 acres in the extraterritorial jurisdiction, situated in the Benjamin F Hanna Survey, Abstract No. 222, located at 2901 W US Highway 290, Dripping Springs, Texas 78620. Applicant: Brian Estes, PE/ Cristina Cordoba, Civil and Environmental Consultants Inc

Planning and Zoning Commission request postponement to the June 8, 2021 City Council Meeting.

1. Presentation – No presentation given.

2. Staff Report

Amanda Padilla presented the staff report which is on file. The applicant has requested postponement.

3. Planning & Zoning Commission Report

Chair James: Commission recommended postponement to the May 25, 2021 Planning & Zoning Commission meeting unanimously 7 to 0.

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

A motion was made by Mayor Pro Tem Manassian to postpone an Annexation Ordinance and Service Agreement (ANNEX2021-0002), and an Ordinance for zoning amendment (ZA2021-0002) from AG, Agricultural to Single-Family Residential District – Moderate Density (SF-2) and Multiple-Family Residential District (MF) with a Conditional Use Overlay for an approximately 78.021 acres in the extraterritorial jurisdiction, situated in the Benjamin F Hanna Survey, Abstract No. 222, located at 2901 W US Highway 290, Dripping Springs, Texas 78620, to the June 8, 2021 City Council regular meeting. Council Member Crow seconded the motion which carried unanimously 5 to 0.

10. Discuss and consider approval of Ordinances Amending the Certificate of Appropriateness Process and Mobile Food Vendors in the Mercer Street Historic District.

1. Staff Report

Laura Mueller presented the staff report which is on file. Staff recommends approval of the procedural changes and wait for substantive changes until the Code Rewrite is complete.

2. Planning & Zoning Commission Report

Chair James: Commissioner recommended approval of procedural changes to the Certificate of Appropriateness unanimously 7 to 0; and recommended no substantive changes until the Code Rewrite is complete unanimously 7 to 0.

3. Historic Preservation Commission Report

Chair Lewis: Commission recommended approval of procedural changes to the Certificate of Appropriateness 4 to 0 and recommended that all Mobile Food Vendors be required to provide screening from the right-of-way on Mercer Street and be positioned behind the current closest building 4 to 0.

4. Public Hearing

Vicky Lewis spoke in favor of the Historic Preservation Commission recommendation.

5. Ordinance Amendments

A motion was made by Council Member Crow to approve an Ordinance amending the process and procedure for Certificate of Appropriateness requiring denials to be appealed to the City Council and that unanimous denials by the Historic Preservation Commission require a super majority by the City Council for approval; and, to wait to make changes to the Mobile Food Vendor requirements until the Zoning Code Rewrite is complete and that a member of the Historic Preservation Commission be included on the committee for rewrites that affect the Historic Districts. Mayor Pro Tem Manassian seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2021-17

11. Discuss and consider an ordinance amending City Council meeting dates and direction on setting Planning and Zoning Commission dates.

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

A motion was made by Council Member Crow to approve an Ordinance amending City Council meeting dates. Mayor Pro Tem Manassian seconded the motion which carried unanimously 5 to 0.

The City Council directed staff to change Planning & Zoning Commission meetings to two per month on the 2nd and 4th Tuesday of each month; and that changes take effect July 1, 2021.

Filed as Ordinance No. 2021-18

12. Discuss and consider approval of a Resolution Appointing a City Treasurer for the City of Dripping Springs.

A motion was made by Council Member Harris-Allison to approve a **Resolution Appointing Shwan Cox as City Treasurer for the City of Dripping Springs**. Council Member Crow seconded the motion which carried unanimously 5 to 0.

Filed as Resolution No. 2021-R13

13. Discuss and consider approval of a Resolution authorizing execution of an Advance Funding Agreement (AFA) with the Texas Department of Transportation for Rob Shelton Intersection Improvements. Sponsor: Council Member Crow

Aaron Reed presented the staff report which is on file.

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 Sections 551.071, Consultation with City Attorney, and 551.072, Deliberation of Real Property and regarding Executive Session Agenda Items 19 – 24 and Business Agenda Items 13 and 14. Council Member Crow seconded the motion which carried unanimously 5 to 0.

The City Council met in Executive Session from 7:11 p.m. – 8:17 p.m. No action or vote was taken during Executive Session.

Mayor Foulds returned the meeting to Open Session at 8:17 p.m.

OPEN SESSION

- 14. Discuss and consider approval of an Amended Road Agreement for Offsite Improvements related to Planned Development District 11 on Rob Shelton Boulevard south of Highway 290. Applicant: CRTX Development, LLC.**

A motion was made by Mayor Pro Tem Manassian to approve an Amended Road Agreement for Offsite Improvements related to Planned Development District 11 on Rob Shelton Boulevard south of Highway 290 with the condition that the not to exceed amount be increased to \$327,000.00 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.

- 15. Maintenance Director's Monthly Report**
Craig Rice, Maintenance Director
- 16. Unified Development Code Update Monthly Report**
Amanda Padilla, Senior Planner
- 17. Economic Development Committee Monthly Report**
Kim Fernea, EDC Chair
- 18. Transportation Committee Monthly Report**
Jim Martin, Interim Chair

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.

19. **Consultation with City Attorney regarding legal issues related to Emergency Management, Disaster Declaration, and Emergency Orders.** *Consultation with City Attorney, 551.071*
20. **Consultation with City Attorney related to legislative program and matters regarding water, wastewater, and other utility issues.** *Consultation with City Attorney, 551.071*
21. **Consultation with City Attorney regarding legal issues related to Municipal Utility District financing options and proposals for the proposed Wild Ridge development.** *Consultation with City Attorney, 551.071*
22. **Consultation with City Attorney regarding legal issues related to Rob Shelton Improvements and Texas Department of Transportation and other sources of funding related to improvements.** *Consultation with City Attorney, 551.071*
23. **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, 551.071.*
24. **Consultation with City Attorney regarding legal issues related to the South Regional Water Reclamation Expansion Project Easement Acquisition.** *Consultation with City Attorney, 551.071*

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

UPCOMING MEETINGS

City Council Meetings

May 18, 2021 at 6:00 p.m.

June 8, 2021 at 6:00 p.m.

June 15, 2021 at 6:00 p.m.

Board, Commission & Committee Meetings

May 12, 2021 at 4:00 p.m., Utility Commission

May 20, 2021 at 10:00 a.m., Farmers Market Association Board

May 20, 2021 at 12:00 p.m., Emergency Management Commission

May 24, 2021 at 3:30 p.m., Transportation Commission

May 25, 2021 at 6:30 p.m., Planning & Zoning Commission

May 26, 2021 at 4:00 p.m., Economic Development Committee

June 2, 2021 at 12:00 p.m. DSRP Board

June 3, 2021 at 4:00 p.m. Historic Preservation Commission

June 7, 2021 at 6:00 p.m. Parks & Recreation Commission

ADJOURN

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

This regular meeting adjourned at 8:19 p.m.

APPROVED ON: June 8, 2021

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary