



## City Council Regular Meeting

City of Dripping Springs Council Chambers

511 Mercer Street - Dripping Springs, TexasTexas

Tuesday, December 05, 2023, at 6:00 PM

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# MINUTES

## CALL TO ORDER & 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  
Council Member Place 3 Geoffrey Tahuahua  
Council Member Place 4 Travis Crow  
Council Member Place 5 Sherrie Parks

### Staff, Consultants & Appointed/Elected Officials present were:

City Administrator Michelle Fischer  
Deputy City Administrator Ginger Faught  
Deputy City Administrator Shawn Cox  
City Attorney Laura Mueller  
City Secretary Andrea Cunningham  
IT Director Jason Weinstock  
People & Communications Director Lisa Sullivan  
Public Works Director Aaron Reed  
Building Official Shane Pevehouse  
Planning Director Tory Carpenter  
Planning & Zoning Commission Chair Mim James  
Special Counsel David Tuckfield

## PLEDGE OF ALLEGIANCE

Council Member King led the Pledge of Allegiance to the flag.

## P-RESENTATION OF CITIZENS

*A member of the public who wishes to address the City Council regarding items on the posted agenda may do so at Presentation of Citizens. For items posted with a Public Hearing, the City Council requests that members of the public hold their comments until the item is presented for consideration. Members of the public wishing to address matters not listed on the posted agenda may do so at Presentation of Citizens. Speakers are allotted two (2) minutes each and 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. Speakers are encouraged to sign in to speak, but it is not required. By law no action shall be taken during Presentation of Citizens.

No one spoke during Presentation of Citizens.

## **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 these items will be acted upon with a single motion. A member of the City Council, City Staff, or public may request any item listed be considered separately. Items requested may be removed 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 items that are listed elsewhere on the same agenda.

1. **Approval of the November 7, 2023, City Council regular meeting minutes.**
2. **Approval of the November 14, 2023, City Council special meeting minutes.**
3. **Approval of the Appointment of Bob Luddy to the Emergency Management Commission as the representative for Hays County Emergency Services District No. 1, and for a term ending January 1, 2025.**
4. **Approval of the October 2023 Treasurer's Report.**
5. **Approval of a Resolution Accepting Improvements and a Maintenance Bond for Cannon Ranch Subdivision Phase 1. Applicant: CC Carlton Industries, Ltd.**

**Filed as Resolution No. 2023-R37**

6. **Approval of a Resolution Accepting Improvements and a Maintenance Bond for Cannon Ranch Subdivision Offsite Water Improvements. Applicant: CC Carlton Industries, Ltd.**

**Filed as Resolution No. 2023-R38**

A motion was made by Council Member Tahuahua to approve Consent Agenda Items 1 – 6. Council Member Parks seconded the motion which carried unanimously for items 2 – 6, and 4 to 0 to 1, for item 1, with Mayor Pro Tem Manassian abstaining.

## **BUSINESS AGENDA**

A motion was made by Mayor Pro Tem Manassian to consider Business Agenda Item 10 out of order. Council Member King seconded the motion which carried unanimously 5 to 0.

10. **Discuss and consider approval of a Wastewater Utility Agreement between the City of Dripping Springs and the Dripping Springs Library District. Applicant: Dripping Springs Community Library**

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

A motion was made by Mayor Pro Tem Manassian to approve a Wastewater Utility Agreement between the City of Dripping Springs and the Dripping Springs Library District. Council Member Parks seconded the motion which carried unanimously 5 to 0.

**7. Discuss and consider approval of an Ordinance repealing and replacing Article 28.06 Landscaping and Tree Preservation, including changing procedures, tree preservation requirements, and landscaping changes.**

**a. Staff Report** – Laura Mueller presented the staff report which is on file. Staff recommends postponement of the item to the January 16, 2024, City Council regular meeting.

**b. Planning and Zoning Report** – Mim James presented the report. The Commission recommended approval 6 to 1 with recommendations as presented by staff.

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

**d. Ordinance** – A motion was made by Council Member Crow to postpone consideration of approval of an Ordinance repealing and replacing Article 28.06 Landscaping and Tree Preservation, including changing procedures, tree preservation requirements, and landscaping changes to the January 16, 2024, City Council regular meeting. Council Member King seconded the motion which carried unanimously 5 to 0.

Mayor Foulds, Jr. directed staff to list a public hearing for this ordinance on all City Council agendas leading up to the January 16<sup>th</sup> meeting.

**8. Discuss and consider approval of a Roadway Agreement related to Double L Development Transportation Phasing pursuant to the Amended and Restated Development Agreement. *Pablo Martinez, PE, Brown & Gay Engineers***

**a. Applicant Presentation** – Pablo Martinez gave a presentation which is on file.

**b. Staff Report** – Laura Mueller presented the staff report which is on file. Staff recommends approval of the agreement.

**c. Planning and Zoning Report** – Mim James presented the report. The Commission recommended approval 7 to 0.

**d. Agreement** – A motion was made by Council Member King to approve a Roadway Agreement related to Double L Development Transportation Phasing pursuant to the Amended and Restated Development Agreement. Council Member Crow seconded the motion which carried unanimously 5 to 0.

**9. Discuss and consider approval of an Agreement with DSCat related to the Caliterra Subdivision for easements related to the West Interceptor. *Sponsor: Mayor Foulds, Jr.***

Via unanimous consent, this item was tabled.

10. **Discuss and consider approval of a Wastewater Utility Agreement between the City of Dripping Springs and the Dripping Springs Library District.** *Applicant: Dripping Springs Community Library*

This item was considered earlier in the agenda and unanimously approved.

11. **Discuss and consider approval of a Resolution to cast eighteen (18) votes towards the Election of Members of the Hays County Appraisal District Board of Directors.** *Sponsor: Mayor Foulds, Jr.*

Michelle Fischer presented the staff report which is on file.

A motion was made by Council Member Tahuahua to approve a Resolution to cast eighteen (18) votes for Jeffrey Aylstock towards the Election of Members of the Hays County Appraisal District Board of Directors. Council Member Parks seconded the motion which carried unanimously 5 to 0.

**Filed as Ordinance No. 2023-R40**

A motion was made by Mayor Pro Tem Manassian to adjourn into Executive Session under Texas Government Code section 551.072, Consultation with Attorney, and regarding Executive Session Agenda Items 12 – 14. Council Member Crow seconded the motion which carried unanimously 5 to 0.

**EXECUTIVE SESSION AGENDA**

*The City of Dripping Springs City Council 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). Items listed elsewhere in the agenda may be added to the Executive Agenda. The City Council may act on any item listed in Executive Session in Open Session, and no action shall be taken during the Executive Session.*

12. **Consultation with Attorney related to legal questions regarding the development agreement with Double L development.** *Consultation with Attorney, 551.071*
13. **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*
14. **Consultation with Attorney regarding legal issues related to building inspections under development agreement areas in the extraterritorial jurisdiction.** *551.071, Consultation with Attorney*

The City Council met in Executive Session from 7:14 – 7:36 p.m.

No vote or action was taken during Executive Session. Mayor Foulds, Jr. returned the meeting to Open Session at 7:36 p.m.

## OPEN SESSION

The City Council returned to Open Session and considered tabled Business Agenda Item 9.

- 9. Discuss and consider approval of an Agreement with DSCat related to the Caliterra Subdivision for easements related to the West Interceptor.** *Sponsor: Mayor Foulds, Jr.*

A motion was made by Mayor Pro Tem Manassian to approve an Agreement with DSCat related to the Caliterra Subdivision for easements related to the West Interceptor with administration non-substantive changes. Council Member Parks seconded the motion which carried unanimously 5 to 0.

## REPORTS

*Reports listed are on file and available for review upon request. The City Council may provide staff direction; however, no action shall be taken.*

### 15. Planning Department Report

## UPCOMING MEETINGS

### City Council & Board of Adjustment Meetings

December 19, 2023, at 6:00 p.m. (CC)

January 1, 2024. at 6:00 p.m. (CC & BOA)

January 16, 2024. at 6:00 p.m. (CC)

February 6, 2024, at 6:00 p.m.(CC & BOA)

### Board, Commission & Committee Meetings

December 6, 2023, DSRP Board at 11:00 a.m.

December 6, 2023, Economic Development Committee at 4:00 p.m.

December 11, 2023, TIRZ No. 1 & No. 2 Board at 4:00 p.m.

December 11, 2023, Founders Day Commission at 6:00 p.m.

December 12, 2023, Planning & Zoning Commission at 6:00 p.m.

December 13, 2023, Utility Commission at 4:00 p.m.

December 14, 2023, Emergency Management Commission at 12:00 p.m.

December 18, 2023, Transportation Committee at 3:30 p.m.

## ADJOURN

A motion was made by Council Member King to adjourn the meeting. Council Member Parks seconded the motion which carried unanimously 5 to 0.

This regular meeting adjourned at 7:38 p.m.

***APPROVED ON: December 19, 2023***

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*Bill Foulds, Jr., Mayor*

***ATTEST:***

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*Andrea Cunningham, City Secretary*