



CITY COUNCIL REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX
Tuesday, November 10, 2020 at 6:00 PM

MINUTES

MEETING SPECIFIC VIDEOCONFERENCE INFORMATION

Join Zoom Meeting

<https://us02web.zoom.us/j/82519471024?pwd=WlJrMmZxU0pRcytRZTczUGlwTzZGZz09>

Meeting ID: 825 1947 1024

Passcode: 360555

Dial Toll Free:

877 853 5257 US Toll-free

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Find your local number: <https://us02web.zoom.us/j/82519471024>

Join by Skype for Business: <https://us02web.zoom.us/j/82519471024>

CALL TO ORDER AND ROLL CALL

City Council Members present were:

Mayor Bill Foulds, Jr.

Mayor Pro Tem Taline Manassian

Council Member Place 2 Wade King

Council Member Place 3 Todd Purcell (arrived at 6:06 p.m.)

Council Member Place 4 April Harris Allison

Council Member Place 5 Travis Crow

Staff, Consultants & Appointed/Elected Officials present were:

City Administrator Michelle Fischer

Deputy City Administrator Ginger Faught

City Attorney Laura Mueller

City Treasurer Gina Gillis

City Secretary Andrea Cunningham

Communications Director Lisa Sullivan

Parks & Community Services Director Kelly Schmidt

Senior Planner Amanda Padilla

With a quorum of the City Council present, Mayor Foulds, Jr. called the meeting to order at 6:01 p.m.

WORKSHOP

Workshop items are for discussion only and no action will be taken. The City Council may discuss any item listed in the Workshop or on the Agenda.

The City Council did discuss any items in the Workshop.

CITY COUNCIL & BOARD OF ADJUSTMENT REGULAR MEETING

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Manassian 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.

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, 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.

- 1. Approval of the October 13, 2020 and October 20, 2020 City Council regular meeting minutes.**
- 2. Approval of the City of Dripping Springs 2021 Meeting Calendar for City Council, and City Boards, Commissions and Committees.**
- 3. Approval of a Resolution approving Assignments for the Heritage development from SLF IV to M/I Homes of Austin and Trendmaker Homes for the Development Agreement and related agreements.**

Filed as Resolution No. 202-R50

4. **Approval of Assignment of Wastewater and Fee Agreement with SK7 Investment Group LLC to CRTX Development Group, LLC for property within PDD No. 11 formerly known as Terry's Mobile Home Park.**
5. **Approval of a Liability and Maintenance Agreement for parking lot use regarding the Christmas on Mercer and Founders Day Festival.**
6. **Approval of Payment of 90.75 hours of Compensatory Time Earned in Fiscal Year 2020 to Kelly Schmidt, Parks & Community Services Director.**
7. **Approval of a Co-Sponsorship Agreement between the City of Dripping Springs and Vintage Market Days of Greater Austin for Banner Display at the Triangle regarding Vintage Market Days. Sponsor: Council Member Purcell**
8. **Approval of a Resolution adopting the Parks and Community Services Park Bench/Tree Dedication and Donation Program. Sponsor: Council Member King**

Filed as Resolution No. 202-R51

9. **Approval of a Resolution recognizing World Migratory Bird Day and the Bird City Texas Coalition's work toward the 2020 designation. Council Member Sponsor: Mayor Pro Tem Manassian.**

Filed as Resolution No. 202-R52

10. **Approval of Parkland Dedication Amendment for the Parten Ranch Subdivisions Master Open Space and Parks Plan.**

A motion was made by Mayor Pro Tem Manassian to approve Consent Agenda Items 1 – 10. Council Member Crow seconded the motion which carried unanimously 4 to 0.

BUSINESS AGENDA

11. **Discuss and consider approval of an Annexation Application and direction to staff to negotiate an Annexation Agreement with Owners to annex approximately 0.748 acres in the extraterritorial jurisdiction, situated in the Benjamin F Hanna Survey, Abstract No. 222, located at 102 Rose Drive, Dripping Springs, Texas 78620.**

Amanda Padilla presented the staff report which is on file. Staff recommends approval of the application.

A motion was made by Mayor Pro Tem Manassian to approve and Annexation Application and to direct staff negotiate an Annexation Agreement with Owners to annex approximately 0.748 acres in the extraterritorial jurisdiction, situated in the Benjamin F Hanna Survey, Abstract No. 222, located at 102 Rose Drive, Dripping Springs, Texas 78620. Council Member Crow seconded the motion which carried unanimously 4 to 0.

12. **Approval of an Amended and Restated Wastewater Agreement and Fees, with assignment, with CRTX Development LLC, for a project previously known as Terry's Mobile Home Park and now Planned Development District No. 11.**

Laura Mueller 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 the Amended and Restated Wastewater Agreement and Fees, with assignment, with CRTX Development LLC, for a project previously known as Terry's Mobile Home Park and now Planned Development District No. 11. Council Member Harris-Allison seconded the motion which carried unanimously 4 to 0.

- 13. Discuss and consider approval of an Ordinance creating Places and Staggering Terms of the Tax Increment Reinvestment Zone No. 1 Board and the Tax Increment Reinvestment Zone No. 2 Board.** *Sponsor: Mayor Pro Tem Manassian*

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 creating Places and Staggering Terms of the Tax Increment Reinvestment Zone No. 1 Board and the Tax Increment Reinvestment Zone No. 2 Board with spelling corrections noted. Council Member Harris-Allison seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2020-54

- 14. Discuss and consider approval of a Resolution Adopting a Policy for Consent to Municipal Utility Districts.** *Sponsor: Mayor Foulds, Jr.*

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

A motion was made by Mayor Pro Tem Manassian to approve a Resolution Adopting a Policy for Consent to Municipal Utility Districts. Council Member Crow seconded the motion which carried unanimously 5 to 0.

Filed as Resolution No. 2020-R53

- 15. Discuss and consider approval of an Ordinance amending Article 28.04 Site Development adding Section 28.04.025 License to Encroach including establishing the fee for License to Encroach applications.** *Sponsor: Mayor Foulds, Jr.*

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

A motion was made by Council Member Harris-Allison to approve an Ordinance amending Article 28.04 Site Development adding Section 28.04.025 License to Encroach including establishing the fee for License to Encroach applications. Council Member King seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2020-55

16. **Discuss and consider approval of an Ordinance Amending Article A1.000 of the Dripping Springs Fee Schedule, Section 4. Subdivisions and adding section 4.23. License to Encroach.** *Sponsor: Mayor Foulds, Jr.*

Laura Mueller's staff report is on file.

A motion was made by Mayor Pro Tem Manassian to approve an Ordinance Amending Article A1.000 of the Dripping Springs Fee Schedule, Section 4. Subdivisions and adding section 4.23. License to Encroach. Council Member Crow seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2020-56

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.

17. **Parks and Community Services Monthly Report**
Kelly Schmidt, PCS Director
18. **Maintenance and Facilities Monthly Report**
Craig Rice, Maintenance Director
19. **Transportation Committee Report**
Jim Martin, Interim Committee Chair
20. **Economic Development Committee Report**
Kim Fernea, Committee 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.

21. **Consultation with City Attorney regarding legal issues related to Emergency Management, Disaster Declaration, and Emergency Orders.** *Consultation with City Attorney, 551.071*
22. **Consultation with City Attorney and Deliberation of Real Property regarding property acquisition related to the South Regional Water Reclamation Project.** *Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072*
23. **Consultation with City Attorney and Deliberation of Real Property related to real property associated with the Town Center Project.** *Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072*

24. **Consultation with City Attorney regarding legal issues related to the Zoning Ordinance, Development Agreements, easements, and density of development.** *Consultation with Attorney, 551.071*
25. **Consultation with Attorney regarding legal issues related to litigation on the trial court's judgment in *SOS v. TCEQ* in the 459th Judicial District Court of Travis County and related development, financial, and utility issues.** *Consultation with City Attorney, 551.071*

The City Council did not meet in Executive Session.

UPCOMING MEETINGS

City Council Meetings

November 17, 2020 at 6:00 p.m.
December 8, 2020 at 6:00 p.m.
December 15, 2020 at 6:00 p.m.

Board, Commission & Committee Meetings

Emergency Management Commission, November 18, 2020 at 4:00 p.m.
Planning & Zoning Commission, November 18, 2020 at 6:30 p.m.
Transportation Committee, November 23, 2020 at 3:30 p.m.

ADJOURN

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

This regular meeting adjourned at 6:26 p.m.

APPROVED ON: December 8, 2020

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary