



## City Council Regular Meeting

City of Dripping Springs Council Chambers

511 Mercer Street - Dripping Springs, Texas

Tuesday, May 21, 2024, 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 6:01 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 4 Travis Crow  
Council Member Place 5 Sherrie Parks

### City Council Member absent was:

Council Member Place 3 Geoffrey Tahuahua

### Staff, Consultants & Appointed/Elected Officials

City Administrator Michelle Fischer  
Deputy City Administrator Ginger Faught  
Deputy City Administrator Shawn Cox  
Deputy City Attorney Aniz Alani  
People & Communications Director Lisa Sullivan  
Parks & Community Service Director Andy Binz  
Planning Director Tory Carpenter  
Utilities Director Dane Sorenson  
DSRP Manager Emily Nelson  
Community Event Coordinator Johnna Krantz  
IT Director Jason Weinstock  
Deputy City Secretary Cathy Gieselmann  
Deputy Constable Zach Miller

## PLEDGE OF ALLEGIANCE

Council Member Crow led the Pledge of Allegiance to the Flag.

## PRESENTATION OF CITIZENS

*A member of the public that wishes to address the City Council on any issue, regardless of whether it is posted on this agenda, may do so during Presentation of Citizens. It is the request of the City Council that individuals wishing to speak on agenda items with a public hearing hold their comments until the item is being considered. Individuals are allowed two (2) minutes each to speak regarding issues not on the*

*agenda and two (2) minutes per item on the agenda and may not cede or pool time. Those requiring the assistance of a translator will be allowed additional time to speak. Individuals are not required to sign in; however, it is encouraged. Individuals that wish to share documents with the City Council must present the documents to the City Secretary or City Attorney providing at least seven (7) copies; if seven (7) copies are not provided, the City Council will receive the documents the following day. Audio Video presentations will not be accepted during Presentation of Citizens. By law no action shall be taken during Presentation of Citizens; however, the Mayor may provide a statement of specific factual information, recitation of existing policy, or direction or referral to staff.*

Lindsey Thomas, Vice President of the Dripping Springs Mountain Bike Club, read a statement regarding the damage to the trails at DSRP and provided copy of her statement to City Council. Statement is on file.

## **PROCLAMATIONS & PRESENTATIONS**

*Proclamations and Presentations are for discussion purposes only and no action shall be taken.*

- 1. Presentation regarding the 2024 Point In Time (PIT) Count Survey Data.** *Nancy Heintz, Co-Chair Homeless Coalition of Hays County*

Nancy Heintz, 2024 PIT Co-Chair and Kaimi Mattila, Hays County Mental Health Court provided a presentation and thanked Mayor Foulds, Jr. for appointing Shawn Cox to represent Dripping Springs with the Coalition. Presentation is on file.

## **CONSENT AGENDA**

*The following items will be acted upon in a single motion and are considered to be ministerial or routine. No separate discussion or action on these items will be held unless pulled at the request of a member of the City Council or City staff.*

- 2. Approval of the May 7, 2024, City Council regular meeting minutes.**
- 3. Approval of the reappointment of Brenda Medcalf, Sharon Goss, Clint Holtzendorf, and Brian Varnell; and the appointment of Jeff Shindler, Kimberly Rutherford, and Michael Ward to the Founders Day Commission as at-large members for terms ending June 30, 2026.**
- 4. Approval of the April 2024 Treasurer's Report.**
- 5. Approval to allow and waive the facility rental fees for Environmental Consulting and Technology Inc. to conduct a Bat Mist Netting research program at Dripping Springs Ranch Park.** *Sponsor: Council Member Sherrie Parks*
- 6. Discuss and Consider Approval of an Equipment Sales Agreement with AUC Group, LLC. for a Wastewater Plant Expansion Site Preparation at Arrowhead Ranch**

A motion was made by Mayor Pro Tem Manassian to approve Consent Agenda Items 2 – 6, with corrections to Item 2 as presented at the dais. Council Member Parks seconded the motion which carried unanimously 4 to 0.

## BUSINESS AGENDA

**7. Discuss and consider approval of the Parkland Plan for Ariza Multifamily at 13900 W. US 290.** *Applicant: Cypressbrook 290 LP*

Applicant Luis Bordes, *Cypressbrook 290 LP*, provided a presentation which is on file.

Tory Carpenter provided the staff report and reported that the Parks & Recreation Commission voted 6 to 1 in favor of recommending approval to City Council. Tory also noted the report from Brent Luck was provided in the packet and he too recommends approval. Staff recommends approval with the following conditions:

1. The dog park will be maintained and managed by CypressBrook Multifamily management, LP as part of the ongoing service of the multifamily community.
2. The developer needs to indicate the location of the dog park entry gate on the park site plan which shall include a double gated entry.
3. The developer shall provide an accessible route to the dog park entry gate from the multifamily units.

A motion was made by Council Member Crow to approve of the Parkland Plan for Ariza Multifamily at 13900 W. US 290 with staff recommendations. Council Member Parks seconded the motion with carried unanimously 4 to 0.

**8. Public hearing and consideration of approval of VAR2024-001: an application for a Waiver to allow an accessory dwelling unit in excess of 700 square feet and within 10 feet of the primary structure at 424 Reata Way.** *Applicant: David Chodniewicz*

- a. Applicant Presentation** – No presentation; Applicant, David Chodniewicz was available for questions.
- b. Staff Report** – Tory Carpenter presented the staff report which is on file; these types of waivers specifically for accessory dwelling units are only decided upon by City Council, no recommendation by the Planning & Zoning Commission is required. Staff recommends approval of the variance as presented.
- c. Public Hearing** – No one spoke during the Public Hearing.
- d. ADU Waiver**

A motion was made by Council Member Parks to approve of VAR2024-001: an application for Waiver to allow an accessory dwelling unit in excess of 700 square feet and within 10 feet of the primary structure at 424 Reata Way. Mayor Pro Tem Manassian seconded the motion which carried unanimously 4 to 0.

A motion was made by Mayor Pro Tem Manassian to adjourn into Closed Session regarding Agenda Item 11, *Discuss and consider approval of Task Order #2 to the Professional Services Agreement between the*

*City of Dripping Springs and F.A. Bartlett Tree Experts for Tree Care Services (BAR04242024) for tree and shrub remedial pruning at Dripping Springs Ranch Park; and Closed Session Agenda Item 14 related to legal issues with the Mountain Bike Club under Texas Government Code Section 551.071, Consultation with Attorney before revisiting Agenda Item 9. Council Member Crow seconded the motion which carried unanimously 4 to 0.*

The City Council met in Closed Session from 6:41 p.m. – 6:53 p.m.

No vote or action was taken during Closed Session. Mayor Foulds, Jr. returned the meeting to Open Session at 6:53 p.m.

**9. Public hearing and consideration of approval of an Ordinance regarding an Amendment to the Fiscal Year 2023-2024 Budget.**

- a. **Staff Report** – Shawn Cox presented the staff report which is on file. Staff recommends approval of Amendment #6 to the Fiscal Year 2023-2024 Budget.
- b. **Public Hearing** – No one spoke during the Public Hearing.
- c. **Ordinance** - A motion was made by Mayor Pro Tem Manassian to approve an Ordinance regarding an Amendment to the Fiscal Year 2023-2024 Budget. Council Member Parks seconded the motion which carried unanimously 4 to 0.

**Filed as Ordinance No. 2024-25**

**10. Discuss and consider approval of Change Order #1 for Park System Signage Phase II and amendment of a contract with Southwest Monument & Sign.**

Andy Binz provided the staff report which is on file and noted that the Parks & Recreation Commission approved the recommendation to City Council for approval. Staff recommends approval of the Park System Signage Phase II Change Order #1 in the amount of \$1,800.

A motion was made by Mayor Pro Tem Manassian to approve of Change Order #1 for Park System Signage Phase II and amendment of a contract with Southwest Monument & Sign. Council Member King seconded the motion which carried unanimously 4 to 0.

**11. Discuss and consider approval of Task Order #2 to the Professional Services Agreement between the City of Dripping Springs and F.A. Bartlett Tree Experts for Tree Care Services (BAR04242024) for tree and shrub remedial pruning at Dripping Springs Ranch Park.**

Michelle Fischer provided the staff report which is on file. Staff recommends approval of Task Order #2.

Mayor Bill Foulds, Jr. stated that staff will work with the Dripping Springs Mountain Biking Club regarding community service to help with accountability and possibly reduce costs associated with damage to the trees in Dripping Springs Ranch Park.

A motion was made by Council Member King to approve of Task Order #2 to the Professional Services Agreement between the City of Dripping Springs and F.A. Bartlett Tree Experts for Tree Care Services (BAR04242024) for tree and shrub remedial pruning at Dripping Springs Ranch Park. Mayor Pro Tem Manassian seconded the motion which carried unanimously 4 to 0.

- 12. Discuss and consider approval of proposals from Post Oak Preservation Solutions to resurvey the Mercer Street Historic District and the Hays Street Historic District.**  
*Sponsor: Mayor Pro Tem Manassian*

Michelle Fischer provided the corrected staff report which is on file and noted the Historic Preservation Commission recommended approval to City Council. Staff recommends approval of proposals.

A motion was made by Council Member Parks to approve of proposals from Post Oak Preservation Solutions to resurvey the Mercer Street Historic District and the Hays Street Historic District. Mayor Pro Tem Manassian seconded the motion which carried unanimously 4 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.*

- 13. Presentation to the Historic Preservation Commission on the Old Fitzhugh Road Historic District Survey Report.** *Post Oak Preservation Solutions.*

Michelle Fischer noted that a copy of the presentation of the Survey Report which was presented to the Historic Preservation Commission was included in the City Council packet for reading pleasure. Report is on file.

A motion was made by Mayor Pro Tem Manassian to adjourn into Closed Session under Texas Government Code Section 551.071, Consultation with Attorney and regarding Closed Session Agenda Item 15. Council Member King seconded the motion which carried unanimously 4 to 0.

## **CLOSED SESSION**

*The City Council has the right to adjourn into closed session on any item on this agenda and at any time during the course of this meeting to discuss any matter as authorized by law or by the Open Meetings Act, Texas Government Code Sections 551.071 (Consultation With Attorney), 551.072 (Deliberation Regarding Real Property), 551.073 (Deliberation Regarding Prospective Gifts), 551.074 (Personnel Matters), 551.076 (Deliberation Regarding Security Devices or Security Audits), and 551.087 (Deliberation Regarding Economic Development Negotiations), and 551.089 (Deliberation Regarding Security Devices or Security Audits). Any final action or vote on any Closed Session item will be taken in Open Session.*

- 14. Consultation with Attorney related to legal issues on the agreement with the Dripping Springs Mountain Biking Club.** *Consultation with Attorney, 551.071*

- 15. 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***

The City Council met in Closed Session from 7:22 p.m. to 7:38 p.m.

No action or vote was taken during Closed Session. Mayor Foulds, Jr. returned the meeting to Open Session at 7:38 p.m.

## **UPCOMING MEETINGS**

### **City Council & Board of Adjustment Meetings**

June 4, 2024, at 6:00 p.m. (CC & BOA)

June 18, 2024, at 6:00 p.m. (CC)

July 2, 2024, at 6:00 p.m. (CC & BOA)

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

### **Board, Commission & Committee Meetings**

May 22, 2024, Economic Development Committee at 4:00 p.m.

June 6, 2024, Historic Preservation Commission at 4:00 p.m.

June 10, 2024, TIRZ No. 1 & No. 2 Board at 4:00 p.m.

June 12, 2024, DSRP Board at 11:00 a.m.

June 20, 2024, Parks & Recreation Commission at 6:00 p.m.

June 20, 2024, Farmers Market Committee at 10:00 a.m.

June 20, 2024, Emergency Management Committee at 12:00 p.m.

June 20, 2024, Utility Commission at 4:00 p.m.

June 24, 2024, Transportation Committee 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 4 to 0.

This regular meeting adjourned at 7:40 p.m.

***APPROVED ON: June 4, 2024***

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*Bill Foulds, Jr., Mayor*

***ATTEST:***

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*Cathy Gieselman, Deputy City Secretary*