



DRIPPING SPRINGS
Texas

CITY COUNCIL REGULAR MEETING
City of Dripping Springs
Council Chambers, 511 Mercer St, Dripping Springs, TX
Tuesday, February 21, 2023 at 6:00 PM

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 5 Sherrie Parks

City Council Members absent were:

Council Member Place 3 Geoffrey Tahuahua
Council Member Place 4 Travis Crow

Staff, Consultants & Appointed/Elected Officials present were:

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Treasurer Shawn Cox
City Secretary Andrea Cunningham
Deputy City Secretary Cathy Gieselman
Planning Director Tory Carpenter
City Planner Warlan Rivera
People & Communications Director Lisa Sullivan
Public Works Director Aaron Reed
Deputy Public Works Director Craig Rice
Building Official Shane Pevehouse
Parks & Community Services Director Andy Binz
Community Events Coordinator Johnna Krantz
Emergency Management Coordinator Roman Baligad
Administrative Assistant Ryane Maceyra
Utilities Operator Gray Lahrman
City Maintenance Robert Hutson
City Inspector Riley Sublett
Content Marketing Specialist Stephanie Hartnett
TIRZ Project Manager Keenan Smith
Planning & Zoning Commission Chair Mim James
Founders Day Commission Vice Chair Jake Adams

City Maintenance Lead Sonny Garza
Transportation Consultant Leslie Pollack

PLEDGE OF ALLEGIANCE

Council Member King 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.

PRESENTATIONS

1. Ice Storm Mara Presentation
Craig Rice, Deputy Public Works Director

Craig Rice recognized Sonny Garza, Johnathon Hill, Robert Hutson, Andrew Thompson, Riley Sublett, and Gray Lahrman for their contributions towards the City's successful recovery from Ice Storm Mara.

2. State of the City Presentation, Look Back and Look Ahead.
City Staff

Michelle Fischer introduced the item. Members of staff gave a presentation regarding achievements and future projects. This presentation is on file and available for review upon request.

3. Old Fitzhugh Road Project Presentation
Keenan Smith, TIRZ Project Manager

Keenan Smith gave a presentation on the Old Fitzhugh Road Project which is on file and available for review upon request.

A motion was made by Mayor Pro Tem Taline Manassian to request a short break of the City Council meeting. Council Member Parks seconded the motion which carried unanimously 3 to 0.

Mayor Foulds, Jr. returned the meeting to Open Session at 7:13 p.m.

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.

- 4. Approval of the February 7, 2023, City Council & Board of Adjustment regular meeting minutes.**
- 5. Approval of an Ordinance Cancelling the May 7, 2022, General Election and declaring each unopposed candidate elected to office; providing that this ordinance shall be cumulative of all ordinances; providing a severability clause and providing an effective date.**

Filed as Ordinance No. 2023-05

- 6. Approval of Julia Houston and her firm Orrick as Disclosure Counsel for the Heritage Public Improvement District. Applicant: Julia Houston**
- 7. Approval of Amendment No. 7 to Wholesale Water Supply Agreement between West Travis County Public Utility and City of Dripping Springs for the Driftwood Creek Commercial Tract. Sponsor: Mayor Foulds, Jr.**
- 8. Approval of Wholesale Water Services Agreement between West Travis County Public Utility Agency and the City of Dripping Springs for the Cannon Ranch Subdivision. Sponsor: Mayor Bill Foulds, Jr.**
- 9. Approval of Carter Tract Escrow Agreements for traffic signal at FM 150 and Ranch Road 12 and Road Widening of Mount Gainor Road. Sponsor: Council Member Crow**
- 10. Approval of a Founders Day Participation Agreement with the Lions Club regarding Carnival and Food. Sponsor: Council Member Parks**
- 11. Approval of a Founders Day Participation Agreement with St. Martin de Porres Catholic Church regarding Arts & Crafts Booths. Sponsor: Council Member Parks**
- 12. Approval of a Founders Day Participation Agreement with the Dripping Springs Cook-Off Club regarding Cooker's Booths. Sponsor: Council Member Parks**
- 13. Approval of the January 2023 City Treasurer's Report.**

A motion was made by Mayor Pro Tem Manassian to approve Consent Agenda Items 4 – 13. Council Member Parks seconded the motion which carried unanimously 3 to 0.

BUSINESS AGENDA

- 14. Public hearing and consideration of approval of an Ordinance regarding ZA2022-0007: an application for a zoning map amendment from Agriculture (AG) to Commercial Services (CS) for approximately 5.00 acres out of the H. B. Hargraves Survey located at 4300 E US 290. Applicant: Daniel Besa**

a. Applicant Presentation – Applicant Daniel Besa was available for questions from the City Council.

b. Staff Report – Tory Carpenter presented the staff report which is on file. Staff recommends approval of the zoning amendment.

c. Planning & Zoning Commission Report – Mim James presented the report. The Planning & Zoning Commission recommended approval 5 to 0, with direction to staff to address traffic issues.

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

e. ZA2022-0007 – A motion was made by Council Member King to approve an Ordinance regarding ZA2022-0007: an application for a zoning map amendment from Agriculture (AG) to Commercial Services (CS) for approximately 5.00 acres out of the H. B. Hargraves Survey located at 4300 E US 290. Mayor Pro Tem Manassian seconded the motion which carried unanimously 3 to 0.

Filed as Ordinance No. 2023-07

- 15. Discuss and consider acceptance of an Annexation Petition and direction to staff to negotiate an Annexation Agreement with owners to annex approximately 5.02 acres in the Extraterritorial Jurisdiction, situated out of the C.H. Mallot Survey located at 1300 E US 290. Applicant: Victor Ostiguin, Doucet & Associates.**

Tory Carpenter presented the staff report which is on file. Staff recommends acceptance of the petition.

A motion was made by Mayor Pro Tem Manassian to accept an Annexation Petition and direction to staff to negotiate an Annexation Agreement with owners to annex approximately 5.02 acres in the Extraterritorial Jurisdiction, situated out of the C.H. Mallot Survey located at 1300 E US 290. Council Member Parks seconded the motion which carried unanimously 3 to 0.

- 16. Public hearing and consideration of approval of a Sign Variance Request to exceed maximum square footage for window signs at HTeaO, located at 12680 W. Highway 290, Austin, Texas, 78737. Applicant: Christie Sanders**

a. Applicant Presentation – Applicant Christie Sanders spoke regarding the request and was available for questions from the City Council.

b. Staff Report – Shane Pevehouse presented the staff report which is on file. Staff recommends denial of the request.

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

d. HTeaO Sign Variance – A motion was made by Mayor Pro Tem Manassian to deny approval of a Sign Variance Request to exceed maximum square footage for window signs at HTeaO, located at 12680 W. Highway 290, Austin, Texas, 78737.

The motion dies for lack of second.

No action was taken regarding this item.

- 17. Discuss and consider approval of Founders Day Festival Sponsorship and Vendor Agreements related to the sale of food and beverage, including alcohol beverages.** *Sponsor: Mayor Foulds, Jr.*

Jake Adams presented the item.

A motion was made by Council Member Parks to approve the Founders Day Festival Sponsorship and Vendor Agreements related to the sale of food and beverage, including alcoholic beverages with direction to the Commission that they either pursue a percentage of the food or beverage sales or a higher sponsorship level. Mayor Pro Tem Manassian seconded the motion which carried unanimously 3 to 0.

- 18. Discuss and consider approval of an Ordinance Amending Article 16.02 Parks and Recreation in the City Code of Ordinances.** *Sponsor: Council Member Parks.*

Andy Binz presented the staff report which is on file. Staff and the Parks & Recreation Commission recommend approval of the amendment.

A motion was made by Mayor Pro Tem Manassian to postpone consideration of the item to the regular City Council meeting on March 7, 2023. Council Member King seconded the motion which carried unanimously 3 to 0.

- 19. Discuss and consider approval of a bid submission from Lone Star Siteworks, LLC and authorization for staff to negotiate an agreement for the Founders Parking Lot Expansion Project.** *Sponsor: Council Member Parks*

Craig Rice presented the staff report which is on file. Staff recommends approval of the selection of Lone Star Siteworks related to the Founders Parking Lot Expansion Project.

A motion was made by Mayor Pro Tem Manassian to approve of the selection of Lone Star Siteworks, LLC and authorization for staff to negotiate an agreement for the Founders Parking Lot Expansion Project. Council Member Parks seconded the motion which carried unanimously 3 to 0.

- 20. Discuss and consider approval to change the City's Benefit Waiting Period to the first day of the month following a new employee's start date.** *Sponsor: Mayor Bill Foulds, Jr.*

Michelle Fischer presented the staff report which is on file. Staff recommends approval of the change to the City's Benefit Waiting Period.

A motion was made by Mayor Pro Tem Manassian approve of change the City's Benefit Waiting Period to the first day of the month following a new employee's start date. Council Member King seconded the motion which carried unanimously 3 to 0.

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.

21. Report on Code Enforcement Litigation related to Site Development Permit.
Laura Mueller, City Attorney

Report was postponed and will be presented at the March 7, 2023, City Council regular meeting.

22. Planning and Development Department Report

Report is on file and available for review upon request.

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.

23. Consultation with City Attorney related to legal issues regarding annexation and zoning of properties. *Consultation with Attorney, 551.071*

24. Consultation with City Attorney and Deliberation of Real Property regarding property acquisition related to the South Regional Water Reclamation Project. *Consultation with Attorney, 551.071; Deliberation of Real Property, 551.072*

25. Consultation with Counsel related to litigation regarding the South Regional Water Reclamation Project, Wastewater Permits, Code Enforcement, and related items. *Consultation with Attorney, 551.071*

26. Consultation with City Attorney related to legal issues on rezoning and alcohol regulation on city property. *Consultation with Attorney, 551.071*

The City Council did not meet in Executive Session.

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

March 7, 2023, at 6:00 p.m. (CC & BOA)

March 21, 2023, at 6:00 p.m. (CC)

April 4, 2023, at 6:00 p.m. (CC & BOA)

April 18, 2023, at 6:00 p.m. (CC)

Boards, Commissions & Committees

February 22, 2023, Economic Development Committee at 4:00 p.m.

February 27, 2023, Transportation Committee at 3:30 p.m.

February 27, 2023, Founders Day Commission at 6:30 p.m.

February 28, 2023, Planning & Zoning Commission at 6:00 p.m.

March 1, 2023, DSRP Board at 11:00 a.m.

March 2, 2023, Historic Preservation Commission at 4:00 p.m.

March 6, 2023, Parks & Recreation Commission at 6:00 p.m.

March 8, 2023, Utility Commission at 4:00 p.m.

ADJOURN

A motion was made by Mayor Pro Tem Manassian to adjourn the meeting. Council Member Parks seconded the motion which carried unanimously 3 to 0.

This regular meeting adjourned at 8:22 p.m.

APPROVED ON: March 21, 2023

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary