



City Council

Workshop & Regular Meeting Minutes February 18, 2020 at 6:00 p.m.

A Workshop & Regular Meeting of the City Council of Dripping Springs, Texas was held Tuesday, February 18, 2020 beginning at 6:00 p.m. in the City Hall Council Chambers located at 511 Mercer Street, Dripping Springs, Texas.

I. CALL TO ORDER AND ROLL CALL

Mayor & City Council Members present were:

Mayor Todd Purcell
Mayor Pro Tem Bill Foulds
Council Member Wade King
Council Member John Kroll
Council Member Taline Manassian

Council Member absent was:

Council Member Travis Crow

City Staff/Appointed Officials/Consultants present were:

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Attorney Laura Mueller
City Secretary Andrea Cunningham
City Treasurer Gina Gillis
City Planner Amanda Padilla
Parks & Community Services Director Kelly Schmidt
Dripping Springs Ranch Park & Event Center Manager Lynne Dickinson
Land Planning Consultant Robin Miga
TIRZ No. 1 & No. 2 Board Chair Dave Edwards
TIRZ Project Manager Keenan Smith
TIRZ P3 Consultant Darin Smith
Financial Advisor Chris Lane
Special Counsel Richard Donoghue

With a quorum of the City Council present, Mayor Purcell called the meeting to order at 6:03 p.m.

A motion was made by Council Member Kroll to excuse the absence of Council Member Crow. Council member King seconded the motion which carried unanimously 4 to 0.

A motion was made by Council Member Kroll to consider Business Item E out of order and before the Workshop. Mayor Pro Tem Foulds seconded the motion which carried unanimously 4 to 0.

II. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Foulds led the Pledge of Allegiance to the Flag.

BUSINESS AGENDA ITEM E:

- E. Discuss and consider approval of a Resolution accepting the improvements constructed by the Hays County Livestock Board at the Dripping Springs Ranch Park at 1042 Event Center Drive, Dripping Springs, TX 78620, releasing construction bonds, and accepting the maintenance bond for the improvements.**

Sponsor: Mayor Purcell

Laura Mueller and Lynne Dickinson presented the staff report which is on file.

Hays County Livestock Board 2nd Vice President Terry Polk was available for questions from the City Council.

A motion was made by Mayor Pro Tem Foulds to approve a Resolution accepting the improvements constructed by the Hays County Livestock Board at the Dripping Springs Ranch Park at 1042 Event Center Drive, Dripping Springs, TX 78620, releasing construction bonds, and accepting the maintenance bond for the improvements. Council Member King seconded the motion which carried unanimously 4 to 0.

Filed as Resolution No. 2020-R05

III. WORKSHOP

Items for discussion only. No action to be taken.

- A. Presentation and discussion regarding Implementation of the Dripping Springs Tax Increment Reinvestment Zone No. 1 and Zone No. 2 Town Center Project.**

Keenan Smith, TIRZ Project Manager and Darin Smith, P3 Consultant

Sponsor: Council Member Manassian

Dave Edwards introduced the item.

Keenan Smith and Darin Smith gave the presentation which is on file.

- B. Discussion and staff direction regarding an Interlocal Agreement between the City of Dripping Springs, Dripping Springs Tax Increment Reinvestment Zone No. 1 and Zone No. 2, Dripping Springs Independent School District, Dripping Springs Community Library District and Hays County, and related to the TIRZ Town Center Project and funding sources for the project.**

Laura Mueller presented the item. Staff is seeking direction from the City Council regarding any item within the agreement.

The City Council will provide direction to staff following the Executive Session.

IV. 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.

V. CONSENT AGENDA

- A. Approval of a Fee Waiver Request from the Hays County Sheriff's Department for the use of the Dripping Springs Ranch Park and Event Center Portable Bleachers for the Capitol of Texas Police Motor Chute to be held March 11, 2020.**
Sponsor: Council Member King
- B. Approval of a Co-Sponsorship Agreement between the City of Dripping Springs and D Bar S Roping Club regarding Roping Events and Practices at the Dripping Springs Ranch Park and Event Center.**
Sponsor: Council Member King
- C. Approval of a Co-Sponsorship Agreement between the City of Dripping Springs and the Knights of Columbus Council 11695 for the Knights of Columbus Fish Fry to be held on February 28th, March 13th, and April 10th, 2020.**
Sponsor: Council Member King

A motion was made by Council Member King to approve Consent Agenda Items A – C. Council Member Kroll seconded the motion which carried unanimously 4 to 0.

VI. BUSINESS

- A. Presentation and consideration of approval of the City of Dripping Springs Fiscal Year 2019 Financial Audit.**
Don Allman, CPA, PC

Don Allman presented the item and reviewed the City of Dripping Springs Fiscal Year 2019 Financial Audit which is on file.

A motion was made by Council Member Kroll to approve and accept the City of Dripping Springs Fiscal Year 2019 Financial Audit. Council Member Manassian seconded the motion which carried unanimously 4 to 0.
- B. Public Hearing, discuss, and consider approval of Annexation Agreement and Annexation Ordinance Annexing approximately 8.546 acres, situated in the Benjamin F. Hanna Survey No. 222, Section Number 28, Hays County, Texas, generally located**

north of West Hwy 290, west of Bell Springs Road, south of West Fitzhugh, and east of McGregor Lane, more specifically known as 2300 W. Hwy 290, to be known as AAA Storage Annexation.

Applicant: Glenda Jacoby

1. Presentation

No presentation was given.

2. Staff Report

Robyn Miga presented the staff report which is on file. Staff recommends approval of the agreement and ordinance.

3. Public Hearing

No one spoke during the Public Hearing.

4. Annexation Agreement

A motion was made by Mayor Pro Tem Foulds to approve an Annexation Agreement regarding approximately 8.546 acres, situated in the Benjamin F. Hanna Survey No. 222, Section Number 28, Hays County, Texas, generally located north of West Hwy 290, west of Bell Springs Road, south of West Fitzhugh, and east of McGregor Lane, more specifically known as 2300 W. Hwy 290, to be known as AAA Storage Annexation. Council Member Kroll seconded the motion which carried unanimously 4 to 0 .

5. Annexation Ordinance

A motion was made by Mayor Pro Tem Foulds to approve an Annexation Ordinance regarding approximately 8.546 acres, situated in the Benjamin F. Hanna Survey No. 222, Section Number 28, Hays County, Texas, generally located north of West Hwy 290, west of Bell Springs Road, south of West Fitzhugh, and east of McGregor Lane, more specifically known as 2300 W. Hwy 290, to be known as AAA Storage Annexation. Council Member Kroll seconded the motion which carried unanimously 4 to 0 .

Filed as Ordinance No. 2020-09

Via unanimous consent, the City Council considers Items C and D together.

- C. Discuss and consider approval of an Amendment to Task Order No. 2 regarding the Professional Services Agreement between the City of Dripping Springs and McCann Adams Studio related to the TIRZ Town Center Project.**

Sponsor: Council Member Manassian

- D. Discuss and consider approval of an Amendment to Task Order No. 2 regarding the Professional Services Agreement between the City of Dripping Springs and HDR Engineering, Inc related to the TIRZ Town Center Project.**

Sponsor: Council Member Manassian

Keenan Smith presented the staff report for both C and D, which is on file. Staff recommends approval of the amendments.

A motion was made by Mayor Pro Tem Foulds to approve an Amendment to Task Order No. 2 regarding the Professional Services Agreement between the Professional Services Agreement between the City of Dripping Springs and McCann Adams Studio, and the City of Dripping Springs and HDR Engineering, Inc and related to the TIRZ Town Center Project. Council Member King seconded the motion which carried unanimously 4 to 0 .

- E. Discuss and consider approval of a Resolution accepting the improvements constructed by the Hays County Livestock Board at the Dripping Springs Ranch Park at 1042 Event Center Drive, Dripping Springs, TX 78620, releasing construction bonds, and accepting the maintenance bond for the improvements.**

Sponsor: Mayor Purcell

This item was considered earlier in the Agenda.

- F. Discuss and consider approval of the Appointment of one individual to the Parks & Recreation Commission as an At-Large Member for a term ending June 30, 2021.**

Andrea Cunningham presented the staff report which is on file. Staff recommends the appointment of one individual.

A motion was made by Mayor Pro Tem Foulds to approve the appointment of Amber Ballman to the Parks & Recreation Commission as an At-Large Member for a term ending June 30, 2021. Council Member Kroll seconded the motion which carried unanimously 4 to 0.

- G. Discuss and consider approval of Change Order No. 1 to Professional Services Agreement between the City of Dripping Springs and SAM, LLC regarding Surveying and Mapping Services related to the South Regional Water Reclamation Expansion Project.**

Sponsor: Mayor Pro Tem Foulds

Ginger Faught presented the staff report which is on file. Staff recommends approval of the change order.

A motion was made by Mayor Pro Tem Foulds to approve a Change Order No. 1 to Professional Services Agreement between the City of Dripping Springs and SAM, LLC regarding Surveying and Mapping Services related to the South Regional Water Reclamation Expansion Project. Council member Kroll seconded the motion which carried unanimously 4 to 0.

- H. Discuss and consider approval of the Renewal or Cancellation of a Consultant Services Agreement between the City of Dripping Springs and MuniServices, LLC related to the following: Sales Tax Compliance Review; Clearview, Sales/Use Tax Analysis and**

Reporting Service; and Local Hotel Occupancy Tax Program Discovery/Recovery, Audit and Administration Services.

Sponsor: Mayor Purcell

Council Member Kroll recused from this item and exited the dais. An Affidavit of Conflict of Interest is on file and available for review in the City Secretary's Office.

Michelle Fischer presented the staff report which is on file. Staff recommends non-renewal of the agreement.

A motion was made by Mayor Pro Tem Foulds to terminate the Consultant Services Agreement between the City of Dripping Springs and MuniServices, LLC related to the following: Sales Tax Compliance Review; Clearview, Sales/Use Tax Analysis and Reporting Service; and Local Hotel Occupancy Tax Program Discovery/Recovery, Audit and Administration Services. Council Member Manassian seconded the motion which carried 3 to 1, with Council Member Kroll recused.

I. Discussion and direction to City Staff regarding Texas Department of Transportation's Approval of Funding for Transportation Alternative Set-Aside Program and Safe Routes to Schools Projects.

Sponsor: Council Member Crow

Ginger Faught introduced the item. The City submitted two grant applications and was awarded both.

Gandolf Burrus and Katerina Dittmore with Grant Development Services presented the item.

City Council directed staff to negotiate the timelines for both projects and bring back for City Council consideration.

VII. REPORTS

Reports of Staff, Boards, Commissions, Committees, Boards and Agencies. All reports are on file and available for

A. Economic Development Committee Monthly Report

Kim Fernea, Committee Chair

A motion was made by Mayor Pro Tem Foulds to adjourn into Executive Session under Texas Government Code Section 551.071, Consultation with City Attorney and regarding Executive Session Agenda Items A – C. Council Member Kroll seconded the motion which carried unanimously 4 to 0.

VIII. EXECUTIVE SESSION

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.

- A. Consultation with City Attorney regarding legal matters related to the Interlocal Agreement regarding the TIRZ Town Center Project.**
Consultation with City Attorney, 551.071
- B. Consultation with City Attorney regarding legal issues related to processes and procedures related to Site Development Violations in the extraterritorial jurisdiction and court actions.**
Consultation with City Attorney, 551.071
- C. 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 from 7:13 p.m. – 7:50 p.m.

No vote or action was taken during Executive Session. Mayor Purcell returned the meeting to Open Session at 7:50 p.m.

OPEN SESSION

A motion was made by Mayor Pro Tem Foulds to move Executive Session Agenda Item B into Open Session for consideration. Council Member Kroll seconded the motion which carried unanimously 4 to 0.

B. Consultation with City Attorney regarding legal issues related to processes and procedures related to Site Development Violations in the extraterritorial jurisdiction and court actions.

A motion was made by Mayor Pro Tem Foulds to proceed with Site Development Violations in the Extraterritorial Jurisdiction (ETJ) and to take any court actions necessary after negotiations and determined ninety (90) day deadline. Council Member Kroll seconded the motion which carried unanimously 4 to 0.

Workshop Agenda Item B:

B. Discussion and staff direction regarding an Interlocal Agreement between the City of Dripping Springs, Dripping Springs Tax Increment Reinvestment Zone No. 1 and Zone No. 2, Dripping Springs Independent School District, Dripping Springs Community Library District and Hays County, and related to the TIRZ Town Center Project and funding sources for the project.

City Council directed staff to include additional financial information as discussed in Executive Session.

IX. UPCOMING MEETINGS

- A. City Council & Board of Adjustment Meetings**
February 27, 2020 at 5:30 p.m. Special Meeting
March 10, 2020 at 6:00 p.m. (6:00 Workshop / 6:30 Regular Meeting)

March 17, 2020 at 6:00 p.m.

April 14, 2020 at 6:00 p.m. (6:00 Workshop / 6:30 Regular Meeting)

April 21, 2020 at 6:00 p.m.

B. Board, Commission & Committee Meetings

February 20, 2020 Farmers Market Board Association at 10:00 a.m.

February 24, 2020 Transportation Committee at 3:30 p.m.

February 24, 2020 Founders Day Commission at 6:30 p.m.

February 25, 2020 Planning & Zoning Commission at 6:30 p.m.

February 26, 2020 Economic Development Committee at 4:00 p.m.

March 2, 2020 Parks & Recreation Commission at 6:00 p.m.

March 5, 2020 Historic Preservation Commission at 4:00 p.m.

March 9, 2020 TIRZ No. 1 & No. 2 Board at 4:00 p.m.

March 9, 2020 Founders Day Commission at 6:30 p.m.

March 11, 2020 Utility Commission at 4:00 p.m.

X. ADJOURN

A motion was made by Council Member Kroll to adjourn the meeting. Council Member King seconded the motion which carried unanimously 4 to 0.

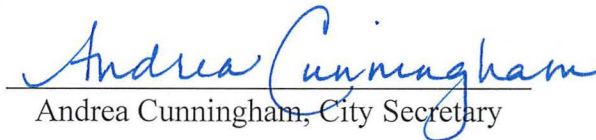
This regular meeting adjourned at 7:53 p.m.

DATE APPROVED: March 10, 2020



Todd Purcell, Mayor

ATTEST:



Andrea Cunningham, City Secretary

