

City Council & Board of Adjustment

Workshop & Regular Meeting Minutes September 10, 2019 at 6:00 p.m.

A Workshop and Regular Meeting of the City Council and Board of Adjustment of Dripping Springs, Texas, was held Tuesday, September 10, 2019 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/Board of Adjustment:

Mayor Todd Purcell
Council Member Travis Crow
Council Member Wade King
Council Member John Kroll
Board of Adjustment Alternate Member Charles Busbey

City Council Members absent were:

Mayor Pro Tem Bill Foulds
Council Member Taline Manassian

City Staff/Appointed Officials/Consultants:

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Secretary Andrea Cunningham
City Treasurer Gina Gillis
Parks & Community Services Director Mariana Espinoza
Dripping Springs Ranch Park Manager Lynne Dickinson
Parks Intern Olivia Pringle
Planning Director Jason Lutz
City Engineer Chad Gilpin
Assistant City Attorney Laura Mueller
Planning & Zoning Commission Chair Mim James

With a quorum of the City Council present, Mayor Purcell called the meeting to order at 6:00 p.m.

II. WORKSHOP

No action will be taken during the Workshop.

A. Discussion regarding the Fiscal Year 2020 Budget.

No discussion on this item.

A motion was made by Council Member Kroll to adjourn into Executive Session under Texas Government Code Sections 551.071, Consultation with City Attorney and regarding Executive Session Agenda Item A. Council Member King seconded the motion which carried unanimously 3 to 0.

Executive Session Agenda

A. Consultation with City Attorney regarding legal issues related to land use regulation including alcohol and land development fees and fee schedule.

Consultation with City Attorney, 551.071

The City Council met in Executive Session from 6:01 p.m. – 6:09 p.m. No vote or action was taken during Executive Session.

Mayor Purcell returned the meeting to Open Session at 6:10 p.m.

III. RECESS

The City Council recessed from 6:10 p.m. – 6:30 p.m.

IV. RECONVENE AT 6:30 P.M.

Mayor Purcell reconvened the meeting at 6:30 p.m.

V. PLEDGE OF ALLEGIANCE

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

VI. PRESENTATION OF CITIZENS

The floor is open for Citizens wishing to speak on any item including those items that are on the agenda or items that are not on the posted agenda. Citizens wishing to speak on an item with a posted public hearing shall do so at the time of the public hearing. Speakers are encouraged to sign in prior to speaking. Citizens wishing to speak shall do so after being recognized by the Mayor. Speakers are allowed two (2) minutes to speak, which the Mayor or City Council may extend. By law no action may be taken during Presentation of Citizens.

Teresa Tautfest spoke regarding floodplain development.

Michelle Moestert spoke regarding flooding issues.

VII. PROCLAMATIONS & PRESENTATIONS

No action to be taken on proclamations and presentations. The City Council may choose to discuss and take public comment on these items as necessary.

A. Proclamation Proclaiming the week of September 17 - 23, 2019 as "Constitution Week" in the City of Dripping Springs, Texas.

Sponsor: Council Member King

Council Member King read the proclamation and presented it to members of the Dripping Springs' Sarah Pound Chapter of the Daughters of the American Revolution.

B. Proclamation proclaiming September 2019 as "Hunger Action Month" in the City of Dripping Springs, Texas.

Sponsor: Council Member King

Council Member King read the proclamation.

VIII. 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.

- A. Approval of the City Council & Board of Adjustment Workshop and Regular Meeting Minutes of August 13, 2019; Regular City Council Meeting Minutes of August 20, 2019; and the Special City Council Meeting Minutes of August 27, 2019.**
- B. Approval of the City Treasurer's Report of August 2019.**
- C. Approval of a Temporary Street Closure and Co-Sponsorship Agreement between the City of Dripping Springs and Run by the Creek regarding the Run by the Creek 5k and 10K to be held November 10, 2019 from Roger Hanks Parkway/HWY290 to Roger Hanks Parkway/Creekroad, and Creek Road to Dario Drive.**
Sponsor: Taline Manassian
- D. Approval of a Co-Sponsorship Application between the City of Dripping Springs and Dripping Springs Elementary School regarding the Octoberfest Fall Fair to be held Saturday, October 26, 2019 at Dripping Springs Elementary School.**
Sponsor: Wade King
- E. Approval of a Co-Sponsorship Agreement between the Hill Country Senior Center and the City of Dripping Springs for the Bed and Breakfast Tour to be held December 14, 2019.**
Sponsor: Wade King
- F. Approval of a Temporary Street Closure for the Dripping Springs High School Homecoming Parade to be held from 5:00 pm to 8:00 pm on October 2, 2019, including Sportsplex Dr. from Dripping Springs High School to Parade Ln., Mercer St. to San Marcos St., Old Fitzhugh Rd. at Mercer, St. and Wallace St. from Bluff to San Marcos Streets.**
Sponsor: Wade King
- G. Approval of a Co-Sponsorship Agreement between the City of Dripping Springs and The Dr. Pound Historical Farmstead for the Boots and Bling Heritage Gala Fundraiser to be held September 28, 2019.**
Sponsor: Wade King

- H. **Approval of a Resolution Approving and Accepting a Construction Bond for Driftwood Ranch Phase 1 Excavation, Water and Wastewater Improvements; providing for: effective date, and proper notice and meeting.**
Sponsor: Mayor Pro Tem Foulds

Filed as Resolution No. 2019-R33

- I. **Approval of a request for Reduced Rental Fees from Frosty's Christmas Trees regarding the rental of a portion of The Triangle from November 21 - December 21, 2019.**
Sponsor: Council Member King

- J. **Discuss and consider approval of an Ordinance Amending Chapter 1, Article 1.02 City Council, Division 2 Meetings related to SB 494 and regarding Emergency Meetings.**

Filed as Ordinance No. 2019-27

A motion was made by Council Member Kroll to approve Consent Agenda Items A – J. Council Member King seconded the motion which carried unanimously 3 to 0.

IX. BUDGET

- A. **Second Public Hearing regarding the Fiscal Year 2019 Tax Rate.**

No one spoke during the Public Hearing.

- B. **Discuss and consider approval of the Fiscal Year 2020 City of Dripping Springs Proposed Budget.**

1. Public Hearing

No one spoke during the Public Hearing.

2. FY 2020 Budget

A motion was made by Council Member Kroll to postpone consideration of the Fiscal Year 2020 City of Dripping Springs Proposed Budget to the Regular City Council meeting on September 17, 2019. Council Member Crow seconded the motion which carried unanimously 3 to 0.

X. BOARD OF ADJUSTMENT

The Board of Adjustment will consider items related to appeals of administrative land use determinations, requests for variances and special exceptions related to land use projects, and other items as provided for in the Dripping Springs Code of Ordinances.

Board of Adjustment Members Present: Todd Purcell, John Kroll, Travis Crow, Wade King and Alternate Member Charles Busbey.

- A. **Public hearing and consideration of approval regarding VAR2019-0009: Application for Variance Requests for the property located at 400 W Hwy 290, Dripping Springs, TX 78620, which is to be known as “Bldg D” (Legal Description: Original Town of Dripping Springs, north 1/2 Block 12 Hays County, Texas). Variances are being requested to Chapter 30, Section 5.7.6 regarding how mixed use structures calculate required parking, Section 5.7.7 regarding what business uses can enter into a shared parking agreement, and Section 5.7.8 to allow for increased parking in the right of way, along North Bluff Street.**
Applicant: Jon Thompson

1. Presentation

Jon Thompson gave a presentation on the item and was available for questions.

2. Staff Report

Jason Lutz presented the staff report which is on file. Staff recommends approval of the variance requests with the following conditions:

- 1) The applicant construct/improve existing areas within the right-of-way to help reduce deficit between the number of parking spaces.
- 2) The applicant provides the required documentation outlining the proposed uses for shared parking agreements that include detailing hours of operation for each business to ensure they are operating at different times.
- 3) Any conditions or requirements be completed prior to issuance of a Certificate of Occupancy for the Tasting Room.

3. Planning & Zoning Commission Report

Chair James: Commission recommended approval 7 to 0, with staff conditions No. 2 and No. 3, and with modification to condition No. 1 that increased parking along the right-of-way is along North Bluff Street.

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

5. Variances

A motion was made by Board Member Kroll to approve VAR2019-0009: Application for Variance Requests for the property located at 400 W Hwy 290, Dripping Springs, TX 78620, which is to be known as “Bldg D” (Legal Description: Original Town of Dripping Springs, north 1/2 Block 12 Hays County, Texas) with the following recommendations: 1) The applicant provides the required documentation outlining the proposed uses for shared parking agreements that include detailing hours of operation for each business to ensure they are operating at different times; 2) the applicant provides the required documentation outlining the proposed uses for shared parking agreements that include detailing hours of operation for each business to ensure they are operating at different times; 3) that conditions and requirements must be completed prior to issuance of the Certificate of Occupancy for the Tasting Room; and 4) any tenant assigned daytime parking be available for after business

hours parking. Board Member Crow seconded the motion which carried unanimously 5 to 0.

B. Public hearing and consideration of approval regarding VAR2019-0010: Variance Application to consider a special exception to the standard front and rear yard setbacks found in the City of Dripping Springs Code of Ordinances, Chapter 30, Exhibit A Zoning Ordinance, Section 3 Zoning Districts, 3.12 Commercial Services District (CS), 3.12.4 Area Regulations, for property located at 1310 W Hwy 290, Dripping Springs, TX 78620 (Legal Description: RJ Ragland Lots 5,6, 7, 19, 20A, 20B Hays County Texas).

Applicant: Hill Country Senior Citizens Activity Center

1. Presentation – No presentation was given.

2. Staff Report

Jason Lutz presented the staff report which is on file. Staff recommends approval of the variance with the following conditions:

- 1) All outside storage be removed and placed in the proposed structure, excluding items that have chemicals such as refrigerators, lawn equipment, and other potentially hazardous materials.
- 2) All remaining items (not stored in the building) be stored in an area that is screened from public view via a privacy fence.
- 3) Areas currently being utilized for storage be converted to additional parking spaces as shown on the attached site plan.
- 4) Conditions 1, 2 and 3, and any others required by the City Council be completed within three (3) months after installation of the accessory structure.

3. Planning & Zoning Commission Report

Chair James: Commission recommended approval with staff conditions 7 to 0.

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

5. Variance

A motion was made by Board Member Kroll to approve VAR2019-0010: Variance Application to consider a special exception to the standard front and rear yard setbacks found in the City of Dripping Springs Code of Ordinances, Chapter 30, Exhibit A Zoning Ordinance, Section 3 Zoning Districts, 3.12 Commercial Services District (CS), 3.12.4 Area Regulations, for property located at 1310 W Hwy 290, Dripping Springs, TX 78620 (Legal Description: RJ Ragland Lots 5,6, 7, 19, 20A, 20B Hays County Texas) with the following conditions: 1) all outside storage be removed and placed in the proposed structure, excluding items that have chemicals such as refrigerators, lawn equipment, and other potentially hazardous materials; 2) all remaining items (not stored in the building) be stored in an area that is screened from public view via a privacy fence; 3) areas currently being utilized for storage be converted to additional parking spaces as shown on the attached site plan; and 4)

conditions 1, 2 and 3 be completed within three (3) months after installation of the accessory structure. Board Member Busbey seconded the motion which carried unanimously 5 to 0.

XI. BUSINESS

- A. Public hearing and consideration of approval regarding SUB2019-0034 : Application for Replat of WT Chapman's Block 5, Lots 7-12 of Chapman's Block 3, & a portion of Philip A Smith Survey; approximately 1.775 acres of lots 7-12, Block 3, W.T. Chapman's Third Addition and All of Block 5 W.T., Chapman's Fifth Edition ("Chapman's Block 5), as well as an adjacent 0.746 acre out of the Philip A. Smith Survey, located at 340 Bluff St, Dripping Springs (Legal Description: WT Chapman # 5 9-2210-18-12 Block 5 Hays County, TX). The owner has requested to table this item until further notice.**

Applicant: Jon Thompson

- 1. Presentation – No presentation given.*
- 2. Staff Report – No staff report presented, staff report is on file.*
- 3. Planning & Zoning Commission Report – No Commission report given.*
- 4. Public Hearing – No one spoke during the Public Hearing.*
- 5. Replat*

A motion was made by Council Member Kroll to table SUB2019-0034 : Application for Replat of WT Chapman's Block 5, Lots 7-12 of Chapman's Block 3, & a portion of Philip A Smith Survey; approximately 1.775 acres of lots 7-12, Block 3, W.T. Chapman's Third Addition and All of Block 5 W.T., Chapman's Fifth Edition ("Chapman's Block 5), as well as an adjacent 0.746 acre out of the Philip A. Smith Survey, located at 340 Bluff St, Dripping Springs (Legal Description: WT Chapman # 5 9-2210-18-12 Block 5 Hays County, TX). Council Member King seconded the motion which carried unanimously 3 to 0.

- B. Public hearing and consideration of approval regarding SUB2019-0039 : Application for Replat of Driftwood Solage; approximately 44.39 acres out of the Fannie A.D. Darden and the Frelove Woody surveys, being a replat of the entire Driftwood Solage Subdivision, Block A, Lot 1, and to add approximately 17.39 acres of unplatted land to the existing subdivision, generally located north of RR 1826, south of Darden Hill Road, east of Thurman Roberts Way, and west of Onion Creek, more specifically known as 582 Thurman Roberts Way, Dripping Springs (Hays County) Texas.**

Applicant: Ken Martin

- 1. Presentation – No presentation was given.*
- 2. Staff Report*

Chad Gilpin presented the staff report which is on file. Staff recommends approval of the replat on the condition that the application obtain county approval prior to City signatures.

3. Planning & Zoning Commission Report

Chair James: Commission recommend approval with staff conditions, 7 to 0.

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

5. Replat

A motion was made by Council Member Kroll to approve SUB2019-0039 : Application for Replat of Driftwood Solage; approximately 44.39 acres out of the Fannie A.D. Darden and the Frelove Woody surveys, being a replat of the entire Driftwood Solage Subdivision, Block A, Lot 1, and to add approximately 17.39 acres of unplatted land to the existing subdivision, generally located north of RR 1826, south of Darden Hill Road, east of Thurman Roberts Way, and west of Onion Creek, more specifically known as 582 Thurman Roberts Way, Dripping Springs (Hays County) Texas with the condition that the applicant obtain county approval prior to City signatures. Council member Crow seconded the motion which carried unanimously 3 to 0.

C. Public hearing and consideration of approval regarding SUB2019-0037: Application for Replat of Bunker Ranch; approximately 19.32 acres located at 2751 W US Hwy 290 Dripping Springs (Legal Description: Bunker Ranch Phase 1, Block 1, Lot 1 , Hays County, TX).

Applicant: Brian Estes

1. Presentation – No presentation was given.

2. Staff Report

Chad Gilpin presented the report which is on file. Staff recommends approval of the replat.

3. Planning & Zoning Commission Report

Chair James: Commission recommended approval 7 to 0.

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

5. Replat

A motion was made by Council Member Kroll to approve SUB2019-0037: Application for Replat of Bunker Ranch; approximately 19.32 acres located at 2751 W US Hwy 290 Dripping Springs (Legal Description: Bunker Ranch Phase 1, Block 1, Lot 1 , Hays County, TX). Council Member King seconded the motion which carried unanimously 3 to 0.

D. Public hearing and consideration of approval regarding a Zoning Amendment Ordinance related to ZA2019-0005: to consider a requested zoning amendment to a Conditional Overlay to allow the land use of "Convenience Store with (or Without) Gasoline Sales" for the area located at the corner of East US Hwy 290 and Sawyer

Ranch Rd, Dripping Springs, Texas 78620, also identified as the location of "QuikTrip". This area is currently zoned General Retail (GR) with a conditional overlay applied in August 2007 by Ordinance No. 1220.020, also known as "Conditional Overlay: Shops at Highpointe," governing the approximately 10 acres at this location (Legal Description: Approximately 10.0 acres of land, Tract A, Sawyer Springs Subdivision, recorded in Volume 12, Page 240, Plat Records, Hays County, Texas). The applicant is requesting that this conditional overlay be removed from their 3 acre portion of the property (Legal Description: A 3.151 acre tract of land, situated in the City of Dripping Springs, out of the E.B. Hargraves Survey No. 4, Abstract 240, Hays County, Texas, and being a portion of a 9.730 acre tract of land as conveyed to QuikTrip Corporation in Instrument No. 18008144 of the Official Public Records of Hays County, Texas).

Applicant: JD Dudley

1. Presentation

Brandon Forshee with QuickTrip presented the item. His presentation is on file.

2. Staff Report

Jason Lutz presented the staff report which is on file. Staff recommends denial of the zoning amendment.

3. Planning & Zoning Commission Report

Chair James: Commission recommended denial 7 to 0.

4. Public Hearing

Todd Simmons, Dan Wattles, Gigi Sanchez, Blake Magby, Cathy Reece, Risa Hoyle, Nathan Sanchez, Kathryn Kauffman, Helen Darling, and Dennis Darling spoke in opposition to the zoning amendment.

John Gurasich spoke in favor of the zoning amendment.

5. Zoning Amendment Ordinance (applicant request for postponement)

A motion was made by Council Member Kroll to deny ZA2019-0005: a Zoning Amendment Request regarding a Conditional Overlay to allow the land use of "Convenience Store with (or Without) Gasoline Sales" for the area located at the corner of East US Hwy 290 and Sawyer Ranch Rd, Dripping Springs, Texas 78620, also identified as the location of "QuikTrip". This area is currently zoned General Retail (GR) with a conditional overlay applied in August 2007 by Ordinance No. 1220.020, also known as "Conditional Overlay: Shops at Highpointe," governing the approximately 10 acres at this location (Legal Description: Approximately 10.0 acres of land, Tract A, Sawyer Springs Subdivision, recorded in Volume 12, Page 240, Plat Records, Hays County, Texas). The applicant is requesting that this conditional overlay be removed from their 3 acre portion of the property (Legal Description: A 3.151 acre tract of land, situated in the City of Dripping Springs, out

of the E.B. Hargraves Survey No. 4, Abstract 240, Hays County, Texas, and being a portion of a 9.730 acre tract of land as conveyed to QuikTrip Corporation in Instrument No. 18008144 of the Official Public Records of Hays County, Texas). Council Member Crow seconded the motion which carried unanimously 3 to 0.

E. Public hearing and consideration of approval regarding an Ordinance Amending Chapter 28, Exhibit A, Subdivision Ordinance of the Dripping Springs Code of Ordinances; establishing regulations for the subdivision of land, including preliminary plats, final plats, minor plats, replats, and plat amendments; providing for: rules, standards, procedures, criminal penalties, and severability.

1. Staff Report

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

2. Planning & Zoning Commission Report

Chair James: Commission recommended approval 7 to 0

3. Public Hearing

Jon Thompson and John Doucet spoke during the Public Hearing.

4. Ordinance

A motion was made by Council Member Kroll to approve an Ordinance Amending Chapter 28, Exhibit A, Subdivision Ordinance of the Dripping Springs Code of Ordinances; establishing regulations for the subdivision of land, including preliminary plats, final plats, minor plats, replats, and plat amendments; providing for: rules, standards, procedures, criminal penalties, and severability. Council Member King seconded the motion which carried unanimously 3 to 0.

Filed as Ordinance No. 2019-29

F. Public hearing and consideration of approval regarding an Ordinance Amending Chapter 28, Article 28.04 Subdivision Ordinance of The Dripping Springs Code of Ordinances; Establishing Regulations For Site Development; Providing For The Following: Rules; Standards; Procedures; Criminal Penalties; and, Severability

1. Staff Report

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

2. Planning & Zoning Commission Report

Chair James: Commission recommended approval 7 to 0.

3. Public Hearing

Jon Thompson spoke during the Public Hearing.

4. Ordinance

A motion was made by Council Member Kroll to approve an Ordinance Amending Chapter 28, Article 28.04 Subdivision Ordinance of The Dripping Springs Code of Ordinances; Establishing Regulations For Site Development; Providing For The Following: Rules; Standards; Procedures; Criminal Penalties; and, Severability. Council Member King seconded the motion which carried unanimously 3 to 0.

Filed as Ordinance No. 2019-30

<City Council took a short break from 7:58 p.m. – 8:05 p.m.>

- G. Public hearing and consideration of approval regarding an Ordinance adding a Uniform Submittal Schedule for Plat Submissions as Exhibit “B” of Chapter 28 of the City of Dripping Springs Code of Ordinances as shown as Exhibit A, in order to comply with Texas Local Government Code Chapter 212, which requires Plats to be reviewed within thirty (30) days of filing or deemed approved; establishing a repealing clause; providing severability; and providing an effective date.**

1. Staff Report

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

2. Planning & Zoning Commission Report

Chair James: Commission recommended approval 7 to 0.

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

4. Ordinance

A motion was made by Council Member Kroll to approve an Ordinance adding a Uniform Submittal Schedule for Plat Submissions as Exhibit “B” of Chapter 28 of the City of Dripping Springs Code of Ordinances as shown as Exhibit A, in order to comply with Texas Local Government Code Chapter 212, which requires Plats to be reviewed within thirty (30) days of filing or deemed approved; establishing a repealing clause; providing severability; and providing an effective date. Council Member King seconded the motion which carried unanimously 3 to 0.

Filed as Ordinance No. 2019-31

- H. Presentation, public hearing, discussion, and consideration of approval of an Ordinance of the City of Dripping Springs establishing regulations for a Master Sign Plan for the Big Sky Ranch Subdivision; providing for the following: rules; standards; procedures; and findings of fact; codification; repealer; severability; proper notice and meeting; enforcement including criminal penalties including criminal fines not to exceed \$500.00 and civil fines of up to \$100.00.**

1. Presentation

Cynthia McCalmont presented the item.

2. Sign Administrator's Report

Michelle Fischer presented the staff report which is on file. Staff recommends approval of the Master Sign Plan Ordinance.

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

4. Master Sign Plan Ordinance

A motion was made by Council Member Kroll to approve an Ordinance of the City of Dripping Springs establishing regulations for a Master Sign Plan for the Big Sky Ranch Subdivision; providing for the following: rules; standards; procedures; and findings of fact; codification; repealer; severability; proper notice and meeting; enforcement including criminal penalties including criminal fines not to exceed \$500.00 and civil fines of up to \$100.00. Council Member King seconded the motion which carried unanimously 3 to 0.

Filed as Ordinance No. 2019-28

- I. Discuss and consider approval of a Fee Waiver Request from the Dripping Springs Skatepark Group for a Community Input Meeting to be held at Dripping Springs Ranch Park and Event Center on October 2, 2019.**

Sponsor: Council Member King

Lynne Dickinson presented the staff report which is on file. Staff recommends approval of the fee waiver.

A motion was made by Council Member Kroll to approve a Fee Waiver Request from the Dripping Springs Skatepark Group for a Community Input Meeting to be held at Dripping Springs Ranch Park and Event Center on October 2, 2019. Council Member King seconded the motion which carried unanimously 3 to 0.

- J. Discuss and consider approval of a Co-Sponsorship Agreement between the City of Dripping Springs, and Texas Market Guide and Dripping Springs Helping Hands regarding the Hill Country Harvest Market/Helping Hands Food Pantry Drive to be held at the Dripping Springs Ranch Park and Event Center October 12 - 13, 2019.**

Sponsor: Council Member King

A motion was made by Council Member Kroll to approve a Co-Sponsorship Agreement between the City of Dripping Springs, and Texas Market Guide and Dripping Springs Helping Hands regarding the Hill Country Harvest Market/Helping Hands Food Pantry Drive to be held at the Dripping Springs Ranch Park and Event Center October 12 - 13, 2019. Council Member King seconded the motion which carried unanimously 3 to 0.

K. Discuss and consider approval of a Request for Fee Waiver from Dripping Springs United Methodist Church regarding permit fees for the installation of a TuffShed.

A motion was made by Council Member King to approve a Request for Fee Waiver from Dripping Springs United Methodist Church regarding permit fees for the installation of a TuffShed. Council Member King seconded the motion which carried unanimously 3 to 0.

L. Discuss and consider acceptance of One-Time Waiver to Terms within Agreement regarding Cost Allocation and Reimbursement for Dripping Springs Tax Increment Reinvestment Zone Number One and Tax Increment Reinvestment Zone Number Two.

Laura Mueller presented the item. The Tax Increment Reinvestment Zone No. 1 & No. 2 Board recommended approval of the one-time waiver.

A motion was made by Council Member Kroll to accept a One-Time Waiver to Terms within Agreement regarding Cost Allocation and Reimbursement for Dripping Springs Tax Increment Reinvestment Zone Number One and Tax Increment Reinvestment Zone Number Two. Council Member Crow seconded the motion which carried unanimously 3 to 0.

M. Discuss and consider approval of an Appeal of administrative decision to charge professional and consultant fees as determined by ordinance as it related to the SD2017-0005 and SD2019-0021 for the Mark Black Wedding Venue and Mark Black Wedding Venue Amendment.

Laura Mueller presented the item. The applicant has requested postponement of the item.

Mark Black spoke regarding the item and is requesting postponement so that his attorney may be present. The attorney was unexpectedly called away and is unable to attend the meeting.

A motion was made by Council Member Kroll to postpone an Appeal of administrative decision to charge professional and consultant fees as determined by ordinance as it related to the SD2017-0005 and SD2019-0021 for the Mark Black Wedding Venue and Mark Black Wedding Venue Amendment to the Regular City Council & Board of Adjustment Meeting on October 8, 2019. Council Member King seconded the motion which carried unanimously 3 to 0.

XII. REPORTS

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

- A. Parks & Community Services Report**
Mariana Espinoza, Parks & Community Services Director
- B. Maintenance & Facilities Report**
Roman Baligad, Emergency Management Coordinator
- D. Transportation Committee Report**
Erik Burgeson, Transportation Committee Chair

XIII. 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 issues related to land use regulation including alcohol and land development fees and fee schedule.**
Consultation with City Attorney, 551.071
- B. Deliberation of Personnel Matters regarding the employment, compensation, benefits and duties of City Administrator, Deputy City Administrator, Administrative Assistant to the City Administrators, Receptionist, Information Technology Coordinator, Communications Coordinator, Emergency Management Coordinator, City Secretary, Municipal Court Clerk, City Treasurer, Accounting Clerk, Parks and Community Services Director, Pool Manager, Seasonal Pool Lifeguards and Cashiers, Farmers Market Manager, Dripping Springs Ranch Park Manager, Dripping Springs Ranch Park Facility Coordinator, Dripping Springs Ranch Park Maintenance Workers Sheri Kapanka, Nick Spillar, and Sean Untersee, Dripping Springs Ranch Park Facility Attendant, Dripping Springs Ranch Park Maintenance Superintendent, Maintenance Director, Maintenance Workers Jim Bass, Adrian Lopez and Sesario Garza, Building Official, Utility Coordinator, Building Permit Technician, Planning Director, City Planner II, Planning Assistant, and Code Enforcement & Construction Inspector, and the proposed Code Enforcement Inspector, Special Events & Programs Specialist, South Regional Water Reclamation Plant Maintenance Worker, Geographic Information Systems Analyst/Planner, Public Works Coordinator, Records Management Clerk, and Accounts Receivable Clerk.**
Personnel Matters, 551.074
- C. Consultation with City Attorney regarding legal issues related to drainage at The Triangle, located at the intersection of US Highway 290 and Ranch Road 12, Dripping Springs Texas.**
Consultation with City Attorney, 551.071

The City Council met in Executive Session earlier in the meeting.

XIV. UPCOMING MEETINGS

A. City Council & BOA Meetings

September 10, 2019 at 6:00 p.m. (6:00 Workshop/6:30 Regular Meeting)

September 17, 2019 at 6:00 p.m.

October 8, 2019 at 6:00 p.m. (6:00 Workshop/6:30 Regular Meeting)

October 15, 2019 at 6:00 p.m.

B. Board, Commission & Committee Meetings

September 11, 2019 Utility Commission at 4:00 p.m.

September 17, 2019 Emergency Management Commission at 12:00 p.m.

XV. ADJOURN

A motion was made by Council Member King to adjourn the meeting. Council Member King seconded the motion which carried unanimously 3 to 0.

This regular meeting adjourned at 8:20 p.m.

DATE APPROVED: October 8, 2019



Todd Purcell, Mayor

ATTEST:



Andrea Cunningham, City Secretary

