

City Council

Regular Meeting Minutes

August 20, 2019 at 6:00 p.m.

A Regular Meeting of the City Council of Dripping Springs, Texas, was held Tuesday, August 20, 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 Members present were:

Mayor Todd Purcell (arrived at 6:09 p.m.)

Mayor Pro Tem Bill Foulds

Council Member Travis Crow

Council Member Wade King

Council Member John Kroll

Council Member Taline Manassian

City Staff/Appointed Officials/Consultants present were:

City Administrator Michelle Fischer

Deputy City Administrator Ginger Faught

City Secretary Andrea Cunningham

City Treasurer Gina Gillis

Planning Director Jason Lutz

Parks & Community Services Director Mariana Espinoza

Dripping Springs Ranch Park Manager Lynne Dickinson

Assistant City Attorney Laura Mueller

City Engineer Chad Gilpin

Utility Coordinator/Building Official Sarah Cole

Code Enforcement/Inspections Aaron Reed

TIRZ Project Manager Keenan Smith

With a quorum of the City Council present Mayor Pro Tem Foulds called the meeting to order at 6:06 p.m.

II. PLEDGE OF ALLEGIANCE

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

III. PRESENTATION OF CITIZENS

The floor is open for Citizens wishing to speak on items that are not on the posted agenda or do not have a public hearing, and 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 Presentations of Citizens.

No one spoke during Presentation of Citizens.

IV. CONSENT AGENDA

- A. **Approval of an Ordinance Amending the City's Code of Ordinances by Increasing the Rate for Water Service; Providing for the Following: Findings of Fact; Rate; Repealer; Severability; Effective Date; Proper Notice and Meeting.**
Sponsor: Mayor Pro Tem Foulds

Filed as Ordinance No. 2019-26

- B. **Approval of a Resolution Approving the Execution of a Permanent Waterline Easement between the City of Dripping Springs and Driftwood DLC Austin II, LLC, and regarding a 0.0498 acre tract of land situated in the Freeloove Woody Survey No. 23, Abstract No. 20, Hays County, Texas, being a portion of Lot 1, Driftwood 967, Phase One, a subdivision recorded in Document No. 19002937 of the Official Public Records of Hays County, Texas**
Sponsor: Mayor Pro Tem Foulds

Filed as Resolution No. 2019-R32

A motion was made by Council Member Kroll to approve Consent Agenda Items A – B. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

V. BUSINESS

- A. **Discuss and consider approval of a Donation Agreement between the City of Dripping Springs and the Dripping Springs Running Club for trail extension at Sports and Recreation Park**
Sponsor: Wade King

Mariana Espinoza presented the staff report which is on file. Staff recommends approval of the agreement with an amount not to exceed \$4,000 - \$5,000.00.

A motion was made by Council Member Manassian to approve a Donation Agreement between the City of Dripping Springs and the Dripping Springs Running Club for trail extension at Sports and Recreation Park for an amount not to exceed \$6,000.00 and striking the termination clause. Council Member King seconded the motion which carried unanimously 5 to 0.

Mayor Pro Tem handed the gavel to Mayor Purcell who presided over the remainder of the meeting.

- B. **Discuss and consider approval of a rental agreement for Dripping Springs Ranch Park and Event Center Monster Truck Wars Event to be held Saturday, October 26, 2019**
Sponsor: Council Member King

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

A motion was made by Council Member Kroll to approve a rental agreement for Dripping Springs Ranch Park and Event Center Monster Truck Wars Event to be held Saturday, October 26, 2019 limiting the event to one (1) matinee show to be finished at 5:00 p.m.

Council Member King seconded the motion which carried 3 to 2, with Council Members Crow and Manassian opposed.

Council Member Manassian directed staff to check references of the event organizer.

- C. Discuss and consider approval of an Amendment to an Interlocal Agreement (the "Agreement"), by and between the City of Dripping Springs, a general law city in Hays County, Texas (hereinafter the "City"), Dripping Springs Independent School District (hereinafter the "District"), Dripping Springs Community Library District (the "Library"), and Tax Increment Reinvestment Zone #1 and Tax Increment Reinvestment Zone #2, Dripping Springs, Texas (the "TIRZ") (collectively the "Parties"), in connection with the development and construction of the Town Center Project, extending the Term and increasing plan study fees.**

Sponsor: Council Member Manassian

Keenan Smith and Laura Mueller presented the item. Amendment is being requested to increase funds for expanded scope of project which is shared with the Dripping Springs Independent School District. The TIRZ No. 1 & No. 2 Board recommended approval of only the costs associated with the amendment and not the extension, which will be discussed and proposed at a future meeting.

A motion was made by Mayor Pro Tem Foulds to approve an Amendment to an Interlocal Agreement (the "Agreement"), by and between the City of Dripping Springs, a general law city in Hays County, Texas (hereinafter the "City"), Dripping Springs Independent School District (hereinafter the "District"), Dripping Springs Community Library District (the "Library"), and Tax Increment Reinvestment Zone #1 and Tax Increment Reinvestment Zone #2, Dripping Springs, Texas (the "TIRZ") (collectively the "Parties"), in connection with the development and construction of the Town Center Project, extending the Term and increasing plan study fees with the recommendation that the amendment regarding extension of the agreement be stricken. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

- D. Discuss and consider approval of an Amendment to the Agreement, made and entered into in June 2018 by and between the City of Dripping Springs, Texas (hereinafter referred to as the "City") and Economic and Planning Systems, Inc. (hereinafter referred to as "Contractor").**

Sponsor: Council Member Manassian

A motion was made by Mayor Pro Tem Foulds to approve an Amendment to the Agreement, made and entered into in June 2018 by and between the City of Dripping Springs, Texas (hereinafter referred to as the "City") and Economic and Planning Systems, Inc. (hereinafter referred to as "Contractor"). Council Member Kroll seconded the motion which carried unanimously 5 to 0.

- E. Discuss and consider approval of an Amendment to the Hall Commercial Tract Development Agreement between the City of Dripping Springs and Aus S.T. Kyle, Ltd. Assignee Harrison Hills, LLC, regarding the removal of an approximate 7.105 acre tract from the overall 24.69 acres referred to as the "Hall Commercial Tract".**

Applicant: Jon Thompson

Jason Lutz presented the staff report which is on file. Staff has not received the assignment and understands that the former owner's attorney is reviewing the assignment. Staff recommends either approving the item contingent on the receipt of assignment and termination of agreement or deny and provide the applicant with a timeline for reconsideration.

A motion was made by Mayor Pro Tem Foulds to deny an Amendment to the Hall Commercial Tract Development Agreement between the City of Dripping Springs and Aus S.T. Kyle, Ltd. Assignee Harrison Hills, LLC, regarding the removal of an approximate 7.105 acre tract from the overall 24.69 acres referred to as the "Hall Commercial Tract". Council Member King seconded the motion which carried unanimously 5 to 0.

VI. BUDGET

A. Discuss and consider an Amendment to the Fiscal Year 2020 Budget Calendar.

Andrea Cunningham presented the staff report which is on file.

The Mayor directed staff to schedule a special meeting for a tax rate Public Hearing on September 6, 2019 and to coordinate with the City Council on a meeting time.

B. Presentation and discussion regarding the City of Dripping Springs Fiscal Year 2020 Proposed Budget.

Mayor Purcell presented the item and the budget as presented is balanced. Additional Parkland Dedication funds will be allocated by the Parks & Recreation Commission and Hotel Occupancy Tax (HOT) Grant Program Funds allocation will be recommended by the HOT Grant Application Review Committee. The City will also be addressing the Homestead Exemption which will not take effect until the next Fiscal Year.

A motion was made by Mayor Pro Tem Foulds to adjourn into Executive Session under Texas Government Code Sections 551.071 Consultation with City Attorney, and 551.071 Personnel Matters and regarding Executive Session Agenda Items A – F, and Budget Agenda Items B and C. Council Member King seconded the motion which carried unanimously 5 to 0.

Executive Session Agenda

- A. Consultation with City Attorney regarding legal issues related to land use regulation including alcohol.**
- B. Consultation with City Attorney regarding legal issues related to the Headwaters Development Agreement.**
- C. Consultation with City Attorney regarding legal issues related to the Water Reclamation Project and regarding Easement Acquisition.**
- D. Consultation with City Attorney regarding legal issues related to the Dripping Springs Water Supply Corporation Retail Water Service.**

- E. 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, Billing Assistant, 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.
- F. Deliberation of Personnel Matters regarding the job descriptions, compensation, benefits, and employment of the Records Management Clerk, Accounts Receivable Clerk, Code Enforcement Inspector, Special Events and Programs Specialist, South Regional Water Reclamation Plant Maintenance Worker, Geographic Information Systems Analyst/Planner, and Public Works Coordinator.

Budget Agenda Items

- B. Presentation discussion regarding the City of Dripping Springs Fiscal Year 2020 Proposed Budget.
- C. Discuss and consider approval of the Proposed Tax Rate for the Fiscal Year 2020.

The City Council met in Executive Session from 6:47 p.m. – 8:28 p.m.

Council Member Crow recused from Executive Session Agenda Item D, leaving the Executive Session. An affidavit is on file in the City Secretary's Office.

No vote or action was taken in Executive Session. Mayor Purcell returned the meeting to Open Session at 8:29 p.m.

- C. **Discuss and consider approval of the Proposed Tax Rate for the Fiscal Year 2020.**

A motion was made by Mayor Pro Tem Foulds to set a proposed tax rate for Fiscal Year 2020 at \$0.19 per \$100 of assessed valuation. Council Member King seconded the motion which carried unanimously 5 to 0.

VII. 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.**
Consultation with City Attorney, 551.071
- B. Consultation with City Attorney regarding legal issues related to the Headwaters Development Agreement.**
Consultation with Attorney, 551.071
- C. Consultation with City Attorney regarding legal issues related to the Water Reclamation Project and regarding Easement Acquisition.**
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- D. Consultation with City Attorney regarding legal issues related to the Dripping Springs Water Supply Corporation Retail Water Service.**
Consultation with City Attorney, 551.071
- E. 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, Billing Assistant, 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.**
Personnel Matters, 551.074
- F. Deliberation of Personnel Matters regarding the job descriptions, compensation, benefits, and employment of the Records Management Clerk, Accounts Receivable Clerk, Code Enforcement Inspector, Special Events and Programs Specialist, South Regional Water Reclamation Plant Maintenance Worker, Geographic Information Systems Analyst/Planner, and Public Works Coordinator.**
Personnel Matters, 551.074

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

VIII. UPCOMING MEETINGS

- A. City Council & BOA Meetings**
September 10, 2019 at 6:00 p.m. (6:00 p.m. Workshop / 6:30 p.m. Regular Meeting)
September 17, 2019 at 6:00 p.m.
October 8, 2019 at 6:00 p.m. (6:00 p.m. Workshop / 6:30 p.m. Regular Meeting)
October 15, 2019 at 6:00 p.m.

B. Board, Commission & Committee Meetings

Transportation Committee, August 26, 2019 at 3:30 p.m.

Planning & Zoning Commission, August 27, 2019 at 6:30 p.m.

Economic Development Committee, August 28, 2019 at 4:00 p.m.

Parks & Recreation Commission, September 3, 2019 at 6:00 p.m.

Historic Preservation Commission, September 4, 2019 at 4:00 p.m.

TIRZ No. 1 & No. 2 Board, September 9, 2019 at 4:00 p.m.

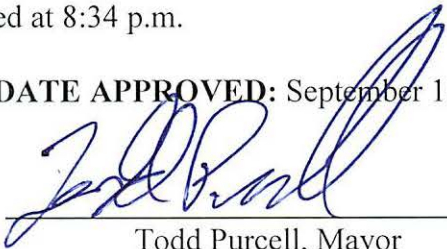
Founders Day Commission, September 9, 2019 at 6:30 p.m.

IX. ADJOURN

A motion was made by Council Member Crow to adjourn the meeting. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

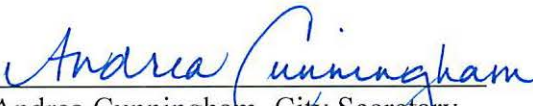
This regular meeting adjourned at 8:34 p.m.

DATE APPROVED: September 10, 2019



Todd Purcell, Mayor

ATTEST:



Andrea Cunningham, City Secretary

