

City Council & Board of Adjustment

Workshop & Regular Meeting Minutes June 11, 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, June 11, 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
Mayor Pro Tem Bill Foulds
Council Member Travis Crow
Council Member Wade King
Council Member John Kroll (arrived at 6:09 p.m. and left meeting at 8:51 p.m.)
Council Member Taline Manassian

City Staff/Appointed Officials/Consultants:

Deputy City Administrator Ginger Faught
City Secretary Andrea Cunningham
City Treasurer Gina Gillis
City Planner Jason Lutz
City Engineer Chad Gilpin
Communications Coordinator Bonnie Gonzalez
Legal Counsel Alessandra Gad
Legal Counsel David Tuckfield
TIRZ Project Manager Keenan Smith
Planning & Zoning Chair Mim James

II. WORKSHOP

No action will be taken during the Workshop.

A. Discussion regarding the regulation of Noise in the City.

Sponsor: Mayor Purcell

The City Council directed staff to research other city ordinances regarding the regulation and enforcement of noise, to include construction and music venues/bars.

B. Discussion regarding the regulation of Fireworks in the City.

Sponsor: Mayor Purcell

The City Council directed staff to research a ban on aerial fireworks in the city limits.

C. Discussion regarding the regulation of Outdoor Burning in the City.

Sponsor: Mayor Purcell

The City Council directed staff to research ordinances addressing outdoor burning conducted by large subdivisions and projects.

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, 551.072, Deliberation of the Purchase, Exchange, Lease or Value of Real Property, and 551.073, Deliberation of Personnel Matters, and regarding Executive Session Agenda Items A – L. Council Member King seconded the motion which carried unanimously 5 to 0.

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.

- A. Consultation with City Attorney regarding legal issues on legislation before the Texas Legislature pursuant to the City of Dripping Springs 2019 Legislative Program.**
Consultation with City Attorney, 551.071
- B. Consultation with City Attorney regarding legal issues related to the Transportation Plan and transportation options.**
Consultation with City Attorney, 551.071
- C. Consultation with City Attorney regarding the Mark Black Wedding Venue located in the City's Extraterritorial Jurisdiction.**
Consultation with City Attorney, 551.071
- D. Consultation with City Attorney regarding the Original Petition filed on May 30, 2019 by Save Our Springs Alliance, Inc. in Travis County District Court seeking judicial review of the Texas Commission on Environmental Quality Order approving the application of the City of Dripping Springs for Texas Pollutant Discharge Elimination System Permit No. WQ0014488003.**
Consultation with City Attorney, 551.071
- E. Deliberation of Real Property and Consultation with City Attorney regarding legal issues related to Stephenson Building Lease.**
Consultation with City Attorney, 551.071; and Purchase, Exchange, Lease or Value of Real Property, 551.072
- F. Consultation with City Attorney regarding legal issues related to QuickTrip.**
Consultation with City Attorney, 551.071
- G. Consultation with City Attorney regarding legal issues related to Emergency Repairs.**
Consultation with City Attorney, 551.071

- H. Consultation with City Attorney regarding legal issues related to Headwaters Bond Funding Authorization.**
Consultation with City Attorney, 551.071
- I. Consultation with City Attorney regarding legal issues related to the Agreement between the City of Dripping Springs and Dripping Springs Water Supply Corporation for Water Systems Operations.**
Consultation with City Attorney, 551.071
- J. Consultation with City Attorney regard legal questions, and Deliberation regarding the purchase, exchange, lease, or value of real property related to the Tax Increment Reinvestment Zones.**
Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072
- K. Deliberation of Real Property transaction and consultation with City Attorney regarding property located in Headwaters at Barton Creek.**
Consultation with Attorney, 551.71; Deliberation of Real Property, 551.072
- L. Deliberation of Personnel Matters related to potential employment of a paid intern for the Planning Department.**
Personnel Matters, 551.074

The City Council met in Executive Session from 6:21 p.m. – 6:30 p.m.

No action or vote was taken during Executive Session. Mayor Purcell returned the meeting to Open Session at 6:30 p.m.

III. RECESS

The City Council did not recess.

IV. RECONVENE AT 6:30 P.M.

Mayor Purcell returned the meeting to Open Session at 6:30 p.m.

V. PLEDGE OF ALLEGIANCE

Mayor Purcell led the Pledge of Allegiance to the Flag.

VI. 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. Presentation of a Proclamation proclaiming June 2019 as "Farmers Market Month" in the City of Dripping Springs, Texas in celebration of Dripping Springs Farmers Market 10 Year Anniversary**
Sponsor: Council Member King

Council Member Manassian read and presented the Proclamation to members of the Dripping Springs Farmers Market Association Board.

VII. 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.

Mayor Purcell announced that he will hold a Public Hearing on the Bird Blind request for additional funding when the item is presented.

Diana Gonzales spoke regarding the PEC Annual Meeting on June 22, 2019.

Steve Shannon spoke regarding the Waste Connections Bulky Waste Clean Up Event at Dripping Springs Ranch Park on Saturday, June 15, 2019.

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 May 14, 2019 and May 21, 2019 City Council meeting minutes.**
- B. Approval of Authorization for the Mayor Pro Tem to cast the City of Dripping Springs' ballot for the Election of the Pedernales Electric Cooperative Board of Directors District No. 4.**
- C. Approval of a Resolution Directing the Publication of Notice of Intention to Issue City of Dripping Springs, Texas, Combination Tax and Surplus Revenue Certificates of Obligation, Series 2019 and Other Matters Related Thereto.**
Sponsor: Mayor Pro Tem Foulds

Filed as Resolution No. 2019-R24.
- D. Approval of the Amendment of the Title for the Emergency Planning Coordinator to Emergency Management Coordinator.**
Sponsor: Mayor Purcell
- E. Approval of form of the Small Barn Horse Boarding Rental Agreement, and an Ordinance Amending Article A1.000 (General Provisions) of the Dripping Springs Code of Ordinances, Amending the Dripping Springs Ranch Park Fee Schedule for**

Barn Stall Rental Fee; providing for the following: findings of fact; enactment; repealer; severability; codification; effective date; and proper notice and meeting.
Sponsor: Mayor Purcell

Filed as Ordinance No. 2019-20.

- F. Approval of the Appointment of Teresa Strube, Claudia Oney, Sara Gates, Gouri Johannsen to the Farmers Market Association Board for terms ending June 30, 2021, and the Appointment of Gouri Johannsen as the Chairperson of the Farmers Market Association Board for a term ending June 30, 2021.**
- G. Approval of the City Treasurers Report for May 2019.**

At the request of Council Member Manassian, Consent Agenda Item A was pulled from the agenda and will be placed on the July 9, 2019 agenda for consideration.

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

IX. 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.

- A. Public hearing, discussion, and consideration regarding VAR2019-0003: to consider a special exception request for the rear and side setbacks found in the City of Dripping Springs Code of Ordinances, Chapter 30, Exhibit A Zoning Ordinance, Section 3 Zoning Districts, 3.3 Single-Family Residential District – Low Density (SF-1), 3.3.4 Area Regulations for the property located at 1007 Pin Oak St, Dripping Springs TX 78620 (Legal Description: OAK SPRINGS, Lot 36, ACRES 2, Hays County, TX).**

1. Presentation

Applicant David Brock was available for questions.

2. Staff Report (Jason Lutz)

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

3. Planning & Zoning Commission Report

Chair James: Commission recommended approval 7 to 0.

4. Public Hearing

No one spoke during the Public Hearing.

5. *Variance*

A motion was made by Council Member King to approve VAR2019-0003: to consider a special exception request for the rear and side setbacks found in the City of Dripping Springs Code of Ordinances, Chapter 30, Exhibit A Zoning Ordinance, Section 3 Zoning Districts, 3.3 Single-Family Residential District – Low Density (SF-1), 3.3.4 Area Regulations for the property located at 1007 Pin Oak St, Dripping Springs TX 78620 (Legal Description: OAK SPRINGS, Lot 36, ACRES 2, Hays County, TX). Council Member Kroll seconded the motion which carried unanimously 5 to 0.

X. BUSINESS

- A. **Public hearing, discussion, and consideration regarding SUB2019-0022: Driftwood 967 Phase 1 Lot 1 Plat Vacation; Approximately 489.206 acres located at 10450 FM 967 N Side Buda, TX 78610 (Legal Description: ABS 18 & 20 S J WHATLEY & FREELOVE WOODY SURVEYS MH-PFS377580/1 497.2035 AC (2.0 AC @ MKT FOR MH) (8.00 AC @ MKT), Hays County, TX).**

1. *Presentation – no presentation was given.*

2. *Staff Report*

Jason Lutz presented the staff report which is on file. Staff recommends approval of the plat vacation.

3. *Planning Zoning Commission Report*

Chair James: Commission recommended approval 7 to 0.

4. *Public Hearing*

No one spoke during the Public Hearing.

5. *Plat Vacation*

A motion was made by Council Member Kroll to approve SUB2019-0022: Driftwood 967 Phase 1 Lot 1 Plat Vacation; Approximately 489.206 acres located at 10450 FM 967 N Side Buda, TX 78610 (Legal Description: ABS 18 & 20 S J WHATLEY & FREELOVE WOODY SURVEYS MH-PFS377580/1 497.2035 AC (2.0 AC @ MKT FOR MH) (8.00 AC @ MKT), Hays County, TX). Council Member Crow seconded the motion which carried unanimously 5 to 0.

- B. **Public hearing, discussion, and consideration of approval regarding SUB2019-0020: Driftwood Golf and Ranch Club Preliminary Plat for Driftwood Golf and Ranch Club Subdivision; Approximately 490.61 acres located at 10450 FM 967 N Side Buda, TX 78610 (Legal Description: ABS 18 & 20 S J WHATLEY & FREELOVE WOODY SURVEYS MHPFS377580/1 497.2035 AC (2.0 AC @ MKT FOR MH) (8.00 AC @ MKT), Hays County, TX).**

Applicant: Ken Martin

1. Presentation - no presentation was given.

2. Staff Report

Jason Lutz presented the staff report which is on file. Staff recommends approval of preliminary plat.

3. Planning & Zoning Commission Report

Chair James: Commission recommended approval 7 to 0.

4. Public Hearing

Suzanne Carver spoke regarding the buffer zone attached to the public notice.

5. Preliminary Plat

A motion was made by Council Member Kroll to approve SUB2019-0020: Driftwood Golf and Ranch Club Preliminary Plat for Driftwood Golf and Ranch Club Subdivision; Approximately 490.61 acres located at 10450 FM 967 N Side Buda, TX 78610 (Legal Description: ABS 18 & 20 S J WHATLEY & FREELove WOODY SURVEYS MHPFS377580/1 497.2035 AC (2.0 AC @ MKT FOR MH) (8.00 AC @ MKT), Hays County, TX). Mayor Pro Tem Foulds seconded the motion which carried unanimously 5 to 0.

C. Public hearing, discussion and consideration of approval regarding SUB2019-0001: Murphy's Meadows Preliminary Plat for Murphy's Meadows Subdivision; approximately 10.01 acres located on Trautwein Road and in the City of Dripping Springs Extraterritorial Jurisdiction (Legal Description: ABS 70 John Barton Survey 10.00 AC).

Applicant: Jon Thompson

1. Presentation – no presentation was given.

2. Staff Report

Jason Lutz presented the staff report which is on file. Staff recommends tabling the preliminary plat.

3. Planning & Zoning Commission Report

Chair James: Commission recommended to table the item 7 to 0.

4. Public Hearing

No one spoke during the Public Hearing.

5. Preliminary Plat

A motion was made by Mayor Pro Tem Foulds to table indefinitely SUB2019-0001: Murphy's Meadows Preliminary Plat for Murphy's Meadows Subdivision; approximately 10.01 acres located on Trautwein Road and in the City of Dripping Springs Extraterritorial Jurisdiction (Legal Description: ABS 70 John Barton Survey 10.00 AC), with the condition that the item be re-noticed when the applicant is ready. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

- D. Public hearing, discussion and consideration of approval regarding a Zoning Amendment Ordinance related to ZA2019-0002: to consider a requested zoning change from Single-Family Residential District – Low Density (SF-1) to Multiple – Family Residential District (MF) for the property located at 26700 Ranch Rd 12, Dripping Springs, Texas (Legal Description: ABS 415 9-3106-01-15 Philip A Smith Survey 10.00 AC MH- AKA Western Woods, Hays County, TX).**
Applicant: Jon Thompson

Mayor Purcell recused from this item and exited the Council Chambers. The Mayor's Affidavit of Potential Conflict is on file in the City Secretary's Office.

1. Presentation – no presentation was given.

2. Staff Report

Jason Lutz presented the staff report which is on file. Staff recommends tabling the ordinance.

3. Planning & Zoning Commission Report

Chair James: Commission recommended to table the item 7 to 0.

4. Public Hearing

No one spoke during the Public Hearing.

5. Zoning Amendment

A motion was made by Council Member King to table a Zoning Amendment Ordinance related to ZA2019-0002: to consider a requested zoning change from Single-Family Residential District – Low Density (SF-1) to Multiple – Family Residential District (MF) for the property located at 26700 Ranch Rd 12, Dripping Springs, Texas (Legal Description: ABS 415 9-3106-01-15 Philip A Smith Survey 10.00 AC MH- AKA Western Woods, Hays County, TX). Council Member Kroll seconded the motion which carried unanimously 5 to 0.

Mayor Purcell reentered the Council Chambers and took his seat at the dais.

- E. Public hearing, discussion and consideration of approval regarding a Zoning Text Amendment related to ZA2019-0006: to consider a proposed zoning text amendment to the City's Land Use Chart, found in Appendix E of the City's adopted zoning code, to allow the land use of "Two-Family Dwelling (Duplex)" to be permitted by right in the Manufactured Housing (MH) zoning district, described in Section 3.18 of Exhibit A of the Zoning Ordinance within the City Code of Ordinances.**

Sponsor: City Staff (Jason Lutz)

- 1. Presentation*
- 2. Staff Report*

Jason Lutz presented the item and the staff report. Staff recommends approval of the ordinance.

- 3. Planning & Zoning Commission Report*

Chair James: Commission recommended approval 7 to 0.

- 4. Public Hearing*

No one spoke during the Public Hearing.

- 5. Zoning Amendment Ordinance*

A motion was made by Council Member Manassian to postpone ZA2019-0006: to consider a proposed zoning text amendment to the City's Land Use Chart, found in Appendix E of the City's adopted zoning code, to allow the land use of "Two-Family Dwelling (Duplex)" to be permitted by right in the Manufactured Housing (MH) zoning district, described in Section 3.18 of Exhibit A of the Zoning Ordinance within the City Code of Ordinances to the July 9, 2019 Regular City Council & Board of Adjustment meeting. Council Member Crow seconded the motion which carried unanimously 5 o 0.

- F. Public hearing, discussion and consideration of approval regarding a Zoning Amendment Ordinance related to ZA2019-0005: to consider a requested zoning change to remove a portion of a conditional overlay 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 – no presentation was given.

2. Staff Report

Jason Lutz presented the staff report which is on file. Staff recommends postponement of ordinance.

3. Planning & Zoning Commission Report

Chair James: Commission recommended denial 7 to 0.

4. Public Hearing

Todd Simmons, Gigi Sanchez, Richard Bergfeld, Dan Wattles, and Rafael Hoyle spoke in opposition to the item. John Sanchez, John Gurasich, and Kathryn Kauffman ceded their time to Gigi Sanchez.

Brandon Forshee spoke in favor of the item.

5. Zoning Amendment Ordinance

A motion was made by Mayor Pro Tem Foulds to postpone ZA2019-0005: to consider a requested zoning change to remove a portion of a conditional overlay 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) to the August 13, 2019 Regular City Council & Board of Adjustment meeting. Council Member Kroll seconded the motion which carried 4 to 1 with Council Member Crow opposed.

G. Discuss and consider approval of Co-Sponsorship Application and Agreement between the Dripping Springs Visitors Bureau, The Isaac Family, and The City of Dripping Springs for the Fire In The Sky Event to be held July 4, 2019 at Dripping Springs Ranch Park.

Sponsor: Mayor Todd Purcell

Pam Owens, Jason Isaac and Carrie Isaac spoke regarding the item.

A motion was made by Council Member King to approve a Co-Sponsorship Application and Agreement between the Dripping Springs Visitors Bureau, The Isaac Family, and The City of Dripping Springs for the Fire In The Sky Event to be held July 4, 2019 at Dripping

Springs Ranch Park, and to cap fees for Dripping Springs Ranch Park at \$1750.00. Council Member Manassian seconded the motion which carried unanimously 5 to 0.

H. Discuss and consider approval of a Co-Sponsorship Agreement between The City of Dripping Springs and the Dripping Springs Visitors Bureau for the Vintage Triumph Register Event to be held Wednesday, October 9, 2019 on Mercer Street from North Bluff Street to North San Marcos Street.

Sponsor: Council Member King

Pam Owens spoke regarding the item.

A motion was made by Council Member King to approve a Co-Sponsorship Agreement between The City of Dripping Springs and the Dripping Springs Visitors Bureau for the Vintage Triumph Register Event to be held Wednesday, October 9, 2019 on Mercer Street from North Bluff Street to North San Marcos Street. Council Member Crow seconded the motion which carried unanimously 5 to 0.

I. Discuss and consider approval of an Additional Funds Request by the Hays County Master Naturalists for the construction of a Bird Blind at Dripping Springs Ranch Park and Event Center.

Mayor Purcell opened a Public Hearing on this item.

Larry Calvert and Cindy Luongo spoke in favor of the item during the Public Hearing.

A motion was made by Council Member Crow to approve the Additional Funds Request by the Hays County Master Naturalists for the construction of a Bird Blind at Dripping Springs Ranch Park and Event Center in the amount of \$2000.00 to come from the Parkland Dedication Fund. Council Member King seconded the motion which carried unanimously 5 to 0.

J. Discuss and consider approval of an Ordinance amending the City of Dripping Springs Code of Ordinances Section 2.04.064 Parks and Recreation Commission Members; providing for the following: findings of fact, amendment, repealer; severability; codification; effective date; and proper notice and meeting.

Sponsor: Council Member King

Andrea Cunningham presented the staff report which is on file. Staff recommends approval of the Ordinance.

A motion was made by Council Member King to approve an Ordinance amending the City of Dripping Springs Code of Ordinances Section 2.04.064 Parks and Recreation Commission Members; providing for the following: findings of fact, amendment, repealer; severability; codification; effective date; and proper notice and meeting. Mayor Pro Tem Foulds seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2019-21.

K. Discuss and consider approval of the Appointment of four (4) individuals to the Parks & Recreation Commission for terms ending June 30, 2021.

Andrea Cunningham presented the staff report which is on file. Staff recommends approval of the appointment of four (4) individuals to the Parks & Recreation Commission for terms ending June 30, 2021.

A motion was made by Council Member King to appoint the following four (4) individuals to the Parks & Recreation Commission for terms ending June 30, 2021:

- Robbie Zamora, At-Large Seat;
- Paul Fushille, At-Large Seat;
- Matthew Zarbaugh, Dripping Springs Youth Sports Association Seat; and
- Kelly Schmidt, At-Large Seat.

Council Member Manassian seconded the motion which carried unanimously 5 to 0.

L. Discuss and consider approval of the Appointment of six (6) individuals to the Founders Day Commission for terms ending June 30, 2021.

Andrea Cunningham presented the staff report which is on file. Staff recommends approval of the appointment of six (6) individuals to the Founders Day Commission for terms ending June 30, 2021.

A motion was made by Council Member King to appoint the following six (6) individuals to the Founders Day Commission for terms ending June 30, 2021:

- Jake Adams, At-Large Seat;
- Brian Daniel, At-Large Seat;
- Brad Thomas, At-Large Seat;
- Martin Garza, St. Martin de Porres Catholic Church Seat;
- Clinton Holtzendorf, Cook-Off Club Seat; and
- Susan Warwick, Lions Club Seat.

Council Member Crow seconded the motion which carried unanimously 5 to 0.

M. Discuss and consider approval of the Appointment of four (4) individuals to the Planning & Zoning Commission for terms ending June 30, 2021, and the appointment of a Chair to serve a term of one year.

Andrea Cunningham presented the staff report which is on file. Staff recommends the appointment of four (4) individuals to the Planning & Zoning Commission for terms ending June 30, 2021, and the appointment of a Chair to serve a term of one year.

A motion was made by Council Member King to appoint Mim James, Christian Bourguignon, John McIntosh and Roger Newman to the Planning & Zoning Commission for terms ending June 30, 2021; and the appointment of Mim James as the Chair to serve a term of one year. Council Member Manassian seconded the motion which carried unanimously 5 to 0.

- N. Discuss and consider approval of the Appointment of Emilie Kopp, Jean Reimers and Ashley Bobel to the Historic Preservation Commission for terms ending June 30, 2021; and the Appointment of Melissa Starr to the Historic Preservation Commission for a term ending June 20, 2020.**

Andrea Cunningham presented the staff report which is on file. Staff recommends the appointment of Appointment of Emilie Kopp, Jean Reimers and Ashley Bobel to the Historic Preservation Commission for terms ending June 30, 2021; and the Appointment of Melissa Starr to the Historic Preservation Commission for a term ending June 20, 2020.

A motion was made by Council Member Kroll to appoint Emilie Kopp, Jean Reimers and Ashley Bobel to the Historic Preservation Commission for terms ending June 30, 2021; and the Appointment of Melissa Starr to the Historic Preservation Commission for a term ending June 20, 2020. Council Member Manassian seconded the motion which carried unanimously 5 to 0.

- O. Discuss and consider approval of the Mayoral Assignment of City Council Members to Areas of Oversight.**

A motion was made by Mayor Pro Tem Foulds to approve the Mayoral Assignment of City Council Members to Areas of Oversight. Council Member King seconded the motion which carried unanimously 5 to 0.

- P. Discuss and consider approval of the Guidelines and Application regarding to the City of Dripping Springs Hotel Occupancy Tax Grant Funding Program for Fiscal Year 2020.**

Andrea Cunningham presented the staff report which is on file. Staff recommends approval of the Guidelines and Application.

A motion was made by Council Member Manassian to approve the Guidelines and Application regarding to the City of Dripping Springs Hotel Occupancy Tax Grant Funding Program for Fiscal Year 2020. Council Member Crow seconded the motion which carried unanimously 5 to 0.

- Q. Discuss and consider approval of an Amendment to the Professional Services Agreement between the City of Dripping Springs and CMA Engineering and regarding Updates to the Wastewater Capital Improvement Plan (CIP).**

Ginger Faught presented the staff report which is on file. Staff recommends approval fo the Agreement.

A motion was made by Council Member Kroll to approve an Amendment to the Professional Services Agreement between the City of Dripping Springs and CMA Engineering and regarding Updates to the Wastewater Capital Improvement Plan (CIP). Council Member King seconded the motion which carried unanimously 5 to 0.

- R. Discuss and consider approval of a Wastewater Agreement between the City of Dripping Springs and William T. Crow for property located at 198 Creek Road, Dripping Springs, TX 78620.**

Sponsor: Mayor Pro Tem Foulds

Council Member Crow recused from this item and stepped off the dais. Council Member Crow's Affidavit of Potential Conflict is on file in the City Secretary's Office.

A motion was made by Mayor Pro Tem Foulds to approve a Wastewater Agreement between the City of Dripping Springs and William T. Crow for property located at 198 Creek Road, Dripping Springs, TX 78620. Council Member King seconded the motion which carried 4 to 1, with Council Member Crow recused.

Council Member Crow returned to the dais.

- S. Discuss and consider approval of a Time Extension Amendment related to the TIRZ Interlocal Agreement between the City of Dripping Springs, Tax Increment Reinvestment Zones No. 1 and No. 2, Dripping Springs Independent School District and the Dripping Springs Community Library District.**

A motion was made by Council Member Manassian to approve a Time Extension Amendment related to the TIRZ Interlocal Agreement between the City of Dripping Springs, Tax Increment Reinvestment Zones No. 1 and No. 2, Dripping Springs Independent School District and the Dripping Springs Community Library District. Council Member King seconded the motion which carried unanimously 5 to 0.

- T. Discuss and consider approval of the First Amendment to the Second Amended and Restated Wastewater Utility Agreement between the City of Dripping Springs and Forestar (USA) Real Estate Group, Inc. for Wastewater Service to the Arrowhead Subdivision.**

A motion was made by Mayor Pro Tem Foulds to approve the First Amendment to the Second Amended and Restated Wastewater Utility Agreement between the City of Dripping Springs and Forestar (USA) Real Estate Group, Inc. for Wastewater Service to the Arrowhead Subdivision. Council Member King seconded the motion which carried unanimously 5 to 0.

XI. REPORTS

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

- A. Parks and Community Services Department Monthly Report**
Mariana Espinoza
- B. Maintenance and Facilities Report**
Craig Rice
- C. Transportation Committee Report**

Erik Burgeson, Chair

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, 551.072, Deliberation of the Purchase, Exchange, Lease or Value of Real Property, and 551.073, Deliberation of Personnel Matters, and regarding Executive Session Agenda Items B, F, H, I, K and L. Council Member Crow seconded the motion which carried unanimously 5 to 0.

A motion was made by Council Member Kroll to also include Executive Session Agenda Item J, under Texas Government Code Sections 551.071, Consultation with City Attorney, and 551.072, Deliberation of Real Property. Council Member King seconded the motion which carried unanimously 5 to 0.

Council Member Crow recused from Executive Session Agenda Item I.

XII. 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 on legislation before the Texas Legislature pursuant to the City of Dripping Springs 2019 Legislative Program.**
Consultation with City Attorney, 551.071
- B. Consultation with City Attorney regarding legal issues related to the Transportation Plan and transportation options.**
Consultation with City Attorney, 551.071
- C. Consultation with City Attorney regarding the Mark Black Wedding Venue located in the City's Extraterritorial Jurisdiction.**
Consultation with City Attorney, 551.071
- D. Consultation with City Attorney regarding the Original Petition filed on May 30, 2019 by Save Our Springs Alliance, Inc. in Travis County District Court seeking judicial review of the Texas Commission on Environmental Quality Order approving the application of the City of Dripping Springs for Texas Pollutant Discharge Elimination System Permit No. WQ0014488003.**
Consultation with City Attorney, 551.071
- E. Deliberation of Real Property and Consultation with City Attorney regarding legal issues related to Stephenson Building Lease.**
Consultation with City Attorney, 551.071; and Purchase, Exchange, Lease or Value of Real Property, 551.072

- F. Consultation with City Attorney regarding legal issues related to QuickTrip.**
Consultation with City Attorney, 551.071
- G. Consultation with City Attorney regarding legal issues related to Emergency Repairs.**
Consultation with City Attorney, 551.071
- H. Consultation with City Attorney regarding legal issues related to Headwaters Bond Funding Authorization.**
Consultation with City Attorney, 551.071
- I. Consultation with City Attorney regarding legal issues related to the Agreement between the City of Dripping Springs and Dripping Springs Water Supply Corporation for Water Systems Operations.**
Consultation with City Attorney, 551.071

Council Member Crow recused from this item and exited the meeting room.

- J. Consultation with City Attorney regard legal questions, and Deliberation regarding the purchase, exchange, lease, or value of real property related to the Tax Increment Reinvestment Zones.**
Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072
- K. Deliberation of Real Property transaction and consultation with City Attorney regarding property located in Headwaters at Barton Creek.**
Consultation with Attorney, 551.71; Deliberation of Real Property, 551.072
- L. Deliberation of Personnel Matters related to potential employment of a paid intern for the Planning Department.**
Personnel Matters, 551.074

The City Council met in Executive Session from 8:27 p.m. – 8:59 p.m.

Council Member Kroll left the Executive Session at 8:51 p.m. and did not return to the meeting.

No action or vote was taken during Executive Session.

A motion was made by Mayor Pro Tem Foulds to return the meeting to Open Session. Council Member King seconded the motion which carried unanimously 4 to 0.

The meeting returned to Open Session at 8:59 p.m.

OPEN SESSION

A motion was made by Council Member Manassian to pull Executive Session Agenda Item J for action in Open Session. Council Member King seconded the motion which carried unanimously 4 to 0.

J. Consultation with City Attorney regard legal questions, and Deliberation regarding the purchase, exchange, lease, or value of real property related to the Tax Increment Reinvestment Zones.

A motion was made by Council Member Manassian to authorize staff to hire an appraiser to perform property appraisals and a realtor for negotiations related to Tax Increment Reinvestment Zones No. 1 and No. 2. Council Member Crow seconded the motion which carried unanimously 4 to 0.

A motion was made by Mayor Pro Tem Foulds to pull Executive Session Agenda Item L for action in Open Session. Council Member King seconded the motion which carried unanimously 4 to 0.

L. Deliberation of Personnel Matters related to potential employment of a paid intern for the Planning Department.

A motion was made by Council Member King to approve the job description of Planning Department Intern and authorize staff to hire one intern through the end of the Fiscal Year, September 30, 2019. Mayor Pro Tem Foulds seconded the motion which carried unanimously 4 to 0.

XIII. UPCOMING MEETINGS

A. City Council Meetings:

August 13, 2019 - 6:00 p.m. Workshop / 6:30 p.m. Regular Meeting
August 20, 2019 - 6:00 p.m.
September 10, 2019 - 6:00 p.m. Workshop / 6:30 p.m. Regular Meeting

B. Board, Commission and Committee Meetings:

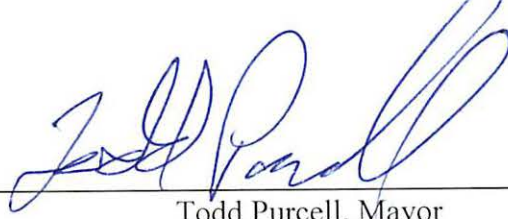
June 12, 2019 - Utility Commission at 4:00 p.m.
June 20, 2019 - Farmers Market Association Board at 10:00 a.m.
June 20, 2019 - Emergency Management Commission at 5:00 p.m.
June 24, 2019 - Transportation Committee at 3:30 p.m.
June 25, 2019 - Planning & Zoning Commission at 6:30 p.m.
June 26, 2019 - Economic Development Committee at 4:00 p.m.
July 1, 2109 - Parks & Recreation Commission at 6:00 p.m.
July 3, 2019 - Historic Preservation Commission at 4:00 p.m.
July 8, 2109 - TIRZ No. 1 & No. 2 Board at 4:00 p.m.
July 9, 2019 - Founders Day Commission at 6:30 p.m.

XIV. ADJOURN

A motion was made by Mayor Pro Tem Foulds to adjourn the meeting. Council Member King seconded the motion which carried unanimously 4 to 0.

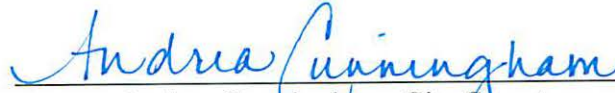
This regular meeting adjourned at 9:03 p.m.

DATE APPROVED: July 9, 2019



Todd Purcell, Mayor

ATTEST:


Andrea Cunningham, City Secretary