

City Council & Board of Adjustment

Regular Meeting

March 20, 2018 at 6:00 p.m.

A Regular Meeting of the City Council of Dripping Springs, Texas was held Tuesday, March 20, 2018 at 6:00 p.m., in the Council Chambers located at City Hall, 511 Mercer Street, Dripping Springs, Texas.

I. CALL TO ORDER AND ROLL CALL - 6:00 P.M.

City Council Members present were:

Mayor Todd Purcell
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 present were:

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Secretary Andrea Cunningham
Parks & Community Services Director Mariana Espinoza
Assistant City Attorney Laura Mueller
Land Planning Consultant Anjali Naini
Planning & Zoning Commission Chair Mim James

With a quorum of the City Council present, Mayor Purcell called the meeting to order at 6:01 p.m.

II. PLEDGE OF ALLEGIANCE

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

III. PRESENTATION OF CITIZENS

Floor open to discussion on any subject. No action may be taken by law. Citizens wishing to speak shall do so after being recognized by the Mayor. The Mayor and City Council may establish a time limit as necessary

A. Presentation on Film Friendly Texas Program Certified Communities, Pam Owens, President & CEO of Dripping Springs Visitors Bureau

Pam Owens presented the item. City Council directed staff to work with Ms. Owens on drafting an Ordinance regarding the Film Friendly Texas Program.

Kimberly Garrett with Texas Recreation and Parks Society presented the City Council with the TRAPS Lone Star Programming Award, awarded to the City for Parks and Recreation Programming.

Jay Howard and Rick Fraumann with TDS spoke regarding the City's Solid Waste Services.

Steve Shannon and John Harris with WC of Texas spoke regarding the City's Solid Waste Services.

IV. CONSENT ITEMS

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 Regular City Council Minutes of February 13, 2018, and February 20, 2018

B. Approval of A Resolution of the City of Dripping Springs, Texas, finding that the Founders Day Parade scheduled to be held on Friday April 27, 2018, in and near the City, serves a valid and legitimate public purpose, and authorizing the City's support of and cooperation with the event

A motion was made by Mayor Pro Tem Foulds to approve Consent Item B with corrections. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

A motion was made by Mayor Pro Tem to table Consent Item A. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

V. SUBDIVISION/SITE DEVELOPMENT/ ZONING/SIGNAGE/CONDITIONAL USE PERMITS/VARIANCES/WAIVERS/SPECIAL EXCEPTIONS

Discussion and Possible Action on:

A. ZA2017-0003_2790 W U.S. 290 : An Ordinance of the City of Dripping Springs, Texas Rezoning One Tract of Land Totaling Approximately 3.188 Acres out of the B.F. Hanna Survey from Agriculture District (AG) to Commercial Services (CS), and Providing for the Following: Findings of Fact; Enactment; Repealer; Severability; Effective Date; Authorizing the City Administrator to Note the Change on the Official Zoning Map of the City; Proper Notice and Meeting. Richard Santamaria & Susan Santamaria, Applicants

1. Presentation

Ben Sorrell presented the item. The applicants do not wish to develop the property at this time and are rezoning for purposes of selling the tract.

2. Staff Report

Anjali Naini presented the staff report which is on file. Staff recommends approval of the ordinance.

3. Planning and Zoning Commission Report

Chair James: Commission recommended approval 6 to 0.

4. Public Hearing

No one spoke during the Public Hearing.

5. Ordinance

A motion was made by Council Member Kroll to approve ZA2017-0003_2790 W U.S. 290: An Ordinance of the City of Dripping Springs, Texas Rezoning One Tract of Land Totaling Approximately 3.188 Acres out of the B.F. Hanna Survey from Agriculture District (AG) to Commercial Services (CS). Council Member King seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2018-06

B. PDD-9/Farmstead @ Caliterra: An Ordinance of the City of Dripping Springs, Texas Rezoning a Tract of Land Totaling Approximately 18.532 Acres from Multiple-Family Residential (MF) and Enacting Planned Development District (PDD) # 9, Commonly Known as Farmstead at Caliterra and Located on the Western Side of RR 12 and South of Butler Ranch Rd, and Further Described as: 18.532 Acres of Land out of the PA Smith Survey No. 26, Abstract No. 415, in Hays County, Texas, Being a Portion of that Certain (595.818 Acre) Tract of Land Conveyed to Development Solutions CAT, LLC by Deed Recorded in Vol. 4682, Page 342 of the Official Public Records of Hays County, Texas. Applicant, Ray Lee

- 1. Presentation – no presentation*
- 2. Staff Report – no staff report presented*
- 3. Planning and Zoning Commission Report – no Commission report presented*
- 4. Public Hearing*

Ed Watt spoke in opposition to the item during the Public Hearing.

5. PDD - 9 Ordinance - Applicant Requests Postponement to 4/10/18

A motion was made by Mayor Pro Tem Foulds to postpone the item to the April 10, 2018 regular City Council meeting. Council Member Manassian seconded the motion which carried unanimously 5 to 0.

VI. BUSINESS

Discussion and Possible Action On:

A. Presentation on Proposed Sign Ordinance Amendments, Assistant City Attorney Laura Mueller

Laura gave a presentation on the item which is on file.

No action was taken regarding this item.

B. An Agreement between the City of Dripping Springs and Pioneer Bank for Banking Depository Services for the City of Dripping Springs

A motion was made Council Member Kroll to approve the Agreement between the City of Dripping Springs and Pioneer Bank for Banking Depository Services for the City of Dripping Springs. Mayor Pro Tem Foulds seconded the motion which carried unanimously 5 to 0.

At the request of staff, City Council considered Business Item D before consideration on Business Item C.

D. An Ordinance amending Article 10.04; granting to Progressive Waste Solutions of TX, Inc. d/b/a WC of Texas, its successors and assigns, the right to operate and maintain trash and refuse collection routes within the City of Dripping Springs; extending an exclusive franchise for both residential and non-residential customers; and providing for effective dates, severability and other provisions related to the extension of franchise

Ginger Faught presented the item. Staff recommends approval of the Ordinance.

A motion was made by Council Member Kroll to approve the Ordinance amending Article 10.04; granting to Progressive Waste Solutions of TX, Inc. d/b/a WC of Texas, its successors and assigns, the right to operate and maintain trash and refuse collection routes within the City of Dripping Springs, extending an exclusive franchise for both residential and non-residential customers. Mayor Pro Tem Foulds seconded the motion which carried 4 to 1, with Council Member King opposed.

Filed as Ordinance No. 2018-07

C. Extension to the Solid Waste Franchise Agreement between the City of Dripping Springs and Progressive Waste Solutions of TX, Inc. d/b/a WC of Texas to extend the Franchise Agreement for two years

A motion was made by Council Member Kroll to approve the Extension to the Solid Waste Franchise Agreement between the City of Dripping Springs and Progressive Waste Solutions of TX, Inc. d/b/a WC of Texas to extend the Franchise Agreement for two years. Mayor Pro Tem Foulds seconded the motion which carried 4 to 1, with Council Member King opposed.

E. Amendment to the Residential Lease Agreements between the City of Dripping Springs and Andrew Cole, the City of Dripping Springs and Cody Kinsey, and the City of Dripping Springs and Nick Stewart regarding the Dripping Springs Ranch House located at 1042 Event Center Drive, Dripping Springs, TX

Laura Mueller presented the item. The agreement was adjusted for taxing guidelines. Staff recommends approval of the amended lease agreements.

A motion was made by Council Member Kroll to approve the Amendment to the Residential Lease Agreements between the City of Dripping Springs and Andrew Cole, the City of

Dripping Springs and Cody Kinsey, and the City of Dripping Springs and Nick Stewart regarding the Dripping Springs Ranch House located at 1042 Event Center Drive, Dripping Springs, TX. Council Member Manassian seconded the motion which carried unanimously 5 to 0.

A motion was made by Council Member Kroll to adjourn into Executive Session under Executive Agenda Items A – K. Council Member King seconded the motion which carried unanimously 5 to 0.

Mayor Purcell read the Executive Session Agenda, and recessed the meeting into Executive Session.

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 the Proposed Settlement Agreement between the City of Dripping Springs, the City of Austin and other Parties regarding Texas Pollutant Discharge Elimination System Permit No. WQ001448803** (551.071 Consultation with City Attorney)
- B. Consultation with City Attorney Regarding Allocation of Wastewater Capacities and Potential Alternatives and Options to Currently Planned Wastewater Discharge Permitting Plans, Including Potential Additional Area Needed to Meet Wastewater Service Needs** (551.071 Consultation with City Attorney and 551.072 Purchase, Exchange, Lease, or Value of Real Property)
- C. Deliberation regarding the potential purchase of all or a portion of real property related to the Transportation Plan.** (551.072 Purchase, Exchange, Lease or Value of Real Property)
- D. Consultation with City Attorney regarding an Agreement between the City of Dripping Springs and the Hays County Livestock Board** (551.071 Consultation with City Attorney)
- E. Consultation with City Attorney regarding Planned Development District No. 9, Farmstead @ Caliterra** (551.071 Consultation with City Attorney)
- F. Consultation with City Attorney Regarding the Amended Arrowhead Ranch Development Agreement and the Second Amended and Restated Wastewater Utility Agreement** (551.071 Consultation with City Attorney)
- G. Consultation with City Attorney regarding legal issues related to the Westwood Public Improvement District and Disclosure Counsel Agreement** (551.071 Consultation with City Attorney)
- H. Consultation with City Attorney regarding legal issues related to Goode Easement and roadway extension** (551.071 Consultation with City Attorney)

- I. Consultation with City Attorney regarding the status of Development Agreements with regards to Big Sky/Scott Ranch, Cannon Residential and Commercial, Rutherford North, and Driftwood 552** *(551.071 Consultation with City Attorney)*
- J. Consultation with City Attorney regarding Sales Tax Allocation Agreement between the City of Dripping Springs and Emergency Services District No. 2 and Emergency Services District No. 6** *(551.071 Consultation with City Attorney)*
- K. Consultation with City Attorney regarding operations at city facilities.** *(551.071 Consultation with Attorney).*

The City Council met in Executive Session from 6:56 p.m.- 7:37 p.m.

No action was taken in Executive Session.

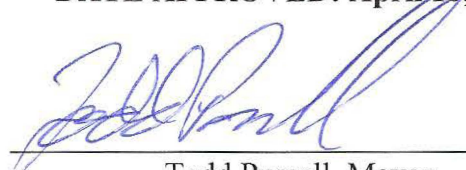
Mayor Purcell returned the meeting to Open Session, and called the meeting to order at 7:37 p.m.

IX. ADJOURN

A motion was made by Mayor Pro Tem Foulds to adjourn the meeting. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

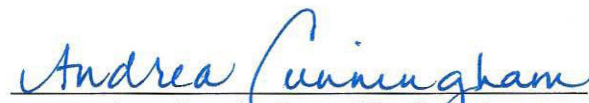
This regular meeting adjourned at 7:38 p.m.

DATE APPROVED: April 10, 2018



Todd Purcell, Mayor

ATTEST:



Andrea Cunningham, City Secretary