

**CITY OF DRIPPING SPRINGS, TEXAS  
MINUTES OF THE CITY COUNCIL & BOARD OF ADJUSTMENT  
SPECIAL MEETING OF MONDAY, JANUARY 22, 2018 AT 6:00 P.M.**

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A Workshop and Regular Meeting of the City Council of Dripping Springs, Texas was held Monday, January 22, 2018 at 6:00 p.m., in the Council Chambers located at City Hall, 511 Mercer Street, Dripping Springs, Texas.

**City Council Members Present were:**

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

**City Staff and Appointed Officials Present were:**

City Administrator Michelle Fischer  
Deputy City Administrator Ginger Faught  
City Secretary Andrea Cunningham  
Assistant City Attorney Laura Mueller

With a quorum of the City Council present, Mayor Purcell called the meeting to order at 6:04 p.m.

**PLEDGE OF ALLEGIANCE**

Mayor Purcell led the Pledge of Allegiance to the Flag.

**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.*

John Harris with WC of Texas spoke regarding waste collection re-routes and customer service issues. Mr. Harris discussed upgrades with regards to equipment and customer service to better service the City of Dripping Springs.

**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 a Professional Services Agreement with S. Kanetzky Engineering, LLC for engineering services related to a grant application for an emergency generator** *Sponsor: Mayor Pro Tem Foulds*
- B. Approval of a Professional Services Agreement between the City of Dripping Springs and CMA Engineering for the East Interceptor Study** *Sponsor: Mayor Pro Tem Foulds*
- C. Approval of an Ordinance of the City of Dripping Springs, Texas adopting the Official City Maps of Incorporated Municipal Boundaries (City Limits) and Extraterritorial Jurisdiction; requesting that copies of the maps be filed in the Offices of the City Secretary and City Engineer; providing for: Findings of Fact; Effective Date; Severability; Repealer; and Proper Notice and Meeting**  
**Filed as Ordinance No. 2018-01**
- D. Approval of a Resolution of the City of Dripping Springs approving the 2018 Hays County, Texas Hazard Mitigation Plan** *Sponsor: Mayor Pro Tem Foulds*  
**Filed as Resolution No. 2018-R04**
- E. Approval of an Interlocal Agreement between the City of Dripping Springs and Hays County regarding funding for the TIRZ Town Center Project**
- F. Approval of a Resolution of the City of Dripping Springs accepting improvements and accepting maintenance bond for Roger Hanks Parkway Extension, providing for effective date; and proper notice and meeting**  
**Filed as Resolution No. 2018-R05**
- G. Approval of a Professional Services Agreement between the City of Dripping Springs and Morris P. Hebert, Inc. for City GIS Database Development and Integration Services**
- H. Approval of a Co-Sponsorship Agreement between the City of Dripping Springs, International Dark-Sky Association – Texas Section and Hays County Master Naturalists for a Star Party at Milton Reimers Ranch Park on April 7, 2018** *Sponsor: Mayor Pro Tem Foulds*
- I. Approval of a Letter of Support for Travis County Milton Reimers Ranch Park to be designated as a Dark Sky Park by the International Dark Sky Association** *Sponsor: Mayor Pro Tem Foulds*

A request was made to pull item J from the Consent Agenda for further discussion.

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

- J. Approval of the appointment of Brian Varnell to serve as the Cook-Off Club's designated representative on the Founders Day Commission, for a term ending June 1, 2018**

Andrea Cunningham presented the item. Chris Schmidt submitted his resignation letter on January 12, 2018 because he will no longer be able to attend meetings. Stephanie Holtzendorf, Cook-Off Club President, contacted the City Secretary recommending Mr. Schmidt be replaced with Brian Varnell.

A motion was made by Council Member King to approve the appointment of Brian Varnell as the Cook-Off Club's Representative for a term ending June 1, 2018. Council Member Kroll seconded the motion which carried 4 to 0 to 1, with Mayor Pro Tem Foulds abstaining.

## **BUSINESS**

*Consideration and Possible Action on:*

**A. Request for Reduction of Itinerant Vendor Fees for 2018 Dripping Springs Market Days Event to be held the fourth Saturday of each month at the Triangle/Veterans Memorial Park** *Sponsor: Council Member King*

Michelle Fischer presented the staff report which is on file. Staff recommends approval of the request for reduction of itinerant vendor fees for Dripping Springs Market Days.

A motion was made by Council Member King to approve the request. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

**B. A Resolution of the City of Dripping Springs approving the amended Transportation Plan for purposes of conceptualizing the potential proximity of future streets and other roadways** *Sponsor: Council Member Manassian*

*1. Staff Report*

Ginger Faught presented the staff report. The map was amended to show the correct depiction of the possible construction and/or extension of both Old Fitzhugh Road and Founders Park Road

*2. Public Hearing*

No one spoke during the Public Hearing.

*3. Resolution*

A motion was made by Council Member King to approve the Resolution. Council Member Crow seconded the motion which carried unanimously 5 to 0.

**Filed as Resolution No. 2018-R06**

**C. Authorization of City Administrator to seek appraisal of properties located along Mercer Street and in Hidden Springs Ranch, to include City Hall**



Michelle Fischer presented the item. Staff is seeking to assign the “As Is” market value of properties for possible contribution to the TIRZ Town Center Project.

A motion was made by Council Member King to authorize the City Administrator to seek the appraisal of the properties. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

**D. Recycled Water Service Agreement for users of Chapter 210 Beneficial Reuse, and authorization for the City Administrator, or the City Administrator’s designee, to negotiate minor changes as needed and execute on behalf of the City** *Sponsor: Mayor Pro Tem Foulds*

Ginger Faught presented the item. Staff recommends approval of authorization to execute the agreement.

A motion was made by Mayor Pro Tem Foulds to approve the Recycled Water Service Agreement, and to authorize the City Administrator, or the City Administrator’s designee, to negotiate minor changes to the agreement as needed. Council Member King seconded the motion which carried unanimously 5 to 0.

**E. Letter from the City of Dripping Springs City Council to the City of Austin City Council 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** *Sponsor: Mayor Pro Tem Foulds*

Ginger Faught and Mayor Pro Tem Foulds presented the item. Staff recommends approval of the letter to the City of Austin City Council requesting further evaluation of the agreement regarding the permit.

A motion was made by Council Member Kroll to approve the letter and two additional attachments, and to authorize City Administration to make any non-substantive changes. Council Member King seconded the motion which carried unanimously 5 to 0.

**F. An Ordinance amending Chapter 20, Article 20.02, Division 6, Section 20.02.006(b)(2) of the Dripping Springs Code of Ordinances: Amending the General Provisions related to Calculation of Volume for new sewer service; and providing for the following: Findings of Fact; Enactment; Repealer; Severability; Codification; Effective Date; and Proper Notice and Meeting** *Sponsor: Mayor Pro Tem Foulds*

*1. Staff Report – Ginger Faught*

Ginger Faught presented the staff report which is on file. Staff recommends basing the charge for residential customers without acceptable water history at 215 gallons per

day, which is 1 LUE. A single LUE is used to calculate water usage for a single family residential home for one month and equals 6,450 gallons per month.

## *2. Public Hearing*

No one spoke during the Public Hearing.

## *3. Ordinance*

A motion was made by Mayor Pro Tem Foulds to approve the ordinance. Council Member Manassian seconded the motion which carried unanimously 5 to 0.

**Filed as Ordinance No. 2018-02**

- G. Authorization for the City Administrator, or the City Administrator's designee to (a) negotiate and approve the 83 acres to be mutually agreed upon by the parties to the June 26, 2014 Lease by and between the City of Dripping Springs, Texas, Development Solutions CAT, LLC, and Hays County Development District No. 1 (hereafter "Lease"); (b) execute on behalf of the City a letter agreement or other written document that designates the 83 acres that the Lease contemplates will be demised pursuant to the Lease**  
*Sponsor: Mayor Pro Tem Foulds*

Ginger Faught presented the item. In order for a storage permit to be approved, the parties must mutually agree upon an area of irrigation. Staff recommends approval of the item so that City Administration may begin negotiations on the area of irrigation.

A motion was made by Council Member Kroll to authorize City Administration to finalize negotiations with Development Solutions CAT, LLC. Council Member King seconded the motion which carried unanimously 5 to 0.

- H. Discussion and possible action regarding proposed mileage allowance for the City of Dripping Springs' Director of Public Works or the purchase of vehicle to be used by Public Works Department for conducting City business**

Ginger Faught presented the item. The City Treasurer completed a cost-benefit analysis of purchasing a new vehicle compared with paying the employee directly for mileage incurred on their personal vehicle. Staff determined that paying the employee directly would better benefit the employee and the City with regards to costs incurred with purchasing and maintaining a new vehicle.

A motion was made by Mayor Pro Tem Foulds to approve a monthly mileage allowance for the Director of Public Works for the use of their own personal vehicle for business purposes. Council Member King seconded the motion which carried unanimously 5 to 0.

## **REPORTS OF AGENCIES, COMMISSIONS AND STAFF**

### **A. Parks and Community Services Report**

The Parks and Community Services Report is on file and available for inspection upon request.

Without objection from the City Council, Mayor Purcell recessed the meeting into Executive Session.

### **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 area needed to meet wastewater service needs (551.071 Consultation with City Attorney; 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 contract for services with City Engineer and legal requirements related to position of City Engineer (551.071 Consultation with City Attorney)**
- E. Consultation with City Attorney regarding legal issues related to Goode Easement and roadway extension (551.071 Consultation with City Attorney)**
- F. Consultation with City Attorney on DSISD waiver of two-year maintenance bond for Roger Hanks Roadway Project Phase I (551.071 Consultation with city Attorney)**

The City Council met in Executive Session from 6:32 p.m. – 7:08 p.m.

No action or vote was taken in Executive Session.

Mayor Purcell returned the meeting to Open Session at 7:08 p.m.

## **OPEN SESSION**

A motion was made by Council Member King to authorize staff to hire either a planner or development coordinator at the salaries discussed. Council Member Manassian seconded the motion which carried unanimously 5 to 0.

## **ADJOURN**

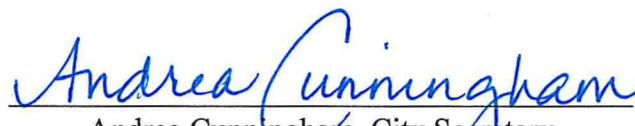
Without objection from the City Council, Mayor Purcell adjourned the meeting.

This regular meeting adjourned at 7:10 p.m.

**DATE APPROVED: February 13, 2018**

  
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Todd Purcell, Mayor

**ATTEST:**

  
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Andrea Cunningham, City Secretary

