

**CITY OF DRIPPING SPRINGS, TEXAS
MINUTES OF THE CITY COUNCIL & BOARD OF ADJUSTMENT
REGULAR MEETING OF TUESDAY, JANUARY 9, 2018 AT 5:30 P.M.**

A Workshop and Regular Meeting of the City Council of Dripping Springs, Texas was held Tuesday, January 9, 2018 at 5:30 p.m., in the Council Chambers located at City Hall, 511 Mercer Street, Dripping Springs, Texas.

I. CALL TO ORDER

City Council Members Present were:

Mayor Pro Tem Bill Foulds
Council Member Travis Crow
Council Member John Kroll
Council Member Taline Manassian
Council Member Wade King (arrived at 5:54 p.m.)

City Council Members Absent were:

Mayor Todd Purcell

City Staff and Appointed Officials Present were:

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Secretary Andrea Cunningham
City Planner Megan Will
Parks & Community Services Director Mariana Espinoza
Public Works Director Kyle Dannhaus
Communications Coordinator Bonnie Gonzalez
City Treasurer Gina Gillis
City Engineer Chad Gilpin
Assistant City Attorney Laura Mueller
Consulting Land Planner Anjali Naini
Planning & Zoning Commission Chair Mim James

With a quorum of the City Council present, Mayor Pro Tem Foulds called the Workshop to order at 5:34 p.m.

II. WORKSHOP

No action to be taken during workshop. Staff Reports regarding Consent, Site Developments, Subdivisions, Zoning, On Site Sewage Facilities, Signs, Variances, Waivers, Special Exceptions, Annexations, Alternate Standards, Business, and Other Agenda Items listed below.

A. Discussion regarding Resolution No. 2017-81: Adopting a Revolving Door Policy for the City of Dripping Springs Sponsor: Mayor Pro Tem Foulds

Laura Mueller reviewed the changes to the policy since the last discussion.

City Council directed staff to be stricter on what is prohibited and decrease the time restriction, and to update the effect date. Council Member Kroll requested that the policy also address Planning & Zoning Commission Members. Mayor Pro Tem Foulds requested that staff bring a final draft for consideration in late March or early April. He would like to have the policy in place and effective before the May 2018 elections.

Ginger Faught requested that Item VII. C. be pulled for further discussion by the City Council.

A motion was made by Mayor Pro Tem Foulds to recess into Executive Session; and to add items VIII. E and F, item IX. F to the Executive Agenda. Council Member Kroll seconded the motion which carried unanimously. The City Council recessed into Executive Session at 6:09.

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 (Deliberation 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 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 Replat and Site Development Permit for property located at 9900 Darden Hill road (551.071 Consultation with City Attorney)**
- E. Consultation with City Attorney regarding a request for a 90 day delayed payment of Building Permit and Parkland Dedication Fees for Anthem Apartments at Ledgestone (551.071 Consultation with City Attorney)**

The City Council met in Executive Session from 6:09 p.m. – 6:36 p.m.

No vote or action was taken during Executive Session.

III. RECESS

Mayor Pro Tem returned the meeting to Open Session at 6:36 p.m. and took short recess.

IV. RECONVENE

The meeting was reconvened, and Mayor Pro Tem called the meeting to order at 6:40 p.m.

V. PLEDGE OF ALLEGIANCE

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

VI. 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. It's Time Texas Community Challenge and City Council Pledge to promote health and wellness Mariana Espinoza, Parks & Community Services Director

Mariana Espinoza presented the item. It's Time Texas is a Community Health and Wellness Challenge that promotes healthy eating habits and exercise. It is a state wide challenge, and presents winning cities with grant funds to be used towards community health and wellness programs. The City of Dripping Springs won the challenge last year and received grants funds that are being used to towards marking trails at Dripping Springs Ranch Park.

Rick Fraumann with Texas Disposal spoke regarding the City's Solid Waste Services.

A motion was made by Council Member King to pull Consent Item C from the Consent Agenda for further discussion, as requested by staff. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

C. Approval of Assignment of Equipment Lease between AUC Group, LLC and Forestar (USA) Real Estate Group, Inc., to the City of Dripping Springs for the delivery, installation, and lease of a Wastewater Treatment Plant to serve the Arrowhead Ranch Subdivision

A motion was made by Council Member Kroll to approve the Assignment of Equipment Lease contingent upon approval of specifications. Council Member Crow seconded the motion which carried unanimously 5 to 0.

VII. 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 December 12, 2017, and December 19, 2017**
- B. Approval of City Treasurer's Report for December 2017**
- D. Approval of Co-Sponsorship Agreement between the City of Dripping Springs and the Texas Hill Country Barrel Racing Association**
- E. Approval of a Letter Agreement between the City of Dripping Springs and the West Travis County Public Utility Agency regarding retail water service to Sunset Hills**
- F. Approval of a Resolution of the City Council of the City of Dripping Springs, Texas, authorizing the submission of a nomination for funding for the Founders Park Road Safety and Connectivity Project in response to the Capital Area Metropolitan Planning Organization's 2019-2022 Project Call; and authorizing the Mayor to act as the City's Authorized Representative in all matters pertaining to the City's participation in the 2019-2022 Project Call**
Filed as Resolution No. 2018-R01
- G. Approval of a Resolution of the City Council of the City of Dripping Springs, Texas, authorizing the submission of a nomination for funding for the Old Fitzhugh Road Gap Elimination and Connectivity Project in response to the Capital Area Metropolitan Planning Organization's 2019-2022 Project Call; and authorizing the Mayor to act as the City's Authorized Representative in all matters pertaining to the City's participation in the 2019-2022 Project Call**
Filed as Resolution No. 2018-R02
- H. Professional Services Agreement between the City of Dripping Springs and Grant Development Services for Interim Administration Services for the Sports Plex Drive Project through the Transportation Alternatives Set Aside**

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

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

Consideration and Possible Action on:

A. Sign Variance Request to allow Directional Signage to Exceed the Maximum Signable Area Allowed, Dripping Springs United Methodist Church, located at 28900 Ranch road 12, Dripping Springs Applicant Representative, Randy Voorheis

1. Sign Administrator's Report – Michelle Fischer

Michelle Fischer presented the Sign Administrator's Report which is on file. The Sign Administrator recommends approval of the Sign Variance Request.

2. Planning & Zoning Commission Report – Mim James

The Commission recommended approval 6 to 0.

3. Public Hearing

No one spoke during the Public Hearing.

4. Variance Request to allow directional signage to exceed the maximum signable area allowed

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

B. Variance Request for Self-Storage Facility located at 27010 RR 12, Dripping Springs, Texas 78620; a Request for a Variance to the Dripping Springs Code of Ordinances, Chapter 30 – Zoning, Exhibit A, Section 3.12.4(d) Gross Floor Area for Nonresidential structures to allow a 71,817 sq. ft. building where otherwise limited to 50,000 sq. ft.; and a Request for Variance to the Dripping Springs Code of Ordinances, Chapter 30 – Zoning, Exhibit A, Section 5A, Subsection 5.8.2 Fire Lanes to allow a paved path width of 20 ft. where a minimum width of 24 ft. is otherwise required Applicant, Jon Thompson

1. Presentation – Jon Thompson

Jon Thompson reviewed the request and was available for questions.

2. Staff Report – Megan Will

Megan Will presented the staff report which is on file. Staff recommends approval of the variance request with the following conditions:

- Applicant shall obtain a waiver from the City's Exterior Design Ordinance and approval of an Alternative Exterior Plan;
- Applicant shall obtain the City Engineer's approval of the proposed rainwater collection system and/or reduce the impervious cover on site so that impervious cover does not exceed what is shown on concept plan submitted (76,173 sq. ft. / 64.2% of the site).; and

- Hours of operation: Office 8:30 AM – 6:00 PM, Monday – Friday; 8:30 AM – 2:00 PM Saturday; closed Sunday. Gate Access hours 6:00 AM – 10:00 PM daily.

3. *Planning & Zoning Commission Report – Mim James*

The Commission recommended approval with staff recommendations 7 to 0.

4. *Public Hearing*

Jennifer Cohen spoke regarding lighting.

5. *Variance Request to exceed maximum gross floor area allowed*
6. *Variance Request to allow a fire lane paved width of 20 feet where a minimum width of 24 feet is otherwise required*

A motion was made by Council Member Kroll to approve the variance request to exceed maximum gross floor area allowed, and the variance request to allow a fire lane paved width of 20 feet where a minimum width of 24 feet is otherwise required. Council Member King seconded the motion. After some discussion, a motion was made by Council Member Kroll to amend the main motion to tie the Conditional Use Permit granted to the applicant to the variance request. Council Member King seconded the motion to amend, which carried unanimously 5 to 0. The motion as amended carried unanimously 4 to 0 to 1 with Mayor Pro Tem Foulds opposed.

C. ZA2017-0002: Zoning Amendment Ordinance No. 1220.152: An Ordinance of the City of Dripping Springs, Texas, Rezoning a Tract of Land Totaling 16.0118 Acres Located at 23000 W FM 150, Dripping Springs, Texas from Agriculture (AG) to Single-Family Residential, Moderate Density (SF-2), and Described as Follows: 16.0118 Acres out of the Thomas R. Jackson League, Abstract No. 9 Applicant, Dan Druck, Charro Vista, LLC

1. *Staff Report – Anjali Naini*

Anjali Naini recommended postponement of the item.

2. *Planning & Zoning Commission Report – Mim James*

The Commission recommended approval 6 to 0.

3. *Public Hearing*

No one spoke during the public hearing.

4. *Ordinance No. 1220.152*

A motion was made by Council Member King to postpone the item to the February 13, 2018 Regular City Council meeting. Council Member Crow seconded the motion which carried unanimously 5 to 0.

D. SUB2017-0002: Charro Vista Subdivision. A Preliminary Plat for a 16.0091 Acre Property Located at 23000 W FM 150, Dripping Springs, TX (Thomas R. Jackson League, Abstract No. 9) Applicant, Dan Druck, Charro Vista, LLC

1. Staff Report – Anjali Naini

Anjali Naini recommended postponement of the item.

2. Planning & Zoning Commission Report – Mim James

The Commission recommended approval 6 to 0.

3. Public Hearing

No one spoke during the Public Hearing.

4. Parkland Dedication

5. Preliminary Plat

A motion was made by Council Member Kroll to postpone the item to the February 13, 2018 Regular City Council meeting. Council Member Crow seconded the motion which carried unanimously 5 to 0.

E. Replat of Lot 9, Oarkridge Park Sections 5 at Kinnicinik, Establishing Lot 9A, A 15.83 acre lot at 9900 Darden Hill Road, Dripping Springs, TX Applicant, Troy Moore, PE M3 Engineering, LLC

1. Staff Report – Chad Gilpin, P.E.

Chad Gilpin presented the staff report which is on file. Staff recommends approval of the replat contingent upon receipt of Hays County approval/1445 Letter, and with condition that the applicant will comply with the City of Dripping Springs Lighting Ordinance.

2. Planning & Zoning Commission Report – Mim James

The Commission recommended approval 5 to 0, with one recusal.

3. Public Hearing

No one spoke during the Public Hearing.

4. *Replat*

A motion was made by Council Member Kroll to approve the replat with staff contingencies and conditions. Council Member Manassian seconded the motion which carried unanimously 5 to 0.

F. Site Development Permit for Darden Hill Storage, 9900 Darden Hill Road, Dripping Springs, TX *Applicant, Troy Moore, P.E., M3 Engineering, LLC*

1. *Presentation*

Steve Medcalf gave a presentation on the item which is on file.

2. *Staff Report – Chad Gilpin, P.E.*

Chad Gilpin presented the staff report which is on file. Staff recommends approval of the Site Development Permit contingent on approval of the replat, and with the condition that the applicant comply with the City's Lighting Ordinance.

3. *Planning & Zoning Commission Report – Mim James*

The Commission recommended approval 5 to 0, with one recusal.

4. *Public Hearing*

John Pope, Priscilla Wood, Daryl Cooper, Scott Clark, Shannon Rizzo, Rhonda Kramer, and Jennifer Cohen spoke in opposition to the item.

5. *Site Development Permit*

A motion was made by Council Member Crow to approve the Site Development Permit with staff contingencies and recommendations. Council Member Manassian seconded the motion which carried unanimously 5 to 0.

IX. BUSINESS

Consideration and Possible Action on:

A. Acceptance of Bids for Grounds Maintenance on City Property and Parks; and Approval of Agreement between the City of Dripping Springs and Contractor for Grounds Maintenance for City Parks and City Hall, Street Right of Way, Detention Ponds, Wastewater Treatment Plant, and Lift Stations

Mariana Espinoza presented the staff report which is on file. Staff recommends approval of the acceptance of the bid from Worthy Commercial, and approval of an agreement with Worthy Commercial for Grounds Maintenance of City Property and City Parks.

A motion was made by Council Member King to accept the bid from Worthy Commercial, and to approve an agreement with Worthy Commercial for Grounds Maintenance of City Property and Parks. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

B. Request for Reduction of Fees for Tinkergarten Park Usage for Dripping Springs Sports and Recreation Park

Mariana Espinoza presented the staff report which is on file. Staff recommends approval of the request for reduction of fees for park usage.

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

C. A Resolution approving the submittal of a Grant Application to the Capital Area Council of Governments for the purchase of a generator for use by the City of Dripping Springs Emergency Management Program *Sponsor: Mayor Pro Tem Foulds*

Kay Allen presented the staff report which is on file. Staff recommends approval of the resolution.

A motion was made by Council Member Kroll to approve the resolution with corrections to the size of tanks, where there should be 1-500 gallon and 1-2,000 gallon tank each. Council Member King seconded the motion which carried unanimously 5 to 0.

Filed as Resolution No. 2018-R03

D. Acceptance of a Proposal for GIS Services from Morris P. Hebert, Inc. for City GIS Database Development and Integration; and authorization for City Administration to negotiate a Contract with Morris P. Hebert, Inc.

Megan Will presented the staff report which is on file. Staff recommends approval of the acceptance of a proposal from Morris P. Hebert, Inc., and approval to authorize City Administration to negotiate a contract with Morris P. Hebert, Inc.

A motion was made by Mayor Pro Tem Foulds to accept the proposal from Morris P. Hebert, Inc., and to authorize City Administration to negotiate a contract. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

E. Revised Job Description for Farmers Market Manager and authorization for City Administrator to make job offer and hire Farmers Market Manager at hourly rate
Sponsor: Council Member King

Michelle Fischer presented the staff report which is on file. Staff recommends approval of the revised job description and rate of pay.

A motion was made by Council Member King to approve the revised job description, and to authorize the City Administrator to make the job offer and hire the Farmers Market Manager at an hourly rate. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

F. Request for 90 day delayed payment of Building Permit and Parkland Dedication Fees for Anthem Apartments at Ledgestone

Council Member Kroll recused from this item and exited the Council Chambers.

Ginger Faught and Kyle Dannhaus presented the item.

Stuart Shaw spoke regarding the item.

Without objection from the City Council, Mayor Pro Tem Foulds recessed into Executive Session. The City Council met in Executive Session from 8:53 p.m. – 9:02 p.m. No vote or action was taken during Executive Session. At 9:02 p.m., Mayor Pro Tem Foulds returned the meeting to Open Session.

A motion was made by Council Member King to approve the request for delayed fees with the condition that the applicant pay the upfront cost of \$75,000.000 and that the applicant is current on all other fees and reimbursements, and that the Parkland Dedication Fee and balances of any other fees due are paid at time of Building Permit pick up. Council Member Manassian seconded the motion which carried unanimously 4 to 0.

Council Member Kroll returned to the Council Chambers.

X. REPORTS OF AGENCIES, COMMISSIONS AND STAFF

- A. Transportation Committee Monthly Report**
- B. Parks & Community Services Monthly Report**
- C. Dripping Springs Ranch Park Monthly Report**
- D. Farmers Market Monthly Report**

A copy of the above reports is on file in the City Secretary's Office and available for inspection upon request.

XI. ADJOURN

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

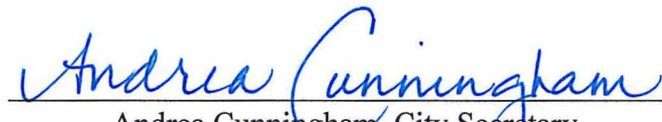
This regular meeting adjourned at 9:18 p.m.

DATE APPROVED: February 13, 2018



Todd Purcell, Mayor

ATTEST:



Andrea Cunningham, City Secretary

