

CITY OF DRIPPING SPRINGS, TEXAS
MINUTES OF THE CITY COUNCIL AND
BOARD OF ADJUSTMENT MEETING
Tuesday, July 11, 2017 at 5:30 P.M.

A Regular Meeting of the City Council and Board of Adjustment of the City of Dripping Springs, Texas, was held on Tuesday, July 11, 2017 at 5:30 P.M. at City Hall, 511 Mercer Street, Dripping Springs, Texas.

Present: Mayor & City Council Members/Board of Adjustment

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

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
Deputy City Secretary Debbie Loesch
Assistant City Attorney Laura Mueller
Special Counsel Dottie Palumbo
City Treasurer Gina Gillis
Dripping Springs Ranch Park Manager Lynne Dickinson
Planning and Zoning Commission Chair Mim James
Code Enforcement Manager Kyle Dannhaus
Development Coordinator Lali Rambeau
City Engineer Rick Coneway

With a quorum of the Council present, Mayor Purcell called the session to order at 5:30 p.m.

WORKSHOP. Mayor Purcell opened the Workshop for discussion of any items on the agenda with questions directed to the staff. There was discussion with no action taken.

EXECUTIVE SESSION. A motion was made by Mayor Pro Tem Foulds to convene an Executive Session at 6:05 p.m. Council Member King seconded the motion. The motion carried unanimously.

The Open Meeting was recessed at 6:05 p.m. to convene into Executive Session in accordance with the authority contained in the Texas Government Code, Section 551.071 to consult with the City Attorney; Section 551.072, to discuss real estate transactions; and Section 551.074, to discuss personnel matters, specifically:

- A. Consultation with City Attorney regarding legal requirements and procedures for the potential creation of certain special districts to finance improvements benefiting the Heritage Subdivision including a Wastewater Agreement. (*Sec. 551.071, Consultation with City Attorney*).
- B. Consultation with City Attorney regarding the Wastewater Service and Fee Agreement between the City of Dripping Springs and Meritage Homes of Texas, LLC (aka – Planned Development District #4 (*Sec. 551.071, Consultation with City Attorney*)).
- C. Consultation with City Attorney regarding request for release of Kali Kate Property from the City's Extraterritorial Jurisdiction (*Sec. 551.071, Consultation with City Attorney*).
- D. Deliberation regarding the potential purchase of all or a portion of real property related to the Transportation Plan. (*Sec. 551.72, Purchase, Exchange, Lease or Value of Real Property*).
- E. 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 (*Sec. 551.071, Consultation with City Attorney*).
- F. 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 Services needs (*Sec. 551.071, Consultation with City Attorney and Sec. 551.072, Purchase, Exchange, Lease or Value of Real Property*).
- G. Consultation with Attorney regarding accounting procedures, records retention, and inquiry into execution by staff of proper accounting and records retention (*Sec. 551.071, Consultation with City Attorney*).
- H. Deliberation of Real Property transaction and consultation with City Attorney regarding property located in Headwaters at Barton Creek (*Sec. 551.071, Consultation with City Attorney and Sec. 551.072, Deliberation of Real Property*).
- I. Consultation with the City Attorney regarding personnel matters, under *Sec. 551.074, Personnel Matters*, regarding appointment of City Secretary.

The Executive Session adjourned at 6:55 p.m.

The Open Meeting reconvened at 7:00 p.m. with Mayor Purcell leading the pledge of allegiance.

PRESENTATION OF CITIZENS. Mayor Purcell opened the meeting for public comments. Comments were received from:

- Rich Beggs regarding the wastewater permit and settlement agreement.
- Tim Vonkennel regarding the rehabilitation services for veterans returning home from service building 3 homes.
- Greg Lee presenting his video from Dripping Springs Ranch Park and donating the video he produced to the City to use on the City's web site.
- Greg Perrin, with Dripping Springs Water Supply, commented on the completion of the Community Block Grant on the North Forty Water project.

CONSENT ITEMS. A motion was made by Council Member Kroll to approve the Consent items A through N as listed below. Council Member King seconded the motion. The motion carried unanimously. The items approved were:

- A. Approval of Regular Meeting Minutes for May 16, 2017.
- B. Approval of Regular Meeting Minutes for June 13, 2017.
- C. Approval of Regular Meeting Minutes for June 20, 2017.
- D. Approval of City Treasurer's Report for June 2017.
- E. Community Development Block Grant Project No. 7215129 – Dripping Springs North Forty Water Project:
 - 1. Approval of Change Order No. 2;
 - 2. Approval of Payment Estimate No. 6; and
 - 3. Approval of Certificate of Construction Completion.
- F. Approval of Resolution No. 2017-54: A Resolution of the City of Dripping Springs acknowledging Contractor Disclosure Affidavit from Scott Oldner Lighting Design and waiving potential conflicts.
- G. Approval of Co-Sponsorship Application and Agreement between the City of Dripping Springs and Helping Hands for the 20th Annual Empty Bowls Project to be held on October 29, 2017 at Dripping Springs Ranch Park.
- H. Approval of Application and Agreement between the City of Dripping Springs and The Artists Alliance of the Hill Country for The Show to be held on September 1, 2017 and October 30th at Dripping Springs Ranch Park.
- I. Approval of Participation Agreement between the City of Dripping Springs and Mercer Street Dance Hall.
- J. Approval of Co-Sponsorship Application and Agreement between the City of Dripping Springs and the Dripping Springs Youth Sports Association for Basketball Registrations.
- K. Approval of Participation Agreement between the City of Dripping Springs and Fry's Fun Farm for Petting Zoo, Train Ride, and Pony Rides at Dripping Springs Fair and Rodeo July 21-23, 2017.

- L. Approval of request from Hays County Livestock Show Board for waiver of room rental fees for board meetings every other month.
- M. Approval of Resolution No. 2017-51: A Resolution of the City of Dripping Springs, Texas approving an interlocal agreement between the City of Dripping Springs and Hays County for placement of a Remote Automated Weather Station at Dripping Springs Ranch Park.
- N. Approval of Resolution No. 2017-52: A Resolution of the City of Dripping Springs, Texas, approving an interlocal agreement between the City of Dripping Springs and the Dripping Springs Independent School District for a private land mobile radio system.

BOARD OF ADJUSTMENT. *Consideration and possible action on:*

- A. **Sign Variance Requests for Bunker Ranch Subdivision, located at 2751 Highway 290 West, Dripping Springs, Texas, Applicant, Bradley Jones, ECOLAND Design Group.**

The Sign Administrator's Report was given by Michelle Fischer, City Administrator. The applicant has requested to display Bunker Ranch subdivision entrance signs on the walls of the landscaped entrance features within the right of way at the entrance to the subdivision, requiring a variance to allow the signs to be constructed in the right of way. Three signs are proposed at the entrance: one on each wall at the east and west side of the roadway, and one (a logo) in the median on a column. The roadway will be privately owned and maintained. Considering that the proposed signs meet the majority of considerations for granting a variance, it is recommended to grant all of the variance requests with the following conditions: (1) the owner of the signs will pay for the cost of removing or altering the signs and landscape features should it be required in the future due to roadway or utility expansion, maintenance, or improvements; and (2) the HOA covenants shall include ownership and maintenance provisions for the subdivision entrance signage and entry landscape features, including the timely repair (within 60 days) of any should they be damaged. A copy of the full report is on file in the City's records.

The Planning and Zoning Commission Report was given by Mim James, Planning and Zoning Commission Chair, reporting that the Commission concurred with the recommendations of staff and recommended granting the variances.

A Public Hearing was opened by the Mayor for comments. Hearing none, the Public Hearing was closed.

A motion was made by Mayor Pro Tem to grant variances to Sec. 26.03.002 of the Code of Ordinances of the City of Dripping Springs (listed below as Nos. 1, 2, 3, and 4) as per

staff's recommendations. Council Member Kroll seconded the motion. The motion carried unanimously.

1. Variance Request to exceed the maximum number of subdivision entrance signs allowed.
2. Variance Request to allow subdivision entrance signs in the right-of-way.
3. Variance Request to not include the wall area as part of the subdivision entrance signs attached to landscape and wall entry features.
4. Variance Request to allow one (1) additional construction/development sign.

B. Update of Master Signage Plan for Belterra Subdivision, located at Highway 290 and Belterra Drive, Applicant Kevin Huston, Ashlar.

The Sign Administrator's Report was given by Michelle Fischer, City Administrator. The applicant as submitted an Updated Master Signage Plan that includes the removal of two signs and the addition of one sign at the entrance. The permits for the signs in the Master Sign Plan are to be renewed every 4 years. The Belterra Subdivision is grandfathered under Sign Ordinance No. 1070.11. The applicant requests approval of the updated Master Signage Plan. The proposed new sign is an information sign advertising that homes are for sale in the subdivision and it lists the subdivision's website. This proposed sign would be located within the median. Staff recommends approval of the Updated Master Signage Plan and variance requests for a period of five years with the following conditions: (1) the Master Sign Plan is updated to include Sign B22 on the map and in the chart; and (2) verification that the License Agreement with Hays County is still valid and includes all of the signs located within the right of way. A copy of the full report is on file in the City's records.

The Planning and Zoning Commission Report was given by Mim James, Planning and Zoning Commission Chair, reporting that the Commission concurred with the recommendations of staff and recommended granting the variances.

A Public Hearing was opened for comments. Hearing none, the Public Hearing was closed.

A motion was made by Council Member King to grant the variances (as listed below) per staff's recommendations and conditions. Council Member Kroll seconded the motion. The motion carried unanimously.

1. Variance Request to allow off-premise informational and directional signs.
2. Variance Request to allow signs in the right-of-way.

C. Variance Request from the Dripping Springs Code of Ordinance, Chapter 28 Section 28.04.018 (a) and (b) to allow cut/fill over 6 feet in specific areas of drive aisle for Lock-Tite Storage located at 3000 Hwy. 290, Dripping Springs, Tx 78620, Applicant, Jon Thompson on behalf of 3000 Hwy 290 Parcels B&C, LLC.

The Staff report was given by Rick Coneway, City Engineer. This project is an expansion to an existing project which has an approved site plan. The applicant submitted the variance request for review and compliance with the City's Site Development and Water Quality Ordinances. The project was found to comply with the applicable ordinances except for cut and fill requirements. According to the City Engineer, these fills cannot be avoided and the fills will not adversely affect drainage, will not result in erosion problems, and are structurally sound and visually not unattractive. Staff recommends granting the variance.

The Planning and Zoning Commission Report was given by Mim James, Planning and Zoning Commission Chair, reporting that the Commission concurred with the recommendation of staff and recommended granting the variance.

A Public Hearing was opened for comments. Hearing none, the Public Hearing was closed.

A motion was made by Council Member King to grant the variance to the City of Dripping Springs Code of Ordinances, Chapter 28, Section 28.04.018 (a) and (b) to allow for cut/fill over 6 feet in specific areas of drive aisle for Lack-Tite Storage at 3000 Hwy 290. Council Member Kroll seconded the motion. Mayor Pro Tem Foulds commented he was concerned with the quality of the buildings for storage units, they are not aesthetically pleasing, and would encourage more storage buildings in the City. The motion carried with a vote: 4 Ayes, 1 Nay (Foulds)

ZONING. Consideration and possible action on:

A. Conditional Use Permit Application for Acopon Brewing Located at 211 Mercer Street, Dripping Springs, TX 78620, Applicant: John McIntosh, Acopon Brewing.

A brief presentation was given by the Applicant, John McIntosh.

The Staff Report was given by Lali Rambeau. The Owner has requested a Conditional Use Permit (CUP) for the operation of a brew pub and tap room at 211 Mercer Street, Dripping Springs TX, 78620. This location was formerly The Mercantile, which was a wine and tapas bar. The proposed use (brew pub) is not defined in the City's Zoning Ordinance; therefore a Conditional Use Permit is required for a brew pub and tap room.

The applicant will manufacture beer on site for sale and consumption in an onsite tap room. Staff recommends approval of the Conditional Use Permit. A copy of the Staff Report is on file in the City's records.

The Planning and Zoning Commission Report was given by Mim James, Planning and Zoning Commission Chair, reporting that the Commission concurred with the recommendations of staff and recommended approval of the conditional use permit.

A Public Hearing was opened for comments. Hearing none, the Public Hearing was closed.

A motion was made by Council Member Kroll to approve the Conditional Use Permit as requested and per staff's recommendations. Mayor Pro Tem Foulds seconded the motion. The motion carried unanimously.

B. Ordinance No. 1220.142: A zoning request and an ordinance of the City of the City of Dripping Springs enacting Planned Development District (PDD) # 7, commonly known as "Westwood Subdivision," approximately 680.012 acres located at 4116 US Highway 290 West. Applicant Scenic Land Holdings, LLC.

There was no presentation given by the applicant. However, it was noted that they would be available if there were any questions.

The Staff Report was given by Anjali Naini, Consultant City Planner. The owner intends to develop the land as a master-planned residential community characterized by open space and environmental preservation areas. Westwood is unique as it is the first development that adheres to the City's Conservation Design Ordinance rather than utilizing traditional subdivision standards. The Conservation Design Ordinance provides standards to preserve landscape elements, including environmentally sensitive natural features. It promotes the minimization of disturbing the landscape in order to preserve the overall value of the landscape. The Westwood project will have approximately 444.7 acres of open space (approximately 65%). The property was annexed into the corporate city limits on April 11, 2017. Staff recommends approval of the zoning request and Ordinance No. 1220.142. A copy of the staff report is on file in the City's records.

The Planning and Zoning Commission Report Planning and Zoning Commission Report was given by Mim James, Planning and Zoning Commission Chair, reporting that the Commission concurred with the recommendations of staff and recommended Council approve the request and ordinance.

A Public Hearing was opened for comments. Comments were heard from:

John Breed, owns the tract of land across Hwy 290 from this site, is concerned the debris piles that need to be cleaned up. He also inquired if EMS/Fire facilities would be coming to that area.

With no further comments forthcoming, the Public Hearing was closed.

A motion was made by Council Member Kroll to approve Ordinance No. 1220.142 enacting Planned Development District (PDD) #7, commonly known as "Westwood Subdivision." Council Member Crow seconded the motion. The motion carried unanimously.

BUSINESS. *Consideration and possible action on:*

A. Acceptance of Bid and Approval of Contractor Agreement for Drainage, Road, and Low Water Crossing Repairs at Dripping Springs Ranch Park. Direct staff to take appropriate action.

A motion was made by Council Member Kroll to reject all bids submitted and prepare new specifications to incorporate actual needs and submit for rebid. Mayor Pro Tem Foulds seconded the motion. The motion carried unanimously.

B. Public Assistance Subgrant Agreement between the City of Dripping Springs and the Texas Division of Emergency Management for FEMA Public Assistance Grant 4245 Severe Storms, Project Number: 00373; Amendment: 0; Project Title: CDS003D-Ranch Park Dam Repair.

A motion was made by Mayor Pro Tem Foulds to approve the agreement with the Texas Division of Emergency Management for the Dripping Springs Ranch Park dam repair. Council Member King seconded the motion. The motion carried unanimously.

C. Independent Contractor Agreement between the City of Dripping Springs and Rihl Dougherty for Street & Traffic Control Inventory Services.

A motion was made by Mayor Pro Tem to approve the contractor agreement with Rihl Dougherty for street and traffic control inventory services and to include in the scope of services the drainage and culverts on both sides of the roadways and under brush and trees for clearing. Council Member Crow seconded the motion. The motion carried unanimously.

D. Change Order #2 to Construction Contract between the City of Dripping Springs and TTE, LLC. for Amendment 1 Wastewater Treatment Plant Improvements.

A motion was made by Mayor Pro Tem Foulds to approve Change Order #2 to the Construction Contract with TTE, LLC. Council Member Kroll seconded the motion. The motion carried unanimously.

E. An Amended Resolution No. 2017-27: Amended Resolution of the City of Dripping Springs Consenting to the Creation of the Driftwood Conservation Municipal Utility District (Project also known as the Driftwood 522 Subdivision, approximately 522 acres located in the ETJ near the intersection of FM 967 and FM 1826 in Driftwood).

A motion was made by Council Member Kroll to approve Amended Resolution 2017-27 relating to the creation of the Driftwood Conservation MUD. Mayor Pro Tem Foulds seconded the motion. The motion carried unanimously.

F. Resolution No. 2017-53: A Resolution Of The City Of Dripping Springs, Texas, Approving An Interlocal Agreement Between The City Of Dripping Springs And The Dripping Springs Independent School District For Improvements Included in Road Construction Contract For Roger Hanks Parkway.

A motion was made by Mayor Pro Tem Foulds to approve the Resolution 2017-53 for an interlocal agreement with Dripping Springs ISD for improvements included in the road construction contract for Roger Hands Parkway. Council Member Manassian seconded the motion. The motion carried with voting: 4 Ayes, 0 Nays, 1 Abstain (Kroll).

G. Request from SLF IV - Dripping Springs JV, L.P. to Withdraw Voluntary Annexation Proceedings for Approximately 189 Acres Located within the City of Dripping Springs ETJ Commonly Known As the Heritage Subdivision.

A motion was made by Mayor Pro Tem Foulds to approve the request to withdraw voluntary annexation proceedings. Council Member King seconded the motion. The motion carried with voting: 4 Ayes, 0 Nays, 1 Abstain (Kroll).

H. Acceptance of Petition of Owners to voluntarily annex area of approximately 189 acres commonly known as Heritage Subdivision under Chapter 212 of the Texas Local Government Code in the City's extraterritorial jurisdiction in Hays County, and described below:

1. 34.247 acres in the Philip Smith Survey, Abstract 415, Hays County, Texas, being a portion of a 34.29 acre tract conveyed to John Marcus Baird by deed dated January 13, 1993 and recorded in Volume 971, Page 116 of the deed of records of Hays County, Texas.
2. 50.206 acres in the Philip Smith Survey, Abstract 415, Hays County, Texas, being a portion of a tract called the East Part of 152.47 acres conveyed to John Marcus Baird by general warranty deed dated May 9, 1978 and recorded in Volume 310, Page 718 of the deed of records of Hays County, Texas, same being a portion of a 152.47 acre tract conveyed to Edna Earl Baird by deed dated February 19, 1937 and recorded in Volume 154, Page 59 of the deed of records of Hays County, Texas.
3. 94.695 acres (approx. 4,124,910 sq. ft.) in the Philip Smith Survey, Abstract 415, Hays County, Texas, being a portion of a 119.7 acre tract conveyed to Nelson M. Davidson and Doris Breed Davidson by deed dated June 23, 1952 and recorded in Volume 154, Page 290 of the deed of records of Hays County, Texas, and being a portion of Tract 1, P.I. Turner Subdivision, a subdivision of record in Volume 133, Page 444 of the deed of records of Hays County, Texas.
4. 8.119 acres (approx. 353,664 sq. ft.) in the Philip Smith Survey, Abstract 415, Hays County, Texas, being a portion of a 9.008 acre tract conveyed to Mickey Davidson Kroll, Nelson M. Davidson, Jr., and wife Barbara Watkins Davidson by warranty deed with vendors lien dated November 7, 2002 and recorded in Volume 2102, Page 453 of the official public records of Hays County, Texas, and being a portion of Tract 1, P.I. Turner Subdivision, a subdivision of record in Volume 133, Page 444 of the deed of records of Hays County, Texas.
5. 1.676 acres (approx. 73,006 sq. ft.) in the Philip Smith Survey, Abstract 415, Hays County, Texas, being a portion of a 119.7 acre tract conveyed to Nelson M. Davidson and Doris Breed Davidson by deed dated June 23, 1952 and recorded in Volume 154, Page 290 of the deed of records of Hays County, Texas, and being a portion of Tract 1, P.I. Turner Subdivision, a subdivision of record in Volume 133, Page 444 of the deed records of Hays County, Texas.

A motion was made by Mayor Pro Tem Foulds to approve and accept the new petition for voluntary annexation and set the hearing for August 15, 2017. Council Member Crow seconded the motion. The motion carried with voting: 4 Ayes, 0 Nays, 1 Abstain (Kroll).

I. Amended and Restated Petition to Create a Public Improvement District to Finance Improvements in the Area commonly known as the Heritage Subdivision.

A Public Hearing was held in Continuation of the Public Hearing from June 20, 2017 to receive public comments regarding a petition received by the City of Dripping Springs, Texas, filed by SLF IV Property GP, LLC requesting creation of the Heritage Public Improvement District, ("PID"), approximately 189 acres, generally bounded by Ranch Road 12 near the northeast perimeter of the property; Old Fitzhugh Road near the eastern perimeter; Walnut Springs Elementary School in the southwestern corner; Dripping Springs Youth Sports Association Fields near the southwest perimeter; Dripping Springs High School along the western perimeter; and in close proximity to Springlake Drive at the northern perimeter, located in the City of Dripping Springs' Extraterritorial Jurisdiction. Hearing no further comments, the Public Hearing was closed.

A Staff Report was given by Laura Mueller, Assistant City Attorney and Dottie Palumbo, Special Counsel recommending to Council to: 1) accept letter withdrawing annexation proceedings; 2) accept revised petition to recommence annexation proceedings; and 3) accept Amended and Restated PID petition.

A motion was made by Mayor Pro Tem Foulds to accept the letter withdrawing the annexation proceedings, accepting the revised petition and accepting the Amended and Restated PID petition. Council Member Crow seconded the motion. The motion carried with voting: 4 Ayes, 0 Nays, 1 Abstain (Kroll).

J. Ordinance No. 1803.90: An Ordinance of the City of Dripping Springs to voluntarily annex into the city limits a tract of land located in the City of Dripping Springs ETJ under provisions of Chapter 43 of the Texas Local Government Code, and described as follows: 22.10 acres of land out of the E.B. Hargraves Survey, Abstract No. 240, in Hays County, Texas, being a portion of the certain (2019.21 acre) tract of land conveyed to Norma Jean S. Cleveland and Thomas R. Sawyer by gift of deed of records in Volume 491, Page 335 of the Deed Records of Hays County, Texas.

A motion was made by Council Member Manassian to table the item to the next Council meeting on August 8, 2017. Mayor Pro Tem Foulds seconded the motion. The motion carried unanimously.

K. Ordinance No. 1803.89: An Ordinance of the City of Dripping Springs to voluntarily annex into the city limits a tract of land totaling 13.937 acres located in

the City of Dripping Springs ETJ under provisions of Chapter 43 of the Texas Local Government Code, and described as follows:

Tract 1: Lot 1, The Preserve, Phase Three, Resubdivision of Lot 1-B of The Preserve, Phase One, a subdivision in Hays County, Texas, and including a portion of right-of-way across U.S. Hwy 290, according to the map or plat thereof recorded in Volume 2563, Page 67, of the Official Public Records of Hays County, Texas, and metes and bounds survey.

Tract 2: Lot 1A, The Preserve, Phase One, a subdivision in Hays County, Texas and including a portion of right-of-way across Drifting Wind Run, according to the map or plat thereof recorded in Volume 10, Page 153, Plat Records of Hays County, Texas and metes and bounds survey.

The Staff Report was given by Anjali Naini, Consultant City Planner. Staff recommended approval to voluntarily annex the area by ordinance and accept the municipal services plan (included in the annexation ordinance). A copy of the staff report is on file in the City's records.

A Public Hearing was opened for comments. Hearing none, the Public Hearing was closed.

The Municipal Services Plan is included in the annexation Ordinance No. 1803.89.

A motion was made by Mayor Pro Tem Foulds to approve Ordinance No. 1803.89, which includes the Municipal Services Plan for the annexation. Council Member King seconded the motion. The motion carried unanimously.

L. Discussion regarding regulation of Fireworks in the City Limits of Dripping Springs. Give staff direction.

There was discussion with no formal action taken. Council requested more information from staff and to check with the Hays County Sheriff's Office for enforcement procedures.

M. Discussion regarding regulation of diseased trees. Give staff direction.

There was discussion with no formal action taken. Council requested more information from staff .

N. Appointment of Council Members to Areas of Oversight, Commissions, Committees and Boards:

A motion was made by Mayor Pro Tem Foulds with a second by Council Member King to accept the appointment of council members to work with (as listed below) boards, commissions, and committees as recommended by Mayor Purcell. The motion carried unanimously.

1. Finance – Mayor Purcell with assistance from Council Member Kroll
2. Transportation Committee Member – Council Member Manassian
3. Utilities and Public Health – Mayor Pro Tem Foulds
4. Parks and Recreation Commissioner – Council Member King
5. Public Safety – Mayor Purcell with assistance from Council Member Crow
6. Beautification – Council Member Crow
7. Economic Development Committee Member – Council Member Kroll
8. TIRZ 1 & 2 Board Liaison – Council Members Manassian and Kroll

RECONVENE EXECUTIVE SESSION.

The Council recessed the Open Meeting to reconvene the Executive Session at 8:25 p.m. in accordance with the authority contain in the Texas Government Code, Section 551.071, to consult with the City Attorney, Section 551.072, to discuss real estate transactions, and Section 551.074, to discuss personnel matters specifically as:

- A. Consultation with City Attorney regarding legal requirements and procedures for the potential creation of certain special districts to finance improvements benefiting the Heritage Subdivision including a Wastewater Agreement. (*Sec. 551.071, Consultation with City Attorney*).
- B. Consultation with City Attorney regarding the Wastewater Service and Fee Agreement between the City of Dripping Springs and Meritage Homes of Texas, LLC (aka – Planned Development District #4 (*Sec. 551.071, Consultation with City Attorney*)).
- C. Consultation with City Attorney regarding request for release of Kali Kate Property from the City's Extraterritorial Jurisdiction (*Sec. 551.071, Consultation with City Attorney*).
- D. Deliberation regarding the potential purchase of all or a portion of real property related to the Transportation Plan. (*Sec. 551.72, Purchase, Exchange, Lease or Value of Real Property*).
- E. Consultation with City Attorney regarding the Proposed Settlement Agreement between the City of Dripping Springs, the City of Austin and other parties

Texas Pollutant Discharge Elimination System Permit No. WQ001448803 (*Sec. 551.071, Consultation with City Attorney*).

- F. 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 Services needs (*Sec. 551.071, Consultation with City Attorney and Sec. 551.072, Purchase, Exchange, Lease or Value of Real Property*).
- G. Consultation with Attorney regarding accounting procedures, records retention, and inquiry into execution by staff of proper accounting and records retention (*Sec. 551.071, Consultation with City Attorney*).
- H. Deliberation of Real Property transaction and consultation with City Attorney regarding property located in Headwaters at Barton Creek (*Sec. 551.071, Consultation with City Attorney and Sec. 551.072, Deliberation of Real Property*).
- I. Consultation with the City Attorney regarding personnel matters, under *Sec. 551.074, Personnel Matters*, regarding appointment of City Secretary.

RECONVENE OPEN MEETING. The Open Meeting was reconvened at 11:00 p.m.

A motion was made by Mayor Pro Tem to authorize the City Administrator to negotiate with Tammy Cook for an agreement for the position of City Secretary. Council Member Crow seconded the motion. The motion carried unanimously.

ADJOURNMENT. A motion was made by Mayor Pro Tem to adjourn the meeting with a second by Council Member Kroll. The motion carried unanimously. The meeting was adjourned at 11:00 p.m.

Respectfully submitted,

Deborah L. Loesch

Deborah L. Loesch
Deputy City Secretary

Ordinance Nos. 1220.142, 1803.89; Resolution Nos. (Amended) 2017-27, 2017-51, 2017-52, 2017-53, and 2017-54 are on file in the City Secretary's office and are made a part of these minutes by reference.

These minutes were approved on the 8th day of August, 2017.