

City Council Meeting Minutes

A regular meeting of the City of Dripping Springs City Council was held Tuesday, October 18, 2016, beginning at 6:00 PM at City Hall, 511 Mercer Street, Dripping Springs, Texas.

I. **CALL TO ORDER AND ROLL CALL - 6:00 p.m.**

Mayor & City Council Members/Board of Adjustment

Mayor Todd Purcell

Mayor Pro Tem Bill Foulds

Council Member Santos Alba

Council Member Charles Busbey

Council Member Wade King

Council Member John Kroll

City Staff/Appointed Officials

City Administrator Michelle Fischer

Deputy City Administrator Ginger Faught

Director of Public Works and Development Rick Coneway

City Secretary Kerri Craig

Mayor Todd Purcell calls the meeting to order at 6:08pm. Also present are City Attorney Alan Bojorquez, Planning and Zoning Commission Chair Mim James, Code Enforcement Manager Kyle Dannhaus, DSRP Manager Lynne Dickinson, Assistant City Attorney Laura Mueller, Communications Coordinator Bonnie Gonzalez, and Special Counsel Dottie Palumbo.

II. **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).

- A. Deliberation regarding Personnel Matters related to appointment, employment, evaluation, and duties of City Secretary applicant Angelica Reyes. *(551.074 Personnel Matters)*
- B. Consultation with City Attorney on Legal Issues Related to Potential Tax Increment Reinvestment Zone (TIRZ) Project and Future Development Related to a TIRZ or TIRZs *(551.071 Consultation with City Attorney)*
- C. Consultation with City Attorney Regarding Legal Requirements and Procedures for the Potential Creation of Certain Special Districts to Finance Improvements Benefiting the Heritage Subdivision *(551.071 Consultation with City Attorney)*
- D. Consultation with City Attorney Regarding the Temporary Wastewater Pump and Haul for the Arrowhead Ranch Subdivision Consistent with the Terms and Conditions Found in the Second Amendment and Restated Wastewater Utility Agreement between the City of Dripping Springs and Forestar (USA) Real Estate Group, Inc. *(551.071 Consultation with City Attorney)*
- E. 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)

- F. Consultation with City Attorney Regarding a Wastewater Service and Fee Agreement between the City of Dripping Springs and DS Hospitality, Inc. LLC (Marriott Courtyard) for Lot 6, Block A, Dripping Springs Retail Center located within the Dripping Springs Retail Center Planned Development District (PDD#1) (551.071 Consultation with City Attorney)

Convened to executive session at 6:35pm. Present: Mayor Todd Purcell, Mayor Pro Tem Bill Foulds, Council Member Santos Alba, Council Member Charles Busbey, Council Member Wade King, Council Member John Kroll, City Administrator Michelle Fischer, Deputy City Administrator Ginger Faught, Director of Public Works and Development Rick Coneway, Special Counsel Dottie Palumbo, Assistant City Attorney Laura Mueller, and City Attorney Alan Bojorquez. Reconvened to the regular meeting at 7:25.

III. **PLEDGE OF ALLEGIANCE** – Mayor Todd Purcell leads the Pledge of Allegiance.

IV. **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. – Cat Adkins speaks regarding the upcoming event at Twisted X Brewery.

V. **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 Regular Meeting Minutes, October 11, 2016
- B. Approval of HDR Proposal to Provide Professional Engineering Services in Connection with Wallace Street and Ranch Road 12 Intersection Improvements
- C. Approval Of Ordinance No. 1225.01: An Ordinance Adopting The Official City Map Of Incorporated Municipal Boundaries (City Limits) And Extraterritorial Jurisdiction; Requesting That A Copy Of The Map Be Filed In The Office Of The City Secretary; Providing For: Findings Of Fact, An Effective Date, Severability, Repealer, And Proper Notice And Meeting.
- D. Approval of Donation Agreement between the City of Dripping Springs and Meritage Homes for Founders Memorial Park Exterior Painting
- E. Approval of Wastewater Service and Fee Agreement between the City of Dripping Springs and DS Hospitality, Inc. LLC (Marriott Courtyard) for Lot 6, Block A, Dripping Springs Retail Center located within the Dripping Springs Retail Center Planned Development District (PDD#1)
- F. Approval of a Proclamation Declaring November 7th - 11th, 2016 as "Municipal Court Week"

Council Member Santos Alba motions to approve consent items. Council Member John Kroll seconds. VOTE: 5-0 in favor, motion passes. Mayor Todd Purcell reads aloud consent item F.

VI. UTILITIES AND PUBLIC WORKS

- A. Ordinance 1790.02: An Ordinance of the City of Dripping Springs Adopting Unanimous Settlement Agreement, Setting Rates and Establishing Tariffs for the Provision of Natural Gas Service by Texas Gas Service Company, a Division of One Gas, Inc., Within the City of Dripping Springs; Declaring this Ordinance to be a Final Determination of Rates; Requiring Acceptance by Texas Gas Service Company of the Rates Prescribed Herein; and Establishing an Effective Date.
1. Staff Report (Ginger Faught) – Deputy City Administrator Ginger Faught, report on file. Staff recommends approval of Ordinance 1790.02.
 2. Public Hearing – No one speaks.
 3. Ordinance 1790.02 – Mayor Pro Tem Bill Foulds motions to approve Ordinance 1790.02. Council Member Charles Busbey seconds. VOTE: 5-0 in favor, motion passes.
- B. Submission of Project Summary Sheet and related documentation for the City of Dripping Springs to Participate in the Hays County, Texas Application to the Community Development Block Grant-DR for Dam and Trail Repairs at Dripping Springs Ranch Park – City Administrator Michelle Fischer report on file. Staff recommends Council authorize staff to work with Hays County on providing the information and completing the application. Council Member John Kroll motions to approve staff's recommendation. Council Member Wade King seconds. VOTE: 5-0 in favor, motion passes.

VII. BUSINESS

Consideration and Possible Action On:

- A. Special Event Permit for Fit Fox 5K 2016 on November 19, 2016 at Twisted X Brewing Company, including request to have amplified sound for an announcer, *Sherri Fox, FoxCat Events, LLC, Applicant*
1. Presentation – Sherri Fox
 2. Staff Report (Michelle Fischer) – City Administrator Michelle Fischer, report on file. Staff recommends approval of the Special Event Permit.
 3. Public Hearing – No one speaks.
 4. Special Event Permit – Mayor Pro Tem Bill Foulds motions to approve the Special Event Permit as submitted with no amplified sound set up on the property of Twisted X Brewery. Council Member John Kroll seconds. VOTE: 5-0 in favor, motion passes.
- B. Lighting Compliance Committee Report and Recommendations for Sports & Recreation Park Lighting, *Eric Russell, Parks & Recreation Commissioner* – Commissioner Eric Russell provides a report detailing the recommendations of the Committee. Council Member John Kroll motions to approve staff's recommendation. Council Member Santos Alba seconds. VOTE: 4-1 in favor, Mayor Pro Tem Bill Foulds votes Nay, motion passes.
- C. Proposal and Scope of Services from Simple City Design related to the Creation of Tax Increment Reinvestment Zone(s), *Matt Lewis, Simple City Design* – Matt Lewis provides a

presentation. Council Member John Kroll motions to approve the revised scope of services and to authorize staff and the City Attorney to finalize a professional services agreement. Council Member Santos Alba seconds. VOTE: 5-0 in favor, motion passes.

- D. Discussion and possible action on appointment of City Secretary. Direct staff to take appropriate action. – Mayor Pro Tem Bill Foulds motions to appoint Angelica Reyes to the position of City Secretary subject to execution of a letter of agreement and salary package per the terms discussed in Executive Session. Council Member John Kroll seconds. VOTE: 5-0 in favor, motion passes.
- E. Discuss and take possible action with Mara Caldwell to initiate the potential purchase of all or a portion of real property at 740 Sports Park Road, Dripping Springs, Texas. Direct staff to take appropriate action regarding possible real property purchase. – No action taken.

VIII. ANNOUNCEMENTS

- A. Regular Emergency Management Commission Meeting, October 20, 2016 at 5:00 p.m.
- B. Regular Transportation Committee Meeting, October 24, 2016 at 3:30 p.m.
- C. Regular Planning & Zoning Commission Meeting, October 25, 2016 at 7:00 p.m.
- D. Regular City Council Meeting, November 8, 2016 at 7:00 p.m.

- IX. **ADJOURN** - Council Member Santos Alba motions to adjourn the meeting. Council Member Charles Busbey seconds. VOTE: 5-0 in favor, motion passes. Meeting adjourns at 7:30pm.