

City Council Meeting Minutes

A regular meeting of the City of Dripping Springs City Council was held Tuesday, August 16, 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
City Treasurer Gina Gillis
Dripping Springs Ranch Park Manager Lynne Dickinson

Mayor Todd Purcell calls the meeting to order at 6:09pm. All present except Council Member John Kroll. Also present are Planning and Zoning Commission Chair Mim James, Assistant City Attorney Laura Mueller, Planning Consultant Anjali Naini, and Lighting Consultant Cindy Luongo Cassidy.

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 the employment, evaluation, hours, assignment, duties, and compensation of the Dripping Springs Ranch Park Manager (551.074 Personnel Matters)
- 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. Consultation with City Attorney regarding legal requirements and procedures for the creation for a Public Improvement District (PID) to finance improvements benefitting the Scenic Greens Subdivision (551.071 Consultation with City Attorney)
- D. Consultation with City Attorney regarding legal requirements and procedures for the creation of a Public Improvement District (PID) to finance improvements benefitting the Heritage Subdivision (551.071 Consultation with City Attorney)

Convened to executive session at 8:01pm. Present: Mayor Todd Purcell, Mayor Pro Tem Bill Foulds, Council Member Santos Alba, Council Member Charles Busbey, Council Member

Wade King, City Administrator Michelle Fischer, Deputy City Administrator Ginger Faught, City Treasurer Gina Gillis, DSRP Manager Lynne Dickinson, and Assistant City Attorney Laura Mueller. Reconvened to the regular meeting at 8:30pm.

III. PLEDGE OF ALLEGIANCE – Council Member Santos Alba 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. - No one speaks.

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 Request from Brent Thurman Foundation for Waiver of Certain Rental Fees for their Event at Dripping Springs Ranch Park on October 1, 2016
- B. Approval of Co-Sponsorship Agreement between the City of Dripping Springs and the Hill Country Rally for Kids for the Hill Country Rally for Kids Car Show on August 20, 2016

Council Member Santos Alba motions to approve consent items. Council Member Wade King seconds. VOTE: 4-0 in favor, motion passes.

VI. ANNEXATION

Consideration and Possible Action On:

- A. Heritage Annexation Public Hearing #1-A Public Hearing on Proposed Annexation for Inclusion of the Following Property into the City of Dripping Springs Corporate City Limits: Approximately 189 acres located within the extraterritorial jurisdiction of Dripping Springs, in Hays County, Texas, commonly known as “Heritage Subdivision” and as more particularly identified in the list below:

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.

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.

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.

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.

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. – Mayor Pro Tem Bill Foulds motions to postpone Annexation agenda items A and B until further written notice from the owner. Council Member Santos Alba seconds. VOTE: 4-0 in favor, motion passes.

- B. Heritage Annexation Public Hearing #2-Public Hearing on Proposed Annexation for Inclusion of the Following Property into the City of Dripping Springs Corporate City Limits:
Approximately 189 acres located within the extraterritorial jurisdiction of Dripping Springs, in Hays County, Texas, commonly known as “Heritage Subdivision” and as more particularly identified in the list below:

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.

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.

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.

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.

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. - Mayor Pro Tem Bill Foulds motions to postpone Annexation agenda items A and B until further written notice from the owner. Council Member Santos Alba seconds. VOTE: 4-0 in favor, motion passes.

- C. Ordinance No. 1803.78-Heritage Annexation Institution of Proceedings-Read and consider taking action on Ordinance No. 1803.78, to annex adjacent and contiguous property into the incorporated municipal boundaries of the City of Dripping Springs and adopt a Municipal Services Plan including: finding of fact; effective date; repealer; severability; and proper notice and hearing; the property being described below:

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.

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.

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.

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.

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.

1. Ordinance No. 1803.78-Heritage Annexation (*Council motions to institute annexation proceedings for Heritage Subdivision; annexation adoption takes place on later date*) – No action taken.

VII. BUSINESS

Consideration and Possible Action On:

- A. Presentation on Traffic Control Plan and Special Event Permit Application for the Tour de Cure 2016 Bike Ride on September 17-18, 2016, Using Dripping Springs Ranch Park, Event Center Drive, Ranch Road 12, Old Fitzhugh Road, Mercer Street, US Highway 290, and Creek Road. Authorize City Administrator and City Engineer to take appropriate action. *American Diabetes Association, Applicant (Sponsor: Councilman King)* – Jessica Gill and Nellia Jones provide a presentation. Council Member Wade King motions to authorize the City Administrator and City Engineer to take appropriate action regarding this item. Council Member Santos Alba seconds. VOTE: 4-0 in favor, motion passes.
- B. Ordinance No. 1260.30 - An Ordinance of the City of Dripping of Springs amending Article 24.06 of the Dripping Springs Code of Ordinances; modifying regulations for Outdoor Lighting in the city limits and, when possible, in the extraterritorial jurisdiction through contracts and development agreements; providing for the following rules; standards; procedures; criminal penalties including criminal fines not to exceed \$500.00 per violation and civil fines of up to \$500.00 per violation; repealer; severability; and an effective date.
1. Staff Report (Anjali Naini, Michelle Fischer, Cindy Luongo Cassidy) – City Administrator Michelle Fischer, Lighting Consultant Cindy Luongo Cassidy, and Planning Consultant Anjali Naini, report on file. Staff recommends approval of Ordinance 1260.30.
 2. Planning & Zoning Commission Report – Commission Chair Mim James states that the Commission voted to approve Ordinance 1260.30.
 3. Parks & Recreation Commission Report - The Commission voted to approve Ordinance 1260.30.
 4. Public Hearing – No one speaks.
 5. Ordinance No. 1260.30 - Council Member Santos Alba motions to approve according to staff's recommendations and amendments made by Council. Mayor Pro Tem Bill Foulds seconds. VOTE: 3-1 in favor, Council Member Charles Busbey votes Nay, motion passes.
- C. Discuss and take possible action on Maintenance and Use Agreement with the Dripping Springs Youth Sports Association regarding Use and Maintenance of the Youth Baseball and Softball Fields as part of the Sports and Recreation Park. Authorize City Administrator to take appropriate action. *(Sponsor: Councilman King)* – Mayor Pro Tem Bill Foulds motions to approve the agreement with a term date of December 31, 2016, subject to the City Administrator and City Attorney's final review and approval. Council Member Charles Busbey seconds. VOTE: 4-0 in favor, motion passes.
- D. Authorization of Fiscal Year 2016 Hotel Occupancy Tax Expenditures
1. Active Network
 2. Texas Night Sky Festival Hotel Occupancy Tax Grant Application
- Council Member Charles Busbey motions to direct staff to bring back the Active Network proposal for review and presentation at a future City Council meeting. Council Member Wade King seconds. VOTE: 4-0 in favor, motion passes. Council Member Wade King motions to approve the Texas Night Sky Festival HOT Grant Application. Council Member Santos Alba seconds. VOTE: 2-2, Mayor Pro Tem Bill Foulds and Council Member Charles Busbey vote Nay, Mayor Todd Purcell breaks the tie with an Aye vote, motion passes 3-2.

Mayor Pro Tem Bill Foulds motions to take action on Executive Session item A approving an amendment to the FY 2016 budget, and for staff to work with the City Treasurer to see that the amendment goes to benefits and salaries for employees at Dripping Springs Ranch Park. Council Member Wade King seconds. VOTE: 4-0 in favor, motion passes.

VIII. WORKSHOP

No action to be taken.

A. Proposed Fiscal Year 2017 Budget

1. Review and Discuss Proposed FY 2017 Budget
2. Review and Discuss Budget Requests
3. Revised FY 2017 Budget and Tax Rate Timeline

IX. ANNOUNCEMENTS

- A. Regular Emergency Management Commission Meeting, August 18, 2016 at 5:00 p.m.
- B. Regular Transportation Committee Meeting, August 22, 2016 at 3:30 p.m.
- C. Regular Planning & Zoning Commission Meeting, August 23, 2016 at 7:00 p.m.
- D. Regular City Council Meeting, September 13, 2016 at 7:00 p.m.

- X. **ADJOURN** - Council Member Santos Alba motions to adjourn the meeting. Council Member Wade King seconds. VOTE: 4-0 in favor, motion passes. Meeting adjourns at 9:16pm.