

City Council Meeting Minutes

A regular meeting of the City of Dripping Springs City Council was held Tuesday, May 17, 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 Pro Tem Bill Foulds calls the meeting to order at 6:00pm. All present except Mayor Todd Purcell, Director of Public Works and Development Rick Coneway. Also present are Planning Consultant Anjali Naini, DSRP Manager Lynne Dickinson 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. 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 Attorney and 551.072 Purchase, Exchange, Lease or Value of Real Property)
- B. Consultation with City Attorney Regarding Legal Matters Regarding Planned Development District Number 5 Agreement for the Heritage Subdivision (551.071 Consultation with City Attorney)
- C. Consultation with City Attorney Regarding Legal Requirements and Procedures for the Creation of a Public Improvement District (PID) to finance improvements benefiting the Heritage Subdivision. (551.071 Consultation with City Attorney)

Convened to executive session at 7:21pm. Present: 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, Planning Consultant Anjali Naini, Special Counsel Dottie Palumbo, and City Attorney Alan Bojorquez. Reconvened to the regular meeting at 7:50pm.

III. PLEDGE OF ALLEGIANCE – Council Member Wade King 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 Regular Meeting Minutes, May 10, 2016
- B. Approval of Co-Sponsorship Agreement between the City of Dripping Springs and Helping Hands for the 19th Annual Empty Bowls Project (*Sponsor: Mayor Pro Tem Bill Foulds*)
- C. Approval of Co-Sponsorship Agreement between the City of Dripping Springs and the Henly Volunteer Fire Department for the Annual Henly VFW BBQ (*Sponsor: Mayor Pro Tem Bill Foulds*)
- D. Approval of Joint Use Agreement for Multi-Use Trails between the City of Dripping Springs and the Dripping Springs Mountain Bike Team (*Sponsor: Council Member Wade King*)
- E. Approval of Ordinance 1510.93: An Ordinance of the City of Dripping Springs Amending Chapter 16, Article 16.02, Division 2 of the Dripping springs Code of Ordinances: Amending Park Rules to Provide, Protect and Preserve the City's Park Systems: to provide clarification of Trail Uses, Closing Hours, and Operation of Motor Vehicles; and Providing for the Following: Findings of Fact; Enactment; Repealer; Severability; Criminal Fines Not To Exceed \$500 Per Offense; Codification; Effective Date; and Proper Notice and Meeting (*Sponsor: Council Member Wade King*)
- F. Approval of Resolution 2016-35: Approval of Construction Bond for Parkland Improvements, Retreat at Dripping Springs, Lot 1 Burrows Subdivision
- G. Approval of Resolution 2016-36: Approval of Maintenance and Warranty Bond for Water and Wastewater Improvements, Retreat at Dripping Springs, Lot 1 Burrows Subdivision
- H. Approval of Changing Title of the City of Dripping Springs "Emergency Management Coordinator" to "Emergency Planning Coordinator"

Council Member Santos Alba motions to approve consent items. Council Member Charles Busbey seconds. VOTE: 4-0-1 in favor, Council Member Santos Alba abstains on item A because he was not present at that meeting, motion passes.

VI. BUSINESS

Consideration and Possible Action On:

- A. Presentation on Proposed Ordinance No. 1220.124 Regarding a zoning request and ordinance enacting Planned Development District (PDD) # 5, commonly known as "Heritage Subdivision." The area is 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.
SLF IV-Dripping Springs JV, L.P. and BobWhite Investments, LP, Applicant

1. Presentation – Michelle Lynch
2. Staff Report (Anjali Naini) – Planning Consultant Anjali Naini, report on file. No action taken.

B. Presentation on Proposed Heritage Subdivision Public Improvement District, consisting of 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.
SLF IV-Dripping Springs JV, L.P. and BobWhite Investments, LP, Applicant – No action taken.

C. Approval of Petition for Annexation for Heritage project, that being 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, and commencement of the public notice and hearing process.

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. Staff Report (Anjali Naini) – Planning Consultant Anjali Naini, report on file.

2. Public Hearing – No one speaks.
 3. Acceptance of Petition – Council Member Charles Busbey motions to accept the petition and approve the timeline. Mayor Pro Tem Bill Foulds seconds. VOTE: 3-1-1 in favor, Council Member Wade King votes Nay, Council Member John Kroll abstains, motion passes.
- D. Purchase of Fans from Macro-Air for the Concession Area at Dripping Springs Ranch Park (*Sponsor: Council Member Wade King*) – DSRP Manager Lynne Dickinson, report on file. Staff recommends approval. Mayor Pro Tem Bill Foulds motions to approve the purchase according to staff's recommendation subject to the City Attorney's advice on which funds to use for the purchase. Council Member Charles Busbey seconds. VOTE: 5-0 in favor, motion passes.
- E. Preview of City Hall Space Management and Remodel Plan – No action taken.

VII. ANNOUNCEMENTS

- A. Regular Emergency Management Commission Meeting, May 19, 2016 at 5:00pm
- B. Regular Transportation Committee Meeting, May 23, 2016 at 3:30pm
- C. Regular Planning & Zoning Commission Meeting, May 24, 2016 at 7:00pm
- D. Regular Economic Development Committee Meeting, May 25, 2016 at 4:00pm
- E. Regular Historic Preservation Commission Meeting, June 6, 2016 at 6:30pm
- F. Regular Parks and Recreation Commission Meeting, June 13, 2016 at 6:00pm
- G. Regular Farmers Market Association Board Meeting, June 14, 2016 at 10:00am
- H. Regular City Council Meeting, June 14, 2016 at 7:00pm

- VIII. **ADJOURN** - Council Member John Kroll motions to adjourn the meeting. Council Member Santos Alba seconds. VOTE: 5-0 in favor, motion passes. Meeting adjourns at 8:50pm.