

City Council Meeting Minutes

A regular meeting of the City of Dripping Springs City Council was held Tuesday, April 19, 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

Mayor Todd Purcell calls the meeting to order at 6:08pm. All present except Mayor Pro Tem Bill Foulds.

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 Process and Procedures for Formalizing Structure of Public Works, Building Design, Land Development Services and Permitting Departmental Functions with Code Enforcement, Including Septic and Health Inspections and Personnel Allocation, additionally addressing administrative assistant and code enforcement director positions (551.071 Consultation with City Attorney and 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 Attorney and 551.072 Purchase, Exchange, Lease or Value of Real Property)

III. PLEDGE OF ALLEGIANCE – Council Member John Kroll 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. Farmers Market Association Board President Marianne Simmons introduces the new Farmers Market Manager Laurel Robertson.

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, April 12, 2016
- B. Approval of Resolution No. 2016-31: A Resolution Of The City Of Dripping Springs, Texas, Approving The Execution Of An Easement Agreement Between The City And Dripping Springs Water Supply Corporation For A Water Line Easement In Lot 1 of Veterans Memorial Park
- C. Approval of Change Order No. 2 to Contract between the City of Dripping Springs and Ross Construction for the Western Interceptor and Lift Station, Segment 1, Wastewater Collection System Extension to Serve Caliterra (*Sponsor: Mayor Pro Tem Bill Foulds*)
- D. Approval of Resolution No. 2016-32: A Resolution Of The City Of Dripping Springs, Texas, Accepting The Maintenance Bond For Arrowhead Ranch, Phase 1 Public Improvements And Revegetation, Providing For Provisions; Effective Date; And Proper Notice & Meeting
- E. Approval of Resolution No. 2016-33: A Resolution Of The City Of Dripping Springs, Texas, Approving The Execution Of An Easement Agreement Between The City And Verdugo South, LLC, For The Lateral Slope Support Construction Of A Public Right-Of-Way
- F. Approval of 2016 Founders Day Festival Contracts
 - 1. Lonnie Atkinson for Musical Entertainment
 - 2. Jimmy and The Mustangs for Musical Entertainment
 - 3. The Bobby Pounds Band for Musical Entertainment
 - 4. Jim Halfpenny Band for Musical Entertainment
 - 5. Jeremy Parker for Audio Production
 - 6. Rotary Club of Dripping Springs for Shuttle Services
 - 7. Carport Cassanovas for Musical Entertainment
 - 8. Doug Marsh and the Shimstocks for Musical Entertainment
 - 9. Thought Cloud for Musical Entertainment
 - 10. N-Line Traffic Maintenance for Barricades

Council Member John Kroll motions to approve consent items A through F, except for item D. Council Member Wade King seconds. VOTE: 4-0 in favor, motion passes. Director of Public Works and Development Rick Coneway recommends approval of consent item D with the conditions: 1) No certificates of occupancy will be issued until the wastewater facilities are inspected and determined to be acceptable by the City Engineer and the City's wastewater consultant, and 2) no use or operation of the wastewater system facilities until the prior condition is also met. Council Member Charles Busbey motions to approve consent item D according to staff's recommendation. Council Member Santos Alba seconds. VOTE: 4-0 in favor, motion passes.

VI. BUSINESS

Consideration and Possible Action On:

- A. Public Hearing for Annexation into the city limits of the City of Dripping Springs, that being approximately 213.330 acres located within the extraterritorial jurisdiction of Dripping Springs, in Hays County, Texas, and as more particularly identified in the list below, and commencement of the public notice and hearing process: 1) 43.18 acres out of the B.F. Hanna Survey No 28, Abstract 222, conveyed to Elry Hudson and Barbara Hudson Living Trust by deed recorded in Volume 2469, Page 508, of the deed of records of Hays County, Texas. 2) A portion of 160 acres conveyed to Clayton S. Brown and Henry Louise Brown by deed recorded in Volume 166, Page 264, of the deed of records of Hays County, Texas. 3) 23 acres conveyed to Clayton S. Brown and Henry Louise Brown by deed recorded in Volume 268, Page 494, of the deed of records of Hays County, Texas. 4) 3 acres in the B.F. Hanna League, Abstract 222, Hays County, Texas, conveyed to Clayton S. Brown and Henry Louise Brown by deed recorded in Volume 289, Page 295 of the deed of records of Hays County, Texas. 5) 47.94 acres conveyed to Alma Lee & Billie Calvin Garnett Trust by deed recorded in Volume 3788, Page 622, of the deed of records of Hays County, Texas. 6) 3.03 acres conveyed to Billie Garnett by deed recorded in Volume 398, Page 7, of the deed of records of Hays County, Texas. 7) 0.7 acres, 10.3 acres, and 19.96 acres out of the B.F. Hanna League Survey, Abstract 222, Hays County, Texas, conveyed to Billie C. Garnett by deed recorded in Volume 3961, Page 306 of the deed of records of Hays County, Texas. 8) 20.0 acres conveyed to Billie Calvin Garnett by deed recorded in Volume 299, Page 850 of the deed of records of Hays County, Texas. No one speaks.
- B. Professional Services Agreement Between the City of Dripping Springs and Grant Development Services to Prepare an Application for the United States Department of Agriculture Farmers Market Promotion Grant on Behalf of the City of Dripping Springs (*Sponsor: Council Member Wade King*)
1. Farmers Market Association Board Recommendation – None
 2. Staff Report (Michelle Fischer) – City Administrator Michelle Fischer states that staff recommends tabling this item until next year.
 3. Agreement – No action taken.
- C. Request from Dripping Springs Independent School District for the Reduction of Building Permit Fees for the HVAC and Roof Renovation Project at the Dripping Springs High School and Middle School Campuses - City Administrator Michelle Fischer states that staff recommends waiving 15% of the fees. Council Member John Kroll motions to approve according to staff's recommendation. Council Member Charles Busbey seconds. VOTE: 4-0 in favor, motion passes.
- D. First Amendment to the Wholesale Water Supply Agreement between the Lower Colorado River Authority (now the West Travis County Public Utility Agency or WTCPUA) and the City of Dripping Springs amending the Wholesale Agreement to allow for retail water service to the Blue Blazes Development – Deputy City Administrator Ginger Faught states that the City recommends approval. Council Member John Kroll motions to approve the agreement. Council Member Charles Busbey seconds. VOTE: 4-0 in favor, motion passes.
- E. Service Agreement between the City of Dripping Springs and Time Warner Cable for Communications Services (*Sponsor: Mayor Pro Tem Bill Foulds*)

1. Staff Report (Michelle Fischer) – City Administrator Michelle Fischer, report on file. Staff recommends Council approve authorizing the Mayor to execute a 60-month agreement with Time Warner Cable for dedicated fiber internet service, pending review by the City Attorney.
 2. Agreement - Council Member Wade King motions to approve the agreement according to staff's recommendation and contingent upon the City Attorney's review and approval of the agreement. Council Member Charles Busbey seconds. VOTE: 4-0 in favor, motion passes.
- F. Resolution No. 2016-26: A Resolution of the City of Dripping Springs, Texas Adopting a Section 3 Local Opportunity Plan in Connection with the Texas Department of Agriculture Grant Project 7215129 - Council Member John Kroll motions to approve Resolution 2016-26. Council Member Wade King seconds. VOTE: 4-0 in favor, motion passes.
- G. Resolution No. 2016-27: A Resolution of the City of Dripping Springs, Texas Prohibiting the use of Excessive Force during Demonstrations in Connection with Texas Department of Agriculture Grant Project 7215129 - Council Member John Kroll motions to approve Resolution 2016-27. Council Member Wade King seconds. VOTE: 4-0 in favor, motion passes.
- H. Consider and Possibly take Action Regarding Naming a Fair Housing Officer, an Equal Employment Opportunity Officer and a Section 504 Officer in Connection with Texas Department of Agriculture Grant Project 7215129 - Council Member John Kroll motions to approve. Council Member Wade King seconds. VOTE: 4-0 in favor, motion passes.
- I. Resolution No. 2016-28: A Resolution of the City of Dripping Springs, Texas Adopting a Citizen Complaint Procedure in Connection with Texas Department of Agriculture Grant Project 7215129 - Council Member John Kroll motions to approve Resolution 2016-28. Council Member Wade King seconds. VOTE: 4-0 in favor, motion passes.
- J. Resolution No. 2016-29: A Resolution of the City of Dripping Springs, Texas Adopting a Section 504 Grievance Policy in connection with Texas Department of Agriculture Grant Project 7215129 - Council Member John Kroll motions to approve Resolution 2016-29. Council Member Wade King seconds. VOTE: 4-0 in favor, motion passes.
- K. Resolution No. 2016-30: A Resolution of the City of Dripping Springs, Texas Adopting a Limited English Proficiency Plan in connection with Texas Department of Agriculture Grant Project 7215129 - Council Member Charles Busbey motions to approve Resolution 2016-30. Council Member Santos Alba seconds. VOTE: 4-0 in favor, motion passes.
- L. Ordinance No. 1100.70: An Ordinance of the City of Dripping Springs Amending the Fiscal Year 2016 Budget
1. Public Hearing – No one speaks.
 2. Ordinance 1100.70 - Council Member Santos Alba motions to approve Ordinance 1100.70 with the removal of the Farmers Market item. Council Member Charles Busbey seconds. VOTE: 4-0 in favor, motion passes.

Council Member John Kroll leaves the room due to a potential conflict of interest with Agenda Item M.

M. Development Agreement for Roadway Facilities between the City of Dripping Springs and Mickey Davidson Kroll and Jim Karhan to facilitate the North Extension of Roger Hanks Parkway

1. Staff Report (Rick Coneway) – Director of Public Works and Development Rick Coneway, report on file. Staff recommends Council authorize the Mayor to approve and execute the agreement.
2. Agreement - Council Member Charles Busbey motions to approve the City Attorney Alan Bojorquez drafting a resolution approving the agreement, and authorizing the Mayor to negotiate any minor changes and execute the final version. If there are any significant changes, the resolution and agreement must be brought back before City Council for approval. Council Member Wade King seconds. VOTE: 3-0 in favor, motion passes.

Council Member John Kroll returns to the meeting.

N. Ordinance No. 1460.20: An Ordinance Of The City Of Dripping Springs To Define Prima Facie Maximum Speed Limits On Rm 12; Declaring What May Be A Sufficient Complaint In Prosecutions; And Providing For The Following: Findings Of Fact; Enactment; Repealer; Severability; Criminal Fines Not To Exceed \$200 Per Offense; Codification; Effective Date; And Proper Notice And Meeting

1. Staff Report (Rick Coneway) - Director of Public Works and Development Rick Coneway, report on file. Staff recommends approval.
2. Public Hearing – Teresa Strube states her concern regarding the population growth near Howard Ranch and the timing of the red light at Mercer Street and Ranch Road 12. Mayor Todd Purcell states that he will ask TXDOT to review these issues. Council Member Charles Busbey also mentions a study is going to be performed of all traffic lights in the city limits. Laurel Robertson states her concern regarding the traffic at Springlake, Goodnight, and Ranch Road 12. Marianne Simmons states her concern regarding the traffic issues near Founders Ridge and Howard Ranch.
3. Ordinance 1460.20 - - Council Member Wade King motions to approve Ordinance 1460.20 according to staff's recommendation. Council Member Charles Busbey seconds. VOTE: 4-0 in favor, motion passes.

VII. ANNOUNCEMENTS

- A. Regular Emergency Management Commission Meeting, April 21, 2016 at 5:00pm
- B. Founders Day Festival Weekend, April 22nd - 24th, 2016
- C. Regular Transportation Committee Meeting, April 25, 2016 at 3:30pm
- D. Regular Planning & Zoning Commission Meeting, April 26, 2016 at 7:00pm
- E. Regular Economic Development Committee Meeting, April 27, 2016 at 4:00pm
- F. Regular Historic Preservation Commission Meeting, May 2, 2016 at 6:30pm
- G. Regular Founders Day Commission Meeting, May 2, 2016 at 6:30pm
- H. Regular Parks and Recreation Commission Meeting, May 9, 2016 at 6:00pm
- I. Regular Farmers Market Association Board Meeting, May 10, 2016 at 10:00am
- J. Regular City Council Meeting, May 10, 2016 at 7:00pm

VIII. **ADJOURN** - Council Member Santos Alba motions to adjourn the meeting. Council Member John Kroll seconds. VOTE: 4-0 in favor, motion passes. Meeting adjourns at 6:36pm.