

City Council Meeting Minutes

A regular meeting of the City of Dripping Springs City Council was held Tuesday, April 21, 2015, 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

Planning Director Jon Thompson

City Attorney Alan Bojorquez

City Secretary Kerri Craig

Special Counsel David Tuckfield

Mayor Todd Purcell calls the meeting to order at 6:04pm. All present except Planning Director Jon Thompson. Also present is External Design, Architectural and Land Planning Consultant Keenan Smith.

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 the status and negotiations for the Roadway and Development Agreement concerning property at Roger Hanks Parkway and U.S. 290. (551.071 Consultation with City Attorney)
- 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)
- C. Consultation with City Attorney Regarding Update on Dripping Springs Water Supply Corporation Exploratory Committee (551.071 Consultation with City Attorney)
- D. Consultation with City Attorney on the Status of Certain Bills Pending Before the Texas Legislature and Potential Legal Implications for the City (551.071 Consultation with City Attorney)

Convened to executive session at 6:06pm. Present: Mayor Todd Purcell, Mayor Pro Tem Bill Foulds, Council Member Wade King, Council Member Charles Busbey, Council Member Santos Alba, Council Member John Kroll, City Administrator Michelle Fischer, Deputy City Administrator Ginger Faught, City Attorney Alan Bojorquez, and Special Counsel David Tuckfield. Reconvened to the regular meeting at 6:30pm.

III. PLEDGE OF ALLEGIANCE

- A. Pledge of Allegiance – Mayor Pro Tem Bill Foulds 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, April 14, 2015
- B. Approval of Founders Day Festival 2015 Participation Agreement between the City of Dripping Springs and the Dripping Springs Veterans of Foreign Wars Post 2933 and Vince F. Taylor American Legion Post 290 for Parking Facilities at The Triangle and Lions Club Field
- C. Approval of Founders Day Festival 2015 Participation Agreement between The City of Dripping Springs and The Homer Whisenant Band for Musical Entertainment
- D. Approval of Founders Day Festival 2015 Participation Agreement between The City of Dripping Springs and Elsa Cross for Musical Entertainment
- E. Approval of Founders Day Festival 2015 Participation Agreement between The City of Dripping Springs and Lonnie Atkinson and the Hired Guns for Musical Entertainment
- F. Approval of Founders Day Festival 2015 Participation Agreement between The City of Dripping Springs and Jimmy & The Mustangs for Musical Entertainment
- G. Approval of Founders Day Festival 2015 Participation Agreement between The City of Dripping Springs and Carport Casanovas for Musical Entertainment
- H. Approval of Founders Day Festival 2015 Participation Agreement between The City of Dripping Springs and Perfect Day Productions for Sound and Lighting Production at the Home Depot Main Stage
- I. Approval of Founders Day Festival 2015 Participation Agreement between The City of Dripping Springs and Catch a Dream Band for Musical Entertainment
- J. Approval of Founders Day Festival 2015 Participation Agreement between The City of Dripping Springs Chad Hudson for Musical Entertainment
- K. Approval of Founders Day Festival 2015 Participation Agreement between The City of Dripping Springs and The Bobby Pounds Band for Musical Entertainment
- L. Approval of Founders Day Festival 2015 Participation Agreement between The City of Dripping Springs and Michael Myers for Musical Entertainment
- M. Approval of Founders Day Festival 2015 Participation Agreement between The City

of Dripping Springs and the St. Martin de Porres Knights of Columbus Council 11695 for the Sale of Beer and Wine

- N. Approval of Founders Day Festival 2015 Agreement between The City of Dripping Springs and Hill Country Bible Church for Kids Inflatables
- O. Approval of Founders Day Festival 2015 Participation Agreement between The City of Dripping Springs and Chad Fox for Parking
- P. Approval of Founders Day Festival 2015 Participation Agreement between The City of Dripping Springs and Sunset Canyon Baptist Church for Event Clean Up
- Q. Approval of Funding Agreement Between the City of Dripping Springs and The Brent Thurman Foundation, Inc. Regarding the Use of Hotel Occupancy Tax Funds
- R. Approval of Acknowledgement of Contractor Disclosure of Interest Form Submitted by Keenan E. Smith
- S. Approval of Acknowledgement of Contractor Disclosure of Interest Form Submitted By Andrew N. Barrett
- T. Approval of Resolution No. 2015-25 Congratulating the Friends of The Pound House Foundation on its 25th Anniversary of its Founding

Mayor Pro Tem Bill Foulds motions to approve consent items. Council Member Santos Alba seconds. VOTE: 5-0 in favor, motion passes.

VI. BUSINESS

Consideration and Possible Action On:

- A. Public Hearing on Proposed Annexation for Inclusion of the Following Property into the City of Dripping Springs Corporate City Limits: 5.27 Acres (Within the Caliterra Subdivision) out of the P.A. Smith Survey No. 26 Abstract No. 415, Being a Portion of the 591.858 Acre Tract Conveyed to Development Solutions CAT, LLC, of Record in the Official Public Records of Hays County, Texas. – No one speaks.
- B. Amended and Restated Water and Wastewater Utility Agreement between the City of Dripping Springs, and Forestar (USA) Real Estate group, Inc., a Delaware Corporation for 374.2 acres of land known as the Arrowhead Ranch Development and the Fellers Tract (*Sponsor: Mayor Pro Tem Bill Foulds*) - Mayor Pro Tem Bill Foulds motions to approve the Agreement. Council Member Santos Alba seconds. VOTE: 5-0 in favor, motion passes.
- C. Historic Preservation Consulting Agreement between the City of Dripping Springs and Roark-Foster Consulting, LLC (*Sponsor: Mayor Pro Tem Foulds*) - Mayor Pro Tem Bill Foulds motions to approve the Agreement. Council Member Santos Alba seconds. VOTE: 5-0 in favor, motion passes.

Mayor Todd Purcell and Council Member John Kroll recuse themselves at 6:36pm from the next agenda item due to a conflict of interest. Conflict of interest affidavit on file.

- D. Resolution No. 2015-26: A Resolution of the City of Dripping Springs Amending Incentives for Historic Districts and Landmark Designation, Zoning, Restoration, And Preservation (*Sponsor: Mayor Pro Tem Foulds*) - Council Member Santos Alba motions to approve Resolution 2015-26. Council Member Charles Busbey seconds. VOTE: 4-0 in favor, motion passes.
Mayor Purcell and Council Member Kroll return to the meeting at 6:37pm.

- E. Contractor Agreement between the City of Dripping Springs and Myers Concrete Construction, LP for Mercer Street Community Giving Tree Wall Project (*Sponsor: Mayor Purcell*) - Council Member Santos Alba motions to approve the Agreement. Mayor Pro Tem Bill Foulds seconds. VOTE: 5-0 in favor, motion passes.
- F. Resolution No. 2015-24: A Resolution Expressing the Support of the City of Dripping Springs for House Bill 3620 (84th Legislature), An Act Relating to the Acquisition of Real Property by a Municipality (*Sponsor: Mayor Purcell*) - Council Member Charles Busbey motions to approve Resolution 2015-24. Council Member Wade King seconds. VOTE: 5-0 in favor, motion passes.
- G. Resolution No. 2015-27: A Resolution of the City of Dripping Springs regarding House Bill 2672 (84th Legislature), An Act Relating to the Expansion of Powers of a Public Utility Agency (*Sponsor: Mayor Todd Purcell*) - Council Member Santos Alba motions to approve Resolution 2015-27. Mayor Pro Tem Bill Foulds seconds. VOTE: 5-0 in favor, motion passes.
- H. Ordinance No. 1250.27: An Ordinance of the City of Dripping Springs Amending Chapter 26 (Sign Ordinance) of the Code of Ordinances, Modifying Regulations for Community Service Signs and Signs Located in Historic Districts (*Sponsor: Mayor Pro Tem Foulds*)
 - 1. Staff Report – City Administrator Michelle Fischer provides an overview of the Ordinance. Staff recommends approval of the Ordinance.
 - 2. Public Hearing – Frank Cavarretta, from Stop Dripping Concrete, spoke about the need for his organization to hang banners in support of their cause.
 - 3. Ordinance No. 1250.27 – Council discusses sign regulations, organizations who may want to hang signs or banners, and the process for approving and denying requests. Mayor Pro Tem Bill Foulds motions to approve Ordinance 1250.27 effective immediately once signed. Council Member Santos Alba seconds. VOTE: 5-0 in favor, motion passes.

VII. REPORTS OF AGENCIES, COMMISSIONS AND STAFF

- A. Transportation Committee Monthly Report
- B. Economic Development Committee Monthly Report

VIII. ANNOUNCEMENTS

- A. Regular Founders Day Commission Meeting, March 23, 2015 at 6:30 p.m.
- B. Regular Planning & Zoning Commission Meeting, March 24, 2015 at 7:00 p.m.
- C. Regular Historic Preservation Commission Meeting, April 6, 2015 at 5:30 p.m.
- D. Regular Parks & Recreation Commission Meeting, April 13, 2015, at 6:00 p.m.
- E. Regular Founders Day Commission Meeting, April 13, 2015 at 6:30 p.m.
- F. Regular Farmers Market Association Board Meeting, April 14, 2015 at 10:00 a.m.
- G. Regular City Council Meeting, April 14, 2015 at 5:30 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 6:54pm.