



CITY COUNCIL & BOARD OF ADJUSTMENT REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, February 09, 2021 at 6:00 PM

VIDEOCONFERENCE MEETING

This meeting will be held via videoconference and the public is encouraged and welcome to participate. Public comment may be given during the videoconference by joining the meeting using the information below. Public comment for this meeting may also be submitted to the City Secretary at acunningham@cityofdrippingsprings.com no later than 3:00 PM on the day the meeting will be held.

The City Council respectfully requests that all microphones and webcams be disabled unless you are a member of the City Council or Board of Adjustment. City staff, consultants and presenters please enable your microphone and webcam when presenting to the City Council or Board of Adjustment.

AGENDA

MEETING SPECIFIC VIDEOCONFERENCE INFORMATION

Join Zoom Meeting

<https://us02web.zoom.us/j/81796467219?pwd=UHh1QU4wcUVHMHw1kUE9mVHBsV2o5QT09>

Meeting ID: 817 9646 7219

Passcode: 653073

Dial Toll Free:

888 475 4499 US Toll-free

877 853 5257 US Toll-free

Find your local number: <https://us02web.zoom.us/u/kb20jPz96W>

Join by Skype for Business: <https://us02web.zoom.us/skype/81796467219>

CALL TO ORDER AND ROLL CALL

City Council Members

Mayor Bill Foulds, Jr.

Mayor Pro Tem Taline Manassian

Council Member Place 2 Wade King

Council Member Place 3 Todd Purcell

Council Member Place 4 April Harris Allison

Council Member Place 5 Travis Crow

Staff, Consultants & Appointed/Elected Officials

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Attorney Laura Mueller
City Treasurer Gina Gillis
Finance Director Shawn Cox
Communications Director Lisa Sullivan
City Secretary Andrea Cunningham
Parks & Community Services Director Kelly Schmidt
Public Works Coordinator Aaron Reed
Senior Planner Amanda Padilla
Planning Consultant Robyn Miga
Planning & Zoning Commission Chair Mim James

CITY COUNCIL & BOARD OF ADJUSTMENT REGULAR MEETING

PLEDGE OF ALLEGIANCE

PRESENTATION OF CITIZENS

A member of the public who desires to address the City Council regarding any item on an agenda for an open meeting may do so at presentation of citizens before an item or at a public hearing for an item during the City Council's consideration of that item. Citizens wishing to discuss matters not contained within the current agenda may do so, but only during the time allotted for presentation of citizens. Speakers are allowed two (2) minutes to speak during presentation of citizens or during each public hearing. Speakers may not cede or pool time. Members of the public requiring the assistance of a translator will be given twice the amount of time as a member of the public who does not require the assistance of a translator to address the City Council. It is the request of the City Council that members of the public wishing to speak on item(s) on the agenda with a noticed Public Hearing hold their comments until the item(s) are presented for consideration. Speakers are encouraged to sign in. Anyone may request a copy of the City's policy on presentation of citizens from the city secretary. By law no action may be taken during Presentations of Citizens.

PROCLAMATIONS & PRESENTATIONS

- 1. Approval of a Proclamation proclaiming the month of February 2021 as "Black History Month" in the City of Dripping Springs. Sponsor: Council Member Harris-Allison**

- 2. Approval of a Proclamation proclaiming the the month of February 2021 as "Dating Violence Awareness and Prevention Month" in the City of Dripping Springs. Sponsor: Council Member King**

CONSENT AGENDA

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.

- 3. Approval of the January 9, 2021 and January 16, 2021 City Council regular meeting minutes.**
- 4. Approval of the January 2021 City Treasurer's Report.**
- 5. Approval of an Ordinance and Notice calling for the May 2021 General Municipal Elections for the City of Dripping Springs.**

BOARD OF ADJUSTMENT

CALL TO ORDER AND ROLL CALL

Board Members

Bill Foulds, Jr., Chair
Taline Manassian
Wade King
Todd Purcell
April Harris-Allison
Travis Crow
Charles Busbey (Alternate Member)
Joe Volpe (Alternate Member)

BOARD OF ADJUSTMENT AGENDA

- 6. Public hearing and consideration of approval regarding VAR2020-0028: an application for a Special Exception to Chapter 30 Exhibit A Sec 5.7.6 and 5.7.7 regarding parking calculation requirements for mixed use buildings. The property is located at 100 Commons Suite 9, Dripping Springs, TX (R138851). Applicant: Jon Thompson, J Thompson Professional Consulting**
 - a) Presentation
 - b) Staff Report
 - c) Planning and Zoning Commission Report
 - d) Public Hearing
 - e) Special Exception

CITY COUNCIL

BUSINESS AGENDA

- 7. Discuss and consider approval of an Annexation Application and direction to staff to negotiate an Annexation Agreement with Owners to annex approximately 18.250 acres in the extraterritorial jurisdiction, situated in the Benjamin F Hanna Survey, Survey No. 28, Abstract No. 222, located at 2004 Creek Road, Dripping Springs, Texas 78620 (Tax ID: R143390 and R14993). Applicant: Civil and Environmental Consultants, Inc.**

- a) Presentation
- b) Staff Report
- c) Annexation Application

8. Public hearing and consideration of approval of an Ordinance regarding ZA2020-0011: an application for a Zoning Amendment to consider a proposed zoning map amendment from Two Family Residential - Duplex District (SF-4) to Multi-Family (MF) for an approximately 4.003 acre tract of land situated in Phillip A. Smith Survey, NO. 26, Abstract No. 415. This property is located at 210 Creek Road, Dripping Springs, TX.(R18047 and R18045). Applicant: Jon Thompson

- a) Presentation
- b) Staff Report
- c) Planning and Zoning Commission Report
- d) Public Hearing
- e) Zoning Amendment Ordinance

9. Discuss and consider approval of the selection of Engineering Services regarding the TxDOT CSJ 0914-33-087 Rob Shelton Boulevard TASA Sidewalk Project, subject to TxDOT concurrence; and authorization for the City Administrator to negotiate the contract.

10. Discuss and consider adoption of City of the Dripping Springs budget calendar for Fiscal Year 2022.

11. Discuss and consider acceptance of a Letter of Resignation related to City Council Place 3.

REPORTS

Reports of Staff, Boards, Commissions, Committees, Boards and Agencies. All reports are on file and available for review upon request. The City Council may provide staff direction; however, no action may be taken.

12. Maintenance Director's Monthly Report
Craig Rice, Maintenance Director

13. City Attorney Report
Laura Mueller, City Attorney

14. Legislative Report
Laura Mueller, City Attorney

15. Economic Development Committee Monthly Report
Kim Fernea, Chair

16. Parks & Community Services 2020 Annual Report
Kelly Schmidt, PCS Director

17. Parks & Community Services January 2021 Report
Kelly Schmidt, PCS Director

EXECUTIVE SESSION AGENDA

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). The City Council for the City of Dripping Springs may act on any item listed in Executive Session in Open Session or move any item from Executive Session to Open Session for action.

- 18. Consultation with City Attorney regarding legal issues related to Emergency Management, Disaster Declaration, and Emergency Orders.** *Consultation with City Attorney, 551.071*
- 19. Consultation with City Attorney and Deliberation of Real Property regarding property acquisition related to the South Regional Water Reclamation Project.** *Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072*
- 20. Deliberation of Real Property and Consultation with City Attorney regarding legal issues related to Real Property for the Tax Increment Reinvestment Zone including the Town Center Project and uses and real property in the Triangle and Veterans Memorial Park.** *Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072*
- 21. Consultation with City Attorney regarding legal issues related to the Zoning Ordinance, Development Agreements, Municipal Utility Districts, Easements, and Density of Development.** *Consultation with Attorney, 551.071*

UPCOMING MEETINGS

City Council Meetings

February 16, 2021 at 6:00 p.m.

March 9, 2021 at 6:00 p.m.

March 16, 2021 at 6:00 p.m.

Board, Commission & Committee Meetings

Utility Commission, February 9, 2021 at 4:00 p.m.

Farmers Market Association Board, February 18, 2021 at 10:00 a.m.

Emergency Management Commission, February 18, 2021 at 12:00 p.m.

Transportation Committee, February 22, 2021 at 3:30 p.m.

Planning & Zoning Commission, February 23, 2021 at 6:30 p.m.

Economic Development Committee, February 24, 2021 at 4:00 p.m.

ADJOURN

TEXAS OPEN MEETINGS ACT PUBLIC NOTIFICATION & POSTING OF MEETING

All agenda items listed above are eligible for discussion and action unless otherwise specifically noted. This notice of meeting is posted in accordance with Chapter 551, Government Code, Vernon's Texas Codes. Annotated. In addition, the City Council may consider a vote to excuse the absence of any City Council Member for absence from this meeting.

Due to the Texas Governor Order, Hays County Order, City of Dripping Springs Disaster Declaration, and Center for Disease Control guidelines related to COVID-19, a quorum of this body could not be gathered in one place, and this meeting will be conducted through videoconferencing. Texas Government Code Sections 551.045; 551.125; and 551.127.

*I certify that this notice of meeting was posted at the City of Dripping Springs City Hall and website, www.cityofdrippingsprings.com, on **February 5, 2021 at 1:15 p.m.***

City Secretary

This facility is wheelchair accessible. Accessible parking spaces are available. Request for auxiliary aids and services must be made 48 hours prior to this meeting by calling (512) 858-4725.

Dripping Springs Community - Empowering Positive Change

Page 1	Group Statement
Page 2	Black History Month Proclamation – Final version 1/29/21 <i>For the February 9 Dripping Springs City Council Meeting</i>

Dripping Springs Community - Empowering Positive Change

Private Facebook Community Group established on June 2, 2020.

Group Statement

Many of us initially joined this group in June during a pandemic, in response to the murder of George Floyd and ensuing revelations regarding racial injustice.

After the group faced possible dissolution in the midst of election turmoil and the attack on our nation's Capitol, a small group of women decided to continue our collaborative efforts via email. Upon realizing that our neighboring communities had drafted Black History Month proclamations, but that Dripping Springs had yet to do so, our group worked together to draft this proclamation.

Our group reflects the diversity of our beautiful city, comprised of multilingual women from age 35-68 who have lived in Dripping Springs and surrounding Hill Country cities anywhere from 2-26 years. Our members have unique experiences and many roles: mother, grandmother, teacher, Army veteran, performing artist, speech-language pathologist, executive, police officer's wife, victim advocate trainer, and community volunteer.

Our hope is to begin to welcome more like-minded members to this group, so that together, we can foster unity and use our collective experiences to celebrate, protect, and empower the growing diversity of the Dripping Springs Community in a positive way.



**PROCLAMATION
OF THE CITY OF DRIPPING SPRINGS
PROCLAIMING FEBRUARY 2021 AS**

“Black History Month”

WHEREAS, without the stories of African Americans, the story of Texas and all of America is incomplete; and

WHEREAS, Black History Month evolved from Negro History Week, initially conceived by scholar Carter G. Woodson in 1926 in order to expand national consciousness regarding the struggles, achievements, and heritage of African Americans; and

WHEREAS, Mostafa Azemmouri, also known as Estevanico, was a black Moroccan slave who used his language and healing skills to help guide shipwrecked Spaniards through Native American communities to explore present-day Texas, and is recognized as the first person of African descent to enter the American Southwest; and

WHEREAS, those recognized as the original founders of Dripping Springs also brought with them twelve enslaved human beings whose names we may never know, yet whose skills and labor were critical to the original development of Dripping Springs; and

WHEREAS, our city is located 15-20 miles from the Peyton Colony and Antioch Colony historical markers, both of which commemorate communities founded by freed slaves of this region between 1865 and 1871; and

WHEREAS, despite enduring racism, segregation, and oppression, many African American Texans have made valuable cultural and historical contributions: Bessie Coleman was the first African American woman and also the first Native American to hold a pilot’s license, and stood up to segregation. Wallace Jefferson made history in 2004 as both the first African American Justice and Chief Justice of the Texas Supreme Court. Jefferson’s own family history is a testament to the tenacity of the individual human spirit; he is the descendant of a slave, who was owned by a Waco, Texas judge before the Civil War. That slave, Shedrick Willis, served his community as a two-term member of the Waco City Council after the War. In 1966, Barbara Jordan became the first African American state senator in Texas in more than 75 years and was a leader during the civil rights movement. Breaking barriers even in death, she became the first African American to be buried among the governors, senators, and congressmen in the Texas State Cemetery in 1996; and

WHEREAS, this year’s theme, Celebrating Black History Month in Hays County, offers a reminder that this county has a rich history of African Americans who have and will continue to contribute to the culture, economics, history, and lifestyle of the cities in Hays County.

NOW THEREFORE, BE IT PROCLAIMED BY THE CITY OF DRIPPING SPRINGS CITY COUNCIL THAT:

1. The month of February 2021 shall be celebrated as “Black History Month” in the City of Dripping Springs; and
2. That the City Council urges our citizens to draw inspiration from the past and, more importantly, commit ourselves to enriching the quality of life for all who live and work in Dripping Springs.

Bill Foulds, Jr., Mayor



**PROCLAMATION
OF THE CITY OF DRIPPING SPRINGS
PROCLAIMING FEBRUARY 2021 AS**

“Dating Violence Awareness and Prevention Month”

WHEREAS, one in three adolescents is a victim of physical, sexual, emotional, or verbal abuse from a dating partner; and

WHEREAS, the effects of dating violence impact youth in all communities and cuts across economic, racial, gender, and societal barriers; and

WHEREAS, respectful, supportive, and non-violent relationships are key to safety, health, and academic success; and

WHEREAS, by providing teens and young adults with education about healthy relationships and relationship skills, and by changing attitudes that support violence, we recognize that dating violence can be prevented; and

WHEREAS, family, friends, teachers, coaches, faith leaders, community members, and other important people in young peoples’ lives have the power to influence youth in positive ways; and

WHEREAS, last year Hays-Caldwell Women’s Center provided 235 dating violence prevention and healthy relationships presentations to 5,889 teens and young adults; and

WHEREAS, we must work together to raise awareness and promote healthy dating relationships with activities and conversations about mutually respectful and non-violent relationships in our homes, schools, and communities.

NOW THEREFORE, BE IT PROCLAIMED by the City Council of Dripping Springs, Texas that:

1. February 2021 shall be recognized as “Dating Violence Awareness and Prevention Month”.
2. The City Council calls upon the citizens of Dripping Springs to work together to raise awareness and prevent dating violence in our community and beyond.

Bill Foulds, Jr., Mayor



CITY COUNCIL & BOARD OF ADJUSTMENT REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, January 12, 2021 at 6:00 PM

MINUTES

MEETING SPECIFIC VIDEOCONFERENCE INFORMATION

Join Zoom Meeting

<https://us02web.zoom.us/j/86715238174?pwd=Z1ZKdTNNLzloSmcxb2kzViszczZZdz09>

Meeting ID: 867 1523 8174

Passcode: 237984

Dial Toll Free:

877 853 5257 US Toll-free

888 475 4499 US Toll-free

Find your local number: <https://us02web.zoom.us/j/86715238174>

Join by Skype for Business: <https://us02web.zoom.us/skype/86715238174>

CALL TO ORDER AND ROLL CALL

City Council Members present were:

- Mayor Bill Foulds, Jr.
- Mayor Pro Tem Taline Manassian
- Council Member Place 2 Wade King
- Council Member Place 3 Todd Purcell
- Council Member Place 4 April Harris Allison
- Council Member Place 5 Travis Crow

Staff, Consultants & Appointed/Elected Officials present were:

- City Administrator Michelle Fischer
- Deputy City Administrator Ginger Faught
- City Attorney Laura Mueller
- City Treasurer Gina Gillis
- Finance Director Shawn Cox
- City Secretary Andrea Cunningham
- Communications Director Lisa Sullivan
- Senior Planner Amanda Padilla
- City Engineer Chad Gilpin
- Public Works Coordinator Aaron Reed

Parks & Community Services Director Kelly Schmidt
 DSRP Event Center Manager Tina Adams
 Planning & Zoning Commission Chair Mim James
 TIRZ No. 1 & No. 2 Board Chair Dave Edwards
 Parks Planning Consultant Brent Luck
 Planning Consultant Robyn Miga

With a quorum of the City Council present, Mayor Foulds called the meeting to order at 6:00 p.m.

WORKSHOP

Workshop items are for discussion only and no action will be taken.

1. **Discussion of Proposed Concept Plan for a portion of the Cannon Tract.** *Sponsor: Mayor Foulds.*

Steven Pierce gave a presentation which is on file.

2. **Discussion of Proposed Concept Plan for Cynosure tract also known as Wild Ridge.** *Sponsor: Mayor Foulds.*

Peter Verdichhio presented a video which can be found here:

<https://www.youtube.com/watch?v=ViI6Jhtc1EI>

No action or vote was taken during the Workshop.

The City Council recessed from 7:55 p.m. – 8:07 p.m. Mayor Foulds returned the meeting to Open Session at 8:07 p.m.

CITY COUNCIL REGULAR MEETING

PLEDGE OF ALLEGIANCE

Council Member Purcell led the Pledge of Allegiance to the Flag.

PRESENTATION OF CITIZENS

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No one spoke during Presentation of Citizens.

PROCLAMATIONS & PRESENTATIONS

3. **Proclamation recognizing the Public Service of Mim James for four years of service on the TIRZ No. 1 & No. 2 Board.**

Mayor Pro Tem Taline Manassian read and presented the proclamation to Mim James.

CONSENT AGENDA

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.

4. **Approval of the City Council regular meeting minutes of December 8, 2020 and December 15, 2020; and the special meeting minutes of December 22, 2020.**
 5. **Approval of the December 2020 City Treasurer's Report.**
 6. **Approval of a Joint Election Agreement between the City of Dripping Springs and Dripping Springs Independent School District regarding the May 1, 2021 General Municipal Election.**
 7. **Approval of an Election Services Contract between the City of Dripping Springs and Hays County Elections Administrator regarding the May 1, 2021 General Municipal Election.**
 8. **Approval of a Joint Elections Agreement between the City of Dripping Springs and Hays County regarding the May 2021 General Municipal Election.**
 9. **Approval of a Resolution Accepting Improvements as Complete and Approving A Maintenance Bond for Bunker Ranch Subdivision Phase 3 Streets and Drainage Improvements.**
- Filed as Resolution No. 2021-R01**
10. **Approval of a Resolution Accepting Improvements as Complete and Approving Maintenance Bonds for Arrowhead Ranch Subdivision Phase 4 Streets, Drainage, Wastewater Improvements, and Erosion Control and Releasing a Construction Bond.**

Filed as Resolution No. 2021-R02

11. Approval of a Facility Use Agreement between the City of Dripping Springs and Tiger Splash TAAF Swim Team for use of the Founders Memorial Park Pool for 2021.

A motion was made by Mayor Pro Tem Manassian to approve Consent Agenda Items 4-11, with amended minutes as circulated. Council Member King seconded the motion which carried unanimously 5 to 0.

BUSINESS AGENDA

12. Public hearing and consideration of approval regarding an Ordinance amending Chapter 30, Exhibit A Zoning Ordinance and Appendix E Zoning Use Regulations to allow an accessory structure use to a principal use in Government/Utility/Institutional Districts.

a) Staff report

Amanda Padilla presented the staff report which is on file. Staff recommends approval of the ordinance.

b) Planning and Zoning Commission report

Chair James: Commission recommended approval unanimously 7 to 0.

c) Public Hearing – No one spoke during the Public Hearing.

d) Ordinance

A motion was made by Mayor Pro Tem Manassian to approve an Ordinance amending Chapter 30, Exhibit A Zoning Ordinance and Appendix E Zoning Use Regulations to allow an accessory structure use to a principal use in Government/Utility/Institutional Districts. Council Member Harris-Allison seconded the motion which carried 4 to 1, with Council Member Purcell opposed.

Filed as Ordinance No. 2021-01

13. Public hearing and consideration of approval regarding an Ordinance amending Chapter 28, Exhibit A Subdivision Ordinance, Sec 4.10 Revisions to Approved Preliminary Plat to update regulations to major and minor revisions and an Ordinance amending Appendix A: Article A1.000 (General Provisions) of the Dripping Springs Code of Ordinances; Amending the Dripping Springs Fee Schedule Section 4: Subdivision and Section 9: Parks & Recreation to modify fees for preliminary plat reviews.

a) Staff report

Amanda Padilla presented the staff report which is on file. Staff recommends approval of the ordinances.

b) Planning and Zoning Commission report

Chair James: Commission recommended approval 6 to 0, with Commission Strong opposed

c) Public Hearing – No one spoke during the Public Hearing.

d) Preliminary Plat Ordinance

e) Fee Schedule Ordinance

A motion was made by Council Member Purcell to approve an Ordinance amending Chapter 28, Exhibit A Subdivision Ordinance, Sec 4.10 Revisions to Approved Preliminary Plat to update regulations to major and minor revisions and an Ordinance amending Appendix A: Article A1.000 (General Provisions) of the Dripping Springs Code of Ordinances; Amending the Dripping Springs Fee Schedule Section 4: Subdivision and Section 9: Parks & Recreation to modify fees for preliminary plat reviews. Mayor Pro Tem Manassian seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2021-02 (Preliminary Plat Revisions)

Filed as Ordinance No. 2021-03 (Preliminary Plat Fee Schedule Amendment)

14. Public hearing and consideration of approval regarding an Ordinance amending Chapter 28, Article 29.03 Parkland Dedication. The proposed amendment will update regulations, requirements for dedication of Parkland, and criteria for fee-in-lieu, and consideration of an Ordinance amending Appendix A: Article A1:000 (General Provisions) of the Dripping Springs Code of Ordinances; Amending the Dripping Springs Fee Schedule Section 3: Site Development and Section 4: Subdivision and Creation of Park Development Fee Fund.

a) Staff report

Robyn Miga and Brent Luck presented the staff report which is on file. Staff recommends approval of the ordinances.

b) Planning and Zoning Commission report

Chair James: Commission recommended approval unanimously 7 to 0.

c) Public Hearing – No one spoke during the Public Hearing.

d) Parkland Dedication Ordinance

e) Fee Schedule Ordinance

A motion was made by Council Member Purcell to approve an Ordinance amending Chapter 28, Article 29.03 Parkland Dedication. The proposed amendment will update regulations, requirements for dedication of Parkland, and criteria for fee-in-lieu, and

consideration of an Ordinance amending Appendix A: Article A1:000 (General Provisions) of the Dripping Springs Code of Ordinances; Amending the Dripping Springs Fee Schedule Section 3: Site Development and Section 4: Subdivision and Creation of Park Development Fee Fund with the condition that the Land Dedication Requirements, Persons per DU be calculated at 2.00 instead of 3.03. Council Member Crow seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2021-04 (Parkland Dedication Amendment)

Filed as Ordinance No. 2021-05 (Parkland Dedication Fee Schedule Amendment)

- 15. Discuss and consider the Appointment of five (5) individuals to the Emergency Management Commission for terms ending January 1, 2023.**

Andrea Cunningham presented the staff report which is on file.

A motion was made by Council Member Purcell to appoint Scott Collard, Doug Fowler, Ron Hood, Kay Allen and Dillon Polk to the Emergency Management Commission for terms ending January 1, 2023. Council Member King seconded the motion which carried unanimously 5 to 0.

- 16. Discuss and consider approval of a Resolution regarding the Appointment of an individual to the Tax Increment Reinvestment Zone No. 1 & No. 2 Board for a term ending December 31, 2021. Sponsor: Mayor Pro Tem Manassian.**

Laura Mueller presented the staff report which is on file. Staff recommends postponement of the item until the School Board has decided on an appointment.

No action was taken on this item.

- 17. Discuss and consider possible action regarding a Real Property Purchase Agreement between the City of Dripping Springs and Dripping Springs Independent School for Dripping Springs Independent School District property located at 510 Mercer Street, Dripping Springs, Texas 78620 and possible action on Interlocal Agreement between the City of Dripping Springs, Dripping Springs Independent School District, Hays County, and Dripping Springs Community Library. Sponsor: Mayor Pro Tem Manassian.**

Laura Mueller presented the staff report which is on file. Staff recommends postponement of the item to the January 19, 2021 meeting.

No action was taken on this item.

- 18. Discuss and consider possible action regarding a Request for Refund of Master Sign Plan Fee for The Shops at Ledgestone. Applicant Charlie Hill, President, DH Investments, Manager, Shops at Ledgestone, LLC.**

Michelle Fischer presented the staff report which is on file. Staff recommends a refund of \$3300.00.

A motion was made by Council Member Harris-Allison to approve a Request for Refund of Master Sign Plan Fee for The Shops at LedgeStone in the amount of \$3300.00 Council Member Crow seconded the motion which carried unanimously 5 to 0.

REPORTS

Reports of Staff, Boards, Commissions, Committees, Boards and Agencies. All reports are on file and available for review upon request. The City Council may provide staff direction; however, no action may be taken.

Reports are on file and available for review upon request.

- 19. Transportation Committee Monthly Report**
Jim Martin, Interim Committee Chair
- 20. Parks & Community Services Director's Monthly Report**
Kelly Schmidt, PCS Director
- 21. Maintenance Director's Monthly Report**
Craig Rice, Maintenance Director

EXECUTIVE SESSION AGENDA

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). The City Council for the City of Dripping Springs may act on any item listed in Executive Session in Open Session or move any item from Executive Session to Open Session for action.

- 22. Consultation with City Attorney regarding legal issues related to Emergency Management, Disaster Declaration, and Emergency Orders.** *Consultation with City Attorney, 551.071*
- 23. Consultation with City Attorney and Deliberation of Real Property regarding property acquisition related to the South Regional Water Reclamation Project.** *Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072*
- 24. Deliberation of Real Property and Consultation with City Attorney regarding legal issues related to Real Property for the Tax Increment Reinvestment Zone including the Town Center Project and uses and real property in the Triangle and Veterans Memorial Park.** *Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072*
- 25. Consultation with City Attorney regarding legal issues related to the Zoning Ordinance, Development Agreements, easements, and density of development.** *Consultation with Attorney, 551.071*

The City Council did not meet in Executive Session.

UPCOMING MEETINGS

City Council Meetings

January 19, 2021 at 6:00 p.m.
 February 9, 2021 at 6:00 p.m.
 February 16, 2021 at 6:00 p.m.

Board, Commission & Committee Meetings

January 13, 2021 at 4:00 p.m. Utility Commission
 January 21, 2021 at 10:00 a.m. Farmers Market Association Board
 January 21, 2021 at 12:00 p.m. Emergency Management Commission
 January 25, 2021 at 3:30 p.m. Transportation Committee
 January 26, 2021 at 6:30 p.m. Planning & Zoning Commission
 January 27, 2021 at 4:00 p.m. Economic Development Committee

ADJOURN

A motion was made by Mayor Pro Tem Manassian to adjourn the meeting. Council Member Harris-Allison seconded the motion which carried unanimously 5 to 0.

This regular meeting adjourned at 9:38 p.m.

APPROVED ON: February 9, 2021

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary



CITY COUNCIL REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, January 19, 2021 at 6:00 PM

MINUTES

MEETING SPECIFIC VIDEOCONFERENCE INFORMATION

Join Zoom Meeting

<https://us02web.zoom.us/j/86715238174?pwd=Z1ZKdTNNLzloSmcxb2kzViszczZZdz09>

Meeting ID: 867 1523 8174

Passcode: 237984

Dial Toll Free:

877 853 5257 US Toll-free

888 475 4499 US Toll-free

Find your local number: <https://us02web.zoom.us/u/keauaYAfLm>

Join by Skype for Business: <https://us02web.zoom.us/skype/86715238174>

CALL TO ORDER AND ROLL CALL

City Council Members present were:

Mayor Bill Foulds, Jr.

Mayor Pro Tem Taline Manassian

Council Member Place 2 Wade King

Council Member Place 3 Todd Purcell

Council Member Place 4 April Harris Allison

Council Member Place 5 Travis Crow

Staff, Consultants & Appointed/Elected Officials present were:

City Administrator Michelle Fischer

Deputy City Administrator Ginger Faught

City Attorney Laura Mueller

City Treasurer Gina Gillis

Finance Director Shawn Cox

City Secretary Andrea Cunningham

Senior Planner Amanda Padilla

Parks & Community Services Director Kelly Schmidt

Events & Programs Coordinator Maggie Peterson

Communications Director Lisa Sullivan

TIRZ Project Manager Keenan Smith
 Founders Day Commission Chair Brenda Medcalf
 Founders Day Commission Vice Chair Jake Adams

With a quorum of the City Council present, Mayor Foulds, Jr. called the meeting to order at 6:23 p.m.

PLEDGE OF ALLEGIANCE

Council Member Purcell led the Pledge of Allegiance to the Flag.

PRESENTATION OF CITIZENS

A member of the public who desires to address the City Council regarding any item on an agenda for an open meeting may do so at presentation of citizens before an item or at a public hearing for an item during the City Council's consideration of that item. Citizens wishing to discuss matters not contained within the current agenda may do so, but only during the time allotted for presentation of citizens. Speakers are allowed two (2) minutes to speak during presentation of citizens or during each public hearing. Speakers may not cede or pool time. Members of the public requiring the assistance of a translator will be given twice the amount of time as a member of the public who does not require the assistance of a translator to address the City Council. It is the request of the City Council that members of the public wishing to speak on item(s) on the agenda with a noticed Public Hearing hold their comments until the item(s) are presented for consideration. Speakers are encouraged to sign in. Anyone may request a copy of the City's policy on presentation of citizens from the city secretary. By law no action may be taken during Presentations of Citizens.

Mayor Foulds, Jr. announced that he will hold a public hearing for Agenda Item 7.

Rosie Roegner spoke regarding the Equestrian Trails at the Dripping Springs Ranch Park.

Gayna Smith spoke regarding Equestrian Trails and Mountain Bikers at the Dripping Springs Ranch Park.

Heather Hughes spoke regarding Equestrian Trails and Mountain Bikers at the Dripping Springs Ranch Park.

CONSENT AGENDA

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.

At the request of Council Member Purcell, the City Council considered Consent Agenda Items 1 and 2 separately.

- 1. Approval of Resolution Designating the Mayor, Mayor Pro Tem, and Certain City Staff as Authorized Signatories regarding Financial and Budgetary Procedures.** *Sponsor: Mayor Foulds, Jr.*

A motion was made by Council Member Purcell to approve Resolution Designating the Mayor, Mayor Pro Tem, and Certain City Staff as Authorized Signatories regarding Financial and Budgetary Procedures. Council Member Crow seconded the motion which carried unanimously 4 to 0 to 1, with Mayor Pro Tem Manassian abstained.

Filed as Resolution No. 2021-R03

- 2. Approval of an extension to the Canyon Creek Grounds Maintenance Agreement to align with the City fiscal year.** *Sponsor: Council Member King*

A motion was made by Council Member King to approve an extension to the Canyon Creek Grounds Maintenance Agreement to align with the City fiscal year. Council Member Purcell seconded the motion which carried unanimously 5 to 0.

BUSINESS AGENDA

- 3. Discuss and consider approval of a recommendation from the Founders Day Commission to cancel the 2021 Founders Day Festival.** *Sponsor: Mayor Pro Tem Manassian*

Brenda Medcalf and Jake Adams presented the item, and a statement from the Founders Day Commission is on file. The Founders Day Commission is recommending that the 2021 Founders Day Festival be cancelled.

A motion was made by Council Member King to approve the Founders Day Commission recommendation to cancel the 2021 Founders Day Festival. Council Member Purcell seconded the motion which carried 4 to 1, with Council Member Crow opposed.

- 4. Discuss and consider selection of grant services for the Old Fitzhugh Road Project.** *Sponsor: Mayor Pro Tem Manassian*

Keenan Smith presented the staff report which is on file. Staff and the TIRZ No. 1 & No. 2 Board recommend the selection of TJKM for Grant Writing services related to the Old Fitzhugh Road Project.

A motion was made by Council Member Purcell to approve the selection of TJKM for Grant Writing services related to the Old Fitzhugh Road Project, and to authorize staff to negotiate the service agreement. Council Member Harris-Allison seconded the motion which carried unanimously 5 to 0.

- 5. Discuss and consider approval of Proposed Covid-19 Precautions Plan for Parks and Community Services Summer 2021 Programs and Pool Operations.** *Sponsor: Council Member King*

Kelly Schmidt presented the staff report which his on file. Staff recommends approval of the plan.

A motion was made by Council Member Purcell to approve the proposed Covid-19 Precautions Plan for Parks and Community Services Summer 2021 Programs and Pool Operations. Council Member King seconded the motion which carried unanimously 5 to 0.

- 6. Discuss and consider approval of the creation of a Parks & Community Services Programs & Aquatics Manager position and its job description.** *Sponsor: Council Member King*

Kelly Smith presented the staff report which is on file. Staff recommends approval the creation of the job position and description.

A motion was made by Council Member Harris-Allison to approve the creation of a Parks & Community Services Programs & Aquatics Manager position and its job description. Council Member King seconded the motion which carried unanimously 5 to 0.

- 7. Discuss and consider approval of an Ordinance Amending Section 17.5 (a) – Outdoor Only Daily Use Permit of the City of Dripping Springs Fee Schedule, removing Mountain Bikers.** *Sponsor: Mayor Pro Tem Manassian*

Mayor Pro Tem Manassian presented the item. Kelly Smith presented the staff report which is on file.

Mayor Foulds opened the Public Hearing.

Lauren Marsan and David Dougals spoke in favor of the removal of the fee for Mountain Bikers.

Kathy Boylan spoke in favor of keeping the fee for Mountain Bikers.

No action was taken on this item. The City Council directed staff to review and clarify fees associated with Mountain Bikers are the Dripping Springs ranch Park.

- 8. Discuss and consider approval of an Ordinance Amending the Dripping Springs Fee Schedule for fees related to the Dripping Springs Farmers Market.** *Sponsor: Mayor Pro Tem Manassian*

Kelly Smith presented the staff report which is on file. Staff recommends approval of the fee amendments.

A motion was made by Council Member Purcell to approve an Ordinance Amending the Dripping Springs Fee Schedule for fees related to the Dripping Springs Farmers Market. Council Member King seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2021-06

- 9. Discuss and consider an Amendment to Task Order No. 1 and Task Order No. 2 to the Professional Services Agreement between the City of Dripping Springs and HDR**

Engineering, and related to Real Estate Project Management for the East and West Interceptor. *Sponsor: Mayor Bill Foulds, Jr.*

Ginger Faught presented the staff report which is on file. Staff recommends approval fo the amendments to Task Order No. 1 and Task Order No. 2.

A motion was made by Mayor Pro Tem Manassian to approve Amendment to Task Order No. 1 and Task Order No. 2 to the Professional Services Agreement between the City of Dripping Springs and HDR Engineering, and related to Real Estate Project Management for the East and West Interceptor. Council Member King seconded the motion which carried unanimously 5 to 0.

A motion was made by Mayor Pro Tem Manassian to adjourn into Executive Session under Texas Government Code Sections 551.071, Consultation with City Attorney and 551.072, Deliberation of Real Property and regarding Executive Session Agenda Items 10, 12 and 13. Council Member Crow seconded the motion which carried unanimously 5 to 0.

EXECUTIVE SESSION AGENDA

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). The City Council for the City of Dripping Springs may act on any item listed in Executive Session in Open Session or move any item from Executive Session to Open Session for action.

10. **Consultation with City Attorney and Deliberation of Real Property regarding property acquisition related to the South Regional Water Reclamation Project.** *Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072*
11. **Consultation with City Attorney regarding legal issues related to Emergency Management, Disaster Declaration, and Emergency Orders.** *Consultation with City Attorney, 551.071*
12. **Deliberation of Real Property and Consultation with City Attorney regarding legal issues related to Real Property for the Tax Increment Reinvestment Zone including the Town Center Project and uses and real property in the Triangle and Veterans Memorial Park.** *Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072*
13. **Consultation with City Attorney regarding legal issues related to the Zoning Ordinance, Development Agreements, Municipal Utility Districts, Easements, and Density of Development.** *Consultation with Attorney, 551.071*

The City Council met in Executive Session from 8:03 p.m. to 8:38 p.m.

No action or vote was taken during Executive Session. Mayor Foulds returned the meeting to Open Session at 8:40 p.m.

OPEN SESSION

A motion was made by Mayor Pro Tem Manassian to pull Executive Agenda Item 10 into open session for possible action. Council Member King seconded the motion which carried 4 to 0 to 1, with Council Member Purcell absent during voting.

10. Consultation with City Attorney and Deliberation of Real Property regarding property acquisition related to the South Regional Water Reclamation Project. *Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072*

A motion was made by Mayor Pro Tem Manassian to authorize the Mayor and Deputy City Administrator to negotiate the acquisition of an easement up to the appraised amount of property as discussed in the Executive Session. Council Member Harris-Allison seconded the motion which carried unanimously 5 to 0.

UPCOMING MEETINGS

City Council Meetings

February 9, 2021 at 6:00 p.m.
 February 16, 2021 at 6:00 p.m.
 March 9, 2021 at 6:00 p.m.
 March 16, 2021 at 6:00 p.m.

Board, Commission & Committee Meetings

January 21, 2021 at 10:00 a.m. Farmers Market Association Board
 January 21, 2021 at 12:00 p.m. Emergency Management Commission
 January 25, 2021 at 3:30 p.m. Transportation Committee
 January 25, 2021 at 6:30 p.m. Founders Day Commission
 January 26, 2021 at 6:30 p.m. Planning & Zoning Commission
 January 27, 2021 at 4:00 p.m. Economic Development Committee
 February 1, 2021 at 6:00 p.m. Parks & Recreation Commission
 February 3, 2021 at 12:00 p.m. DSRP Board
 February 4, 2021 at 4:00 p.m. Historic Preservation Commission
 February 8, 2021 at 4:00 p.m. TIRZ No. 1 & No. 2 Board
 February 8, 2021 at 6:30 p.m. Founders Day Commission
 February 10, 2021 at 4:00 p.m. Utility Commission

ADJOURN

A motion was made by Mayor Pro Tem Manassian to adjourn the meeting. Council Member King seconded the motion which carried unanimously 5 to 0.

This regular meeting adjourned at 8:42 p.m.

APPROVED ON: February 9, 2021

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary



City of Dripping Springs

Report to the MAYOR and MEMBERS of the City Council

From the CITY TREASURER

For the Month ending January 31, 2021

February 9, 2021

General Fund Revenues are tracking higher than projected going into the second quarter of the Fiscal Year. Sales tax continues to trend upward. The City received just under half of the Ad Valorem projected for the year in the month of January. Additionally, Planning and Development Fees remain ahead of projected amounts and are not expected to slow down. Parks and Dripping Springs Ranch Park revenues remain low due to COVID restrictions.

Expenses overall are less than projected for the month except for a few. Sports and Recreation Park Water was quite high but will be reimbursed. Building Inspector Fees also were very high due to payment for two months billing which was received late.

Wastewater billing revenue was not received in January for December collections. As a result, overall revenues are lower than projected for the month. The payment for December collections was delayed due to the recalculation of billing by the Water Supply Corporation. Wastewater expenses were much lower than projected for the month of January.

The Accounting Department has been involved in the conversion of current software data for INCODE, the Arbitrage Rebate calculation and the Annual Financial audit. The Auditor will present the audit at the February 16th Council meeting. The Arbitrage Rebate Calculation has been completed on the City's \$7,410,000 General Obligation Refunding Bonds, Series 2015. A positive arbitrage rebate liability was not calculated; therefore, no payment needs to be made to the IRS at this time. The next calculation for the City's bonds will be scheduled for September 2024 for the Series 2019 Certificates of Obligation. We expect Incode to be operational early May.

At January 31st the City's cash balances were \$17.7M. This is a 5.98 % increase from the previous month's cash balances. \$17,729.81 was collected in interest for the month of January. The General Fund, Wastewater Utility Fund and Dripping Springs Ranch Park Fund Operating statements are included with this report.

Respectfully Submitted,


Gina Gillis

City of Dripping Springs GENERAL FUND
Income Statement
For the Four Months Ending January 31, 2021

	Current Month Actual	Current Month Budget	Year to Date Actual	Year to Date Budget
Revenues				
Sales Tax Revenue	\$ 196,381.21	\$ 169,497.33	\$ 743,872.20	\$ 677,989.32
Mixed Beverage	13,918.41	0.00	24,381.57	14,500.00
Alcohol Permit Fees	0.00	416.67	1,261.89	1,666.68
Ad Val Tax Interest /Penalties	(23.53)	333.33	384.24	1,333.32
Ad Valorem Tax	736,355.21	397,829.43	745,249.12	530,439.24
TXF from Rsve for Cp Improvment	0.00	17,375.33	0.00	69,501.32
Transfer from Park Dedication	0.00	14,350.00	8,670.00	57,400.00
TXF from Landscaping Fund	0.00	541.67	0.00	2,166.68
FEMA Funds Dam Repair	0.00	6,250.00	205,967.45	25,000.00
City Sponsored Events	1,277.50	0.00	1,277.50	0.00
Subdivision Fees	49,600.00	51,850.00	226,721.25	207,400.00
Site Development Fees	99,600.85	16,208.33	119,431.17	64,833.32
Other Fees (Zoning, Sign, Ord)	1,130.00	5,416.67	21,249.81	21,666.68
Building Code Fees	157,550.42	83,333.33	581,685.42	333,333.32
Solid Waste	10,114.54	9,000.00	19,410.36	18,000.00
Community Service Fees	25.00	0.00	375.00	0.00
Park Rental Income	0.00	0.00	960.00	0.00
Park Donations & sponsors	0.00	0.00	13,509.08	0.00
Pavilion,& Pool Rental	0.00	0.00	235.00	0.00
Muni Court Fines/Special Fees	0.00	20.83	0.00	83.32
Checking Acct Interest	4,151.80	2,916.67	15,235.01	11,666.68
Other Income	2,426.32	3,333.33	18,027.49	13,333.32
Health Permits/Inspections	4,665.00	3,750.00	26,280.00	15,000.00
ESD Inspections Income	4,569.22	833.33	4,569.22	3,333.32
Total Revenues	1,281,741.95	783,256.25	2,778,752.78	2,068,646.52
Expenses				
TML Liability Insurance	1,549.57	3,692.25	5,339.57	7,384.50
TML Property Insurance	8,711.50	6,258.50	17,423.00	12,517.00
TML Workmen's Comp Insurance	1,879.75	5,506.50	3,759.50	11,013.00
Office Salaries	148,715.69	151,593.51	665,772.24	606,374.04
City OT	350.94	0.00	2,868.80	0.00
DSRP Parks	9,999.93	27,013.13	38,678.67	108,052.52
DSRP On Call	(1,400.00)	0.00	800.00	0.00
DSFM Manager	2,240.43	0.00	2,240.43	0.00
DSRP OT	105.40	0.00	2,142.29	0.00
Dam Repair	0.00	0.00	3,050.85	0.00
ON CALL	800.00	0.00	3,800.00	0.00
Bldg. Inspector	187,893.88	66,666.67	605,257.21	266,666.68
Health Inspector	0.00	3,750.00	10,451.54	15,000.00
Bad Debt Expense	0.00	416.67	0.00	1,666.68
St. Unemployment Ins.-Off	7,375.69	0.00	9,153.99	0.00
TMRS Retirement	9,601.91	8,888.48	38,629.07	35,553.92
Employee Benefits	(9,395.22)	18,982.93	36,620.15	75,931.72
Office FICA	9,502.82	0.00	39,084.15	0.00
Parks FICA	4,466.92	0.00	15,885.55	0.00
Office Med	2,222.44	0.00	9,922.43	0.00
Parks Med	305.31	0.00	1,533.52	0.00
Financial Services	20,431.25	5,066.67	67,610.00	20,266.68
Engr/Surveying Services	18,637.50	5,833.33	30,312.50	23,333.32
Architect&Landscape Consultant	2,187.50	416.67	4,140.49	1,666.68
Lighting Consultant	50.00	83.33	50.00	333.32
Human Resource Consultant	0.00	833.33	0.00	3,333.32
Special Counsel and Consultant	4,126.45	6,166.67	21,811.55	24,666.68
Muni Court Attorney/ Judge	0.00	1,291.67	1,400.00	5,166.68

For Management Purposes Only

City of Dripping Springs GENERAL FUND
Income Statement
For the Four Months Ending January 31, 2021

	Current Month Actual	Current Month Budget	Year to Date Actual	Year to Date Budget
Records Management	60.00	83.33	240.00	333.32
Fleet Acquisition	2,299.99	0.00	2,299.99	39,800.00
Fleet Maintenance	803.45	1,112.50	3,931.02	4,450.00
Office Supplies	1,923.76	2,083.33	6,259.16	8,333.32
Founders Park/Pool Supplies	0.00	864.58	186.83	3,458.32
Sports & Rec Park Supplies	0.00	16.67	0.00	66.68
Office Equip & Misc Office Exp	0.00	500.00	0.00	2,000.00
Maintenance Equipment	4,396.94	750.00	5,323.10	3,000.00
Maintenance Supplies	45.19	377.08	1,056.57	1,508.32
Charro Ranch Supplies	0.00	16.67	37.10	66.68
General Park Supplies	3.23	333.33	1,465.92	1,333.32
Parks Mileage	0.00	0.00	27.60	0.00
Park Dues, Fees, Subscriptions	192.50	226.59	824.43	906.36
Network & Telephone	1,324.88	2,083.33	5,546.88	8,333.32
Office IT Equipment & Support	1,389.39	3,666.67	18,363.99	14,666.68
Software	3,418.63	10,866.33	38,968.22	43,465.32
Pool Phone & Network	157.29	100.00	587.76	400.00
Portable Toilets Parks	460.00	481.67	1,840.00	1,926.68
Postage & Shipping	0.00	291.67	360.60	1,166.68
Lighting Compliance	0.00	166.67	0.00	666.68
Public Safety	0.00	0.00	3,400.00	3,400.00
Stephenson Maintenance	0.00	0.00	8.98	0.00
Office Maintenance/Repairs	900.00	905.00	3,372.81	3,620.00
City Hall Improvements	0.00	416.67	252.10	1,666.68
Equipment Maintenance	0.00	139.58	213.37	558.32
Equipment Rental	0.00	83.33	0.00	333.32
Uniforms	0.00	131.25	753.94	525.00
Office Electricity	423.39	333.33	1,412.88	1,333.32
Street Electricity	1,597.88	1,666.67	6,027.63	6,666.68
Founders Park/Pool Electricity	50.02	541.67	1,335.11	2,166.68
Sports & Rec Park Electricity	(126.74)	100.00	(169.84)	400.00
Triangle Electricity	38.25	54.17	153.00	216.68
DSRP House Network/Phone	0.00	0.00	175.84	0.00
DSRP Electricity	0.00	0.00	97.13	0.00
Stephenson Bldg Electric	87.71	125.00	379.60	500.00
Historic District	0.00	250.00	62.50	1,000.00
All Parks Improvements	0.00	4,166.67	0.00	16,666.68
Founders Park/Pool Improvmts	0.00	4,308.33	9,329.08	17,233.32
Sports & Rec Park Improvements	0.00	5,166.67	0.00	20,666.68
Stephenson Bldg	0.00	1,166.67	0.00	4,666.68
Street Maintenance	2,016.00	14,583.33	34,263.39	58,333.32
Street Improvements	0.00	20,833.33	0.00	83,333.32
Transportation Improvements	4,412.50	30,583.67	15,330.40	122,334.68
General Parks Maintenance	0.00	20.83	44.66	83.32
Charro Ranch Maintenance	0.00	912.08	39.56	3,648.32
Founders Pool/Park Maintenance	167.20	1,437.50	230.43	5,750.00
Sports & Rec Park Maintenance	57.89	1,168.33	5,808.34	4,673.32
Triangle Maintenance	0.00	66.67	24.85	266.68
Stephenson Lawn Maintenance	0.00	458.33	0.00	1,833.32
Founders Park Lawn Maintenance	0.00	0.00	550.00	0.00
Sports & Rec Park Lawn Mainten	0.00	0.00	3,050.00	0.00
Charro Ranch Lawn Maintenance	0.00	0.00	3,550.00	0.00
S&R Trail Maintenance	0.00	41.67	0.00	166.68
Pool Maintenance	2,000.00	0.00	2,000.00	0.00
Founders Park/Pool Water	176.33	416.67	2,158.89	1,666.68
Sports & Rec Park Water	24,032.67	1,083.33	27,103.88	4,333.32
Triangle Water	35.18	39.58	148.26	158.32
City Hall Water	39.25	54.17	166.71	216.68

For Management Purposes Only

City of Dripping Springs GENERAL FUND
 Income Statement
 For the Four Months Ending January 31, 2021

	Current Month Actual	Current Month Budget	Year to Date Actual	Year to Date Budget
City Streets Water	281.73	333.33	1,183.30	1,333.32
Stephenson Bldg Water	35.18	41.67	148.51	166.68
Training/Education	642.50	3,248.26	4,006.25	12,993.04
Future Land Use Plan	0.00	4,166.67	0.00	16,666.68
Dues, Fees, Publications	(96.32)	2,500.00	5,151.83	10,000.00
Public Notices	363.48	500.00	1,742.58	2,000.00
Park Special Events	0.00	0.00	1,627.00	0.00
Public Relations	0.00	416.67	0.00	1,666.68
Newsletter- Website	0.00	368.75	0.00	1,475.00
Code Publication	0.00	503.92	140.00	2,015.68
FD Publicity	24.46	0.00	97.84	0.00
City Mileage	46.00	166.67	240.37	666.68
City Sponsored Events	0.00	416.67	1,580.00	1,666.68
Government Affairs	0.00	833.33	0.00	3,333.32
Miscellaneous Office Expense	(7,581.69)	833.33	(3,143.47)	3,333.32
Economic Development	0.00	5,000.00	0.00	5,000.00
Emergency Management	92.12	32.50	570.92	130.00
Emergency Equipment Maint	0.00	530.92	276.36	2,123.68
Emergency Fire& Safety	83.00	83.00	332.00	332.00
EM Mgt PR	0.00	333.33	0.00	1,333.32
COVID 19	2,834.21	0.00	88,211.49	0.00
Contingencies	0.00	4,166.67	0.00	16,666.68
Transfer to Reserve Fund	0.00	0.00	0.00	162,328.76
TXF to TIRZ	0.00	0.00	0.00	250,000.00
TXF to WWU	0.00	52,967.92	0.00	211,871.68
Total Expenses	479,467.11	505,178.84	1,948,495.15	2,430,329.62
Net Income	\$ 802,274.84	\$ 278,077.41	\$ 830,257.63	\$ (361,683.10)

City of DS Wastewater Utility Fund
Income Statement
For the Four Months Ending January 31, 2021

	Current Month Actual	Current Month Budget	Year to Date Actual	Year to Date Budget
Revenues				
1/4 Cent Sales Tax	\$ 62,089.21	\$ 52,967.92	\$ 237,724.19	\$ 211,871.68
Cable	0.00	11,208.33	33,630.33	44,833.32
Telephone Franchise Fees	15.09	1,250.00	1,528.60	5,000.00
PEC Franchise fees	0.00	30,000.00	39,629.54	60,000.00
Texas Gas Franchise Fees	2,006.83	250.00	2,006.83	1,000.00
Water	0.00	0.00	100,000.00	0.00
Delayed Connection Fees	0.00	13,266.67	22,900.00	53,066.68
Over Use fees	0.00	5,505.69	15,828.01	22,022.76
Transfer Fees	0.00	291.67	3,840.00	1,166.68
Wastewater Service	0.00	66,176.05	206,988.91	264,704.20
Interest Income	6,154.98	3,750.00	24,456.31	15,000.00
Late Fees	0.00	333.33	3,656.43	1,333.32
Other Income	0.00	2,916.67	174,907.54	11,666.68
Total Revenues	70,266.11	187,916.33	867,096.69	691,665.32
Expenses				
Administrative	6,594.00	9,200.00	32,379.00	36,800.00
Operations- Routine	0.00	6,666.67	2,725.32	26,666.68
Operations Non Routine	9,031.25	4,166.67	11,176.27	16,666.68
Regulatory	0.00	291.67	2,440.26	1,166.68
Legal Fees	697.50	2,500.00	6,997.50	10,000.00
Planning/Permitting	337.50	4,166.67	3,113.99	16,666.68
Engineering and Surveying	0.00	0.00	681.83	0.00
Chlorinator Alarm	0.00	83.33	0.00	333.32
Misc Planning/Cons 1431-001	0.00	625.00	0.00	2,500.00
Construction Phase Services	0.00	2,500.00	0.00	10,000.00
Road Reconstruction	0.00	833.33	0.00	3,333.32
TWDB East Interceptor	0.00	8,333.33	78,575.49	33,333.32
TWDB West Interceptor	0.00	20,833.33	69,382.66	83,333.32
CIP 2nd Amend1881-001	0.00	416.67	0.00	1,666.68
TWDB 1923-001	0.00	3,333.33	11,167.75	13,333.32
TWDB Misc	900.00	56,666.67	252,800.19	226,666.68
Reclaimed Water Fac 1953-001	0.00	0.00	41,256.03	0.00
Reclaim Wtr Hold Pond 1952-001	0.00	10,416.67	0.00	41,666.68
Sewer CAD Modeling	2,674.77	2,083.33	2,674.77	8,333.32
Other Expense	0.00	416.67	175,941.50	1,666.68
WW Lawn Maintenance	0.00	833.33	3,250.00	3,333.32
System Maintenance and Repair	0.00	1,666.67	99.20	6,666.68
Odor Control	0.00	1,041.67	4,457.58	4,166.68
Jetting Lines	0.00	1,250.00	0.00	5,000.00
Drip Fld Maintenance & Repair	0.00	1,666.67	1,047.06	6,666.68
Lift Station Cleaning	0.00	750.00	0.00	3,000.00
Meter Calibration	0.00	58.33	0.00	233.32
Chlorinator Maintenance	0.00	208.33	0.00	833.32
Drip Field Maintenance	0.00	0.00	164.45	0.00
Electric	5,721.96	3,750.00	20,307.41	15,000.00
Phone	216.74	500.00	1,069.48	2,000.00
Supplies	36.60	833.33	284.09	3,333.32
Chemicals	0.00	666.67	0.00	2,666.68
Lab Testing	0.00	2,083.33	3,030.97	8,333.32
Sludge Hauling	5,175.00	6,666.67	21,275.00	26,666.68
Wastewater Flow Measurement	1,180.00	750.00	2,360.00	3,000.00
Lift Station Repairs & Maint	0.00	1,666.67	9,822.00	6,666.68
WWTP Repairs	0.00	2,708.33	0.00	10,833.32
Equipment	208.49	333.33	623.78	1,333.32

For Management Purposes Only

City of DS Wastewater Utility Fund
Income Statement
For the Four Months Ending January 31, 2021

	Current Month Actual	Current Month Budget	Year to Date Actual	Year to Date Budget
Pump and Haul	<u>0.00</u>	<u>0.00</u>	<u>12,353.60</u>	<u>0.00</u>
Total Expenses	<u>32,773.81</u>	<u>160,966.67</u>	<u>771,457.18</u>	<u>643,866.68</u>
Net Income	\$ <u>37,492.30</u>	\$ <u>26,949.66</u>	\$ <u>95,639.51</u>	\$ <u>47,798.64</u>

DSRP Operating Fund
Income Statement
For the Four Months Ending January 31, 2021

	Current Month Actual	Current Month Budget	Year to Date Actual	Year to Date Budget
Revenues				
Riding Series	\$ 0.00	\$ 7,416.67	\$ 16,440.01	\$ 29,666.68
Fair and Rodeo Profit	0.00	0.00	7,900.00	0.00
General Donations	24.11	0.00	37.11	0.00
Cleaning Fees	0.00	833.33	825.00	3,333.32
Staff Fees	1,358.40	333.33	1,983.40	1,333.32
Horse Riding Permits	1,872.81	833.33	4,372.05	3,333.32
Interest Income	35.90	83.33	106.34	333.32
Other Income	0.00	83.33	3,515.00	333.32
Field Rental	0.00	0.00	1,275.00	0.00
Miscellaneous Fees	100.00	0.00	1,195.00	0.00
Indoor Arena Rental	525.00	0.00	6,525.00	0.00
Event Facility Rental	(1,000.00)	9,333.33	(1,000.00)	37,333.32
RV Site Rental	95.00	1,500.00	8,320.00	6,000.00
Stall Rental	2,350.00	1,833.33	13,659.99	7,333.32
Outdoor Arena	650.00	0.00	2,600.00	0.00
Equipment Rental	0.00	416.67	952.00	1,666.68
Special Event Room Rental	(2,500.00)	0.00	(1,600.00)	0.00
Merchandise Sales	1,824.00	1,250.00	10,960.00	5,000.00
NA Small Event Room	0.00	0.00	1,100.00	0.00
Small Indoor Arena	0.00	0.00	862.00	0.00
NA Concession	0.00	0.00	50.00	0.00
DSRP Concessions	0.00	0.00	2,500.00	0.00
TXF from HOT	0.00	5,606.30	0.00	22,425.20
DSRP Sponsorship	1,000.00	0.00	4,700.00	0.00
TXF from Ag Facility Fund	10,325.00	2,146.67	15,750.00	8,586.68
Total Revenues	16,660.22	31,669.62	103,027.90	126,678.48
Expenses				
Sales Tax Payable	902.63	0.00	902.63	0.00
Advertising	0.00	58.33	0.00	233.32
Bank Fees	388.85	0.00	2,090.73	0.00
DSRP ON CALL	2,200.00	866.67	2,600.00	3,466.68
Training and Education	0.00	416.67	226.58	1,666.68
Stall Cleaning	0.00	166.67	0.00	666.68
Grounds Maintenance	0.00	0.00	6,350.00	0.00
House Furniture & Equipment	69.99	0.00	69.99	0.00
House Supplies	23.94	0.00	23.94	0.00
General Maintenance & Repairs	14,831.67	5,000.00	22,584.95	20,000.00
Dues, Fees and Subscriptions	35.00	498.62	428.08	1,994.48
Network/Communications	458.45	1,166.67	2,153.19	4,666.68
Riding Series	350.00	4,083.33	10,711.57	16,333.32
Merchandise Supplies	0.00	583.33	4,797.00	2,333.32
DSRP Improvements	0.00	2,166.67	0.00	8,666.68
Other Expense	1,555.44	1,708.33	1,619.54	6,833.32
Mileage	0.00	41.67	0.00	166.68
Alarm	1,600.00	0.00	3,430.00	0.00
Propane/Gas	0.00	250.00	299.49	1,000.00
Electric	4,033.20	5,000.00	19,072.91	20,000.00
Water	315.20	833.33	2,222.72	3,333.32
Supplies	126.43	2,500.00	3,816.48	10,000.00
Office Equipment and Supplies	555.58	425.00	3,555.35	1,700.00
TXF to HCLE	0.00	1,100.00	0.00	4,400.00
Portable Toilets	65.00	0.00	260.00	0.00
Equipment Maintenance	2,143.49	2,083.33	5,989.78	8,333.32
Equipment	0.00	858.33	0.00	3,433.32

For Management Purposes Only

DSRP Operating Fund
Income Statement
For the Four Months Ending January 31, 2021

	Current Month Actual	Current Month Budget	Year to Date Actual	Year to Date Budget
Equipmental Rental	(125.00)	83.33	(125.00)	333.32
Fleet Maintenance	60.18	208.33	196.92	833.32
Contingencies	0.00	4,166.67	0.00	16,666.68
Total Expenses	<u>29,590.05</u>	<u>34,265.28</u>	<u>93,276.85</u>	<u>137,061.12</u>
Net Income	\$ <u>(12,929.83)</u>	\$ <u>(2,595.66)</u>	\$ <u>9,751.05</u>	\$ <u>(10,382.64)</u>

CITY OF DRIPPING SPRINGS

ORDINANCE No. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS, CALLING THE GENERAL ELECTION FOR OFFICERS TO BE HELD WITHIN SAID MUNICIPALITY ON MAY 1, 2021, AND MAKING PROVISION FOR THE CONDUCT OF THE ELECTION AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE HOLDING OF SUCH ELECTION.

WHEREAS, the regular municipal election day for the City of Dripping Springs, Texas (“City”), is the uniform election day occurring the first Saturday on May 1, 2021; and

WHEREAS, the terms for Council Member Place 1, Council Member Place 3, and Council Member Place 5 are scheduled to expire at the next uniform election date; and

WHEREAS, Section 3.004 of the Texas Election Code requires the governing body of a city to order an election for its officers and post notice or Order of Election (*Attachment “A”*).

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS, THAT:

1. ELECTION

- A. An Election (the “Election”) is hereby ordered to elect municipal officers for Council Member Place, 1, Council Member Place 3 and Council Member Place 5.
- B. The Election shall be held on the next uniform election date of May 1, 2021.
- C. The hours during which the polling place is to be open at the Election shall be from 7:00 a.m. to 7:00 p.m.
- D. Said Election date is 78 or more days from the date of the adoption of this Ordinance (the “Order”) as required by Section 3.005 of the Texas Election Code. The Election shall be solely in the territorial boundaries of the City. All resident, qualified voters of Dripping Springs shall be entitled to vote.

2. POSITIONS

At such Election, candidates for the following Places shall be submitted:

Place 1 – Council Member
Place 3 – Council Member
Place 5 – Council Member

3. BALLOTS

Ballots shall be prepared in accordance with the Texas Election Code, so as to permit the electors to vote for the candidate(s) of their choice.

4. CONDUCT OF ELECTION

The Election shall be conducted by election officers appointed by the City Council in accordance with the Texas Election Code, the Constitution and laws of the State of Texas and the United States of America.

5. APPOINTMENTS

- A. The City Council hereby appoints the Hays County Elections Administrator as the election officer for the sole purpose of conducting the Election, early voting related thereto, tabulation of votes and the custody of any records from such election. This appointment includes services as the Early Voting Clerk for the Election, except for the receipt of applications and ballots for early voting by mail, provision for which is specifically made in Section 8, below.
- B. The City Council hereby delegates the authority to the Hays County Election Administrator to appoint the Election Judge and Alternate Election Judge. The Mayor is authorized to appoint alternates, if necessary.
- C. The rate of pay for each Election Judge and Clerk shall be in accordance with state law.

6. PRECINCTS & POLLING PLACES

- A. The territorial boundaries of the City of Dripping Springs are hereby designated as the voting precinct for this Election.
- B. Election Day Polling places shall be:

Dunbar Center

801 Martin Luther King Drive
San Marcos, TX 78666

Live Oak Health

401 Broadway Street #A
San Marcos, TX 78666

Hays County Government Center

712 S. Stagecoach Trail #1012
San Marcos, TX 78666

San Marcos Housing Authority/CM Allen

820 Sturgeon Drive
San Marcos, TX 78666

Hays CISD Arnold Transportation Bldg.

21003 Interstate 35
Kyle, TX 78640

Wallace Middle School

1500 West Center Street
Kyle, TX 78640

McCormick Middle School
5700 Dacy Lane
Kyle, TX 78640

Hays CISD Transportation
2385 High Road
Uhland, TX 78640

Hays Hills Baptist Church
1404 FM 1626
Buda, TX 78610

Dripping Springs City Hall
511 Mercer Street
Dripping Springs, TX 78620

Hays Precinct 4 Office
195 Roger Hanks Parkway
Dripping Springs, TX 78620

Wimberley Community Center
14068 Ranch Road 12
Wimberley, TX 78676

Texas State Performing Arts Center
430 Moon Street
San Marcos, TX 78666

C. Election Day Polling places shall be open May 1, 2021 from 7:00 a.m. – 7:00 p.m.

7. INFORMATION IN SPANISH

Notices, instructions, ballots and other written material pertaining to the Election shall be translated into the Spanish language. This material shall be furnished to voters in both English and Spanish in order to enable voters to properly participate in the election process. In addition, the City shall provide the services of a translator speaking both English and Spanish languages to voters who notify the City of the need for such services.

8. EARLY VOTING BY MAIL

The City Secretary shall serve as Early Voting Clerk solely for the purpose of receiving ballot applications for ballots to be voted by mail. Ballot applications submitted by mail shall be addressed to the following address:

City of Dripping Springs
Attn: Early Voting Clerk
P.O. Box 384
Dripping Springs, TX 78620

The City Secretary for Dripping Springs shall collect all applications for ballots received by the City at the above address during the period allowed by the Texas Election Code and deliver to the Hays County Elections Administrator.

9. EARLY VOTING BY PERSONAL APPEARANCE

A. The Hays County Elections Administrator shall serve as the Early Voting Clerk for all other purposes. The Early Voting Clerk shall have the authority to designate such Deputy Early Voting Clerks as may be necessary to staff the Early Voting Polling Place established under

this order.

B. The Early Voting polling places shall be:

Live Oak Health

401 Broadway Street #A
San Marcos, TX 78666

Hays County Government Center

712 S. Stagecoach Trail #1012
San Marcos, TX 78666

Hays CISD Arnold Transportation Bldg.

21003 Interstate 35
Kyle, TX 78640

Buda Elementary Upper Campus

300 San Marcos Street
Buda, TX 78610

Dripping Springs City Hall

511 Mercer Street
Dripping Springs, TX 78620

Wimberley Community Center

14068 Ranch Road 12
Wimberley, TX 78676

Texas State Performing Arts Center

430 Moon Street
San Marcos, TX 78666

C. Early Voting polling places shall be open:

Monday, April 19, 2021

7:00 a.m. – 7:00 p.m.

Tuesday, April 20, 2021 – Friday April 23, 2021

8:00 a.m. – 5:00 p.m.

Saturday, April 24, 2021

10:00 a.m. – 2:00 p.m.

Monday, April 26, 2021

7:00 a.m. – 7:00 p.m.

Tuesday, April 27, 2021

8:00 a.m. – 5:00 p.m.

10. CANVASSING OF RETURNS

The Hays County Elections Administrator shall make a written return of the Election results to the City Council in accordance with the Texas Elections Code. The City Council shall canvass the returns and declare the results of the Election in accordance with the Texas Election Code.

11. NOTICE OF ELECTION

Notice of Election shall be published one time in both the English and Spanish languages, in a newspaper published within the Dripping Springs' territory at least ten (10) days and no than thirty (30) days before the Election and as otherwise may be required by the Texas Election Code. Notice of the Election shall also be posted on the bulletin board used by the City Council to post notices of its City Council meetings no later than the twenty-first (21st) day before the Election.

12. AUTHORIZATION TO EXECUTE

The Mayor of the City of Dripping Springs is authorized to execute, and the City Secretary is authorized to attest this Ordinance on behalf of the City Council. The Mayor is further authorized to do all other things legal and necessary in connection with the ordering, holding and consummation of the Election.

13. EFFECTIVE DATE

This Ordinance is effective immediately upon its passage and approval.

14. PROPER NOTICE & MEETING

A quorum of the City Council was present at the meeting at which this Ordinance was adopted. The meeting was open to the public and public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government.

PASSED & APPROVED this, the 9th day of February 2021, by a vote of __ (ayes) to __ (nays) to __ (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary

ORDER OF ELECTION
(ORDEN DE ELECCION)

An election is hereby ordered to be held on May 1, 2021 for the purpose of:

(Por la presente se ordena que se llevará a cabo una elección el 2 de mayo de 2020 con el propósito de:)

City Council Place 1

City Council Place 3

City Council Place 5

Early voting by personal appearance will be conducted at:

(La votación adelantada en persona se llevará a cabo de lunes a viernes en):

Monday April 29 7:00 a.m. – 7:00 p.m.

Tuesday April 20 – Friday April 23 8:00 a.m. – 5:00 p.m.

Saturday April 24 10:00 a.m. – 2:00 p.m.

Monday April 26 7:00 a.m. – 7:00 p.m.

Tuesday April 27 8:00 a.m. – 5:00 p.m.

Live Oak Health
401 Broadway Street, #A
San Marcos, TX

Hays County Government Center
712 S. Stagecoach Trail, #1015
San Marcos, TX

Texas State Performing Arts Center
430 Moon Street
San Marcos, TX

Hays CSID @ Arnold Transportation Building
21003 Interstate 35
Kyle, TX

Dripping Springs City Hall
511 Mercer Street
Dripping Springs, TX

Buda Elementary Upper Campus Kunkel Room
300 San Marcos Street
Buda, TX

Wimberley Community Center
14068 Ranch Road 12
Wimberly, TX

Issued this the 9th day of February 2021.

Bill Foulds, Jr., Mayor

Taline Manassian, Mayor Pro Tem
Council Member Place 1

Wade King, Council Member Place 2

Todd Purcell, Council Member Place 2

April Harris Allison, Council Member Place 4

Travis Crow, Council Member Place 4

NOTICE OF GENERAL ELECTION
(AVISO DE ELECCION GENERAL)

To the registered voters of the City of Dripping Springs, Texas:

(a los votantes registrados del Ciudad de Dripping Springs, Texas):

Notice is hereby given that the polling places listed below will be open from 7:00 a.m. to 7:00 p.m. on May 1, 2021, for voting in a general election to elect Council Member Place 1, City Council Member Place 3 and Council Member Place 5.

(Notifíquese, por las presente, que las Casillas electorales citadas abajo se abrirán desde las 7:00 a.m. to 7:00 p.m. el 2 de mayo de 2020 para votar en la Elección General para elegir Council Member Place 1, City Council Member Place 3 and Council Member Place 5.)

Locations of polling places

(DIRECCIONES DE LAS CASILLAS ELECTORALES)

Dunbar Center

801 Martin Luther King Drive
San Marcos, TX

Live Oak Health

401 Broadway Street #A
San Marcos, TX

Hays County Government Center

712 S. Stagecoach Trail, #1012
San Marcos, TX

San Marcos Housing Authority/CM Allen Homes

820 Sturgeon Drive
San Marcos, TX

Texas State Performing Arts Center

430 Moon Street
San Marcos, TX

Hays CISD @ Arnold Transportation Building

21003 Interstate 35
Kyle, TX

Wallace Middle School

1500 West Center Street
Kyle, TX

McCormick Middle School

5700 Dacy Lane
Kyle, TX

Hays CISD Transportation – Uhland

2385 High Road
Uhland, TX

Hays Hills Baptist Church

1401 FM 1626
Buda, TX

Dripping Springs City Hall

511 Mercer Street
Dripping Springs, TX

Hays Precinct 4 Office

195 Roger Hanks Parkway
Dripping Springs, TX

Wimberley Community Center

14068 Ranch Road 12
Wimberley, TX

Issued this the 9th day of February 2021.

(Emitida eset dia 9 de enero de 2021.)

Bill Foulds, Jr., Mayor



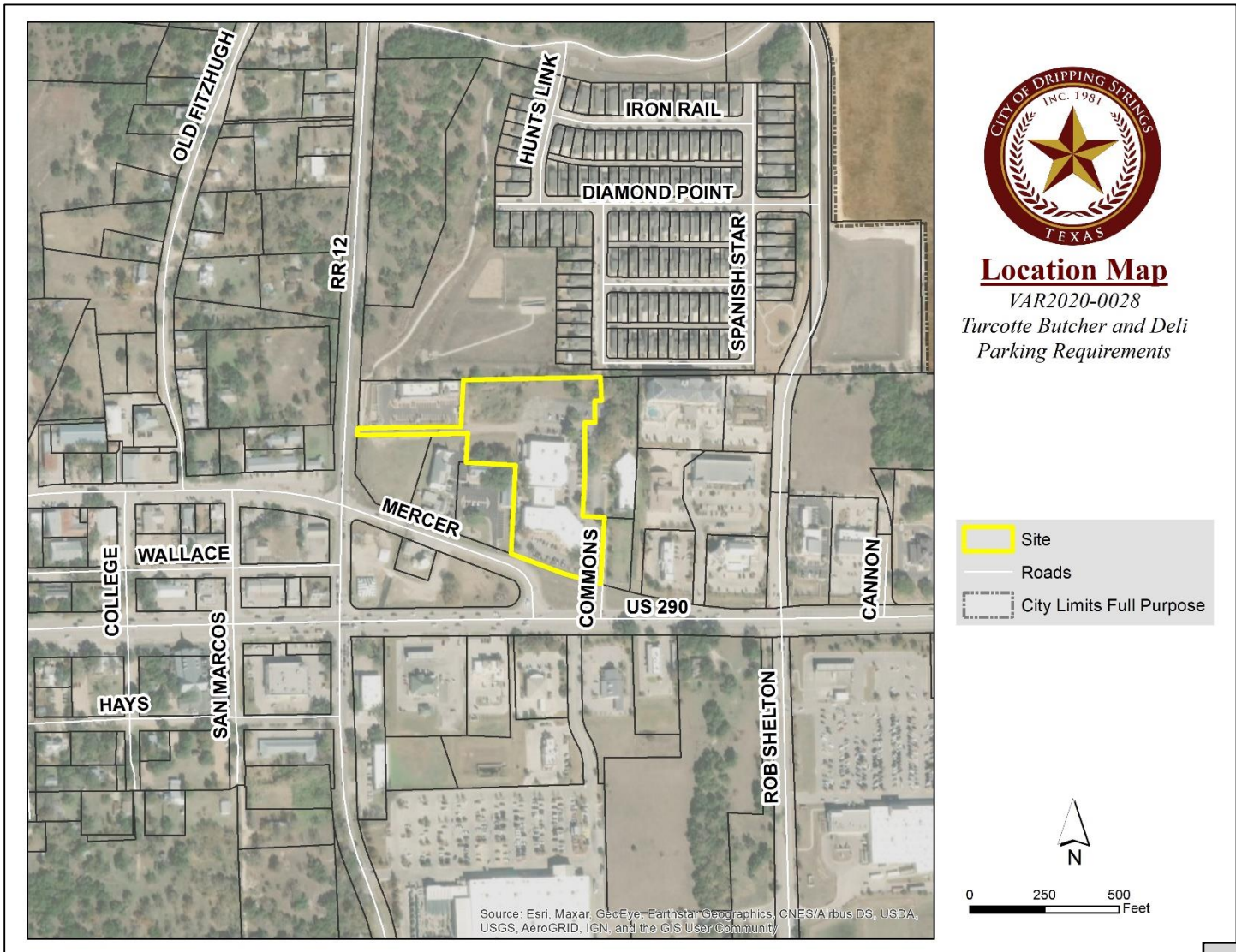
City Council Planning Department Staff Report

Item # 6.

City Council Meeting: February 9, 2021
Project Number: VAR2020-0028
Project Planner: Amanda Padilla, Senior Planner

Item Details

Project Name: Turcotte Parking Requirements
Property Location: 100 Commons Suite 9
Legal Description: The Commons, Lot 1A-c
Applicant: J Thompson Professional Consulting LLC c/o Jon Thompson
Property Owner: Hudson Common LLC. Tenant: Eric Turcotte, Turcotte Butcher and Delicatessen
Request: The Applicant is requesting a waiver from Chapter 30 Exhibit A Sec 5.7.6 and 5.7.7 regarding parking calculation requirements for mixed use buildings.
Staff Recommendation: Staff recommends approval of the special exception request



Overview

The applicant has applied for a special exception to Chapter 30, Exhibit A Zoning Ordinance, Section 5.7 Rules for Computing Places. Section 5.7.6 states the following:

5.7.6. For buildings which have mixed uses within the same structure (such as retail and office), the parking requirement shall be calculated for the most intensive use. In cases where the design of the interior of the structure is not practical for alteration, the parking requirement may be calculated for each use within a structure for buildings over forty thousand square feet (40,000 sq. ft.).

The building located at 100 Commons is shared with several types of business uses. The applicant is proposing a Delicatessen and would change the use from retail (Cricket Mobile) to a restaurant (Turcotte Butcher and Deli). The Cricket Retail store required eight (8) parking spaces based on the current parking requirements for a retail space. The Turcotte Butcher and Deli would change the parking space requirements to a restaurant use which would require nine (9) spaces. This would also change the way parking is calculated over the entire building per section 5.7.6 of the Zoning Ordinance. The total square footage for the Lot is 40,167, this accounts for the two buildings on the lot. With this change in use this requires the parking to be reevaluated and assessed for sufficient parking spaces. The most intense use over the two buildings would be retail which requires one (1) parking space per 200 square feet thus requiring 201 parking spaces. The shared building's parking lot currently hosts 152 parking spaces for the 11 potential or existing businesses in The Commons (the parking spaces exclude the adjacent property, your growing child). See exhibit 3 for photos and a parking explanation.



The City’s Code of Ordinances, found in chapter 30, Zoning, Section 5.6.2 (45): Restaurant, private club, nightclub, cafe or similar recreation or amusement establishment: One (1) parking space for each one hundred (100) square feet of seating/waiting area, or one (1) space for every three (3) seats under maximum seating arrangement (i.e., occupancy), whichever is greater; required parking spaces are in addition to any stacking spaces that may be required for drive-through facilities.

The applicant’s property is 1561 sqft, minus the 750 sqft of prep and storage (which are not included in restaurant calculations). The City’s Code requires one (1) parking space per 100 sqft and there is 811 sqft for calculation. Nine (9) parking spaces are required, this would be an increase of one (1) required parking space. But due to section 5.7.6 Staff had to reevaluate the entire parking requirements for the building and found that the property was deficient in parking spaces by 49 parking spaces.

The applicant has provided a parking analysis in Exhibit 2 to demonstrate if the parking requirements were based off the use, they are providing an extra 5 spaces for the overall building. This calculation does not apply the mixed-use requirement of 1:100 ratio to the entire building. The parking analysis is missing the Hill Country Bible Church.

The property was built in the mid-80s, prior to the incorporation of the City. The same configuration that was built in the 1980s stands today, prior to zoning regulations and parking requirements. The applicant’s property has been vacant recently since the Cricket Wireless, a retail use, moved out. The property is currently zoned Commercial Services and has many uses such as a pharmacy, retail, restaurant, and office spaces.

In 2013, the property was replatted from one lot into 3 lots. This affected the ownership of parking spaces. In 2014, The Planning and Zoning Commission denied the request for a reduction for side setbacks from The Commons, Lot 1A-A. The Commons Lot 1-A-C underwent an extensive remodel which included lighting ordinance compliance, updated exterior facades, glass frontage on the retail building, converted the public sanitary sewer and entered a master sign plan with the City in 2018.

Site Information

Location:
100 Commons Suite 9, Dripping Springs Texas.

Zoning Designation: Commercial Services (CS)

Surrounding Properties: The properties are within the City Limits. The Commons Lot 1-A-C is surrounded by other commercial buildings and businesses. Including, Your Growing Child daycare to the east and offices and restaurants to the west. Just south of the Commons is the City’s property for Veterans Memorial park and the Triangle. On the far east of the property is the Planned Development District 2, which consist of a variety of commercial uses.

Special Exception Criteria

Section 2.22, Conditions for Special exceptions, require the following be met in granting a special exception from the City’s Zoning Ordinance.

Special Exceptions Criteria	Staff Comments
There are special circumstances or conditions affecting the land involved such that the literal enforcement of the provisions of this Chapter would deprive the applicant of the reasonable use of the land; and	The request is unique to the Commons due to the building being built prior to any City code requirements. When the building was constructed there were no regulations on the amount of parking spaces or the calculation of parking spaces.
The special exception is necessary for the preservation and enjoyment of a substantial property right of the applicant; and	This special exception will allow the property owner to lease out tenant space and not burden them with the current parking requirements.
The granting of the special exception will not be detrimental to the public health, safety or welfare, or injurious to other property within the area; and	The special exception will not be detrimental to the public health, safety, or welfare. The existing parking spaces will not cause an issue for surrounding properties or businesses. The parking lot is rarely used by the Church typically on Sundays, which takes up a large majority of the building.
the granting of the special exception constitutes a minimal departure from this Chapter; and	The ordinance does allow for the parking to be calculated for each individual use and not as a whole, in certain instances. Allowing the applicant to account for their use’s parking would not stray from the code requirements.

<p>the subject circumstances or conditions giving rise to the alleged hardship are not self-imposed, are not based solely on economic gain or loss, and do not generally affect most properties in the vicinity of the property.</p>	<p>This issue was not a self-imposed issue due to the building and the parking being constructed prior to any ordinances.</p>
<p>Granting the special exception is in harmony with the spirit, general purpose, and intent of this Chapter so that:</p> <p>(1) the public health, safety and welfare may be secured; and</p> <p>(2) that substantial justice may be done</p>	<p>The granting of the special exception is in harmony with the spirit, general purpose, and intent of the chapter.</p>

Recommendation

Staff analyzed the proposed special exception (VAR2020-0028) against the city’s code of ordinances and criteria for a special exception and is **recommending approval of the Special Exception to not provide additional parking spaces required** based on the criteria outlined above.

Planning and Zoning Commission Action

A motion was made by Vice Chair James to recommend City Council approval of VAR2020-0028: an application for a Special Exception to Chapter 30 Exhibit A Sec 5.7.6 and 5.7.7 regarding parking calculation requirements for mixed use buildings, and located at 100 Commons Suite 9, Dripping Springs, TX (R138851). Commissioner McIntosh seconded the motion which carried unanimously 7 to 0.

Attachments

- Exhibit 1 – Special Exception Application
- Exhibit 2 – Parking analysis
- Exhibit 3 – Photos and Parking
- Exhibit 4 – Applicant Letter

<p>Recommended Action:</p>	<p>Approval of the special exception</p>
<p>Budget/Financial Impact:</p>	<p>All fees have been paid.</p>
<p>Public Comments:</p>	<p>None Received at this time.</p>
<p>Enforcement Issues:</p>	<p>N/A</p>



CITY OF DRIPPING SPRINGS

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384

Dripping Springs, TX 78620

• 512.858.4725 • www.cityofdrippingsprings.com

ALTERNATIVE STANDARD/SPECIAL EXCEPTION/VARIANCE/WAIVER APPLICATION

Case Number (staff use only): _____ - _____

CONTACT INFORMATION

PROPERTY OWNER NAME Hudson Commons, LLC (owner)

STREET ADDRESS PO Box 162465

CITY Austin STATE Texas ZIP CODE 78716

PHONE (512) 328-8744 x 100 EMAIL phudson@hudson-properties.com

APPLICANT NAME Jon Thompson

COMPANY J Thompson Professional Consulting, LLC

STREET ADDRESS PO Box 172

CITY Dripping Springs STATE Texas ZIP CODE 78620

PHONE (512) 568-2184 EMAIL jthompsonconsultingds@gmail.com

APPLICATION TYPE

ALTERNATIVE STANDARD

VARIANCE

SPECIAL EXCEPTION

WAIVER



CITY OF DRIPPING SPRINGS

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384

Dripping Springs, TX 78620

• 512.858.4725 • www.cityofdrippingsprings.com

Item # 6.

ALTERNATIVE STANDARD/SPECIAL EXCEPTION/VARIANCE/WAIVER APPLICATION

Case Number (staff use only): _____ - _____

CONTACT INFORMATION

PROPERTY OWNER NAME Erik Turcotte, Turcotte Butchers & Delicatessen (tenant)
 STREET ADDRESS 236 Wincliff Drive
 CITY Buda STATE Texas ZIP CODE 78610
 PHONE (603) 438-5922 EMAIL turcottebutchers@gmail.com

APPLICANT NAME Jon Thompson
 COMPANY J Thompson Professional Consulting, LLC
 STREET ADDRESS PO Box 172
 CITY Dripping Springs STATE Texas ZIP CODE 78620
 PHONE (512) 568-2184 EMAIL jthompsonconsultingds@gmail.com

APPLICATION TYPE

ALTERNATIVE STANDARD

VARIANCE

SPECIAL EXCEPTION

WAIVER

PROPERTY INFORMATION

PROJECT NAME	Turcotte Butcher's & Delicatessen
PROPERTY ADDRESS	100 Commons, Ste # 9
CURRENT LEGAL DESCRIPTION	The Commons, Lot 1A-c
TAX ID#	R138851
LOCATED IN	<input checked="" type="checkbox"/> CITY LIMITS <input type="checkbox"/> EXTRATERRITORIAL JURISDICTION <input type="checkbox"/> HISTORIC DISTRICT OVERLAY

- o Description of request & reference to section of the Code of Ordinances applicable to request:

DS Code of Ordinances, Chapter 30, Exhibit A, "Zoning", Section 5.7.6 and 5.7.7 are the two relevant sections in question regarding calculation of parking for mixed use buildings and calculating based on most intensive use. In addition, Section 5.7.5, recognizes that a change in use which increases the need for parking by 10% or more only has to provide for the increase in parking over the previous use. (In this case, the previous use, Cricket Wireless, as a retail use required seven spaces. The delicatessen based on the seating/waiting area will require nine (9) spaces; an increase of two (2).)

- o Description of the hardship or reasons the Alternative Standard/Special Exception/Variance / Waiver is being requested:

The parking requirements for a delicatessen (restaurant) is eight (8) spaces based on the proposed 24 seats and nine (9) based on the square footage of the seating and waiting area. The existing center has been in operation since the early-to-mid-1980's before the City had an adopted zoning ordinance or parking standards. The issue is trying to fit new standards on old retail centers whose uses have always been a mixed use (in the early 1990s - two restaurants, full service grocery store, daycare, pharmacy, a video store, a real estate company and a title company.

- o Description of how the project exceeds Code requirements in order to mitigate or offset the effects of the proposed alternative standard/special exception/variance/waiver:

It is difficult to ascertain how this center can exceed code requirements for parking. The center underwent an extensive remodeling several years ago which brought the lighting into compliance, updated the exterior facades throughout the center, put in glass fronts on the retail building, converted to public sanitary sewer and entered into a master sign plan with the City. It continues to provide a moderately priced retail center and office center for the businesses of the community, as well as meeting the various needs of the community's demographics with a daycare, church, retail shopping second-hand store, and the town's original pharmacy and Grand Slam Pizza.

APPLICANT'S SIGNATURE

The undersigned, hereby confirms that he/she/it is the owner of the above described real property and further, that Jon Thompson, J Thompson Professional Consulting, LLC is authorized to act as my agent and representative with respect to this Application and the City's zoning amendment process.
(As recorded in the Hays County Property Deed Records, Instrument # 17020291.)

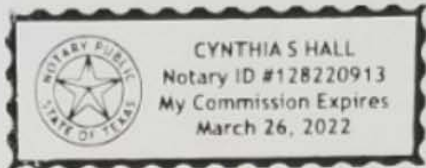
Paul C. Johnson

Name

Manager

Title

STATE OF TEXAS §
 §
COUNTY OF HAYS §



This instrument was acknowledged before me on the 22nd day of December

2020 by Cynthia S. Hall

ID # 128220913

Notary Public, State of Texas

My Commission Expires: March 26, 2022

Jon Thompson, J Thompson Professional Consulting, LLC
Name of Applicant

APPLICANT'S SIGNATURE

The undersigned, hereby confirms that he/she/it is the owner of the above described real property and further, that Jon Thompson, J Thompson Professional Consulting, LLC, is authorized to act as my agent and representative with respect to this Application and the City's zoning amendment process. (As recorded in the Hays County Property Deed Records, Instrument # 17020291.)

Erik Turcotte
Name

owner
Title

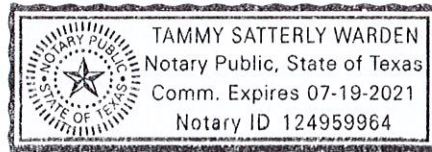
STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me on the 22 day of December,

2020 by Erik D Turcotte.

Jay Shool
Notary Public, State of Texas

My Commission Expires: 7-19-2021



Jon Thompson, J Thompson Professional Consulting, LLC
Name of Applicant

All required items and information (including all applicable above listed exhibits and fees) must be received by the City for an application and request to be considered complete. **Incomplete submissions will not be accepted.** By signing below, I acknowledge that I have read through and met the above requirements for a complete submittal:

Jon Thompson
Applicant Signature

December 21, 2020
Date

CHECKLIST		
STAFF	APPLICANT	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Completed Application Form - including all required signatures and notarized
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Application Fee (refer to Fee Schedule) \$525
<input type="checkbox"/>	<input checked="" type="checkbox"/>	PDF/Digital Copies of all submitted documents When submitting digital files, a cover sheet must be included outlining what digital contents are included.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Billing Contact Form
<input type="checkbox"/>	<input type="checkbox"/>	Photographs See attached photos of the exterior elevation
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Map/Site Plan/Plat See attached
<input type="checkbox"/>	<input type="checkbox"/>	Architectural Elevations (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Description and reason for request (attach extra sheets if necessary)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Public Notice Sign - \$25
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proof of Property Ownership-Tax Certificate or Deed
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Outdoor Lighting Ordinance Compliance Agreement - signed with attached photos/drawings (required if marked "Yes (Required)" on above Lighting Ordinance Section of application)

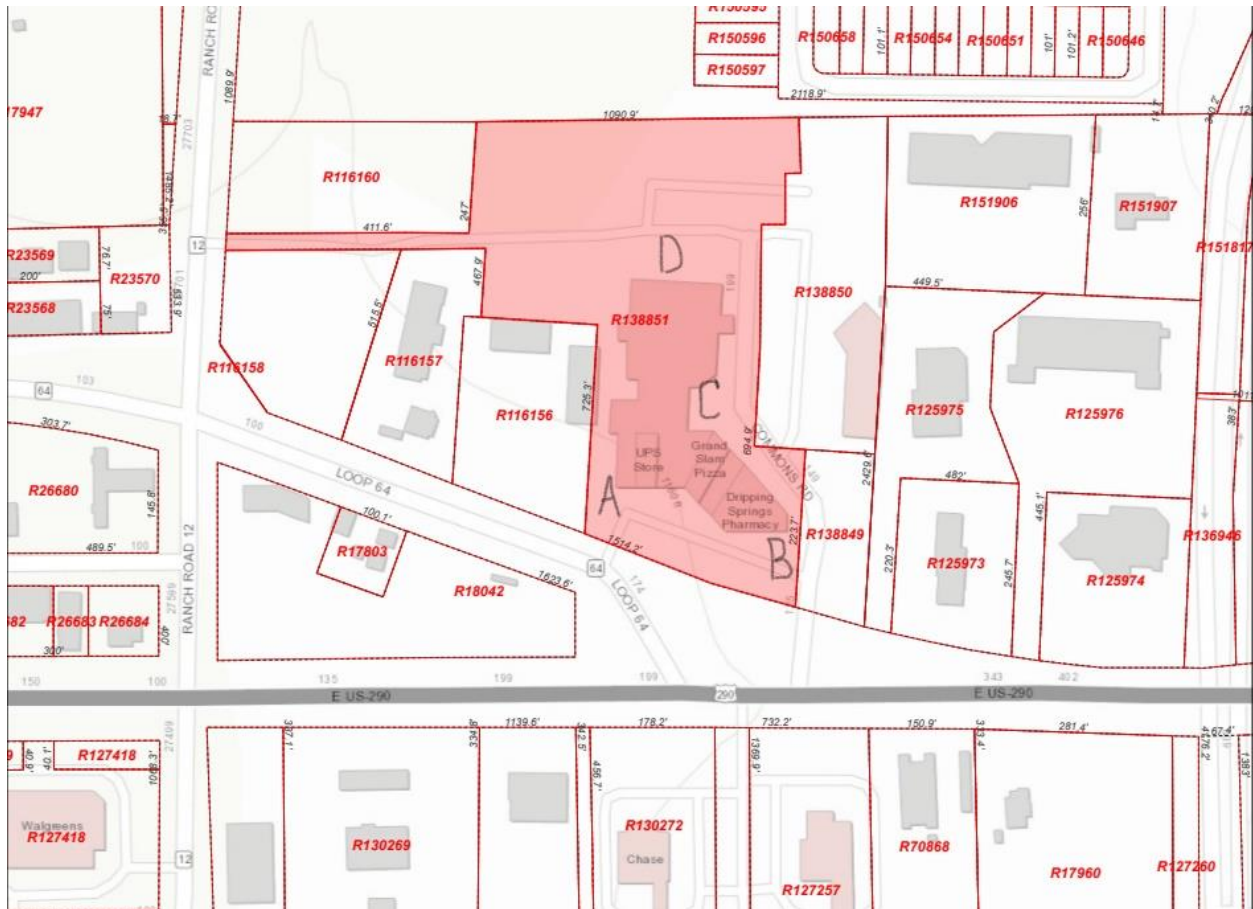
**The Commons
Parking Analysis (January 2021)**

Bldg/ Suite	Tenant Name	Square Footage	Required Ratio	Required Spaces	Use	Notes
1-01	Dripping Springs Pharmacy	4,666	1: 200	23.33	Retail	
1-02	Leslie Poolmart, Inc.	3,360	1: 200	16.80	Retail	
1-05	The Sated Sheep	1,510	1: 200	7.55	Retail	
1-06	Drane Chiropractic	1,023	1: 200	5.12	Medical Office	1 space for every 200 square feet
1-07	The UPS Store	1,506	1: 200	7.53	Post office / Personal services	1 space for every 200 square feet
1-08	Sharp Fitness	1,691	1: 150	11.27	Exercise Club	1 space for every 150 square feet
1-09	VACANT	1,551	1: 200	7.76	Retail	
1-12	Grand Slam Pizza	2,304	1: 100	23.04	Restaurant	1:200sf Assuming all the space is dining; which it's not; or 1
2-B	Goodwill Industries	10,166	1: 200	50.83	Retail	
2-07	Hill Country Bible Church	8,176	1: -		Church	Assumes off-peak parking load
2-11	The Workplace	4,214	1: 300	14.05	Office	
	SUBTOTAL	40,167		167.27		
	EXISTING SPACES AS JANUARY 2021			173		
3	Your Growing Child *	9,371		21.5	Daycare	Permitted for 215 students (https://www.dfps.state.tx.us/Child_Care/Search_Texas_Child_Care/ppFacilityDetails.asp?ptype=DC&fid=159016)
	TOTAL	49,538		188.77	Required	Requires 1 space for 10 students; plus one space per teacher and one for each van/bus

The Commons Lot 1A-C Parking site visit



I have broken up the parking into 4 zones that customers/residents may use to utilize the businesses at 100 Commons Rd.



Parking in zoning A is has a total of 19 parking spaces directly in front of Leslie’s Pool Supplies, UPS Store, The Sated Sheep, Sharp Fitness, Grand Slam Pizza, and the vacant property (previously Cricket Wireless, proposed Turcotte Butcher and Delicatessen).

The following photos were taken in Zone A





Zone B is directly in front of the entrance to the Dripping Springs Pharmacy and has easy access to the vacant property references before. Zone B has a total of 10 parking spaces directly in front and 15 on the side near the entrance to the Pharmacy



Zone C is directly in front of the Chiropractic Office, The Work Place, and the Hill Country Bible. This area has a total of 55 parking spaces. This zone also fronts the Daycare which is one a separate parcel and has parking on that parcel but some overlap of users may occur.



Parking Zone D is in the back of the property and is the access point to The Goodwill. This zone has roughly 53 parking spaces.



Turcotte Butcher's & Delicatessen
Variance from Parking Requirements
Additional Sheets

Description of Hardship

The Commons was built in approximately the early to mid-1980's in the same configuration it is in today with regard to buildings and parking spaces. At the time of its construction the City had incorporated but had no zoning regulations adopted with parking standards. The Commons has been full with different types of retail, office, and restaurant uses over the last thirty-plus years and at one time had two restaurants (Mexican Louie's and Grand Slam Pizza), the pharmacy, the daycare, a video store, a real estate company, a title company, and a full service grocery store. It is exceptionally hard to fit new ordinance requirements on top of ...(see attached) an existing shopping center that predated any parking regulations. A parking analysis has been done and can be provided to show the current uses, hours and days of operation to show that even at present and with a continuing change in tenants based on market forces and demands of the public, the number of parking spaces remain the same.

Description of Request & Reference to section of the Code of Ordinances applicable to request:

DS Code of Ordinances, Chapter 30, Exhibit A, "Zoning", Section 5.7.6 and 5.7.7 are the two relevant sections in question regarding calculation of parking for mixed use buildings and calculating based on most intensive use. In addition, Section 5.7.5, recognizes that a change in use which increases the need for parking by 10% or more only has to provide for the increase in parking over the previous use. (In this case, the previous use, Cricket Wireless, as a retail use required seven spaces. The delicatessen based on the seating/waiting area will require nine (9) spaces; an increase of two (2).)

The request can be based off of either scenario which would be either to request a variance from Sections 5.7.6 and 5.7.7 based on the history and age of the Commons and the application of new parking standards on a center whose history has been a mixed use retail/office/restaurant use or to request a variance from the two additional spaces that would be required over what the previous tenant's requirements were.

{Lease space is 1561 square feet; the previous tenant, Cricket Wireless, was required to have seven (7) spaces based on $1561/200 = 7.805$ or 8 spaces. The same lease space, 1561 square feet minus the 750 square feet of prep and storage which is not calculated for restaurant parking, leaves 811 square feet which when divided by 100 square feet for seating and waiting space requires nine spaces. $1561-750 = 811 / 100 = 8.11$ or 9.}

Parking Requirements for Restaurant:

Section 5.6(45):

"One (1) parking space for each one hundred (100) square feet of seating/waiting area, or one (1) space for every three (3) seats under maximum seating arrangement (i.e., occupancy), whichever is greater; required parking spaces are in addition to any stacking spaces that may be required for drive-through facilities."

Relevant code sections from Code of Ordinances:

5.7.5. Whenever a building or use is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase of ten percent (10%) or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change.

This would require the addition of one or two spaces based on the change in use from retail to restaurant. The retail use required seven spaces.

5.7.6. For buildings which have mixed uses within the same structure (such as retail and office), the parking requirement shall be calculated for the most intensive use. In cases where the design of the interior of the structure is not practical for alteration, the parking requirement may be calculated for each use within a structure for buildings over forty thousand square feet (40,000 sq. ft.).

5.7.7. Shared parking may be allowed in the case of mixed uses (different buildings) under the following conditions. Up to fifty percent (50%) of the parking spaces required for a theater or other place of evening entertainment (after 6:00 p.m.), or for a church, may be provided and used jointly by banks, offices, and similar uses not normally open, used, or operated during evening hours. Shared parking must be on the same parking lot. Reduction due to shared parking shall be determined by the City Administrator. To assure retention of the shared parking spaces, each property owner shall properly draw and execute a document expressing the same and shall file this agreement with the City of Dripping Springs.



CITY OF DRIPPING SPRINGS

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384 • Dripping Springs, TX 78620
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Gateway to the Hill Country

February 9, 2021

Hudson Commons, LLC
PO Box 162465
Austin, Texas 78716
PHudson@hudson-properties.com

**RE: Board of Adjustment Order of Approval Issued February 9, 2021
Application for Special Exception (VAR2020-0028)
Location: 101 Commons Road Suite 9, Dripping Springs, Texas 78620**

Chris Nygard,

The Board of Adjustment heard your request for a special exception on February 9, 2021. The Board considered the submitted Application for Special Exception, applicant presentation and the staff report as presented at the meeting. The Board voted **[Place Vote Here]** to approve your request as recommended by staff.

The submitted Application requests a special exception to the parking requirements from the City's Code of Ordinance Chapter 30 Zoning, Exhibit A Zoning Ordinance, Section 5.7 Rules for Computing Places. The Code states that for a mixed-use building parking shall be calculated for the most intense use.

5.7.6. For buildings which have mixed uses within the same structure (such as retail and office), the parking requirement shall be calculated for the most intensive use. In cases where the design of the interior of the structure is not practical for alteration, the parking requirement may be calculated for each use within a structure for buildings over forty thousand square feet (40,000 sq. ft.).

The intent of the Code is to ensure that all properties within the City Limits have and provide adequate amount of parking so as not to cause undue harm on the vicinity properties. The applicant is proposing to account for their use of a restaurant (Butcher and Delicatessen) and not for the overall building at 100 Commons Rd, the owner of the lot recently added 5 additional parking spaces which is ample parking for the tenants use.

When determining whether to grant the special exception the Board of Adjustment shall consider the below findings from Chapter 30 Zoning Exhibit A Zoning Ordinance Section 2.22.2:

- (1) there are special circumstances or conditions affecting the land involved such that the literal enforcement of the provisions of this Chapter would deprive the applicant of the reasonable use of the land; and



CITY OF DRIPPING SPRINGS

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384 • Dripping Springs, TX 78620
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Gateway to the Hill Country

- (2) the special exception is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
- (3) the granting of the special exception will not be detrimental to the public health, safety or welfare, or injurious to other property within the area; and
- (4) the granting of the special exception constitutes a minimal departure from this Chapter; and
- (5) the subject circumstances or conditions giving rise to the alleged hardship are not self-imposed, are not based solely on economic gain or loss, and do not generally affect most properties in the vicinity of the property.
- (6) Granting the special exception is in harmony with the spirit, general purpose, and intent of this Chapter so that:
 - a. the public health, safety and welfare may be secured; and
 - b. that substantial justice may be done

Order of the Board of Adjustment: Motion for Approval

[Add motion with any conditions or staff recommendations]

This letter has been filed with the City Secretary which is considered the office of the Board of Adjustment and shall serve as the decision contemplated in Section 211.011 of the Texas Local Government Code.

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary



City Council Planning Department Staff Report

Item # 7.

City Council Meeting: February 9, 2021

Project No: ANNEX2021-0001

Project Planner: Robyn Miga, Consulting Planner

Item Details

Project Name: Florio Tract Annexation

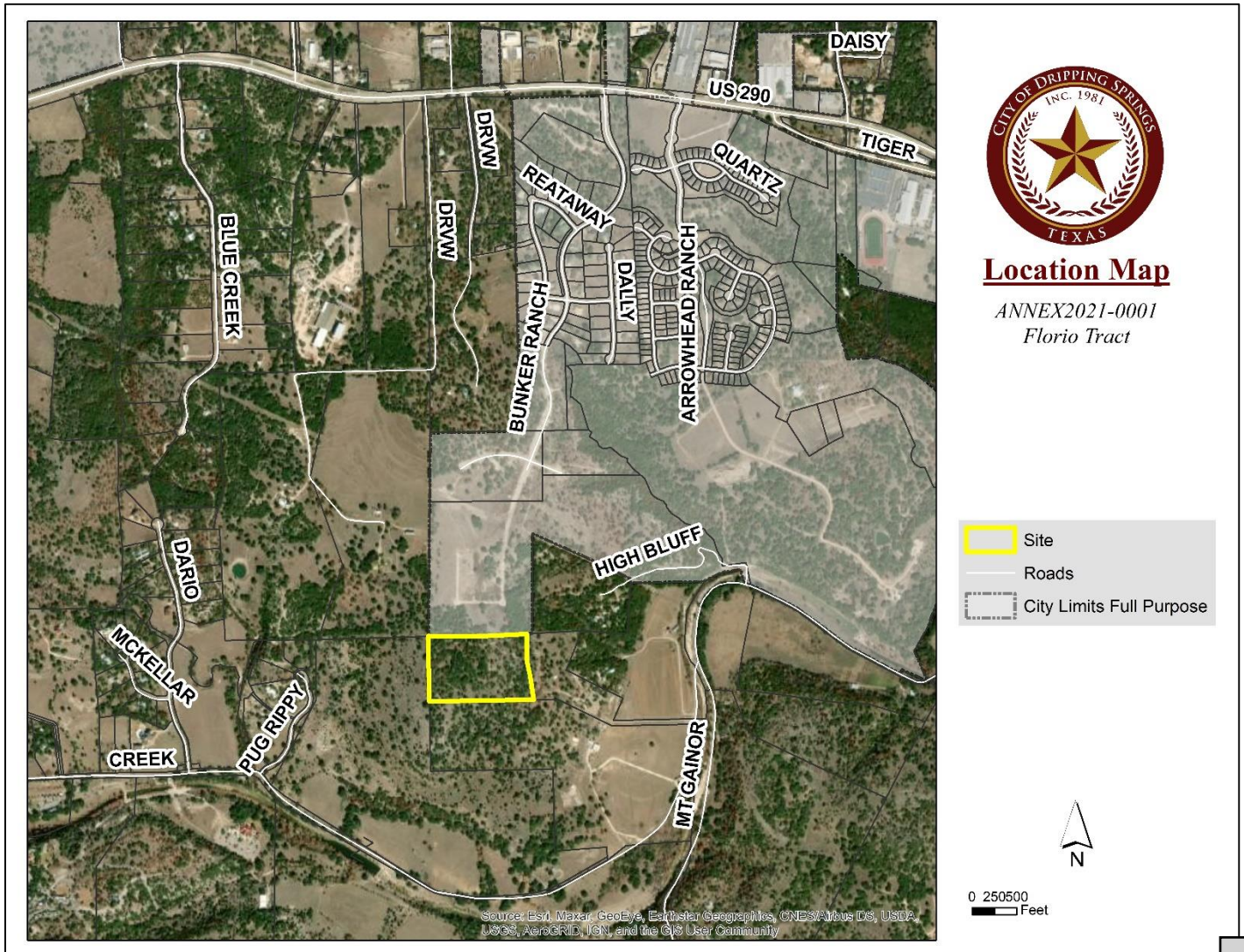
Property Location: 2100 Creek Road, south of Highway 290, north of Creek Road

Legal Description: Approximately 18.250 acres, situated in the Benjamin F. Hanna Survey No. 28, Abstract No. 222

Applicant: Steve Harren c/o Brian Estes, P.E.

Property Owners: Steve Harren

Request: Request for voluntary annexation and to begin negotiations regarding a service agreement.



Overview

The applicant is requesting to annex approximately 18.250 acres into the City Limits, which will become part of the overall Bunker Ranch Development. The site is part of a larger tract of land that has a homestead and will not be annexed as part of this proposed annexation. The attached exhibit shows this boundary.

The applicant is also proposing to rezone the site to SF-2, Moderate Density Residential, but that process will run separately and is not part of the annexation request.

Proposed Annexation and Zoning Schedule

February 9, 2021 – City Council takes action on moving forward with the proposed annexation and allowing staff to negotiate the services agreement.

February 23, 2021 – The Planning & Zoning Commission will conduct a public hearing and consider the proposed zoning designation of SF-2.

March 9, 2021 – City Council will approve the municipal services agreement and conduct a public hearing regarding the annexation of the property.

March 9, 2021 – City Council will conduct a public hearing and consider the proposed zoning designation of SF-2.

Public Notification

None required at this time, but notice will be published for the public hearing annexation, as well as the proposed rezoning in accordance with the City’s Code of Ordinances, as well as State Law.

Attachments

Exhibit 1: Annexation Request

Exhibit 2: Property Survey

Recommended Action:	Staff is recommending approval.
Alternatives/Options:	Recommend denial of the proposed annexation.
Budget/Financial Impact:	None calculated at this time, however, those properties in the city limits will be subject to property taxes.
Public Comments:	No public comment was received for this request.
Enforcement Issues:	N/A



January 11, 2021

Amanda Padilla, Senior Planner
City of Dripping Springs
511 Mercer Street
Dripping Springs, TX 78620

LIST OF DIGITAL CONTENTS

Subject: Annexation Request – Florio Tract (Overlook at Bunker Ranch, LLC)
CEC Project 304-065

The following digital contents are included in the Annexation application:

- Completed Application Form with required signatures and notarized (includes owner's signature)
- GIS Data of the subject tract to be annexed into the City Limits
- Hays CAD Map
- Aerial Map
- Annexation Request Letter
- Deed for proof of ownership

If there are any questions, please contact us directly at (512) 439-0400 or via email at ccordoba@cecinc.com.

Sincerely,

CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

A handwritten signature in black ink that reads 'McCordoba'.

Cristina Cordoba
Project Consultant

Enclosures: Annexation application and application checklist materials



January 8, 2021

Amanda Padilla, Senior Planner
City of Dripping Springs
511 Mercer Street
Dripping Springs, TX 78620

Dear Amanda Padilla:

Subject: Annexation Request – Florio Tract (Overlook at Bunker Ranch, LLC)
CEC Project 304-065

The property owners of the property below, Overlook at Bunker Ranch, LLC, request annexation into the full purpose city limits of Dripping Springs:

*18.250 Acre Tract of Land out of the Benjamin F. Hanna Survey No. 28, and more particularly described in the Special Warranty Deed Filed and Recorded at Hays County Clerk Office on December 31, 2020 under **Document No. 20061246.***

If there are any questions, please contact us directly at (512) 439-0400 or via email at ccordoba@cecinc.com.

Sincerely,

CIVIL & ENVIRONMENTAL CONSULTANTS, INC.

A handwritten signature in black ink that reads 'McCordoba'.

Cristina Cordoba
Project Consultant

A handwritten signature in black ink that appears to be 'B. Estes'.

Brian Estes, PE
Principal

Enclosures: Annexation application and application checklist materials

cc: Steve Harren



CITY OF DRIPPING SPRINGS

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384

Dripping Springs, TX 78620

• 512.858.4725 • www.cityofdrippingsprings.com

ANNEXATION APPLICATION

Case Number (staff use only): _____ - _____

CONTACT INFORMATION

PROPERTY OWNER NAME STEVE HARREN

STREET ADDRESS 317 Grace Lane #240

CITY City of Austin STATE TX ZIP CODE 78746

PHONE (512)644-6800 EMAIL steveharren@aol.com

APPLICANT NAME Brian Estes, PE/ Cristina Cordoba

COMPANY Civil and Environmental Consultants Inc.

STREET ADDRESS 3711 S. Mo Pac Expy Suite 550

CITY Austin STATE Texas ZIP CODE 78746

PHONE 512-439-0400 EMAIL ccordoba@cecinc.com

TYPE OF ANNEXATION APPLICATION

PROPERTY OWNER(S) WITH ANNEXATION AGREEMENT (TEXAS LOCAL GOVERNMENT CODE 43.0671).

VOTERS-LESS THAN 200 POPULATION-AT LEAST 50% APPROVAL (TEXAS LOCAL GOVERNMENT CODE 43.0681)

DEVELOPMENT AGREEMENT (TEXAS LOCAL GOVERNMENT CODE 212.172)

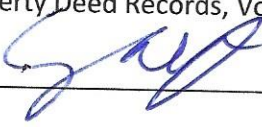
PROPERTY INFORMATION

PROPERTY OWNER NAME	Steve Harren
PROPERTY ADDRESS	2100 Creek Rd, DRIPPING SPRINGS, TX 78620
CURRENT LEGAL DESCRIPTION	18.25 Acre Tract of Land described in Exhibit "A" of Deed Recorded under Hays County Document # 20061246
TAX ID#	R14993
CURRENT LAND USE	AG
REQUESTED ZONING	SF2
REASON FOR REQUEST <i>(Attach extra sheet if necessary)</i>	Annex into full purpose city limits. The site will be served by DSWSC for water service. Private septic wastewater facilities will be used. PEC will provide electric service.
INFORMATION ABOUT PROPOSED USES <i>(Attach extra sheet if necessary)</i>	SF Subdivision

APPLICANT'S SIGNATURE

The undersigned, hereby confirms that he/she/it is the owner of the above described real property and further, that Brian Estes (Civil & Environmental Consultants, Inc.) is authorized to act as my agent and representative with respect to this Application and the City's zoning amendment process.

(As recorded in the Hays County Property Deed Records, Vol. _____, Pg. _____.) **Document # 20061246**

Steve Harren 
Name

Owner The Overlook at Bunker Ranch, LLC
Title

STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me on the 5th day of January,

2021 by Steve Harren




Notary Public, State of Texas

My Commission Expires: 01/31/2023

Brian Estes (Civil & Environmental Consultants, Inc.)
Name of Applicant

ANNEXATION APPLICATION SUBMITTAL

All required items and information (including all applicable above listed exhibits and fees) must be received by the City for an application and request to be considered complete. **Incomplete submissions will not be accepted.** By signing below, I acknowledge that I have read through and met the above requirements for a complete submittal:

Applicant Signature

Date 1/5/21

CHECKLIST

STAFF	APPLICANT	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Completed Application Form - including all required signatures and notarized
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Agreement of All Owners with Signatures or Registered Voters (at least 50%)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	PDF/Digital Copies of all submitted Documents
<input type="checkbox"/>	<input checked="" type="checkbox"/>	When submitting digital files, a cover sheet must be included outlining what digital contents are included.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Zoning Application (if applicable)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	GIS Data
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	List of requested utilities or services (if any) See "Reason for Request" section of app.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Legal Description
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Maps
<input type="checkbox"/>	<input checked="" type="checkbox"/>	List of Current Uses
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Explanation for request (<i>attach extra sheets if necessary</i>)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Information about proposed uses (<i>attach extra sheets if necessary</i>)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Public Notice Sign - (<i>refer to Fee Schedule</i>)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proof of Ownership-Tax Certificate or Deed
<input type="checkbox"/>	<input type="checkbox"/> n/a	Copy of any Agreements with City including Utility or Development (<i>if applicable</i>)
<input type="checkbox"/>	<input type="checkbox"/> n/a	Information related to property's presence in a special district

Project Number: _____ - _____
Only filled out by staff

Date, initials



BILLING CONTACT FORM

Project Name: Florio Tract
Project Address: 2100 Creek Rd, DRIPPING SPRINGS, TX 78620
Project Applicant Name: Brian Estes / Cristina Cordoba

Billing Contact Information

Name: Steve Harren
Mailing Address: 317 Grace Lane #240
Austin, Texas 78746
Email: steveharren@aol.com Phone Number: (512)644-6800

Type of Project/Application (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Alternative Standard | <input type="checkbox"/> Special Exception |
| <input type="checkbox"/> Certificate of Appropriateness | <input type="checkbox"/> Street Closure Permit |
| <input type="checkbox"/> Conditional Use Permit | <input checked="" type="checkbox"/> Subdivision |
| <input type="checkbox"/> Development Agreement | <input type="checkbox"/> Waiver |
| <input type="checkbox"/> Exterior Design | <input type="checkbox"/> Wastewater Service |
| <input type="checkbox"/> Landscape Plan | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Lighting Plan | <input checked="" type="checkbox"/> Zoning |
| <input type="checkbox"/> Site Development Permit | <input checked="" type="checkbox"/> Other <u>Annexation</u> |

*Applicants are required to pay all associated costs associated with a project's application for a permit, plan, certificate, special exception, waiver, variance, alternative standard, or agreement, regardless of City approval. Associated costs may include, but are not limited to, public notices and outside professional services provided to the City by engineers, attorneys, surveyors, inspectors, landscape consultants, lighting consultants, architects, historic preservation consultants, and others, as required. Associated costs will be billed at cost plus 20% to cover the City's additional administrative costs. **Please see the online Master Fee Schedule for more details.** By signing below, I am acknowledging that the above listed party is financially accountable for the payment and responsibility of these fees.*



















Signature of Applicant

1/8/2021
Date

Aerial Map

Write a description for your map.

Legend

-  Bunker Ranch Blvd Item # 7.
-  CrossFit Dripping Springs
-  Dollar General Store
-  Dripping Springs
-  Dripping Springs
-  Dripping Springs City Hall
-  Dripping Springs Football stadium
-  Feature 1
-  Feature 2
-  Feature 3
-  Florio Tract Approximate Location
-  Hays County Sheriff's Dept
-  Home On the Range
-  Magic Greens
-  Pharmacy
-  Rose Real Estate
-  Tank Town

Bunker Ranch Blvd

Florio Tract Approximate Location

Clerk's Note: At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon of photocopy, discolored paper, etc. All blackouts, additions and changes were present at the time the instrument was filed.

Item # 7.

NOTICE OF CONFIDENTIALITY RIGHTS; IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS. YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

Corridor Title GF# 20-4296-D

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF HAYS §

THAT Bent Sky Investments, LLC, a Texas limited liability company ("Grantor"), for and in consideration of the sum of \$10.00 and other good and valuable consideration paid to Grantor by The Overlook at Bunker Ranch, LLC, a Texas limited liability company ("Grantee"), having an address at 317 Grace Lane, Suite 240, Austin, Texas 78746, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does hereby GRANT, SELL AND CONVEY unto Grantee, all of that certain real property situated in Hays County, Texas, more particularly described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property");

SUBJECT, HOWEVER, to the matters set forth in Exhibit "B" attached hereto and made a part hereof (the "Permitted Exceptions"), and standby fees, taxes and assessments by any taxing authority for the years 2021 and thereafter, not yet due and payable. Further, the conveyance is subject to the restrictions and reservations described on Exhibit "C" attached hereto and made a part hereof (the "Restrictions").

GRANTOR MAKES NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR PURPOSE IN RESPECT OF THE PROPERTY, AND THE SAME IS SOLD IN AN "AS IS, WHERE IS" CONDITION, WITH ALL FAULTS AND DEFECTS AND ATTRIBUTES KNOWN OR UNKNOWN TO GRANTOR, NONE OF WHICH ARE HEREBY WARRANTED BY GRANTOR. BY ACCEPTANCE OF DELIVERY, GRANTEE AFFIRMS THAT GRANTEE HAS NOT RELIED ON GRANTOR'S SKILL OR JUDGMENT TO SELECT OR FURNISH THE PROPERTY FOR ANY PARTICULAR PURPOSE, AND THAT GRANTOR MAKES NO WARRANTY THAT THE PROPERTY IS FIT FOR ANY PARTICULAR PURPOSE AND THAT THERE ARE NO REPRESENTATIONS OR WARRANTIES, EXPRESSED, IMPLIED, OR STATUTORY, EXCEPT AS EXPRESSLY SET FORTH IN THE PURCHASE AGREEMENT AND THE WARRANTY OF TITLE HEREIN DESCRIBED, AND GRANTOR HAS FULL POWER, RIGHT, AND AUTHORITY TO CONVEY TITLE THERETO.

TO HAVE AND TO HOLD the Property, subject to the aforesaid encumbrances, unto Grantee, Grantee's successors and assigns, forever, and Grantor does hereby bind Grantor and Grantor's successors and assigns to WARRANT AND FOREVER DEFEND all singular the Property, subject to the aforesaid encumbrances, unto Grantee, Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

EXECUTED as of Dec. 31, 2020.

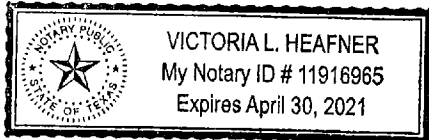
GRANTOR:

Bent Sky Investments, LLC
A Texas limited liability company

By: KFL
Name: Kyle Florio
Title: Member

STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me on Dec. 31, 2020 by Kyle Florio, Member of Bent Sky Investments, LLC, a Texas limited liability company, on behalf of said limited liability company.



[Signature]
Notary Public, State of Texas

EXHIBIT "A"

18.250 ACRES
BUNKER RANCH
DRIPPING SPRINGS, TX

PROJECT NO.: 181-500
DECEMBER 23, 2020

LEGAL DESCRIPTION

BEING AN 18.250 ACRE TRACT OF LAND (INCLUDING A 60 SQUARE FOOT AREA IN CONFLICT) OUT OF THE BENJAMIN F. HANNA SURVEY NO. 28, ABSTRACT NO. 222, SITUATED IN HAYS COUNTY, TEXAS, BEING A PORTION OF A CALLED 34.26 ACRE TRACT CONVEYED TO CHARLES B. FLORIO AND KYLE FLORIO BY DEED OF RECORD IN VOLUME 5262, PAGE 573, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.T.); SAID 18.250. ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a ½ inch iron rod found in the south line of a called 5.01 acre tract conveyed to Bobby Glean Stevens and Dorrae Tubb Stevens by deed of record in Document No. 15011837, O.P.R.H.C.T. at the northerly common corner of said 34.26 acre tract and of a called 34.27 acre tract conveyed to Barbara Jean Johnson by deed of record in Volume 1055, Page 894, O.P.R.H.C.T.;

THENCE, along the common line of said 34.26 acre tract and of said 5.01 acre tract, S86°47'54"W, a distance of 543.83 feet to a ½ inch iron rod found at the southerly common corner of said 5.01 acre tract and of the remainder of a called 111.67 acre tract conveyed to Bunker Ranch, LLC by deed of record in Document No. 16020931, O.P.R.H.C.T.;

THENCE, along the common line of said 34.26 acre tract and said remainder of 111.67 acre tract, S86°01'29"W, a distance of 73.64 feet to a ½ inch iron rod with "CEC" cap set for the **POINT OF BEGINNING**, hereof;

THENCE, over and across said 34.26 acre tract, the following three (3) courses and distances:

1. S00°13'03"W, a distance of 308.03 feet to a set ½ inch iron rod with "CEC" cap;
2. S12°51'27"E, a distance of 164.56 feet to a set ½ inch iron rod with "CEC" cap;
3. S07°29'25"E, a distance of 266.18 feet to a ½ inch iron rod with "CEC" cap set in the common line of said 34.26 acre tract and of a called 74.00 acre tract conveyed to Robert A. Garland, Jr. and Amy L. Garland by deed of record in Document No. 14020704, O.P.R.H.C.T.;

THENCE, along the common line of said 34.26 acre tract and of said 74.00 acre tract, S89°02'53"W, a distance of 1,141.56 feet to a 5/8 inch iron rod with "Staudt Surveying" cap found in the east line of a called 603.70 acre tract conveyed to Anna Marie Widen Speir, et al, by deed of record in Document 00025671, O.P.R.H.C.T., at the westerly common corner of said 34.26 acre tract and of said 74.00 acre tract;

THENCE, along the common line of said 34.26 acre tract and of said 603.70 acre tract, N01°06'51"W, passing at 713.92 feet, an 8" cedar fence post found in the common line of said 603.70 acre tract and of a called 79.61 acre tract conveyed to P & H Family Limited Partnership No. 1 by deed of record in Document No. 00025538, O.P.R.H.C.T., from said fence post, a found ½ inch iron rod bears N86°15'32"E, a distance of 5.94 feet, and continuing an additional 11.21 feet (bounding area in conflict) for a total distance of 725.12 feet to a set ½ inch iron rod with "CEC" cap;

18.250 ACRES
 BUNKER RANCH
 DRIPPING SPRINGS, TX

PROJECT NO.: 181-500
 DECEMBER 23, 2020

THENCE, S89°22'34"E, passing at a distance of 5.01 feet (bounding area of conflict), a ½ inch iron rod found for the southwesterly corner of said remainder of 111.67 acre tract, continuing along the common line of said 34.26 acre tract and said remainder of 111.67 acre tract for a total distance of 242.11 feet to a found ½ inch iron rod;

THENCE, continuing with the common line of said 34.26 acre tract and said remainder of 111.67 acre tract, the following four (4) courses and distances:

1. N89°12'53"E, a distance of 336.81 feet to a found ½ inch iron rod;
2. N87°39'49"E, a distance of 260.74 feet to a found ½ inch iron rod;
3. N87°07'43"E, a distance of 173.46 feet to a found ½ inch iron rod;
4. N86°01'29"E, a distance of 72.88 feet to the **POINT OF BEGINNING**, and containing 18.250 acres (794,923 square feet, including 60 square feet in conflict) of land, more or less.

THE BASIS OF BEARING OF THIS SURVEY IS TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NSRS 2011(2012A), UTILIZING THE LEICA SMARTNET CONTINUALLY OPERATING REFERENCE NETWORK.

Witness my hand and seal this 23rd day of December, 2020.

Frank W. Funk

Frank William Funk, R.P.L.S. 6803
 Civil & Environmental Consultants, Inc.
 3711 S. MoPac Expressway, Building 1, Suite 550
 Austin, TX 78746
 Texas Registered Surveying Firm No. 10194419



EXHIBIT "B"
PERMITTED EXCEPTIONS

1. Restrictions, covenants and conditions described in instruments recorded in Volume 1179, Page 530 and Volume 4974, Page 884, Official Public Records, Hays County, Texas.
2. Building setback lines as set out and described in restrictions, recorded in Volume 4974, Page 884, of the Official Public Records of Hays County, Texas.
3. Easements, terms, conditions, and stipulations in that certain Easement Agreement for Utilities, by and between Frank Paul Leal, Jr. and Robert A. Garland and Amy L. Garland, as recorded in Volume 4975, Page 1, of the Official Public Records of Hays County, Texas.
4. Terms, conditions, and stipulations in that certain Registration of Exempt Subdivision, as recorded in Document No. 16023129, of the Official Public Records of Hays County, Texas.
5. Undivided interest in and to all oil, gas and other minerals in, on, under or that may be produced from the herein described property, together with all rights relating thereto, express or implied, conveyed by E. A. Foster, to H. J. McMullen, under deed dated April 19, 1928, and recorded in Volume 95, Page 472, of the Deed Records of Hays, County, Texas.

EXHIBIT "C"
Restrictions

1. There shall be a variable width setback buffer from the common boundary line between the Property and Seller's remaining property within that area comprising approximately 0.425 acres of land out of the Benjamin F. Hanna Survey No. 28, Abstract No. 222, in Hays County, Texas; being more particularly described on Exhibit "C-1" attached hereto and incorporated herein (the "Restriction Area"), which Restriction Area will remain a natural vegetative buffer. The existing vegetation and trees shall not be removed or destroyed from the restriction Area, but there may be permitted trimming in order to install a game fence within the restriction Area.

EXHIBIT C-1

0.425 ACRE
BUNKER RANCH
DRIPPING SPRINGS, TX

PROJECT NO.: 181-500
DECEMBER 23, 2020

**RESTRICTION AREA
LEGAL DESCRIPTION**

BEING A 0.425 ACRE TRACT OF LAND OUT OF THE BENJAMIN F. HANNA SURVEY NO. 28, ABSTRACT NO. 222, SITUATED IN HAYS COUNTY, TEXAS, BEING A PORTION OF A 18.250 ACRE PORTION OF A CALLED 34.26 ACRE TRACT AND ALSO A PORTION OF THE REMAINDER OF A CALLED 34.26 ACRE TRACT CONVEYED TO CHARLES B. FLORIO AND KYLE FLORIO BY DEED OF RECORD IN VOLUME 5262, PAGE 573, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.T.); SAID 0.425 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a ½ inch iron rod with "CEC" cap set in the common line of said 34.26 acre tract and of the remainder of a called 111.67 acre tract conveyed to Bunker Ranch, LLC by deed of record in Document No. 16020931, O.P.R.H.C.T., at the northerly common corner of said 18.250 acre tract and of said remaining portion of 34.26 acre tract, from which point a ½ inch iron rod found at the southerly common corner of said remainder of 111.67 acre tract and of a called 5.01 acre tract of land conveyed to Bobby Glenn Stevens and Dorrae Tubb Stevens by deed of record in Document No. 15011837, O.P.R.H.C.T., bears N86°01'29"E, a distance of 73.64 feet;

THENCE, along the common line of said 18.250 acre tract and of said remainder of 34.26 acre tract, S00°13'03"W, a distance of 308.03 feet to a set ½ inch iron rod with "CEC" cap;

THENCE, over and across said remainder of 34.26 acre tract, the following three (3) courses and distances:

1. N77°08'33"E, a distance of 12.50 feet to a calculated point;
2. S12°51'27"E, a distance of 165.15 feet to a calculated point;
3. S07°29'25"E, a distance of 268.20 feet to a calculated point on the common line of said remainder of 34.26 acre tract and of a called 74.00 acre tract conveyed to Robert A Garland, Jr. and Amy L. Garland by deed of record in Volume 4974, Page 869, O.P.R.H.C.T.;

THENCE, along the common line of said 74.00 acre tract and partially of said remainder of 34.26 acre tract and partially of said 18.250 acre tract, S89°02'53"W, passing at a distance of 12.58 feet, a ½ inch iron rod with "CEC" cap set at the southerly common corner of said 18.250 acre tract and of said remainder of 34.26 acre tract, continuing for a total distance of 25.16 feet to a calculated point;

THENCE, over and across said 18.250 acre tract, the following four (4) courses and distances:

1. N07°29'25"W, a distance of 264.16 feet to a calculated point;
2. N12°51'27"W, a distance of 166.83 feet to a calculated point;
3. N89°33'14"W, a distance of 12.18 feet to a calculated point;

0.425 ACRE
BUNKER RANCH
DRIPPING SPRINGS, TX


PROJECT NO.: 181-500
DECEMBER 23, 2020

4. N00°13'03"E, a distance of 306.20 feet to a calculated point on the common line of said 18.250 acre tract and of said remainder of 111.67 acre tract;

THENCE, along the common line of said 18.250 acre tract and of said remainder of 111.67 acre tract, N86°01'29"E, a distance of 25.07 feet to the **POINT OF BEGINNING**, and containing 0.425 acre (18,524 square feet) of land, more or less.

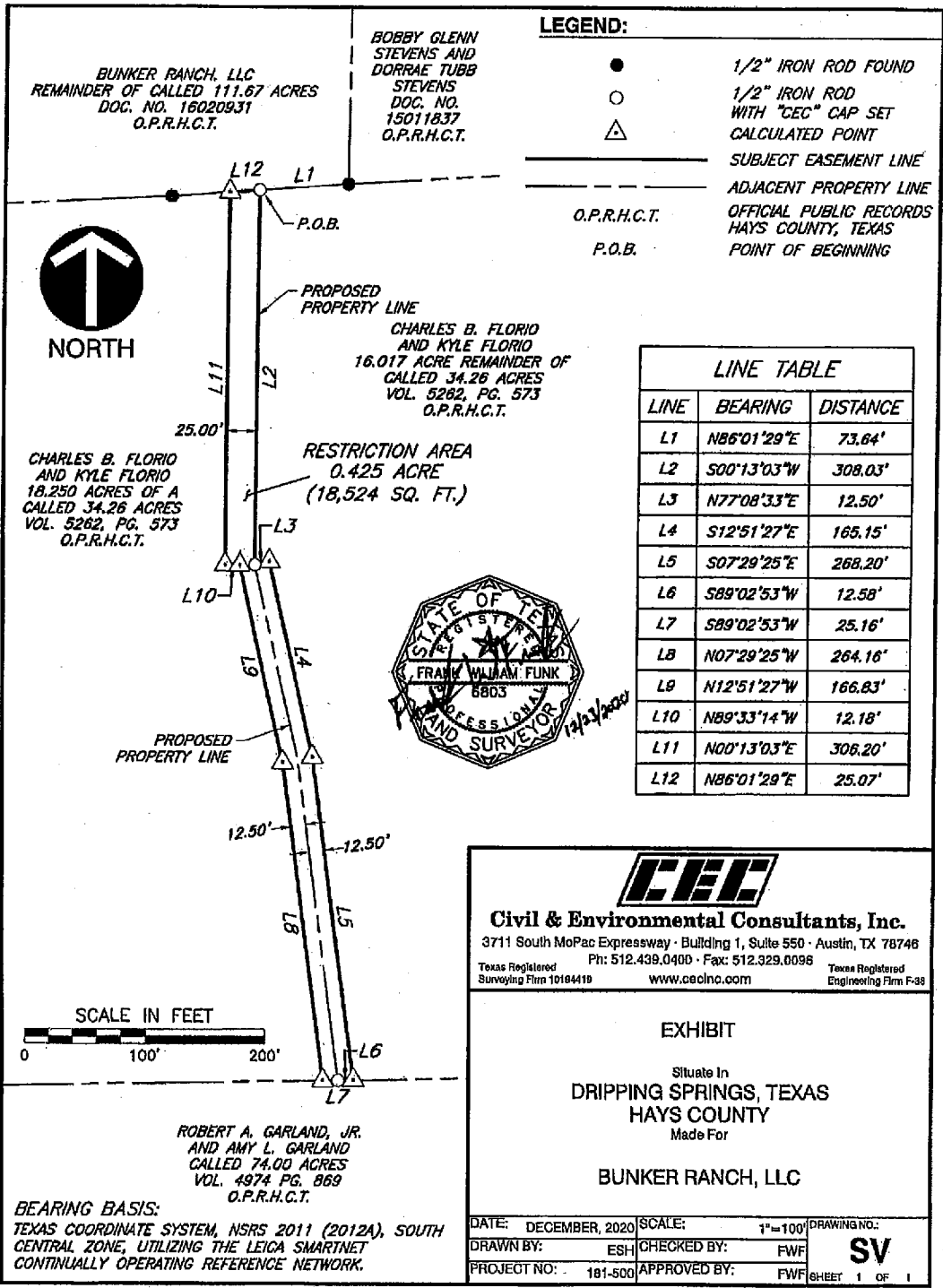
THE BASIS OF BEARING OF THIS SURVEY IS TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NSRS 2011(2012A), UTILIZING THE LEICA SMARTNET CONTINUALLY OPERATING REFERENCE NETWORK.

Witness my hand and seal this 23rd day of December, 2020.


Frank William Funk, R.P.L.S. 6803
Civil & Environmental Consultants, Inc.
3711 S. MoPac Expressway, Building 1, Suite 550
Austin, TX 78746
Texas Registered Surveying Firm No. 10194419



Item # 7.



P:\181-500\Survey\Draw\181-500-S101 FLORIO R1E1.dwg [LAYOUT] LS(12/21/2020 - 11:36 AM) - LP: 12/23/2020 11:36 AM

**THE STATE OF TEXAS
COUNTY OF HAYS**

I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the Records of Hays County, Texas.

20061246 DEED
12/31/2020 02:18:31 PM Total Fees: \$62.00

Elaine H. Cárdenas, MBA, PhD, County Clerk
Hays County, Texas





City Council Planning Department Staff Report

Item # 8.

City Council Meeting: February 9, 2021
Project No: ZA2020-0011
Project Planner: Robyn Miga, Consulting Planner





Item Details

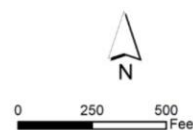
Project Name: 210 Creek Road Rezoning
Property Location: 210 Creek Road, south of Highway 290, north of Creek Road
Legal Description: Approximately 4.003 acres, situated in the P.A. Smith Survey, No. 26, Abstract No. 415
Applicant: J Thompson Professional Consulting, LLC c/o Jon Thompson
Property Owners: Koinis Ventures LLC c/o Anthony Koinis
Request: Rezoning request from Two-Family Residential, Duplex (SF-4) to Multi-Family (MF), with a Conditional Use Overlay restricting the site to not be able to build Multi-Family Dwelling.



Location Map

ZA2020-0011
210 Creek Road

-  Site
-  Roads
-  City Limits Full Purpose
-  Dripping Springs ETJ



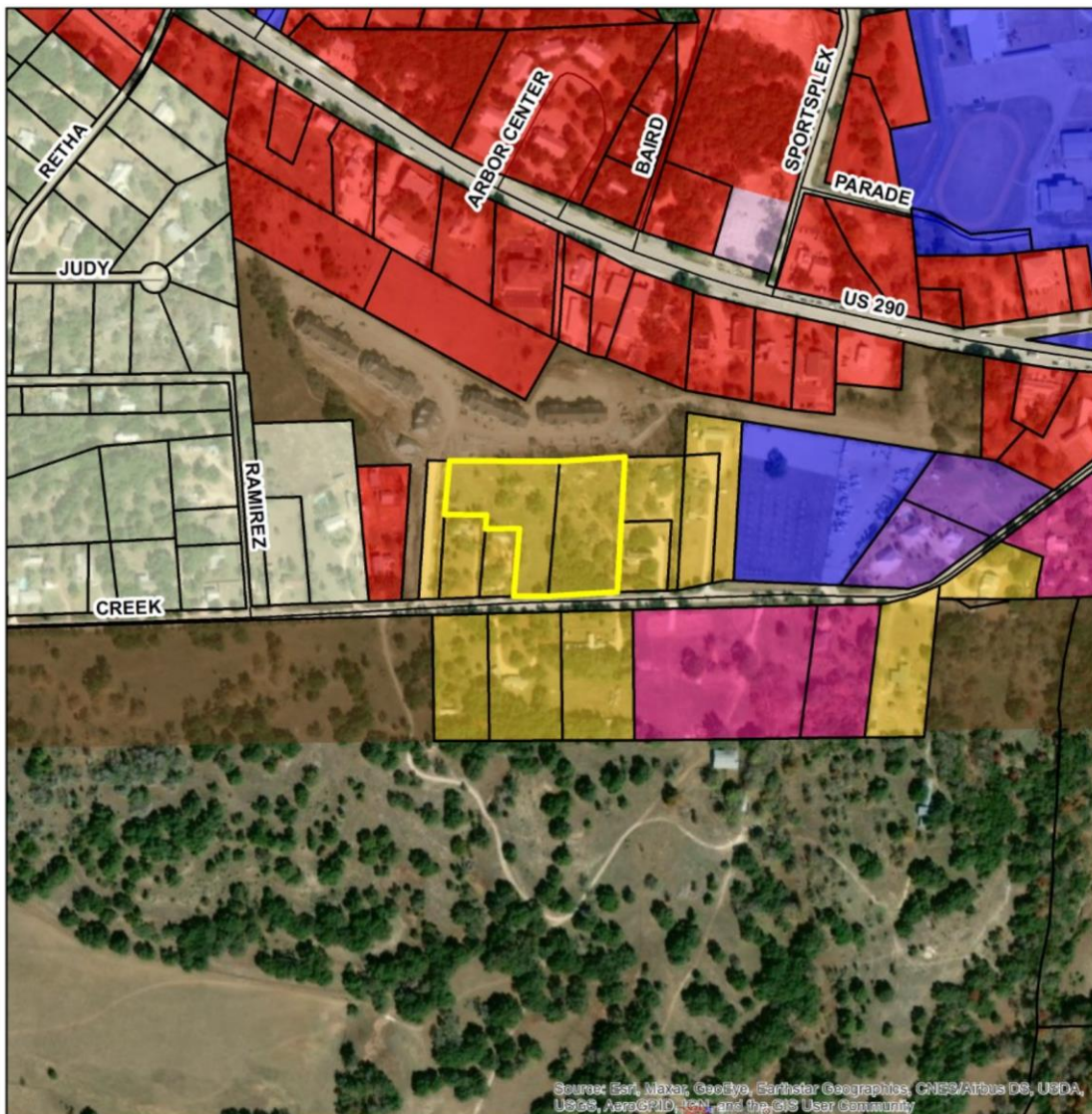
Overview

The applicant is requesting to rezone the property from Two-Family Residential, Duplex (SF-4) to Multifamily (MF).

The applicant is proposing 18 detached single-family units, to be built under a condominium declaration, which would allow for the property to be subdivided by units instead of lots. The City treats condominium developments as multi-family, because it allows for the property to be developed with multiple dwelling units on one property. While subdivision is separate from zoning, and zoning is the first step in the process of development prior to platting, it is noteworthy for the proposed zoning case, because the City is proposing that there be a Conditional Use Overlay restricting the site from constructing Multi-Family Dwellings. Although the applicant has submitted a proposed concept plan with detached single-family dwellings, without the Conditional Use Overlay, the applicant would be able to develop the site with any of the proposed uses that are allowed by right on the zoning use chart for Multi-Family (as attached).

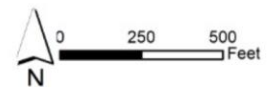
Furthermore, under Section 3.8.6(h), Special Requirements, single-family units are allowed to be constructed in the MF district and “shall conform to the regulations that correlate with the appropriate residential category that is proposed to be used on the property.” Based on the number of units proposed in the applicant’s request, this applicant would follow the development standards associated with SF-3 as an allowed use in MF.

Surrounding Properties



Zoning Map
ZA2020-0011
210 Creek Rd

- SF-1
- SF-2
- SF-4
- MF
- GUI
- O
- LR
- GR
- CS
- Site



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

The current zoning and existing uses of the adjacent properties to the north, south, east, and west are outlined in the table below:

Direction	Zoning District	Existing Use	Comprehensive Plan
North	Multifamily (MF)	Apartment Complex (Western Springs)	None of these properties are called out in the comprehensive plan
East	SF-4, Two-Family Residential	Residential	
South	SF-4, Two-Family Residential	Residential	
West	SF-4, Two-Family Residential, Commercial Services	Residential	

Development Standards

Development Standards for Multi-family	
Size of Lots	
Minimum Lot area	1,815 square ft./dwelling unit
Minimum Lot Width	60'
Minimum Lot Depth	150'
Setback Requirements	
Minimum Front Yard	30'
Minimum Side Yard	15', 45' when building is in excess of one story in height and adjacent to single-family zoning district.
Minimum Rear Yard	25', 45' when the building is in excess of one story and adjacent to SF zoning district.
Height Regulations	
Main Building	2 stories, or 40', whichever is less, for the main buildings
Accessory Building	25'
Other Development Standards	
Impervious Cover	60% total, including main buildings and accessory buildings
Min. Building Separation	20' for buildings with or without openings

As previously mentioned, while the site is proposed to be zoned to MF because of the condominium form of development, the property would follow the zoning regulations for the SF-3 District (if constructing units similar to those proposed on the concept plan), as allowed by the City's Code. Those regulations are as follows:

Development Standards for SF-3	
Size of Lots	
Minimum Lot area	3,500 sq. ft.
Minimum Lot Width	35'
Minimum Lot Depth	150'
Setback Requirements	
Minimum Front Yard	10'

Minimum Side Yard	5'; corner lots – 7.5 from street ROW
Minimum Rear Yard	10'
Minimum Setback for Garage Door from Alley	10'
Minimum Setback for Garage Door from Front Curb or sidewalk	25'
Height Regulations	
Main Building	2 ½ stories, or 40', whichever is less, for the main structures
Accessory Building	15'
Other Development Standards	
Impervious Cover	65% total, including main buildings and accessory buildings
Min. Building Separation	20' for buildings with or without openings
Min. Width of Residential Building	25'
Max. Height Fence within Street Yard	3'
Max. Height of Fence outside of Street Yard	6'

Summary

2.28.2 In making a determination regarding a requested zoning change, the P&Z and the City Council shall consider the following factors:

Factors	Staff Comments
1. Whether the proposed change will be appropriate in the immediate area concerned;	This area is near the core of the city, having direct access to Highway 290 by way of Creek Road. The area is zoned for a mix of uses today, including duplexes, multi-family, and commercial services. However, it is noteworthy that while the uses in the area are supportive of the proposed change, Creek Road is only approximately 20' of pavement (80' ROW) in width and should be considered when placing more intense uses along such a small road.
2. Their relationship to the general area and the City as a whole;	The use proposed will fit in with the surrounding area in regard to zoning districts in the area, however, there are several properties in the area that have not developed despite being zoned for more intense uses.
3. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area;	This property is not shown on any existing or proposed plans for public schools, streets, water supply, sanitary sewers, and other utilities to the area.
4. The amount of undeveloped land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such undeveloped land unavailable for development;	This property would not be affected by any proposed zoning districts that are similar.
5. The recent rate at which land is being developed in the same zoning classification, particularly in	This area will not be affected by this proposed rezoning.

the vicinity of the proposed change;	
6. How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved;	Based on the area, the proposed rezone of this lot will not affect the surrounding area, or similar developments.
7. Whether the proposed change treats the subject parcel of land in a manner which is significantly different from decisions made involving other, similarly situated parcels; and	This property is being treated similarly to other Zoning changes.
8. Any other factors which will substantially affect the public health, safety, morals, or general welfare.	Staff does not see this Zoning Change affecting the public health, safety, morals or general welfare.

Public Notification

A legal notice advertising the public hearing was placed in the Dripping Springs Century-News, signs were posted on the site, notice was placed on the City Website, and all property owners within a 300-foot radius of the site were notified of the request.

Attachments

- Exhibit 1: Rezoning Application
- Exhibit 2: Zoning Use Chart
- Exhibit 3: Concept Plan

Recommended Action:	The Planning & Zoning Commission recommended approval of the request with the proposed Conditional use Overlay restricting the site from Multi-Family Dwelling. Staff is recommending approval of the requested rezoning request with the Conditional Use Overlay restricting the site from Multifamily Dwelling.
Alternatives/Options:	Recommend denial of the rezoning application.
Budget/Financial Impact:	None calculated at this time.
Public Comments:	No public comment was received for this request.
Enforcement Issues:	N/A



CITY OF DRIPPING SPRINGS

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384

Dripping Springs, TX 78620

• 512.858.4725 • www.cityofdrippingsprings.com

PRE-DEVELOPMENT/APPLICATION MEETING REQUEST FORM

Meeting Date: Nov. 18, 2020 3:30-4:30 (discussed zoning)
Sept. 30, 2020 1:00-2:00 Meeting #: _____

CONTACT INFORMATION

Name	Jon Thompson
Company	J Thompson Professional Consulting, LLC
Mailing Address	PO Box 172, Dripping Springs, Texas 78620
Phone #	(512) 568-2184
Email	jthompsonconsultingds@gmail.com

PROPERTY INFORMATION

Subject Property Address: 210 Creek Road, Dripping Springs, Texas 78620

Tax ID: R 18045 & 18047

Zoning: SF4 (current) proposed to change to MF

Legal Description: Lot _____ Block _____ Subdivision _____

Existing Use: Residential Proposed Use: Residential (condominium)

DESCRIPTION OF REQUEST

Project Name: 210 Creek Road Zoning Amendment

Briefly describe the Proposal (subdivision proposed, building size(s), use(s), etc.):
Proposal to amend current zoning (SF4) to a zoning that will reflect the intended use (MF).

List of Attachments: (if applicable, ex. Site Plan, Survey, Plat): _____

AUTHORIZATION

I hereby understand and agree that any discussion taking place with regards to this meeting request are for informational purposes only and is not intended to be an application for development to the City. At this time, I am not making an application, request for provision of services, or seeking a commitment or agreement by the City of Dripping Springs.

Meeting Fee: \$180 per hour, with a \$180 minimum

Print Name: _____
Signature: Jon Thompson
December 2, 2020

Received on/by:

Date, initials



LIGHTING ORDINANCE COMPLIANCE AGREEMENT

Property Address: 210 Creek Road, Dripping Springs, Texas 78620

Commercial Residential

Applicant's Name (and Business Name, if Applicable):

Tony Koinis, Koinis Ventures, LLC

Applicant's Address: 400 Harris Drive, Austin, Texas 78737

Applicant's Email: anthonykoinis@gmail.com

VOLUNTARY COMPLIANCE with mitigation conditions:

MANDATORY COMPLIANCE:

IF APPLYING FOR:

- | | |
|--|---|
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Site Development Permit |
| <input checked="" type="checkbox"/> Zoning Amendment Application | <input type="checkbox"/> Sign Permit |
| <input type="checkbox"/> Subdivision Approval | <input type="checkbox"/> Alcoholic Beverage Permit |
| <input type="checkbox"/> Building Permit | <input type="checkbox"/> Food Establishment Permit |
| | <input type="checkbox"/> On-Site Sewage Facility Permit |

By applying for a **Conditional Use Permit, Zoning Amendment Application, Subdivision Approval, or Building Permit** for a major addition, all existing outdoor lighting shall be brought into conformance with the City of Dripping Spring's Lighting Ordinance (see Ch. 24, Sec 1, 24.06.005 in CODS Code of Ord.) before: final inspection, issuance of a certificate of occupancy, or final plot recordation.

Applicants receiving a permit for: **Site Development, Sign Permit** for externally or internally-illuminated outdoor sign, initial **Alcoholic Beverage Permit**, initial **Food Establishment Permit**, and **On-Site Sewage Facility Permit** shall have a maximum of 90 days from permit issuance to conform with the City of Dripping Spring's Lighting Ordinance (see Ch. 24, Sec 1, 24.06.005 in CODS Code of Ord.).

*-If existing lighting is nonconforming, plans for bringing the lighting into conformance are **required** to be attached to this agreement.*

*-If existing lighting is already in conformity with the lighting ordinance, photos of all on-site lighting are **required** to be attached to this agreement for verification.*

By signing below, I acknowledge that I have read and agreed to these terms and conditions and accept responsibility for conforming to the above stated ordinance specifications:

Jon Thompson
Signature

December 2, 2020
Date



CITY OF DRIPPING SPRINGS

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384
Dripping Springs, TX 78620

• 512.858.4725 • www.cityofdrippingsprings.com

ZONING/PDD AMENDMENT APPLICATION

Case Number (staff use only): _____ - _____

CONTACT INFORMATION

PROPERTY OWNER NAME Koinis Ventures, LLC
STREET ADDRESS 400 Harris Drive
CITY Austin STATE Texas ZIP CODE 78737
PHONE (562) 347-8015 EMAIL anthonykoinis@gmail.com

APPLICANT NAME Jon Thompson
COMPANY J Thompson Professional Consulting, LLC
STREET ADDRESS PO Box 172
CITY Dripping Springs STATE Texas ZIP CODE 78620
PHONE (512) 568-2184 EMAIL jthompsonconsultingds@gmail.com

REASONS FOR AMENDMENT

TO CORRECT ANY ERROR IN THE REGULATION OR MAP

TO RECOGNIZE CHANGES IN TECHNOLOGY, STYLE OF LIVING, OR MANNER OF CONDUCTING BUSINESS

TO RECOGNIZE CHANGED CONDITIONS OR CIRCUMSTANCES IN A PARTICULAR LOCALITY

TO MAKE CHANGES IN ORDER TO IMPLEMENT POLICIES REFLECTED WITHIN THE COMPREHENSIVE PLAN

PROPERTY & ZONING INFORMATION	
PROPERTY OWNER NAME	Koinis Ventures, LLC
PROPERTY ADDRESS	210 Creek Road, Dripping Springs, Texas
CURRENT LEGAL DESCRIPTION	A0415 Philip A. Smith Survey, 2.00 acres (R18045) & A0415 Philip A. Smith Survey, 2.00 acres (R18047)
TAX ID#	R18045 & R18047
LOCATED IN	<input checked="" type="checkbox"/> CITY LIMITS <input type="checkbox"/> EXTRATERRITORIAL JURISDICTION
CURRENT ZONING	SF-4
REQUESTED ZONING/AMENDMENT TO PDD	MF
REASON FOR REQUEST <i>(Attach extra sheet if necessary)</i>	The intention of the property owner, Koinis Ventures, LLC, is to develop multiple single family residential units ("cottages") that will be developed to meet the need for "affordable housing" in the community. Per the discussion with the City of DS, because the proposal will be to do a condominium plat we will need to amend the zoning from SF-4 to MF to comply with the applicable regulations.
INFORMATION ABOUT PROPOSED USES <i>(Attach extra sheet if necessary)</i>	See explanation above.

COMPLIANCE WITH OUTDOOR LIGHTING ORDINANCE? *

(See attached agreement).

YES (REQUIRED)* YES (VOLUNTARY)* NO*

* If proposed subdivision is in the City Limits, compliance with Lighting Ordinance is **mandatory**. If proposed subdivision is in the ETJ, compliance is **mandatory** when required by a Development Agreement or as a condition of an Alternative Standard/Special Exception/Variance/Waiver.

Voluntary compliance is strongly encouraged by those not required by above criteria (*see Outdoor Lighting tab on the CODS webpage and online Lighting Ordinance under Code of Ordinances tab for more information*).

APPLICANT'S SIGNATURE

The undersigned, hereby confirms that he/she/it is the owner of the above described real property and further, that Jon Thompson, J Thompson Professional Consulting, LLC is authorized to act as my agent and representative with respect to this Application and the City's zoning amendment process.

(As recorded in the Hays County Property Deed Records, Vol. _____, Pg. _____.) *Instrument #* Document #'s 20023078 & 19041723

Anthony Koinis
Name

Managing Partner
Title

STATE OF TEXAS §

§

COUNTY OF HAYS §

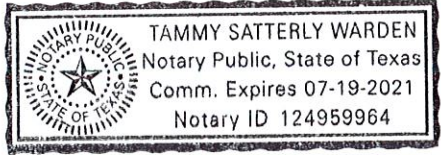
This instrument was acknowledged before me on the 10 day of December,

2020 by Anthony R Koinis.

Jay S Warden
Notary Public, State of Texas

My Commission Expires: 7-19-2021

Jon Thompson
Name of Applicant



ZONING AMENDMENT SUBMITTAL

All required items and information (including all applicable above listed exhibits and fees) must be received by the City for an application and request to be considered complete. **Incomplete submissions will not be accepted.** By signing below, I acknowledge that I have read through and met the above requirements for a complete submittal:

Jon Thompson
Applicant Signature

December 2, 2020
Date

CHECKLIST

STAFF	APPLICANT	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Completed Application Form - including all required signatures and notarized
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Application Fee-Zoning Amendment or PDD Amendment (<i>refer to Fee Schedule</i>)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	PDF/Digital Copies of all submitted Documents When submitting digital files, a cover sheet must be included outlining what digital contents are included.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Billing Contact Form
<input type="checkbox"/>	<input checked="" type="checkbox"/>	GIS Data - <i>get from surveyor in Boerne</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Outdoor Lighting Ordinance Compliance Agreement - signed with attached photos/drawings (<i>required if marked "Yes (Required)" on above Lighting Ordinance Section of application</i>)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Legal Description (Included on application)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Concept Plan
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Plans Concept plan provided
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Maps Concept plan provided
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Architectural Elevation
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Explanation for request (<i>attach extra sheets if necessary</i>) (Included on application)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Information about proposed uses (<i>attach extra sheets if necessary</i>) (Included on application)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Public Notice Sign (<i>refer to Fee Schedule</i>)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proof of Ownership-Tax Certificate or Deed
<input type="checkbox"/>	<input type="checkbox"/>	Copy of Planned Development District (<i>if applicable</i>) N/A
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Digital Copy of the Proposed Zoning or Planned Development District Amendment

Project Number: _____ - _____
Only filled out by staff

Date, initials



BILLING CONTACT FORM

Project Name: 210 Creek Road Zoning Amendment

Project Address: 210 Creek Road, Dripping Springs, Texas 78620

Project Applicant Name: Jon Thompson, J Thompson Professional Consulting, LLC

Billing Contact Information

Name: Koinis Ventures, LLC

Mailing Address: 400 Harris Drive
Austin, Texas 78737

Email: anthonykoinis@gmail.com Phone Number: (562) 347-8015

Type of Project/Application (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Alternative Standard | <input type="checkbox"/> Special Exception |
| <input type="checkbox"/> Certificate of Appropriateness | <input type="checkbox"/> Street Closure Permit |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Development Agreement | <input type="checkbox"/> Waiver |
| <input type="checkbox"/> Exterior Design | <input type="checkbox"/> Wastewater Service |
| <input type="checkbox"/> Landscape Plan | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Lighting Plan | <input checked="" type="checkbox"/> Zoning |
| <input type="checkbox"/> Site Development Permit | <input type="checkbox"/> Other _____ |

*Applicants are required to pay all associated costs associated with a project's application for a permit, plan, certificate, special exception, waiver, variance, alternative standard, or agreement, regardless of City approval. Associated costs may include, but are not limited to, public notices and outside professional services provided to the City by engineers, attorneys, surveyors, inspectors, landscape consultants, lighting consultants, architects, historic preservation consultants, and others, as required. Associated costs will be billed at cost plus 20% to cover the City's additional administrative costs. **Please see the online Master Fee Schedule for more details.** By signing below, I am acknowledging that the above listed party is financially accountable for the payment and responsibility of these fees.*

Jon Thompson Digitally signed by Jon Thompson
Date: 2020.12.02 21:20:10 -06'00'
Signature of Applicant

December 2, 2020
Date

Use Chart – Multi-family (MF)	
Orchard/Crop Propagation	CUP
Small Scale Farm	CUP
Garden (Non-Retail)	Permitted
Farm Animals (Exempt - FFA, 4H)	CUP
Farm Animals (Non-Exempt)	CUP
Accessory Bldg/Structure (Residential)	Permitted
Duplex/Two-Family	Permitted
Garden Home/Townhome	Permitted
Home Occupation	Permitted
HUD-Code Manufactured Home	CUP
Multiple-Family Dwelling	Permitted (Conditional Overlay Requested)
Rooming/Boarding House	Permitted
Single-Family Dwelling, Detached	Permitted
Single-Family Industrialized Housing	Permitted
Swimming Pool, Private	Permitted
Artist Studio	Permitted
Park and/or Playground	Permitted
Tennis Court	Permitted
Assisted Living Facility	CUP
Child Day-Care Facility	CUP
Church, Religious Assembly	Permitted
Fire Station	Permitted
Group Day-Care Home	CUP
Wireless Communications Tower	CUP
Home for the Aged, Residential	CUP
Post Office	Permitted
School, K Through 12 (public or private)	Permitted
Sewage Pumping Station	CUP
Wastewater Treatment Plant	CUP
Water Supply (Elevated Storage Tank)	CUP
Water Supply Facility (Private)	Permitted
Contractor's Temporary On-site Office	CUP
CUP would require a Conditional Use Permit Permitted are allowed by right	

Septic

Common Green Space

TRACT 2

Retention

18 Units (Detached, Condo Regime)
 Size: 1,400-2,100
 Lots (48') x 80 w 2 car garages and full driveways
 Side Yards

Internal Walking Path
 Creek Rd Sidewalk
 Common Yard areas
 Ball court, fire pit
 BBQ & Common table area
 Benches under trees
 Natural play area

Septic: Need 22,320
 Parkland: 5% under 29 DU

RICKY L. STRACKBEIN
 0.500 ACRE TRACT
 PLUME 1281, PAGES 303-305
 OFFICIAL PUBLIC RECORDS



CITY OF DRIPPING SPRINGS

ORDINANCE No. 2021-

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS (“CITY”), REZONING ONE TRACT OF LAND, TOTALING APPROXIMATELY 4.005 ACRES FROM TWO-FAMILY RESIDENTIAL, DUPLEX (SF-4) TO MULTI-FAMILY (MF) WITH A CONDITIONAL USE OVERLAY PROHIBITING MULTI-FAMILY DWELLING(S); AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; EFFECTIVE DATE; AUTHORIZING THE CITY ADMINISTRATOR TO NOTE THE CHANGE ON THE OFFICIAL ZONING MAP OF THE CITY; PROPER NOTICE & MEETING.

WHEREAS, the City Council of the City of Dripping Springs (“City Council”) seeks to promote orderly land use and development within the City; and

WHEREAS, the City Council finds to be reasonable and necessary the rezoning of the tract, described more fully in Attachment “A” and totaling approximately 4.005 acres, from Two-Family Residential, Duplex (SF-4) to Multi-Family (MF), with a Conditional Use Overlay prohibiting Multi-Family Dwelling(s) as shown on the attached exhibit; and

WHEREAS, the City Council recognizes changed conditions and circumstances in the particular location; and

WHEREAS, the City Council finds that the zoning change is compatible with the surrounding area and with the City’s Zoning Ordinance and Comprehensive Plan; and

WHEREAS, after notice and hearing required by law, a public hearing was held before the Dripping Springs Planning and Zoning Commission on January 26, 2021 to consider the proposed amendment and the Planning and Zoning Commission recommended approval of the proposed change; and

WHEREAS, after public hearing held by the City Council on February 9, 2021, the City Council voted to approve the recommendation of the Planning and Zoning Commission; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Chapter 211 of the Texas Local Government Code, the City has the authority to zone and rezone property; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace

or order of the City of Dripping Springs to adopt this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Dripping Springs:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as expressly set forth herein.

2. ENACTMENT

One tract of land totaling approximately 4.005 acres and described more fully in Attachment “A” and shown in Attachment “B”, is hereby rezoned from Two-Family Residential, Duplex (SF-4) to Multi-Family (MF), with a Conditional Use Overlay prohibiting Multi-Family Dwelling(s), as shown on Attachment “C”.

3. REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CHANGE ON ZONING MAP

The City Administrator is hereby authorized to and shall promptly note the zoning change on the official Zoning Map of the City of Dripping Springs, Texas.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage.

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, a public hearing was held, and that public notice of the time, place and purpose of said hearing and meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

PASSED & APPROVED this, the 9th day of February 2021, by a vote of _____ (ayes) to _____ nays to _____ (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary

Attachment "A" Description of Tract

METES & BOUNDS DESCRIPTION FOR 2.002 ACRES OF LAND

A tract of land containing 2.002 acres out of and part of the P. A. Smith Survey No. 26, Abstract No. 415 in Hays County, Texas, and being that same tract, called 2.00 acres, as conveyed in September of 2017 to Lankford and Darci Ewell as recorded and described in Document # 17031334 of the Official Public Records of Hays County, and being more particularly described as follows;

BEGINNING at a 5/8" iron rod found in the north right-of-way of Creek Road, County Road # 190, for the southwest corner of this tract and the southeast corner of the Knight Tract as described in Document # 16019409 of the Official Public Records of Hays County, from which for reference a 5/8" iron rod bears S 89° 56' 54" W, a distance of 106.23 feet;

THENCE N 04° 56' 29" E, leaving the right-of-way, a distance of 416.89 feet to a 5/8" iron rod found in the south property line of Lot Two (2) of the Western Springs Apartment Subdivision as recorded in Doc. # 18040193 of the Official Public Records of Hays County for the northwest corner of this tract and the northeast corner of the Knight Tract;

THENCE S 89° 43' 04" E, a distance of 209.58 feet to an iron rod with a plastic cap found for the northeast corner of this tract and the northwest corner of Lot Two (2), of the Je Suis Charles Martel Subdivision as recorded in Volume 19, Page 38 of the Hays County Plat Records;

THENCE S 04° 48' 47" W (Bearing basis), and at approximately 200.2 feet passing the southwest corner of Lot 2 and the northwest corner of Lot One (1), said Je Suis Charles Martel Subdivision, in all a total distance of 416.32 feet to an iron rod with a plastic cap found in the north right-of-way of Creek Road for the southeast corner of this tract and the southwest corner of Lot 1, from which for reference a 60D nail in the top of a fence post bears S 89° 50' 12" E, a distance of 183.90 feet;

THENCE N 89° 51' 05" W, a distance of 210.56 feet to the POINT OF BEGINNING, containing 2.002 acres.

This is to certify that this description of land represents an actual survey made on the ground under my supervision in October of 2019. Only those documents with a red surveyor's signature and an accompanying red surveyor's seal shall be deemed reliable and authentic. Reference the attached sketch marked File # CRKRD01.


Ronald D. Hayes, Registered Professional Land Surveyor, No. 5703



FIELD NOTES FOR A 2.003 ACRE TRACT OF LAND

Being a 2.003 acre tract of land out of the P.A. Smith Survey No. 26, Abstract No. 415, Hays County, Texas, said 2.003 acre tract also being all of that certain 2.00 acre tract of land recorded in Document No. 16019409, Official Public Records, Hays County, Texas, said 2.003 acre tract being more particularly described by metes and bounds as follows:

Beginning at a 3/4" iron rod found in the north right of way line of Creek Road for the southernmost southwest corner of the herein described tract, said point also being at the southeast corner of that certain 0.500 acre tract of land recorded in Volume 1281, Pages 303-305, Official Public Records, Hays County, Texas and the southernmost southwest corner of the above referenced 2.00 acre tract;

Thence, with the east and north line of said 0.500 acre tract and a west and south line of said 2.00 acre tract, the following two (2) courses and distances:

North 03 degrees 17 minutes 26 seconds East, a distance of 208.44 feet to a 1/2" iron rod found for an interior corner of the herein described tract, said point also being at the northeast corner of said 0.500 acre tract and an interior corner of said 2.00 acre tract;

and **South 88 degrees 03 minutes 53 seconds West**, a distance of 104.98 feet to a 60D nail found for a southwest corner of the herein described tract, said point also being at the northwest corner of said 0.500 acre tract, a southwest corner of said 2.00 acre tract and in the east line of that certain 0.75 acre tract of land recorded in Volume 1474, Pages 714-716, Official Public Records, Hays County, Texas;

Thence, with the east and north line of said 0.75 acre tract and a west and south line of said 2.00 acre tract, the following two (2) courses and distances:

North 03 degrees 11 minutes 54 seconds East, a distance of 43.00 feet to a 1/2" iron pipe found for an interior corner of the herein described tract, said point also being at the northeast corner of said 0.75 acre tract and an interior corner of said 2.00 acre tract;

and **South 88 degrees 04 minutes 12 seconds West**, a distance of 129.87 feet to a 1/2" iron rod found for the westernmost southwest corner of the herein described tract, said point also being in an east line of Lot 1, Western Springs Apartments recorded in Document No. 18040193, Plat Records, Hays County, Texas, at the northwest corner of said 0.75 acre tract and the westernmost southwest corner of said 2.00 acre tract;

Thence, with an east line of said Lot 1 and a west line of said 2.00 acre tract, **North 03 degrees 17 minutes 56 seconds East**, a distance of 167.39 feet to a 1/2" iron rod found for the northwest corner of the herein described tract, said point also being at the southwest corner of Lot 2, in said Western Springs Apartments and the northwest corner of said 2.00 acre tract;

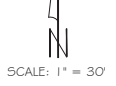
Attachment "B"
4.005ac Property Depiction



Attachment "C"
Conditional Use Overlay

Use Chart – Multi-family (MF)	
Orchard/Crop Propagation	CUP
Small Scale Farm	CUP
Garden (Non-Retail)	Permitted
Farm Animals (Exempt - FFA, 4H)	CUP
Farm Animals (Non-Exempt)	CUP
Accessory Bldg/Structure (Residential)	Permitted
Duplex/Two-Family	Permitted
Garden Home/Townhome	Permitted
Home Occupation	Permitted
HUD-Code Manufactured Home	CUP
Multiple-Family Dwelling	Prohibited
Rooming/Boarding House	Permitted
Single-Family Dwelling, Detached	Permitted
Single-Family Industrialized Housing	Permitted
Swimming Pool, Private	Permitted
Artist Studio	Permitted
Park and/or Playground	Permitted
Tennis Court	Permitted
Assisted Living Facility	CUP
Child Day-Care Facility	CUP
Church, Religious Assembly	Permitted
Fire Station	Permitted
Group Day-Care Home	CUP
Wireless Communications Tower	CUP
Home for the Aged, Residential	CUP
Post Office	Permitted
School, K Through 12 (public or private)	Permitted
Sewage Pumping Station	CUP
Wastewater Treatment Plant	CUP
Water Supply (Elevated Storage Tank)	CUP
Water Supply Facility (Private)	Permitted
Contractor's Temporary On-site Office	CUP

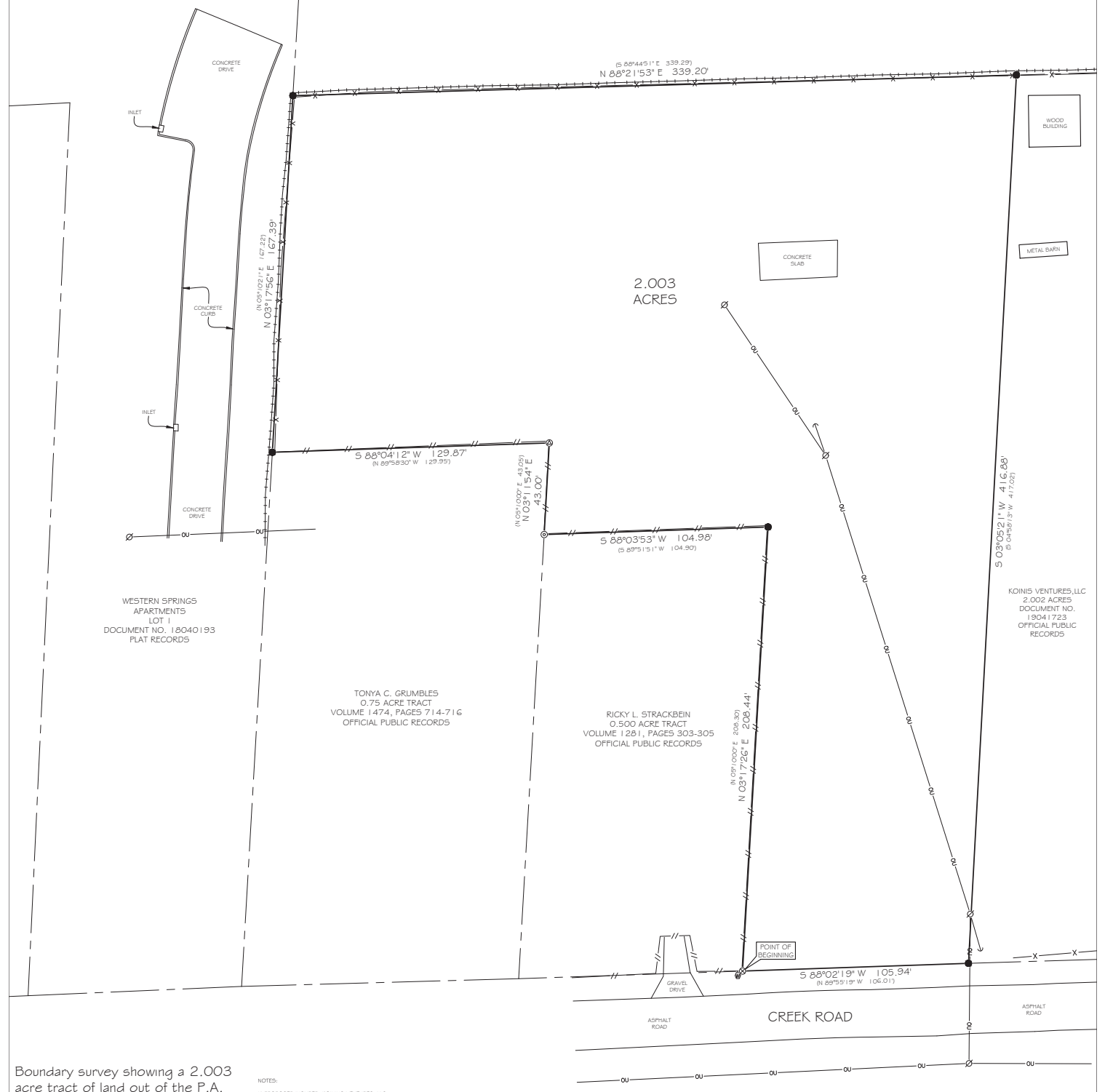
Item # 8.



- LEGEND**
- RECORD CALL PER DOCUMENT NO. 9910858, OFFICIAL PUBLIC RECORDS
 - FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
 - FOUND 1/2" IRON PIPE
 - FOUND 3/4" IRON ROD
 - FOUND 5/8" IRON ROD
 - FOUND 5/8" IRON ROD WITH A YELLOW "STAUDT SURVEY" PLASTIC CAP
 - WATER VALVE
 - FIRE HYDRANT
 - WATER METER
 - UTILITY POLE WITH GUY WIRE
 - OVERHEAD UTILITIES
 - SILT FENCE
 - WOOD FENCE
 - WIRE FENCE

WESTERN SPRINGS APARTMENTS LOT 1 DOCUMENT NO. 18040193 PLAT RECORDS

WESTERN SPRINGS APARTMENTS LOT 2 DOCUMENT NO. 18040193 PLAT RECORDS



Boundary survey showing a 2.003 acre tract of land out of the P.A. Smith Survey No. 26, Abstract No. 415, Hays County, Texas, said 2.003 acre tract also being all of that certain 2.00 acre tract of land recorded in Document No. 16019409, Official Public Records, Hays County, Texas.

- NOTES:**
- 1) PROPOSED INSURED: KOINIS VENTURES, LLC
 - 2) ADDRESS:
 - 3) BASIS OF BEARING: TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, 4204, NAD 83.
 - 4) THIS SURVEY IS BASED ON A TITLE COMMITMENT ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, G.P. NUMBER 1964496, ISSUED DATE OF APRIL 2, 2020, EFFECTIVE DATE OF MARCH 25, 2020 AND IS SUBJECT TO ALL TERMS, CONDITIONS, LEASES AND ENCUMBRANCES STIPULATED THEREIN. THE SURVEYOR DID NOT COMPLETE AN ABSTRACT OF TITLE.
 - 5) ONLY APPARENT UTILITIES WERE LOCATED. NO ATTEMPT HAS BEEN MADE AS PART OF THIS SURVEY TO SHOW THE EXISTENCE, SIZE, DEPTH, CONDITION, OR LOCATION OF ANY UNDERGROUND UTILITY. FOR INFORMATION REGARDING UNDERGROUND UTILITIES PLEASE CONTACT THE APPROPRIATE AGENCY.
 - 6) FENCES NEAR THE BOUNDARY LINE MEANDER AND ARE NOT NECESSARILY ON THE BOUNDARY LINE.
 - 7) ADJOINING PROPERTY INFORMATION SHOWN HEREON IS FOR INFORMATIONAL PURPOSES ONLY.
 - 8) ALL BUILDING SETBACK LINES, RECORDED EASEMENTS, UNRECORDED EASEMENTS, PLAT RESTRICTIONS, DEED RESTRICTIONS AND ZONING ORDINANCES, IF ANY, SHOULD BE CONFIRMED BY THE HOME OWNERS ASSOCIATION, LANDOWNER AND/OR THE ARCHITECTURAL CONTROL COMMITTEE BEFORE ANY PLANNING OR CONSTRUCTION.
- SCHEDULE B DOCUMENTS:
VOLUME 125, PAGE 61, DEED RECORDS - MINERAL INTERESTS

PFEIFFER LAND SURVEYING
918 ADLER STREET
BOERNE, TX 78006
830-249-3385
FIRM NO. 10193761



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY.

W. Rexrode
Wes Rexrode - Pfeiffer Land Surveying
Registered Professional Land Surveyor No. 6001
Boerne, Texas 78006 Ph. 830 - 249 - 3385



STAFF REPORT
City of Dripping Springs
PO Box 384
511 Mercer Street
Dripping Springs, TX 78602

Submitted By: Aaron Reed, Public Works Coordinator

Council Meeting Date: 02/09/2021

Agenda Item Wording: **Discuss and consider approval of the selection of Engineering Services regarding the TxDOT CSJ 0914-33-087 Rob Shelton Boulevard TASA Sidewalk Project, subject to TxDOT concurrence; and authorization for the City Administrator to negotiate the contract.**

Agenda Item Requestor: Council Member Crow

Summary/Background: In May of 2019 the City of Dripping Springs adopted Resolution 2019-R27 approving the submission of the TASA (Transportation Alternatives Set Aside) project nomination to TxDOT. The City approved an Advance Funding Agreement and City staff has been completing the steps to stay on schedule for a let date in 2022. At this time the City needs to procure professional services to generate plans, specifications, and estimates. The City posted an RFQ using TxDOT approved procurement procedures. The RFQ was posted for at least 21 days on the City website and Electronic State Business Daily. The RFQ was also listed in the City's newspaper of record. City staff received and scored Statements of Qualification from three firms. Once selected, the City will need to negotiate a professional service agreement. City staff is recommending approval of the selection of Freese and Nichols Inc. and requesting authorization to negotiate the agreement.

FY21 budgeting for this project is \$168,500.

**Commission
 Recommendations:**

**Recommended
 Council Actions:** City staff recommends approval of the selection of Freese and Nichols Inc. for engineering services.

Attachments:

Next Steps/Schedule:

Once negotiated, staff will present the contract to City Council for approval.
The project timeline has been uploaded to the agenda packet.

ID	Task Name	Duration	Start	Finish	Timeline																																														
					f 1, 2021					Half 2, 2021					Half 1, 2022					Half 2, 2022					Half 1, 2023					Half 2, 2023					Half 1, 2024					Half 2, 2024											
					F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
1	Rob Shelton Blvd Pedestrian Sidewalk Project	546 days	Mon 3/1/21	Mon 4/3/23	[Gantt bar from 3/1/21 to 4/3/23]																																														
2	Contract Execution (NTP)	0 days	Mon 3/1/21	Mon 3/1/21	◆ 3/1																																														
3	Design Survey (D&A)	20 days	Mon 3/1/21	Fri 3/26/21	[Blue bar from 3/1/21 to 3/26/21]																																														
4	Environmental Documents and Permitting	218 days	Mon 3/1/21	Wed 12/29/21	[Gantt bar from 3/1/21 to 12/29/21]																																														
32	PS&E Design	241 days	Mon 3/29/21	Mon 2/28/22	[Gantt bar from 3/29/21 to 2/28/22]																																														
33	30% Design	64 days	Mon 3/29/21	Thu 6/24/21	[Gantt bar from 3/29/21 to 6/24/21]																																														
43	60% Design	102 days	Fri 6/25/21	Mon 11/15/21	[Gantt bar from 6/25/21 to 11/15/21]																																														
50	90% Design	52 days	Tue 11/2/21	Wed 1/12/22	[Gantt bar from 11/2/21 to 1/12/22]																																														
57	Final Design	33 days	Thu 1/13/22	Mon 2/28/22	[Gantt bar from 1/13/22 to 2/28/22]																																														
62	FPAA - Letting	1 day	Tue 3/1/22	Tue 3/1/22																																															
63	Ready To Let	1 day	Tue 3/1/22	Tue 3/1/22																																															
64	Project Letting	0 days	Mon 6/13/22	Mon 6/13/22	◆ 6/13																																														
65	Pre-construction Meeting	0 days	Mon 8/8/22	Mon 8/8/22	◆ 8/8																																														
66	Construction	160 days	Tue 8/9/22	Mon 3/20/23	[Blue bar from 8/9/22 to 3/20/23]																																														
67	Construction Closeout	10 days	Tue 3/21/23	Mon 4/3/23	[Blue bar from 3/21/23 to 4/3/23]																																														
68	Middle School STRS/TA SUP/Sidewalk Project	596 days	Mon 9/5/22	Mon 12/16/24	[Gantt bar from 9/5/22 to 12/16/24]																																														
69	Contract Execution (NTP)	0 days	Mon 9/5/22	Mon 9/5/22	◆ 9/5																																														
70	Design Survey (D&A)	20 days	Mon 9/5/22	Fri 9/30/22	[Blue bar from 9/5/22 to 9/30/22]																																														
71	Environmental Documents and Permitting	218 days	Mon 9/5/22	Wed 7/5/23	[Gantt bar from 9/5/22 to 7/5/23]																																														
99	PS&E Design	241 days	Mon 10/3/22	Mon 9/4/23	[Gantt bar from 10/3/22 to 9/4/23]																																														
100	30% Design	64 days	Mon 10/3/22	Thu 12/29/22	[Gantt bar from 10/3/22 to 12/29/22]																																														
110	60% Design	102 days	Fri 12/30/22	Mon 5/22/23	[Gantt bar from 12/30/22 to 5/22/23]																																														
117	90% Design	52 days	Tue 5/9/23	Wed 7/19/23	[Gantt bar from 5/9/23 to 7/19/23]																																														
124	Final Design	33 days	Thu 7/20/23	Mon 9/4/23	[Gantt bar from 7/20/23 to 9/4/23]																																														
129	FPAA - Letting	1 day	Tue 9/5/23	Tue 9/5/23																																															
130	Ready To Let	1 day	Tue 9/5/23	Tue 9/5/23																																															
131	Project Letting	0 days	Mon 12/18/23	Mon 12/18/23	◆ 12/18																																														
132	Pre-construction Meeting	0 days	Mon 2/12/24	Mon 2/12/24	◆ 2/12																																														
133	Construction	210 days	Tue 2/13/24	Mon 12/2/24	[Blue bar from 2/13/24 to 12/2/24]																																														
134	Construction Closeout	10 days	Tue 12/3/24	Mon 12/16/24	[Blue bar from 12/3/24 to 12/16/24]																																														

City of Dripping Springs
 RFQ TxDOT Engineering Rob Shelton Sidewalks
 Evaluation & Scoring Worksheet
 Total Combined Scores for HDR Engineering, Inc.

No.	Evaluation Criterion (w/possible points)	Evaluator 1	Evaluator 2	Evaluator 3
1	Project Understanding and Approach (20 pts)	19	18	18
2	PM's Experience w/similar State and Municipal Projects (20 pts)	18	18	18
3	Experience of Task Leaders with similar State and Municipal Projects (20 pts)	18	18	18
4	References (20 pts)	18	17	17
5	Team's Experience with Sidewalk Development Projects which meet requirements of the Transportation Alternatives Set-Aside Program (15 pts)	14	12	12
6	Prime Providers Quality Assurance/Control Program (5 pts)	4	5	4
Grand Total Score (up to 100 pts possible):		91	88	87

Total Combined Scores (up to 300 pts possible): 266

City of Dripping Springs
 RFQ TxDOT Engineering Rob Shelton Sidewalks
 Evaluation & Scoring Worksheet
 Total Combined Scores for Stevens Technical Services, Inc.

No.	Evaluation Criterion (w/possible points)	Evaluator 1	Evaluator 2	Evaluator 3
1	Project Understanding and Approach (20 pts)	16	17	15
2	PM's Experience w/similar State and Municipal Projects (20 pts)	16	16	16
3	Experience of Task Leaders with similar State and Municipal Projects (20 pts)	16	17	16
4	References (20 pts)	10	17	16
5	Team's Experience with Sidewalk Development Projects which meet requirements of the Transportation Alternatives Set-Aside Program (15 pts)	5	10	12
6	Prime Providers Quality Assurance/Control Program (5 pts)	4	5	4
Grand Total Score (up to 100 pts possible):		67	82	79

Total Combined Scores (up to 300 pts possible): 228

City of Dripping Springs
 RFQ TxDOT Engineering Rob Shelton Sidewalks
 Evaluation & Scoring Worksheet
 Total Combined Scores for Freese & Nichols, Inc.

No.	Evaluation Criterion (w/possible points)	Evaluator 1	Evaluator 2	Evaluator 3
1	Project Understanding and Approach (20 pts)	18	18	18
2	PM's Experience w/similar State and Municipal Projects (20 pts)	19	19	19
3	Experience of Task Leaders with similar State and Municipal Projects (20 pts)	16	18	17
4	References (20 pts)	18	18	18
5	Team's Experience with Sidewalk Development Projects which meet requirements of the Transportation Alternatives Set-Aside Program (15 pts)	14	11	14
6	Prime Providers Quality Assurance/Control Program (5 pts)	4	5	5
Grand Total Score (up to 100 pts possible):		89	89	91

Total Combined Scores (up to 300 pts possible): 269



City of Dripping Springs
FY 2022 Tax Rate & Budget Adoption
Important Dates & Deadlines

Approved by Council: _____

The attached Budget Calendar outlines the statutory dates and planning activities for City Staff, Boards, Commissions, Committees and City Council as they relate to the Budget Process for Fiscal Year 2022. Calendar activities in RED note statutory deadlines for City Council and Public Notifications. The Finance Director will coordinate with City Administration, the City Attorney and City Secretary regarding all notices, ordinances and resolutions as adopted, to include filing the proper documents with County and State Entities. The City Council will hold four meetings regarding the Tax Rate and Budget Adoption:

- June 15, 2021: Budget Workshop
- July 13, 2021: Budget Workshop and Set Proposed Tax Rate
- August 10, 2021: Budget Workshop, Public Hearings on Tax Rate and Budget, and Possible Adoption of the Budget*
- August 17, 2021: Adoption of Approved Budget and Tax Rate, and Ratification of Tax Rate**

**The Council may choose to either adopt the budget or postpone adoption to the following meeting on August 17, 2021.*

***If the total property tax revenue is raised, the Council will need to Ratify the Tax Rate with a resolution.*

All other calendar dates are related to the budget planning process for city staff to include recommendations from boards, commissions and committees. Budget process activities are listed below each calendar for reference. The following boards, commissions and committees will submit budget recommendations:

- DSRP Board of Directors
- Economic Development Committee
- Emergency Management Commission
- Farmers Market Association Board
- Founders Day Commission
- Historic Preservation Commission
- Parks & Recreation Commission
- TIRZ No. 1 & No. 2 Board
- Transportation Committee

The Finance Director will provide staff with the proper forms and budget planning materials related to individual requests and department requests. Staff will work with their supervisor and the Finance Director to draft and submit their requests, and Staff Liaisons to Boards, Commissions and Committees will hold meetings to discuss and provide recommendations for requests. The City Secretary will make sure that each meeting following approval of the Budget Calendar has a budget review/recommendation added to the abovementioned board and commission agendas. The City Secretary does not draft committee agendas but is available to staff for assistance. Please make sure you attach, or forward for attachment documents for agenda discussion items.



City of Dripping Springs

FY 2022 Tax Rate & Budget Adoption

Important Dates & Deadlines

February 9, 2021	City Council Approval of Budget Calendar and Presentation on Legislative Changes to the Budget Process
April 16, 2021	City Staff Department Budget Requests Due (includes individual staff member requests submitted to supervisors and IT related requests)
May 14, 2021	Board, Commission and Committee Budget Recommendations Due (does not include Founders Day Commission); City Staff Employee Pay Recommendations Due from Department Heads
June 15, 2021	City Council Budget Workshop
June 25, 2021	Finance Director files Proposed Budget with City Secretary
July 13, 2021	City Council Budget Workshop, Set Proposed Tax Rate, and Discussion
July 20, 2021	City Council Budget Workshop
July 22, 2021	Publication of Notice of Proposed Tax Rate, and Tax Rate and Budget Public Hearings (Submit for publication July 16, 2021) Begin Continuous Notice of Proposed Tax Rate on City Website with Public Hearing Dates for Budget and Tax Rate Hearing, and Notice of Tax Rate
August 10, 2021	City Council Budget Workshop – Public Hearings on Tax Rate and Budget (<i>Must take action to either adopt or postpone adoption of the Budget to the August 17, 2021 City Council meeting</i>)
August 17, 2021	City Council Meeting – Adoption of Budget, Ratification of the Tax Rate (if total property tax revenue is raised) and Adoption of the Tax Rate
August 18, 2021	Publication of Tax Rate and Budget on City Website, File Tax Rate and Budget with County and State Entities
August 26, 2021	Publication of Notice of Approved Tax Rate and Budget (Submit for publication on August 20, 2021)

February 2021

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
1	2	3	4	5
*Parks & Recreation Commission Budget Discussion		*DSRP Board Budget Discussion	*Historic Preservation Commission Budget Discussion	**Staff obtain proper budget request forms from Finance Director
8	9	10	11	12
*TIRZ Board Budget Discussion *Founders Day Commission Budget Discussion	CC Meeting- Budget Presentation & Budget Calendar Approval			
15	16	17	18	19
			Farmers Market Board Budget Review Emergency Management Commission Budget Review	
22	23	24	25	26
Transportation Committee Budget Review		Economic Development Committee Budget Review		Departmental IT budget requests due to IT Coordinator

Budget Activities

- Finance Director provides necessary budget information and request forms to develop individual and department budget requests.
- Staff begins meeting with boards, commissions, committees, and council members to discuss budget recommendations and form budget planning committees, if that is usual practice.
- Staff department heads review IT related software and equipment requests with IT Coordinator and determine any additional costs related to infrastructure. Requests due to IT Coordinator by March 26^h.

**Meeting occurs before the Budget Calendar is approved.*

***Dates may vary according to progress*

March 2021

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
1	2	3	4	5
Parks & Recreation Commission Budget Review		DSRP Board Budget Review	Historic Preservation Commission Budget Review	
8	9	10	11	12
TIRZ Board Budget Review				
**Staff review draft budget requests with supervisors and Finance Director				
Founders Day Commission Budget Review				
15	16	17	18	19
			Emergency Management Commission Budget Review	
**Staff review draft budget requests with supervisors and Finance Director				
22	23	24	25	26
Transportation Committee Budget Review		Economic Development Committee Budget Review		
Farmers Market Board Budget Review				
29	30	31		

Budget Activities

- Staff continues meeting with boards, commissions, committees, and council members to discuss budget recommendations and form budget planning committees, if that is usual practice.
- Staff reviews draft budget requests with supervisors and Finance Director.

April 2021

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
			1	2
			Historic Preservation Commission Budget Review	
5	6	7	8	9
Parks & Recreation Commission Budget Review		DSRP Board Budget Recommendation Final Approval		
12	13	14	15	16
TIRZ Board Budget Review			Farmers Market Board Budget Recommendation Final Approval Emergency Management Commission Budget Recommendation Final Approval	City Staff Department Budget Requests Due (includes individual staff requests)
19	20	21	22	23
26	27	28	29	30
Transportation Committee Budget Recommendation Final Approval Founders Day Commission Budget Recommendation Final Approval		Economic Development Committee Budget Recommendation Final Approval		

Budget Activities

- City Staff continues meeting with boards, commissions, committees, and council members to review and approve budget requests and recommendations.
- City Staff continues developing individual and department budget requests and updates them with feedback provided by City Administrators and Finance Director. Due by April 16th.
- IT Coordinator works with vendors and staff on options and costs for IT related expenses.

May 2021

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
3	4	5	6	7
Parks & Recreation Commission Budget Recommendation Final Approval			Historic Preservation Commission Budget Recommendation Final Approval	
10	11	12	13	14
TIRZ Board Budget Recommendation Final Approval				Board, Commission, Committee, and Council Member Budget Recommendations Due
17	18	19	20	21
← City Administration Budget Development →				
24	25	26	27	28
← City Administration Budget Development →				
31				
← City Administration Budget Development →				

Budget Activities

- City Staff continues meeting with boards, commissions, committees, and council members to review and approve budget requests and recommendations.
- All board, commission, committee, and council member recommendations due to Finance Director by May 14th.
- City Administrators and Finance Director draft proposed budget and review with staff and council members as necessary.

June 2021

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
	1	2	3	4
← City Administration Budget Development →				HOT Grant Program Recommendation Due
7	8	9	10	11
← City Administration Budget Development →				
14	15	16	17	18
	CC Meeting: • Budget Workshop			
21	22	23	24	25
				File Proposed Budget with City Secretary and Post on Website
28	29	30		

Budget Activities

- City Administrators and Finance Director continue to meet with staff and council members to draft proposed budget.
- City Council holds 1st budget workshop to review and discuss proposed budget on June 15th.
- Finance Director files proposed budget with City Secretary.
- City Secretary posts proposed budget on city website and copy given to Receptionist for public review.

July 2021

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
			1	2
5	6	7	8	9
12	13	14	15	16
	CC Meeting: • <i>Budget Workshop</i> <i>Set Proposed Tax Rate</i>			
19	20	21	22	23
	CC Meeting: • <i>Budget Workshop</i>		• Publication of Proposed Tax Rate & Budget Public Hearings • Begin Continuous Notice on City website	
26	27	28	29	30

Budget Activities

- City Staff continues to meet with council members assigned to discuss recommendations.
- City Council holds 2nd Budget Workshop on July 13th.
- City Council approves Proposed Tax Rate on July 13th.
- City Secretary submits notice to Century News and Hays Free Press regarding Public Hearing dates for proposed Tax Rate and Budget on July 16th for publication on July 22nd.
- City Secretary begins continuous notification of public hearings on City website on July 22nd.

August 2021

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
2	3	4	5	6
9	10	11	12	13
	CC Meeting: <ul style="list-style-type: none"> • Budget Workshop • Public Hearings on Tax Rate & Budget • Adopt or Postpone Budget 			
16	17	18	19	20
	CC Meeting: <ul style="list-style-type: none"> • Budget Adoption • Possible Ratification of Tax Rate • Adoption of Tax Rate 	<ul style="list-style-type: none"> • Publication of Tax Rate & Budget on City website • File Tax Rate & Budget with County and State Entities 		
23	24	25	26	27
			Publication of Notice of Approved Tax Rate & Budget	
30	31			

Budget Activities

- City Staff continues to meet with council members assigned to discuss recommendations.
- City Council holds 3rd Budget Workshop on August 10th.
- City Council holds Public Hearings for proposed Tax Rate and Budget on August 10th.
- City Council adopts Budget and Tax Rate on August 17th.
- Finance Director prepares Approved Budget for Fiscal Year 2022 with prescribed cover page.
- City Secretary submits notice to Century News and Hays Free Press regarding Approved Tax Rate and Budget on August 20th for publication on August 26th.
- City Secretary files Approved Tax Rate and Budget with Hays County and State Entities.

2020 TAX AND BUDGET DEADLINES FOR CITIES WITH POPULATIONS OF LESS THAN 30,000¹

S.B. 2, the also known as the Texas Property Tax Reform and Transparency Act of 2019, passed during the 2019 legislative session and makes significant changes to the property tax rate setting process. Most of the changes made by S.B. 2 became effective on January 1, 2020, and are incorporated into this memo.

A city that is considered to have a “low tax levy” under Tax Code Section 26.052 (a city that levies under \$500,000 in total property taxes and levies a tax rate under \$.50 per \$100) may choose to provide notice of its tax rate under that section of the Tax Code instead of Sections 26.04(e) and 26.06 of the Tax Code. A “low tax levy” city that chooses to provide notice under Section 26.052 of the Tax Code need not hold a public hearing on the tax rate, and is required to provide mailed or published notice of the tax rate no later than seven days before the date the city adopts the tax rate. If the city chooses to publish notice of the tax rate in the newspaper, the city must also provide public notice of its proposed tax rate by posting notice of the proposed tax rate, along with the information in Tax Code Sec. 26.052(e), prominently on the home page of the city’s website. The budget deadlines listed below still apply to “low tax levy” cities.

These are absolute deadlines, and assume the city waits until the last minute for each step. In most cases the city would be wise to act well in advance when possible.

<u>Adopted Rate Exceeds Voter-Approval Tax Rate</u>	<u>Adopted Rate Doesn’t Exceed Voter-Approval Tax Rate</u>
<p>July 17 – last day for budget officer to file proposed budget with municipal clerk if the city plans to wait until August 17 to adopt the tax rate. TEX. LOC. GOV’T CODE § 102.005 (<i>before 30th day before tax rate adopted</i> – thus, if a city plans to adopt tax rate before August 17, the proposed budget must be filed sooner). The proposed budget must contain a special cover page if the budget will raise more total property taxes than the previous year. The city secretary must post the proposed budget on the city’s website if the city maintains one. Additionally, the proposed budget must include a line item comparing expenditures in the proposed budget and actual expenditures in the preceding year for: (1) notices required to be published in the newspaper; and (2) directly or indirectly influencing or attempting to influence the outcome of legislation or administrative action, as those terms are defined in Government Code Sec. 305.002. TEX. LOC. GOV’T CODE § 140.0045.</p> <p>July 25 – Chief appraiser must deliver certified appraisal roll or certified estimate of taxable value to assessor. TEX. TAX CODE § 26.01(a). Pursuant to S.B. 2, a chief appraiser may submit a certified estimate of taxable value in lieu of a certified appraisal roll if the</p>	<p>July 25 – Chief appraiser must deliver certified appraisal roll or certified estimate of taxable value to assessor. TEX. TAX CODE § 26.01(a). Pursuant to S.B. 2, a chief appraiser may submit a certified estimate of taxable value in lieu of a certified appraisal roll if the appraisal review board for the appraisal district does not approve the appraisal records for the district by July 20. TEX. TAX CODE § 26.01(a-1). If the assessor receives a certified estimate of taxable values, the officer or employee designated by the city council must calculate the no-new-revenue tax rate and voter-approval tax rate using the estimate. TEX. TAX CODE § 26.04(c-2).</p> <p>August 7 – The designated officer or employee must submit the no-new-revenue and voter-approval tax rates to the city council by this date, or as soon thereafter as practicable. TEX. TAX CODE § 26.04(e). (Note: nothing in the Tax Code requires the designated officer or employee to calculate the de minimis rate for a city under 30,000 in population. Cities are encouraged to communicate with their designated officer or employee in advance of this date to confirm the calculation of the de minimis rate.) Additionally, the designated officer or employee must post the calculated no-new-revenue tax</p>

appraisal review board for the appraisal district does not approve the appraisal records for the district by July 20. TEX. TAX CODE § 26.01(a-1). If the assessor receives a certified estimate of taxable values, the officer or employee designated by the city council must calculate the no-new-revenue tax rate and voter-approval tax rate using the estimate. TEX. TAX CODE § 26.04(c-2).

August 7 – The designated officer or employee must submit the no-new-revenue and voter-approval tax rates to the city council by this date, or as soon thereafter as practicable. TEX. TAX CODE § 26.04(e). (Note: nothing in the Tax Code requires the designated officer or employee to calculate the de minimis rate for a city under 30,000 in population. Cities are encouraged to communicate with their designated officer or employee in advance of this date to confirm the calculation of the de minimis rate.) Additionally, the designated officer or employee must post the calculated no-new-revenue tax rate and voter-approval tax rates, along with certain debt information, on the home page of the city’s website in the form prescribed by the comptroller. *Id.* As soon as practicable after the designated officer or employee calculates the no-new-revenue tax rate and the voter-approval tax rate of the city, the designated officer or employee shall submit the tax rate calculation forms used in calculating the rates to the county assessor-collector for each county in which all or part of the city is located. TEX. TAX CODE § 26.04(d-3).

August 6 – last day to publish **notice of budget hearing**. TEX. LOC. GOV’T CODE § 102.0065 (not later than 10th day before the budget hearing). Note that the notice may not be published earlier than the 30th day before the hearing. The budget hearing notice must contain specific information about property tax increases. TEX. LOC. GOV’T CODE §102.0065(d).

August 10 – Continuous **Internet and T.V. notice of tax rate public hearing** begins, if applicable. TEX. TAX CODE § 26.065. The notice must be posted continuously for at least seven days immediately before the public hearing on the proposed tax rate increase and at least seven days immediately before the date of the vote proposing the increase in the tax rate. *Id.* For content of published notice and Internet and T.V. notice, see Tax Code Sections 26.06(b-1), (b-2), and (b-3). (Note: although there is no statutorily-defined procedure for the city council to follow in determining the proposed tax rate, this date effectively serves the deadline, as the required notice would include the proposed tax rate.)

August 12 – Last day to **publish notice of tax rate hearing**. TEX. TAX CODE § 26.06(a) (the public hearing may not be held before the fifth day after the date the

rate and voter-approval tax rates, along with certain debt information, on the home page of the city’s website in the form prescribed by the comptroller. *Id.* As soon as practicable after the designated officer or employee calculates the no-new-revenue tax rate and the voter-approval tax rate of the city, the designated officer or employee shall submit the tax rate calculation forms used in calculating the rates to the county assessor-collector for each county in which all or part of the city is located. TEX. TAX CODE § 26.04(d-3).

August 29 – last day for budget officer to **file proposed budget** with municipal clerk if the city plans to wait until September 29 to adopt the tax rate. TEX. LOC. GOV’T CODE § 102.005 (*before 30th day before tax rate adopted* – thus, if a city plans to adopt tax rate before September 29, the proposed budget must be filed sooner). The proposed budget must contain a special cover page if the budget will raise more total property taxes than the previous year. The city secretary must post the proposed budget on the city’s website if the city maintains one. Additionally, the proposed budget must include a line item comparing expenditures in the proposed budget and actual expenditures in the preceding year for: (1) notices required to be published in the newspaper; and (2) directly or indirectly influencing or attempting to influence the outcome of legislation or administrative action, as those terms are defined in Government Code Sec. 305.002. TEX. LOC. GOV’T CODE § 140.0045.

September 18 – last day to publish **notice of budget hearing**. TEX. LOC. GOV’T CODE § 102.0065 (not later than 10th day before the budget hearing). Note that the notice may not be published earlier than the 30th day before the hearing. The budget hearing notice must contain specific information about property tax increases. TEX. LOC. GOV’T CODE §102.0065(d).

September 22 – Continuous **Internet and T.V. notice of tax rate public hearing** begins, if applicable, and if the proposed tax rate will exceed the no-new-revenue rate. TEX. TAX CODE § 26.065. The notice must be posted continuously for at least seven days immediately before the public hearing on the proposed tax rate increase and at least seven days immediately before the date of the vote proposing the increase in the tax rate. *Id.* For content of published notice and Internet and T.V. notice, see Tax Code Sections 26.06(b-1), (b-2), and (b-3). (Note: although there is no statutorily-defined procedure for the city council to follow in determining the proposed tax rate, this date effectively serves the deadline, as the required notice would include the proposed tax rate.)

notice of the public hearing is given). The notice may be delivered by mail to each property owner, or may be published in a newspaper. TEX. TAX CODE § 26.06(c). If the notice is published in the newspaper, the city must also post the notice prominently on the home page of the city's website from the date the notice is first published until the public hearing is concluded. *Id.* The notice must include the table described in Tax Code Section 26.062. A city adopting a rate triggering an automatic election or the ability to petition for an election must modify the notice in accordance with Tax Code Section 26.063.

August 16 – last day for **hearing on budget**. TEX. LOC. GOV'T CODE § 102.006(b) (hearing shall be before the date of the tax levy). Note that the hearing must be after the 15th day after the proposed budget is filed with the clerk. Also, the city must take some sort of **action on the budget** at conclusion of hearing. TEX. LOC. GOV'T CODE § 102.007. This action could be the adoption of the budget, or else a vote to postpone the final budget vote. It is generally accepted that the city need not adopt the budget at the end of the hearing.

August 17 – city should **adopt the budget** no later than this date. TEX. LOC. GOV'T CODE § 102.009 (city may only levy taxes in accordance with budget, and because levy cannot take place later than August 17 (see below), this is the effective deadline for property taxing cities). The city council must take a separate ratification vote to adopt any budget that will raise total property tax revenue. TEX. LOC. GOV'T CODE § 102.007(c). The budget must contain a special cover page that includes: (a) a specific statement on the whether the budget raises more, less, or the same amount of property tax revenue compared to the previous year's budget; (b) the record vote of each member of the city council by name voting on the adoption of the budget; (c) the city property tax rates for the preceding and current fiscal years, including the adopted rate, no-new-revenue tax rate, no-new-revenue maintenance and operations tax rate, voter-approval tax rate, and debt rate; and (d) the total amount of city debt obligations secured by property taxes. TEX. LOC. GOV'T CODE § 102.007(d). The adopted budget, including the cover page, must be posted on the city's website if the city has one.

August 17 – Must **hold tax rate hearing and adopt a tax rate exceeding the greater of the taxing unit's voter-approval tax rate or de minimis tax rate** no later than this date. TEX. TAX CODE § 26.05(a) (city council must adopt a tax rate that exceeds the voter-approval tax rate not later than the 71st day before the November uniform election date; however, the city council must order the automatic election by no later than the 78th day before the November election date under Election Code Section 3.005(c), effectively

September 24 – Last day to **publish notice of tax rate hearing**, if the proposed tax rate will exceed the no-new-revenue rate, **or the meeting to adopt the tax rate**, if the tax rate does not exceed the no-new-revenue rate. TEX. TAX CODE § 26.06(a) (the public hearing may not be held before the fifth day after the date the notice of the public hearing is given). The notice may be delivered by mail to each property owner, or may be published in a newspaper. TEX. TAX CODE § 26.06(c). If the notice is published in the newspaper, the city must also post the notice prominently on the home page of the city's website from the date the notice is first published until the public hearing is concluded. *Id.* The notice must include the table described in Tax Code Section 26.062. A city adopting a rate triggering an automatic election or the ability to petition for an election must modify the notice in accordance with Tax Code Section 26.063.

September 28 – last day for **hearing on budget**. TEX. LOC. GOV'T CODE § 102.006(b) (hearing shall be before the date of the tax levy). Note that the hearing must be after the 15th day after the proposed budget is filed with the clerk. Also, the city must take some sort of **action on the budget** at conclusion of hearing. TEX. LOC. GOV'T CODE § 102.007. This action could be the adoption of the budget, or else a vote to postpone the final budget vote. It is generally accepted that the city need not adopt the budget at the end of the hearing.

September 29 – city should **adopt the budget** no later than this date. TEX. LOC. GOV'T CODE § 102.009 (city may only levy taxes in accordance with budget, and because levy cannot take place later than September 29 (see below), this is the effective deadline for property taxing cities). The city council must take a separate ratification vote to adopt any budget that will raise total property tax revenue. TEX. LOC. GOV'T CODE § 102.007(c). The budget must contain a special cover page that includes: (a) a specific statement on the whether the budget raises more, less, or the same amount of property tax revenue compared to the previous year's budget; (b) the record vote of each member of the city council by name voting on the adoption of the budget; (c) the city property tax rates for the preceding and current fiscal years, including the adopted rate, no-new-revenue tax rate, no-new-revenue maintenance and operations tax rate, voter-approval tax rate, and debt rate; and (d) the total amount of city debt obligations secured by property taxes. TEX. LOC. GOV'T CODE § 102.007(d). The adopted budget, including the cover page, must be posted on the city's website if the city has one.

September 29 – Must **hold tax rate hearing** (if applicable) and **adopt tax rate** no later than this date. TEX. TAX CODE § 26.05 (or 60th day after receipt of

making the deadline to adopt the tax rate the 78th day before the November uniform election date). The hearing must be held on a weekday that is not a public holiday. TEX. TAX CODE § 26.06(a). The city council may vote on the proposed tax rate at the public hearing. If the city council does not vote on the proposed tax rate at the public hearing, the city council shall announce at the public hearing the date, time, and place of the meeting at which it will vote on the proposed tax rate, and that meeting may not be held later than the seventh day after the date of the public hearing. TEX. TAX CODE § 26.06(e). The city council must separately approve the maintenance and operations component and the debt service component of the tax rate. TEX. TAX CODE § 26.05(a). The motion to adopt a tax rate that exceeds the no-new-revenue rate must be made precisely as follows: "I move that the property tax rate be increased by the adoption of a tax rate of (specify tax rate), which is effectively a (insert percentage by which the proposed tax rate exceeds the no-new-revenue tax rate) percent increase in the tax rate." If the tax rate will exceed the no-new-revenue tax rate, the vote on the ordinance setting the tax rate must be a record vote and must be approved by at least 60 percent of the members of the city council. TEX. TAX CODE § 26.05(b). Tax Code Section 26.05 contains several other precise requirements regarding notice in the tax rate ordinance itself that must be complied with if the city adopts a rate exceeding the no-new-revenue tax rate. The city council may not hold its public hearing or public meeting to adopt a tax rate until the fifth day after the date the chief appraiser of each appraisal district in which the city participates has delivered its tax estimate notice under Tax Code Sec. 26.04(e-2) and made various types of tax rate information and the tax rate calculation forms available on to the public via the property tax database under Tax Code Sec. 26.17(f). TEX. TAX CODE. § 26.05(d-1).

August 17 – If the city adopts a rate exceeding the greater of the taxing unit's voter-approval tax rate or de minimis tax rate, the city must **order the automatic election** to approve the tax rate no later than the 78th day before the November uniform election date. TEX. ELEC. CODE § 3.005(c). At the election, the ballots shall be prepared to permit voting for or against the proposition: "Approving the ad valorem tax rate of \$_____ per \$100 valuation in (name of city) for the current year, a rate that is \$_____ higher per \$100 valuation than the voter-approval tax rate of (name of city), for the purpose of (description of purpose of increase). Last year, the ad valorem tax rate in (name of city) was \$_____ per \$100 valuation." The ballot proposition must include the adopted tax rate, the difference between the adopted tax rate and the voter-approval tax rate, and the city's tax rate for the preceding tax year in the appropriate places.

appraisal roll, whichever is later. If the city uses the 60 day rule, almost every date in this memo would need to be recalculated). The hearing must be held on a weekday that is not a public holiday. TEX. TAX CODE § 26.06(a). The city council may vote on the proposed tax rate at the public hearing. If the city council does not vote on the proposed tax rate at the public hearing, the city council shall announce at the public hearing the date, time, and place of the meeting at which it will vote on the proposed tax rate, and that meeting may not be held later than the seventh day after the date of the public hearing. TEX. TAX CODE § 26.06(e). The city council must separately approve the maintenance and operations component and the debt service component of the tax rate. TEX. TAX CODE § 26.05(a). The motion to adopt a tax rate that exceeds the no-new-revenue rate must be made precisely as follows: "I move that the property tax rate be increased by the adoption of a tax rate of (specify tax rate), which is effectively a (insert percentage by which the proposed tax rate exceeds the no-new-revenue tax rate) percent increase in the tax rate." S.B. 1760 (2015) provides that if the tax rate will exceed the no-new-revenue tax rate, the vote on the ordinance setting the tax rate must be a record vote and must be approved by at least 60 percent of the members of the city council. TEX. TAX CODE § 26.05(b). Tax Code Section 26.05 contains several other precise requirements regarding notice in the tax rate ordinance itself that must be complied with if the city adopts a rate exceeding the no-new-revenue tax rate. The city council may not hold its public hearing or public meeting to adopt a tax rate until the fifth day after the date the chief appraiser of each appraisal district in which the city participates has delivered its tax estimate notice under Tax Code Sec. 26.04(e-2) and made various types of tax rate information and the tax rate calculation forms available on to the public via the property tax database under Tax Code Sec. 26.17(f). TEX. TAX CODE. § 26.05(d-1).

<p>TEX. TAX CODE § 26.07(c).</p> <p>August 24 – A city adopting a tax rate that exceeds the voter-approval tax rate, but is less than the de minimis tax rate, must adopt its tax rate no later than this day. TEX. TAX CODE § 26.05(a) (city council must adopt a tax rate that exceeds the voter-approval tax rate not later than the 71st day before the November uniform election date). The city council must separately approve the maintenance and operations component and the debt service component of the tax rate. TEX. TAX CODE § 26.05(a). The motion to adopt a tax rate that exceeds the no-new-revenue rate must be made precisely as follows: “I move that the property tax rate be increased by the adoption of a tax rate of (specify tax rate), which is effectively a (insert percentage by which the proposed tax rate exceeds the no-new-revenue tax rate) percent increase in the tax rate.” If the tax rate will exceed the no-new-revenue tax rate, the vote on the ordinance setting the tax rate must be a record vote and must be approved by at least 60 percent of the members of the city council. TEX. TAX CODE § 26.05(b). Tax Code Section 26.05 contains several other precise requirements regarding notice in the tax rate ordinance itself that must be complied with if the city adopts a rate exceeding the no-new-revenue tax rate.</p>	
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¹ This memo does not apply to a city with a population of less than 30,000 if that city’s de minimis rate does not exceed the city’s voter-approval rate. The very few cities in the state that fit that category should refer to TML’s memo on tax and budget deadlines for cities with populations of 30,000 or more.

Senate Bill 2 – Explanatory Q&A

Prepared by TML Staff

Questions? Contact Bill Longley, Legislative Counsel, at bill@tml.org

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Senate Bill 2, also known as the Texas Property Tax Reform and Transparency Act of 2019, was passed by the Texas Legislature in 2019. At its most fundamental level, S.B. 2 reforms the system of property taxation in three primary ways: (1) lowering the tax rate a taxing unit can adopt without voter approval and requiring a mandatory election to go above the lowered rate; (2) making numerous changes to the procedure by which a city adopts a tax rate; and (3) making several changes to the property tax appraisal process.

When does S.B. 2 go into effect?

The vast majority of the bill, including the new tax rate calculations, took effect on January 1, 2020. A few other provisions, including those related to the use of comptroller forms in calculating the tax rate and injunctive relief for failure to comply with statutory requirements, do not go into effect until January 1, 2021.¹

Are there any provisions that a city needed to comply with before January 1, 2020?

Yes, only one. Section 106 of the bill provides that, not later than 30 days after the section becomes effective, taxing units must submit to their county assessor-collectors the worksheets used by the taxing unit to calculate the effective and rollback tax rates for the 2015-2019 tax years. The county assessor-collector, in turn, must post the worksheets on the county's website. This section took effect on the 91st day after the last day of the legislation session, at which point cities had 30 days to submit their worksheets. Thus, the deadline for cities to submit their worksheets to the county assessor-collector was September 25, 2019.

What terminology was changed?

Prior to S.B. 2, the term “effective tax rate” referred to the benchmark tax rate needed to raise the same amount of maintenance and operations property taxes on existing property as the previous year, after taking into account changes in appraised values. S.B. 2 changed the terms “effective tax rate” and “effective maintenance and operations tax rate” to “no-new-revenue tax rate” and “no-new-revenue maintenance and operations tax rate,” respectively.

Additionally, the term “rollback tax rate” was changed to “voter-approval tax rate.” More significant than the change in terminology is the modification to both the voter-approval rate

¹ In addition to these sections, pursuant to Section 105 of S.B. 2, each taxing unit located wholly or primarily in an appraisal district established in a county with a population of less than 200,000 need not comply with Tax Code Secs. 26.04(e-2), 26.05(d-1) and (d-2), 26.17, and 26.18 until the 2021 tax year.

formula (discussed in the next question), and the requirement that cities hold automatic elections to approve tax rates exceeding the voter-approval tax rate.

How does S.B. 2 modify the calculation of a city’s rollback tax rate?

Under pre-S.B. 2 law, a city’s rollback rate was the rate necessary to raise precisely eight percent more maintenance and operations tax revenue as the year before after taking into account appraisal fluctuations. The debt service component of the tax rate is then added to the product of the effective maintenance and operations rate and 1.08.

In addition to changing the terminology from “rollback rate” “to “voter-approval rate,” S.B. 2 lowers the multiplier used in the rate calculation from 8 percent to 3.5 percent for cities that aren’t considered to be “special taxing units,” which is nearly every Texas city. To illustrate, the old calculation of a city’s rollback rate was as follows:

$$\text{Rollback Rate} = (\text{Effective Maintenance and Operations Rate} \times 1.08) + \text{current debt service tax rate}$$

Under S.B. 2, that calculation now looks like this:

$$\text{Voter-Approval Rate} = (\text{No-New-Revenue Maintenance and Operations Rate} \times 1.035) + \text{current debt service tax rate}$$

TEX. TAX CODE § 26.04(c).

There are some other adjustments as well. Most notably, under the new formula a city adds its “unused increment rate” to the 3.5 percent limit on maintenance and operations increases. Unused increment is discussed in greater detail below.

Does S.B. 2 modify the procedure for approval of a tax rate that exceeds the voter-approval rate?

Yes. Previously, any rate adopted that exceeded the 8 percent rollback rate triggered the ability of citizens to petition to hold an election to “roll back” the tax rate to the rollback rate. Generally speaking, S.B. 2 requires a city to hold an automatic election (i.e., the bill eliminates the petition requirement) on the November uniform election date if it adopts a rate exceeding the 3.5 percent voter-approval rate. See TEX. TAX CODE § 26.07. That said, some cities under 30,000 population are not subject to the automatic election requirement associated with adopting a rate exceeding the new voter-approval rate.

What is a special taxing unit?

Under S.B. 2, a special taxing unit is a taxing unit that remains subject to the 8 percent voter-approval rate and is not subject to the new 3.5 percent voter-approval rate. Two types of taxing units—junior college districts and hospital districts—are expressly considered to be “special taxing units” under the new legislation. TEX. TAX CODE § 26.012(19). Beyond that, only a taxing unit other than a school district with a proposed maintenance and operations tax rate of 2.5 cents or less per \$100 of taxable value is considered to be a special taxing unit. In other words, if a city is proposing a tax rate of only 2.5 cents or less, it could continue to calculate the voter-approval rate using 8 percent.

According to the Texas Comptroller’s property tax data, of the more than 1000 Texas cities that had adopted property taxes in 2017, only four of those cities had tax rates of less than 2.5 cents per \$100. (Website of Texas Comptroller of Public Accounts, Property Tax Survey Data and Reports – 2017 City Values, <https://comptroller.texas.gov/taxes/property-tax/reports/index.php>.)

What is the unused increment rate?

Included within the voter-approval rate calculation in S.B. 2 is a new term called the “unused increment rate.” The unused increment rate can be used to increase the voter-approval rate, depending upon the tax rates adopted by the city in the previous three years.

In essence, the “unused increment rate” is the 3-year rolling sum of the difference between the adopted tax rate and voter-approval rate. Put differently, the city has the ability to “bank” any unused amounts below the voter-approval rate to use for up to three years. Conversely, if the city adopts the voter-approval rate all years between 2020 and 2022, the unused increment rate would be zero. Under no circumstance can the unused increment rate be less than zero. *See* TEX. TAX CODE § 26.013(b)(1).

The legislature’s stated goal in relation to the unused increment rate is to discourage taxing units from adopting a rate equal to the 3.5 percent voter-approval rate every year. Under the new framework, a city that experiences exceptional growth in sales tax revenues in a year, for instance, may be able to adopt a rate less than the 3.5 percent voter-approval rate and bank the difference for a future year when sales taxes perform worse than expected. On the other hand, many cities will be forced to go up to the 3.5 voter-approval rate every year just to keep up with rising costs. For those cities, the unused increment rate will be a non-factor.

S.B. 2 provides that, for each tax year before the 2020 tax year, the difference between the taxing unit’s voter-approval tax rate and actual tax rate is considered to be zero. *Id.* § 26.013(c). This means that any difference between the 2019 rollback rate and adopted rate cannot be used to increase the unused increment rate in the three subsequent tax years.

What is the de minimis rate?

The de minimis rate is a new tax rate calculation added by S.B. 2 that is designed to give smaller taxing units, including cities, some relief from the 3.5 percent voter-approval tax rate.

The de minimis rate is defined as the sum of:

1. a taxing unit's no-new-revenue maintenance and operations rate;
2. the rate that, when applied to a taxing unit's current total value, will impose an amount of taxes equal to \$500,000; and
3. a taxing unit's current debt rate.

TEX. TAX CODE § 26.012(8-a).

In a nutshell, the de minimis rate was added to S.B. 2 to allow smaller cities some flexibility to adopt a tax rate that generates \$500,000 more in property tax revenue than the previous year. The thinking was that applying a 3.5 percent voter-approval rate in some very small communities would unnecessarily restrict revenue growth to sometimes just a nominal amount, and the application of the lowered voter-approval rate created an unfair result for small towns.

Are all cities required to calculate and use the de minimis rate?

No. The provisions of S.B. 2 relating to the de minimis rate apply only to a city with a population of less than 30,000. *See* TEX. TAX CODE §§ 26.063 and 26.075. A city with a population of less than 30,000 must calculate a de minimis rate.² Cities with populations of 30,000 or more do not calculate the de minimis rate or receive any of the fiscal flexibility associated with the de minimis rate.

How does the de minimis rate work?

If the city with a population of less than 30,000 adopts a tax rate that exceeds the greater of the city's voter-approval tax rate or the de minimis tax rate, the city council must order an election to approve the adopted tax rate for the November uniform election date. TEX. TAX CODE § 26.07(b).

But what if a city with a population of less than 30,000 adopts a tax rate that exceeds the voter-approval rate but not the de minimis rate? It is possible, depending on the facts, that the voters would be required to petition for a tax approval election instead of the city being required to hold an automatic election.

A city's voters are required to submit a petition to hold a tax approval election if:

1. the city's de minimis rate exceeds the voter-approval rate; and

² Although nothing in S.B. 2 expressly requires a city under 30,000 in population to calculate the de minimis rate, the alternative notice provisions in Tax Code Sec. 26.063 and the petition requirements in Sec. 26.075 apply only to a city under 30,000 in population if the de minimis rate exceeds the voter-approval rate. Practically speaking, the only way for a city under 30,000 population to know if these statutes apply is to calculate the de minimis rate.

2. the city's adopted rate is: (a) equal to or lower than the de minimis rate; and (b) greater than the greater of the city's voter-approval tax rate (a 3.5 percent rate plus the unused increment rate) or the voter-approval tax rate calculated as if the city were a special taxing unit (an 8 percent rate).³

Id. § 26.075.

If the adopted rate is less than either the voter-approval tax rate or voter-approval tax rate for a special taxing unit, the city is not subject to the petition requirements. Essentially, one of these smaller cities that has a de minimis rate that exceeds the 3.5 percent voter-approval tax rate can adopt a rate all the way up to the de minimis rate without an automatic election in November. However, under the bill an 8 percent voter-approval rate (similar to pre-S.B. 2 law) still applies to them in a limited way. If the city's adopted rate exceeds an 8 percent voter-approval rate (but is lower than the de minimis rate) the city is subject to a petition from the voters to conduct a voter-approval election.

The bill's language regarding the de minimis rate is extremely complicated, so it may be helpful to map out the different scenarios for a city. If a city under 30,000 population has a de minimis rate that exceeds the 3.5 voter-approval rate the following rules apply:

- If the city's adopted rate exceeds de minimis rate – Automatic election in November.
- If the city's adopted rate is equal to or lower than de minimis rate but exceeds the greater of the 3.5 voter-approval tax rate or an 8 percent voter-approval tax rate applicable to a special taxing unit – Citizens may petition for an election.
- If the city's adopted rate is lower than de minimis rate and does not exceed the greater of the 3.5 voter-approval tax rate or an 8 percent voter-approval tax rate applicable to a special taxing unit – No election required (automatic or petition).

What is the petition and election process in a city under 30,000 that adopts a tax rate equal to or lower than the de minimis rate, but higher than an 8 percent voter-approval tax rate?

A petition for an election to determine whether to reduce the city's adopted tax rate is valid only if the petition:

1. states that it is intended to require an election in the city on the question of reducing the city's adopted tax rate for the current year;
2. is signed by at least three percent of the registered voters of the city determined according to the most recent list of those voters; and
3. is submitted to the city council not later than the 90th day after the date on which the city council adopts the tax rate.

³ How could the city's voter-approval tax rate exceed the voter-approval tax rate calculated as if the city were a special taxing unit? It is possible that a city's voter-approval tax rate is higher depending upon the amount of the unused increment rate. Even if it isn't likely, it is possible that a city could bank enough unused increment over a three year window for the 3.5 percent voter-approval rate to exceed the 8 percent voter approval rate for a special taxing unit.

TEX. TAX CODE § 26.075(d).

The city council shall determine whether the petition is valid not later than the 20th day after the date on which the petition is submitted. *Id.* § 26.075(e). If the petition is deemed valid, the city council shall order the election be held on the next uniform election date that allows sufficient time to comply with the requirements of other law. *Id.* § 26.075(f).

At the election, the ballots must be prepared to permit voting for or against the following proposition: “Reducing the tax rate in (name of city) for the current year from (insert tax rate adopted for current year) to (insert voter-approval tax rate).” *Id.* § 26.075(g). Note that, if approved, the tax rate would be reduced to the city’s actual voter-approval tax rate, not the 8 percent voter approval tax rate for a special taxing unit. *See Id.* § 26.075(c). If the tax rate is reduced and a property owner already paid taxes calculated using the higher tax rate, the city must refund the difference between the amount of taxes paid and the amount due under the reduced tax rate. *Id.* § 26.075(k).

Are there any other adjustments for cities that can be made to the 3.5 percent voter-approval rate?

Yes. S.B. 2 adds an adjustment to the no-new-revenue maintenance and operations rate—and therefore also the voter-approval rate—for eligible county hospital expenditures. TEX. TAX CODE § 26.0443. The definition of “eligible county hospital” includes a hospital that is owned or leased jointly by a city and a county, and an “eligible county hospital expenditure” includes the amount paid by a city in the tax year preceding the tax year for which the tax is adopted to maintain and operate an eligible county hospital. *Id.* If a city makes these expenditures, and the expenditures exceed the amount of the same expenditures from the preceding tax year, the city may increase its no-new-revenue maintenance and operations tax rate in accordance with an adjusted formula provided by statute. *Id.* § 26.0443(b).

Does the 3.5 percent voter-approval rate calculation include new property?

No. S.B. 2 modified the multiplier in the voter-approval tax rate calculation, reducing it from 8 percent to 3.5 percent. The new 3.5 percent multiplier is applied to the no-new-revenue maintenance and operations tax rate, which used to be called the effective maintenance and operations tax rate. Although the name of that tax rate changed, the calculation did not. The effective maintenance and operations tax rate excluded new property value from the calculation, and the no-new-revenue maintenance and operations rate calculation continues to do so.

Did S.B. 2 change the way cities finance certificates of obligation?

No. At one point during the legislative process, a version of S.B. 2 was considered that would have excluded all non-voter approved debt instruments payable from property taxes from the

definition of debt in the Tax Code. This would have forced cities to finance some certificates of obligation through the maintenance and operations tax rate instead of debt service. The result would have been having the lowered 3.5 voter-approval tax rate apply to all maintenance and operations expenses in addition to tax-supported certificates of obligation. Fortunately for Texas cities, the harmful certificate of obligation provision was stripped out of the bill in its final form.

How do the new tax rate calculations in S.B. 2 affect cities that have adopted the dedicated sales tax for property tax relief?

The changes made to the tax rate calculations by S.B. 2 also apply to the tax rate calculations for cities that have adopted the sales tax for property tax relief. *See* TEX. TAX CODE § 26.041. The sales tax for property tax relief (referred to in state statute as the “additional sales and use tax”) is designed to offset an equivalent amount of city property tax revenue by reducing a city’s voter-approval tax rate by the amount of sales tax revenue that corresponds with the portion of the sales tax rate dedicated to property tax relief. According to comptroller data⁴, 395 cities have adopted the sales tax for property tax relief.

The voter-approval tax rate calculation in cities that have adopted the sales tax for property tax relief contains a 3.5 percent multiplier and unused increment rate adjustment, just like the calculation for any other city. Before S.B. 2, cities with the sales tax for property tax relief were deducting sales tax revenue from a property tax rate formula that used an eight percent multiplier. Now, the baseline rate is lowered due to the 3.5 percent multiplier, and the sales tax revenue is deducted from that rate. The end result is that cities that have adopted the sales tax for property tax relief will see their voter-approval rates lowered by a greater amount than those cities without the sales tax for property tax relief.

Does a city get any relief from the lowered voter-approval rate during a disaster?

Yes, in two different ways. First, a city council may direct the designated officer or employee⁵ to calculate the voter-approval tax rate in the manner provided for a special taxing unit (8 percent) if any part of the city is located in an area declared a disaster area during the current tax year by the governor or by the president of the United States. TEX. TAX CODE § 26.04(c-1). The designated officer or employee shall continue calculating the voter-approval tax rate using 8 percent instead of 3.5 percent until the earlier of:

1. the second tax year in which the total taxable value of property in the city exceeds the total taxable value of property taxable by the city on January 1st of the tax year in which the disaster occurred; or

⁴ <https://comptroller.texas.gov/taxes/sales/city-additional-tax.php>.

⁵ The term “designated officer or employee” is not a new one added by S.B. 2. The city council has the ability to designate any officer or employee to calculate the tax rate. Tax Code § 26.04(c). The designated officer or employee is commonly a city finance officer or even a chief appraiser or county assessor-collector. Because of the increased responsibilities under S.B. 2, cities are encouraged to consult with their designated officer or employee about the changes well in advance of S.B. 2 taking effect. If that is the chief appraiser or county assessor-collector, the city may wish to revisit any written agreements currently in place.

2. the third tax year after the tax year in which the disaster occurred.

Id.

The other S.B. 2 provision pertaining to disasters gives cities the ability to avoid an automatic tax rate approval election following certain disasters. When an increased expenditure of money by a city is necessary to respond to a disaster, including a tornado, hurricane, flood, wildfire, or other calamity, but not including a drought, that impacted the city and the governor has declared any part of the city as a disaster area, an election (petitioned or automatic) is not required to approve the tax rate adopted by the governing body for the year following the year in which the disaster occurs. *Id.* § 26.07(b).

When must the tax rate be adopted?

While the Tax Code still requires a city to adopt its tax rate before the later of September 30th or the 60th day after the certified appraisal roll is received by the city, S.B. 2 moves up the date on which a city must adopt a tax rate that exceeds the voter-approval tax rate. TEX. TAX CODE § 26.05(a). If a city adopts a rate exceeding the voter-approval tax rate, it must do so not later than the 71st day before the November uniform election date, which is the first Tuesday following the first Monday in November. *Id.*; *See also* TEX. ELEC. CODE § 41.001(a)(3).

Because S.B. 2 is designed to have cities' automatic tax rate approval elections held on the November uniform election date, the legislature deemed it necessary to require cities to adopt their tax rates earlier to provide ample time to order the election. Indeed, S.B. 2 requires the city council to order the tax rate approval election not later than the 71st day before the date of the election. TEX. TAX CODE § 26.07(c). The 71st day will change every year depending upon when the November election date occurs, but generally it will occur in mid-to-late August.

Using the 71st day before election day as the deadline to order the election in S.B. 2 appears to be a drafting mistake by the legislature. The Election Code provides that, for an election held on a uniform election date, the election shall be ordered not later than the 78th day before election day. TEX. ELEC. CODE § 3.005(c). Further, the Election Code provides that the 78-day deadline supersedes any law outside the Election Code to the extent of any conflict. *Id.* § 3.005(b). Because the 78th day deadline for ordering the election expressly prevails over the 71st day deadline in S.B. 2, a city must order its election by no later than the 78th day before the November uniform election date. Even though the election must be ordered by the 78th day before the election, theoretically a city could push off the adoption of a tax rate exceeding the voter-approval tax rate until the 71st day before the election as provided by S.B. 2.

Interestingly, this expedited tax rate adoption calendar applies to a city under 30,000 that adopts a tax rate that exceeds the voter-approval rate, even if the city's adopted rate does not exceed the de minimis tax rate. *See* TEX. TAX CODE § 26.05(a). If *any* city adopts a tax rate that exceeds the voter-approval rate, it must do so by the 71st day before the November uniform election date.

Because state law provides that a city may levy taxes only in accordance with the budget, a city must adopt its budget before it adopts its tax rate, regardless of the deadline to do so. *See* TEX. LOC. GOV'T CODE § 102.009(a). If a city adopts a tax rate in August that exceeds the voter-approval tax rate, it must adopt its budget before doing so.

What is the election process for a city that must hold an automatic election to approve a tax rate?

A city with a population of 30,000 or more that adopts a tax rate exceeding the voter-approval tax rate, or a city with a population of less than 30,000 that adopts a tax rate exceeding the greater of the taxing unit's voter-approval tax rate or de minimis rate must hold an automatic election to approve the adopted tax rate as required by Texas Tax Code Sec. 26.07. As mentioned above, a city to which Sec. 26.07 applies must order its election by the 78th day before the November uniform election date. TEX. ELEC. CODE § 3.005(c).

The ballots must be prepared to permit voting for or against the following proposition: "Approving the ad valorem tax rate of \$____ per \$100 valuation in (name of taxing unit) for the current year, a rate that is \$____ higher per \$100 valuation than the voter-approval tax rate of (name of taxing unit), for the purpose of (description of purpose of increase). Last year, the ad valorem tax rate in (name of taxing unit) was \$_____ per \$100 valuation." TEX. TAX CODE § 26.07(c).

Although most of the required ballot language is fairly straightforward, cities have raised questions about what exactly would satisfy the requirement to describe the purpose of the increase. For example, it may not be easy to discern if an increased expenditure is attributable to the revenue derived from the amount by which a city goes over the voter-approval tax rate, or if the expenditure was something the city prioritized in its budget that would have been covered by city's adoption of the voter-approval tax rate or even the no-new-revenue tax rate. Without any additional statutory guidance, cities would appear to maintain the discretion to make a reasonable determination under this provision. Cities are encouraged to consult with their city attorney about the ballot language describing the purpose of the increase.

What happens if voters don't approve a city tax rate exceeding the voter-approval rate?

If voters do not approve the city's adopted tax rate at a tax rate approval election, the city's rate for the current tax year is set at the voter-approval tax rate. TEX. TAX CODE § 26.07(e). If property owners pay their taxes using the originally adopted tax rate and the voters ultimately reject that rate at an election in November, the city must refund the difference between the amount of taxes paid and the amount of taxes due under the voter-approval tax rate. *Id.* § 26.07(g).

What happens if the city doesn't receive the certified appraisal roll on time?

Prior to the passage of S.B. 2, the law required the chief appraiser to submit the certified appraisal roll to the assessor for each taxing unit by July 25th. TEX. TAX CODE § 26.01(a). The certified roll could be certified once the appraisal review board has completed substantially all timely filed protests so that the amount of undetermined value is not more than five percent of the total appraised value of all taxable properties. *Id.* § 41.12(b). The deadline for appraisal review boards to complete substantially all of their work was July 20th, though appraisal districts located in counties with populations of one million or more could postpone this deadline until August 20th. *Id.* § 41.12(c).

Certifying the tax roll triggers the tax rate setting process, as a city may not calculate the tax rates without a firm grasp the appraised values contained in the certified roll. Because a city that adopts a rate exceeding the voter-approval rate must act quickly, the timely delivery of the certified tax roll becomes even more important under S.B. 2. Delivery of the certified appraisal roll by August 20th or later is completely untenable for cities given the new deadlines for adopting the tax rate under S.B. 2.

Instead of requiring all appraisal review boards to complete substantially all protests by July 20th so the roll can be certified by the chief appraiser by July 25th, S.B. 2 instead gives chief appraisers an alternative to submitting a certified roll to the assessor. S.B. 2 amends the Tax Code to provide that, if the appraisal review board has not approved the appraisal records by July 20th, the chief appraiser shall prepare and certify to the assessor for each taxing unit an *estimate* of the taxable value by not later than July 25th. *Id.* § 26.01(a-1). If a certified estimate is provided instead of a certified appraisal roll, the officer or employee designated by the city council shall calculate the no-new-revenue tax rate and voter-approval tax rate using the certified estimate of taxable value. *Id.* § 26.04(c-2).

What changes were made to how a city provides notice of its tax rate every year?

Prior to the passage of S.B. 2, most cities provided notice of their property tax rates pursuant to Local Government Code Section 140.010. That statute was repealed by S.B. 2 and replaced with a few different mechanisms for providing notice of the city's tax rate:

- By August 7th or as soon thereafter as practicable, the designated officer or employee of a city must post notice on the city's website, in the form prescribed by the comptroller, the following: (1) the no-new-revenue tax rate and the voter-approval tax rate, along with an explanation of how they were calculated; (2) the estimated amount of interest and sinking fund balances and the estimated amount of maintenance and operation or general fund balances remaining at the end of the current fiscal year that are not encumbered with or by corresponding existing debt obligations; and (3) a schedule of the city's debt obligations. TEX. TAX CODE § 26.04(e).
- New notice provisions for the public hearing on the tax rate, loosely based upon the tax rate notice located in Local Government Code Sec 140.010 that was repealed by S.B. 2, are included in the bill. A different notice is required for each of the following scenarios: (1) the proposed tax rate exceeds the no-new-revenue tax rate and the voter-approval tax rate; (2) the proposed tax rate exceeds the no-new-revenue tax rate but does not exceed

the voter-approval tax rate; and (3) the proposed tax rate does not exceed the no-new-revenue tax rate but exceeds the voter-approval tax rate; and (4) in a city with a population of less than 30,000 in which the de minimis tax rate exceeds the voter-approval tax rate, the proposed tax rate exceeds the voter-approval rate. *Id.* §§ 26.06(b-1) – (b-3), 26.063.

- S.B. 2 includes new notice provisions for the meeting to vote on a proposed tax rate that does not exceed the lower of the no-new-revenue tax rate or voter-approval tax rate. (Note: this notice is similar to the notice requirements related to the public hearing on the tax rate, except that no public hearing is required because the proposed rate doesn’t exceed the lower of the no-new-revenue rate or voter-approval rate.) *Id.* § 26.061.
- S.B. 2 also requires a table to be included at the end of the notice of the hearing on the tax rate or meeting to adopt the tax rate, as applicable, that compares the taxes imposed on the average residence homestead in the city last year to the taxes proposed to be imposed on the average residence homestead this year.

How must the tax comparison table be formatted?

In addition to requiring specific language both before and after the table, S.B. 2 requires the table itself to be generally formatted as follows (example for 2020 tax year):

	2019	2020	Change
Total Tax Rate (per \$100 of value)	2019 adopted rate	2020 proposed rate	Statement of nominal and percentage difference
Average Homestead Taxable Value	2019 average taxable value of residence homestead	2020 average taxable value of residence homestead	Statement of percentage difference
Tax on Average Homestead	2019 Amount of taxes on average homestead	2020 amount of taxes on average homestead	Statement of nominal and percentage difference
Total tax levy on all properties	2019 Levy	(Proposed rate x current total value)/100	Statement of nominal and percentage difference

See TEX. TAX CODE § 26.062.

Are low-tax-levy cities exempt from the new notice requirements?

Mostly, yes. Just like the law prior to S.B. 2, cities with low tax levies have a simplified tax rate notice and are exempt from the other notice requirements in the Tax Code. A “low tax levy” city is one that levies under \$500,000 in total property taxes and has a tax rate under \$.50 per \$100 of valuation. *See* TEX. TAX CODE § 26.052(a). Under S.B. 2, any such city is exempt from both the requirement to post tax rate and debt notice on the city’s website under Tax Code Sec. 26.04(e),

and the new notices of the tax rate hearing or meeting to adopt the tax rate in Tax Code Secs. 26.06 and 26.063.

A low-tax levy city must, however, provide notice of the meeting to vote on a proposed tax rate that does not exceed the lower of the no-new-revenue or voter-approval tax rate pursuant to Tax Code Sec. 26.061. The notice may be delivered by mail or published in the newspaper. *See Id.* §§ 26.061(d) and 26.06(c). If the notice is published in the newspaper, the city must also post the notice prominently on the home page of the city's website from the date the notice is first published until the public hearing is concluded. *Id.* § 26.06(c).

If a low-tax-levy city publishes in the newspaper simplified notice as authorized under Tax Code Sec. 26.052(e), the city must also provide public notice of its proposed tax rate by posting the simplified notice prominently on the city's website. *Id.* § 26.052(f).

Does a city need to use a specific form to calculate its tax rate?

Yes. The comptroller is required to create tax rate calculation forms to be used by cities and other taxing units when calculating their property tax rates. TEX. TAX CODE § 5.07(f). The forms are required to be in an electronic format and have blanks that can be filled in electronically. *Id.* § 5.07(g). Further, the forms must be capable of being certified by the designated officer or employee of a city after completion as accurately calculating the applicable tax rates and using values that are the same as the values shown in either the city's certified appraisal roll or the certified estimate of taxable value. *Id.* The forms also must be capable of being electronically incorporated into the property tax database maintained by each appraisal district (discussed in greater detail below) and electronically submitted to the county assessor-collector. *Id.*

The designated officer or employee of the city is required to use the tax rate calculation forms prescribed by the comptroller to calculate the no-new-revenue tax rate and the voter-approval tax rate. *Id.* § 26.04(d-1). The designated officer or employee of the city may not submit the no-new-revenue tax rate and the voter-approval tax rate to the city council, and the city council may not adopt a tax rate, until the designated officer or employee certifies on the tax rate calculation forms that he or she has accurately calculated the tax rates and has used values that are the same as the values show in the city's certified appraisal roll in performing the calculations. *Id.* § 26.04(d-2).

As soon as practicable after the designated officer or employee calculates the no-new-revenue and voter-approval tax rates, he or she must electronically submit the tax rate calculation forms used in calculating the rates to the county assessor-collector for each county in which the city is located, and the assessor-collector must post the forms on the county's website. *Id.* §§ 26.04(d-3), 26.16(d-1). (Note: These statutory requirements are not effective until January 1, 2021.)

The city council must include as an appendix to the city's budget for a fiscal year the tax rate calculation forms used by the designated officer or employee of the city to calculate the no-new-revenue tax rate and the voter-approval tax rate of the city for the tax year in which the fiscal

year begins. *Id.* § 26.04(e-5). (Note: This statutory requirement is not effective until January 1, 2021.)

Is a city still required to hold two public hearings on the tax rate if the rate exceeds the no-new-revenue rate?

No. Before S.B. 2, when a city proposed a tax rate that exceeded the lower of the effective tax rate or the rollback rate, the city was required to hold two public hearings prior to adopting the tax rate. Due to the compressed timeframe for adopting a tax rate that exceeds the voter-approval rate, the drafters of S.B. 2 eliminated one of the existing tax rate hearings. Under S.B. 2, a city that adopts a rate exceeding the lower of the no-new-revenue tax rate or the voter-approval tax rate must only hold one public hearing. *See* TEX. TAX CODE § 26.05(d).

The lone public hearing under the new law may not be held before the fifth day after the date the notice of the public hearing is given. *See Id.* § 26.06(a). The city council also may not hold its public hearing or public meeting to adopt a tax rate until the fifth day after the date the chief appraiser of each appraisal district in which the city participates has delivered its tax estimate notice under Tax Code Sec. 26.04(e-2) and made various tax rate information and the tax rate calculation forms available on to the public via the property tax database under Tax Code Sec. 26.17(f) (discussed in greater detail below). *Id.* § 26.05(d-1). In fact, the city council is prohibited from adopting a tax rate until the chief appraiser has given notice and updated the property tax database. *Id.* § 26.05(d-2).

May the city council vote to approve the tax rate at the public hearing on the tax rate?

Yes. As opposed to prior law, which required a city to space out its two public hearings as well as the meeting to adopt the tax rate, the law as amended by S.B. 2 expressly authorizes the city council to vote on the proposed tax rate at the public hearing. *See* TEX. TAX CODE § 26.06(d). Again, this change reflects the reality that if a city council must adopt a tax rate that exceeds the voter-approval tax rate, it must act quickly to do so.

What is the property tax database?

S.B. 2 requires the chief appraiser of each appraisal district to create and maintain a property tax database that: (1) contains information that is provided by taxing units located in the appraisal district; (2) is continuously updated as preliminary and revised data becomes available and is provided by the designated officers or employees of taxing units; (3) is accessible to the public; and (4) is searchable by property address and owner. TEX. TAX CODE § 26.17(a).

The property tax database is required to include various types of information with respect to each property listed on the appraisal roll for the appraisal district. A city's designated officer or employee is required to electronically incorporate the following information into the database as the information becomes available:

1. the no-new-revenue tax rate and the voter-approval tax rate;
2. the proposed tax rate;
3. the date, time, and location of the public hearing, if applicable, on the proposed tax rate;
4. the date, time, and location of the public meeting, if applicable, at which the tax rate will be adopted; and
5. the tax rate calculation forms.

Id. § 26.17(e).

Does S.B. 2 require a city to create a website?

Not quite. S.B. 2 requires every taxing unit to either maintain an internet website or have access to a generally accessible Internet website that may be used for the purposes of posting tax rate and budget information. TEX. TAX CODE § 26.18. A “taxing unit” means any city “that is authorized to impose and is imposing ad valorem taxes on property... .” TEX. TAX CODE § 1.04(12). Thus, any city that has adopted a property tax rate must comply with the website requirements in S.B. 2.

The term “generally accessible Internet website” is not defined in the bill, but presumably refers to Facebook or some other website that is widely accessible and on which the city can post its information.

What is a city required to post on its website under S.B. 2?

The information required to be posted on a city’s website, or generally accessible Internet website, includes:

1. The name of each member of the city council;
2. The mailing address, email address, and telephone number of the city;
3. The official contact information for each member of the city council;
4. The city’s budget for the previous two years;
5. The city’s proposed or adopted budget for the current year;
6. The change in the amount of the city’s budget from the preceding year to the current year, by dollar amount and percentage;
7. The amount of property tax revenue budgeted for maintenance and operations for the current year and previous two years;
8. The tax rate for maintenance and operations adopted by the city for the current year and previous two years;
9. The tax rate for debt service adopted by the city for the current year and previous two years; and
10. The most recent financial audit of the city.

TEX. TAX CODE § 26.18.

Can a city reduce compensation to a first responder due to the enactment of S.B. 2?

No, at least not for the fiscal year beginning in 2020. Section 119 of the bill prohibits a city from adopting a budget for the fiscal year beginning in 2020 or taking any other action that has the effect of decreasing the total compensation to which a first responder (peace officer, firefighter, or certain licensed providers of emergency medical services) employed by the city was entitled in the preceding fiscal year. “Compensation” is defined to include a salary, wage, insurance benefit, retirement benefit, or similar benefit an employee receives as a condition of employment. A city is not legally prohibited by S.B. 2 from reducing first responder compensation in a budget other than the one adopted for fiscal year 2020.

What are the legal ramifications for a city that doesn’t comply with all of the new legal requirements in S.B. 2?

Just like the law prior to the passage of S.B. 2, a person owning taxable property in the city is entitled to an injunction either preventing the adoption of a tax rate or restraining the collection of taxes by the city if the city or designated officer or employee of the city, as applicable, has not complied with procedural certain requirements in the Tax Code. *See* TEX. TAX CODE §§ 26.04(g) and 26.05(e). In either scenario, the city has an affirmative defense in an action for an injunction that the failure to comply with the procedural requirements was in good faith. *Id.* The statutes authorizing injunctive relief, as amended by S.B 2, are not effective until January 1, 2021.



March 10, 2020 City Council Workshop

Budget Calendar FY 2021-Legislative
Changes

Prior to Senate Bill 2



- Tax Rate has to be approved by September 30
- Only two tax rate hearings generally required
- Terms:
 - Effective tax rate
 - Rollback rate (effective tax rate plus 8% plus debt rate)

Senate Bill 2 – Primary Changes



- Tax Rate has to be approved at least 71 days prior to November General Election Date (August 21st)
- Only one tax rate hearing required
- New reporting requirements
- New terms:
 - no-new-revenue tax rate
 - voter-approval tax rate 3.5% over current no-new-revenue tax rate
 - de minimus tax rate

Senate Bill 2 – Primary Changes



- De minimus tax rate
 - No-new-revenue tax rate plus rate that would create up to \$500,000 in new value plus debt rate
- Population of less than 30,000
- New deadline still applies



March 10, 2020	City Council Approval of Budget Calendar and Presentation on Legislative Changes to the Budget Process
April 17, 2020	City Staff Department Budget Requests Due (includes individual staff member requests submitted to supervisors and IT related requests)
May 8, 2020	Board, Commission and Committee Budget Recommendations Due (does not include Founders Day Commission); City Staff Employee Pay Recommendations Due from Department Heads
June 16, 2020	City Council Budget Workshop
June 19, 2020	Founders Day Commission Budget Recommendation Due
June 26, 2020	City Treasurer files Proposed Budget with City Secretary

Proposed FY 2021 Budget Calendar

Budget Submissions by Staff, Boards, and City Councilmembers



July 14, 2020	City Council Budget Workshop, Set Proposed Tax Rate, and Discussion
July 21, 2020	City Council Budget Workshop
July 23, 2020	Publication of Notice of Proposed Tax Rate, and Tax Rate and Budget Public Hearings (Submit for publication July 17, 2020)
	Begin Continuous Notice of Proposed Tax Rate on City Website with Public Hearing Dates for Budget and Tax Rate Hearing
August 11, 2020	City Council Budget Workshop – Public Hearings on Tax Rate and Budget (Must take action to either adopt or postpone adoption of the Budget to the August 18, 2020 City Council meeting)
August 18, 2020	City Council Meeting – Adoption of Budget, Ratification of the Tax Rate (if total property tax revenue is raised) and Adoption of the Tax Rate

Proposed FY 2021 Budget Calendar

Budget Workshops and Hearings



- DSRP Board of Directors
- Economic Development Committee
- Emergency Management Commission
- Farmers Market Association Board
- Founders Day Commission
- Historic Preservation Commission
- Parks & Recreation Commission
- TIRZ No. 1 & 2 Board
- Transportation Committee

Proposed FY 2021 Budget Calendar

Boards, Committees, and Commissions



QUESTIONS

City of Dripping Springs

Monthly Maintenance Report

January 2021

Routine Maintenance

- M-F Weekly Maintenance Check list is completed in the morning
- Wednesday's setup and put away Farmers Market
- WWTP fields and lift stations landscaping
- Ranch House water heater flushed weekly
- Maintenance Meeting Wednesdays (1:00pm) safe distancing in council chambers
- Friday's Vehicles cleaned out, washed, and maintenance check completed
- Banners put up and taken down as needed
- City Hall fogged and sprayed with disinfectant daily
- Mercer St. plant beds maintained

Additional Maintenance Completed

Parks

- Charro park fence damaged assessed – 1/5
- VMP trees trimmed – 1/5
- Founders pool heaters and concrete slabs removed – 1/6
- Founders park trails brush picked up – 1/7
- Founders pool heater foundation form work – 1/11-1/14
- Founders park vandalized: Chain and locks replaced – 1/11
- VMP electrical checked – 1/11
- VMP banner poles repaired – 1/14
- Founders park vandalized: signs re-installed – 1/19-1/20
- Founders pool ant treatment – 1/25
- Founders pool foundation forms removed – 1/25
- Herbicide applied on park trails – 1/26-1/27
- Charro fence repaired – 1/28

Streets

- Old Fitzhugh and San Marcos St. potholes repaired – 1/4
- Creek Rd. potholes repaired – 1/5
- North 40 neighborhood potholes repaired – 1/5
- Oak spring and Spring oak rd. potholes repaired - 1/6
- Mercer St. banners repaired x3 (one banner missing) – 1/7
- Old Fitzhugh ROW brush picked up – 1/7
- Butler Ranch rd., Springwood, Post oak pot holes repaired – 1/8
- Mercer St. banners switch out – 1/13
- Rob Shelton and Founders park rd. ROW litter pick-up – 1/21

- Sports Park Rd. and Oak Springs potholes repaired – 1/25
- Founders Park Rd. ROW litter pick up – 1/28
- Old Fitzhugh ROW litter pick-up – 1/28
- Rob Shelton ROW litter pick-up – 1/28

Facilities

- DSRP time clock and key box installed – 1/4
- Assisted ranch hands clean up panels – 1/4
- Water wagon motor repaired – 1/4
- DSRP door handles and re-keying completed – 1/4
- Ranch house a/c filters replaced – 1/11
- Stephenson building a/c filters checked – 1/11
- Ranch House water turned on – 1/11
- DSRP office painting – 1/11-1/15
- DSRP urinal unclogged – 1/13
- DSRP mens toilet repair – 1/15
- Ranch House well filters replaced – 1/19
- DSRP barn light replaced – 1/22
- DSRP RV outlet 35 & 36 replaced – 1/25
- Ranch House pilot light re-lit – 1/25
- DSRP keys and door locks repaired – 1/26
- Stephenson building debris in parking lot removed – 1/27
- DSRP restrooms repaired – 1/27-1/28
- DSRP bleachers set up – 1/29

Equipment/Vehicles

- Chainsaw blades sharpened – 1/5
- DSRP drag wheel repaired – 1/6
- SRWRF mower sent to shop for repair – 1/7
- Small equipment checked and pm'd – 1/7
- 48" mower purchased – 1/8
- SRWRF mower picked up from repairs – 1/15
- Water wagon pump replaced – 1/19
- Chevy 1500 city logo removed – 1/22
- DSRP Kioti 4x4 tire repaired – 1/27
- F-150 BD windshield wipers replaced – 1/27
- DSRP Kiser drag roller basket changed out – 1/29
- 6x14 utility trailer spare tire and tool box mounted – 1/29

Other

- Christmas trees dropped at triangle moved to DSRP – 1/4, 1/5, 1/7, 1/15, 1/20
- Christmas decorations picked up and stored – 1/5-1/7, 1/12-1/13
- Brush burned – 1/8
- Flags half-staff – 1/11

- Flags full-staff – 1/13
- PEC Christmas lights take down – 1/12
- Christmas tree packed away – 1/12
- New tablet training with IT coordinator – 1/20, 1/27

SRWRF

- Caleterra lift station windscreen repaired – 1/4
- SRWRF, Hays St. and Caleterra lift station fuel delivered – 1/5
- Field 22 leak repaired – 1/6
- Bioxide delivery at Hays St. Lift station – 1/14
- Ant treatment on drip fields – 1/25-1/26

Project Status Report

Permits Created From 12/31/2020 to 2/1/2021

Generated 2/3/2021 8:30:52 AM

Item # 12.

Project #	Status	Address	Description	WO #	Work Type	Specific Use	Inspection Type	WO Status	Inspector	Inspection Date
2021-1	Closed	, Dripping Springs, TX 78620	Street and ROW Maint. (Jan. WO's)	14040760	N/A	Street/Roads	Work Planned	Completed	Jim Bass	01/05/2021
				14040766	N/A	Street/Roads	Work Planned	Completed	Tim Tyree	01/08/2021
				14040769	N/A	Street/Roads	Work Planned	Completed	Jim Bass	01/07/2021
				14068339	N/A	Street/Roads	Work Planned	Completed	Jim Bass	01/14/2021
				14123098	N/A	Street/Roads	Work Planned	Completed	Jim Bass	02/01/2021
2021-2	Closed	511 Mercer St., Dripping Springs, TX 78620	City Hall (Jan. WO's)	14037628	N/A	N/A	Work Planned	Completed	Sonny Garza	01/13/2021
				14063944	N/A	N/A	Work Planned	Completed	Jim Bass	01/14/2021
2021-3	Closed	480 Founders Park Rd., Founders Memorial Park, TX 78620	Founders Park (Jan. WO's)	14068321	N/A	Parks	Work Planned	Completed	Sonny Garza	02/01/2021
2021-4	Closed	27148 Ranch Rd 12, Sports and Rec Park, TX 78620	Sports and Rec Park (Jan. WO's)	No Work Orders on Project	N/A	Parks				
2021-5	Closed	151 E Mercer St, VMP/Triangle, TX 78620	VMP/Triangle (Jan. WO's)	14044091	N/A	Parks	Work Planned	Completed	Jim Bass	01/07/2021
2021-6	Closed	1042 Event Center Drive, Ranch House, TX 78620	Ranch House (Jan WO's)	14063953	N/A	N/A	Work Planned	Completed	Jim Bass	01/13/2021

2021-7	Open	1042 Event Center Drive, Dripping Springs Ranch Park, TX 78620	DSRP (Jan WO's)	14068366	N/A	Parks	Work Planned	Completed	Leonard Jones	01/26/2021 Item # 12.
				14104586	N/A	Parks	Work Planned	Completed	Leonard Jones	01/26/2021
				14104837	N/A	Parks	Work Planned	Completed	Jim Bass	01/26/2021
				14114380	N/A	Parks	Work Planned	Completed	Jim Bass	01/28/2021
				14134908	N/A	Parks	Work Planned	New	Leonard Jones	
				14137789	N/A	Parks	Work Planned	New	Tim Tyree	
2021-8	Closed	101 Old Fitzhugh, Stephenson Bldg., TX 78620	Stephenson Bldg (Jan WO's)	14063933	N/A	N/A	Work Planned	Completed	Jim Bass	01/13/2021
2021-9	Closed	, Fleet and Equipment, TX 78620	Fleet and Equipment (Jan WO's)	14040779	N/A	N/A	Work Planned	Completed	Leonard Jones	01/19/2021
				14040785	N/A	N/A	Work Planned	Completed	Leonard Jones	01/22/2021
				14078358	N/A	N/A	Work Planned	Completed	Leonard Jones	01/22/2021
				14105238	N/A	N/A	Work Planned	Completed	Tim Tyree	01/29/2021
2021-10	Open	22690 Ranch to Market Rd 150, Charro Park, TX 78620	Charro Park (Jan WO's)	14038185	N/A	Parks	Work Planned	Completed	Tim Tyree	01/05/2021
				14040352	N/A	Parks	Work Planned	Completed	Sonny Garza	01/13/2021
				14105748	N/A	Parks	Work Planned	New	Sonny Garza	
2021-11	Closed	23127 W. 150, SRWRF, TX 78620	South Regional Water Reclamation Facility (Jan WO's)	14037451	N/A	N/A	Work Planned	Completed	Bill Stevens	01/07/2021
				14044704	N/A	N/A	Work Planned	Completed	Bill Stevens	01/07/2021
				14068308	N/A	N/A	Work Planned	Completed	Bill Stevens	01/13/2021
				14105249	N/A	N/A	Work Planned	Completed	Bill Stevens	01/26/2021

2021-12	Closed	511 Mercer St., COVID-19, TX 78620	COVID-19 (Jan WO's)	14063922	N/A	N/A	Work Planned	Cancelled	Bill Stevens	Item # 12.
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CITY OF DRIPPING SPRINGS

RESOLUTION No. 2020-R39

A RESOLUTION OF THE CITY OF DRIPPING SPRINGS, TEXAS, ESTABLISHING PRIORITIES FOR THE 87TH LEGISLATIVE SESSION IN TEXAS, AND AUTHORIZING REPRESENTATION OF THE MUNICIPALITY IN ADVOCATING CERTAIN POSITIONS.

WHEREAS, the City Council of the City of Dripping Springs (“City Council”) finds it to be in the public interest, and necessary for the public health, safety and welfare, that the city take positions on certain issues that may or have come before the 87th Texas Legislature in the Spring of 2021; and

WHEREAS, the City Council finds legislative involvement to be a legitimate exercise of its elected duties as the governing body serving those who live, work, visit, and own property in the city limits and the extraterritorial jurisdiction; and

WHEREAS, the City Council understands that members of the Texas Senate and the Texas House of Representatives benefit from learning of the analysis performed and positions taken by locally-elected public officials; and

WHEREAS, the City Council has identified the following items as being worthy of voicing a position on behalf of the people of Dripping Springs.

NOW, THEREFORE, BE IT RESOLVED by the City of Dripping Springs City Council:

A. Support-

- 1. Local Control:** The City Council hereby supports legislation that upholds the principle of local government and reinforces the lawful statutory authority of the elected leaders of Dripping Springs to respect the priorities of their citizenry and respond to local challenges and opportunities.
- 2. Signs:** The City Council hereby supports legislation that would affirm State and City authority over off-premise and other commercial signs. The City Council supports legislation that supports Scenic Highways in the Hill Country.
- 3. Sales Tax:** The City Council hereby supports legislation that would make beneficial amendments to Emergency Service District sales tax and areas to authorize cities to replace some or all emergency services district (ESD) sales taxes in an area with city sales taxes, provided an ESD’s existing sales tax debt is proportionately and reasonably provided for in some manner.
- 4. Hotel Tax:** The City Council hereby supports legislation that would allow a City to use hotel tax funds for: (1) all convention center personnel; (2) trails and sidewalks connecting tourist and historic sites; and (3) park, trail, and pedestrian improvements that attract tourists.
- 5. Lighting:** The City Council hereby supports legislation that would expand the City’s

authority to regulate lighting and Dark Sky requirements.

6. **Transportation:** The City Council supports legislation that would provide tools for increased communications with the Texas Department of Transportation related to projects within the City Limits and Extraterritorial Jurisdiction of the City of Dripping Springs. The City Council supports legislation that would allow for additional tools for transportation funding.
7. **Property Tax:** The City Council supports legislation that would increase transparency in the ad valorem (property) tax and budget adoption by coordinating state, county, and city timelines for review, notice, and approval of ad valorem tax. City Council supports legislation that would increase the accuracy of appraisals of all types of property.

B. Opposition –

1. **Local Control:** The City Council hereby opposes legislation that erodes local control or weakens the ability of locally-elected leaders to respond to challenges or opportunities unique to the Dripping Springs community or Texas Hill Country region.
2. **Appraisal & Revenue Caps:** The City Council hereby opposes legislation that expands appraisal caps or imposes revenue caps on ad valorem (property) taxes.
3. **Vesting:** The City Council hereby opposes legislation that amends Texas Local Government Code Chapter 245 to restrict the application of current municipal regulations, thus expanding entitlements under which stagnant or dormant land development projects can build or operate under old or outdated regulations.
4. **Trees:** The City Council hereby opposes legislation that restricts the ability of municipalities to preserve their scenic landscapes and protect trees.
5. **Impervious Cover:** The City Council hereby opposes legislation that limits the authority of municipalities to provide for water quality protection and pollution prevention by regulating impervious cover, lot sizes, drainage infrastructure, and other aspects of development that impact stormwater controls and watersheds.
6. **Signs:** The City Council hereby opposes legislation that lessens municipal authority to regulate signs or preempts municipal sign regulations.
7. **Land Use:** The City Council hereby opposes legislation that lessens municipal authority to regulate land use, including short-term rentals. The City Council opposes legislation that limits the authority or the amount of time the City has to adequately review site plans and plats.
8. **Municipal Courts:** The City Council hereby opposes legislation that curtails the authority of a municipal court to enforce its judgments.
9. **Elections:** The City Council opposes legislation that would require partisan elections for elected officers or otherwise limit municipal elections.

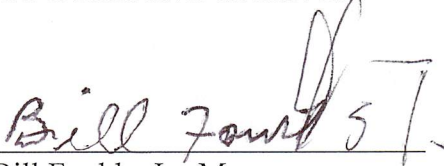
C. Administration-

1. **Legislators:** The City Council directs City staff to provide a copy of this Resolution to the State Senator for District 25, and State Representative for District 45.
2. **Legislators:** The City Council directs City staff to provide a copy of this Resolution to the Texas Municipal League. The City Council also requests that City Staff provide a resolution in support of an Annexation change to the TML Resolutions Committee for potential inclusion in the TML Legislative Program.

- 3. **Advocacy:** City officials are hereby authorized to advocate and otherwise convey positions expressed herein in accordance with the city's Legislative Policy.
- 4. **Open Meetings:** The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

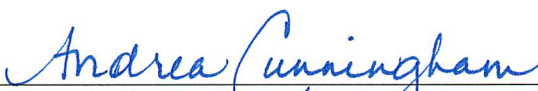
PASSED AND APPROVED this, the 18th day of August 2020, by a vote of ⁴5 (ayes) to 0 (nays) to ¹0 (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS;



Bill Foulds, Jr., Mayor

ATTEST:



Andrea Cunningham, City Secretary



By: _____ .B. No. _____

A BILL TO BE ENTITLED

AN ACT

relating to use of municipal hotel occupancy tax revenue for public parks.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 351, Tax Code, is amended to add section 351.111 to read as follows:

SECTION 351.111. ALLOCATION OF REVENUE FOR PUBLIC PARKS.

(a) Notwithstanding any other provision of this chapter, a municipality with a population of less than 300,000 may use the revenue derived from the tax imposed under this chapter to fund park improvements that are directly related to hotel activity that is attributable to public parks owned by the municipality. An authorized municipality may use no more than 10 percent of municipal hotel occupancy tax revenue collected during the municipality's preceding fiscal year for a purpose authorized under this section.

(b) A municipality that uses municipal hotel occupancy

_____ .B. No. _____
tax revenue for a public park improvement under this section shall
not expend local hotel tax for this purpose in an amount that would
exceed the annual amount of municipal hotel night revenue that is
directly attributable to events at the same park or visitation of
the same park by tourists who are staying in hotels within the
municipality or extraterritorial jurisdiction.

(c) A municipality that uses municipal hotel occupancy
tax revenue for a public park under this section shall, in advance
of any such allocation, make a good-faith estimate based on
reasonable documentation of the annual amount of municipal hotel
revenue that will be directly attributable to tourists who visit
that same public park improvement in the municipality and are
staying at hotels within that municipality **or** extraterritorial
jurisdiction.

d) Notwithstanding the 10 percent expenditure limitation
in subsection (a), a municipality may reserve 10 percent or less
of the municipality's collected hotel occupancy tax revenue for no
more than a three year period, and expend that reserved hotel
occupancy tax revenue for a purpose under this section.

(e) A municipality that uses municipal hotel occupancy
tax revenue under this section may not reduce the percentage of
revenue from the tax allocated for a purpose described by Section

_____ .B. No. _____
351.101 (a) (3) to a percentage that is less than the average
percentage of that revenue allocated by the municipality for that
purpose during the 36-month period preceding the date the
municipality begins using the revenue for a purpose described by
this section.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

CITY OF DRIPPING SPRINGS

RESOLUTION No. 2020-R38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS, SUPPORTING THE PASSAGE OF LEGISLATION DURING THE 87TH REGULAR SESSION OF THE TEXAS LEGISLATURE (2021), TO ALLOW FOR THE EXPENDITURE OF MUNICIPAL HOTEL OCCUPANCY TAX REVENUE BY THE CITY FOR CONSTRUCTION OF IMPROVEMENTS IN MUNICIPAL PARKS.

WHEREAS, the City of Dripping Springs (“City”) has adopted a municipal hotel occupancy tax ordinance in order to raise revenue for the promotion of tourism and the hotel and lodging industry in the City; and

WHEREAS, the City has determined that the City parks are popular attractions visited year-round by a significant number of tourists and visitors to the City and surrounding area; and

WHEREAS, the City parks are utilized for multiple large annual events and festivals that are attended by a significant number of tourists and visitors to the City and surrounding area; and

WHEREAS, the City parks are in need of additional improvements and amenities and connectivity to lodging establishments and tourist attractions, as the current demand for certain City park facilities and amenities frequently exceeds the operating capacity of said improvements and amenities, due to the large attendance at annual festivals, events, and related tourist activities held on City parks and would benefit from connectivity and additional public facilities; and

WHEREAS, the City’s tourism and hotel and lodging industries would benefit from the expenditure of municipal hotel tax revenue on construction of improvements and connectivity to the City parks, as tourists and visitors frequently visit the City parks, and improvements to the City parks will increase the quality and number of amenities available at said City parks for use and enjoyment by tourists and visitors to the City and surrounding area; and

WHEREAS, the City’s tourism and hotel and lodging industries would benefit from the expenditure of municipal hotel tax revenue on construction of trails and sidewalks that connect city parks to lodging establishments and other tourist attractions, which will increase the use and enjoyment by tourists and visitors of lodging establishments, parks, tourist attractions, and related public facilities.

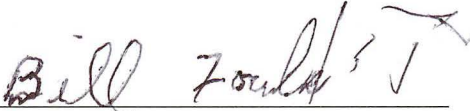
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS:

Section 1. That the City Council adopts the findings and recitals set forth in the preamble of this Resolution.

Section 2. That the City Council supports the passage of legislation during the 87th Regular Session of the Texas Legislature (2021), that would allow for the expenditure of municipal hotel occupancy tax revenue by the City of Dripping Springs for construction of improvements in municipal parks and trails/sidewalks that connect parks, lodging establishments, and other tourist attractions, and related public facilities.

PASSED AND APPROVED this, the 18th day of August 2020, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:



Bill Foulds, Jr., Mayor

ATTEST:



Andrea Cunningham, City Secretary



TO: CITY OF DRIPPING SPRINGS
 FROM: Kim Fernea
 RE: ECONOMIC DEVELOPMENT COMMITTEE MONTHLY REPORT
 DATE: February 1, 2021

Please accept this memo as the City of Dripping Springs Economic Development Committee's (the "Committee") monthly update to Council regarding projects and progress during the months of December 2020 and January 2021.

The Committee convened via Zoom January 27th.

Agenda:

- **Call to Order**
- **Business Agenda**
 - Presentation and discussion regarding the Avalon Park Group potential Office Project Concept. *Richard Kunz, Avalon Park Group*
 - Update and discussion regarding the potential Roger Hanks Parkway Homes for Rent project Concept. *Kyle Lovelady, NewGrowth*
- **Reports**
 - City Council Monthly Report – Mayor Pro Tem Taline Manassian

Committee members present: Rex Baker, Dave Edwards, Melanie Fenelon, Susan Kimball, John Kroll, Andrea Nicholas, Patrick Rose, Keenan Smith, Robert Avera, Council Member Taline Manassian, Kim Fernea

Chamber members present: Karlon Cox, Gigi McClaskey

City representatives present: Mayor Bill Foulds, Michelle Fischer, Andrea Cunningham

Citizen visitor: Becky Atkins, Jorge Marriott,

Presenter/Guest: Richard Kunz, Ben Sorrell for Office Project

Kyle Lovelady, Isaac Karplay, Frank Cappello, Peter Johnson, Dan Nethercott (all with NewGrowth)

Richard Kunz, Avalon Park Group – Potential Concepts attached

- Two Concept Plans shown
 - First: 60K RSF- 2 story buildings with potential café
 - Second: 57K RSF – 2 story buildings, with potential land swap with City
- Site is north side of Arrowhead
- Working to save 144 trees
- Would like to propose land swap with City to give direct access to the Trail Head
- Comments by Committee:
 - Appreciate more sensitive site planning. With the potential win-win approach of the land swap
 - Good to see Office Development West of 290/12
 - Feels Community Centric

Kyle Lovelady, NewGrowth

- Full Presentation attached
- Comments by Committee:
 - See it as a less dense Multi-family project instead of dense Single-Family
 - This seems to hit the missing middle and offers attainable housing for many in our community.
 - Alignment with City's Comprehensive Plan.

- Would allow Dripping Springs to become a more Complete Community (different tool in the tool kit for affordable/attainable housing).
- Provides much needed diversity in housing stock
- Appreciate the form base code
- Like the village concept

City County Monthly Report - Mayor Pro Tem Taline Manassian

1. We annexed and zoned property on Rose Drive
2. We did some zoning amendments along 12 near Summit Drive and along Old Fitzhugh Road
3. We approved the selection of a grant writer for our Old Fitzhugh Road Improvement Project
4. We accepted a donation deed on Rathgeber, a 300 acre park just west/northwest of Headwaters
5. We discussed concept plans and related density issues for the Cannon Tract and Cynosure (now being called Wild Ridge)
6. We updated ordinances to address major and minor revisions to preliminary plats
7. We approved a new parkland dedication ordinance
8. We initiated the process for doing a major rewrite of our Zoning Ordinance
9. We approved the cancellation of Founders Day for 2021

NEW GROWTH LIVING

Roger Hanks Parkway Community



Montgomery Street 
PARTNERS

Item # 15.



January 2021

NEW GROWTH LIVING
Roger Hanks Parkway Community



Montgomery Street 
PARTNERS

Item # 15.



Embodying the benefits of single family living without the burdens

New Growth Living builds medium-density, single-family rental home communities for people opting-in to the freedom and flexibility that a maintenance-free, highly-amenitized, rentable neighborhood lifestyle provides.

Who seeks this lifestyle?

- Anyone who wants a more "grown-up" experience with more privacy, space and amenities but doesn't want, or can't currently afford, the price and burden of home-ownership within the community they work and love
- Essential workers - policemen, firemen, teachers, administrators and healthcare workers who are essential to the economic livelihood of cities
- Professional millennials
- Move-up young couples and families outgrowing apartment life
- New Household formations - divorcees & single parents
- Empty-Nester's seeking "lock & leave" flexibility, but not in an apartment or age-restricted community



ROGER HANKS PARKWAY

High Tech & Sought-After Amenities



Item # 15.

Roger Hanks Parkway - A professionally-managed community with curated amenities

Anticipated Community Amenities

- Class A clubhouse facility
- Resort Pool
- Central linear park
- Community high-speed Wi-Fi
- Indoor and outdoor lounge areas
- Barbecue grills / outdoor kitchen
- Pocket parks, pet parks and walking paths
- Yoga / fitness rooms
- Electric car charging stations

Anticipated home amenities to include:

- Leading edge in-unit smart home technology
- Highest available internet speeds
- Key-less entry & smart thermostats
- Private maintained yards with doggy-doors
- Zoom-room office spaces



ROGER HANKS PARKWAY

Project Description



New Growth provides a wide range of home offerings appealing and attainable to a broad demographic.

Home offerings range from one-bedroom duets to 3-bedroom single family detached homes, all intermingled into a tastefully curated community with defining streetscapes and timeless architecture

Roger Hanks Parkway - a community of approximately 288 homes anticipated to include:

- Single-story 1-bedroom and 1-bedroom/den duets ranging from 675 SF to 850 SF, each with a private entry, back yard and reserved and detached garage options
- Two-story, 2- and 3-bedroom, "brownstone style" townhomes ranging from 1,300 SF to 1,700 SF with one- & two-car direct-access garages
- Single-story and two-story, single-family detached cottage homes ranging from 1,250 SF to 1,700 SF with one- & two-car direct-access garages
- Rental ranges are projected to range from \$1,250 to \$2,400

Land-use and Zoning considerations

- Provide approximately 2.4 acres of commercial/retail frontage along HWY 290
- Consolidate to include 1 commercial lot & 4 residential lots (with common ownership)
- PDD entitlement allowing 10-12 residential DU/Acre densities across residential lots
- Wastewater extension agreement to serve property from West Interceptor
- One (or more) water master-meters per lot, depending on impact fee and rate calculations



ROGER HANKS PARKWAY

Class A Design & Finishes



Montgomery Street  PARTNERS

Item # 15.



ROGER HANKS PARKWAY



Conceptual Community Site Plan



Montgomery Street  PARTNERS

Item # 15.

LEGEND

-  1-STORY RESIDENTIAL
-  2-STORY RESIDENTIAL

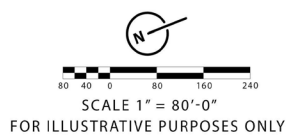
CONCEPTUAL PROJECT INFORMATION*

TOTAL AREA - 28.78 ACRES

RESIDENTIAL - 288 UNITS AT ± 10 DU/AC GROSS

- 1 BD DUET HOME - 1-STORY DUPLEX - 76 UNITS
- 2 BD COTTAGE HOME - 1-STORY ATTACHED GARAGE - 35 UNITS
- 2 BD COTTAGE HOME - 2-STORY ATTACHED GARAGE - 43 UNITS
- 3 BD COTTAGE HOME - 2-STORY ATTACHED GARAGE - 54 UNITS
- TOWNHOMES - 2-STORY ATTACHED GARAGE - 80 UNITS

*PROJECT DETAILS ARE REPRESENTATIVE AND MAY CHANGE BASED ON FURTHER ANALYSIS DURING THE DESIGN PROCESS



NEWGROWTH - DRIPPING SPRINGS
 DRIPPING SPRINGS, TEXAS
 Illustrative Site Plan





New Growth SFR communities combine the best of single-family "for sale" & multifamily "for rent", providing a strong economic and lifestyle value to residents

	Single-family for sale	Multifamily	SFR/BFR
No Down Payment	✗	✓	✓
Central Amenities	✗	✓	✓
Private Yards	✓	✗	✓
Direct-Access Garages	✓	✗	✓
No Neighbors Above/ Below	✓	✗	✓
On-Site Staff	✗	✓	✓
24-Hr Maintenance	✗	✓	✓
Landscaping Service	✗	✓	✓
No Capital Repairs	✗	✓	✓
No Large Transaction Costs on Move-In/Out	✗	✓	✓
Includes Larger 3- and 4-Bedroom Options	✓	✗	✓

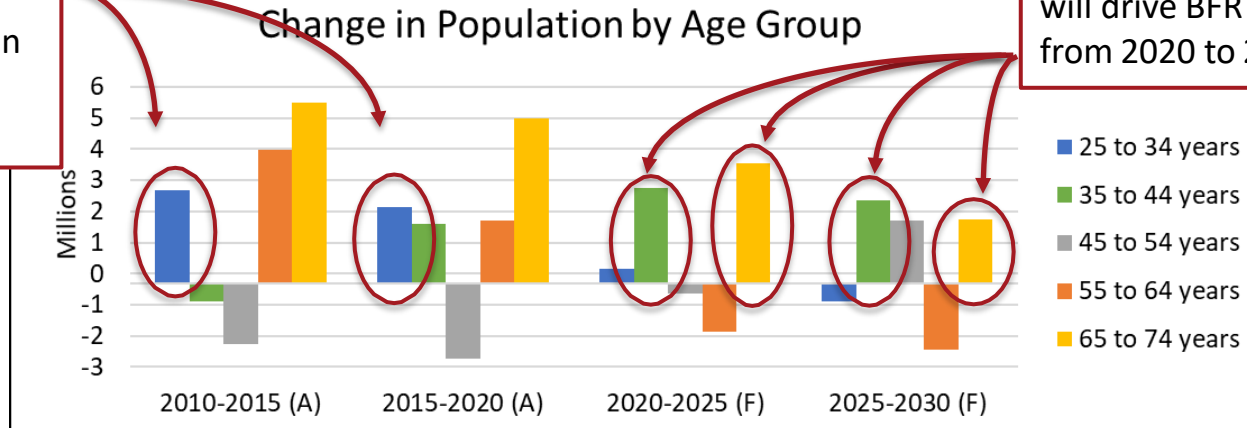
Real estate market experts believe that demand for Build-for-Rent ("BFR") / Single-Family Rental ("SFR") housing will only continue to grow with the emerging "demographic wave" and cultural shifts for years to come:

- *"On the consumer side, the major decision components when comparing (SFR & BFR) to a home purchase for tenants are convenience, mobility and affordability," ... "Culture change has also had a big impact, as renting has become an increasingly more popular choice." Jeff Cline of SVN/SFR Advisors tells Globe Street (April 2020)*
- *In reference to a public SFR operator: "...benefitting from strong industry trends and likely long-term tailwinds as COVID-19 induced shift of households moving to suburbs." Jonathan Litt – L&B (May 2020)*
- *"Single-family rentals are driven by this demographic wave that's the new part of housing demand, which is the millennials moving from their 20s to their 30s," notes Robert Dietz, NAHB's chief economist and senior vice president for economics and housing policy (Builderonline January 2018)*
- *"Nationally, the number of households earning more than 150k per year who rent increased two times faster (+157%) than the number of high-earning homeowner households (+78%) since 2010, as progressively more wealthy Americans choose renting over homeownership." RENTCafe (December 2019)*
- *"SF rental firms have seen apartment renters moving in to minimize their risk of exposure to Covid" John Burns Real Estate Consulting (March 2020)*

Demographic tailwinds from millennials and empty-nesters (boomers) will drive BFR/SFR demand over the next 10 years & beyond. Those two demographic cohorts outpace every other <75-year-old age group

- Yesterday's apartment renters are tomorrow's BFR/SFR renters** - Millennials, age 22 to 38 today, drove the US apartment construction boom from 2010-2020; now older and outgrowing apartment life, this same demographic is expected to drive BFR demand over the next 10 years
 - This cohort prefers mobility, is delaying marriage and children and has high levels of student debt, resulting in a low homeownership rate compared to other generations ¹
 - As millennials age, and increasingly form families, they will need more space and privacy
- Empty-nesters have shown strong demand for BFR/SFR** - Boomers looking to downsize or looking for a low-maintenance lifestyle have proven their demand for BFR/SFR

25- to 34-year-old millennials drove the apartment construction boom from 2010 to 2020²



35- to 44-year-old millennials and 65- to 74-year-old boomers will drive BFR demand from 2020 to 2030

(1) Homeownership rate of millennials between the ages of 25 and 34 was 37% in 2015, approximately 8% lower than the homeownership rate of Gen Xers and baby boomers at the same age
 (2) The 73 million baby boomers in the United States accounted for 58.6% of the net increase in renter households between 2006 and 2016, according to NMHC tabulations of U.S. Census data

City of Dripping Springs Comprehensive Plan – Housing Goals & Priorities

Support Housing Options in Dripping Springs (Dripping Springs Comprehensive Plan Section 3.1)

“The City should ensure that housing diversity is a priority goal in developing new regulations. This should include multi- family options. These do not have to be large apartment complexes, rather they can be smaller complexes that better fit the character of Dripping Springs...Townhomes, garden homes, and duplexes can be designed to complement single family development and be built in conjunction with single family homes. There are many ways to weave lower cost housing into existing and planned developments without negatively affecting home values and quality of life.”

Housing (Dripping Springs Comprehensive Plan Section 1.4)

“The high home prices also make it difficult for many skilled workers and professionals to find suitable housing including teachers, nurses, police officers, and others who are unable to live in Dripping Springs because of the high home prices.”

“One of the biggest challenges facing Dripping Springs will be to support an adequate supply of housing suitable for residents at all incomes, including those just starting out, and seniors who may transition to a fixed income at retirement.”

NEW GROWTH LIVING

Third Party Validation



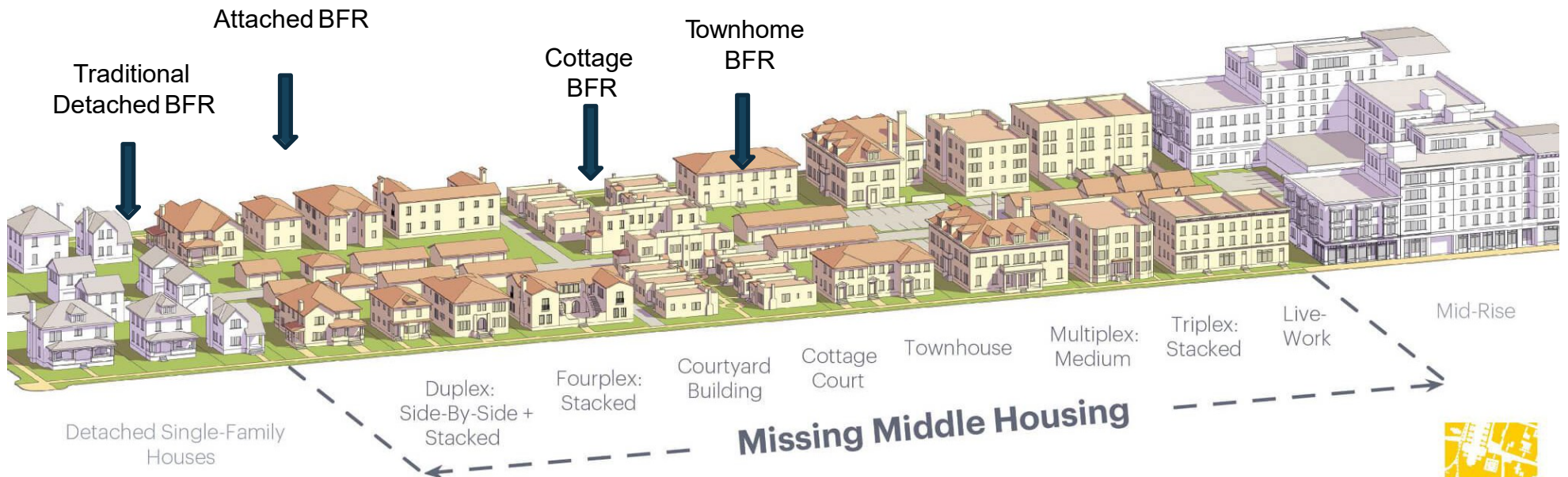
New Growth Living engaged John Burns Real Estate Consulting to analyze the current and future impacts that demographic and cultural shifts are having on SFR and BFR housing products. John Burns Real Estate Consulting is a leading national real estate consulting firm specializing in Single-Family Rental ("SFR") and Build-For-Rent ("BFR").

The following pages are excerpts from John Burns Real Estate Consulting's report

Density - An Increasingly Important Issue for Cities

SFR/BFR communities can help cities address the “Missing Middle” of the housing challenge – the area between traditional single-family homes and apartments. This housing type is critical in retaining young adults as they begin to advance in life and desire more than an apartment. **Cities can lose the opportunity to attract and retain these young adults as they will move to where their housing choice is available to "grow their roots".**

These SFR/BFR housing types can help visually blend areas of multifamily and single family while offering consumers a range of housing types and prices to meet their needs. Our research has shown that single-family renters are less-willing than homebuyers to pay extra for excessive space in a home and lot and will accept higher density detached homes. This higher density allows SFR/BFR operators to compete with for-sale home builders for land opportunities and provide a wide variety of housing types and sizes at more attainable pricing.

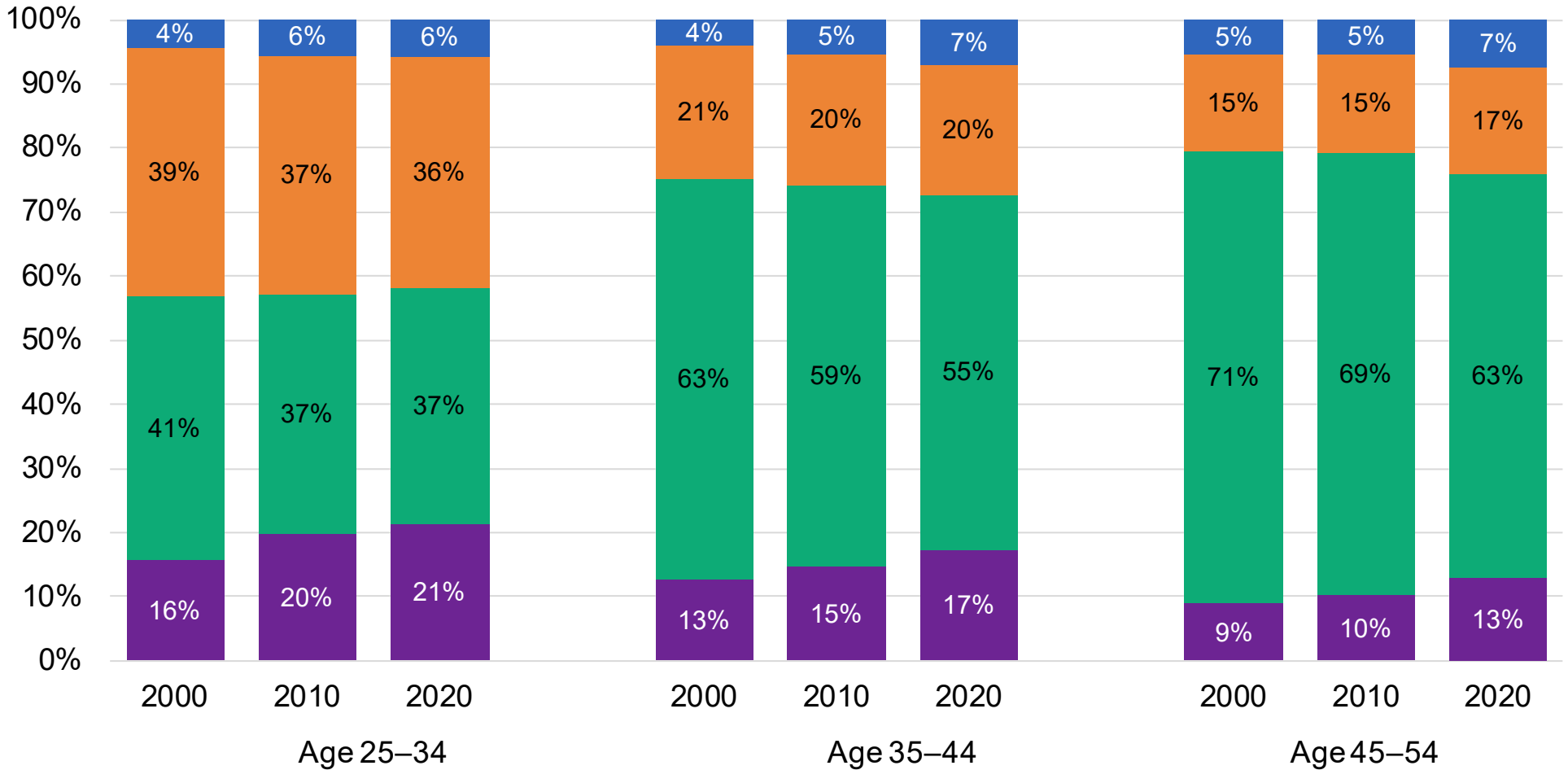


Home Preferences by Age Group

Single-Family Rentals have gained market share across all age groups.

Cohort Structure and Tenant Share of Single-Family and Multifamily Residences

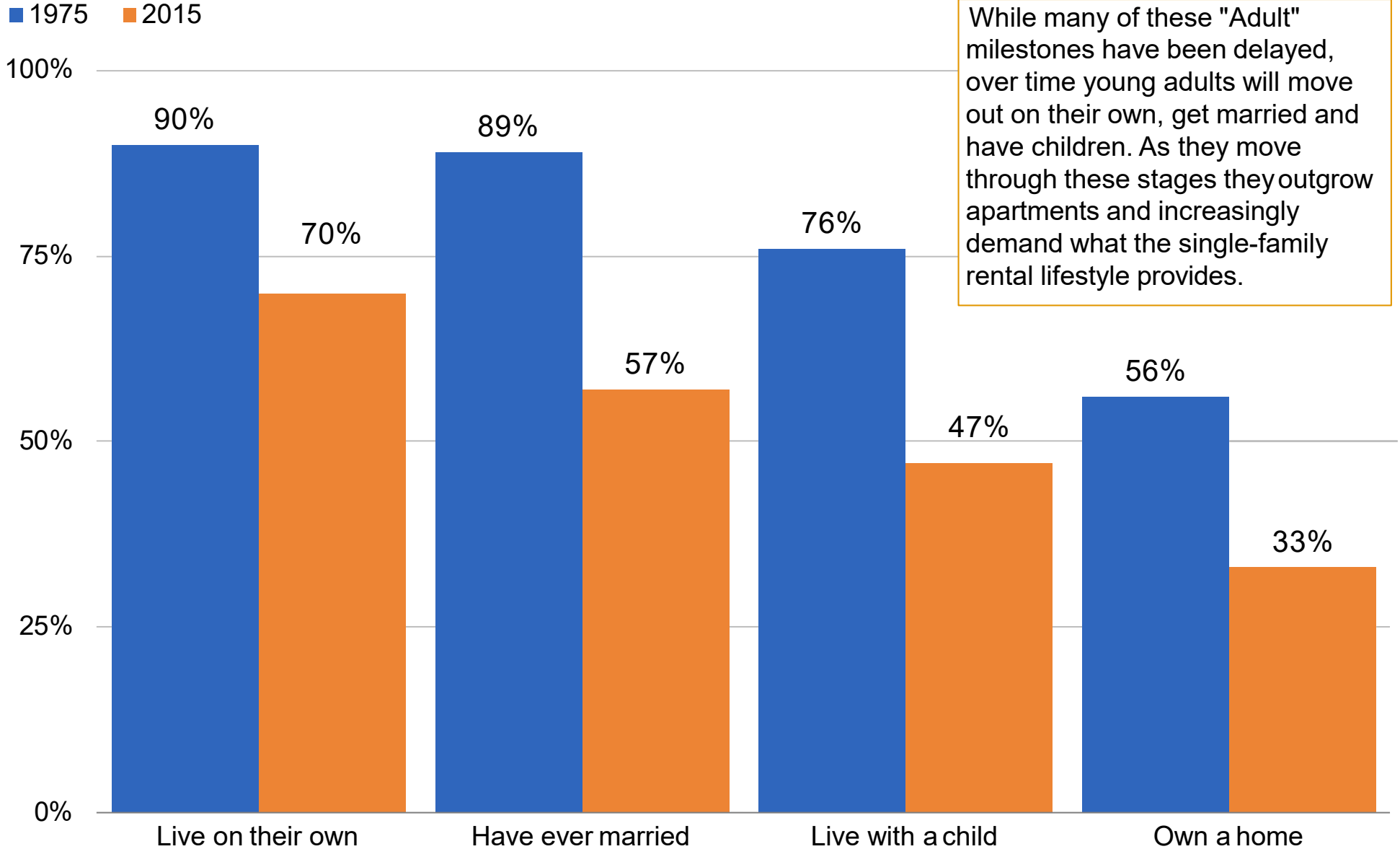
■ SF rent ■ SF own ■ MF rent ■ MF own



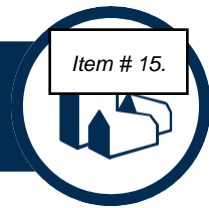
Sources: John Burns R. E. Consulting, LLC calculations of U.S. Census Bureau, Current Pop. Survey, Annual Social and Economic Supplements via IPUMS-CPS (Data: 2020, Pub: Nov-20)

Delayed "Adult" Milestones

Percentage of 30-Year-Olds Hitting 'Adult' Milestones



Sources: U.S. Census Bureau; John Burns Real Estate Consulting, LLC (Data: 2015†)



Demographic Trends and Housing Preference

Trend

Commentary

Population Growth in Interior Markets

As of September 2020, coastal markets had the slowest population growth and interior/more affordable markets had higher population growth. Population growth only exceeded 2% YOY in Phoenix and Austin.

Barriers to Homeownership

30-year-olds are hitting “adult milestones” later than ever and high student debt limits ability to save for a down payment. 64% of current single family renter households report affording a down payment or closing costs as a barrier to home purchase.

Fewer people want to own homes

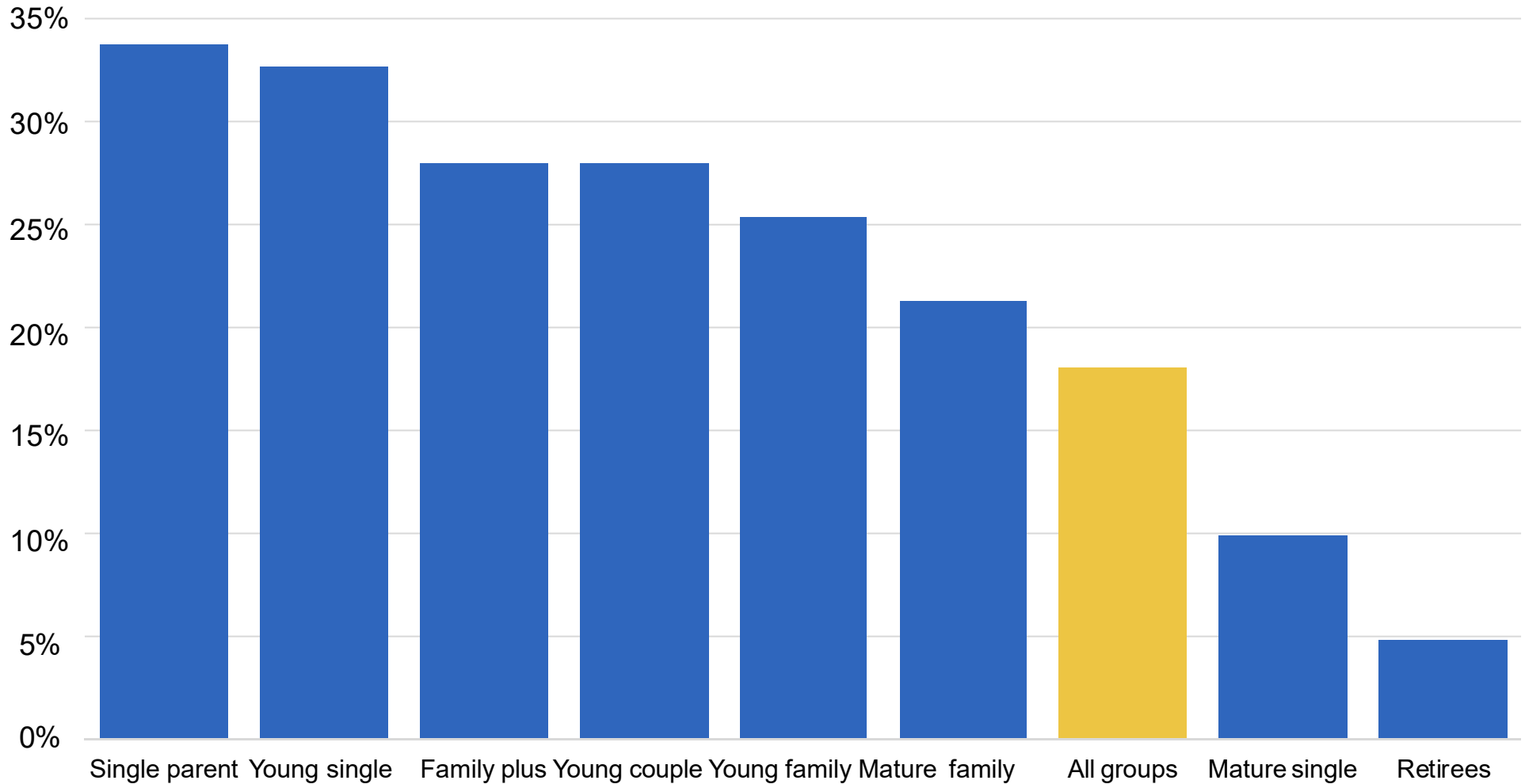
Renters in all generations report less desire to own homes than they did in 2016.

Generational Differences

Roughly 1/3 of Baby Boomer (ages 55-73) renters report having “no interest in ever owning a home.” These renters also stay in homes longer, 8.4 years on average.

Obstacles to Homeownership

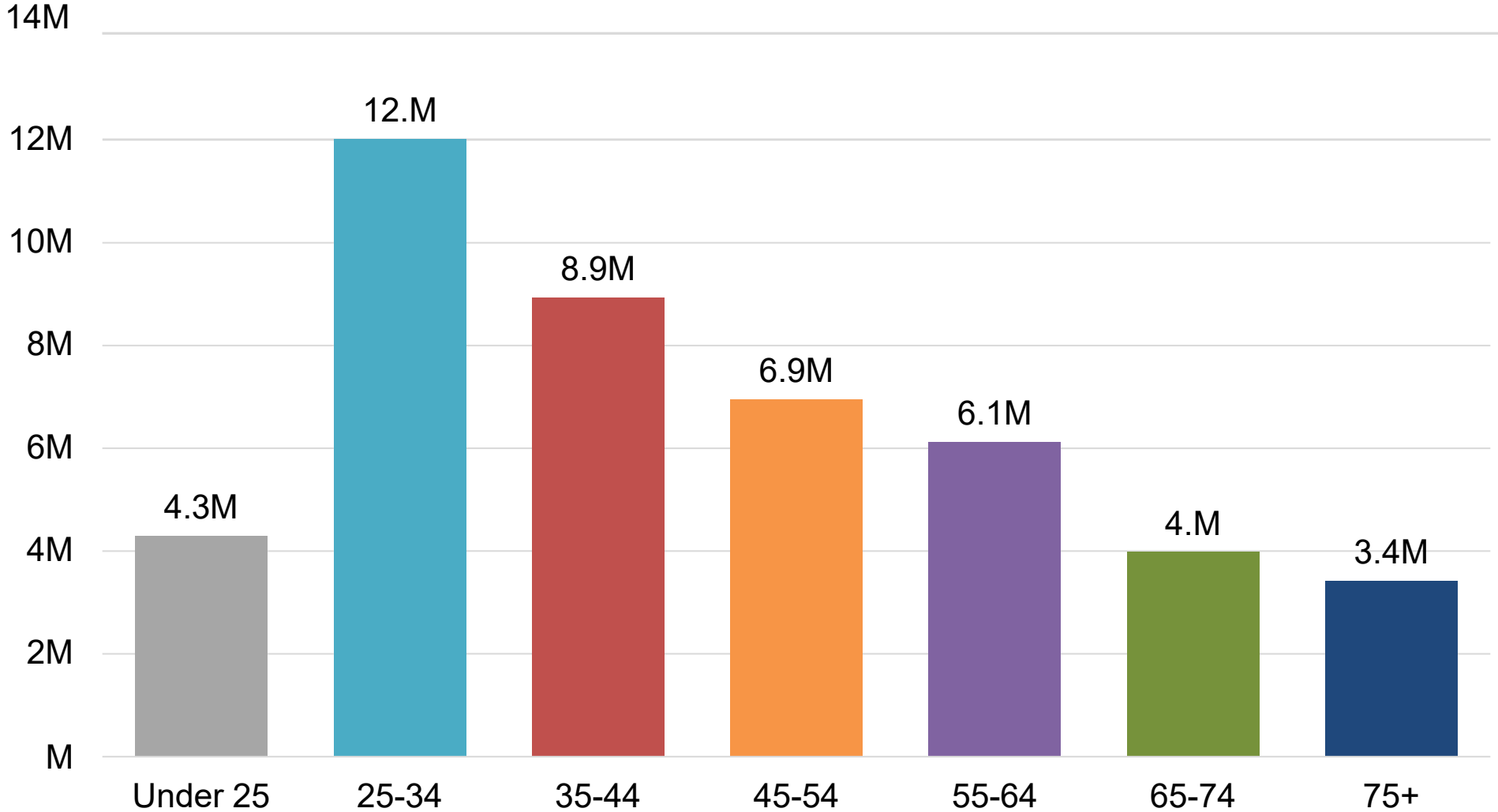
% Reporting Down Payment as an Obstacle to Homeownership in 2018
Reported a Down Payment as an Obstacle to Homeownership in 2018



Renter Households by Age Cohort

There are nearly as many renter households over age 55 (13.5M) as there are under age 35 (16.3M).

Renter Households by Age Cohort



Sources: US Census Bureau, ESRI, John Burns Real Estate Consulting, LLC (Data: 2019, Pub: Nov-20)

Renter Preference - Renting is an Increasing Choice

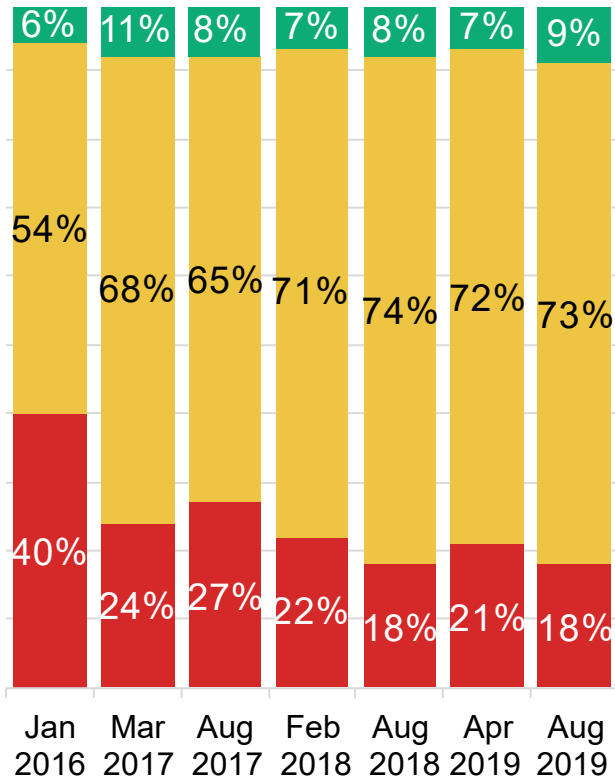
Renters between the ages of 55 and 73 expressed the least interest in homeownership, with 34% of respondents reporting no interest in ever owning a home, up from 23% in 2016, AND....

"I want to own" has decreased in every age demographic

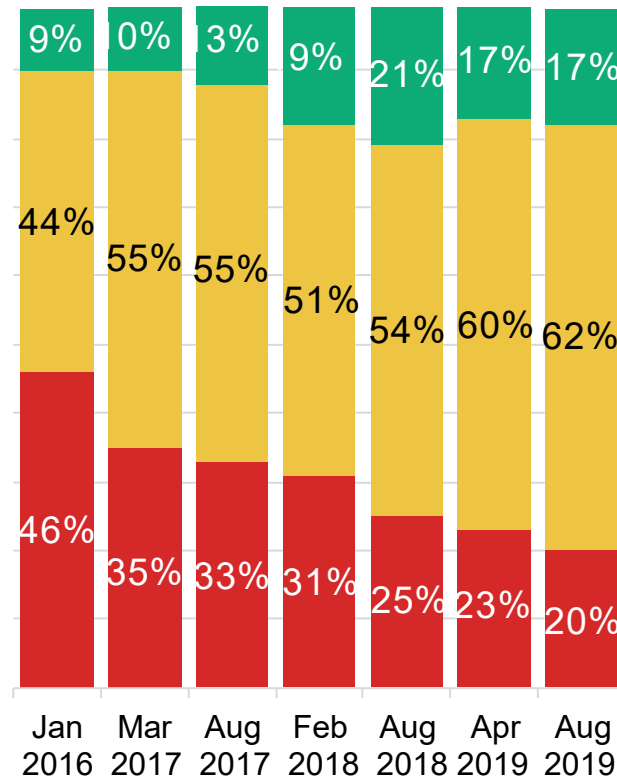
Q: Which one of these statements best reflects your views about why you are currently renting?

■ I have no interest in ever owning a home
 ■ Renting is a good choice now
 ■ I want to own

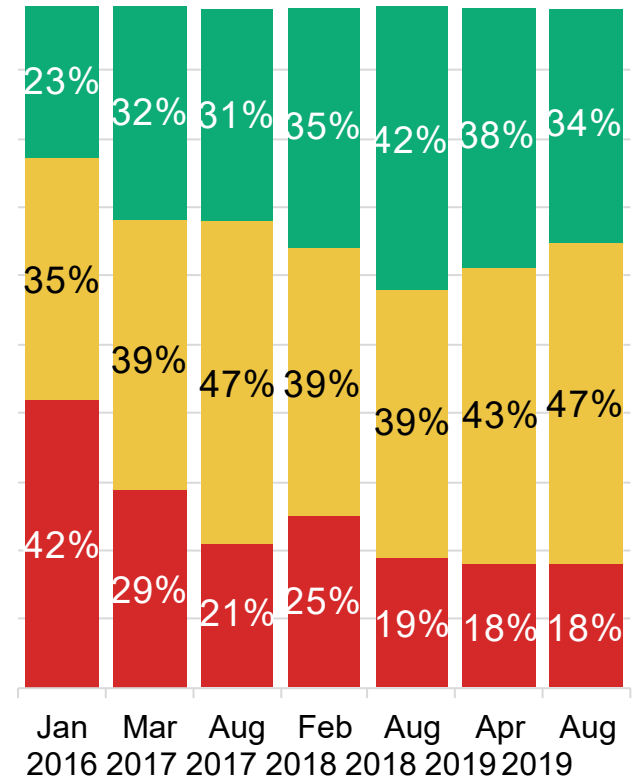
Millennial
Ages 23–38



Gen X
Ages 39–54



Baby boomer
Ages 55–73



Most recent survey base: 365 millennials, 271 Gen Xers, 323 baby boomers; sample includes SF and MF renters.

Sources: Freddie Mac Profile of Today's Renter, Multifamily Renter Research; John Burns Real Estate Consulting, LLC (Data: Aug-19, Pub: Nov-20)

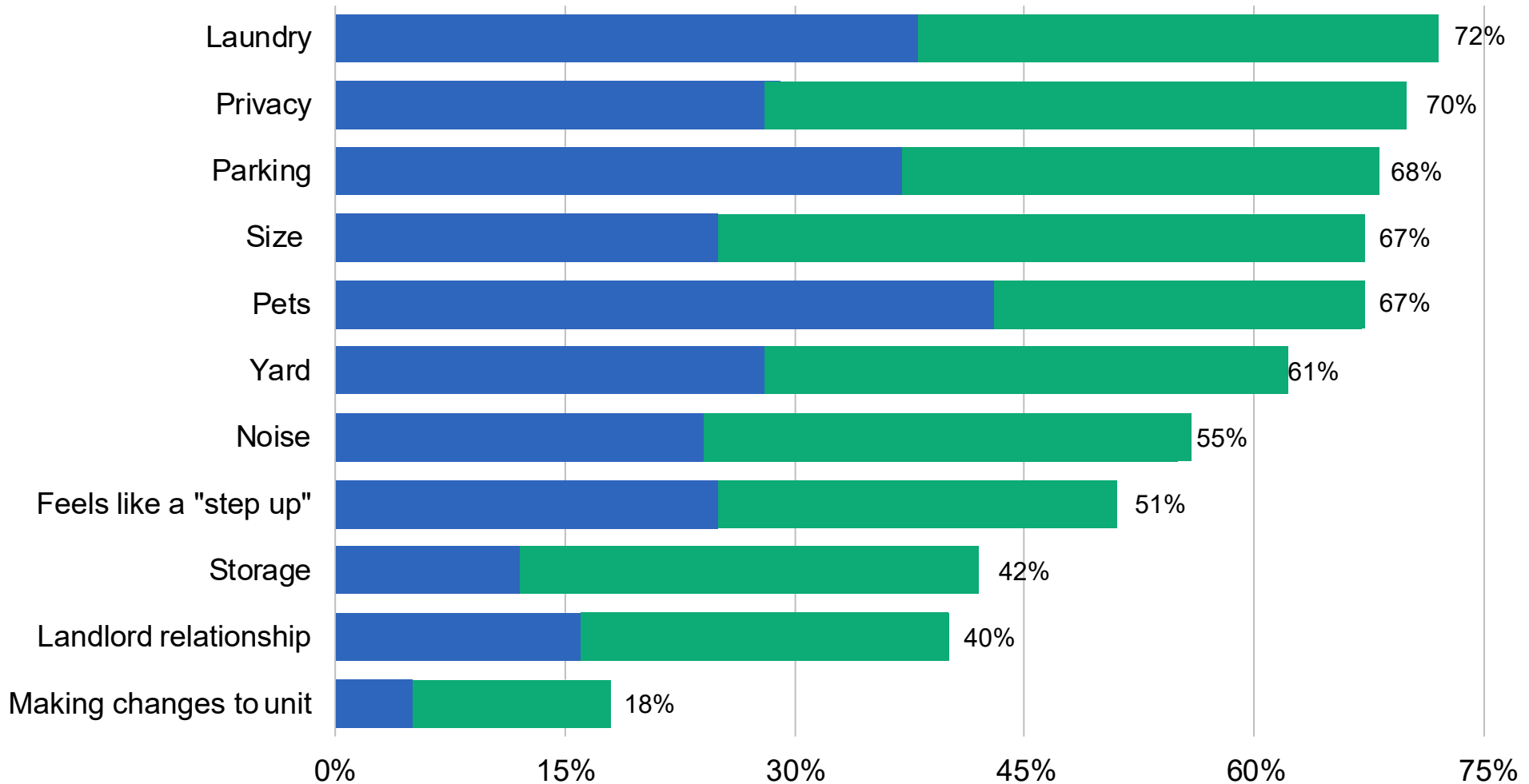
Factors Impacting Rental Home Choice

PPPY - Privacy, Parking, Pets, Yard :

Some of the most important reasons to upgrade from an apartment to SFR - and what move-down baby-boomers demand

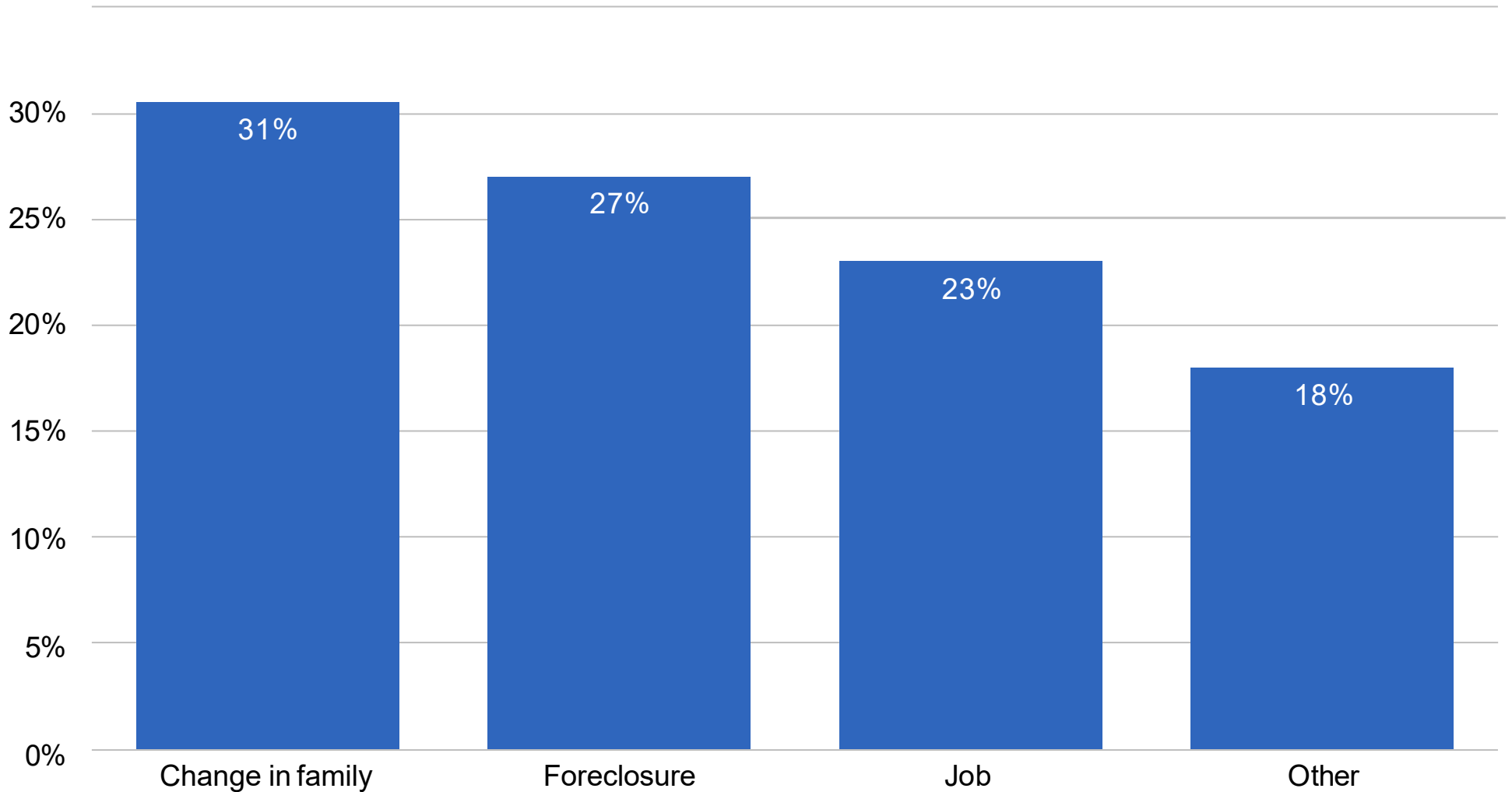
Factors That Influence Single-Family Rental Housing Choice

■ Extremely important ■ Very important



Reasons for Single-Family Renting

Reasons for Returning to Single-Family Rental after Owning a Home



The sponsor is a partnership between NewGrowth Living and Montgomery Street Partners (collectively, the “Sponsor”). NewGrowth is a developer of purpose-built single-family rental housing, and its principals have decades of experience in all facets of residential development

- **Multifamily Development:** Team has developed over 30,000 multifamily units
- **Land and Single-Family Home Development:** Developed over 10,000 residential lots and 7,500 for-sale homes
- **Leadership:** Previously executives at major residential developers, including The Wolff Company, SunCal, Grupe Company and The NRP Group
- **Investment Management:** Led the deployment of over \$5 billion of private equity capital into residential projects as fund principals
- **Portfolio Management:** Managed portfolios of residential assets (rental and for sale) through multiple market cycles
- **Geographic Spread:** Principals have long-term market relationships and expertise in Southern, Southeastern, and Western target markets
- **Institutional Backing:** MSP provides financial strength and lending relationships to help accelerate growth



NEW GROWTH LIVING

Roger Hanks Parkway



Montgomery Street 
PARTNERS

Item # 15.



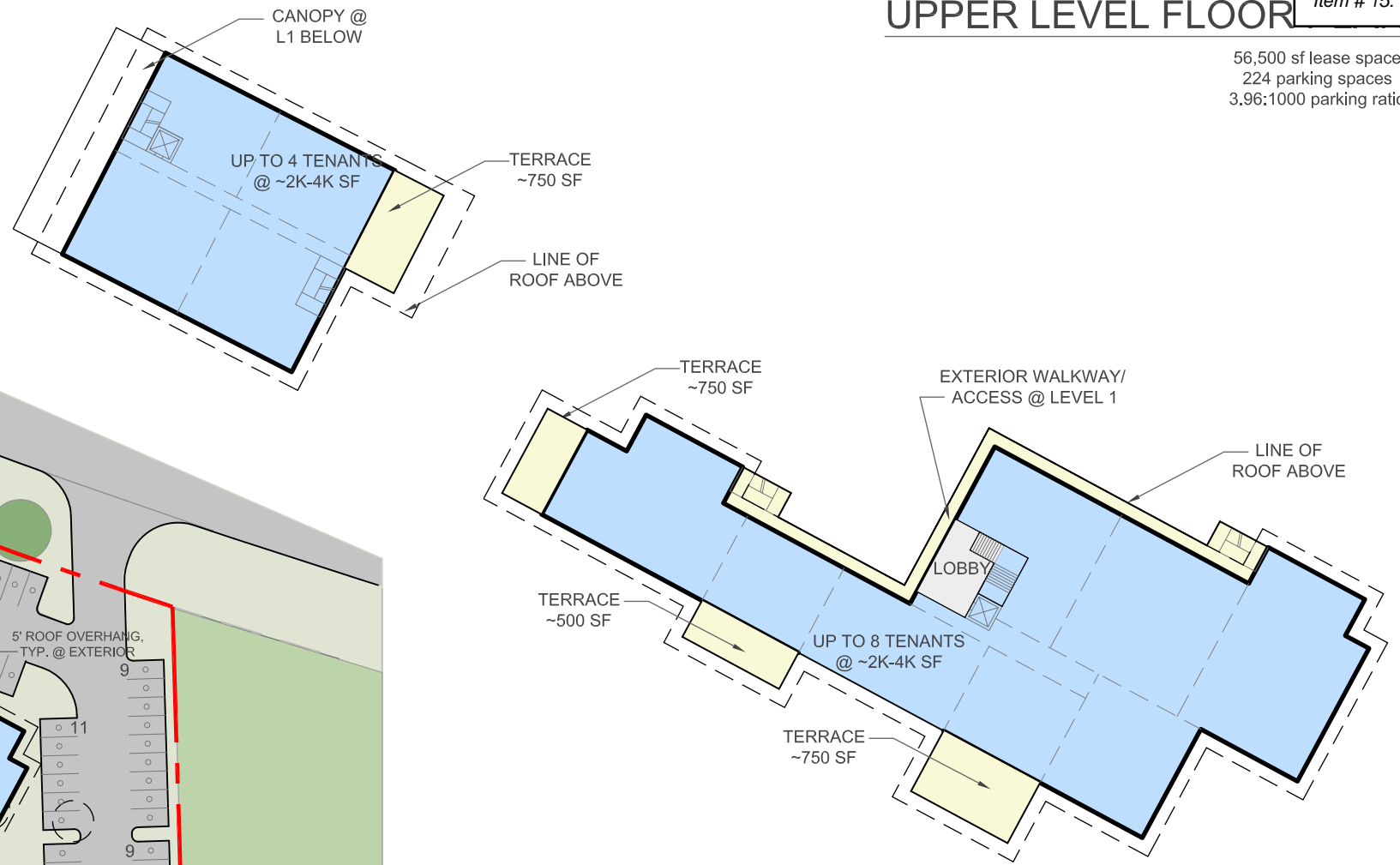
January 2021

LOWER LEVEL / SITE PLAN

UPPER LEVEL FLOOR

Item # 15.

56,500 sf lease space
224 parking spaces
3.96:1000 parking ratio



TIGER LANE OFFICE/MIXED USE CONCEPT 2

56K RSF - 2 STORY BUILDINGS, NO LAND SWAP

SCALE: VARIES
CONCEPT DRAWING

pursuant to the requirements of the texas board of architectural examiners' rules and regulations section 1.103(b), the document attached in incomplete adn may not be used for regulatory approval, permit, or construction.

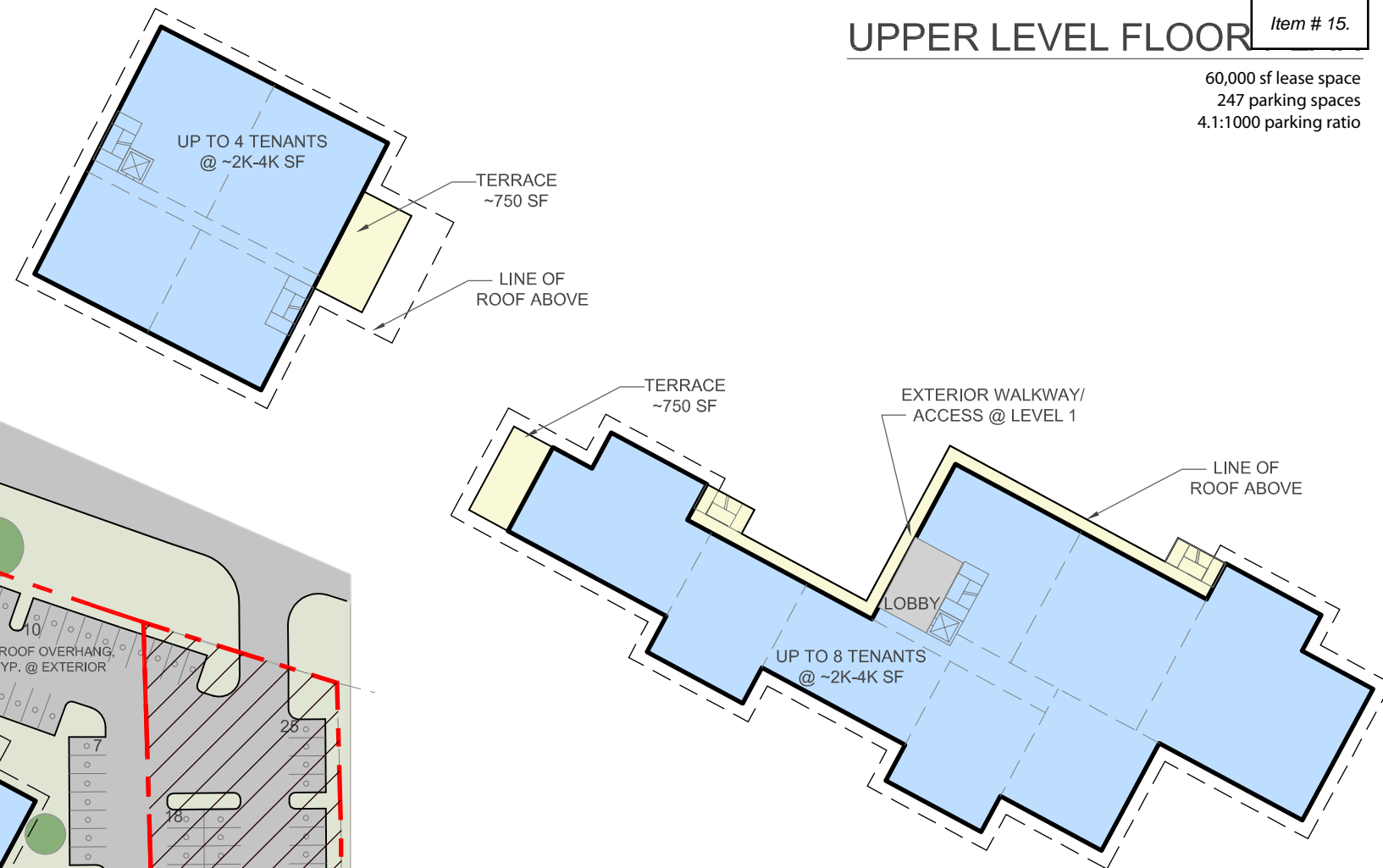


LOWER LEVEL / SITE PLAN

UPPER LEVEL FLOOR

Item # 15.

60,000 sf lease space
247 parking spaces
4.1:1000 parking ratio



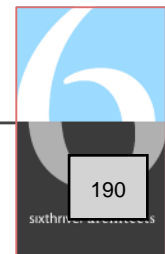
TIGER LANE OFFICE/MIXED USE CONCEPT 2

60K RSF - 2 STORY BUILDINGS, W/LAND SWAP

SCALE : VARIES
CONCEPT DRAWING

pursuant to the requirements of the texas board of architectural examiners' rules and regulations section 1.103(b), the document attached in incomplete adn may not be used for regulatory approval, permit, or construction.

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PARKS & COMMUNITY

CITY OF DRIPPING SPRINGS



ANNUAL REPORT 2020

City of Dripping Springs Parks & Community Services

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Physical Address: 1042 Event Center Dr. – Ranch House
 Mailing Address: PO Box 384, Dripping Springs, TX 78620
 Phone: 512-894-2400 | parks@cityofdrippingsprings.com

PARKS & COMMUNITY SERVICES – 2020

REFLECTING – A MESSAGE FROM THE DIRECTOR



Kelly Schmidt

What can we say about 2020? The year began for the Dripping Springs Parks and Community Services department with such big plans and aspirations. While Covid-19 was a setback for most of our programming goals, community-wide beloved events and department firsts, it was amazing to see what a little creativity, adaptability and ‘stick-to-it-ness’ achieved, despite the obstacles!

Transition, transition, transition! The Parks and Community Services department (PCS) transitioned many staff personnel at the wrap of 2019 and throughout 2020. The department replaced its Director, the Event Center Manager, the Event Center Coordinator and two full-time Ranch Hands. There was also new position creation with the addition of five (f) positions: DSRP Lead Ranch Hand (FT), DSRP Ranch Hand (FT), DSRP Ranch Hand (PT), DSRP Guest Services Coordinator (FT) and the Parks and Community Services Events and Programs Specialist now Coordinator (FT). All told, staff marketed for, screened and interviewed for six (6) new City of Dripping Springs employees as well as 15 seasonal summer Aquatics team members. Whew!

The increase in city personnel and limited office space to house said employees within City Hall motivated and inspired a relocation of the Parks and Community Services Administrative team to the vacant Harrison Ranch House. The house’s interior was cleaned, lightly renovated, and painted. This location is spacious and graciously provides the benefit of direct community access to the PCS team. It is a great opportunity to be out in one of the City’s most popular parks. While not the easiest location to find or access now, the PCS team is motivated (once the pandemic subsides) to broadcast widely their new location and availability to the Dripping Springs community.

In March, amidst the throes of pandemic uncertainty and budget authoring priorities, Hays County established a Parks and Open Space Advisory Commission (POSAC) and announced a call for projects. Staff was given less than thirty (30) days to produce and present projects with funding needs that would align with and achieve the prioritized objectives for the Dripping Springs area outlined in the 2012 Hays County Parks, Recreation and Open Space Master Plan. The charge of the Commission was to receive project proposals and score them based on a predetermined measurement matrix. The highest-ranking projects would be named in a November Bond measure. Dripping Springs had such a project on hold for nearly a decade due to lack of access, monetary and staff resources. Rathgeber Natural Resource Park, a dedicated 300-acre parcel of land and component of the Headwaters master planned neighborhood development had been static, awaiting a funding opportunity.

Staff partnered with Dripping Springs Skate Park organizers and co-presented their respective projects to POSAC on May 13, 2020 along with several other municipalities and non-profit organizations. On July 28, 2020 the Hays County POSAC presented their project recommendations to the Hays County Commissioners Court. Both Rathgeber Natural Resource Park and the Dripping Springs Skate Park were named as worthy of funding. Rathgeber was Tier 1 (defined as Very Best; highly recommend funding at some level) and Skate Park Tier 2 (defined as Very good; strong recommendation to fund at some level). The bond measure passed by an unprecedented 70%. At the December 8, 2020, City Council meeting, Rathgeber Natural Resource Park was deeded to the City of Dripping Springs.

Coyote Kids Nature Day Camp was slated to be introduced to the Dripping Springs Community in all its glory. However, out of an abundance of caution staff changed the format from in-person to virtual. While not the ideal first summer for what is certain to become a treasured annual experience for our Dripping Springs kiddos, it was extremely well delivered by Camp Director Maggie Peterson and well received by her campers and parents.

The Dripping Springs Park System was improved by a myriad of budgeted capital improvements. Many multi-year projects such as the sports field lighting upgrades at Sports and Recreation Park and drainage issues at Dripping Springs Ranch Park made great progress. Many other projects and accomplishments are detailed further in this report.

The PCS team would like to extend our heartfelt gratitude to Mayor Bill Foulds, Mayor Pro Tem Taline Manassian, and Councilmembers Todd Purcell, Wade King, Travis Crow and April Harris Allison for their support and leadership throughout the year. A special thank you to City Administrator, Michelle Fischer for her unwavering consistent guidance and unparalleled public service-centric leadership! Also, a SHOUT OUT to all other city departments for their continued support, teamwork and collaboration - we couldn’t do it without you!

MISSION, COMMISSIONS, & BOARDS

DEPARTMENT MISSION & BACKGROUND

In 2017 the City of Dripping Springs Parks, Recreation & Open Space department was changed to Parks and Community Services and the scope expanded. However, the mission statement and logo remained reflective of the former department directive and scope. In an effort to define the department so that branding and mission aligned with scope, the Parks and Recreation Commission voted unanimously on January 6, 2020 to adopt a new mission statement and department logo.

Former Department Mission Statement & Logo - 2007-2019

"Preserving Texas Hill Country for its people and their recreation and leisure, for its history and sense of place, and for its beauty and open spaces."



New Department Mission Statement & Logo - 2020

"It is our mission to foster community by preserving parks and open space, by connecting people to our natural resources and cultural history and by offering engaging programs and events."



"It is our mission to foster community by preserving parks and open space, by connecting people to our natural resources and cultural history and by offering engaging programs and events."

Parks & Community Services Commission & Board Members 2020

PARKS & RECREATION COMMISSION

Robbie Zamora, Chair
Eric Russell, Vice Chair
Amber Ballman
Matthew Fougerat
Eric Henline
Wade King
Paul Fushille
Matthew Zarbaugh

FOUNDERS DAY COMMISSION

Brenda Medcalf, Chair
Jake Adams, Vice Chair
Susan Warwick, Secretary
Darrell Debish
Brian Daniel
Martin Garza
Sharon Goss
Clinton Holtzendorf
Dee Marsh
Michael Monaghan
Jeff Shindler
Brad Thomas
Brian Varnell

DRIPPING SPRINGS RANCH PARK BOARD

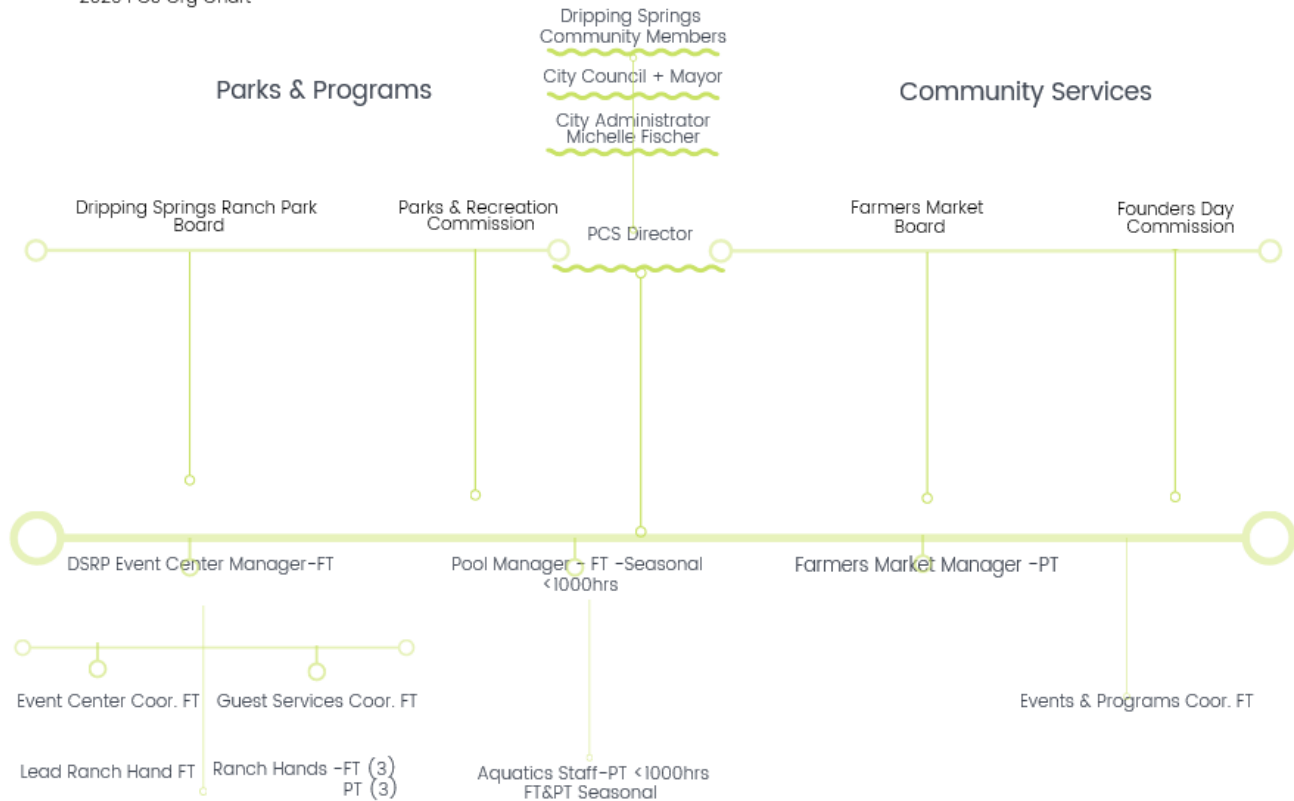
Todd Purcell, Chair
Terry Polk, Vice Chair
Pam Owens, Secretary
Mike Carroll
Penny Reeves

FARMERS MARKET BOARD

Gouri Johannsen, Chair
Marianne Simmons, VC
Teresa Strube, Secretary
Nikki Dahlin
Janet Musgrove
Teresa Strube
David Vincent
Claudia Oney
Vacant

PARKS & COMMUNITY SERVICES TEAM

2020 PCS Org Chart



Director, Parks & Community Services Department – Kelly Schmidt (FT)

Manager, DSRP Event Center – Tina Adams (FT)

Manager, Farmers Market – Laurel Robinson (PT)

Manager, Pool – Emily Long (FT - Seasonal)

Coordinator, DSRP Event Center - Emily Nelson (FT)

Coordinator, DSRP Guest Services – Lily Sellers (FT)

Coordinator, Programs & Events – Maggie Peterson (FT)

Ranch Hand, Lead – Nick Spillar (FT)

Ranch Hand, Sheri Kapanka (FT)

Ranch Hand, Noah Tresselt (FT)

Ranch Hand, Riley Sublett (FT)

Ranch Hand, Thomas Carroll (PT)

Lifeguard, Head - Mick Bailey (PT, Seasonal)

Lifeguard, Head - Emma Cunningham (PT, Seasonal)

Lifeguard, Clayton Appleman (PT, Seasonal)

Lifeguard, Gwen Bailey (PT, Seasonal)

Lifeguard, Thomas Carroll (PT, Seasonal)

Lifeguard, Oscar Del Castillo (PT, Seasonal)

Lifeguard, Ryan Kethley (PT, Seasonal)

Lifeguard, Alexa McGilvry (PT, Seasonal)

Lifeguard, Abby Wingrin (PT, Seasonal)



COMMUNITY PARTNER ORGANIZATIONS & BUSINESSES

It takes a village...Throughout the year the Parks and Community Services department relies heavily on partnerships with community non-profits and businesses to assist us with fulfilling our mission. Together we are successful in our collaborative efforts to serve the Dripping Springs Community. Depicted below are partners that helped to elevate the PCS department's services in 2020. We are so thankful for their support.



Destination Dripping Springs Visitors Bureau

Destination Dripping Springs partnered with the Parks and Community Services Department by serving on the Bird City Application Committee. The Visitors Bureau assists PCS in achieving our mission by dedicating staff to serve on the DSRP Board, serving as a liaison for the City's Film Friendly City designation, and working toward obtaining our Music Friendly designation.



Dripping Springs Ag Boosters

Dripping Springs Ag Boosters is an essential partner of Dripping Springs Event Center. This organization is the key co-sponsor for the City of Dripping Springs' Annual Rodeo. Its mission is to preserve the cultural heritage of the Dripping Springs Community through our youth.



Dripping Springs Lions Club

Christmas on Mercer is an annual event that was successfully held in 2020. The partnership between Lions Club and the City of Dripping Springs evolves each year to produce an even better event than the year prior and 2020 was no exception. While extra precautions were taken to adhere to CDC guidelines toward preventing the spread of Covid-19, the level of joy and Christmas spirit that the event created was not hindered this year.



Dripping Springs Mountain Bike Club

Dripping Springs Ranch Park (DSRP) is training home to the Dripping Springs Youth Mountain Bike Club. Through a park use agreement, the club provides an outlet for the youth of Dripping Springs to learn how to mountain bike and become passionate about the sport. They also learn the importance of trail etiquette as the DSRP park trails are utilized by hikers and horseback riders alike. Over the year the team practices every Tuesday & Thursday on the trails at DSRP and donate volunteer hours to the upkeep and care of the trails.



Dripping Springs Skate Park Initiative

Fundraising for community skate park and partnering with PCS for POSAC presentation and to host weekly skate night at Dripping Springs Ranch Park Event Center.



Dripping Springs Youth Sports Association

Partners with the Parks and Community Services Department by using city parks to provide a competitive youth sports recreation program. Their offerings include youth baseball, football, flag football, cheerleading, volleyball, softball, lacrosse, basketball, and soccer.



Hays County Livestock Board

Each year the Dripping Springs Ranch Park Event Center is home to the Hays County Livestock Show. This show and the Hays County Livestock Board is an essential partner for the Parks and Community Services Department. Not only does the event assist in the facilitation of the Department's mission for the Dripping Springs Community it improves the quality of life for many families throughout Central Texas. The Hays County Livestock show educates Texas youth on how to responsibly raise market-ready animals. This process instills important life and business values that participants will have for a lifetime.

The Melissa & Amy Team**Melissa & Amy Team**

Our 2020 Activity Guide and the Drive-in Movie in the Park were sponsored by the Dripping Springs based Melissa & Amy Team of Realty Austin. Their generous sponsorship made both key service delivery components possible. While most were unaware of our inaugural parks and programs guide (due to Covid -19), fifty (50) families attended our drive-in movie at Dripping Springs Ranch Park on October 30, 2020.

**The Pound House Farmstead**

The Pound House Farmstead operates out of Founders Memorial Park and elevates the PCS mission by providing a glimpse back in time to slower days in Dripping Springs. While 2020 did not allow for many days of operation, the Pound House continues to “connect people to our cultural history.”

**Studio Balcones**

Studio Balcones is an Austin based firm that partnered with PCS staff to produce the vision plan for Rathgeber Natural Resource Park. They sponsored this plan at no expense to the City. Their team produced a high-quality visual aid that aligned directly with the future mission of the park and allowed for the Hays County POSAC to score the project as a Tier 1 funded project from the 2020 approved Open Space Bond measure.

**Texas Master Naturalists (TMN) & Texas Master Gardeners (TMG)**

Even during the first summer of Covid-19, TMN & TMG continued to devote much relied upon expertise and “boots on the ground” dedication to our parks and programs. TMN & TMG representatives served on the Bird City Application Committee and provided invaluable contributions. TMN held monthly workdays (when appropriate and restrictions permitted) at both Dripping Springs Ranch Park and at Charro Ranch Park. Site coordinator began providing monthly reports that allow the PCS Director to better record the volunteer hours being contributed each year and approve/track the work being done.

**Tiger Splash**

Partners with PCS department to provide a Texas Amateur Athletic Federation Summer Recreational Swim Team program at Founders Memorial Pool. This program was canceled in 2020 due to Covid -19.



Wild Birds Unlimited Wild Bird Unlimited partnered with the PCS team on the Bird City Application Committee and dedicated several hours throughout the year toward meetings that produced an incredible collaborative application submittal.

PARKS & COMPLETED PROJECTS

CHARRO RANCH PARK – 64 Acres

- ADA ramp added to the pavilion.
- Trail rerouting to mitigate erosion completed.
- Kiosk updated and painted.
- Bird identification exhibit updated (still in production).
- Oak wilt mitigated with trenching and herbicide.
- Completed Trail Map – Planning Department collaboration.

DRIPPING SPRINGS RANCH PARK – 130 Acres

- Engineered Dam improvement project completed.
- Trees planted on ridge between Harrison Hills and DSRP.
- Engineered drawings completed for Ranch Park Road improvements and phased implementation budget authored.
- Ranch House interior renovation.
- Gaga ball pit acquired and installed.
- Wooden picnic tables painted white and placed throughout park.
- 10 additional RV hookups installed.
- Electrical upgrades and additional outlets installed at the Event Center.
- Event Center addition completed and opened for business.
- Split pipe fencing painted black and cable restrung. Half completed.

FOUNDERS MEMORIAL PARK – 40 Acres

- Founders pool complex chain-link fencing replaced with Commercial grade black iron picket fencing. Expanded pool deck interior with fencing to include a gathering area for pool parties. Installed new picnic tables inside the pool complex.
- Founders pool was re-plastered.
- New picnic tables installed in Founders Pavilion.
- Wifi installed at Founders pool complex.
- First Dedication Bench installed along new pedestrian trail connecting park to surrounding neighborhoods.
- Pool house septic system decommissioned, and facility is now hooked up to sewer.

SPORTS AND RECREATION PARK – 40 Acres

- Sports field lighting replacement project engineered drawings completed and proposed phased implementation budget created by EMA Engineering and Musco Lighting. Lighting plan submitted to International Dark Sky Association for certification.
- Perimeter trail extension completed, and runoff/puddling/erosion mitigated with concrete at naturally occurring low water crossing trail.

RATHGEBER NATURAL RESOURCE PARK – 300 Acres

- Sourced a firm (Studio Balcones) to author and create a vision plan for Rathgeber Natural Resource Park (pro-bono). Developed a vision plan and preliminary phased budget to serve as key supplemental material submission that lead to being named by Hays County POSAC as a Tier 1 project with possible funding of up 7.6 million for park development.
- Co-lead with Robert Ellis (Dick Rathgeber's grandson) several stakeholder tours of Rathgeber Natural Resource park.
- Obtained letters of support from Capital Area Boy Scouts, Free Hold Communities, Dripping Springs Independent School District, Destination Dripping Springs and Hays County Master Naturalists

VETERANS MEMORIAL PARK – 1.947 Acres

- No updates to Veterans Memorial Park

COMMUNITY RECREATION PROGRAMS

Coyote Kids Nature Camp - Virtual - (Fee Based)

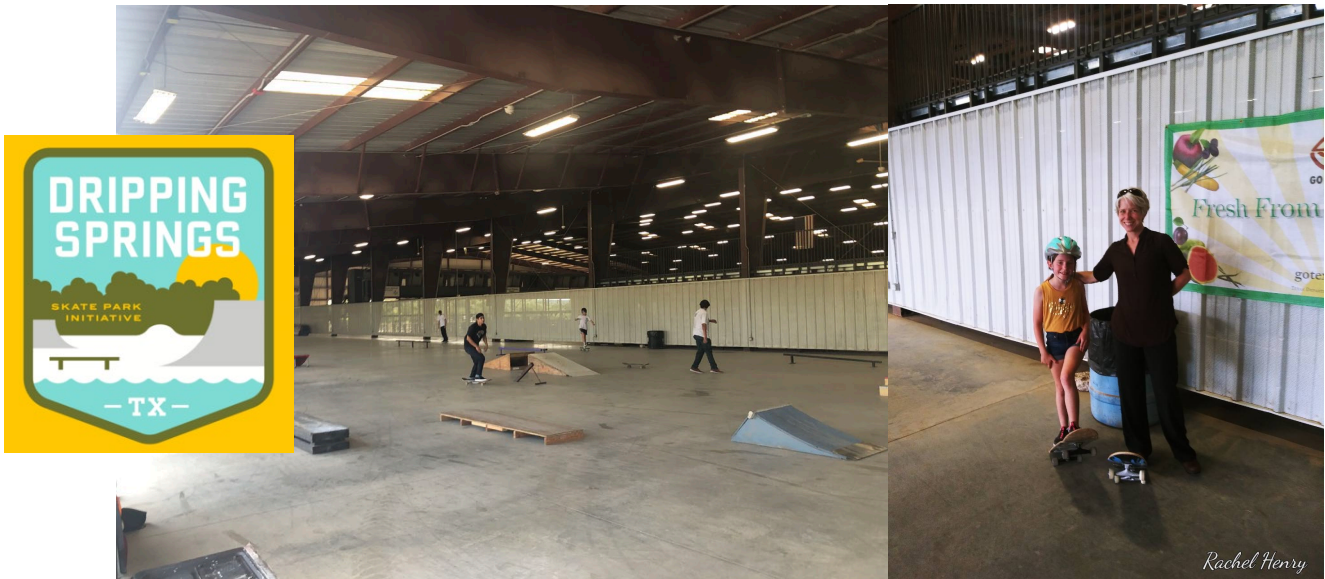


Camp Director/Program & Events Coordinator- Maggie Peterson

While Coyote Kids was not able to happen in-person in 2020 Maggie, did an incredible job stepping up to the challenge of putting together a virtual program, within a short amount of time. The program consisted of 5 thematic weeks of zoom calls and guided activities. Maggie personally delivered camper activity bags to their homes each week of camp. The program provided nature-based activities for 42 kids over the summer.



DSRP Skate Night – Wednesdays in 2020, 5pm-7pm Drop-in (Free)



Skate night sees on average of twenty (20) participants each week and is completely run by adult volunteers. The program provides approximately 2080 hours of recreational activity annually.

DSRP EVENT CENTER



Categories	Budgeted	Actual
Annual Memberships Sold	80	
Total Day Passes & Fees Collected	\$1000	Qty 128 \$1,135
Stall Rentals	\$22,000	Qty 514 \$19,886
RV Site Rentals <i>(actual includes RV Dump fees Qty 76)</i>	\$22,500	Qty 200 \$12,090
Total Facility Rentals	\$165,000	\$43,456

FOUNDERS MEMORIAL POOL



Due to Covid-19 the Founders Memorial Pool season was restricted to June 29, 2020 - August 16, 2020. No events or Tiger Splash recreational swim team were permitted.

Total Pool Rentals	5
Total Pavilion Rentals	5
Total Summer Public Swim Sign-Ups	<div style="text-align: center;"> <h3>Sign Up Activity</h3> <hr/> <p>Total Slots: 4176</p> <p>Filled Slots: 2453</p> <p>Available Slots: 1723</p> <p>% Filled: 58.74%</p> <p><small>Note: Items with unlimited quantity are not included in this graph.</small></p> </div> <div style="display: flex; align-items: center; justify-content: center;"> <div style="margin-left: 20px;"> <p>● Filled</p> <p>● Available</p> </div> </div>

Due to Covid-19 restrictions, all pool business operations were managed through Sign-up Genius internet platform and was contactless. The concession stand was converted into an administrative office for Founders Park and Pool customer service and business operations.

COMMUNITY SERVICES – CITY WIDE EVENTS

Dripping Springs Farmers Market – Year-round Weekly Event



During 2020 the Dripping Springs Farmers Market was declared an essential city service by the Mayor of Dripping Springs. The Market served the community as a direct lifeline to locally sourced fresh produce, baked goods, and meats. The success of the market and its declaration was a direct result of the Farmers Market Manager’s tenacity, dedication, and determination.



Total Number of Vendor Booths	N/a
Budgeted Revenue	\$71,912
Actual Revenue	\$65,822
Budgeted Expenses	\$71,912
Actual Expenses	\$59,864



Founders Day Festival – Co-Sponsorship with DS Lions Club – Spring event



Founders Day was scheduled for April 24-26, 2020. However, with the Covid-19 pandemic in full escalation at the time, the Commission unanimously voted to cancel the event for the 2020 year.

Dripping Springs Fair & Rodeo – Co-Sponsorship with DS Ag Boosters – Spring Event moved to October



Estimated Total Number of Attendants	1200
Number of Vendors	N/a
Event Expenses	\$28,000
Event Revenue Sponsorship \$40,000 Ticket Sales \$12,000	\$52,000
City Revenue	\$7,900



Christmas on Mercer - Co-Sponsorship with Dripping Springs Lions Club



Estimated Total Number of Attendants	2000
Number of Vendors	47
Event Revenue – Sponsorships \$4750 Booths \$4750	\$9500
Event Expenses	\$6064
Lions Club Revenue	\$3386
City Revenue – 25% of Booth revenue	\$1175



CITY INITIATIVES & VOLUNTEER PROGRAM



On December 3, 2020, the City of Dripping Springs and its collaborative Bird City Application Committee applied to become a designated Texas Bird City. The application process was arduous. To successfully complete the application, it took a team of eight (8). The Bird City committee was comprised of city staff, DS Visitors Bureau staff, a Hays County Master Naturalist, a Hays County Master Gardener, and a PRC Commissioner. The team met monthly for over a five (5) month period while tackling all activities to meet or exceed the various requirements of the application.

Fall Sweep, a requirement to maintain our Keep Texas Beautiful affiliation was held on December 22, 2020. Maggie Peterson, Events & Programs Coordinator was able to draw a small group of 25 participants to assist with beautifying the downtown area while employing social distancing and adhering to Covid-19 safety precaution measures.



International Dark Sky Association designation initiative was extremely prolific this year with passionate involvement from not only city staff but the City Administrator and Mayor as well. The Parks and Community Services team played the primary role of support, and created components such as a proclamation designating a community “Lights Out” campaign that supported migratory birding seasons and night sky preservation as well as met a requirement of the Bird City application process.

VOLUNTEER HOURS

In addition to our monthly volunteer Hays County Master Naturalist work groups at Dripping Springs Ranch Park & Charro Ranch Park, on March 11-12, 2020, the Parks and Community Services Team hosted youth volunteer work groups at the parks. We worked with over 150 Junior High and High School youth from Dripping Springs and the surrounding area to beautify park grounds and amenities. The PCS department also benefited from the completion of 1 Eagle Scout project (Entrance Sign to Sports and Recreation Park), 1 Silver Award Girl Scout project (renovated kiosk at Charro Ranch Park), and 1 Junior Girl Scout troop habitat improvement project at Dripping Springs Ranch Park.

COMMUNITY SERVICE – CO-SPONSORSHIPS & PERMITS

The Community Services component of the department focuses on event co-sponsorship/Triangle banner displays (located at the intersection of RR12 & HWY 290) and various permits.

Co-Sponsorships

Cancelled due to Covid -19 precautions
Held prior to Covid precautions in place, or in a modified way

Event Date & Name	Co-Sponsorships	Event Date & Name	Co-Sponsorships
2.15.2020 - Washer Tournament	DSHS Baseball Boosters	4.4.2020 - Rainwater Revival & Hill Country Living moved to October virtual event	Hill Country Alliance
Multiple Dates - Dripping with Taste	DS Visitors Bureau	4.24-4.26,2020 – Founders Day	Founders Day Commission
3.5.2020 - An Evening of Jazz	DSHS Band Boosters	5.1 – 5.2.2020 -Red Arena Round-up	Red Arena
3.7.2020 - YMCA Resource Fair	Springs Family YMCA	2020 DSRP Riding Series	City of Dripping Springs
3.13 &4.10 - Fish Fry	Knights of Columbus Council	9.4.2020 – Enrollment Banner	DS Christian Academy
3.21.2020 - From the Hills with Love	Plum Creek Sound Events, LLC	11.1.2020 – Virtual Empty Bowls	Helping Hands
3.28&3.29.2020 – Spring Wildflower Mkt	Texas Market Guide	12.5.2020 – Christmas on Mercer	Lions Club

Banner Displays

January	Hays County Livestock Show DS Chamber Star Awards DSHS Baseball Booster Club Washer Tournament
February	Central Texas Arabian Horse Association Show Evening of Jazz From the Hills with Love YMCA Community Resource Fair Knights of Columbus Fish Fry
March	
April	
May	DSVB Drippin' with Support all in Y'all
June	
July	Central Texas Arabian Horse Association Show Census Banner Shop Local
August	Buy Local DS Chamber Census Banner Shop Local Buy Local DS Chamber Hill Country Harvest Market Destination Dripping Springs
September	
October	Hill Country Harvest Market DS Christian Academy Enrollment Chili/Salsa Cook-off – DS Cook-Off Club Destination Dripping Springs PCS Drive-in Movie Banner Pumpkin Patch Moved banner
November	23 rd Annual Virtual Empty Bowls Christmas on Mercer Shop Small Saturday – DS Chamber Shop Local
December	Buy Local DS Chamber Shop Local - CoDS

Permits

Most of the permits the PCS department issues are related to events within city limits or activities in the parks. The following reflects permits issued in 2020.

Type of Permit	QTY
Business Operations in City Park Permits	0
Events on City Property or within City Limits Permits	2
Filming Permits	7
Itinerant Vendor Licenses	4
Road Closure Permits	3

PROCLAMATIONS & RESOLUTIONS

Proclamations

MAY 12 - Lynne Dickenson Day

JULY - Parks & Recreation Month

MARCH – MAY Lights Out Migratory Months

OCTOBER - Hill Country Night Sky Month

PROCLAMATION OF THE CITY OF DRIPPING SPRINGS PROCLAIMING MAY 12, 2020 AS "Lynne Dickenson Day"

WHEREAS, Lynne Dickenson has dedicated 22 years to the City of Dripping Springs exhibited Public Service Excellence in Leadership and Customer Service; and

WHEREAS, Lynne Dickenson served as an instrumental voice in the creation and development of the Dripping Springs Ranch Park & Event Center; and

WHEREAS, Lynne Dickenson has overseen the successful management of the Dripping Springs Ranch Park & Event Center from 2017–May 2020; and

WHEREAS, Lynne Dickenson has exhibited Excellence in Customer Service to the community of Dripping Springs and patron of the Dripping Springs Ranch Park & Event Center; and

WHEREAS, Lynne Dickenson has exhibited Excellence Leadership that is reflective in the admiration and respect of her fellow co-workers, and elected and appointed officials; and

WHEREAS, Lynne Dickenson has been recognized by the Dripping Springs Community for her Community Service being awarded the Best of Customer Service Dripping Springs XX, XX, and XX; and

WHEREAS, the City Council of Dripping Springs recognizes Lynne Dickenson for her time and dedication to the community and commend her Excellence Public Service in Leadership and Customer Service.

NOW THEREFORE, BE IT PROCLAIMED by the City Council of Dripping Springs, Texas:

1. May 12, 2020 shall hereafter be known as "Lynne Dickenson Day" in Dripping Springs, Hwy County, Texas; and
2. The City Council calls upon all residents of Dripping Springs to recognize Lynne's contribution to the community and Excellence in Public Service.

PROCLAMATION OF THE CITY OF DRIPPING SPRINGS PROCLAIMING JULY 2020 AS "Parks and Recreation Month"

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including the city of Dripping Springs; and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are physically or cognitively disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS, parks and natural recreation and resource areas improve water quality, protect groundwater, prevent flooding, improve the quality of life as we breathe, provide vegetation buffers to development, and produce habitat for wildlife; and

WHEREAS, our parks and natural recreation and resource areas ensure the ecological health of our community and provide a place for children and adults to connect with nature and receive education; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, the City of Dripping Springs recognizes the benefits derived from parks and recreation resources.

NOW THEREFORE, BE IT PROCLAIMED by the City Council of Dripping Springs, Texas:

1. That the Dripping Springs City Council proclaims July 2020 as "Parks and Recreation Month" in the City of Dripping Springs.
2. That the Dripping Springs City Council encourages citizens to visit City Parks and Amenities and to enjoy all they have to offer.

PROCLAMATION OF THE CITY OF DRIPPING SPRINGS PROCLAIMING AUGUST - OCTOBER 2020 AND MARCH - MAY 2021 AS "Lights Out Migratory Months"

WHEREAS, the Audubon National Lights Out Program was established in 1999 in Chicago, Illinois to encourage to protect birds from light pollution; and

WHEREAS, the Lights Out Program encourages businesses and community members to turn off excess lights during a designated timeframe during summer months to reduce light pollution, provide wildlife, natural resources, and habitat; and

WHEREAS, Audubon is a nonprofit organization partnering with cities nationwide to protect their unique bird species, foster a healthier environment, and shared quality of life for all; and

WHEREAS, if a city's lights continue through the U.S. in state across through Texas, estimate approximately one billion birds to die through the state annually; and

WHEREAS, studies show birds support local economies in places such as the Rio Grande Valley where Nature Tourism, which is estimated by Wildlife, contribute \$100 million to the local economy and supports 4,017 full-time and part-time jobs annually; and

WHEREAS, the Lights Out program will support other city initiatives such as the International Dark Sky Community recognition, St. Vincent CMA and Blue City designation that will help us qualify for grants to support Nature Tourism in Dripping Springs benefiting our local economy; and

WHEREAS, the Dripping Springs Lights Out program will offer a place to be joined by community members, business owners, and government officials to participate by turning off their lights during the designated periods by monthly; and

WHEREAS, the Lights Out Program, now proclaimed, will be listed as an official course program on the Audubon website alongside other cities offering the program.

NOW THEREFORE, BE IT PROCLAIMED by the City Council of Dripping Springs, Texas:

1. August through October and March through May shall hereafter be known as "Lights Out Migratory Months" in Dripping Springs, Hwy County, Texas.
2. Community members, business owners, and government officials are encouraged to turn the lights off and will estimate one billion birds during the specified time frame during Lights Out migratory months.

PROCLAMATION OF THE CITY OF DRIPPING SPRINGS PROCLAIMING OCTOBER 2020 AS "Hill Country Night Sky Month"

WHEREAS, the aesthetic beauty and wonder of star-filled skies are the heritage of all humankind and locally in the mountains of Dripping Springs and its immediate vicinity of celebration; and

WHEREAS, the experience of stargazing benefits a star-filled night sky requires knowledge of weather and stars, and star-watching interest in science and nature especially among young people; and

WHEREAS, the opportunity to view star-filled skies attracts tourism to our region and therefore economic benefit to Dripping Springs; and

WHEREAS, preserving the rich historic heritage and every night skies of Dripping Springs is important to its citizens; and

WHEREAS, "light pollution," which is unwanted light that performs no function to look and artificial light that goes where it is not supposed to go, is caused by glare, light trespass, sky glow, and overlighting; and

WHEREAS, light pollution wastes natural resources amounting to at least \$2 billion per year and contributes to diminished American energy independence; and

WHEREAS, the historical view of the night skies has been eroding in many nearby areas and generations are growing up with limited, if any, view of the wonders of the universe; and

WHEREAS, the influx of people into the Texas Hill Country region and the accompanying light pollution from new lighting fixtures has been eroding on the area; and

WHEREAS, reducing the problem of light pollution involves making better use of outdoor lighting to direct light down to where it is needed instead of upward into the sky; putting outdoor lights on timers and using motion lighting only where necessary; and

WHEREAS, Hill Country communities are increasingly dedicated to the preservation of the region's night skies, as evidenced by the frequent acknowledgment included in our region and by the increasing number of places in our region recognized as International Dark Sky Places by the International Dark Sky Association, including Dripping Springs Ranch Park, South Lake Hill, Hwy County, the City of Dripping Springs, the "Starbuck" Valley, the City of Fredericksburg, the City of Gillespie, Hwy County, Gillespie County, and Hwy County, and the City of Fredericksburg, Hwy County, and Hwy County.

NOW THEREFORE, BE IT PROCLAIMED by the City Council of Dripping Springs, Texas:

1. October 2020 shall hereafter be known as "Hill Country Night Sky Month" in Dripping Springs, Hwy County, Texas.
2. That the City Council encourages citizens to enjoy the night sky and to participate in the Dripping Springs and the Hill Country region events and programs celebrating the night sky and preserving the ways in which communities are working to protect it.

Resolutions

May 8 - World Migratory Bird Day

November 10 – Park Dedication and Donation

CITY OF DRIPPING SPRINGS
RESOLUTION No. 2020-R52

A RESOLUTION OF THE CITY COUNCIL OF DRIPPING SPRINGS, TEXAS, RECOGNIZING THE SECOND SATURDAY IN MAY EACH YEAR AS WORLD MIGRATORY BIRD DAY AND AUTHORIZING THE BIRD CITY COALITION AND APPROPRIATE CITY STAFF TO CONTINUE PURSUIT OF CERTIFICATION IN THE TEXAS "BIRD CITY" PROGRAM; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, migratory birds are some of the most beautiful and easily observed wildlife that share our communities; and

WHEREAS, these migrant species also play an important economic role in our community, controlling insect pests and generating millions in recreational dollars statewide; and

WHEREAS, migratory birds and their habitats are declining throughout the Americas, facing a growing number of threats on their migration routes and in both their summer and winter homes; and

WHEREAS, public awareness and concern are crucial components of migratory bird conservation; and

WHEREAS, citizens enthusiastic about birds, informed about the threats they face, and empowered to help address those threats can directly contribute to maintaining healthy bird populations; and

WHEREAS, since 1993 World Migratory Bird Day (formerly International Migratory Bird Day) has become a primary vehicle for focusing public attention on the nearly 350 species that travel between nesting habitats in our communities and throughout North America and their wintering grounds in South and Central American, Mexico, the Caribbean, and the southern U.S.; and

WHEREAS, hundreds of thousands of people will observe WMBD, gathering in town squares, community centers, schools, parks, nature centers, and wildlife refuges to learn about birds, take action to conserve them, and simply to have fun; and

WHEREAS, while WMBD is annually recognized on a single day, its encouraged that planners and city staff schedule activities and events on dates throughout the year best suited to the presence of both migratory bird conservation, but also a call to action; and

WHEREAS, the City parks and Recreation Commission voted on November 2, 2020 to recommend the City Council recognize the annual celebration of World Migratory Bird Day by Resolution.

CITY OF DRIPPING SPRINGS
RESOLUTION NO. 2020-R51

A RESOLUTION OF THE CITY OF DRIPPING SPRINGS, TEXAS, ADOPTING A PROGRAM FOR PARKS DEDICATION AND DONATIONS.

WHEREAS, the City Council of the City of Dripping Springs ("City Council") maintains parkland and park facilities in the City of Dripping Springs, Texas ("City"); and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Chapter 331 of the Texas Local Government Code, the City has control and management over its parks and may raise funds that can be used for the improvement and operation of the park; and

WHEREAS, pursuant to Chapter 332 of the Texas Local Government Code, the City may accept a gift of money to use in support of public recreation facilities and programs; and

WHEREAS, existing parks in the City currently serve the needs of several neighborhoods located within the city limits, and are located within an approximate one-half to five-mile radius of City residents and ETJ users; and

WHEREAS, this program is adopted to provide an opportunity for individuals to honor people, cherish the memory of a loved one, or commemorate a special event and to provide additional trees, amenities, and donations for City parks; and

WHEREAS, the Parks and Recreation Committee recommended approval of the program at its meeting on November 2, 2020; and

WHEREAS, the City Council finds that the program proposed is reasonable, necessary, and proper for the good government of the City of Dripping Springs.

NOW, THEREFORE, BE IT RESOLVED by the City of Dripping Springs City Council:

1. **Findings of Fact:** The above and foregoing recitals are hereby found to be true and correct and are incorporated as finding of fact.
2. **Parks Dedication & Donation Program:** The Program, as presented herein as Attachment "A", is hereby adopted and approved.
3. **Effective Date:** This resolution shall be effective from and after its approval and passage.

MARKETING & OUTREACH

Print

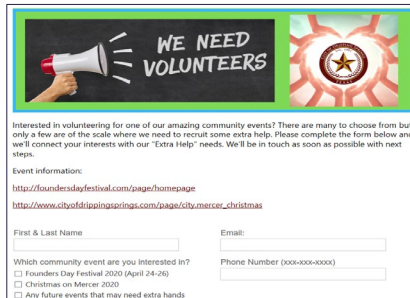
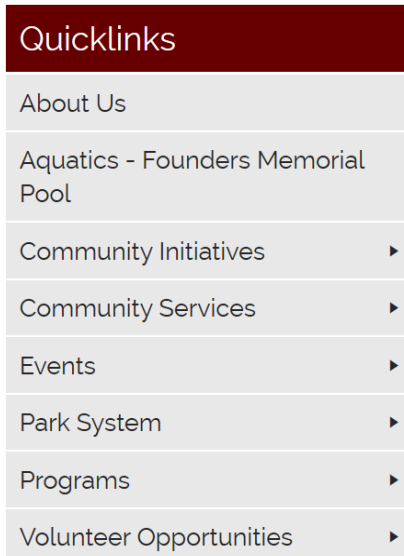
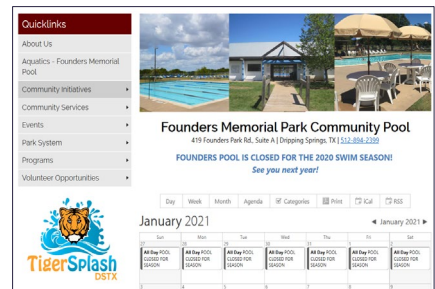


Parks & Community Services 2020 Spring/Summer Activity Guide

The Parks and Community Services department published and direct mailed its first activity guide. This publication serves as incredible branding for the department, a resource for community members and a reference tool for staff located in one comprehensive catalog. Unfortunately, much of its content was altered or canceled because of Covid-19, but it was a good first run and is surely to become a treasured on-going publication.

Website

The Parks & Community Services department's primary on-line presence in 2019 - 2020 was through the City's website & social media platforms such as Facebook. Shortly after the department's logo was created staff also created a primary PCS department Facebook page and a City LinkedIn page as well. Staff is continually developing the website presence to present a more professional and functional community resource. Originally, the PCS portion of the City's website consisted of 2 pages, it now offers an expansive variety of pages and serves as a viable resource of information for community members and visitors.



The website pages are a work in-progress. The full build-out and service functionality are at 75% completion. We anticipate this dynamic service delivery tool to evolve as the needs of the community are made more evident over time.

Social Media

The department currently has 6 Facebook pages. Facebook pages aid in featuring department operations, programs, facilities, and events. These information dissemination outlets are instrumental branding tools the department relies upon daily. They are managed in collaboration with the City's Communications Director. The LinkedIn page was primarily created to serve as a recruitment platform and solidify the city and its various departments as competitive and equal in sophistication and organization among other local governments. A 2021 goal is to create and manage a PCS Instagram account in addition to current platforms.



2019-2020



2020



2021



**City of Dripping Springs
Parks and Community
Services**

@DrippingSpringsParksandCommunity · Community

Edit Learn More

Likes - 497
Followers - 582



**Dripping Springs Ranch Park
& Event Center**

@DSRPEventCenter · Park

Edit Learn More

Likes - 5066
Followers - 5405
Check-in - 13,840



**Dripping Springs Farmers
Market - Official**

@DSFarmersMarket · Farmers Market

Edit Call Now

Likes - 4770
Followers - 5333
Check-in - 561



Christmas on Mercer Street

@christmasonmercerstreet · Event

Edit Contact Us

Likes - 2166
Followers - 2270



Founders Day Festival

@foundersdayfestival · Event

Edit Send Message

Likes - 4244
Followers - 4473



**Dripping Springs Fair and
Rodeo**

@drippingssfairandrodeo · Community

Send Message

Likes - 103
Followers - 105

PCS DEPARTMENT BUDGETS

The PCS Department worked closely with the Finance Department throughout the year to complete budgeted improvement projects and remain fiscally responsible while adhering to the Council-approved FY2020 budget. Although 2020 was an unusual year due to Covid-19 and operations were not business as usual, the staff managed to provide services for the Dripping Springs Community as safely as possible and stay within fiscal parameters set for them. The department is responsible for the oversight of 5 (five) funds within the PCS Budget: General Fund (PCS Administrative Operations, Parks, Founders Pool, Community Services, Events, Seasonal Staff Payroll), Dripping Springs Ranch Park & Event Center, Dripping Springs Farmers Market Fund, Parkland Dedication Fund, and the Ag Facility Fund. The department has access to a Landscaping Fund (when applicable),

*General Fund 2020		
General Fund	Budget	Actual
Revenue	\$285,100	\$218,026
Expenditures	\$500,545	\$297,469

Dripping Springs Ranch Park & Event Center Fund 2020		
DSRP	Budget	Actual
Revenue	\$532,573	\$417,466
Expenditures	\$514,475	\$403,591

*Farmers Market Fund 2020		
Farmers Market	Budget	Actual
Revenue	\$33,970	\$65,822
Expenditures	\$39,949	\$59,864

Parkland Dedication Fund 2020		
	Budget	Actual
Revenue	\$281,262	
Expenditures	\$147,727	

Ag Facility Fund 2020		
	Budget	Actual
Revenue	\$17,605	
Expenditures	\$12,180	

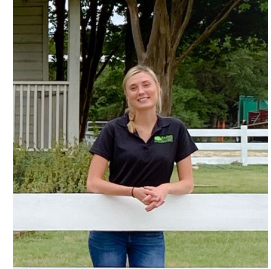
**These funds include seasonal and part-time employee payroll. Seasonal Aquatics Staff – Budgeted at \$72,308.00 | Actual at \$28,179. Part-time Farmers Market Manager Budgeted at \$29,900 | Actual at \$23,485.*

NOTABLE MENTIONS | PROFESSIONAL ORGANIZATIONS



Farmers Market Manager Laurel Robertson was named Texas Recreation & Park Society’s Part-time Employee of the Year – Central Texas Region. She was selected above numerous other submissions across Central Texas for her outstanding work and dedication to the Farmers Market. Laurel navigated obtaining a designation of “Essential City Service” during the original acceleration of Covid-19 Pandemic in March and managed an extremely elevated shopping environment.

In January Maggie Peterson, Programs and Events Coordinator attended a special training held by Bat Conservation International at the Lady Bird Johnson Wildflower Center. This specialized training will permit the PCS department to eventually hold special programs related specifically to bats. This training provided a networking opportunity to meet bat conservationist professionals that the department may eventually partner with to offer bat conservation community educational programs.



In November, PCS Director Kelly Schmidt was named to the National Association of Park Foundations’ Board of Directors. Very preliminary conversations have begun with the Dripping Springs Parks & Recreation Commission around exploring the creation of a Friends of Dripping Springs Parks Foundation to benefit the Dripping Springs Park System.

Lead Ranch Hand, Nick Spillar attended the League of Agricultural and Equine Center Footing Academy. The League Footing Academy is part of The League of Agricultural & Equine Centers Symposium. The League Symposium is an annual event attended by agriculture professionals and equestrian facility managers from across the United States. At the League Footing Academy, renowned equestrian footing experts taught attendees how to turn ‘average dirt’ into footing that boosts performance and promotes safety and soundness for equine athletes



The Dripping Springs Parks and Community Services department employs industry best practices by operating under the goal of continual professional development and striving to be best in industry. The staff achieve this by staying involved with industry specific professional organizations and their educational opportunities and certifications. Listed below are professional organizations the department holds memberships in and are professionally associated with. It’s also important to note certifications achieved by staff and educational opportunities obtained in 2020.

- DSRP Ranch Hands – Obtained Skid Steer Loader Training & Ag Safety Cert
- DSRP Ranch Hands & Event Center Manager- Attended TRAPS Annual Maintenance Rodeo
- PCS Staff – Required FEMA Trainings
- PCS Director – Attended NRPA Annual Virtual Conference | (Earned CEU credits to maintain CPRP certification)
- PCS Director – Attended TRAPS Annual Institute and Expo | (Earned CEU credits to maintain CPRP certification)
- Programs & Events Coordinator- Attended NRPA Virtual Conference
- Programs & Events Coordinator- Attended American Camp Association workshop

International Dark Sky Association	Texas Recreation and Parks Society	National Recreation & Parks Association
The National Association of Park Foundations	Texas Public Pool Council	American Camp Association
Texas Festivals and Events Association	The League of Agricultural & Equine Centers	American Red Cross Authorized Provider

2020 MOMENTS IN PARKS





PARKS
& COMMUNITY
CITY OF DRIPPING SPRINGS

Physical Address: 1042 Event Center Dr. – Ranch House
Mailing Address: PO Box 384, Dripping Springs, TX 78620
Phone: 512-894-2400 | parks@cityofdrippingsprings.com

PARKS

Charro Ranch Park:

Charro Ranch Park had a total of nine volunteers at its monthly workday seven Master Naturalists and two members of the public. Many Cedar saplings were lopped off, and volunteers removed many rocks from the outer trail that were trip hazards. Tree roots across the outer trail and near the Solstice Circle were cut and removed, the oak wilt trenches were smoothed out, and at least four bags of trash were filled with litter from the shoulder of the road fronting FM150 along the Charro property line. We also replaced a broken horizontal fence post at the entrance to the park.

Dripping Springs Ranch Park & Event Center -Submitted by: *Tina Adams – Event Center Manager*



The Ranch Park had strong start to the new year with some fun events like the Alamo Dog Obedience Agility Trials. This event was held in the new expansion and were such a success, they have booked several additional dates. The word spread fast in the dog agility community. Since this event, our DSRP coordinator has toured several other dog clubs interested in this space. The Hays County 4-H Horse Point Show was held in the main arena followed by Hays County Livestock Show (HCLE). This event hosted over 356 children in our community and exhibited over 1228 projects. This partnership event facilitated thousands of dollars of scholarships to our Hays County Students. With a speedy response, the DSRP staff was able to mobilize and be a host site for distribution of the COVID-19 vaccination. Over 400 vaccinations were amazingly distributed over 2 days to our community. While HCLE was happening, the DSRP staff was able to break away from the event center and focus on the park. Between much needed trail & building maintenance, round pen repairs and organization of the event center's tables/chairs sets, the staff was able to get organized for an upcoming season of events for 2021.

2021 - HCLE Images



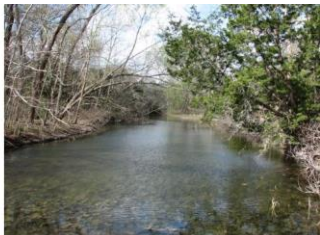
Founders Memorial Park & Pool:



Cactus Garden Memorial Monument project was completed and installed in January. Site clean-up and landscaping improvements in the cactus beds are still underway.

Rathgeber Natural Resource Park:

On December 24, 2020 Austin American Statesman ran an article featuring the donation of Rathgeber’s 300 acres to the City of Dripping Springs. Since its publication, the PCS department has been receiving weekly calls from would be project contract suiters. Currently, the City is not able to pursue park development of Rathgeber. Steps toward development include: Securing funding sources (still awaiting award notice from the Hays County Open Space Bond Measure, identifying scope and design and then construction. All of which will be precluded by environmental impact studies and inventory.



The property that Austin philanthropist Dick Rathgeber has donated to the city of Dripping Springs is where Barton Creek and Little Barton Creek converge. CONTRIBUTED



Austin philanthropist Dick Rathgeber has donated 300 acres to the city of Dripping Springs to be used as park land. CONTRIBUTED



BUSINESS
Donor gives Dripping Springs 300 acres to create park
 Shonda Novak, Austin American Statesman
 Published 5:01 a.m. CT Dec. 24, 2020



Austin philanthropist Dick Rathgeber has donated 300 acres to the city of Dripping Springs to be used as park land. CONTRIBUTED

It's not every day that a city gets a \$5.7 million parkland donation. The city of Dripping Springs just did — specifically, 300 acres to create a park that will be almost 30 acres bigger than Austin's beloved Zilker Park. Earlier this month, Dripping Springs City Council accepted a donation deed for the 300 acres from Austin developer and philanthropist Dick Rathgeber and Rathgeber Investment Company LTD. The property is at the confluence of Barton Creek and Little Barton Creek, and is adjacent to the Headwaters subdivision. The land will be dedicated to the city as Rathgeber Natural Resource Park.

Sports & Recreation Park

On January 21, the Dripping Springs Sports and Recreation Lighting upgrade project received a grade of PASS by the International Dark Sky Association and has received the designation of IDA Community Friendly Outdoor Sports Lighting. This a huge accomplishment for the City of Dripping Springs! Onward toward Phase 1 and project budget development and allocating funds as well as developing an estimated timeline while working with DSYSA and DSASA on construction plan.

IDA Community Friendly Outdoor Sports Lighting Lighting Performance Summary

Project: Dripping Springs Sports & Recreation Park Relight
Location: Dripping Springs, TX
Curfew: 11:00pm
Submitted: 21 January 21 - 9:03 AM PST

Field: All Fields for Dripping Springs Musco Project 179809R8			
Field type: Baseball - Class III			
Environmental Zone: E2			
Applicable Lighting Standard			
	Standard	Measured	Result
Meets IES or HS Standard	—	Yes	PASS
Applied BUG Analysis			
	Standard	Measured	Result
Total Fixture Lumens	—	29,292,175 lumens	—
Backlight: Lumens	15% or less	0.2%	PASS
Backlight: Spill	2.0 lux or less	0.27 lux	PASS
Uplight: Lumens	8% or less	5%	PASS
Glare: Max Candela	1000 candela or less	903 candela	PASS
Glare: 80° - 90°	250 lumens	142 lumens	PASS
Application Efficiency			
	Standard	Measured	Result
Total Fixture Watts	—	241,374 watts	—
Applied Lumens	—	26,955,003 lumens	—
Application Efficiency	70+ (lumens per watt)	112	PASS

Lighting Performance Result

PASS

Veterans Memorial Park & Triangle
 Nothing to report.

COMMUNITY SERVICES

Community Events & Programs – Submitted by: *Maggie Peterson, Programs and Events Coordinator*



Bird City:

The Parks Department is awaiting a response from the Bird City Texas



Designation Committee. In the meantime, the Bird City Application Committee has begun planning the Festival of Flight for 2021 that is scheduled for Saturday, May 8th. The Festival of Flight is one of the major components that is helping us receive and maintain our Bird City Designation. The council approved annual event in 2021 is proposed to be primarily virtual with small additional in person, socially distanced events such as a bird walk at Charro Park hosted by one of our own Parks Commissioners, Paul Fushille. The Festival of Flight will be a jump off point for our newest program: The Junior Birding Club! The Junior Birding Club has been created to foster the next generation of Dripping Springs aviary enthusiasts creating a group for our young aspiring birders to learn the growing art of bird watching! The Junior Birding Club will be a feature of the Coyote Kids Nature Camp as well.

Founders Day:

As approved at the City Council meeting held on 1/19, the Founders Day Festival Commission has decided to cancel the 2021 Founders Day Festival due to rising numbers and an inability to effectively control population. Founders Day is the largest City celebration drawing tourists from surrounding cities at 14,000 participants per day. The Commission struggled with the call and entertained ideas of a modified event over the course of the last monthly meetings and felt this was the most effective way to keep our community safe. We expect to see Founders Day return in 2022 in all its glory!



Its Time Texas:

The Parks and Community Services has decided to re-allocate the resources used participating in It's Time Texas to our Bird City programming. We will no longer be participating in It's Time Texas as a city, however, community members are still encouraged to participate on their own!

Keep Dripping Springs Beautiful:

The next Keep Dripping Springs Beautiful event, The Great American Clean Up, has been added to the calendar and will be held in April. We have interest from community members to initiate a task force to assist in maintaining the program. The Great American Clean Up will focus on Ranch Road 12, starting at Dripping Springs Ranch Park toward the 290 intersection.



Coyote Kids Day Camp:

Registration opens March 1st!



Coyote Kids Nature Camp
It's a Howlin' Good Time!



www.CityOfDrippingSprings.com | (512) 894-2400

The Parks and Community Services Department is gearing up for a nature packed summer! We are preparing our programming with COVID-19 industry standard precautionary measures in place. Measures include maintaining cohort groups and sanitary guidelines. We expect to have 50 campers per session for 11 weeks at DSRP with weekly themes all about nature! Registration will open March 1 and camp will be offered from Tuesday, June 1 till Friday, August 13, 2021, 7:30am-6:00pm daily. Counselor to camper ratios are small; 2:10 and a limit of 50 campers per session. We expect to sell out.





Farmers Market –
Submitted by: *Laurel Robertson, Market Manager*



December ended with a cold, rainy Wednesday that all but closed market for the day. Only Johnson’s Backyard Garden set up a booth – and reported they had good sales with a dedicated group of local shoppers.

The ensuing month of January saw an unseasonable number of fair-weather markets, with excellent attendance by both vendors and shoppers. Several new vendors have already signed up for the 2021 market season: Oovay’s Wunder Bars, Fired Pizza, Three-Legged Crow Kimchi, Metcalf Barbeque, Mother Shipton Candles, and Shipps Lake Ranch. Manager Robertson is also in conversation with several more potential vendors that have expressed interest in joining market for the year.

New market volunteer Lovie Lavoie is now helping Manager Robertson and Board member/market volunteer Nikki Dahlin set up market day. As we launch our incipient Friends of the Market campaign in the next few months, we expect to expand the roles and scope of market volunteers.

Marketing, Website, Social Media, Branding & Communications

The PCS department continues to expand their website pages to encompass the resource as a tool to provide the full scope of services within the department’s span of responsibility. Currently, the “Community Services” aspect of the department is lacking in web presence and ease of service access. Staff is in the process of creating an easier application process and information dissemination platform.

- Road closure requests
- Itinerant Vendor Permits
- Event Permit for events held on city property and events held within City Limits
- Co-Sponsorship applications that includes banners at the triangle requests
- Filming Permit (which tend to be last minute in nature – less than 48hrs notice)



☑ CHECKLIST FOR OFFICE-BASED EMPLOYERS

Employers may operate their offices with up to 75% of the total office occupancy, provided the individuals maintain appropriate social distancing. All employees and customers must wear a face covering (over the nose and mouth) wherever it is not feasible to maintain six feet of social distancing from another individual not in the same household.

The following are the minimum recommended health protocols for all office work employers choosing to operate in Texas. Office work employers may adopt additional protocols consistent with their specific needs and circumstances to help protect the health and safety of all employees, contractors, and customers.

The virus that causes COVID-19 can be spread to others by infected persons who have few or no symptoms. Even if an infected person is only mildly ill, the people they spread it to may become seriously ill or even die, especially if that person is 65 or older with pre-existing health conditions that place them at higher risk. Because of the hidden nature of this threat, everyone should rigorously follow the practices specified in these protocols, all of which facilitate a safe and measured reopening of Texas. The virus that causes COVID-19 is still circulating in our communities. We should continue to observe practices that protect everyone, including those who are most vulnerable.

Please note, public health guidance cannot anticipate every unique situation. Office work employers should stay informed and take actions based on common sense and wise judgment that will protect health and support economic revitalization. Employers should also be mindful of federal and state employment and disability laws, workplace safety standards, and accessibility standards to address the needs of both workers and customers.

Health protocols for your employees and contractors:

- ☐ Train all employees and contractors on appropriate cleaning and disinfection, hand hygiene, and respiratory etiquette.
☐ Screen employees and contractors before coming into the office:
☐ Send home any employee or contractor who has any of the following new or worsening signs or symptoms of possible COVID-19:
- Cough
- Shortness of breath or difficulty breathing
- Chills
- Repeated shaking with chills
- Muscle pain
- Headache
- Sore throat
- Loss of taste or smell
- Diarrhea
- Feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit
- Known close contact with a person who is lab confirmed to have COVID-19



OFFICE-BASED EMPLOYERS: Page 2 of 3

- Do not allow employees with new or worsening signs or symptoms listed above to return to work until:
 - In the case of an employee or contractor who was diagnosed with COVID-19, the individual may return to work when all three of the following criteria are met: at least 3 days (72 hours) have passed *since recovery* (resolution of fever without the use of fever-reducing medications); and the individual has *improvement* in symptoms (e.g., cough, shortness of breath); and at least 10 days have passed *since symptoms first appeared*; or
 - In the case of an employee or contractor who has symptoms that could be COVID-19 and does not get evaluated by a medical professional or tested for COVID-19, the individual is assumed to have COVID-19, and the individual may not return to work until the individual has completed the same three-step criteria listed above; or
 - If the employee or contractor has symptoms that could be COVID-19 and wants to return to work before completing the above self-isolation period, the individual must obtain a medical professional's note clearing the individual for return based on an alternative diagnosis.
- Do not allow an employee or contractor with known close contact to a person who is lab-confirmed to have COVID-19 to return to work until the end of the 14 day self-quarantine period from the last date of exposure (with an exception granted for healthcare workers and critical infrastructure workers).
- Have employees and contractors wash or sanitize their hands upon entering the office.
- Have employees and contractors maintain at least 6 feet separation from other individuals. If such distancing is not feasible, other measures such as hand hygiene, cough etiquette, cleanliness, and sanitation should be rigorously practiced.
- Consider implementing a staggered workforce, such as alternating days or weeks for different groups of employees and/or contractors coming into the workplace.
- Continue to encourage individuals to work remotely if possible.
- If an employer provides a meal for employees and/or contractors, the employer is recommended to have the meal individually packed for each individual.

Health protocols for your facilities:

- Regularly and frequently clean and disinfect any regularly touched surfaces, such as doorknobs, tables, chairs, and restrooms.



OFFICE-BASED EMPLOYERS: Page 3 of 3

- Limit the use of standard-size elevators to four individuals at a time, each located at a different corner of the elevator to avoid close contact. Masks should be worn in elevators. Utilize touchpoint cleaning and nanoseptic button covers if appropriate. For individuals not wishing to ride an elevator, ensure stairways are available for use. As appropriate, individuals subject to the Americans with Disabilities Act may ride the elevator alone or accompanied by the individual's caregiver.
- Disinfect any items that come into contact with customers.
- Make hand sanitizer, disinfecting wipes, soap and water, or similar disinfectant readily available to employees, contractors, and customers.
- Consider placing [readily visible signage](#) at the office to remind everyone of best hygiene practices.
- For offices with more than 10 employees and/or contractors present at one time, consider having an individual wholly or partially dedicated to ensuring the health protocols adopted by the office are being successfully implemented and followed.



☑ CHECKLIST FOR RODEO AND EQUESTRIAN EVENTS

Individuals may engage in, and sponsors may put on, rodeos and equestrian events. Spectators are allowed, provided that indoor venues limit the number of spectators to no more than 50% of the total listed occupancy of the venue, and outdoor venues may operate at up to 50% of the normal operating limits as determined by the facility owner. Six feet of separation between individuals not within the same household should be maintained to the extent feasible. To the extent the rodeo or equestrian event has spectators, the person sponsoring the event must ensure that ingress and egress from the venue allows for 6 feet of social distancing between individuals on entering and exiting the venue. All employees and customers must wear a face covering (over the nose and mouth) wherever it is not feasible to maintain six feet of social distancing from another individual not in the same household.

The following are the minimum recommended health protocols for all individuals engaging in, and sponsors putting on, rodeo and equestrian events in Texas. Individuals and sponsors may adopt additional protocols consistent with their specific needs and circumstances to help protect the health and safety of all employees, contractors, volunteers, and participants.

The virus that causes COVID-19 can be spread to others by infected persons who have few or no symptoms. Even if an infected person is only mildly ill, the people they spread it to may become seriously ill or even die, especially if that person is 65 or older with pre-existing health conditions that place them at higher risk. Because of the hidden nature of this threat, everyone should rigorously follow the practices specified in these protocols, all of which facilitate a safe and measured reopening of Texas. The virus that causes COVID-19 is still circulating in our communities. We should continue to observe practices that protect everyone, including those who are most vulnerable.

Please note, public health guidance cannot anticipate every unique situation. Participants and sponsors should stay informed and take actions based on common sense and wise judgment that will protect health and support economic revitalization. Participants and sponsors should also be mindful of federal and state employment and disability laws, workplace safety standards, and accessibility standards to address the needs of both workers and customers.

Health protocols for your spectators:

- ☐ Remote ticketing options are encouraged to help manage capacity limitations.
☐ Ensure proper spacing between patrons in the venue:
☐ For venues that configure seating arrangements which are not in rows, ensure at least 6 feet of separation between other groups. No tables of more than 10 people.
☐ For venues that configure seating arrangements in rows, maintain at least two empty seats (or six feet separation) between groups in any row, except as follows:
- Two or more members of the same household can sit adjacent to one another, with two seats (or six feet separation) empty on either side.
- Two individuals who are not members of the same household but who are attending together can sit adjacent to one another, with two seats (or six feet separation) empty on either side.
- Alternate rows between patrons (every other row left empty), as appropriate.
☐ Any other method to provide at least six feet of separation between groups of up to 10 individuals who attend the venue together. Disinfect seats and frequently touched areas before and after use.



RODEO AND EQUESTRIAN EVENTS: Page 2 of 3

- For venues providing food service to patrons:
 - Do not leave condiments, silverware, flatware, glassware, or other traditional table top items on an unoccupied table.
 - Provide condiments only upon request, and in single use (non-reusable) portions or in reusable containers that are cleaned and disinfected after each use.
 - Clean and disinfect the area used for dining (table, etc.) after each group of customers depart the area.
 - Use disposable menus (new for each patron), or clean and disinfect reusable menus after each use.
 - If the venue allows customers to write down their food orders inside the venue, provide take-home pencils and notepads that cannot be used by other customers.
 - Have wait staff sanitize or wash hands between interactions with customers.
- For venues with counter food service for patrons:
 - Provide condiments or flatware only in single use, individually-wrapped items, and provide condiments only upon request.
 - Have employees and contractors follow proper food-handling protocols.
 - Disinfect any items that come into contact with customers.
- Contactless payment is encouraged. Where not available, contact should be minimized. Employees, contractors, and customers should sanitize their hands after the payment process.

Health protocols for your employees, contractors, volunteers, and participants:

- Individuals not currently competing should remain at least 6 feet away from other individuals. Remaining in vehicles before and after a race, or in separate areas during other events, is strongly recommended.
- Train all employees, contractors, volunteers, and participants on appropriate cleaning and disinfection, hand hygiene, and respiratory etiquette.
- Screen employees, contractors, volunteers, and participants before the sporting event:
 - Send home any employee, contractor, volunteer, or participant who has any of the following new or worsening signs or symptoms of possible COVID-19:

<ul style="list-style-type: none"> - Cough - Shortness of breath or difficulty breathing - Chills - Repeated shaking with chills - Muscle pain - Headache 	<ul style="list-style-type: none"> - Sore throat - Loss of taste or smell - Diarrhea - Feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit - Known close contact with a person who is lab confirmed to have COVID-19
---	--
 - Do not allow employees, contractors, volunteers, or participants with new or worsening signs or symptoms listed above to return to work until:



RODEO AND EQUESTRIAN EVENTS: Page 3 of 3

- In the case of an individual who was diagnosed with COVID-19, the individual may return to work when all three of the following criteria are met: at least 3 days (72 hours) have passed *since recovery* (resolution of fever without the use of fever-reducing medications); and the individual has *improvement* in symptoms (e.g., cough, shortness of breath); and at least 10 days have passed *since symptoms first appeared*; or
- In the case of an individual who has symptoms that could be COVID-19 and does not get evaluated by a medical professional or tested for COVID-19, the individual is assumed to have COVID-19, and the individual may not return to work until the individual has completed the same three-step criteria listed above; or
- If the individual has symptoms that could be COVID-19 and wants to return to work before completing the above self-isolation period, the individual must obtain a medical professional’s note clearing the individual for return based on an alternative diagnosis.

- Do not allow an individual with known close contact to a person who is lab-confirmed to have COVID-19 to return to the event until the end of the 14-day self-quarantine period from the last date of exposure (with an exception granted for healthcare workers and critical infrastructure workers).
- Have employees, contractors, volunteers, and participants wash or sanitize their hands upon entering the event venue.
- Have employees, contractors, volunteers, and participants maintain at least 6 feet of separation from other individuals. If such distancing is not feasible, other measures such as hand hygiene, cough etiquette, cleanliness, and sanitation should be rigorously practiced.
- If the event sponsor provides a meal for employees, contractors, volunteers, and/or participants, the sponsor is recommended to have the meal individually packed for each individual.

Health protocols for your facilities:

- If 6 feet of separation is not available between individuals at the event, consider the use of engineering controls, such as dividers between individuals, to minimize the chances of transmission of COVID-19.
- Regularly and frequently clean and disinfect any regularly touched surfaces, such as doorknobs, tables, chairs, and restrooms.
- Disinfect any items that come into contact with individuals, including sporting event equipment.
- Make hand sanitizer, disinfecting wipes, soap and water, or similar disinfectant readily available to employees, contractors, and customers.
- Consider placing [readily visible signage](#) at the venue to remind everyone of best hygiene practices.
- Consider having an individual wholly or partially dedicated to ensuring the health protocols adopted by the employer are being successfully implemented and followed.



GOVERNOR GREG ABBOTT

October 7, 2020

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3PM O'CLOCK
OCT 7 2020
Secretary of State

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

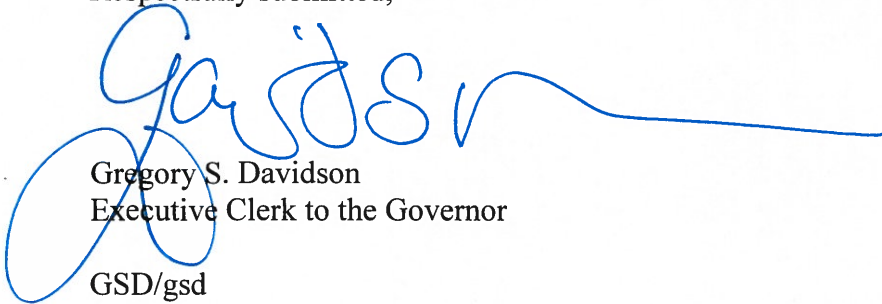
Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-32 relating to the continued response to the COVID-19 disaster as Texas reopens.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor
GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
October 7, 2020

EXECUTIVE ORDER
GA 32

Relating to the continued response to the COVID-19 disaster as Texas reopens.

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, in each subsequent month effective through today, I have renewed the disaster declaration for all Texas counties; and

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, I issued Executive Order GA-08 on March 19, 2020, mandating certain social-distancing restrictions for Texans in accordance with guidelines promulgated by President Donald J. Trump and the Centers for Disease Control and Prevention (CDC); and

WHEREAS, I issued Executive Order GA-14 on March 31, 2020, expanding the social-distancing restrictions for Texans based on guidance from health experts and the President; and

WHEREAS, I subsequently issued Executive Orders GA-16, GA-18, GA-21, GA-23, and GA-26 from April through early June 2020, aiming to achieve the least restrictive means of combatting the threat to public health by continuing certain social-distancing restrictions, while implementing a safe, strategic plan to reopen Texas; and

WHEREAS, as Texas reopens in the midst of COVID-19, increased spread is to be expected, and the key to controlling the spread and keeping Texas residents safe is for all Texans to consistently follow good hygiene and social-distancing practices, especially those set forth in the minimum standard health protocols from the Texas Department of State Health Services (DSHS); and

WHEREAS, in June 2020, Texas experienced substantial increases in COVID-19 cases and hospitalizations, necessitating targeted and temporary adjustments to the reopening plan to achieve the least restrictive means for reducing the growing spread of COVID-19 and the resulting imminent threat to public health, and to avoid a need for more extreme measures; and

WHEREAS, I therefore issued Executive Orders GA-28 and GA-29 in late June and early

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Governor Greg Abbott
October 7, 2020

Executive Order GA-32
Page 2

July 2020, respectively, and amended Executive Order GA-28 by proclamation on July 2, 2020; and

WHEREAS, due to improved medical treatments for COVID-19 patients, substantial increases in testing, abundant supplies of personal protective equipment, and Texans' adherence to safe practices like social distancing, hand sanitizing, and use of face coverings, the spread of COVID-19 and the number of new COVID-19 cases and hospitalizations have steadily and significantly declined since late July; and

WHEREAS, I therefore issued Executive Orders GA-30 and GA-31 on September 17, 2020, allowing additional reopening and non-essential medical surgeries and procedures in Texas, except in some areas with high hospitalizations as defined in those orders; and

WHEREAS, as Texas continues to reopen, everyone must act safely, and to that end, this executive order and prior executive orders provide that all persons should follow the health protocols from DSHS, which whenever achieved will mean compliance with the minimum standards for safely reopening, but which should not be used to fault those who act in good faith but can only substantially comply with the standards in light of scarce resources and other extenuating COVID-19 circumstances; and

WHEREAS, in the Texas Disaster Act of 1975, the legislature charged the governor with the responsibility "for meeting ... the dangers to the state and people presented by disasters" under Section 418.011 of the Texas Government Code, and expressly granted the governor broad authority to fulfill that responsibility; and

WHEREAS, under Section 418.012, the "governor may issue executive orders ... hav[ing] the force and effect of law;" and

WHEREAS, failure to comply with any executive order issued during the COVID-19 disaster is an offense punishable under Section 418.173 by a fine not to exceed \$1,000, and may be subject to regulatory enforcement;

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, and in accordance with guidance from the Commissioner of the Texas Department of State Health Services, Dr. John Hellerstedt, other medical advisors, the White House, and the CDC, do hereby order the following on a statewide basis effective at 12:01 a.m. on October 14, 2020:

Every business establishment in Texas shall operate at no more than 75 percent of the total listed occupancy of the establishment; *provided, however, that:*

1. There is no occupancy limit for the following:
 - a. any services listed by the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (CISA) in its Guidance on the Essential Critical Infrastructure Workforce, Version 4.0 or any subsequent version;
 - b. religious services, including those conducted in churches, congregations, and houses of worship;
 - c. local government operations, including county and municipal governmental operations relating to licensing (including marriage licenses), permitting, recordation, and document-filing services, as determined by the local government;

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- d. child-care services;
- e. youth camps, including but not limited to those defined as such under Chapter 141 of the Texas Health and Safety Code, and including all summer camps and other daytime and overnight camps for youths;
- f. recreational sports programs for youths and adults;
- g. any public or private schools, and any public or private institutions of higher education, not already covered above;
- h. drive-in concerts, movies, or similar events, under guidelines that facilitate appropriate social distancing, that generally require spectators to remain in their vehicles, and that minimize in-person contact between people who are not in the same household or vehicle; and
- i. the following establishments that operate with at least six feet of social distancing between work stations: cosmetology salons, hair salons, barber shops, nail salons/shops, and other establishments where licensed cosmetologists or barbers practice their trade; massage establishments and other facilities where licensed massage therapists or other persons licensed or otherwise authorized to practice under Chapter 455 of the Texas Occupations Code practice their trade; and other personal-care and beauty services such as tanning salons, tattoo studios, piercing studios, hair removal services, and hair loss treatment and growth services.

2. In areas with high hospitalizations as defined below, any business establishment that otherwise would have a 75 percent occupancy or operating limit may operate at up to only 50 percent. This paragraph does not apply, however, to business establishments located in a county that has filed with DSHS, and is in compliance with, the requisite attestation form promulgated by DSHS regarding minimal cases of COVID-19.

“Areas with high hospitalizations” means any Trauma Service Area that has had seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total hospital capacity exceeds 15 percent, until such time as the Trauma Service Area has seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total hospital capacity is 15 percent or less. A current list of areas with high hospitalizations will be maintained at www.dshs.texas.gov/ga3031.

- 3. Except as provided below by paragraph No. 5, there is no occupancy limit for outdoor areas, events, and establishments, with the exception of the following outdoor areas, events, or establishments that may operate at no more than 75 or 50 percent, as applicable, of the normal operating limits as determined by the owner:
 - a. amusement parks;
 - b. water parks;
 - c. swimming pools;
 - d. museums and libraries; and
 - e. zoos, aquariums, natural caverns, and similar facilities.
- 4. All indoor and outdoor professional, collegiate, and similar sporting events, including rodeos and equestrian events, shall remain limited to 50 percent of the normal operating limits as determined by the owner.
- 5. For any outdoor gathering in excess of 10 people, including rafting, tubing, and related services, other than those set forth above in paragraph Nos. 1, 3, or 4, the gathering is prohibited unless the mayor of the city in which the gathering is held, or the county judge in the case of a gathering in an unincorporated area, approves of the gathering, and such approval can be made subject to certain conditions or restrictions not inconsistent with this executive order.

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6. Restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages, and whose customers eat or drink only while seated, may offer dine-in services.
7. Bars or similar establishments that hold a permit from the Texas Alcoholic Beverage Commission (TABC), and are not restaurants as defined above in paragraph No. 6, may offer on-premises services only as described by this paragraph. A bar or similar establishment may offer on-premises services at up to 50 percent of the total listed occupancy of the establishment *if*:
 - a. the bar or similar establishment is not in an area with high hospitalizations as defined above, and the county judge of the county in which the bar or similar establishment is located files the requisite form with TABC; or
 - b. the bar or similar establishment is in an area with high hospitalizations as defined above, but is located in a county that has filed with DSHS, and is in compliance with, the requisite attestation form promulgated by DSHS regarding minimal cases of COVID-19, and the county judge of the county in which the bar or similar establishment is located also files the requisite form with TABC.

Patrons at bars or similar establishments operating under this paragraph may eat or drink only while seated, except that in an establishment that holds a permit from TABC as a brewer, distiller/rectifier, or winery, customers may sample beverages while standing so long as they are in a group of six people or fewer and there is at least six feet of social distancing or engineering controls, such as partitions, between groups.

Where applicable, this 50 percent occupancy limit applies only indoors; the limit does not apply to outdoor areas, events, or establishments, although social distancing and other protocols must be followed.

People shall not visit bars or similar establishments that are located in counties not included in parts (a) or (b) above. A current list of all counties reopening under this paragraph will be maintained on TABC's website.

The use by bars or similar establishments of drive-thru, pickup, or delivery options for food and drinks remains allowed to the extent authorized by TABC.

8. For purposes of this executive order, facilities with retractable roofs are considered indoor facilities, whether the roof is opened or closed.
9. Staff members are not included in determining operating levels, except for manufacturing services and office workers.
10. Except as provided in this executive order or in the minimum standard health protocols recommended by DSHS, found at www.dshs.texas.gov/coronavirus, people shall not be in groups larger than 10 and shall maintain six feet of social distancing from those not in their group.
11. People over the age of 65 are strongly encouraged to stay at home as much as possible; to maintain appropriate distance from any member of the household who has been out of the residence in the previous 14 days; and, if leaving the home, to implement social distancing and to practice good hygiene, environmental cleanliness, and sanitation.
12. In providing or obtaining services, every person (including individuals, businesses, and other legal entities) should use good-faith efforts and available resources to follow the minimum standard health protocols recommended by DSHS.
13. Nothing in this executive order or the DSHS minimum standards precludes requiring a customer to follow additional hygiene measures when obtaining

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services.

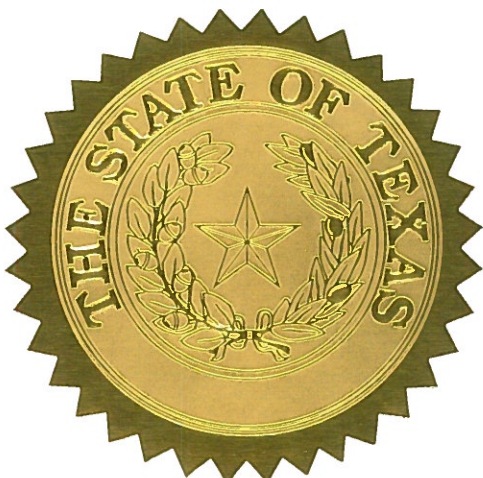
- 14. People may visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities as determined through guidance from the Texas Health and Human Services Commission (HHSC). Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by HHSC, including minimizing the movement of staff between facilities whenever possible.
- 15. Public schools may operate as provided by, and under the minimum standard health protocols found in, guidance issued by the Texas Education Agency (TEA). Private schools and institutions of higher education are encouraged to establish similar standards.

Notwithstanding anything herein to the contrary, the governor may by proclamation add to the list of establishments or venues that people shall not visit.

This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts services allowed by this executive order, allows gatherings prohibited by this executive order, or expands the list or scope of services as set forth in this executive order. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order, provided that local officials may enforce this executive order as well as local restrictions that are consistent with this executive order.

All existing state executive orders relating to COVID-19 are amended to eliminate confinement in jail as an available penalty for violating the executive orders. To the extent any order issued by local officials in response to the COVID-19 disaster would allow confinement in jail as an available penalty for violating a COVID-19-related order, that order allowing confinement in jail is superseded, and I hereby suspend all relevant laws to the extent necessary to ensure that local officials do not confine people in jail for violating any executive order or local order issued in response to the COVID-19 disaster.

This executive order supersedes Executive Order GA-30, but does not supersede Executive Orders GA-10, GA-13, GA-17, GA-24, GA-25, GA-29, or GA-31. This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.



Given under my hand this the 7th day of October, 2020.

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT
Governor

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3pm O'CLOCK

OCT 07 2020

Governor Greg Abbott
October 7, 2020

Executive Order GA-32
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ATTESTED BY:



RUTH R. HUGHS
Secretary of State

FILED IN THE OFFICE OF THE
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3pm O'CLOCK

OCT 07 2020

INTERLOCAL AGREEMENT

This Interlocal Agreement (the "Agreement") is made and entered into as of the 14th day of April 2020, by and between the **City of Dripping Springs**, a general law city in Hays County, Texas (hereinafter the "City"), **Dripping Springs Independent School District** (hereinafter the "DSISD"), **Dripping Springs Community Library District** (the "Library"), and **Hays County** ("County"); (collectively the "Parties"), in connection with the development and construction of the Town Center Project.

WHEREAS, Dripping Springs was one of the five cities in Central Texas chosen to participate in the Sustainable Places Project, an ambitious regional planning initiative aimed at helping communities create the conditions for livable places; and

WHEREAS, Dripping Springs finalized its Sustainable Places Project (the "Project") on December 10, 2013; and

WHEREAS, the Project suggested a catalyst project which focuses on enhancing the existing town center and expanding it to the northwest; and

WHEREAS, the Project recognized that the City and the DSISD currently own, occupy, or control approximately fourteen point one (14.1) acres of land and ROW within the area proposed for the Town Center and adjacent space suitable for potential commercial development; and

WHEREAS, to continue with the Town Center Project, the City, the DSISD, the County, the Library, and TIRZ seek to complete the real estate and other transactions that are necessary to complete the project; and

WHEREAS, the concept to co-locate the City, DSISD, County, and Library is supported by the parties because shared facilities is a cost-effective way to design civic services; and

WHEREAS, the Parties desire to pursue joint planning and construction of the Town Center Project; and

WHEREAS, the City Council of the City of Dripping Springs and the Board of Trustees for the Dripping Springs Independent School District find that the appropriate real estate transactions related to completion of the Town Center Project provides a public benefit to the constituencies served by each of the entities and to the taxpayers of each entity; and

WHEREAS, this Interlocal Agreement is intended to facilitate completion of the planning and construction of infrastructure and related improvements of the Town Center Project; and

WHEREAS, the Parties entered into a Memorandum of Understanding to facilitate timely planning and assessment of the viability of the Town Center in September 2017; and

WHEREAS, timely commitments on the transfer of the City and DSISD properties is desired to plan for the Town Center, but both the City and DSISD desire additional time before vacating their current properties; and

WHEREAS, the Parties plan to acquire and sell or exchange real property, build, occupy, and share a building and complex on a single tract of land.

NOW, THEREFORE, the City, DSISD, Library, and County, in consideration of the terms, conditions, and covenants contained herein, hereby agree as follows:

ARTICLE I TERM OF AGREEMENT

1.1 Term. The term of this Agreement (“Term”) shall commence on the Effective Date and shall expire April 1, 2025.

ARTICLE II AGREEMENTS

2.1 Conditions. The Parties recognize that certain conditions must be met for the development of Town Center. The City, DSISD, County, or Library, may end its involvement with the development of Town Center and its participation in this Agreement if the City, DSISD, Library, County, or TIRZ are unable to agree upon a site or obtain financing to fund the Town Center Project or replacement facilities related to the Project.

2.2 City Agreement. The City shall:

To advance and implement the development of the Dripping Springs Town Center, the City of Dripping Springs (City) shall:

- (a) In accordance with Chapter 272, Texas Local Government Code, to commit to making the current City Hall Property and right of way located on the corner of Highway 290 and Mercer Street available for future purchase or transfer for the Town Center project and negotiate in good faith and enter into an agreement for the purchase of all or part of the City property within the Town Center Site with or without existing improvements, as agreed, on all or a part of the property located at 511 Mercer Street, Dripping Springs, Texas, including the right of way located on the corner of Highway 290 and Mercer Street to the extent allowed by law, that is required for development of Phases 1 and 1A, including property required for new City, Library, and County facilities, Town Square park, and new or expanded right-of-way in exchange for cash compensation and/or the exchange of property equal to fair market value, subject to final approval by the governing boards of each entity involved in the sale or exchange within six months from the date of

execution of this Agreement. The agreement shall include the part(ies) who will purchase or otherwise obtain the City property, the method(s) of transfer, and the date(s) on or around which the properties will be transferred. The final price or land exchange may be determined by the applicable parties at a time mutually agreeable to the parties who are purchasing and selling the property.

- (b) Negotiate in good faith with the Library and County the terms of a cost-sharing agreement for eligible shared infrastructure improvements, including each entity's pro rata share of right-of-way, utility, and drainage improvements within six months of the execution of this Agreement based on service demands and to the extent these may be supported by each party's available financing resources, as well as any reimbursement agreements for costs the City may be able to incur that exceed its pro rata share (e.g., initially covering a portion of the Library or County pro-rata share subject to future funding allocations from those entities or the TIRZ);
- (c) To the extent allowed by law, adopt a Plan of Finance for the Phase 1 and 1A infrastructure in cooperation with the TIRZ Board, DSISD, Library, and Hays County within twelve months of the execution of this Agreement and will engage a contractor for design of the improvements within six months after the adoption of the Plan of Finance by applicable parties;
- (d) Within six months after approval of the Plan of Finance associated with this agreement is finalized as to the terms listed above and property dedicated to each entity by the DSISD and City as negotiated, initiate an application for Planned Development District zoning and promote its approval and provide for the entitlement process for the Town Center, including any required public outreach and engagement;
- (e) Conduct space planning and design for the construction of a new City Hall and associated parking and utilities, with the express intent to restrict the land area required to the 1.2-acre site identified as "Civic Site 2" in the Town Center Plan as attached on Exhibit "A" (Fall 2019 version); and
- (f) Within three months of adoption of the Plan of Finance by the City, the City shall present a cost reimbursement agreement to the TIRZ Board for recommendation whereby City-issued debt and other financing can provide initial funding for any Phase 1 and 1A infrastructure not otherwise funded by the Library or County, to reimburse the City on a pay-as-you-go basis and/or issue debt supported by TIRZ revenues to pay down the City's initial financing; and
- (g) In addition, the City may, at its sole discretion:
 - (1) Engage the DSISD, Library, and/or Hays County to explore the potential for shared use of portions of the planned new City Hall building, including any cost-sharing agreements and scheduling parameters that may be mutually agreeable;
 - (2) Execute the acquisition of the new City Hall site through a transaction with DSISD;

- (3) Negotiate in good faith for the disposition of the City's current City Hall property to an eventual end purchaser related to the Town Center Project;
- (4) Complete fundraising for and construction of the new City Hall and associated on-site improvements; and
- (5) Pursue funding for Town Center infrastructure and other improvements through other potential resources, including proceeds from cash-in-lieu fees, contributions from development agreements, disposition of public assets, State, County, or regional funding, or any other viable sources.

2.3 DSISD Agreement. DSISD shall:

- (a) The DSISD shall permit the Parties in this Agreement to purchase and/or agree to the exchange of property, at an agreed value, sufficient land within the boundaries of the District Property, as more described below, to construct the Town Center project. The sale and/or exchange of property and purchase is subject to Chapter 272 of the Texas Local Government Code, Section 11.154 of the Texas Education Code, and subparagraph 2.3(b).
- (b) The Parties agree to negotiate in good faith and enter into an agreement for the future sale of the property with the City of Dripping Springs, Library, and/or Hays County, with or without improvements, on approximately eleven point seven (11.7) acres generally located at 510 Mercer Street, Dripping Spring, Texas, excluding the Walnut Springs Elementary School track and field, as required for development of Phases 1 and 1A, but including property required for new City, Library, and County facilities, Town Square park, and new or expanded right-of-way in exchange for cash compensation and/or the exchange of property equal to fair market value, subject to final approval of the governing boards of each entity within six months from the date of execution of this Agreement. The agreement shall include the part(ies) who will purchase or acquire the DSISD property, the method(s) of transfer, and the date(s) on or around which the property will be sold or transferred but not later than July 1, 2022 or on the date agreed to by the DSISD and the buyer(s) of the property in the agreement referenced herein. The final price or land exchange may be determined by the applicable parties at a time in the future, as mutually agreeable to the parties who are purchasing and selling the property; and
- (c) The responsibility for the demolition of the existing improvements at 510 Mercer Street shall be determined by the Board of Trustees during the real estate negotiations; and
- (d) If the Town Center project is terminated and paragraph 2.3(a) and (b) is not exercised, then in accordance with the requirements of Chapter 272, Texas Local Government Code, DSISD will negotiate in good faith and enter into a real estate sales contract with the Library for property in the amount of acreage sufficient to build a 35,000 square foot building and additional acreage to support the infrastructure as set forth in the interlocal agreement between the Library and District.
- (e) In addition, DSISD may, at its sole discretion:

- (1) Engage the City, Library, and/or Hays County to explore the potential for shared use of portions of the planned new City Hall building or other Town Center facilities, including any cost-sharing agreements and scheduling parameters that may be mutually agreeable; and
- (2) Engage the City in discussions regarding the potential swap of the current City Hall site and building or other City property, with or without improvements, for portions of the current DSISD property required for Phases 1 and 1A of the Town Center Plan, with each property owner receiving fair market value in such an exchange.

2.4 Library. The Library shall:

To advance and implement the development of the Dripping Springs Town Center, the Dripping Springs Community Library (Library) shall:

- (a) In accordance with Chapter 272 Texas Local Government Code, negotiate in good faith and enter into an agreement to purchase all or part of the property from the DSISD for the property within the Town Center Site, with or without existing improvements, as agreed, on all or a part of approximately eleven point seven (11.7) acres generally located at 510 Mercer Street, Dripping Springs, Texas, excluding the Walnut Springs Elementary School track and field, that is required for development of Phases 1 and 1A, Town Square park, and new or expanded right-of-way in exchange for cash compensation and/or the exchange of property equal to fair market value, subject to final approval by the governing boards of each entity within six months from the date of execution of this Agreement. The agreement shall include the part(ies) who will purchase or obtain the DSISD property, the method(s) of transfer, and the date(s) on or around which the property will be sold or transferred but not later than July 1, 2022 or on the date agreed to by the DSISD and the buyer(s) of the property in the agreement referenced herein.. The final price or land exchange may be determined by the applicable parties at a time in the future, as mutually agreeable to the parties who are purchasing and selling the property; and
- (b) Negotiate in good faith with the City and County the terms of a cost-sharing agreement for eligible shared infrastructure improvements, including each entity's pro rata share of right-of-way, utility, and drainage improvements within six months of the execution of this Agreement based on service demands and to the extent these may be supported by each party's available financing resources, as well as any reimbursement agreements for costs the Library may be able to incur that exceed its pro rata share (e.g., initially covering a portion of the City or County pro-rata share subject to future funding allocations from those entities or the TIRZ) and assist the City in the preparation for its Plan of Finance; and
- (c) Conduct space planning, design, and site planning for the construction of a new Town Center Library and associated parking and utilities, with the express intent to restrict the land area required to the 1.8-acre site identified as "Civic Site 1" in the Town Center Plan as attached on Exhibit "A" (Fall 2019 version), accounting for Library parking that may be accommodated on-street in the public right-of-way.

(d) In addition, Library may, at its sole discretion:

- (1) Engage the DSISD, City, and/or Hays County to explore the potential for shared use of portions of the planned Town Center Library building, including any cost-sharing agreements and scheduling parameters that may be mutually agreeable; and
- (2) To the extent allowed by law, complete fundraising for and construction of the new Town Center Library and associated on-site improvements as well as any shared infrastructure that the Library's financing resources may be able to support.
- (3) Acquire land suitable for the new Library facility.

2.5 Conditions of the County.

To advance and implement the development of the Dripping Springs Town Center, Hays County shall:

- (a) In accordance with Section 272.001(b)(5), Texas Local Government Code, negotiate in good faith and enter into an agreement for the purchase of all or part of the property from the DSISD and/or the City for the acquisition of real property with or without improvements, as agreed, on all or part of approximately eleven point seven (11.7) acres generally located at 510 Mercer Street, Dripping Springs, Texas, excluding the Walnut Springs Elementary School track and field and/or the property at 511 Mercer Street with or without existing improvements, that is required for development of Phases 1 and 1A, including property required for new City, County, and Library facilities, Town Square park, and new or expanded right-of-way in exchange for cash compensation and/or the exchange of property equal to fair market value, subject to final approval by the governing board of each entity, for a County facility within six months from the date of execution of this agreement. The agreement shall include the part(ies) who will purchase or obtain the DSISD and/or City property, the method(s) of transfer, and the date(s) on or around which the property will be transferred in 2022, for DSISD property not later than July 1, 2022 or on the date agreed to by the DSISD and the buyer(s) of the property in the agreement referenced herein.. The final price or land exchange may be determined by the applicable parties at a time in the future as mutually agreeable to the parties who are purchasing and selling the property; and
- (b) Negotiate in good faith with the Library and City the terms of a cost-sharing agreement for eligible shared infrastructure improvements, including each entity's pro rata share of right-of-way, utility, and drainage improvements within six months of execution of this Agreement based on service demands and to the extent these may be supported by each party's available financing resources, as well as any reimbursement agreements for costs the County may be able to incur that exceed its pro rata share (e.g., initially covering a portion of the Library or City pro-rata share subject to future funding allocations from those entities or the TIRZ) and assist the City in preparation of its Plan of Finance; and

- (c) Conduct space planning and design for the construction of a new County facility by Spring 2022 and associated parking and utilities, with the express intent to restrict the land area required to a portion of the 1.2-acre site identified as “Civic Site 2” in the Town Center Plan as attached on **Exhibit “A”** (Fall 2019 version).
- (d) In addition, the County may, at its sole discretion:
- (1) Execute the acquisition of the new County site through a transaction with DSISD;
 - (2) Within three months of adoption of the Plan of Finance by the City, present to the TIRZ Board the terms of a cost reimbursement agreement whereby County resources can provide initial funding for any Phase 1 and IA infrastructure not otherwise funded by the Library or City to reimburse the County on a pay-as-you-go basis and/or issue debt supported by TIRZ revenues to pay down the County’s initial financing;
 - (3) Engage the DSISD, City, and/or Library to explore the potential for shared use of portions of the planned new civic buildings instead of or in addition to constructing a new County facility, including any cost-sharing agreements and scheduling parameters that may be mutually agreeable;
 - (4) Complete fundraising for and construction of the new County facility and associated on-site improvements; and
 - (5) Pursue funding for Town Center infrastructure and other improvements through other potential resources, including proceeds from County parks and transportation bonds, contributions from development agreements, disposition of public assets, State or regional funding, or any other viable sources.

ARTICLE III DEFAULT, REMEDIES, TERMINATION

3.1 Defaults, Generally. A default shall occur (“Default”) hereunder if either the City, DSISD, Library, or County shall fail or refuse to perform any of its respective obligations under this Agreement and such Default shall continue for thirty (30) days after written notice from the non-defaulting parties to the defaulting party designating such Default (or for such longer period as may be reasonably required to cure such Default in the exercise of all due diligence but not in excess of ninety (90) days).

3.2 Remedies after Default. If a Default occurs, the non-defaulting party shall have all the remedies available to the non-defaulting party at law or in equity, including the right to bring an action for specific performance against the defaulting party.

3.3 Notice of Default; Opportunity to Cure. If this Agreement is breached, the party alleging the default or breach shall give the breaching party not less than thirty (30) days written notice, measured from the date of the certified mailing, specifying the nature of the alleged default, and when appropriate, the manner in which the alleged default may be satisfactorily cured. If the

nature of the alleged default is such that it cannot reasonably be cured within the thirty (30) day period, the commencement of the cure within such time period and the diligent prosecution to completion of the cure shall be deemed a cure within the period.

3.4 Notice of Intent to Terminate on Default. At any time following the thirty-day cure period, the complaining party may institute legal proceedings and/or give written notice of intent to terminate the Agreement by certified mail. The written notice of intent to terminate shall specify the nature of the alleged grounds for termination.

3.5 Termination of Agreement. Each party shall be able to terminate this Agreement by giving a thirty (30) day written notice to each other Party if the party terminating the Agreement: (1) no longer can obtain funding for the Town Center Project; (2) no longer can allocate funding for the construction of replacement facilities affected by the Town Center Project; (3) there is a legal or budgetary impediment to the DSISD; or (4) a legal impediment to the City.

3.6 Cancellation of Agreement. Except as otherwise permitted herein, this Agreement may be cancelled, in whole or in part, only by mutual written consent of all of the Parties.

3.7 Time of Essence to Agreement. The Parties agree that time is of the essence to this Agreement.

**ARTICLE IV
GENERAL PROVISIONS**

4.1 Notice. Any notice or statement required or permitted to be delivered by one of the Parties to this Agreement to the other shall be deemed delivered by depositing same in the United States mail, certified with return receipt requested, postage prepaid, addressed to the appropriate party at the address shown below, or at such other address (or addressees) provided by the parties to each other:

District: Dripping Springs Independent School District
c/o Superintendent
510 Mercer Street
Dripping Springs, Texas 78720

With copy to: Oscar G. Trevino
Walsh, Gallegos, Trevino, Russo & Kyle P.C.
505 E. Huntland Dr. #600
Austin, Texas 78752

City: City of Dripping Springs
c/o Michelle Fischer
511 Mercer Street
Dripping Springs, Texas 786201

With copy to: Laura Mueller
City Attorney
511 Mercer Street
Dripping Springs, Texas 78620

Library: Dripping Springs Community Library District
c/o Missy Atwood
501 Sportsplex Drive
Dripping Springs, Texas 78620

With copy to: Kate Leverett
GERMER PLLC
550 Fannin, Suite 400
Beaumont, Texas 77701

County: Hays County
c/o Hays County Judge
111 E. San Antonio St., Ste. 300
San Marcos, Texas 78666

With copy to: Mark Kennedy
County General Counsel
111 E. San Antonio St., Ste. 300
San Marcos, Texas 78666

4.2 No Joint Venture; No Third-Party Beneficiaries. It is acknowledged and agreed to by the Parties to this Agreement that the terms hereof are not intended to and shall not constitute a partnership or joint venture between the parties. The Parties, their officials, officers, and agents, do not assume any responsibility or liability to any third parties in connection with the design, construction, operation or maintenance of any structures or improvements associated with Town Center.

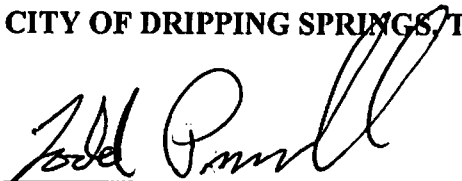
4.3 Applicable Law and Venue. This Agreement is made and shall be construed and interpreted under the laws of the State of Texas, and venue to enforce or interpret any aspect of this Agreement shall lie in Hays County, Texas.

4.4 Entire Agreement. This Agreement contains the entire agreement between the Parties with respect to the transactions contemplated herein, and this instrument supersedes any prior agreements or understandings between the parties. There are no other agreements or promises, oral or written, between the Parties regarding the subject matter of this Agreement.

EXECUTED on this the 15th day of April 2020 (“Effective Date”).

[signature pages follow]

CITY OF DRIPPING SPRINGS, TEXAS



Todd Purcell, Mayor

Attest:

Andrea Cunningham, City Secretary

DRIPPING SPRINGS INDEPENDENT SCHOOL DISTRICT

**Dr. Mary Jane Hetrick
Vice-President, Board of Trustees**

Attest:

**Shannon O'Connor
Secretary, Board of Trustees**

DRIPPING SPRINGS COMMUNITY LIBRARY DISTRICT

Missy Atwood, President

Attest:

Melva Codina, Treasurer

HAYS COUNTY

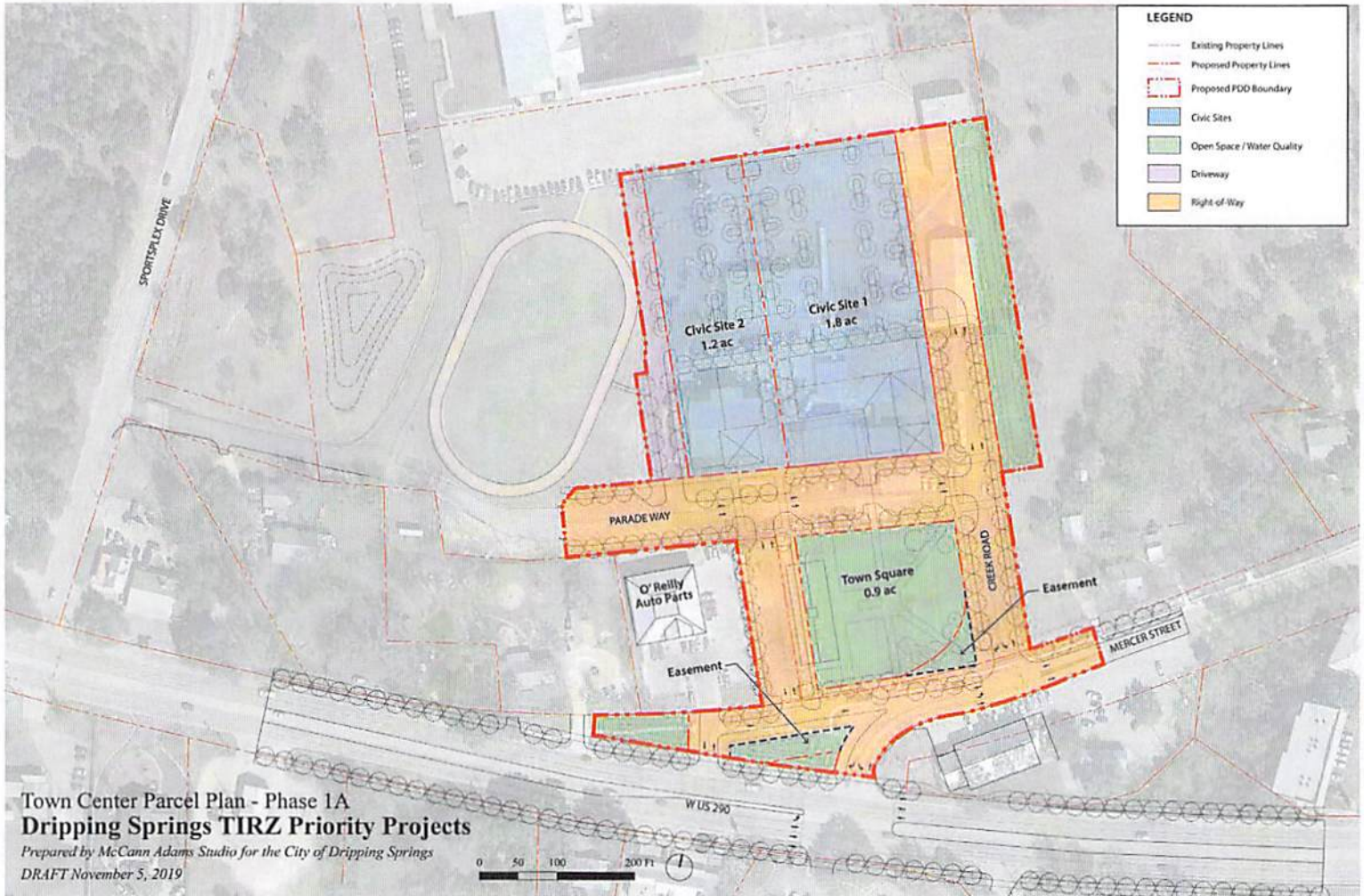
Ruben Becerra, Hays County Judge

Attest:

Elaine Cardenas, Hays County Clerk

Exhibit "A"

Town Center Plan "Civic Site 2"



TIRZ PRIORITY PROJECTS
 DRIPPING SPRINGS TOWN CENTER
PRELIMINARY CONCEPTUAL PLAN
 November 17, 2017

BACKGROUND

In December of 2016, the City of Dripping Springs established two Tax Increment Reinvestment Zones (TIRZ #1 & #2), with the purpose of promoting economic development, and planning critical infrastructure to support quality development within the central part of the city. Several Priority Projects have been identified by the TIRZ Board, including the improvement of Old Fitzhugh Road, future planning for the Triangle tract at the east end of Mercer Street, and the planning and potential development of a Town Center Project on properties currently owned and occupied by the City and the Dripping Springs Independent School District (DSISD) at the western end of Mercer Street.

Pursuant to a Memorandum of Understanding (MOU) between the City, the TIRZ Board, DSISD and the Dripping Springs Community Library District, the parties agreed to pursue joint planning and evaluation of a Town Center concept on tracts currently occupied by DSISD administrative offices, City Hall, a portion of Mercer St Right of Way and, potentially, a small adjacent commercial tract. The intent of the Town Center Plan is to promote *“the availability of joint use spaces to provide for necessary facilities for the City, District, Library and local economic development”*. The MOU calls for a Preliminary Conceptual Plan for the Town Center Project to be completed by November 17, 2017, to allow the parties to evaluate the concept and make recommendations regarding it’s approval to their respective decision makers by December 31, 2017. This document summarizes the Preliminary Concept Plan, which has been prepared over the past two months. The Plan is based on available information, Stakeholder-provided program data and needs assessments, site visits and multiple Stakeholder Visioning and Work Sessions.

THE VISION AND THE NEED

Dripping Springs City Hall and the DSISD Administrative Offices occupy separate parcels of land at the western terminus of Mercer Street, the town’s historic main street. The City Hall is located in a former church building of approximately 7,100 square feet that is challenged to meet the needs of the growing community; the City estimates a need to double its facility over the next ten years to keep pace with rapidly-expanding municipal service needs.

The DSISD offices are located in sixty-year old former classroom and school buildings. Facilities Assessments recently conducted have highlighted its substandard and degraded conditions and have outlined the high costs of rehabilitation. A recent facility program plan estimates that a complex of approximately 64,000 square feet will be required by 2022, to fulfill the integrated complement of administrative, community services, technology, day care, training and meeting needs of the District.

In addition, the Dripping Springs Community Library, situated to the northwest of the Town Center, wishes to grow from a facility of approximately 9,200 square feet to one with expanded programs in a building of 30,000 to 35,000 square feet. As described in the MOU, the Library is interested in locating within the Town Center, where it can play a more visible, integrated, commercially-invigorating and central role in the life of the community.

To further reinforce the role of the Town Center as a place of cooperative civic government, Hays County also has the need for satellite office space of approximately 2,500 square feet to serve its constituents in the northern part of the County.

The Town Center is envisioned as a complex of civic and commercial buildings at the western terminus of Mercer Street that can meet the needs of the growing community and contribute to its economic viability. Shared uses within the Town Center should be optimized to the extent feasible to promote governmental efficiency and fiscal stewardship. The Town Center should provide a major focal point and gathering space – a “Town Square” - for special events, festivals and gatherings that can also serve as the symbolic heart of the community. Commercial uses capitalizing on US 290 frontage property should be included to extend the viability and visibility of Mercer Street as a regional destination, to promote an active pedestrian environment around the Town Square, and to offer a potential revenue stream that could help to offset capital and operating costs of the Town Center.

Each of the project components should be located on identified parcels of land that would allow them to proceed at their own pace, and with their own funding sources, but in a cooperative, harmonious and mutually-beneficial way, within a unified Planned Development District arrangement. It is assumed that DSISD, as the major property owner, would enter into agreements with the respective public entities as part of an ultimate implementation program that will be developed following Stakeholder approval of this Preliminary Concept Plan, and as part of a more detailed Development Plan process.

In addition to providing needed civic and commercial space, a key part of the Town Center vision is to improve the vehicular and pedestrian circulation systems of the area, including planning for a new signalized intersection at Creek Rd. and US 290, and providing improved local connectivity and flows between Mercer Street, Parade Way and Creek Road. Maintaining vehicular access to Walnut Springs Elementary School by school buses and by parents dropping off and picking up their children is also a critical component of this circulation plan.

The existing site developments occurred prior to water quality regulations by the City and the Texas Commission on Environmental Quality Edwards Aquifer (TCEQEA) program, thus, water quality treatment measures are not found. Walnut Springs Elementary School has an existing detention pond in the southwest property corner to manage peak runoff rates to levels required by City ordinances. The site drains towards the Dripping Springs Tributary of Onion Creek. The proposed Federal Emergency Management Agency (FEMA) floodplain maps do not show flooding on this site but do identify structures south (downstream) of US Highway 290 in the floodplain. Thus, it will be important for the Town Center project to implement a consolidated water quality and stormwater detention system to safely convey runoff through the site, treat runoff quality, and mitigate peak flow impacts to protect downstream businesses and residents.

THE CONCEPTUAL PLAN

The attached plan provides a preliminary approach to meeting the program needs of the governmental and public entities in a way that maintains the existing historic, small-town scale and character of Dripping Springs. Key components of the Plan include:

- *A Network of Local Streets:* The Plan creates a localized network of tree-lined streets with sidewalks that provide connectivity to the surrounding community. Primary access to the Town Center will occur through a signalized intersection of US 290 and the extension of Creek Road north of US 290. Mercer Street will realign to form a roundabout at its intersection with Creek Road, allowing for the free movement of traffic destined to and from the historic core. The extension of Parade Way to Creek Road further promotes access and circulation through the Town Center.
- *A Town Square:* In the tradition of Texas towns, a town square will provide a western terminus to Mercer Street, shared by each of the community's key public facilities. The square will provide a civic focal point for the community and a place for public gatherings, special events and festivals.
- *The Extension of Mercer Street:* The inclusion of commercial buildings along the southern edge of the square extends the look, feel and commercial activity of the town's historic core along the US 290 frontage, thereby promoting the visibility and destination appeal of the Mercer St. Historic District. Approximately 25,000 square feet of retail, restaurant and upper level office space is envisioned in four to five buildings along the extension of Mercer St and US 290.
- *A New City Hall:* A City Hall building of approximately 12,000 square feet (one to two-stories), occupies the western edge of the square, preserving it's existing presence on Mercer St. and promoting easy public access to City services.
- *A County Precinct Office Building:* Adjoining the City Hall (either as a separate one-story building or as an integral wing of the City Hall), Hays County would occupy approximately 2,500 square feet of space on the square.
- *A New Community Library:* The library would occupy a distinctive corner of the square in a two-story building of approximately 34,000 square feet. Outdoor open space in a courtyard could be used by the library for programmed events.
- *DSISD Offices, Community Services and Day Care:* Adjoining the Library building and defining an internal courtyard, DSISD's administrative functions and its day care facility would occupy a two-story building of approximately 49,000 square feet.
- *Shared Board Room/Council Chambers:* At the symbolic heart of the Town Center in direct proximity to the DSISD office building, the Library and City Hall, the Plan proposes a 16,000-foot structure of two to three floors that would house a shared Board Room and Council Chambers with associated meeting, conference and support spaces.
- *Shared Parking:* Parking would be shared throughout the district and among the civic and commercial uses. Each use experiences a unique fluctuation of parking demand throughout the day, and a mixed-use development is ideal for sharing parking. It is estimated that peak demand (weekday afternoons) will generate the need for 450 new parking spaces. These 450 spaces are distributed along streets and driveways and in the parking areas between the Town Center and Walnut Springs Elementary School (WSES). No parking is displaced from WSES, and the bus staging area could operate as over-flow parking for special evening and weekend events.
- *Queuing for Student Pick-Up and Drop-Off:* The school circulation for WSES will maintain existing student pick-up and drop-off locations and bus loading. Through the reconfiguration of driveways, the Plan includes designated WSES student pick-up and drop-off lanes, increasing total on-site storage from the existing 1390 lineal feet to 2020 lineal feet. School buses will access the existing WSES bus staging area from the reconfigured intersection of Creek Road and US 290.

- *WSES Track:* In order to accommodate all desired Stakeholder facility needs and parking requirements within the property constraints of the MOU, the Plan proposes to reconfigure the existing Walnut Springs Elementary School track and playfield, shifting it to the north and west. The total length of the track would be reduced by about 25% from 920 feet to 685 feet, but the Plan provides for an additional 450 feet of trail that would connect the track with the Sportsplex Drive-Parade Way intersection and with the school campus.
- *Drainage and Water Quality:* The Preliminary Town Center plan proposes to increase or maintain the existing Walnut Springs School detention pond volume to manage peak flow rates draining towards the southwest, with the addition of rain gardens, permeable pavement systems, rainwater harvesting, and other low impact development systems throughout the site to manage stormwater runoff in accordance with the City and TCEQEA requirements. A tree lined stormwater detention basin and vegetative buffer is envisioned along the northeastern portion of the site to complete the drainage plan. An underground storm drainage network will be used to connect the stormwater components and discharge treated runoff in a safe and non-erosive manner into the Dripping Springs Tributary to Onion Creek.

CONCLUSIONS

On the basis of this preliminary planning effort, the consultant team has made the following findings:

- The programmatic needs of the City, Library, County and School District can be accommodated within the proposed study area, in a way that will create a strong Town Center that will enhance the image, identity and economic vitality of Dripping Springs and promote it's attractiveness as a regional destination for years to come.
- The Plan will improve local circulation within Dripping Springs, enhancing access to WSES, providing a more connected street network and a safer intersection at US 290 and Creek Road through new signalization.
- The Plan will enhance the visibility and potential economic viability of Mercer Street as the commercial and civic heart of the community, extending it and creating a mixed-use Town Square with new uses, populations and vitality at it's western end.
- The Plan will require relocation and alterations to the existing WSES track in order to accommodate the full program of Stakeholder facilities and the associated parking requirements.
- The Plan build-out option assumes amicable acquisition of an existing 0.25-acre commercial site immediately west of DSISD property on US 290. If this acquisition is not feasible, the Plan could still be achieved with a reduced Town Square.
- A drainage system can be created within the study area to mitigate runoff increases and provide for water quality treatment, within the standards of the City and the TCEQ Edwards Aquifer Program.
- The site will provide a sufficient number of parking spaces to meet the peak weekday demand of the programmed uses on the site. Additional evening and weekend parking (approximately 90 spaces) could be provided on the WSES bus staging area.

NEXT STEPS

Under the terms of the MOU, if the parties each satisfy their obligations, approve the Preliminary Conceptual Plan and come to further “Conditional Agreements” to pursue the Town Center Concept, then additional joint planning, studies, investigations and research will be undertaken, resulting in the creation of a refined “Development Plan,” including:

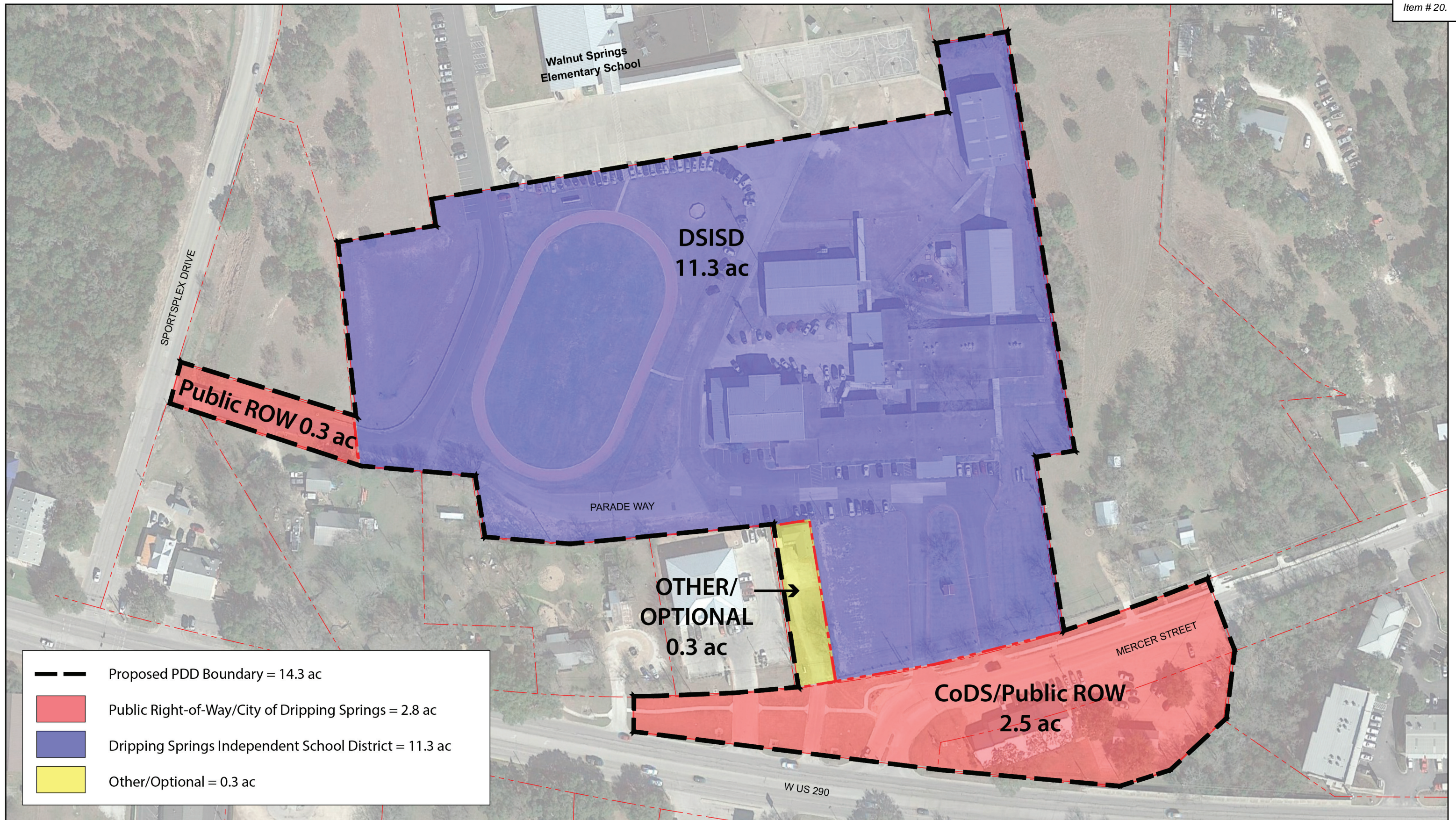
- A real estate market study to finalize the program of commercial uses and their operational criteria by March 31, 2018;
- Discussions with TxDOT to develop the reconfiguration of the US290 intersection and prospective new signalization;
- More detailed drainage studies to refine the design and estimate the cost of detention and water quality measures to meet TCEQ and City regulations;
- More detailed programmatic analysis to optimize shared use opportunities among the governmental and public entities;
- Development of an implementation program that sets forth land disposition strategies, possible participation of a private developer, and roles and responsibilities for implementation of capital improvements.
- Assessment, analysis and preliminary cost estimates of utilities and critical infrastructure needed to enable and implement the plan.
- 3D Model and Renderings



- ① **DSISD - 48,672 sf (2 flrs)**
Day Care 17,004 sf
Offices/Support 31,668 sf
 - ② **Board/Council Building - 16,000 sf (3 flrs)**
 - ③ **Library - 34,000 sf (2 flrs)**
 - ④ **Hays County - 2,500 sf (1 flr)**
 - ⑤ **City Hall - 12,000 sf (2 flrs)**
 - ⑥ **Commerical - 25,700 sf (1 - 2 flrs)**
Restaurant 8,200 sf
Retail 10,000 sf
Office 7,500 sf
- Total parking - 450 spaces**

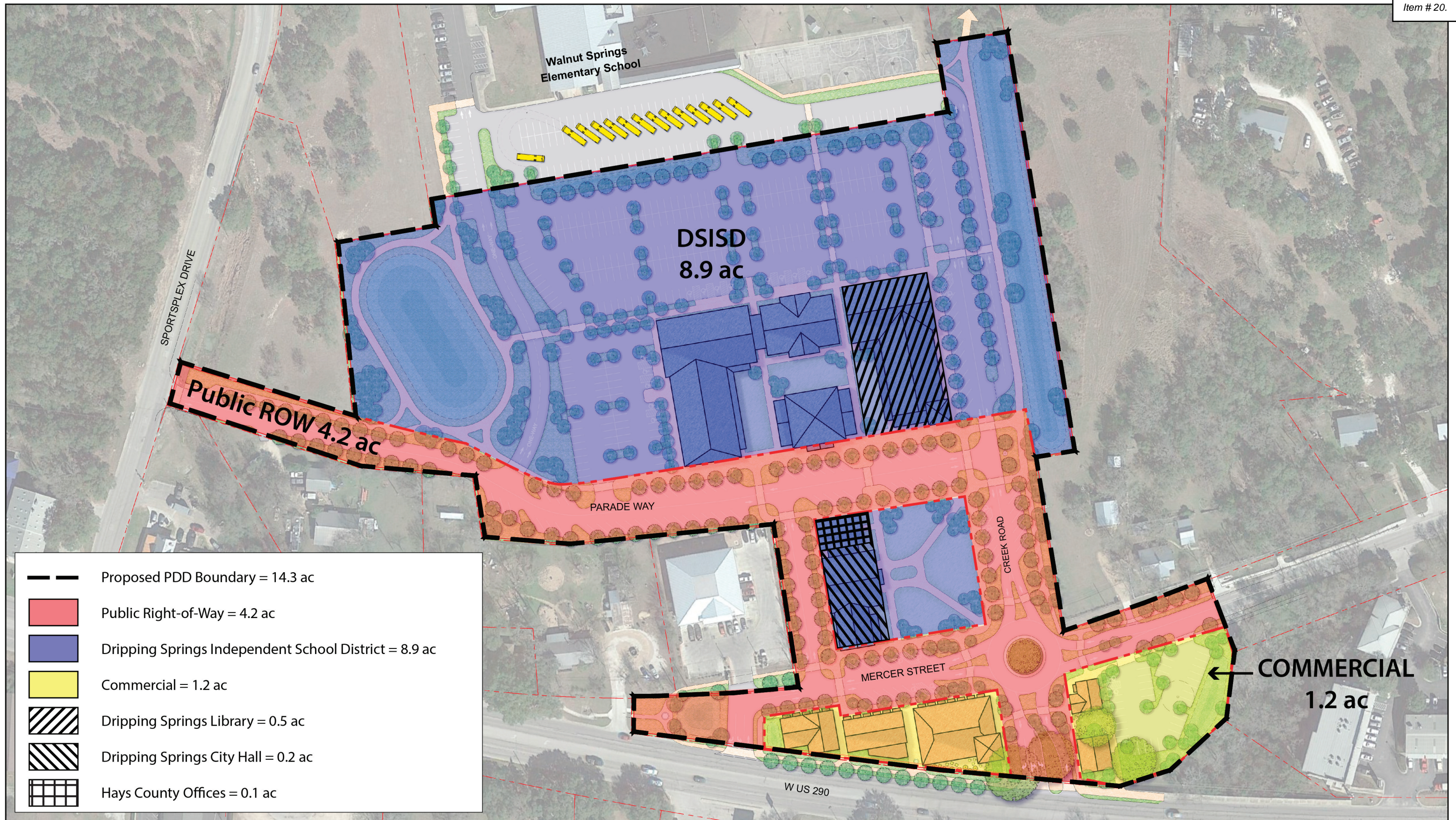


DRAFT
TOWN CENTER PRELIMINARY CONCEPT
Dripping Springs TIRZ Priority Projects
Prepared by McCann Adams Studio for the City of Dripping Springs
NOVEMBER 16, 2017



Town Center Existing Ownership
Dripping Springs TIRZ Priority Projects
 Prepared for the City of Dripping Springs by McCann Adams Studio
 DRAFT November 16, 2017





Town Center Potential Land Disposition
Dripping Springs TIRZ Priority Projects
 Prepared for the City of Dripping Springs by McCann Adams Studio
 DRAFT November 16, 2017

December 4, 2017 - TIRZ No. 1 & No.2 Board Regular Meeting

4:00 p.m. - City Hall Council Chambers

(Individuals may speak for three minutes. Public Hearings may be limited to 30 minutes.)

	Name (Please print your name)	Residential Address (Address and City)	Please indicate the agenda item you will be speaking about:
1	Marianne Simmons	1641 Creek Rd DS	TIRZ
2			
3			
4			
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16			
17			
18			

**REPLAT OF LOT 2E, BLOCK C,
 POUNDHOUSE HILLS SECTION 2
 City of Dripping Springs
 Hays County, Texas**

CALLED 102.479 ACRES
 MONTE GLOSSON, TRUSTEE
 VOL. 4629, PG. 427, O.P.R.H.C.T.



TEMPORARY CUL-DE-SAC NOTE:
 THESE TEMPORARY CUL-DE-SACS WILL BE
 REMOVED AND THE ADJACENT TRACTS
 HAVE DEVELOPED AND CONNECTED THEIR ROADS.

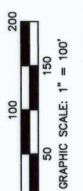
PHILIP A. SMITH
 SURVEY NO. 26,
 ABSTRACT NO. 415

CALLLED 17.185 ACRES
 H.C. CARTER
 VOL. 3030, PG. 809
 O.P.R.H.C.T.

THE NORTH FORTY
 ADDITION
 SECTION TWO &
 RESUBDIVISION OF LOT 25,
 THE NORTH FORTY
 ADDITION, SECTION 1
 VOL. 2, PGS. 17-18, P.R.H.C.T.

LEGEND

---	PROPERTY LINE
---	EXISTING EASEMENTS
△	CALCULATED POINT
○	1/2" IRON ROD WITH "WARD-5811" CAP SET
●	1/2" IRON ROD FOUND
○	1" IRON PIPE (UNLESS NOTED)
○	1" IRON PIPE (UNLESS NOTED)
○	IRON ROD WITH "STALUD SURVEYING" CAP FOUND
○	DOCUMENT NUMBER
○	VOL./PG.
○	P.U.E.
○	D.E.
○	P.P.E.
○	M.G.B.Z.
○	P.R.H.C.T.
○	R.P.R.H.C.T.
○	D.R.H.C.T.
○	DEED RECORDS, HAYS COUNTY, TEXAS
○	DEED RECORDS, HAYS COUNTY, TEXAS
○	PLAT RECORDS, HAYS COUNTY, TEXAS
○	PLAT VOL. 15 PGS. 204-206
○	PLAT VOL. 9 PGS. 291-294
○	RECORD INFORMATION PER VOL. 3030 PG. 809
○	RECORD INFORMATION PER VOL. 3030 PG. 809



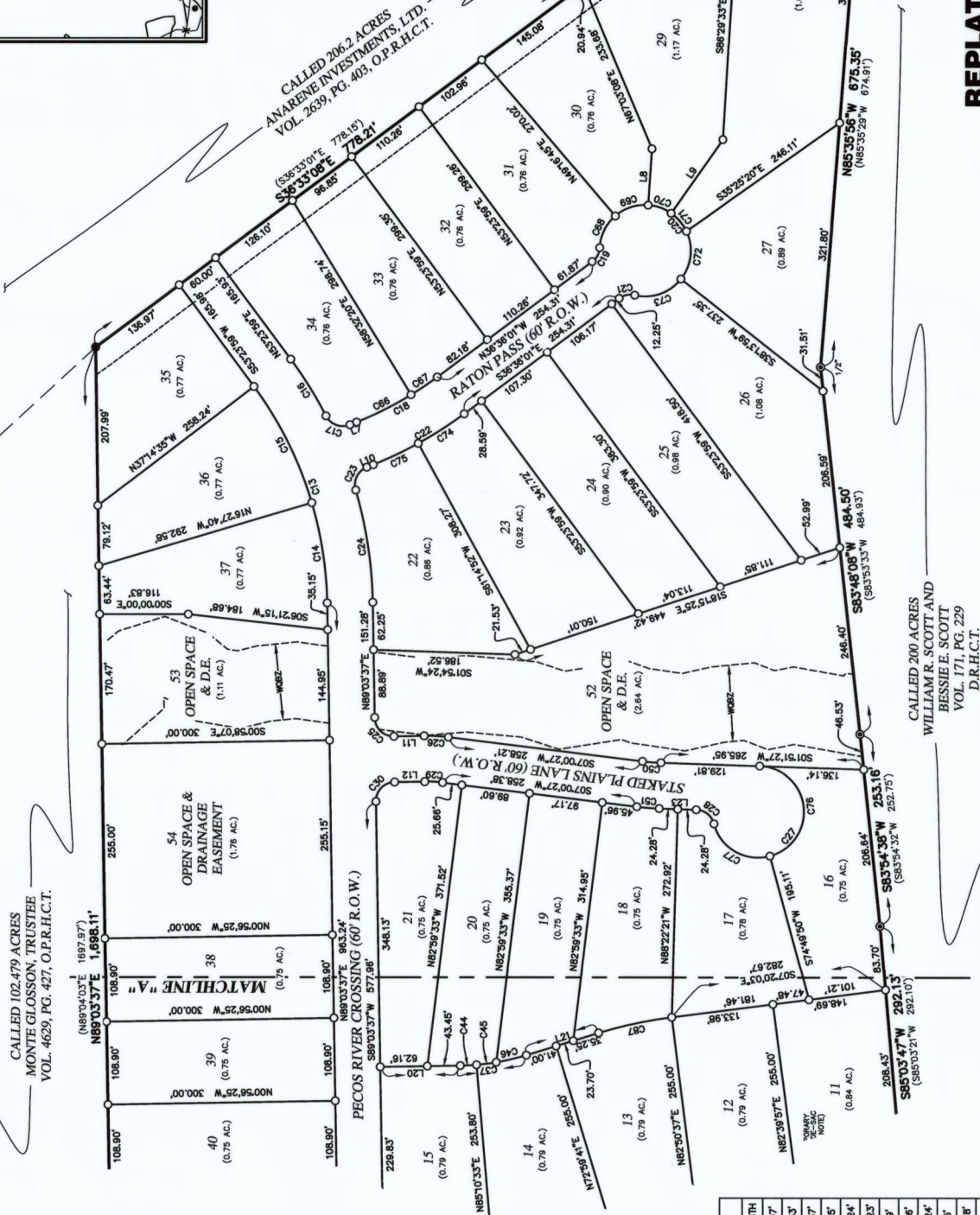
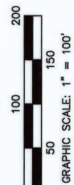
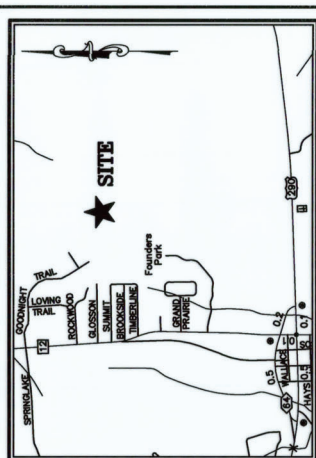


PO Box 90876, Austin Texas 78709
 WWW.AWARDLANDSURVEYING.COM (512) 537-2384
 TSPS TRM # 17175329 P. 103333 Day 103333 Day 103333

Date:	Project:	Scale:	Reviewer:	Tech:	Field Crk	Survey D.
						2 OF 2

REPLAT OF LOT 2E, BLOCK C, POUNDHOUSE HILLS SECTION 2 City of Dripping Springs Hays County, Texas

**PHILIP A. SMITH
 SURVEY NO. 26,
 ABSTRACT NO. 415**



CALLED 102.479 ACRES
 MONTE GLOSSON, TRUSTEE
 VOL. 4629, PG. 427, O.P.R.H.C.T.

OPEN SPACE & DRAINAGE EASEMENT (1.76 AC.)
 MATCHLINE "A"

OPEN SPACE & D.E. (1.11 AC.)

OPEN SPACE & D.E. (2.64 AC.)

OPEN SPACE & D.E. (2.84 AC.)

OPEN SPACE & D.E. (2.84 AC.)

OPEN SPACE & D.E. (2.84 AC.)

OPEN SPACE & D.E. (2.84 AC.)

OPEN SPACE & D.E. (2.84 AC.)

OPEN SPACE & D.E. (2.84 AC.)

LINE #	DIRECTION	LENGTH
L1	N18°52'18"W	35.97'
L2	N75°42'54"W	26.33'
L3	S00°48'02"E	57.87'
L4	N80°03'37"E	13.75'
L5	N00°00'00"E	128.24'
L6	N00°00'00"E	127.23'
L7	N21°45'32"W	9.39'
L8	S86°05'18"E	74.16'
L9	S85°01'22"E	118.24'
L10	S21°45'32"E	9.15'
L11	S00°56'23"E	39.78'
L12	S00°56'23"E	39.61'
L13	S00°48'02"E	58.11'
L14	N04°45'51"W	150.05'
L15	N17°00'19"W	87.08'
L16	S17°00'19"E	76.86'
L17	N04°52'52"E	52.52'
L18	S04°52'52"W	52.52'
L19	S75°42'54"E	26.73'
	S00°56'23"E	105.61'
	S17°00'19"E	89.85'
	S04°45'51"E	150.06'
	S01°51'27"W	48.57'

STATE OF TEXAS & COUNTY OF HAYS & CITY OF HAYS & REPLAT OF LOT 2E, BLOCK C, POUNDHOUSE HILLS SECTION 2 AND DO HEREBY DEDICATE TO THE PUBLIC, THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND, THIS THE 1 DAY OF Feb, 2017 A.D.

STATE OF TEXAS & COUNTY OF HAYS & CITY OF HAYS & REPLAT OF LOT 2E, BLOCK C, POUNDHOUSE HILLS SECTION 2 AND DO HEREBY DEDICATE TO THE PUBLIC, THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND AND SEAL OF OFFICE, THIS THE 1 DAY OF Feb, 2017 A.D.

NOTARY PUBLIC FOR HAYS COUNTY, TEXAS

ENVIRONMENTAL HEALTH DEPARTMENT: NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR SANITARY SEWER SYSTEM. THE CITY OF HAYS HAS THE OBLIGATION TO PROVIDE WATER SUPPLIES AND SANITARY SEWERS TO ALL AREAS WITHIN THE CITY LIMITS. THE CITY OF HAYS HAS THE OBLIGATION TO PROVIDE WATER SUPPLIES AND SANITARY SEWERS TO ALL AREAS WITHIN THE CITY LIMITS. THE CITY OF HAYS HAS THE OBLIGATION TO PROVIDE WATER SUPPLIES AND SANITARY SEWERS TO ALL AREAS WITHIN THE CITY LIMITS.

ENGINEER'S CERTIFICATION: I, RICARDO M. DE CAMPOS, P.E., AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO DESIGN, DRAW, SEAL, AND SIGN ENGINEERING PLANS AND SPECIFICATIONS FOR THE CITY OF HAYS AND HEREBY CERTIFY THAT THIS PLAN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

TO THE BEST OF MY KNOWLEDGE THIS SITE ACCURATELY REFLECTS THE GENERAL LOCATION/ASSENCE OF ALL STREETS, ALLEYS, PONDINGS, EASEMENTS, AND OTHER FEATURES AS DEFINED BY THE TEXAS COMMISSION OF ENVIRONMENTAL QUALITY IN 30 TEXAS ADMINISTRATIVE CODE 21.3.3. THE LOCATIONS AND APPROXIMATE SIZES OF THE STORM WATER MANAGEMENT STANDARDS AND THE SUBMITTAL IS IN COMPLIANCE WITH CHAPTER 26A, SECTION 3.07 (IDENTIFICATION OF SPECIAL FLOOD HAZARD AREAS).

SURVEYOR'S CERTIFICATION: I, JASON WARD, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE SURVEYING PROFESSION AND HEREBY CERTIFY THAT THIS PLAN COMPLIES WITH THE SURVEYING ACT AND ALL APPLICABLE RULES AND REGULATIONS. THE SURVEY WAS MADE ON THE GROUND SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION. LOT CORNERS SHALL BE SET AFTER FINAL GRADING IS COMPLETE.

WATER SUPPLY NOTE: DIS WATER SUPPLY CORPORATION, AN APPROVED PUBLIC UTILITY, HAS BEEN ADVISED THAT THE PROVISIONS HAVE BEEN MADE TO PROVIDE SERVICE TO EACH LOT IN ACCORDANCE WITH THE POLICIES OF THE WATER SUPPLY SYSTEM.

WATER SUPPLY CORPORATION, AN APPROVED PUBLIC UTILITY, HAS BEEN ADVISED THAT THE PROVISIONS HAVE BEEN MADE TO PROVIDE SERVICE TO EACH LOT IN ACCORDANCE WITH THE POLICIES OF THE WATER SUPPLY SYSTEM.

WATER SUPPLY CORPORATION, AN APPROVED PUBLIC UTILITY, HAS BEEN ADVISED THAT THE PROVISIONS HAVE BEEN MADE TO PROVIDE SERVICE TO EACH LOT IN ACCORDANCE WITH THE POLICIES OF THE WATER SUPPLY SYSTEM.

WATER SUPPLY CORPORATION, AN APPROVED PUBLIC UTILITY, HAS BEEN ADVISED THAT THE PROVISIONS HAVE BEEN MADE TO PROVIDE SERVICE TO EACH LOT IN ACCORDANCE WITH THE POLICIES OF THE WATER SUPPLY SYSTEM.

WATER SUPPLY CORPORATION, AN APPROVED PUBLIC UTILITY, HAS BEEN ADVISED THAT THE PROVISIONS HAVE BEEN MADE TO PROVIDE SERVICE TO EACH LOT IN ACCORDANCE WITH THE POLICIES OF THE WATER SUPPLY SYSTEM.

BEARING BASIS: ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, SOUTH CENTRAL ZONE, (4204), NAD83, ALL ANGLES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000079587505.

SURVEY CONTROL: STATE PLANE CONTROL FOR THIS SURVEY IS BASED ON A 1 1/2" BORN FOOT WITH "WARD CONTROL" CAP SET, GRID COORDINATES AND ELEVATIONS SHOWN HEREON WERE DERIVED FROM THE TEXAS COORDINATE NETWORK ON DATE JULY 22, 2014. GRID COORDINATE POINTS WERE CHECKED TO LEICA 15302189176, E 42604094211, ELEV. 1228.95'. (COORDINATE CONVERTED USING CORPSSO)

FLOODPLAIN NOTE: THIS PROPERTY IS LOCATED WITHIN ZONE "X" AREAS DETERMINED TO BE OUTSIDE OF THE HAYS COUNTY, TEXAS DATED SEPTEMBER 2, 2005.

NOTES: 1) ALL RESIDENTIAL LOTS IN THIS SUBDIVISION ARE SUBJECT TO COMPLIANCE WITH THE CITY'S DARK SKY ORDINANCE (AKA THE LIGHTING ORDINANCE).

2) ALL RESIDENTIAL LOTS IN THIS SUBDIVISION, LESS THAN 1 ACRE, MUST UTILIZE SUBSURFACE DRIP DISPOSAL FOR THEIR ON-SITE SEWAGE FACILITIES (OSSF'S).

3) IN ORDER TO PROMOTE SAFE USE OF ROADWAYS AND PRESERVE THE CONDITIONS OF PUBLIC ROADWAYS, NO DRIVEWAY CONSTRUCTED ON ANY LOT WITHIN THIS SUBDIVISION SHALL BE PERMITTED ACCESS ONTO A PUBLICLY DEDICATED ROADWAY UNLESS (a) A DRIVEWAY PERMIT HAS BEEN ISSUED BY THE CITY OF DRIPPING SPRINGS AND (b) THE DRIVEWAY SET FORTH IN TABLE 72.02 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS.

4) WHEN REQUIRED, LOTS SHALL HAVE A MINIMUM DRIVEWAY CULVERT DIAMETER OF 18 INCHES.

5) THIS SUBDIVISION DOES LIE WITHIN THE BOUNDARIES OF THE BARTON SPRINGS SEGMENT OF CONTRIBUTING ZONE TO THE EDWARDS AQUIFER.

6) THIS SUBDIVISION IS LOCATED WITHIN THE LITTLE BARTON CREEK WATERSHED AND THE ONION CREEK WATERSHED.

7) THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE CORPORATE LIMITS OF THE CITY OF DRIPPING SPRINGS.

8) BUILDING LINE SETBACKS MUST COMPLY WITH CURRENT ZONING REGULATION.

9) ALL LOTS IN THIS SUBDIVISION ARE SUBJECT TO THE FOLLOWING P.U.E. REQUIREMENTS: FRONT: 10', SIDE: 5', REAR: 5'

10) LOTS WITHIN THE WATER QUALITY BUFFER ZONE MUST COMPLY WITH THE RESTRICTIONS SET FORTH IN THE CITY OF DRIPPING SPRINGS WATER QUALITY ORDINANCE.

STATE OF TEXAS & COUNTY OF HAYS & CITY OF HAYS & REPLAT OF LOT 2E, BLOCK C, POUNDHOUSE HILLS SECTION 2 AND DO HEREBY DEDICATE TO THE PUBLIC, THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND, THIS THE 10th DAY OF February, 2017 A.D. BY THE CITY COUNCIL OF DRIPPING SPRINGS, TEXAS &

TORO PURCELL, MAYOR

CERTIFICATE OF RECORDING TO WIT: STATE OF TEXAS & COUNTY OF HAYS & CITY OF HAYS & REPLAT OF LOT 2E, BLOCK C, POUNDHOUSE HILLS SECTION 2 AND DO HEREBY DEDICATE TO THE PUBLIC, THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

A.D. AT 2:36 O'CLOCK P.M., IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS, IN BOOK 11007517 PAGE 1

LIZ GONZALEZ, HAYS COUNTY CLERK

CURVE #	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
C6	172.67	470.00	2102.96	S84°14'23"E	171.70
C7	152.28	470.00	1833.48	N75°57'16"E	151.81
C8	33.36	25.00	7627.00	N29°26'52"E	30.84
C9	121.98	780.00	8757.38	S05°17'50"E	121.85
C10	39.32	25.00	9077.21	N45°52'42"W	35.39
C11	365.34	230.00	9100.36	S45°30'18"E	328.12
C12	269.82	170.00	9096.23	S49°29'11"E	242.38
C13	304.87	490.00	3539.39	N71°14'46"E	300.07
C14	133.59	490.00	1536.16	N81°15'15"E	133.18
C15	171.36	490.00	2002.24	N83°25'11"E	170.51
C16	67.76	590.00	9708.32	N87°58'15"E	67.67
C17	36.78	25.00	8418.02	S02°23'30"W	33.95
C18	121.75	470.00	1450.29	S29°10'29"E	121.40
C19	21.68	25.00	4940.47	S01°26'24"E	21.00
C20	292.54	60.00	27921.54	N53°25'59"E	277.85
C21	21.68	25.00	4940.47	N11°45'37"W	21.00
C22	137.29	530.00	1450.29	S29°10'29"E	136.90
C23	36.64	25.00	8398.52	N84°08'56"W	33.45
C24	149.34	550.00	1533.28	N81°16'53"E	148.88
C25	38.41	25.00	9079.08	S44°31'14"W	35.45
C26	31.90	230.00	7965.90	N03°02'02"E	31.88
C27	284.83	60.00	28253.43	S51°41'42"E	283.70
C28	31.81	25.00	7253.43	N38°18'18"E	29.70
C29	23.58	170.00	7965.90	N03°02'02"E	23.56
C30	36.27	25.00	9070.00	N45°52'33"W	35.36
C31	36.22	25.00	8952.39	S44°07'18"W	35.32
C32	203.42	720.00	16117.17	S08°54'41"E	202.75
C33	38.82	230.00	9440.16	N12°10'11"W	38.78
C34	26.70	170.00	9407.16	N12°10'11"W	26.66
C35	42.03	25.00	9619.19	N69°09'59"W	37.25
C36	171.71	530.00	18333.48	N75°57'16"E	170.96
C37	36.81	530.00	3972.98	N47°21'54"E	36.60
C38	40.63	315.00	7232.94	S13°18'37"E	40.60
C39	86.22	530.00	938.43	S00°03'31"W	89.12
C40	36.79	25.00	8418.46	N47°02'15"W	33.96
C41	78.12	470.00	938.43	S00°03'31"W	78.03
C42	21.35	315.00	3533.01	S02°32'53"E	21.35
C43	26.35	315.00	4473.31	S07°13'07"E	26.34
C44	40.63	315.00	7232.94	S13°18'37"E	40.60
C45	86.22	530.00	938.43	S00°03'31"W	89.12
C46	36.79	25.00	8418.46	N47°02'15"W	33.96
C47	52.88	530.00	5429.99	S76°34'24"E	52.86
C48	24.27	270.00	5598.01	S04°25'57"W	24.28

CURVE #	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
C51	29.86	330.00	5709.01	S04°25'57"W	29.85
C52	120.13	470.00	14383.38	S81°02'14"E	119.80
C53	52.54	470.00	6924.22	N88°26'16"E	52.51
C54	131.84	470.00	16704.22	N07°11'59"E	131.41
C55	20.43	470.00	2297.26	N67°55'05"E	20.43
C56	102.85	780.00	7332.94	S08°00'26"E	102.57
C57	19.33	780.00	12951.22	S01°31'38"E	19.33
C58	176.75	230.00	4401.54	S68°59'39"E	172.44
C59	79.28	230.00	1944.56	S09°52'28"E	78.88
C60	109.31	230.00	2713.47	S33°21'49"E	108.28
C61	36.76	170.00	6732.27	S06°11'44"E	36.69
C62	233.06	170.00	7832.95	S51°39'55"E	215.23
C63	80.28	453.56	10708.22	S28°41'37"E	80.16
C64	41.48	441.10	5237.18	S33°59'20"E	41.47
C65	47.71	60.00	4533.33	N63°30'02"W	46.46
C66	31.26	60.00	3103.57	N19°26'39"E	32.14
C67	66.40	60.00	63241.13	S63°28'08"E	63.06
C68	67.81	60.00	6450.48	S19°20'37"E	64.34
C69	71.82	530.00	7463.32	S32°42'45"E	71.87
C70	94.17	60.00	8935.20	S29°47'30"W	84.80
C71	57.86	604.22	5280.04	S01°50'19"E	57.84
C72	31.57	886.24	2701.95	S03°31'28"W	31.57
C73	9.59	530.00	1027.10	N87°11'27"E	9.59
C74	84.05	530.00	9705.99	N72°15'06"E	83.98
C75	78.08	530.00	8746.29	N81°00'55"E	78.01
C76	98.74	585.00	9407.68	N12°10'11"W	98.63
C77	61.15	720.00	4915.99	S03°15'02"E	61.13
C78	142.27	720.00	11918.16	S11°20'40"E	142.04

CURVE #	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
C1	9.82	345.00	134.51	N33°40'47"W	9.82
C2	(8.52)	(345.00)	(134.51)	(N33°40'47"W)	(9.82)
C3	24.04	25.00	5508.07	N62°14'44"W	23.13
C4	(24.11)	(25.00)	(5515.36)	(N62°14'44"W)	(23.19)
C5	291.96	60.00	27878.00	N49°30'30"E	287.08
C6	(292.16)	(60.00)	(27878.00)	(N49°30'30"E)	(287.08)
C7	18.85	25.00	4929.48	S13°12'27"E	18.33
C8	(18.73)	(25.00)	(4912.39)	(S13°12'27"E)	(18.22)
C9	21.67	405.00	3033.99	N34°26'32"W	21.67
C10	(21.62)	(405.00)	(3033.99)	(N34°26'32"W)	(21.62)

ASBEAPE LOT SIZE AND CATEGORY NOTE:
 TOTAL AREA: 85,7026 ACRES (2,428,440 SQ. FT.)
 TOTAL NUMBER OF LOTS: 54
 NUMBER OF RESIDENTIAL LOTS: 51
 NUMBER OF COMMERCIAL LOTS: NONE
 NUMBER OF LOTS BETWEEN 5 AND 10 ACRES: NONE
 NUMBER OF LOTS BETWEEN 2 AND 5 ACRES: 1
 NUMBER OF LOTS BETWEEN 1 AND 2 ACRES: 2
 NUMBER OF LOTS LESS THAN 1 ACRE: 43

REPLAT OF LOT 2E, BLOCK C, POUNDHOUSE HILLS SECTION 2
 City of Dripping Springs, Texas
 Hays County, Texas

Item # 21.

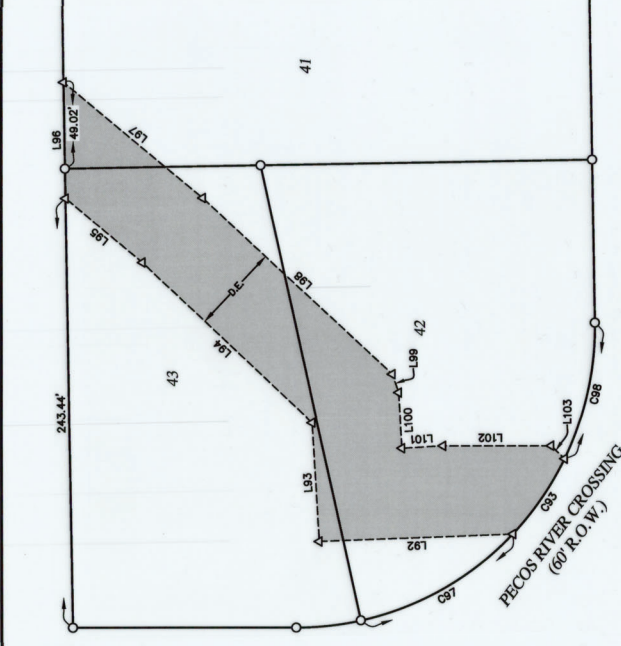
AWARD Land Surveying
 10101 W. Highway 100, Suite 100
 PO Box 98876, Austin Texas 78708
 WWW.AWARDLS.COM (512) 537-2384
 TPLS FIRM #16174300

Date: _____
 Project: _____
 Scale: _____
 Reference: _____
 North: _____
 Survey D: _____
 Survey E: _____

LIZ GONZALEZ, HAYS COUNTY CLERK



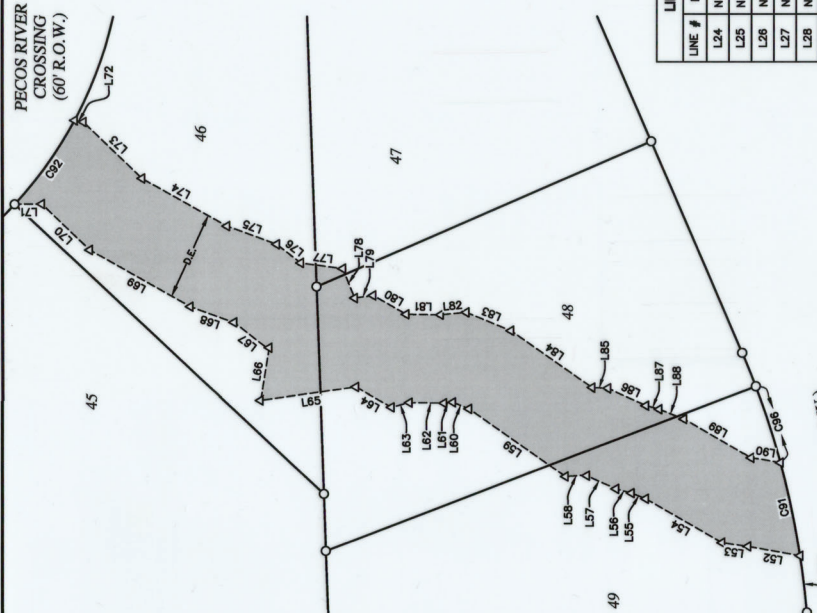
**REPLAT OF LOT 2E, BLOCK C,
 POUNDHOUSE HILLS SECTION 2
 City of Dripping Springs
 Hays County, Texas**



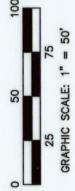
LINE #	DIRECTION	LENGTH
L93	N86°36'49"E	67.47'
L94	N43°17'01"E	132.48'
L95	N39°39'55"E	56.89'
L96	N89°03'37"E	65.88'
L97	N39°39'55"E	102.87'
L98	N42°33'33"E	146.93'
L99	N70°44'01"E	11.07'
L100	N86°36'49"E	31.54'
L101	N03°18'49"W	23.48'
L102	N00°02'26"W	61.77'
L103	N43°36'41"E	10.66'

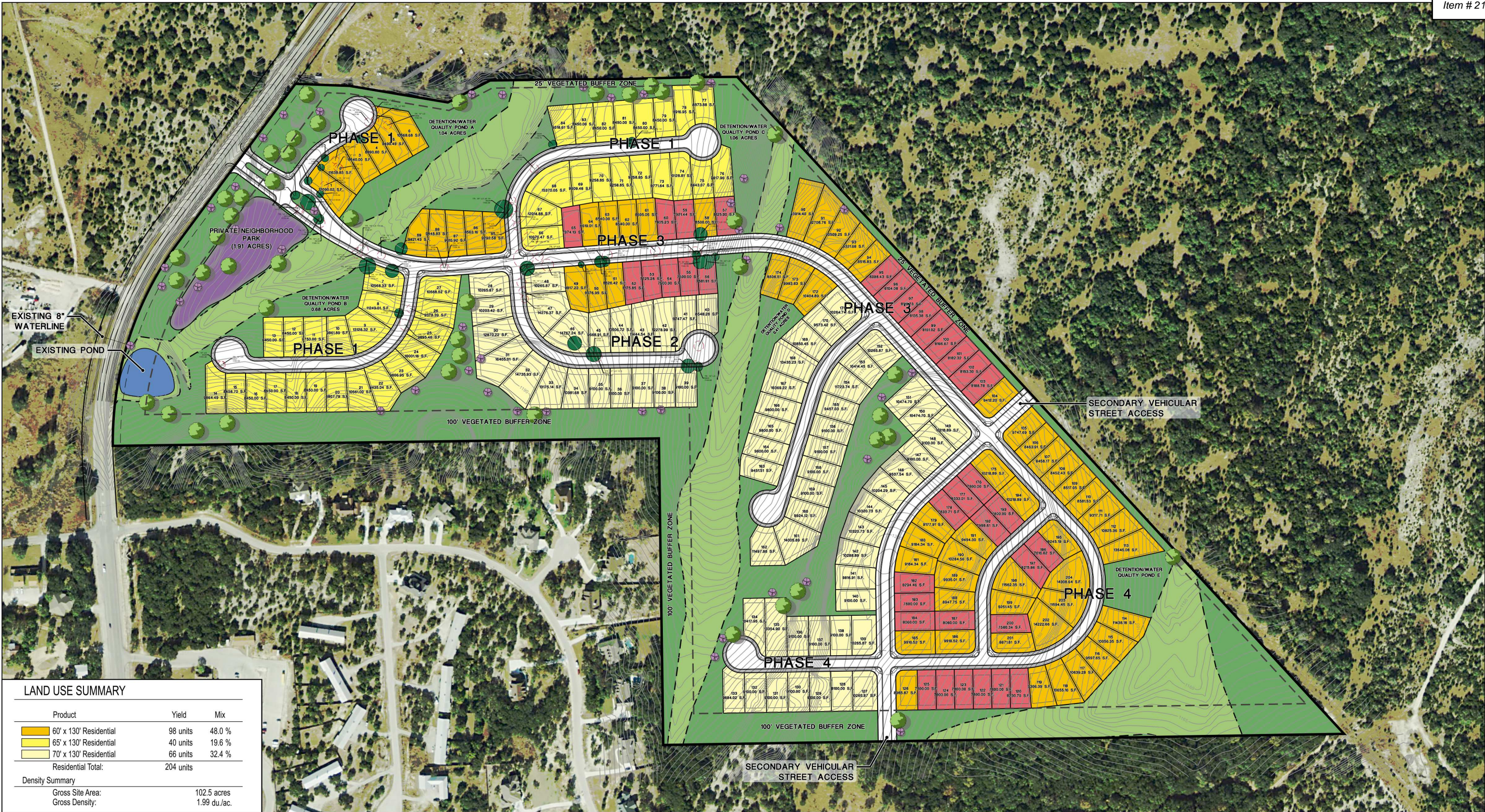
LINE #	DIRECTION	LENGTH
L58	N03°56'15"W	8.83'
L59	N34°49'15"E	67.21'
L60	N22°15'06"E	8.89'
L61	N05°14'18"W	5.18'
L62	N00°50'18"E	19.64'
L63	N14°25'17"W	10.70'
L64	N29°41'00"E	23.28'
L65	N07°55'43"W	54.83'
L66	S80°33'05"E	30.20'
L68	N19°59'35"E	26.26'
L69	N29°14'12"E	65.89'
L70	N43°43'42"E	37.65'
L71	N00°21'45"W	15.46'
L72	N10°19'28"E	5.11'
L73	N43°43'42"E	46.29'
L74	N29°14'12"E	55.48'
L75	N19°59'35"E	30.07'
L76	N37°50'33"E	17.36'
L77	N07°41'41"E	24.01'
L78	N67°56'36"E	17.85'
L79	N07°55'43"W	10.60'
L80	N29°41'00"E	21.81'
L81	N00°50'18"E	19.55'
L82	N05°14'18"W	14.76'
L83	N22°15'06"E	27.63'
L84	N34°49'15"E	56.40'
L85	N02°44'04"E	8.95'
L86	N24°28'15"E	23.66'
L87	N15°19'03"E	7.79'
L88	N21°27'51"E	15.09'
L89	N29°50'24"E	44.15'
L90	N10°06'35"E	10.79'
L92	N02°08'31"W	110.35'

LINE #	DIRECTION	LENGTH
L24	N36°06'37"E	98.73'
L25	N36°32'28"E	65.08'
L26	N53°35'16"E	40.82'
L27	N53°35'16"E	8.08'
L28	N21°56'56"E	9.79'
L29	N23°14'05"E	35.17'
L30	N28°56'45"E	24.76'
L31	N39°42'52"E	17.90'
L32	N41°09'10"E	13.84'
L33	N21°01'19"E	23.43'
L34	N30°04'14"E	32.81'
L35	N30°25'59"E	29.33'
L36	S01°42'16"E	19.04'
L37	S36°22'39"W	16.25'
L38	S35°14'46"W	3.91'
L39	S30°25'59"W	29.10'
L40	S30°04'14"W	28.69'
L41	S21°01'19"W	28.34'
L42	S41°09'10"W	22.06'
L43	S39°42'52"W	11.68'
L44	S26°56'45"W	17.55'
L45	S23°14'05"W	32.99'
L46	S21°56'56"W	23.40'
L47	S53°35'16"W	22.25'
L48	S53°35'16"W	34.05'
L49	S36°36'26"W	58.29'
L50	S36°06'37"W	52.05'
L51	S85°13'12"W	68.24'
L52	N10°06'35"E	30.20'
L53	N06°01'33"E	14.90'
L54	N26°50'24"E	50.12'
L55	N21°27'51"E	8.74'
L56	N15°19'03"E	9.11'
L57	N24°28'15"E	18.06'



CURVE #	LENGTH	RADIUS	DELTA	BEARING	DISTANCE
C90	55.70'	530.00'	6°01'19"	N80°06'01"E	55.68'
C91	54.00'	470.00'	6°34'58"	N77°59'55"E	53.97'
C92	58.68'	230.00'	14°37'02"	S84°17'13"E	58.52'
C93	52.13'	170.00'	17°34'15"	S55°16'59"E	51.83'
C94	19.65'	530.00'	2°07'28"	N84°10'25"E	19.65'
C95	32.37'	470.00'	3°56'45"	N83°15'47"E	32.36'
C96	45.48'	470.00'	5°32'39"	N71°56'07"E	45.48'
C97	101.20'	170.00'	34°09'24"	S29°26'39"E	99.71'
C98	78.73'	170.00'	28°52'16"	S77°30'15"E	78.00'
C99	148.96'	60.00'	142°14'30"	S82°12'15"E	113.54'
C100	62.83'	60.00'	60°00'06"	N16°40'27"E	60.00'
C101	80.19'	60.00'	76°34'24"	N51°36'47"W	74.35'

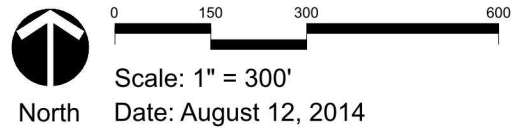


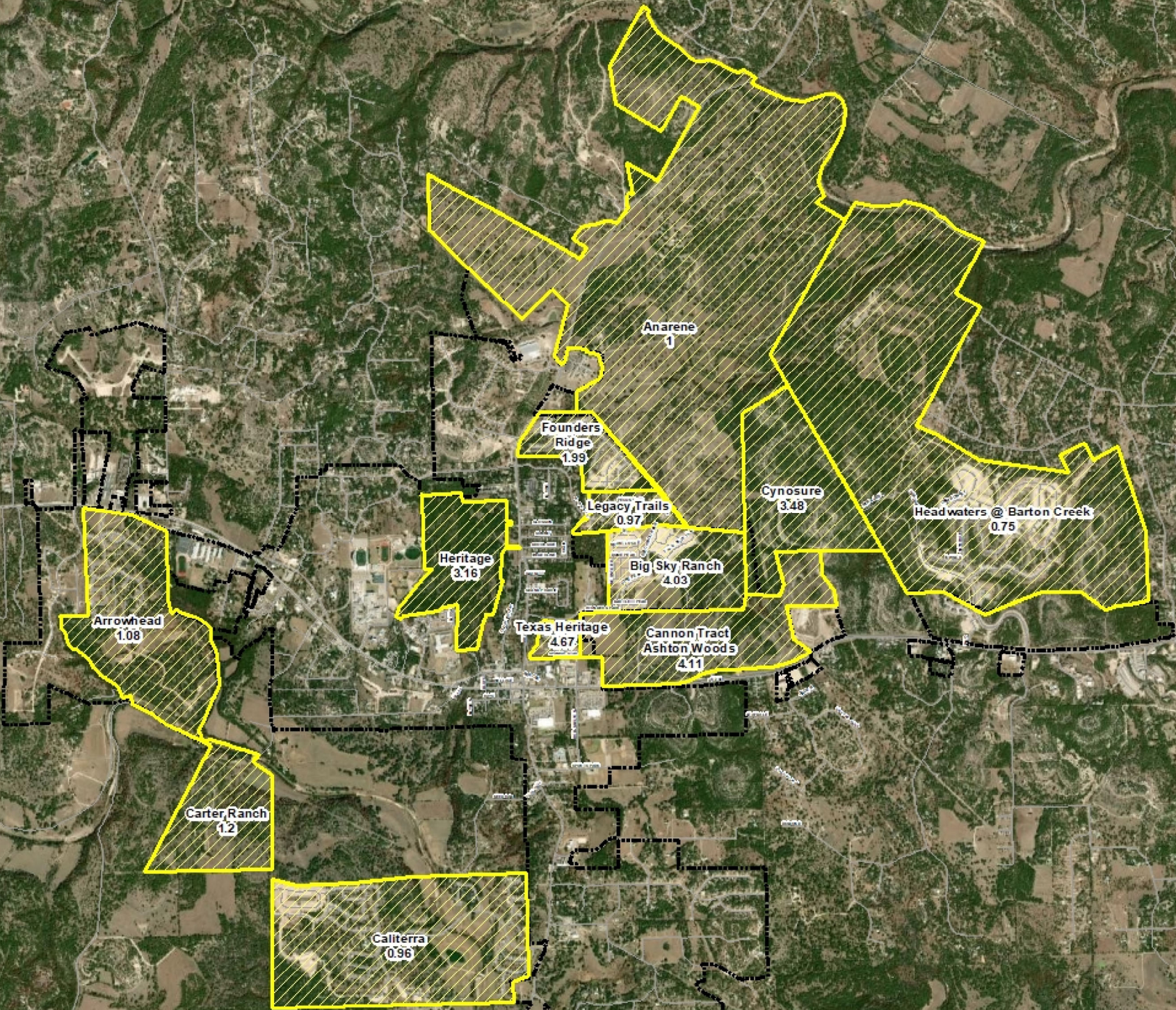


LAND USE SUMMARY

Product	Yield	Mix
60' x 130' Residential	98 units	48.0 %
65' x 130' Residential	40 units	19.6 %
70' x 130' Residential	66 units	32.4 %
Residential Total:	204 units	
Density Summary		
Gross Site Area:	102.5 acres	
Gross Density:	1.99 du./ac.	

LOTING PLAN F
FOUNDER'S RIDGE
 DRIPPING SPRINGS, TEXAS





LEGACY TRAILS

.97 PER ACRE



HEADWATERS

.75 PER ACRE





FOUNDER RIDGE

1.99 PER ACRE







TEXAS HERITAGE VILLAGE

4.67 PER ACRE





BIG SKY RANCH

4.03 PER ACRE







CALITERRA

.96 PER ACRE









ARROWHEAD RANCH

1.08 PER ACRE



