



City Council Regular Meeting

City of Dripping Springs Council Chambers

511 Mercer Street - Dripping Springs, Texas

Tuesday, September 17, 2024, at 6:00 PM

MINUTES

CALL TO ORDER & ROLL CALL

With a quorum of City Council members present, Mayor Foulds called the meeting to order at 6:01 p.m.

City Council Members Present:

Mayor Bill Foulds, Jr.
Mayor Pro Tem Taline Manassian
Council Member Place 2 Wade King
Council Member Place 4 Travis Crow
Council Member Place 5 Sherrie Parks

City Council Members Absent:

Council Member Place 3 Geoffrey Tahuahua

Staff, Consultants & Appointed/Elected Officials

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
Deputy City Administrator Shawn Cox
City Attorney Laura Mueller
Deputy City Attorney Aniz Alani
City Secretary Diana Boone
Parks & Community Services Director Andy Binz
DSRP Manager Emily Nelson
IT Director Jason Weinstock
Planning Director Tory Carpenter
Visitors Bureau Manager Pam King
City Engineer Chad Gilpin

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Wade King.

PRESENTATION OF CITIZENS

A member of the public that wishes to address the City Council on any issue, regardless of whether it is posted on this agenda, may do so during Presentation of Citizens. It is the request of the City Council that individuals wishing to speak on agenda items with a public hearing hold their comments until the item is being considered. Individuals are allowed two (2) minutes each to speak regarding issues not on the

agenda and two (2) minutes per item on the agenda and may not cede or pool time. Those requiring the assistance of a translator will be allowed additional time to speak. Individuals are not required to sign in; however, it is encouraged. Individuals that wish to share documents with the City Council must present the documents to the City Secretary or City Attorney providing at least seven (7) copies; if seven (7) copies are not provided, the City Council will receive the documents the following day. Audio Video presentations will not be accepted during Presentation of Citizens. By law no action shall be taken during Presentation of Citizens; however, the Mayor may provide a statement of specific factual information, recitation of existing policy, or direction or referral to staff.

No one spoke during the Presentation of Citizens.

CONSENT AGENDA

The following items will be acted upon in a single motion and are considered to be ministerial or routine. No separate discussion or action on these items will be held unless pulled at the request of a member of the City Council or City staff.

1. Approval of the September 3, 2024 City Council regular meeting minutes.

A motion to approve the September 3, 2024 minutes was made by Council Member Parks and seconded by Council Member Crow.

The motion to approve carried 2 to 0, with Council Member King and Mayor Pro Tem Manassian abstaining.

2. Approval of the appointment of Kathy Boydstone for a term ending September 30, 2025, and the reappointment of Todd Purcell, Terry Polk, and Penny Reeves to the Dripping Springs Ranch Park Board for a term ending September 30, 2026, and the reappointment of Todd Purcell as Committee Chair for a term of one (1) year term.

3. Approval of 2025 City of Dripping Springs Holiday Calendar. Sponsor: Mayor Bill Foulds, Jr.

4. Discuss and consider approval of a Temporary Street Closure Permit Application from the Dripping Springs Visitors Bureau to close portions of Mercer Street, San Marcos Street, and Old Fitzhugh Road on the weekend of October 18-20, 2024. Sponsor: Council Member Sherrie Parks.

5. Approval of the August 2024 City Treasurer's Report.

6. Approval of Amendment No. 3 to the existing Professional Services Agreement between the City of Dripping Springs and Architexas for Full Architectural Services to update the Stephenson Building Construction Documents based on council approved value engineering proposals and authorize staff to finalize amendment. Sponsor: Mayor Pro Tem Taline Manassian

A motion to approve Consent Agenda items 2 - 6 was made by Mayor Pro Tem Manassian and seconded by Council Member Crow. The motion to approve carried unanimously 4 to 0.

BUSINESS AGENDA

- 7. Public Hearing, Presentation, and Possible Action on an Ordinance Levying Special Assessments for, and Apportioning the Costs of, Certain Improvements to Property in and for the Heritage Public Improvement District Improvement Area #2; Fixing a Charge and Lien against all properties within Improvement Area #2 of the District, and the Owners Thereof; Providing for the Manner and Method of Collection of Such Assessments; Providing for Penalties and Interest on Delinquent Assessments; Making a Finding of Special Benefit to Property in the District and the Real and True Owners Thereof; Approving a Service and Assessment Plan; Providing a Severability Clause; and Providing an Effective Date.**

- a. Staff Report

Jorge Delgado with Hilltop Securities presented agenda items 7.

- b. Public Hearing

No one spoke during the Public Hearing.

- c. Ordinance

A motion was made by Mayor Pro Tem Manassian and seconded by Council Member Crow, to approve the Ordinance listed as item 7.

The motion to approve carried unanimously 4 to 0.

- 8. Discuss and consider approval of an Ordinance Authorizing the Issuance of the "City of Dripping Springs, Texas Special Assessment Revenue Bonds, Series 2024 (Heritage Public Improvement District Improvement Area #2 Project)"; Approving and Authorizing an Indenture of Trust, a Bond Purchase Agreement, an Offering Memorandum, a Continuing Disclosure Agreement and other Agreements and Documents in Connection therewith; Making Findings with Respect to the Issuance of such Bonds; and Providing an Effective Date.**

- a. Staff Report

Jorge Delgado with Hilltop Securities presented agenda item 8

- b. Public Hearing

No one spoke during the Public Hearing.

- c. Ordinance

A motion was made by Council Member Crow and seconded by Council Member Parks, to approve item 8 on the agenda.

The motion to approve carried unanimously 4 to 0.

9. Presentation regarding the proposed Municipal Budget for Fiscal Year 2025.

This item was presented by Deputy City Administrator Shawn Cox. Presentation is on file. No action was taken.

10. Public hearing and consideration of approval of an Ordinance of the City of Dripping Springs, Texas, amending the 2023-2024 Fiscal Year Municipal Budget; funding municipal services and authorizing expenditures.

a. Staff Report

The Staff Report was presented by Deputy City Administrator Shawn Cox. Presentation is on file.

b. Public Hearing

No one spoke during the Public Hearing.

c. Budget Ordinance

A motion was made by Mayor Pro Tem Manassian and seconded by Council Member Crow, to approve the Ordinance amending the 2023-24 budget, including the change in the line item related to City Hall improvements from \$10,000 to \$25,000 on page 2 of 19 in the agenda packet.

The motion to approve carried unanimously 4 to 0.

11. Public hearing and consideration of approval regarding an Ordinance of the City of Dripping Springs, Texas, adopting the 2024-2025 Fiscal Year Municipal Budget; funding municipal services and authorizing expenditures.

a. Staff Report

The Staff Report was presented by Deputy City Administrator Shawn Cox. Staff recommends approval. Presentation is on file.

b. Public Hearing

No one spoke during the Public Hearing.

c. Budget Ordinance

A motion was made by Council Member Crow and seconded by Council Member Parks, to approve the Ordinance adopting the 2024-2025 Fiscal Year Municipal Budget, funding municipal services and authorizing expenditures with staff recommendation, minus \$15,000.

Roll Call Vote of Council Members Present:

YES Mayor Pro Tem Manassian
YES Council Member Crow
YES Council Member Parks
YES Council Member King

The motion to approve carried unanimously 4 to 0,

12. **Public hearing and consideration of approval of an Ordinance setting the 2023 2024 Ad Valorem Tax and Levy at One Thousand Seven Hundred Ninety-Four Ten Thousands Cents (\$0.1794) per one hundred (\$100.00) of assessed valuation of all taxable property within the Corporate City Limits.**

a. Staff Report

The Staff Report was presented by Deputy City Administrator Shawn Cox. Presentation is on file.

b. Public Hearing

No one spoke during the Public Hearing.

c. Tax Rate Ordinance

A motion was made by Mayor Pro Tem Manassian and seconded by Council Member Crow, that the property tax rate be increased by the adoption of the maintenance and operations tax rate at \$0.1794 per \$100.00 of assessed valuation which is effectively a 5.14% increase in the tax rate.

Roll Call Vote of Council Members Present:

YES Mayor Pro Tem Manassian
YES Council Member Crow
YES Council Member Parks
YES Council Member King

The motion carried unanimously 4 to 0.

13. **Discuss and consider approval of a Resolution ratifying the Municipal Budget for Fiscal Year 2024-2025; funding municipal purposes; authorizing expenditures; filing of budget; repealer; severability; effective date; and proper notice.**

A motion was made by Mayor Pro Tem Manassian and seconded by Council Member Crow to approve the Resolution of the City of Dripping Springs, Texas, ratifying the Municipal Budget for Fiscal Year 2024-2025, reflecting this budget is based on raising more revenue from property taxes than the previous year.

Roll Call Vote of Council Members Present:

YES Mayor Pro Tem Manassian

YES Council Member Crow

YES Council Member Parks

YES Council Member King

The motion to approve carried unanimously 4 to 0.

14. **Discuss and consider approval of CUP2024-005: A Conditional Use Permit for a Wireless Transmission Facility at 27320 Ranch Road 12.** *Applicant: Vincent Huebinger, Vincent Gerard & Associates*

a. Applicant Presentation

This item was presented by Vincent Huebinger with Vincent Gerard & Associates representing the landowner. Presentation is on file.

b. Staff Report

Staff is recommending approval with the following conditions:

1. The stealth design of the WTF shall be generally consistent with the broadleaf tree design provided by the applicant.
2. The height of the tower shall be no more than 100 feet.
3. Prior to any site construction, the applicant must receive staff approval of the site development permit.

d. Planning & Zoning Commission Report

The Planning & Zoning Commission recommended approval of this request with staff recommended conditions.

d. Public Hearing

No one spoke during the Public Hearing.

e. Conditional Use Permit

A motion was made by Council Member King and seconded by Mayor Pro Tem Manassian, to approve the Conditional Use Permit for a wireless transmission facility as outlined and described in item 14.

The motion to approve carried 3 to 1 with Council Member Crow voting nay.

15. **Discuss and consider approval of CUP2024-004: A Conditional Use Permit to allow a mobile food vendor at 121 Mercer Street.** *Applicant: Jeff Carman, Meaty Boys BBQ*

a. Applicant Presentation

Applicant Jeff Carman was present to answer questions.

b. Staff Report

Staff recommends approval with the following conditions:

1. The applicant shall submit a site development permit prior to any additional site improvements.
2. The food truck must meet all setback requirements.
3. Hours of operation are limited to between 6:00am and 11:00pm.
4. Trash receptacles shall be provided for customer use.
5. The applicant must submit a site development permit for all on-site improvements.
6. The Conditional Use Permit shall be reconsidered by City Council within two years of its effective date.
7. The permit shall become effective with the issuance of the building permit.

c. Planning & Zoning Commission Report

The Planning & Zoning Commission recommends denial of the request.

d. Public Hearing

DJ Smith spoke in favor of the mobile food truck vendor on the property.

e. Conditional Use Permit

A motion was made by Mayor Pro Tem Manassian and seconded by Council Member King, to ask the Planning & Zoning Commission to revisit this item with the project represented and able to speak at the meeting.

The motion carried unanimously 4 to 0.

16. Discuss and consider approval of the selection of a bidder for the City Hall Renovations and authorize staff to enter into agreement with selected bidder. Sponsor: Mayor Bill Foulds, Jr.

This item was presented by Deputy City Administrator Shawn Cox. The RFP was issued on August 2024. There were 5 proposals submitted and the Review Committee is recommending Jonestar Construction, LLC as the contactor.

A motion was made by Mayor Pro Tem Manassian and seconded by Council Member Parks, to approve the selection of Jonestar Construction for City Hall renovations and authorize city staff to enter into an agreement with them.

The motion to approve carried unanimously 4 to 0.

17. **Public Hearing and consideration of an Ordinance of the City of Dripping Springs, Texas amending the Code of Ordinances, Chapter 24: Building Regulations: Article 24.02. Technical and Construction Codes and Standards: Division 2. Residential Building Code, and Division 3. Commercial Building Code and Existing Building Code; Facilitating the Acceptance of Design Engineer Inspections for Engineered Foundation Systems. Sponsor: Mayor Bill Foulds, Jr.**

a. Staff Report

This item was presented by Building Official Shane Pevehouse. The proposal is to amend existing code to remove structural components from the city inspection in cases where the foundation design, pre-pour inspection, and post-pour observations are all sealed by a Professional Engineer registered in the State of Texas.

b. Public Hearing

No one spoke during the Public Hearing.

c. Ordinance

A motion was made by Council Member King and seconded by Council Member Crow to approve agenda item 17 amending the Code of Ordinances, Chapter 24.

The motion to approve carried unanimously 4 to 0.

18. **Public Hearing and consideration of an Ordinance of the City of Dripping Springs, Texas Amending the Code of Ordinances, Chapter 24: Building Regulations: Article 24.02 Technical and Construction Codes and Standards; Division 4: Electrical Code; Adopting the Updated National Electrical Code. Sponsor: Mayor Bill Foulds, Jr.**

a. Staff Report

This item was presented by Building Official Shane Pevehouse. The proposal is to update the adopted electrical code to the 2023 NEC and maintain the existing local amendment.

b. Public Hearing

No one spoke during the Public Hearing.

c. Ordinance

A motion to was made by Mayor Pro Tem Manassian and seconded by Council Member Parks, to approve the Code Amendment for item 18.

The motion to approve carried unanimously 4 to 0.

19. **Discuss and consider approval of an Interlocal Agreement between the City of Dripping Springs and Hays County related to POSAC funding of the Rathgeber Natural Resource Park.** *Sponsor: Mayor Bill Foulds, Jr.*

This item was presented by City Attorney Laura Mueller. Presentation is on file.

The motion to approve was made by Council Member Parks and seconded by Council

Member Crow, to approve the Interlocal Agreement between the City of Dripping Springs and Hays County related to POSAC funding for Rathgeber.

The motion to approve carried unanimously 4 to 0.

20. **Discuss and consider approval of an Interlocal License Agreement between the City of Dripping Springs and Hays County to use property at the Dripping Springs Ranch Park for use as a voting location through the placement of temporary structures.** *Sponsor: Council Member Sherrie Parks*

This item was presented by Deputy City Attorney Aniz Alani. Presentation is on file.

A motion was made by Mayor Pro Tem Manassian and seconded by Council Member Parks, to approve the Interlocal License Agreement for temporary structures as voting location.

The motion to approve carried unanimously 4 to 0.

21. **Discuss and consider approval of a Park Irrigation Extension Installation and Use Agreement between the City of Dripping Springs and Dripping Springs Youth Sports Association, Inc. regarding the extension and use of reuse water for irrigation purposes at Sports and Recreation Park and Founders Park.** *Sponsor: Mayor Bill Foulds, Jr.*

This item was presented by Deputy City Attorney Aniz Alani. Presentation is on file.

A motion was made by Council Member Parks and seconded by Mayor Pro Tem Manassian, to approve the Park Irrigation Extension Installation and Use Agreement between the City of Dripping Springs and Dripping Springs Youth Sports Association.

The motion to approve carried unanimously 4 to 0.

REPORTS

Reports listed are on file and available for review upon request. The City Council may provide staff direction; however, no action shall be taken.

22. **Planning Department Report**

Report is on file.

CLOSED SESSION

A motion was made by Mayor Pro Tem Manassian and seconded by Council Member Crow, to enter into Closed Session for item 23, under section 551.071. The motion carried unanimously 4 to 0.

The City Council has the right to adjourn into closed session on any item on this agenda and at any time during the course of this meeting to discuss any matter as authorized by law or by the Open Meetings Act, Texas Government Code Sections 551.071 (Consultation With Attorney), 551.072 (Deliberation Regarding Real Property), 551.073 (Deliberation Regarding Prospective Gifts), 551.074 (Personnel Matters), 551.076 (Deliberation Regarding Security Devices or Security Audits), and 551.087 (Deliberation Regarding Economic Development Negotiations), and 551.089 (Deliberation Regarding Security Devices or Security Audits). Any final action or vote on any Closed Session item will be taken in Open Session.

- 23. Consultation with Attorney regarding legal issues related to the South Regional Water Reclamation Project, Wastewater, and Amendment 2 Permits, Wastewater Service Area and Agreements, Water Service, Wastewater Fees, Wastewater Infrastructure Agreements, facility liability coverage, and related items. Consultation with Attorney, 551.071**

Closed Session began at 7:54 p.m. and ended at 8:06 p.m.

No action was taken.

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

October 1, 2024, at 6:00 p.m.

October 15, 2024, at 6:00 p.m.

November 5, 2024, at 6:00 p.m.

Board, Commission & Committee Meetings

Parks & Recreation Commission, September 18, 2024, at 6:00 p.m.

Emergency Management Committee, September 19, 2024, at 12:00 p.m.

Utility Commission, September 19, 2024, at 4:00 p.m.

ADJOURN

A motion to adjourn the meeting was made by Mayor Pro Tem Manassian and seconded by Council Member King. The motion carried unanimously 4 to 0.

The meeting was adjourned at 8:06 p.m.

APPROVED ON: October 1, 2024

Bill Foulds

Bill Foulds, Jr., Mayor

ATTEST:

Diana Boone

Diana Boone, City Secretary

