



CITY COUNCIL REGULAR MEETING
City of Dripping Springs
Council Chambers, 511 Mercer St, Dripping Springs, TX
Tuesday, September 07, 2021 at 6:00 PM

AGENDA

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 Geoffrey Tahuahua
Council Member Place 4 April Harris Allison
Council Member Place 5 Sherrie Parks

Staff, Consultants & Appointed/Elected Officials

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Attorney Laura Mueller
City Treasurer Shawn Cox
City Secretary Andrea Cunningham
Parks & Community Services Director Kelly Schmidt
Senior Planner Tory Carpenter
Planning & Zoning Commission Chair Mim James

WORKSHOP

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

- 1. Update and discussion regarding the Fiscal Year 2021-2022 Municipal Budget.**

CITY COUNCIL

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

- 2. Approval of a Proclamation proclaiming September 15, 2021 - October 15, 2021 as "Latin American Heritage Month" in the City of Dripping Springs, Texas. Sponsors: Council Member Tahuahua & Council Member Parks**
- 3. Approval of a Proclamation of the City of Dripping Springs Proclaiming the Month of October 2021 as "Hill Country Night Sky Month." Sponsor: Mayor Bill Foulds, Jr.**
- 4. Approval of a Proclamation proclaiming the month of September 2021, as "National Preparedness Month" in the City of Dripping Springs, Texas. Sponsor: Council Member Harris-Allison**
- 5. Approval of a Proclamation proclaiming September 17 - September 23, 2021 as "Constitution Week" in the City of Dripping Springs, Texas. Sponsors: Council Member King and Council Member Parks**

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.

- 6. Approval of the August 12, 2021 City Council special meeting minutes.**
- 7. Approval of the August 17, 2021 City Council regular meeting minutes.**
- 8. Approval of the August 25, 2021, City Council special meeting minutes.**
- 9. Approval of a transfer of fee credit for Development Agreement application to Planned Development District Application for Wild Ridge Subdivision.**
- 10. Approval of the 2021-2022 Contractor Agreement between the City of Dripping Springs and Earth Native Wilderness School for the Tracks and Tails Program Instructor Agreement. Sponsor: Wade King**
- 11. Approval of a Resolution accepting improvements and maintenance bonds for the Founders Park parking lot extension.**

BUDGET

12. **Public hearing and consideration of approval regarding an Ordinance of the City of Dripping Springs, Texas amending the current 2020-2021 Fiscal Year Budget; Finding Municipal Purposes; Authorizing Expenditures**
13. **Public hearing and consideration of approval regarding an Ordinance of the City of Dripping Springs, Texas adopting the 2021-2022 Fiscal Year Budget; Finding Municipal Purposes; Authorizing Expenditures.**
 - a. Staff Report
 - b. Public Hearing
 - c. Ordinance

BUSINESS AGENDA

14. **Discuss and consider approval of a Special Event Permit Application for the Dripping Springs Pumpkin Fest to take place September 25 through October 31, 2021, at the Dr. Pound Farmstead and Utilizing Founders Memorial Park for Parking and Dumpster and Portable Toilet Placement.** *Sponsor: Mayor Pro Tem Manassian.*
15. **Discuss and consider approval of a Use Agreement between the City of Dripping Springs and Hell Country Productions, Inc. for the use of Dripping Springs Ranch Park grounds to host a Haunted House and Hayride attraction.** *Sponsor: Council Member King*
16. **Discuss and consider approval of Sign Variance Request to allow an Orangetheory window business sign to exceed the maximum sign area allowed, located at 12680 West Highway 290, Suite 150.** *Applicant: Austin Fitness Group (dba Orange Theory Fitness)*
 - a. Presentation
 - b. Staff Report
 - c. Public Hearing
 - d. Variance
17. **Public hearing and consideration of approval of VAR2021-0014: Variance Application to consider a variance to Section D107.2 from the 2018 International Fire Code for remoteness related to fire access to the development at the Overlook at Bunker Ranch Florio Tract Extension at 2004 Creek Road.** *Applicant: Cristina Cordoba, Civil & Environmental Consultants, Inc.*
 - a. Presentation
 - b. Staff Report
 - c. Planning & Zoning Commission Report
 - d. Public Hearing
 - e. Variance
18. **Discuss and Consider approval of the Second Amended and Restated Wastewater Utility Agreement between the City of Dripping Springs and CRTX Development, LLC.**
19. **Public hearing and consideration of approval of an Ordinance regarding DA2020-002: an application for an Amended and Restated Development Agreement for the**

Anarene/Double L tract as an update to the 2015 Amended and Restated Development Agreement on RR 12 north of 290 including an increase in density, roadways, parks improvements, and related changes. Applicant: Pablo Martinez, BGE, Inc.

- a. Presentation
 - b. Staff Report
 - c. Planning & Zoning Commission Report
 - d. Public Hearing
 - e. Amended and Restated Development Agreement
- 20. Discuss and consider approval of an Amendment to the Wastewater Utility Service and Fee Agreement between the City of Dripping Springs and Double L Corporation.**
- 21. Discuss and consider approval of an Amendment to the Wholesale and Retail Water Agreement between the City of Dripping Springs and Double L Corporation.**
- 22. Discuss and consider approval an Ordinance Amending Section 7.2 Replatting without Vacating Chapter 28, Exhibit A Subdivision to provide clarification on covenants and restrictions requiring vacation of plats prior to replatting.**
- 23. Discuss and consider the Appointment of Council Members to Areas of Oversight and City Committees. Sponsor: Mayor Bill Foulds, Jr.**
- a. Parks & Recreation
 - b. Public Health & Safety
 - c. Utilities
 - d. Finance
 - e. Transportation & Streets
 - f. Community Services
 - g. Economic Development Committee
 - h. Transportation Committee

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.

- 24. Parks & Community Services July 2021 Director's Report**
Kelly Schmidt, PCS Director
- 25. Parks & Community Services August 2021 Director's Report**
Kelly Schmidt, Parks & Community Services Director
- 26. Economic Development Committee Monthly Report**
Kim Fernea, EDC Chair
- 27. Transportation Committee Monthly Report**
Travis Crow, TC Chair

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.

- 28. Consultation with City Attorney and Deliberation of Real Property regarding legal issues related to Real Property for the Tax Increment Reinvestment Zone including the Town Center Project and uses.** *Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072*
- 29. Consultation with City Attorney and Deliberation of Real Property regarding the extension of Roger Hanks Parkway including related agreements.** *Consultation with City Attorney, 551.071; Deliberation of Real Property, 551.072*
- 30. Consultation with City Attorney and Deliberation of Real Property regarding legal issues related to Wastewater Operations, agreements related to Wastewater, the South Regional Water Reclamation Expansion Project Easement Acquisition, Wastewater Discharge Permit, and operation of the Lazy W WCID in the Extraterritorial Jurisdiction of the City of Dripping Springs.** *Consultation with City Attorney, 551.071; Deliberation regarding Real Property, 551.072*
- 31. Consultation with City Attorney regarding legal issues related to the provision of retail utility services.** *Consultation with City Attorney, 551.071*
- 32. Consultation with City Attorney regarding legal issues related to ongoing developments including Rob Shelton Improvements and Texas Department of Transportation and other sources of funding related to improvements and the provision of wastewater to PDD No. 11; and, legal issues related to Bunker Ranch annexation and zoning.** *Consultation with City Attorney, 551.071*

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

September 21, 2021, at 6:00 p.m. (CC)

October 5, 2021, at 6:00 p.m. (CC & BOA)

October 19, 2021, at 6:00 p.m. (CC)

Board, Commission & Committee Meetings

September 8, 2021, DSRP Board at 12:00 p.m.

September 13, 2021, TIRZ No. 1 & No. 2 Board at 4:00 p.m.

September 14, 2021, Planning & Zoning Commission at 6:30 p.m.

September 16, 2021, Farmers Market Board at 10:00 a.m.

September 16, 2021, Emergency Management Commission at 12:00 p.m.

September 22, 2021, Economic Development Committee 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.

*I certify that this notice of meeting was posted at the City of Dripping Springs City Hall and website, www.cityofdrippingsprings.com, on **September 3, 2021, at 4:30 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.