



DRIPPING SPRINGS
Texas

CITY COUNCIL REGULAR MEETING
City of Dripping Springs
Council Chambers, 511 Mercer St, Dripping Springs, TX
Tuesday, May 17, 2022 at 6:00 PM

MINUTES

CALL TO ORDER AND ROLL CALL

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

City Council Members present were:

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 Elect Place 4 Travis Crow
Council Member Place 5 Sherrie Parks

Staff, Consultants & Appointed/Elected Officials present were:

City Administrator Michelle Fischer
City Attorney Laura Mueller
City Treasurer Shawn Cox
City Secretary Andrea Cunningham
Public Works Director Aaron Reed
Maintenance Director Craig Rice
Planning Director Howard Koontz
Senior Planner Tory Carpenter
Emergency Management Coordinator Roman Baligad
City Engineer Chad Gilpin
Communications & Marketing Director Lisa Sullivan
Municipal Court Judge Marilyn Miller
Architectural Consultant Keenan Smith
Financial Advisor Chris Lane
Bound Counsel Richard Donaghue

PLEDGE OF ALLEGIANCE

Mayor Foulds, Jr. led the Pledge of Allegiance to the Flag.

ELECTIONS

Mayor Foulds, Jr. presented Council Member Harris with an award of service for her time on the City Council.

Mayor Foulds, Jr. stepped away from the dais and Council Member Harris-Allison presided over the meeting.

1. **Administration of Oath of Office and issuance of Certificate of Election for Mayor Elect Bill Foulds, Jr.** *Municipal Court Judge, Marilyn Miller*

Judge Miller administered the Oath of Office to Mayor Elect Bill Foulds, Jr. and presented the Certificate of Election.

2. **Administration of Oath of Office and issuance of Certificate of Election for Council Member Elect Place 2 Wade King.** *Municipal Court Judge, Marilyn Miller*

Judge Miller administered the Oath of Office to Council Member Elect Wade King and presented the Certificate of Election.

3. **Administration of Oath of Office and issuance of Certificate of Election for Council Member Elect Place 4 Wm. Travis Crow.** *Municipal Court Judge, Marilyn Miller*

Judge Miller administered the Oath of Office to Mayor Elect Bill Foulds, Jr. and presented the Certificate of Election.

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.

No one spoke during Presentation of Citizens.

PROCLAMATIONS & PRESENTATIONS

4. **Presentation and Recognition of the Founders Day Commission for the 2022 Founders Day Event.**

Mayor Foulds, Jr. recognized the Founders Day Commission members for their outstanding work on the 2022 Founders Day Event. Founders Day Commission Chair Brenda Medcalf thanked the staff, volunteers and dedicated commission members.

5. **Proclamation proclaiming the week of May 15 - 21, 2022, as "Emergency Medical Services Week" in the City of Dripping Springs, Texas.** *Sponsors: Council Members Tahuahua and Harris-Allison*

Council Member Tahuahua read and presented the proclamation to members of Emergency Services Districts 1 and 6.

A motion was made by Council Member Tahuahua to approve a proclamation proclaiming the week of May 15 - 21, 2022, as "Emergency Medical Services Week" in the City of Dripping Springs, Texas. Council Member Parks seconded the motion which carried unanimously 5 to 0.

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 March 19, 2022, City Council regular meeting minutes.**
7. **Approval of the May 10, 2022, City Council regular meeting minutes.**
8. **Approval of an updated Reimbursement Resolution for the Tax Increment Reinvestment Zones Number 1 and 2 to reimburse the City for any and all TIRZ expenses. Sponsor: Mayor Foulds, Jr.**

Filed as Resolution No. 2022-R23

9. **Approval of a Professional Service Agreement with Kimley Horn Engineering for PS & E design of the Middle School pedestrian improvements CSJ 0914-33-088 funded by the 2019 TxDOT TASA grant program.**
10. **Approval of an Extension (one year) of the Grounds Maintenance Contract between the City of Dripping Springs and Elk Ridge Mowing.**
11. **Approval of the February 2022 City Treasurer's Report.**

A motion was made by Mayor Pro Tem Manassian to approve Consent Agenda Items 6 – 11, with correction Item 6 to read April 19, 2022, and with corrections to those minutes as submitted. Council Member Parks seconded the motion which carried unanimously for Items 8 – 11, and 4 to 0 to 1 for Items 6 – 7, with Council Member Crow abstaining.

BUSINESS AGENDA

12. **Discuss and consider approval of an Ordinance Authorizing the Issuance of \$19,895,000 City of Dripping Springs, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2022; and Other Related Matters. Sponsor: Mayor Foulds, Jr.**

Mayor Foulds, Jr. opened a Public Hearing on the item.

Terry Tull spoke during the Public Hearing and presented the City Council with a list of questions and concerns. Staff will address these questions in writing and submit to Mr. Tull via email.

A motion was made by Mayor Pro Tem Manassian to approve an Ordinance Authorizing the Issuance of \$19,895,000 City of Dripping Springs, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2022; and Other Related Matters. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2022-12

13. **Public hearing and possible action regarding an Ordinance of the City of Dripping Springs, Texas ("City") extending the Temporary Moratorium on the Acceptance, Authorization, and Approvals necessary for the Subdivision, Site Planning, Development, or Construction in the City Limits and Extraterritorial Jurisdiction, providing for Findings of Fact, Definitions, Applicability, Purpose, Enactment, Duration, Extension, Exceptions, and Exemptions, Determination and Appeals, Repealer, Severability, Enforcement, Effective Date, and Proper Notice and Meeting.** *Sponsor: Mayor Foulds, Jr.*

a. **Staff Report** – Laura Mueller presented the staff report which is on file.

b. **Public Hearing** – David Glen spoke in support of the city's efforts and offered his assistance as resource if needed. Mathias Elias spoke regarding concerns of an endless moratorium.

c. **Moratorium Ordinance** – A motion was made by Mayor Pro Tem Manassian to approve an Ordinance of the City of Dripping Springs, Texas ("City") extending the Temporary Moratorium on the Acceptance, Authorization, and Approvals necessary for the Subdivision, Site Planning, Development, or Construction in the City Limits and Extraterritorial Jurisdiction, providing for Findings of Fact, Definitions, Applicability, Purpose, Enactment, Duration, Extension, Exceptions, and Exemptions, Determination and Appeals, Repealer, Severability, Enforcement, Effective Date, and Proper Notice and Meeting for an additional 120 days. Council Member Crow seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2022-13

14. **Discuss and consider approval of an Amended and Restated Wastewater Service and Fee Agreement with the Double L (Anarene) Subdivision.**

Aaron Reed presented the staff report which is on file. Staff recommends approval of the amended agreement.

A motion was made by Council Member Crow to approve an Amended and Restated Wastewater Service and Fee Agreement with the Double L (Anarene) Subdivision. Council Member Parks seconded the motion which carried unanimously 5 to 0.

15. Discuss and consider possible action related to the Proposed Five (5) Year Road Maintenance Plan. Sponsor: Councilmember Tahuahua

Aaron Reed presented the staff report which is on file. Staff recommends approval of the plan.

A motion was made by Council Member Crow to approve the Proposed Five (5) Year Road Maintenance Plan. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

16. Discuss and consider possible action regarding the Allocation of Funds and Revised Plan for the Improvement of Rob Shelton Boulevard North. Sponsor: Mayor Foulds, Jr.

Aaron Reed presented the staff report which is on file.

A motion was made by Council Member Crow to approve Allocation of Funds and Revised Plan for the Improvement of Rob Shelton Boulevard North with the condition that staff use fee waiver for the funds and that a budget amendment is presented to the council for consideration. Council Member King seconded the motion which carried unanimously 5 to 0.

17. Public hearing and consideration of approval of an Ordinance adopting City of Dripping Springs Youth Programs' Standards of Care for the City's recreational programs. Sponsor: Council Member Parks.

Council Member Tahuahua was not present on the dais for this item.

a. Staff Report – Michelle Fischer presented the staff report which is on file. Staff recommends approval of the ordinance.

b. Public Hearing – No one spoke during the Public Hearing.

c. Ordinance – A motion was made by Council Member Parks to approve an Ordinance adopting City of Dripping Springs Youth Programs' Standards of Care for the City's recreational programs. Council Member Crow seconded the motion which carried unanimously 4 to 0.

Filed as Ordinance No. 2022-14

18. Discuss and consider approval of an Ordinance amending Chapter 28: Subdivisions and Site Plans and Exhibit A to Chapter 28: Subdivision Ordinance related to resubmission and refile of plat and site plan applications.

Council Member Tahuahua returned to the dais.

Tory Carpenter presented the staff report which is on file. Staff recommends approval of the ordinance.

A motion was made by Mayor Pro Tem Manassian to approve an Ordinance amending Chapter 28: Subdivisions and Site Plans and Exhibit A to Chapter 28: Subdivision Ordinance

related to resubmission and refileing of plat and site plan applications. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2022-15

19. **Discuss and consider approval of an Amendment to the City of Dripping Springs Fee Ordinance for unauthorized occupancy and resubmittal fees for Plats and Site Plans.**

Laura Mueller presented the staff report which is on file. Staff recommends approval of the amendments.

A motion was made by Council Member Crow to approve Amendments to the City of Dripping Springs Fee Ordinance for unauthorized occupancy and resubmittal fees for Plats and Site Plans, with unauthorized occupancy fees of \$750.00. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2022-16

20. **Public hearing and consideration of approval of an Ordinance adding a definition for Special Event Facility under Chapter 30, Exhibit A Zoning Ordinance, Section 1: General Provisions, Section 3: Zoning Districts, Section 5: Development Standards and Use Regulations, and Appendix E: Zoning Use Regulations.**

a. **Staff Report** – Tory Carpenter presented the staff report which is on file. Staff recommends approval of the ordinance.

b. **Public Hearing** – No one spoke during the Public Hearing.

d. **Text Amendment** – A motion was made by Council Member Tahuahua to postpone the item to the June 7, 2022, City Council regular meeting. Council Member Parks seconded the motion which carried unanimously 5 to 0.

21. **Discuss and consider approval of the Appointment of one member to the Emergency Management Commission for an at-large seat with an unexpired term ending January 1, 2023.**

Council Member King was not present at the dais for this item.

Andrea Cunningham presented the staff report which is on file.

A motion was made by Council Member Parks to appoint Jason McNutt to an at-large seat with an unexpired term ending January 1, 2023. Council Member Tahuahua seconded the motion which carried unanimously 4 to 0.

REPORTS

Reports of Staff, Boards, Commissions, Committees, Boards and Agencies 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 to review upon request.

22. **Maintenance and Facilities Monthly Report**
Craig Rice, Maintenance Director
23. **Transportation Committee Report**
Committee Chair Travis Crow

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 Item 24. Council Member Crow seconded the motion which carried unanimously 4 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.

24. **Consultation with City Attorney and Deliberation of Real Property related to the Village Grove Project.** *Consultation with City Attorney, 551.071; Deliberation regarding Real Property, 551.072*
25. **Consultation with City Attorney related to the South Regional Water Reclamation Project and the litigation on the Wastewater Permit and related items.** *Consultation with City Attorney, 551.071*
26. **Consultation with City Attorney and Deliberation of Real Property related to easements for road improvements at Roger Hanks Parkway.** *Consultation with City Attorney, 551.071; Deliberation on Real Property, 551.072*

Council Member King returned to the meeting during Executive Session.

The City Council met in Executive Session from 8:17 – 9:01 p.m.

No action or vote was taken during Executive Session. Mayor Foulds, Jr. returned the meeting to Open Session at 9:01 p.m.

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

- June 7, 2022, at 6:00 p.m. (CC & BOA)
- June 21, 2022, at 6:00 p.m. (CC)
- July 5, 2022, at 6:00 p.m. (CC & BOA)
- July 19, 2022, at 6:00 p.m. (CC)

Board, Commission & Committee Meetings

- May 19, 2022, Emergency Management Commission at 12:00 p.m.

May 23, 2022, Transportation Committee at 3:30 p.m.
May 24, 2022, Planning & Zoning Commission at 6:00 p.m.
May 25, 2022, Economic Development Committee at 4:00 p.m.
May 26, 2022, Farmers Market Committee at 10:00 a.m.
June 1, 2022, DSRP Board at 11:00 a.m.
June 2, 2022, Historic Preservation Commission at 4:00 p.m.
June 6, 2022, Parks & Recreation Commission at 6:00 p.m.
June 8, 2022, Utility Commission at 4:00 p.m.

ADJOURN

A motion was made by Council Member Tahuahua to adjourn the meeting. Council Member King seconded the motion which carried unanimously 5 to 0.

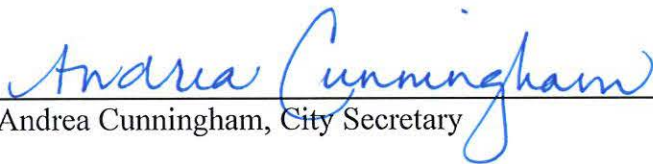
This regular meeting adjourned at 9:02 p.m.

APPROVED ON: June 7, 2022



Bill Foulds, Jr., Mayor

ATTEST:



Andrea Cunningham, City Secretary

