



DRIPPING SPRINGS
Texas

CITY COUNCIL REGULAR MEETING
City of Dripping Springs
Council Chambers, 511 Mercer St, Dripping Springs, TX
Tuesday, September 06, 2022 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 Travis Crow
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
IT Director Jason Weinstock
People & Communications Director Lisa Sullivan
Parks & Community Services Director Andrew Binz
Community Events Coordinator Caylie Houchin
Building Official Sarah Cole
Planning Director Howard Koontz
Senior Planner Tory Carpenter
Emergency Management Coordinator Roman Baligad
Public Works Director Aaron Reed
Planning & Zoning Commission Chair Mim James

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 September 2022 as “National Preparedness Month” in the City of Dripping Springs, Texas. Sponsor: Councilmember Tahuahua**
- 2. Presentation of Community Service Awards to Board, Commission, and Committee Members.**

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 August 16, 2022, City Council Workshop & Regular Meeting Minutes.**
- 4. Approval of the August 23, 2022, City Council Workshop & Regular City Council Meeting Minutes.**
- 5. Approval of a Resolution Accepting Improvements and Approving a Maintenance Bond for Caliterra Phase 4 Section 12 Wastewater Improvements and Releasing a Construction Bond. Applicant: Development Solutions CAT, LLC; Hays County Development District No. 1**
- 6. Approval of a Resolution Approving a Revegetation Bond for Caliterra Phase 4 Section 12. Applicant: Development Solutions CAT, LLC; Hays County Development District No. 1**
- 7. Approval of a request to amend the 2022 Local Hotel Occupancy Tax Grant Funding Agreement between the City of Dripping Springs and the Friends of the Pound House Foundation. Applicant: Janet Hermann, Treasurer, Friends of the Pound House**

BUDGET

- 8. Public Hearing on the 2022 Ad Valorem Tax and Levy of 0.1778 per one hundred dollars (\$100.00) of assessed valuation of all taxable property within the Corporate City Limits.**

BUSINESS AGENDA

- 9. Public hearing and consideration of approval of an Ordinance regarding AN2022-0002: an application to consider annexation for approximately 3.209 acres out of the Philip A**

Smith Survey, located at 501 Sportsplex Drive. Applicant: Bob Richardson, Dripping Springs Community Library

- a. Applicant Presentation
- b. Staff Report
- c. Public Hearing
- d. Annexation

10. Public hearing and consideration of approval of an Ordinance regarding ZA2022-0003: an application to consider a proposed zoning map amendment from Agriculture (AG) to Commercial Services (CS) for approximately 3.209 acres out of the Philip A Smith Survey, located at 501 Sportsplex Drive. Applicant: Bob Richardson, Dripping Springs Community Library

- a. Applicant Presentation
- b. Staff Report
- c. Planning & Zoning Commission Report
- d. Public Hearing
- e. Zoning Amendment

11. Public hearing and consideration of approval of an Ordinance regarding ZA2022-0004: an application for a zoning map amendment from Two-Family Residential - Duplex (SF-4) to Multiple-family Residential (MF) and Conditional Overlay for 0.75 acres being lot 1, block 1 of the Van Merkel Addition located at 102 Rose Drive. Applicant: Jon Thompson.

- a. Applicant Presentation
- b. Staff Report
- c. Planning & Zoning Commission Report
- d. Public Hearing
- e. Zoning Amendment

12. Public hearing and consideration of approval of a Sign Variance Request to grant an exemption from Section 26.01.004(b)(3) "sign which cannot be expressly authorized: electronic signs" of the City of Dripping Springs Sign Ordinance for Dripping Springs Elementary School, located at 29400 Ranch Road 12, Dripping Springs, Texas. Applicant: Lance Pelton, Core Displays/PR Custom Signs, LLC.

- a. Applicant Presentation
- b. Staff Report
- c. Public Hearing
- d. Sign Variance Request

13. Public hearing and consideration of approval of a Sign Variance Request for an exemption from Section 4.2.4(ii) of the Belterra Master Sign Plan Ordinance: "No tenant shall be allowed more than one projecting sign" for Mighty Fine Burgers, located at 116 Hargraves Dr., Building T, Austin, Texas 78737. Applicant: Ann Lewis, Lewis Sign.

- a. Applicant Presentation
- b. Staff Report

- c. Public Hearing
- d. Sign Variance Request

- 14.** Discuss and consider approval of a Temporary Street Closure Permit application from the Dripping Springs Visitors Bureau to close a portion of Mercer Street from Bluff Street to San Marcos Street, and a portion of Old Fitzhugh Road on October 14 through 16, 2022, for the Dripping Springs Songwriters Festival. *Sponsor: Councilmember King*
- 15.** Discuss and consider approval of a Songwriters Festival 2022 Participation Agreement between the City of Dripping Springs, Dripping Springs Veterans of Foreign Wars Post 2933, and Vince F. Taylor American Legion Post 290 for parking services. *Sponsor: Council Member King*
- 16.** Discuss and consider approval of a request to amend the 2022 Local Hotel Occupancy Tax Grant Funding Agreement between the City of Dripping Springs and the Dripping Springs Visitors Bureau. *Applicant: Pam Owens, Dripping Springs Visitors Bureau*
- 17.** Discuss and consider approval of the Appointment of a Chair and Vice Chair to the Emergency Management Commission for terms ending January 1, 2023.
- 18.** Discuss and consider approval of the Appointment of Becky Atkins to the Economic Development Committee for an unexpired term ending June 1, 2023.

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.

- 19.** Dripping Springs 2045 Comprehensive Plan Progress Update
Howard Koontz, Planning 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.

- 20.** Consultation with City Attorney regarding legal issues related to pending or contemplated litigation related to the wastewater permits and the Hays Trinity Groundwater Conservation District. *Consultation with City Attorney, 551.071*
- 21.** Deliberation of Personnel Matters on the appointment, employment, evaluation, reassignment, pay, or duties of the Maintenance Director, Code Enforcement/Construction Inspector, and Building Official/Utility Coordinator. *Personnel Matters, 551.074*

22. **Consultation with City Attorney related to the South Regional Water Reclamation Project and the litigation on the Wastewater Permits and related items.** *Consultation with City Attorney, 551.071*

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

September 13, 2022, at 5:30 p.m.
September 20, 2022, at 6:00 p.m.
September 27, 2022, at 5:30 p.m.
October 3, 2022, at 6:00 p.m. (CC & BOA)

Board, Commission & Committee Meetings

September 7, 2022, DSRP Board at 11:00 p.m.
September 12, 2022, TIRZ No. 1 & No. 2 Board at 4:00 p.m.
September 12, 2022, Founders Day Commission at 6:30 p.m.
September 14, 2022, Utility Commission at 4:00 p.m.
September 15, 2022, Farmers Market Committee at 10:00 a.m.
September 15, 2022, Emergency Management Commission at 12:00 p.m.
September 19, 2022, Parks & Recreation Commission at 6:00 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 2, 2022, at 2:30 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.



**PROCLAMATION
OF THE CITY OF DRIPING SPRINGS
PROCLAIMING THE MONTH OF SEPTEMBER 2022 AS
“NATIONAL PREPAREDNESS MONTH”**

WHEREAS, September is National Preparedness Month, which serves as a reminder that we all must take action to prepare, now and throughout the year, for the types of emergencies that could affect us where we live, work, and also where we visit.

WHEREAS, “National Preparedness Month” creates an opportunity for the residents and businesses in the City of Dripping Springs to prepare their homes, establishments, and communities for any type of emergency including natural disasters and potential terror attacks; and

WHEREAS, the City of Dripping Springs, along with other regional, state, and national partners, support the WarnCentralTexas.org campaign to increase public readiness in preparing for emergencies and educating citizens on how to take action; and

WHEREAS, preparedness is an ongoing effort of all citizens in the CAPCOG region, including youth, older adults, and people with access and functional needs; and

WHEREAS, investing in the preparedness of ourselves, our families, businesses, and communities can reduce fatalities and economic devastation throughout our nation; and

WHEREAS, emergency preparedness is the responsibility of every citizen in the City and all citizens are encouraged to make preparedness a priority;

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

1. That September 2022 shall hereafter be known as “National Preparedness Month” in Dripping Springs, Hays County, Texas.
2. The City of Dripping Springs City Council encourages all citizens and businesses to develop their own emergency preparedness plan, go to WarnCentralTexas.org to register to receive emergency alerts and work as a team towards that end.

Bill Foulds, Jr., Mayor



DRIPPING SPRINGS
Texas

CITY COUNCIL WORKSHOP & REGULAR MEETING City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, August 16, 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 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
IT Director Jason Weinstock
Parks & Community Services Director Andrew Binz
Community Events Coordinator Caylie Houchin
Emergency Management Coordinator Roman Baligad
People & Communications Director Lisa Sullivan
Maintenance Director Craig Rice

PLEDGE OF ALLEGIANCE

Mayor Foulds, Jr. 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.

No one spoke during Presentation of Citizens.

WORKSHOP

1. **Presentation and discussion regarding the Proposed Filed Municipal Budget for Fiscal Year 2023.**

Shawn Cox presented the staff report which is on file.

No action was taken regarding this item.

CITY COUNCIL

BUDGET

2. **Discuss and consider approval of the Proposed Ad Valorem Tax Rate for 2022.**

Shawn Cox presented the staff report. Staff recommends a rate of 0.1778.

A motion was made by Mayor Pro Tem Manassian to approve setting the Proposed Ad Valorem Tax Rate for 2022 at 0.1778 per one hundred dollars (\$100.00) valuation. Council Member Parks seconded the motion which carried unanimously via roll call vote.

Mayor Pro Tem Manassian	Aye
Council Member King	Aye
Council Member Tahuahua	Aye
Council Member Crow	Aye
Council Member Parks	Aye

3. **Public hearing and consideration of approval regarding an Ordinance of the City of Dripping Springs, Texas, adopting the 2022-2023 Fiscal Year Budget; Finding Municipal Purposes; Authorizing Expenditures.**

a. Staff Report – Shawn Cox presented the staff report which is on file. Staff recommends postponement to a date certain.

b. Public Hearing – Maddie Telschow spoke regarding public notice deadlines for the Dripping Springs Century News.

c. Ordinance – A motion was made by Mayor Pro Tem Manassian to postpone consideration of an Ordinance of the City of Dripping Springs, Texas, adopting the 2022-2023 Fiscal Year Budget; Finding Municipal Purposes; Authorizing Expenditures to the September 20, 2022, City Council regular meeting. 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.

- 4. Approval of the August 2, 2022, City Council Workshop & Regular meeting minutes.**
- 5. Approval of the August 9, 2022, City Council Workshop & Regular meeting minutes.**
- 6. Approval of a Corrected Wastewater Ordinance 2022-10A amending Chapter 20, Article 20.02 and 20.06, Sections 20.02.006 of the Dripping Springs Code of Ordinances; Amending the General Provisions related to Wastewater and Water Rates including Rates for Service Provided to out of city customers. Sponsor: Mayor Foulds, Jr.**

Filed as Ordinance No. 2022-10A

- 7. Approval of the reappointment of Bonnie Humphrey, Russell Paxton, Gordon DeWitte, Mike Jones and Bill Little to the Emergency Management Commission for terms ending January 1, 2024, and the appointment of Sirena Cumberland as the DSISD Representative for a term ending January 1, 2024.**
- 8. Approval of the realignment of Emergency Management Commissioners related to Chapter 2, Article 2.04, Division 7, Emergency Management Commission Section 2.04.195(c)(1): Gordon DeWitte to At-Large, Scott Collard to ESD No. 6, Doug Fowler to ESD No. 1, and Dillon Polk to Fire Marshal representative.**
- 9. Approval of the July 2022 City Treasurer's Report.**

A motion was made by Council Member Tahuahua to approve Consent Agenda Items 4 – 9. Council Member King seconded the motion which carried unanimously 5 to 0.

BUSINESS AGENDA

- 10. Discuss and consider approval of a Sponsorship and Use Agreement between the City of Dripping Springs and the Dripping Springs Visitors Bureau related to the Dripping Springs Songwriters Festival. Sponsor: Council Member King.**

Caylie Houchin presented the staff report which is on file. Staff recommends approval of the agreement.

Dripping Springs Visitors Bureau CEO Pam Owens spoke regarding the festival and agreement.

A motion was made by Mayor Pro Tem Manassian to approve a Sponsorship and Use Agreement between the City of Dripping Springs and the Dripping Springs Visitors Bureau related to the Dripping Springs Songwriters Festival. Council Member King seconded the motion which carried unanimously 5 to 0.

11. Discuss and consider approval of an Agreement with Brightly Software Inc. for Public Works Software. *Sponsor: Mayor Foulds, Jr.*

Craig Rice presented the staff report which is on file. Staff recommends approval of the agreement.

No action was taken regarding this item.

Staff was directed to bring the item back for consideration at future meeting and to present the other software candidate proposals for comparison.

12. Discuss and consider approval of an Ordinance of the City of Dripping Springs amending the Dripping Springs Code of Ordinances Article 16 Public Ways and Places, Section 16.02.034 Definitions and adding Section 16.02.066 Canopy Safety. *Sponsor: Council Member King*

Roman Baligad presented the staff report which is on file. Staff recommends approval of the ordinance.

A motion was made by Council Member Tahuahua to approve an Ordinance of the City of Dripping Springs amending the Dripping Springs Code of Ordinances Article 16 Public Ways and Places, Section 16.02.034 Definitions and adding Section 16.02.066 Canopy Safety with the condition that special event permits are added to the requirements. Council Member King seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2022-28

13. Discuss and consider the appointment of one (1) member to Place 2 of the Tax Increment Reinvestment Zone (TIRZ) No. 1 & No 2 Board for an unexpired term ending December 31, 2023.

Laura Mueller presented the staff report which is on file. The TIRZ No. 1 & No. 2 Board recommended the appointment of Craig Starcher.

A motion was made by Mayor Pro Tem Manassian to approve of the Appointment of Criag Starcher to Place 2 of the Tax Increment Reinvestment Zone (TIRZ) No. 1 & No 2 Board for an unexpired term ending December 31, 2023. Council Member Crow seconded the motion which carried unanimously 5 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.

Report is on file and available for review upon request.

14. Maintenance and Facilities Report

Craig Rice, Maintenance Director

A motion was made by Mayor Pro Tem Manassian to adjourn into Executive Session per Texas Government Code Sections 551.071, Consultation with City Attorney; 551.072, Deliberation of Real Property; and 551.074, Deliberation of Personnel Matters and regarding Executive Session Agenda Items 15 – 16. 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.

15. Deliberation related to real property and consultation with city attorney related to the purchase of property. *Consultation with Attorney, 551.071; Deliberation Regarding Real Property 551.072*

16. Deliberation of the employment, evaluation, and duties of the administrator and deputy city administrator. *Deliberation of Personnel Matters, 551.074*

The City Council met in Executive Session from 7:23 p.m. – 7:56 p.m.

No action was taken during Executive Session. Mayor Foulds, Jr. returned the meeting to Open Session at 7:56 p.m.

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

August 23, 2022, at 5:30 p.m.

August 30, 2022, at 5:30 p.m.

September 6, 2022, at 6:00 p.m. (CC & BOA)

September 13, 2022, at 5:30 p.m.

September 20, 2022, at 6:00 p.m.

Board, Commission & Committee Meetings

August 17, 2022, Parks & Recreation Commission at 6:00 p.m.

August 18, 2022, Farmers Market Committee at 10:00 a.m.

August 18, 2022, Emergency Management Commission at 12:00 p.m.

August 22, 2022, Transportation Committee at 3:30 p.m.

August 23, 2022, Planning & Zoning Commission at 6:00 p.m.

August 24, 2022, Economic Development Committee at 4:00 p.m.

ADJOURN

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

This regular meeting adjourned at 7:57 p.m.

APPROVED ON: September 6, 2022

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary



CITY COUNCIL WORKSHOP & REGULAR MEETING

City of Dripping Springs

Conference Room, 511 Mercer St, Dripping Springs, TX

Tuesday, August 23, 2022 at 5:30 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 5:35 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 5 Sherrie Parks

Council Member absent was:

Council Member Place 4 Travis Crow

Staff, Consultants & Appointed/Elected Officials

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Attorney Laura Mueller
City Treasurer Shawn Cox
Parks & Recreation Director Andrew Binz
Community Events Coordinator Caylie Houchin
Maintenance Director Craig Rice
Public Works Director Aaron Reed

PLEDGE OF ALLEGIANCE

Council Member Parks led the Pledge of Allegiance to the Flag

PRESENTATION OF CITIZENS

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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.

Via unanimous consent, the City Council considered the Consent Agenda and Business Agenda before presentation of the Workshop.

WORKSHOP

1. Presentation and discussion regarding the Proposed Filed Municipal Budget for Fiscal Year 2023.

Workshop was presented at the end of the meeting.

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.

2. Approval of a Raw Water Contract with the Lower Colorado River Authority. Sponsor: Mayor Foulds, Jr.

A motion was made by Council Member Tahuahua to approve Consent Agenda Item 2. Council Member King seconded the motion which carried unanimously 4 to 0.

BUSINESS AGENDA

3. Discuss and consider approval of a Special Event Permit Application for the Dripping Springs Pumpkin Festival to take place September 24 through October 31, 2022, at the Dr. Pound Farmstead and utilizing Founders Memorial Park for parking. Applicant: Dripping Springs Pumpkin Festival

Caylie Houchin presented the staff report which is on file. Staff recommends approval of the permit application.

The applicant was available for questions and Aileen Lim spoke in favor of approving the application.

A motion was made by Council Member King to approve a Special Event Permit Application for the Dripping Springs Pumpkin Festival to take place September 24 through October 31, 2022, at the Dr. Pound Farmstead and utilizing Founders Memorial Park for parking. Council Member Tahuahua seconded the motion which carried unanimously 4 to 0.

4. Discuss and consider approval of an Agreement with Brightly Software Inc. for Public Works Software.

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

A motion was made by Council Member Parks to approve an Agreement with Brightly Software Inc. for Public Works Software. Mayor Pro Tem Manassian seconded the motion which carried unanimously 4 to 0.

A motion was made by Council Member Tahuahua to adjourn into Executive Session under Texas Government Code Section 551.071, Consultation with City Attorney and regarding Executive Session Agenda item 5. Mayor Pro Tem Manassian 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.

- 5. Consultation with City Attorney related to the South Regional Water Reclamation Project and the litigation on the Wastewater Permits and related items. *Consultation with City Attorney, 551.071***
- 6. Deliberation regarding the appointment, employment, evaluation, reassignment, compensation, and duties of Penny Appleman, Roman Baligad, Jim Bass, Andrew Binz, Kevin Campbell, Sherry Canady, Tory Carpenter, Sarah Cole, Shawn Cox, Andrea Cunningham, Brandon Elliott, Ginger Faught, Michelle Fischer, Sesario Garza, Johnathon Hill, Caylie Houchin, Alison Jamieson, Sheri Kapanka, Amy Kappler, Jesse Kennis, Howard Koontz, Johnna Krantz, Charles Gray Lahrman, Debbie Loesch, Heron Longoria, Laura Mueller, Emily Nelson, Shane Pevehouse, Dany Ramirez, Steve Rasette, Aaron Reed, Charles Reed, Craig Rice, Warlan Rivera, Jessica Selina Romero, Mackenzie Rusick, Teresa Sanders, Lily Sellers, Nick Spillar, William Stevens, Riley Sublett, and Lisa Sullivan, Andrew Thompson, Jason Weinstock. *Deliberation of Personnel Matters, 551.074***

The City Council met in Executive Session from 5:55 p.m. – 6:10 p.m. regarding Executive Session Agenda item 5.

No vote or action was taken. Mayor Foulds, Jr. returned the meeting to Open Session at 6:10 p.m.

OPEN SESSION

Mayor Foulds, Jr. returned to the meeting and continued with the workshop.

WORKSHOP

1. Presentation and discussion regarding the Proposed Filed Municipal Budget for Fiscal Year 2023.

Shawn Cox gave a presentation which is on file.

No action was taken regarding this item.

The City Council recessed from 7:18 p.m. – 7:22 p.m.

A motion was made by Council Member Tahuahua to adjourn into Executive Session under Texas Government Code Section 551.074, Deliberation of Personnel Matters and regarding Executive Session Agenda item 6. Council Member King seconded the motion which carried unanimously 4 to 0.

6. Deliberation regarding the appointment, employment, evaluation, reassignment, compensation, and duties of Penny Appleman, Roman Baligad, Jim Bass, Andrew Binz, Kevin Campbell, Sherry Canady, Tory Carpenter, Sarah Cole, Shawn Cox, Andrea Cunningham, Brandon Elliott, Ginger Faught, Michelle Fischer, Sesario Garza, Johnathon Hill, Caylie Houchin, Alison Jamieson, Sheri Kapanka, Amy Kappler, Jesse Kennis, Howard Koontz, Johnna Krantz, Charles Gray Lahrman, Debbie Loesch, Heron Longoria, Laura Mueller, Emily Nelson, Shane Pevehouse, Dany Ramirez, Steve Rasette, Aaron Reed, Charles Reed, Craig Rice, Warlan Rivera, Jessica Selina Romero, Mackenzie Rusick, Teresa Sanders, Lily Sellers, Nick Spillar, William Stevens, Riley Sublett, and Lisa Sullivan, Andrew Thompson, Jason Weinstock. *Deliberation of Personnel Matters, 551.074*

The City Council met in Executive Session from 7:22 p.m. – 9:10 p.m.

No vote or action was taken during Executive Session. Mayor Foulds, Jr. returned the meeting to Open Session at 9:10 p.m.

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

August 30, 2022, at 5:30 p.m.

September 6, 2022, at 6:00 p.m. (CC & BOA)

September 13, 2022, at 5:30 p.m.

September 20, 2022, at 6:00 p.m.

Board, Commission & Committee Meetings

August 24, 2022, Economic Development Committee at 4:00 p.m.

September 1, 2022, Historic Preservation Commission at 4:00 p.m.

September 7, 2022, DSRP Board at 11:00 a.m.

ADJOURN

A motion was made by Council Member King to adjourn the meeting. Council Member Parks seconded the motion which carried unanimously 4 to 0.

This regular meeting adjourned at 9:13 p.m.

APPROVED ON: September 6, 2022

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary



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

Submitted By: Aaron Reed, Public Works Director

Council Meeting Date: September 6, 2022

Agenda Item Wording: **Approval of a Resolution Accepting Improvements and Approving a Maintenance Bond for Caliterra Phase 4 Section 12 Wastewater Improvements and Releasing a Construction Bond.**

Agenda Item Requestor:

Summary/Background: DNT Construction completed construction of Wastewater Improvements in Caliterra Phase 4 Section 12. City Staff inspected the project throughout construction and the City Engineer completed a final inspection. The Design Engineer provided a concurrence letter and the contractor has provided the required 2 year maintenance bond.

Commission Recommendations:

Recommended Council Actions: City Staff recommends approval

Attachments: *Attachment "A"*

(Insert Maintenance Bonds No. PB03016800782M2 DNT Construction, LLC, and Philadelphia Indemnity Insurance Company)

Attachment "B"

(Engineer Concurrence Letter)

Next Steps/Schedule: Send to City Secretary for execution.

Philadelphia Indemnity Insurance Company

One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004
877-438-7459

Bond No. PB03016800782M2

MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS, that we DNT Construction, LLC as Principal, and Philadelphia Indemnity Insurance Company, a corporation organized under the laws of the State of Pennsylvania, and duly authorized to do business in the State of Texas as Surety, are held and firmly bound unto City of Dripping Springs as Obligee, in the penal sum of Two Hundred Seventy Seven Thousand Seven Hundred Ninety Seven and 00/100 (\$277,797.00) to which payment well and truly to be made we do bind ourselves, and each of our heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents.

WHEREAS, the said Principal entered into a contract with Development Solutions CAT, LLC on behalf of the Hays County Development District No. 1 for Caliterra Phase 4 Section 12 - Waste Water, which contract is hereinafter referred to as the "Contract."

WHEREAS, said Obligee requires that the Principal furnish a bond conditioned to guarantee for the period of Two year (s) from date of acceptance of the work performed under the Contract against all defects in workmanship and materials which would have been the responsibility under the Contract for which written notice is made to Surety during said period

NOW THEREFORE, THE CONDITIONS OF THIS OBLIGATION IS SUCH that, if the Principal shall indemnify the Obligee for all loss that the Obligee may sustain by reason of any defective materials or workmanship which may become apparent and with respect to which notice is delivered to Surety in writing during the period of Two year (s) from and after date of acceptance of the work under the Contract, then this obligation shall be void, otherwise to remain in full force and effect.

No right of action shall accrue hereunder to or for the benefit of any person or entity other the Obligee named herein, nor shall any suit be filed or action maintained on this bond more than twenty five (25) months after the date of the earliest timely notice of defect by Obligee to Surety.

SIGNED, SEALED AND DATED THIS 16th day of August, 2022.

DNT Construction, LLC
Principal

By: _____

Dean Tomme, President

Philadelphia Indemnity Insurance Company
Surety

By: _____

Jeremy Farque, Attorney-in-Fact

PHILADELPHIA INDEMNITY INSURANCE COMPANY

One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004-0950

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: That PHILADELPHIA INDEMNITY INSURANCE COMPANY (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint Tom Mulanax, Michael Whorton, David Whorton, Rachel Martinez, Rosemarie Lopez, Jeremy Fargue and/or Noe Moreno of Whorton Insurance Services, its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$50,000,000.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14th of November, 2016.

RESOLVED: That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

FURTHER RESOLVED: That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

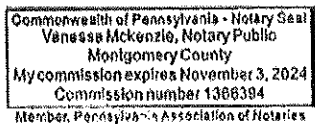
IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 5TH DAY OF MARCH, 2021.



(Seal)

John Glomb, President & CEO
Philadelphia Indemnity Insurance Company

On this 5th day of March, 2021 before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the PHILADELPHIA INDEMNITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.



Notary Public:

residing at:

Bala Cynwyd, PA

My commission expires:

November 3, 2024

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 5th day March, 2021 are true and correct and are still in full force and effect. I do further certify that John Glomb, who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 16th day of August, 2022.



Edward Sayago, Corporate Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY

CITY OF DRIPPING SPRINGS

RESOLUTION NO. 2022-R___

A RESOLUTION OF THE CITY OF DRIPPING SPRINGS, TEXAS (“CITY”),
ACCEPTING IMPROVEMENTS AND APPROVING AND ACCEPTING A
MAINTENANCE BOND FOR CALITERRA SUBDIVISION PHASE 4
SECTION 12 WASTEWATER IMPROVEMENTS, AND RELEASING A
CONSTRUCTION BOND, PROVIDING FOR EFFECTIVE DATE; AND
PROPER NOTICE & MEETING

WHEREAS, DNT Construction, LLC. (“Contractor”) recently completed, and the City Engineer for the City of Dripping Springs has inspected, Caliterra Subdivision Phase 4 Section 12 Wastewater improvements (“Improvements”) for the City of Drippings Springs; and

WHEREAS, the City desires to accept as being complete in accordance with applicable development the Improvements in Caliterra Subdivision Phase 4 Section 12; and

WHEREAS, the City of Dripping Springs City Council (“City Council”) seeks the Contractor to provide Maintenance Bonds (Attachment “A”) conditioned to guarantee for the period of Two (2) Years from and after the date of substantial completion of the Improvements, guaranteeing the materials and workmanship related to Contractor’s Improvements; and

WHEREAS, this Resolution conforms with the Maintenance and Guarantee regulation of the City’s Code requiring all public improvements be free from defects for a period of two (2) years; and

WHEREAS, substantial completion of the Work was verified by engineer letter (Attachment “B”) as of August 26, 2022, and the maintenance bond period of Two (2) Years begins upon City Council approval; 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, the City Council finds that it is necessary and proper for the good government, peace or order of the City to approve this Resolution.

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

1. The foregoing recitals are adopted as facts and are incorporated into this Resolution by reference as findings of fact as if expressly set forth herein.
2. The City Council hereby accepts Wastewater Improvements at the Caliterra Subdivision Phase 4 Section 12.
3. The City Council hereby approves and accepts the Contractor's proposed Maintenance Bond No. PB03016800782M2 from Philadelphia Indemnity Insurance Company ("Insurer"), included and attached herein (Attachment "A").
4. The City Council hereby releases the Contractor's Construction Bond No. 800132288.
5. Conditioned upon the fiscal guarantee for maintenance from the Contractor and the Insurer, the City shall assume responsibility for the repair, maintenance, and regulation of the Improvements for the benefit of the public.
6. The City Council hereby authorizes the Mayor or the Mayor's designee to execute any documentation on the City's behalf necessary to effectuate the intent and purpose of this Resolution.
7. This Resolution shall take effect immediately upon passage.
8. 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 & APPROVED this, the 6th day of September 2022.

CITY OF DRIPPING SPRINGS:

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham

Attachment “A”

Insert Maintenance Bonds No. PB03016800782M2 DNT Construction, LLC
And
Philadelphia Indemnity Insurance Company

Attachment “B”

Engineer Concurrence Letter



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

Submitted By: Aaron Reed, Public Works Director

Council Meeting Date: September 6, 2021

Agenda Item Wording: **Approval of a Resolution Approving a Revegetation Bond for Caliterra Phase 4 Section 12. Applicant: Development Solutions CAT, LLC; Hays County Development District No. 1**

Agenda Item Requestor:

Summary/Background: DNT Construction completed construction of Caliterra Phase 4 Section 12. City Staff inspected the project throughout construction and the City Engineer completed a final inspection. Due to current drought restrictions, the contractor requested an extension on the revegetation requirement. The contractor has stabilized the disturbed areas with vegetation matting and is providing a 1 year revegetation bond.

Commission Recommendations:

Recommended Council Actions: City Staff recommends approval

Attachments:

Attachment "A"

(Insert Revegetation Bonds No. PB03016800782M4 DNT Construction, LLC, and Philadelphia Indemnity Insurance Company)

Next Steps/Schedule: Send to City Secretary for execution.

Philadelphia Indemnity Insurance Company

One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004
877-438-7459

Bond No. PB03016800782M4

MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS, that we DNT Construction, LLC as Principal, and Philadelphia Indemnity Insurance Company, a corporation organized under the laws of the State of Pennsylvania, and duly authorized to do business in the State of Texas as Surety, are held and firmly bound unto City Of Dripping Springs as Obligee, in the penal sum of Seventy Three Thousand One Hundred Sixty Eight and 00/100 (\$73,168.00) to which payment well and truly to be made we do bind ourselves, and each of our heirs, executors, administrators, successors and assigns jointly and severally, firmly by these presents.

WHEREAS, the said Principal entered into a contract with Development Solutions CAT, LLC on behalf of the Hays County Development District No. 1 for Caliterra Phase 4 Section 12 - Pond Reveg, which contract is hereinafter referred to as the "Contract."

WHEREAS, said Obligee requires that the Principal furnish a bond conditioned to guarantee for the period of One year (s) from date of acceptance of the work performed under the Contract against all defects in workmanship and materials which would have been the responsibility under the Contract for which written notice is made to Surety during said period

NOW THEREFORE, THE CONDITIONS OF THIS OBLIGATION IS SUCH that, if the Principal shall indemnify the Obligee for all loss that the Obligee may sustain by reason of any defective materials or workmanship which may become apparent and with respect to which notice is delivered to Surety in writing during the period of One year (s) from and after date of acceptance of the work under the Contract, then this obligation shall be void, otherwise to remain in full force and effect.

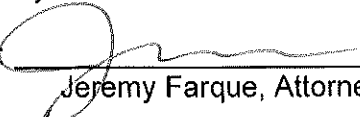
No right of action shall accrue hereunder to or for the benefit of any person or entity other the Obligee named herein, nor shall any suit be filed or action maintained on this bond more than twenty five (25) months after the date of the earliest timely notice of defect by Obligee to Surety.

SIGNED, SEALED AND DATED THIS 16th day of August, 2022.

DNT Construction, LLC
Principal

By: 
Dean Tomme, President

Philadelphia Indemnity Insurance Company
Surety

By: 
Jeremy Farque, Attorney-in-Fact

PHILADELPHIA INDEMNITY INSURANCE COMPANY
One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004-0950

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: That PHILADELPHIA INDEMNITY INSURANCE COMPANY (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint Tom Mulanax, Michael Whorton, David Whorton, Rachel Martinez, Rosemarie Lopez, Jeremy Farque and/or Noe Moreno of Whorton Insurance Services, its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$50,000,000.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14th of November, 2016.

RESOLVED: That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

FURTHER RESOLVED: That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

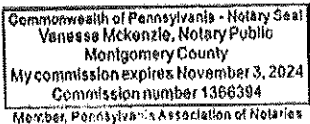
IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 5TH DAY OF MARCH, 2021.



(Seal)

John Glomb, President & CEO
Philadelphia Indemnity Insurance Company

On this 5th day of March, 2021 before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the PHILADELPHIA INDEMNITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.



Notary Public:

residing at:

Bala Cynwyd, PA

My commission expires:

November 3, 2024

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 5th day March, 2021 are true and correct and are still in full force and effect. I do further certify that John Glomb, who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 16th day of August, 2022.



Edward Sayago, Corporate Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY

CITY OF DRIPPING SPRINGS

RESOLUTION NO. 2022-R___

A RESOLUTION OF THE CITY OF DRIPPING SPRINGS, TEXAS (“CITY”), APPROVING A REVEGETATION BOND FOR CALITERRA SUBDIVISION PHASE 4 SECTION 12, PROVIDING FOR EFFECTIVE DATE; AND PROPER NOTICE & MEETING

WHEREAS, DNT Construction, LLC. (“Contractor”) recently completed, and the City Engineer for the City of Dripping Springs has inspected, Caliterra Subdivision Phase 4 Section 12 for the City of Drippings Springs; and

WHEREAS, the City desires to accept as being complete in accordance with applicable development the Improvements in Caliterra Subdivision Phase 4 Section 12; and

WHEREAS, the City of Dripping Springs City Council (“City Council”) seeks the Contractor to provide a Revegetation Bond (Attachment “A”) conditioned to guarantee for the period of One (1) Year from and after the date of substantial completion of the Improvements, guaranteeing the materials and workmanship related to Contractor’s Improvements; 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, the City Council finds that it is necessary and proper for the good government, peace or order of the City to approve this Resolution.

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

1. The foregoing recitals are adopted as facts and are incorporated into this Resolution by reference as findings of fact as if expressly set forth herein.
2. The City Council hereby approves and accepts the Contractor’s proposed Revegetation Bond No. PB03016800782M4 from Philadelphia Indemnity Insurance Company (“Insurer”), included and attached herein (Attachment “A”).
3. The City Council hereby authorizes the Mayor or the Mayor’s designee to execute any documentation on the City’s behalf necessary to effectuate the intent and purpose of this Resolution.
4. This Resolution shall take effect immediately upon passage.

5. 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 & APPROVED this, the 6th day of September 2022.

CITY OF DRIPPING SPRINGS:

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary

Attachment “A”

Insert Revegetation Bond No. PB03016800782M4 DNT Construction, LLC
And
Philadelphia Indemnity Insurance Company



STAFF REPORT
City of Dripping Springs
PO Box 384
511 Mercer Street
Dripping Springs, TX 78620

Submitted By: Shawn Cox, Finance Director/City Treasurer

Council Meeting Date: Tuesday, September 6, 2022

Agenda Item Wording: Discuss and consider approval of a request to amend the 2022 Local Hotel Occupancy Tax Grant Funding Agreement between the City of Dripping Springs and the Friends of the Pound House Foundation.

Agenda Item Requestor: Janet Hermann, Treasurer, Friends of the Pound House Foundation

Summary/Background:

On October 19, 2021, the City Council approved a Hotel Occupancy Tax (HOT) Grant Program funding Agreement with the Dr. Pound Historical Farmstead. The agreement provided funding in the amount of \$22,700.00 for tourism advertising, historic restoration and preservation, and public signage.

For consideration, is a request from the Friends of the Pound House Foundation to reallocate \$8,850.00 which was designated for categories the Homestead was unable to use this year to the roof installation and mold remediation expenses.

The request is not asking for any additional funding and will not affect the FY 2022 budget.

**Commission
 Recommendations:**

**Recommended
 Council Actions:** The Finance Director/City Treasurer recommends Council approval of the request to amend the 2022 Local Hotel Occupancy Tax Grant Funding Agreement between the City of Dripping Springs and the Friends of the Pound House Foundation.

Attachments:

- FY 2022 Dr. Pound Historical Farmstead Hot Funding Agreement
- Pound House – HOT Grant 2021-2022 Request for Amendment

Next Steps/Schedule:



P.O. Box 1150
Dripping Springs, Texas 78620

Received
AUG 22 2022
City of Dripping Springs

August 22, 2022

Michelle Fischer, City Administrator
City of Dripping Springs
511 Mercer Street
Dripping Springs, TX 78620

Re: Hot Grant, 2021/2022

Dear Ms. Fischer:

Please be advised that I am the treasurer for Friends of the Pound House Foundation and am responsible for keeping track of the Hot grant money the city has provided for the above period.

As you are probably aware, our organization is in the process of restoring the physical building including: installing a new roof, remediating mold in the ceiling of one of the rooms, rehabbing the interior and exterior of the building, and storing all the furniture and personal items during the remodeling. The costs associated with these expenses, which are still ongoing, are well in excess of the grant money allocated to these expenses. The uncovered expense for the roof is \$9,140; the uncovered expense for the mold remediation is \$2,186.00.

Additionally, several the grant categories were not used because our organization has not been up and running owing to the remodeling. These categories include: visitor's guide, garden/roses, magazine publications, rack cards/brochures, newsletter, smoke house door repair and Founders Day. The total allocated to these categories is \$8,850. While these categories will require expenditures in the future (next year) when the remodeling has been completed and the building is open to the public, it is unlikely that the funds can be used this year as allocated.

That is the reason for this letter and the following request for reallocation of funds. Would it be permissible to reallocate the funds granted from the unspent categories to other Hot approved expenditures such as the roof and the mold remediation?

If so, please advise how I should submit an Amendment for this reallocation.

I can be reached by telephone (773-259-7324) or my personal email address (jlhermann@hotmail.com).

Very truly yours,


Janet L. Hermann, Treasurer
Friends of the Pound House Foundation

**HOTEL OCCUPANCY TAX (HOT) GRANT PROGRAM
FUNDING AGREEMENT**

This Agreement made and entered into this, the 19th of October 2021, and between the **City of Dripping Springs**, Texas a general-law municipality located in Hays County, Texas (“City”), and **Dr. Pound Historical Farmstead**, is understood and agreed to be as set forth herein.

RECITALS:

WHEREAS, the City of Dripping Springs has been and remains a recognized destination for tourists, and as a result has developed a tourism industry which is beneficial to the City, its residents, and merchants; and

WHEREAS, the continued promotion and growth of the tourism industry will enhance the City, and insure to its benefit; and

WHEREAS, there is available a seven percent (7%) Hotel Occupancy Tax, authorized by state statute, the proceeds of which can be utilized by the City to promote tourism, and enhance the arts and historical preservation of the City; and

WHEREAS, the City Council has deemed it to be in the best interest of Dripping Springs to accomplish the goals as set forth above, and to enact and approve a seven percent (7%) Hotel-Motel Occupancy Tax, the proceeds of which can be devoted to the foregoing purposes; and

WHEREAS, the City Council deems it to be in the public interest to promote tourism and increased hotel occupancy through the execution of certain limited funding agreements that award grants financed by a portion of the proceeds from the collection of Hotel-Motel Occupancy Tax revenue; and

WHEREAS, the City's Hotel Occupancy Tax Committee reviewed various funding proposals and made a recommendation regarding the grant described herein; and

WHEREAS, the City Council approved the expenditure of the grant funds in the Fiscal Year 2022 Budget through the approval of Ordinance No. 2021-36 on September 22, 2021; and

WHEREAS, the City Council awarded and approved the grant of these funds at a properly-conducted public meeting held on September 21, 2021.

NOW, THEREFORE, BE IT MUTUALLY AGREED AS FOLLOWS:

1. PARTIES

The parties to this Agreement shall be the City of Dripping Springs (City), and the Dr. Pound

Historical Farmstead, a nonprofit corporation organized under the laws of the State of Texas.

2. FINDINGS

The parties hereby agree that the project(s) described in the Recipient's funding application ("Exhibit "A") promotes tourism.

3. GRANT

The City hereby agrees to transfer as a grant a portion of the Fiscal Year 2022 Hotel Occupancy Tax funds to Dr. Pound Historical Farmstead for tourism advertising, historic restoration and preservation, and public signage in an amount twenty-two thousand and seven hundred dollars (\$22,700.00). The grant shall be payable in one lump sum payment no later than 30 days after the date this Agreement is signed by both parties.

4. SERVICES

In exchange for the grant described above, Dr. Pound Historical Farmstead hereby agrees to utilize the grant funds in the amount of twenty-two thousand and seven hundred dollars (\$22,700.00) for the purposes as described in Exhibit A and below, which directly enhance and promote tourism and the convention and hotel industry; advertise and promote the city and its vicinity; and, enhance the arts, in which participants are tourists to the city.

- (a) Tourism advertising;
- (b) Historical restoration and preservation
- (c) Public signage

5. REQUIREMENTS

- 5.1 Recipient must ensure that all Dripping Springs lodging and their current contact information are listed on information provided to registrants, vendors, and event attendees, including event websites, funded by the grant. Also, all Dripping Springs hoteliers must be made aware of the event, have access to mailing lists, and have sufficient time to participate in the bidding process for both primary bookings and overflow.
- 5.2 If grant funds are used for advertising, the City Administrator must approve the final advertising copy prior to publishing or distribution for appropriate representation of the City of Dripping Springs, and local lodging.
- 5.3 Promotional materials using grant funds are required to include the appropriate City of Dripping Springs branding as provided by the City Administrator. Also, any event sponsor signage is required to include the appropriate City of Dripping Springs brand; and
- 5.4 Recipient must provide the City Administrator with two copies of all printed materials created with grant funds.

6. DURATION

This Agreement is commencing on October 1, 2021 and ending on September 30, 2022. Recipient must expend the grant funds during the term of this Agreement or remit the remaining balance back to the City.

7. TERMINATION

This Agreement may be terminated by either party prior to performance with or without cause upon written notification to the other party. After the Recipient has commenced performance of the obligations provided for in this Agreement, the City may terminate the Agreement only in instances of breach by the Recipient, at which time the Recipient shall reimburse to the City the amount of the grant not yet expended. If the Recipient terminates this Agreement after having received funds from the City, the Recipient shall reimburse the City the complete amount of the grant provided for herein.

8. ACCOUNTING

Prior to the expiration of this Agreement, an agent of the Recipient will submit a Post Event Report Form as provided by the City describing the status of the project and explaining how the grant funds were used. The report shall include expenditures covered by the funds provided by this Agreement, visitor attendance data from event surveys, and estimated number of visitors overnight stays due to the event/expenditure. Following submission of the Post Event Form, an agent of the Recipient may be required to attend a City Council meeting to personally account for the expenditures made in accordance with this Agreement, if requested to do so by the City Administrator.

9. CONTACTS

For purposes of this Agreement, communications may be sent as follows:

To the City:

City of Dripping Springs
Attn: Michelle Fischer
PO Box 384
Dripping Springs, TX 78620

To the Recipient:

Dr. Pound Historical Farmstead
Attn: Jenny Pack
PO Box 1150
Dripping Springs, TX 78620

10. INDEMNIFICATION

The Recipient hereby releases, indemnifies, and holds the City, its employees and agents, harmless for any damages, injuries, or other claims resulting from Recipient's actions or inactions, or the conduct of Recipient's agents, employees, or contractors.

11. INCLUSIVENESS

This document represents the entire understanding between the parties. This Agreement may only be amended in writing with the mutual consent of the parties.

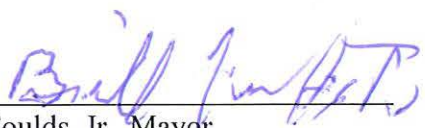
12. SEVERABILITY

If any sentence, clause or portion of this Agreement is deemed unenforceable by a court of competent jurisdiction, the remainder of the Agreement shall remain in full force and effect.

WHEREFORE PREMISES AND CONSIDERATION ACCEPTED, AND HEREBY AGREED:

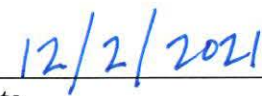
CITY OF DRIPPING SPRINGS:

DR. POUND HISTORICAL FARMSTEAD:



Bill Foulds, Jr., Mayor

Jenny Pack, Executive Director



Date

Date

ATTEST:

ATTEST:



Andrea Cunningham, City Secretary

Signature

Printed Name and Title

12. SEVERABILITY

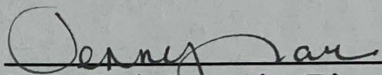
If any sentence, clause or portion of this Agreement is deemed unenforceable by a court of competent jurisdiction, the remainder of the Agreement shall remain in full force and effect.

WHEREFORE PREMISES AND CONSIDERATION ACCEPTED, AND HEREBY AGREED:

CITY OF DRIPPING SPRINGS:

DR. POUND HISTORICAL FARMSTEAD:

Bill Foulds, Jr., Mayor



Jenny Pack, Executive Director

Date

11-30-2021

Date

ATTEST:

ATTEST:

Andrea Cunningham, City Secretary

Signature

Printed Name and Title

Exhibit "A"

Dr. Pound Historical Farmstead HOT Funding Application



Application Date: April 30, 2021

HOT GRANT FUNDING PROGRAM APPLICATION

Organizational Information

Name of Organization/Business:

Friends of the Pound House Foundation

Address:

419 Founders Park Road, Unit B

City, State, Zip:

Dripping Springs, TX 78620

Contact Name:

Jenny Pack

Contact Phone/Email:

pioneer@drpoundfarmstead.org 562-682-7909

Website Address:

<https://drpoundfarmstead.org>

Type of Business/Organization:

Museum

Non-Profit Status:

501 c (3)

Tax ID Number:

74-2580000

Entity's Creation Date:

January 1991

Purpose of Organization/Business:

Protect, preserve and develop the Dr. Pound Farmstead for the use, education, enjoyment and benefit of present and future generations. The Dr. Pound Farmstead Museum is a living depiction of early life in the Texas Hill Country , providing historical education, a destination point for visitors and a gathering place for the community.

Event/Project Information

Name of Event/Project:

2022 Annual tourism marketing & advertising; signage; sustaining museum preservation and special preservation projects.

Date of Event/Project:

2021-2022 fiscal year

Location of Event/Project:

419 Founders Park Road, Unit B Dripping Springs, TX 78620

Description of Event/project:

- A) Advertising and promotional programs to attract tourists with print advertising in the Dripping Springs Visitor's Guide, Hill Country Sun and Hill Country View, plus any approved event sponsorships related to the Visitor's Bureau; Rack cards and brochures; Social media, website and e-newsletter marketing; and Founder's Day participation and advertising.
- B) Interpretive and wayfinding signage throughout the museum and grounds to improve guest experience and inform collections.
- C) Sustaining preservation for collections storage, tree care and garden bed maintenance for our historic rose garden
- D) Special preservation projects including: installation of a dedicated irrigation zone for the historic heritage oak

tree; Repair of the smokehouse door; and Roof repairs

on our cedar shingle roof.

All project requests include dedicated staffing time and associated payroll.

Funding Amount Requested:

\$45,300

How funds will be used, including itemized list of expenditures which can be attached separately:

Please see attached list

Percentage of Total Event/Project Cost Covered by HOT Funding: 85%

Please indicate which Category or Categories apply to the Funding Request, and list the Amount Requested under each category:

Convention Center or Visitor Information Center: construction, improvement, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers or both.

Amount requested under this category:

Registration of Convention Delegates: furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants

Amount requested under this category:

Advertising, Solicitation, Promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity.

Amount requested under this category:

\$18,400

Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry: the encouragement, promotion, improvement, and application of the arts that can be shown to have some direct impact on tourism and the hotel/convention industry. The impact may be that the art facility or event can show hotel nights that are booked due to their events or that guests at hotels attend the arts event. Eligible forms of art include instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion picture, radio, television, tap and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms.

Amount requested under this category:

Historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historical sites or museums.

Amount requested under this category:

\$21,500

Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the city or its vicinity.

Amount requested under this category:

How many individuals are expected to participate in the sporting related event?

How many participants at the sporting related event are expected to be from another City or County? Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity.

Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations: 1) the commercial center of the city; 2) a convention center in the city; 3) other hotels in or near the city; and 4) tourist attractions in or near the city.

Amount requested under this category:

What sites or attractions will tourists be taken to by this transportation:

Will members of the general public (non-tourists) be riding on this transportation?

What percentage of the ridership will be local citizens?

Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.

Amount requested under this category:

\$5400

What tourist attractions will be the subject of the signs:

The interpretive signage will share information about our collections throughout the museum and grounds. The signs will inform the guests' experience, share historical information and impact the depth of our tours. Waysignage on the grounds will direct visitors where to go to pay admission fees, find the restrooms and various other facilities on the grounds.

Promotion and Preservation of Dark Skies. Construction and maintenance of infrastructure and the purchase and installation of hardware that reduces light pollution and sky glow.

Amount requested under this category:

Describe Construction or Maintenance Project to include location, type of infrastructure and/or hardware to be installed:

All Funding Requests

Section must be completed for city to evaluate this application. Incomplete applications are subject to automatic denial.

How many years have you held What is the expected attendance this Event/Project: of the Event/Project: *29 years / 3000 people*

How many people attending the Event/Project will use Dripping Springs hotels:

UK

How many nights will the attendees be staying for the Event/Project:

UK

Do you reserve a room block for this event/project at an area hotel and if so, for how many rooms and at which hotels?

We do not reserve a room block, however, we would like to partner with hotels to offer special discounts/experiences for their guests.

List other years (over the last three years) that you have hosted your Event/Project with amount of HOT grant funding and the number of hotel rooms used:

<u>Month/Year Held</u>	<u>Grant Amount</u>	<u>Number of Hotel Rooms Used</u>
2020	\$36,871.25	UK

How will you measure the impact of your event on area hotel activity (e.g.; room block usage information, survey of hoteliers, etc)?

We have a newly-implemented data tracking method for all guests. We will record guest count, residence zipcode, method by which they found us, and whether they are staying the night in DS. This will give us measurable analysis of impact. We also will plan and implement a partnership plan with local hotels to draw visitors with special promotions.

Please list other organization, government entities, and grants that have offered financial support to your event/project:

Admission Fee for Event/Project: \$5.00 per person regular admission

Anticipated Net Profit, if any: _____

Please list all promotion efforts your organization is coordinating, and the amount financially committed to each media outlet:

Newspaper: DS Century News \$500

Internet: Social Media/Website \$800

Radio:

TV:

Other Paid Advertising:

Number of Press _____

Releases to Media: 4-6 annually _____

Number of Direct _____
Mailings to out-of-town recipients:

Other Promotions: Collateral materials at the Visitor's Bureau, State Fair, and local hotels. Promotions through the Chamber of Commerce and local club organizations.

Will you include a link to the Dripping Springs Visitors Bureau or other source on your promotional handouts and in your website for booking hotel nights during this event/project?

Yes, we already have the DSVB planning widget installed on our website.

Will you negotiate a special rate or hotel/event package to attract overnight stays?

Yes, this is in line with our plan to partner with hotels

for special packages.

What new marketing initiatives will you utilize to promote hotel and convention activity for this event/project?

We would like to offer free admission flyers encouraging hotel guests to visit the museum as part of their Dripping Springs experience. We would also like to partner with hotels to pull together "historic DS packages" that incorporate other businesses/areas such as downtown Mercer Street and the Mercer Street Walking tour map.

What geographical areas does your advertising and promotion reach?

Hays, Travis and Comal Counties. Some events target a broader audience state-wide. The majority of out visitors are either from greater-Dallas area; Fredericksburg; San Antonio, or reside out of state.

How many individuals will your proposed marketing reach who are located in another city of county?

Unknown, but the readership of our proposed print marketing reaches thousands.

If the funding requested is related to a permanent facility (e.g. museum, visitor center)?

Expected Attendance Monthly/Annually:

3000 Annually

Percentage of those in attendance that are staying at area hotel/lodging facilities:

70%

Completed application with required attachments must be submitted to the City of Dripping Springs:

By Mail to:

City of Dripping Springs
Attn: City Administrator
PO Box 384
TX 78620

In Person to:

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

Electronic Submission to:

mfischer@cityofdrippingsprings.com

I fully understand the Local HOT Grant Program Application and Guidelines established by the City of Dripping Springs. I intend to use this grant for the aforementioned Event/Project expenditure to forward the efforts of the City in *directly* enhancing and promoting tourism **and** the convention and hotel industry by attracting visitors from outside Dripping Springs into the city or its vicinity. I have attached to this application:

- proposed marketing plan for event/project
- schedule of activities for event/project
- a list of the organization/business board of directors
- proof of non-profit status (if applicable)
- proof of registered business with the State of Texas (if applicable), and

I understand that if I am awarded a Local HOT Grant by the City of Dripping Springs, I will be required to enter into a Local HOT Grant Program Agreement with the City and any deviation from the approved project and the Agreement may result in the partial or total withdrawal of the Local HOT Grant Program funds.

Friends of the Pound House Foundation/ Dr. Pound Farmstead Museum

Business/Organization Name

Jenny Pack

April 30, 2021

Applicant's Signature

Date

Betty Meyer, President
8000 Mt. Sharp Road
Wimberley, TX 78676
halbett13@aol.com
512-431-7839

Jenny Pack, Executive Director
1519 Trebled Waters Trail
Driftwood, TX 78619
pioneer@drpoundfarmstead.org
562-682-7909

Miles Mathews, Vice Pres
144 Cats Eye Cove
Dripping Springs, TX 78620
miles@hmvkglobal.com
512-940-8554

Evan Webb, Treasurer
1380 Pursley Rd.
Dripping Springs, TX 78620
epwebb@gmail.com
512-743-5846

Wanda Mauldin
3716 Kandy Drive
Austin, TX 78749
omesadieladywjm@gmail.com
512-789-5135

Echo Uribe
3805 Lone Man Mountain Rd
Wimberley, TX 78676
Poundfarm.echo@gmail.com
512-796-7895

Laura Kirk
629 Post Oak Dr.
Dripping Springs, TX 78620
lbkirk@flash.net
512-751-6902

Maggie Castleman

512-633-7298
momsiecastleman44@gmail.com



Itemized List of Expenditures

HOT Grant 2021

ADVERTISING:

Visitors Guide Publications	\$1,500.00
Magazine Publications	\$2,000.00
Approved Event Sponsorship	\$2,000.00
Rack Cards & Brouchures	\$2,000.00
Social Media	\$500.00
Website	\$250.00
Newsletter	\$250.00
Founders Day	\$700.00
Staffing/Payroll	\$9,200.00

PRESERVATION:

Collections Storage	\$2,500.00
Heritage Oak Tree Care	\$2,000.00
Historic Rose Garden Maint.	\$1,500.00
Heritage Oak Irrigation	\$2,000.00
Roof Repair	\$2,500.00
Hot House Door Repair	\$1,000.00
Staffing/Payroll	\$10,000.00

SIGNAGE:

Interpretative Signage – (House)	\$500.00
Interpretative Signage – (Ground)	\$3,000.00
Wayfinding Signage	\$800.00
Staffing/Payroll	\$1,100.00



MARKETING PLAN & SCHEDULE OF ACTIVITIES

HOT 2021

The Friends of the Pound House Foundation will be launching a comprehensive marketing plan for 2021-2022 which targets out of town tourism and elevates our museum as a focal point for visitors.

We are coordinating with multiple local businesses and agencies to tie into the tourism market, from Dripping Spring Visitor's Bureau to Breweries who promote "Pound" beverages. We also feel that as we emerge from Covid and frame our focus on adding value to the Dripping Springs tourism market, we need to first ensure we can offer the best guest experience possible. By maintaining the preservations of our collections: including both family artifacts and the historic aspect of the grounds, we are able to sustain the history and heritage of Dripping Springs' first family and the stories of early settlers in the Hill Country region. Founders museum are quite rare in our nation. By making an investment in the Dr. Pound Farmstead, the City of Dripping Springs is not only supporting a tourist destination, it is preserving part of the town's story, which adds character and nuance to what may otherwise be only considered a "suburb of Austin".

Incorporating way signage and interpretative signage will elevate the guest experience, add depth to the historic education and provide access for all visitors. We propose that all signage funded through the HOT grant provide designation to the City of Dripping Springs and HOT grant public funds (see photo).



Our advertising will be in periodicals with large geographic distribution. Additionally, our targeted marketing will span both hotels and wedding venues. We will partner with local hotels to offer package deals for their guests, incorporating both collateral for the museum and the greater Mercer Street (historic walking tour). We will also reach out to wedding venues who offer “things to do” ideas for their clients and visiting guests with package promotions.

All projects in this proposal are ongoing and implemented in order of priority and funding. All projects will be implemented and complete by the end of the fiscal year, or grant period.



TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

SUSAN COMBS • COMPTROLLER • AUSTIN, TEXAS 78774

January 16, 2014

FRIENDS OF THE POUND HOUSE FOUNDATION
PO BOX 1150
DRIPPING SPGS, TX 78620-1150

According to the records of the Comptroller of Public Accounts, the following exemption(s) from Texas taxes apply to the above organization(s):

Franchise tax, as of 07-30-1990

Sales and use tax, as of 07-29-1991

(provide Texas sales and use tax exemption certificate Form 01-339 (Back) to vendor)

The entity is not exempt from hotel occupancy tax.

Texas taxpayer identification number: 17425800004

This exemption verification is not a substitute for the completed exemption certificates that are required when claiming exemption from Texas taxes. Vendors should be familiar with the requirements for accepting the certificates in good faith from their customers.

This exemption verification does not mean that the organization holds a permit for collecting or remitting any Texas taxes.

Exempt organizations must collect tax on most sales. For more information, please see our publication Exempt Organizations. Sales and Purchases (96-122). Online registration is available.

For information concerning sales taxpayer permit status, please use the vendor search we provide online.

Corporations that are registered in Texas with the Secretary of State must maintain a current registered agent and registered office address. Information is available from Business and Nonprofit Forms page of the Secretary of State's Website. Additionally, out-of-state corporations, limited liability companies, or limited partnerships transacting business in Texas may need to file a Certificate of Authority or Registration with the Texas Secretary of State. More information is available from the Foreign or Out-of-State Entities page on the Secretary of State's Website.

Our publications and other helpful information are available on our website. If you need more information, write to us at exempt.orgs@cpa.state.tx.us, or call us at (800) 252-5555.



Itemized List of Expenditures

HOT Grant 2021 - AMENDED

ADVERTISING:

Visitors Guide Publications	\$ 0.00
Magazine Publications	\$ 0.00
Approved Event Sponsorship	\$ 2,000.00
Rack Cards & Brouchures	\$ 0.00
Social Media	\$ 500.00
Website	\$ 250.00
Newsletter	\$ 0.00
Founders Day	\$ 100.00
Staffing/Payroll	\$ 9,200.00

PRESERVATION:

Collections Storage	\$ 2,500.00
Heritage Oak Tree Care	\$ 2,000.00
Historic Rose Garden Maint.	\$ 0.00
Heritage Oak Irrigation	\$ 2,000.00
Roof Repair	<u>\$10,850.00</u>
Hot House Door Repair	\$ 0.00
Staffing/Payroll	\$10,000.00

SIGNAGE:

Interpretative Signage – (House)	\$ 500.00
Interpretative Signage – (Ground)	\$ 3,000.00
Wayfinding Signage	\$ 800.00
Staffing/Payroll	\$ 1,100.00



STAFF REPORT
City of Dripping Springs
PO Box 384
511 Mercer Street
Dripping Springs, TX 78620

Submitted By: Shawn Cox, Finance Director/City Treasurer

Council Meeting Date: Tuesday, September 6, 2022

Agenda Item Wording: **Public Hearing on the 2022 Ad Valorem Tax and Levy of 0.1778 per one hundred dollars (\$100.00) of assessed valuation of all taxable property within the Corporate City Limits.**

Agenda Item Requestor: State Law Requirement: Tax Code Chapter 26

Summary/Background:

At the August 16, 2022 meeting Council took action to set the proposed property tax rate for 2022 at \$0.1778 per \$100 valuation. Notice of the September 6th Public Hearing on the tax rate was posted in the August 25th edition of the Dripping Springs Century News.

The FY 2023 Budget, which has been presented to Council and will be considered at the September 20, 2022 Regular Meeting reflects the adoption of the proposed tax rate.

**Commission
 Recommendations:**

**Recommended
 Council Actions:** The Finance Director/City Treasurer recommends postponing consideration of adopting the proposed 2022 Ad Valorem Tax and Levy of 0.1778 until September 20, 2022; after Council has adopted the FY 2023 Budget.

Attachments: Notice of Public Hearing on Tax Rate Increase

Next Steps/Schedule:

NOTICE OF PUBLIC HEARING ON TAX INCREASE

Item # 8.

A tax rate of \$0.1778 per \$100 valuation has been proposed by the governing body of City of Dripping Springs.

PROPOSED TAX RATE	\$0.1778 per \$100
NO-NEW-REVENUE TAX RATE	\$0.1512 per \$100
VOTER-APPROVAL TAX RATE	\$0.1778 per \$100

The no-new-revenue tax rate is the tax rate for the 2022 tax year that will raise the same amount of property tax revenue for City of Dripping Springs from the same properties in both the 2021 tax year and the 2022 tax year.

The voter-approval rate is the highest tax rate that City of Dripping Springs may adopt without holding an election to seek voter approval of the rate.

The proposed tax rate is greater than the no-new-revenue tax rate. This means that City of Dripping Springs is proposing to increase property taxes for the 2022 tax year.

A PUBLIC HEARING ON THE PROPOSED TAX RATE WILL BE HELD ON September 6, 2022 AT 6:00 PM AT CITY HALL - 511 MERCER ST. , DRIPPING SPRINGS, TX 78620.

The proposed tax rate is not greater than the voter-approval tax rate. As a result, City of Dripping Springs is not required to hold an election at which voters may accept or reject the proposed tax rate. However, you may express your support for or opposition to the proposed tax rate by contacting the members of the City Council of City of Dripping Springs at their offices or by attending the public hearing mentioned above. YOUR TAXES OWED UNDER ANY OF THE RATES MENTIONED ABOVE CAN BE CALCULATED AS FOLLOWS:

$$\text{Property tax amount} = (\text{tax rate}) \times (\text{taxable value of your property}) / 100$$

FOR the proposal:	Taline Manassian	Wade King
	Geoffrey Tahuahua	Travis Crow
	Sherrie Parks	

AGAINST the proposal: None

PRESENT and not voting: None

ABSENT: None

Visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

The following table compares the taxes imposed on the average residence homestead by City of Dripping Springs last year to the taxes proposed to be imposed on the average residence homestead by City of Dripping Springs this year.

	2021	2022	Change
Total tax rate (per \$100 of value)	\$0.1900	\$0.1778	decrease of -0.0122, or -6.42%
Average homestead taxable value	\$414,954	\$596,241	increase of 181,287, or 43.69%
Tax on average homestead	\$788.41	\$1,060.12	increase of 271.71, or 34.46%
Total tax levy on all properties	\$1,762,242	\$2,386,031	increase of 623,789, or 35.40%

Item # 8.

For assistance with tax calculations, please contact the tax assessor for City of Dripping Springs at 512-393-5545 or jenifer.okane@co.hays.tx.us, or visit hays.countytaxrates.com for more information.

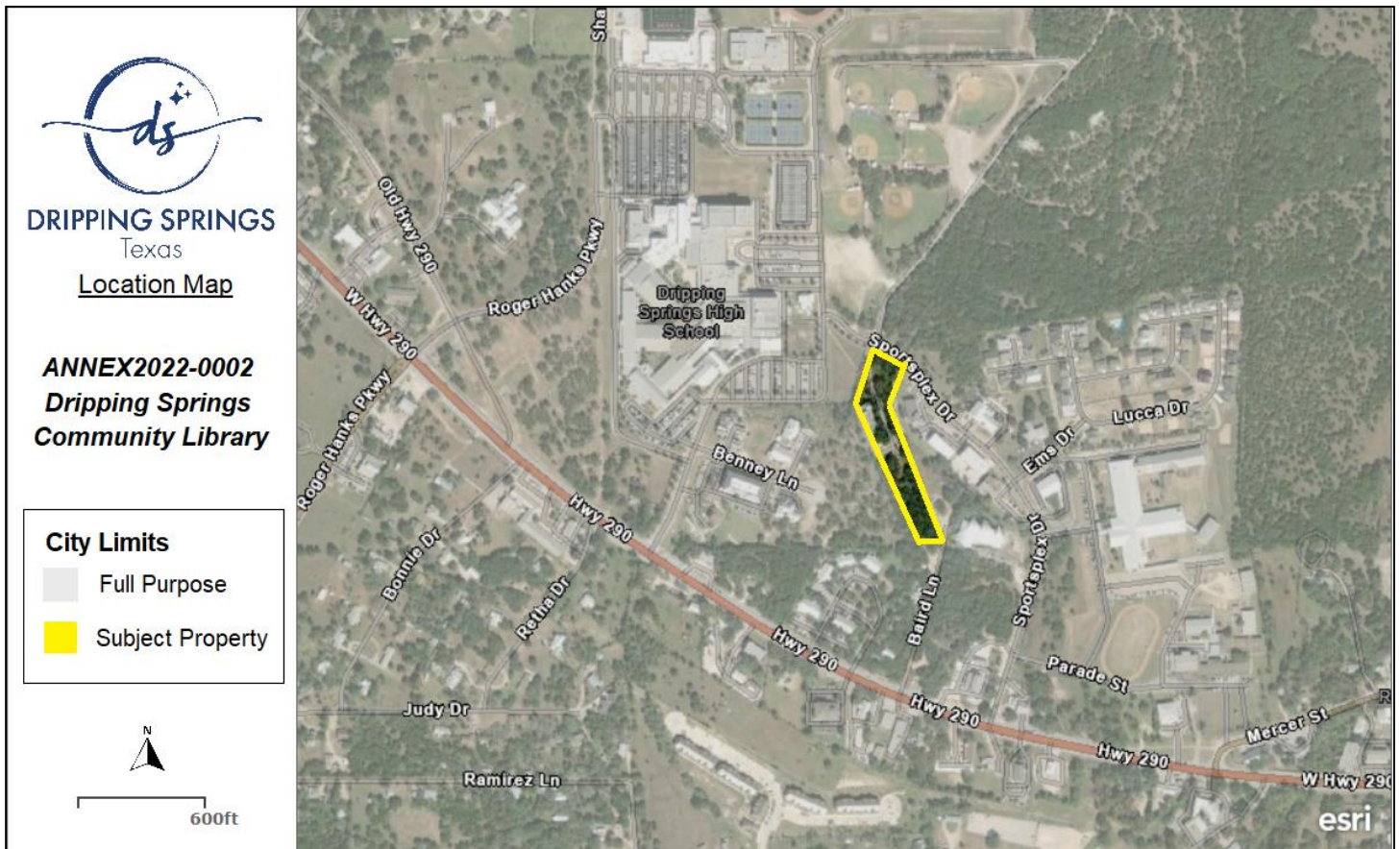


City Council Planning Department Staff Report

City Council Meeting: September 6, 2022
Project No: ANNEX2022-0002
Project Planner: Tory Carpenter, AICP – Senior Planner

Item Details

Project Name: Dripping Springs Community Library Annexation
Property Location: 501 Sportsplex Drive
Legal Description: ABS 415 PHILIP A SMITH SURVEY 3.209 AC EXEMPT 1/1/98
Applicant: Bob Richardson, FASLA
Property Owners: Dripping Springs Community Library
Request: Request for voluntary annexation



Overview

The applicant requests annexation of approximately 3.21 acres into the City Limits to begin the process of the new Dripping Springs Community Library.

The applicant also proposes to rezone the site to CS, Commercial Services which may be considered at the meetings outlined below.

Annexation and Zoning Schedule

July 19, 2022 – City Council authorized staff to negotiate the services agreement and proceed with annexation.

August 23, 2022 – The Planning & Zoning Commission conducted a public hearing and voted unanimously to recommend approval of the zoning amendment to CS.

September 6, 2022 – City Council will hold a public hearing, consider an annexation ordinance, and consider the municipal services agreement for annexation of the property.

September 6, 2022 – If annexation is approved, City Council will conduct a public hearing and consider the proposed zoning designation of CS.

Public Notification

None required at this time, but notice will be published for the annexation Public Hearing, as well as the proposed rezoning in accordance with the City’s Code of Ordinances, as well as State Law if the City Council votes to accept the petition for annexation.

Annexation Benefits & Detriments

Benefits to the City for Annexation

- Landscaping Ordinance Applies
- Lighting Ordinance Applies
- Land Use Control
- Compliance with Building Codes

Detriments to the City for Annexation

- Properties in the corporate limits are afforded an increase in impervious cover (70% vs 35%)

ETJ Annexation Comparison

	ETJ	City Limits (CS)
Impervious Cover	35%	70%
Landscaping	Does not apply	Applies
Lighting Ordinance	Does not apply (unless variance requested)	Applies
Land Use Control	None	Limited to Commercial Services

Attachments

Exhibit 1: Annexation Request

Exhibit 2: Property Survey

Recommended Action:	Staff recommends acceptance of the annexation petition.
Alternatives/Options:	Refusal of the proposed annexation petition.
Budget/Financial Impact:	None calculated at this time, however, those properties in the city limits could be subject to property taxes depending on ownership.
Public Comments:	No public comment was received for this request.

CITY OF DRIPPING SPRINGS

ORDINANCE No. 2022-___

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, TO VOLUNTARILY ANNEX BY REQUEST OF THE PROPERTY OWNER APPROXIMATELY 3.209 ACRES OF LAND INTO THE INCORPORATED MUNICIPAL BOUNDARIES OF THE CITY OF DRIPPING SPRINGS, TEXAS INCLUDING THE FOLLOWING: FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Dripping Springs (“City”) is a Type-A, General Law municipality located in Hays County, Texas with the rights and privileges thereto; and

WHEREAS, Section 43.0671 of the Texas Local Government Code authorizes a Type-A general law municipality to extend the boundaries of the municipality and annex area adjacent to the municipality by petition of area landowners in accordance with the procedural rules prescribed by Texas Local Government Code Chapter 43; and

WHEREAS, the City received a written petition requesting the voluntary annexation of the area described in Exhibit “A” on May 27, 2022

WHEREAS, the area identified in Exhibit “A,” approximately 3.209 acres in the Philip A Smith Survey, Hays County, Texas, is adjacent and contiguous to the city limits; and

WHEREAS, the City Council granted the petition and allowed City staff to proceed with negotiating the service agreement with the property owner, in accordance with Section 43.0672 of Texas Local Government Code;

WHEREAS, the City Council conducted a public hearing and considered testimony regarding the annexation of the property, in accordance with Section 43.0673 of Texas Local Government Code on September 6, 2022;

WHEREAS, the City Council deems it to be in the best interest of the citizens of the City to annex said territory into the City.

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

1. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of Dripping Springs, Texas, and are hereby approved and incorporated into the body of this Ordinance as if copied herein in their entirety.

2. ANNEXATION OF TERRITORY

- A.** The property in the area described in Exhibit “A”, which is attached hereto and incorporated herein for all purposes, is hereby annexed and brought into the municipal boundaries (i.e., corporate limits) of the City of Dripping Springs, and is made an integral part, hereof.
- B.** The official map and boundaries of the City of Dripping Springs are hereby amended and revised so as to include the area annexed, and to reflect the expansion of the City’s extraterritorial jurisdiction resulting from such annexation.
- C.** A service plan agreement was executed prior to the annexation approval in accordance with Section 43.0672 of Texas Local Government Code and is attached hereto as Exhibit “B” and incorporated herein for all intents and purposes.
- D.** The owners and inhabitants of the area herein annexed are entitled to all of the rights and privileges of other citizens of the City of Dripping Springs and are hereby bound by all acts, ordinances and other legal actions now in full force and effect and those that may be hereafter adopted or enacted.

3. EFFECTIVE DATE

This ordinance is effective, and the annexation achieved herein shall be final and complete upon adoption of this Ordinance on the date set forth below.

4. FILING

The City Secretary is hereby instructed to include this Ordinance in the records of the City.

The City Secretary is hereby instructed to have prepared maps depicting the new municipal boundaries and extraterritorial jurisdiction.

The City Secretary is hereby instructed to file a certified copy of this Ordinance with the Hays County Clerk.

The City Secretary is hereby instructed to submit by certified mail a certified copy of the annexation ordinance a map of the entire city that shows the change in boundaries, with the annexed portion clearly distinguished, resulting from the annexation to the Texas Comptroller’s Office.

5. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder

of this Ordinance shall be enforced as written.

6. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that 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 Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED this the 6th of September 2022, by a vote of ___ (ayes) to ___ (nays) to ___ (abstentions) of the City Council of the City of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary

EXHIBIT "A"
DESCRIPTION OF SERVICES

TRACT I

Being a portion of that tract of approximately 152.47 acres of land in the P. A. Smith League, Hays County, Texas, and conveyed to Mrs. Edna Earl Baird by W. R. Baird by deed dated February 19, 1937, recorded in Volume 154, page 59, Hays County Deed Records.

BEGINNING at the most southern southeast corner of the Edna Earl Baird 152.47 acres for the southeast corner of the tract herein described;

THENCE, in a westerly direction with the most southern boundary line of the said Edna Earl Baird 152.47 acre tract, 140 feet to a point for the southwest corner of the tract herein described;

THENCE, in a northwesterly direction parallel to the eastern boundary line of the Edna Earl Baird 152.47 acre tract and the west boundary line of that tract of land conveyed by Clara Wilson et al, to Alva C. Haydon, recorded in Volume 249, page 307, Hays county Deed Records, 700 feet to a point for the northwest corner of the tract herein described;

THENCE, in an easterly direction parallel to the south boundary of the tract herein described, 140 feet to a point in the west boundary line of the Alva C. Haydon tract for the northeast corner of the tract herein described;

THENCE, in a southeasterly direction with the west boundary line of the Alva C. Haydon tract, 700 feet to the **PLACE OF BEGINNING**, containing 2.25 acres of land, more or less

TRACT II

Description of a dividing line between the approximate East and West halves of that certain 152.47 acre tract of land out of the P. A. SMITH LEAGUE situated in Hays County, Texas, being that tract of land described in that Deed dated February 19, 1937, from W. R. Baird to Edna Earl Baird, recorded in Volume 154, Pages 59-60, Deed Records of Hays County, Texas.

BEGINNING at the most northerly Northwest corner of the Baird tract;

THENCE, with the common line between the said Baird Tract and that tract of land conveyed by Deed dated June 1, 1966, from J. V. Gregg, et ux, to C. Barton Draper, et ux, recorded in Volume 212, Pages 310-314, of the Deed Records of Hays County, Texas, South to a point being the Southeast corner of said Draper Tract;

THENCE, East approximately 200 feet to a point from which the centerline of a road bears East 15 feet;

THENCE, in a Southerly direction parallel with the centerline of said road, and following the meanders of said road to a point from which the North line of a 2.25 acre tract of land conveyed to John Marcus Baird by Deed recorded in Volume 264, Page 55-56, of the Deed Records of Hays County, Texas, bears South 300 feet;

THENCE, from said point in a Southerly direction to the Northwest corner of the said John Marcus Baird 2.25 acre tract;

THENCE, with the West line of the John Marcus Baird 2.25 acre tract approximately 700 feet to the South line of the above described 152.47 acre Baird tract, said point being in the North line of that 3.01 acre tract of land conveyed to J. D. Ragland by Deed recorded in Volume 169, Page 171, of the Deed Records of Hays County, Texas, for POINT OF TERMINATION

SAVE AND EXCEPT THE FOLLOWING, FROM TRACT H:

BEING A PART OF THAT CERTAIN 1.04 ACRE TRACT WHICH WAS CONVEYED TO JOHN BAIRD IN A DEED RECORDED IN VOLUME 310, AT PAGE 718, OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, SAID 0.0309 OF AN ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A NAIL FOUND IN A POST FOR THE NORTHEAST CORNER OF THE FORESAID 1.04 ACRE TRACT FOR THE NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, S 35 41'20"W, A DISTANCE OF 46.84 FT., WITH THE EAST LINE OF THE FORESAID 1.04 ACRE TRACT, TO A STEEL PIN SET ON THE CURVE NORTH RIGHT-OF-WAY LINE OF A PROPOSED 60 FT. RIGHT-OF-WAY FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, WITH THE ARC OF A CURVE TO THE LEFT, WHICH HAS A RADIUS OF 309.60 FT., A TANGENT OF 30.05 FT., AN ARC LENGTH OF 59.90 FT., AND A CHORD WHICH BEARS N 5349'41"W, A DISTANCE OF 59.81 FT., TO A STEEL PIN SET IN THE NORTHLINE OF THE FORESAID 1.04 ACRE TRACT, AS FENCED, FOR THE MOST WESTERLY CORNER OF THIS TRACT;

THENCE, N 87 55'27"E, A DISTANCE OF 75.66 FT., WITH THE NORTH LINE OF THE FORESAID 1.04 ACRE TRACT, AS FENCED, TO THE PLACE OF BEGINNING AND CONTAINING 0.0309 ACRE OF LAND

STATE OF TEXAS
COUNTY OF HAYS

EXHIBIT "B"
MUNICIPAL SERVICES AGREEMENT

**MUNICIPAL SERVICES AGREEMENT BETWEEN THE
CITY OF DRIPPING SPRINGS, TEXAS AND
DRIPPING SPRINGS COMMUNITY LIBRARY**

This Municipal Services Agreement (“Agreement”) is entered into on ____ day of _____ 2022, by and between the City of Dripping Springs, Texas, a General Rule municipality of the State of Texas, (“City”) and Dripping Springs Community Library (“Owner”).

RECITALS

The parties agree that the following recitals are true and correct and form the basis upon which the parties have entered into this Agreement.

WHEREAS, Owner owns certain parcels of land situated in Hays County, Texas, which consists of approximately 3.209 acres of land situated in the Philip A Smith Survey, in the City’s extraterritorial jurisdiction, such property being more particularly described and set forth in Exhibit “A” attached and incorporated herein by reference (“Property”);

WHEREAS, City and Owner desire to set out the City services and Owner duties to be provided for the Property on or after the effective date of annexation; and

WHEREAS, Sections 43.0671 and 43.0672 of the Texas Local Government Code authorizes the City and the Owner to enter into an Agreement for annexation and provision of city services.

NOW THEREFORE, in exchange for the mutual covenants, conditions, and promises contained herein, City and Owner agree as follows:

1. **PROPERTY.** This Agreement is only applicable to the Property, more specifically described in Exhibit “A”.
2. **INTENT.** It is the intent of the City that this Agreement provide for the delivery of full, available municipal services to the Property in accordance with state law, which may be accomplished through any means permitted by law.
3. **MUNICIPAL SERVICES.** Commencing on the effective date of annexation, the City will provide the municipal services set forth below. As used in this Agreement, “providing services” includes having services provided by any method or means by which the City may extend municipal services to any other area of the City.

The City of Dripping Springs hereby declares the following services to be made available to the property and its owner(s):

a. POLICE PROTECTION

The City does not provide municipal police protection but has an agreement with Hays

County for protection through the Hays County Sheriff's Office.

b. FIRE SERVICE

The City does not provide municipal fire services, but this area is served by the North Hays County Fire/Rescue. Fire prevention activities will be provided by the Hays County Fire Marshal's Office.

c. BUILDING INSPECTION/CODE ENFORCEMENT SERVICES

The City will provide Building and Code Enforcement Services upon annexation. This includes issuing building, electrical, mechanical, and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of Dripping Springs.

d. LIBRARIES

The City does not own a municipal library. A community library is provided by the Dripping Springs Community Library.

e. ENVIRONMENTAL HEALTH AND HEALTH CODE ENFORCEMENT SERVICES

The City has a septic system/on-site sewage facility ordinance. Complaints of ordinance or regulation violations within this area will be answered and investigated by City personnel, beginning with the effective date of the annexation ordinance. Septic permitting services, where applicable, is also provided by the City.

f. PLANNING AND ZONING

The planning and zoning jurisdiction of the City will be extended to this area on the effective date of the annexation ordinance. All services provided by the City will be extended to the area on the effective date of the annexation ordinance.

g. PARKS AND RECREATION

All services and amenities associated with the City's Parks and Recreation activities will extend to this area on the effective date of the annexation ordinance.

h. STREET AND DRAINAGE MAINTENANCE

The City will provide street and drainage maintenance to public streets in the area in accordance with standard City Policy as the area develops.

i. STREET LIGHTING

The City provides street lighting to public streets in the area in accordance with standard City Policy as the area develops.

j. TRAFFIC ENGINEERING

The City will provide, as appropriate, street names signs, traffic control devices, and other traffic system design improvements to the area for any public roads.

k. SANITATION/SOLID WASTE COLLECTION AND DISPOSAL

The City does not directly provide municipal sanitation/solid waste collection and disposal services. However, the City has granted an exclusive franchise for these services to Waste Connections, which will be notified of all newly-annexed parcels.

l. WATER SERVICE

The City is a water provider however, the City will not be the water provider for this property. Water service is available from the Dripping Springs Water Supply Corporation.

m. SEWER SERVICE

The City municipal sewage collection treatment and disposal system is limited in geographic scope and ability to serve. Newly-annexed parcels will be included in the Capital Improvements Plan as appropriate, and extended services when deemed feasible in light of topography and other relevant factors. In some instances, the owners of annexed property have expressly waived any demands for sewer service pursuant to development agreements.

n. MISCELLANEOUS

All other applicable municipal services will be provided to the area in accordance with policies established by the City of Dripping Springs.

4. ANNEXED PROPERTY REQUIREMENTS.

a. LIGHTING

The Property Owner agrees to bring the property into compliance with City's adopted regulations for outdoor lighting within one year after completion of the annexation process.

b. ZONING

The property shall be zoned Agriculture upon annexation unless zoning occurs concurrently with annexation process. If zoning does not occur concurrently, the Property Owner shall request rezoning to occur on or before the 120th day after annexation as required by City Ordinance.

- 5. AUTHORITY.** City and Owner represent that they have full power, authority, and legal right to execute, deliver and perform their obligations pursuant to this Agreement.
- 6. SEVERABILITY.** If any term or provision of this Agreement is held to be illegal, invalid or unenforceable, the legality, validity or enforceability of the remaining terms or provisions of this Agreement shall not be affected thereby, and in lieu of each such illegal, invalid or unenforceable term or provision, there shall be added automatically to this Agreement a legal, valid or enforceable term or provision as similar as possible to the term or provision declared illegal, invalid or unenforceable
- 7. INTERPRETATION.** The parties to this Agreement covenant and agree that in any litigation relating to this Agreement, the terms and conditions of the Agreement will be interpreted according to the laws of the State of Texas. The parties acknowledge that they are of equal bargaining power and that each of them was represented by legal counsel in the negotiation

and drafting of this Agreement.

8. **GOVERNING LAW AND VENUE.** This Agreement and all of the transactions contemplated herein shall be governed by and construed in accordance with the laws of the State of Texas. The provisions and obligations of this Agreement are performable in Travis County, Texas such that exclusive venue for any action arising out of this Agreement shall be in Travis County, Texas.
9. **NO WAIVER.** The failure of either party to insist upon the performance of any term or provision of this Agreement or to exercise any right granted hereunder shall not constitute a waiver of that party's right to insist upon appropriate performance or to assert any such right on any future occasion.
10. **GOVERNMENTAL POWERS.** It is understood that by execution of this Agreement, the City does not waive or surrender any of its governmental powers or immunities.
11. **COUNTERPARTS.** This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.
12. **CAPTIONS.** The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.
13. **AGREEMENT BINDS SUCCESSORS AND RUNS WITH THE LAND.** This Agreement is binding on and inures to the benefit of the parties, their successors, and assigns. The term of this Agreement constitutes covenants running with the land comprising the Property and is binding on the Owner.
14. **ENTIRE AGREEMENT.** It is understood and agreed that this Agreement contains the entire agreement between the parties and supersedes any and all prior agreements, arrangements or understandings between the parties relating to the subject matter. No oral understandings, statements, promises or inducements contrary to the terms of this Agreement exist. This Agreement cannot be changed or terminated orally.

Executed as of the day and year first above written to be effective on the effective date of annexation of the Property.

[Signature page follows.]

CITY OF DRIPPING SPRINGS:

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary

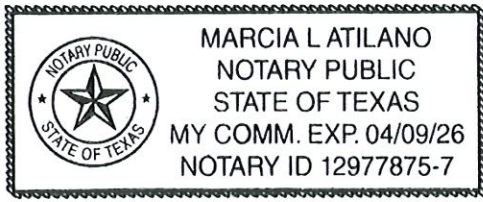
DRIPPING SPRINGS COMMUNITY LIBRARY

Bob Richardson
Signature

BOB RICHARDSON
Printed Name

VICE PRESIDENT BOARD OF DIRECTORS
Title

STATE OF TEXAS §
 §
COUNTY OF HAYS §



This instrument was acknowledged before me on the 2nd day of September, 2022
by, Bob Richardson, ^{BOARD} Vice [Name and title of individual signing] of on behalf of said
Dripping Springs Community ^{President} [insert name of company or individual if applicable].
LIBRARY

Marcia L Atilano
Notary Public, State of Texas

EXHIBIT A**Legal Description and Location Map****TRACT I**

Being a portion of that tract of approximately 152.47 acres of land in the P. A. Smith League, Hays County, Texas, and conveyed to Mrs. Edna Earl Baird by W. R. Baird by deed dated February 19, 1937, recorded in Volume 154, page 59, Hays County Deed Records.

BEGINNING at the most southern southeast corner of the Edna Earl Baird 152.47 acres for the southeast corner of the tract herein described;

THENCE, in a westerly direction with the most southern boundary line of the said Edna Earl Baird 152.47 acre tract, 140 feet to a point for the southwest corner of the tract herein described;

THENCE, in a northwesterly direction parallel to the eastern boundary line of the Edna Earl Baird 152.47 acre tract and the west boundary line of that tract of land conveyed by Clara Wilson et al, to Alva C. Haydon, recorded in Volume 249, page 307, Hays county Deed Records, 700 feet to a point for the northwest corner of the tract herein described;

THENCE, in an easterly direction parallel to the south boundary of the tract herein described, 140 feet to a point in the west boundary line of the Alva C. Haydon tract for the northeast corner of the tract herein described;

THENCE, in a southeasterly direction with the west boundary line of the Alva C. Haydon tract, 700 feet to the **PLACE OF BEGINNING**, containing 2.25 acres of land, more or less

TRACT II

Description of a dividing line between the approximate East and West halves of that certain 152.47 acre tract of land out of the P. A. SMITH LEAGUE situated in Hays County, Texas, being that tract of land described in that Deed dated February 19, 1937, from W. R. Baird to Edna Earl Baird, recorded in Volume 154, Pages 59-60, Deed Records of Hays County, Texas.

BEGINNING at the most northerly Northwest corner of the Baird tract;

THENCE, with the common line between the said Baird Tract and that tract of land conveyed by Deed dated June 1, 1966, from J. V. Gregg, et ux, to C. Barton Draper, et ux, recorded in Volume 212, Pages 310-314, of the Deed Records of Hays County, Texas, South to a point being the Southeast corner of said Draper Tract;

THENCE, East approximately 200 feet to a point from which the centerline of a road bears East 15 feet;

THENCE, in a Southerly direction parallel with the centerline of said road, and following the meanders of said road to a point from which the North line of a 2.25 acre tract of land conveyed to John Marcus Baird by Deed recorded in Volume 264, Page 55-56, of the Deed Records of Hays County, Texas, bears South 300 feet;

THENCE, from said point in a Southerly direction to the Northwest corner of the said John Marcus Baird 2.25 acre tract;

THENCE, with the West line of the John Marcus Baird 2.25 acre tract approximately 700 feet to the South line of the above described 152.47 acre Baird tract, said point being in the North line of that 3.01 acre tract of land conveyed to J. D. Ragland by Deed recorded in Volume 169, Page 171, of the Deed Records of Hays County, Texas, for POINT OF TERMINATION

SAVE AND EXCEPT THE FOLLOWING, FROM TRACT II:

BEING A PART OF THAT CERTAIN 1.04 ACRE TRACT WHICH WAS CONVEYED TO JOHN BAIRD IN A DEED RECORDED IN VOLUME 310, AT PAGE 718, OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, SAID 0.0309 OF AN ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

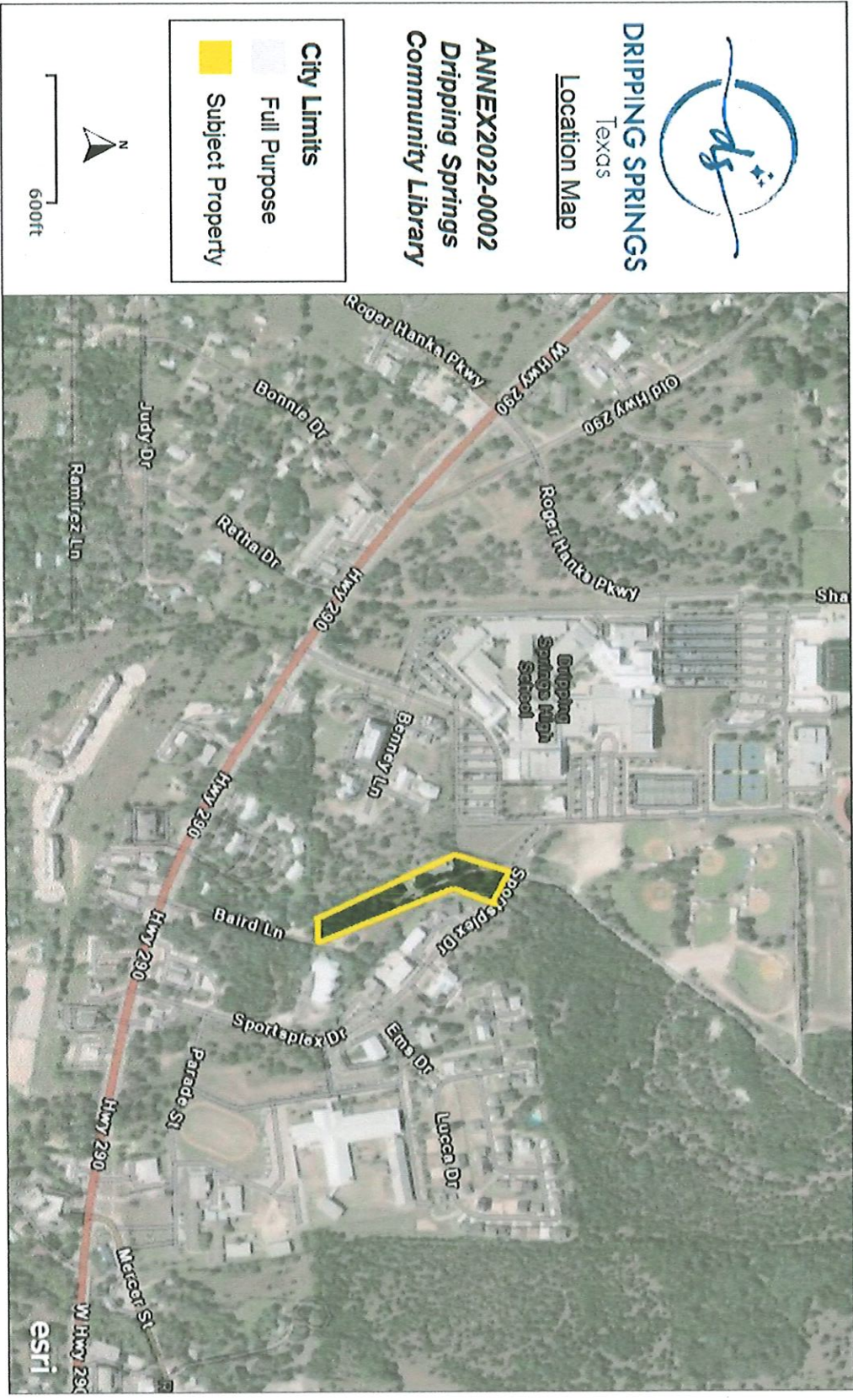
BEGINNING AT A NAIL FOUND IN A POST FOR THE NORTHEAST CORNER OF THE FORESAID 1.04 ACRE TRACT FOR THE NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, S 35 41'20"W, A DISTANCE OF 46.84 FT., WITH THE EAST LINE OF THE FORESAID 1.04 ACRE TRACT, TO A STEEL PIN SET ON THE CURVE NORTH RIGHT-OF-WAY LINE OF A PROPOSED 60 FT. RIGHT-OF-WAY FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, WITH THE ARC OF A CURVE TO THE LEFT, WHICH HAS A RADIUS OF 309.60 FT., A TANGENT OF 30.05 FT., AN ARC LENGTH OF 59.90 FT., AND A CHORD WHICH BEARS N 53 49'41"W, A DISTANCE OF 59.81 FT., TO A STEEL PIN SET IN THE NORTH LINE OF THE FORESAID 1.04 ACRE TRACT, AS FENCED, FOR THE MOST WESTERLY CORNER OF THIS TRACT;

THENCE, N 87 55'27"E, A DISTANCE OF 75.66 FT., WITH THE NORTH LINE OF THE FORESAID 1.04 ACRE TRACT, AS FENCED, TO THE PLACE OF BEGINNING AND CONTAINING 0.0309 ACRE OF LAND

STATE OF TEXAS
COUNTY OF HAYS





DRIPPING SPRINGS
Texas

City of Dripping Springs

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384

Dripping Springs, TX 78620

512.858.4725 • cityofdrippingsprings.com

ZONING/PDD AMENDMENT APPLICATION

Case Number (staff use only): _____ - _____

CONTACT INFORMATION

PROPERTY OWNER NAME Dripping Springs Community Library (Bob Richardson, V.P. Board of Directors)

STREET ADDRESS 501 Sportsplex Drive

CITY Dripping Springs STATE Texas ZIP CODE 78620

PHONE 512-750-4921 EMAIL bob.richardson@dscl.org

APPLICANT NAME Bob Richardson, Vice President Board of Directors

COMPANY Dripping Springs Community Library

STREET ADDRESS 501 Sportsplex Drive

CITY Dripping Springs STATE Texas ZIP CODE 78620

PHONE 512-750-4921 EMAIL bob.richardson@dscl.org

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	Dripping Springs Community Library
PROPERTY ADDRESS	501 Sportsplex Drive, Dripping Springs, TX
CURRENT LEGAL DESCRIPTION	See enclosed deed
TAX ID#	R62269
LOCATED IN	<input type="checkbox"/> CITY LIMITS <input checked="" type="checkbox"/> EXTRATERRITORIAL JURISDICTION
CURRENT ZONING	N.A.
REQUESTED ZONING/AMENDMENT TO PDD	CS Commercial Services
REASON FOR REQUEST <i>(Attach extra sheet if necessary)</i>	The Library property is the only property in the area not zoned. All adjacent properties are zoned commercial services. Also, the Library would like city services.
INFORMATION ABOUT PROPOSED USES <i>(Attach extra sheet if necessary)</i>	Current use is the Community Library. Proposed uses may include ongoing Library use or be converted to Office/Commercial uses when a new Library is built on the adjacent land, owned by the Library.

COMPLIANCE WITH OUTDOOR LIGHTING ORDINANCE? *
(See attached agreement).

YES (REQUIRED)* YES (VOLUNTARY)* NO* **(EXISTING IMPROVEMENTS, BUILDING, PARKING)**

* 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 Bob Richardson 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. 1140, Pg. 285.)

BOB RICHARDSON / *Bob Richardson*
Name

VICE PRESIDENT
Title

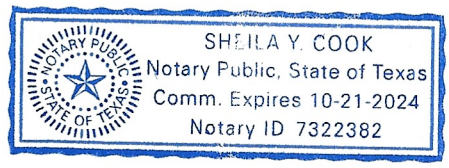
STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me on the 20 day of April,
2022 by Bob Richardson.

Sheila Y. Cook
Notary Public, State of Texas

My Commission Expires: 10/20/2024

Bob Richardson
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:

Bob Richards
Applicant Signature

7/20/2022
Date

CHECKLIST

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



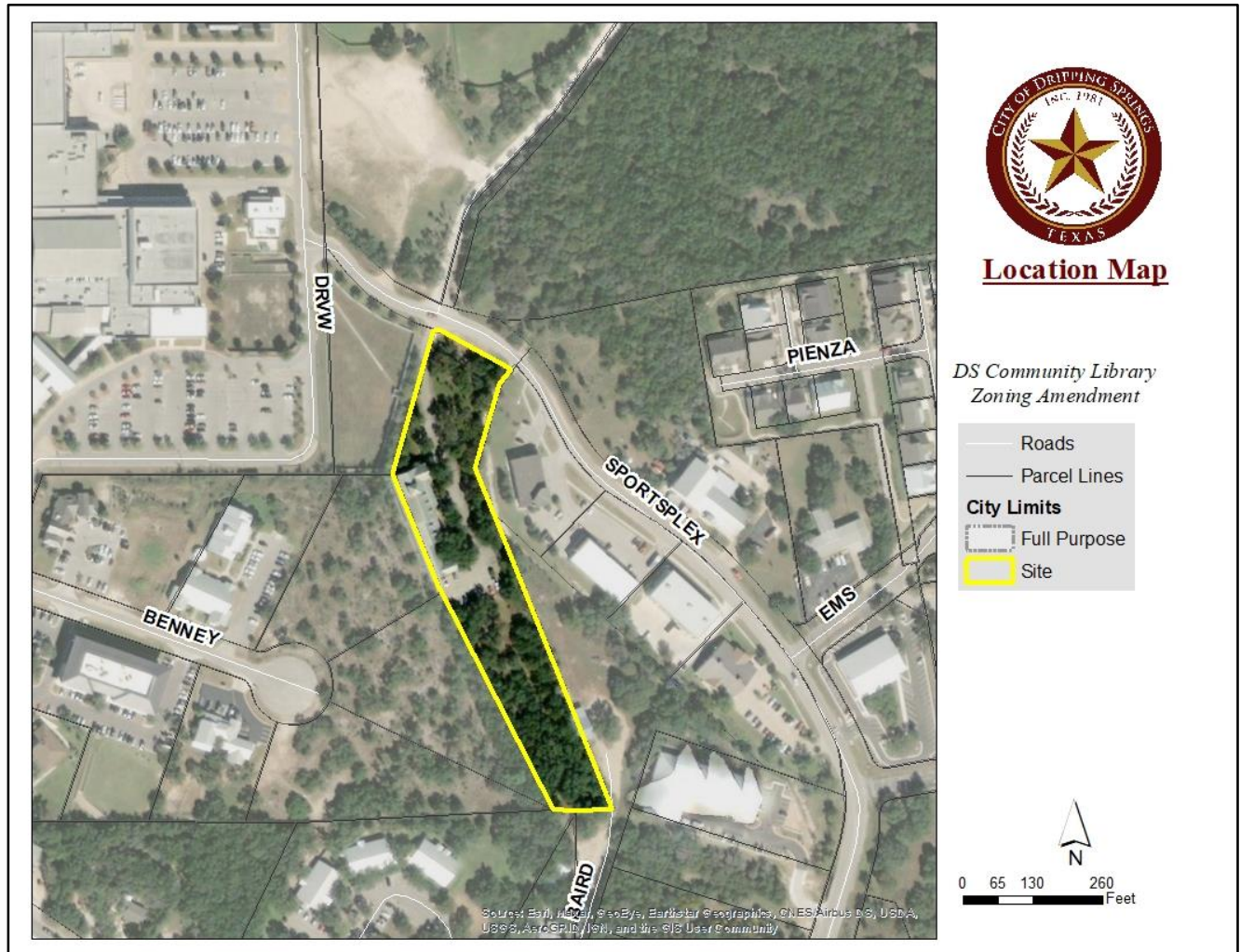
City Council Planning Department Staff Report

Item # 10.

City Council Meeting: September 6, 2022
Project No: ZA2022-0003
Project Planner: Tory Carpenter, AICP, Senior Planner

Item Details

Project Name: Dripping Springs Community Library
Property Location: 501 Sportsplex Drive
Legal Description: 3.209 acres out of the Philip A Smith Survey
Applicant: Bob Richardson
Property Owner: Dripping Springs Community Library
Request: Zoning amendment from Agriculture “AG” to Commercial Services “CS”



Background

While the property is currently in the ETJ, the default zoning district if it is annexed is Agriculture “AG”

Per Ch. 30 Exhibit A, §3.5-3.6

- **AG – Agriculture:** *The AG, agriculture district is designed to permit the use of land for the ranching, propagation and cultivation of crops, small-scale horticultural enterprises, and similar uses. Single-family uses on large lots are also appropriate for this district. Territory that has been newly annexed into the city is initially zoned agriculture. It is anticipated that some portion of agriculturally zoned land may eventually be rezoned to another zoning classification in the future.*

The applicant is requesting a zoning amendment to Commercial Services “CS”

- **CS – Commercial Services:** *The commercial services (CS) district is intended to provide a location for commercial and service-related establishments, such as wholesale product sales, welding, and contractors shops, plumbing shops, automotive repair or painting services, upholstery shops, and other similar commercial uses. Uses in this district may utilize open storage areas that are screened from public view. The uses envisioned for the district will typically utilize small sites and have operational characteristics that are generally not compatible with residential uses and most other types of nonresidential uses within the city.*

This request is being heard concurrently with an annexation request for the same property. The applicant is requesting this annexation and zoning amendment to expand the library to an adjacent site. At their meeting on July 19, 2022, the City Council gave direction to staff to proceed with the annexation request for the property.

At their meeting on August 23, 2022, the Planning & Zoning Commission voted unanimously to recommend approval of the zoning map amendment.

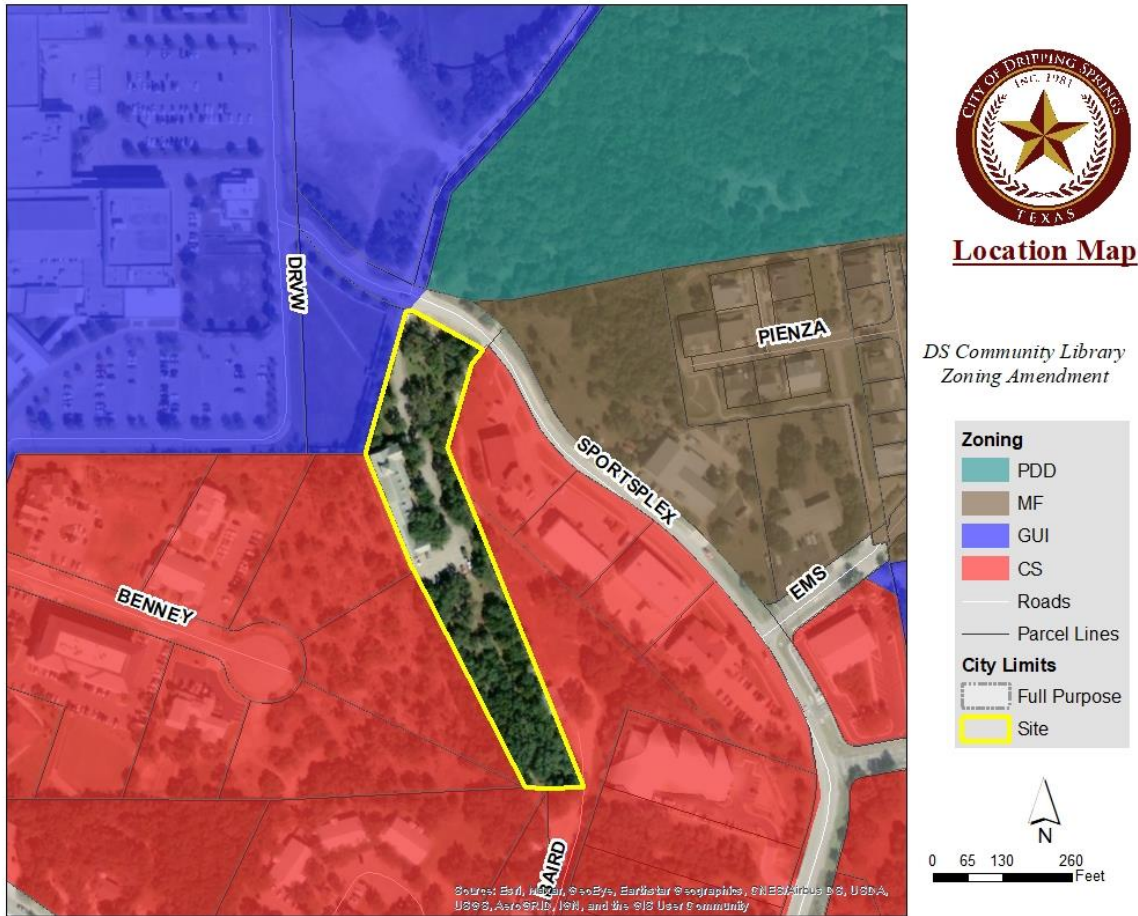
Analysis

Based on the adjacent zoning category and land uses, staff finds that the proposed zoning is compatible within the area.

Since the property is currently in the ETJ, staff finds it appropriate to compare ETJ standards with the requested zoning district.

	ETJ	CS	Differences between ETJ & SF-2
Max Height	Not regulated	2 stories / 40 feet	Restricted 2 stories / 40 feet
Min. Lot Size	.75 acres*	8,00 square feet	0.57 acres less
Min. Lot Width	30 feet	80 feet	50 feet more
Min. Lot Depth	unregulated	100 feet	100 feet
Min. Front/Side/Rear Yard Setbacks	10 feet / 5 feet / 5 feet	25 feet / 15 feet / 25 feet	15 feet / 10feet / 20 feet more
Impervious Cover	35%	70%	35% more

Surrounding Properties



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	Future Land Use
North	PDD / MF	Heritage / Single family residences	Not identified on the Future Land Use Map
East	CS	Various Office	
South	CS	Various Office	
West	CS / GUI	Various Office / Dripping Springs High School	

Approval Criteria for Zoning Amendment (Chapter 30 Zoning, Exhibit A, Sec 2.28.1 and 2.28.2)

2.28.2 The Planning & Zoning Commission 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 zoning change is consistent with existing development in the area.
2. their relationship to the general area and the City as a whole;	This zoning change would allow for various office / retail uses and could allow for the expansion of the existing library.
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;	The property is not within any existing or proposed City Plans.
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 request would not make other land unavailable for development.
5. the recent rate at which land is being developed in the same zoning classification, particularly in the vicinity of the proposed change;	Land with the same zoning classification has been developing rapidly.
6. how other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved;	No areas designated for commercial development will be affected by this proposed amendment.
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	Approval of this zoning amendment would not be significantly different from decisions made involving other similar parcels.
8. any other factors which will substantially affect the public health, safety, morals, or general welfare.	The rezoning does not negatively affect the public health, safety, morals, or general welfare.

Staff Recommendation

Staff recommends **approval** of the zoning amendment as presented.

Planning and Zoning action:

2.35.1 Every application or proposal which is recommended for approval or approval with conditions by the P&Z shall be automatically forwarded, along with the P&Z's recommendation, to the city council for setting and holding of public hearing thereon following appropriate public hearing notification, as prescribed in subsection 2.32. The city council may then approve the request, approve it with conditions, or disapprove it by a simple majority vote of the city council members present and voting, except where super majority is required as listed below.

2.36.1 After a public hearing is held before the city council regarding the zoning application, the city council may:

- (a) Approve the request in whole or in part;*
- (b) Deny the request in whole or in part;*
- (c) Continue the application to a future meeting, specifically citing the city council meeting to which it was continued; or*
- (d) Refer the application back to the P&Z for further study.*

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 zoning map amendment. To date, no letters for or against the request have been received.

Attachments

Exhibit 1 – Zoning Amendment Application

Recommended Action:	Approval of the requested Zoning Amendment
Alternatives/Options:	Denial or refer back to P&Z
Budget/Financial Impact:	All fees have been paid.
Public Comments:	None Received at this time.
Enforcement Issues:	N/A

CITY OF DRIPPING SPRINGS

ORDINANCE NO.

**3.209 ACRES OUT OF THE PHILIP A SMITH SURVEY,
HAYS COUNTY, TEXAS**

ANNEXATION ORDINANCE

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, TO VOLUNTARILY ANNEX BY REQUEST OF THE PROPERTY OWNER APPROXIMATELY 3.209 ACRES OF LAND INTO THE INCORPORATED MUNICIPAL BOUNDARIES OF THE CITY OF DRIPPING SPRINGS, TEXAS INCLUDING THE FOLLOWING: FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Dripping Springs (“City”) is a Type-A, General Law municipality located in Hays County, Texas with the rights and privileges thereto; and

WHEREAS, Section 43.0671 of the Texas Local Government Code authorizes a Type-A general law municipality to extend the boundaries of the municipality and annex area adjacent to the municipality by petition of area landowners in accordance with the procedural rules prescribed by Texas Local Government Code Chapter 43; and

WHEREAS, the City received a written petition requesting the voluntary annexation of the area described in Exhibit “A” on May 27, 2022

WHEREAS, the area identified in Exhibit “A,” approximately 3.209 acres in the Philip A Smith Survey, Hays County, Texas, is adjacent and contiguous to the city limits; and

WHEREAS, the City Council granted the petition and allowed City staff to proceed with negotiating the service agreement with the property owner, in accordance with Section 43.0672 of Texas Local Government Code;

WHEREAS, the City Council conducted a public hearing and considered testimony regarding the annexation of the property, in accordance with Section 43.0673 of Texas Local Government Code on September 6, 2022;

WHEREAS, the City Council deems it to be in the best interest of the citizens of the City to annex said territory into the City.

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

1. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of Dripping Springs, Texas, and are hereby approved and incorporated into the body of this Ordinance as if copied herein in their entirety.

2. ANNEXATION OF TERRITORY

- A.** The property in the area described in Exhibit “A”, which is attached hereto and incorporated herein for all purposes, is hereby annexed and brought into the municipal boundaries (i.e., corporate limits) of the City of Dripping Springs, and is made an integral part, hereof.
- B.** The official map and boundaries of the City of Dripping Springs are hereby amended and revised so as to include the area annexed, and to reflect the expansion of the City’s extraterritorial jurisdiction resulting from such annexation.
- C.** A service plan agreement was executed prior to the annexation approval in accordance with Section 43.0672 of Texas Local Government Code, and is attached hereto as Exhibit “B” and incorporated herein for all intents and purposes.
- D.** The owners and inhabitants of the area herein annexed are entitled to all of the rights and privileges of other citizens of the City of Dripping Springs and are hereby bound by all acts, ordinances and other legal actions now in full force and effect and those that may be hereafter adopted or enacted.

3. EFFECTIVE DATE

This ordinance is effective and the annexation achieved herein shall be final and complete upon adoption of this Ordinance on the date set forth below.

4. FILING

- A.** The City Secretary is hereby instructed to include this Ordinance in the records of the City.
- B.** The City Secretary is hereby instructed to have prepared maps depicting the new municipal boundaries and extraterritorial jurisdiction.
- C.** The City Secretary is hereby instructed to file a certified copy of this Ordinance with the Hays County Clerk.
- D.** The City Secretary is hereby instructed to submit by certified mail a certified copy of the annexation ordinance a map of the entire city that shows the change in boundaries, with the annexed portion clearly distinguished, resulting from the annexation to the Texas

Comptroller's Office.

5. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

6. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that 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 Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED this the ____ day of _____ 2022, by a vote of ____ (ayes) to ____ (nays) to ____ (abstentions) of the City Council of the City of Dripping Springs, Texas.

THE CITY OF DRIPPING SPRINGS:

Bill Foulds Jr.

ATTEST:

Andrea Cunningham, City Secretary

Exhibit "A"
DESCRIPTION OF AREA TO BE ANNEXED

TRACT I

Being a portion of that tract of approximately 152.47 acres of land in the P. A. Smith League, Hays County, Texas, and conveyed to Mrs. Edna Earl Baird by W. R. Baird by deed dated February 19, 1937, recorded in Volume 154, page 59, Hays County Deed Records.

BEGINNING at the most southern southeast corner of the Edna Earl Baird 152.47 acres for the southeast corner of the tract herein described;

THENCE, in a westerly direction with the most southern boundary line of the said Edna Earl Baird 152.47 acre tract, 140 feet to a point for the southwest corner of the tract herein described;

THENCE, in a northwesterly direction parallel to the eastern boundary line of the Edna Earl Baird 152.47 acre tract and the west boundary line of that tract of land conveyed by Clara Wilson et al, to Alva C. Haydon, recorded in Volume 249, page 307, Hays county Deed Records, 700 feet to a point for the northwest corner of the tract herein described;

THENCE, in an easterly direction parallel to the south boundary of the tract herein described, 140 feet to a point in the west boundary line of the Alva C. Haydon tract for the northeast corner of the tract herein described;

THENCE, in a southeasterly direction with the west boundary line of the Alva C. Haydon tract, 700 feet to the **PLACE OF BEGINNING**, containing 2.25 acres of land, more or less

TRACT II

Description of a dividing line between the approximate East and West halves of that certain 152.47 acre tract of land out of the P. A. SMITH LEAGUE situated in Hays County, Texas, being that tract of land described in that Deed dated February 19, 1937, from W. R. Baird to Edna Earl Baird, recorded in Volume 154, Pages 59-60, Deed Records of Hays County, Texas.

BEGINNING at the most northerly Northwest corner of the Baird tract;

THENCE, with the common line between the said Baird Tract and that tract of land conveyed by Deed dated June 1, 1966, from J. V. Gregg, et ux, to C. Barton Draper, et ux, recorded in Volume 212, Pages 310-314, of the Deed Records of Hays County, Texas, South to a point being the Southeast corner of said Draper Tract;

THENCE, East approximately 200 feet to a point from which the centerline of a road bears East 15 feet;

THENCE, in a Southerly direction parallel with the centerline of said road, and following the meanders of said road to a point from which the North line of a 2.25 acre tract of land conveyed to John Marcus Baird by Deed recorded in Volume 264, Page 55-56, of the Deed Records of Hays County, Texas, bears South 300 feet;

THENCE, from said point in a Southerly direction to the Northwest corner of the said John Marcus Baird 2.25 acre tract;

THENCE, with the West line of the John Marcus Baird 2.25 acre tract approximately 700 feet to the South line of the above described 152.47 acre Baird tract, said point being in the North line of that 3.01 acre tract of land conveyed to J. D. Ragland by Deed recorded in Volume 169, Page 171, of the Deed Records of Hays County, Texas, for POINT OF TERMINATION

SAVE AND EXCEPT THE FOLLOWING, FROM TRACT H:

BEING A PART OF THAT CERTAIN 1.04 ACRE TRACT WHICH WAS CONVEYED TO JOHN BAIRD IN A DEED RECORDED IN VOLUME 310, AT PAGE 718, OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, SAID 0.0309 OF AN ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A NAIL FOUND IN A POST FOR THE NORTHEAST CORNER OF THE FORESAID 1.04 ACRE TRACT FOR THE NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, S 35 41'20"W, A DISTANCE OF 46.84 FT., WITH THE EAST LINE OF THE FORESAID 1.04 ACRE TRACT, TO A STEEL PIN SET ON THE CURVE NORTH RIGHT-OF-WAY LINE OF A PROPOSED 60 FT. RIGHT-OF-WAY FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, WITH THE ARC OF A CURVE TO THE LEFT, WHICH HAS A RADIUS OF 309.60 FT., A TANGENT OF 30.05 FT., AN ARC LENGTH OF 59.90 FT., AND A CHORD WHICH BEARS N 53 49'41"W, A DISTANCE OF 59.81 FT., TO A STEEL PIN SET IN THE NORTH LINE OF THE FORESAID 1.04 ACRE TRACT, AS FENCED, FOR THE MOST WESTERLY CORNER OF THIS TRACT;

THENCE, N 87 55'27"E, A DISTANCE OF 75.66 FT., WITH THE NORTH LINE OF THE FORESAID 1.04 ACRE TRACT, AS FENCED, TO THE PLACE OF BEGINNING AND CONTAINING 0.0309 ACRE OF LAND

STATE OF TEXAS
COUNTY OF HAYS

Exhibit "B"
Municipal Services Agreement

DRAFT



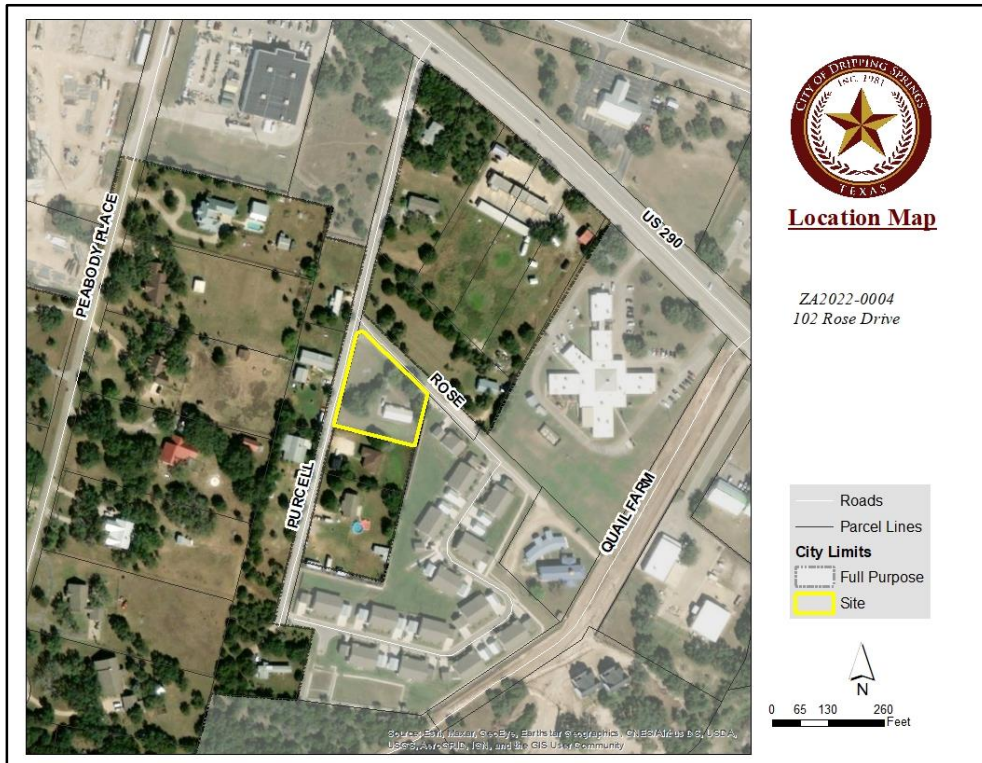
City Council Planning Department Staff Report

Item # 11.

City Council Meeting: September 6, 2021
Project No: ZA2022-0004
Project Planner: Tory Carpenter, AICP - Senior Planner

Item Details

Project Name: Van Merkel Property
Property Location: 102 Rose Drive
Legal Description: Lot 1 Block 1 Van Merkel Addition
Applicant: Jon Thompson
Property Owner: Van Merkel, LLC
Request: A zoning map amendment from SF-4 Two-Family Residential – Duplex zone to MF Multiple Family with a conditional overlay



Background

The property is currently zoned SF-4, Two-Family Residential- Duplex.

Per Ch. 30 Exhibit A, §3.5-3.6

- **SF-4 Two-family residential – Duplex:** The SF-4, two-family residential district is intended to provide for development of detached, two-family residence structures on moderate size lots of at least 10,000 square feet in size.
- **MF Multiple Family Residential:** The MF, multiple-family residential district is an attached residential district intended to provide the highest residential density, that being of 24 dwelling units per acre. The principal permitted land uses will include low-rise apartment dwellings and garden homes. Recreational, religious, health and educational uses normally located to service residential areas are also permitted in this district. This district should be located adjacent to a major thoroughfare and may serve as a buffer between low or medium density residential development and nonresidential development or high-traffic roadways.

The applicant is requesting this zoning amending to construct a total of six residential units in three separate buildings on the property. Since more than two units will be on a single property, the use is considered “multifamily” which is not allowed in SF-4.

The property was annex and zoned SF-4 in 2020. The supplemental materials provided with the application at that time indicated the applicant’s intentions to construct six units on the property.

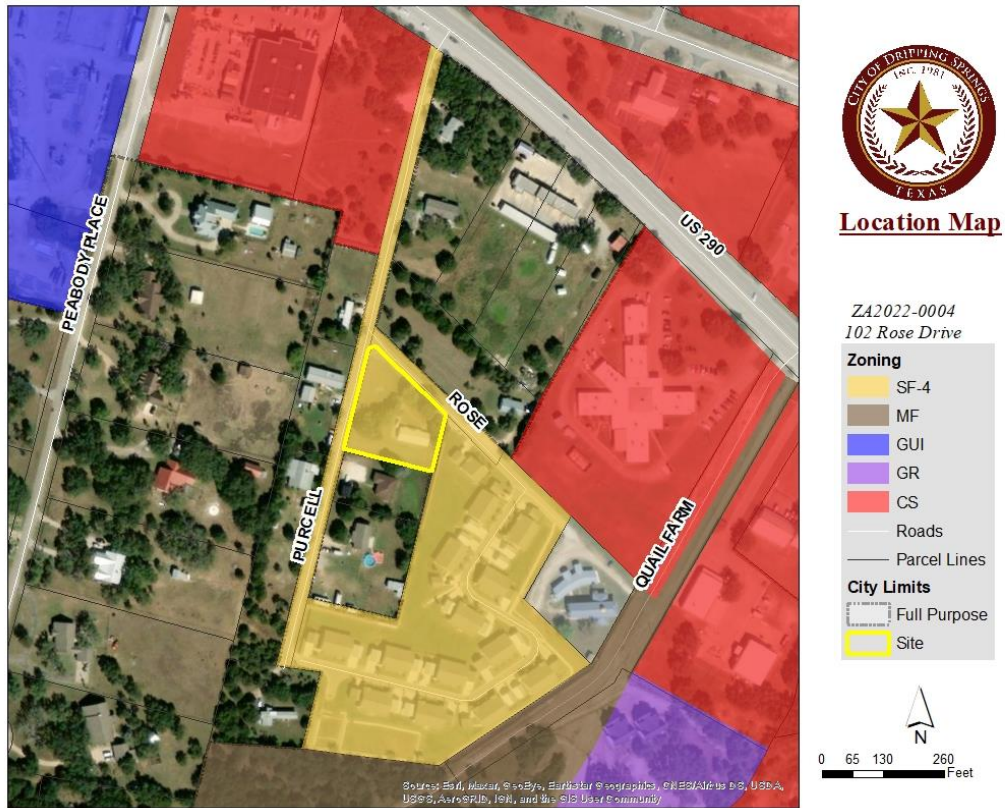
At their meeting on August 23, 2022 the Planning & Zoning Commission voted unanimously to recommend approval of the zoning amendment and conditional overlay.

Analysis

Based on the adjacent zoning category and land uses, staff finds that the proposed zoning with the conditional overlay is compatible within the area.

	SF-4	MF Conditional Overlay	Differences between SF-4 to Overlay
Units / Acre	8.7	6	2.7 units / acre less
Max Height	2.5 stories / 40 feet	1 story	1.5 stories
Min. Lot Size	10,000-sq-ft	20,000-sq-ft	10,000-sq-ft
Min. Lot Width	70 feet	60 feet	10 feet less
Min. Lot Depth	100 feet	N/A	N/A
Min. Front/Side/Rear Yard Setbacks	20 feet / 10 feet / 20 feet	20 feet / 15 feet / 25 feet	Same / 5 feet / 5 feet more
Impervious Cover	50%	60%	10% more

Surrounding Properties



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	Future Land Use
North	ETJ	Single-family	Medium Density Residential
East	MF-4	Duplexes	
South	ETJ	Single-family	
West	ETJ	Single-family	

Approval Criteria for Zoning Amendment (Chapter 30 Zoning, Exhibit A, Sec 2.28.1 and 2.28.2)

2.28.2 The Planning & Zoning Commission 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;	The proposed change from SF-4 to MF with a Conditional Overlay is an appropriate change. The Conditional Overlay allows duplexes consistent with other duplexes on Rose Drive.
2. their relationship to the general area and the City as a whole;	Staff worked with the applicant to provide a conditional overlay that complemented the area and the City as a whole.
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;	The tracts are not within any existing or proposed City Plans.
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 rezoning will not impact any undeveloped land in the vicinity with the same zoning district.
5. the recent rate at which land is being developed in the same zoning classification, particularly in the vicinity of the proposed change;	Moderately/High Dense residential developments are at an influx within the City of Dripping Springs.
6. how other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved;	No areas designated for similar development will be affected by this proposed amendment.
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	The proposed change does not treat the subject tracts of land in a manner which is significantly different from decisions made involving other, similarly situated parcels.
8. any other factors which will substantially affect the public health, safety, morals, or general welfare.	The rezoning does not affect the public health, safety, morals, or general welfare.

Staff Recommendation

Staff recommends approval of the rezoning request with the proposed Conditional Overlay.

Planning and Zoning action:

2.35.1 Every application or proposal which is recommended for approval or approval with conditions by the P&Z shall be automatically forwarded, along with the P&Z's recommendation, to the city council for setting and holding of public hearing thereon following appropriate public hearing notification, as prescribed in subsection 2.32. The city council may then approve the request, approve it with conditions, or disapprove it by a simple majority vote of the city council members present and voting, except where super majority is required as listed below.

2.36.1 After a public hearing is held before the city council regarding the zoning application, the city council may:

- (a) Approve the request in whole or in part;*
- (b) Deny the request in whole or in part;*
- (c) Continue the application to a future meeting, specifically citing the city council meeting to which it was continued; or*
- (d) Refer the application back to the P&Z for further study.*

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 zoning map amendment. To date, no letters for or against the request have been received.

Attachments

Exhibit 1 – Zoning Map Amendment Application

Recommended Action:	Approval of the requested zoning map amendment.
Alternatives/Options:	Denial of the zoning map amendment or return to the Planning & Zoning Commission
Budget/Financial Impact:	All fees have been paid.
Public Comments:	None Received at this time.
Enforcement Issues:	N/A
Comprehensive Plan Goal:	Livability /Quality of Life Support Housing Options in Dripping Springs



DRIPPING SPRINGS
Texas

City of Dripping Springs

Item # 11.

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384

Dripping Springs, TX 78620

512.858.4725 • cityofdrippingsprings.com

ZONING/PDD AMENDMENT APPLICATION

Case Number (staff use only): _____ - _____

CONTACT INFORMATION

PROPERTY OWNER NAME Van Merkel, LLC

STREET ADDRESS 102 Rose Drive

CITY Dripping Springs STATE Texas ZIP CODE 78620

PHONE _____ EMAIL fastfred54@aol.com

APPLICANT NAME Jon Thompson

COMPANY J Thompson Professional Consulting

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	
PROPERTY ADDRESS	102 Rose Drive
CURRENT LEGAL DESCRIPTION	Van Merkel Addition, Lot 1
TAX ID#	R15132
LOCATED IN	<input checked="" type="checkbox"/> CITY LIMITS <input type="checkbox"/> EXTRATERRITORIAL JURISDICTION
CURRENT ZONING	SF-4
REQUESTED ZONING/AMENDMENT TO PDD	MF w/ SF-4 Overlay
REASON FOR REQUEST <i>(Attach extra sheet if necessary)</i>	The owner wishes to build two additional duplexes (four units) on the property to rent. Was advised by City staff that the current zoning would not allow and that to achieve that goal a zoning amendment was necessary to change the zoning to MF w/ SF4 overlay.
INFORMATION ABOUT PROPOSED USES <i>(Attach extra sheet if necessary)</i>	Residential - duplexes for rent.

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 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 # 11007548

[Handwritten Signature]
Name

PARTNER
Title

STATE OF TEXAS §

§

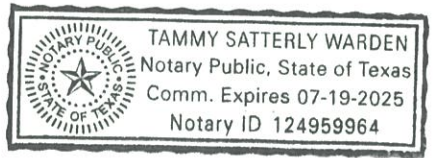
COUNTY OF HAYS §

This instrument was acknowledged before me on the 7 day of June,

2022 by Frederick K. Vanceura.

[Handwritten Signature]
Notary Public, State of Texas

My Commission Expires: 07-19-2025



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

June 1, 2022
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"/>	<u>PDF/Digital Copies of all submitted Documents</u> 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
<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 On application
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Concept Plan
<input type="checkbox"/>	<input type="checkbox"/>	Plans
<input type="checkbox"/>	<input type="checkbox"/>	Maps
<input type="checkbox"/>	<input type="checkbox"/>	Architectural Elevation
<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"/>	Copy of Planned Development District (<i>if applicable</i>)
<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



DRIPPING SPRINGS
Texas

BILLING CONTACT FORM

Project Name: Zoning Amendment - 102 Rose Drive

Project Address: 102 Rose Drive

Project Applicant Name: Jon Thompson, J Thompson Professional Consulting

Billing Contact Information

Name: Fred Van Cura, Van Merkel, LLC

Mailing Address: 490 Old Park Road

Dripping Springs, Texas 78620

Email: fastfred54@aol.com Phone Number: _____

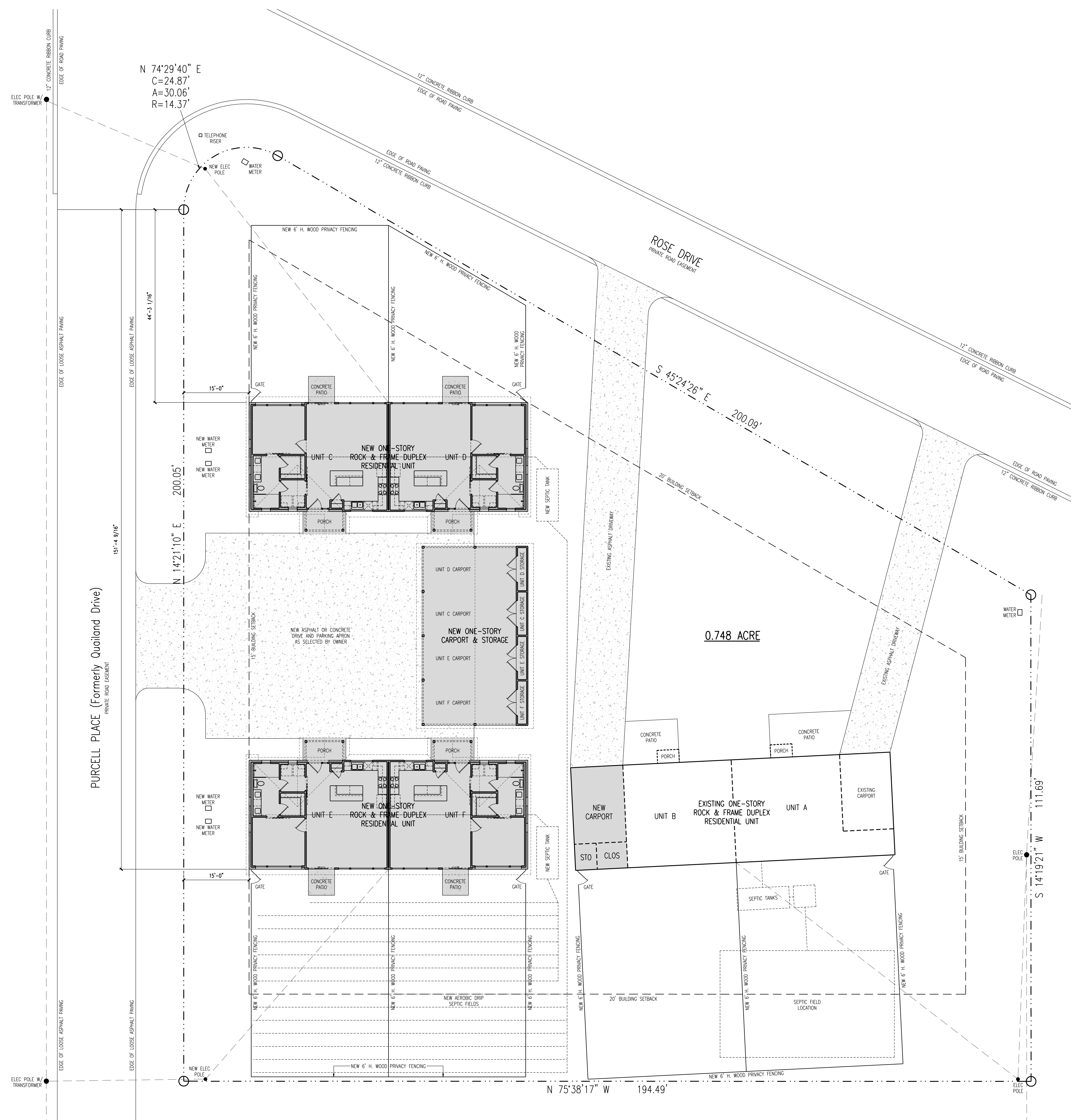
Type of Project/Application (check all that apply):

- | | |
|---|--|
| <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.*

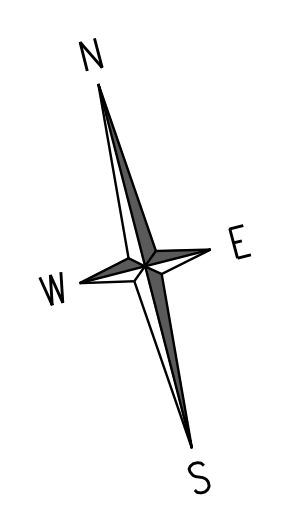
Jon Thompson
Signature of Applicant

June 1, 2022
Date



ARCHITECTURAL SITE PLAN

SCALE : 1" = 10'-0"



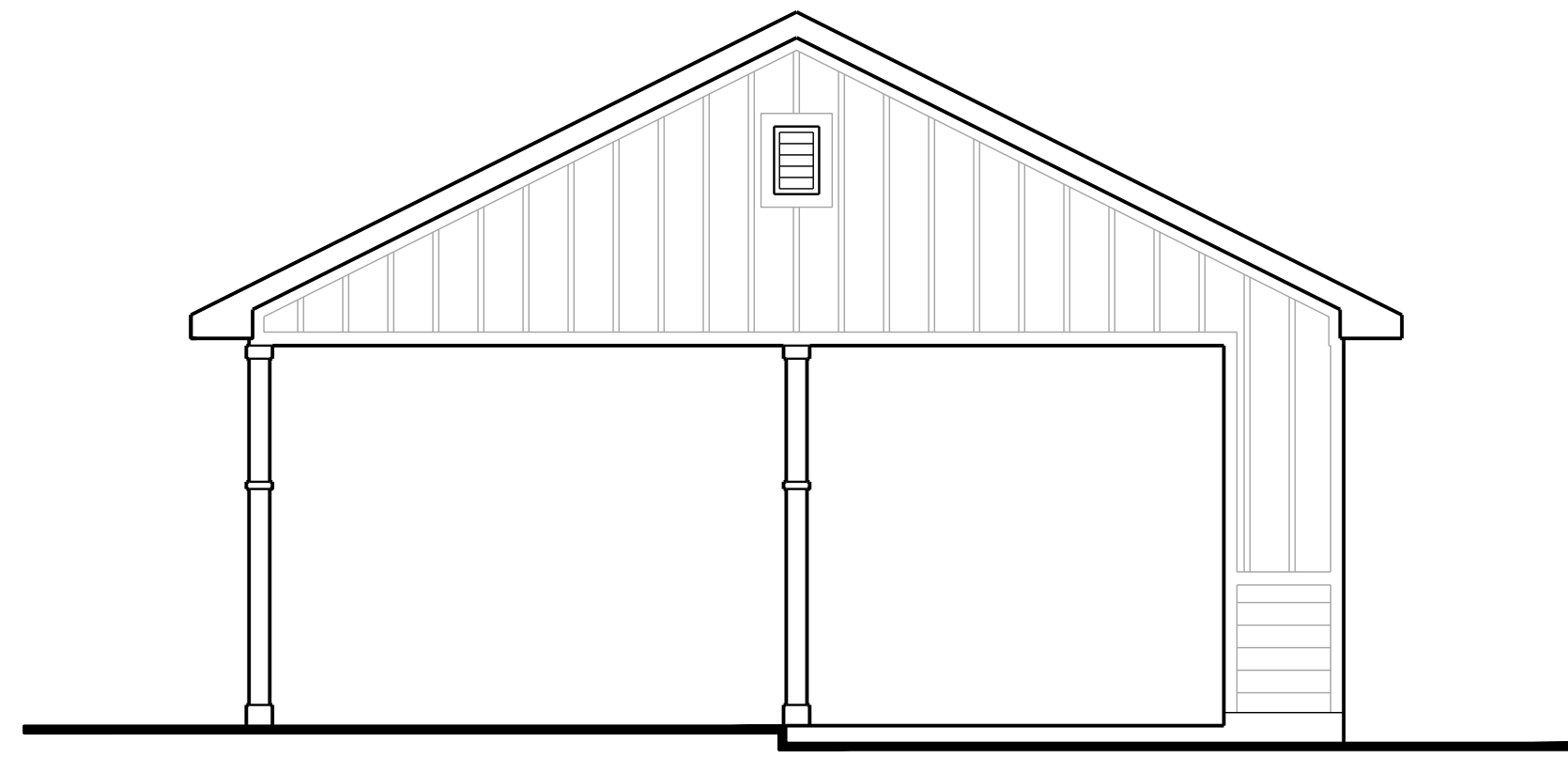
IMPERVIOUS COVERAGE	
TOTAL LOT AREA	32,592 SQ. FT.
EXISTING IMPERVIOUS COVER	3,747 SQ. FT.
EXISTING IMPERVIOUS COVER %	11.50 %
NEW IMPERVIOUS COVER	7,090 SQ. FT.
NEW IMPERVIOUS COVER %	33.25 %

REVISIONS

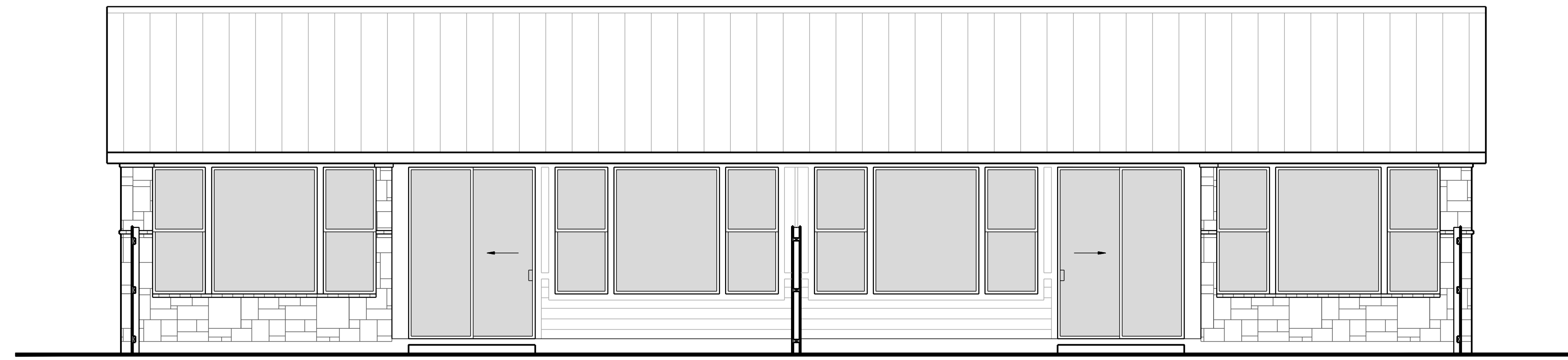
VAN2018
APR. 06, 2022
A1

Heron Design Studio
 a r c h i t e c t u r e
 101 Hays Street, Suite 409
 Dripping Springs, Texas 78620
 512.856.9869

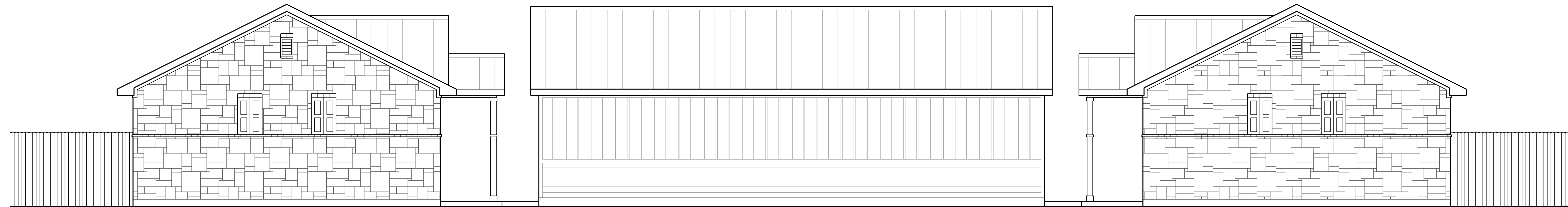
A New Duplex Project for Van-Merkel LLC
 102 Rose Drive, Units C, D, E & F
 Dripping Springs, Texas 78620



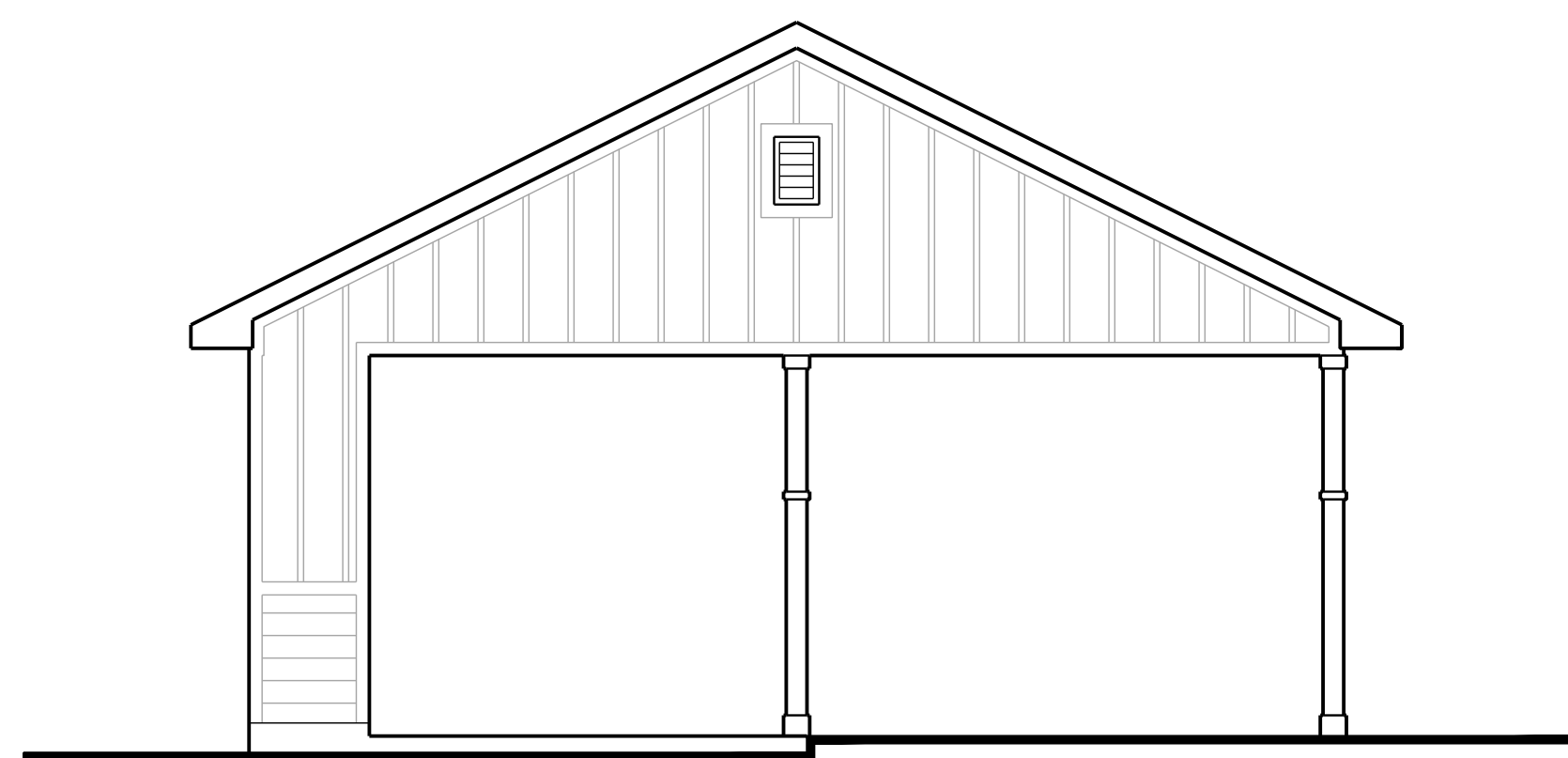
CARPORT RIGHT SIDE ELEVATION
FACES SOUTH
SCALE : 1/4" = 1'-0"



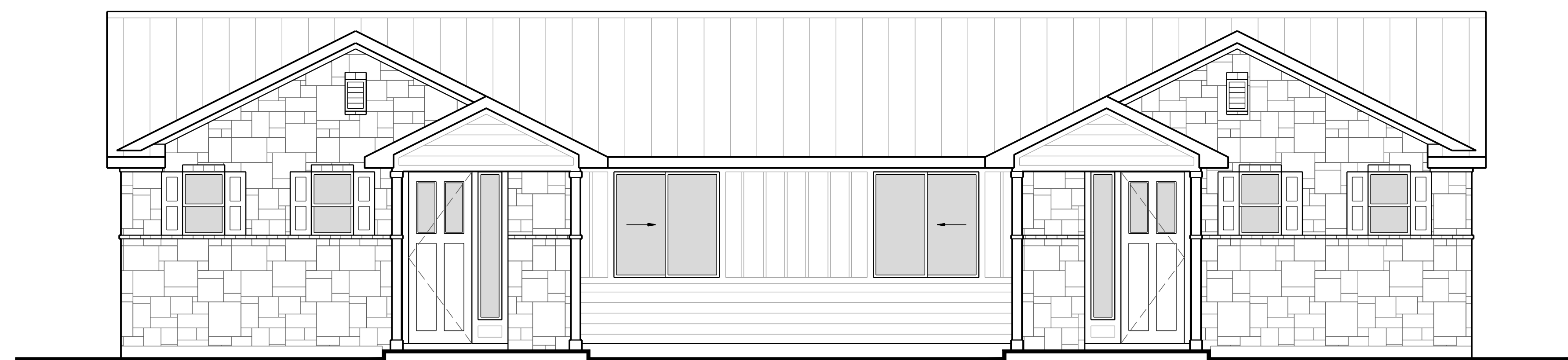
DUPLEX C/D REAR ELEVATION
FACES NORTH
DUPLX E/F SIMILAR
SCALE : 1/4" = 1'-0"



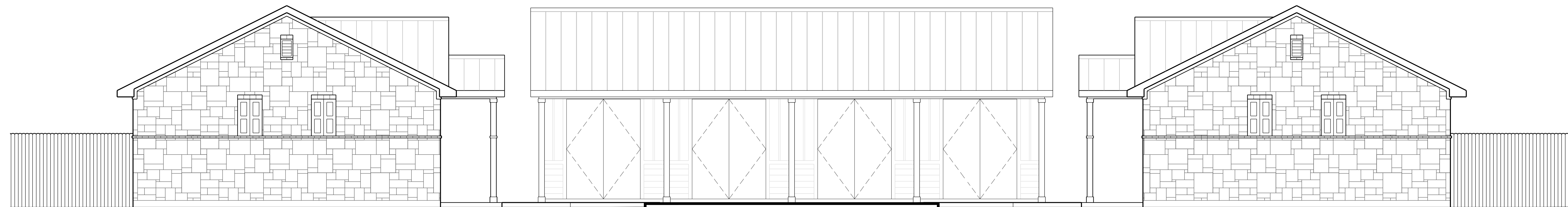
PROJECT EAST ELEVATIONS
FACES EXISTING DUPLEX A/B
SCALE : 1/4" = 1'-0"



CARPORT LEFT SIDE ELEVATION
FACES NORTH
SCALE : 1/4" = 1'-0"



DUPLEX C/D FRONT ELEVATION
FACES SOUTH
DUPLX E/F SIMILAR
SCALE : 1/4" = 1'-0"



PROJECT WEST ELEVATIONS
FACES PURCELL PLACE ROAD
SCALE : 1/4" = 1'-0"

A New Duplex Project for Van-Merkel LLC
102 Rose Drive, Units C, D, E & F
Dripping Springs, Texas 78620

Heron Design Studio
a r c h i t e c t u r e
101 Hays Street, Suite 409
Dripping Springs, Texas 78620
512.858.9889

REVISIONS

VAN2018
MAY 03, 2022
A5



Exterior View of Existing Duplex

The two new duplexes will complement this existing duplex

CITY OF DRIPPING SPRINGS

ORDINANCE No. _____

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS (“CITY”), REZONING APPROXIMATELY 0.748 ACRES FROM TWO-FAMILY RESIDENTIAL - DUPLEX (SF-4) TO MULTIPLE FAMILY RESIDENTIAL, MF; ADOPTING A CONDITIONAL USE OVERLAY; 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 tracts, described more fully in *Attachment “A”* and totaling approximately 1.855 acres, from Two-Family Residential - Duplex (SF-4) to Multiple Family Residential (MF) with a Conditional Use Overlay; and

WHEREAS, the City Council finds to be reasonable and necessary the adoption of a conditional use overlay to the tracts in addition to the rezoning, described more fully in *Attachment "B"* and totaling approximately 0.748 acres, from Two-Family Residential - Duplex (SF-4) to Multiple Family Residential (MF); 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 August 23, 2022, 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 September 6, 2022, 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

Approximately 0.748 acres and described more fully in *Attachment "A"*, is hereby rezoned from Two-Family Residential - Duplex (SF-4) to Multiple Family Residential (MF) with a Conditional Use Overlay as attached in Attachment B.

Further, the property will also have a conditional overlay that limits certain development standards on the property. The conditional use overlay is described in Attachment "B".

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 ___ day of _____ 2022, by a vote of _____ (*ayes*) to _____ (*nays*) to _____ (*abstentions*) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

by: _____

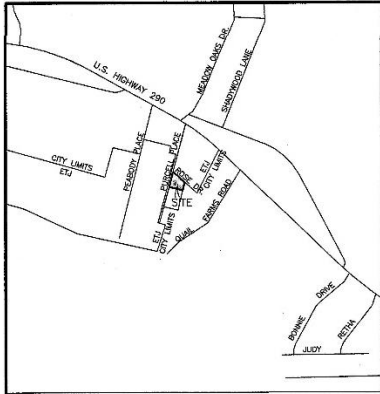
Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary

Attachment "A" Plat

DRAFT



SURVEYORS NOTES

1. FENCES MEANDER.
2. BEARINGS, DISTANCES AND AREAS IN PARENTHESES ARE FROM RECORD INFORMATION.
3. ACCORDING TO SCALING FROM THE CURRENT F.E.M.A. FLOOD INSURANCE RATE MAP NO. 4820200100P, DATED 9/2/2005, THIS TRACT LIES WITHIN ZONE X, (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).
4. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND THIS SURVEYOR DID NOT RESEARCH THE DEED RECORDS FOR PREVIOUS CONFLICTS IN TITLE OR EASEMENT, THEREFORE, CERTAIN EASEMENTS MAY HAVE BEEN GRANTED WHICH ARE NOT REFLECTED HEREON.
5. ACCORDING TO SCALING FROM TCEQ MAPS NO PORTION OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER RECHARGE ZONE AND ALL OF THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER CONTRIBUTING ZONE.
6. THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE DRIPPING SPRINGS INDEPENDENT SCHOOL DISTRICT.
7. THIS TRACT LIES WITHIN THE CITY LIMITS OF DRIPPING SPRINGS.
8. THIS TRACT LIES WITHIN THE BOUNDARIES OF HAYS COUNTY ESD NUMBERS 1 AND 6.

STATE OF TEXAS
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS, THAT I, VAN MERKEL, LLC, OWNER OF 0.748 OF AN ACRE, AS CONVEYED TO ME BY DEED DATED MARCH 29, 2011, AND RECORDED IN VOLUME 4081, PAGE 885, HAYS COUNTY OFFICIAL PUBLIC RECORDS, DO HEREBY SUBDIVIDE THIS PROPERTY TO BE KNOWN AS VAN MERKEL ADDITION, IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HEREOFORERE GRANTED, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON.

[Signature]
VAN MERKEL, LLC, OWNER
102 ROSE DR.
DRIPPING SPRINGS, TX, 78820

STATE OF TEXAS
COUNTY OF HAYS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Frederick K. Vancura KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 31 DAY OF March, A.D., 2022.

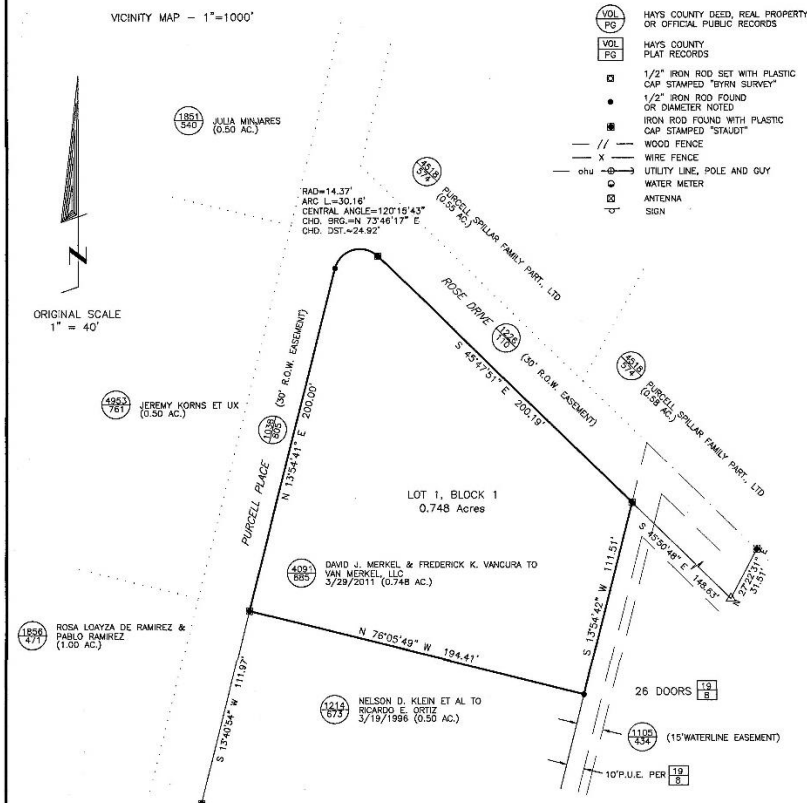
[Signature]
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



STATE OF TEXAS
COUNTY OF HAYS

I, ELAINE CARDENAS, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE 20 DAY OF April, 2022, AT 4:20 O'CLOCK P.M., AND DULY RECORDED ON THE 20 DAY OF April, 2022, AT 4:20 O'CLOCK P.M., IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN BOOK 1201970B.

[Signature]
Elaine H. Cardenas by *[Signature]* Deputy
ELAINE CARDENAS, COUNTY CLERK
HAYS COUNTY, TEXAS



DRIVEWAY PERMIT STATEMENT:

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 TRANSPORTATION DEPARTMENT OF HAYS COUNTY AND (B) THE DRIVEWAY SATISFIES THE MINIMUM SPACING REQUIREMENT FOR DRIVEWAYS SET FORTH IN CHAPTER 721 OF THE HAYS COUNTY DEVELOPMENT REGULATIONS.

ALL DRIVEWAYS, WHEN REQUIRED SHALL COMPLY WITH THE CURRENT HAYS COUNTY STANDARD PER HAYS COUNTY DEVELOPMENT REGULATIONS, CHAPTER 705, SUBCHAPTER 8.03.

LOT SIZE CATEGORIES

TOTAL NUMBER OF LOTS = 1
 AVENUE LOT SIZE = 0.748 ACRES
 0 LOT LARGER THAN 10.0 ACRES
 0 LOT LARGER THAN 5.0 ACRES AND SMALLER THAN 10 ACRES
 0 LOTS 2.0 ACRES OR LARGER UP TO 5.00 ACRES
 0 LOTS LARGER THAN 1.00 ACRE AND SMALLER THAN 2.00 ACRES
 1 LOT SMALLER THAN 1.00 ACRE

UTILITIES:
 ELECTRIC-PEDERNALES ELECTRIC COOP.
 WATER-DRIPPING SPRINGS WATER SUPPLY COOP.
 SEWER-INDIVIDUAL ON-SITE SEWAGE FACILITIES

CLIENT: VAN MERKEL, LLC
 DATE: 3/3/2022
 OFFICE: K. SMITH
 CREW: K. SMITH, HADEN
 FB/PG: 782/38
 PLAT NO. 27879-21-c

THIS PLAT OF VAN MERKEL ADDITION HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY OF DRIPPING SPRINGS AS A MINOR PLAT IN ACCORDANCE WITH THE CITY OF DRIPPING SPRINGS CODE OF ORDINANCES, CHAPTER 28, EXHIBIT A, SECTION 10, "MINOR PLATS" AND IS HEREBY ADMINISTRATIVELY APPROVED.

[Signature]
MICHELLE FISCHER
CITY ADMINISTRATOR

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY STATE THAT TO THE BEST OF MY SKILL AND KNOWLEDGE THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND AND THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION.

[Signature]
REGISTERED PROFESSIONAL LAND SURVEYOR
KYLE SMITH, R.P.L.S. NO. 6307



MINOR PLAT OF
VAN MERKEL ADDITION
 BEING 0.748 OF AN ACRE IN THE B.F. HANNA
 SURVEY, HAYS COUNTY, TEXAS

City of Dripping Springs

CODE OF ORDINANCES

CHAPTER 30: ZONING

EXHIBIT A

1.1. Applicability

This Ordinance shall apply solely to the following tracts, which shall herein be referred to as the subject properties;

Tract 1:

Being a 0.748 acres consisting of Lot 1, Block 1 of the Van Merkel Addition Minor Plat recorded in document no. 22019705 of the official public records of Hays County, Texas.

1.2. Base Zoning District

Except as provided in section 1.3 (below), the subject property shall be governed by the rules applying in Multiple Family Residential (MF) zoning district.

1.3. Overlay

1.3.1. The Conditional Overlay is hereby amended and effectuated upon the subject property. The boundary of the Overlay District shall be coterminous with the perimeter of the subject properties.

1.3.2. Only uses listed in the conditional use overlay are permitted.

Permitted Uses:

- a) Multiple-Family Dwelling
- b) Accessory Bldg./Structure (Residential)

1.3.3. Density:

- a) Six (6) units on the existing lot



SIGN VARIANCE REQUEST REVIEW

Date: **August 10, 2022**

Project: **Dripping Springs Elementary School– LED Message Board Monument Sign
29400 Ranch Road 12
Dripping Springs, TX 78620**

Applicant: **Pedro Ramos – PR Custom Signs, LLC**

Submittals: Variance Application
 Sign Permit Application
 Master Signage Plan (if applicable)
 Planned Develop District/Development Agreement Signage Regulations (if applicable)

Variance Requests: an exemption from section 26.01.004(b)(3) “*sign which cannot be expressly authorized: ...electronic signs*”

The following review has been conducted for the City of Dripping Springs to determine compliance and consistency with the City of Dripping Springs CODE OF ORDINANCES, Title 2 BUILDING AND DEVELOPMENT REGULATIONS, Chapter 26 SIGNS, Article 26.03.003 VARIANCES

Dripping Springs Elementary School is located at 29400 Ranch Road 12. They propose to replace their very dated sign, which is a pole sign – a prohibited sign type. The proposed new sign is an internally illuminated monument sign which includes an LED display screen. For Monument Identification Sign within a district such as GUI, the regulations are as follows:

- 8 ft in height
- Up to 48 sq. ft. of signable area
- Sign may not be installed within any PUEs

The sign is proposed to be:

- 8 ft in height
- 32 sq. ft. in overall signable area (including the LED display)

The variance request relates to the consideration for granting variances as follows:

Considerations in granting variances (Sec. 26.03.003 (e))

(1) Special or unique hardship because of the size or shape of the property on which the sign is to be located, or the visibility of the property from public roads.

Applicable Not Applicable

(2) Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a sign is to be located.

Applicable Not Applicable

(3) Proposed sign location, configuration, design, materials and colors are harmonious with the hill country setting.

Applicable Not Applicable

(4) Natural colors (earth tones) and muted colors are favored. Color schemes must be compatible with the surrounding structures. Predominate use of bold and/or bright colors is discouraged under this section.

Applicable Not Applicable

(5) The sign and its supporting structure should be in architectural harmony with the surrounding structures.

Applicable Not Applicable

(6) Mitigation measures related to the sign in question or other sign on the same premises.

Applicable Not Applicable

(7) Demonstrated and documented correlation between the variance and protecting the public health and safety.

Applicable Not Applicable

(8) The stage at which the variance is requested. The city will be more inclined to consider a variance request when it is sought during an earlier stage of the construction approval process, for instance, when the responsible party is submitting/obtaining a plat, planned development district, development agreement, or site plan.

Applicable Not Applicable

(9) Whether the sign could have been included in a master signage plan. Master signage plans are highly encouraged. The city will be more inclined to favorably consider a variance request when the variance is part of a master signage plan. There will be a presumption against granting variances piecemeal, ad hoc, on a case-by-case basis when the sign for which a variance is sought could have been included in a master sign plan and considered in the course of a comprehensive review of the entire project's signage.

Applicable Not Applicable

(10) The sign administrator may authorize the remodeling, renovation, or alternation of a sign when some nonconforming aspect of the sign is thereby reduced.

Applicable Not Applicable

The DSISD is proposing to replace an existing non-conforming sign with a new monument sign. Furthermore, the sign is proposed to be smaller than the allotted sq. ft. for a GUI monument sign. I recommend approval of the proposed variance with the requirement that further information on lighting compliance is provided for the top portion of the sign panels and that the entire sign comply with the highlighted sections of the attached International Dark Sky Association Texas Chapter's Texas Model Sign Ordinance, which allows electronic message signs.

Please let me know if you have any questions about this report.

Respectfully Submitted,



Sarah Cole, Building Official

CITY OF *YourCommunity*

ORDINANCE No. _____

TEXAS MODEL OUTDOOR LIGHTING ORDINANCE

AN ORDINANCE AMENDING ARTICLE **XX.X** OF *YourCommunity* CODE OF ORDINANCES; MODIFYING REGULATIONS FOR LIGHTING; PROVIDING FOR THE FOLLOWING: RULES; STANDARDS; PROCEDURES; CRIMINAL PENALTIES INCLUDING CRIMINAL FINES NOT TO EXCEED \$ 500.00 PER VIOLATION AND CIVIL FINES OF UP TO \$500.00 PER VIOLATION; REPEALER; SEVERABILITY; AND, AN EFFECTIVE DATE.

WHEREAS, the City Council of *YourCommunity* (“City Council”) seeks to provide for the regulation of lighting within the corporate limits of *YourCommunity* (“City”); and

WHEREAS, the City Council seeks to maintain the value of *YourCommunity*’s scenic beauty and charm, which are the keystones of the City's quality of life, through a comprehensive regulatory program that includes restrictions on signs and lighting; and

WHEREAS, the City Council finds that unnecessary and improperly designed light fixtures cause glare, light pollution, light trespass, and wasted resources; and

WHEREAS, glare and light pollution can result in: hazardous circulation conditions for all modes of transportation; reduction in safety; the diminishing ability to view the night sky; and, unattractive townscape; and

WHEREAS, light trespass can eliminate the full use, and enjoyment of property, causing substantial interference; and

WHEREAS, wasted resources can add to any strain that might be placed on the electric grid; and

WHEREAS, the people who live in and near *YourCommunity* value the natural environment, including the beauty and high quality of the night sky; and

WHEREAS, *YourCommunity* desires to protect the health, safety and welfare of the general public, and to protect the night sky that adds to the quality of life and economic wellbeing of the City; and

WHEREAS, these lighting regulations will not sacrifice the safety of our citizens or visitors, or the security of property, but instead will result in safer, efficient and more cost-effective lighting; 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, proposed lighting ordinance is designed to benefit residents and businesses in *YourCommunity* by constituting better nighttime visibility, public safety, energy efficiency, and preservation of the natural night environment to promote tourism; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace or order of *YourCommunity* to adopt an ordinance regulating lighting.

NOW, THEREFORE, BE IT ORDAINED by *YourCommunity* **City Council:**

1. FINDINGS OF FACT

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

2. ENACTMENT

Chapter XX, Article XX.XX of *YourCommunity* Code of Ordinances is hereby established and incorporated into this Ordinance for all intents and purposes.

3. REPEALER

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, 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. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City’s Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication of caption.

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, 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. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this, the ___ day of _____ 20xx, by a vote of ___ (ayes) to ___ (nays) to ___ (abstentions) of the City Council of *YourCommunity*, Texas.

CITY OF *YourCommunity*:

by: _____

Mayor _____

ATTEST:

_____, City Secretary

APPROVED AS TO FORM:

_____, City Attorney

ARTICLE XX.XX OUTDOOR LIGHTING

Sec. XX.XX.001 - Title, purpose and scope.

- (a) This article shall be known and cited as the "Outdoor Lighting Ordinance."
- (b) The purpose of this article is:
 - (1) To reduce glare and improve nighttime visibility which contributes to safer, more secure, and attractive outdoor living spaces;
 - (2) To encourage efficient, controlled lighting that conserves energy;
 - (3) To make our community a better place to live and work and a more inviting place for tourist to visit;
 - (4) To protect properties from light trespass;
 - (5) To restore and preserve our heritage of a clear, dark night sky; and
 - (6) To position the City to apply for the designation of International Dark Sky Community.
 - (7) To have lights at night that are directed where light is wanted, are a warm color, and the appropriate amount of light.
 - (8) To prevent light at night from being wasted offsite, off property, or into the night sky.
- (c) Scope
 - (1) This article shall apply within the City limits, hereinafter referred to as "City".
 - (2) Nothing herein shall be construed as preventing or limiting the City from applying this article within the surrounding areas where the City asserts powers of extraterritorial jurisdiction through agreements with property owners, or as a term affixed to a conditional approval (such as a variance) or if authorized by the State of Texas.

Sec. XX.XX.002. - Definitions.

- (a) The following definitions are hereby adopted for the purposes of this article:

Adaptive controls mean mechanical or electronic devices, when used in the context of outdoor lighting systems, intended to actively regulate the switching, duration, and/or intensity of light emitted by the outdoor lighting system. Examples of adaptive controls include timers, dimmers and motion-sensing switches.

Beam of a light fixture means the spatial distribution of the emitted light.

Correlated Color Temperature (CCT) means a measure of the color properties of light emitted by lamps, being equal to the temperature, expressed in Kelvins (K). CCT values are typically provided on lighting manufacturer packaging or data sheets.

Decorative holiday lighting means low-intensity string lights, whose luminous output does not exceed fifty (50) lumens per linear foot, and fully-shielded floodlights, whose luminous output does not exceed one thousand (1,000) lumens and which are aimed and oriented in such a way as to not create light trespass onto another property nor into the night sky, operated only during prescribed periods of time during the calendar year.

Electronic Message Display means any illuminated sign of an informative or advertising nature, whether on-or off-premise, and operable at night, whose content is made visible to the viewer by means of luminous elements under active electronic control and therefore subject to alteration in order to vary the content of the message. Electronic displays may be either static or dynamic in terms of light color and intensity.

Existing light fixtures means those outdoor light fixtures already installed at the time this article is adopted.

Floodlight means a light fixture having a wide beam.

Fully Shielded means an outdoor luminaire constructed so that in its installed position, all of the light emitted from the light fixture is projected below the horizontal plane passing through the lowest light-emitting part of the fixture.

Glare means visual discomfort or impairment caused by a bright source of light in a direction near one's line of sight.

Greenhouse means any building that is constructed of glass, plastic, or other transparent material in which plants are grown under climate-controlled conditions and includes hoop houses and other similar structures.

Illuminance means the intensity of light in a specified direction measured at a specific point.

Light source means a light emitting portion of the luminaire and any diffusing elements and surfaces intended to reflect or refract light emitted from the lamp individually or collectively, for example, a lamp, bulb, lens, highly reflective surface, or frosted glass.

Light pollution means the unintended, adverse and /or obtrusive effect of the use of outdoor light at night.

Light trespass means light emitted from fixtures designed or installed in a manner that unreasonably causes light to fall on a property other than the one where the light is installed, in a motor vehicle drivers' eyes, or upwards toward the sky. If the light appears star-like from another property or the public roadway, the light is creating light trespass. It is expected that the illumination produced by a light source may be viewed from other properties but the light source itself should not be visible from other properties. Exhibit 3 of Section XX.XX.020 is a sample educational illustration about light trespass.

Lumen means the unit of measurement used to quantify the amount of light produced by a bulb or emitted from a light source. Lumen values are typically provided on lighting manufacturer packaging or data sheets. For the purposes of this article, unless otherwise stated, the lumen output values shall be the initial lumen output ratings as defined by the manufacturer, multiplied by the lamp efficiency. Lamp efficiency of 95% shall be used for all solid-state lamps and 80% for all other lamps, unless an alternate efficiency rating is supplied by the manufacturer.

Lumens per Net Acre means the total outdoor light output, as defined in this article, divided by the number of acres, or part of an acre with outdoor illumination. Undeveloped, non-illuminated portions of the property may not be included in the net acreage calculation.

Luminaire means a complete lighting assembly or lighting fixture, consisting of a lamp, housing, optic(s), and other structural elements, but not including any mounting pole or surface.

Luminance is a measure of light emitted by or from a surface.

Nit is the standard unit of measure of luminance used for internally illuminated signs, digital signs, or electronic message displays.

Outdoor Lighting means temporary or permanent lighting that is installed, located, or used in such a manner to cause light rays to shine outdoors. Nonresidential fixtures that are installed indoors that cause light rays to shine outside are considered outdoor lighting for the intent of this article. See Exhibit 1 of Section XX.XX.020 for an illustration of this type of situation. Residential fixtures installed indoors generating more than 3,800 lumens (approximately equal to a 300-watt incandescent bulb) that cause light to shine outside are also considered outdoor lighting for the intent of this article. All of the lighting that illuminates the translucent portion of a greenhouse or solarium, including roofing material, is considered outdoor lighting for the intent of this article.

Private lighting means outdoor light fixtures that are owned or leased or operated or maintained or controlled by individual persons, including but not limited to families, partnerships, corporations, and other entities engaged in the conduct of business or other non-governmental activities.

Public lighting means outdoor light fixtures that are owned or leased or operated or maintained or controlled by the City or other governmental entity or entities completely or partly funded by grants obtained by the City or its agents from federal, state or private sources. The

light fixtures are normally located on, but are not limited to, streets, highways, alleys, easements, parking lots, parks, playing fields, schools, institutions of higher learning, and meeting places.

Sag-lens or drop-lens fixture means a fixture, typically seen on older streetlights or parking lot lights, where the lens extends below the lowest opaque part of the fixture such that light is scattered above the horizontal plane.

Searchlight means a light fixture having a narrow beam intended to be seen in the sky.

Spotlight means a light fixture having a narrow beam.

Temporary lighting means non-permanent lighting installations installed and operated for a duration not to exceed thirty (30) days.

Total outdoor light output means the total amount of light, measured in lumens, from all outdoor light fixtures within the illuminated area of a property. The lumen value to be used in the calculation is the lumen value as defined in this article. To compute the total, add the lumen outputs attributed to each light fixture together.

Sec. XX.XX.003. – Nonconforming existing outdoor light fixtures.

- (a) All existing outdoor lighting that was legally installed before the enactment of this article, that does not conform with the standards specified by this article shall be considered nonconforming. Nonconforming outdoor lighting is allowed to remain until required to be replaced pursuant to the terms of this article.
- (b) If more than fifty percent (50%) of the total appraised value of a structure (as determined from the records of the county's appraisal district), has been destroyed, the nonconforming status expires and the structure's previously nonconforming outdoor lighting must be removed and may only be replaced in conformity with the standards of this article.
- (c) Nonconforming outdoor lighting shall be brought into conformance with this article as follows:
 - (1) Nonresidential Application. All existing outdoor lighting located on a subject property that is part of an application for a rezoning application, conditional use permit, subdivision approval, or a building permit for a major addition is required to be brought into conformance with this article before final inspection, issuance of a certificate of occupancy, or final plat recordation, when applicable. For the following permits issued by the City, the applicant shall have a maximum of 90 days from date of permit issuance to bring the lighting into conformance: site development permit, sign permit for an externally or internally illuminated outdoor sign, initial alcoholic beverage permit, initial food establishment permit, and on-site sewage facility permit.

- (2) Residential addition or remodel. Nothing herein shall be construed to terminate a residential property's nonconforming status as a result of an addition or remodel. However, all outdoor residential lighting that is affixed to a construction project requiring a building permit is required to conform the standards established by this ordinance.
- (3) Abandonment of nonconforming. A nonconforming structure shall be deemed abandoned if the structure remains vacant for a continuous period of six (6) months. In that instance, the nonconforming status expires and the structure's previously nonconforming outdoor lighting must be removed and may only be replaced in conformity with the standards of this article.
- (d) It is unlawful to expand, repair or replace outdoor lighting that was previously nonconforming, but for which the prior nonconforming status has expired, been forfeited, or otherwise abandoned.
- (e) Outdoor lighting on any property that is not in conformance with this article shall be brought into conformance with this article within five (5) years from the date of adoption of this article. All new construction and/or new luminaires installed (including replacements for existing fixtures) shall comply after the adoption of this article.
- (f) Amortization Extension. Residential property owners may request from the City an amortization extension of up to a maximum of ten (10) years from the date a nonconforming fixture was installed provided that the fixture was compliant with existing City ordinances at the time it was installed, and that date of installation can be substantiated via documents, date stamped photographs, etc. or, at the prerogative of the City Administrator, corroborative written statements.
- (1) Amortization extensions to the date at which outdoor lighting shall conform with this article shall be on a per fixture basis with the following requirements:
- (i) The light fixture must be documented to cost at least \$100 when originally purchased;
 - (ii) The fixture cannot be brought into compliance by changing the bulb or lighting element or installing shielding;
 - (iii) If the bulbs or other lighting elements of the fixture require replacement during the amortization period, the replacement bulbs or lighting elements shall not be rated in excess of 2700 Kelvin.

Sec. XX.XX.004. - General Provisions

- (a) Shielding.
- (1) Unless exempted elsewhere in this article, all outdoor lighting shall be fully shielded.

- (2) New streetlights shall be fully shielded fixtures of approved historical design, utilizing a minimum output consistent with the safety of drivers and pedestrians.
 - (3) Mounting height or topography or proximity to other properties may cause public or private outdoor light fixtures to require additional shielding to prevent glare, light trespass, or an unsafe condition on properties other than the one on which it is installed.
 - (4) All of the lighting that illuminates the translucent portion of a greenhouse or solarium must be shielded so that no direct light shines outside of the structure and no more than 4% of the reflected or refracted illumination is allowed to escape outside the structure.
 - (5) Outdoor light fixtures with a maximum output of 200 lumens per fixture, regardless of the number of bulbs, may be left unshielded provided the source of the light is not visible from any other property and the fixture conforms to all other stipulations of this article. The output from these fixtures shall not exceed 10% of the lumens per net acre allowed by this article.
- (b) Light Trespass.
- (1) Light trespass is prohibited. No luminaire installed within the City limits, except governmental owned streetlights, shall create conditions of light trespass. Governmental owned street lights may only create light trespass below it within one hundred (100) feet of its installed location.
 - (2) All outdoor lighting, except governmental owned streetlights, shall be shielded so that the light source shall not be visible from any other property.
- (c) Outdoor Sports Facilities.
- (1) Lighting at public and private outdoor sports facilities, including but not limited to playing fields, arenas, tracks, and swimming pools, will be shielded to the greatest practical extent to reduce glare, safety hazards, light trespass, and light pollution;
 - (2) Will provide levels of illuminance that are adjustable according to task, allowing for illuminating levels not to exceed nationally recognized Illuminating Engineering Society of North America (IESNA) standards according to the appropriate class of play, as well as for lower output during other times, such as when field maintenance is being actively performed; and
 - (3) Shall be provided exclusively for illumination of the surface of play and adjacent viewing stands, and not for any other application, such as lighting a parking lot; and
 - (4) Must be extinguished by 11:00 p.m. or within one (1) hour of the end of active play. The outdoor sports facility lighting shall be fitted with mechanical or electronic timers to prevent lights from being left on accidentally overnight.

- (5) Outdoor sports facility lighting will be exempted from the other regulations of this article if its design and installation, as certified by a professional engineer (PE) licensed in the state of Texas, adheres to the version of the International Dark-Sky Association's Criteria for Community-Friendly Outdoor Sports Lighting operative at the time when the construction permit is submitted to the City for review.
- (d) Towers. No lighting of towers and associated facilities is allowed, except by permit, and except as required by the Federal Aviation Administration or other federal or state agency. In coordination with the applicable federal or state agency, the applicant shall determine the maximum height of the tower that would not require lighting. If a proposed tower would require lighting, the applicant shall demonstrate that a tower height that requires lighting is necessary. Such justification shall include documentation showing:
- (1) Coverage limitations;
 - (2) Type of system (e.g. cellular, radio, television);
 - (3) Technical and engineering details of the lighting to be installed; and
 - (4) Requirements of federal, state, and local agencies.

If a tower height that requires lighting is justified, slowly blinking red lights must be used at night. White strobe lights at night are prohibited.

(e) Color Temperature.

- (1) The correlated color temperature (CCT) of luminaries shall not exceed 2700 Kelvins.
- (2) Luminaries rated below 2500 Kelvin are encouraged for better nighttime visibility.

- (f) Service Station Canopies and other building overhangs. All luminaires mounted on or recessed into the lower surface of service station canopies or other overhangs shall be fully shielded and utilize only flat lenses or windows. Shielding must be provided by the luminaire itself, and not by surrounding structures such as canopy edges. Light directed on service station pumps may be angled to illuminate the pump to the level of federal standards and to shield the light from normal view.
- (g) General curfew.
- (1) In all nonresidential zones,
 - (i) All privately owned exterior lighting not adaptively controlled shall be extinguished by 11:00 p.m. or within one (1) hour of the end of normal business hours, whichever occurs later.

- (ii) Exterior lighting with adaptive controls shall reduce lighting to 25% or less of the total outdoor light output allowed by 11:00 p.m. or within one (1) hour of the end of normal business hours, whichever occurs later. Adaptive controls may be used to activate lights and resume normal light output when motion is detected and be reduced back to 25% or less of total outdoor light output allowed within 5 minutes after activation has ceased, and the light shall not be triggered by activity off property.
 - (iii) Businesses whose normal operating hours are (24) twenty-four hours per day are exempt from this provision.
- (2) All publicly owned lighting not adaptively controlled must be fully extinguished by 11:00 p.m., or within one (1) hour of the end of occupancy of the structure or area to be lit, whichever is later.
 - (3) All outdoor lighting is encouraged to be turned off when no one is present to use the light.
- (h) Lumen Caps. The lumen per net acre values are an upper limit and not a design goal; design goals should be the lowest levels that meet the requirement of the task. Lumen per net acre values exclude governmental owned street lights used for illumination of public rights-of-way and outdoor recreation facilities.
- (1) Nonresidential Property. Total outdoor light output installed on any nonresidential property shall not exceed 100,000 lumens per net acre in any contiguous illuminated area;
 - (2) Residential Property. Total outdoor light output installed on any residential property shall not exceed 25,000 lumens per net acre in any contiguous illuminated area.
- (i) Adaptive Controls. All new publicly owned lights, including streetlights, will incorporate adaptive controls (*e.g.*, timers, motion-sensors, and light-sensitive switches) to actively regulate the emission of light from light fixtures such that the lighting of areas is restricted to times, places and amounts required for safe occupancy.
- (j) Flagpoles. Property owners are encouraged to not illuminate flagpoles at night, but rather to hoist flags after dawn and lower flags before sunset. If flags are illuminated at night, lighting of up to a total of two (2) flags per property is permitted with the following conditions:
- (1) Flagpoles with a height greater than 20 feet above ground level shall be illuminated only from above. This may be achieved by utilizing a luminaire attached to the top of the flagpole or a luminaire mounted above the top of the flagpole on a structure within fifteen (15) feet of the flagpole and must comply with all sections of this article. The total light output from any luminaire mounted on top of or above a flagpole shall not exceed 800 lumens.

- (2) Flagpoles with a height equal to or less than twenty (20) feet above ground level may be illuminated from below. If ground-level illumination is used, flagpoles may be illuminated with up to two (2) spotlight type luminaires, utilizing shields or diffusers to reduce glare, whose maximum combined lumen output is 75 lumens per linear foot of pole height, measured from the level of the luminaire above grade to the top of the flagpole. Luminaires are to be mounted so that their lenses are perpendicular to the flagpole and the light output points directly toward the flag(s).

(k) Prohibitions. The use of the follow types of outdoor lighting are prohibited, except as specifically exempted here or elsewhere in this article.

- (1) Sag-lens or drop lens fixtures.
- (2) Any luminaire that uses mercury vapor lamps.
- (3) Searchlights, skybeams, and similar lighting, except as required by response personnel during emergency conditions.

(4) Any light that dynamically varies its output by intermittently fading, flashing, blinking, or rotating. This type of lighting includes strobe lighting.

- (l) Warranting. New installations of outdoor lighting will only be installed on public properties and right-of-way upon determination by the City Administrator that a public safety hazard exists in the area to be lit, and that the hazard can only be effectively mitigated through the use of outdoor lighting and not through some other passive means, such as reflectorized roadway paint or markers.

Sec. XX.XX.005. - Plan Submission and Compliance Review.

- (a) Any individual applying for a compliance review or building permit under this article intending to install new outdoor lighting or update existing outdoor lighting shall file a lighting plan with the City. A lighting plan shall be filed at the same time as any other plans required by the City. The individual may obtain from City staff a document that lists all of the items that comprise a proper and complete outdoor lighting submittal. The submittal shall contain, but shall not necessarily be limited to the following:
 - (1) Plans indicating the number and location on the premises of proposed and existing light fixtures, the type of light fixture (the manufacturer's order number), the lamp type, Kelvin rating, initial lumens produced, the mounting height for each fixture, adaptive controls, building elevations for any structure whose interior lighting is defined as outdoor lighting per this article and the manufacturer's specification sheet for each light fixture.
 - (2) The number of acres or part of an acre that is to be illuminated contiguously, the square footage of the footprint for each structure within the area to be illuminated; and

- (3) Any other evidence that the proposed installation will comply with this ordinance.
- (b) The lighting plan shall be reviewed by the City building official to determine compliance with this article, taking into account all factors, including but not limited to, levels of illuminance, luminance, glare, safety hazards, light trespass, and light pollution. The building official may seek input from community members knowledgeable about outdoor lighting during the review process. The building official shall approve or reject the plan within 30 days of submission, returning it to the applicant with an explanation. The applicant shall not move forward with the outdoor lighting project until the lighting plan is approved. After the lighting plan is approved, no substitutions may be made for approved light fixtures without re-submitting the plan for review with the substitutions.

Sec. XX.XX.006. - Exemptions, temporary permitting, amendments, enforcement, civil remedies and public nuisance.

- (a) This article shall not apply to the following:
- (1) Decorative holiday lighting from November 15 through the next January 15 during the hours of 6:00 a.m. to 11:00 p.m. each day, except that flashing holiday lights are prohibited on nonresidential properties. Holiday lights may be illuminated one additional seven (7) day period per calendar year.
 - (2) String, festoon, bistro, and similar lighting, provided that the emission of no individual lamp exceeds fifty (50) lumens, and no installation of such lighting exceeds, in the aggregate, six thousand (6,000) lumens. These lights must be rated at or below 2700 Kelvin.
 - (3) Underwater lighting of swimming pools and similar water features.
 - (4) Lighting required by law to be installed on surface vehicles and aircraft;
 - (5) Airport lighting required by law;
 - (6) Lighting required by federal or state laws or regulations;
 - (7) Temporary emergency lighting needed by law enforcement, fire and other emergency services as well as building egress lighting whose electric power is provided by either battery or generator;
 - (8) Lighting employed during emergency repairs of roads and utilities provided such lighting is deployed, positioned and aimed such that the resulting glare is not directed toward any roadway or highway or residence;

- (9) Temporary lighting at construction projects provided such lighting is deployed, positioned and aimed such that the resulting glare is not directed toward any roadway or highway or residence;
 - (10) Temporary lighting, permitted in this article, for theatrical, television, performance areas, or events provided the lights are positioned safely and do not create issues of light trespass.
- (b) Temporary Permitting
- (1) Lighting such as that needed for theatrical, television, performance areas, or events may be allowed by temporary exemption. Temporary lighting that does not conform to the provisions of this article may be approved at the discretion City Council or the City Administrator subject to submission of an acceptable Temporary Outdoor Lighting Permit.
 - (2) Permit term and renewal. Permits issued shall be valid for no more than seven (7) calendar days and subject to no more than one renewal, at the discretion of City Council or the City Administrator, for an additional seven (7) calendar days.
 - (3) Conversion to a permanent status. Any lighting allowed by Temporary Outdoor Lighting Permit that remains installed after fourteen (14) calendar days from the issue date of the permit is declared permanent and is immediately subject to all of the provisions of this article.
 - (4) Permit contents. A request for a Temporary Outdoor Lighting Permit for a temporary exemption to any provision of this article must list the specific exemption requested and the start and end date of the exemption. Search lights, skybeams and similar lighting will not be allowed. The City may ask for any additional information which would enable a reasonable evaluation of the request for temporary exemption.
- (c) Amendment. This article may be amended from time to time as local conditions change, and as changes occur in the recommendations of nationally recognized organizations such as the Illuminating Engineering Society of North America and the International Dark-Sky Association, if the council wishes to do so.
- (d) Enforcement.
- (1) It will be the responsibility of the City to publish this article in the newspaper of record and to disseminate the ordinance by other appropriate means; to publish information about the ordinance on the City website; and, as time permits, to inform owners of noncompliant lighting of these provisions.
 - (2) The City Administrator is authorized to promulgate one or more interpretive documents to aid in the administration of, and compliance with, this article. Such interpretive

documents, with examples such as Exhibits 2, 3 and 4 of Section XX.XX.020, shall be educational only and shall not constitute regulations, amendments, or exceptions.

(3) Violations.

1. The City shall have the power to administer and enforce the provisions of this Article as may be required by governing law. Any person violating any provision of this Article is subject to suit for injunctive relief as well as prosecution for criminal violations.
 2. It shall be unlawful to install or operate any outdoor lighting luminaire in violation of any provision of this Article. Any person violating any provision of this article shall be guilty of a class A misdemeanor and may also be subject to suit for injunctive relief, monetary damages, and other relief as directed by a court with jurisdiction over the matter.
 3. Each and every day during which the illegal erection, maintenance and use of such nonconforming lighting continues shall be considered to constitute a separate offense.
 4. Any owner who fails to comply with these provisions may be issued a warning notice. The owner of the noncompliant lighting must, within 30 days from the issuance of such warning notice, submit a lighting plan as defined in Sec. XX.XX.005 to come into compliance with this article.
 5. Any owner who further fails to comply after 60 days from the issuance of such warning notice may be subject to criminal and civil penalties including a fine of at least \$50.00 for each day of noncompliance, unless the City council grants a waiver of the fine.
 6. A civil penalty up to five hundred dollars (\$500.00) a day when it is shown that the defendant was actually notified of the provisions of the Article and after receiving notice committed acts in violation of the Article.
 7. In the event work is not being performed in accordance with this Article, the City shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect.
- (e) Civil remedies. Nothing in this article shall be construed as limiting the right of any person or entity to pursue legal action against any other person or entity under any applicable law, including the doctrine of light trespass.
- (f) Public nuisance. Any violation of this article that results in light trespass or an unreasonable interference with the common and usual use of any other property is hereby declared to be a public nuisance.

Sec. XX.XX.007. - Notification. All building permit applicants will be notified of the City outdoor lighting ordinance.

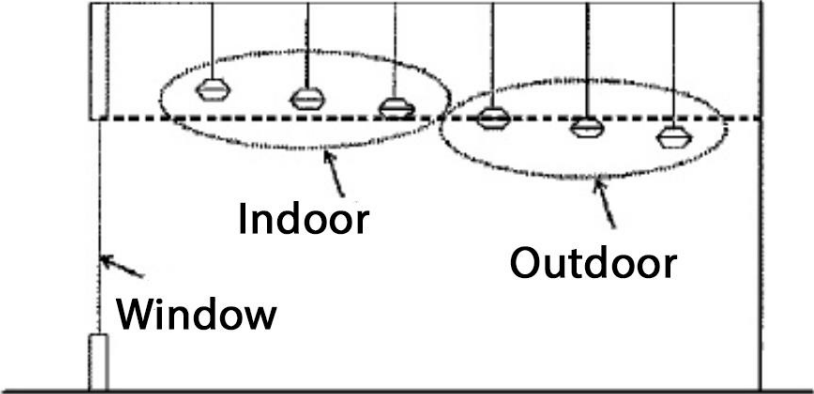
Sec. XX.XX.008. - Sign illumination.

- (a) All permanent signs may be non-illuminated, illuminated by internal, internal indirect (halo), or lit by external indirect illumination, unless otherwise specified. All illuminated signs shall be extinguished at 11:00 p.m. or within one (1) hour of the end of normal business hours, whichever occurs later. All sign illumination must comply with the correlated color temperature (CCT) requirements of this article.
- (b) Top-down lighting. Externally illuminated signs shall be lit only from the top of the sign, with fully shielded luminaires designed and installed to prevent light from spilling beyond the physical edges of the sign.
- (c) Outdoor internally illuminated signs (whether free standing or building mounted) shall be subject to all the following requirements:
- (1) The sign must be constructed with an opaque background and translucent letters and symbols or with a dark colored background and lighter letters and symbols. (See Exhibit 5 of Section XX.XX.020 for examples).
 - (2) The internally illuminated portion of the sign cannot be white, cream, off-white, light tan, yellow or any light color unless it is part of a registered logo that does not have an alternate version with dark tones. Light tone colors such as white, cream, off-white, light tan, yellow or any light color are permitted in the logo only, provided that such colors in the logo shall represent not more than 33% of the total sign area permitted.
 - (3) The internal illumination, between sunset and sunrise, is to be the lowest intensity needed to allow the sign to be visible for up to 1/2 mile from its installation and shall not exceed 100 nits.
 - (4) Size limit. The luminous surface area of an individual sign shall not exceed 200 square feet.
 - (5) Permitted location. Off-premise signs shall not be placed within one thousand (1,000) feet of another off-premise sign on the same side of an arterial street or highway, regardless of face orientation, or within one thousand (1,000) feet of a residential area.
- (d) Electronic Message Displays.
1. Electronic message displays are to be dimmed after sunset so that within one hour after sunset luminance levels shall not exceed the following:
 - a. In areas with low ambient lighting where lighting might adversely affect flora and fauna or disturb the character of the area, such as rural and low density residential areas, the nighttime maximum luminance is not to exceed 20 candelas per square meter of signage.
 - b. In areas with moderate ambient lighting where the vision of human residents and users is adapted to moderate light levels such as light commercial business areas and high-density or mixed-use residential areas, the nighttime maximum luminance is not to exceed 40 candelas per square meter of signage.

- c. In areas with moderately high ambient lighting where the vision of human residents and users is adapted to moderately high light levels, the nighttime maximum luminance is not to exceed 80 candelas per square meter of signage.
2. On-premises electronic message displays are to be switched off completely after 2300 hours or 30 minutes after the close of business, whichever is later.
3. Electronic Message Centers intended for traffic and safety information may operate without curfew but must follow all other requirements.
4. Electronic Message Displays shall not have messages appearing for less than (30) seconds and shall require no longer than 0.25 seconds to transition from one message to another. Moving and/or flashing text or images are prohibited.

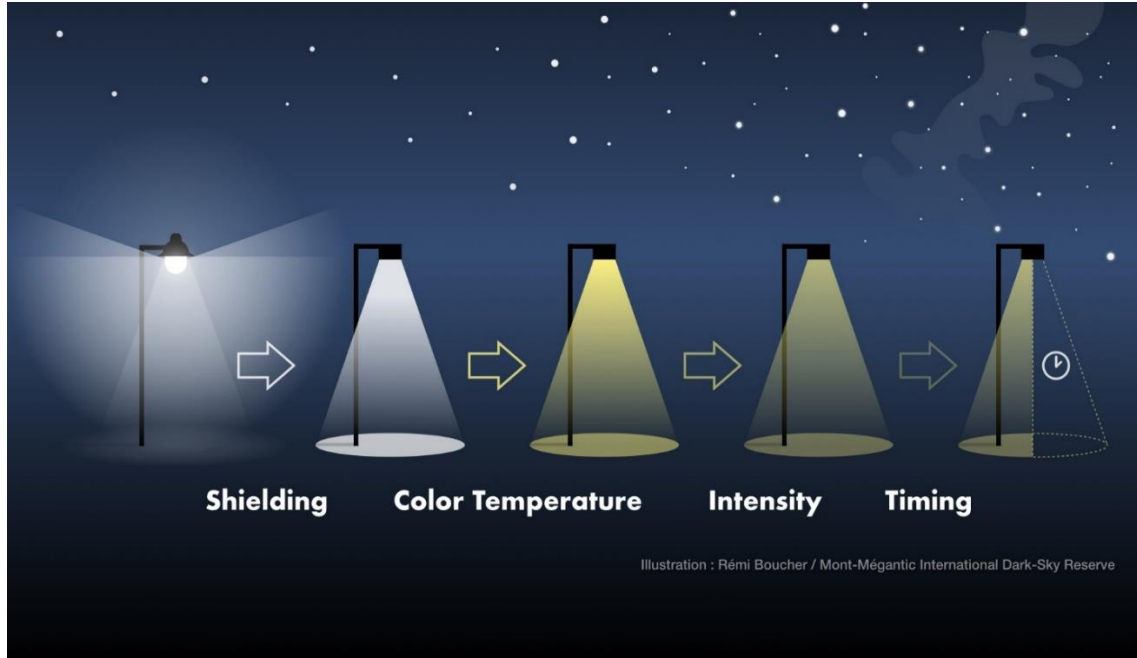
Sec. XX.XX.020 - Exhibits.

Exhibit 1. Indoor/outdoor lighting.



Elevation view showing an example of a nonresidential application of indoor lighting, labeled “Outdoor”, which is will be subject to this article. The example presumes the structure in question is not elevated such that any of the luminaires labeled “Indoor” may be seen from any other property. If the structure is elevated such that the luminaires labeled “Indoor” are visible from another property then, they are actually “outdoor lighting” and subject to this article. All luminaires under skylights or other translucent roofing materials are subject to this article just as the fixtures behind the window are in this example.

Exhibit 2. An illustration of best outdoor lighting practices.



- (1) Use shielding to reclaim wasted light and direct it to the area to be lit.
- (2) Lower the correlated color temperature (CCT) from “cool” white light to “warm” white.
- (3) Lower the intensity to provide as much light as needed for the application, but no more.
- (4) Use adaptive controls, e.g., timers, half-night photocells, motion sensors, etc., to limit the hours the light is in use.

Exhibit 3. Light Trespass



Exhibit 4. Unacceptable Fixtures and Acceptable Fixtures.

Examples of Acceptable / Unacceptable Lighting Fixtures

Unacceptable / Discouraged

Fixtures that produce glare and light trespass

Unshielded Floodlights or Poorly-shielded Floodlights

Unshielded Wallpacks & Unshielded or Poorly-shielded Wall Mount Fixtures

Drop-Lens & Sag-Lens Fixtures w/ exposed bulb / refractor lens

Unshielded Streetlight

Unshielded Bollards

Unshielded Barn Light

Louvered 'Marine' style Fixtures

Unshielded 'Period' Style Fixtures

Unshielded PAR Floodlights

Drop-Lens Canopy Fixtures

Labels: shield too small, ineffective; exposed polished reflector; shield ineffective

Acceptable

Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night

Full Cutoff Fixtures

Fully Shielded Wallpack & Wall Mount Fixtures

Fully Shielded Fixtures

Full Cutoff Streetlight

Fully Shielded Barn Light

Fully Shielded Walkway Bollards

Fully Shielded Decorative Fixtures

Fully Shielded 'Period' Style Fixtures



Shielded / Properly-aimed PAR Floodlights

Flush Mounted or Side Shielded Under Canopy Fixtures

Labels: flat lens

Illustrations by Bob Crelin © 2005. Rendered for the Town of Southampton, NY. Used with permission.

Exhibit 5. Internally Illuminated Signs.

Light Background <input type="checkbox"/>	Colored Background <input checked="" type="checkbox"/>	Opaque Background <input checked="" type="checkbox"/>
		
		



**APPLICATION FOR AN
ALTERNATIVE STANDARD/SPECIAL EXCEPTION/VARIANCE/WAIVER**

Project Name: Dripping Springs Elementary School

Project Address/Legal Description: 29400 Ranch Road 12, Dripping Springs, TX 78620

Project Applicant Name: Core Displays / PR Custom Signs, LLC

Mailing Address: 10869 Hillpoint, San Antonio, TX 78217

Email Address: Lance@CoreDisplays.net prcustomsigns@gmail.com

Phone Number: Core Displays - 817-946-3078 PR Custom Signs 210-281-8888

Owner's Name (if different from Applicant): Dripping Springs ISD

Mailing Address: 510 W Mercer St., Dripping Springs, TX 78620

Email Address: nancy.rodriquez@dssltx.us

Phone Number: 512-858-3702

Type of Application (check box):

- Alternative Standard
- Variance
- Special Exception
- Waiver

Description of request & reference to section of the Code of Ordinances applicable to request: We are requesting a variance in order for Dripping Springs Elementary to obtain a new monument sign that incorporates a digital message component.

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

The variance is being requested in order for Dripping Springs Elementary to have a digital message center display as part of their new monument sign.

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: _____

Code doesn't allow for digital message centers without a variance.

Submittal Checklist:

- Signed and Completed Application
- Required Fee Paid \$ _____
reference online Master Fee Schedule for more details
- Billing Contact Form

Exhibits

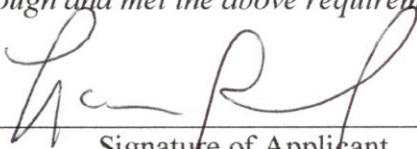
- Photographs
- Map/Site Plan
- Architectural Elevation
- Other: _____

*Upon submittal of application, a Public Notice sign is **required** to be displayed at the project property within 48 hours (exceptions apply in cases of signage, lighting, exterior design and landscaping applications). Signs can be picked up at the City Offices for a deposit fee of \$100. Once a permit has been issued, signs in good condition can be returned for a \$75 refund.*

- Pick up Public Notice Sign, \$100 deposit

All required items and information (including all applicable above listed exhibits and fees) must be received by the City in order for an application and request to be considered complete.

Incomplete submissions will not be reviewed or scheduled for any further action until all deficient items or information has been received. By signing below, I acknowledge that I have read through and met the above requirements for a complete submittal:



Signature of Applicant

8-1-2022

Date

Letter Attached

Signature of Owner (or attached letter of consent)

Date

The undersigned, hereby confirms that he/she/it is the owner of the above described real property and further, that **PR Custom Signs** is authorized to act as my agent and representative with respect to this Application and the City's conditional use permit process. (As recorded in the Hays County Property Deed Records, Vol. _____, Pg. _____.)

Oripping Springs ISO
Name

Title

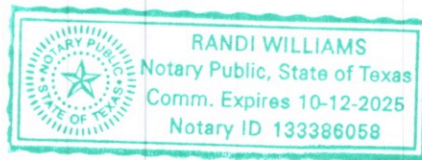
STATE OF TEXAS §
 §
COUNTY OF ^{HOOD} HAYS §

This instrument was acknowledged before me on the 1 day of August, 2022 by RANDI WILLIAMS.

Randi Williams
Notary Public, State of Texas

My Commission Expires: 10/12/2025

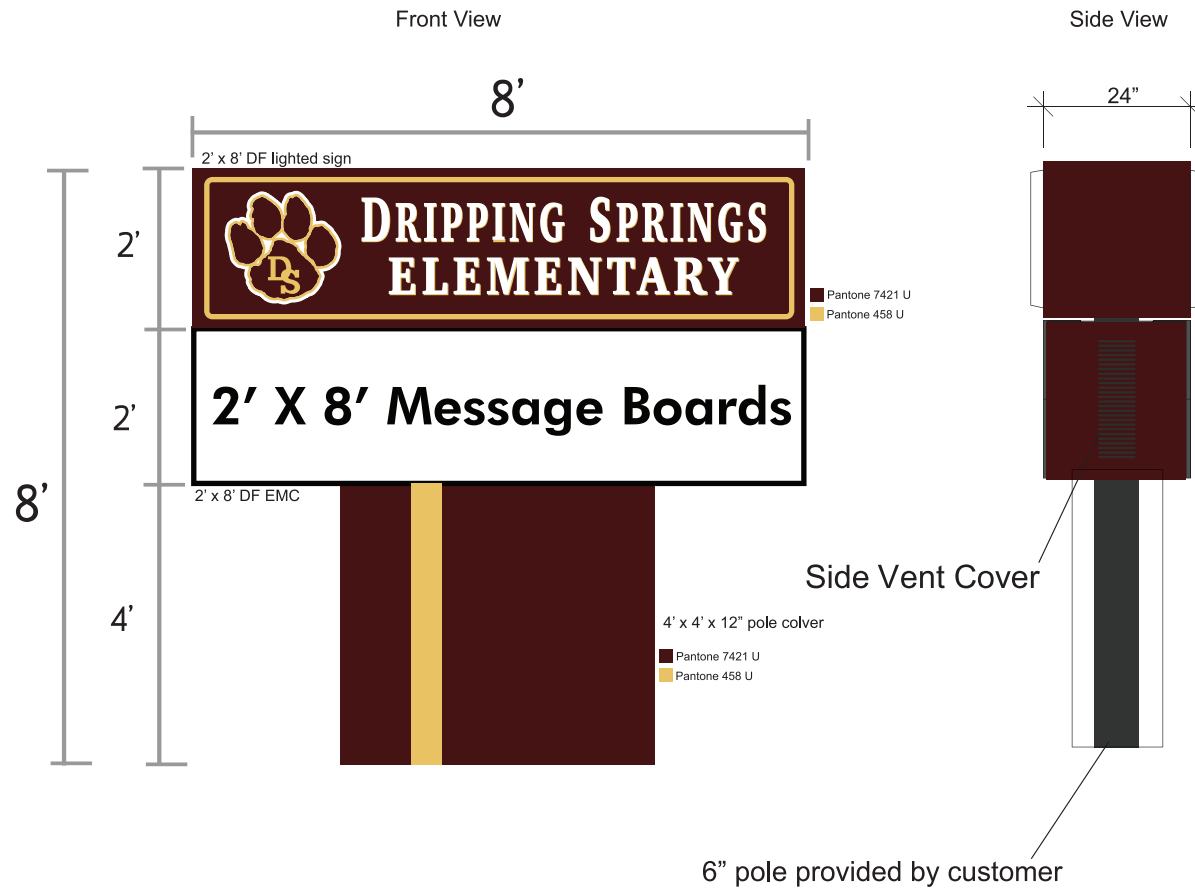
Lance Pelton
Name of Applicant



Installation of one monument sign with Electronic Message Center Display and double sided

Item # 12.

Project Name: Dripping Spring ISD



6" pole provided by customer



2'x8' Lighted Sign

- Double Faced
- 3 Year Guarantee on Polycarbonate Pan-Formed Panels, Including Vandalism.
- Extruded Aluminum Cabinets
- Internal LED Lighting

2' x 8' Digital EMC Double Faced

- 15mm Pitch
- Cloud-Based Programming
- Edge to Edge Viewing
- Front Serviceable
- 5 Yr. Parts Warranty
- Lifetime Technical Service
- UL Listed, ETL Listed
- 2' side vented covers for EMC

4' x 4' x 12"
pole cover
w/ gold colored accent stripe
pole size 6" diameter
painted Pantone 7421 U

Notes:

- through pole for mounting sign
- customer has 6" pole
- 2' Side Vent Covers
2 Required
24" Tall x 24" Wide



Client Name:
Dripping Springs Elementary School (ISD)
Location:
29400 Ranch Rd. 12, Dripping Springs, Tx 78620

Start Date: 06/29/22
Last Revision: 06/29/22
Job#:
Drawing#:
Page: 1 of 5

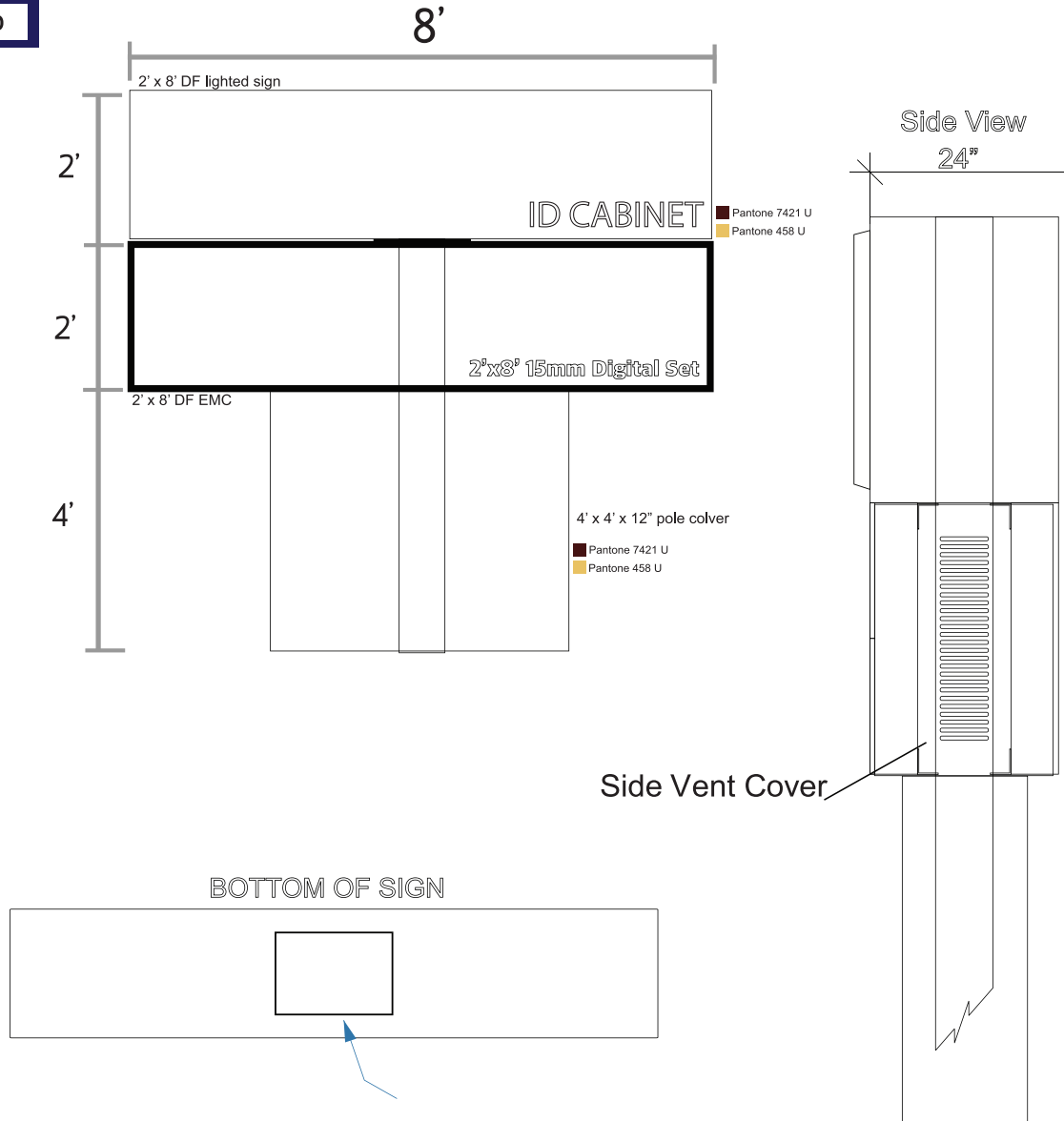
-
Client Approval
-
Landlord Approval

Sales Rep:
Designer:

Installation of one monument sign with Electronic Message Center Display and double sided

Item # 12.

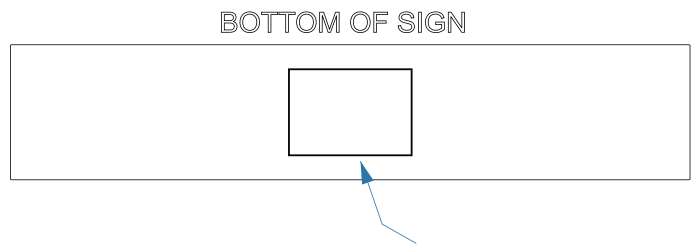
Project Name: Dripping Spring ISD



CORE DISPLAYS POWERED BY **IMPACT LED**

Fabrication Notes:

- 2'x8' Double-sided lighted sig**
Cabinet built w/ matching pla
Customer to provide 6" pole
Paint Color - maroon Panton
- Vented Side Panels**
24" Tall x 24" Wide
2 Required
Paint Color - maroon Panton
- Pole Cover**
48" Tall x 48" Wide x 12" De
-add gold stripe to both sid
Pantone 458
Paint Color - maroon Panton



Client Name:
Dripping Springs
Elementary School (ISD)
Location:
29400 Ranch Rd. 12, Dripping Springs,
Tx 78620

Start Date: 06/29/22
Last Revision: 06/29/22
Job#:
Drawing#:
Page: 2 of 5

.....
Client Approval
.....
Landlord Approval

Sales Rep:
Designer:

Project Name: Dripping Spring ISD

CORE POWERED BY
DISPLAYS IMPACT
LED

Artwork Notes:

2 Pan-Faced Panels
Polycarbonate
2nd Surface Graphic

- Pantone 742
- Pantone 458

Artwork



Client Name:
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Tx 78620

Start Date: 06/29/22
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Page: 3 of 5

-
- Client Approval
-
- Landlord Approval

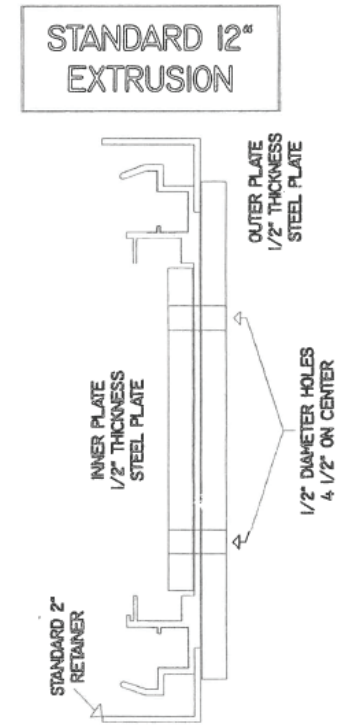
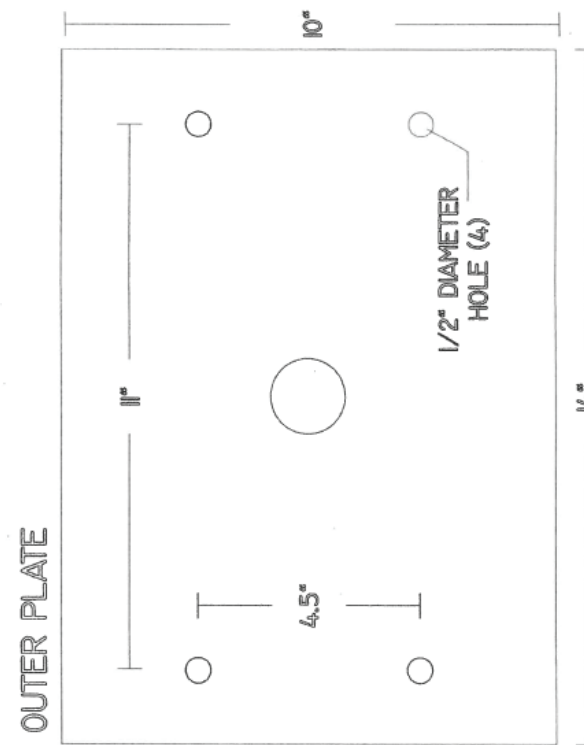
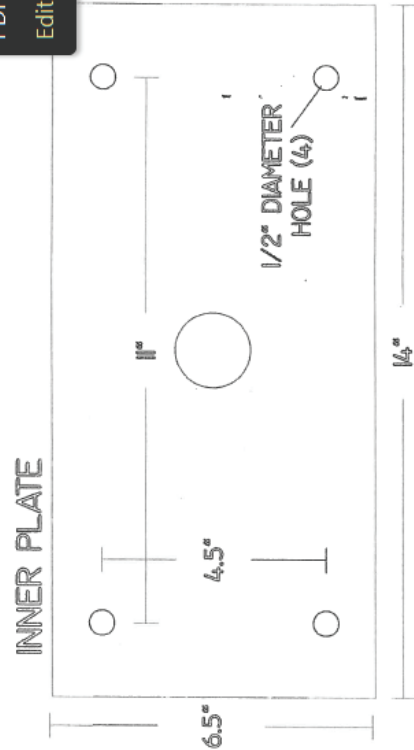
Sales Rep:
Designer:

Installation of one monument sign with Electronic Message Center Display and double sided

Item # 12.

Project Name: Dripping Spring ISD

The Edit
PDF file
Edit No



faces STANDARD MATCH PLATES FOR EXTRUSION CABINETS



CUSTOM SIZES AND BOLT PATTERNS AVAILABLE AT EXTREMELY HIGHER PRICE, WHINING FROM CABINET SUPERVISOR AT NO ADDITIONAL COST.



Client Name:
Dripping Springs
Elementary School (ISD)
Location:
29400 Ranch Rd. 12, Dripping Springs,
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Start Date: 06/29/22
Last Revision: 06/29/22
Job#:
Drawing#:
Page: 4 of 5

-
- Client Approval
-
- Landlord Approval

Sales Rep:
Designer:



BEFORE



AFTER



Client Name:
Dripping Springs
Elementary School (ISD)
Location:
29400 Ranch Rd. 12, Dripping Springs,
Tx 78620

Start Date: 06/29/22
Last Revision: 06/29/22
Job#:
Drawing#:
Page: 5 of 5

-
- Client Approval
-
- Landlord Approval

Sales Rep:

Designer:





CITY OF DRIPPING SPRINGS

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384 • Dripping Springs, TX 78620
512.858.4725 • www.cityofdrippingsprings.com

Gateway to the Hill Country

Sign Permit – Owner Permission Letter

If owner of proposed sign is a tenant, the property owner must agree to and sign the following:

TO: City of Dripping Springs SIGN Plan Reviewer,

I hereby grant permission for the construction, operation, maintenance, modification, or display of the proposed sign or sign structure as described in the sign permit application.

Property Owner Signature: *Jaime Dydalewicz* Date: 6/30/22

Property Owner Name Printed: Jaime Dydalewicz Asst Director of Facilities

Property Owner Phone Number: 512.858.3047

Property Owner Email: jaime.dydalewicz@dsisdtx.us

Date, initials



BILLING CONTACT FORM

Project Name: _____ Dripping Springs Elementary _____

Project Address: _____ 29400 Ranch Rd. 12, Dripping Springs, Texas 78620 _____

Project Applicant Name: _____ Pedro Ramos _____

Billing Contact Information

Name: _____ Lance Pelton _____

Mailing Address: _____ 2420 Holloway Rd , Louisville, KY 40299 _____

Email: _____ www.core-displays.com _____ Phone Number: _____ 502-405-8500 _____

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 checked="" type="checkbox"/> Variance |
| <input type="checkbox"/> Lighting Plan | <input 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.*

Pedro Ramos Digitally signed by Pedro Ramos
Date: 2022.08.10 10:15:26 -05'00'

Signature of Applicant

Date



SIGN VARIANCE REQUEST REVIEW

Date: **August 10, 2022**

Project: **Mighty Fine
166 Hargraves Drive, Suite T100
Austin, TX 78620**

Applicant: **Ann Lewis – Lewis Sign Builders Inc.**

- Submittals:
- Variance Application
 - Sign Permit Application
 - Master Signage Plan (if applicable)
 - Planned Develop District/Development Agreement Signage Regulations (if applicable)

Variance Requests: a variance from section 4.2.4(ii) of the Belterra Master Sign Plan: *"No tenant shall be allowed more than one projecting sign"* to allow an additional projecting sign

The following review has been conducted for the City of Dripping Springs to determine compliance and consistency with the City of Dripping Springs CODE OF ORDINANCES, Title 2 BUILDING AND DEVELOPMENT REGULATIONS, Chapter 26 SIGNS, Article 26.03.003 VARIANCES

Mighty Fine is a proposed ground up project in the Belterra Commercial development. This restaurant is not yet built. The address for this proposed project is "166 Hargraves Drive, Suite T100". The tenant has requested to have 2 commercial wall signs – or as defined in the Belterra Master Sign Plan – 2 *projecting signs*. In doing so, their provided rendering does not comply with section 4.2.4(ii) of the Belterra Master Sign plan which only allows one projecting sign for this specific tenant. The project will be a standalone building with 4,054 sq. ft. which based on section 4.2.4(ii), allows their one projecting sign to be *up to* 100 sq. ft. Each wall sign proposed is rendered to be 49.68 sq. ft. – with a combined total of 99.36 sq. ft.

The variance request relates to the consideration for granting variances as follows:

Considerations in granting variances (Sec. 26.03.003 (e))

(1) Special or unique hardship because of the size or shape of the property on which the sign is to be located, or the visibility of the property from public roads.

Applicable Not Applicable

(2) Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a sign is to be located.

Applicable Not Applicable

(3) Proposed sign location, configuration, design, materials, and colors are harmonious with the hill country setting.

Applicable Not Applicable

(4) Natural colors (earth tones) and muted colors are favored. Color schemes must be compatible with the surrounding structures. Predominate use of bold and/or bright colors is discouraged under this section.

Applicable Not Applicable

(5) The sign and its supporting structure should be in architectural harmony with the surrounding structures.

Applicable Not Applicable

(6) Mitigation measures related to the sign in question or other sign on the same premises.

Applicable Not Applicable

(7) Demonstrated and documented correlation between the variance and protecting the public health and safety.

Applicable Not Applicable

(8) The stage at which the variance is requested. The city will be more inclined to consider a variance request when it is sought during an earlier stage of the construction approval process, for instance, when the responsible party is submitting/obtaining a plat, planned development district, development agreement, or site plan.

Applicable Not Applicable

(9) Whether the sign could have been included in a master signage plan. Master signage plans are highly encouraged. The city will be more inclined to favorably consider a variance request when the variance is part of a master signage plan. There will be a presumption against granting variances piecemeal, ad hoc, on a case-by-case basis when the sign for which a variance is sought could have been included in a master sign plan and considered in the course of a comprehensive review of the entire project's signage.

Applicable Not Applicable

(10) The sign administrator may authorize the remodeling, renovation, or alternation of a sign when some nonconforming aspect of the sign is thereby reduced.

Applicable Not Applicable

I recommend approval of 1 additional wall sign (projecting sign) for this project with the condition that the total cumulative area of the 2 projecting signs not exceed 100 square feet. Mighty Fine proposes to use mitigation measures by having the square foot of the 2 wall signs to be ever so slightly under the allotted 100 sq. ft. total. I recommend no other variances be considered for any other types of signs proposed on the property.

Please let me know if you have any questions about this report.

Respectfully Submitted,



Sarah Cole, Building Official

7-14-22

Received on/Item # 13.

Date, initials



APPLICATION FOR AN ALTERNATIVE STANDARD/SPECIAL EXCEPTION/VARIANCE/WAIVER

Project Name: Mighty Fine

Project Address/Legal Description: 116 Hargraves Dr. T

Project Applicant Name: Lewis Sign

Mailing Address: PO Box 1665 Buda Tx 78610

Email Address: ann@lewissign

Phone Number: 512-361-9286

Owner's Name (if different from Applicant): Betterra Ltd. (Endeavor)

Mailing Address: 500 W. 5th St #700 Austin, Tx 78701

Email Address: dcampbell@endeavor-RE.Com

Phone Number: 512-682-5500

Type of Application (check box):

- Alternative Standard, Special Exception, Variance, Waiver

Description of request & reference to section of the Code of Ordinances applicable to request: Code 4.2.2 allows 2 projecting signs, Mighty Fine

4.2.3 iii No tenement shall be allowed more than one projecting sign per building side

Belterra Mixed-Use – Architectural Design and Review Committee
c/o ERG Belterra, Ltd.
500 W 5th Street, Suite 700, Austin, TX 78701

To: ERG Belterra, Ltd. (“Applicant”)
From: Belterra Mixed-Use – Architectural Design and Review Committee (“ADRC”)
Date: 8/7/20
Re: Signage Approval for Mighty Fine Burgers building at Belterra Village (“Plans”)

The ADRC has reviewed the Plans and finds the Plans are:

Approved. One set of Plans marked “Approved” is enclosed for Applicant’s records. This approval is granted for three (3) years from the date hereof. If Applicant fails to start construction in accordance with the Plans within three (3) years, applicant will be required to submit a new application for approval.

Not approved, for the following reasons:

Applicant may resubmit revised plans for approval, but the ADRC may require that another design review fee be paid.

Variance Granted

Approved:



Daniel Campbell

Description of the hardship or reasons the Alternative Standard/Special Exception/Variance/Waiver is being requested: The building is located in a lower elevation, not visible from main road.

2-50SF signs.

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: To allow Mighty Fine to be visible and competitive with other businesses in the shopping center, they need a sign on each side of the building.

Submittal Checklist:

- Signed and Completed Application
- Required Fee Paid \$ _____
reference online Master Fee Schedule for more details
- Billing Contact Form
- Exhibits
- Photographs
- Map/Site Plan
- Architectural Elevation
- Other: _____

Upon submittal of application, a Public Notice sign is **required** to be displayed at the project property within 48 hours (exceptions apply in cases of signage, lighting, exterior design and landscaping applications). Signs can be picked up at the City Offices for a deposit fee of \$100. Once a permit has been issued, signs in good condition can be returned for a \$75 refund.

- Pick up Public Notice Sign, \$100 deposit

All required items and information (including all applicable above listed exhibits and fees) must be received by the City in order for an application and request to be considered complete.

Incomplete submissions will not be reviewed or scheduled for any further action until all deficient items or information has been received. By signing below, I acknowledge that I have read through and met the above requirements for a complete submittal:

B Hall
Signature of Applicant

7-14-22
Date

Signature of Owner (or attached letter of consent)

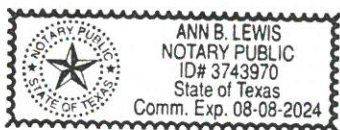
Date

The undersigned, hereby confirms that he/she/it is the owner of the above described real property and further, that Belterra Ltd is authorized to act as my agent and representative with respect to this Application and the City's conditional use permit process. (As recorded in the Hays County Property Deed Records, Vol. _____, Pg. _____.)

Brandon Hall
Name

VP Lewis Sign
Title

STATE OF TEXAS §
COUNTY OF HAYS §

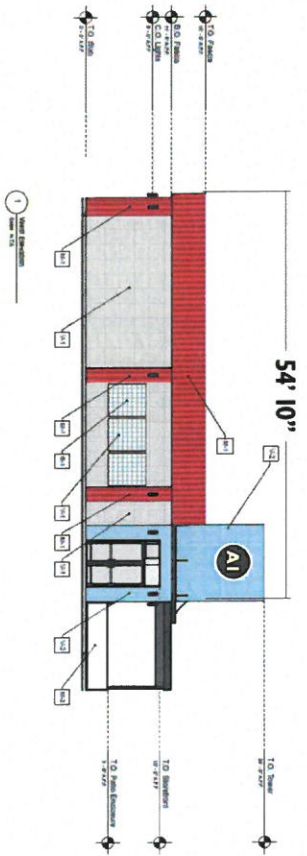
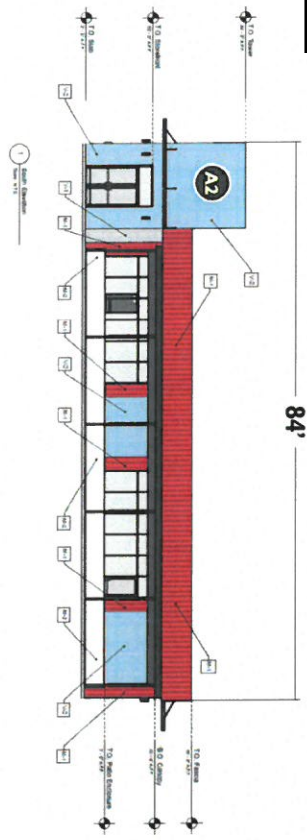


This instrument was acknowledged before me on the 14 day of July, 2022 by Ann Lewis.

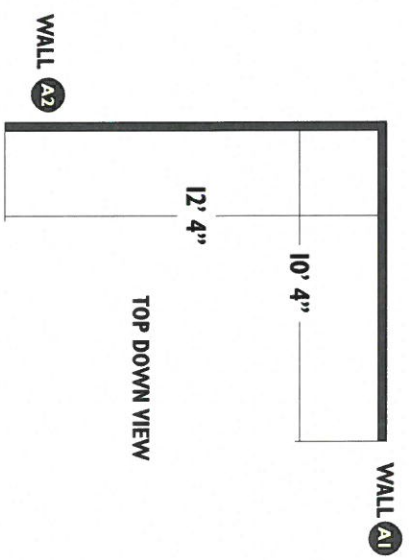
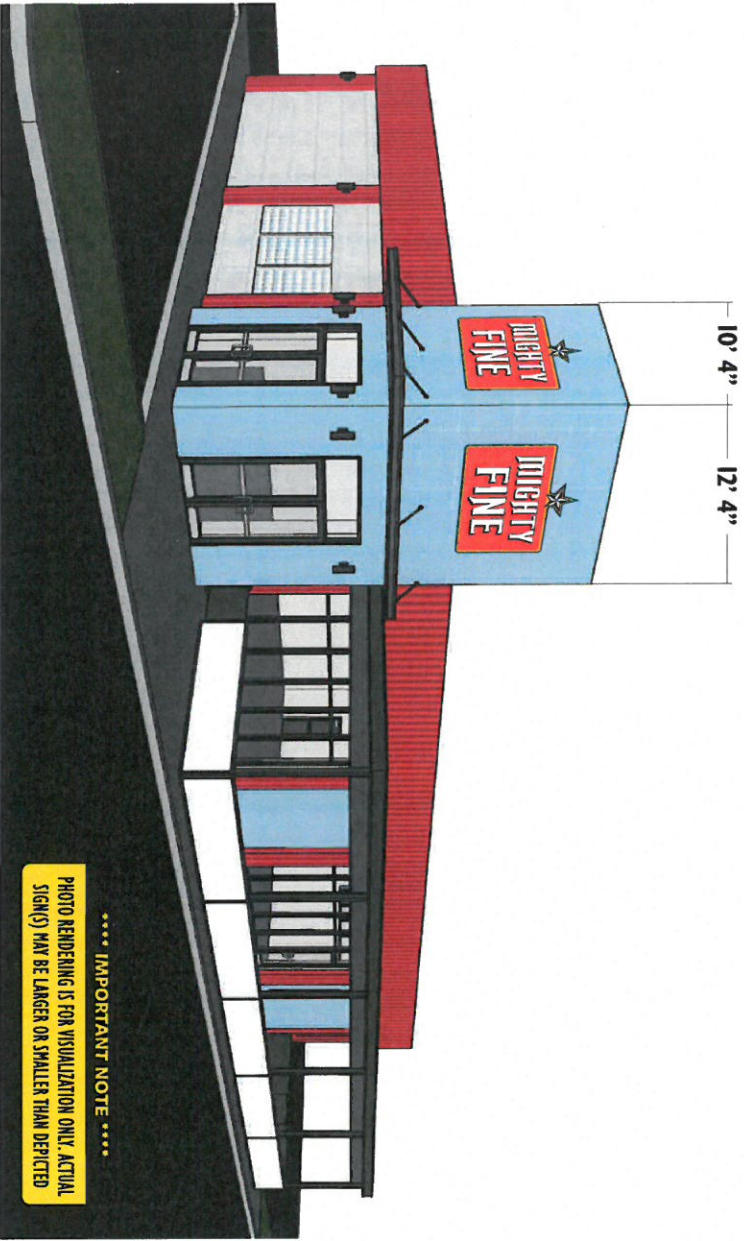
AB Lewis
Notary Public, State of Texas

My Commission Expires: 8-8-24

Brandon Hall
Name of Applicant



SCALE: 1/4" = 1'



LANDLORD APPROVAL: _____

CLIENT APPROVAL: _____

G. Sharrad drives W. Mighty fine #5 BELLERRA VILLAGE - 166 Hargrave Dr. Austin, TX 78733 09-020 SIGN PACKAGE 2 - Design 09-020 NEW SIGN PACKAGE COR

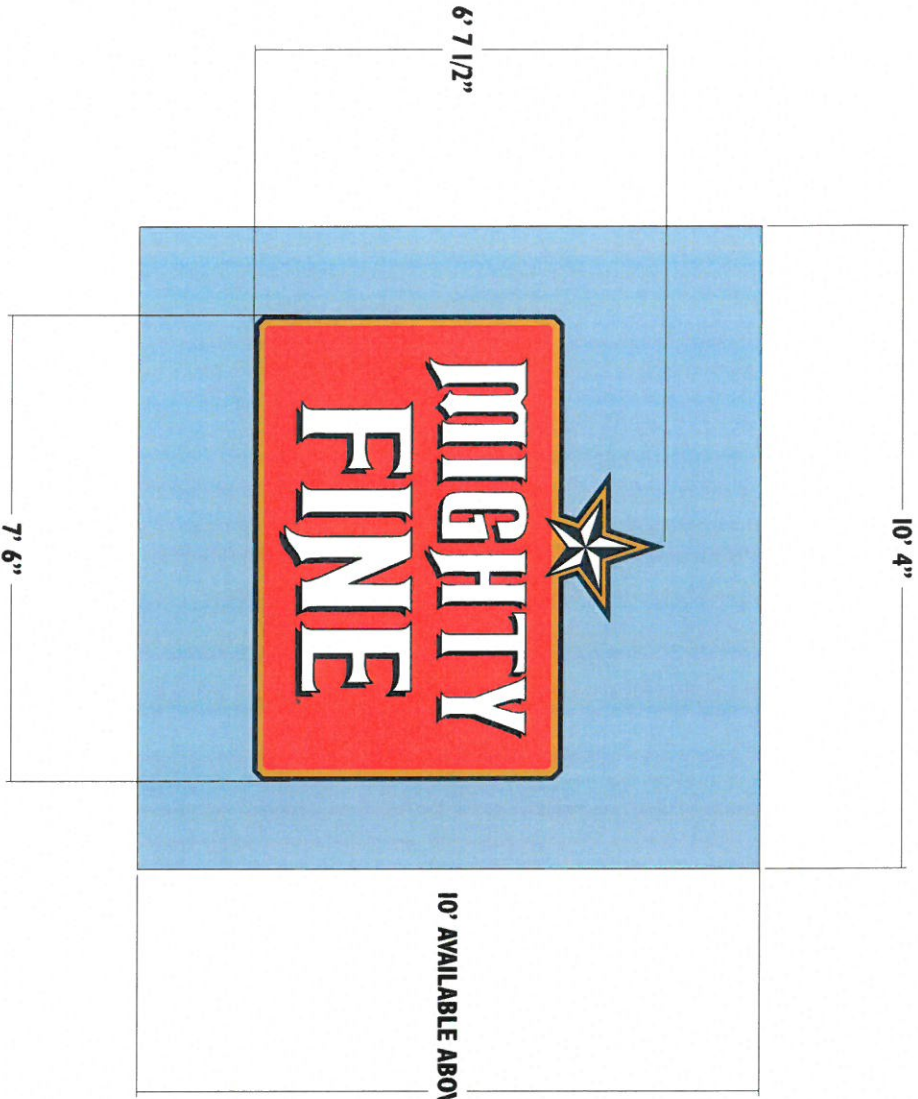
Lewis SIGN 40 YEARS
 DESIGN · FABRICATION · INSTALLATION
 1810 Burnin' Hill St. Bldg. 17880-0 Austin, TX 78755
 Office: 512-317-4555 Fax: 512-317-4551
 www.LewisSign.com

HIGHTY FINE	CUSTOMER	B. HALL
116 HARGRAVE DRIVE	LOCATION	D. WALTERSDORF
AUSTIN, TEXAS 78737	CITY ST	

09-020 M4	ACCT. EXEC	09-22-21
4 OF 4	DESIGNER	09/22/21
09/22/21	DWG.#	09/22/21
09/22/21	PAGE	09/22/21
09/22/21	DATE	09/22/21

NO.	DATE	BY	DESCRIPTION
1	12/1/21	DM	REVISIONS BASED ON CLIENT INPUT
2	12/1/21	DM	REVISIONS SITE OF SIGN B - CLARIFY DIMENSIONS TO TWO
3	06/29/22	DM	REVISIONS ALL SIGN EXCEPT B - REMAIN AS IS
4	07/19/22	DM	REVISIONS SITE OF SIGN - PLACE ONE SIGN ON EACH SIDE OF TOWER

MANAGED BY STATE STRUCTURE: Before adding, installing or moving electrical signs, outdoor lighting, lighted signage, symbols, letters and outdoor electric discharge lighting must maintain an Electric Sign Contractors license. These license holders are regulated by the Texas Department of Licensing and Regulation. For compliance verification or complaint contact TDLR in Austin at 1-800-805-5002, 512-463-4599 or online.
 This firm's license is TSCA 18067 & SIGN MASTERS LICENSE 2702. To verify a company's license, log onto www.texas.gov and click on "License Search" from the company's name in the "Inquire by Name" field.



10' AVAILABLE ABOVE TURN BUCKLES

AI CHANNEL LETTERS SCALE: 1/2" = 1'
 FONT: CLIENT SUPPLIED 50 FT: 49.68

SCOPE OF WORK: FABRICATE AND INSTALL OPEN FACE CHANNEL LETTERS ON A PAINTED BACKER PANEL WITH A WIRE WAY MOUNT

QUANTITY: (1) ONE

CHANNEL LETTERS: OPEN FACE CHANNEL LETTERS WITH EXPOSED NEON - 3" .063 ALUMINUM RETURNS PAINTED HP BLACK

ILLUMINATION: CLEAR NEON PIPPED RED / WHITE NEON

BACKER: 2" DEEP PAINTED CABINET BACKER PANEL - WELDED ALUMINUM INTERNAL STRUCTURE OVERLAD WITH PAINTED FINISH 125 ALUMINUM

MOUNTING: INSTALL SIGN ON BUILDING FASCIA USING FASTENERS APPROPRIATE TO THE SUBSTRATE - SEAL ALL PENETRATIONS WITH CLEAR SILICONE



LANDLORD APPROVAL: _____ CLIENT APPROVAL: _____

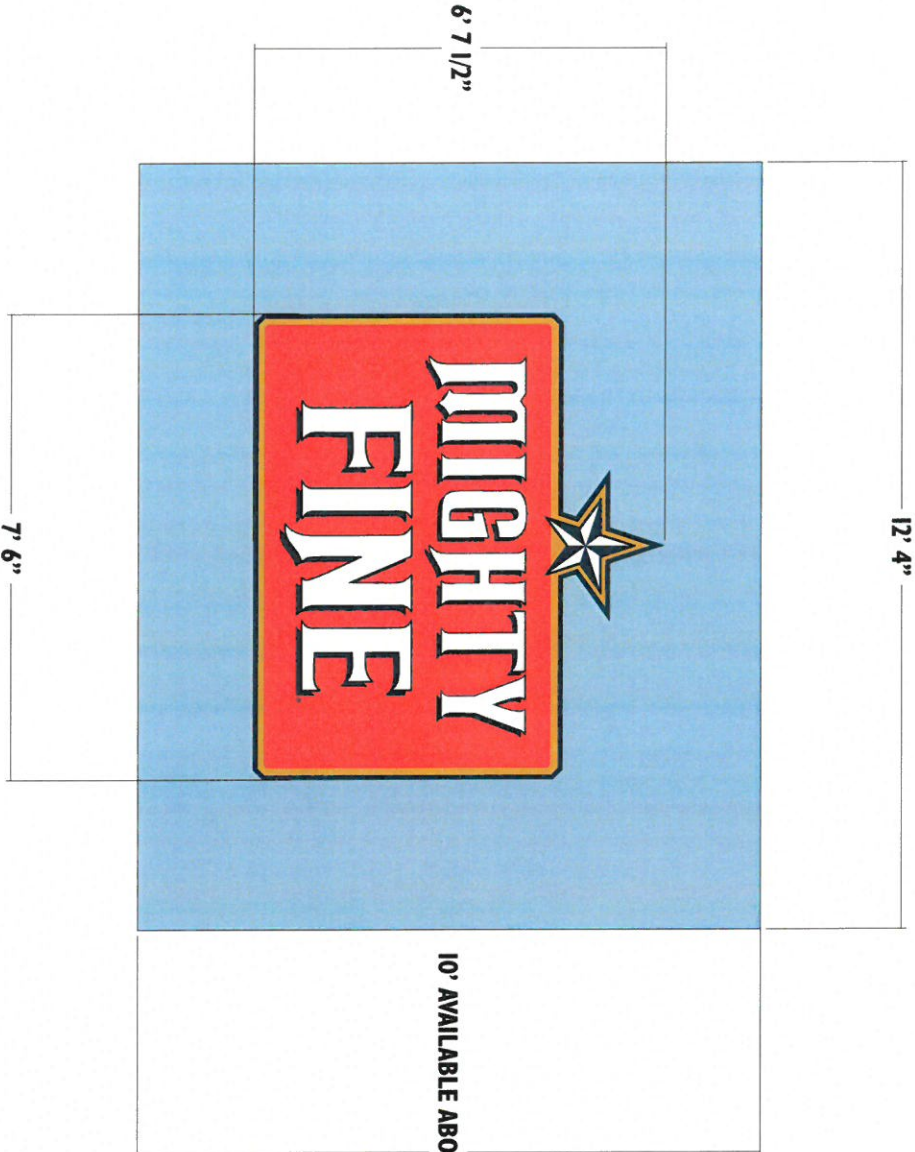
6 Shared drive\1\mighty final #5 BELTERRA VILLAGE - 166 Hargrave Dr Austin, TX 78737 09-020 SIGN PACKAGE - Design# 020 NEW SIGN PACKAGE.DWG

Lewis SIGN 40 YEARS
 DESIGN · FABRICATION · INSTALLATION
 16910 Smith III St, Bldg. 1718610 Office 512-317-5555 Fax 512-317-4851 www.lewisign.com

MIGHTY FINE	CUSTOMERS	ACCT EXEC	DWG#	NO	DATE	BY	DESCRIPTION
116 HARGRAVES DRIVE AUSTIN, TEXAS 78737	B. HALL	09-020 M4	2 OF 4	11	10/21/21	MM	REVISIONS BASED ON CLIENT FEEDBACK
	D. WALLENDORFF			12	10/22/21	MM	REVISIONS BASED ON SIGN & CHANNEL LETTERS TO TWO
				13	10/22/21	MM	REVISIONS BASED ON SIGN & CHANNEL LETTERS TO TWO
				14	10/22/21	MM	REVISIONS BASED ON SIGN & CHANNEL LETTERS TO TWO
				15	10/22/21	MM	REVISIONS BASED ON SIGN & CHANNEL LETTERS TO TWO

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This firm's license is TDLR 18067 & SIGN MASTERS LICENSE 7912. To verify a company's license, log onto www.texas.gov and click on "Business" from the company's license in the "Industry by License" field.



10' AVAILABLE ABOVE TURN BUCKLES

A2 CHANNEL LETTERS SCALE: 1/2" = 1'
 FONT: CLIENT SUPPLIED SQ. FT. 49.68

SCOPE OF WORK: FABRICATE AND INSTALL OPEN FACE CHANNEL LETTERS ON A PAINTED BACKER PANEL WITH A WIRE WAY MOUNT

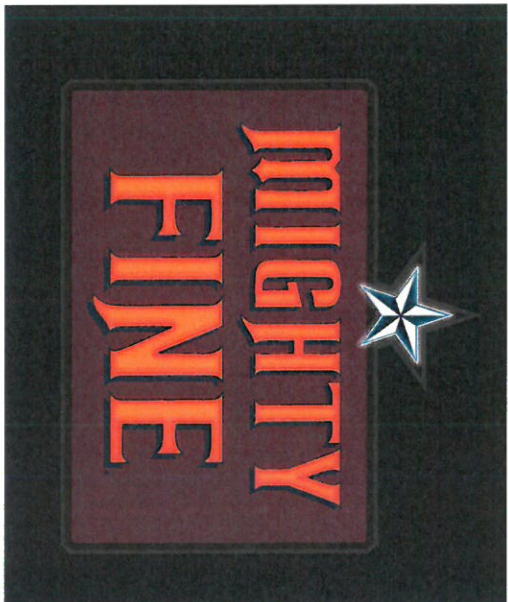
QUANTITY: (1) ONE

CHANNEL LETTERS: OPEN FACE CHANNEL LETTERS WITH EXPOSED NEON - 3" .063 ALUMINUM RETURNS PAINTED HP BLACK

ILLUMINATION: CLEAR NEON PUMPED RED / WHITE NEON

BACKER: 2" DEEP PAINTED CABINET BACKER PANEL - WELDED ALUMINUM INTERNAL STRUCTURE OVERLAP WITH PAINTED FINISH .025 ALUMINUM

MOUNTING: INSTALL SIGN ON BUILDING FASCIA USING FASTENERS APPROPRIATE TO THE SUBSTRATE - SEAL ALL PENETRATIONS WITH CLEAR SILICONE



LANDLORD APPROVAL: _____

CLIENT APPROVAL: _____

Shared drive\W\Mighty fine\#5 BELTERRA VILLAGE - 166 Hargrave Dr. Austin, TX 78737\09-020 SIGN PACKAGEV - Design\09-020 NEW SIGN PACKAGE.CDR
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 Office: 512.312.4555 Fax: 512.312.4551
 www.lewis-sign.com

HIGHTY FINE	CUSTOMER
116 HARGRAVE DRIVE	B. HALL
AUSTIN, TEXAS 78737	D. WALTERSDORFF
CITY ST	DESIGNER

ACT. ENG.	DWG.#
09-020 R4	3 OF 4
DATE	DATE
09/22/21	09/22/21

NO.	DATE	BY	DESCRIPTION
1	10/10/21	DM	REVISIONS MADE ON CLIENT INPUT
2	12/01/21	DM	REVISION SITE OF SIGN B - CHANGING DIMENSION TO TWO
3	06/09/22	DM	REVISION ALL SIGN LETTER B - CHANGE TO " "
4	07/19/22	DM	REVISION SITE OF SIGN - PLACE ONE SIGN ON EACH SIDE OF FOUNTAIN

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116 HARGRAVES DRIVE
[Signature]
 AUSTIN, TEXAS 78737

LANDLORD APPROVAL: _____

CLIENT APPROVAL: _____

G/Shared drive\Mighty Fine #5 BELUEVA VILLAGE - 166 Hargraves Dr, Austin, TX 78737\09-020 SIGN PACKAGE2 - Design\09-020 NEW SIGN PACKAGE CDR
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1610 Burn III St, Bldg. TX 78640		Office: 512.312.6555		Fax: 512.312.6591	
www.lewis-sign.com					
PROJECT	NO.	DATE	BY	DESCRIPTION	REVISIONS
MIGHTY FINE	09-020 N4	09/22/21	D. WALTERSDORF	116 HARGRAVES DRIVE - 116 HARGRAVES DRIVE	1 11/12/21
CUSTOMER	ACCT. EXEC.	DESIGNER	PAGE	NO.	DATE
116 HARGRAVES DRIVE - 116 HARGRAVES DRIVE	B. HALL	D. WALTERSDORF	1 OF 4	2	12/12/21
AUSTIN, TEXAS 78737				3	06/29/22
				4	07/19/22
				5	
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STAFF REPORT
City of Dripping Springs
 PO Box 384
 511 Mercer Street
 Dripping Springs, TX 78602

Submitted By: Caylie Houchin; Community Events Coordinator

Council Meeting Date: September 6th, 2022

Agenda Item Wording: Discuss and consider approval of a Temporary Street Closure Permit application from the Dripping Springs Visitors Bureau to close a portion of Mercer Street from Bluff Street to San Marcos Street, and a portion of Old Fitzhugh Road on October 14 through 16, 2022, for the Dripping Springs Songwriters Festival. *Sponsor: Council Member Wade King*

Agenda Item Requestor: Pam Owens, President/CEO, Dripping Springs Visitors Bureau

Summary/Background: The 2022 Dripping Springs Songwriters Festival will take place on October 14, 15, and 16. 45 songwriters will perform on 8 stages throughout downtown Dripping Springs and 4,000 people are expected to attend. The following venues plan to have stages: The Barber Shop, Acopon Brewing, Mazama Coffee, Hudson's on Mercer, Grawlix/Warehouse District, Dog 'n' Bone, Sidecar Tasting Rom, and Haus of Jayne. The Station on Mercer Street is planned to serve as a hospitality station. The Dripping Springs Visitors Bureau (DSVB) requests the city's approval to temporarily close a portion of Mercer Street from Bluff Street to San Marcos Street, and a portion of Old Fitzhugh Road on October 14 through 16, 2022, for the Dripping Springs Songwriters Festival

Due to the size and impact of the event, it was recommended by Emergency Management Coordinator, Roman Baligad, to expand the road closure to the entirety of Mercer St during the event's peak days to ensure pedestrian safety.

On Friday and Saturday, the road closure will extend from Mercer St at Bluff St to Mercer at San Marcos St with a portion of Old Fitzhugh closed. Old Fitzhugh Road will be closed to through traffic at Ranch Road 12.

On Sunday, the road closure will be reduced to a portion of Mercer St between College and San Marcos. Old Fitzhugh will be closed at Mercer St.

**Commission
Recommendation:**

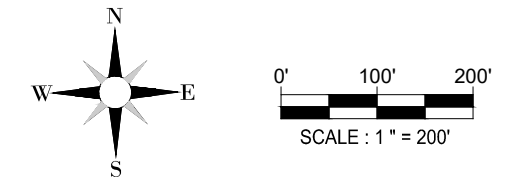
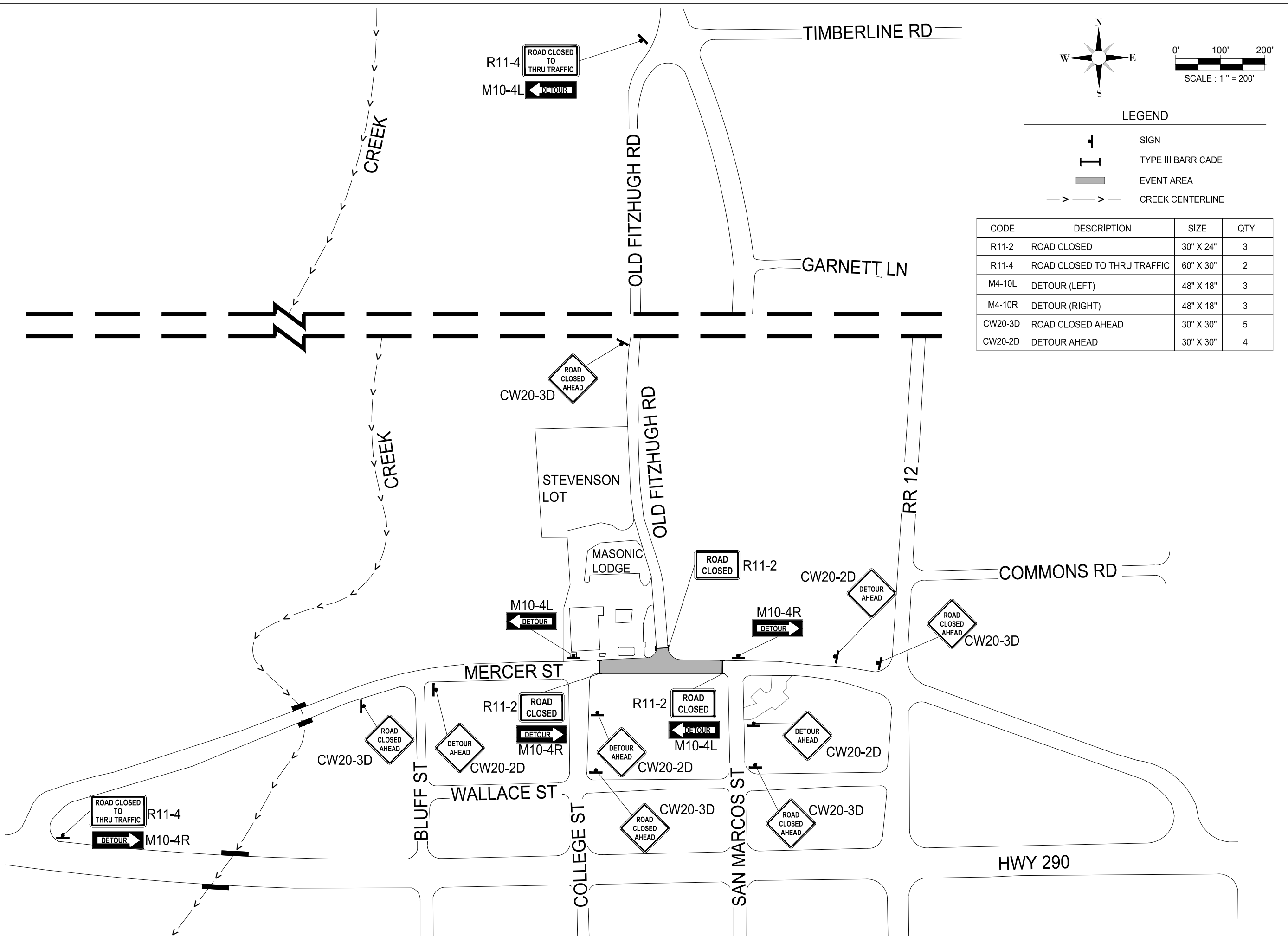
**Staff
Recommendation:**

Approve the Temporary Street Closure Permit application from the Dripping Springs Visitors Bureau to close a portion of Mercer Street from Bluff Street to San Marcos Street, and a portion of Old Fitzhugh Road on October 14 through 16, 2022, for the Dripping Springs Songwriters Festival.




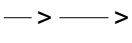
Attachments:

- Temporary Street Closure Application
- October 14 & 15 Traffic Control Plan
- October 16 Traffic Control Plan
- Map of Event

Next Steps/Schedule: Notify the applicant of City Council decision.




LEGEND

-  SIGN
-  TYPE III BARRICADE
-  EVENT AREA
-  CREEK CENTERLINE

CODE	DESCRIPTION	SIZE	QTY
R11-2	ROAD CLOSED	30" X 24"	3
R11-4	ROAD CLOSED TO THRU TRAFFIC	60" X 30"	2
M4-10L	DETOUR (LEFT)	48" X 18"	3
M4-10R	DETOUR (RIGHT)	48" X 18"	3
CW20-3D	ROAD CLOSED AHEAD	30" X 30"	5
CW20-2D	DETOUR AHEAD	30" X 30"	4

Item # 14.
GILPIN
 ENGINEERING COMPANY
 T.B.P.L.S. Firm Registration # 10193770
 T.B.P.E. Firm Registration # F-8266
 9701 BRODIE LANE #203
 AUSTIN, TX 78748
 PH: 512.220.8100

ENGINEER'S SEAL:

 17 August 22

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REVISIONS:

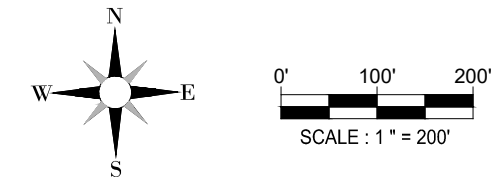
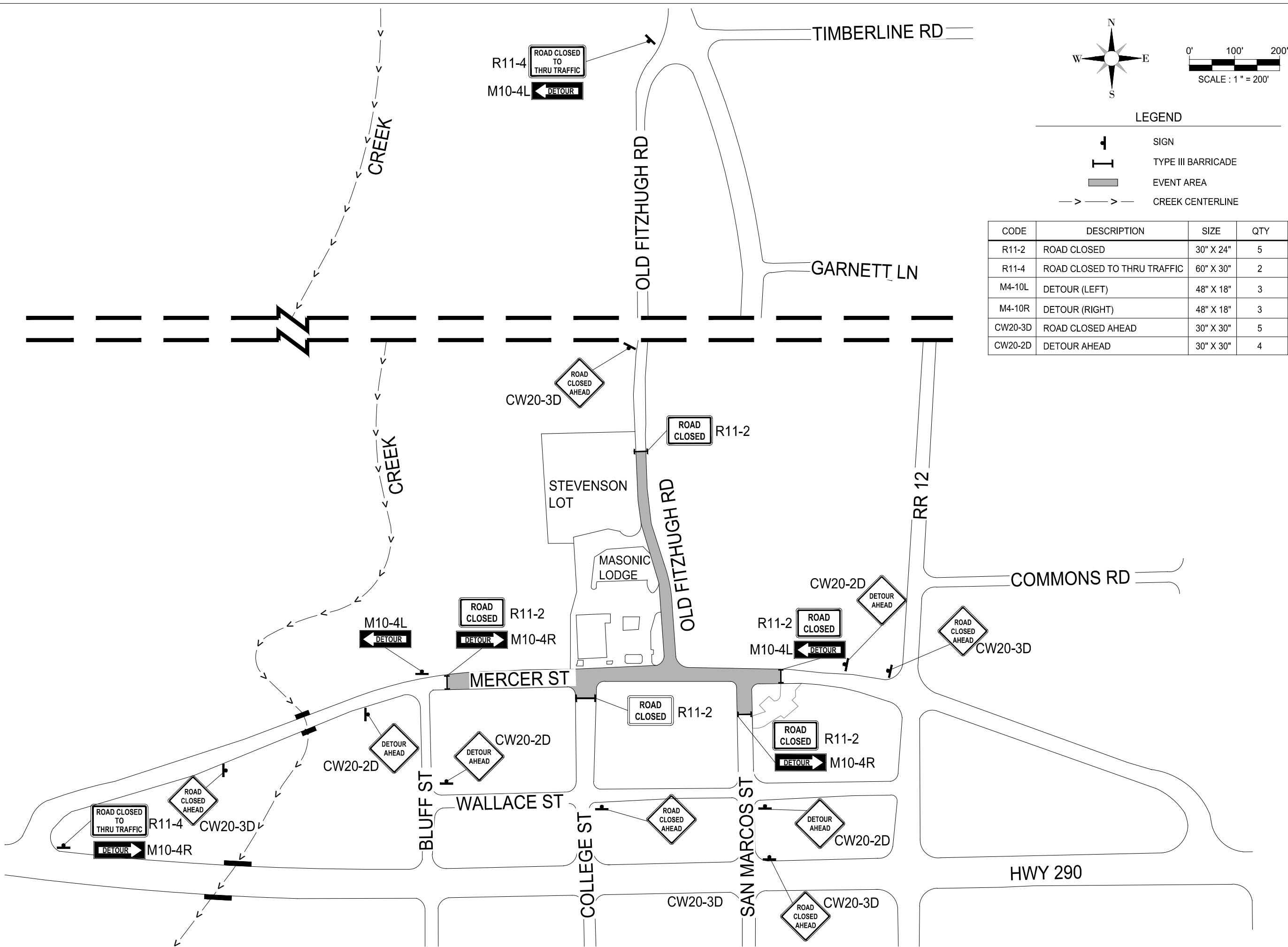
NO.	REVISION	DATE

DATE: 08/18/2022
 DESIGNED BY: RP
 CHECKED BY: RB
 PROJ #: TCP 2023-001




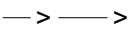


PROJECT:
SONGWRITER FESTIVAL 2023

SHEET TITLE:
TRAFFIC CONTROL PLAN SUNDAY
 02 OF 02 156




LEGEND

-  SIGN
-  TYPE III BARRICADE
-  EVENT AREA
-  CREEK CENTERLINE

CODE	DESCRIPTION	SIZE	QTY
R11-2	ROAD CLOSED	30" X 24"	5
R11-4	ROAD CLOSED TO THRU TRAFFIC	60" X 30"	2
M4-10L	DETOUR (LEFT)	48" X 18"	3
M4-10R	DETOUR (RIGHT)	48" X 18"	3
CW20-3D	ROAD CLOSED AHEAD	30" X 30"	5
CW20-2D	DETOUR AHEAD	30" X 30"	4

GILPIN ENGINEERING COMPANY
 Item # 14.
 T.B.P.L.S. Firm Registration # 10193770
 T.B.P.E. Firm Registration # F-8266
 9701 BRODIE LANE #203
 AUSTIN, TX 78748
 PH: 512.220.8100

ENGINEER'S SEAL:

 17 August 22

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REVISIONS:

NO.	REVISION	DATE

DATE: 08/18/2022
 DESIGNED BY: RP
 CHECKED BY: RB
 PROJ #: TCP 2023-001







PROJECT:
SONGWRITER FESTIVAL 2023

SHEET TITLE:
**TRAFFIC CONTROL PLAN
 FRIDAY & SATURDAY**

Dripping Springs Songwriters Festival 2022





- Venue Stages
- | | |
|-----------------------|-------------------------|
| 1. Hudsons on Mercer | 6. Dog 'N' Bone |
| 2. Mazama Coffee Co. | 7. Haus of Jayne |
| 3. Acopon Brewing | 8. Sidecar Tasting Room |
| 4. The Barber Shop | 9. Sunday Stage |
| 5. Warehouse District | |

- Map Key
- Food Truck - 
 - Toilets - 
 - Tents - T1, T2, T3
 - Trash - 
 - Road Closure (Fri & Sat) - 



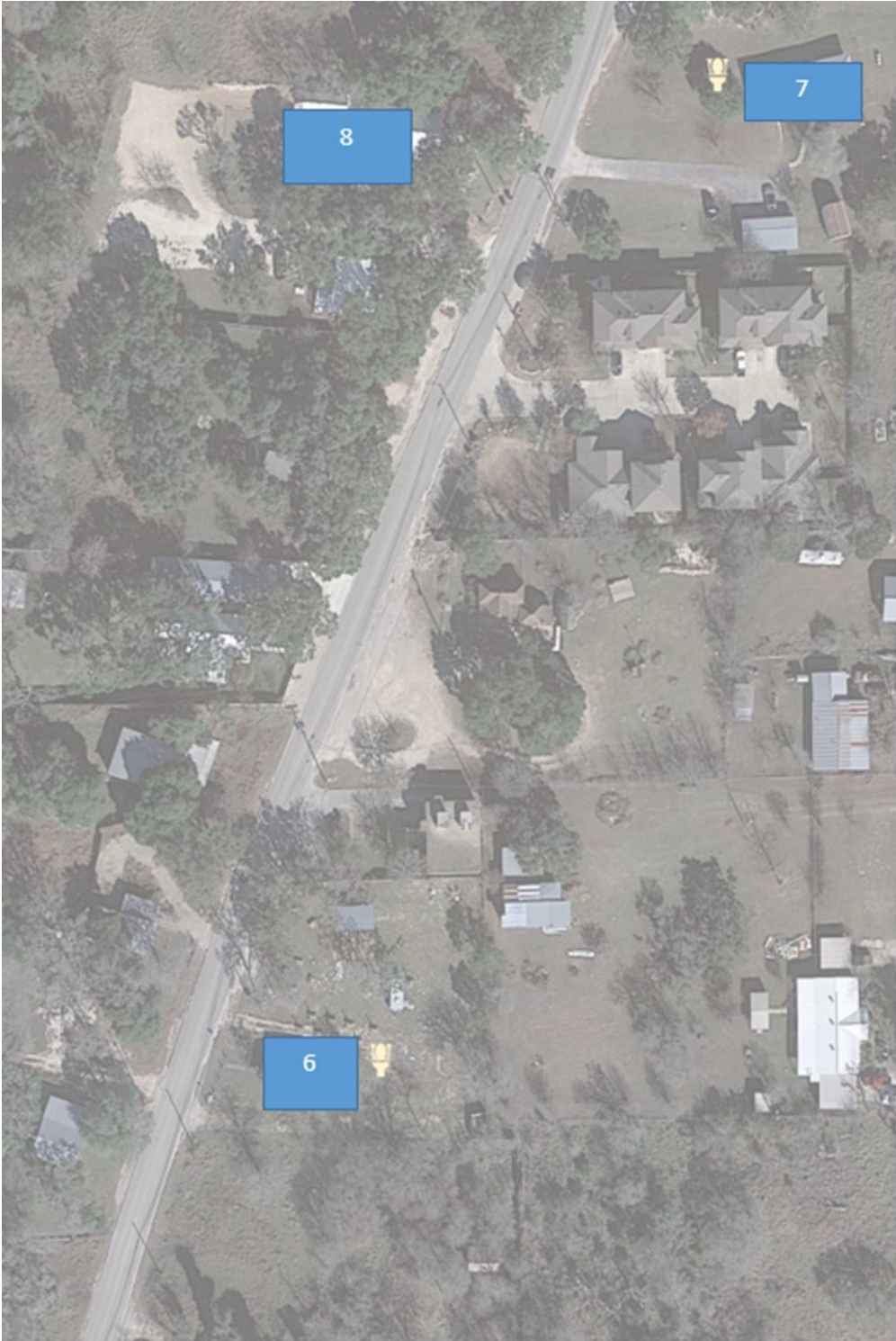
Dripping Springs Songwriters Festival 2022

- Venue Stages
- | | |
|-----------------------|-------------------------|
| 1. Hudsons on Mercer | 6. Dog 'N' Bone |
| 2. Mazama Coffee Co. | 7. Haus of Jayne |
| 3. Acopon Brewing | 8. Sidecar Tasting Room |
| 4. The Barber Shop | 9. Sunday Stage |
| 5. Warehouse District | |

- Map Key
- Food Truck - 
 - Toilets - 
 - Tents – T1, T2, T3
 - Trash - 
 - Road Closure (Sun) - 



Dripping Springs Songwriters Festival 2022





TEMPORARY ROAD CLOSURE PERMIT APPLICATION

Date Application Submitted: August 2nd 2022

Applicant Name/Organization: Destination Dripping Springs

Contact Person: Pam Owens

Address: 509 Mercer Street

City: Dripping Springs State: TX Zip Code 78620

Phone Numbers: Primary Contact: 512-858-4740 Cell: 512-658-4942

Email Address: pam@destinationdrippingsprings.com

Street(s) to be Closed Mercer Street & a portion of Old Fitzhugh

From Bluff To San Marcos
(intersection/block) (intersection/block)

From _____ To _____
(intersection/block) (intersection/block)

Requested date(s) and time(s) of closing:

From 8 : 00 am/pm on 10 / 14 / 2022 to 7 : 00 am/pm on 10 / 16 / 2022

Reason for Closing Dripping Springs Songwriters Festival

STREET CLOSURE SUBMITTAL REQUIREMENTS

1. Temporary Street Closure Application
2. Detailed Engineered Traffic Control Plan
3. Notification to affected property owners, local Sherriff, Fire, and EMS, Dripping Springs Independent School District, Dripping Springs Water Supply Corporation, City of Dripping Springs Wastewater Operator, Pedernales Electric Cooperative, Verizon Wireless, Time Warner Cable, any other Utility Providers
4. Pay Associated Fee:
 - 13.12 – Temporary Public Right-of-Way Usage Permit Fee - \$50.00/day
 - 13.13 – Temporary Street Closure Permit Fee - \$250.00
 - 13.14 – Temporary Street Closure Permit Fee Extension - \$100.00
5. Proof of Liability Insurance Naming City as Additional Insured.
6. Approval of City Council

NOTICE: The Permit will become invalid on the expiration date noted on the permit. If an extension is necessary, the request, along with a Permit Extension Fee of \$100.00 must be submitted ten days prior to the expiration date or this permit will become invalid and a Stop Work Order may be placed on the project.

By signing below, I acknowledge that I have read through and met the above requirements for a complete submittal:

Applicant Signature *Date*

For Office Use Only

Total Fee: \$400

Form of Payment: Cash Check Check Number: _____ Credit Card _____

Date Payment Received: _____

Payment Processed By: _____



Temporary Road Closure Permit



Council Approved Date: _____

Date of Permit: _____

Type of Permit: _____

~ City of Dripping Springs – PO Box 384 – 511 Mercer Street ~
512-858-4725



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

Submitted By: Caylie Houchin; Community Events Coordinator

Council Meeting Date: September 6th, 2022

Agenda Item Wording: Discuss and consider approval of a Songwriters Festival 2022 Participation Agreement between the City of Dripping Springs, Dripping Springs Veterans of Foreign Wars Post 2933, and Vince F. Taylor American Legion Post 290 for parking services. *Sponsor: Council Member Wade King*

Agenda Item Requestor: Pam Owens, President/CEO, Dripping Springs Visitors Bureau

Summary/Background: This agreement is for the VFW Post 2933 and American Legion Post 290 to organize paid parking at Veterans Memorial Park for guests of the 2022 Songwriters Festival on Friday, October 14th, and Saturday, October 15.

The VFW Post 2933 and the American Legion Post 290 have agreed to give 25% of their earnings to the City of Dripping Springs on or before October 28th 2022 from their participation in organizing parking at Veterans Memorial Park.

Commission Recommendation:

Staff Recommendation: Approve the Songwriters Festival Participation Agreement between the City of Dripping Springs and the Veterans of Foreign Wars Post 2933 and American Legion Post 290 for parking services.

Attachments: Signed Participation Agreement
 - Includes a map of the parking lot to be used for this event.

Next Steps/Schedule: Notify the applicant of City Council decision.



SONGWRITERS FESTIVAL 2022

Participation Agreement

This *Songwriters Festival 2022 Participation Agreement* (“Agreement”) is for the performance of certain goods and/or services, as specified below:

1. **PARTIES:** This Agreement is hereby executed by and between the City of Dripping Springs, Texas, and Dripping Springs Veterans of Foreign Wars Post 2933 and Vince F. Taylor American Legion Post 290 (“Contractor”).
2. **DEFINITIONS:**
 - (a) **City:** The City of Dripping Springs, a Type-A General Law Municipality located in Hays County, Texas.
 - (b) **City Council:** The governing body of the City of Dripping Springs.
 - (c) **Event:** The Songwriters Festival, a Visitors Bureau celebration
3. **DESCRIPTION:** Contractor is hereby engaged to perform the following services or provide the following goods: Parking services for Songwriters Festival visitors in the areas in and around Veterans Memorial Park, the area known as “the Triangle” more particularly described in *Attachment “A”*, which is incorporated herein for all intents and purposes.
4. **SCOPE:** This Agreement applies to Contractor’s participation in the Event, which shall be conducted October 14, and 15, 2022.
5. **LOCATION:** This Agreement is fully performable in Dripping Springs, Texas. Contractor’s participation in the Event shall be at the following site: areas in and around Veterans Memorial Park – more particularly described in *Attachment “A”* and the lot adjacent to the Stephenson Building at 103 Old Fitzhugh Road -- more particularly described in *Attachment “B”*.
6. **CONSIDERATION:** In consideration of Contractor’s participation in the Event,
 - a. Contractor agrees to pay City: 25% of the profits; and
 - b. Such fee shall be due and payable by check payable at the City’s principal place of business no later than 5:00 pm, October 28, 2022.

7. SUPPLIES:

- a. Contractor agrees to provide all supplies, tools, and equipment necessary for performance under this Agreement.
- b. Other: Additionally, the City agrees to provide Contractor with the following: Access to the Site.

8. DURATION: This Agreement shall be in effect for no more than one year and shall be deemed terminated when all duties and obligations created herein are fully satisfied.

9. TERMINATION:

- a. This Agreement may be terminated by mutual consent of the parties.
- b. This Agreement may be terminated by either party without prejudice upon written notice to the other party via certified mail, return receipt requested, thirty (30) days prior to commencement of the Event.
- c. Termination shall release each party from all obligations of this Agreement, except as specified below.
- d. Termination of this Agreement, as provided above, shall not prohibit, or impair any claim by either party based upon any breach of this Agreement.
- e. The City shall determine if Contractor shall be relieved of Contractor's obligations to participate in the Event due to inclement weather.
- f. *Force Majeure:* In situations in which Contractor's participation in the Event is delayed, cancelled, or suspended due to acts of God, severe weather, natural disaster, state of public emergency, or strike, the terms of this Agreement are waived.

10. SITE MAINTENANCE:

- a. Contractor shall not perform waste or damage the site.
- b. Contractor shall exercise reasonable care and due diligence to avoid harming City premises upon which the Event occurs.
- c. Contractor shall restore or rehabilitate the site and the access to it at the termination of this Agreement. This requirement shall not apply to normal wear and compression on the grass.
- d. Contractor shall provide trash can and remove all trash it generates from the Event.

11. INDEPENDENT CONTRACTOR: The Parties agree that Contractor is an independent contractor and is neither an agent nor an employee of the City. Contractor is solely responsible for directing and controlling Contractor's resources and staff in order to achieve the goals of this Agreement.

12. SAFETY: Contractor shall abide by all state, federal and local rules, and regulations. Contractor shall take all reasonable steps to ensure public safety and protection from fire damage.

13. INSURANCE:

Contractor's Insurance: Contractor agrees to maintain general liability insurance to cover its own activities related to its performance under this Agreement. Contractor further agrees to name the City

as an additional named insured under Contractor's general liability insurance and agrees to provide the City a copy of the certificate of general liability insurance.

- 14. INDEMNIFICATION:** CONTRACTOR, CONTRACTOR'S AGENT'S AND/OR EMPLOYEES SHALL INDEMNIFY AND HOLD THE CITY, CITY'S AGENTS, EMPLOYEES, AND/OR VOLUNTEERS HARMLESS FOR ANY CLAIMS OR CAUSES OF ACTION STEMMING FROM THE CONTRACTOR'S PARTICIPATION AT THE EVENT, INCLUDING BUT NOT LIMITED TO PERSONAL INJURY AND LOST OR DAMAGE TO PROPERTY.
- 15. RULES:** The Contractor shall adhere to all rules established for the Event by the Founders Day Commission.
- 16. MANDATORY DISCLOSURES:** Texas law requires that vendors make certain disclosures. Prior to the effective date of this Agreement, the Contractor has submitted to the City a copy of the Conflict of Interest Questionnaire Form (CIQ Form) approved by the Texas Ethics Commission (Texas Local Government Code Chapter 176). The Contractor must also fill out Form 1295, as required by the Texas Ethics Commission, and submit it to the City. The form may be found here: https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm
- 17. CONTROLLING LAW & VENUE:** Any and all disputes that may arise in relation to this Agreement shall be subject to the laws of the State of Texas. Venue for any disputes arising under this Agreement shall be in *Hays County, Texas*.
- 18. NOTICES:** Any notice provided for by this Agreement and any other notice, demand or communication which either party may wish to send to the other, shall be in writing and given by (a) hand delivery, (b) express overnight delivery service, or (c) registered or certified United States mail, return receipt requested. Notices shall be addressed to the party for whom such notice, demand or communication is intended at such party's address as set forth below:

To the City:

City of Dripping Springs
Attn: City Administrator
PO Box 384
Dripping Springs, TX 78620
(512) 858-4725

To the Contractor:

VFW Post 2933
Attn: Bob DeJong
Address: PO Box 216
Dripping Springs, TX 78620
Phone: (512) 858-5637

American Legion Post 290
Attn: Ben Adair
Address: 123 Patriots Way Blvd
Dripping Springs, TX 78620
Phone: (512)858-5637

- 19. ASSIGNMENT:** Neither party shall assign, sublet, or transfer any interest in this Agreement without written consent of the other Party. Nothing herein shall be construed as giving any rights or benefits hereunder to anyone other than the City and Contractor.
- 20. BINDING ON SUCCESSORS:** This Agreement shall be binding upon, and shall inure to the benefit of, the parties hereto and their respective successors and permitted assigns.
- 21. SEVERABILITY:** Any provisions of the Agreement prohibited or unenforceable by law shall be ineffective without affecting any other provision of this Agreement or shall be deemed to be severed or modified to conform to such law, and the remaining provisions of this Agreement shall remain in force, provided that the purpose of this Agreement can be achieved. To the full extent, however, that the provisions of such applicable law may be waived, they are hereby waived to the end that this Agreement be deemed to be a valid and binding agreement enforceable in accordance with its terms.
- 22. MERGER:** This instrument, and all Attachments affixed hereto, constitutes the entire Agreement between the City and Contractor. To the extent there are any conflicts between this Agreement and the attachments, this Agreement shall govern. This Agreement supersedes all other agreements, oral or written, made with respect to the Event.
- 23. MODIFICATIONS:** All amendments or modifications to the Agreement must be in writing. No modification shall be effective until approved by both parties.
- 24. COUNTERPARTS:** This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original, and all of such counterparts together shall constitute but one and the same instrument.

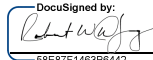
BE IT HEREBY AGREED & APPROVED, for good and valuable consideration, as described herein, the sufficiency of which is hereby acknowledged.

CITY OF DRIPPING SPRINGS:

**CONTRACTOR:
VFW POST 2933**

Michelle Fischer, City Administrator

Date

DocuSigned by:

58E87F1463B6442...

Signature

Robert DeJong

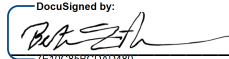
Commander VFW Post 2933

Printed Name and Title

8/24/2022 | 4:22 PDT

Date

**CONTRACTOR:
AMERICAN LEGION POST 290**

DocuSigned by:

7E10C85BCCAD480...

Signature

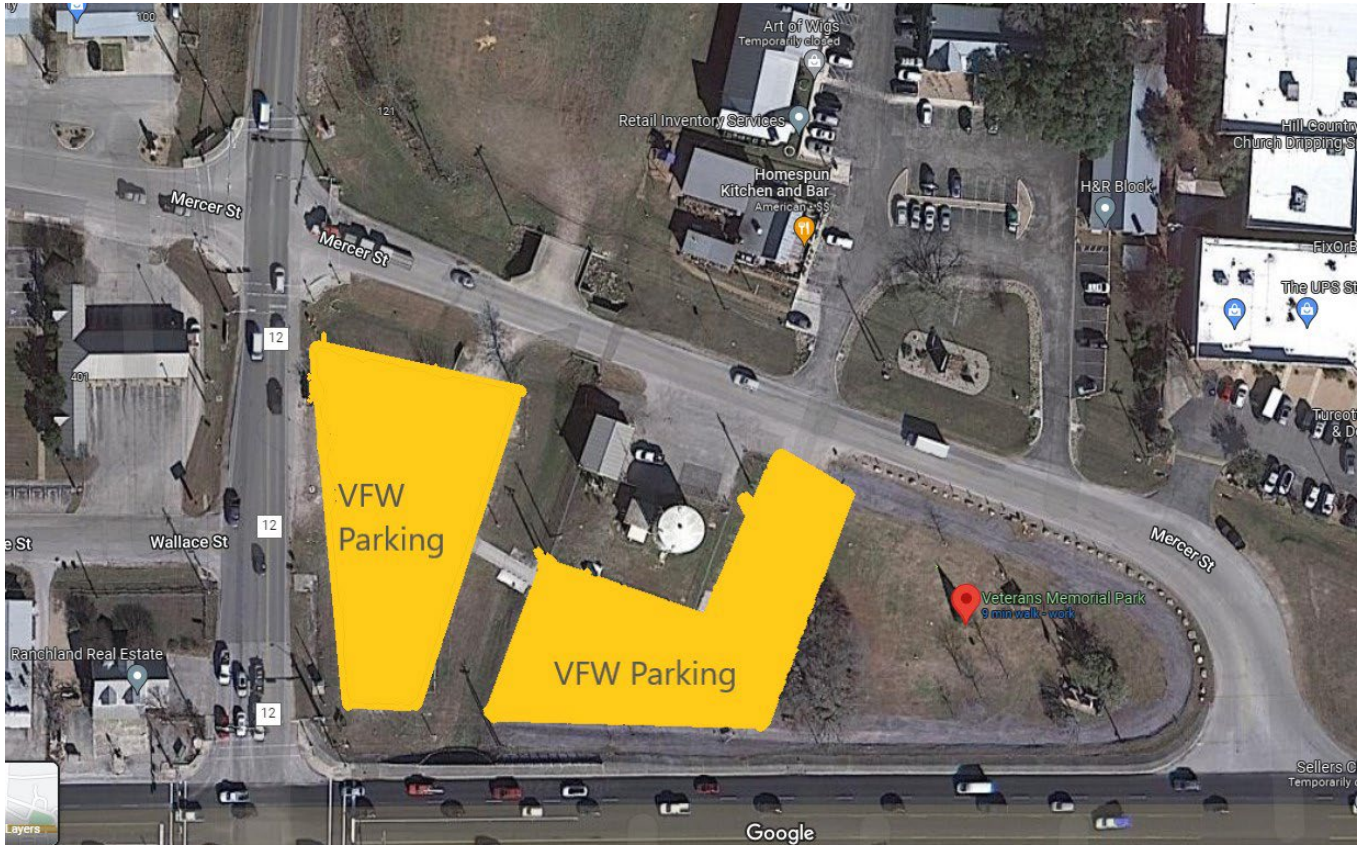
Ben Adair

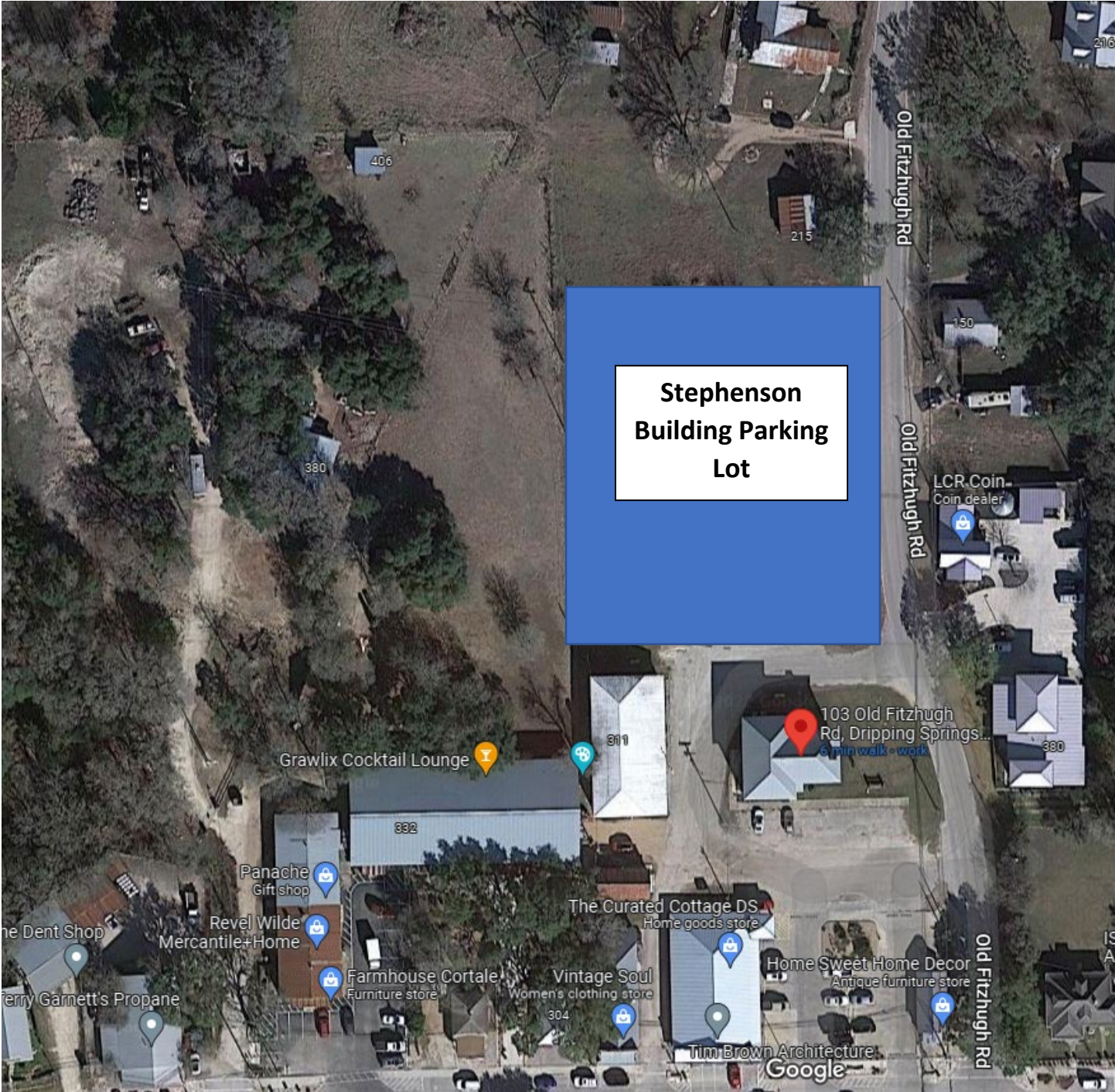
Printed Name and Title Commander American
Legion Post 290

8/25/2022 | 6:22 PDT

Date

ATTACHMENT A







STAFF REPORT
City of Dripping Springs
PO Box 384
511 Mercer Street
Dripping Springs, TX 78620

Submitted By: Shawn Cox, Finance Director/City Treasurer

Council Meeting Date: Tuesday, September 6, 2022

Agenda Item Wording: Discuss and consider approval of a request to amend the 2022 Local Hotel Occupancy Tax Grant Funding Agreement between the City of Dripping Springs and the Dripping Springs Visitors Bureau.

Agenda Item Requestor: Pam Owens, President/CEO Dripping Springs Visitors Bureau

Summary/Background:

On December 16, 2021, the City Council approved a Hotel Occupancy Tax (HOT) Grant Program funding Agreement with the Dripping Springs Visitors Bureau. The agreement provided funding in the amount of \$195,000.00 to directly enhance and promote tourism and the convention and hotel industry; advertise and promote the city and its vicinity; and, enhance the arts, in which participants are tourists to the city.

For consideration, is a request from the Visitors Bureau for \$13,564.00 in additional funding to be utilized to contract with AJR Media for their Datafy product, which will give the Visitors Bureau data intelligence for the Dripping Springs area.

If approved, the agreement would provide for \$208,564.00 in total funding to the Visitors Bureau in FY 2022. This additional funding would be included in the final FY 2022 budget amendment scheduled for consideration on September 20, 2022. The impact of the additional funding to the HOT Fund would be a reduction of the projected balance forward to FY 2023 (from \$399,238.89 to \$385,674.89).

**Commission
 Recommendations:**

**Recommended
 Council Actions:** The Finance Director/City Treasurer recommends Council approval of the request to amend the 2022 Local Hotel Occupancy Tax Grant Funding Agreement between the City of Dripping Springs and the Dripping Springs Visitors Bureau.

Attachments:

- FY 2022 DSVB Hot Funding Agreement
- DSVB Request to Increase 2022 HOT Agreement
- AJR-Datafy Dripping Springs 8.2022

Next Steps/Schedule:

**HOTEL OCCUPANCY TAX (HOT) GRANT PROGRAM
FUNDING AGREEMENT**

This amendment to the Funding Agreement originally made and entered into in December 2021, between the City of Dripping Springs, Texas a general-law municipality located in Hays County, Texas (“City”), and Dripping Springs Visitors Bureau, is understood and agreed to be as amended herein.

AMENDMENT:

3. GRANT

The City hereby agrees to transfer as a grant a portion of the Fiscal Year 2022 Hotel Occupancy Tax funds to Dripping Springs Visitors Bureau for facility management, marketing and organization support in an amount ~~one two hundred and ninety-five~~ nine thousand dollars (\$195,000.00-209,000.00), an increase of \$14,000. The grant shall be payable in one lump sum payment no later than 30 days after the date this Agreement is signed by both parties.

4. SERVICES

In exchange for the grant described above, Dripping Springs Visitors Bureau hereby agrees to utilize the grant funds in the amount of ~~one two hundred and ninety-five~~ nine thousand dollars (\$195,000.00-209,000.00), an increase of \$14,000. for the purposes as described in Exhibit A and below, which directly enhance and promote tourism and the convention and hotel industry; advertise and promote the city and its vicinity; and, enhance the arts, in which participants are tourists to the city.

- a. Visitor Information Center
- b. Advertising, solicitation and promotional programs, including a media buy with data acquisition with Datafy and AJR Media
- c. Promotion of the Arts

This Amendment shall be incorporated into the Hotel Occupancy Tax (HOT) Grant Program Funding Agreement agreed and approved on or around December 16, 2021 between the City of Dripping Springs and the Dripping Springs Visitors Bureau.

WHEREFORE PREMISES AND CONSIDERATION ACCEPTED, AND HEREBY AGREED:

CITY OF DRIPPING SPRINGS:

DRIPPING SPRINGS VISITORS BUREAU:

Bill Foulds, Jr. Mayor

Pam Owens, President/CEO

ATTEST:

Andrea Cunningham, City Secretary

From: [Pam Owens](#)
To: [Shawn Cox](#); [Michelle Fischer](#); [Taline Manassian](#); [Bill Foulds](#)
Cc: [Kirtan Patel](#); [Mary McRoberts](#); [Bonnie Humphrey](#); carole@whimhospitality.com; ["The ALEXANDER AT CREEK ROAD"](#); dave@acoponbrewing.com
Subject: DATAFY- Data Intelligence Program - Request for increase to 2022 HOT Agreement
Date: Friday, August 19, 2022 4:16:13 PM
Attachments: [AJR-Datafy Dripping Springs 8.2022 Updated.pdf](#)

I am requesting an add-on to the Visitors Bureau 2022 HOT funding agreement, and I have attached a proposal from AJR Media showing their Datafy product. Datafy will give us data intelligence for the Dripping Springs area.

The amount for Datafy dashboard is \$8,564 for the first year (\$7,164 second year), also included is an add-on media buy of \$5,000 that will leverage visitor insights (\$5,000 is normally the minimum spend per campaign, but we've been able to split between 2 separate flights to maximize our budget and reach). The total cost for annual dashboard plus 12 week media buy is \$13,564.

A few highlights on the product:

1. Builds audiences of past visitors, visitors to competitor destinations and look alike audiences for use in advertising, increasing efficiencies and budget allocations exponentially.
2. Provides attribution reporting on advertising run through the dashboard to those targeted audiences, tracking not only the performance of the advertising itself, but also those who were served the ad and later showed up in market.
3. With the attribution tracking, provides calculation options that will help establish Return on Ad Spend and Economic Impact, that can be applied to other channels of marketing and media that do not offer attribution.
4. The dashboard itself tells where visitors are coming from, their demographic profiles, how long they stay in market, which points of interest they are visiting, correlations between points of interest and much, much more – helping to better craft targeting across all media and messaging.
5. The tools include four years of historical data and current data.
6. Additionally, the dashboard can aid in community decisions, like whether to add more signage or widen trails, etc.
7. The dashboard will also track locals, allowing us to view local visitation activity to events, points of interest, parks, or points that may be of use across multiple departments in our community.
8. The dynamic event tracking can provide detail on economic impact, when you have the highest volume of event attendance, where attendees are coming from, other points they visit while in town for an event, lodging locations, etc.

The Visitors Bureau has worked with AJR Media since 2014. They are well-known and admired in the tourism industry for their expertise and integrity. I've also looked at Zartico, and while they have a similar program, it is much more expensive.

The dashboard can be live in 10 – 15 business days from approval of list of Points of Interests. Please let me know if you have any questions or need clarification. I appreciate your consideration.

Pam Owens

President/CEO

Dripping Springs Visitors Bureau

509 West Mercer Street, Unit 13

Dripping Springs, TX 78620

Phone: 512-858-4740 Mobile: 512-658-4942

Web: www.DestinationDrippingSprings.com

Email: pam@DestinatinoDrippingSprings.com





AJR DIGITAL
MEDIA
SOLUTIONS

DATAFY



AJR + DATAFY OVERVIEW

Item # 16.

Since 1991, **AJR Media Group** has developed integrated, data-driven campaigns for DMO's, hotels and attractions, primarily in Louisiana & Texas, to meet and exceed their marketing objectives. Today, AJR is **connecting brands to audiences** across the globe through a tech agnostic, client service-oriented approach. We combine the best in traditional media and digital technology to meet our client's needs, without being tied to one vendor or one approach.

Datafy was born out of a consistent request from **communities seeking better solutions for data analytics**. Existing solutions were slow, cumbersome and often prohibitively expensive. They were out of reach for many communities. Through years of technology optimization and relationship building with multiple data providers, Datafy has developed a revolutionary way for communities to **understand their visitation** and create **targeted marketing campaigns** to reach their audiences.

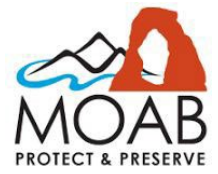
Together, our understanding of all sides of travel and tourism, media, community and digital transactions has proven invaluable in producing the customized datasets, visitor analytics, visitor profiles, campaign strategy, and **prosperity for the clients we serve**.

Led by seasoned tech executives, data scientists, and tourism marketing professionals, our teams are based in The Woodlands, Texas and Ogden, Utah with remote staff across the country.

Our in-house activities include data collection and visualization, strategy, marketing materials and design, a digital trade desk, campaign execution, optimization and global media placement.

As one of **the fastest growing tech companies** (client count and revenue) in the travel and tourism space, Datafy serves hundreds of clients from coast to coast; from the very largest DMOs in the USA to some of the smallest... and **we love them all equally**. Privately held with funding from sophisticated investors and entrepreneurs, Datafy and AJR have a clear roadmap to continue to lead and innovate in travel-tech and Destination Marketing.

SAMPLE CLIENTS



UNIQUE DIFFERENTIATORS:

- **First Party Data:** We source our own data. Our intellectual horsepower is unmatched with our dedicated stateside team of data scientists and analysts. We have access to log level data to dive in deeper and customize when we need. Other data platforms are aggregators only and purchase their data from one source.
- **Customizations Included:** We believe in making the data work the best for your destination's unique needs, this means we pull in third-party data, for example: STR, Google Analytics, airport data, air DNA, Key Data, etc. We are happy to build custom visualizations for your destination with this 3rd party data as well as with our geolocation data at no additional cost.
- **Affordably Priced:** DATAFY leads the marketplace with the lowest pricing. We offer our datasets and customizations to destinations of all sizes at a price that is unmatched. If you receive lower price offerings for similar service, we ask for the opportunity to match it.
- **Actionable Data:** Our in-house DSP paired with first-party data for your destination, enables us to provide a unique opportunity to serve personalized and timely messages by using the Mobile Advertiser ID. We provide full-attribution across advertising to tell you: did those people advertised to, visit and did they stay in a hotel, helping to provide RO1 and ROAS across all campaigns.

Data Sources:

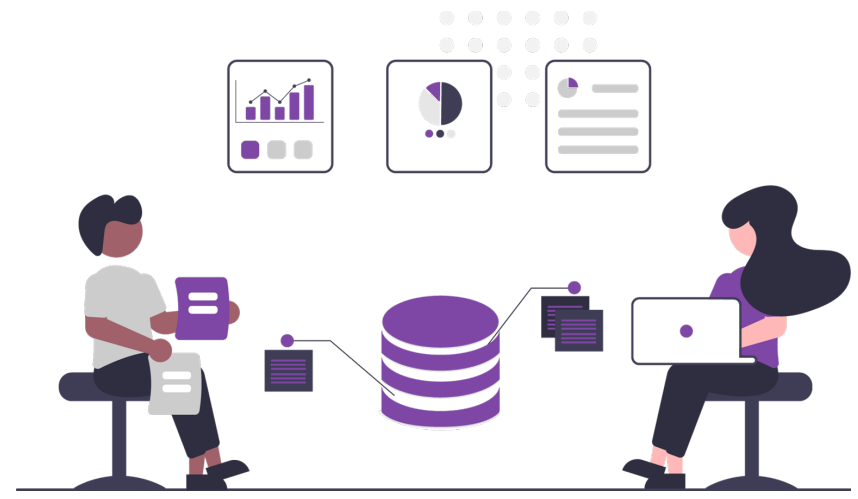
We source only opt-in data from high-quality data-provider partners such as app developers and publishers, data aggregators, and ad networks and exchanges from over 1,000 sources. We aggregate data that provides information about where people visit with their mobile devices (if the device is configured to share its location data when an application is in use or operating in the background.) DATAFY also has access to a device identifier and other information about that device such as IP address, app publisher, OS, and device specific information. We do not receive the phone number. We identify devices using the advertising ID or a randomly assigned unique identifier.

Accuracy:

Accuracy and flexibility are built into DATAFY's approach and system. Our data goes through several layers of cleaning and scrubbing to eliminate errant or inaccurate location signals. Based on the needs of the client, DATAFY can set customized target margin of error levels and eliminate points of interest that fail to meet a specified level. Unless otherwise indicated, we typically target a confidence interval of 90+ percent with a margin of error of +/- 10 percent. Higher levels can be maintained upon request but may not be possible for every potential point of interest.

Filters:

Every destination is different, and we can customize our filters to account for locals, traveling employees and more. We are the only company that takes into account raw data and macro influences on raw data, including app use surge, geographic sample sizes, traveler behavior and incorporates human behavior into our analysis.



BUSINESS INTELLIGENCE

- Strategic and actionable
- Attribution based insights
- Behaviors & spending



DATA WAREHOUSE

- All of your data in one place in a dynamic layout



MEDIA MARKETING

- Hyper-targeted campaigns with intelligence-based attribution data

BUSINESS INTELLIGENCE & DATA WAREHOUSE

ACTIONABLE DATA POINTS



Geolocation
data from
over 200 million
cell phones



Demographic
data to the
household level
from a leader in
the industry



Psychographic
data to the
household level



Mobile Advertiser IDs
for media
placement



Visitor Spending
data from 34% of all
credit cards in the US

DASHBOARDS INCLUDE

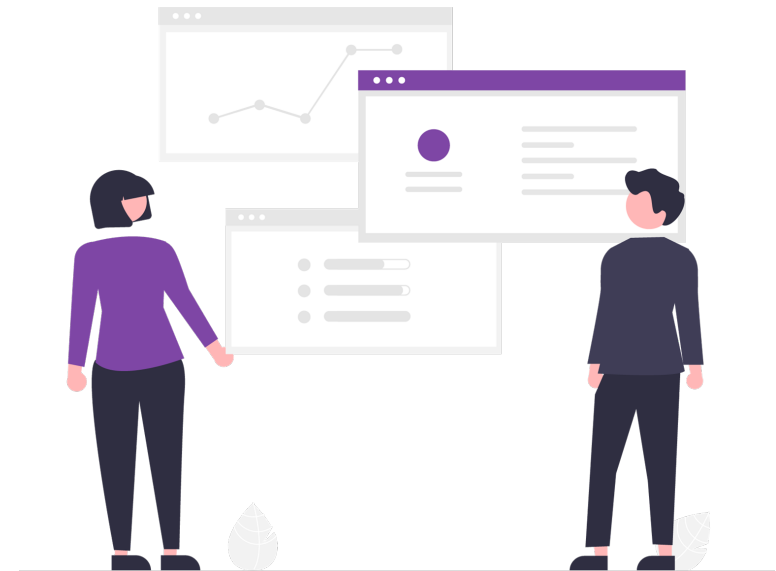
- Domestic and International geolocation data with analytics charts:
 - Total visitors per day, week, month, year by POI
 - Demographic and psychographic profiles of visitor by state, DMA, county, city or zip code
 - Trip length, Repeat visitation, POI visitation
 - Correlation between points of interest
- Spending data (add-on)
 - Average spend per visitor by feeder market
- Visualizations of DMO owned data sets - we can ingest any raw file
 - STR
 - AlltheRooms, AirDNA, KeyData
 - Hotel tax, sales tax revenue
 - Airport arrivals



REPORTS

DATA WAREHOUSE

- All your reporting in one place with real-time updates and a dynamic display
- Custom monthly and annual reports
- Can include:
 - ✓ STR Reports
 - ✓ Key Data
 - ✓ Airport data
 - ✓ Tax data
 - ✓ Analytics reporting
 - ✓ Spending data
 - ✓ Media reporting
 - ✓ TourTexas.com



VISUALLY COMPELLING ANALYTICS

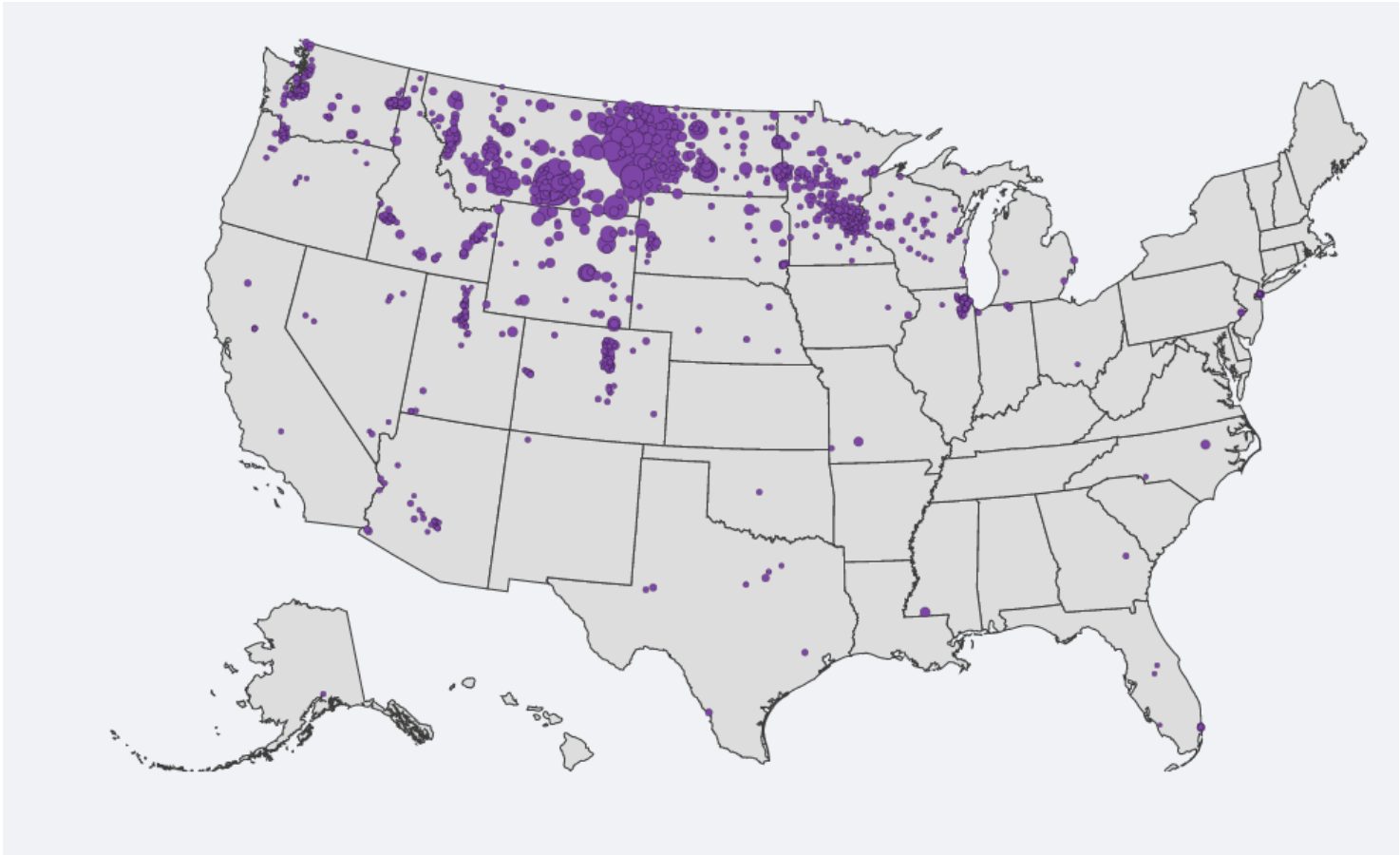
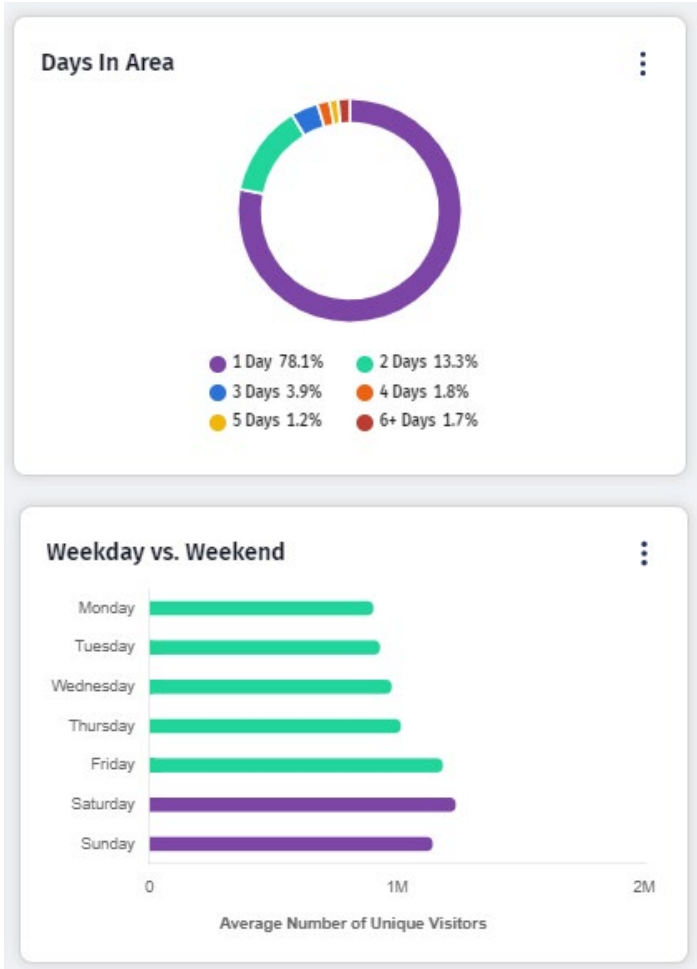
DYNAMIC DASHBOARDS

Item # 16.



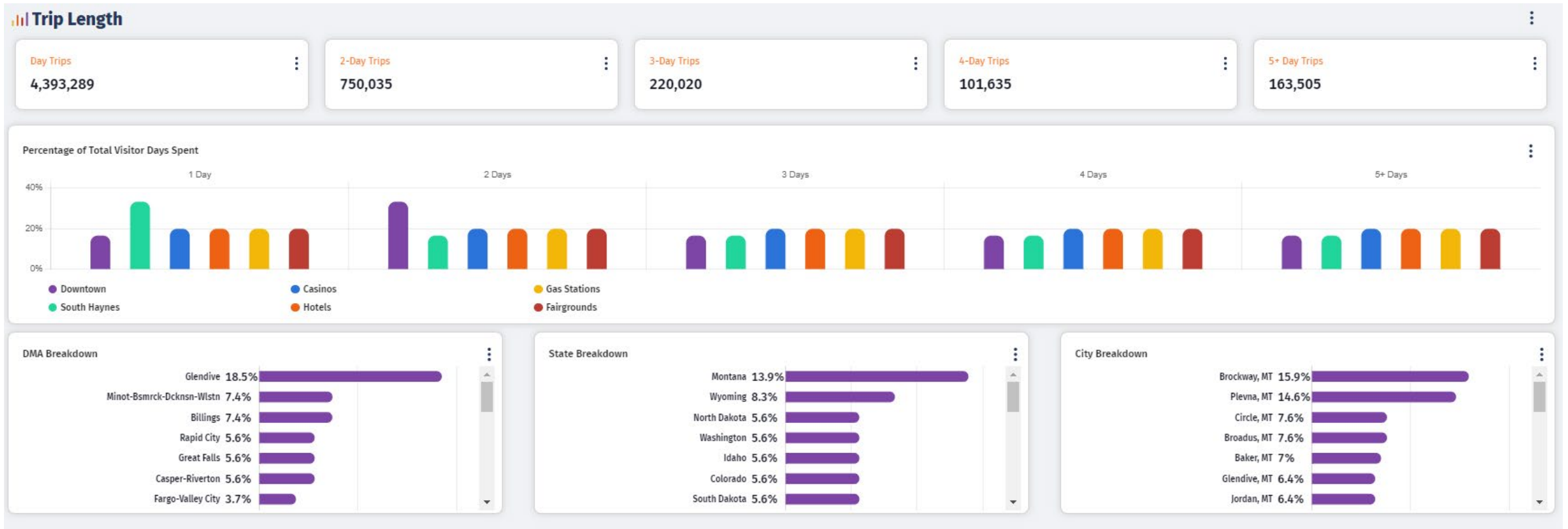
VISUALLY COMPELLING ANALYTICS

DYNAMIC DASHBOARDS



VISUALLY COMPELLING ANALYTICS

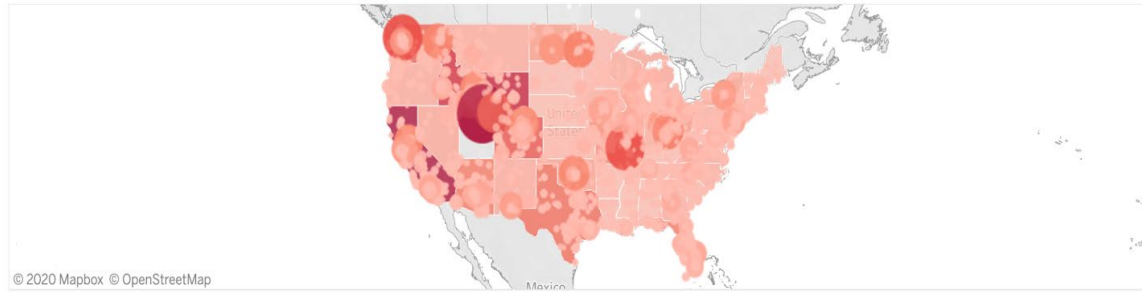
TRIP LENGTH & POI CORRELATION



VISUALLY COMPELLING ANALYTICS

SPENDING COMPARISON & MARKET SHARE

Spending Map Comparison



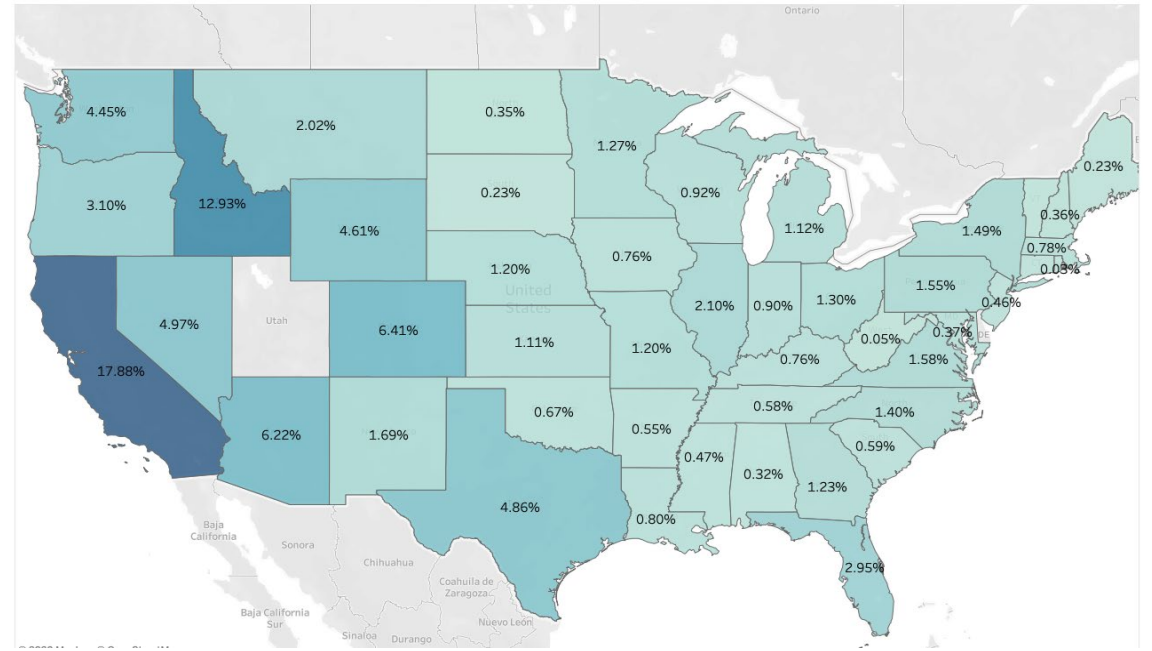
Top Spending States

State	Location of Transaction		
	84401	84403	84405
Wyoming	6.97%	6.87%	20.93%
Idaho	10.92%	5.58%	13.52%
California	12.31%	12.91%	9.32%
Arizona	3.55%	3.71%	7.88%
Colorado	4.73%	9.08%	5.37%
Florida	4.55%	4.21%	5.20%
Texas	6.04%	5.63%	4.22%
Washington	5.33%	8.22%	3.77%

Top Spending Zip Codes

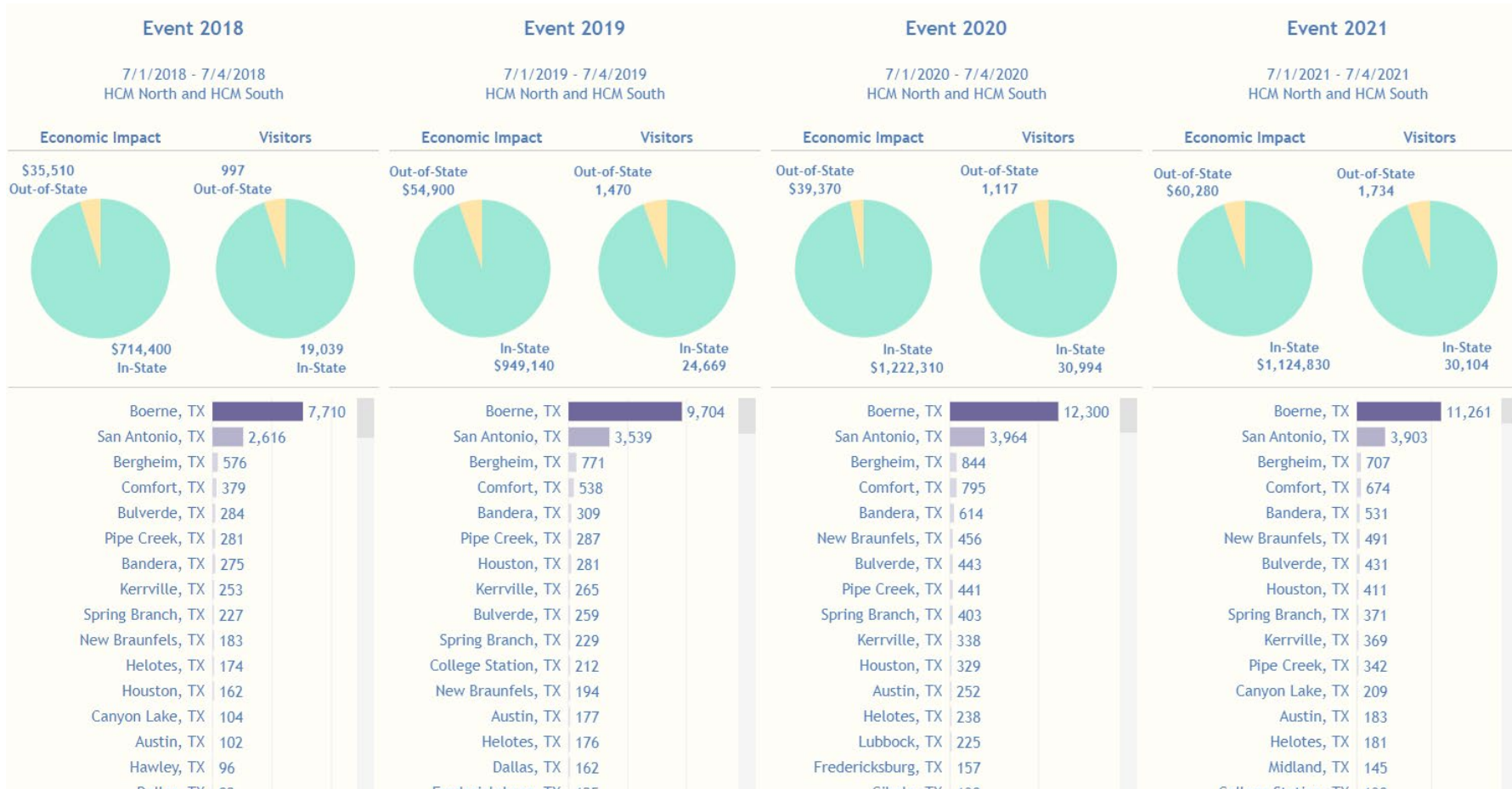
Billing Zip Code	Location of Transaction		
	84401	84403	84405
82930	2.72%	1.95%	8.85%
13215	1.90%	0.20%	0.22%
83401	1.90%	0.33%	1.12%
91104	1.63%	0.04%	
82901	1.52%	1.37%	2.57%
08889	1.48%	0.34%	0.09%
98101	1.48%	0.36%	0.09%
25901	1.20%	0.04%	0.08%

State Percentages



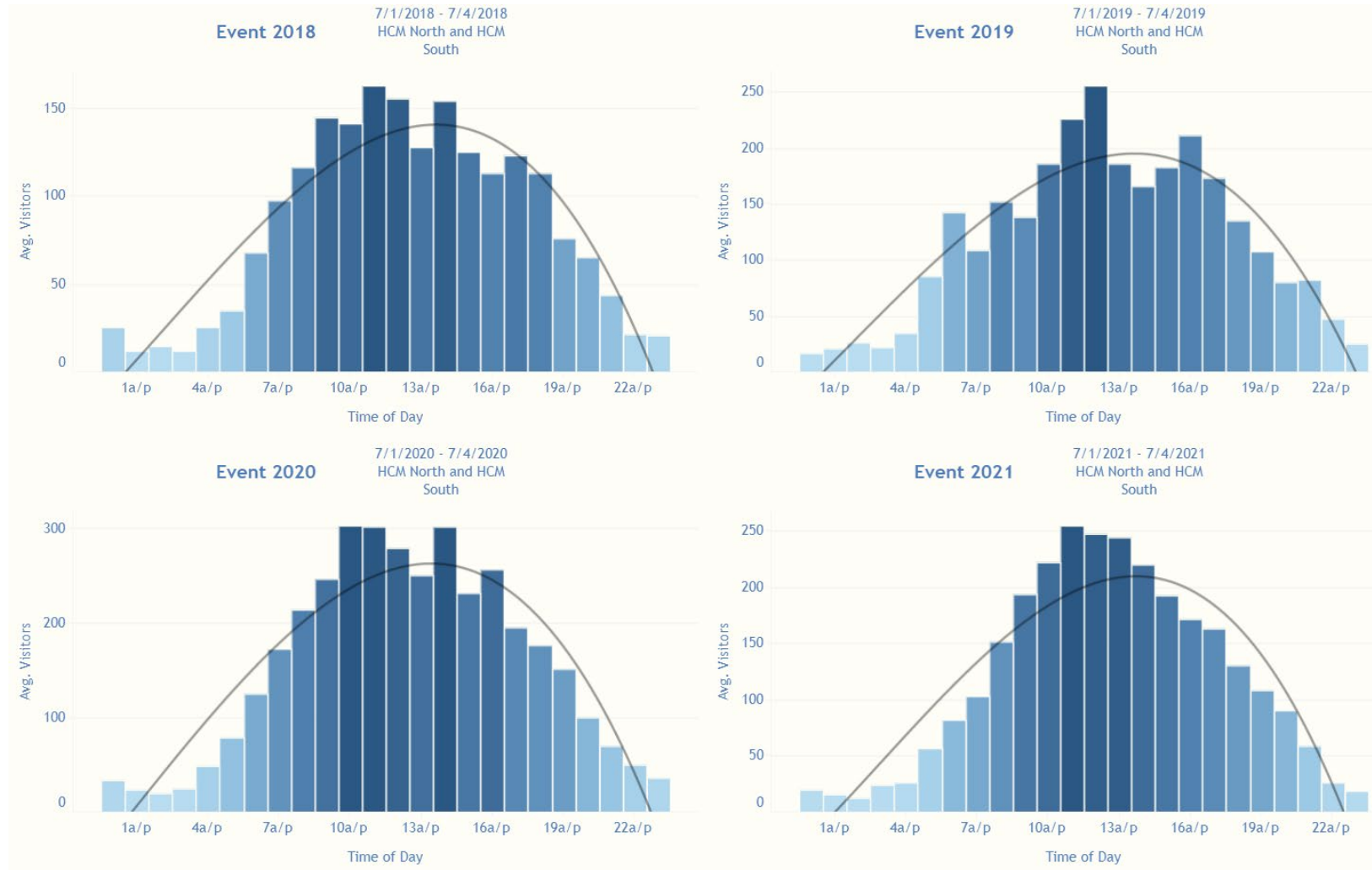
VISUALLY COMPELLING ANALYTICS

ECONOMIC IMPACT OF EVENTS & Y/Y COMPARISON ANALYTICS



VISUALLY COMPELLING ANALYTICS

EVENTS HOURLY ATTENDANCE & Y/Y COMPARISON ANALYTICS

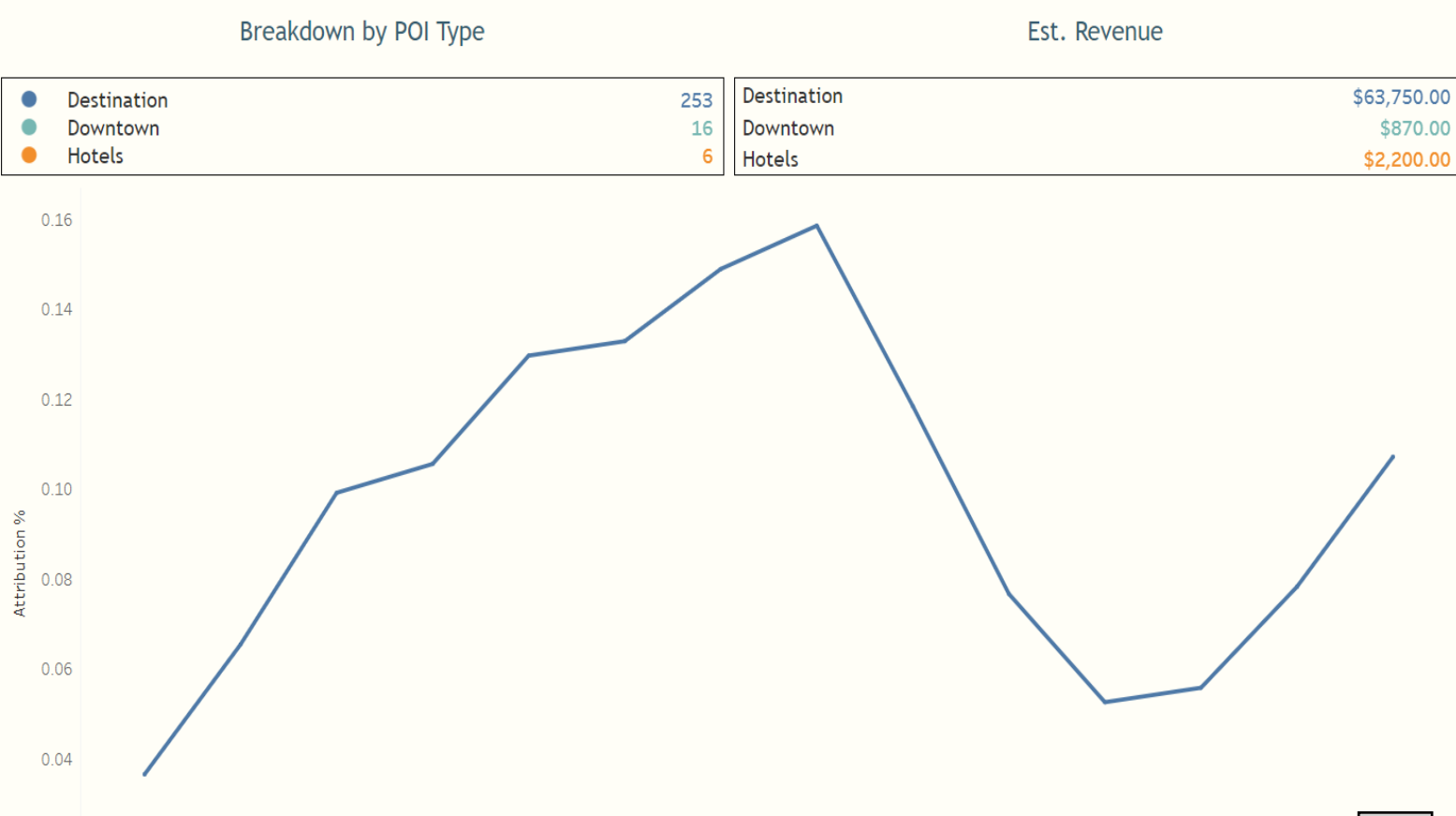


ADVERTISING WITH AJR + DATAFY

Advertising:

Our primary method of generating advertising audiences **does not rely on traditional SEO**, and importantly, **is not reliant upon third-party cookies**. Our primary method utilizes direct observation of devices exhibiting behavior that is indicative of interest in travel, tourism, or a specific offering that aligns with the offering that a destination wants to promote. Therefore, our approach and results are less impacted by SEO algorithm changes than traditional online interest-based approaches. Our team is currently working with data partners to explore additional techniques to allow us to **continue to innovate and adapt** to changes within the industry.

Our Media Attribution Tracking & Economic Impact calculators, allow you to prove your Return on Ad Spend and Marketing Efficacy:



TARGETING OPPORTUNITIES

VISITORS

- Visitors to specific Points of Interest (POI's) identified by client or to the community, generally
- Visitors during a specific season
- Previous visitors who stayed in a hotel
- Visitors with high spending levels
- Regional drive or fly markets

GEO-CONQUESTING

- Visitors to similar tourism destinations
- Visitors to similar POI's such as mountain bike trails, beaches or museums
- People who have attended similar special events regionally
- Known travelers during off/shoulder seasons to similar POI's

NEW MARKETS

- Create lookalike audiences of current visitors using household demographics and psychographics
- Create lookalike audiences from competitive POI's
- Identification of visitors around the country who match the destination or venue "target market" by season, geography or demographics who are known travelers

MEDIA STRATEGY

RETARGETING PAST VISITORS

3.5 YEARS OF HISTORICAL VISITOR DATA



IDENTIFY OVERNIGHT VISITORS



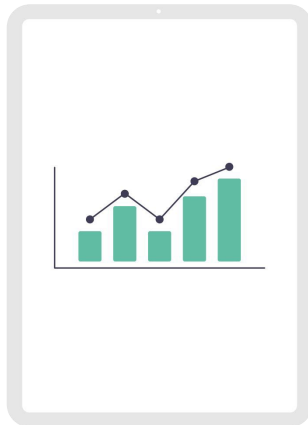
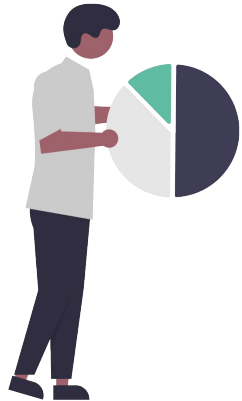
IDENTIFY PERSONA



MAID ADVERTISING BASED ON INTERESTS



DAILY ANALYTICS & ATTRIBUTION



25-34 Yr. Outdoor Rec. Enthusiasts



65+ Yr. Museums, Nat. Parks, Golf



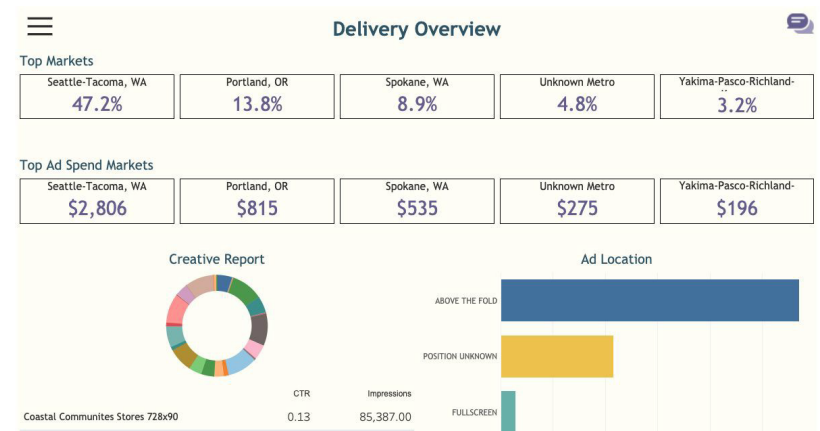
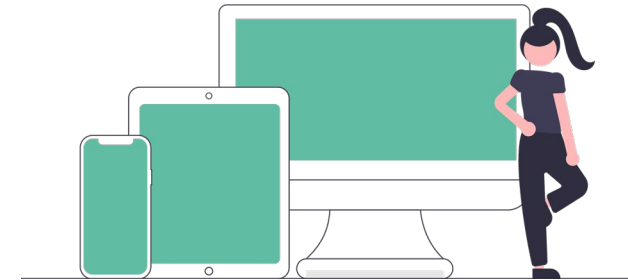
35-50 Yr. Mountain Bikers/ Skiers



25-34 Yr. Beach Goers/ Family POI



19-25 Yr. Outdoor Rec/ Music Festivals



MEDIA STRATEGY

GEO CONQUESTING

IDENTIFY
COMPETING
ATTRACTIONS



GEOFRAME
LOCATION



IDENTIFY VISITORS &
THEIR MOBILE AD
ID'S (MAIDS)



MAID ADVERTISING



DAILY ANALYTICS
& ATTRIBUTION



25-34 Yr. Outdoor Rec.
Enthusiasts



65+ Yr. Museums,
Nat. Parks, Golf



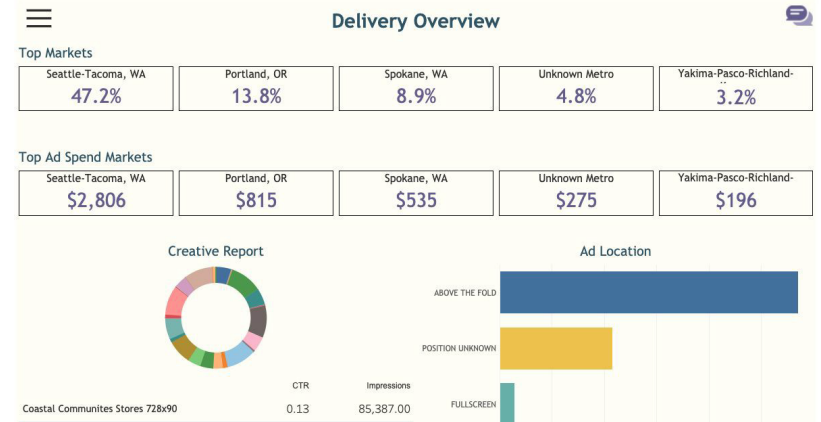
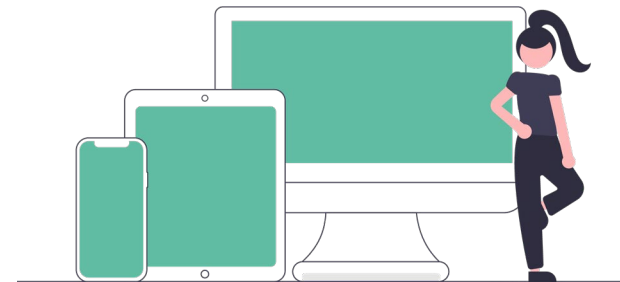
35-50 Yr. Mountain
Bikers/ Skiers



25-34 Yr. Beach Goers/
Family POI



19-25 Yr. Outdoor Rec/
Music Festivals



MEDIA STRATEGY

LOOK ALIKE AUDIENCE

3.5 YEARS
OF HISTORICAL
VISITOR DATA



VISITOR
PROFILE



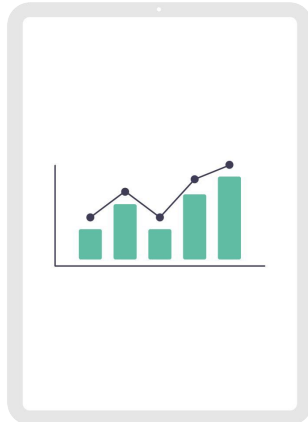
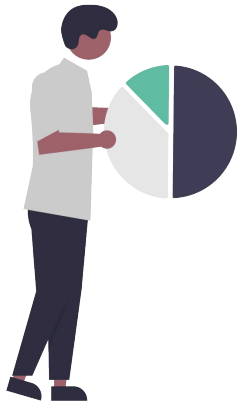
IDENTIFY LOOK ALIKE



MAID ADVERTISING



DAILY ANALYTICS
& ATTRIBUTION



25-34 Yr. Outdoor Rec.
Enthusiasts



65+ Yr. Museums,
Nat. Parks, Golf



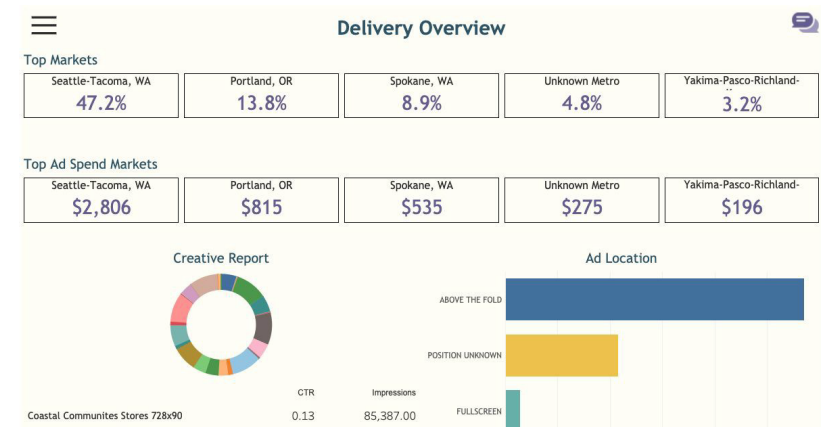
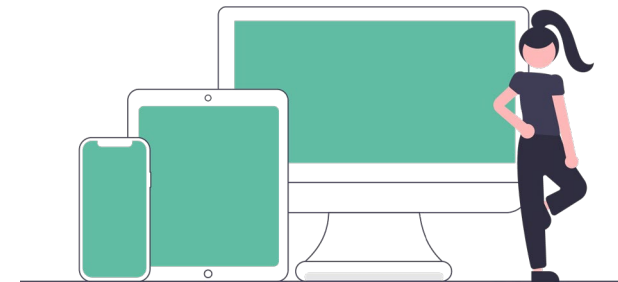
35-50 Yr. Mountain
Bikers/ Skiers



25-34 Yr. Beach Goers/
Family POI



19-25 Yr. Outdoor Rec/
Music Festivals



MEDIA STRATEGY

ATTRIBUTION & CAMPAIGN IMPACT

Sample Attribution Report



Destination Attribution:
4,095 Unique Visitors

Average Days Observed in Market:
3.5 Days



Hotel Attribution:
1,443 Unique Visitors

Average Days Observed in Market:
2 Days

Sample Ad Impact Report

$$\begin{array}{ccccccc} 4,095 & & \times & & \$195 & & = & & \$798,525 \\ \text{Unique Visitors} & & & & \text{Avg. Spend per Visitor*} & & & & \text{Destination Impact} \end{array}$$

$$\begin{array}{ccccccc} 1,443 & & \times & & 2 & & \times & & \$129 & & = & & \$372,294 \\ \text{Unique Visitors} & & & & \text{Avg. Nights} & & & & \text{ADR*} & & & & \text{Hotel Impact} \end{array}$$

*Average Spend per Visitor & ADR Estimated.

Sample Ad Impact Report

Return on Ad Spend

\$79 : \$1

Average Cost per Visitor

\$2.44

Average Cost Per Hotel Stay

\$6.93

PRICING OVERVIEW

VISITOR DATA + ATTRIBUTION

DATA DRIVEN MARKETING DECISIONS, MEASUREMENT & ROI

Item # 16.

ANNUAL VISITATION DATA BRONZE SUBSCRIPTION PLAN BASED ON POPULATION

Intelligence	Plan Type	Inclusions	Reporting	Budget
Visitation & Targeting Data Dashboard	Annual (Pricing based on population)	<ul style="list-style-type: none"> 4 years historical visitation data plus current visitation data 5 POI clusters (i.e. Event locations, hotels, etc.) 10 POI's per cluster Unlimited otels in Lodging cluster Specialty & retargeting audience generation Dynamic Events Dashboard Competitor High Level Vistiation Charts 	<ul style="list-style-type: none"> Customized reports Interactive Dashboard Dashboard Data Report Exports (pdf, PPT, more) 	Annual License One-Time Set Up Fee One-Time Historical Data
Total				8,564

Recommendation: The data intelligence & visualization tool can be incredibly valuable to multiple entities across your community, so many destinations have split this annual investment across different departments that will benefit from the information: Economic Development, Parks Boards, City Managers, Mayors Offices, etc.

BRONZE

Basic GPS Data

- 1 Main city POI plus 1 Cluster with up to 10 POI's
- Interactive Dashboard
- Dynamic Event Dashboard
- Quarterly Support Call & Free Live Chat

RECOMMENDED ATTRIBUTION MARKETING & ROI ADD-ON

Item # 16.

Flight Length	Channel	KPI Optimization	Reporting	Budget
6 Weeks	Display	CTR	<ul style="list-style-type: none"> • Customized reports • Interactive Dashboard • Ad Performance • In-Market Visitation Resulting From Campaign • Estimated Economic Impact & Return on Ad Spend Calculations 	2500
6 Weeks	Native to Existing Article	CTR	<ul style="list-style-type: none"> • Customized reports • Interactive Dashboard • Ad Performance • In-Market Visitation Resulting From Campaign • Estimated Economic Impact & Return on Ad Spend Calculations 	2500
Total				5,000 (minimum)



THANK YOU

Connie Blair
Account Director

Connie@AJRMediaGroup.com
512.524.0750

DSVB

**HOTEL OCCUPANCY TAX (HOT) GRANT PROGRAM
FUNDING AGREEMENT**

This Agreement made and entered into this, the 16 of December 2021, and between the **City of Dripping Springs**, Texas a general-law municipality located in Hays County, Texas (“City”), and **Dripping Springs Visitors Bureau**, is understood and agreed to be as set forth herein.

RECITALS:

WHEREAS, the City of Dripping Springs has been and remains a recognized destination for tourists, and as a result has developed a tourism industry which is beneficial to the City, its residents, and merchants; and

WHEREAS, the continued promotion and growth of the tourism industry will enhance the City, and insure to its benefit; and

WHEREAS, there is available a seven percent (7%) Hotel Occupancy Tax, authorized by state statute, the proceeds of which can be utilized by the City to promote tourism, and enhance the arts and historical preservation of the City; and

WHEREAS, the City Council has deemed it to be in the best interest of Dripping Springs to accomplish the goals as set forth above, and to enact and approve a seven percent (7%) Hotel-Motel Occupancy Tax, the proceeds of which can be devoted to the foregoing purposes; and

WHEREAS, the City Council deems it to be in the public interest to promote tourism and increased hotel occupancy through the execution of certain limited funding agreements that award grants financed by a portion of the proceeds from the collection of Hotel-Motel Occupancy Tax revenue; and

WHEREAS, the City's Hotel Occupancy Tax Committee reviewed various funding proposals and made a recommendation regarding the grant described herein; and

WHEREAS, the City Council approved the expenditure of the grant funds in the Fiscal Year 2022 Budget through the approval of Ordinance No. 2021-36 on September 22, 2021; and

WHEREAS, the City Council awarded and approved the grant of these funds at a properly-conducted public meeting held on September 21, 2021.

NOW, THEREFORE, BE IT MUTUALLY AGREED AS FOLLOWS:

1. PARTIES

The parties to this Agreement shall be the City of Dripping Springs (City), and the Dripping

Springs Visitors Bureau, a nonprofit corporation organized under the laws of the State of Texas.

2. FINDINGS

The parties hereby agree that the project(s) described in the Recipient's funding application ("Exhibit "A") promotes tourism.

3. GRANT

The City hereby agrees to transfer as a grant a portion of the Fiscal Year 2022 Hotel Occupancy Tax funds to Dripping Springs Visitors Bureau for facility management, marketing and organization support in an amount one hundred and ninety-five thousand dollars (\$195,000.00). The grant shall be payable in one lump sum payment no later than 30 days after the date this Agreement is signed by both parties.

4. SERVICES

In exchange for the grant described above, Dripping Springs Visitors Bureau hereby agrees to utilize the grant funds in the amount of one hundred and ninety-five thousand dollars (\$195,000.00) for the purposes as described in Exhibit A and below, which directly enhance and promote tourism and the convention and hotel industry; advertise and promote the city and its vicinity; and, enhance the arts, in which participants are tourists to the city.

- a. Visitor Information Center
- b. Advertising, solicitation and promotional programs
- c. Promotion of the Arts

5. REQUIREMENTS

- 5.1 Recipient must ensure that all Dripping Springs lodging and their current contact information are listed on information provided to registrants, vendors, and event attendees, including event websites, funded by the grant. Also, all Dripping Springs hoteliers must be made aware of the event, have access to mailing lists, and have sufficient time to participate in the bidding process for both primary bookings and overflow.
- 5.2 If grant funds are used for advertising, the City Administrator must approve the final advertising copy prior to publishing or distribution for appropriate representation of the City of Dripping Springs, and local lodging.
- 5.3 Promotional materials using grant funds are required to include the appropriate City of Dripping Springs branding as provided by the City Administrator. Also, any event sponsor signage is required to include the appropriate City of Dripping Springs brand; and
- 5.4 Recipient must provide the City Administrator with two copies of all printed materials created with grant funds.

6. DURATION

This Agreement is commencing on October 1, 2021 and ending on September 30, 2022. Recipient must expend the grant funds during the term of this Agreement or remit the remaining balance back to the City.

7. TERMINATION

This Agreement may be terminated by either party prior to performance with or without cause upon written notification to the other party. After the Recipient has commenced performance of the obligations provided for in this Agreement, the City may terminate the Agreement only in instances of breach by the Recipient, at which time the Recipient shall reimburse to the City the amount of the grant not yet expended. If the Recipient terminates this Agreement after having received funds from the City, the Recipient shall reimburse the City the complete amount of the grant provided for herein.

8. ACCOUNTING

Prior to the expiration of this Agreement, an agent of the Recipient will submit a Post Event Report Form as provided by the City describing the status of the project and explaining how the grant funds were used. The report shall include expenditures covered by the funds provided by this Agreement, visitor attendance data from event surveys, and estimated number of visitors overnight stays due to the event/expenditure. Following submission of the Post Event Form, an agent of the Recipient may be required to attend a City Council meeting to personally account for the expenditures made in accordance with this Agreement, if requested to do so by the City Administrator.

9. CONTACTS

For purposes of this Agreement, communications may be sent as follows:

To the City:
City of Dripping Springs
Attn: Michelle Fischer
PO Box 384
Dripping Springs, TX 78620

To the Recipient:
Dripping Springs Visitors Bureau
Attn: Pam Owens
PO Box 206
Dripping Springs, TX 78620

10. INDEMNIFICATION

The Recipient hereby releases, indemnifies, and holds the City, its employees, and agents, harmless for any damages, injuries, or other claims resulting from Recipient's actions or inactions, or the conduct of Recipient's agents, employees, or contractors.

11. INCLUSIVENESS

This document represents the entire understanding between the parties. This Agreement may only be amended in writing with the mutual consent of the parties.

12. SEVERABILITY

If any sentence, clause or portion of this Agreement is deemed unenforceable by a court of competent jurisdiction, the remainder of the Agreement shall remain in full force and effect.

WHEREFORE PREMISES AND CONSIDERATION ACCEPTED, AND HEREBY AGREED:

CITY OF DRIPPING SPRINGS:

DRIPPING SPRINGS VISITORS BUREAU:

Bill Foulds, Jr.
Bill Foulds, Jr., Mayor

Pam Owens
Pam Owens President/CEO

12/16/21
Date

12-17-21
Date

ATTEST:

ATTEST:

Andrea Cunningham
Andrea Cunningham, City Secretary

Signature

Printed Name and Title



Attachment "A"

Dripping Springs Visitors Bureau HOT Funding Application



July 7, 2021

Michelle Fischer, City Administrator
City of Dripping Springs
511 Mercer Street
Dripping Springs, TX 78620

Dear Michelle:

As discussed in our phone conversation last month, I have revised our 2022 HOT Application by \$30,000.00. Changes are reflected on page 5 of 9. We feel this is a bare bones application but one which will allow the Visitors Bureau to still promote the Dripping Springs area in a positive way.

We have taken the additional staff member out of the budget but increased the marketing item as we will contract with AJR Media to help alleviate some social media and production needs.

We hope the City will consider any additional unexpected requests we may make during fiscal 2022-23.

Please contact me with any questions.

Sincerely,

Pam Owens
President/CEO
Dripping Springs Visitors Bureau



Application Date: 5-3-2021
 Page 5 of 9 REVISED 7-7-21

HOT GRANT FUNDING PROGRAM APPLICATION

Organizational Information

Name of Organization/Business: Dripping Springs Visitors Bureau
 Address: 509 Mercer St - PO Box 206
 City, State, Zip: Dripping Springs, TX 78620
 Contact Name: Pam Owens
 Contact Phone/Email: 512-858-4740/pam@destinationdrippingsprings.com
 Website Address: www.DestinationDrippingSprings.com
 Type of Business/Organization: Travel & Tourism/Visitors Bureau
 Non-Profit Status: 501(c)(3)
 Tax ID Number: 81-2538565
 Entity's Creation Date: March 30, 2016

Purpose of Organization/Business:

The mission of the Dripping Springs Visitors Bureau is to promote tourism and serve as ambassadors to connect visitors-guests and the community. The Dripping Springs Visitors Bureau is a non-profit organization that supports Dripping Springs area tourism industry members by creating a presence through the local Visitors Center, as well as optimizing marketing tools, regionally, throughout the U.S. and internationally. DSVB also supports the DS Chamber of Commerce, the City of Dripping Springs and the Texas Hill Country Trail Region in their efforts to promote Dripping Springs and tourism within our area of the Texas Hill Country.

Event/Project Information

Name of Event/Project: Dripping Springs Visitors Bureau / Destination Dripping Springs
 Date of Event/Project: October 1, 2021 - September 30, 2022
 Location of Event/Project: Dripping Springs / Driftwood
 Description of Event/project: Marketing & supporting tourism industry in our area

Funding Amount Requested: \$225,000.00

How funds will be used, including itemized list of expenditures which can be attached separately:
For the Visitors Center facility and management, marketing the Dripping Springs/Driftwood area and supporting other organizations/events with eligible HOT funding.

Percentage of Total Event/Project Cost Covered by HOT Funding: 100%

Please indicate which Category or Categories apply to the Funding Request, and list the Amount Requested under each category:

Convention Center or Visitor Information Center: construction, improvement, equipping, repairing, operation, and maintenance of convention center facilities or visitor information centers or both.

Amount requested under this category: \$170,000.00

Registration of Convention Delegates: furnishing of facilities, personnel, and materials for the registration of convention delegates or registrants

Amount requested under this category: _____

Advertising, Solicitation, Promotional programs to attract tourists and convention delegates or registrants to the municipality or its vicinity.

Amount requested under this category: \$45,000

Promotion of the Arts that Directly Enhance Tourism and the Hotel & Convention Industry: the encouragement, promotion, improvement, and application of the arts that can be shown to have some direct impact on tourism and the hotel/convention industry. The impact may be that the art facility or event can show hotel nights that are booked due to their events or that guests at hotels attend the arts event. Eligible forms of art include instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion picture, radio, television, tap and sound recording, and other arts related to the presentation, performance, execution, and exhibition of these major art forms.

Amount requested under this category: \$10,000.00

Historical restoration and preservation projects or activities or advertising and conducting solicitation and promotional programs to encourage tourists and convention delegates to visit preserved historical sites or museums.

Amount requested under this category: _____

Expenses including promotional expenses, directly related to a sporting event in which the majority of participants are tourists. The event must substantially increase economic activity at hotels within the city or its vicinity.

Amount requested under this category: _____

How many individuals are expected to participate in the sporting related event? _____

How many participants at the sporting related event are expected to be from another City or County? Quantify how the sporting related event will substantially increase economic activity at hotels within the city or its vicinity.

Funding transportation systems for transporting tourists from hotels to and near the city to any of the following destinations: 1) the commercial center of the city; 2) a convention center in the city; 3) other hotels in or near the city; and 4) tourist attractions in or near the city.

Amount requested under this category: _____

What sites or attractions will tourists be taken to by this transportation:

Will members of the general public (non-tourists) be riding on this transportation?

What percentage of the ridership will be local citizens?

Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.

Amount requested under this category: _____

What tourist attractions will be the subject of the signs:

Promotion and Preservation of Dark Skies. Construction and maintenance of infrastructure and the purchase and installation of hardware that reduces light pollution and sky glow.

Amount requested under this category: _____

Describe Construction or Maintenance Project to include location, type of infrastructure and/or hardware to be installed:

All Funding Requests

Section must be completed for city to evaluate this application. Incomplete applications are subject to automatic denial.

How many years have you held this Event/Project: _____ Disclaimer for this section _____ What is the expected attendance of the Event/Project: NA

How many people attending the Event/Project will use Dripping Springs hotels: NA

How many nights will the attendees be staying for the Event/Project: NA

Do you reserve a room block for this event/project at an area hotel and if so, for how many rooms and at which hotels?

NA

List other years (over the last three years) that you have hosted your Event/Project with amount of HOT grant funding and the number of hotel rooms used:

<u>Month/Year Held</u>	<u>Grant Amount</u>	<u>Number of Hotel Rooms Used</u>
<u>NA</u>	<u>NA</u>	<u>NA</u>
<u>NA</u>	<u>NA</u>	<u>NA</u>
<u>NA</u>	<u>NA</u>	<u>NA</u>

How will you measure the impact of your event on area hotel activity (e.g.; room block usage information, survey of hoteliers, etc)?

Through hotelier reports.

Please list other organization, government entities, and grants that have offered financial support to your event/project:

NA

Admission Fee for Event/Project: NA

Anticipated Net Profit, if any: NA

Please list all promotion efforts your organization is coordinating, and the amount financially committed to each media outlet:

Newspaper: NA

Internet: NA
Radio: NA
TV: NA
Other Paid Advertising: NA

Number of Press Releases to Media: NA

Number of Direct Mailings to out-of-town recipients: NA

Other Promotions: NA

Will you include a link to the Dripping Springs Visitors Bureau or other source on your promotional handouts and in your website for booking hotel nights during this event/project? NA

Will you negotiate a special rate or hotel/event package to attract overnight stays? NA

What new marketing initiatives will you utilize to promote hotel and convention activity for this event/project?

Staff will continue to analyze and stay on the cutting edge of marketing techniques to maximize budgeted marketing dollars.

Our Tourism Advisory Team is working on an inventory of meeting/lodging assets in order to develop a weekday/corporate outreach plan.

What geographical areas does your advertising and promotion reach?

Targeted social media in the Houston, Dallas and San Antonio areas as well as paid promotions

on www.TourTexas.com which reaches an international market.

How many individuals will your proposed marketing reach who are located in another city of county?

Not available

If the funding requested is related to a permanent facility (e.g. museum, visitor center)?

Expected Attendance Monthly/Annually: 1500 - DS Visitors Center

Percentage of those in attendance that are staying at area hotel/lodging facilities: 50%

Completed application with required attachments must be submitted to the City of Dripping Springs:

By Mail to:

City of Dripping Springs
Attn: City Administrator
PO Box 384
Dripping Springs, TX 78620

In Person to:

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

Electronic Submission to:

mfischer@cityofdrippingsprings.com

I fully understand the Local HOT Grant Program Application and Guidelines established by the City of Dripping Springs. I intend to use this grant for the aforementioned Event/Project expenditure to forward the efforts of the City in *directly* enhancing and promoting tourism **and** the convention and hotel industry by attracting visitors from outside Dripping Springs into the city or its vicinity. I have attached to this application:

- proposed marketing plan for event/project
- schedule of activities for event/project
- a list of the organization/business board of directors
- proof of non-profit status (if applicable)
- proof of registered business with the State of Texas (if applicable), and

I understand that if I am awarded a Local HOT Grant by the City of Dripping Springs, I will be required to enter into a Local HOT Grant Program Agreement with the City and any deviation from the approved project and the Agreement may result in the partial or total withdrawal of the Local HOT Grant Program funds.

Dripping Springs Visitors Bureau

Business/Organization Name

5-3-2021

Applicant's Signature

Date

Disclaimer for page 7 of Application - *All Funding Requests*

The HOT Application is geared toward an event or project. As in previous years, the Dripping Springs Visitors Bureau requests funding for the full fiscal year, therefore, the majority of page 7 of 9 does not pertain to our organization. See Scope of Work for activities requiring funding.

VB STAFF, TAT and BOARD OF DIRECTORS

Dripping Springs Visitors Bureau Office 512-858-4740

Staff

Pam Owens	President/CEO	512-658-4942	pam@destinationdrippingsprings.com
Hope Bolton	Comm/Mktg Specialist	512-569-0469	hope@destinationdrippingsprings.com

2020-2021 Tourism Advisory Team

Type	Member	Business	Title	Phone	Email	Workgroup
1 Brewery	Kent Killough	Vista Brewing	Owner	512-808-9197	kent@vistabrewingtx.com	DWT
2 Chamber rep	Brady McElroy	Revel Wilde	Owner	361-798-6574	brady@revelwilde.com	WCOT
3 Citizen	Amanda Lewis		Attorney	512-426-1021	akhlewis@icloud.com	Volunteer Support
4 City of DS rep	Taline Manassian	Dripping Springs City Council	Councilmember	512-970-9498	tmanassian@cityofdrippingsprings.com	Volunteer Support
5 Distillery	Nate Powell	Treaty Oak	Gen Mgr	512-680-1606	nate@treatyoakdistilling.com	DWT
6 Entertainment						Arts & Culture
8 Heritage & Art	Jenny Pack	Dr Pound Historical Farmstead	Director	562-682-7909	pioneer@drpoundfarmstead.org	Arts & Culture
9 Lodging	Kirtan Patel	Sleep Inn	Gen Mgr	214-454-3386	sleepinndrippingsprings@gmail.com	Weekday/Corporate
10 Lodging	Amanda Rodriguez	Holiday Inn Express	Gen Mgr	512-858-0280	gm@hiedrippingsprings.com	Weekday/Corporate
11 Lodging	Ravel Thai	TyRosa Ranch	Owner	512-222-8481	info@tyrosaranch.com	Weekday/Corporate
12 Restaurant	Mark Sewell	Hill Country Pizzeria	Owner	512-739-0052	msewell@sssrh.com	Volunteer Support
13 Retail Shopping	Amanda Pena	Wild Birds Unlimited	Mgr	512-970-0595	amandacpena@gmail.com	Marketing/Birding
14 Venue/Rental	Ashley Sansalone	Whim Event Rentals	Mgr	512-796-2452		Weekday/Corporate
15 Winery	Tom Parmeson	Parmeson Wines	Owner	707-477-5905	tom@parmesonwines.com	DWT

2018-2021 Board of Directors

1 Treasurer	Bonnie Humphrey	Bitwise Consulting	Owner	512-217-4278	bah@bitwiseconsulting.com	DWT
2 Member	Dave Niemeyer	Acofon Brewing	Owner	281-650-6685	dave@acoфонbrewing.com	Songwriters Festival
3 Member	Doyle Fellers	Marketing-retired	Citizen	512-858-0330	dmfellers@verizon.net	Arts & Culture
4 Member	Kim Hanks	Whim Hospitality	Owner	512-971-6081	kim@whimhospitality.com	Weekday/Corporate
5 President	Mary McRoberts	Hill Country Casitas	Owner	512-809-4958	mary@hillcountrycasitas.com	Volunteer Support
6 Secretary	Michelle Alexander	The Alexander House	Owner	512-917-1194	thealexanderatcreekroad@gmail.com	WCOT



Office of the Secretary of State

April 01, 2016

Attn: Strasburger & Price LLP

Strasburger & Price LLP
720 Brazos, Suite 700
Austin, TX 78701 USA

RE: Dripping Springs Visitors Bureau
File Number: 802425482

It has been our pleasure to file the certificate of formation and issue the enclosed certificate of filing evidencing the existence of the newly created nonprofit corporation.

Nonprofit corporations do not automatically qualify for an exemption from federal and state taxes. Shortly, the Comptroller of Public Accounts will be contacting the corporation at its registered office for information that will assist the Comptroller in setting up the franchise tax account for the corporation. Information about franchise tax, and contact information for the Comptroller's office, is available on their web site at <http://window.state.tx.us/taxinfo/franchise/index.html>. For information on state tax exemption, including applications and publications, visit the Comptroller's Exempt Organizations web site at <http://window.state.tx.us/taxinfo/exempt/index.html>. Information on exemption from federal taxes is available from the Internal Revenue Service web site at www.irs.gov.

Nonprofit corporations do not file annual reports with the Secretary of State, but do file a report not more often than once every four years as requested by the Secretary. It is important for the corporation to continuously maintain a registered agent and office in Texas as this is the address to which the Secretary of State will send a request to file a periodic report. Failure to maintain a registered agent or office in Texas, failure to file a change to the agent or office information, or failure to file a report when requested may result in the involuntary termination of the corporation. Additionally, a nonprofit corporation will file documents with the Secretary of State if the corporation needs to amend one of the provisions in its certificate of formation. If we can be of further service at any time, please let us know.

Sincerely,

Corporations Section
Business & Public Filings Division
(512) 463-5555
Enclosure



Office of the Secretary of State

CERTIFICATE OF FILING OF

Dripping Springs Visitors Bureau
File Number: 802425482

The undersigned, as Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Nonprofit Corporation has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 03/30/2016

Effective: 03/30/2016



A handwritten signature in black ink, appearing to read "Carlos H. Casco".

Carlos H. Casco
Secretary of State

Form 202

Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
FAX: 512/463-5709



**Certificate of Formation
Nonprofit Corporation**

Filed in the Office of the
Secretary of State of Texas
Filing #: 802425482 03/30/2016
Document #: 663439610002
Image Generated Electronically
for Web Filing

Filing Fee: \$25

Article 1 - Corporate Name

The filing entity formed is a nonprofit corporation. The name of the entity is :

Dripping Springs Visitors Bureau

Article 2 – Registered Agent and Registered Office

A. The initial registered agent is an organization (cannot be corporation named above) by the name of:

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

Name:

Robert M. O'Boyle

C. The business address of the registered agent and the registered office address is:

Street Address:

720 Brazos Street, Suite 700 Austin TX 78701

Consent of Registered Agent

A. A copy of the consent of registered agent is attached.

OR

B. The consent of the registered agent is maintained by the entity.

Article 3 - Management

A. Management of the affairs of the corporation is to be vested solely in the members of the corporation.

OR

B. Management of the affairs of the corporation is to be vested in its board of directors. The number of directors, which must be a minimum of three, that constitutes the initial board of directors and the names and addresses of the persons who are to serve as directors until the first annual meeting or until their successors are elected and qualified are set forth below.

Director 1: **Jason McNutt**

Title: **Director**

Address: **PO Box 206 Dripping Springs TX, USA 78620**

Director 2: **Gina Anderson**

Title: **Director**

Address: **PO Box 206 Dripping Springs TX, USA 78620**

Director 3: **Rick King**

Title: **Director**

Address: **PO Box 206 Dripping Springs TX, USA 78620**

Article 4 - Organization Structure

A. The corporation will have members.

or

B. The corporation will not have members.

Article 5 - Purpose

The corporation is organized for the following purpose or purposes:

Exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code.

Supplemental Provisions / Information

[The attached addendum, if any, is incorporated herein by reference.]

Effectiveness of Filing

A. This document becomes effective when the document is filed by the secretary of state.

OR

B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is:

Organizer

The name and address of the organizer are set forth below.

Robert M. O'Boyle **720 Brazos Street, Suite 700, Austin, TX 78701**

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Robert M. O'Boyle

Signature of organizer.

FILING OFFICE COPY

IRS DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
PHILADELPHIA PA 19255-0023

Date of this notice: 05-11-2016

002624.662021.347291.437 1 MB 0.419 850



Employer Identification Number:
81-2538565

Form: SS-4

Number of this notice: CP 575 A



DRIPPING SPRINGS VISITORS BUREAU
PO BOX 206
DRIPPING SPGS TX 78620

For assistance you may call us at:
1-800-829-4933

002624

IF YOU WRITE, ATTACH THE
STUB OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 81-2538565. This EIN will identify you, your business accounts, tax returns and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear-off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 941	05/06/2016
Form 1120	03/15/2017
Form 940	01/31/2017

After our review of your information, we have determined that you have not filed tax returns for the above-mentioned tax period(s) dating as far back as 2016. Please file your return(s) by 05-26-2016. If there is a balance due on the return(s), penalties and interest will continue to accumulate from the due date of the return(s) until it is filed and paid. If you were not in business or did not hire any employees for the tax period(s) in question, please file the return(s) showing you have no liabilities.

If you have questions about the form(s) or the due dates(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, Accounting Periods and Methods.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, Entity Classification Election. See Form 8832 and its instructions for additional information.

**Dripping Springs Visitors Bureau
Destination Dripping Springs
FY2022 Marketing Plan**

The Dripping Springs Visitors Bureau is the City of Dripping Springs designated marketing organization to provide tourism, venue, entertainment, and lodging promotion to visitors as well as residents in the greater Dripping Springs community for them to enjoy a pleasurable experience that enhances quality of life and generates economic growth. The 2022 marketing campaign will consider travel sentiment during the current situation. We will continue to showcase Dripping Springs as dynamic, authentic, and welcoming. We will modify messaging to highlight safe travel and encourage future travel when appropriate based on consumer sentiment and the state of recovery within Texas. The advertising will also highlight experiences travelers want during this time, such as road trips, outdoor activities and other travel activities that easily accommodate continued social distancing.

A website, social media presence, and a bi-annual Visitors Guide showcase the variety of tourism offerings. Destination Dripping Springs will create and distribute paid advertising, printed materials, public relations, digital and social media and promotional items to the traveling public, news media, and tourism industry professionals.

The Destination Dripping Springs website will continue to act as a landing page and specifically promotes Dripping with Taste Trail & Passport, the Wedding Capital of Texas®, and the Dripping Springs Songwriters Festival. Promotion of entertainment, lodging and venues in the Dripping Springs, Driftwood and Cedar Valley areas is the goal of Destination Dripping Springs.

Advertising Objectives

- Inspire future travel
- Provide inspirational information to the traveler who is actively seeking out information about travel
- Instill confidence in Dripping Springs as a destination with a variety to offer the traveler who is traveling or planning a future trip
- Increase awareness of Dripping Springs as a premier vacation destination
- Increase intent to book a trip to Dripping Springs

Media Plan

Even though we expect the pandemic situation to be much better in the coming year, we will constantly monitor the pandemic situation, travel restrictions and consumer behaviors and optimize both our messaging and targeting to ensure that our campaign is relevant and effective at reaching people who are considering travel.

Our overall media approach will utilize a variety of tactics and strategies that will evolve throughout the year. The FY22 advertising program focuses primarily on a domestic campaign as it produces the greatest opportunity to reach potential vacation travelers efficiently, while delivering the highest awareness levels and largest return on ad spend.

Domestic Target Market Demographics

- GenXers, HHI \$60K-\$100K with children under 18 in Household
- Affluent GenX Travel Enabled / Travel Intender HHI \$100K+
- Millennials, HHI \$40K+, Travel Enabled/Travel Intender
- Boomers, HHI \$60K - \$100K with no children
- Affluent Boomer Travel Enabled / Travel Intender HHI \$100K+

Key Performance Indicators:

- Advertising awareness and intent to travel because of advertising and website exposure
- Advertising impact on perceptions of Dripping Springs as a vacation destination (“makes me want to visit DS”)
- Hotel bookings, hotel revenue generated because of the advertising and website (sales tax)
- Leads (engagement) generated by the marketing efforts (website visits, email sign-ups, conversion rate, video views, social media followers)
- Return on Investment (ROI)

Public Relations

Objectives:

Position Dripping Springs as a safe, year-round travel destination by promoting the destination’s unique and on-trend attributes that cater to travelers eager to get out and explore.

- Generate impactful and positive local, regional, and national press coverage in target media outlets.
- Drive an increase in meaningful engagements across owned social media channels and elevate social content by utilizing industry best practices and month-over-month channel performance to guide content strategy.

Targets

Public Relations & Social Media programs will initially target Texans with a focus on travel-related safety measures and socially distant activities. Messaging will tap into the unique travel experiences that can be found right in our own backyard.

Social Media Tactics

Primary social media platforms are Facebook, Instagram, Twitter, and Pinterest

Tactical elements include:

- Curated content highlighting our destinations and activities
- Large-scale interactive campaigns designed to drive consumer participation
- User Generated Content (UGC) engagement via Dripping Springs official hashtag, #DSTX.

Dripping Springs Visitors Bureau/Destination Dripping Springs Scope of Work

Manage all the social media across four different platforms including Facebook, Instagram, Pinterest, and Twitter. Including content creation and scheduling for:

- Destination Dripping Springs
- Wedding Capital of Texas®
- Dripping with Taste®
- Dripping Springs Songwriters Festival

Manage the Destination Dripping Springs website that includes three subdomains:

- Dripping Springs Songwriters Festival
- Wedding Capital of Texas®
- Dripping with Taste®

Develop and implement search engine optimization (SEO) strategies by:

- coordinating and creating content
- design
- social media
 - including but not limited to blog content
 - keyword research,
 - optimizing website content
 - landing pages
 - collecting data and reporting on traffic, ranking, and other SEO aspects

Manage four different monthly e-newsletters with a combined contact list of over 7,000 people, including :

- Destination Dripping Springs general monthly newsletter
- Birds & Bloom, nature-based newsletter
- Wedding Capital of Texas® newsletter
- Dripping Springs Songwriters Festival newsletter

Create digital and social media display ads as well as print advertising for magazines and newspapers. Manage and monitor advertising campaigns.

Develop and coordinate event management of small and large-scale festivals, networking and educational meetings, wedding showcases, fundraising events, and trail passes.

Manage public relations: pitching stories to the media, preparing the media kit for the Community Digital Marketing program, write press releases, and field media questions.

Create content and work with publisher on the bi-annual *Dripping Springs Visitor's Guide*.

Support the Film Friendly Texas Community members by facilitating filming applications and locale information.

Support the Music Friendly Community program through facilitating a member directory and holding meetings with the Advisory Council to determine music industry needs in our area.

Continue to work with the Holiday Lighting program including:

- developing fundraisers
- instituting a community member design team

Staff the Visitors Center during normal work hours with DSVB personnel and/or volunteers in order to support tourism partners and Chamber of Commerce members. Staff support includes but not limited to opportunities for continued education and company benefits.

Maintain the Visitors Center as an inviting and informative location for guests.

Maintain good fiduciary records and HOT reports to the City of Dripping Springs.

Maintain an exemplary public presence in the community by having unbiased and supportive roles for other organizations.

Report to the DSVB board of directors on a quarterly basis.

Work with City of Dripping Springs team and the Chamber of Commerce on mutually inclusive programs.

Work with other Hill Country members to develop a program for the 2024 total solar eclipse.

Search for new ways to keep Dripping Springs in the forefront of tourism activities.



STAFF REPORT
City of Dripping Springs
PO Box 384
511 Mercer Street
Dripping Springs, TX 78620

Submitted By: Andrea Cunningham, City Secretary

Council Meeting Date: September 6, 2022

Agenda Item Wording: **Discuss and consider approval of the Appointment of a Chair and Vice Chair to the Emergency Management Commission for terms ending January 1, 2023.**

Agenda Item Requestor: Roman Baligad, Emergency Management Coordinator

Summary/Background: *Member Responsibilities*

Section 2.04.196.1:

- (a) The commission shall advise the city council on recommended policies and application of policies for the development and implementation of an emergency management plan for the city and ETJ.
- (b) The commission shall advise the city council on recommended interlocal and mutual aid agreements related to emergency management operations in preparation for, during, and after a disaster or state of emergency.
- (c) The commission shall review and evaluate all current municipal ordinances of the city, identify provisions that relate to or apply to emergency management, and make recommendations to the city council for needed changes and/or additions.
- (d) The commission shall manage, staff, and operate an area emergency operations center when disaster, major incident, or event dictates that level of support to first responders in accordance with the approved City Emergency Management Plan, state law, and county and state plans as applicable.
- (e) Identify and engage in protection, prevention, mitigation, response, and recovery planning and activities related to local conditions and needs.
- (f) Recommend an annual operating budget for emergency management services with the assistance of the emergency management coordinator to the city council each fiscal year.

Officer Appointments

Section 2.04.195(d)(2): The chair and vice-chair shall be appointed by the city council and serve a one-year term. There is no limit to the number of terms the chair or vice-chair may serve. In the event that the chair or vice-chair are absent, the emergency management coordinator will preside.

**Commission
Recommendations:**

The Emergency Management Commission voted unanimously to recommend the appointment of Bonnie Humphrey as Chair and Bill Little as Vice Chair at their August 18th regular meeting.

**Recommended
Council Actions:**

Staff recommends the appointment of Bonning Humphrey as Chair and Bill Little as Vice Chair of the Emergency Management Commission for terms ending January 1, 2023.

Attachments:

Emergency Management Commission recommendation

Next Steps/Schedule:

- 1. Update website if needed
- 2. Update roster
- 3. Email commission regarding appointments

From: bhumphrey.dsemc@gmail.com
To: [Andrea Cunningham](#)
Subject: EMC chair & vice chair
Date: Monday, August 22, 2022 3:20:48 PM

2 unanimous votes. Bonnie-chair, Bill-vice chair

Bonnie Humphrey
BHumphrey.DSEMC@GMail.com
512.217.4278
Dripping Springs Emergency Management Commission Chair

Reminder:
“Reply to All” of this e-mail could lead to violations of the Texas Open Meetings Act.
Please reply only to the sender. This e-mail and any attachments are subject to the Public Information Act.



STAFF REPORT
City of Dripping Springs
 PO Box 384
 511 Mercer Street
 Dripping Springs, TX 78620

Submitted By: Andrea Cunningham, City Secretary

Council Meeting Date: September 6, 2022

Agenda Item Wording: **Discuss and consider approval of the Appointment of Becky Atkins to the Economic Development Committee for an unexpired term ending June 1, 2023.**

Agenda Item Requestor: Andrea Cunningham, City Secretary

Summary/Background: *EDC Member Responsibilities*

Section 2.04.037: The committee is responsible for organizing an inclusive process for assessing community needs and priorities in an orderly fashion and providing the council with guidance via a proposed economic strategic plan that reflects the skills, creativity, vision, and cooperation of the committee, its members, and its advisors. After the final economic strategic plan is presented to city council, the committee will continue to advise the council on carrying out the plan. The city council may at a future date consider the economic strategic plan ready for revision or replacement, at which time the economic strategic plan drafting process described below will begin again.

Member Selection

Section 2.04.035(c): As vacancies occur, city staff will prepare a slate of nominees for city council consideration. The slate will include nominees from various citizen groups, including but not limited to historic preservationists, planners, park supporters, the business community, school districts, media, nonprofits, county representatives, and property owners. The slate will only include individuals that city staff has contacted and who have expressed an interest and availability to serve. Potential nominees may express interest in the committee by contacting the city secretary in writing. City staff will endeavor to reflect a variety of interests and diverse points of view (current and future) in the list of committee nominees. The city council will approve, reject, or modify the list.

Membership Requirements

There are no membership requirements for this committee other than those listed in membership selection.

Membership

The committee will have 12 members, one of whom will be the committee chair appointed by the city council. The committee may have subcommittees of at least three members, one of whom will be the subcommittee chair designated by the subcommittee at its first meeting. Subcommittees may invite input from non-committee members.

Current Members

Member	Term	Residency	Citizen Group
Kim Fernea, Chair	06/01/23	ETJ	Business Community
Taline Manassian	06/01/23	City	Council Member Place 1
Rex Baker	06/01/24	ETJ	Business Community
Tiffany Duncan	06/01/23	NA	DSISD Representative
Dave Edwards	06/01/23	ETJ	Nonprofit
Melanie Fenelon	06/01/23	City	Property Owner
Whit Hanks	06/01/23	ETJ	Property Owner
Susan Kimball	06/01/24	NA	Chamber of Commerce
John Kroll	06/01/24	City	Property Owner
Russell Collins	06/01/24	ETJ	Real Estate Developer
Robert Avera	06/01/24	NA	Business Community
Keenan Smith	06/01/23	NA	Planner
Jeff Nydegger <i>Advisory Member</i>	NA	NA	NA

Vacancies and Applicants

Chair Kim Fernea and Mayor Pro Tem Taline Manassian selected an applicant from the recent pool of interviewees listed below:

- Rebecca Atkins, ETJ resident and Winery Owner
- Lee Sawyer, No residency and VP Business Development

Commission Chair Recommendations:

Mayor Pro Tem Taline Manassian and Chair Kim Fernea recommend the appointment of Becky Atkins to the Economic Development Committee for an unexpired term ending June 1, 2023.

Recommended Council Actions:

Staff recommends approval of appointment of Becky Atkins.

Attachments:

1. EDC Applications

Next Steps/Schedule:

1. Inform applicant of Council decision
2. Update roster and website
3. Send welcome letter and calendar invites
4. Introduction email to Committee



To: Mayor Bill Foulds, Jr. and the City Council of the City of Dripping Springs
From: Howard J. Koontz, AICP
Date: September 6, 2022
RE: Comprehensive Plan 2045 – Progress Update

The 2045 Comprehensive Plan for Dripping Springs is about 40% through its development, and has now transitioned from the analytical process of data gathering and research and moved into the more interactive process of stakeholder and resident interviews.

In April at the city's Founder's Day celebration, a public survey was conducted online to solicit input from the community. That effort resulted in over 400 responses, the summary of which is included here as an attachment to this memo. A second online survey, released on August 12th, has been even more well-received and currently stands at nearly 750 responses. The link to take that survey can be found on the city's Comprehensive Plan website <http://reimaginedrippingsprings.com>.

In the second half of May and all of June, the Comprehensive Plan Advisory Committee (CPAC) in conjunction with city staff formed a virtual shared reference document of community members both in- and outside the city limits. Those identified were noted for their role in critical development and operations of the region: finance, real estate and housing, education, public health and safety, transportation, general retail, etc.

This group was divided and seated in two separate sessions of in-person stake holder meetings on July 15th in city hall. The purpose of the meetings was to gather the institutional knowledge of the participants, specifically about how they perceive the direction of the city, in the context of their profession. Another set of stake holder meetings was held August 29th and 30th, this time virtually via video conferencing. Two of the meetings were one-on-one interviews with community leaders, and two others were group calls. At those meetings the participants were called upon to refine and expand upon the data collected in the July meetings.

Next on the horizon in the near term is the first of the all-encompassing public input meetings. Monday, September 12th beginning at 5:30 P.M. in the multi-purpose meeting room at Dripping Springs Ranch Park, the consultant team with city staff will host all persons interested in the development of the city and the Comprehensive Plan. There the team will explain the plan

development process and gather information about the perceived direction of the city up until now and in the future.

In the future there are planned three additional public meetings, one each in November '22, February '23, and April '23.

More virtual focus group meetings with community champions and our CPAC will be assembled in late September and October to discuss the results of the community surveys and the input gathered at the September public meeting. September is also the timeframe for staff here in Dripping Springs to host our own community input meetings, termed "Meeting-In-A-Box" on the attached Gantt progress chart.

Comprehensive Plan Kickoff Survey

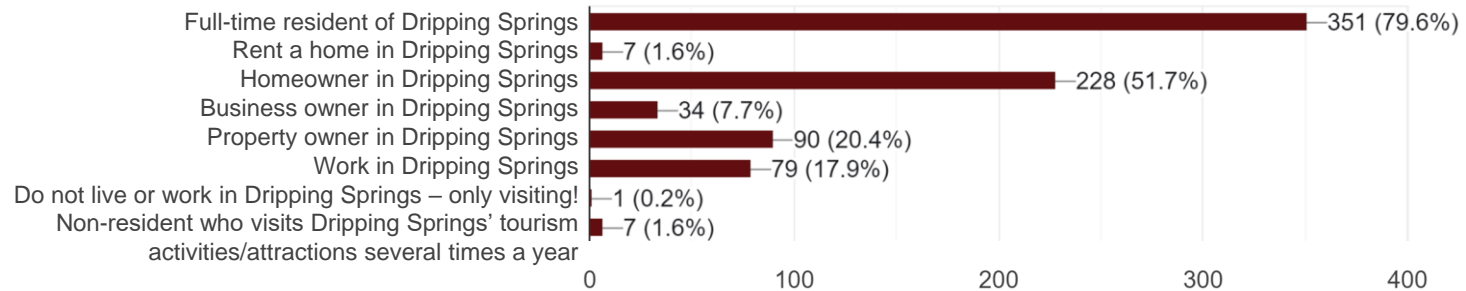
Reimagine Dripping Springs



Survey Summary

Total number of respondents	422
Survey active	April 24th – May 15th (3 weeks)
Number of questions	15

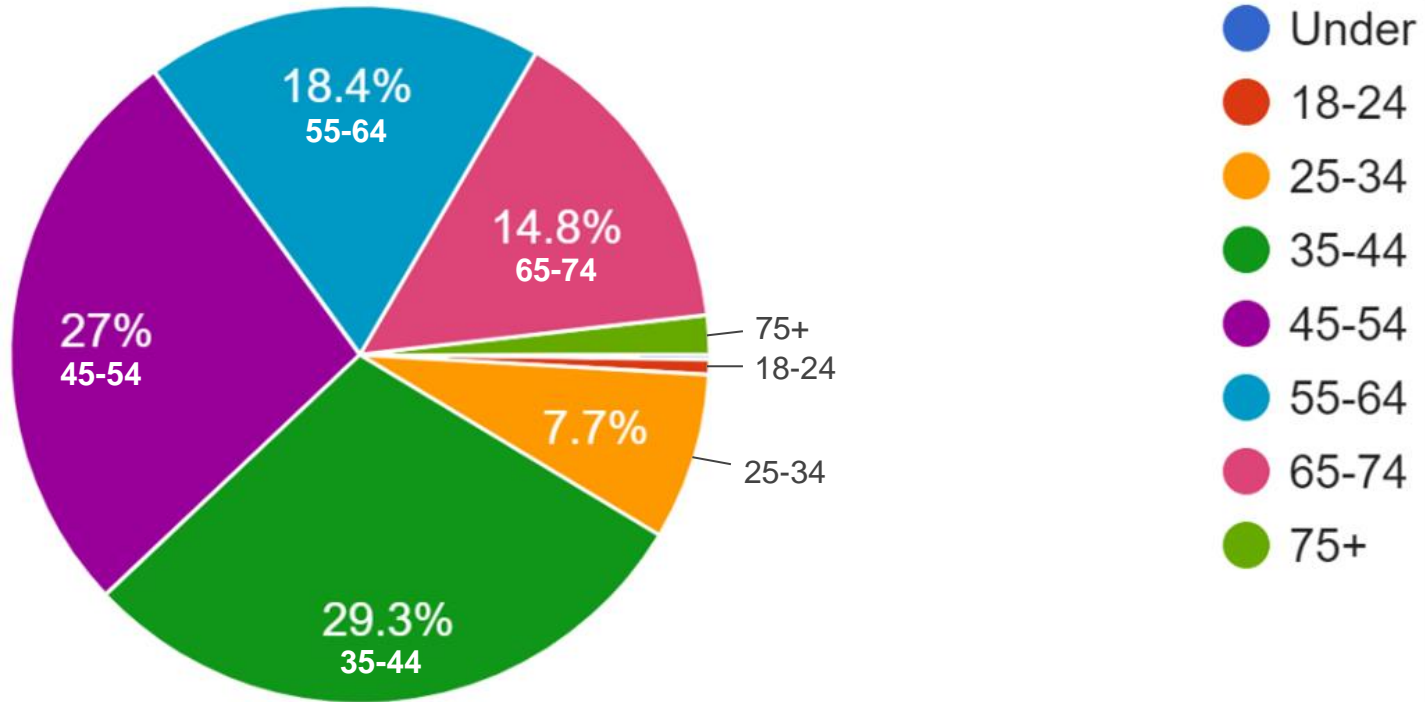
Q1: Which of the following best describes you? (check all that apply)



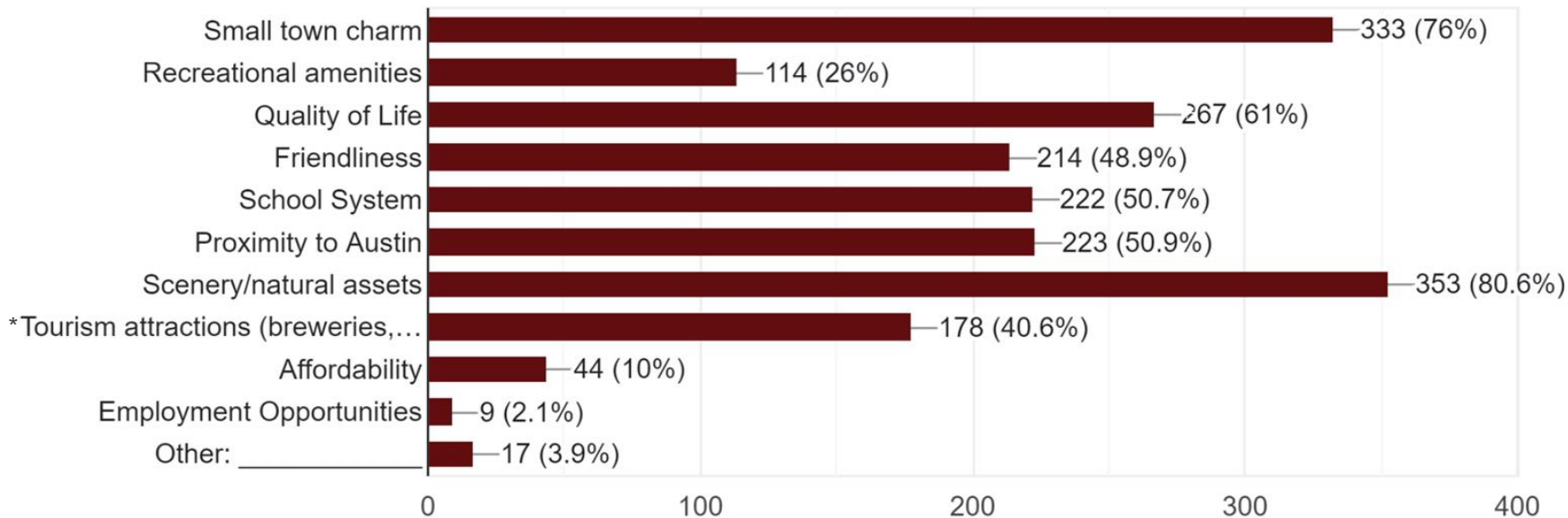
Other:

- Homeowner in Dripping Springs ETJ (Driftwood) and use Dripping for services and community
- ETJ in Driftwood- resident with kids in the schools
- Full Time Resident of Belterra w/5 kids in DSISD
- Live in Belterra, go into dripping daily
- Full-time resident of Dripping Springs ETJ (Austin address)
- Home owner in Austin but go into DS often and 2 kids in DSISD.
- Kids are zoned to DSISD but technically have an Austin address
- Homeowner in DSISD
- Full time owner and resident in Dripping Springs ETJ
- Wimberley neighbor
- Resident and homeowner in Dripping Springs ETJ
- Home owner in Dripping Springs ETJ
- Goldenwood Subdivision: Extra Territorial Jurisdiction (ETJ) of the City of Dripping Springs
- Dripping ETJ resident
- Former DS resident. Too expensive. Had to move out.
- Property owner in ETJ of Dripping Springs
- Active Community Member with 3 kids in DS Schools
- Desiring to move to DS asap!
- Live in hays county in Austin on the border with dripping and have child in dripping schools
- Live in Driftwood
- Driftwood resident – pay DS taxes
- Live in Belterra
- Resident of Driftwood

Q2: What is your age?



Q3: What do you enjoy about Dripping Springs? (check all that apply)



*Tourism attractions (breweries, wineries, weddings, distilleries, etc.)

Q4: Pick one word to describe Dripping Springs today

Adult playground	bursting	Changing	Charming	Conflicted	conservative	Crowded	Crowded	Divided	Exploding
Affluent	Bursting	Changing	Charming	Congested	Conservative	crowded	Crowded	Divisive	Family Friendly
Aggressive	Bursting !	Changing	Charming	Congested	Conservative	Crowded	Crowded	endangered	Frenzied
Ascending	Busting	Changing	Charming	Congested	Conservative	Crowded	Crowded	Endangered	Friendly
Awesome	Busy	Changing	Charming	Congested	Conservative	Crowded	Destroyed	Expanding	Friendly
Beautiful	Busy	Changing	cheery	Congested	Conservative	Crowded	Disappointing	Expanding	Friendly
Beautiful	Busy	Changing	comfort	Congested	Convenient	Crowded	Disjointed	Expensive	Friendly
Beautiful	Busy	Changing	Comfortable	Congested	Country	Crowded	Disorganized	Expensive	Friendly
Beautiful scenery	Busy	Chaos	Comforting	Congested	Country living	Crowded	Disparity	Expensive	Friendly
Booming	Busy	chaotic	Community	Congested	cozy	Crowded	Divided	Exploding	full
Booming; wonderful Mercer Street	Busy	Chaotic	Community	Congested	Crowded	Crowded	Divided	Exploding	fun
Bulging	California	character	Community	Congested	Crowded	Crowded	Divided	Exploding	Fun
Burgeoning!!!!	Changed	Charm	Community	Congested	Crowded	Crowded	Divided	exploding	Genuine
Bursting	Changing	Charm	Community	Congestion	Crowded	crowded	Divided	exploding	Gluttonous
Bursting	Changing	Charming	Community	Congestion	Crowded	Crowded	Divided	Exploding	Gone! Hello r
Adult playground	Changing	Charming	Compassion	Conservative	Crowded	Crowded	Divided	Exploding	good

Q4: Pick one word to describe Dripping Springs today

Goodness	Growing	growing	Growing	Growing	Home	Lake Travis wannabe	Not organized
Great place to live!	Growing	Growing	Growing	Growing	Home	Little Big Town	Out of control growth
Great place to live. Too much traffic on 290	Growing	Growing	Growing	Growing	Home	Little-Big-Town	Over crowded. Way toooooo many people
Gridlock	Growing	Growing	Growing	growing	Hometown	Lost	Over crowded
GROWING	Growing	Growing	Growing	Growing	Hometown	Lost	Over crowded
Growing	Growing	GROWING	Growing	Growing	Homey	Lovely	Over populated
Growing	Growing	Growing	Growing	Growing	Humongous	Maximized	over-crowded
Growing	Growing	Growing	Growing	Growing	immature	Maximum capacity	Over-developing
Growing	Growing	Growing	Growing	growing rapidly	Imperiled	Metastasizing	Overburdened
Growing	Growing	Growing	Growing	Growing!	In major need of diversity	mismanaged	Overcrowded
Growing	growing	Growing	growing	Growing	in transition	Mismanaged	overcrowded
Growing	Growing	Growing	Growing	Growing	Inevitably changing	Mismanaged	Overcrowded
Growing	Growing	Growing	Growing	Growth	Invaded	Natural	overcrowded
Growing	Growing	Growing	Growing	Growth	lacking	Natural	Overcrowded
Growing	Growing	Growing	Growing	Growth	Lacks diversity	Natural	overcrowded
Growing	Growing	Growing	Growing	Hectic or Chaotic	Laidback	Neighborly	overcrowded

Q4: Pick one word to describe Dripping Springs today

Overcrowded	Overpopulated	Potential	Quiet.	Self-destructive	Threatened	Traffic
Overcrowded	Overpopulated	Potential	relaxing	Seperated	Thriving	Traffic
Overcrowded	Overpopulated	Potential	Relaxing	Small	Thriving	Traffic
Overcrowded	Overrun	Pretty	Ruggeed	Small town	Too expensive	Traffic problem
Overcrowded	Overrun	Quaint	Ruined	Small town	Too much growth/ thinking about moving	Transition
Overcrowded	overwhelmed	Quaint	Ruined	Small-town	Too overbuilt for infrastructure	Transitioning
Overcrowded	Packed	Quaint	Ruined	Small-town-mindset	toxic	Unaffordable (taxes)
Overcrowded	peaceful	Quaint	Ruined!	Smalltown	Traffic	unchecked sprawl
Overdeveloped	Peopley	Quaint	Rural	Spacious	Traffic	Under-resourced
Overdeveloped	Perfect	Quaint	Rural	Sprawl	Traffic	Uninspiring
Overdeveloped	pleasant	Quaint	Rustic	sprawling	Traffic	Unique
overgrown	Polarized	Quaint	Sad	Stuck	Traffic	Unique
Overgrown	Poor Roadways. 290/12 needs to be reimagined	Quaint	Scenery	Stuck	Traffic	Unique
overgrown	Population exceeds capacity	Quiet	Scenic	Suburban	Traffic	unmanageab
Overpopulated	Potential	Quiet	Schools	suburbs - former small town	traffic	Unorganized (& charming)



Q4: Pick one word to describe Dripping Springs today

Unplanned
Unplanned-growth
Unrealistic
Upcoming
Vast
Vibrant
Vibrant and growing ... perhaps too fast.
Wasteful
White
Wholesome
Works hard to save the natural beauty of the area
I moved here for the small town charm and friendliness, but that friendliness has really been taken over by nasty attitudes, bigotry and intolerance by way too many. I'm concerned about our school system now (especially since the school board election results), and it's not longer affordable.

Q5: Pick one word to describe your vision of Dripping Springs in the future.

1993	Anchored	Beautiful	Calm	Charming	Community	Concrete
A city that encourages community through good infrastructure	Arrived	better	Calmer	Charming small town feel with natural hill country focus	Community	Confused
Accepting	Artisanal	Better	Cap the subdivisions	Charming	Community	Congested
Accessibility	Artistic	Bigger	Capable	Charming	Community	Connected
Accessible	Atmosphere	Booming	Careful	Charming	Community	Connected
Accessible	Atrocious	Bright	Challenging	Charming	Community	Connected
Accessible	Austin	Busier	Chaotic	Charming	Community	Consensus-planning
Accommodating	Balanced	Busier	character	Charming	Community	Conservation Haven
Adaptable	Balanced	Busy	Character	City	community	Conservative
Affordable	Balanced	Busy	Charm	Comfortable	Community	Conservative
Affordable	balanced	Busy	Charm	Comfortable	community	Conservative
Amazing	Balanced	Bypass	Charming	Comfortable	community	Contained
Affordable. This town has completely become catered to the rich of California. Long time residents of DS are being forced to move because it has become totally unaffordable.		Calm	Charming	Comfortable	Competent	Control

Q5: Pick one word to describe your vision of Dripping Springs in the future.

Controlled	Creative organization	Elastic	Forward thinking	Green	Idyllic
Controlled	Crowded	Elevated	Frederickburg	Growing	Inclusion
Controlled	Crowded	energy	Friendly	Growing town	Inclusive
Cookie-cutter-suburb Nightmare	Crowded	engaging	friendly	Growth	Inclusive
Coordinated	Crowded	Enjoyable	Friendly	Growth	Inclusive
Costly	Destination	Environmentalism	Friendly	Growth	Inclusive
Country	Destination	Environmentally minded folks	friendly	Growth	Inclusive
Country	Destination	Escape	Friendly with a small town feel	Growth	Inclusive
Country	Diverse	Established	fun	Harmony	Inclusive
Country	Diverse	Established	Functional	Hill Country	inclusive
Country	Diverse	Everyothertown	Gentrified	Home	Inclusive
Country	Diverse	Expensive	Georgetown	Hometown	inclusive
Country	Diversity	Exquisite	God-fearing	Hometown	Inclusive
Country charm	Diversity	Family oriented	Gorgeous	Hometown	Inclusive
Countryside	Diversity	Family-friendly	Gracious	Hopeful	Inclusive
	Efficient	Former resident	Greatest	Hoppin	Inclusive

Q5: Pick one word to describe your vision of Dripping Springs in the future.

Inclusive	Less traffic	More divided	Nature	Overpopulated
Inclusive	Livable	More happenings, resources	Nature	Peace
Infrastructure	Lost	More interconnected	Nature	Peaceful
Infrastructure	Love the festivals & small local shops. Friendly.	More liberal	Nature/Preservation	Peaceful
Infrastructure to match expansion (roadway, parks, retail, etc)	Manageable	More like a small town	Naturey	Peaceful
Innovative	Managed	More interconnected	Navigable	Peaceful
Innovative	managed	More liberal	Neighborly	peaceful
Intact	managed growth	More like a small town	Nightmare	Peaceful
intentional	Master planned city (lake lakeway and Westlake)	Natural	No more subdivisions ..	Peaceful
Keep it affordable	Master-planned	Natural	we are getting too big.	Peaceful
Kind	Memory	natural	Not crowded	Peacful
Laid-back	menage	Natural	Open	Plan
Large with great roads and thoroughfares	Modern	Natural	Organized	Planned
Larger	Modernizing	Naturalistic	Overcrowded	planned
Less people.	MonoHighSchoolio (One high school)	Nature	Overgrown	Planned

Q5: Pick one word to describe your vision of Dripping Springs in the future.

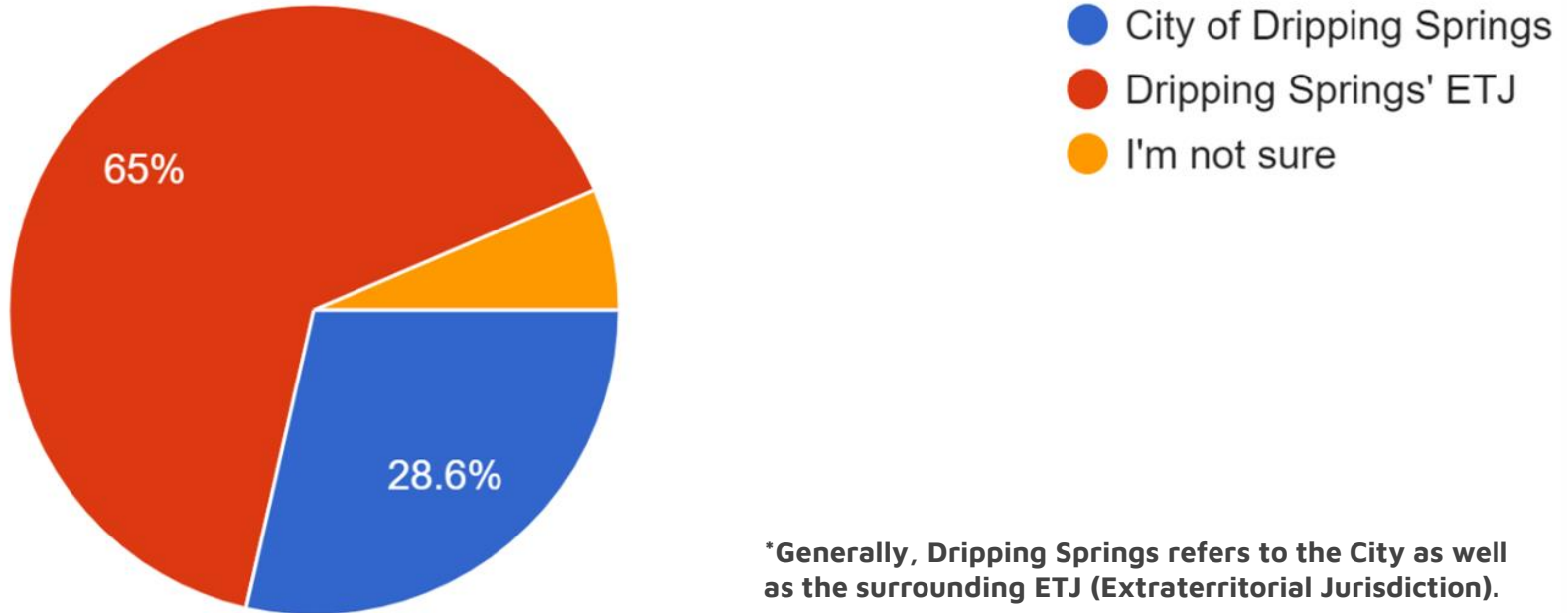
Planned	purple	Quaint	Rural	Small	Spacious	Suburban
Planned	Quaint	Quality	Sadder	small	Sparse	Suburban
Planning	Quaint	Quality	Scary and overcrowded	Small	Stable	suburban
pleasant	quaint	Quiet	Scenery	Small town	Stable	Suburbs
Preservation	Quaint	Quiet	Scenic	Small town	Stable with reliable infrastructure; esp water/sewer needs	sufficient
Preserve	Quaint	Quiet	secure hometown	Small town		Sufficient
Preserve	Quaint	Quiet	serene	Small town charm		Sustainability
Preserved	Quaint	Quiet.	Set apart from Cedar Park future with open space	Small-town	Still charming and friendly.	Sustainable
Progressive	Quaint	Remarkable		Small-town		Sustainable
progressive	Quaint	Respected	Slow	smaller	Strategic	sustainable
Progressive	Quaint	Room for everyone	Slower	Smaller	Strong	Sustainable
Progressive	Quaint	Round rock	Slower	Smaller	suburb	Sustainable
Protected	Quaint	ruined	slower	Smaller	Suburb	Sustainable
Protected	Quaint	Ruined	small	Spacious	suburb	Sustainable infras



Q5: Pick one word to describe your vision of Dripping Springs in the future.

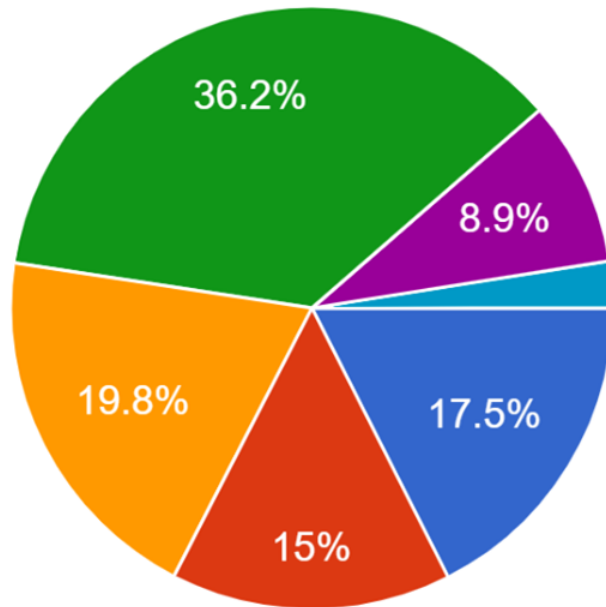
tenuous	Traffic getting worse	Water
The next Lake Travis	Transparency	water availability
The way it used to be	Unique	Welcoming
Thoughtful	Unique	Welcoming
Thriving	United	Welcoming
thriving	United	welcoming
Thriving		
Thriving	Upper middle class homes with nice traffic free roads	
Throttled	Upscale	Well thought out community w/ a trail system
To busy	Urban	well-planned
Tolerant	Urbanized	Wimberley
Too expensive	Vibrant	
Town square	vineyards	With so much growth what I had envisioned is not possible; however, with thoughtful planning there should be significantly improved connectivity, amenities, and
Toxic	Walkable	
Traffic	Walkable and bikeable Community	Worse

Q7: If a resident, in which of these jurisdictions do you live?



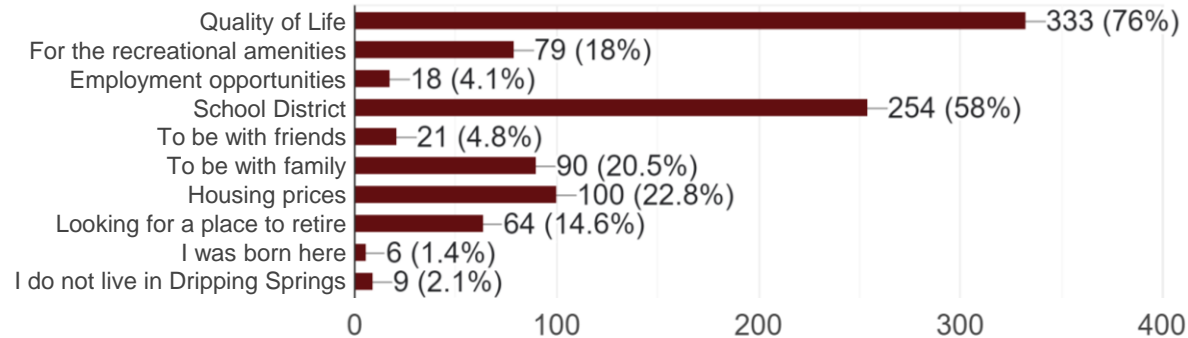
*Generally, Dripping Springs refers to the City as well as the surrounding ETJ (Extraterritorial Jurisdiction).

Q8: How long have you lived in Dripping Springs?



- More than 20 years
- 11-20 years
- 6-10 years
- 1-5 years
- Less than 1 year
- I do not live in Dripping Springs

Q9: Why did you choose to live in Dripping Springs? (check all that apply)



Q9: Why did you choose to live in Dripping Springs? (check all that apply)

Other:

- Big lots with at least a little acreage
- Dark sky community
- "Small town"
- Spouse's Hometown
- Rural setting far away from Urbanization
- Slow small town feel 28 years ago
- I grew up here on 10 acres. My entire family (12 people) live on the property just so we don't have to sell. But there's no where else to go.
- Small town near a city with decent schools where we could get a larger lot than in the city.
- Proximity to Austin
- I grew up here, and moved back with my own family
- I grew up in a small Texas town and want to raise my kids in a small Texas town
- Commute
- Beautiful country town with friendly people.
- Small town feel in proximity to a large city
- Proximity to city, without being in the city
- Conservative values
- At the time we moved, it was cheaper than San Antonio and Boerne neighborhoods that we looked at.
- Close to Austin... but not too close, until now that is.
- It's a small town in a big city area
- To live in the beautiful hill country.
- Previous rural environment
- In the country
- The formerly wild and private aspect of the hill country
- Property values/taxes were lower than Austin's
- To live on a clean creek surrounded by nature
- Nature, less populated
- More rural
- Investment
- Peaceful and quiet and clean air
- Far enough away from the crowds and I can (could) enjoy the quiet life
- To have more land than a city lot
- Hills and trees and darker skies
- Natural beauty
- We bought land
- Average
- Family Ranch outside of city limit
- Rural living
- Outside of any metropolis
- Land and space
- There are more trees than people
- To get out of a crowded traditional neighborhood into the wide open spaces and the beautiful stars, planets, and every once in a while the milky way.

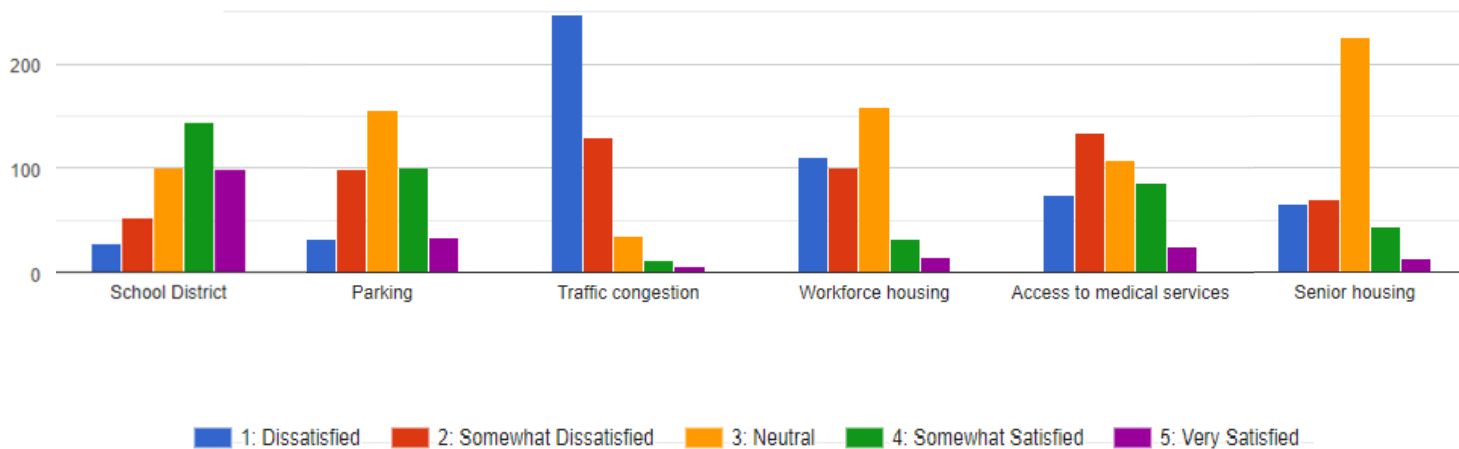
Q10: What makes you feel proud about the City of Dripping Springs?



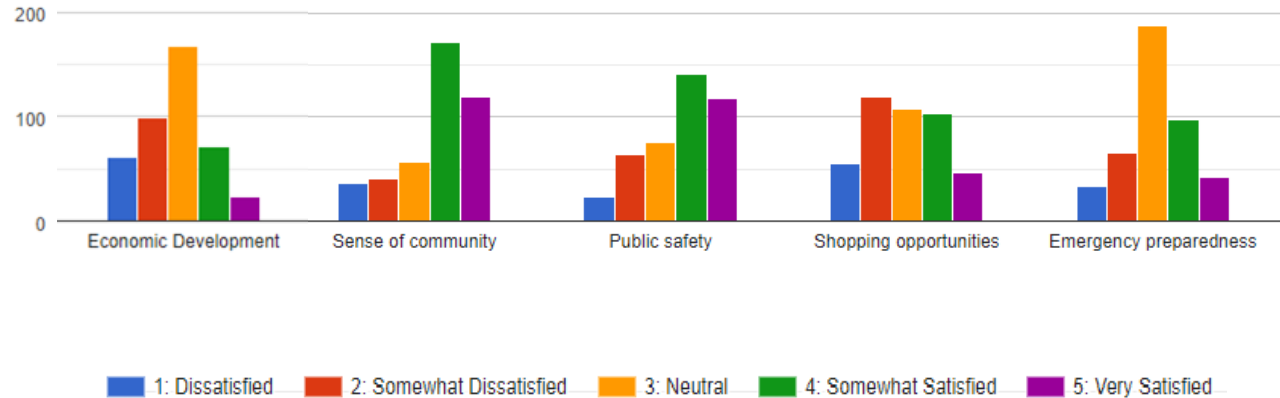
Q11: In your opinion, what are the most important challenges facing Dripping Springs today



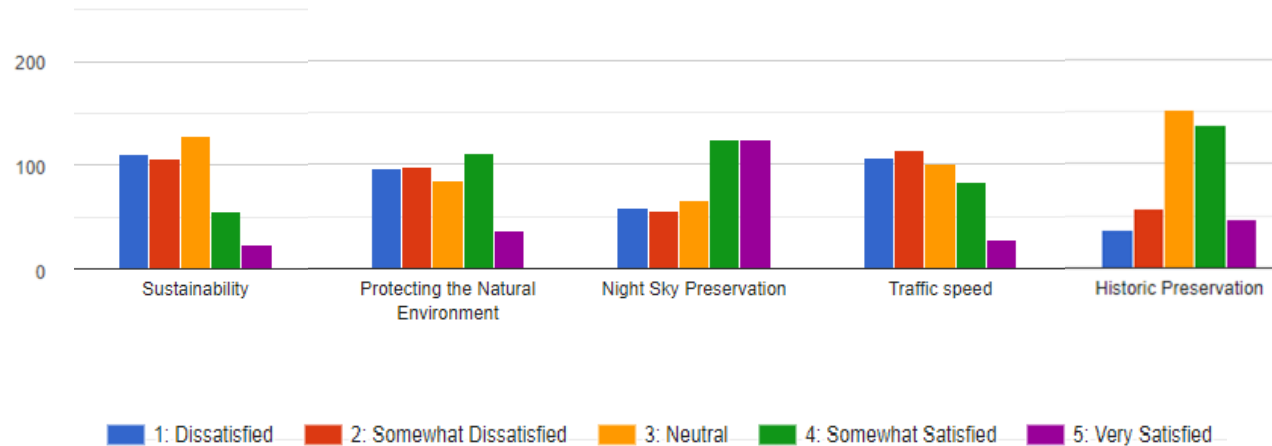
Q12: On a scale of 1 – 5, how satisfied are you with the following in Dripping Springs



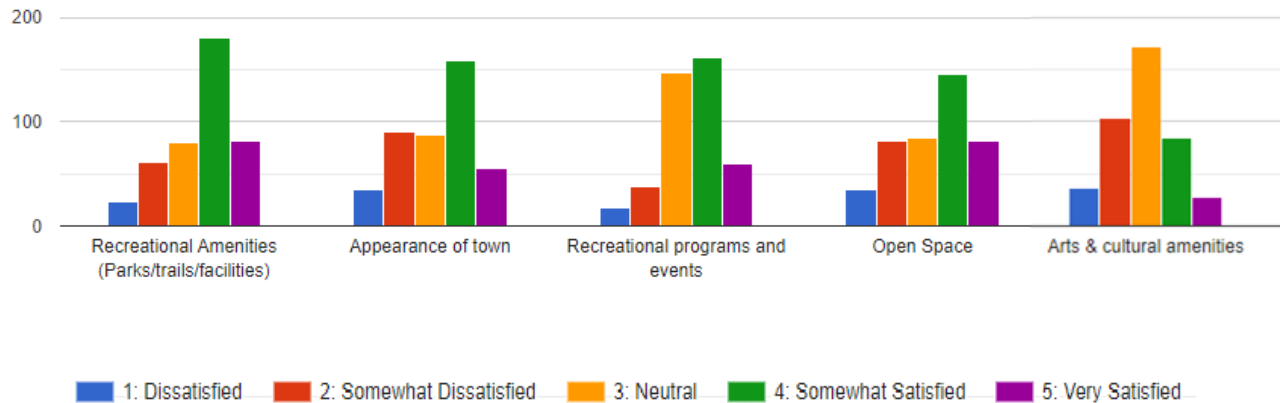
Q12: On a scale of 1 – 5, how satisfied are you with the following in Dripping Springs



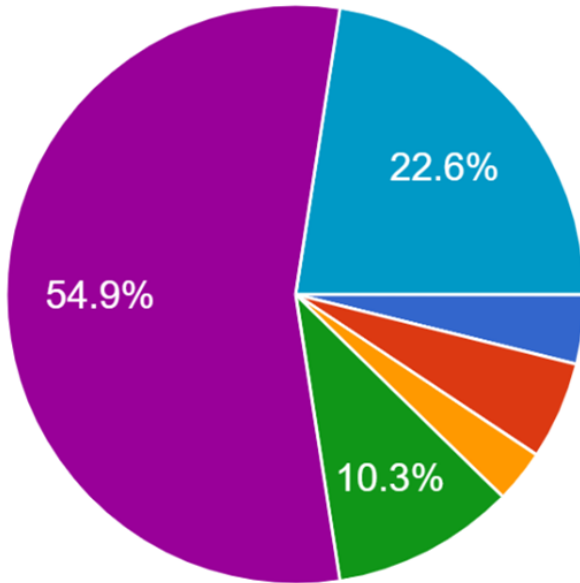
Q12: On a scale of 1 – 5, how satisfied are you with the following in Dripping Springs



Q12: On a scale of 1 – 5, how satisfied are you with the following in Dripping Springs

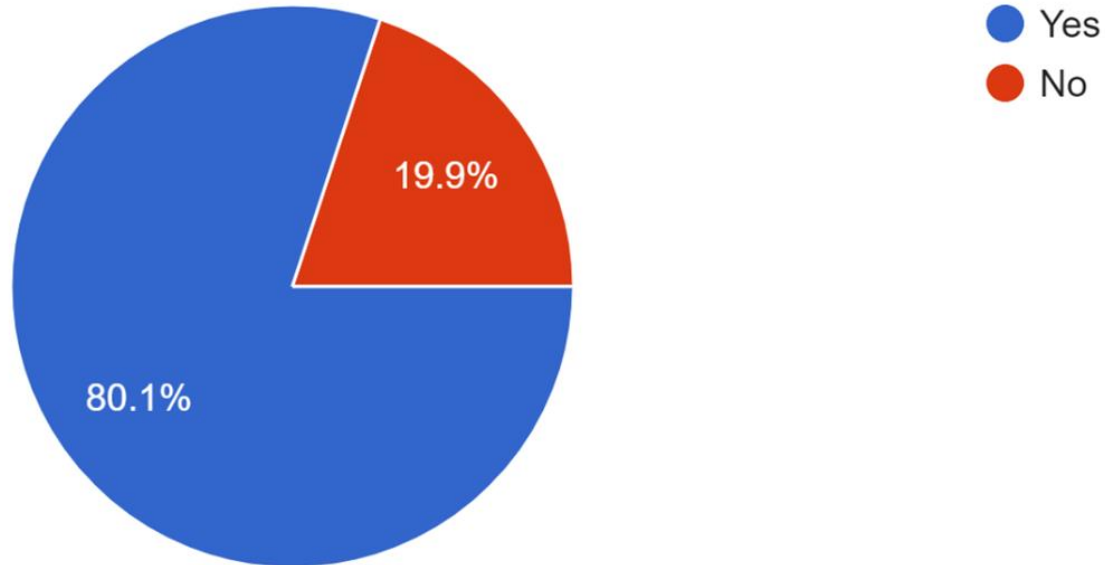


Q13: How would you describe your family status?



- Single, no children
- Single with children (living at home)
- Single, children (no longer at home)
- Couple, no children
- Couple, with children (living at home)
- Couple, children (no longer at home)

Q14: If answered “children living at home” above, do you have children under the age of 18?



Dripping Springs 2045 Comprehensive Plan	Months 2022 + 2023														
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Project Schedule															
Task 1. PRE-PLANNING															
1.1 Data Collection / Review including History															
1.2 Demographics & Economic Snapshot															
1.3 Existing Conditions															
Task 2. PUBLIC PARTICIPATION PLAN															
2.1 Primary Outreach + Engagement															
Persona Based Engagement Strategy															
One (1) Online Survey															
One (1) Public Outreach Meeting (w/ Founders day) - April 23	▲														
Two (2) Stakeholder meetings (in-person; both on one day) - July 15				▲											
One (1) (1st) Public Meeting - Sept 12						▲									
One (1) (2nd) Public Meeting -								▲							
One (1) (3rd) Public Meeting										▲					
One (1) (4th) Public Meeting												▲			
2.2 Virtual Engagement															
Four (4) Interviews (virtually) - August 22 & 23					▲										
Two (2) Stakeholder meetings (virtually) - August 29 & 30					▲										
Two (2) Virtual Focus Group Meetings						▲									
2.3 Visioning + Meeting-in-a-box															
Two Day Visioning (scenario building) - October 12 & 13								▲							
Meeting-in-a-box (1 set w/ 1 training session, analyze results)						■	■	■	■						
Task 3. COMPREHENSIVE PLAN ELEMENTS															
3.1 Comprehensive Plan Visioning + Goals															
3.2 Market Demand Analysis															
3.3 Comprehensive Plan Planning Elements (PE)															
PE 1: Economic Development Strategy															
PE 2: Land Use & Character															
PE 3: Transportation															
PE 4: Infrastructure + Facilities															
PE 5: Housing															
PE 6: Parks + Recreation (review + incorporate)															
PE 7: Historic Preservation - tweaked only															
3.4 Three Land Use Scenarios (build-out plus 2 options)															
Task 4. IMPLEMENTATION PLAN															
4.1 Implementation Strategy															
4.2 Action Steps + Priorities															
Task 5. INITIAL MEMO AND DRAFT REPORT WRITING															
5.1 Initial memos with text, graphs, maps & graphics															
Task 6. REPORT WRITING + PRESENTATIONS															
6.1 Report with text, graphs, maps & graphics															
6.2 Executive Summary															
6.3 Presentations & Communications															
a) Four (4) Development Committee (CPAC) Mngs - 05/10; 07/14		●		●			●					●			
b) One (1) City Council Meeting															●
Tasks 7 & 8. PROJECT MANAGEMENT															
7.1 Project Meetings															
a) Project Kick-off Meeting - March 29	●														
b) Half Day Tour - July 14				●											
7.2 Request for Information															
7.3 Ongoing Project Management & Virtual Meetings		●	●	●	●	●	●	●	●		●	●	●	●	
Task 9. GIS DATA COLLECTION + ORGANIZATION + MAPPING															
8.1 GIS Prep & Setup and GIS building															
8.2 GIS Base Mapping															

- ▲ Community Engagement Meetings
- CPAC Conducted Meetings
- CPAC / Council Meeting
- Coordination Meetings w/ Staff
- Done