



UTILITY COMMISSION REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Wednesday, March 10, 2021 at 4:00 PM

VIDEOCONFERENCE MEETING

This meeting will be held via videoconference and the public is encouraged and welcome to participate. Public comment may be given during the videoconference by joining the meeting using the information below. Public comment for this meeting may also be submitted to the City Secretary at acunningham@cityofdrippingsprings.com no later than 4:00 PM on the day the meeting will be held.

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

Agenda

MEETING SPECIFIC VIDEOCONFERENCE INFORMATION

Join Zoom Meeting

<https://us02web.zoom.us/j/84308369671?pwd=VUFoVTBFQlk4V1B0VmVoL0xES09MQT09>

Meeting ID: 843 0836 9671

Passcode: 411804

Dial Toll Free:

888 475 4499 US Toll-free

877 853 5257 US Toll-free

Find your local number: <https://us02web.zoom.us/j/84308369671>

Join by Skype for Business: <https://us02web.zoom.us/skype/84308369671>

CALL TO ORDER

Commission Members

Jim Langford, Chair

Chuck Miller, Vice Chair

Meghan Lind

Roger Kew

Jeff Foreman

City Staff, Consultants & Appointed/Elected Officials

Deputy City Administrator Ginger Faught

Public Works Coordinator Aaron Reed
Building Official/Utility Coordinator Sarah Cole
Mayor Bill Foulds, Jr.

PRESENTATION OF CITIZENS

A member of the public who desires to address the Commission 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 Commission'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 Commission. It is the request of the Commission 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.

MINUTES

- 1. Discuss and consider approval of the February 10, 2021 Utility Commission regular meeting minutes.**

BUSINESS

- 2. Discuss and consider possible action regarding reports related to the Utility Commission.**
- 3. Presentation and discussion regarding Annual 2020 Water & Wastewater Utilities Report.** *Public Works Coordinator, Aaron Reed*
- 4. City Council Activities Report**
Commissioner Jeff Foreman

EXECUTIVE SESSION

The Utility Commission for the City of Dripping Springs has the right to meet in 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 City 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 Utility Commission 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.

UPCOMING MEETINGS

Utility Commission Meetings

April 14, 2021 at 4:00 p.m.

May 12, 2021 at 4:00 p.m.

June 9, 2021 at 4:00 p.m.

City Council Meetings

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

April 13, 2021 at 6:00 p.m.

April 20, 2021 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 Commission may consider a vote to excuse the absence of any Commissioner for absence from this meeting.

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

*I certify that this notice of meeting was posted at the City of Dripping Springs City Hall and website, www.cityofdrippingsprings.com, on **March 5, 2021 at 1:00 p.m.***

City Secretary

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



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Wednesday, February 10, 2021 at 4:00 PM

MINUTES

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

Join by Skype for Business: <https://us02web.zoom.us/skype/87536168315>

CALL TO ORDER

Commission Members present were:

Jim Langford, Chair

Chuck Miller, Vice Chair

Meghan Lind

Roger Kew (arrived at 4:05 p.m.)

Jeff Foreman

Staff, Consultants & Appointed/Elected Officials

Public Works Coordinator Aaron Reed

Building Official/Utility Coordinator Sarah Cole

With a quorum of the Commission present, Chair Langford called the meeting to order at 4:01 p.m.

PRESENTATION OF CITIZENS

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No one spoke during Presentation of Citizens.

MINUTES

1. Discuss and consider approval of the January 13, 2021 Utility Commission regular meeting minutes.

A motion was made by Chair Langford for approve the January 13, 2021 Utility Commission regular meeting minutes. Commissioner Lind seconded the motion which carried unanimously 5 to 0.

BUSINESS

2. Update and discussion regarding Water and Wastewater facility activities.

Chair Langford requested an annual 2020 report for the March regular meeting.

3. City Council Activities Report

Commissioner Jeff Foreman

No report, Commissioner Foreman was unable to attend the meeting.

EXECUTIVE SESSION

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The Commission did not meet in Executive Session.

UPCOMING MEETINGS

Utility Commission Meetings

March 10, 2021 at 4:00 p.m.

April 14, 2021 at 4:00 p.m.

May 12, 2021 at 4:00 p.m.

City Council Meetings

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

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

ADJOURN

A motion was made by Commissioner Foreman to adjourn the meeting. Commissioner Lind seconded the motion which carried unanimously 5 to 0.

This regular meeting adjourned at 4:28 p.m.

Division 10. Utility Commission

Sec. 2.04.281 Title

This division shall be commonly cited as the “utility commission ordinance.”

Sec. 2.04.282 Purpose

This division provides standards for the formation, function, and responsibilities of a commission tasked with representing various citizen groups and their interests as part of the city council’s greater discussion of transportation, planning, and improvements. The commission is formed to:

- (1) Assist the city in its wastewater plant operations and reuse plans, including expansion.
- (2) Assist the city in achieving its goal of 100% beneficial reuse.
- (3) Assist the city in achieving its goal of not discharging effluent at any time.
- (4) Assist the city with procedures and policies related to retail water services provided by the city.

Sec. 2.04.283 Scope

This commission shall have duties that apply to all property within the incorporated municipal boundaries (i.e., city limits) and the extraterritorial jurisdiction (ETJ).

Sec. 2.04.284 Definitions

(a) Rules of interpretation. Words and phrases used in this division shall have the meanings set forth in this section. Terms that are not defined below, but are defined elsewhere in the Code of Ordinances, shall be given the meanings set forth in the code. Words and phrases not defined in the Code of Ordinances shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense, words in the plural number shall include the singular number (and vice versa), and words in the masculine gender shall include the feminine gender (and vice versa). The word “shall” is always mandatory, while the word “may” is merely directory. Headings and captions are for reference purposes only.

(b) Specific definitions.

Commission. The utility commission created herein.

Sec. 2.04.285 Membership; meetings

(a) Number of members.

(1) The commission will have a minimum of five (5) voting members, two of which will be reserved for members nominated by Hays Trinity Groundwater Conservation District (“HTGCD”) for appointment by the city council with the city having full discretion as to the final appointments. At least two (2) of the voting members must be residents of the city (meaning that their full-time residence is within the city limits). The remaining seats will have representation by individuals with interests within the city limits and the ETJ.

(2) If a nominee of HTGCD is rejected for appointment by the city, HTGCD will make alternate nomination(s) until two HTGCD nominees are accepted and appointed by the city.

(3) The commission will also have one or two nonvoting members, who may be a member of the council or a city employee from within public works, or both.

(4) The commission may add nonvoting members on an as-needed basis as approved by a majority of the commission and the city council.

(b) Terms of members. All appointments to the commission shall serve a term of office of two (2) years, except as noted below. Expiration of terms shall be staggered so that an overlapping occurs (in the first one-year period, the terms of two members shall expire during that year, and the term of three members shall expire in the second year). Members may be reappointed with no limitation on the number of terms one member may serve.

(c) Member selection.

(1) Every year, city staff will prepare a slate of nominees for city council consideration including any nominees from the HTGCD. Potential nominees may express interest in the commission by contacting the city secretary in writing.

(2) The city council will approve, reject, or modify the list.

(3) The city council shall appoint a chair among the members. The chair shall serve a term concurrent with the members two-year term. The commission may select a vice chair from the remaining members.

(d) Member removal. Members of the commission may be removed from office by the city council at any time by a simple majority vote of the full city council (3/5), either:

(1) Upon its own motion;

(2) Upon recommendation of a simple majority (3/5) of the commission.

(e) Resignation; vacancies. A commission member may resign by notifying the city secretary in writing of the member's intent to resign. A failure to attend three or more sequential commission meetings without approval from the chair will constitute a de facto notification of intent to resign. Any vacancy shall be filled by the city council upon staff recommendation except that a member originally nominated by the Hays Trinity Groundwater Conservation District who resigns, is removed, or where the position otherwise becomes vacant shall be replaced by a nomination from the HTGCD. All appointments shall be subject to approval by city council.

(f) Meetings.

(1) The commission will meet the second Wednesday of each month at 4:00 p.m. Agendas will be drafted by the commission chair, under the advisement of commission members and assisted by city staff.

(2) Commission will have the authority to schedule additional meetings at any time by the chair's recommendation.

(3) The commission will make a report to the city council at the first meeting of each month to update the council on projects and progress.

(4) The commission's meetings are subject to the Open Meetings Act.

Sec. 2.04.286 Authority

(a) The authority of the commission will include at least the following:

(1) To oversee utilities provided by the city, including wastewater.

(2) To review the city's wastewater reuse plans and operations systems.

(3) To review data related to wastewater operations, including total volume of effluent leaving the wastewater plant, storage levels of tanks or ponds over which the city has complete operational control, volume of effluent provided to each customer, and volume and date of discharge, if any.

(4) To recommend modification of storage/acreage and reuse customers and of storage and irrigable area needed for remaining gallons of effluent to be utilized in a reuse system without need for discharge.

- (5) To recommend corrective measures related to reuse or operations systems.
- (6) To recommend additional or modified wastewater treatment methods and systems.
- (7) To assist in review of third-party complaints regarding the city's wastewater plant, operations, or reuse systems and provide comments to city staff.
- (8) To assist in review of public comments regarding the city's wastewater plant and provide comments to city staff and city council.
- (9) To review noncity party recommendations regarding the city's wastewater plant, operations, or reuse systems, including any:
 - (A) Recommendations for model contracts for operations of treatment facility and reuse systems that may be submitted by the settling parties; or
 - (B) Recommendations for a class A operator.
- (10) Any recommendations made by the commission must include financial information identifying the anticipated cost of implementing the recommendations.
 - (b) The commission shall not have authority to replace or supersede commitments to irrigable area and storage as agreed under "acreage/storage" as agreed to in the agreement regarding the city's application no. WQ001448803 for a TPDES permit entered into on or about July 3, 2018.
 - (c) The commission shall not have the authority to review, comment on, approve, or disapprove utility agreements or contracts that are negotiated between the city and third parties.

Sec. 2.04.287 Support

- (a) City staff and the city engineer shall provide logistical support to the commission, as defined by access to city facilities for purposes of public meetings, access to city resources for purposes of copies and communications, and a designated staff liaison to coordinate and direct such support.
- (b) The city staff will post agendas and information requested by the commission, will take minutes at each meeting, and provide other requested support.

(Ordinance 2018-32 adopted 12/11/18)