



DRIPPING SPRINGS  
Texas

# CITY COUNCIL WORKSHOP & REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, December 06, 2022 at 6:00 PM

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## 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  
People & Communications Director Lisa Sullivan  
City Secretary Andrea Cunningham  
IT Director Jason Weinstock  
Planning Director Tory Carpenter  
Public Works Director Aaron Reed

### 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. Presentation of "Be A Star Awards" by the Texas Chapter of the International Dark Sky Association. Sponsors: Mayor Bill Foulds, Jr. and Council Member Sherrie Parks.**
- 2. Proclamation recognizing the Dripping Springs High School Tigers Volleyball Team.**

## **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 November 15, 2022, City Council regular meeting minutes.**
- 4. Approval of an Ordinance Amending Article 12.03 Criminal Enforcement to update city staff authorized to issue citations. Sponsor: Mayor Foulds, Jr.**
- 5. Approval of an Interlocal Agreement between the City of Dripping Springs and Hays County related to the expansion of the Tax Increment Reinvestment Zones. Sponsor: Mayor Pro Tem Manassian**
- 6. Approval of an Ordinance setting the 2023 Plat Submittal Schedule.**

## **BUSINESS AGENDA**

- 7. Discuss and Consider Approval of a Letter Agreement Between the City of Dripping Springs and O&M Management Services, LLC Regarding Utility Operations. Sponsor: Mayor Foulds, Jr.**
- 8. Discuss and consider the Appointment of five (5) individuals to the Emergency Management Commission for terms ending January 1, 2024.**
- 9. Approval of a Resolution Appointing three (3) members to the Tax Increment Reinvestment Zone No.1 and No. 2 Board of Directors for Place 1, Place 3 and Place 5; and the Appointment of a Chair to serve a term of one (1) year.**
- 10. Discuss and consider a Resolution amending the Personnel Manual related to longevity pay. Sponsor: Mayor Foulds, Jr.**
- 11. Discuss and consider approval of a rental agreement for Monster Truck shows at the Dripping Springs Ranch Park for December 30, 2022 and December 31, 2022. Sponsor: Mayor Foulds, Jr.**

## **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.*

## **12. Planning Department Report.**

### **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.*

**13. Consultation with City Attorney and Deliberation of Real Property regarding property acquisition related to the South Regional Water Reclamation Project. Consultation with City Attorney, 551.071, Deliberation of Real Property, 551.072**

**14. Consultation with Counsel related to litigation regarding the South Regional Water Reclamation Project, Wastewater Permits, Code Enforcement, and related items. Consultation with City Attorney, 551.071**

### **UPCOMING MEETINGS**

#### **City Council & Board of Adjustment Meetings**

December 20, 2022, at 6:00 p.m. (CC)

January 3, 2023, at 6:00 p.m. (CC & BOA)

January 17, 2023, at 6:00 p.m. (CC)

#### **Board, Commission & Committee Meetings**

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

December 7, 2022, Economic Development Committee at 4:00 p.m.

December 12, 2022, TIRZ No. 1 & No. 2 Board at 4:00 p.m.

December 12, 2022, Founders Day Commission at 6:30 p.m.

December 14, 2022, Utility Commission at 4:00 p.m.

December 15, 2022, Farmers Market Committee at 10:00 a.m.

December 15, 2022, Emergency Management Commission at 12:00 p.m.

December 19, 2022, Transportation Committee at 3:30 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](http://www.cityofdrippingsprings.com), on **December 2, 2022, at 3:30 p.m.***

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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.*



# Be A Star Award Winners

*Photos by Photographers of  
Dripping Springs*



The **BE A STAR AWARDS** program is administered by the International Dark-Sky Association Texas Chapter and the Texas Night Sky Festival, and in partnership with the Hays County Friends of the Night Sky.



The **BE A STAR AWARD** recognizes landowners who contribute to conservation efforts by protecting the night sky. Their properties were nominated by the City because they comply with the award criteria and are great examples of compliance with the City of Dripping Springs Lighting Ordinance.

The **BE A STAR** Program rewards landowners who contribute to conservation efforts by protecting the night sky. The program encourages landowners to evaluate their outdoor lighting and use lighting that eliminates glare, light trespass, and other forms of light pollution while at the same time helping them see better on their property.



The nine Dripping Springs businesses/organizations are each receiving a 12" x 9" sign and a window decal to display on their property that shows their lighting considers nature, their neighbors, and their shared view of the night sky.



Home >> Night Sky



### Be A Star Award Winning Properties



Jiffy Lube - Photo By Patty Robertson



They are also featured on the City's website, with beautiful photography taken by the Photographers of Dripping Springs. The photo gallery of the recipients can be seen on the Night Sky section, [cityofdrippingsprings.com/nightsky](http://cityofdrippingsprings.com/nightsky).

Here are the wonderful businesses who won the Be A Star Awards. The photos are courtesy of Photographers of Dripping Springs



✦ ✦ ✦  
*Dripping  
Springs  
Presbyterian  
Church*





State Farm  
Mark  
Handley





Ranch  
Road 12  
Market





7-Eleven





*Driftwood  
Ranchside  
Greeter  
House*





*Headwaters  
Professional  
Office  
Building  
1 & 2*





*Anthem  
Apartment  
Homes*





# CITY COUNCIL WORKSHOP & REGULAR MEETING

## City of Dripping Springs

DRIPPING SPRINGS Council Chambers, 511 Mercer St, Dripping Springs, TX  
Texas

Tuesday, November 15, 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

City Administrator Michelle Fischer  
Deputy City Administrator Ginger Faught  
City Attorney Laura Mueller  
City Treasurer Shawn Cox  
People & Communications Director Lisa Sullivan  
City Secretary Andrea Cunningham  
IT Director Jason Weinstock  
Planning Director Howard Koontz  
Senior Planner Tory Carpenter  
Parks & Community Services Director Andrew Binz  
DSRP Program Manager Caylie Houchin  
Building Official Shane Pevehouse  
TIRZ Project Manager Keenan Smith  
Parks Planning Consultant Brent Luck  
Planning & Zoning Commission Chair Mim James

### PLEDGE OF ALLEGIANCE

Council Member King 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.*

Council Member Parks spoke regarding the selection of the Founders Day Event Theme.

## **WORKSHOP**

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

### **1. Presentation on proposed Draft Landscape and Tree Preservation Ordinance.**

Howard Koontz, Laura Mueller and Brent Luck gave a presentation which is on file.

No action was taken regarding this item.

## **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.*

Ginger Faught requested no action be taken on items 8 and 10, as the developer has failed to submit bonds and complete final inspections per Public Works Director Aaron Reed.

Via unanimous consent, item 7 was considered individually.

- 2. Approval of the November 1, 2022, City Council regular meeting minutes.**
- 3. Approval of a Hotel Occupancy Tax Grant Program Funding Agreement between the City of Dripping Springs and the Friends of the Pound House Foundation.**
- 4. Approval of a Hotel Occupancy Tax Grant Program Funding Agreement between the City of Dripping Springs and the Dripping Springs Visitors Bureau.**
- 5. Approval of Parks & Community Services Sponsorship Program. Sponsor: Council Member Parks.**
- 6. Approval of the October 2022 City Treasurer's Report.**

9. **Approval to authorize the City Administrator to enter into and execute a Co-Sponsorship Agreement with Ashley Tullis for the public purpose of promoting tourism and civic engagement through the Christmas on Mercer Movie Night holiday event.** *Sponsor: Council Member Parks*
11. **Approval of an updated agreement with new rates for engineering services with Burgess & Niple.** *Sponsor: Mayor Foulds, Jr.*

A motion was made by Mayor Pro Tem Manassian to approve Consent Agenda items 2 – 6, 9 and 11. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

7. **Approval of a Resolution Accepting Improvements and Approving and Accepting a Maintenance Bond for Driftwood Subdivision West Water Connection.**

Ginger Faught presented the staff report which is on file. Staff recommends approval of the resolution.

A motion was made by Mayor Pro Tem Manassian to approve a Resolution Accepting Improvements and Approving and Accepting a Maintenance Bond for Driftwood Subdivision West Water Connection. Council Member Parks seconded the motion which carried unanimously 5 to 0.

**Filed as Resolution No. 2022-R38**

No action was taken on Consent Agenda items 8 and 10.

8. **Approval of a Resolution Accepting Improvements and Approving and Accepting a Maintenance Bond for Driftwood Club Core Phase 1 and 2 Water and Wastewater.**
10. **Approval of a Resolution Accepting Improvements and Approving and Accepting a Maintenance Bond for Driftwood Club Core Phase 3 Water and Wastewater.**

**BUSINESS AGENDA**

12. **Public hearing and consideration of Sign Variance Requests to allow an off-premises pole sign at 304 Mercer Street for Mercer Street Warehouse District, located at 330 Mercer Street.** *Applicant: Dean Erickson, Carter Core Fund.*

**a. Applicant Presentation** – Applicant Dean Erickson presented the item.

**b. Staff Report** – Michelle Fischer presented the Sign Administrator's staff report which is on file. Staff recommends approval with the following conditions:

- (1) Daily display signs for the businesses identified on the pole sign shall not be displayed adjacent to Mercer Street and near the pole sign;
- (2) The building located at 304 Mercer Street may have a small tenant panel on the pole sign;
- (3) The pole sign shall not be illuminated;

- (4) No other permanent free standing signs shall be allowed at 304 Mercer Street and 330 Mercer Street in addition to the existing pole sign and the proposed pole sign; and
- (5) No directional signs shall be allowed at 304 Mercer Street and 330 Mercer Street for the businesses identified on the pole sign.

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

**d. Sign Variance to allow an Off-Premises Sign**

**e. Sign Variance to allow a Pole Sign**

A motion was made by Council Member Parks to approve, with staff conditions, a Sign Variance Requests to allow an off-premises pole sign at 304 Mercer Street for Mercer Street Warehouse District, located at 330 Mercer Street. Mayor Pro Tem Manassian seconded the motion which carried unanimously 5 to 0.

- 13. Discuss and consider approval of an Annexation Petition and direction to staff to negotiate an Annexation Agreement with owners to annex approximately 5.00 acres in the extraterritorial jurisdiction, situated in the GNRR Co Survey located at 4300 E US 290. Applicant: Daniel Besa.**

**a. Applicant Presentation** – Applicant Pat Besa was available for questions.

**b. Staff Report** – Tory Carpenter presented the staff report which is on file. Staff recommends approval of the annexation petition.

**c. Annexation Petition** – A motion was made by Mayor Pro Tem Manassian to approve an Annexation Petition and direction to staff to negotiate an Annexation Agreement with owners to annex approximately 5.00 acres in the extraterritorial jurisdiction, situated in the GNRR Co Survey located at 4300 E US 290. Council Member Parks seconded the motion which carried unanimously 5 to 0.

- 14. Discuss and consider approval of an Ordinance Amending Chapter 24. Building Regulations, Article 24.02. Technical and Construction Codes and Standards, Section 24.02.064. Permit Exemptions eliminating building permit requirement for sheds less than 200 square feet in area. Sponsor: Councilmember Tahuahua**

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

**b. Public Hearing** – Keenan Smith spoke in favor of the ordinance.

**c. Ordinance** – A motion was made by Council Member Tahuahua to approve an Ordinance Amending Chapter 24. Building Regulations, Article 24.02. Technical and Construction Codes and Standards, Section 24.02.064. Permit Exemptions eliminating building permit requirement for sheds less than 200 square feet in area. Council Member Parks seconded the motion which carried unanimously 5 to 0.

**Filed as Ordinance No. 2022-42**

**15. Discuss and consider approval of a Professional Services Agreement with Keenan Smith for Project Manager Services.** *Sponsor: Mayor Pro Tem Manassian.*

A motion was made by Council Member Crow to approve a Professional Services Agreement with Keenan Smith for Project Manager Services. Mayor Pro Tem Manassian seconded the motion which carried unanimously 5 to 0.

**16. Public hearing and consideration of approval of an Ordinance of the City of Dripping Springs, Texas amending the current 2021-2022 Fiscal Year Budget; Finding Municipal Purposes; Authorizing Expenditures.**

Shawn Cox let the City Council know that the caption is incorrect and should read “2022-2023 Fiscal Year Budget”.

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

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

**c. Budget Amendment Ordinance** – A motion was made by Mayor Pro Tem Manassian to approve an Ordinance of the City of Dripping Springs, Texas amending the current 2021-2022 Fiscal Year Budget; Finding Municipal Purposes; Authorizing Expenditures. Council Member King seconded the motion which carried unanimously 5 to 0.

**Filed as Ordinance No. 2022-43**

**17. Discuss and consider approval of a Contract between Brightly and the City of Dripping Springs to provide software solutions for permitting, planning, and code enforcement.**

Shane Pevehouse presented the staff report which is on file. Staff recommends approval of the contract.

A motion was made by Council Member King to approve a Contract between Brightly and the City of Dripping Springs to provide software solutions for permitting, planning, and code enforcement. Council Member Tahuahua 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.

**18. Planning Department Report**

A motion was made by Mayor Pro Tem Manassian to adjourn into Executive Session under Texas Government Code Section 551.071, Consultation with City Attorney and 551.074, Deliberation of Personnel Matters, and regarding Executive Session Agenda items 19 – 21. Council Member King 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.*

- 19. Consultation with City Attorney related to litigation regarding the South Regional Water Reclamation Project, Wastewater Permits, Code Enforcement, and related items.** *Consultation with City Attorney, 551.071*
- 20. Deliberation regarding the appointment, employment, evaluation, reassignment, compensation, and duties of the Administrative Assistant (Receptionist), Utility Billing Clerk/Administrative Assistant, and Deputy City Secretary.** *Deliberation of Personnel Matters, 551.074*
- 21. Consultation with City Attorney related to legal issues regarding building inspections by the city's building inspection vendor.** *(551.071, Consultation with Attorney).*

The City Council met in Executive Session from 8:001 p.m. – 8:37 p.m.

No action or vote was taken during Executive Session. Mayor Foulds, Jr. returned the meeting to Open Session at 8:37 p.m.

## UPCOMING MEETINGS

### City Council & Board of Adjustment Meetings

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

December 20, 2022, at 6:00 p.m. (CC)

January 3, 2022, at 6:00 p.m. (CC & BOA)

January 17, 2022, at 6:00 p.m. (CC)

### Board, Commission & Committee Meetings

November 17, 2022, Farmers Market Committee at 10:00 a.m.

November 17, 2022, Emergency Management Commission at 12:00 p.m.

November 22, 2022, Planning & Zoning Commission at 6:00 p.m.

November 28, 2022, Transportation Committee at 3:30 p.m.

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

December 5, 2022, Parks & Recreation Commission at 6:00 p.m.

## ADJOURN

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

This workshop and regular meeting adjourned at 8:37 p.m.

**APPROVED ON:** December 6, 2022

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Bill Foulds, Jr., Mayor

**ATTEST:**

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Andrea Cunningham, City Secretary



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

**Submitted By:** Michelle Fischer, City Administrator

**Council Meeting Date:** December 6, 2022

**Agenda Item Wording:** **Approval of an Ordinance Amending Article 12.03 Criminal Enforcement to update city staff authorized to issue citations.** *Sponsor: Mayor Bill Foulds, Jr.*

**Agenda Item Requestor:** Michelle Fischer, City Administrator

**Summary/Background:** The Citation Issuance Ordinance needs to be updated to reflect new staff positions and revised job titles for staff members that should be authorized to issue citations. The following changes are proposed:

Sec. 12.03.006. Authority to issue citations.

Pursuant to this article, and the scope of their assigned duties, a citation may be issued to a person by any of the following individuals so designated by the city council:

- (1) Environmental health inspector.
- (2) City inspector.
- (3) OSSF inspector.
- (4) Code enforcement ~~and construction~~ inspector.
- (5) Building official.
- (6) Public works ~~director, coordinator.~~
- (7) Deputy public works director.

**Commission Recommendations:** N/A

**Recommended Council Actions:** Approve the ordinance

**Attachments:** Draft Ordinance amending Chapter 12: Law Enforcement and Court

**Next Steps/Schedule:** Finalize and codify ordinance.



**CITY OF DRIPPING SPRINGS**

**ORDINANCE No. 2022-**

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 12: LAW ENFORCEMENT AND COURT: ARTICLE 12.03. CRIMINAL ENFORCEMENT; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE & MEETING.

**WHEREAS,** the City Council of the City of Dripping Springs ("City Council") seeks to promote public health, safety, and general welfare of the municipality and the safe, orderly and healthful development of the municipality; and

**WHEREAS,** the City Council finds that state law does not provide rules and regulations relating to issuance of citations in criminal cases stemming from local ordinances by non-peace officers; and

**WHEREAS,** the City Council has determined that the local administration of justice requires that such rules and regulations exist; and

**WHEREAS,** pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or policy 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 protection of the welfare, health, peace, temperance, and safety of the City of Dripping Springs to adopt an ordinance amending regulations of who may issue citations.

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

**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 12, Article 12.03 Criminal Enforcement of the Dripping Springs Code of Ordinances is hereby amended to read in accordance with Attachment "A" and which are attached hereto and incorporated into this Ordinance and the City Code for all intents and purposes. Additions to the Ordinance text are underlined and highlighted and deletions are struck-through.

### 3. REPEALER

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.

### 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 6<sup>th</sup> day of December 2022, by a vote of \_\_\_ (ayes) to \_\_\_ (nays) to \_\_\_ (abstentions) of the City Council of Dripping Springs, Texas.

### CITY OF DRIPPING SPRINGS:

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Bill Foulds, Jr., Mayor

### ATTEST:

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Andrea Cunningham, City Secretary

## ATTACHMENT "A"

**CHAPTER 12: LAW ENFORCEMENT AND COURT****ARTICLE 12.03. CRIMINAL ENFORCEMENT****Sec. 12.03.006. - Authority to issue citations.**

Pursuant to this article, and the scope of their assigned duties, a citation may be issued to a person by any of the following individuals so designated by the city council:

- (1) Environmental health inspector.
- (2) City inspector.
- (3) OSSF inspector.
- (4) Code enforcement and construction inspector.
- (5) Building official.
- (6) Public works director ~~coordinator~~.
- (7) Deputy public works director.



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

**Submitted By:** Laura Mueller, City Attorney

**CC Meeting Date:** December 6, 2022

**Agenda Item Wording:** **Approval of an Interlocal Agreement between the City of Dripping Springs and Hays County related to the expansion of the Tax Increment Reinvestment Zones. Sponsor: Mayor Pro Tem Manassian.**

**Agenda Item Requestor:** Mayor Pro Tem Taline Manassian

**Summary/Background:**

The City Council recently expanded the area of both Tax Increment Reinvestment Zones (TIRZs) as well as adding additional projects. In order for this expansion of property to include the Hays County increment, the City needs to amend its interlocal with Hays County. During the TIRZ expansion process, the County representative stated that the property, Anarene/Double L, that is in the ETJ would only be a 25% increment. All other properties would share the current 50% increment. These numbers are included in the provided amended ILA. Hays County approved the City's draft amended ILA on November 22, 2022.

**Areas Added to TIRZ:**

Village Grove  
 Additional lots in Bunker Ranch  
 Creek Road area  
 Cannon East  
 PDD 11  
 New Growth  
 Anarene (County only)  
 Library Lots

**Commission Recommendations:** N/A

**Recommended CC Actions:** Approve draft ILA.

**Attachments/On File:** Draft ILA as approved by Hays County.

**Next Steps/Schedule:** Once approved, the City will work with the Hays CAD to ensure that the properties that are being included are adequately addressed during the tax process.



**City of Dripping Springs and County of Hays Amended Agreement Regarding  
the Dripping Springs Tax Increment Reinvestment Zone Number One and Tax  
Increment Reinvestment Zone Number Two**

**THIS AMENDED INTERLOCAL AGREEMENT** regarding the Dripping Springs Tax Increment Reinvestment Zone Number One and Tax Increment Reinvestment Zone Number Two (this “Agreement”) is made and entered into by and between the City of Dripping Springs, Texas, a general law municipality (the “City”), and Hays County, Texas (the “County”) under the authority of Texas Government Code Chapter 791 and Chapter 311 of the Texas Tax Code for the participation of the City and the County in **Tax Increment Reinvestment Zone Number One, Town Center TIRZ and Tax Increment Reinvestment Zone Number Two, Southwest TIRZ**, City of Dripping Springs, Texas, (“TIRZs”), TIRZs created by the City pursuant to Chapter 311 of the Texas Tax Code.

**RECITALS:**

WHEREAS, in accordance with the provisions of the Tax Increment Financing Act, Chapter 311, Texas Tax Code, as amended (the “Act”), the City Council of the City, pursuant to Ordinance No. 2022-39 (the “Zone No. 1 Updated Ordinance”) and Ordinance No. 2022-40 (the “Zone No. 2 Updated Ordinance”) adopted on October 18, 2022, expanded and updated Reinvestment Zone Number One, Town Center TIRZ, and Reinvestment Zone Number Two, Southwest TIRZ, City of Dripping Springs, Texas (the “TIRZs”) under the Act, attached as Exhibit “A”; and

WHEREAS, in the Ordinance, the City found that the expansion of the TIRZs would encourage the development of property in and around the TIRZs; and

WHEREAS, in the Ordinance, the City contributed fifty percent (50%) of its Tax Revenue for each TIRZ; and

WHEREAS, in consideration of the County’s contribution of a fifty percent (50%) portion of its Tax Revenue for the majority of the properties in the TIRZ and twenty-five percent (25%) for the Anarene/Double L properties, the County shall have the authority to appoint two members to the TIRZ boards; and

WHEREAS, the TIRZ project plans include transportation and other projects that benefit the County and its residents; and

\_\_\_\_\_, 2022

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WHEREAS, both the City and the County will benefit from the development and improvements paid with the Tax Increment Funds in accordance with the documents creating the TIRZs; and

WHEREAS, pursuant to Chapter 791 of the Texas Government Code, the City and the County are entering into this Agreement to set forth the conditions governing the contribution of the Tax Increment by the City and current, annually-appropriated funds by the County to the TIRZs, and the City finds that this Agreement is necessary for the implementation of the Project Plans for the TIRZs.

**NOW THEREFORE**, the City and the County, in consideration of the terms, conditions, and covenants contained herein, hereby agree as follows:

**Section 1. Incorporation of Recitals.** The Parties hereby agree that the recitals set forth above form the basis upon which they have entered into this Agreement.

**Section 2. Definitions.**

In addition to any terms defined in the body of this Agreement, the following terms shall have the definitions ascribed to them as follows:

- A. Act** means the Tax Increment Financing Act, as amended and as codified as Chapter 311 of the Texas Tax Code.
- B. Captured Appraised Value** in a given year means the total appraised value, less any applicable exemptions, of all TIRZ real property taxable by the City or the County for that Tax Year less the Tax Increment Base defined in Section (G) below.
- C. Project Plan** means the updated project plans for the TIRZs attached to this Agreement as Exhibit "B" as adopted by the TIRZ Boards and the City of Dripping Springs, along with amendments to this plan that are adopted by the Board of Directors of TIRZ Number One, Town Center TIRZ, and TIRZ Number Two, Southwest TIRZ, and approved by the City Council of the City of Dripping Springs from time to time. The Updated Project Plans include maps of all property in the TIRZs, including all non-taxable property.
- D. Tax Increment** means the amount of property taxes levied and collected by the City or County for that year on the captured appraised value of real property taxable by the City or County and located in TIRZ Number One, Town Center TIRZ and TIRZ Number Two, Southwest TIRZ.

- E. City Tax Increment** will be that amount paid by the City into the Tax Increment

\_\_\_\_\_ 2022

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Funds.

- F. County Payment** will be that amount of current, annually-appropriated funds paid by the County into the Tax Increment Funds.
- G. Tax Increment Base** means the total appraised value as of January 1, 2016, of all real property taxable by the City or the County, as applicable, and located in the TIRZ for the original properties and the total appraised values as of January 1, 2022 of the newly added properties to TIRZ No. 1. The Parties agree that the Tax Increment Base for this Agreement for the City and the County is \$70,382,980- for the TIRZ No. 1 and \$14,625,030- for the TIRZ No. 2.
- H. Tax Increment Fund (TIF)** means that funds created by the City pursuant to Section 311.014 of the Act and the Ordinance, which will be maintained by the City, and into which all revenues of the TIRZs will be deposited, including deposits of Tax Increment by the City and by such other taxing units with jurisdiction over real property in the TIRZs that may enter into agreements for such contributions, including the County's Payment.
- I. TIRZ Boards** mean the governing board of directors of the TIRZs appointed in accordance with Section 311.009 of the Act, the Ordinance, and this Agreement.
- J. TIRZs** means the Tax Increment Reinvestment Zone Number One, Town Center TIRZ, approved by City of Dripping Springs Ordinance No. 1110.15 and Tax Increment Reinvestment Zone Number Two, Southwest TIRZ and updated in Ordinance Nos. 2022-39 and 2022-40.
- K.** Terms other than those defined above shall: (1) have their meanings as given in Chapter 311, Texas Tax Code; or (2) if not so defined, their usual and ordinary meanings.
- L.** References to state statutes shall include amendments to those statutes that are duly enacted from time to time.

### Section 3. Obligations of the County

- A. County Payment.** The County agrees to pay current, annually-appropriated funds to the City for deposit into the Tax Increment funds created by the City for TIRZs (the "Tax Increment Funds") fifty percent (50%) of the tax increment attributed to the captured appraised value of the County in the TIRZs, except that the tax increment attributed to the captured appraised value of the County for the Anarene/Double L properties shall be twenty-five percent (25%). The County's obligation to make these payments will accrue only after taxes on the captured appraised value are collected by the County. Payments shall be due on May 1 of each year

\_\_\_\_\_, 2022

Page 3 of 9



during the term of the Agreement. No interest or penalty will be charged to the County for any payments made by the County based on collections that occur after this due date. The County may offset against future payments to the Tax Increment any portion of payments to the City under this Agreement that the County subsequently refunds to taxpayers pursuant to the provision of the Texas Tax Code.

- B. Limitations on Payments.** The County is not obligated to make payments under this Agreement: (1) unless and until taxes on the captured appraised value are actually collected by the County; or (2) in any amount greater than taxes actually collected on the County's captured appraised value. Likewise, if funds are not appropriated by the Hays County Commissioners Court during any annual budgetary cycle, then the County's obligations to make a County Payment under this Agreement shall be waived for that Fiscal Year. Any funds already contributed to the Tax Increment Funds under this Agreement shall remain available for TIRZ expenditures, subject to the other terms and limitations of this Agreement.
- C. Boundary and Projects.** The boundaries and projects of the TIRZs are and shall be those described in Dripping Springs Ordinances Nos. 2022-39 and 2022-40, as adopted upon recommendation of the Board of Directors of the TIRZs (the "Board") and approved by the City Council of the City and in accordance with the *Tax Increment Reinvestment Zone Number One, Town Center TIRZ, City of Dripping Springs, Texas, Final Project and Financing Plan* and *Tax Increment Reinvestment Zone Number Two, Southwest TIRZ (fka Arrowhead TIRZ), City of Dripping Springs, Texas, Final Project and Financing Plan*, as adopted by both the TIRZ Board and City Council ("Project Plans") and attached as Exhibit "B". The County's obligation to make payments under this Agreement is limited to annual appropriation of funding by the Hays County Commissioners Court and the County's appraised value on property in the TIRZs as described in the Agreement. The County is not obligated to make payments based on the addition of property or projects to the TIRZs. County funds will only be used for those projects adopted by the TIRZ Board and the City Council as attached to this Agreement unless a written amendment changes those projects or boundaries and is approved by both the County and the City. Any member of the Hays County Commissioners Court may review and provide comments to the TIRZ Board or the City Council on any proposed expansion of the TIRZ or amendment to the Project Plan prior to its approval by the City Council. No project expenditures of County monies provided under this Agreement shall be authorized without an affirmative vote of the Board, with the County representatives present for the vote and with the County representatives unanimously agreeing with a proposed expenditure. In the event that the County representatives do not unanimously agree with a proposed expenditure, County monies provided under this Agreement may not be utilized for that expenditure unless and until a subsequent vote of the Hays County Commissioners Court approves of that expenditure.
- D. Development in the Zone.** Property within the boundaries of the TIRZs shall be developed as closely as possible in conformity with the Updated Final Plans. As stated above, County funds will only be used for projects that have been approved by the County members of the

TIRZ Board or by the County Commissioners Court.

- E. County Appointment to the Board of Directors of TIRZ Number One, Town Center TIRZ and TIRZ Number Two, Southwest TIRZ.** The TIRZ Boards consist of seven (7) voting members. The Commissioners Court of the County shall each have the unequivocal right to appoint two (2) qualified voting members during the period that the TIF created under this Agreement contains funds. The City Council shall have the right to appoint five (5) qualified voting members during the length of the TIRZ as established by Ordinance 1110.15 and updated in Ordinance No. 2022-39 and Ordinance 1110.16 and updated in Ordinance No. 2022-40. Members of the TIRZ Boards shall meet the qualifications set forth in Section 311.009 of the Texas Tax Code. Failure of the Commissioners Court to appoint a person to the TIRZ Board shall not be deemed a waiver of the County's right to make an appointment at a later date. The Commissioners Court will make best faith efforts to appoint a qualified person to serve on the Board of Directors, and to fill vacancies in the positions as needed.
- F. Additional Benefit to County.** Amendments to the Agreement or additional Agreements are anticipated should the County Commissioners Court make specific findings that certain TIRZ projects provide a special benefit to the County that is greater than that provided to the City. These amendments or agreements may either use other funding mechanisms to assist in funding TIRZ projects. Any amendment or agreement shall be in writing and agreed to by the County and the City.

#### **Section 4. Obligations of the City.**

- A. Project Plan.** The Final Project Plan for TIRZ Number One has been adopted by both the City and the TIRZ Board and includes transportation and other projects that will benefit the County and its residents. The use of the County's Payments under this Agreement will fund only a portion of the Project Costs.
- B. Use of County Payments.** The City agrees to use payments made by the County under this Agreement solely to fund Project Costs as defined in Chapter 311 of the Texas Tax Code and as allowed by the Hays County Reinvestment Zone Policy.
- C. Notice to County of Amendments to Project Plan.** The City agrees to provide the County with written notice of any proposed amendments to the Project Plans at least fourteen (14) days prior to their submission to the City Council for approval. The City agrees to work with the TIRZ Board to implement the Project Plans.
- D. Disposition of Tax Increments.** Upon termination of the TIRZs, and after all obligations of the TIRZs have been paid, the City agrees to pay to the County, within sixty (60) days of the termination, all monies remaining in the Tax Increment Funds that represent the County's pro rata amount of participation authorized under this Agreement.

\_\_\_\_\_, 2022

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- E. Annual Reports / Right to Audit.** The City agrees to provide to the County an annual report regarding the TIRZs as required under Texas Tax Code Section 311.016. Additionally, the County shall have the right to audit the books and records of the TIRZs upon providing at least 10 days' written notice to the City. Such an audit shall occur between 9 a.m. and 5 p.m. on business days.

#### **Section 5. Term and Termination.**

The term of this Agreement, unless extended by mutual agreement of the County and the City, shall commence upon execution by the last party and shall last for: twenty (20) years; or (2) the date all Project Costs have been paid or reimbursed unless earlier terminated by the parties hereto. Nothing in this Agreement limits the authority of the County or City to extend the term of this Agreement. Upon termination of this Agreement, the obligation of the County to make payments to the City shall end; however, the County's TIRZ Board appointment powers and any refund obligations of the City shall survive the termination.

The City may terminate the TIRZ pursuant to the provisions of Section 311.017 of the Texas Tax Code

#### **Section 5. Miscellaneous.**

- A. Administration.** This Agreement and the Tax Increment Funds shall be administered by the City Administrator or their designees or consultants. The City shall maintain a separate account for the Tax Increment Funds at a depository selected by the City, which Tax Increment Fund shall be secured in the manner prescribed by law for funds of Texas cities. The City shall not charge an administration fee for oversight of the Tax Increment Fund. The Tax Increment Fund shall be an account into which the City shall deposit the County Payment, the City Increment (as defined in the TIRZ Ordinance and Project Plan), and all accrued interest earned on the fund. The County shall participate in the oversight of the Tax Increment Fund through its representation on the Board of Directors on which they will appoint two (2) out of seven (7) members. Pursuant to the Hays County Reinvestment Zone Policy adopted on February 7, 2017, no more than ten percent of the County Increment will be used for the payment of administrative, legal, consulting, or other professional expenses, except engineering and architectural fees directly related to the specific projects in which the County will participate.
- B. Notice.** Whenever this Agreement requires or permits any consent, approval, notice, request, proposal, or demand from one party to another, the consent, approval, notice, request, proposal, or demand must be in writing to be effective and shall be delivered to the party intended to receive it at the addresses shown below (or to such other addresses as the parties may request, in writing, from time to time).

**If intended for the City, to:**

\_\_\_\_\_, 2022

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Michelle Fischer  
 City Administrator  
 City of Dripping Springs  
 511 Mercer St  
 Dripping Springs, TX 75020

**If intended for the County, to:**

Hays County Judge  
 Hays County Courthouse  
 111 E. San Antonio St., Ste. 300  
 San Marcos, Texas 78666

- C. Non-Assignability:** Neither the City, the County, nor the TIRZs shall assign any interest in this Agreement without the prior written consent of the other parties.
- D. Non Discrimination:** No person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any of the operations or funding of the TIRZs on the grounds of race, color, national origin, age, sex, religion, or other protected status.
- E. Binding on the Parties and Non-Waiver:** This Agreement shall not be considered fully executed or binding on the City and/or the County until this Agreement has been approved and accepted by the City Council and the Hays County Commissioner's Court at a properly called and noticed meeting of each respective body. After such approval and acceptance, the City and the County shall deliver to each other a certified copy of a Resolution as evidence of the authority to execute and bind the City and the County to the covenants, terms and provisions of this Agreement. 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.
- F. Third Parties:** The provisions and conditions of this Agreement are solely for the benefit for the City and the County, and are not intended to create any rights, contractual or otherwise, to any other person or entity. The relationship of the City and the County under this Agreement shall not be construed or interpreted to be a joint enterprise or joint venture. The Parties agree that each Party is an independent contractor.
- G. Controlling Law:** Venue and Jurisdiction shall be exclusively in Hays County, Texas and under the laws of the State of Texas.
- H. Entirety of Agreement:** This Agreement, including any exhibits attached hereto and any documents incorporated herein by reference, contains the entire understanding and agreement between the City and the County as to the matters contained herein. Any prior or contemporaneous oral or written agreement is hereby declared null and void to the extent in conflict with any provision of this Agreement.

\_\_\_\_\_, 2022

Page 7 of 9

i. Attachments. The attachments enumerated and denominated below are hereby made a part of this Agreement, and constitute promised performance by the Parties in accordance with the terms of this Agreement.

ii. Exhibit "A" Ordinance No. 2022-39 and Ordinance No. 2022-40  
Exhibit "B" TIRZ Updated Project and Financing Plans

iii. Amendments. Notwithstanding anything to the contrary herein, this Agreement shall not be amended unless executed in writing by both parties and approved by the City Council and the Commissioners Court in open meetings held in accordance with Chapter 551 of the Texas Government Code.

**EXECUTED** this \_\_\_ day of \_\_\_\_\_, 2022, by the City signing by and through the Mayor as its duly authorized official; and

**EXECUTED** this 22<sup>nd</sup> day of November, 2022, by the County signing by and through the Hays County Judge as its duly authorized official.

**CITY OF DRIPPINGSPRINGS**

**COUNTY**

\_\_\_\_\_  
Bill Foulds, Jr., Mayor


  
\_\_\_\_\_  
Judge Ruben Becerra, County Judge

\_\_\_\_\_  
Date

11-22-2022  
\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
City Secretary

  
\_\_\_\_\_  
County Clerk



\_\_\_\_\_  
Date

11/22/2022  
\_\_\_\_\_  
Date

\_\_\_\_\_, 2022

EXHIBIT A  
[insert ordinances]

EXHIBIT B  
[insert final updated project plans]

**CITY OF DRIPPING SPRINGS**

**ORDINANCE No. 2022-39**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS, DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY AS AN EXPANSION OF A REINVESTMENT ZONE PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, TO BE KNOWN AS REINVESTMENT ZONE NUMBER ONE, TOWN CENTER TIRZ, CITY OF DRIPPING SPRINGS, TEXAS; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City of Dripping Springs, Texas (the “City”), pursuant to the Tax Increment Financing Act, codified at Chapter 311 of the Texas Tax Code (hereinafter referred to as the “Act”), designated a geographic area within the City as a tax increment reinvestment zone when it determined that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future; and

**WHEREAS**, the City Council desires to promote the development of an expanded geographic area in the City, which is depicted in Exhibit “A” of this Ordinance, through the expansion of an existing reinvestment zone (hereinafter referred to as the “Zone No. 1”) as authorized by and in accordance with the Act; and

**WHEREAS**, pursuant to and as required by the Act, the City has prepared an Updated Reinvestment Zone Project Plan and Financing Plan for Reinvestment Zone Number One, City of Dripping Springs, Texas dated October 18, 2022, attached as Exhibit “C” (hereinafter referred to as the “Updated Project and Finance Plan”) for the Zone; and

**WHEREAS**, the Zone No. 1 meets the criteria for the expansion of a reinvestment zone because it is located in the city limits and extraterritorial jurisdiction of the City and meets the criteria in Section 311.005 of the Act; and

**WHEREAS**, the Zone No. 1 will be able to fund a significant portion of the proposed projects as listed in the attached Updated Project and Financing Plan; and

**WHEREAS**, the Zone No. 1 meets the other requirements of the Tax Increment Financing Act including: (a) 30 percent or less of the property in the Zone No. 1, excluding property dedicated to public use, is currently used for residential purposes; (b) the total appraised value of all taxable real property in the Zone No. 1 according to the most recent appraisal rolls of the City, together with the total appraised value of taxable real property in all other existing reinvestment zones within the City, according to the most recent appraisal rolls of the City, does not exceed 50 percent of the current total appraised value of taxable real property in the City and in the industrial districts created by the City, if any; and

**WHEREAS**, the improvements in the Zone No. 1 will significantly enhance the value of all taxable real property in the Zone; and

**WHEREAS**, notice of the public hearing on the creation of the Zone was published in the official newspaper of the City on October 7, 2022, which was not later than the seventh day before the date of the public hearing, which was held on October 18, 2022; and

**WHEREAS**, at the public hearing interested persons were allowed to speak for or against the creation of the Zone, the boundaries of the Zone, and the concept of tax increment financing, and owners of property in the proposed Zone were given a reasonable opportunity to protest the inclusion of their property in the Zone; and the public hearing was held in full compliance with Section 311.003(c) of the Act; and

**WHEREAS**, evidence was received and presented at the public hearing; and

**WHEREAS**, after all comments and evidence, both written and oral, were received by the City Council, the public hearing was closed on October 18, 2022; and

**WHEREAS**, the City has taken all actions required to expand the Zone including, but not limited to, the Act, the Texas Open Meetings Act (defined herein), and all other laws applicable to the creation of the Zone.

**NOW THEREFORE, BE IT ORDAINED by the City of Dripping Springs:**

### **SECTION 1. FINDINGS OF FACT**

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

### **SECTION 2. Enactment**

Title 1, Article 1.04 and Title 1, Article 2.04 of the City of Dripping Springs Code of Ordinances is hereby amended to include the updated and expanded map attached as Exhibit A and updated



project plan as Exhibit “B”, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

### SECTION 3. REPEALER

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.

### SECTION 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.

### SECTION 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.

### SECTION 6. EFFECTIVE DATE

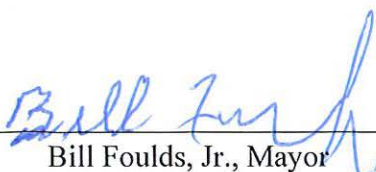
This Ordinance shall be effective immediately upon passage and publication.

### SECTION 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 18th day of October 2022, by a vote of 4 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.

**CITY OF DRIPPING SPRINGS:**

  
 Bill Foulds, Jr., Mayor

ATTEST:

*Andrea Cunningham*  
Andrea Cunningham, City Secretary



**CITY OF DRIPPING SPRINGS**

**ORDINANCE No. 2022-40**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS, AMENDING THE FINAL PROJEC TPLAN FOR TIRZ NUMBER TWO, SOUTHWEST TIRZ, CITY OF DRIPPING SPRINGS, TEXAS; PROVIDING THAT THE ORDINANCE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City of Dripping Springs, Texas (the “City”), pursuant to the Tax Increment Financing Act, codified at Chapter 311 of the Texas Tax Code (hereinafter referred to as the “Act”), may designate a geographic area within the City as a tax increment reinvestment zone if the governing body determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future; and

**WHEREAS**, the City Council desires to amend and update the Final Project Plan for Tax Reinvestment Zone Number 2, Southwest TIRZ.

**NOW THEREFORE, BE IT ORDAINED** by the City 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.

**SECTION 2. ENACTMENT**

Title 1, Article 1.05, Section 1.05.012 of the City of Dripping Springs Code of Ordinances is hereby amended to include the updated Final Project Plan as attached as Exhibit “A”, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

**SECTION 3. REPEALER**

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.

**SECTION 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.

**SECTION 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.

**SECTION 6. EFFECTIVE DATE**

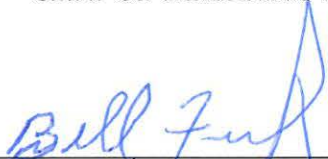
This Ordinance shall be effective immediately upon passage and publication.

**SECTION 7. PROPER NOTICE & MEETING**

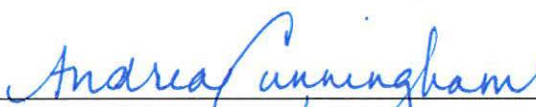
It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED & APPROVED** this, the 18<sup>th</sup> day of October 2022, by a vote of 4 (ayes) to 0 (nays) 0 (abstentions) of the City Council of Dripping Springs, Texas.

**CITY OF DRIPPING SPRINGS:**

  
\_\_\_\_\_  
Bill Foulds, Jr., Mayor

**ATTEST:**

  
\_\_\_\_\_  
Andrea Cunningham, City Secretary



***EXHIBIT "A"***

TIRZ No. 2 Update Project and Finance Plan



Final Project Plan and Reinvestment Zone  
Financing Plan for Proposed  
**TAX INCREMENT REINVESTMENT ZONE NO. 1**  
Town Center TIRZ, City of Dripping Springs

DECEMBER 13, 2016  
UPDATED October 18, 2022

# 1. OVERVIEW

## 1.1 Background

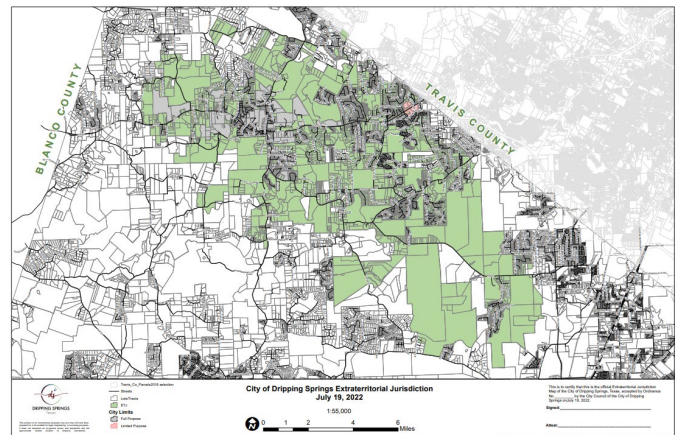
The City of Dripping Springs (the "City") is a Texas general law municipality incorporated in 1981, located 25 miles west of Austin, Texas. Dripping Springs has an unusually large Extra-Territorial Jurisdiction; with nearly 75,000 square acres the area expands from the city limits of Buda to Travis County and west of Austin. The Dripping Spring ETJ encompasses a majority of the northwestern half of Hays County. The City Limits and the City’s ETJ are shown below in *Map Figure 1*.

According to the latest Census numbers issued for 2020, the City has had a large increase in population in the last ten years within the city limits and an even larger increase in the ETJ and School District. This pattern is expected to continue.

As of the 2020 census, the Dripping Springs population, within its city limits, is about 4,656 although its extraterritorial jurisdiction (ETJ) is home to over 40,000 residents. The city offers an exceptional school system and proximity to Austin and San Antonio.

The City created two Tax Increment Reinvestment Zones in 2016, including this Town Center TIRZ No. 1. This plan is an updated version of TIRZ No. 1 where the City, in coordination with the County, has identified additional projects and properties that would benefit the City and County’s residents.

Map Figure 1- City Limit and ETJ



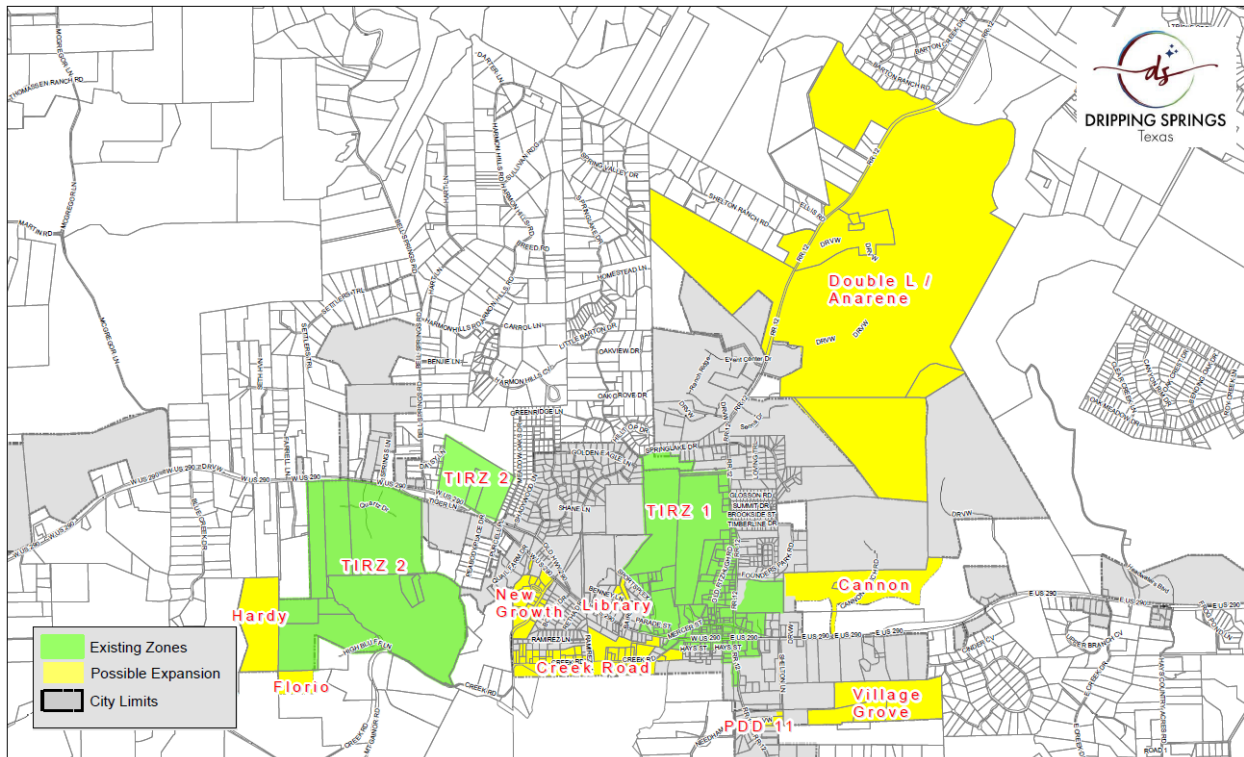
1. The Challenge

- a) Within the City Limits, the City has land available for development, in addition to areas of substandard development. The City needs additional means of planning and providing infrastructure to promote overall quality development in the area;
- b) The City’s ETJ is comprised of numerous ownerships and as the tracts petition for annexation in a piecemeal fashion, the City has no means of planning and providing infrastructure to promote overall quality development;
- c) The City’s downtown has dilapidated and unoccupied buildings that inhibit the City’s growth;
- d) The lack of sidewalks and the inadequacy of certain streets in Dripping Springs also inhibits the growth of the City;
- e) Low quality and/or sub-standard developments will be an ongoing obstacle to annexation and City growth if allowed to continue; and
- f) If the City's ETJ is left unincorporated, the burden of providing services to the area will remain with Hays County.

2. Responding to the Challenge

In 2016, the City partnered with the County to participate in a Tax Increment Reinvestment Zone (“TIRZ” or “Zone”) to be created over certain commercial and some residential areas within the City. *Map Figure 2* below depicts the TIRZ Boundary and the respective areas of in-City (approximately 981 acres) and ETJ (approximately 1657 acres) included.

Map Figure 2: Proposed TIRZ boundary





The road and drainage improvements listed, especially those related to Old Fitzhugh Road, Mercer Street, and Creek Road will benefit every resident of Dripping Springs and its ETJ. Additionally, these road improvements will also benefit development in the area north of downtown by providing access to downtown and the greater Travis County area. These improvements are feasible and practical and will benefit the area within in the TIRZ boundary.

The proposed TIRZ would afford the opportunity for the City to plan and prepare for the provision of public infrastructure to areas within its City Limits, including Old Fitzhugh Road street and drainage improvements, Town Center improvements, Triangle/US 290/RR12 area road and drainage improvements, Creek Road improvements, Stephenson Building improvements, Public Parking downtown, and other road and drainage improvements.

The TIRZ is one layer of funding to help leverage additional funding sources for city improvements. Creating a TIRZ with identified projects is an effective method to communicate the city’s key areas for investment and targeted growth.

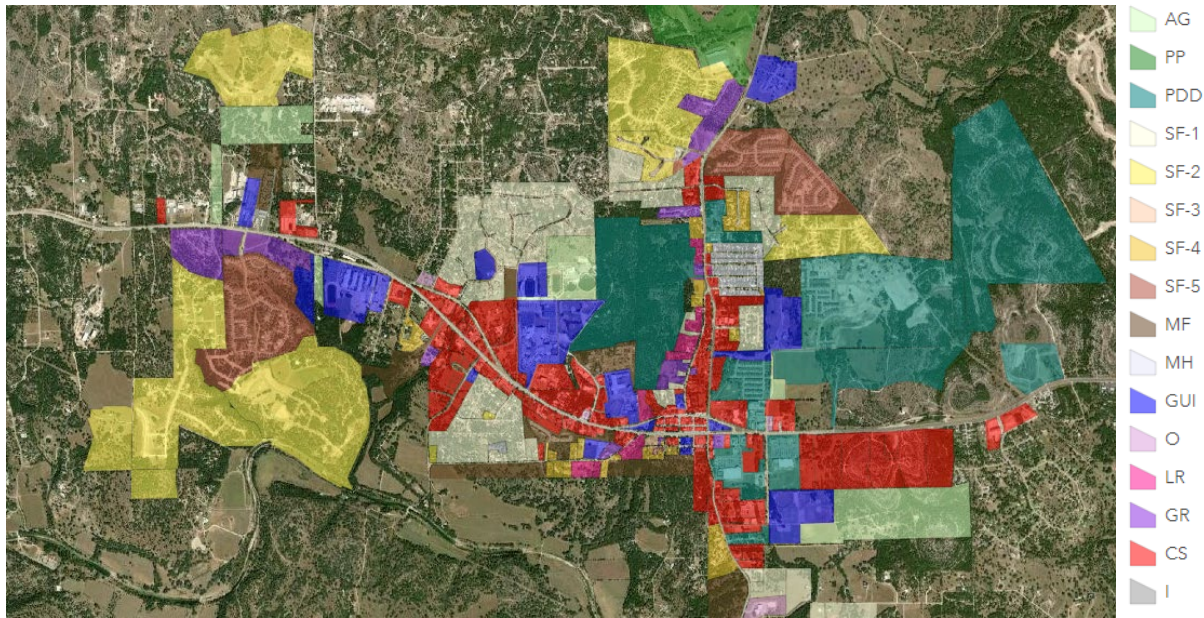
The City desires to maximize and preserve the taxable value of land and improvements in its ETJ and City Limits. Residents understand that maintaining their property values depends in no small part on high quality development within the City and the ETJ.

The City is experiencing and will continue to experience rapid growth. The City may need to update its land development code as it relates to the Town Center area in order to foster the development types that support the City’s future goals. A detailed look at natural attributes, infrastructure, development trends, targeted development areas and the comprehensive plan should be evaluated to determine the new code requirements.

The need for this proposed TIRZ partnership is further compelling because neither the City nor County can address the development issues alone. The magnitude of infrastructure needed to ensure quality development is beyond the financial capability of the City to fund solely, and some of the infrastructure needed for quality development is typically outside the purview of the County to provide.

If this opportunity is missed, the City will be unable to provide the full array of city services and roads to promote development inside and outside the City Limits. If the ETJ develops with lack of planning and substandard infrastructure, the City is unlikely to annex due to the prohibitive cost of retro-fitting and upgrading substandard infrastructure. But for the creation of the TIRZ and participation by both the City and County, this area is not likely to attract or maintain private investment sufficient or timely enough to provide the proposed public improvements.

Map Figure 3: Proposed Uses



## **2. FINAL PROJECT PLAN**

This Updated Project Plan and Reinvestment Zone Financing Plan (“The Updated Plan”) has been prepared in accordance with the requirements of Chapter 311.011 of the Texas Tax Code and outlines the improvements to be funded and implemented by the proposed Tax Increment Reinvestment Zone Number 1, Dripping Springs, Texas.

There are several key projects identified to help the City reach its real development potential downtown. These projects involve the important aspects needed to create solid framework for a successful eighteen hour downtown.



### **Town Center:**

The Town Center Concept is the foundation of the TIRZ creation. The Town Center is the catalyst project that would spur new development. The timing of the Town Center is important to the parties involved in the project. Due to rapid population growth, the city and county are looking for new facilities. The idea to co-locate the entities into a shared facility is a cost-effective way to design civic services. This project will include parking, city hall site acquisition as a portion of the Town Center project and constructing a new civic building.

When creating a new town center in an existing historic environment, it’s important to understand and respect the town’s existing characteristics. Most importantly, implementation of the projects must be sensitive to the area in the newly created district.

### **Stephenson Building Project**

This project is for the preservation and renovation of the building at 101 Old Fitzhugh Road to serve as a community meeting, programs, and performance space, with some civic offices. The work includes hazardous materials abatement, cleaning the foundation, roof replacement, historic window restoration or replacement, gutter system replacement, restoration of the wood floor, ceiling restoration and installation of suspended acoustical ceiling in secondary spaces, TAS/ADA accessibility, mechanical, electrical, plumbing, thermal and moisture protection, carpentry, finishes, earthwork, grading, paving, and an addition for restrooms, storage, and a backstage area.

### **Downtown Bathrooms**

The City has looked at downtown bathrooms to serve the downtown Mercer and Old Fitzhugh Districts. These bathrooms would be in the downtown area and may be attached or near the Stephenson Building. The bathrooms would include an accessible bathroom.

### **Transportation Improvements:**

#### **Mercer Street and Old Fitzhugh Road:**

The newly constructed benches and sidewalks on Mercer Street are a great start to creating a downtown sense of place. The next series of downtown investments identified in the TIRZ Project Plan are the redesign and construction of Mercer Street and Old Fitzhugh Road to create a Town Center. These two streets are the most important streets within the historic downtown. The street designs are critical to the success of the downtown. They must be designed in partnership with the targeted development patterns along these streets. In order to achieve the ideal street and development type, the City must update its development regulations within this Zone.



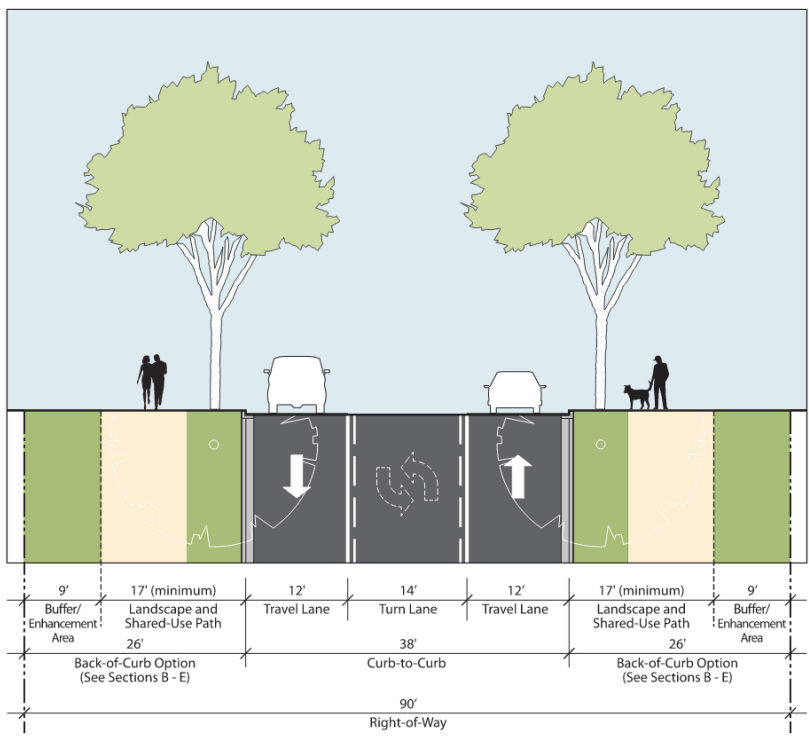
Photo Credit: Around Dripping Springs

Based on the existing street lay out and the disconnected street pattern in new developments, connectivity is a serious challenge for the city. Providing new and alternative connections are addressed in the TIRZ Project Plan. The following projects will help connect Mercer Street to the Heritage Subdivision and provide the much-needed transportation infrastructure:

- (1) Roger Hanks Parkway; and
- (2) Garza Road ROW (North Street);
- (3) Wallace Street; and
- (4) Creek Road.

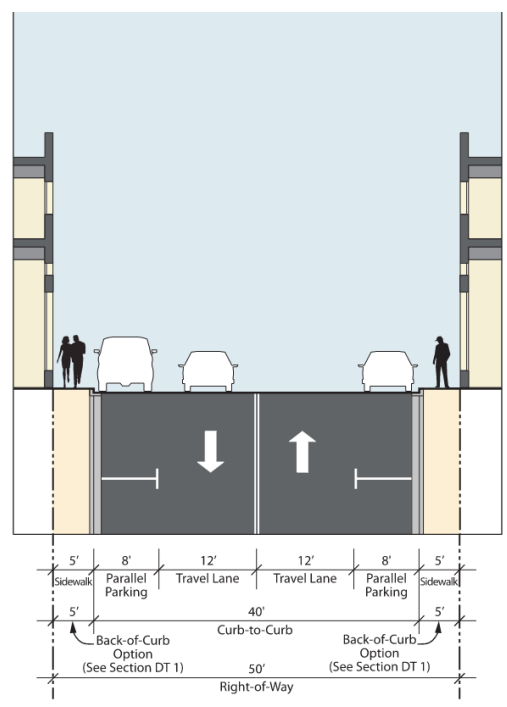
### **Wallace Street Improvements:**

The City’s approved Transportation Master Plan (TMP) shows Wallace Street as a two-Lane Commercial Local Street (CLS2). This project proposes to improve Wallace Street to match the TMP for its entire length from Bluff Street to RR12, approximately 1,000 linear feet. It will remain a two-lane road but will establish much needed parallel parking, curb and gutter stormwater conveyance and pedestrian sidewalks on both sides of the street all within the existing 50-foot Right of Way.



2 Lane Minor Arterial Divided with Center Turn Lane  
City of Dripping Springs - Transportation Master Plan

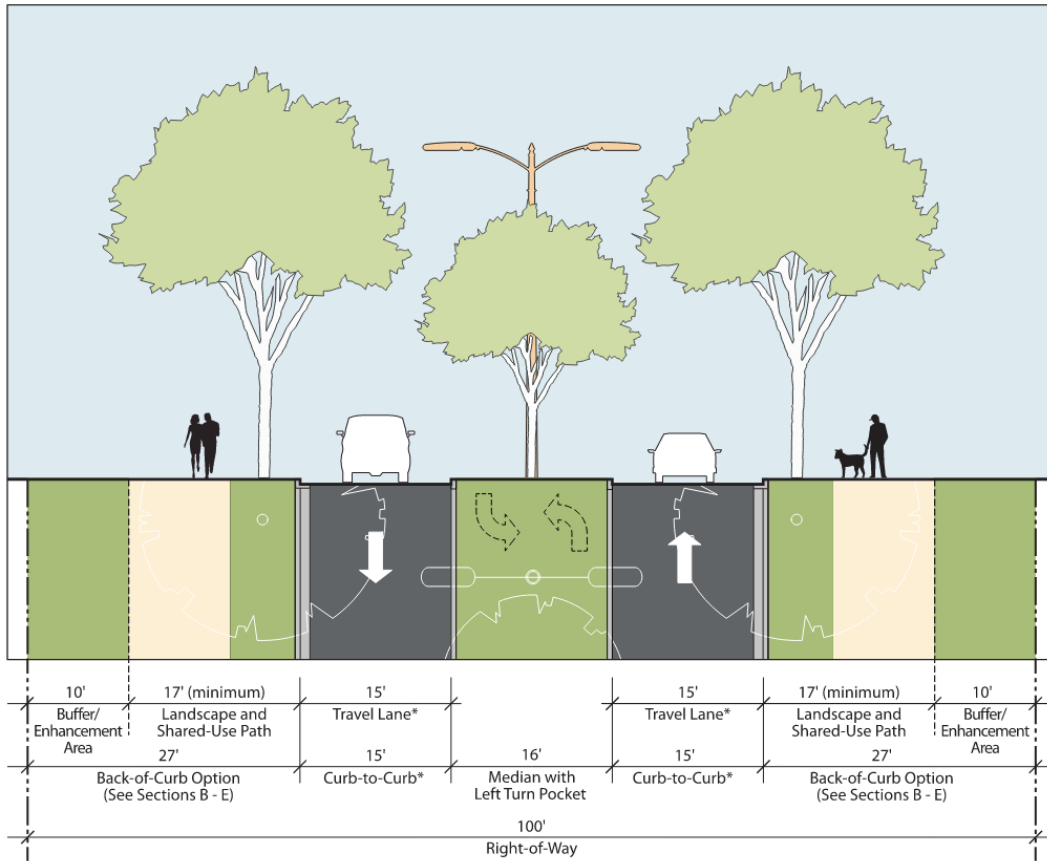
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2 Lane Downtown Commercial Street with Parallel Parking  
City of Dripping Springs - Transportation Master Plan

**Creek Road Improvements:**

The City’s approved Transportation Master Plan shows Creek Road as a two-Lane Major Divided Arterial (MAD2). This street section improves traffic flow and safety while establishing pedestrian access facilities and improving drainage for this approximately 1-mile corridor. It will remain a two-lane road but will be divided either by a median or center turn lane. This section also includes shared use paths and curb and guttered stormwater conveyance. Right of Way (ROW) of 90 to 100 feet will be required to provide these improvements. Much of the existing ROW is as narrow as 50 feet. The project will provide much needed improvements to a heavily utilized east/west connector that is forecasted to see increased development. Prior to finalization of the street section additional study will be done.

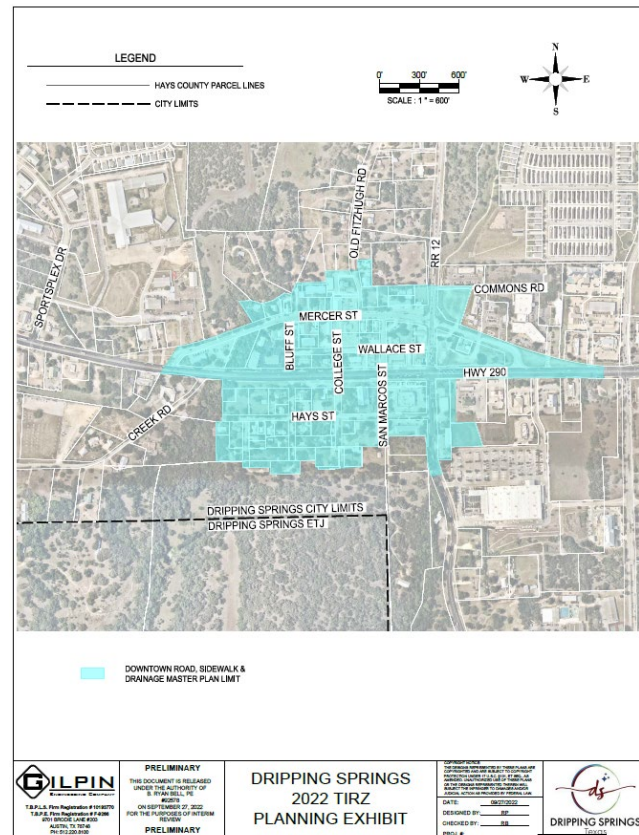


**2 Lane Minor/Major Arterial Divided**  
**City of Dripping Springs - Transportation Master Plan**

**NOTES**  
 - Curb-to-cu  
 - For Back-of

**Downtown Road, Sidewalk & Drainage Master Plan**

This Downtown Road, Sidewalk and Drainage Master Plan will seek to develop a phased approach to source funding for the design and construction of improvements consistent with the City’s approved Transportation Master Plan. The plan will include core downtown streets Mercer, Wallace, Hays, Bluff, College, San Marcos and Old Fitzhugh. The plan will focus on improving downtown parking, pedestrian access and safety at the same time as improving the City’s downtown drainage conveyance facilities. Parking improvements will include options for angled parking or parallel parking along improved street sections. Pedestrian facilities will include combinations of 5-foot sidewalks and shared use paths as well as extension of the network of street lighting, benches and bike racks already implemented in Mercer Street and currently being planned for Old Fitzhugh Road. Storm conveyance will be improved to curb and gutter with underground pipes systems.



## Benefits to Taxing Units

The TIRZ as proposed will allow the City, County, and Library to partner with each other for public improvements each may have planned for the area. The City believes that a TIRZ is the best mechanism by which to partner with the County and also with private sector developers to plan, fund, and construct the needed improvements over the long-range time horizon such an ambitious undertaking might require. The City and County will be able to fund a large building site for a building complex with city and county services.

Through the TIRZ, the City and County can both maximize the value of the ETJ to the benefit of their respective voters and citizens, as well as contribute to the community cohesion that comes with planned development. Developers seeking to partner with the TIRZ will be required to petition for annexation into the City. This performance driven structure will shift the cost and risk of construction to the private sector, with repayment coming out of new growth resulting from the infrastructure provided.

### 1. Changes to Municipal Ordinances Required 311.011(b)(2))

Some changes to the development code for the Town Center area could be needed to fully complete the projects. Other than these changes and the ordinance changes that will be required by the annexation and zoning of properties currently in the ETJ, there are no other contemplated changes to the City's Code of Ordinances or the Comp Plan.

### 2. Non-Project Costs (311.011(b)(3))

Non-Project Costs will consist of unreimbursed costs of public rights-of way, utility upgrades, street relocation cost, technology investment, public open space improvements, and other private investment. The projects, which are expected to result from the TIRZ major infrastructure improvements, consist of private investment in various development projects which will include internal infrastructure such as internal roads, water, sewer, and drainage facilities, along with the private development. The total value of such projects can reasonably be projected to total more than forty-six million dollars (\$46,000,000) at TIRZ end.

### 3. REINVESTMENT ZONE FINANCING PLAN

The TIRZ is intended to provide a funding and/or reimbursement mechanism for major public infrastructure to provide roadways and public utilities to un-served properties within the Zone, along with various landscape, beautification and urban design components. The comprehensive and long-term nature of the project will promote stability, and sustainable commercial, residential, retail and light industrial opportunities in an area that is currently underutilized and undervalued. The TIRZ may fund all or a portion of the eligible projects.



Photo Credit: DrippingSpringsLife.com

#### 3.1 Estimated Project Cost Description (311.011(c)(1))

The project costs below comply with the categories established in Section 311.002 of the Texas Tax Code. The dollar amounts are approximate estimates based on assumptions of how the land may develop and are expressed in year 2016 dollars. Project Costs may be adjusted to actual development plans, bid costs and/or for inflation. Projects will be undertaken and paid for as funds are available from increment or other sources. The intent is to complete as many of the projects as can be funded from tax increment revenues notwithstanding whether the costs or tax increments exceed the estimates herein, and costs may be moved among line items.

Project Description	Project Cost Estimate <sup>1</sup>	Proportionate Cost
Capital Projects Roads and Drainage	\$ 25,150,000	\$ 16,387,500
Civic Facilities City Hall as portion of Town Center	\$ 3,000,000	\$ 2,250,000
Public Parking Downtown	\$ 200,000	\$ 150,000
Stephenson Building	\$ 2,200,000	\$ 1,100,000

<sup>1</sup> Projects that also benefit the area in TIRZ # 2 may also be funded by that TIRZ.

Downtown Bathrooms	\$ 300,000	\$ 150,000
<b>Total Estimated Project Costs</b>	<b>\$ 30,850,000</b>	<b>\$ 20,037,500</b>

In addition to the projects described above, the following categories established in Section 311.002(1) of the Texas Tax Code as eligible project costs will be considered eligible project costs. The TIRZ will fund project costs at the discretion and approval of the Board of Directors of the TIRZ. And, when appropriate and practicable, the TIRZ will consider categories that are eligible for financing projects, such as:

- *Capital Projects* related to demolition, environmental abatement, and remediation including site work and fill, necessary to prepare sites and existing structures for new use.
- *Land Costs* associated with property formally conveyed to the public in conjunction with the implementation of projects otherwise eligible for reimbursement may also be eligible for reimbursement.
- *Matching Funds* may be contributed in support of local, state, federal or other capital improvements programs that benefit the project and the region.
- *Streetscape, Gateways, Parks, and Community Facilities* that enhance or serve the existing and future development. These may include, but are not limited to, lighting, walks, landscaping and related street furniture, greenbelts and paths, trails, parks, outdoor pavilions, non-profit community and arts space, and recreational/sports facilities.
- *Professional Services* incurred for architectural, planning, engineering, legal, landscape architecture, financial, marketing, public relations, management, leasing, bookkeeping, tax role verification, environmental, archaeological, and other services and advice necessary to a project.
- *Financing Costs* related to developer's interest, city interest, and financing interest, legal fees, underwriter's fees, brokerage charges, transfer or placement charges, premium and fees paid for loans, credit enhancement fees, notes, bonds or other instruments of credit issued to pay for project costs.
- *Operational Expenses* as may be necessary to provide for the proper administration of the Zone, operation of Zone facilities and services provided therein, over the life of the TIRZ.

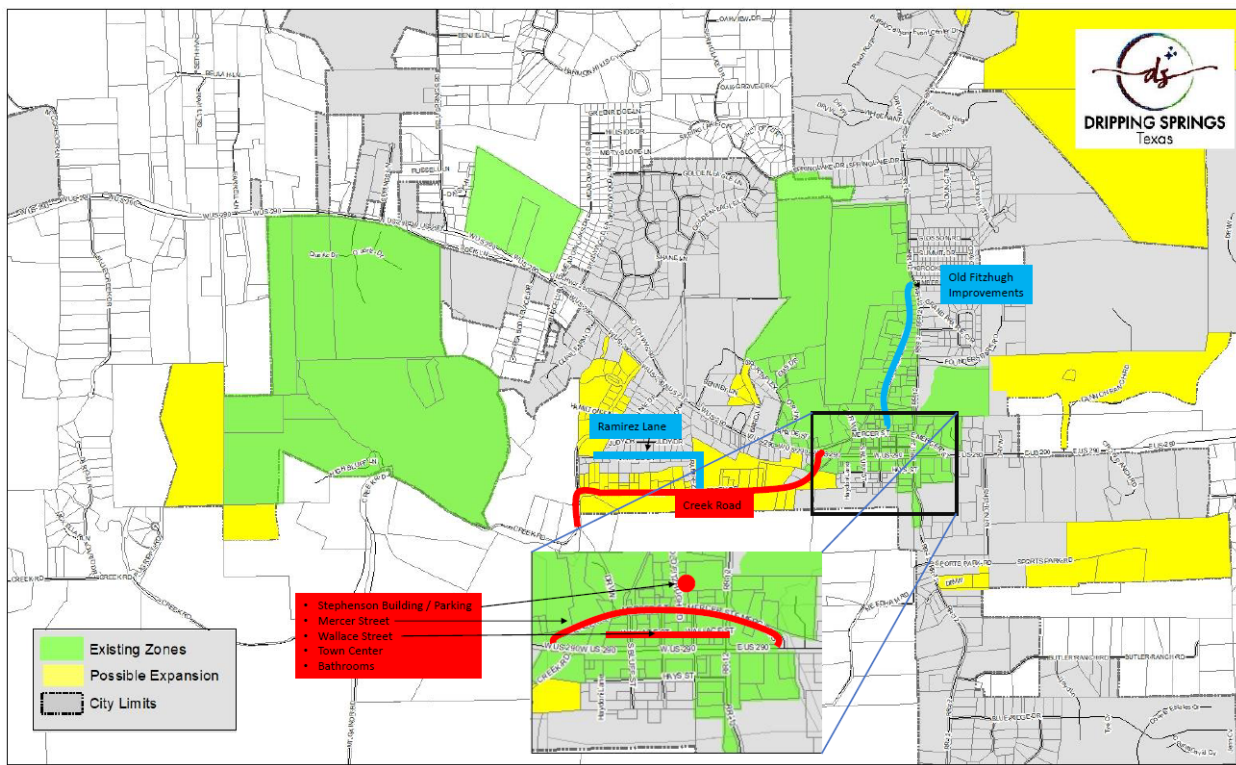
### 3.2 Kind, Number and Location of Proposed Public Improvements (311.011(c)(2))

Proposed public improvements include drainage, roadways (including Old Fitzhugh Road and Creek Road), and various facilities. The majority of these improvements, including roadways, city hall as portion of Town Center, and parking, will be located in the City. Urban design components may also be within the City Limits. The map below indicates the probable location of the listed improvements; however, final alignments will be determined at the time of design. Public infrastructure improvements and civic



facilities will be considered eligible projects anywhere within the Zone.

Map Figure 4- Location of Proposed Projects in TIRZ #1 and TIRZ #2.



### 3.3 Economic Feasibility (311.011(c)(3))

Currently, the projected cost estimates for the projects benefitting the Town Center TIRZ No. 1 are \$20,037,500. This estimate does not include the administrative expenses of running the TIRZ. Using 50% of the incremental increase of the Tax Rate of \$.1778, \$.089, after thirty (30) years, the expected amount in the Tax Increment Fund will be conservatively estimated at \$22,589,684. Thus, the TIRZ with a 50% of the increment, currently at \$.089, the TIRZ will be able to fund all of the projected estimated costs. See Attachment “A”. (With the County participating at 50% on some properties and 25% at some properties the total projected revenue is \$81,000,000).

### 3.4 Estimate of Bonded Indebtedness To Be Incurred (311.011(c)(4))

Bonds, notes or other obligations may be issued to yield net proceeds sufficient to pay all or a portion of the eligible project costs and related professional fees that are currently estimated at, but are not limited to, \$20,037,500. The City, at its sole discretion, may issue or cause to be issued bonds, notes, or other obligations secured by tax increment revenues, the proceeds of which could be used to pay for or reimburse Project Costs, including public improvements, capitalized interest, professional fees, developer interest and costs of issuance of the bonds.

### 3.5 Estimated Time When Monetary Obligations Are To Be Incurred (311.011(c)(S))

Since the buildout horizon for TIRZ improvements will be market driven, it is anticipated that the completion of the infrastructure will take a minimum of five years from the date of this Updated Plan, although some projects may be started within the first two years in anticipation of the increase in TIRZ Funds. Bond issuance will occur at appropriate times as determined by the City and the City's Financial Advisor. Project Costs, administrative costs, and costs related to the creation and organization of the TIRZ may be paid from the issuance of bonds or directly from tax increment revenue.

### 3.6 Methods and Sources of Financing (311.011(c)(6))

The primary sources of revenue will be the ad valorem property taxes generated on the annual increment value above the base year value. The City has adopted an increment of 50% or \$.089 for a period of 30 years. This participation will create an estimated fund of \$60,000,000 in 30 years.

To ensure timely construction of public improvements, pay-as-you-go and other various methods of financing may be utilized. These include:

- *Tax Increment Bonds or Notes.* As allowed by annual incremental increases in Zone assessed value, tax-exempt tax increment bonds or notes may be issued to fund improvements.
- *Direct Reimbursements.* Projects that are closely related to particular private development projects or public infrastructure programs of public agencies, municipalities, and authorities may be financed through reimbursement agreements with a developer, public agency, municipality, or authority using a direct payment annually from the TIRZ increment fund.
- *Other private financing.* Some projects may be financed on a short-term basis through private financial institutions.
- *Grants/Other Public Funds.* To the extent permitted by law, efforts will be made to leverage TIRZ funds with other public funds and economic development tools.

### 3.7 Current Appraised Value of Taxable Real Property (311.011(c)(7))

Based upon the 2022 Hays County Appraisal District certified tax roll, the base year value of the proposed TIRZ will be \$71,961,330.

### 3.8 Estimated Captured Appraised Value By Year (311.011(c)(8))

The table on the following page shows the Captured Appraised Value and the resulting revenue from the City and County for the duration of the Zone.

### 3.9 Duration of Zone (311.011(c)(9))

The Zone is being proposed for a thirty (30) year period, with the final payment of increment being made on values and at rates for 2045, which revenue may be paid in 2046. Therefore, the

Zone will terminate for purposes of collection on December 31, 2046.

#### 4. CAPTURED APPRAISED VALUE-CITY

##### TIRZ 1 Captured Appraised Value - City

TIRZ #1 Increment	Year	Tax Year	TIRZ #1 Base	Projected			
				Incremental Tax Base Subject to Capture	Total Projected Assessed Valuation		
Base [a]	2022	\$	70,382,980	\$	99,250,614	\$	169,633,594
1	2023	\$	70,382,980	\$	102,643,286	\$	173,026,266
2	2024	\$	70,382,980	\$	310,103,811	\$	380,486,791
3	2025	\$	70,382,980	\$	525,203,832	\$	595,586,812
4	2026	\$	70,382,980	\$	697,493,946	\$	767,876,926
5	2027	\$	70,382,980	\$	848,375,324	\$	918,758,304
6	2028	\$	70,382,980	\$	941,802,976	\$	1,012,185,956
7	2029	\$	70,382,980	\$	1,012,430,668	\$	1,082,813,648
8	2030	\$	70,382,980	\$	1,085,816,822	\$	1,156,199,802
9	2031	\$	70,382,980	\$	1,133,879,093	\$	1,204,262,073
10	2032	\$	70,382,980	\$	1,157,964,335	\$	1,228,347,315
11	2033	\$	70,382,980	\$	1,182,531,281	\$	1,252,914,261
12	2034	\$	70,382,980	\$	1,207,589,566	\$	1,277,972,546
13	2035	\$	70,382,980	\$	1,233,149,017	\$	1,303,531,997
14	2036	\$	70,382,980	\$	1,259,219,657	\$	1,329,602,637
15	2037	\$	70,382,980	\$	1,285,811,710	\$	1,356,194,690
16	2038	\$	70,382,980	\$	1,312,935,604	\$	1,383,318,584
17	2039	\$	70,382,980	\$	1,340,601,975	\$	1,410,984,955
18	2040	\$	70,382,980	\$	1,368,821,674	\$	1,439,204,654
19	2041	\$	70,382,980	\$	1,397,605,767	\$	1,467,988,747
20	2042	\$	70,382,980	\$	1,426,965,542	\$	1,497,348,522
21	2043	\$	70,382,980	\$	1,456,912,513	\$	1,527,295,493
22	2044	\$	70,382,980	\$	1,487,458,423	\$	1,557,841,403
23	2045	\$	70,382,980	\$	1,518,615,251	\$	1,588,998,231
24	2046	\$	70,382,980	\$	1,550,395,215	\$	1,620,778,195

[a] The Base Year for the original properties in TIRZ 1 is Tax Year 2016. The Base Year for the new properties being added to TIRZ 1 is Tax Year 2022. The base value shown above is the sum of these figures.

## 5. COST ESTIMATES FOR POTENTIAL TIRZ PROJECTS IN TOWN CENTER TIRZ (TIRZ # 1)

(Note: These estimates are not based on plans and specifications nor a detailed scope of work; they represent rough orders of magnitude; Projects that also benefit the area in TIRZ # 2 may also be funded by that TIRZ)

1. Old Fitzhugh Road - Street and Drainage Improvements with improved streetscape including sidewalks and lighting

Estimated Cost = \$6,250,000 TIRZ No. 2 Proportionate Share=\$1,562,500

**TIRZ No. 1 Estimated Share: \$4,687,500**

2. Town Center Improvements - Street, drainage, street trees, way finding signage, street lighting and sidewalk improvements in downtown.

Estimated Cost = \$5,400,000 TIRZ No. 2 Proportionate Share=\$1,350,000

**TIRZ No. 1 Estimated Share: \$4,050,000**

3. Triangle/US 290/RR12 area road and drainage improvements to enhance development

Estimated Cost = \$500,000 TIRZ No. 2 Proportionate Share=\$125,000

**TIRZ No. 1 Estimated Share: \$375,000**

4. City Hall site acquisition and building as portion of Town Center

Estimated Cost = \$3,000,000 TIRZ No. 2 Proportionate Share=\$750,000

**TIRZ No. 1 Estimated Share: \$2,250,000**

5. Garza Road ROW (North Street) acquisition and improvements to connect Mercer to Heritage Subdivision

**Estimated Cost = \$300,000 (does not include utilities nor ROW acquisition)**

6. Public Parking in downtown area to enhance economic development

Estimated Cost = \$200,000 TIRZ No. 2 Proportionate Share=\$50,000

**TIRZ No. 1 Estimated Share: \$150,000**

7. Creek Road Project

Estimated Cost = \$10,000,000 TIRZ No. 2 Proportionate Share=\$5,000,000

**TIRZ No. 1 Estimated Share: \$5,000,000**

8. Wallace Street Project

Estimated Cost: \$2,500,000 TIRZ No. 2 Proportionate Share=\$625,000

**TIRZ No. 1 Estimated Share: \$1,875,000**

9. Stephenson Building Project

Estimated Cost: \$2,200,000 TIRZ No. 2 Proportionate Share=\$1,100,000

**TIRZ No. 1 Estimated Share: \$1,100,000**

10. Downtown Road, Sidewalk & Drainage Master Plan

Estimated Cost: \$200,000 TIRZ No. 2 Proportionate Share=\$100,000

**TIRZ No. 1 Estimated Share: \$100,000**

11. Downtown Bathrooms

Estimated Cost: \$300,000 TIRZ No. 2 Proportionate Share=\$150,000

**TIRZ No. 1 Estimated Share: \$ 150,000**

**Total Estimated: \$30,850,000**

**Total Estimated Proportionate Share \$20,037,500**

## ATTACHMENT "A"-ECONOMIC FEASIBILITY

TIRZ 1 Economic Feasibility - City

TIRZ #1 Increment	Year	Tax Year	Projected Incremental Tax			Tax Collection Delinquencies at 2%	Total Net Tax Collections	City TIRZ #1			Projected Net TIRZ #1 Revenue	TIRZ #1 Revenue Discounted at 5%	City Retained Taxes (General Fund)
			TIRZ #1 Base	Base Subject to Capture	Total Projected Assessed Valuation			Participation at \$0.0889 Tax Rate	TIRZ Admin Expense				
Base [a]	2022	\$ 70,382,980	\$ 99,250,614	\$ 169,633,594	\$ 6,032	\$ 295,576	\$ 172,938	\$ 86,469	\$ 27,602	\$ 58,867	\$ 58,867	\$ 86,469	
1	2023	\$ 70,382,980	\$ 102,643,286	\$ 173,026,266	\$ 6,153	\$ 301,488	\$ 178,850	\$ 89,425	\$ 28,154	\$ 61,271	\$ 58,353	\$ 89,425	
2	2024	\$ 70,382,980	\$ 310,103,811	\$ 380,486,791	\$ 13,530	\$ 662,975	\$ 540,337	\$ 270,169	\$ 28,717	\$ 241,452	\$ 219,004	\$ 270,169	
3	2025	\$ 70,382,980	\$ 525,203,832	\$ 595,586,812	\$ 21,179	\$ 1,037,774	\$ 915,136	\$ 457,568	\$ 29,291	\$ 428,277	\$ 369,961	\$ 457,568	
4	2026	\$ 70,382,980	\$ 697,493,946	\$ 767,876,926	\$ 27,306	\$ 1,337,979	\$ 1,215,341	\$ 607,671	\$ 29,877	\$ 577,793	\$ 475,352	\$ 607,671	
5	2027	\$ 70,382,980	\$ 848,375,324	\$ 918,758,304	\$ 32,671	\$ 1,600,881	\$ 1,478,243	\$ 739,122	\$ 30,475	\$ 708,647	\$ 555,243	\$ 739,122	
6	2028	\$ 70,382,980	\$ 941,802,976	\$ 1,012,185,956	\$ 35,993	\$ 1,763,673	\$ 1,641,035	\$ 820,518	\$ 31,084	\$ 789,433	\$ 589,087	\$ 820,518	
7	2029	\$ 70,382,980	\$ 1,012,430,668	\$ 1,082,813,648	\$ 38,505	\$ 1,886,738	\$ 1,764,100	\$ 882,050	\$ 31,706	\$ 850,344	\$ 604,323	\$ 882,050	
8	2030	\$ 70,382,980	\$ 1,085,816,822	\$ 1,156,199,802	\$ 41,114	\$ 2,014,609	\$ 1,891,971	\$ 945,985	\$ 32,340	\$ 913,645	\$ 618,391	\$ 945,985	
9	2031	\$ 70,382,980	\$ 1,133,879,093	\$ 1,204,262,073	\$ 42,824	\$ 2,098,354	\$ 1,975,716	\$ 987,858	\$ 32,987	\$ 954,871	\$ 615,518	\$ 987,858	
10	2032	\$ 70,382,980	\$ 1,157,964,335	\$ 1,228,347,315	\$ 43,680	\$ 2,140,321	\$ 2,017,683	\$ 1,008,842	\$ 33,647	\$ 975,195	\$ 598,685	\$ 1,008,842	
11	2033	\$ 70,382,980	\$ 1,182,531,281	\$ 1,252,914,261	\$ 44,554	\$ 2,183,128	\$ 2,060,490	\$ 1,030,245	\$ 34,320	\$ 995,925	\$ 582,297	\$ 1,030,245	
12	2034	\$ 70,382,980	\$ 1,207,589,566	\$ 1,277,972,546	\$ 45,445	\$ 2,226,790	\$ 2,104,152	\$ 1,052,076	\$ 35,006	\$ 1,017,070	\$ 566,343	\$ 1,052,076	
13	2035	\$ 70,382,980	\$ 1,233,149,017	\$ 1,303,531,997	\$ 46,354	\$ 2,271,326	\$ 2,148,688	\$ 1,074,344	\$ 35,706	\$ 1,038,638	\$ 550,812	\$ 1,074,344	
14	2036	\$ 70,382,980	\$ 1,259,219,657	\$ 1,329,602,637	\$ 47,281	\$ 2,316,753	\$ 2,194,115	\$ 1,097,057	\$ 36,420	\$ 1,060,637	\$ 535,694	\$ 1,097,057	
15	2037	\$ 70,382,980	\$ 1,285,811,710	\$ 1,356,194,690	\$ 48,226	\$ 2,363,088	\$ 2,240,450	\$ 1,120,225	\$ 37,149	\$ 1,083,076	\$ 520,978	\$ 1,120,225	
16	2038	\$ 70,382,980	\$ 1,312,935,604	\$ 1,383,318,584	\$ 49,191	\$ 2,410,350	\$ 2,287,712	\$ 1,143,856	\$ 37,892	\$ 1,105,964	\$ 506,655	\$ 1,143,856	
17	2039	\$ 70,382,980	\$ 1,340,601,975	\$ 1,410,984,955	\$ 50,175	\$ 2,458,557	\$ 2,335,919	\$ 1,167,959	\$ 38,649	\$ 1,129,310	\$ 492,714	\$ 1,167,959	
18	2040	\$ 70,382,980	\$ 1,368,821,674	\$ 1,439,204,654	\$ 51,178	\$ 2,507,728	\$ 2,385,090	\$ 1,192,545	\$ 39,422	\$ 1,153,122	\$ 479,146	\$ 1,192,545	
19	2041	\$ 70,382,980	\$ 1,397,605,767	\$ 1,467,988,747	\$ 52,202	\$ 2,557,882	\$ 2,435,244	\$ 1,217,622	\$ 40,211	\$ 1,177,411	\$ 465,942	\$ 1,217,622	
20	2042	\$ 70,382,980	\$ 1,426,965,542	\$ 1,497,348,522	\$ 53,246	\$ 2,609,040	\$ 2,486,402	\$ 1,243,201	\$ 41,015	\$ 1,202,186	\$ 453,091	\$ 1,243,201	
21	2043	\$ 70,382,980	\$ 1,456,912,513	\$ 1,527,295,493	\$ 54,311	\$ 2,661,221	\$ 2,538,583	\$ 1,269,291	\$ 41,835	\$ 1,227,456	\$ 440,586	\$ 1,269,291	
22	2044	\$ 70,382,980	\$ 1,487,458,423	\$ 1,557,841,403	\$ 55,397	\$ 2,714,445	\$ 2,591,807	\$ 1,295,904	\$ 42,672	\$ 1,253,231	\$ 428,417	\$ 1,295,904	
23	2045	\$ 70,382,980	\$ 1,518,615,251	\$ 1,588,998,231	\$ 56,505	\$ 2,768,734	\$ 2,646,096	\$ 1,323,048	\$ 43,526	\$ 1,279,522	\$ 416,576	\$ 1,323,048	
24	2046	\$ 70,382,980	\$ 1,550,395,215	\$ 1,620,778,195	\$ 57,635	\$ 2,824,109	\$ 2,701,471	\$ 1,350,735	\$ 44,396	\$ 1,306,339	\$ 405,054	\$ 1,350,735	
					\$ 1,020,684	\$ 50,013,521	\$ 46,947,568	\$ 23,473,784	\$ 884,100	\$ 22,589,684	\$ 11,607,090	\$ 23,473,784	

[a] The Base Year for the original properties in TIRZ 1 is Tax Year 2016. The Base Year for the new properties being added to TIRZ 1 is Tax Year 2022. The base value shown above is the sum of these figures.



Final Project Plan and Reinvestment Zone  
Financing Plan for Proposed  
**TAX INCREMENT REINVESTMENT ZONE NO. 2**  
Southwest TIRZ, City of Dripping Springs

DECEMBER 13, 2016  
UPDATED October 18, 2022



# 1. OVERVIEW

## 1.1 Background

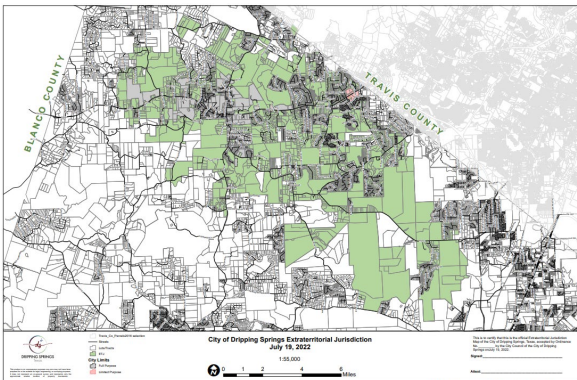
The City of Dripping Springs (the “City”) is a Texas general law municipality incorporated in 1981, located 25 miles west of Austin, Texas. Dripping Springs has an unusually large Extra-Territorial Jurisdiction; with nearly 75,000 square acres the area expands from the city limits of Buda to Travis County and west of Austin. The Dripping Spring ETJ encompasses a majority of the northwestern half of Hays County. The City Limits and the City’s ETJ are below in the *Map Figure 1*.

According to the latest Census numbers issued for 2020, the City has had a large increase in population in the last ten years within the city limits and an even large increase in the ETJ and School District. This pattern is expected to continue.

As of the 2020 census, the Dripping Springs population, within its city limits, is about 4,656 although its extraterritorial jurisdiction (ETJ) is home to over 40,000 residents. The city offers an exceptional school system and proximity to Austin and San Antonio.

The City created two Tax Increment Reinvestment Zones in 2016, including this Town Center TIRZ No. 1. This plan is an updated version of TIRZ No. 2 where the City, in coordination with the County, has identified additional projects and properties that would benefit the City and County’s residents.

Map Figure 1- City Limit and ETJ



## 1. The Challenge

- a) Within the City Limits, the City has land available for development, in addition to areas of substandard development. The City needs additional means of planning and providing infrastructure to promote overall quality development in the area;
- b) The City’s downtown has dilapidated and unoccupied buildings that inhibit the City’s growth;
- c) The lack of sidewalks and the inadequacy of certain streets in Dripping Springs also inhibits the growth of the City; and

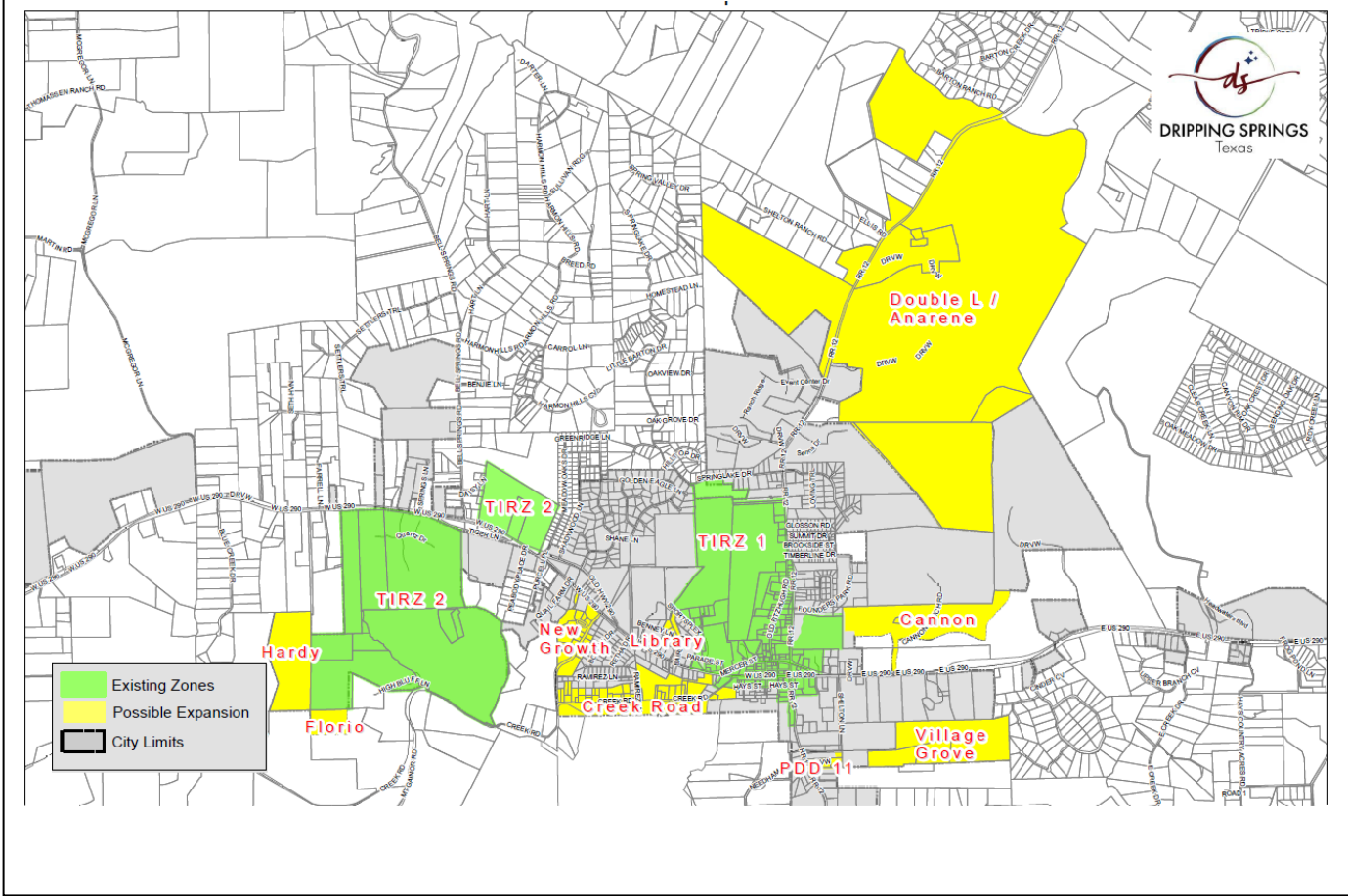
d) Low quality and/or sub-standard developments will be an ongoing obstacle to annexation and City growth if allowed to continue.

### 2. Responding to the Challenge

In 2016, the City partnered with the County to County participate in a Tax Increment Reinvestment Zone (“TIRZ” or “Zone”) to be created over certain commercial and residential areas within the City. *Map Figure 2* depicts the TIRZ Boundary, and the respective areas of in-City included.

The road and drainage improvements listed, Old Fitzhugh Road, Mercer Street, Triangle, Creek Road, Stephenson Building, Downtown Road and Drainage Improvements, and Ramirez Lane, will benefit every resident of Dripping Springs. Additionally, improvements will also benefit development in the area west of downtown by providing an area for residents of future development to participate in City activities and allow movement around the City itself and out into the greater Travis County area. These improvements are feasible and practical and will benefit the area within the TIRZ boundary.

Map Figure 2: Proposed TIRZ boundary



The road and drainage improvements listed, especially those related to Old Fitzhugh Road, Mercer Street, and Creek Road will benefit every resident of Dripping Springs and its ETJ. Additionally, these road improvements will also benefit development in the area north of downtown by providing access to downtown and the greater Travis County area. These

improvements are feasible and practical and will benefit the area within in the TIRZ boundary.

The proposed TIRZ would afford the opportunity for the City to plan and prepare for the provision of public infrastructure to areas within its City Limits, including street and drainage improvements, Town Center improvements, Triangle/US 290/RR12 area, road and drainage improvements, Public Parking downtown, Creek Road Improvements, Stephenson Building Improvements, and other road and drainage improvements.

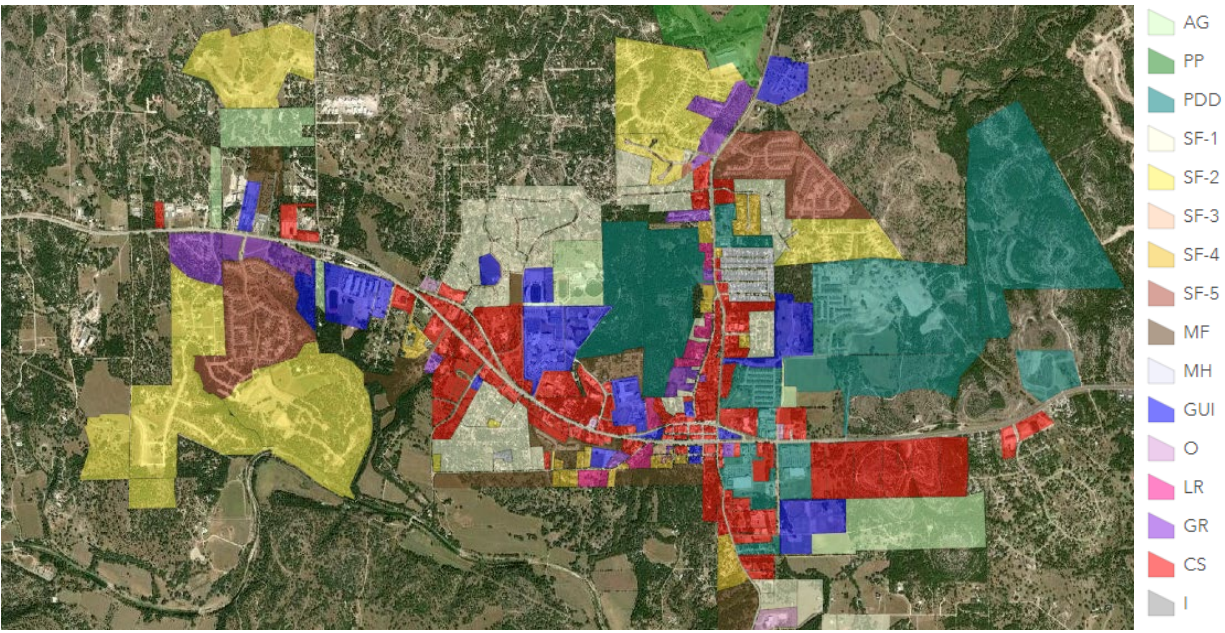
The TIRZ is one layer of funding to help leverage additional funding sources for city improvements. Creating a TIRZ with identified projects is an effective method to communicate to the public and the development community the city’s key areas for investment and targeted growth.

The City desires to maximize and preserve the taxable value of land and improvements in its City Limits. Residents understand that maintaining their property values depends in no small part on high quality development within the City Limits and ETJ.

The City is experiencing and will continue to experience rapid growth. The City may need to update its land development code as it relates to the Town Center area in order to foster the development types that support the City’s future goals. A detailed look at natural attributes, infrastructure, development trends, targeted development areas and the comprehensive plan should be evaluated to determine the new code requirements.

If this opportunity is missed, the City will be unable to provide the full array of city services and roads to promote development inside the City Limits. But for the creation of the TIRZ this area is not likely to attract and maintain private investment sufficient or timely enough to provide the proposed public improvements.

Map Figure 3: Proposed Uses



## **2. FINAL PROJECT PLAN**

This Updated Project Plan and Reinvestment Zone Financing Plan (“The Updated Plan”) has been prepared in accordance with the requirements of Chapter 311.011 of the Texas Tax Code and outlines the improvements to be funded and implemented by the proposed Tax Increment Reinvestment Zone Number 2, Southwest TIRZ, Dripping Springs, Texas.

There are several key projects identified to help the city reach its real development potential Downtown and getting to Downtown through transportation projects. These projects involve the important aspects needed to create solid framework for a successful eighteen-hour downtown that is accessible to all residents.

### **Town Center:**

The Town Center Concept is the foundation of the TIRZ creation. The town center is the catalyst project that would spur new development and increase the value of properties West of downtown who will often need to commute through central Dripping Springs to reach employment and recreational activities in Dripping Springs or in Austin. The timing of the town center is important to all of the parties involved in the project. Due to rapid population growth, the City and County are both looking for new facilities. The idea to co-locate the entities into a shared facility is a cost-effective way to design civic services. This project will include parking, city hall site acquisition and building a new civic building as a portion of the Town Center.

When creating a new town center in an existing historic environment, it’s important to understand and respect the character of the town. Most importantly, we must be sensitive to the area being studied to house the newly created district.

### **Stephenson Building Project**

This project is for the preservation and renovation of the building at 101 Old Fitzhugh Road to serve as a community meeting, programs, and performance space, with some civic offices. The work includes hazardous materials abatement, cleaning the foundation, roof replacement, historic window restoration or replacement, gutter system replacement, restoration of the wood floor, ceiling restoration and installation of suspended acoustical ceiling in secondary spaces, TAS/ADA accessibility, mechanical, electrical, plumbing, thermal and moisture protection, carpentry, finishes, earthwork, grading, paving, and an addition for restrooms, storage, and a back stage area.

### **Downtown Bathrooms**

The City has looked at downtown bathrooms to serve the downtown Mercer and Old Fitzhugh Districts. These bathrooms would be in the downtown area and may be attached or near the Stephenson Building. The bathrooms would include an accessible bathroom.

### **Transportation Improvements: Mercer Street and Old Fitzhugh Road:**

The newly constructed benches and sidewalks on Mercer Street are a great start to creating a downtown sense of place. The next series of downtown investments identified in the TIRZ Project Plan are the redesign and construction of Mercer Street and Old Fitzhugh Road to create the Town Center. These two streets are the most important streets within the historic downtown. The street designs for these streets are critical to the success of the downtown. They must be designed in partnership with the targeted development patterns along these streets. In order to achieve the ideal street and development type, the City must update its development regulations within this Zone.



Photo Credit: Around Dripping Springs

### **Ramirez Lane**

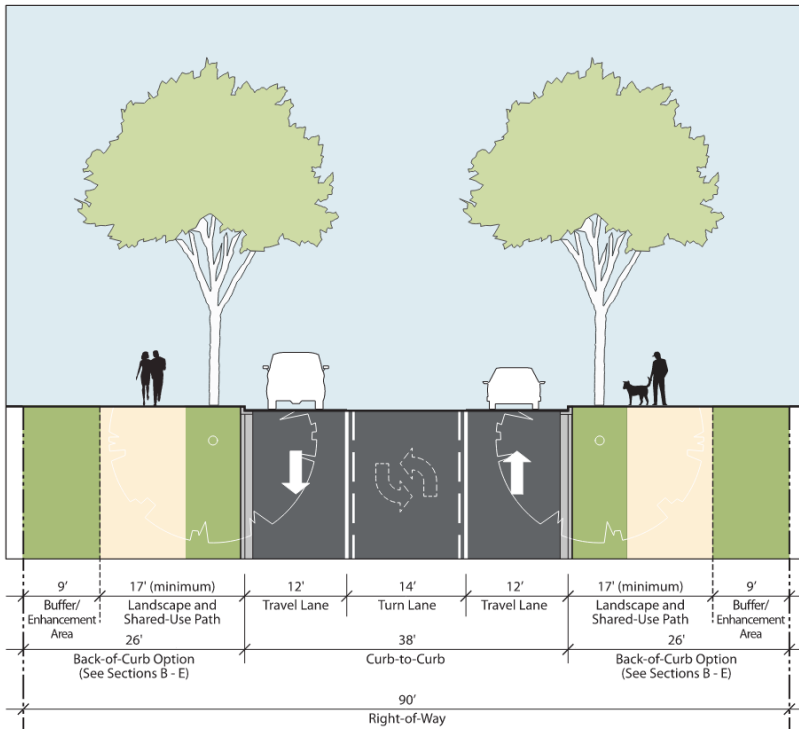
Upgrades to this road will assist developments west of downtown to be able to offer increased access to downtown and Austin.

Based on the existing street layout and the disconnected street pattern in new developments, connectivity is a serious challenge for the city. Providing new and alternative connections are addressed in the TIRZ Project Plan. The following projects will help connect neighborhoods:

1. Roger Hanks Parkway;
2. Garza Road ROW (North Street) connect Mercer to Heritage Subdivision;
3. Creek Road;
4. Wallace Street; and
5. Ramirez Lane.

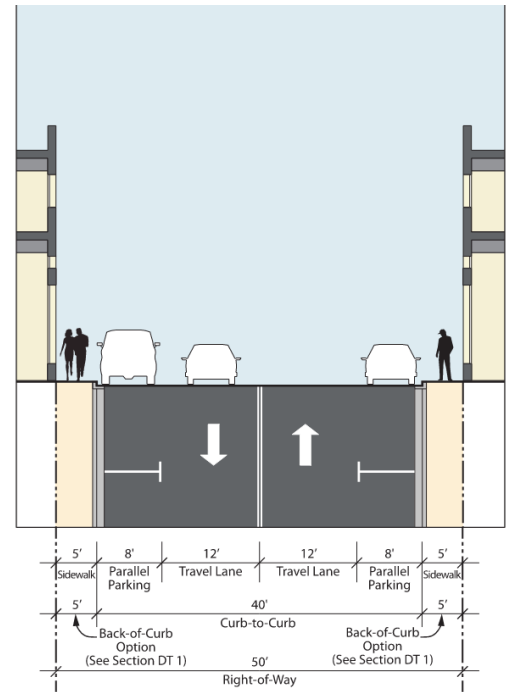
### **Wallace Street Improvements:**

The City's approved Transportation Master Plan (TMP) shows Wallace Street as a two-Lane Commercial Local Street (CLS2). This project proposes to improve Wallace Street to match the TMP for its entire length from Bluff Street to RR12, approximately 1,000 linear feet. It will remain a two-lane road but will establish much needed parallel parking, curb and gutter stormwater conveyance and pedestrian sidewalks on both sides of the street all within the existing 50-foot Right of Way.



2 Lane Minor Arterial Divided with Center Turn Lane  
 City of Dripping Springs - Transportation Master Plan

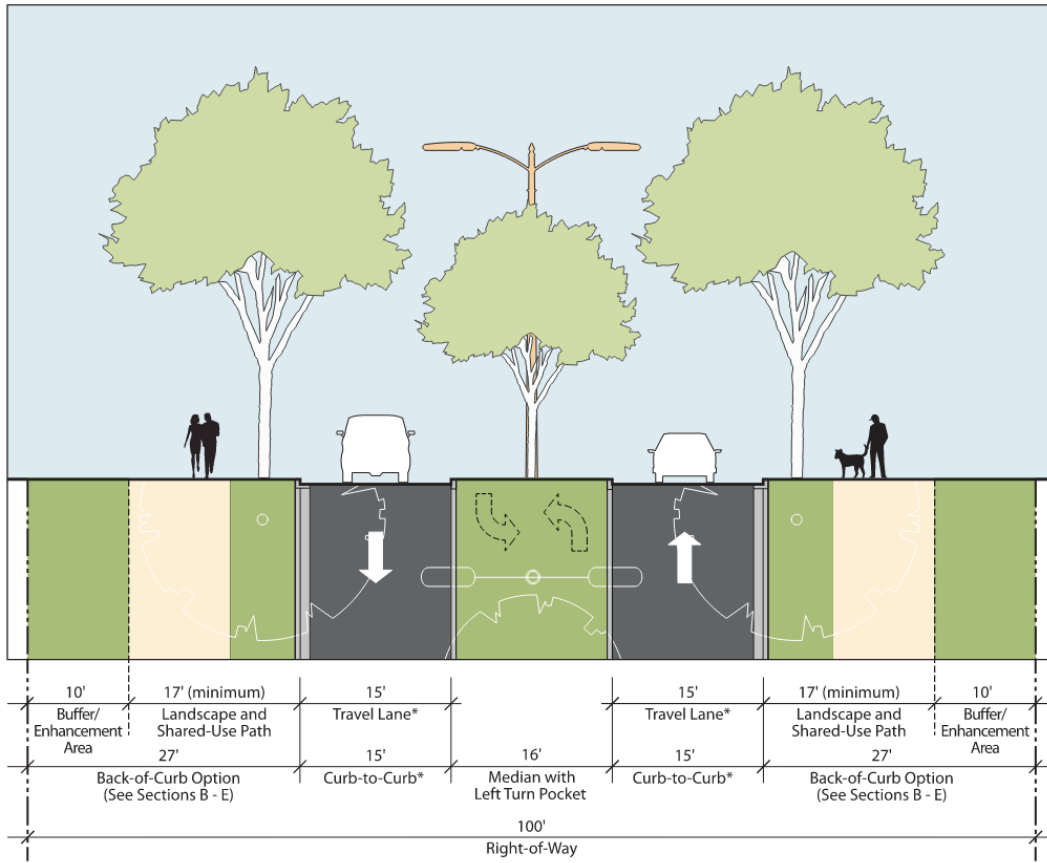
NOI  
 - CL  
 - FG  
 - FR



2 Lane Downtown Commercial Street with Parallel Parking  
 City of Dripping Springs - Transportation Master Plan

**Creek Road Improvements:**

The City’s approved Transportation Master Plan shows Creek Road as a two-Lane Major Divided Arterial (MAD2). This street section improves traffic flow and safety while establishing pedestrian access facilities and improving drainage for this approximately 1-mile corridor. It will remain a two-lane road but will be divided either by a median or center turn lane. This section also includes shared use paths and curb and guttered stormwater conveyance. Right of Way (ROW) of 90 to 100 feet will be required to provide these improvements. Much of the existing ROW is as narrow as 50 feet. The project will provide much needed improvements to a heavily utilized east/west connector that is forecasted to see increased development. Prior to finalization of the street section additional study will be done.

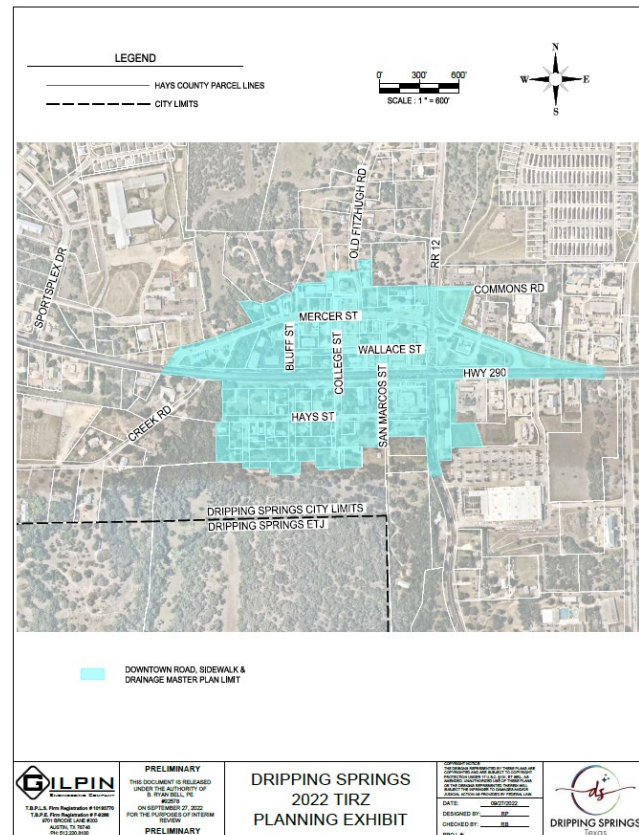


**2 Lane Minor/Major Arterial Divided**  
**City of Dripping Springs - Transportation Master Plan**

**NOTES**  
 - Curb-to-cu  
 - For Back-of

**Downtown Road, Sidewalk & Drainage Master Plan**

This Downtown Road, Sidewalk and Drainage Master Plan will seek to develop a phased approach to source funding for the design and construction of improvements consistent with the City’s approved Transportation Master Plan. The plan will include core downtown streets Mercer, Wallace, Hays, Bluff, College, San Marcos and Old Fitzhugh. The plan will focus on improving downtown parking, pedestrian access and safety at the same time as improving the City’s downtown drainage conveyance facilities. Parking improvements will include options for angled parking or parallel parking along improved street sections. Pedestrian facilities will include combinations of 5-foot sidewalks and shared use paths as well as extension of the network of street lighting, benches and bike racks already implemented in Mercer Street and currently being planned for Old Fitzhugh Road. Storm conveyance will be improved to curb and gutter with underground pipes systems.



<p>GILPIN                  18 P.L.S. Pro Preparation # 1018770                  1801 Brock Lane #400                  Austin, TX 78766                  PH: 512.220.8388</p>	<p>PRELIMINARY                  THIS DOCUMENT IS RELEASED UNDER THE AUTHORITY OF B. REYNOLDS, P.E.                  DATE: 04/27/2022                  FOR THE PURPOSES OF DESIGN REVIEW</p>	<p>DRIPPING SPRINGS                  2022 TIRZ                  PLANNING EXHIBIT</p>	<p>DATE: 04/27/2022                  DESIGNED BY: [signature]                  CHECKED BY: [signature]                  PROJ #:</p>
	<p>PRELIMINARY</p>	<p>DRIPPING SPRINGS TEXAS</p>	

## **Benefits to All Taxing Units**

The TIRZ as proposed will allow the City, County, and Library to partner with each other for public improvements each may have planned for the area. The City believes that a TIRZ is the best mechanism by which to partner with the County and also with private sector developers to plan, fund, and construct the needed improvements over the long-range time horizon such an ambitious undertaking might require. The City and County will be able to fund a large building site for a building complex with city and county services.

Through the TIRZ, the City and County can both maximize the value of the ETJ to the benefit of their respective voters and citizens, as well as contribute to the community cohesion that comes with planned development. Developers seeking to partner with the TIRZ will be required to petition for annexation into the City if requested by the City. This performance driven structure will shift the cost and risk of construction to the private sector, with repayment coming out of new growth resulting from the infrastructure provided.

### **1. Changes to Municipal Ordinances Required 311.011(b)(2))**

Some changes to the development code for the Town Center area could be needed to fully complete the projects. Other than these changes and the ordinance changes that will be required by the annexation and zoning of properties currently in the ETJ, there are no other contemplated changes to the City's Code of Ordinances or Comp Plan.

### **2. Non-Project Costs (311.011(b)(3))**

Non-Project Costs will consist of unreimbursed costs of public rights-of way, utility upgrades, street relocation cost, technology investment, public open space improvements, and other private investment. The projects, which are expected to result from the TIRZ major infrastructure improvements, consist of private investment in various development projects which will include internal infrastructure such as roads, water, sewer, and drainage facilities, along with the private development. The total value of such projects can reasonably be projected to total more than forty-six million dollars (\$46,000,000) at TIRZ end.

## **3. REINVESTMENT ZONE FINANCING PLAN**

The TIRZ is intended to provide a funding and/or reimbursement mechanism for major public infrastructure to provide roadways and public utilities to un-served properties within the Zone, along with various landscape, beautification and urban design components. The comprehensive and long-term nature of the project will promote stability, and sustainable commercial, residential, retail and light industrial opportunities in an area that is currently underutilized and undervalued. The TIRZ may fund all or a portion of the eligible projects.

### **3.1 Estimated Project Cost Description (311.011(c)(1))**

The project costs below comply with the categories established in Section 311.002 of the Texas Tax Code. The dollar amounts are approximate estimates based on assumptions of how the land may develop and are expressed in year 2016 dollars. Project Costs may be adjusted to actual development plans, bid costs and/or for inflation. Projects will be undertaken and



paid for as funds are available from increment or other sources. The intent is to complete as many of the projects as can be funded from tax increment revenues notwithstanding whether the costs or tax increments exceed the estimates herein, and costs may be moved among line items.

Project Description	Project Cost Estimate <sup>1</sup>	Proportionate Cost
Capital Projects Roads and Drainage	\$25,200,000	\$9,162,500
Civic Facilities City Hall as portion of Town Center	\$3,000,000	\$750,000
Public Parking Downtown	\$ 200,000	\$50,000
Stephenson Building	\$2,200,000	\$1,100,000
Downtown Bathrooms	\$300,000	\$150,000
<b>Total Estimated Project Costs</b>	<b>\$30,900,000</b>	<b>\$11,212,500</b>

In addition to the projects described above, the following categories established in Section 311.2(1) of the Texas Tax Code as eligible project costs will be considered eligible project costs. The TIRZ will fund project costs at the discretion and approval of the Board of Directors of the TIRZ. And, when appropriate and practicable, the TIRZ will consider which categories are eligible for financing projects, such as:

- *Capital Projects* related to demolition, environmental abatement, and remediation including site work and fill, necessary to prepare sites and existing structures for new use.
- *Land Costs* associated with property formally conveyed to the public in conjunction with the implementation of projects otherwise eligible for reimbursement may also be eligible for reimbursement.
- *Matching Funds* may be contributed in support of local, state, federal or other capital improvements programs that benefit the project and the region.
- *Streetscape, Gateways, Parks, and Community Facilities* that enhance or serve the existing and future development. These may include, but are not limited to, lighting, sidewalks, landscaping and related street furniture, greenbelts and paths, trails, parks, outdoor pavilions, non-profit community and arts space, and recreational/sports facilities.
- *Professional Services* incurred for architectural, planning, engineering, legal,

<sup>1</sup> Projects that also benefit the area in TIRZ # 2 may also be funded by that TIRZ.

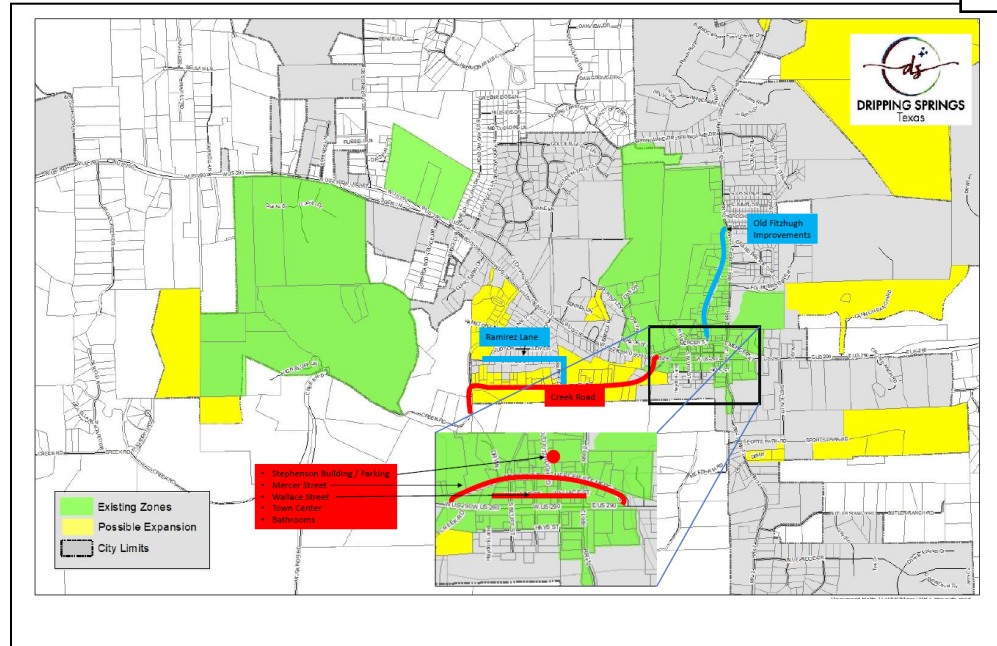
landscape architecture, financial, marketing, public relations, management, leasing, bookkeeping, tax role verification, environmental, archaeological, and other services and advice necessary to a project.

- *Financing Costs* related to developer's interest, city interest, and financing interest, legal fees, underwriter's fees, brokerage charges, transfer or placement charges, premium and fees paid for loans, credit enhancement fees, notes, bonds or other instruments of credit issued to pay for project costs.
- *Operational Expenses* as may be necessary to provide for the proper administration of the Zone, operation of Zone facilities and services provided therein, over the life of the TIRZ.

### 3.2 Kind, Number and Location of Proposed Public Improvements (311.011(c)(2))

Proposed public improvements include drainage, roadways, and various facilities. The majority of these improvements, including roadways, city hall as portion of Town Center, and parking, will be located in the City. Urban design components may also be within the City Limits. The map below indicates the probable location of the listed improvements; however, final alignments will be determined at the time of design. Public infrastructure improvements and civic facilities will be considered eligible projects anywhere within the Zone.

Map Figure 4-  
Location of  
Proposed  
Projects in TIRZ  
#1 and TIRZ #2



### 3.3 Economic Feasibility (311.011(c)(3))

Currently, the projected cost estimates for the projects benefitting the Southwest TIRZ No. 2 are \$11,212,500. This estimate does not include the administrative expenses of running the TIRZ but do include the expenses in creating the TIRZ. Using 50% of the incremental increase of the Tax Rate of \$.1778, \$.089, after thirty (30) years, the expected amount in the Tax Increment Fund will be conservatively estimated at \$7,524,715. Thus, the TIRZ with a 50% of the increment, currently at \$.089, the TIRZ will be able to fund a majority of the projected estimated costs. The County participating at a 50% incremental value will be conservatively estimated at \$13,225,384 See Attachment "A".

### 3.4 Estimate of Bonded Indebtedness To Be Incurred (311.011(c)(4))

Bonds, notes or other obligations may be issued to yield net proceeds sufficient to pay all or a portion of the eligible project costs and related professional fees that are currently estimated at, but are not limited to, \$7,524,715. The City, at its sole discretion, may issue or cause to be issued bonds, notes, or other obligations secured by tax increment revenues, the proceeds of which could be used to pay for or reimburse Project Costs, including public improvements, capitalized interest, professional fees, developer interest and costs of issuance of the bonds.

### 3.5 Estimated Time When Monetary Obligations Are To Be Incurred (311.011(c)(S))

Since the build-out horizon for TIRZ improvements will be market driven, it is anticipated that the completion of the infrastructure will take a minimum of five years from the date of the Updated Plans, although some projects may be started within the first two years in anticipation of the increase in TIRZ Funds. Bond issuance will occur at appropriate times as determined by the City and the City's Financial Advisor. Project Costs, administrative costs, and costs related to the creation and organization of the TIRZ may be paid from the issuance of bonds or directly from tax increment revenue.

### **3.6 Methods and Sources of Financing (311.011(c)(6))**

The primary sources of revenue will be the ad valorem property taxes generated on the annual increment value above the base year value. The City has adopted an increment of 50% or \$.089 for a period of 30 years. This participation will create an estimated fund of \$7,524,715 in 30 years.

To ensure timely construction of public improvements, pay-as-you-go and other various methods of financing may be utilized. These include:

- *Tax Increment Bonds or Notes.* As allowed by annual incremental increases in Zone assessed value, tax-exempt tax increment bonds or notes may be issued to fund improvements.
- *Direct Reimbursements.* Projects that are closely related to particular private development projects or public infrastructure programs of public agencies, municipalities, and authorities may be financed through reimbursement agreements with a developer, public agency, municipality, or authority using a direct payment annually from the TIRZ increment fund.
- *Other private financing.* Some projects may be financed on a short-term basis through private financial institutions.
- *Grants/Other Public Funds.* To the extent permitted by law, efforts will be made to leverage TIRZ funds with other public funds and economic development tools.

### **3.7 Current Appraised Value of Taxable Real Property (311.011(c)(7))**

Based upon the 2016 Hays County Appraisal District certified tax roll, the base year value of the proposed TIRZ will be \$14,625,030.

### **3.8 Estimated Captured Appraised Value By Year (311.011(c)(8))**

The table on the following page shows the Captured Appraised Value and the resulting revenue from the City and County for the duration of the Zone.

### **3.9 Duration of Zone (311.011(c)(9))**

The Zone is being proposed for a thirty (30) year period, with the final payment of increment being made on values and at rates for 2045, which revenue may be paid in 2046. Therefore, the Zone will terminate for purposes of collection on December 31, 2046.

### Captured Appraised Value- City

			<i>Projected</i>	
			Incremental	TOTAL
TIRZ #2			Tax Base	<i>Projected</i>
Increment	Tax	TIRZ #2	Subject	Assessed
Year	Year	Base	to Capture	Valuation
Base	2016	\$14,625,030	\$ -	\$ 14,625,030
1	2017	14,625,030	5,186,104	19,811,134
2	2018	14,625,030	22,386,888	37,011,918
3	2019	14,625,030	57,712,633	72,337,663
4	2020	14,625,030	101,223,166	115,848,196
5	2021	14,625,030	146,451,035	161,076,065
6	2022	14,625,030	193,447,530	208,072,560
7	2023	14,625,030	242,265,304	256,890,334
8	2024	14,625,030	276,077,187	290,702,217
9	2025	14,625,030	303,599,466	318,224,496
10	2026	14,625,030	332,158,298	346,783,328
11	2027	14,625,030	352,301,389	366,926,419
12	2028	14,625,030	363,491,031	378,116,061
13	2029	14,625,030	363,491,031	378,116,061
14	2030	14,625,030	363,491,031	378,116,061
15	2031	14,625,030	363,491,031	378,116,061
16	2032	14,625,030	363,491,031	378,116,061
17	2033	14,625,030	363,491,031	378,116,061
18	2034	14,625,030	363,491,031	378,116,061
19	2035	14,625,030	363,491,031	378,116,061
20	2036	14,625,030	363,491,031	378,116,061
21	2037	14,625,030	363,491,031	378,116,061
22	2038	14,625,030	363,491,031	378,116,061
23	2039	14,625,030	363,491,031	378,116,061
24	2040	14,625,030	363,491,031	378,116,061
25	2041	14,625,030	363,491,031	378,116,061
26	2042	14,625,030	363,491,031	378,116,061
27	2043	14,625,030	363,491,031	378,116,061
28	2044	14,625,030	363,491,031	378,116,061
29	2045	14,625,030	363,491,031	378,116,061
30	2046	14,625,030	363,491,031	378,116,061

## COST ESTIMATES FOR POTENTIAL TIRZ PROJECTS IN DOWNTOWN TIRZ

(Note: These estimates are not based on plans and specifications nor a detailed scope of work; they represent rough orders of magnitude; Potential Proportionate Cost based on current and future development is also projected)

1. Old Fitzhugh Road - Street and Drainage Improvements with improved streetscape including sidewalks and lighting

Estimated Cost = \$6,250,000 TIRZ No. 1 Estimated Share: \$4,687,500

**TIRZ No. 2 Proportionate Share=\$1,562,500**

2. Town Center Improvements - Street, drainage, street trees, way finding signage, street lighting and sidewalk improvements.

Estimated Cost = \$5,400,000 TIRZ No. 1 Estimated Share: \$4,050,000

**TIRZ No. 2 Proportionate Cost: \$1,350,000**

3. Triangle/US 290/RR12 area road and drainage improvements to enhance development

Estimated Cost = \$500,000 TIRZ No. 1 Proportionate Share=\$375,000

**TIRZ No. 2 Estimated Share: \$125,000**

4. City Hall site acquisition and building of portion of Town Center

Estimated Cost = \$3,000,000 TIRZ No. 1 Proportionate Share=\$2,250,000

**TIRZ No. 2 Estimated Share: \$750,000**

5. Public Parking in downtown area to enhance economic development

Estimated Cost = \$200,000 TIRZ No. 1 Proportionate Share=\$150,000

**TIRZ No. 2 Estimated Share: \$50,000**

6. Ramirez Lane Street and Drainage Improvements to enhance property values

**TIRZ No. 2 Estimated Share: \$350,000**

7. Creek Road Project

Estimated Cost = \$10,000,000 TIRZ No. 1 Proportionate Share=\$5,000,000

**TIRZ No. 2 Estimated Share: \$5,000,000**

## 8. Wallace Street Project

Estimated Cost: \$2,500,000 TIRZ No. 1 Proportionate Share=\$1,875,000

**TIRZ No. 2 Estimated Share: \$625,000**

## 9. Stephenson Building Project

Estimated Cost: \$2,200,000 TIRZ No. 1 Proportionate Share: \$1,100,000

**TIRZ No. 2 Estimated Share: \$1,100,000**

## 10. Downtown Road, Sidewalk &amp; Drainage Master Plan

Estimated Cost: \$200,000 TIRZ No. 1 Proportionate Share=\$100,000

**TIRZ No. 2 Estimated Share: \$100,000**

## 11. Downtown Bathrooms

Estimated Cost: \$300,000 TIRZ No. 1 Proportionate Share=\$150,000

**TIRZ No. 1 Estimated Share: \$150,000**

**Total Estimated: \$ 30,900,000**

**Total Estimated Proportionate Cost: \$11,212,500**

ATTACHMENT “A”  
 ECONOMIC FEASIBILITY

TIRZ 2 Economic Feasibility - City

TIRZ #2 Increment	Year	Tax Year	Projected Incremental Tax Base Subject to				Tax Collection Delinquencies at 2%	Total Net Tax Collections	Tax Collections on Incremental Value	City TIRZ #2		Projected Net TIRZ #2 Revenue	TIRZ #2 Revenue Discounted at 5%	City Retained Taxes (General Fund)															
			TIRZ #2 Base	Capture	Total Projected Assessed Valuation	Participation at \$0.0889 Tax Rate				TIRZ Admin Expense																			
6	2022	\$	5,836,710	\$	120,284,140	\$	126,120,850	\$	4,485	\$	219,758	\$	209,588	\$	104,794	\$	27,602	\$	77,192	\$	77,192	\$	104,794						
7	2023	\$	5,836,710	\$	162,140,390	\$	167,977,100	\$	5,973	\$	292,690	\$	282,520	\$	141,260	\$	28,154	\$	113,106	\$	107,720	\$	141,260						
8	2024	\$	5,836,710	\$	206,394,506	\$	212,231,216	\$	7,547	\$	369,800	\$	359,630	\$	179,815	\$	28,717	\$	151,098	\$	137,050	\$	179,815						
9	2025	\$	5,836,710	\$	247,304,771	\$	253,141,481	\$	9,002	\$	441,084	\$	430,914	\$	215,457	\$	29,291	\$	186,165	\$	160,817	\$	215,457						
10	2026	\$	5,836,710	\$	273,954,639	\$	279,791,349	\$	9,949	\$	487,520	\$	477,350	\$	238,675	\$	29,877	\$	208,797	\$	171,778	\$	238,675						
11	2027	\$	5,836,710	\$	282,348,379	\$	288,185,089	\$	10,248	\$	502,145	\$	491,975	\$	245,988	\$	30,475	\$	215,513	\$	168,860	\$	245,988						
12	2028	\$	5,836,710	\$	290,993,932	\$	296,830,642	\$	10,555	\$	517,210	\$	507,039	\$	253,520	\$	31,084	\$	222,435	\$	165,985	\$	253,520						
13	2029	\$	5,836,710	\$	299,898,851	\$	305,735,561	\$	10,872	\$	532,726	\$	522,556	\$	261,278	\$	31,706	\$	229,572	\$	163,152	\$	261,278						
14	2030	\$	5,836,710	\$	309,070,918	\$	314,907,628	\$	11,198	\$	548,708	\$	538,538	\$	269,269	\$	32,340	\$	236,929	\$	160,363	\$	269,269						
15	2031	\$	5,836,710	\$	318,518,147	\$	324,354,857	\$	11,534	\$	565,169	\$	554,999	\$	277,499	\$	32,987	\$	244,512	\$	157,615	\$	277,499						
16	2032	\$	5,836,710	\$	328,248,792	\$	334,085,502	\$	11,880	\$	582,124	\$	571,954	\$	285,977	\$	33,647	\$	252,330	\$	154,909	\$	285,977						
17	2033	\$	5,836,710	\$	338,271,358	\$	344,108,068	\$	12,236	\$	599,588	\$	589,418	\$	294,709	\$	34,320	\$	260,389	\$	152,244	\$	294,709						
18	2034	\$	5,836,710	\$	348,594,600	\$	354,431,310	\$	12,604	\$	617,575	\$	607,405	\$	303,703	\$	35,006	\$	268,697	\$	149,620	\$	303,703						
19	2035	\$	5,836,710	\$	359,227,539	\$	365,064,249	\$	12,982	\$	636,103	\$	625,932	\$	312,966	\$	35,706	\$	277,260	\$	147,037	\$	312,966						
20	2036	\$	5,836,710	\$	370,179,466	\$	376,016,176	\$	13,371	\$	655,186	\$	645,016	\$	322,508	\$	36,420	\$	286,088	\$	144,494	\$	322,508						
21	2037	\$	5,836,710	\$	381,459,952	\$	387,296,662	\$	13,772	\$	674,841	\$	664,671	\$	332,336	\$	37,149	\$	295,187	\$	141,990	\$	332,336						
22	2038	\$	5,836,710	\$	393,078,851	\$	398,915,561	\$	14,185	\$	695,086	\$	684,916	\$	342,458	\$	37,892	\$	304,567	\$	139,525	\$	342,458						
23	2039	\$	5,836,710	\$	405,046,318	\$	410,883,028	\$	14,611	\$	715,939	\$	705,769	\$	352,884	\$	38,649	\$	314,235	\$	137,100	\$	352,884						
24	2040	\$	5,836,710	\$	417,372,809	\$	423,209,519	\$	15,049	\$	737,417	\$	727,247	\$	363,624	\$	39,422	\$	324,201	\$	134,712	\$	363,624						
25	2041	\$	5,836,710	\$	430,069,095	\$	435,905,805	\$	15,501	\$	759,540	\$	749,370	\$	374,685	\$	40,211	\$	334,474	\$	132,363	\$	374,685						
26	2042	\$	5,836,710	\$	443,146,269	\$	448,982,979	\$	15,966	\$	782,326	\$	772,156	\$	386,078	\$	41,015	\$	345,063	\$	130,051	\$	386,078						
27	2043	\$	5,836,710	\$	456,615,758	\$	462,452,468	\$	16,445	\$	805,796	\$	795,626	\$	397,813	\$	41,835	\$	355,977	\$	127,775	\$	397,813						
28	2044	\$	5,836,710	\$	470,489,332	\$	476,326,042	\$	16,938	\$	829,970	\$	819,799	\$	409,900	\$	42,672	\$	367,228	\$	125,537	\$	409,900						
29	2045	\$	5,836,710	\$	484,779,114	\$	490,615,824	\$	17,446	\$	854,869	\$	844,699	\$	422,349	\$	43,526	\$	378,824	\$	123,334	\$	422,349						
30	2046	\$	5,836,710	\$	499,497,588	\$	505,334,298	\$	17,970	\$	880,515	\$	870,345	\$	435,172	\$	44,396	\$	390,776	\$	121,167	\$	435,172						
							<b>\$</b>	<b>312,320</b>		<b>\$</b>	<b>15,303,682</b>		<b>\$</b>	<b>15,049,429</b>		<b>\$</b>	<b>7,524,715</b>		<b>\$</b>	<b>884,100</b>		<b>\$</b>	<b>6,640,614</b>		<b>\$</b>	<b>3,532,389</b>		<b>\$</b>	<b>7,524,715</b>





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

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**Submitted By:** Tory Carpenter, Planning Director

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**Council Meeting Date:** December 6, 2022

**Agenda Item Wording:** **Approval of an Ordinance setting the 2023 Plat Submittal Schedule.**

**Agenda Item Requestor:** Tory Carpenter, Planning Director

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**Summary/Background:** The adoption of Texas House Bill 3167 in 2019 required that cities follow strict timelines for plat and site plan reviews. Shortly thereafter, the City updated the subdivision ordinance to reflect these required timelines.

Every year, the City adopts a uniform submittal schedule for subdivisions to ensure that applications are accepted and considered by the Planning & Zoning Commission or administratively in accordance with House Bill 3167. The ordinance being considered by City Council will establish the plat submittal schedule for the 2023 calendar year.

**Commission Recommendations:** N/A

**Recommended Council Actions:** Approval of the schedule

**Attachments:** Ordinance, submittal calendars

**Next Steps/Schedule:** Once approved, the website will be updated with the new dates.

## CITY OF DRIPPING SPRINGS

### ORDINANCE No. 2022-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS APPROVING THE 2023 UNIFORM SUBMITTAL SCHEDULE FOR PLAT SUBMISSIONS AS EXHIBIT “B” OF CHAPTER 28 OF THE CITY OF DRIPPING SPRINGS CODE OF ORDINANCES AS SHOWN AS EXHIBIT A, IN ORDER TO COMPLY WITH TEXAS LOCAL GOVERNMENT CODE CHAPTER 212, WHICH REQUIRES PLATS TO BE REVIEWED WITHIN THIRTY (30) DAYS OF FILING OR DEEMED APPROVED; ESTABLISHING A REPEALING CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS,** House Bill 3167 of the 86th Session of the Texas Legislature requires that a preliminary plat, final plat, and replat be approved, approved with conditions, or disapproved by staff and Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction; and

**WHEREAS,** Texas Local Government Code Chapter 212, Subchapter A. Regulation of Subdivisions, Section 212.002. Rules grants authority to a governing body of a municipality to adopt rules governing plats and subdivisions of land within the municipality’s jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality; and

**WHEREAS,** City Council will annually adopt a Schedule of Uniform Submittal Dates in order to comply with Texas Local Government Code Chapter 212 for plat applications. The Schedule of Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, and dates when the Planning & Zoning Commission will meet, and/or administrative decisions will be made; and

**WHEREAS,** the City Council has determined that reasonable rules and regulations governing subdivision plats are necessary to maintain water quality, ensure traffic safety, protect the region’s livability, preserve property values, and reinforce Dripping Springs’ status as the Gateway to the Hill Country; 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 has determined that amending its ordinance related to subdivisions is required by state law; 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 an ordinance regulating the subdivision and platting of land.

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

### **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**

A Uniform Submittal Schedule is adopted in accordance with Attachment “A”, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

### **3. REPEALER**

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 as provided for by law.

### **7. 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, 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 6<sup>th</sup> day of December 2022, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) of the City Council of Dripping Springs, Texas.**

**CITY OF DRIPPING SPRINGS:**

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Bill Foulds, Jr., Mayor

**ATTEST:**

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Andrea Cunningham, City Secretary

<b>2022 - 23 Uniform Submittal Schedule</b>		
Submit by	Filing Date	Review Date
12/17/2022	12/27/2022	1/24/2023
1/20/2023	1/30/2023	2/28/2023
2/17/2023	2/27/2023	3/28/2023
3/17/2023	3/27/2023	4/25/2023
4/14/2023	4/24/2023	5/23/2023
5/16/2022	5/26/2022	6/27/2023
6/16/2023	6/26/2023	7/25/2023
7/14/2023	7/24/2023	8/22/2023
8/18/2023	8/28/2023	9/26/2023
9/15/2023	9/25/2023	10/24/2023
10/20/2023	10/30/2023	11/28/2023
11/3/2023	11/13/2023	12/12/2023

<b>Resubmittals</b>		
Submit by	Filing Date	Review Date
12/30/2022	1/9/2023	1/24/2023
2/3/2023	2/13/2023	2/28/2023
3/3/2023	3/13/2023	3/28/2023
3/31/2023	4/10/2023	4/25/2023
4/28/2023	5/8/2023	5/23/2023
6/2/2023	6/12/2023	6/27/2023
6/30/2023	7/10/2023	7/25/2023
7/28/2023	8/7/2023	8/22/2023
9/1/2023	9/11/2023	9/26/2023
9/30/2023	10/10/2023	10/24/2023
11/3/2023	11/13/2023	11/28/2023
11/17/2023	11/27/2023	12/12/2023



**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:** 12/06/2022

**Agenda Item Wording:** **Discuss and Consider Approval of a Letter Agreement Between the City of Dripping Springs and O&M Management Services, LLC Regarding Utility Operations.**

**Agenda Item Requestor:** Mayor Bill Foulds Jr.

**Summary/Background:** The City of Dripping Springs took over operations of water and wastewater utilities in October of 2021. Due to recent staffing changes, the City desires to enter into a consulting agreement with O&M Management Services to develop a maintenance and operations plan for the City's utilities. Services provided by the consultant would include standard operations plans, training, and compliance monitoring. O&M would not act as the operator or be listed with the TCEQ as operator of record of the City's systems. There is a minimum charge of \$2000 per month. The cost of the agreement would be covered by salary savings within the approved Utility Budget. The expectation is that the agreement would stay in place until the appropriate positions have been filled within the Utilities Department and turnover and training of new employees has occurred.

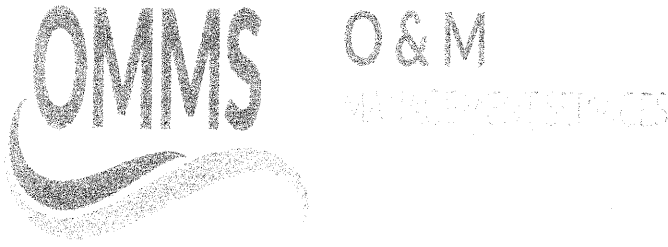
**Commission  
 Recommendations:**

**Recommended  
 Council Actions:** City staff recommends approval.

**Attachments:** Letter Agreement with O&M Management Services, LLC

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





# O & M Management Services, LLC

## Wastewater Treatment Operations Consulting Services

November 21, 2022

These items fall within the SOW by order of priority:

1. Develop an operations and maintenance plan for the client, including but not limited to:
  - a. Maintaining the availability of wastewater treatment assets safely in compliance with all applicable rules and regulations.
  - b. Set a weekly schedule for City's current operations staff.
  - c. Prepare and submit monthly reports to the regulatory agencies. (City, County, and State)
2. Create operational procedures for the facility,
3. Attend meetings with the client as required.

The Schedule of Rates for this scope of work is as follows:

Principal / Director of Operations - \$100 per hour

Administrative- \$35 per hour

Additional Operator - \$65 per hour

Vehicle - \$20 per hour

Time is charged from when personnel leave the office and return to the office.

Minimum charge per month - \$2000

O&M Management Services is an independent contractor and not an employee of the City.

**For O & M Management Services, LLC:**



Bill Fry, President

Date: 11/21/2022

**For the City of Dripping Springs:**

\_\_\_\_\_  
Ginger Faught, Deputy City Administrator Date: 11/21/2022





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

**Submitted By:** Andrea Cunningham, City Secretary

**Meeting Date:** December 6, 2022

**Agenda Item Wording:** **Discuss and consider the Appointment of five (5) individuals to the Emergency Management Commission for terms ending January 1, 2024.**

**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.

*Member Selection*

**Section 2.04.195(e):**

- (1) Each year staff will prepare a slate of nominees for city council consideration. The slate will include nominees with a background and experience in those activities related to emergency management. The chair shall provide a recommendation for members seeking appointment or reappointment.
- (2) The city council shall approve, reject, or modify the slate of nominees.

**Membership Requirements****Section 2.04.195(c)(1):**

- (1) The commission shall have 12 voting members,
  - (A) Three at-large members that shall be reside within Hays County.
  - (B) One each.
    - (i.) Municipal member designated as emergency management coordinator;
    - (ii.) Chamber of commerce representative;
    - (iii.) Nonprofit organization;
    - (iv.) Hays County Constable or designee;
    - (v.) Emergency Services District Number 1 representative;
    - (vi.) Emergency Services District Number 6 representative;
    - (vii.) Hays County Emergency Manager or designee;
    - (viii.) Dripping Springs Independent School District; and
    - (ix.) Hays County Fire Marshal or designee.

**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.

The Chair and Vice Chair were recently appointed, so the commission will revisit this recommendation in November 2023.

**Current Membership**

<b>Member</b>	<b>Term</b>	<b>Seat Description (old ordinance)</b>
Bonnie Humphrey, Chair	01/01/24	Chamber Representative
Bill Little, Vice Chair	01/01/24	At-Large
Roman Baligad	N/A	Emergency Management Coordinator
<b>Scott Collard</b>	<b>01/01/23</b>	<b>ESD 6 Representative</b>
Gordon DeWitte	01/01/24	At-Large
<b>Doug Fowler</b>	<b>01/01/23</b>	<b>ESD 1 Representative</b>
<b>Ron Hood</b>	<b>01/01/23</b>	<b>Precinct 4 Constable</b>
Mike Jones	01/01/24	Hays County Representative
<b>Jason McNutt</b>	<b>01/01/23</b>	<b>At-Large</b>
Russell Paxton	01/01/24	Nonprofit Organization
<b>Dillon Polk</b>	<b>01/01/23</b>	<b>Fire Marshal Representative</b>
Sirena Cumberland	01/01/24	DSISD Representative

**Vacancies and Applicants**

There are five (5) members with expiring terms, and all have requested reappointment. All five (5) members are in good standing with the commission.

One application for appointment has been received by Alan Hutchinson, who is a city resident and is qualified for the At-Large position. Because all current members requested reappointment, the Commission opted to not interview applicant. This applicant has applied to multiple boards, commissions and/or committees.

**Commission  
Recommendations:**

At the October 20, 2022, EMC regular meeting, the Commission unanimously recommended the reappointment of Scott Collard, Doug Fowler, Ron Hood, Jason McNutt and Dillion Polk.

**City Council  
Recommendations:**

Staff recommends the reappointment of Scott Collard, Doug Fowler, Ron Hood, Jason McNutt and Dillion Polk.

**Attachments:**

1. Alan Hutchinson Application

**Next Steps/Schedule:**

1. Inform commission of City Council decision.
2. Update website and roster.



**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:** December 6, 2022

**Agenda Item Wording:** **Approval of a Resolution Appointing three (3) members to the Tax Increment Reinvestment Zone No.1 and No. 2 Board of Directors for Place 1, Place 3 and Place 5; and the Appointment of a Chair to serve a term of one (1) year.**

**Agenda Item Requestor:** Michelle Fischer, City Administrator

**Summary/Background:** **Member Responsibilities - Section 2.04.224**

The TIRZ board shall act as an advisory board to the city council in the operation and administration of the TIRZ; all action by the board is subject to city council approval. The authority and responsibility of the board expressly includes:

- (1) Make recommendations to the city council regarding the administration of this division.
- (2) Make recommendations to the city council regarding agreements that are necessary or convenient to implement the project plan and reinvestment zone financing plan.
- (3) Make recommendations to the city council regarding agreements with local governments or political subdivisions for management of the zone or implementing the project plan and reinvestment zone financing plan.
- (4) Make recommendations to the city council regarding the expenditure of TIRZ funds related to development and redevelopment of land within the zone, in conformance with the following process.
- (5) Acting as the lead entity in working with other boards and commissions regarding incentives, regulations, infrastructure and all other physical and economic development decisions related to the TIRZ district.
- (6) Providing a progress report to the city council annually, or as requested by the city council.

**Member Selection – Section 2.04.223**

- (a) Beginning January 1, 2021, members shall initially serve staggering terms with even numbered places serving a two-year term and odd numbered places serving a one-year term, after which all places shall serve a two-year term. For members appointed by city council, when

appointed for each term, the city council will determine which member will be in each place. For members appointed by the county, the county will determine which member is in each place.

- (b) Vacancies on the board may be filled by appointment of the city council for the unexpired term.

**Membership Requirements – Section 2.04.222**

All regular board members shall be at least 18 years of age and a resident of the county. Any regular board member who ceases to possess such qualifications shall automatically be deemed to have vacated their membership on the board.

**Officer Appointments – 2.04.225**

The city council shall appoint a chair, as established in section 311.009.f of the Local Government Code, for a term of one year, beginning in January. The board may appoint other officers as it may establish in its bylaws.

**Current Membership**

<b>Member</b>	<b>Place</b>	<b>Term</b>
<b>Dave Edwards, Chair</b>	<b>Place 1</b>	<b>12/31/22</b>
Craig Starcher	Place 2	12/31/23
<b>Taline Manassian, Vice Chair</b>	<b>Place 3</b>	<b>12/31/22</b>
James Alexander	Place 4	12/31/23
<b>Missy Atwood</b>	<b>Place 5</b>	<b>12/31/22</b>
Susan Kimball	Place 6	12/31/23
<b>Walt Smith</b>	<b>Place 7</b>	<b>12/31/22</b>

**Vacancies and Applicants**

There are currently four (4) vacancies on the board, with Place 7 requiring approval by the County Commissioners Court. Board Member Walt Smith will bring this to court for consideration and let me know once a decision has been made. Consideration of appointment for Place 7 will be on a future agenda.

The remaining three (3) vacancies were discussed at the November 14, 2022, TIRZ No. 1 & No. 2 Board regular meeting. Dave Edwards, Taline Manassian and Missy Atwood requested reappointment. There are currently no applications on file for this board.

**Board  
Recommendations:**

The Board has recommended reappointment of all members, and the reappointment of Dave Edwards as Chair.

**Recommended Council Actions:** Staff recommends approval of the reappointment of Dave Edwards, Taline Manassian and Missy Atwood, and the appointment of Dave Edwards to serve as Chair for a term of one (1) year.

**Attachments:** 1. Resolution

**Next Steps/Schedule:** 1. Inform board members of City Council decision.  
2. Update website and roster.

**CITY OF DRIPPING SPRINGS**

**RESOLUTION No. 2022-R**

A RESOLUTION OF THE CITY OF DRIPPING SPRINGS, TEXAS, APPOINTING MEMBERS TO PLACE 1, PLACE 3, AND PLACE 5 OF THE CITY OF DRIPPING SPRINGS TAX INCREMENT REINVESTMENT ZONE NO. 1 AND TAX INCREMENT REINVESTMENT ZONE NO. 2 BOARD OF DIRECTORS.

**WHEREAS**, the City Council of the City of Dripping Springs, Texas (the “City”), desires to promote the development of a certain geographic area within its jurisdiction by the creation of a reinvestment zone, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code (the “Act”), as amended; and

**WHEREAS**, Section 311.009 of the Act requires the City Council to appoint between 5 and 15 members to the Board of Directors; and

**WHEREAS**, the City created the Tax Increment Reinvestment Zones on November 29, 2016 by ordinance and set the number of board members at seven; and

**WHEREAS**, the terms for Place 1, Place 3 and Place 5 of the TIRZ Board have been expired; and

**WHEREAS**, it is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

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

Section 1. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. The City Council hereby appoints:

Place 1: David Edwards for 2-year term.

Place 3: Taline Manassian for 2-year term.

Place 5: Missy Atwood for 2-year term.

to the Board of Directors of the Tax Increment Reinvestment Zone 1 and 2 Boards of Directors.

Section 3. This Resolution shall take effect immediately from and after its passage in accordance with law and it is accordingly so resolved.

Section 4. This Resolution does not require the City Council to take future action or to adopt the final project plan and financing plan.

**PASSED AND APPROVED** this, the 6<sup>th</sup> day of December 2022, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas:

**CITY OF DRIPPING SPRINGS:**

---

Bill Foulds, Jr., Mayor

**ATTEST:**

---

Andrea Cunningham, City Secretary



**CITY OF DRIPPING SPRINGS**

**RESOLUTION No. 2022-R\_\_**

A RESOLUTION OF THE CITY COUNCIL OF DRIPPING SPRINGS, TEXAS,  
REVISING THE PERSONNEL MANUAL.

**WHEREAS**, each city should have a personnel manual directed to its employees to provide guidance on the duties and responsibilities of the city and the employees; and

**WHEREAS**, the City Council of the City of Dripping Springs (“City Council”) finds it to be in the public interest, and necessary for the public health, safety and welfare, that the City of Dripping Springs Personnel Manual be updated from time to time to reflect current state and federal law and city practices related to city employees; and

**WHEREAS**, the City Council of the City of Dripping Springs finds it to be in the interest of hiring and retaining employees to provide longevity pay to employees based on years of service; and

**WHEREAS**, the City Council finds that it is reasonable and prudent for this amendment to the Personnel Manual to be adopted.

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

1. The City Council hereby approves the amendment to City of Dripping Springs Personnel Manual pursuant to Exhibit A, attached.
2. The City Council approves the funds necessary for these personnel actions, as provided in the budget for the current fiscal year.
3. The City Council directs City staff to work with the Mayor and City Administrator to acknowledge the amendment to the Personnel Manual and receive training and information on the amended Personnel Manual under the direction of the Mayor and City Administrator.

**PASSED & APPROVED, this the 6<sup>th</sup> day of December 2022, by a vote of \_\_ (ayes) to \_\_ (nays) to \_\_ (abstentions) of the City Council of Dripping Springs, Texas.**

**CITY OF DRIPPING SPRINGS:**

\_\_\_\_\_  
Bill Foulds, Jr., Mayor

**ATTEST:**

---

Andrea Cunningham, City Secretary

*ATTACHMENT "A"*

**4.08 Longevity Pay**

The City provides regular employees longevity pay, at the budgeted rate for each full year of service, up to a maximum of 20 years. Employees with less than one year of service shall receive a budgeted amount up to an amount equal to one year of service.

# City of Dripping Springs

Post Office Box 384 511 Mercer Street  
Dripping Springs, Texas 78620



## **Agenda Item Report from: Lynne Dickinson, Parks & Community Services Department**

**Agenda Item Title:** Discuss and consider approval of a rental agreement for Dripping Springs Ranch Park and Event Center Monster Truck Wars Event to be held Saturday, October 26, 2019

**Meeting Body:** City Council Regular Meeting

**Meeting Date:** 2019-08-20

**Agenda Item Sponsor/Applicant:** Sponsor: Wade King

**Recommendation:** DSRP Manager and DSRP Advisory Committee recommend approval of this rental agreement.

**Summary/Background:** Monster Truck Wars have not been held at Dripping Springs Ranch Park and Event Center in the past. This event would take place on a Saturday afternoon. Projected end time for the event is 4:30 PM with move out being done by 8 PM. This event will be loud but will be over before the evening hours.

**Public Notification Process:**

**Public Comment:**

**Previous Action Taken:** NA

**Alternatives/Options:** Do not approve rental agreement.

**Enforcement Issues:**

**Budget/Financial Impact:** Will result in income to DSRP and the city of Dripping Springs.

**Comprehensive Plan Element:**

**Comprehensive Plan Element Summary:**

**Actions by other Jurisdictions/Entities:** DSRP Advisory Committee recommends approval.

**Next Steps/Schedule:** Inform Monster Truck Wars, and Mr. Ron Woodbridge, of City Council's decision.

**Attachments:**

Monster Truck Wars Proposal

Monster Truck Wars Rental agreement

Monster Truck Wars operations overview presented to:

**Dripping Springs Ranch Park Arena**

Dripping Springs, Texas 78620  
Attn: Lynne Dickinson - Manager  
office: 512.894.2046

**Dear Lynne,**

As follow-up to our conversation & your request, here is an overview of our Monster Truck Show operational outline which we would bring to Dripping Springs Ranch Park Arena. Our company, Monster Truck Wars, is a national touring family motorsports company that produces & promotes 40 to 50 shows annually at similar venues such as yours.

**Outline of our show production/procedures.**

\*\*\*\*\*  
\*\*\*\*\*

**Show Productions:**

\* Our show would be an "all dirt show" - no junk cars/vans. We use est. 100 yards of clean dirt with clay for compacting along with large log framed units used as added obstacles. If there is dirt available on site to use - we would return to same location once show is completed. If dirt is not on site - we would coordinate to bring in this dirt & request to store dirt on site for next years show. We also decorate/paint track area & display banners & do chalked lines.

\*\*\*\*\*  
\*\*\*\*\*

**Show Safety Procedures:**

\* our shows are run with upmost Safety first & foremost. We have an impeccable safety record. Our Production Staff is well trained & are very safety conscious. We utilize all of the latest safety tools including an RII "radio ignition interruption" hand held radio (remotely controls all power to the trucks) plus we have tech inspections of trucks prior to each show. We hold drivers & production meetings prior to each performance and we insure that all spectator seating areas are properly secure & safe.

\* based on the physical dimensions of your Arena - our show will work perfectly

\*\*\*\*\*  
\*\*\*\*\*

**Other equipment we use to our produce shows:**

\* we would arrange w/ local equipment rental service to utilize wheel loader & track skid-steer,  
\* If you have a working sound system we would like to utilize it - but if not - we can arrange to bring in a sound system that we set up.

\* we will need: night lighting, public restrooms, 15 eight foot tables & 15 folding chairs

\* typically we bring 3-4 semi tractor trailers..if available we will need park/power for truck hook-ups + will need access to restrooms.

\* we handle all general trash clean-up & would need use of trash dumpster to dispose of all trash

\* would also need water truck or trailer for dust control with access to an on site water source

\* If you do not have certain items - no problem....we will out source from local companies

\*\*\*\*\*  
\*\*\*\*\*

**Other Show Production Information:**

\* we bring full compliment Production Team - Show Manager, Track Manager, Track Officials, & Professional Show Announcer

\* delivery of equipment is typically a day before show & removal by noon the following Monday

\* if feasible, we request for the day before show as a courtesy set up day during day time hours

\* we need about 5 hours to set up track & 3 hours to remove track & clean-up right after show

\* any track dirt that is used to prepare for shows - will be restored to to where it was located

\* we will not leave until venue management approves final dirt work - clean up of track & grounds

\*\*\*\*\*  
\*\*\*\*\*

**Listing of arena references - where we have recently performed shows:**

- > Rusk County Youth Expo Center/Main Arena....Henderson, TX  
Jennifer Sprayberry - Manager....903.722.9101
- > RMB Regional Fairgrounds/Equestrian Arena....Robstown, TX..(Corpus Christi market)  
Jason Green - General Manager....361.387.9000
- > Sumervell County Expo Center....Glen Rose, TX\  
Frank Abbot - General Manager....254.897.4509
- > Stephens County Fair & Expo Center....Duncan, OK  
Matt Byerly - Director....580.225.3231
- > Lightning C Arena....McAlester, OK  
Tiffany Segotta - Owner....918.917.7866
- > Young County Arena....Graham, TX  
Toni Elliot - Arena Manager....940.550.8790

\*\*\*\*\*

**Show Information & Content:**

- \* show run time is for about 2 hours w/ 20 min. intermission  
show name example: "**Dripping Springs Monster Truck Wars**"  
desired show date: **Sat. October 26, 2019**  
based on seating capacity & market - we would plan for 1 to 2 performances on same day
- \* **Matinee show**....gates open @ 11 am - show starts @ 1:00 pm - show ends 3:00 pm
- \* **Evening show**...gates open @ 5 pm - show starts @ 7 pm - show ends 9 pm
  - > pre show meet & greet Pit Party takes place for one hour before show starts
  - > post show Drivers Autograph's until last fan in line gets an autograph
  - > Monster Truck Ride Truck would be there - selling rides....pre-show/intermission/post show
  - > we also do Free Giveaways during show

\*\*\*\*\*  
\*\*\*\*\*

**Our Shows will feature:**

- \* National TV Monster Trucks performing best tricks, wheelie contests, racing, & monster truck freestyle  
Our Monster Trucks are Top Quality & also run on the FOX Sports 1 Monster Jam Stadium Shows & Arena Shows. Drivers are very professional & skilled & are nationally known to the audience.  
We require all Monster Trucks to arrive in top working condition & must have ample spare parts & tools to make any necessary repairs during course of event so to not miss their performance competition.

Here below is listing of various Side Acts that compliment our Shows:

- \* Team Quad Wars
- \* FMX Xtreme Freestyle Riders
- \* Legends car racing
- \* Clown Acts
- \* Monster Truck Ride Truck - selling rides

\*\*\*\*\*  
\*\*\*\*\*

**Advertising - Tickets Sales - Other Related Information**

- \* advertising & advance tickets start about 4 weeks prior to show date....we take all financial risk
- \* we produce Social Media Ads & Radio Commercials & run hundreds of commercials
- \* in addition to Facebook..we do Show Posters - Monster Truck Displays & other Social Media
- \* advance ticket outlet is usually local automotive parts store such as NAPA Auto Parts  
> we also sell advance tickets on-line ticket sales....with small service fee
- \* if feasible - we sell Food & Beverages (non alcoholic) & we also sell Show Merchandise
- \* audience is typically Families - we draw about 40% of audience is Children ages 3 to 10
- \* advance ticket prices \$10 to \$12 & \$15....All General Admission Seating..(Child 2 & under Free)
- \* we also sell a limited supply of VIP Seating - reserved seating section for \$25 ea (adult or child).
- \* ticket prices increase slightly on show day at gate - cash only

- \* for Pre-show PIT PARTY - we sell tickets to attend this activity at venue for \$5.00 admission
  - \* we coordinate & hire local Security & EMS/Fire Department for standby event show needs
  - \* we also like to recruit local Non Profit Groups to help us staff our show - est. 12 to 15 people for front of house positions (ticket sellers, ticket takers, food, ride truck, merch, parking staff)
  - \* our Production Team consists typically of 8 to 10 veteran professionals
  - \* we project 1,200 to 1,500 spectators per show-which includes comp tickets to local sponsors/etc.
  - \* our Certificate of Insurance Policy carries \$2MM coverage & we list you venue as additional insured.
  - \* we provide the Arena with Complimentary Show Tickets
  - \* also we are happy to promote & announce the Arena's upcoming public events during our show
- \*\*\*\*\*
- \*\*\*\*\*

Kindly e-mail me that you received our correspondence. We hope you find this information helpful. I am available at anytime should you have questions - my cell phone is best way to reach me. Also, we want to Thank You for providing us an opportunity to present our plans & intentions. Please see my contact information be below. Our company has been in business for more than 20 years & we have produced hundreds of top quality & very entertaining shows across the country. Our goal is to make our show at your facility an annual event & to have a long lasting working relationship & partnership with you & your Arena. We look forward to talking with you again soon in the hopes to finalize our date at your Arena on Saturday October 26, 2019. I will be available during the City Council meeting should you wish to phone conference me into your meeting.

Many Thanks & Best regards,  
 Ron

Ron Woodbridge - **MONSTER TRUCK WARS**  
 6599 E. Thomas Rd Suite # 1106 Scottsdale, AZ 85251  
 M/T: 480.772.7490 O: 480.219.6502 F480.219.6560  
**Facebook: MONSTER TRUCK WARS Website: MONSTERTRUCKS.FUN**



Date: 7/30/19 Lessee Initials [Signature]



e-mail: Lynne Dickinson : LDickinson@cityofdrippingsprings.com

**Dripping Springs Ranch Park Facilities Rental Agreement**

1042 Event Center Drive

Dripping Springs, TX 78620

(512) 894-2046

Mailing Address: PO Box 384, Dripping Springs, TX 78620

**Applicant Information**

Organization Name: Monster Truck Wars

Contact Name (Designated Event Spokesperson): Ron Woodbridge

Address: 6599 E. Thomas Rd. Suite #1106 City/State/Zip: Scottsdale, AZ 85251

Phone: (c) K text 480-772-7490 Other Phone: (c) 480-219-6502

Email: Ron.Woodbridge@yatho.com

**Event Information**

Date(s) of Event From: Sat. October 26, 2019 To: Mabine @ 2:00pm to 4:30pm

Time of Use (please be specific and list all times the space is needed, including for deliveries and set-up):  
request courtesy set up day Friday October 25, 2019 - 8am to 6pm  
Show Day - arrive @ 8am - Show starts @ 2pm - Ends @ 4:30pm - Move out by 8pm

Name of Event: "Dripping Springs Monster Truck Wars"

Description of Event: Spectator ticketed event - Family motorsport show - featuring national TV monster trucks, quad wars, mascot races, kids power wheel races

Expected Attendance for Event: 1,200 to 1,500 (<40% of audience is children)

**Sound and Audio/Visual Equipment**

Will there be loudspeakers, live music, or any activity which involves amplification equipment/devices of any

Kind:  YES  NO If yes, please describe: we use sound system to play music & announce event

Will you use the DSRP Sound System/Microphones:  YES  NO

Will you use the projector/screen in the Special Event Room:  YES  NO

Will you use the Television to display schedules or information for your event:  YES  NO

Will you need a Sound/AV Tech on hand prior to or during your event:  YES  NO

If you answered yes to any of the above, please state your specific needs for Sound/AV: request sound system turned, hook up our music to system, test sound levels, request 2 wireless mics

Date: 7/30/11 Lessee Initials Q

**Alcoholic Beverages**

\*Please see Facilities Rental Policy regarding alcoholic beverage service, consumption & security requirements.

Will alcohol be served at your event:  YES  NO

Will alcohol be sold at your event:  YES  NO

If alcohol is to be sold at your event, you must provide a copy of your Texas Alcoholic Beverage Commission Permit and, a copy of the Certificate of Liability Insurance with at least \$1,000,000.00 (One-Million Dollars and Zero Cents) coverage for personal and property injuries.

TABC License Number: N/A

Date Submitted: N/A Received by: N/A

Certificate of Liability Insurance provided:  YES  NO

Approved for Alcohol Sales:  YES  NO

City Staff Signature of Approval N/A

**General Liability Insurance**

Certificate of Liability Insurance Provided:  YES  NO

**Concession Sales**

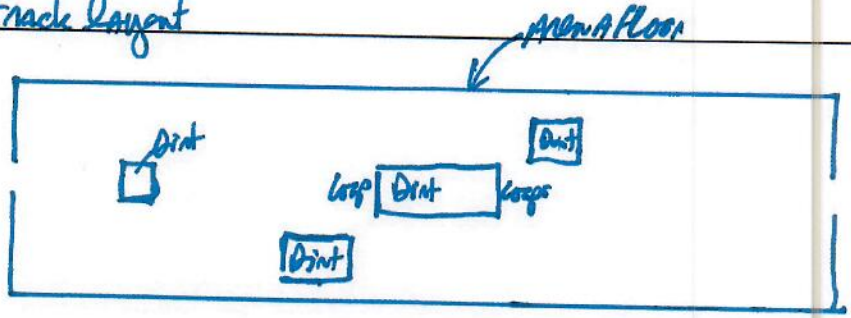
Would you like to request Concession Sales at your event:  YES  NO *if possible we would like to see food & drinks (non alcoholic)*

**Set up / Dirt Needs**

Do you have special set-up needs or special dirt needs:  Yes  NO *Request access or referrals to getting dirt set 60 yards*

If yes, please describe below in detail and show set-up needs on attached building layout. *Our show is a "dirt show" - NO junk cars or vans. In addition we bring 2 to 3 assemblies or large loop w/ framing used to create jumps.*

*Example of track layout*



Date: 7/31/10 Lessee Initials Q

### Check Amenities Requested

**Fields (Please check field(s) wanted) \$100 Per Field, Per Day**

Field 1  Field 2  Field 3  Field 4 (please check)

# fields \_\_\_\_\_ x # days \_\_\_\_\_ x \$100

Total: N/A

**Stalls \$20 Per Stall Per Day # stalls \_\_\_\_\_ x # days \_\_\_\_\_ x \$20**

Check here if you will handle your own stall check-ins

Total: N/A

**Outdoor Arena**

\$150 Per Day OR  \$75 Per Day with Indoor Arena Rental

Total: N/A

**Outdoor Arena Lights \$25 Per Night # nights \_\_\_\_\_ x \$25**

Total: N/A

**Primitive Camping \$10 Per Night # nights \_\_\_\_\_ x \$10**

Total: N/A

**RV Sites with Hook-Up \$35 Per Night # nights \_\_\_\_\_ x \$35**

Total: N/A

**All Facilities at DSRP (Entire Park) (including Ranch House)(per day) \$2,500**

Total: N/A

**Event Center (Entire Event Center Facility)(per day)**

Full Day (12 hours) \$1,750

Total: \$1,750.00

\$75 for each additional hour # Add'l Hrs. \_\_\_\_\_ x \$75

Total: \_\_\_\_\_

**Indoor Arena (please check selections below)(per day)**

Full Day (12 hours) Friday – Sunday \$900

Total: N/A

Full Day (12 hours) Monday – Thursday \$400

Total: N/A

Half Day (6 hours) Monday – Thursday \$225

Total: N/A

Each Additional Hour \$40 # Add'l Hrs. \_\_\_\_\_ x \$40

Total: N/A

Rental of 75 or more stalls will result in a 50% arena rental fee discount

Date: 7/20/11 Lessee Initials R

**\*\*Special Event Room (please check selection(s) below)(per day)**

<input type="checkbox"/> Full Day (12 hours) Friday - Sunday <u>with</u> food and drinks \$1,000	Total: <u>N/A</u>
<input type="checkbox"/> Full Day (12 hours) Friday - Sunday <u>no</u> food or drinks \$900	Total: <u>N/A</u>
<input type="checkbox"/> Half Day (6 hours) Friday - Sunday <u>with</u> food and drinks \$550	Total: <u>N/A</u>
<input type="checkbox"/> Half Day (6 hours) Friday - Sunday <u>no</u> food or drinks \$500	Total: <u>N/A</u>
<input type="checkbox"/> Full Day (12 hours) Monday - Thursday <u>with</u> food and drinks \$500	Total: <u>N/A</u>
<input type="checkbox"/> Full Day (12 hours) Monday - Thursday <u>no</u> food or drinks \$450	Total: <u>N/A</u>
<input type="checkbox"/> Half Day (6 hours) Monday - Thursday <u>with</u> food and drinks \$350	Total: <u>N/A</u>
<input type="checkbox"/> Half Day (6 hours) Monday - Thursday <u>no</u> food or drinks \$300	Total: <u>N/A</u>
<input type="checkbox"/> Each Additional Hour \$50 # Add'l Hrs. _____ x \$50	Total: <u>N/A</u>

**\*\*Vendor Hall/Front Porch (please check selection(s) below)(per day)**

<input type="checkbox"/> Full Day (12 hours) \$400	Total: <u>N/A</u>
<input type="checkbox"/> Half Day (6 hours) \$250	Total: <u>N/A</u>
<input type="checkbox"/> Each Additional Hour \$35 # Add'l Hrs. _____ x \$35	Total: <u>N/A</u>

**Concession Kitchen (please check selection(s) below)(per day)**

<input type="checkbox"/> Full Day (12 hours) \$250	Total: <u>N/A</u>
<input type="checkbox"/> Half Day (6 hours) \$150	Total: <u>N/A</u>
<input type="checkbox"/> Each additional hour \$25 # Hours _____ x \$25	Total: <u>N/A</u>

**Special Electrical Needs (please list) - special electrical needs must be submitted to DSRP no later than 30 days in advance of your event. Failure to make this submittal could hinder your electrical needs being met by the facility.**

N/A

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<input type="checkbox"/> Large Amp Plugs (spider box or community board) \$35/box/board # Boxes/Boards _____ x \$35	Total: <u>N/A</u>
<input type="checkbox"/> Direct Plug into Transformer \$50 Per Plug # Plugs _____ x \$50	Total: <u>N/A</u>

Date: 7/30/14 Lessee Initials R

Special Dirt Needs (please list)

We need access to estimated 100 yards or less dirt w/ 30% clay compound included

Arena Packing \$450 Per Event

Total: N/A

Water/ Drag During Event \$100 Per Day # Days 1 x \$100  
Dust control

Total: \$100.00

Equipment Rental during Event (Tractor/ Drag/ Water)

\$150 Per Day # days 1 x \$150

Total: \$150.00

Cattle Pen Clean-up/Reconfiguration Fee \$200 per event

(Fee can be refunded if pens are clean & in original configuration at end of event)

Total: N/A

Chairs & Tables (check selection(s) below)

Tables (40 available) Quantity 5 x \$5 Per Table

Total: \$25.00

Chairs (300 available) Quantity 10 x \$0.50 Per Chair

Total: \$5.00

Custodial Fees may be waived if Lessee will do their own cleaning. Security deposit could be forfeited if rented spaces is not back to original condition at the end of the event.

Custodial Fees (please make selection(s) below)

\*we will complete clean-up

Event Center Entire Facility \$500

Total: N/A

Special Event Room with Food and Drinks \$350

Total: N/A

Special Event Room no Food and Drinks \$250

Total: N/A

Vendor Hall/Front Porch \$150

Total: N/A

Indoor Arena \$200

Total: N/A

Concession Kitchen \$100

Total: N/A

Waiving custodial fees (see note above regarding security deposit)

Date: 7/20/19 Lessee Initials Q

Staff On-Site during Event  
 # of Staff Needed \_\_\_\_\_ x # Hours \_\_\_\_\_ x \$25 Per Hour  
 Total: N/A

Sound System \$50 per day # days 1 x \$50  
 Total: \$50.00  
 Projector/Screen \$50 per day # days \_\_\_\_\_ x \$50  
 Total: N/A

Additional Panels not including set up # Panels \_\_\_\_\_ x \$1.00  
 Total: N/A  
 Additional Panels including set up # Panels \_\_\_\_\_ x \$2.50  
 Total: N/A

Special Bleacher Set Up \$100  
 Total: N/A

Stage Set Up or Removal \$50 per event  
 Total: N/A

Laser Timer \$25 per day # days \_\_\_\_\_ x \$25  
 Total: N/A

Audio/Visual Engineer – Fee TBD at assessment per event specifications – list needs below  
request use of sound system w/ wireless mic  
 Total: \$50.00

Ranch House (Per Day) # days \_\_\_\_\_ x \$250  
 Total: N/A  
 Ranch House Security Deposit (REQUIRED) \$500  
 (this security deposit can be refunded if there are no damages or excessive cleaning, etc.)  
 Total: N/A  
 Custodial Fee \$150  
 Total: N/A  
 I will do my own cleaning. I understand my security deposit may be withheld if the Ranch House is not returned to the condition in which it was found.

Date: 7/30/19 Lessee Initials @

Damages to the rental space, facilities or any part of the DSRP property exceeding the amount of the collected security deposit will be assessed at a cost plus 15% Administrative Fee.

Date: 7/30/19 Lessee Initial: @

Other fees may be assessed on an event basis depending on special requirements and requests from Lessee.

Date: 7/30/19 Lessee Initial: @

Total Rental Fees Due: Estimated + \$2,130.00

Total Rental Fees Paid: \_\_\_\_\_

Balance Due on Rental Fees: \_\_\_\_\_

Total Security Deposit Due: \_\_\_\_\_

(Security Deposit due 10 days prior to event)

Total Security Deposit Paid: \_\_\_\_\_

Balance Due For: \_\_\_\_\_

**\*\*Parties booking individual areas of the Dripping Springs Ranch Park and Event Center (Vendor Hall/Front Porch, Special Event Room, etc.) are subject to being rescheduled or offered another space to hold their event if a party requests booking the entire facility 45 days or more from the individual area booking. In order to guarantee a reservation with no restrictions, the entire Event Center must be reserved.**

**To ensure no other events will take place during your event, you must book the entire Event Center.**

**The floor plan, event layout and electrical needs are due to DSRP no later than 30 days prior to the event. Failure to do so could hinder DSRP from meeting layout and electrical needs. Changes made after this 30 day deadline may result in additional fees.**

**The decision as to whether or not a proposed event or activity is appropriate for the desired space at the Dripping Springs Ranch Park and Event Center rests with the DSRP Manager.**

**POLICIES AND PARK RULES FOR USE OF THE EVENT CENTER AND OUTDOOR ARENA COMPLEX ARE ATTACHED. PLEASE READ THOROUGHLY BEFORE RESERVING THE FACILITIES. YOU WILL BE REQUIRED TO ADHERE TO ALL POLICIES AND PARK RULES. FAILURE TO ADHERE TO POLICIES AND PARK RULES WILL RESULT IN EVENT CANCELLATION, FINES AND ALL PAYMENTS AND DEPOSIT BEING FORFEITED.**

Date: 7/30/19 Lessee Initials: [Signature]

# DRIPPING SPRINGS RANCH PARK

## Dripping Springs Ranch Park Facilities Rental Policy

(revised: 04/2019)

The following information includes: (1) definitions of rental categories; and (2) general policies and rules for use of the Dripping Springs Ranch Park Event Center and Outdoor Arena ("DSRP Event Center and Outdoor Arena"). In this document, the City of Dripping Springs is referred to as the "City". The Dripping Springs Ranch Park Manager ("DSRP Manager") will be the contact for all events at the Dripping Springs Ranch Park Event Center and Outdoor Arena. Please contact the DSRP Manager for details.

### Event Center Definitions

#### Event Center Facility Rental

Fee includes use of arena, lights, announcer's booth, public address system, chutes, panels, warm up area and common/ vendor areas; 12,000 sq. ft meeting space; concessions.

#### Event Center Arena Rental

Fee includes use of arena, lights, announcer's booth, public address system, chutes, panels, and warm up area.

#### Special Event Room

The 12,000 sq. ft. meeting space is available in conjunction with other events, or for stand-alone events.

#### Event Center Vendor Hall/Front Porch

The 19,000 sq. ft. covered area in the Event Center is available in conjunction with other events, or for stand-alone events.

#### Event Center Stalls

Stalls are available for rent at the Event Center. Any horse that remains at the facility overnight must be in a fee for use stall or tied up at the trailer or in a portable pen adjacent to your camp site (Grounds fee will apply if tied adjacent to camp site, in a portable pen or tied to trailer). Tying horses to the stalls is prohibited. Rental period is 24 hours, noon to noon daily. Users may pay the fee at the Dripping Springs Ranch Park, or may pay directly the Lessee/event holder who is responsible for remitting payment to the City. Using the stalls without renting this amenity will result in forfeiture of event deposit. Shavings are not included in rental price, but are available locally at Dripping Springs area farm and ranch stores.

#### Event Center RV Sites

Rental period is 24 hours, noon to noon daily. Electricity and water are included in fee. Campers may pay the Ranch Park staff or the Lessee/event holder responsible for remitting payment to the City. Maximum stay is 7 days.



Date: 7/30/19 Lessee Initials: @

Event Center Concessions Kitchen

The Concessions Kitchen is available for rent during events. If Lessee requires a concessionaire, contact DSRP Manager.

Event Center Tables and Chairs

The DSRP Event Center does have a limited number of 8-foot-long rectangular tables and folding chairs available for rent during events.

Event Center Arena Prep

City will provide personnel on site to prepare the arena dirt before the rental time period as needed. Cost is included in rental fee. Lessees who wish to work the dirt themselves during the event will be required to: 1) bring their own equipment; 2) attend a scheduled orientation with event center staff; 3) provide proof of \$1,000,000.00 of liability insurance coverage to cover personal and property injury/damages to, including but not limited to, any portion of the arena, including the base layer of the arena floor. All equipment brought in by outside parties must be approved by the event center staff prior to use in the arena. Said equipment should be well maintained and in good working order. The DSRP equipment is available for use during events for a fee. Before use each operator must be cleared by staff on equipment use and sign the DSRP Equipment Use Waiver.

Lessee

Person or entity leasing the Event Center and/or the Outdoor Arena (aka: event holder, show manager, etc.).

Park Rentals

Dripping Springs Ranch Park open areas may be available for rent. Inquiries about rentals should be referred to the DSRP Manager.

Outdoor Arena Complex Definitions

Dripping Springs Ranch Park also has an outdoor arena available for rental. Amenities include the riding arena, a round pen, and arena lights.

Lessee

Person or entity leasing the Event Center and/or the Outdoor Arena (aka: event holder, show manager, etc.).

Riding Arena

The arena is 250 x 150 sq ft. This arena can be used in conjunction with events at the Event Center or as a stand alone rental. The arena has lighting for evening use, announcer's booth, and public address system. An outdoor round pen is included in the rental of the riding arena.

Round Pen

The round pen is adjacent to the arena and is available for warm up and training horses. It is also available for rental as a stand-alone facility.

Date: 7/30/11 Lessee Initials: @

**Policies for Use - Dripping Springs Ranch Park Event Center and Outdoor Arena**

1. No glass containers are allowed on premises of the Dripping Springs Ranch Park and Event Center. This includes outdoor spaces. Failure to comply with this policy will result in a \$500 fine and immediate cancellation of your event.
2. When renting the special event room or any other areas of the facility it is the event holder's responsibility to supervise all children. Persons under the age of 18 years authorized to be in a park facility must be accompanied by an adult at all times. The ratio of minors to adults shall be no less than one adult for every eight minors. Failure to follow these guidelines could result in immediate cancellation of event.
3. Arena Rental Period: Daily (12 hours), ½ Day (6 hours), or hourly.
4. Multiple Day Events: Parties booking for multiple day events will pay the 12-hour rate per day. Clean up must be done by 12:00 midnight of the last day of booking or the per hour charge will apply to additional clean-up time.
5. Parties booking individual areas of the Dripping Springs Ranch Park and Event Center (Vendor Hall/Front Porch, Special Event Room, etc.) are subject to being rescheduled or offered another space to hold their event if a party requests booking the entire facility 45 days or more from the individual area booking. In order to guarantee a reservation with no restrictions the entire Event Center must be reserved.
6. No Sublease: No subleasing of any area of the Dripping Springs Ranch Park Event Center or Outdoor Arena Complex is allowed, excluding vendors related to your event. The City requires knowledge of all the parties it deals with so it can assure that all parties are made aware of the requirements. An association or group that rents the arena and stalls and rents the stalls to its participants will not be considered as subleasing.
7. Event Scheduling: Bookings may be made up to eighteen (18) months in advance of the proposed event. Please contact the DSRP Manager for information and booking of the facilities. Reservations for the Outdoor Arena may be rescheduled or refunded due to weather conditions at the discretion of the City.
8. Event Scheduling: DSRP retains the right to refuse booking an event of a competing or similar nature within 45 days of an event already booked.
9. Events with amplified music must end at midnight and is restricted to 65 decibels or less. Time will be given to clean up and exit after the event, but the music must end at midnight. Events with alcohol must cease alcohol consumption at midnight.
10. Payment: Full payment of the base fee for rental is due when the reservation is made. The estimated charges are determined using the rental request form that is completed prior to securing a confirmed date. If additional amenities or facilities are added or deleted at a later date, additional fees or refunds may apply. Events cancelled more than sixty (60) days prior to the first day/date of the scheduled event will receive a one hundred percent (100%) refund. Events cancelled between thirty (30) and sixty (60) days prior to the first day/date of the scheduled event will receive a fifty (50%) percent refund. Events cancelled less than thirty (30) days prior to the first scheduled day/date of the event will receive NO refund. The City shall have the authority to negotiate and/or waive rental fees in special circumstances. When booking a series of events in one calendar year, full payment for the first event in the series is due at time of reservation. Each successive payment for events in the series is due on the day of completion of the prior event in the series. (Example: Party books 4 Dog Shows in March, July, September and December. Payment for March show is due at time of reservation. Payment for July show is due at completion of March show, etc.)

Date: 7/26/11 Lessee Initials: @

11. **Security Deposit:** A Security deposit of fifty (50%) percent of the estimated rental cost is due ten (10) days prior to the first day/date of the event unless otherwise noted in rental agreement. Lessee agrees to leave the premises in as good or better condition than that which existed prior to their usage; such determination is at the sole discretion of the City. All trash must be disposed of properly. City representative will conduct a walk-through of the premises with the Lessee prior to the event to ensure that all facilities are in working order. An authorized City representative shall complete a walk-through with the Lessee following the event to determine and notify the Lessee of any damages and/or charges. Any damage repair incurred by the City will be deducted from the deposit at actual cost. If damage or repairs exceeds deposit amount, the lessee is responsible for cost of damage plus a 15% administrative fee. Deposit refund will be processed within thirty (30) days of the event's conclusion. A \$25.00 NSF fee will be assessed for all returned checks.
12. Lessee has the option to clean the facility after use or to purchase custodial services. Prices for the custodial services available on the rental agreement. If Lessee opts to conduct their own cleaning of the facility it must be returned to as good or better condition than that which existed prior to their Lease. An authorized City representative shall complete a walk-through with the Lessee following the event to determine and notify the Lessee of any cleaning charges.
13. **Insurance:** Event Lessee and any alcoholic beverage vendor must each provide a copy of its certificate of liability insurance, with a separate endorsement listing the City as an additional insured, in the amount of \$1,000,000.00, insuring against any and all claims for personal injury, death, and/or property damage relating to the event and the Dripping Springs Ranch Park Event Center and Outdoor Arena.
14. **Indemnification:** City shall not be liable to Lessee or Lessee's employees, agents or invitees, or to any other person or entity, for any injury to person or property on or about the DSRP Event Center and Outdoor Arena caused by the negligence or misconduct of Lessee, its employees, or agents. Lessee and all vendors shall indemnify City and hold City harmless from any loss, expense or claims arising out of any such injury.
15. **Alcoholic Beverages:** No sale of alcoholic beverages will be allowed at the DSRP Event Center and Outdoor Arena without the prior written approval of the City. Lessees and/or vendors selling alcoholic beverages must be a holder of a current/valid Texas Alcoholic Beverage Commission ("TABC") license and must provide the City a copy of said TABC license/permit a minimum of two (2) business days prior to the event.
16. **Security and Emergency Medical Services ("EMS"):** Lessee shall be solely responsible for providing a reasonable number of Security and EMS personnel, at the City's discretion, before, during, and after the event to help maintain order, to regulate traffic control, and/or to provide any other security/safety functions that the City determines to be necessary. Lessee shall be responsible for the actions and safety of Lessee or any of Lessee's guests, patrons, or anyone on or around the DSRP Event Center and Outdoor Arena premises as a result of the event, including without limitation protecting such persons from injury or death and protecting Lessee's and City's property or the property of such persons, including any vendors, from loss or damage. Lessee shall arrange for such security and EMS personnel at its own expense and advise the City of actions taken. The City must approve the Lessee plan for security and safety a minimum of three (3) business days before the first day/date of the event. The event cannot take place without prior written approval from the City.

Emergency Medical Technicians are required at each event where there is a substantial risk of injury to the contestants or audience. Need is determined on an event by event basis by Staff. Securing and/or notifying EMT and Paramedics is the responsibility of the event holder.

The establishment of Security requirements for an event will be determined by Staff. These guidelines are established for the protection of life and property while events are in progress and may include officers before, during or after events. All security officers will be arranged for and managed by the event holder.

Date: 7/30/19 Lessee Initials: [Signature]

Security and/or Law Enforcement must be present prior to the beginning of the event and must remain until all crowds and traffic are dispersed and evacuated. See below for guidelines-final plan must be approved by Staff.

All Events with alcohol must have security present. Events with up to 250 attendees must have one law enforcement officer. 250-500 attendees require 2 law enforcement officers. Attendance of over 500 persons requires 3 law enforcement officers.

Other events may be required to have security, even if no alcohol is served or consumed, depending on attendance and type of event.

17. Release of Liability Waivers: The Lessee is responsible for copying waivers and obtaining signatures from each participant prior to participation in the event. Signed waivers must be returned to Dripping Springs Ranch Park Staff no later than seven (7) business days after an event is completed. A copy of the City's waiver may be obtained from Dripping Springs Ranch Park or on the Ranch Park's website.
18. Special Event Food Vendors: Special events that will have food vendors must obtain a Special Events Food Vendor permit from the City of Dripping Springs. Please contact Kyle DeHart, City of Dripping Springs Environmental Health & City Inspector for more information.
19. Concessions: Please contact [ldickinson@cityofdrippingsprings.com](mailto:ldickinson@cityofdrippingsprings.com) to inquire about concessions availability.
20. Litter Control: Trash cans and trash bags are available from Event Center staff. After use, all trash must be placed in the Event Center dumpster. Please pick up any trash left by participants in any areas used in the Park. Trash creates problems for the next user/Lessee and encourages unwanted pests. Please help keep the park clean. Trash that is not removed by Lessee will be removed by Event Center staff and could result in forfeiture of deposit.
21. Overnight RV Camping: Overnight RV camping is permitted. Refer to the Fee Schedule for pricing. Campers may pay the DSRP Staff or the Lessee/event manager responsible for remitting payment to the City. There is a Dump Station on the property available for use with paid RV Fee. There is no discharge of grey water on the property and spills at the Dump Station will be the responsibility of the RV owner.
22. Overnight Primitive Camping: Overnight primitive camping is permitted. Refer to the Fee Schedule for pricing. Campers may pay the DSRP staff or the Lessee/event manager responsible for remitting payment to the City. Please note that the Park does not have electrical hook-ups for campers.
23. Toilets: The Event Center houses sixteen women's toilets and nine men's toilets. There is one portable toilet available for the Outdoor Arena. In cases where the existing restroom facilities will be inadequate, the Lessee is responsible for renting additional toilets. Please see guidelines.

Date: 7/30/11 Lessee Initials: [Signature]

Special Event Portable Toilet Calculator

Number of Hours	Maximum Attendance*										
	100	250	500	1,000	2,000	3,000	4,000	5,000	6,000	7,000	8,000
1	1	2	2	3	4	10	10	12	17	20	24
2	1	2	3	4	8	12	16	20	27	32	39
3	1	2	3	5	10	15	19	24	34	38	47
4	1	2	4	6	11	16	22	27	38	41	54
5	2	2	4	6	12	18	24	29	41	42	58
6	2	3	4	7	13	18	25	31	42	46	62
7	2	3	4	7	13	19	25	32	46	46	64
8	2	3	4	7	14	20	27	33	46	46	66
9	2	3	4	7	14	20	27	33	46	46	66

\*If alcohol is being served we recommend increasing the number of restrooms for your event. Please keep in mind that this is an estimated number of restrooms needed. You may need more, or less depending on your specific needs.

24. **Parking:** Parking at DSRP event center is free to Lessee and its participants. The City may choose to charge for parking at other hosted events. If your event attendance is expected to be exceed 500 attendees, Lessee will be required to submit a parking plan to DSRP management no later than 30 days prior to event. Parking Plans, parking requirements or parking lot attendants may be required and this determination is at the sole discretion of DSRP management.
25. **Horse Show Managers or Producers** will receive one free RV spot and 2 free stalls per show.
26. **Equipment:** Show production equipment provided by the Lessee must be removed by Lessee from the arena or other fields no later than end of rental period. All City equipment such as orange cones or other equipment provided by the City must be returned to original placement following use. All leasable equipment is noted on the Rate Schedule. DSRP can arrange for additional equipment or services through outside sources at rates to be quoted upon request.
27. **Orange Cones:** If Available the City will have, free of charge, 36" tall orange traffic cones should the Lessee request them for an event. Lessee is responsible for notifying the City at least five days prior to event, providing the number of cones needed. Lessee is also responsible for placing cones where needed and returning them to their original location. Lost/damaged cones will be replaced at Lessee expense.
28. **Coggins Lab Accession Log:** Lessee is required to comply with the Texas Animal Health Control ("TAHC") regulations. Current Coggins Lab Accessions are required for all horses on DSRP property.
29. **General Park Rules:** General park rules for the City apply at the DSRP Event Center and Outdoor Arena. Campfires, glass containers, or fireworks are NOT permitted at the DSRP Event Center and Outdoor Arena complex or in the general park area. If you have questions about other general park rules, please refer to the Parks link on the City of Dripping Springs website at [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com) or contact City Hall at 512-858-4725.
30. **No alterations of any structure** will be allowed and there will be no glue, wire, screws, or nails attached to or embedded into the walls or ceilings for any reason.

Date: 7/31/19 Lessee Initials: [Signature]

31. No signs or banners shall be placed in the DSRP Event Center and Outdoor Arena without the consent of the DSRP Manager. No signs or banners shall be placed over an existing banner or exit sign.
32. It is the responsibility of the Lessee to remove all event related items (i.e. banners, signs, decorations, etc.) at the end of the event. DSRP will not be responsible for any items left behind.
33. No smoking on or around the DSRP Event Center and Outdoor Arena.
34. No alcoholic beverages permitted on or around the DSRP Event Center and Outdoor Arena unless: (a) purchased on site from approved vendor possessing appropriate licensing from TABC, or (b) provided free of charge by a Lessee to invited guests at a private function that is not open to the general public.
35. Dogs: Dogs must be on leash at all times on or around the DSRP Event Center and Outdoor Arena. Owners must pick up after dogs or may be asked to leave the premises.
36. Special Needs: If you find that your event requires services or has needs not addressed in this document or rental forms, please contact the DSRP Manager to discuss.
37. Planning Setups (Floor Plans): DSRP staff will assist with arrangements for set up of your event. This assistance includes helping you plan the floor plans and layout for your event. All efforts will be made to ensure no detail is overlooked.
38. Floor Plan, Layout & Electrical Needs: The floor plan, event layout and electrical needs are due to DSRP no later than 30 days prior to the event. Failure to do so could hinder DSRP from meeting layout and electrical needs. Changes made after this 30 day deadline may result in additional fees.
39. DSRP has internet available. A password is required for access.
40. Clerical Support is not a direct service of DSRP; but, in the case of assisting with copies, staff can assist you for a fee (\$.05 per copy). Office supplies are not provided by DSRP.
41. Please keep DSRP staff informed of any deliveries for your event. DSRP cannot accept responsibility for liability or loss. Lessees must arrange for security for items shipped in advance. DSRP does not arrange return shipping for any item, this is the Lessees responsibility.
42. DSRP will provide trashcans and liners for events. Lessee is responsible for emptying these cans and disposing of trash in the dumpsters located on the property unless other arrangements are made. All bulk trash items must be removed by Lessee. If not removed and disposed of an additional clean up fee may be assessed.
43. The DSRP Lobby is not a rental space. It is common area which serves as the entrance and restroom access for concurrent events. No Lessee will be permitted to conduct events in the Lobby that would interfere with other events occurring within DSRP.
44. Any space is rented as is; 'four walls'; any changes or modifications could result in additional fees. Please refer to fee schedule. Personnel necessary for normal building operations will be on duty. If additional staff is needed for your event there will be additional staff fees.
45. Each event will have a designated spokesperson. Any communications before and during the event must come through the designated spokesperson.

Date: 7/30/19 Lessee Initials R

**Please read and sign below:**

I have read and agree to the terms and conditions stated in the Policies and General Park Rules for the Dripping Springs Ranch Park and Event Center and/or Outdoor Arena Complex, and Ranch House/Grounds and do hereby request the use of the facilities as outlined in this Agreement. As the authorized agent, I shall be the responsible contact for my group, organization, membership, and/or event. Lessee hereby agrees to indemnify and hold harmless the City of Dripping Springs, and its officers and employees from and against any and all liabilities for any injury to person or property which may be suffered by me or by my party arising out of or in any way connected with participation in the rental noted above. By signing below I declare I have read, understand, and agree to abide by the existing said Policies and Park Rules. I understand that I may request to have a copy of the Policies and Park Rules for my possession.

*John Woodridge*  
Lessee or Designated Event Spokesperson Signature  
*Agent: Monica Bunde Wenz*

7/30/19  
Date Signed

\_\_\_\_\_  
City Representative

\_\_\_\_\_  
Date Signed

**Please make checks payable to: DSRP; and hand deliver to 1042 Event Center Drive, Dripping Springs, Texas 78620 OR mail to DSRP, PO Box 384, Dripping Springs, Texas 78620. Contact DSRP Manager for more information.**

## City Council

### Regular Meeting Minutes August 20, 2019 at 6:00 p.m.

A Regular Meeting of the City Council of Dripping Springs, Texas, was held Tuesday, August 20, 2019 at 6:00 p.m. in the City Hall Council Chambers, located at 511 Mercer Street, Dripping Springs, Texas.

#### I. CALL TO ORDER AND ROLL CALL

Mayor & City Council Members present were:

Mayor Todd Purcell (arrived at 6:09 p.m.)

Mayor Pro Tem Bill Foulds

Council Member Travis Crow

Council Member Wade King

Council Member John Kroll

Council Member Taline Manassian

City Staff/Appointed Officials/Consultants present were:

City Administrator Michelle Fischer

Deputy City Administrator Ginger Faught

City Secretary Andrea Cunningham

City Treasurer Gina Gillis

Planning Director Jason Lutz

Parks & Community Services Director Mariana Espinoza

Dripping Springs Ranch Park Manager Lynne Dickinson

Assistant City Attorney Laura Mueller

City Engineer Chad Gilpin

Utility Coordinator/Building Official Sarah Cole

Code Enforcement/Inspections Aaron Reed

TIRZ Project Manager Keenan Smith

With a quorum of the City Council present Mayor Pro Tem Foulds called the meeting to order at 6:06 p.m.

#### II. PLEDGE OF ALLEGIANCE

Council Member King led the Pledge of Allegiance to the Flag.

#### III. PRESENTATION OF CITIZENS

*The floor is open for Citizens wishing to speak on items that are not on the posted agenda or do not have a public hearing, and speakers are encouraged to sign in prior to speaking. Citizens wishing to speak shall do so after being recognized by the Mayor. Speakers are allowed two (2) minutes to speak, which the Mayor or City Council may extend. By law no action may be taken during Presentations of Citizens.*

No one spoke during Presentation of Citizens.

#### IV. CONSENT AGENDA



- A. **Approval of an Ordinance Amending the City's Code of Ordinances by Increasing the Rate for Water Service; Providing for the Following: Findings of Fact; Rate; Repealer; Severability; Effective Date; Proper Notice and Meeting.**  
Sponsor: Mayor Pro Tem Foulds

**Filed as Ordinance No. 2019-26**

- B. **Approval of a Resolution Approving the Execution of a Permanent Waterline Easement between the City of Dripping Springs and Driftwood DLC Austin II, LLC, and regarding a 0.0498 acre tract of land situated in the Freelove Woody Survey No. 23, Abstract No. 20, Hays County, Texas, being a portion of Lot 1, Driftwood 967, Phase One, a subdivision recorded in Document No. 19002937 of the Official Public Records of Hays County, Texas**  
Sponsor: Mayor Pro Tem Foulds

**Filed as Resolution No. 2019-R32**

A motion was made by Council Member Kroll to approve Consent Agenda Items A – B. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

## V. BUSINESS

- A. **Discuss and consider approval of a Donation Agreement between the City of Dripping Springs and the Dripping Springs Running Club for trail extension at Sports and Recreation Park**  
Sponsor: Wade King

Mariana Espinoza presented the staff report which is on file. Staff recommends approval of the agreement with an amount not to exceed \$4,000 - \$5,000.00.

A motion was made by Council Member Manassian to approve a Donation Agreement between the City of Dripping Springs and the Dripping Springs Running Club for trail extension at Sports and Recreation Park for an amount not to exceed \$6,000.00 and striking the termination clause. Council Member King seconded the motion which carried unanimously 5 to 0.

Mayor Pro Tem handed the gavel to Mayor Purcell who presided over the remainder of the meeting.

- B. **Discuss and consider approval of a rental agreement for Dripping Springs Ranch Park and Event Center Monster Truck Wars Event to be held Saturday, October 26, 2019**  
Sponsor: Council Member King

Lynne Dickinson presented the staff report which is on file. Staff recommends approval of the agreement.

A motion was made by Council Member Kroll to approve a rental agreement for Dripping Springs Ranch Park and Event Center Monster Truck Wars Event to be held Saturday, October 26, 2019 limiting the event to one (1) matinee show to be finished at 5:00 p.m.

Council Member King seconded the motion which carried 3 to 2, with Council Members Crow and Manassian opposed.

Council Member Manassian directed staff to check references of the event organizer.

- C. Discuss and consider approval of an Amendment to an Interlocal Agreement (the “Agreement”), by and between the City of Dripping Springs, a general law city in Hays County, Texas (hereinafter the “City”), Dripping Springs Independent School District (hereinafter the “District”), Dripping Springs Community Library District (the “Library”), and Tax Increment Reinvestment Zone #1 and Tax Increment Reinvestment Zone #2, Dripping Springs, Texas (the “TIRZ”) (collectively the “Parties”), in connection with the development and construction of the Town Center Project, extending the Term and increasing plan study fees.**

Sponsor: Council Member Manassian

Keenan Smith and Laura Mueller presented the item. Amendment is being requested to increase funds for expanded scope of project which is shared with the Dripping Springs Independent School District. The TIRZ No. 1 & No. 2 Board recommended approval of only the costs associated with the amendment and not the extension, which will be discussed and proposed at a future meeting.

A motion was made by Mayor Pro Tem Foulds to approve an Amendment to an Interlocal Agreement (the “Agreement”), by and between the City of Dripping Springs, a general law city in Hays County, Texas (hereinafter the “City”), Dripping Springs Independent School District (hereinafter the “District”), Dripping Springs Community Library District (the “Library”), and Tax Increment Reinvestment Zone #1 and Tax Increment Reinvestment Zone #2, Dripping Springs, Texas (the “TIRZ”) (collectively the “Parties”), in connection with the development and construction of the Town Center Project, extending the Term and increasing plan study fees with the recommendation that the amendment regarding extension of the agreement be stricken. Council Member Kroll seconded the motion which carried unanimously 5 to 0.

- D. Discuss and consider approval of an Amendment to the Agreement, made and entered into in June 2018 by and between the City of Dripping Springs, Texas (hereinafter referred to as the “City”) and Economic and Planning Systems, Inc. (hereinafter referred to as “Contractor”).**

Sponsor: Council Member Manassian

A motion was made by Mayor Pro Tem Foulds to approve an Amendment to the Agreement, made and entered into in June 2018 by and between the City of Dripping Springs, Texas (hereinafter referred to as the “City”) and Economic and Planning Systems, Inc. (hereinafter referred to as “Contractor”). Council Member Kroll seconded the motion which carried unanimously 5 to 0.

- E. Discuss and consider approval of an Amendment to the Hall Commercial Tract Development Agreement between the City of Dripping Springs and Aus S.T. Kyle, Ltd. Assignee Harrison Hills, LLC, regarding the removal of an approximate 7.105 acre tract from the overall 24.69 acres referred to as the "Hall Commercial Tract".**

Applicant: Jon Thompson

Jason Lutz presented the staff report which is on file. Staff has not received the assignment and understands that the former owner's attorney is reviewing the assignment. Staff recommends either approving the item contingent on the receipt of assignment and termination of agreement or deny and provide the applicant with a timeline for reconsideration.

A motion was made by Mayor Pro Tem Foulds to deny an Amendment to the Hall Commercial Tract Development Agreement between the City of Dripping Springs and Aus S.T. Kyle, Ltd. Assignee Harrison Hills, LLC, regarding the removal of an approximate 7.105 acre tract from the overall 24.69 acres referred to as the "Hall Commercial Tract". Council Member King seconded the motion which carried unanimously 5 to 0.

## VI. BUDGET

### A. Discuss and consider an Amendment to the Fiscal Year 2020 Budget Calendar.

Andrea Cunningham presented the staff report which is on file.

The Mayor directed staff to schedule a special meeting for a tax rate Public Hearing on September 6, 2019 and to coordinate with the City Council on a meeting time.

### B. Presentation and discussion regarding the City of Dripping Springs Fiscal Year 2020 Proposed Budget.

Mayor Purcell presented the item and the budget as presented is balanced. Additional Parkland Dedication funds will be allocated by the Parks & Recreation Commission and Hotel Occupancy Tax (HOT) Grant Program Funds allocation will be recommended by the HOT Grant Application Review Committee. The City will also be addressing the Homestead Exemption which will not take effect until the next Fiscal Year.

A motion was made by Mayor Pro Tem Foulds to adjourn into Executive Session under Texas Government Code Sections 551.071 Consultation with City Attorney, and 551.071 Personnel Matters and regarding Executive Session Agenda Items A – F, and Budget Agenda Items B and C. Council Member King seconded the motion which carried unanimously 5 to 0.

### Executive Session Agenda

- A. Consultation with City Attorney regarding legal issues related to land use regulation including alcohol.
- B. Consultation with City Attorney regarding legal issues related to the Headwaters Development Agreement.
- C. Consultation with City Attorney regarding legal issues related to the Water Reclamation Project and regarding Easement Acquisition.
- D. Consultation with City Attorney regarding legal issues related to the Dripping Springs Water Supply Corporation Retail Water Service.

- E. **Deliberation of Personnel Matters regarding the employment, compensation, benefits and duties of City Administrator, Deputy City Administrator, Administrative Assistant to the City Administrators, Receptionist, Information Technology Coordinator, Communications Coordinator, Emergency Management Coordinator, City Secretary, Municipal Court Clerk, City Treasurer, Accounting Clerk, Billing Assistant, Parks and Community Services Director, Pool Manager, Seasonal Pool Lifeguards and Cashiers, Farmers Market Manager, Dripping Springs Ranch Park Manager, Dripping Springs Ranch Park Facility Coordinator, Dripping Springs Ranch Park Maintenance Workers Sheri Kapanka, Nick Spillar, and Sean Untersee, Dripping Springs Ranch Park Facility Attendant, Dripping Springs Ranch Park Maintenance Superintendent, Maintenance Director, Maintenance Workers Jim Bass, Adrian Lopez and Sesario Garza, Building Official, Utility Coordinator, Building Permit Technician, Planning Director, City Planner II, Planning Assistant, and Code Enforcement & Construction Inspector.**
- F. **Deliberation of Personnel Matters regarding the job descriptions, compensation, benefits, and employment of the Records Management Clerk, Accounts Receivable Clerk, Code Enforcement Inspector, Special Events and Programs Specialist, South Regional Water Reclamation Plant Maintenance Worker, Geographic Information Systems Analyst/Planner, and Public Works Coordinator.**

#### **Budget Agenda Items**

- B. **Presentation discussion regarding the City of Dripping Springs Fiscal Year 2020 Proposed Budget.**
- C. **Discuss and consider approval of the Proposed Tax Rate for the Fiscal Year 2020.**

The City Council met in Executive Session from 6:47 p.m. – 8:28 p.m.

Council Member Crow recused from Executive Session Agenda Item D, leaving the Executive Session. An affidavit is on file in the City Secretary's Office.

No vote or action was taken in Executive Session. Mayor Purcell returned the meeting to Open Session at 8:29 p.m.

- C. **Discuss and consider approval of the Proposed Tax Rate for the Fiscal Year 2020.**

A motion was made by Mayor Pro Tem Foulds to set a proposed tax rate for Fiscal Year 2020 at \$0.19 per \$100 of assessed valuation. Council Member King seconded the motion which carried unanimously 5 to 0.

#### **VII. EXECUTIVE SESSION**

*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.*

- A. Consultation with City Attorney regarding legal issues related to land use regulation including alcohol.**  
Consultation with City Attorney, 551.071
- B. Consultation with City Attorney regarding legal issues related to the Headwaters Development Agreement.**  
Consultation with Attorney, 551.071
- C. Consultation with City Attorney regarding legal issues related to the Water Reclamation Project and regarding Easement Acquisition.**  
Consultation with Attorney, 551.071
- D. Consultation with City Attorney regarding legal issues related to the Dripping Springs Water Supply Corporation Retail Water Service.**  
Consultation with City Attorney, 551.071
- E. Deliberation of Personnel Matters regarding the employment, compensation, benefits and duties of City Administrator, Deputy City Administrator, Administrative Assistant to the City Administrators, Receptionist, Information Technology Coordinator, Communications Coordinator, Emergency Management Coordinator, City Secretary, Municipal Court Clerk, City Treasurer, Accounting Clerk, Billing Assistant, Parks and Community Services Director, Pool Manager, Seasonal Pool Lifeguards and Cashiers, Farmers Market Manager, Dripping Springs Ranch Park Manager, Dripping Springs Ranch Park Facility Coordinator, Dripping Springs Ranch Park Maintenance Workers Sheri Kapanka, Nick Spillar, and Sean Untersee, Dripping Springs Ranch Park Facility Attendant, Dripping Springs Ranch Park Maintenance Superintendent, Maintenance Director, Maintenance Workers Jim Bass, Adrian Lopez and Sesario Garza, Building Official, Utility Coordinator, Building Permit Technician, Planning Director, City Planner II, Planning Assistant, and Code Enforcement & Construction Inspector.**  
Personnel Matters, 551.074
- F. Deliberation of Personnel Matters regarding the job descriptions, compensation, benefits, and employment of the Records Management Clerk, Accounts Receivable Clerk, Code Enforcement Inspector, Special Events and Programs Specialist, South Regional Water Reclamation Plant Maintenance Worker, Geographic Information Systems Analyst/Planner, and Public Works Coordinator.**  
Personnel Matters, 551.074

The City Council met in Executive Session earlier in the meeting.

## VIII. UPCOMING MEETINGS

- A. City Council & BOA Meetings**  
September 10, 2019 at 6:00 p.m. (6:00 p.m. Workshop / 6:30 p.m. Regular Meeting)  
September 17, 2019 at 6:00 p.m.  
October 8, 2019 at 6:00 p.m. (6:00 p.m. Workshop / 6:30 p.m. Regular Meeting)  
October 15, 2019 at 6:00 p.m.

**B. Board, Commission & Committee Meetings**

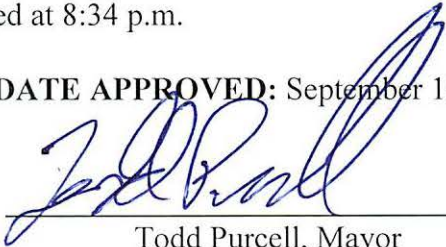
- Transportation Committee, August 26, 2019 at 3:30 p.m.
- Planning & Zoning Commission, August 27, 2019 at 6:30 p.m.
- Economic Development Committee, August 28, 2019 at 4:00 p.m.
- Parks & Recreation Commission, September 3, 2019 at 6:00 p.m.
- Historic Preservation Commission, September 4, 2019 at 4:00 p.m.
- TIRZ No. 1 & No. 2 Board, September 9, 2019 at 4:00 p.m.
- Founders Day Commission, September 9, 2019 at 6:30 p.m.

**IX. ADJOURN**

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

This regular meeting adjourned at 8:34 p.m.

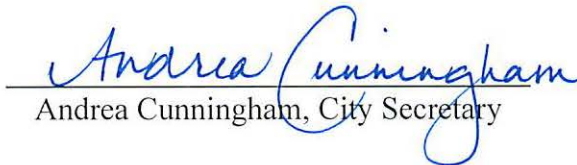
**DATE APPROVED:** September 10, 2019




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Todd Purcell, Mayor

**ATTEST:**




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Andrea Cunningham, City Secretary



ADMINISTRATIVE APPROVAL PROJECTS				
Site Development Project Name	City Limits / ETJ	Location	Description	Status
SD2021-0005 Dripping Springs WWTP Expansion	CL	23127 FM 150 W	Expansion of the Wastewater treatment plant	Under Review
SD2021-0008 AHC Development (aka PDD 11)	CL	27110 RR 12	Construction of a new Multi-Family complex and its necessary infrastructure and a public extension of S Rob Shelton Blvd	Approved
SD2021-0021 RR 12 Commercial Kitchen	CL	28707 RR 12	Commercial kitchen that will support a catering business, no on-site dining is proposed	Approved w/ Conditions
SD2021-0013 Dreamland	ETJ			Waiting on resubmittal
SD2021-0030 Belterra Townhomes	ETJ	Belterra	Seven townhome units with associated parking, sidewalk, utilities, and drainage	Waiting on resubmittal
SD2021-0031 Rob Shelton Blvd. Extension	CL	Rob Shelton	An extension of Rob Shelton South bound per PDD 11	Approved
SD2022-0001 Julep Commercial Park	ETJ	Northeast corner of W US 290 and Trautwein Rd	11.27 acre site of mixed-use commercial buildings with supporting driveways, water quality and detention pond, rainwater harvesting, and other utilities	Waiting on resubmittal
SD2022-0002 East Ledgestone Commercial	ETJ	Ledgestone	5 mixed-use, commercial buildings with associated utilities, paving, sidewalks and drainage	Approved
SD2022-0010 Wenty's Wine Bar	ETJ	5307 Bell Springs Rd	Wine bar and associated improvements	Waiting on resubmittal
SD2022-0007 Heritage Effluent Line Stage II Extension	CL	511 Mercer Street	Extension of the existing 12" effluent line north along RR12, along with an 8" effluent line that spans from Rob Shelton, across Hwy 290, and north to Heritage Stage 2	Under Review
SD2022-0008 Patriot's Hall Phase 1B	ETJ	231 Patriots Hall Blvd	New Patriot's Hall event building with parking, infrastructure and water quality	Under Review
SD2022-0013 DS Flex Business Park	CL	28513 RR 12	Construction of two shell buildings with accompanying site improvements	Under Review
SD2022-0011 Skybridge Academy	CL	519 Old Fitzhugh Road	Remodel/repurpose of existing historic structures, add new construction to tie together the house and garage with additional parking and revised driveway	Under Review
SD2022-0014 Bell Springs Site Plan (Travis Flake)	ETJ	5307 Bell Springs Rd	Office and Warehouse with drives, parking, waterline connection, and pond	Approved w/ Conditions
SD2022-0015 Over Yonder Nature School	ETJ	5000 Bell Springs	Addition of structures, parking, utility and drainage for a nature school	Approved
SD2022-0016 JWLP Lot 6 Revision 1	CL	249 Sportsplex Drive	Revision to the original site plan	Waiting on resubmittal
SD2022-0018 Office 49	ETJ	241 Frog Pond Lane	The construction of eleven office buildings of varying sizes along with the related paving, grading, drainage, and utility improvements.	Waiting on resubmittal
SD2022-0019 Double L Ranch, Phase 1	ETJ	RR 12	Construction of water, wastewater, drainage and paving improvements for 244 single family lots.	Waiting on resubmittal
SD2022-0020 Merigian Studios	ETJ	105 Daisy Lane	Art studio with driveway, parking, and external structures	Waiting on resubmittal
SD2022-0022 Belterra Medical Office	ETJ	164 Belterra Village Way	Medical office building with associated parking, sidewalk, utility and drainage improvements	Waiting on resubmittal
SD2022-0023 Christian Automotive	ETJ	100 N. Canyonwood Drive	Construction of an approximately 6,000 square feet of light automotive facility	Waiting on resubmittal
SD2022-0024 4400 US 290 SP	ETJ	4400 US 290	7 Commercial Buildings in the ETJ	Waiting on resubmittal
SD2022-0025 Hardy Drive	ETJ	2901 US 290	Construction of a road for the Hardy and Bunker Ranch development to meet fire code	Waiting on resubmittal
SD2022-0026 Driveway 100 US 290	CL	100 US 290	The addition of new asphalt driveway including culvert extension to create access from Wallace St.	In Administrative Copleteness
SD2022-0027 Sawyer Ranch Lot 3A	CL	13341 W US 290	Lot 3A of the Sawyer Ranch at US 290 development. This consists of commercial buildings with parking, sidewalks, and utilities.	Waiting on resubmittal
SD2022-0028 Panda Express Revision	ETJ	12680 W US 290	Revision to the original site plan of Panda Express	Waiting on resubmittal
SD2022-0029 Headwaters Commercial East Phase 1 SP	CL	Headwaters Blvd.	Development of a preschool with associated utility infrastructure, storm infrastructure, parking lot improvements, and a water quality/detention pond that accounts for future developments	Waiting on resubmittal
SD2022-0030 Fire Station 62	ETJ	15850 FM 1826	Renovation of existing fire station and addition of paving around west side of building.	Under Review
SD2022-0031 WHIM Corporate Site Plan	CL	27950 RR12	The construction of the corporate HQ for WHIM along with the site improvements needed and as shown in the site plan.	Waiting on resubmittal
SD2022-0032 Driftwood Ranch Clubhouse	ETJ	17901 FM 1826	Clubhouse buildings and parking	Waiting on resubmittal
SD2022-0033 Hays County ESD EMS Station 72 - Heritage Oaks	ETJ	1 Heritage Oaks Drive	New ESD EMS Station	Under Review
SD2022-0034 HTeaO Revision	ETJ	12680 W US 290	Revision to the approved HTeaO site plan last year	Approved
SD2022-0035 100 Daisy Lane Site Plan	ETJ	100 Daisy Lane	A metal building for manufacturing, office, storage, tasting room for a distillery and associated paving	Waiting on resubmittal
SD2022-0036 Hays County ESD EMS Station 73 - RR 12	ETJ	31331 RR 12	New ESD EMS Station	Under Review
SD2022-0037 Burlebo	ETJ	149 American Way	Warehouse/office for business and distribution operation of Burlebo	Under Review
SD2022-0038 CAK Capital Office Building	CL	28496 Ranch Road 12	Site improvements for future detached office building	Under Review
SD2022-0039 Big Sky Ranch WWTP	CL	Sue Peaks Loop	Temporary Wastewater Treatment Plan and subsurface area drip disposal system to serve Big Sky Development	Under Review

<i>Ongoing Projects</i>	
Comprehensive Plan	CPAC Scenario meetings on October 17th and 18th
Cannon East	Converted to Hilltop Vista
Cannon Mixed-Use	DAWG Meeting Thursday, December 8



Subdivision Project Name	City Limits / ETJ	Location	Description	Status
SUB2021-0065 Heritage Phase 2 Final Plat	CL	Sportsplex Drive (Heritage Development)	162 Lots on 69.999 acres, 160 of which are residential with an average lot size of 0.143 acres	Waiting on Resubmittal
SUB2021-0069 Cannon Ranch Ph 1 Construction Plans	CL	Cannon Ranch Road	Development of 122 residential lots with public roadways, utilities, and drainage features.	Approved with conditions
SUB2021-0071 Cannon Ranch OffSite Waterline	CL	Cannon Ranch Road	The construction of an offsite waterline that is approximately 4 acres	Approved with conditions
SUB2021-0073 Hardy Preliminary Plat	CL	2901 W US 290	41 Residential lots on 39.341	Waiting for Resubmittal
SUB2022-0002 Hays Street Subdivision	CL	102 Bluff Street	Subdivision of 6 residential lots in the Historic District	Waiting for Resubmittal
SUB2022-0006 AHC Preliminary Plat (PDD11)	CL	27110 RR12	Platting 4 lots. Three lots for multifamily and one for ROW	Approved
SUB2022-0007 AHC Final Plat (PDD11)	CL	27111 RR12	Platting 4 lots. Three lots for multifamily and one for ROW	Approved
SUB2022-0009 Driftwood Subdivision Phase 3 Preliminary Plat	ETJ	17901 FM 1826	Preliminary Plat for 14 lots: 12 Residential, 1 Commercial, 1 Industrial	Approved with conditions
SUB2022-0011 BR Subdivision MP	CL	26918 RR 12	Moratorium Exception Form	Approved with conditions
SUB2022-0012 Driftwood Sub Ph 3 Sec 1 FP	ETJ	17901 FM 1826	Final Plat for 1 Commercial Lot	Approved with conditions
SUB2022-0013 Driftwood Sub Ph 3 Sec 2 FP	ETJ	17901 FM 1826	FP for 11 single-family residential lots, 1 open space lot, and 1 private street lot on 34.67 acres	Approved with conditions
SUB2021-0011 Double L Phase 1 Prelim Plat	ETJ	1.5 miles N of US 290 & RR 12	PP for 243 residential units and 1 amenity center	Approval with Conditions
SUB2022-0017 Rob Shelton - Cannon	CL	Rob Shelton Boulevard	Construction Plans	Under Review
SUB2022-0019 Ladera Sub, Lot 2 Replat	ETJ	4630 W Hwy 290	Replat	Approved
SUB2022-0021 Headwaters at BC Phase 3 CP	ETJ	Intersection of Hazy Hills Loop and Roy Branch Road	Construction Plans	Approved with conditions
SUB2022-0023 Overlook at Bunker Ranch CP	CL	2004 Creek Road	Construction Plans for 12 single family lots with 1 drainage lot	Approved with conditions
SUB2022-0025 Driftwood Club Core Ph 5 CP	ETJ	Thurman Roberts Way	Condo Regime with nine (35) detached residential units	Approved
SUB2022-0026 101 Bob White Cove Replat	CL	101 Bob White	One lot into two lots	Approved
SUB2022-0028 Parten Ranch Phase 8	ETJ	End of Bird Hollow near Tricking Brook Road Intersection	90 Lot Subdivision	Approved with conditions
SUB2022-0029 Vitolich Plaza, Lot 1 Replat	ETJ	Bell Springs Rd	From one lot to two lots	Approved with conditions
SUB2022-0030 Burke Subdivision, Lot 1A Replat	ETJ	20650 FM 150	From one lot to two lots	Approved with conditions
SUB2022-0031 Patriots Hall AP	ETJ	231 Patriots Hall Blvd	Combining the existing 4 lots into 1 lot	Waiting for Resubmittal
SUB2022-0033 The Ranch at Caliterra	ETJ	Premier Park Loop	Preliminary plat of the Carter tract with 243 lots	Waiting for Resubmittal
SUB2022-0036 Driftwood Creek FM 150 12 Treated Effluent and 10 Raw Wastewater Force mains Ph I and II	ETJ	FM 150	12 inch treated effluent line and 10 inch wastewater force mains to connect with Dripping Springs WWTP	Waiting for Resubmittal
SUB2022-0037 Re-subdivision of Lot 2, Driftwood 967 Phase One FP	ETJ	Near the intersection of FM 1826 and FM 967	Replating the already platted lot for mixed-use development. This is to be part of the Driftwood Development	Approved with conditions
SUB2022-0038 Hanelius Replat	ETJ	449 Twin Oaks Trl	From one lot to two lots	Withdrawn
SUB2022-0039 Village Grove Preliminary Plat	CL	Sports Park Rd	Village Grove PDD. This is 112.40 acres including 207 lots, 511 residential units, and 6.82 acres will be commercial	Waiting for Resubmittal
SUB2022-0040 102 S Bluff St CP	CL	Hays st	Construction Plans for 7 lots. Six of which are residential and 1 will be landscaping	Waiting for Resubmittal
SUB2022-0041 Hays St Preliminary Plat	CL	Hays st	Preliminary Plat for 7 lots. Six of which are residential and 1 will be landscaping	Waiting for Resubmittal
SUB2022-0042 Silver Creek Subdivision	ETJ	Silver Creek Rd	70-acre tract to be developed into a 28 single family lots with access, paving, on-site sewage, water supply well, and an undisturbed open space	Approved with conditions
SUB2022-0043 Howard Ranch Sec 4 Lots 62 & 63 AP	ETJ	590 Cypress Creek Dr	An amending plat to remove a site parking area from the single family lot. This request is by the property owner.	Waiting for Resubmittal
SUB2022-0044 Arrowhead Ranch Phase 2D AP	CL	Arrowhead Ranch	Add the water quality buffer zone line to the plat.	Approved
SUB2022-0045 Ellington Estates MP	ETJ	206 Darden Hill Rd	Legalizing the lot	Waiting for Resubmittal
SUB2022-0046 Kaii Kate	ETJ	4550 FM 967	City of Dripping Springs and City of Buda Interlocal Agreement	Waiting for Resubmittal
SUB2022-0047 Ariza West 290	ETJ	13900 W US Highway 290	The Final Plat for an apartment complex	Waiting for Resubmittal
SUB2022-0048 Wild Ridge Phase 1 CP	CL	E US 290	Construction plans for phase 1 of Wild Ridge	Under Review
SUB2022-0049 Serenity Hills	ETJ	1111 HAYS COUNTRY ACRES ROAD	50 Lot subdivision in Dripping Springs ETJ	Under Review
SUB2022-0050 North 40, Section 2, Block B, Lots 1, 2, 29, and 30	CL	28501 RR 12	Amending Plat to combine 4 lots into 1	Under Review

**CITY OF DRIPPING SPRINGS**

**RESOLUTION No. 2022-R\_\_**

A RESOLUTION OF THE CITY OF DRIPPING SPRINGS, TEXAS, DETERMINING A PUBLIC NEED AND NECESSITY FOR THE ACQUISITION OF CERTAIN PROPERTY FOR THE SOUTH REGIONAL WATER RECLAMATION PROJECT AND AUTHORIZING THE CITY'S ATTORNEY TO FILE PROCEEDINGS IN EMINENT DOMAIN TO ACQUIRE SAID PROPERTY INTERESTS

*OWNER(S): Patrick J. Zielbauer and Jenna Kolle Zielbauer*

*PROPERTY INTEREST TO BE ACQUIRED: BEING A 0.41 ACRE, 30 FOOT WIDE WASTEWATER EASEMENT, SITUATED IN THE THOMAS R. JACKSON SURVEY NO. 25, ABSTRACT NO. 9, HAYS COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 10.03 ACRE TRACT, DESCRIBED IN A DEED TO PATRICK J. ZIELBAUER AND JENNA KOLLE ZIELBAUER, AND RECORDED IN DOCUMENT NO. 20048995, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.TX.)*

**WHEREAS**, the City Council, upon consideration of the matter, has determined that there is a public necessity for the welfare of the City of Dripping Springs, Texas ("City") and the public-at-large to construct certain wastewater collection facilities and make utility improvements to the wastewater utility system and to perform associated public uses and purposes as a part of the South Regional Water Reclamation Project; and

**WHEREAS**, in accordance with the above, the City Council hereby finds that public necessity requires the acquisition of fee simple title to approximately 0.41 acres of land, located in Hays County, Texas and more particularly described by metes and bounds and on the survey plat to accompany the parcel description in Exhibit "A" attached hereto and incorporated herein for all purposes; and

**WHEREAS**, all such property described and depicted on Exhibit A being owned by Patrick J. Zielbauer and Jenna Kolle Zielbauer ("Property") for the public use of construction, reconstruction, maintaining, and operating of wastewater utility system improvements and related facilities as a part of the South Regional Water Reclamation Project ("Project"), excluding all the groundwater, oil, gas, and other minerals which can be removed from beneath said Property, without any right whatever remaining to the owner of such groundwater, oil, gas, and other minerals of ingress to or egress from the surface of said Property for the purpose of exploring, developing, or mining of the same, as a part of the improvements to the Project, at such locations as are necessary and that such constructing,

reconstructing, maintaining, and operating shall extend across and upon, and will cross, run through, and be upon the herein described real Property; and

**WHEREAS,** it is necessary to establish procedures for determining and approving just compensation and completing the acquisition of the Property for this Project.

**WHEREAS,** it is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and public notice of the time, place, and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

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

- Section 1. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.
- Section 2. The City Council hereby finds and determines that it is necessary for the welfare of the City and its citizens to construct and maintain a wastewater utility system in the City, and to acquire property interests to assist with such purposes in and to the above-described Property, free and clear of any liens and encumbrances, in order to allow the City and/or its assigns to complete said Project.
- Section 3: The Mayor, or their designated agent, has on behalf of the City attempted to negotiate, settle and agree on compensation to be paid to the owners of any interest in the Property, and has made official, written, bona fide offers to the owners for the market value of said Property or property interest. If it is determined that an agreement as to the value of said Property, damages, and/or compensation to be paid cannot be reached, then the City Attorney or the City Attorney's designated agent is hereby authorized to file or cause to be filed, against the owners and holders of other related interest in the Property, proceedings using the City's power of eminent domain to acquire the stated interest in and to the above-described Property, in order to allow the City and/or its assigns to complete said Project, and to perform and undertake all other proceedings necessary to complete the acquisition of the Property.
- Section 4: It is the intent of the City Council that this resolution authorizes the condemnation of all property interests required to complete the construction and maintenance of the Project and associated public purposes. If it is later determined that there are any errors in the descriptions contained herein or if later surveys contain more accurate revised descriptions, the City Attorney is authorized to have such errors corrected or revisions made without the necessity of obtaining a new resolution of the City Council authorizing the condemnation of the corrected or revised Property.
- Section 5: The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted

and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 6: This Resolution shall take effect immediately from and after its passage in accordance with law and it is accordingly so resolved.

**PASSED AND 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:**

\_\_\_\_\_  
Bill Foulds, Jr., Mayor

**ATTEST:**

\_\_\_\_\_  
Andrea Cunningham, City Secretary