



CITY COUNCIL WORKSHOP & REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, April 04, 2023, 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 6:02 p.m.

City Council Members present were:

Mayor Bill Foulds, Jr.

Mayor Pro Tem Taline Manassian (*left meeting at 9:27 p.m.*)

Council Member Place 3 Geoffrey Tahuahua (*arrived at 7:59 p.m.*)

Council Member Place 4 Travis Crow

Council Member Place 5 Sherrie Parks

Council Member absent was:

Council Member Place 2 Wade King

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

Parks & Community Services Director Andy Binz

Community Events Coordinator Johnna Krantz

Planning & Zoning Commission Chair Mim James

Transportation Consultant Leslie Pollack

PLEDGE OF ALLEGIANCE

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

WORKSHOP

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

1. **Public hearing and discussion of an Ordinance rezoning a 97.44-acre property to Planned Development District with a base zoning of SF-3 and GR, with 68.38-acres of residential uses, approximately 6.7-acres of commercial uses, and approximately 22.36-acres of open space, as amended by the ordinance language herein, for property located on U.S. 290 and north of the intersection of Drifting Wind Run commonly known as “Gateway Village”. Applicant: John Doucet, Doucet and Associates**
 - a. **Applicant Presentation** – Peter Verdicchio with SEC Planning gave a presentation which is on file.
 - b. **Staff Report** – Tory Carpenter presented the staff report which is on file. Laura Mueller spoke regarding associated agreements and reimbursements.
 - c. **Planning & Zoning Commission Report** – Chair James presented the report. The Commission recommended approval 6 to 0.
 - d. **Public Hearing** – No one spoke during the Public Hearing.
 - e. **Ordinance Discussion** – Leslie Pollack reviewed and answered questions regarding the transportation plan and parking. Ginger Faught discussed utilities, wastewater and LUEs related to the PDD. The City Council also discussed road construction, grading and cuts and fills.

CITY COUNCIL

PRESENTATION OF CITIZENS

A member of the public who desires to address the City Council regarding any item on an agenda for an open meeting may do so at presentation of citizens before an item or at a public hearing for an item during the City Council’s consideration of that item. Citizens wishing to discuss matters not contained within the current agenda may do so, but only during the time allotted for presentation of citizens. Speakers are allowed two (2) minutes to speak during presentation of citizens or during each public hearing. Speakers may not cede or pool time. Members of the public requiring the assistance of a translator will be given twice the amount of time as a member of the public who does not require the assistance of a translator to address the City Council. It is the request of the City Council that members of the public wishing to speak on item(s) on the agenda with a noticed Public Hearing hold their comments until the item(s) are presented for consideration. Speakers are encouraged to sign in. Anyone may request a copy of the City’s policy on presentation of citizens from the city secretary. By law no action may be taken during Presentations of Citizens.

No one spoke during Presentation Citizens.

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.

Via unanimous consent, Consent Agenda items were considered separately.

2. Approval of the February 21, 2023, City Council regular meeting minutes.

A motion was made by Council member Parks to approve the February 21, 2023, City Council regular meeting minutes. Mayor Pro Tem Manassian seconded the motion which carried 2 to 0 to 1, with Council Member Crow abstaining.

3. Approval of the March 21, 2023, City Council regular meeting minutes.

Via unanimous consent, this item was postponed to April 18, 2023, City Council regular meeting for corrections.

4. Approval of a Resolution Accepting Improvements and Approving and Accepting a Maintenance Bond for Big Sky Subdivision Phase 1 Streets, Drainage, and Wastewater Improvements and Releasing a Construction Bond.

A motion was made by Mayor Pro Tem Manassian to approve a Resolution Accepting Improvements and Approving and Accepting a Maintenance Bond for Big Sky Subdivision Phase 1 Streets, Drainage, and Wastewater Improvements and Releasing a Construction Bond. Council Member Parks seconded the motion which carried unanimously 3 to 0.

Filed as Resolution No. 2023-R14

BUSINESS AGENDA

5. Presentation and consideration of approval of the City of Dripping Springs Fiscal Year 2021-2022 Audit.

Shawn Cox introduced the item. Roger Tovar, Partner with Whitley Penn, presented the audit which is on file.

A motion was made by Mayor Pro Tem Manassian to approve the City of Dripping Springs Fiscal Year 2021-2022 Audit. Council Member Crow seconded the motion which carried unanimously 3 to 0.

6. **Public hearing and consideration of approval of an Ordinance regarding CUP2023-0001: an application for a Conditional Use Permit to allow a warehouse/office use at 27950 RR 12. Applicant: Jon Thompson**

a. **Applicant Presentation** – The applicant was not present.

b. **Staff Report** – Tory Carpenter presented the staff report which is on file. Staff recommends approval of the conditional use permit.

c. **Planning & Zoning Commission Report** – Chair James presented the report. The Commission recommended approval 6 to 0.

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

e. **Ordinance** – A motion was made by Council Member Crow to approve an Ordinance regarding CUP2023-0001: an application for a Conditional Use Permit to allow a warehouse/office use at 27950 RR 12 with the condition that Transportation Consultant Leslie Pollack review the site plan related to traffic. Council Member Parks seconded the motion which carried 2 to 1, with Mayor Pro Tem Manassian opposed.

Filed as Ordinance No. 2023-11

7. **Public hearing and consideration of approval of Ordinances annexing property and regarding ZA2023-0001: an application for a zoning map amendment from Agriculture (AG) to Commercial Services (CS) for approximately 5.02 acres out of the C. H. Mallot Survey located at 1300 E US 290. Applicant: Victor Ostiguin, Doucet & Associates**

a. **Applicant Presentation** – Applicant Victor Ostiguin was present and available for questions from the City Council.

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

c. **Planning & Zoning Commission Report** – Chair James presented the report on the zoning amendment, as the Commission does not provide recommendations on annexations. The Commission recommended approval of the zoning amendment 6 to 0.

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

[Council Member Tahuahua entered the chambers and took his seat at the dais at 7:59 p.m.]

e. **Annexation Ordinance** – A motion was made by Mayor Pro Tem Manassian to approve an Ordinance annexing approximately 5.02 acres out of the C. H. Mallot Survey located at 1300 E US 290. Council Member Parks seconded the motion which carried unanimously 4 to 0.

Filed as Ordinance No. 2023-12

f. Zoning Ordinance – A motion was made by Mayor Pro Tem Manassian to approve an Ordinance regarding ZA2023-0001: an application for a zoning map amendment from Agriculture (AG) to Commercial Services (CS) for approximately 5.02 acres out of the C. H. Mallot Survey located at 1300 E US 290. Council Member Parks seconded the motion which carried unanimously 4 to 0.

Filed as Ordinance No. 2023-13

- 8. Discuss and consider approval of a Resolution of the City of Dripping Springs declaring a need for a regional housing authority within the city limits and authorizing an agreement with the Texas Housing Foundation.** *Sponsor: Mayor Pro Tem Taline Manassian.*

Mark Mayfield with the Texas Housing Foundation gave a presentation which is on file.

Laura Mueller's staff report is on file and staff recommends approval of the resolution and agreement.

A motion was made by Mayor Pro Tem Manassian to approve approval of a Resolution of the City of Dripping Springs declaring a need for a regional housing authority within the city limits and authorizing an agreement with the Texas Housing Foundation. Council Member Tahuahua seconded the motion which carried unanimously 4 to 0.

Filed as Resolution No. 2023-R15

- 9. Discuss and consider approval of a Wastewater Facilities Agreement with Cuncashca, LLC.** *Sponsor: Mayor Bill Foulds, Jr.*

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

A motion was made by Council Member Tahuahua to approve a Wastewater Facilities Agreement with Cuncashca, LLC. Mayor Pro Tem Manassian seconded the motion which carried unanimously 4 to 0.

- 10. Discuss and consider approval of a Special Event Permit Application requesting use of the Parking Lot at Founders Memorial Park on Saturday, April 29, 2023, from 6-10pm for a private event at The Pound House.** *Applicant: The Polkinghorn Group.*

Johnna Krantz presented the staff report which is on file. Staff and the Parks & Recreation Commission recommend approval of the application.

A motion was made by Council Member Parks to approve a Special Event Permit Application requesting use of the Parking Lot at Founders Memorial Park on Saturday, April 29, 2023, from 6-10pm for a private event at The Pound House. Council Member Crow seconded the motion which carried unanimously 4 to 0.

- 11. Discuss and consider approval of Parking Agreement between the City of Dripping Springs and Roxie's LLC for the use of the parking lot located at 299 Mercer Street for**

the 2023 Founders Day Festival as an in-kind sponsorship. *Sponsor: Council Member Sherrie Parks.*

Johnna Krantz presented the staff report which is on file. Staff and the Founders Day Commission recommend approval of the agreement.

A motion was made by Council Member Parks to approve a Parking Agreement between the City of Dripping Springs and Roxie's LLC for the use of the parking lot located at 299 Mercer Street for the 2023 Founders Day Festival as an in-kind sponsorship. Council Member Tahuahua seconded the motion which carried unanimously 4 to 0.

- 12. Discuss and consider approval of the selection of a firm and authorization for staff to negotiate an agreement for the procurement of the Rathgeber Natural Resources Park Master Plan.** *Sponsor: Council Member Sherrie Parks.*

Andy Binz presented the staff report which is on file. Staff and the Parks & Recreation Commission recommend the selection of RVi Planning.

A motion was made by Mayor Pro Tem Manassian to approve of the selection of RVi Planning for the Rathgeber Natural Resources Park Master Plan project with authorization for staff to negotiate an agreement. Council Member Crow seconded the motion which carried unanimously 4 to 0.

- 13. Discuss and consider possible action of an Agreement and Related Documents regarding transition of the Dripping Springs Visitors Bureau.** *Sponsor: Mayor Bill Foulds, Jr.*

Laura Mueller gave a presentation which is on file. Staff recommends approval of the Terms Sheet so an agreement can be negotiated and brought back for final approval.

Action was taken on this item in Open Session after the Executive Session.

A motion was made by Mayor Pro Tem Manassian to adjourn into Executive Session under Texas Government Code Sections 551.071, Consultation with Attorney and 551.074, Deliberation of Personnel Matters and regarding Executive Session Agenda Items 20 and 21.

- 20. Consultation with City Attorney regarding legal issues related to coordination with the Dripping Springs Visitors Bureau.** *Consultation with City Attorney, 551.071*
- 21. Consultation with Attorney and Deliberation of Personnel Matters regarding job descriptions, benefits, and compensation for the proposed Dripping Springs Visitors Bureau Director or Tourism and the Dripping Springs Visitors Bureau Brand Manager.** *Consultation with City Attorney, 551.071, Deliberation of Personnel Matters, 551.074*

The City Council met in Executive Session from 8:42 p.m. – 8:51 p.m.

No vote or action was taken during the Executive Session. Mayor Foulds, Jr. returned the meeting to Open Session at 8:51 p.m.

OPEN SESSION

Mayor Foulds, Jr. returned the meeting to Open Session and returned to Business Agenda item 13.

13. Discuss and consider possible action of an Agreement and Related Documents regarding transition of the Dripping Springs Visitors Bureau. *Sponsor: Mayor Bill Foulds, Jr.*

Mayor Foulds, Jr. opened a Public Hearing regarding this item.

Dripping Springs News Editor Madi Telschow spoke regarding the ongoing agreement with Visitors Bureau to produce the annual Visitors Guide for the Dripping Springs area.

Visitors Bureau Brand Manager Sam Larghe spoke regarding the Dripping with Taste ongoing project.

A motion was made Council Member Parks to approve the Terms Sheet and authorize staff to negotiate Agreement and Related Documents with the Visitors Bureau, which will be presented to the City Council for approval at future meeting. Council Member Crow seconded the motion which carried unanimously 4 to 0.

14. Discuss and consider approval of Job Descriptions for Dripping Springs Visitors Bureau Director of Tourism and Dripping Springs Visitors Bureau Brand Manager, and authorization for the City Administrator to hire for the positions. *Sponsor: Mayor Bill Foulds, Jr.*

Michelle Fischer's staff report is on file and staff recommends approval of the job descriptions and authorization to hire.

A motion was made by Mayor Pro Tem Manassian to approve Job Descriptions for Dripping Springs Visitors Bureau Director of Tourism and Dripping Springs Visitors Bureau Brand Manager, and authorization for the City Administrator to hire for the positions. Council Member Tahuahua seconded the motion which carried unanimously 4 to 0.

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.

Report is on file and available for review upon request.

15. Planning Department Report

A motion was made by Mayor Pro Tem Manassian to adjourn into Executive Session under Texas Government Code Sections 551.071, Consultation with City Attorney and 551072, Deliberations about Real Property and regarding Executive Session Agenda Items 16 – 19. Council Member Tahuahua seconded the motion which carried unanimously 4 to 0.

EXECUTIVE SESSION AGENDA

The City Council for the City of Dripping Springs has the right to adjourn into executive session at any time during the course of this meeting to discuss any matter as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development). The City Council for the City of Dripping Springs may act on any item listed in Executive Session in Open Session or move any item from Executive Session to Open Session for action.

16. **Consultation with attorney related to settlement of litigation related to code enforcement.** *Consultation with Attorney, 551.071*
17. **Consultation with Attorney and Deliberation of Real Property regarding property acquisition related to the South Regional Water Reclamation Project and East Interceptor.** *Consultation with Attorney, 551.071; Deliberation of Real Property, 551.072*
18. **Consultation with Attorney related to litigation regarding the South Regional Water Reclamation Project, Wastewater and Amendment 2 Permits, and related items.** *Consultation with Attorney, 551.071*
19. **Consultation with Attorney and Deliberation of Real Property regarding legal and real estate issues related to potential civic sites and street extensions and expansions.** *Consultation with Attorney, 551.071; Deliberation Regarding Real Property, 551.072*
20. **Consultation with City Attorney regarding legal issues related to coordination with the Dripping Springs Visitors Bureau.** *Consultation with City Attorney, 551.071*
21. **Consultation with Attorney and Deliberation of Personnel Matters regarding job descriptions, benefits, and compensation for the proposed Dripping Springs Visitors Bureau Director or Tourism and the Dripping Springs Visitors Bureau Brand Manger.** *Consultation with City Attorney, 551.071, Deliberation of Personnel Matters, 551.074*

The City Council met in Executive Session from 8:58 p.m. – 9:31 p.m.

Mayor Pro Tem Manassian left the Executive Session at 9:27 p.m. and did not return to the meeting.

No vote or action was taken during Executive Session. Mayor Foulds, Jr. returned the meeting to Open Session at 9:31 p.m.

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

April 18, 2023, at 6:00 p.m. (CC)

May 2, 2023, at 6:00 p.m. (CC & BOA)

May 16, 2023, at 6:00 p.m. (CC)

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

Board, Commission & Committee Meetings

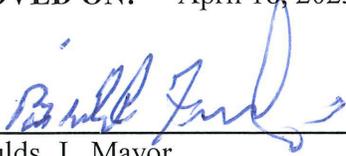
- April 5, 2023, DSRP Board at 11:00 a.m.
- April 6, 2023, Historic Preservation Commission at 6:00 p.m.
- April 10, 2023, TIRZ No. 1 & No. 2 Board at 4:00 p.m.
- April 10, 2023, Founders Day Commission at 6:00 p.m.
- April 11, 2023, Planning & Zoning Commission at 6:00 p.m.
- April 12, 2023, Utility Commission at 4:00 p.m.

ADJOURN

A motion was made by Council Member Tahuahua to adjourn the meeting. Council Member Parks seconded the motion which carried unanimously 3 to 0.

This regular meeting adjourned at 9:31 p.m.

APPROVED ON: April 18, 2023



Bill Foulds, J., Mayor

ATTEST:



Andrea Cunningham, City Secretary

