



DRIPPING SPRINGS
Texas

CITY COUNCIL REGULAR MEETING

City of Dripping Springs

Council Chambers, 511 Mercer St, Dripping Springs, TX

Tuesday, June 21, 2022 at 6:00 PM

MINUTES

CALL TO ORDER AND ROLL CALL

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

City Council Members present were:

Mayor Bill Foulds, Jr.
Mayor Pro Tem Taline Manassian
Council Member Place 2 Wade King
Council Member Place 3 Geoffrey Tahuahua
Council Member Place 4 Travis Crow
Council Member Place 5 Sherrie Parks

Staff, Consultants & Appointed/Elected Officials present were:

City Administrator Michelle Fischer
Deputy City Administrator Ginger Faught
City Attorney Laura Mueller
City Treasurer Shawn Cox
City Secretary Andrea Cunningham
IT Coordinator Jason Weinstock
Senior Planner Tory Carpenter
Public Works Director Aaron Reed
Building Official Sarah Cole
Communications & Marketing Director Lisa Sullivan
Parks & Community Services Director Andy Binz
Planning & Zoning Commission Chair Mim James

PLEDGE OF ALLEGIANCE

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

PRESENTATION OF CITIZENS

A member of the public who desires to address the City Council regarding any item on an agenda for an open meeting may do so at presentation of citizens before an item or at a public hearing for an item during the City Council's consideration of that item. Citizens wishing to discuss matters not contained within the current agenda may do so, but only during the time allotted for presentation of citizens. Speakers are allowed two (2) minutes to speak during presentation of citizens or during each public hearing. Speakers may not cede or pool time. Members of the public requiring the assistance of a translator will be given twice the amount of time as a member of the public who does not require the

assistance of a translator to address the City Council. It is the request of the City Council that members of the public wishing to speak on item(s) on the agenda with a noticed Public Hearing hold their comments until the item(s) are presented for consideration. Speakers are encouraged to sign in. Anyone may request a copy of the City's policy on presentation of citizens from the city secretary. By law no action may be taken during Presentations of Citizens.

No one spoke during Presentation of Citizens.

WORKSHOP

- 1. Presentation and discussion regarding the Fiscal Year 2023 City of Dripping Springs Municipal Budget.**

Shawn Cox gave a presentation which is on file. No action was taken on 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.

- 2. Approval of the June 7, 2022, City Council & Board of Adjustment regular meeting minutes.**
- 3. Approval of the May 2022 City Treasurer's Report.**
- 4. Approval of an Amended Wastewater Agreement between the City of Dripping Springs and DS Joint Venture, LP related to changes to wastewater due dates.**
- 5. Approval of a Resolution Accepting Improvements as Complete and Approving a Letter of Credit for The Grotto Subdivision Phase 2 Streets, Drainage, and Erosion Control Improvements.**

Filed as Resolution No. 2022-R24

A motion was made by Mayor Pro Tem Manassian to approve Consent Agenda Items 2 – 5. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

BUSINESS AGENDA

- 6. Public hearing, discussion, and consideration of approval of a Sign Variance Request to allow an additional sign for Freebirds, located at 12680 W. US Highway 290, Suite 230, Austin, Texas, 78737. Applicant: Janet Glasscock, Brazo Sign Company**

a. Applicant Presentation – Applicant was not present.

b. Staff Report – Sarah Cole presented the staff report which is on file. Staff recommends denial of the sign variance request due to lack of hardship.

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

d. Sign Variance – A motion was made by Council Member King to deny approval of a Sign Variance Request to allow an additional sign for Freebirds, located at 12680 W. US Highway 290, Suite 230, Austin, Texas, 78737. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

Business Agenda Items 7 – 10 were presented concurrently.

Rex Baker gave a presentation on the Village Grove Project to include the PDD, Offsite Road Agreement, Wastewater Agreement, and Donation Agreement which is on file.

Laura Mueller presented the staff report which is on file. Staff recommends approval of PDD Ordinance and associated agreements, and the Planning & Zoning Commission recommended approval 6 to 0 to 1, with Chair Mim James recused.

Brenda and Eugene Foster spoke during the Public Hearing and their comments are on file and ask the City Council to consider their comments and have more discussions on the issues that affect their property.

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 551.072, Deliberation of Real Property and regarding Executive Session Agenda Item 19. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

19. Consultation with City Attorney and Deliberation of Real Property related to the Village Grove Project. *Consultation with City Attorney, 551.071; Deliberation regarding Real Property, 551.072*

The City Council met in Executive Session from 6:58 – 7:51 p.m.

No vote or action was taken during Executive Session. Mayor Foulds, Jr., returned the meeting to Open Session at 7:51 p.m.

Mayor Foulds, Jr. tabled items 7 – 10, and the City Council continued with items 11 - 13 and returned to items 7 – 10 after item 13. Upon further discussion, Mayor Pro Tem requested to discuss the items with the City Attorney. Mayor Foulds, Jr. tabled action on items 7 – 10 and continued with items 15 – 16 and returned to items 7 – 10 after Mayor Pro Tem Manassian returned to the dais.

- 7. Public hearing and consideration of approval of an Ordinance rezoning a property from AG to PDD # 14 with a base zoning of SF-3, SF-5, and LR with primarily residential uses with some local retail and governmental uses for property located south of U.S. 290 and east of Rob Shelton Blvd. along Sports Park Road adjacent to the Sports and Recreation Park and commonly known as “Village Grove”, directly south and adjacent to Wallace Mountain, and directly west and adjacent to The Preserve subdivision.**
Applicant: Matthew Scrivener, Austin Land Innovations

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

Filed as Ordinance No. 2022-19

- 8. **Discuss and consider approval of an Offsite Road Agreement between the City of Dripping Springs and DS Land Partners as it relates to the Village Grove development adjacent to Sports and Recreation Park, east of Rob Shelton Blvd and south of U.S. 290.** *Applicant: Matthew Scrivener, Austin Land Innovations*
- 9. **Discuss and consider approval of Wastewater Agreement between DS Land Partners and the City of Dripping Springs for the Village Grove Subdivision** *Sponsor: Mayor Bill Foulds, Jr.*
- 10. **Discuss and consider approval of a Donation Agreement and Letter of Intent related to seven (7) acres adjacent to the Sports and Recreation Park and within the Village Grove Subdivision.** *Applicant: Matthew Scrivener*

A motion was made by Council Member Tahuahua to approve Business Agenda Items 7 – 10 with the following amendments:

- 1) Exhibits and language related to the dedication of the seven acres referred to as the Civic Site to be less specific and not limited to just zoning plus the one acre required for parkland; and
- 2) Offsite Road Agreement be amended so that any alternatives for the connection to Ranch Road 12 have to come back to the City Council if original connection cannot be achieved.

Council Member Crow seconded the motion which carried 4 to 1 to 0, with Mayor Pro Tem Manassian opposed.

The City Council continued to item 14.

- 11. **Discuss and consider approval of a Professional Services Agreement between the City of Dripping Springs and Herron Design Studio for City Hall offices remodel design and construction documents.** *Sponsor: Mayor Foulds, Jr.*

Michelle Fischer presented the staff report which is on file. Staff recommends approval with an amount not to exceed \$5000.00 and change of the type of insurance to errors and omissions, and to allow final approval by City Attorney Laura Mueller.

A motion was made by Council Member Tahuahua to approve Professional Services Agreement between the City of Dripping Springs and Herron Design Studio for City Hall offices remodel design and construction documents as recommended by staff. Council Member Crow seconded the motion which carried unanimously 5 to 0.

12. **Discuss and consider approval of an Ordinance Amending Section 1.02.041: Regular Meetings: Establishing Additional Meetings and Meeting Times for City Council; Providing for Cancellation of Meetings.** *Sponsor: Mayor Foulds, Jr.*

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

A motion was made by Council Member Tahuahua to approve an Ordinance Amending Section 1.02.041: Regular Meetings: Establishing Additional Meetings and Meeting Times for City Council; Providing for Cancellation of Meetings. Council Member King seconded the motion which carried unanimously 5 to 0.

Filed as Ordinance No. 2022-20

13. **Discuss and consider approval of the Amended FY 2023 Budget Calendar.**

Shawn Cox presented the staff report which is on file. Staff recommends approval of the amended calendar.

A motion was made by Mayor Pro Tem Manassian to approve the Amended FY 2023 Budget Calendar as modified Shawn. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

The City Council returned to consider Business Agenda Items 7 – 10.

14. **Discuss and consider the Appointment of Council Members to Areas of Oversight.** *Sponsor: Mayor Bill Foulds, Jr.*

Mayor Foulds, Jr., appointed Council Members to the following Areas of Oversight.

- a. **Parks & Recreation** – Council Member Sherrie Parks
- b. **Public Health & Safety** – Council Member Geoffrey Tahuahua
- c. **Utilities** – Mayor Bill Foulds, Jr.
- d. **Finance** – Mayor Pro Tem Taline Manassian
- e. **Transportation & Streets** – Council Member Travis Crow
- f. **Community Services** – Council Member Wade King and Mayor Pro Tem Manassian

Mayor Pro Tem Manassian stepped of the dais and exited the Council Chambers.

15. **Discuss and consider the appointment of the Founders Day Commission Chair to serve a term of one year and the reappointment of members to the Founders Day Commission for terms ending June 30, 2024: at-large members Brenda Medcalf and Clinton Holtzendorf; St. Martin de Porres Catholic Church representative Michael Monaghan;**

Cook-Off Club representatives Brian Varnell and Jeff Shindler; and Lions Club representatives Sharon Goss and Brad Thomas.

Andrea Cunningham presented the staff report which is on file. Staff recommends the reappointment of members.

A motion was made by Council Member Parks to appoint Brenda Medcalf as the Chair of the Founders Day Commission and the reappointment the following members for terms ending June 30, 2024: at-large members Brenda Medcalf and Clinton Holtzendorf; St. Martin de Porres Catholic Church representative Michael Monaghan; Cook-Off Club representatives Brian Varnell and Jeff Shindler; and Lions Club representatives Sharon Goss and Brad Thomas. Council Member King seconded the motion which carried unanimously 4 to 0.

16. Discuss and consider approval of the Revised Temporary Records Assistant job description and extension of the position to the end of Fiscal Year 2022. Sponsor: Mayor Foulds, Jr.

Andrea Cunningham presented the staff report which is on file. Staff recommends approval of the extension of the temporary position.

A motion was made by Council Member Tahuahua to approve the Revised Temporary Records Assistant job description and extension of the position to the end of Fiscal Year 2022. Council Member Parks seconded the motion which carried unanimously 4 to 0.

The City Council returned to items 7 – 10.

REPORTS

Reports of Staff, Boards, Commissions, Committees, Boards and Agencies are on file and available for review upon request. The City Council may provide staff direction; however, no action may be taken.

Reports are on file and available for review upon request.

- 17. Emergency Management Coordinator Report**
Roman Baligad, Emergency Management Coordinator
- 18. Comprehensive Planning Status Report**
Howard Koontz, Planning Director

EXECUTIVE SESSION AGENDA

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

- 19. Consultation with City Attorney and Deliberation of Real Property related to the Village Grove Project. Consultation with City Attorney, 551.071; Deliberation regarding Real Property, 551.072**

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

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

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

- June 28, 2022, at 5:00 p.m. (Moratorium Waivers)
- July 5, 2022, at 6:00 p.m. (CC & BOA)
- July 12, 2022, at 5:00 p.m. (Moratorium Waivers)
- July 19, 2022, at 6:00 p.m. (CC)
- July 26, 2022, at 5:00 p.m. (Moratorium Waivers)

Board, Commissions & Committees

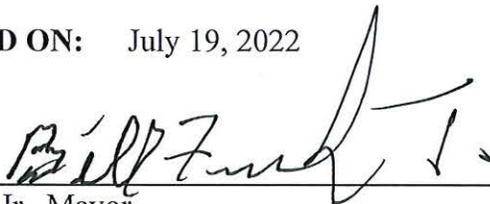
- June 22, 2022, Economic Development Committee at 4:00 p.m.
- June 27, 2022, Transportation Committee at 3:30 p.m.
- June 28, 2022, Planning & Zoning Commission at 6:00 p.m.
- July 6, 2022, DSRP Board at 11:00 a.m.
- July 7, 2022, Historic Preservation Commission at 4:00 p.m.

ADJOURN

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

This regular meeting adjourned at 8:31 p.m.

APPROVED ON: July 19, 2022



Bill Foulds, Jr., Mayor

ATTEST:


Andrea Cunningham, City Secretary