



CITY COUNCIL REGULAR MEETING
City of Dripping Springs
Council Chambers, 511 Mercer St, Dripping Springs, TX
Tuesday, March 07, 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 6:00 p.m.

City Council Members present were:

Mayor Bill Foulds, Jr.
Mayor Pro Tem Taline Manassian
Council Member Place 3 Geoffrey Tahuahua
Council Member Place 4 Travis Crow

City Council Members absent were:

Council Member Wade King
Council Member 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 Director Jason Weinstock
Emergency Management Coordinator Roman Baligad
Building Official Shane Pevehouse
Parks & Community Services Director Andy Binz
Community Events Coordinator Johnna Krantz
Public Works Director Aaron Reed

PLEDGE OF ALLEGIANCE

Council Member Crow 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.

Alex Meade, EVP / Economic Development & Public Finances of Texas Regional Bank spoke in favor of the selection of Texas Regional Bank related to Banking Services for the City of Dripping Springs.

The following citizens spoke in opposition of Wastewater activities near the Caliterra subdivision and expressed concerns regarding proper notification and construction; proximity to residential property related to health and safety; and, drainage and flooding of properties adjacent to construction and operation: Amy Moore, Matthew Hannan, David Vincent, John Lebas, Justin Sheltry, and Kevin Lawson.

Mayor Foulds, Jr. directed staff to facilitate communication with citizens regarding wastewater activities in the Caliterra Subdivision.

PRESENTATIONS

There were no presentations.

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.

1. **Approval of an ordinance amending the Emergency Management Commission Ordinance.** Sponsor: Council Member Geoffrey Tahuahua

Filed as Ordinance No. 2023-08

2. **Approval of a Co-Sponsorship Agreement with Texas Hill Country Barrel Racing Association.** Sponsor: Council Member Parks.
3. **Approval of a Co-Sponsorship Agreement with Dripping Springs Helping Hands regarding Banner Display for the Texas Market Guide Wildflower Spring Market.** Sponsor: Council Member Sherrie Parks.
4. **Approval of a Co-Sponsorship Agreement with Dripping Springs Ag Boosters for the 2023 Rodeo.** Sponsor: Council Member Sherrie Parks.

A motion was made by Mayor Pro Tem Manassian to approve Consent Agenda Items 1 – 4. Council Member Tahuahua seconded the motion which carried unanimously 3 to 0.

BUSINESS AGENDA

5. **Public hearing and consideration of approval of a Sign Variance Request to exceed maximum square footage for window signs at HTeaO, located at 12680 W. Highway 290, Austin, Texas, 78737. Applicant: Christie Sanders**

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

b. **Staff Report** – Shane Pevehouse presented the staff report which is on file. Additional information regarding the application for sign variance request was provided at the dais and is on file. Staff recommends denial of the request.

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

d. **HTeaO Sign Variance** – A motion was made by Council Member Crow to deny approval of a Sign Variance Request to exceed maximum square footage for window signs at HTeaO, located at 12680 W. Highway 290, Austin, Texas, 78737. Mayor Pro Tem Manassian seconded the motion which carried 2 to 1, with Council Member Tahuahua opposed.

6. **Discuss and consider approval of a Resolution finding that the Founders Day Parade Scheduled to be held on Friday, April 28, 2023, in and near the City, serves a Valid and Legitimate Public Purpose, and Authorizing the City's Support of and Cooperation with the Event and adopting the Founders Day Festival Traffic and Security Plan. Sponsor: Council Member Sherrie Parks.**

Johnna Krantz 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 finding that the Founders Day Parade Scheduled to be held on Friday, April 28, 2023, in and near the City, serves a Valid and Legitimate Public Purpose, and Authorizing the City's Support of and Cooperation with the Event and adopting the Founders Day Festival Traffic and Security Plan. Council Member Crow seconded the motion which carried unanimously 3 to 0.

Filed as Resolution No. 2023-R12

7. **Discuss and consider approval of a Founders Day Facility Use Agreement between the City of Dripping Springs, Dripping Springs Independent School District, and the Dripping Springs Lions Club during the 2023 Founders Day Festival. Sponsor: Council Member Sherrie Parks.**

Johnna Krantz presented the staff report which is on file. Staff recommends approval of the agreement.

A motion was made by Council Member Crow to approve a Founders Day Facility Use Agreement between the City of Dripping Springs, Dripping Springs Independent School District, and the Dripping Springs Lions Club during the 2023 Founders Day Festival. Mayor Pro Tem seconded the motion which carried unanimously 3 to 0.

8. **Discuss and consider approval of an Ordinance Amending Article 16.02 Parks and Recreation in the City Code of Ordinances.** *Sponsor: Council Member Sherrie Parks.*

Andy Binz presented the staff report which is on file. Staff and the Parks & Recreation Commission recommend approval of the amendment.

A motion was made by Council Member Tahuahua to approve an Ordinance Amending Article 16.02 Parks and Recreation in the City Code of Ordinances. Council Member Crow seconded the motion which carried unanimously 3 to 0.

Filed as Ordinance No. 2023-09

9. **Discuss and consider approval of an Ordinance Amending the Fee Schedule of the City of Dripping Springs as it relates to sidewalk fee-in-lieu.** *Sponsor: Mayor Foulds, Jr.*

Laura Mueller presented the staff report which is on file. Staff recommends approval of the amendment.

A motion was made by Council Member Tahuahua to approve an Ordinance Amending the Fee Schedule of the City of Dripping Springs as it relates to sidewalk fee-in-lieu. Mayor Pro Tem Manassian seconded the motion which carried unanimously 3 to 0.

Filed as Ordinance No. 2023-10

10. **Discuss and consider approval of a firm and authorize staff to negotiate an agreement for Banking Depository Services for the City of Dripping Springs following the Request for Proposals.** *Sponsor: Mayor Pro Tem Taline Manassian.*

Shawn Cox presented the staff report which is on file. Staff recommends the selection of Texas Regional Bank for city Banking Services.

A motion was made by Mayor Pro Tem Manassian to approve of the selection of Texas Regional Bank for Banking Depository Services for the City of Dripping Springs and to authorize staff to negotiate an agreement. Council Member Tahuahua seconded the motion which carried 2 to 1, with Council Member Crow opposed.

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.

Reports are on file and available for review upon request.

11. **Report on Code Enforcement Litigation related to Site Development Permit.**

Laura Mueller, City Attorney

12. **Planning Department Report**

Tory Carpenter, Planning Director

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 551.072, Deliberation regarding Real Property, and related to Executive Session Agenda Items 13 – 16. Council Member Crow seconded the motion which carried unanimously 3 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.

- 13. Consultation with City 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*
- 14. Consultation with Counsel related to litigation regarding the South Regional Water Reclamation Project, Wastewater Permits, Code Enforcement, and related items.** *Consultation with Attorney, 551.071*
- 15. Consultation with City Attorney and Deliberation related to Real Property related to legal and real estate issues on potential civic sites and Roger Hanks Parkway.** *Consultation with Attorney, 551.071; Deliberation Regarding Real Property, 551.072*
- 16. Consultation with City Attorney related to legal issues regarding the operation and maintenance of effluent holding facilities at Caliterra.** *Consultation with City Attorney, 551.071*

The City Council met in Executive Session from 6:42 – 7:46 p.m.

No vote or action was taken during Executive Session and Mayor Foulds, Jr. returned the meeting to Open Session at 7:46 p.m.

UPCOMING MEETINGS

City Council & Board of Adjustment Meetings

March 21, 2023, at 6:00 p.m. (CC)
April 4, 2023, at 6:00 p.m. (CC & BOA)
April 18, 2023, at 6:00 p.m. (CC)
May 2, 2023, at 6:00 p.m. (CC & BOA)

Board, Commission & Committee Meetings

March 8, 2023, Utility Commission at 4:00 p.m.
March 13, 2023, Founders Day Commission at 6:30 p.m.
March 14, 2023, Planning & Zoning Commission at 6:00 p.m.
March 20, 2023, TIRZ No. 1 & No. 2 Board at 4:00 p.m.

ADJOURN

A motion was made by Mayor Pro Tem Manassian to adjourn the meeting. Council Member Crow seconded the motion which carried unanimously 3 to 0.

This regular meeting adjourned at 7:46 p.m.

APPROVED ON: March 21, 2023

Bill Foulds, Jr.

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham

Andrea Cunningham, City Secretary

