



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final City Council

Tuesday, August 5, 2025

6:00 PM

City Council Chambers

630 E. Hopkins St.

This will be an in-person and online meeting. To view the meeting please go to
<http://sanmarcostx.gov/421/City-Council-Videos-Archives> or watch on Grande channel
16 or Spectrum channel 10.

- I. Call To Order
- II. Roll Call
- III. Invocation
- IV. Pledges of Allegiance - United States and Texas
- V. Citizen Comment Period

To speak during the Citizen Comment portion of the meeting:

- *Remote Participation: Sign up at www.sanmarcostx.gov/citizencomment by 12:00 PM on the day of the meeting to receive a Zoom link.*
- *In-Person Participation: Sign up online at www.sanmarcostx.gov/citizencomment in advance or in person at the City Clerk's office until 5:45 PM.*

CONSENT AGENDA

THE FOLLOWING ORDINANCES, RESOLUTIONS AND OTHER ITEMS MAY BE ACTED UPON BY ONE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THE ITEMS IS NECESSARY UNLESS DESIRED BY A COUNCIL MEMBER OR A CITIZEN, IN WHICH EVENT THE ITEM SHALL BE CONSIDERED IN ITS NORMAL SEQUENCE AFTER THE ITEMS NOT REQUIRING SEPARATE DISCUSSION HAVE BEEN ACTED UPON BY A SINGLE MOTION.

1. Consider approval of Ordinance 2025-20, on the second of two readings, annexing into the City approximately 10.03 acres of land known as UMC Subdivision Lot 1 (including adjacent right-of-way) in Hays County, Texas, generally located southeast of Clovis Barker Road and Leah Avenue (Case No. AN 25-04); including procedural provisions; and declaring an effective date.
2. Consider approval of Ordinance 2025-21, on the second of two readings, amending the Official Zoning Map of the City in Case ZC-25-07, by rezoning approximately 10.03 acres, known as UMC Subdivision Lot 1, generally located southeast of Clovis Barker Road and Leah Avenue, from Future Development (FD) to Heavy Commercial (HC) or, subject to the consent of the owner, another less intense zoning district classification; including procedural provisions; and declaring an effective date.

3. Consider approval of Ordinance 2025-22, on the second of two readings, amending the Official Zoning Map of the city in Case No. ZC-25-06 by rezoning approximately 26.77 acres of land generally located on East McCarty Lane south of the intersection between Rattler Road and East McCarty Lane from Character District-4 (CD-4) to Character District-5 (CD-5), or subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and declaring an effective date.
4. Consider approval of Ordinance 2025-23 on the second of two readings, amending Section 2.506 of the San Marcos City Code to substitute the Chief of Police with the Director of Information Technology on the Records Management Committee under the city's Public Records Management Program; including procedural provisions; and declaring an effective date.
5. Consider approval of Resolution 2025-126R, concerning Project Cat Tree and approving a Chapter 380 Economic Development Incentive Agreement with Midway Development, LLC providing incentives in the form of partial rebates of hotel occupancy and sales taxes over ten years for the construction of a full-service downtown hotel at 429 North Guadalupe Street with a minimum capital investment by midway of \$40,000,000.00; authorizing the City Manager, or her designee, to execute the appropriate documents related to this agreement on behalf of the city; and declaring an effective date.
6. Consider approval of Resolution 2025-127R, nominating Midway Development Group to the Office of the Governor, Economic Development and Tourism, through the Economic Development Bank as an enterprise project pursuant to the Texas Enterprise Zone Act; and declaring an effective date.
7. Consider approval of Resolution 2025-128R, approving a Second Amended and Restated Lease with the San Marcos Lions Club for the Lions Club to lease a portion of the Pauline Espinosa Community Hall located in City Park for a term of five years with an annual rent in the amount of \$12,500.00, with an option to renew for up to one additional five-year term upon mutual agreement; authorizing the City Manager, or her designee, to execute said lease; and declaring an effective date.
8. Consider approval of Resolution 2025-129R, approving the reallocation of \$77,025.44 in funds received by the City of San Marcos under the American Rescue Plan Act (ARPA) to support the recovery of the community from COVID-19; authorizing the City Manager, or her designee, to execute any related documents; and declaring an effective date.
9. Consider approval of Resolution 2025-130R, approving a contract with Altus Traffic Management, LLC, d/b/a AWP Safety, for traffic control and lane closure services necessary for safe utility work to be performed in high traffic areas for five years for an annual amount not to exceed \$50,000.00 and a total contract price not to exceed \$250,000.00; authorizing the City Manager, or her designee, to execute the contract on behalf of the city; and declaring an effective date.
10. Consider approval of Resolution 2025-131R, approving a contract with Lonestar Forklift, through the Sourcewell Purchasing Cooperative, for the purchase of a Hyundai 100d-9V Diesel Forklift for use by the Utilities Department in the amount of \$143,931.00; authorizing

the City Manager, or her designee, to execute the contract on behalf of the city; and declaring an effective date.

11. Consider approval of Resolution 2025-132R, approving a contract with DLT Solutions, LLC, utilizing the Texas Department of Information Resources contract number DIR-CPO-5677, for the purchase of Autodesk drafting, design and modeling software and support for an initial one year term in the amount of \$30,291.80, with the option to renew for up to four additional one year periods, for a total estimated cost, including any price increases, of \$184,934.47; authorizing the City Manager, or her designee, to execute the contract and any renewals on behalf of the city; and declaring an effective date.
12. Consider approval of Resolution 2025-133R, approving a contract with NWN Carousal, through the Choice Partners Purchasing Cooperative, for the purchase of an audio visual solution including equipment, professional services, for a five year term to include maintenance for use in the Public Services Complex, San Marcos Activity Center and San Marcos Public Library in the amount of \$686,929.51; authorizing the City Manager, or her designee, to execute the contract on behalf of the city; and declaring an effective date.
13. Consider approval of Resolution 2025-134R, approving a contract with GenServe, through the Buyboard Purchasing Cooperative, for preventative maintenance service for city facility generators, water booster stations and wastewater lift stations in the amount of \$180,000.00; authorizing the City Manager, or her designee, to execute the contract on behalf of the city; and declaring an effective date.
14. Consider approval of Resolution 2025-135R, authorizing an Advanced Funding Agreement (AFA) with the Texas Department of Transportation, relating to the Wallace Addition Offsite Drainage Improvement Project, to provide for the installation of reinforced concrete box storm drain system along and across FM 621, within TxDOT right of way, with a cost to the city of \$1,432,909.00; authorizing the City Manager, or her designee, to execute the appropriate documents to implement the AFA on behalf of the city; and declaring an effective date.
15. Consider approval of Resolution 2025-136R, approving a sixth Change in Service to the engineering services contract with BGE, Inc. relating to the Wallace Offsite Drainage Improvements project in the amount of \$135,838.00 for a total contract price of \$1,967,219.00; authorizing the City Manager, or her designee, to execute the change in service on the behalf of the city; and declaring an effective date.
16. Consider approval of Resolution 2025-137R, approving a reimbursement agreement with Union Pacific Railroad Company providing for the city to reimburse the railroad for the cost of plan review services to be incurred by the railroad due to work affecting railroad property necessary for the city's Purgatory Creek Improvements project in an amount not to exceed \$300,000.00; authorizing the City Manager, or her designee, to execute the agreement on behalf of the city; and declaring an effective date.
17. Consider approval of Resolution 2025-138R, approving a contract with Meeder Public Funds Inc. for investment management services over a period of two years, with fees in the amount of three basis points (0.03%) of assets, to include securities and bonds under management in the custodial account; authorizing the City Manager, or her designee, to

execute the contract on behalf of the city; and declaring an effective date.

18. Consider approval of Resolution 2025-139R, approving an interlocal agreement with Hays County providing for the county to disburse a grant award to the city in the amount of \$25,500.00 from the Department of Justice FY24 Edward Byrne Memorial Justice Assistance Award for the purchase of financial crimes solution software, an infrared surveillance pole camera, and various forensic equipment and supplies; authorizing the City Manager, or her designee, to execute said interlocal agreement and all documents necessary to implement the grant award on behalf of the city; and declaring an effective date.
19. Consider approval of Resolution 2025-140R, adopting the Community Development Block Grant ("CDBG") 2025-2029 Consolidated Plan; authorizing the City Manager, or her designee, to act as the official representative of the city in matters related to the CDBG Program; and declaring an effective date.
20. Consider approval of Resolution 2025-141R, adopting the Community Development Block Grant ("CDBG") 2025-2029 Citizen Participation Plan; authorizing the City Manager, or her designee, to act as the official representative of the city in matters related to the CDBG Program; and declaring an effective date.

PUBLIC HEARINGS

NOTE: Public Hearing sign up procedures have changed:

Persons wishing to participate remotely (speak) during the Public Hearing portion must sign up at www.sanmarcostx.gov/citizencommentssignup before 12:00 PM the day of the meeting. A link will be provided for participation on a mobile device, laptop or desktop computer. If attending in person, no sign up is required.

21. Receive a Staff presentation and hold a Public Hearing to receive comments on the allocation of \$754,405.00 in Community Development Block Grant (CDBG) Entitlement funding for housing and community development needs; then consider approval of Resolution 2025-142R, adopting the CDBG Action Plan that provides for the allocation of \$754,405.00 in CDBG entitlement funds for program year 2025-2026; authorizing the City Manager, or her designee, to act as the official representative of the city in matters related to the CDBG Program; and declaring an effective date.

NON-CONSENT AGENDA

22. Receive a Staff presentation regarding a request for the creation of the "District" Public Improvement District on approximately 100 acres of land located south of the intersection between East McCarty Lane and Rattler Road, provide direction regarding the request, and consider setting a public hearing date if appropriate.
23. Consider approval of Ordinance 2025-24, granting consent to the annexation of Guadalupe County Appraisal District Property ID 67225, 64.57 acres, with Situs address FM 1978 TX, by the Guadalupe County Municipal Utility District No. 9; providing for the adoption of this Ordinance on only one reading as an emergency; and declaring an effective date.
24. Consider approval of Ordinance 2025-25, amending Chapter 39 of the San Marcos City

Code, Article 2, Division 3, Standards for Flood Hazard Reduction, Section 39.043, Specific Standards for AE, AH, and AO Zones, and Section 39.044, Additional Provisions for Manufactured Homes and Recreational Vehicles, primarily to remove or replace AH Flood Zone references to coincide with the adopted Flood Insurance Rate Maps and to change the allowable increase in flood elevation for improvements; providing for the repeal of conflicting provisions; providing a savings clause; and declaring an effective date; and consider approval of Ordinance 2025-25 on the first of two readings.

25. Consider approval of Ordinance 2025-26, approving the 2025 Annual Service Plan Update for the Trace Public Improvement District; authorizing the City Manager, or her designee, to execute said document on behalf of the city; and declaring an effective date; and consider approval of Ordinance 2025-26 on the first of two readings.
26. Consider approval of Ordinance 2025-27, approving the 2025 Annual Service Plan Update for the Whisper Public Improvement District; authorizing the City Manager, or her designee, to execute said document on behalf of the city; and declaring an effective date; and consider approval of Ordinance 2025-27 on the first of two readings.
27. Consider approval of Ordinance 2025-28, approving the 2025 Annual Service Plan Update for the Whisper South Public Improvement District; authorizing the City Manager, or her designee, to execute said document on behalf of the city; and declaring an effective date; and consider approval of Ordinance 2025-28 on the first of two readings.
28. Consider approval of Ordinance 2025-29, ordering a General and Special Election to be held on November 4, 2025 for the purpose of electing a City Council Member for Place 1, a City Council Member for Place 2 and to submit proposed amendments to the San Marcos City Charter to the voters; making provisions for conducting the election; providing for the approval of this Ordinance as an emergency measure on only one reading; and declaring an effective date.
29. Consider approval of Resolution 2025-143R, approving a contract with the U.S. Department of Labor for the purchase of approximately 169.85 acres of land located at 2800 Airport Highway 21 and 1285 William Pettus Road next to the San Marcos Regional Airport for a price of \$1,683,000.00, plus associated closing costs; authorizing the City Manager, or her designee, to execute said contract and associated closing documents on behalf of the city; and declaring an effective date.
30. Discuss and consider appointment(s) to fill vacancies on the following Boards and Commissions, and provide direction to staff:
 - A) Construction Board of Appeals
 - B) Economic Development San Marcos Board
 - C) Human Services Advisory Board
 - D) Neighborhood Commission
 - E) Senior Citizen Advisory Committee
31. Discuss and consider the appointment of a Council Member to the Behavioral Advisory Team (BAT).

32. Hold a discussion regarding an ordinance establishing Tenant Rights to Organize

EXECUTIVE SESSION

NOTE: The City Council may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The City Council may also publicly discuss any item listed on the agenda for Executive Session.

33. The City Council will convene in executive session pursuant to the following sections of the Texas Government Code:
- A. Section 551.087 (Economic Development): To deliberate regarding possible economic development incentives for:
 - 1. Project Cat Tree
 - 2. Project AVSM
 - B. Section 551.072 (Real Property): To deliberate regarding:
 - 1. the possible purchase, exchange, lease, or value of land as necessary for the development of a new city hall; and
 - 2. the possible purchase of real property off of South LBJ between Cheatham Street and IH-35.
 - C. Section 551.071 (Consultation with Attorney): To receive legal advice regarding a request for dissolution of the Cotton Center Development Agreement in conjunction with the previous filing of a petition for removal from the extraterritorial jurisdiction of the City.
 - D. Section 551.074 (Personnel Matters): To discuss and provide annual appointee evaluations to:
 - 1. the City Manager;
 - 2. the Municipal Court Judge;
 - 3. the City Attorney; and
 - 4. the City Clerk.

DIRECTION/ACTION FROM EXECUTIVE SESSION

34. Consider action, by motion, or provide direction to Staff regarding the Executive Session items in discussed under the following sections of the Texas Government Code:
- A. Section 551.087 (Economic Development): To deliberate regarding possible economic development incentives for:
 - 1. Project Cat Tree
 - 2. Project AVSM
 - B. Section 551.072 (Real Property): To deliberate regarding:
 - 1. the possible purchase, exchange, lease, or value of land as necessary for the development of a new city hall; and
 - 2. the possible purchase of real property off of South LBJ between Cheatham Street and

IH-35.

C. Section 551.071 (Consultation with Attorney): To receive legal advice regarding a request for dissolution of the Cotton Center Development Agreement in conjunction with the previous filing of a petition for removal from the extraterritorial jurisdiction of the City.

D. Section 551.074 (Personnel Matters): To discuss and provide annual appointee evaluations to:

1. the City Manager;
2. the Municipal Court Judge;
3. the City Attorney; and
4. the City Clerk.

VI. Question and Answer Session with Press and Public.

This is an opportunity for the Press and Public to ask questions related to items on this agenda.

To speak during the Question and Answer portion of the meeting:

- *Remote Participation: Sign up at www.sanmarcostx.gov/citizencomment by 12:00 PM on the day of the meeting to receive a Zoom link.*
- *In-Person Participation: If attending in person, no sign up is required.*

NOTICE: In accordance with Section 2.045 of the City Code, speakers must state their name, and must limit their remarks to three minutes. The allotted time will commence from the beginning of the speaker's remarks and will include any time spent in discussion between the speaker and council or board or commission members. Issues taking longer to communicate can be addressed outside the meeting to the city staff or to individual members of the council or board or commission, or submitted in writing.

VII. Adjournment.

POSTED ON FRIDAY, AUGUST 1, 2025 AT 6:00 P.M.

ELIZABETH TREVINO, CITY CLERK

Notice of Assistance at the Public Meetings

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 855-461-6674 or sent by e-mail to ADArequest@sanmarcostx.gov