



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes City Council

Tuesday, September 6, 2016

5:00 PM

City Council Chambers

630 E. Hopkins

I. Call To Order

With a quorum present, the regular meeting of the San Marcos City Council was called to order by Mayor Pro Tem Thomaides at 5:01 p.m. Tuesday, September 6, 2016 in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666.

Present: 6 - Mayor Pro-Tem John Thomaides, Council Member Jude Prather, Deputy Mayor Pro Tem Lisa Prewitt, Council Member Jane Hughson, Council Member Melissa Derrick and Council Member Scott Gregson

Absent: 1 - Mayor Daniel Guerrero

II. Roll Call

Mayor Guerrero was absent due to business travel.

III. Invocation

Reverend Scottie McIntyre Johnson with San Marcos Unitarian Universalist provided this evenings invocation.

IV. Pledges Of Allegiance - United States And Texas

Council Member Hughson led the assembly in the Pledges of Allegiance.

EXECUTIVE SESSION

1. 5:00PM Executive Session in accordance with Section § 551.074 - Personnel Matters: to discuss the agreements of the Presiding Judge of the San Marcos Municipal Court of Record and the Associate Municipal Court Judge; and in accordance with Section § 551.072 of the Texas Government Code: Real Property - to receive a Staff briefing and deliberate regarding the possible acquisition of land on Clovis Barker.

A motion was made by Council Member Gregson, seconded by Council Member Hughson, to enter into Executive Session at 5:06 p.m. The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

2. Consider adoption or direction to Staff on matters discussed in Executive Session.

Council reconvened into Regular Session at 5:50 p.m. Staff was given direction on matters discussed in executive session.

PRESENTATIONS

3. Receive a presentation and hold discussion regarding the final Action Plan in compliance with HUD Community Development Block Grant - Disaster Recovery (CDBG-DR) Federal Register Notice 5938-N-01 for a \$25,080,000 HUD CDBG-DR Grant for 2015 flood recovery, and provide direction to Staff.

Collette Jamison, Assistant City Manager, introduced AECOM Project Manager Marisa Mason and Planning Manager, Lael Holton. Mr. Holton provided the Council with a presentation of the final Action Plan that will be submitted to HUD. Council inquired about the pros and cons of using all of the funding for housing solutions or options and securing other sources of funding to address infrastructure projects and other needs. Council also discussed using economic development funds to hire a consultant to provide technical assistance to homeowners in the flood prone areas. Council provided direction to submit the final Action Plan.

6:00 PM

V. 30 Minute Citizen Comment Period

Larry Mock, represented Protect San Marcos, spoke about their mission and spoke about a petition that they posted on Facebook and that it had over 1000 signatures of individuals that don't want the HEB located at Wonder World and Hunter Road. They provided the petition to the City Clerk and Council.

Jennifer Fischer, addressed the Council regarding the proposed HEB. She stated that spoke with several people in the community and she stated that all of them were against the proposed HEB project and how the people on the east side would like it over there. She spoke about how they want a government that stands for the people. She stated that the City provided this to P&Z and broke the law.

Brian Olson, spoke to the Council about Cape's Dam and how he had never seen so many flat out lies as those that were provided by Mike Montagne. He reviewed several points about the presentation that he considers inaccurate.

He spoke about meetings between Mike Montagne, Melanie Howard and Dr. Hardy that had taken place prior to anything being brought before the Parks Department or City Council, and the timeliness of the offer from US Fish to remove the dam. He provided several other documents in support of his position to keep Cape's Dam.

Lisa Marie Coppoletta, addressed the Council about potentially giving the Ethics Review Commission the oversight of consultants. She said that the recent downtown parking event was around \$85,000. She provided a shout out to the Police patrolling the Historic District. She stated that we won't have the finalized FEMA flood maps until summer of 2017. She encouraged the use of more permeable materials on things like sidewalks and parking lots and provided her reasons for wishing to see these materials utilized.

Joan Byrd, provided the Council with comments regarding the master plan that was recently approved and the amount of time and work that it took to put it in place. She asked the Council to not vote against the master plan.

Charles Soechting, stated that he was present representing the Lara family on the HEB deal. He spoke about the Lara Family and HEB meeting on several occasions and that the Lara Family is supportive of this project. He stated that HEB is the only grocery store ever to be given a Green Award for their green building models. He welcomes the time to speak more about this and spoke about how HEB has addressed every possible concern.

Rob Roark, referenced the law suit that the City is involved in with the Lara Family. He referenced the Land Use Plan in 2002 and spoke about the wonder world extension and the limited access off of the extension regarding the curb cuts that were promised wouldn't happen. He stated that the Lara's are going to be taken care of, but he asked the Council to follow the plan. He stated that once we start making those changes off of Wonder World that more requests will come in.

Robert Moore, representing the Cemetery Commission spoke about their planned clean ups in the fall and asked citizens to clean their plots prior to the cleanup. He stated that anything collected during the cleanup will be taken to the caretaker's office for retrieval.

Ivan Friedman, addressed the Council and asked that the Council send the HEB item back to P&Z. He stated that we already have two HEB stores on the west side and that the east side of town only has Wal-Mart. He stated that

everyone should have equal opportunity for access to fresh produce. He stated that we should buy this property for parkland.

Andy Greenwood, spoke to the Council regarding placing time limits on certain decibel levels for outdoor clubs and bars. He asked that the Council address amplified music after midnight and stated how it is negatively impacting their neighborhood.

CONSENT AGENDA

A motion was made by Council Member Gregson, seconded by Deputy Mayor Pro Tem Prewitt, to approve the Consent Agenda with the exception of items #5, 6, 9, 11, and 12 which were pulled and considered separately. Council Member Hughson filed an affidavit recusing herself on Item #10 citing a conflict due to "funds received by me from the business exceed 10 percent of my gross income for the previous year." The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

4. Consider approval of the following:
August 12, 2016 - Workshop Meeting
August 16, 2016 - Regular Meeting
5. Consider approval of Ordinance 2016-21 (LDC-16-03), on the second of two readings, amending Section 1.4.1.2, 1.4.1.4 and 1.5.1.2 of the Land Development Code to require that any request for an amendment to the Preferred Scenario Map of the City's Comprehensive Plan be accompanied by an application for a consistent Zoning Map Amendment and to add an additional public hearing to the process; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

A motion was made by Council Member Gregson, seconded by Mayor Pro-Tem Thomaides, to approve Ordinance 2016-21, on the second of two readings. The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

6. Consider approval of Ordinance 2016-28 (ZC-16-09), on the second of two readings, amending the Official Zoning Map of the City by rezoning a 1.40 acre, more or less, tract of land located at 132 Jackson Lane from "OP" Office Professional District to "VMU" Vertical Mixed Use District; and including procedural provisions.

A motion was made by Council Member Gregson, seconded by Mayor Pro-Tem Thomaides, to approve Ordinance 2016-28, on the second of two readings. The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

7. Consider approval of Ordinance 2016-30, on the second of two readings, repealing Ordinance 2013-45 which authorized the assessment and collection of fees for certain services provided by the San Marcos Fire Department; providing for the repeal of any conflicting provisions; and providing an effective date.
8. Consider approval of Ordinance 2016-31, on the second of two readings, authorizing the redemption of all outstanding City of San Marcos, Texas Waterworks and Waste Water System Revenue Bonds, Series 2006 and Taxable Series 2006.
9. Consider approval of Resolution 2016-113R, awarding a contract for a website upgrade to Icon Enterprises, Inc. D/B/A Civicplus in the estimated total amount of \$44,964.00 through the Region VIII Education Service Center Interlocal Purchasing System (TIPS/TAPS) Contract #2092613 for web hosting, web services and content management; authorizing the City Manager or his designee to execute the appropriate purchasing documents on behalf of the city and declaring an effective date.

A motion was made by Council Member Hughson, seconded by Council Member Derrick, to approve Resolution 2016-113R. The motion carried by the following vote:

For: 5 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson and Council Member Gregson

Against: 0

Absent: 2 - Mayor Guerrero and Council Member Derrick

10. Consider approval of Resolution 2016-115R, approving an Interlocal Cooperation Agreement between the City and Texas State University for water quality analytical testing services in an annual amount of \$80,000.00; authorizing the City Manager or his designee to execute the agreement; and declaring effective date.
11. Consider approval of Resolution 2016-116R, approving a State Use Contract between the City and Easter Seals-Central Texas as certified by TIBH Industries, Inc. for vegetation and litter control in the estimated annual amount of \$1,043,066.40;

authorizing the City Manager or his designee to execute this agreement on behalf of the City and declaring an effective date.

A motion was made by Deputy Mayor Pro Tem Prewitt, seconded by Council Member Hughson, to approve Resolution 2016-116R. The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

12. Consider approval of Resolution 2016-117R, approving the filing of an application with the Texas Water Development Board seeking financial assistance for the Water Reuse Expansion Project in an amount not to exceed \$5,500,000.00 in 2017 Clean Water State Revolving Funds; authorizing the City Manager or his designee to act on the City's behalf with regard to the submission of the application and all other matters relative to furnishing information and executing documents that may be required in connection with the preparation and filing of the application for financial assistance and the rules of the Texas Water Development Board; designating firms and individuals authorized and directed to assist the City in the preparation and submission of the application for financial assistance and to appear on behalf of and represent the City in any hearing held by the Texas Water Development Board on the application; and declaring an effective date.

A motion was made by Mayor Pro-Tem Thomaides, seconded by Council Member Prather, to approve Resolution 2016-117R. The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

13. Consider approval of Resolution 2016-118R approving an agreement with Half Associates, Inc. for the provision of professional engineering services in connection with drainage plan reviews and drainage impact analyses in the amount of \$94,000.00 which includes an increase of \$49,000.00 (ACIS NO. 1) above the previous not-to-exceed contract amount of \$45,000.00; ratifying the City Manager's execution of this agreement on behalf of the City; authorizing the City Manager or his designee to execute authorization of Change in Services No. 1 on behalf of the City; and declaring an effective date.
14. Consider approval, by motion, of the San Marcos Commission on Children and Youth grant funding recommendations.

15. Consider approval, by motion, of Change in Service #2 to the Mill Street Improvements Project (Contract #216-043), in the amount of \$76,896.50, with Unitech Consulting Engineers, Inc. for providing traffic and drainage improvements at the intersection of Mill Street and Uhland Road

PUBLIC HEARINGS - 7:00 PM

16. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against the approval of Ordinance 2016-34, adopting a Budget in the amount of \$193,811,647 for the Fiscal Year beginning October 1, 2016 and ending September 30, 2017; authorizing certain adjustments to the Budget with the approval of the City Manager; approving fiscal year 2016-2017 Capital Improvements Program Projects; and consider approval of Ordinance 2016-34, on the first of two readings.

Heather Hurlbert provided the Council with a presentation that covered Items #16-20.

Mayor Pro Tem Thomaides announced that State Law requires that the City hold one public hearing on the City's Budget. This agenda item is the public hearing for the City's fiscal year 2016-2017 budget. The public is invited to make comments for or against items in the budget. The budget has been on file in the City Clerk's Office since July 29 and available on the City's website as well. Notice of this public hearing was published in the newspaper on August 19, 2016. After receiving public comments, the City Council will approve the budget on first reading. The City Council will actually adopt the budget on second reading at the City Council meeting scheduled on September 20, 2016.

Mayor Pro Tem Thomaides opened the Public Hearing at 8:15 p.m.

There being no comments, Mayor Pro Tem Thomaides closed the Public Hearing at 8:15 p.m.

Main Motion: A motion was made by Council Member Gregson, seconded by Council Member Prather, that this Ordinance be approved on the first of two readings.

Motion to Amend: A motion was made by Council Member Hughson, seconded by Council Member Derrick, that Section 3 (c), (d), and (e) to add, "with notification to City Council when complete." of this Ordinance be amended. The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

Main Motion: that this Ordinance be approved, on the first of two readings.

The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

17. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2016-33, setting the Property Tax Rate for the 2016 Tax Year at 53.02 cents on each \$100 of taxable value of property that is not exempt from taxation; levying taxes for the use and support of the Municipal Government of the City for the Fiscal Year beginning October 1, 2016 and ending September 30, 2017; providing a Sinking Fund for the retirement of the bonded debt of the City; and consider approval of Ordinance 2016-33, on the first of two readings.

Heather Hurlbert provided the Council with a presentation that covered Items #16-20 during Item# 16.

Mayor Pro Tem Thomaides announced that State Law requires that two public hearings on the City's proposed 2016 Property Tax Rate. This agenda item is the first public hearing on the City's proposed 2016 property tax rate. The second public hearing will be held on September 16. Notice of this hearing was published in newspapers on August 19 and has been available on the City's website as well. After today's public hearing, the Council will approve the property tax rate on first reading.

Mayor Pro Tem Thomaides opened the Public Hearing at 8:25 p.m.

There being no comments, Mayor Pro Tem Thomaides closed the Public Hearing at 8:25 p.m.

A motion that the property tax rate be increased by the adoption of a tax rate of 53.02 cents per hundred, which is effectively a 3.09 percent increase in the tax rate was made by Council Member Gregson, seconded by Council Member Prather, on the first of two readings. The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

18. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2016-35 increasing drainage utility rates as authorized by Section 86.505 of the San Marcos City Code; including procedural provisions; and consider approval of Ordinance 2016-35, on the first of two readings.

Heather Hurlbert provided the Council with a presentation that covered Items #16-20 during Item# 16.

Mayor Pro Tem Thomaides opened the Public Hearing at 8:33 p.m.

There being no comments, Mayor Pro Tem Thomaides closed the Public Hearing at 8:33 p.m.

A motion was made by Council Member Hughson, seconded by Council Member Derrick, to approve Ordinance 2016-35, on the first of two readings.

The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

19. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2016-36, increasing rates established for Water, Wholesale Water, Reclaimed Water, Wastewater Treatment, and Sewer Surcharges; and including procedural provisions; and consider approval of Ordinance 2016-36, on the first of two readings.

Heather Hurlbert provided the Council with a presentation that covered Items #16-20 during Item# 16.

Mayor Pro Tem Thomaides opened the Public Hearing at 8:35 p.m.

There being no comments, Mayor Pro Tem Thomaides closed the Public Hearing at 8:35 p.m.

A motion was made by Council Member Prather, seconded by Council Member Hughson, to approve Ordinance 2016-36, on the first of two readings.

The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

20. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2016-37 amending the rates for both Residential and Multifamily Customers of Municipal Solid Waste Programs in accordance with Section 66.028 of the San Marcos Code of Ordinances; including procedural provisions; and declaring an effective date; and consider approval of Ordinance 2016-37, on the first of two readings.

Heather Hurlbert provided the Council with a presentation that covered Items #16-20 during Item# 16.

Mayor Pro Tem Thomaides opened the Public Hearing at 8:38 p.m.

There being no comments, Mayor Pro Tem Thomaides closed the Public Hearing at 8:38 p.m.

A motion was made by Council Member Gregson, seconded by Deputy Mayor Pro Tem Prewitt, to approve Ordinance 2016-37, on the first of two readings.

The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

21. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2016-29 (ZC-16-10), amending the Official Zoning Map of the City by rezoning a 6.57 acre, more or less, tract of land out of Lots 2 and 5 of the Springtown VI Subdivision, located at 200 Springtown Way, from "GC" General Commercial District to "VMU" Vertical Mixed Use District; and including procedural provisions; and consider approval of Ordinance 2016-29, on the first of two readings.

Shannon Mattingly, Director of Planning and Development Services, provided the Council with a brief presentation.

Mayor Pro Tem Thomaides opened the Public Hearing at 8:46 p.m.

Buck Cody, Endeavor Retail Group, thanked the Council for their positive

consideration and let them know he was available for questions.

There being no further comments, Mayor Pro Tem Thomaides closed the Public Hearing at 8:46 p.m.

A motion was made by Council Member Prather, seconded by Deputy Mayor Pro Tem Prewitt, to approve Ordinance 2016-29, on the first of two readings. The motion carried by the following vote:

For: 5 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson and Council Member Derrick

Against: 0

Absent: 1 - Mayor Guerrero

Recused: 1 - Council Member Gregson

22. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2016-120R approving a request by Humpty Dumpty SSM, Ltd. for a Conditional Use Permit to allow purpose built student housing within portions of Lots 2 and 5 of the Springtown VI Subdivision, located at 200 Springtown Way; authorizing City Staff to issue a Conditional Use Permit consistent with this Resolution; and declaring an effective date; and consider approval of Resolution 2016-120R.

Shannon Mattingly, Director of Planning and Development Services, provided the Council with a brief presentation.

Mayor Pro Tem Thomaides opened the Public Hearing at 8:54 p.m.

There being no comments, Mayor Pro Tem Thomaides closed the Public Hearing at 8:54 p.m.

Council Member Gregson filed an affidavit with the City Clerk abstaining to avoid the appearance of impropriety from this item. Mr. Gregson left the Council Chambers during this item.

Council Member Hughson noted that there have been a number of issues with student housing not being completed prior to the first day of school and that causes major problems. She asked that this be studied for a remedy that can be added to the ordinance on Purpose Built Student Housing. Council requested a future agenda item to create a subcommittee to look at options to enforce student housing owners to provide hotel rooms to lease holders if the complex has not received a Certificate of Occupancy prior to the beginning of a

semester.

A motion was made by Deputy Mayor Pro Tem Prewitt, seconded by Council Member Prather, to approve Resolution 2016-120R. The motion carried by the following vote:

For: 5 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson and Council Member Derrick

Against: 0

Absent: 1 - Mayor Guerrero

Abstain: 1 - Council Member Gregson

23. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2016-121R approving a request by Humpty Dumpty SSM, Ltd. for a Conditional Use Permit to allow the construction of a five-story building within portions of Lots 2 and 5 of the Springtown VI Subdivision, located at 200 Springtown Way; authorizing City Staff to issue a Conditional Use Permit consistent with this Resolution; and declaring an effective date; and consider approval of Resolution 2016-121R.

Shannon Mattingly, Director of Planning and Development Services, provided the Council with a brief presentation.

Mayor Pro Tem Thomaides opened the Public Hearing at 9:03 p.m.

There being no comments, Mayor Pro Tem Thomaides closed the Public Hearing at 9:03 p.m.

Council Member Gregson filed an affidavit with the City Clerk abstaining to avoid the appearance of impropriety from this item. Mr. Gregson left the Council Chambers during this item.

A motion was made by Deputy Mayor Pro Tem Prewitt, seconded by Council Member Prather, to approve Resolution 2016-121R. The motion carried by the following vote:

For: 5 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson and Council Member Derrick

Against: 0

Absent: 1 - Mayor Guerrero

Recused: 1 - Council Member Gregson

24. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments

for or against Resolution 2016-119R, approving a program for the use of a portion of Spring Lake Park for repatriation (re-burial) of certain Native American remains and artifacts; approving a memorandum of agreement between the City and the Indigenous Cultures institute for such use; and providing an effective date; and consider approval of Resolution 2016-119R.

This Item was taken up prior to the other Public Hearing items.

Michael Cosentino, City Attorney, provided the Council with a brief overview of the process and what the Council is considering this evening.

Mayor Pro Tem Thomaides opened the Public Hearing at 7:50 p.m.

Mario Garza, Indigenous Cultures Institute, thanked the Staff and Council that have been very supportive. He stated that it is against the law to disturb the remains of the dead and spoke about the Repatriation Act of 1990. He stated that this will establish a place for only remains unearthed in Hays County, and that hopefully no more remains will be unearthed. Dr. Garza spoke about their religious beliefs and how important this is to them. He said that San Marcos will be the first in the whole state of Texas to establish a repatriation site.

Diane Wassenich, 11 Tanglewood, San Marcos River Foundation, spoke in support of this item and thanked the Staff for all of their work on this.

Lisa Marie Coppoletta, 1328 Belvin, spoke in support of this Resolution and thanked the Council for all of their work on this.

There being no further comments, Mayor Pro Tem Thomaides closed the Public Hearing at 7:57 p.m.

A motion was made by Deputy Mayor Pro Tem Prewitt, seconded by Council Member Hughson, to approve Resolution 2016-119R. The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

NON-CONSENT AGENDA

25. Consider approval Ordinance 2016-38, on the first of two readings, amending Chapter

2, Article 5, Code of Ethics, of the San Marcos City Code; provisions; providing penalties; and providing an effective date; and provide direction to staff and the Ethics Review Commission regarding consideration of other possible amendments.

A motion was made by Council Member Derrick, seconded by Deputy Mayor Pro Tem Prewitt, to approve Ordinance 2016-38, on the first of two readings.

The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

26. Consider approval of Ordinance 2016-39, on the first of two readings, establishing and confirming the current speed limits along Loop 82 (Guadalupe Street) of 30 miles per hour in both directions between San Antonio Street and Grove Street and 35 Miles Per Hour in both directions between Grove Street and IH-35; directing that such speed limits be incorporated into the Traffic Register maintained under Section 82.067 of the San Marcos City Code; and including procedural provisions.

A motion was made by Council Member Gregson, seconded by Deputy Mayor Pro Tem Prewitt, to approve Ordinance 2016-39, on the first of two readings.

The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

27. Consider approval of Ordinance 2016-40, on the first of two readings, amending speed limits, including a speed limit for a school zone, to wit, a reduction to 40 mph from existing 45 mph speed limit, located from IH-35 south to the existing zone break located south of De Zavala and contains the 25 mph school zone from Ebony to south of De Zavala; and a reduction to 50 mph from existing 55 mph speed limit from south of De Zavala to the centerline of Redwood (FM 3407); and maintain current 60 mph speed limit from Redwood (FM 3407) to the South City Limit (located 0.5 miles north of the county line); and directing that such speed limits be incorporated into the Traffic Register maintained under Section 82.067 of the San Marcos City Code; and including procedural provisions.

A motion was made by Council Member Gregson, seconded by Deputy Mayor Pro Tem Prewitt, to approve Ordinance 2016-40, on the first of two readings.

The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

28. Consider an appointment to fill a vacancy on the Main Street Advisory Board, and provide direction to Staff.

A motion was made by Deputy Mayor Pro Tem Prewitt, seconded by Council Member Gregson, that the appointment of Caitlin Hairell, as the Hays County representative, to the Main Street Advisory Board be approved. The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

29. Consider approval, by motion, changing the regular meeting of the City Council from Tuesday, October 4, 2016 to Monday, October 3, 2016 due to National Night Out in San Marcos and the Texas Municipal League Annual Conference.

A motion was made by Council Member Hughson, seconded by Council Member Gregson, that the changing of the regular meeting of the San Marcos City Council from Tuesday, October 4, 2016 to Monday, October 3, 2016 due to National Night Out in San Marcos and the Texas Municipal League Annual Conference be approved. The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

30. Discuss and consider adoption of City Council goals, by motion, and provide direction to Staff.

Main Motion: A motion was made by Deputy Mayor Pro Tem Prewitt, seconded by Council Member Hughson, that the 2016 City Council Visioning Goals be approved.

Motion to Amend: A motion was made by Deputy Mayor Pro Tem Prewitt, seconded by Council Member Hughson, that the 2016 City Council Visioning Goals be amended by adding Goal #9 as follows:

Goal # 9: Protect and Preserve the San Marcos River and Edwards Aquifer

Recharge Zone.

- **Adopt and implement sustainable Flood and Code SMTX Development Ordinances.**
- **Continue to support State, regional and local plans/projects that protect the long-term health of the San Marcos River, drainage ways, Edwards Aquifer and endangered species.**
- **Continue partnerships to promote and monitor water quality, river cleanups, infrastructure and the economic viability of the River.**
- **Continue to fund effective staffing, code enforcement and signage that enhances safety for recreation and tourism.**
- **Continue to pursue funding sources for river conservation and protection.**
- **Support legislative efforts to utilize Hotel/Motel Occupancy Tax for River and Parks maintenance and cleanup.**

The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

Main Motion: that the 2016 City Council Visioning Goals be approved as amended. The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Thomaides, Council Member Prather, Deputy Mayor Pro Tem Prewitt, Council Member Hughson, Council Member Derrick and Council Member Gregson

Against: 0

Absent: 1 - Mayor Guerrero

- 31.** Receive a Staff presentation and hold discussion regarding the Municipal Separate Storm Sewer System (MS4) Post Construction Facility Inspections, and provide direction Staff.

Shawn Wolfshohl, Stormwater Systems Manager, provided the Council with an update regarding the Municipal Separate Storm Sewer System (MS4) Post Construction Facility Inspections. Council would like to see additional information related to an engineer's salary that would oversee this project. Council provided direction to proceed with Option 2 where the City provides a list of qualified engineers from which owners may choose. Council also encouraged Staff to use local firms.

VI. Question and Answer Session with Press and Public.

None.

VII. Adjournment.

Mayor Pro Tem Thomaides adjourned the regular meeting of the San Marcos City Council at 9:40 p.m.

**Jamie Lee Case, TRMC, City Clerk
Pro Tem**

John Thomaides, Mayor