



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final City Council

Tuesday, September 17, 2024

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

NOTE: Citizen Comment sign up procedures have changed:

Persons wishing to participate remotely (speak) during the Citizen Comment portion must sign up at www.sanmarcostx.gov/citizencommentsignup before 12:00PM the day of the meeting. A link will be provided for participation on a mobile device, laptop or desktop computer. Those wishing to speak in person must sign up in the City Clerk's office between 8:00AM - 5:45PM the day of the meeting.

PRESENTATION

1. Provide an update on the new City Hall and Hopkins Redevelopment Project, and discuss the creation and appointment process of a Hopkins City Center Steering Committee; and provide direction to Staff.

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.

2. Consider approval of Ordinance 2024-42, on the second of two readings, amending the rates for Electric Utility Services in accordance with Section 86.177 of the San Marcos Code of Ordinances; including procedural provisions; and declaring an effective date.
3. Consider approval of Ordinance 2024-43, on the second of two readings, amending rates for the Water, Wholesale Water, Reclaimed Water, and Wastewater Treatment Utility

Services in accordance with Chapter 86 of the San Marcos City Code of Ordinances; including procedural provisions; and declaring an effective date.

4. Consider approval of Ordinance 2024-44, on the second of two readings, amending the rates for residential and multifamily customers of solid waste programs, known as Resource Recovery, in accordance with Section 66.028 of the San Marcos Code of Ordinances; including procedural provisions; and declaring an effective date.
5. Consider approval of Ordinance 2024-45, on the second of two readings, terminating the LaSalle (a/k/a Waterstone) Municipal Utility District Consent Agreement, acknowledging release of land from the LaSalle (Waterstone) Development Agreement, and approving release of land from the city's extraterritorial jurisdiction; including procedural provisions; and declaring an effective date.
6. Consider approval of Resolution 2024-167R, approving an Airport Facility Lease Agreement for commercial use for airport property located at 1982 Airport Drive with Compliance Aviation dba Blue Skies Aviation for an initial one-year period with options to renew totaling five years; also approving a related 14 month lease extension with Compliance Aviation at 1815 Airport Drive to expire at the same date; authorizing the City Manager, or her designee, to execute the lease on behalf of the city; and declaring an effective date.
7. Consider approval of Resolution 2024-174R, awarding a contract to Crowdriff Inc., for promoting tourism with a Visual Advertising Influence Platform used by the Convention Visitor's Bureau in the estimated annual amount of \$26,461.00, with up to four one-year renewals for a total price of \$132,305.00; authorizing the City Manager, or her designee, to execute the contract and any renewals on behalf of the city; and declaring an effective date.
8. Consider approval of Resolution 2024-175R, approving a contract with Texas Highway Magazine, through TxDOT, for the Convention and Visitor's Bureau to promote tourism in the estimated annual amount of \$10,288.00, with up to four one-year renewals for a total price of \$51,440.00; authorizing the City Manager, or her designee, to execute the contract and renewals on behalf of the city; and declaring an effective date.
9. Consider approval of Resolution 2024-176R, approving a contract with Crowdriff Inc., for the Convention and Visitor's Bureau to promote tourism using short-form video content in the estimated annual amount of \$46,400.00 with up to five one-year renewals for a total contract price of \$232,000.00; authorizing the City Manager, or her designee, to execute the contract and any renewals on behalf of the city; and declaring an effective date.
10. Consider approval of Resolution 2024-177R, revising the City's Public Events Grant Policy to, among other things, specify grant types, funding sources, eligibility, restrictions and required documents; and declaring an effective date.
11. Consider approval of Resolution 2024-178R, approving Change in Service No. 3 to the On-Call Professional Services Agreement with FGM Architects, Inc., for architectural services related to the proposed renovation of an existing building at 350 Barnes Drive for municipal court use, in the amount of \$253,500.00; authorizing the City Manager, or her designee, to execute the change in service on behalf of the city; and declaring an effective

date.

12. Consider approval of Resolution 2024-179R, approving an agreement with Enterprise Fleet Management, Inc., through the Texas Interlocal Purchasing System (TIPS), to provide for the lease and maintenance of 61 vehicles for use by several city departments and the purchase of miscellaneous equipment in the estimated amount of \$891,143.24; authorizing the City Manager, or her designee, to execute the agreement; and declaring an effective date.
13. Consider approval of Resolution 2024-180R, approving an Amendment to the Advance Funding agreement (AFA) with the State of Texas, acting through the Texas Department of Transportation (TxDOT) for the SH-123 Drainage and Landscape Betterment Project to reduce the city's contribution to costs for construction along IH-35 from South of SH-80 (Hopkins Street) to north of RM-12 (Wonder World Drive) by \$270,000.00 from \$5,822,990.22 to \$5,552,990.22; authorizing the City Manager, or her designee, to execute said amendment; and declaring an effective date.
14. Consider approval of Resolution 2024-181R, approving a contract with Austin Wood Recycling, Inc. for emergency wood grinding and disposal services in the estimated amount of \$157,600.00; authorizing the City Manager, or her designee, to execute the contract on behalf of the city; and declaring an effective date.
15. Consider approval of Resolution 2024-182R, finding a used animal services vehicle to be surplus and of no further value to the city; authorizing the city to donate the vehicle to Pets Prevent a Litter of Central Texas; finding that such conveyance serves the public purpose of reducing overpopulation of animals; authorizing the City Manager, or her designee, to execute a donation agreement; and declaring an effective date.
16. Consider approval of Resolution 2024-183R, approving an Interlocal Agreement with the City of Kyle to provide the City of Kyle with Animal Shelter Services; 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 2024-184R, approving an Interlocal Agreement with the City of Buda to provide the City of Buda with Animal Shelter Services; authorizing the City Manager, or her designee, to execute the agreement on behalf of the city; and declaring an effective date.
18. Consider approval of Resolution 2024-185R, approving a Public Hearing regarding the reissuance of revenue bonds in a principal amount not to exceed \$25,550,000.00 to be reissued by New Hope Cultural Education Facilities Finance Corporation for a residential senior living project, known as the Villas Del San Xavier Senior Residences and located at 2621 South IH-35 in San Marcos; and declaring an effective date.
19. Consider approval of Resolution 2024-186R, approving the assignment by the Capital Area Housing Finance Corporation of private activity bond authority to the Texas Department of Housing and Community Affairs for the purpose of financing single family home mortgages; and containing other provisions relating to the subject.

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 12:00PM 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.

- 20.** Hold a Public Hearing to receive comments for or against Ordinance 2024-46, creating a designated permit area under Section 82.189 of the San Marcos City Code authorizing parking by permit only at all times for the area consisting of the west side of the 600 block of Sturgeon Drive from River Road to Clair Street; amending the traffic register to reflect such designated permit area; including procedural provisions; and declaring an effective date; and consider approval of Ordinance 2024-46, on the first of two readings.
- 21.** Receive a staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2024-47, amending the Official Zoning Map of the city in Case No. ZC-24-06 by rezoning approximately 36.91 acres of land, generally located on the southern side of FM-110/East McCarty Lane and the northern side of Old Bastrop Highway, approximately 1,600 feet west of the intersection between Old Bastrop Highway and SH-123, from Future Development "FD" District to Character District-4 "CD-4", or, subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and declaring an effective date; and consider approval of Ordinance 2024-47, on the first of two readings.
- 22.** Receive a staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2024-48, amending the Official Zoning Map of the city in Case No. ZC-24-07 by rezoning approximately 9.9 acres of land, generally located on the southern side of FM-110/East McCarty Lane, approximately 2,500 feet west of the intersection between FM-110 and SH-123, from Future Development "FD" District to Commercial "CM" District, or, subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and declaring an effective date; and consider approval of Ordinance 2024-48, on the first of two readings.
- 23.** Receive a staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2024-49, annexing into the city approximately 51 acres of land (including adjacent right-of-way) generally located on the southern side of FM-110/East McCarty Lane and the northern side of Old Bastrop Highway, approximately 1,600 feet west of the intersection between Old Bastrop Highway and SH-123 (Case No. AN-24-07); including procedural provisions; and declaring an effective date; and consider approval of Ordinance 2024-49, on the first of two readings.
- 24.** Receive a staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2024-40, adopting an operating budget in the amount of \$342,578,537.00 for the fiscal year beginning October 1, 2024 and ending September 30, 2025; authorizing certain adjustments to the budget with the approval of the City Manager; approving fiscal year 2024-2025 Capital Improvements Program Projects in the amount of \$84,855,000.00; including procedural provisions; and declaring an effective date; and consider approval of

Ordinance 2024-40, on the second of two readings.

25. Consider approval of Resolution 2024-187R, ratifying the property tax revenue increase in the budget for the fiscal year beginning October 1, 2024 through September 30, 2025; and declaring an effective date.
26. Receive a staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2024-41, setting the tax rate for the 2024 tax year at 60.30 cents on each \$100.00 of taxable value of real 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, 2024, and ending September 30, 2025; providing a sinking fund for the retirement of the bonded debt of the city; including procedural provisions; and declaring an effective date; and consider approval of Ordinance 2024-41, on the second of two readings.
27. Receive a staff presentation and hold a Public Hearing to receive comments for or against Resolution 2024-188R, approving the schedule of fees for Fiscal Year beginning October 1, 2024 and ending September 30, 2025; reauthorizing building permit fees; including procedural provisions; and declaring an effective date; and consider approval of Resolution 2024-188R.

NON-CONSENT AGENDA

28. Consider approval of Resolution 2024-189R, approving a one-year state use contract with Easter Seals-Central Texas, as certified through Workquest, a state purchasing cooperative, for vegetation, litter control, and landscape maintenance in the estimated amount of \$1,432,702.54; authorizing the City Manager, or her designee, to execute this agreement on behalf of the city; and declaring an effective date.
29. Consider approval of Resolution 2024-190R, approving an On-Call Professional Services Agreement with Lockwood, Andrews and Newnam, Inc., (LAN) to provide engineering services for the Purgatory Creek Improvements, Phase 1 Project in an amount not to exceed \$3,281,773.35; authorizing the City Manager, or her designee, to execute the agreement on behalf of the city; and declaring an effective date.
30. Consider approval of Resolution 2024-191R, providing a nomination to serve on the Hays Central Appraisal District Board of Directors; and declaring an effective date.
31. Consider approval of a motion casting the city's vote to fill a seat on the Texas Municipal League Board of Directors.
32. Discuss and consider appointments to fill vacancies on the following Boards and Commissions; and provide direction to Staff.
 - A) Animal Shelter Advisory Committee
 - B) Human Services Advisory Board
 - C) Main Street Board
 - D) Neighborhood Commission
 - E) Parks and Recreation Board

33. Consider approval of a motion changing the city council meeting date scheduled for Monday, November 4, 2024 to Wednesday, November 6, 2024.

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.

34. The City Council will convene in executive session pursuant to the following sections of the Texas Government Code:
1. Section 551.072-Deliberation Regarding Real Property:
 - A. To deliberate regarding the possible acquisition of land on the City's northwest side for park purposes.
 - B. To deliberate regarding the possible disposition of property known as the Mitchell Center, located at 715 Valley Street.
 2. Section 551.087-Deliberation Regarding Economic Development: To deliberate regarding Project Jolly Rancher.

DIRECTION/ACTION FROM EXECUTIVE SESSION

35. Consider action, by motion, or provide direction to Staff regarding the following Executive Session items deliberated under Chapter 551 of the Texas Government Code during the Work Session and/or Regular Meeting:
1. Section 551.072-Deliberation Regarding Real Property:
 - A. To deliberate regarding the possible acquisition of land on the City's northwest side for park purposes.
 - B. To deliberate regarding the possible disposition of property known as the Mitchell Center, located at 715 Valley Street.
 2. Section 551.087-Deliberation Regarding Economic Development: To deliberate regarding Project Jolly Rancher.

VI. Question and Answer Session with Press and Public.

NOTE: Question and Answer with Press and Public sign up procedures have changed: This is an opportunity for the Press and Public to ask questions related to items on this agenda. Persons wishing to participate remotely (speak) during the Citizen Comment portion must sign up www.sanmarcostx.gov/citizencommentsignup before 12:00PM the day of the meeting. A call in number and link will be provided for participation on a mobile device, laptop or desktop computer. 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, SEPTEMBER 13, 2024 AT 2:00 PM

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