



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes City Council

Tuesday, December 6, 2016

5:30 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 Guerrero at 5:35 p.m. Tuesday, December 6, 2016 in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666.

II. Roll Call

Present: 7 - Mayor Daniel Guerrero, Mayor Pro-Tem John Thomaides, Council Member Jude Prather, Council Member Jane Hughson, Council Member Melissa Derrick, Council Member Scott Gregson and Council Member Lisa Prewitt

III. Invocation

Brother Eric Barbosa, with Community Baptist, provided this evening's invocation.

IV. Pledges Of Allegiance - United States And Texas

Jamie Lee Case led the assembly in the pledges of allegiance.

PRESENTATIONS

1. Receive a staff presentation and hold discussion regarding the implementation of near-term parking management strategies, and provide direction to staff.

Kevin Burke, Economic and Development Projects Coordinator, provided the Council with an update regarding the implementation of near-term parking management strategies since the stake holder meetings were held. Staff will bring back a privacy policy to put in place in relation to the use of License Plate Recognition (LPR). Staff will send a list of comparison cities that are implementing LPR. Staff will move forward with the following recommendations: Enhance and Expand the Parking Enforcement Program, Uniform 2-Hour Parking Time Limit Downtown, Pursue New On-Street Parking Supply Additions, and Begin Development of an Employee Parking Program. Council directed Staff to survey employers downtown regarding

where their employees are parking. Staff will bring back a paid parking option to include License Plate Recognition.

6:00 PM

V. 30 Minute Citizen Comment Period

Lisa Marie Coppoletta, addressed the voters that voted for her and thanked them for their support. Sha also thanked the mentors that helped her in her race. She spoke about community and quoted John Quincy Adams. She recommended that candidates in the runoff election run on their own track records. She referenced attack post cards that had been mailed out. She addressed the split screen imaging that was once available when meetings were being broadcast. She has met with Staff multiple times regarding the issue and advocated to have Council direct Staff to bring the split screen back so that the citizen's home can't see the speaker and the Council.

Sara Lee Underwood, invited the Council and citizens of San Marcos to a meeting on Thursday night at 7PM at the LBJ Museum upstairs to have a dialogue about the homeless and panhandlers in San Marcos. She stated that she has invited many community members to talk about this community problem and she would like to hear from the Council.

Joan L. Byrd, addressed the Council about the amount of noise that is coming from the practice field by the stadium. She is not talking about the events, but the practices and how loud they are. She stated that they are really close to some people's bedroom windows and they are being disturbed. She complains to them about it being illegal and they typically stop, but she would like this to stop permanently. She stated that this is rude and she would also like to complain about litter and how we need to have a better plan. She said that we need to pay citizens for litter cleanups. She said that people could bring in their collected litter and then could redeem it for cash. She stated that she feels this town is dirty.

CONSENT AGENDA

A motion was made by Council Member Prewitt, seconded by Council Member Gregson, to approve the consent agenda, with the exception of item #7 which was pulled and considered separately. The motion carried by the following vote:

For: 7 - Mayor Guerrero, Mayor Pro-Tem Thomaides, Council Member Prather, Council Member Hughson, Council Member Derrick, Council Member Gregson and Council Member Prewitt

Against: 0

2. Consider approval of the following:
November 15, 2016 - Regular Meeting Minutes
November 21, 2016 - Election Canvass
3. Consider approval of Ordinance 2016-52, on second reading, amending Ordinance 2011-74 to extend the termination date until December 31, 2021 for Tax Increment Reinvestment Zone No. 5 in the area bounded by Concho Street, Moore Street, North Street, Comanche Street, Shady Lane, Fredericksburg Street, Hull Street, Guadalupe Street, IH-35, Mckie Street, LBJ Drive and CM Allen Street; including procedural provisions; and providing an effective date.
4. Consider approval of Resolution 2016-167R, approving the initial purchase of air packs and replacement parts (IFB 217-009) from Metro Fire Apparatus Specialists, Inc. for the Fire Department in the estimated amount of \$122,526.52; approving the estimated annual expenditure of \$5,000.00 necessary for maintenance costs; authorizing the City Manager or his designee to execute the appropriate purchasing documents on behalf of the City and declaring an effective date.
5. Consider approval of Resolution 2016-168R, approving the procurement of cellular phone devices, air cards and mobile service for the Police Department in the estimated annual amount of \$122,000.00 from AT&T Mobility through the Texas Comptroller of Public Accounts ("TCPA") Department of Information Resources ("DIR") contract #dir-tso-2652 for data communication and networking equipment and related services; authorizing the City Manager or his designee to execute the appropriate purchasing documents on behalf of the City and declaring an effective date.
6. Consider approval of Resolution 2016-169R, approving a lease-purchase agreement between the City and Santandar Bank, N.A. which authorizes the lease/purchase of mowers and accessories for the Community Services Department-Parks and Recreation division in the total financed amount of \$231,551.20 for a five year term inclusive of interest; authorizing the City Manager or his designee to execute all appropriate documents associated with this transaction; and declaring an effective date.
7. Consider approval of Resolution 2016-170R, approving the lease-purchase of mowers and accessories (IFB 216-282) for the Community Services Department-Parks and Recreation Division from C&M Air Cooled Engine, Inc. in the amount of \$220,637.86; authorizing the City Manager or his designee to execute the appropriate lease/purchase documents on behalf of the City and declaring an effective date.

A motion was made by Council Member Derrick, seconded by Council Member Prewitt, to approve Resolution 2016-170R. Council directed Staff to include an explanation on future agenda items that explains why the high bidder was being awarded. The motion carried by the following vote:

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

Against: 0

Absent: 1 - Council Member Derrick

8. Consider approval of Resolution 2016-171R, approving the expenditure of \$9,600.00 from the Permanent Art Fund for the purchase of two pieces of permanent display art for placement on City property; and declaring an effective date
9. Consider approval of Resolution 2016-172R, approving the award of a construction contract to the Brandt Companies, LLC for the Police Department HVAC System Upgrades Project in the amount of \$62,038.00 through the Texas Comptroller of Accounts Texas Municipal Award Schedule (contract #TXMAS-10-03FAC070) and the General Services Administration (contract #GS-21F-0137W) contingent upon the contractor's timely submission of sufficient bonds and insurance in accordance with the City's construction contract documents for the project; authorizing the City Manager or his designee to execute all contract documents on behalf of the City; and declaring an effective date.
10. Consider approval, by motion, of Change in Service No. 2 Lockwood, Andrews & Newnam, Inc. for Engineering Services for the Coers Drive Improvements Project in a not to exceed amount of \$108,460.00.

PUBLIC HEARINGS - 7:00 PM

11. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2016-51 amending Ordinance No. 2014-70 consenting to the creation of Cotton Center Municipal Utility District No. 1 within the City's Extraterritorial Jurisdiction to provide for an amendment to the Consent Agreement to extend the date for the required creation of a Subdistrict to within sixty months from the date of the confirmation election; and providing for an effective date; and consider approval of Ordinance 2016-51, on the first of two readings.

Shannon Mattingly, Director of Planning and Development Services provided a brief update on Cotton Center MUD regarding the Consent Agreement to extend the date for creation of Subdistrict.

Mayor Guerrero opened the Public Hearing at 7:10 p.m.

Thomas Rhodes, ETR Development Consulting, 5395 Highway 183 N. Lockhart, TX, spoke in favor of the project and stated that they were there to answer any questions.

There being no further comments the Mayor closed the Public Hearing at 7:11 p.m.

A motion was made by Council Member Prewitt, seconded by Council Member Prather, to approve Ordinance 2016-51, on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Guerrero, Mayor Pro-Tem Thomaides, Council Member Prather, Council Member Hughson, Council Member Derrick, Council Member Gregson and Council Member Prewitt

Against: 0

- 12.** 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2016-54, amending Ordinance 2015-18, which amended Ordinance 2014-13 consenting to the creation of LaSalle Municipal Utility District Number 1 and Ordinance 2013-18 consenting to the creation of LaSalle Municipal Utility Districts Numbers 2, 3, 4, and 5 to provide for an amendment to the consent agreements to extend the date for a confirmation election to six (6) years rather than four (4) years from the date the Texas Legislature created the Municipal Utility Districts; providing for an effective date; and consider approval of Ordinance 2016-54, on the first of two readings.

Shannon Mattingly, Director of Planning and Development Services provided a brief update on the LaSalle MUDs.

Mayor Guerrero opened the Public Hearing at 7:07 p.m.

There being no comments the Mayor closed the Public Hearing at 7:07 p.m.

A motion was made by Council Member Prewitt, seconded by Council Member Derrick, to approve Ordinance 2016-54, on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Guerrero, Mayor Pro-Tem Thomaides, Council Member Prather, Council Member Hughson, Council Member Derrick, Council Member Gregson and Council Member Prewitt

Against: 0

- 13.** 7:00PM Receive a Staff presentation and an applicant presentation, and hold a Public Hearing to receive comments for or against Resolution 2016-164R, authorizing the City Manager or his designee to execute a Development Agreement with Walton Texas, LP, Walton Silver Crossing, LP, Walton TX Austin Land LP, Walton TX Martindale, LP, and Walton TX Martindale, LP 2 for approximately 2,358 acres of land in the City of San Marcos' Extraterritorial Jurisdiction; and providing an effective date; and consider approval of Resolution 2016-164R.

Shannon Mattingly, Director of Planning and Development Services provided a brief update and project timeline regarding the Walton consent agreement.

Mayor Guerrero opened the Public Hearing at 7:29 p.m.

Thomas Rhodes, ETR Development Consulting, 5395 Highway 183 N. Lockhart, TX, spoke in favor of the project and stated that they were there to answer any questions.

There being no comments the Mayor closed the Public Hearing at 7:31 p.m.

A motion was made by Council Member Derrick, seconded by Council Member Prather, to approve Resolution 2016-164R. The motion carried by the following vote:

For: 7 - Mayor Guerrero, Mayor Pro-Tem Thomaides, Council Member Prather, Council Member Hughson, Council Member Derrick, Council Member Gregson and Council Member Prewitt

Against: 0

NON-CONSENT AGENDA

- 14.** Consider approval of Ordinance 2016-55, on the first of two readings, authorizing the issuance of City of San Marcos, Texas General Obligation Refunding Bonds in an amount not to exceed \$45,000,000 in one or more series; approving an Official Statement, a Paying Agent/Registrar Agreement, a Bond Purchase Agreement and an Escrow Agreement; establishing the procedures for selling and delivering one or more series of the bonds; and authorizing other matters relating to the bonds.

A motion was made by Council Member Prewitt, seconded by Council Member Gregson, to approve Ordinance 2016-55, on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Guerrero, Mayor Pro-Tem Thomaides, Council Member Prather, Council Member Hughson, Council Member Derrick, Council Member Gregson and Council Member Prewitt

Against: 0

- 15.** Consider approval of Ordinance 2016-56, on the first of two readings, creating a designated permit area under Section 82.189 of the San Marcos City Code that allows parking by permit only on both sides of the 0-100 Elm Hill Ct. between North LBJ Drive and Meadow Parkway; amending the traffic register to reflect such designated permit area; and providing for an effective date.

A motion was made by Mayor Pro-Tem Thomaides, seconded by Council Member Hughson, to approve Ordinance 2016-56, on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Guerrero, Mayor Pro-Tem Thomaides, Council Member Prather, Council Member Hughson, Council Member Derrick, Council Member Gregson and Council Member Prewitt

Against: 0

16. Consider approval of Ordinance 2016-57, on the first of two readings, amending the City's 2016-2017 Fiscal Year Budget to add a Full-Time Employment Position for an Emergency Management Coordinator; and providing an effective date.

A motion was made by Council Member Gregson, seconded by Council Member Derrick, to approve Ordinance 2016-57, on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Guerrero, Mayor Pro-Tem Thomaides, Council Member Prather, Council Member Hughson, Council Member Derrick, Council Member Gregson and Council Member Prewitt

Against: 0

17. Consider approval of Resolution 2016-174R, establishing new monthly lease rates at the Regional Airport for reserved tie-downs; and declaring an effective date.

A motion was made by Council Member Gregson, seconded by Council Member Prewitt, to approve Resolution 2016-174R. The motion carried by the following vote:

For: 7 - Mayor Guerrero, Mayor Pro-Tem Thomaides, Council Member Prather, Council Member Hughson, Council Member Derrick, Council Member Gregson and Council Member Prewitt

Against: 0

18. Discuss and consider the possible reassembling of the Whisper Texas Public Improvement District (PID) Project Subcommittee, and provide direction to Staff.

A motion was made by Council Member Prather, seconded by Council Member Gregson, that this Discussion Item be postponed to the December 20, 2016 City Council Meeting. The motion carried by the following vote:

For: 7 - Mayor Guerrero, Mayor Pro-Tem Thomaides, Council Member Prather, Council Member Hughson, Council Member Derrick, Council Member Gregson and Council Member Prewitt

Against: 0

VI. Question and Answer Session with Press and Public.

None.

VII. Adjournment.

Mayor Guerrero adjourned the regular meeting of the San Marcos City Council at 7:34 p.m.

Jamie Lee Case, TRMC, City Clerk

Daniel Guerrer, Mayor