



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final City Council

Tuesday, August 20, 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

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 2024-27, on the second of two readings, annexing into the City approximately 7.553 acres of land (inclusive of a portion of county right-of-way) in Caldwell County, Texas, generally located on the western side of FM 1984 approximately 4,600 feet northeast of the intersection between State Highway 80 and FM 1984, and approximately 150 feet northeast of the intersection between FM 1984 and Foster Boulevard (Case No. AN-24-03) (AXIS Logistics); including procedural provisions, and declaring an effective date.
2. Consider approval of Ordinance 2024-28, on the second of two readings, annexing into the City approximately 7.913 acres tract of land generally located on the south side of Ranch

Road 12, approximately 1,200 feet northwest of West Centerpoint Road, in Case No. AN-24-04 (La Cima Phase 6); including procedural provisions; and declaring an effective date.

3. Consider approval of Ordinance 2024-29, on the second of two readings, amending the Official Zoning Map of the City in Case ZC-24-05, by rezoning approximately 7.5 acres of land generally located on the south side of Ranch Road 12, approximately 1,200 feet northwest of West Centerpoint Road, from Future Development (FD) District to Character District-1 (CD-1), 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 2024-30, on the second of two readings, annexing into the City approximately 3.43 acres of city-owned land, known as Rattler Substation, in Hays County, Texas, generally located southeast of the intersection of Clovis Barker Road and Leah Avenue (Case No. AN-24-05); including procedural provisions; and declaring an effective date.
5. Consider approval of Ordinance 2024-31, on the second of two readings, amending Chapter 90, Article 4, Wreckers, of the San Marcos City Code for the purposes of modifying signage requirements, placing responsibility for administering the wrecker rotation system with the city marshal, improving safety equipment requirements, increasing the response time allowed for wreckers, improving impound and inventory requirements, expanding the locations for storage facilities to include the extraterritorial jurisdiction, increasing maximum fees for all types of tows and related services, creating a duty for storage facilities to report vehicles received to the police department and providing new fines and penalties for violations; including procedural provisions; and declaring an effective date.
6. Consider approval of Resolution 2024-141R, approving the reallocation of \$1,010,418.15 in funds received by the City of San Marcos under the American Rescue Plan to support the recovery of the community from COVID-19; and declaring an effective date.
7. Consider approval of Resolution 2024-142R, approving the updated Texas Department of Transportation sponsored Public Transportation Agency Safety Plan (PTASP) and establishing fiscal year 2025 safety performance targets for the City of San Marcos Public Transit Services in accordance with 49 CFR 673; and declaring an effective date.
8. Consider approval of Resolution 2024-143R, approving the Transit Asset Management (TAM) Plan and establishing fiscal year 2025 performance targets for the City of San Marcos Public Transit Services and vehicle assets in accordance with 49 CFR part 625; and declaring an effective date.
9. Consider approval of Resolution 2024-144R, approving a contract with The Pounds Group, LLC., dba Sullivan Contracting Services through the Choice Partners Cooperative for the Fire Station 1 Oil/Water Separators project in the amount of \$154,878.94; authorizing the City Manager, or her designee, to execute the agreement on behalf of the city; and declaring an effective date.
10. Consider approval of Resolution 2024-145R, approving a Subaward Grant Agreement with

Sustainable Forestry Initiative, Inc., providing grant funding to the city in the amount of \$299,722.00 for the city to conduct a tree inventory and canopy study that will develop a comprehensive Urban and Community Forestry Strategic Management Plan; authorizing the City Manager, or her designee, to execute documents necessary to implement the grant; and declaring an effective date.

11. Consider approval of Resolution 2024-146R, approving a release of an Electric Easement located at 111 Staples Road, such part of the easement being no longer necessary; authorizing the City Manager, or her designee, to execute the release of easement on behalf of the city; and declaring an effective date.
12. Consider approval of Resolution 2024-147R, approving an Interlocal Agreement with Hays County to provide Hays County with Animal Shelter Services; authorizing the City Manager to execute the agreement; and declaring an effective date.
13. Consider approval of Resolution 2024-148R, approving a fourth amendment to the Amended and Restated Interconnection Agreement with the LCRA Transmission Services Corporation ("LCRA TSC") to make changes related to a transmission line and mobile transformer at Strahan Substation; authorizing the City Manager, or her designee, to execute said amendment; and declaring an effective date.
14. Consider approval of Resolution 2024-149R, approving an Interlocal Agreement with Pool Members through the Texas Municipal League Intergovernmental Risk Pool (TMLIRP) to form a joint self-insurance pool to be named the Texas Municipal League Joint Cyber Liability and Data Breach Response Self-Insurance fund to cover cyber liability and data breach response exposures; authorizing the City Manager, or her designee, to execute said agreement on behalf of the city; and declaring an effective date.
15. Consider approval of Resolution 2024-150R, approving an agreement for the provision of services in connection with the proposed owner requested annexation in Case No. AN-24-07 of approximately 51 acres of land (including adjacent right-of-way) in Hays County, Texas, 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; authorizing the City Manager, or her designee, to execute said agreement on behalf of the city; setting a date for a public hearing concerning the proposed annexation of said tract of land; and declaring an effective date.
16. Consider approval of Resolution 2024-151R, approving an Interlocal Agreement with the San Marcos Consolidated Independent School District for the city's provision of police officers to the school district to serve as School Resource Officers; authorizing the City Manager, or her designee, to execute said agreement on behalf of the city; and declaring an effective date.
17. Consider approval of Resolution 2024-152R, approving a one-year extension of the city's contract with the Greater San Marcos Partnership ("GSMP") in the amount of \$320,000.00 for economic development services and authorized expenses, and that eliminates the provision of business retention and expansion services from the scope of services under the contract; authorizing the City Manager, or her designee, to execute such contract extension; and declaring an effective date.

18. Consider approval of Resolution 2024-153R, approving an Interlocal Agreement between Guadalupe County and the city for joint funding of the Zorn Public Safety Radio Communication project in the amount of \$760,000.00 funded by the city; authorizing the City Manager, or her designee, to execute the contract on behalf of the city; and declaring an effective date.
19. Consider approval of Resolution 2024-154R, authorizing the submission of a Taskforce Grant Application to the Motor Vehicle Crime Prevention Authority for a grant in the amount of \$177,401.00 to fund the establishment of an auto crimes unit within the police department, including the addition one full-time sworn officer and 10 LPR cameras; authorizing matching funds in the amount of \$35,482.00 toward said project; authorizing the City Manager, or her designee, to execute any and all documents as needed to apply for, accept, implement, decline, modify, or cancel the grant, if awarded; and declaring an effective date.

NON-CONSENT AGENDA

20. Receive a Staff presentation and hold discussion regarding the 2024-2025 Fiscal Year Proposed Budget; set the dates of September 3 and September 17, 2024 as the dates to hold public hearings on the budget; and provide direction to Staff.
21. Consider approval of Resolution 2024-161R, setting a maximum proposed tax rate of 60.30 cents per \$100.00 of taxable value; setting the dates of September 3, 2024 and September 17, 2024 to hold public hearings on the tax rate; and declaring an effective date.
22. Consider approval of Ordinance 2024-36, on the first of two readings, approving the 2024 Annual Service Plan Update for the Whisper Public Improvement District; authorizing the City Manager, or designee, to execute said document on behalf of the city; and declaring an effective date.
23. Consider approval of Ordinance 2024-37, on the first of two readings, approving the 2024 Annual Service Plan Update for the Whisper South Public Improvement District; authorizing the City Manager, or designee, to execute said document on behalf of the city; and declaring an effective date.
24. Consider approval of Ordinance 2024-38, on the first of two readings, approving the 2024 Annual Service Plan Update for the Trace Public Improvement District; authorizing the City Manager, or designee, to execute said document on behalf of the city; and declaring an effective date.
25. Consider approval of Ordinance 2024-39, on first and final reading, amending Ordinance 2024-35, ordering a General Election to be held on November 5, 2024 for the purpose of electing a Mayor, City Council Member for Place 5, and a City Council Member for Place 6 by establishing early voting and election day polling places for this election; making provisions for conducting the election; providing for the approval of this Ordinance as an emergency measure on only one reading; and providing an effective date.

26. Receive a presentation and consider approval of Resolution 2024-155R, approving funding agreements with Southside Community Center in the amount of \$800,000.00 from funds received by the city under the American Rescue Plan for the purpose of implementing a plan for recommendations provided by the Comprehensive Needs Assessment Study and Recommendations on Homelessness, to support the recovery of the community; authorizing the City Manager, or her designee, to execute the agreements and any necessary related documents on behalf of the city; and declaring an effective date.
27. Consider approval of Resolution 2024-156R, approving the award of a construction contract to Aaron Concrete Contractors, LLC., for the East Aquarena Springs Drive Reconstruction Project in the estimated amount of \$1,169,208.75; authorizing the City Manager, or her designee, to execute the contract on behalf of the city; and declaring an effective date.
28. Consider approval of Resolution 2024-157R, approving a Public Transit System Interlocal Agreement with the Capital Area Rural Transportation System ("CARTS") for CARTS to provide public transit service and maintenance in the San Marcos urbanized area, with funding to CARTS in the amount of \$2,278,000.00, of which \$609,059.00 is to be paid by the city and the balance to be paid from federal and state sources; authorizing the City Manager, or her designee, to execute the agreement on behalf of the city; and declaring an effective date.
29. Consider approval of Resolution 2024-158R, approving a Subrecipient Funding Agreement with Texas State University under which the city will pass through fiscal year 2021 section 5307 Federal Transit Administration (FTA) funds to Texas State in the amount of \$2,569,118.00 on a reimbursement basis for the purchase of vehicles for the Bobcat Shuttle Service; 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 2024-159R, approving a Subrecipient Funding Agreement with Texas State University under which the city will pass through fiscal year 2022 section 5307 Federal Transit Administration (FTA) funds to Texas State in the amount of \$3,067,702.00 on a reimbursement basis for the purchase of vehicles for the Bobcat Shuttle Service; authorizing the City Manager, or her designee, to execute the agreement on behalf of the city; and declaring an effective date.
31. Consider approval of Resolution 2024-160R, changing the composition of the Finance and Audit Committee and clarifying that the role of the committee includes audit processes; and declaring an effective date.
32. Provide an update on the new City Hall and Hopkins Redevelopment Project, and discuss the creation and appointment process of a Hopkins Redevelopment Steering Committee; and provide direction to Staff.

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:
1. Section 551.071-Consultation with Attorney:
 - A. To receive legal advice regarding an offer of settlement from Walton Texas, LP relating to a request to be released from the City's Sewer CCN and related Development Agreement and MUD Consent Agreement.
 - B. To receive legal advice regarding the annexation and development of land in connection with the AXIS Logistics/SMART Terminal project.
 2. Section 551.072-Deliberation Regarding Real Property:
 - A. To deliberate regarding the possible purchase or lease of land for the development of affordable workforce housing.
 - B. To deliberate regarding the possible lease of property at 350 Barnes Drive for relocation of the City's Municipal Court.

DIRECTION/ACTION FROM EXECUTIVE SESSION

- 34.** 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 551.071-Consultation with Attorney:
 - A. To receive legal advice regarding an offer of settlement from Walton Texas, LP relating to a request to be released from the City's Sewer CCN and related Development Agreement and MUD Consent Agreement.
 - B. To receive legal advice regarding the annexation and development of land in connection with the AXIS Logistics/SMART Terminal project.
 2. Section 551.072-Deliberation Regarding Real Property:
 - A. To deliberate regarding the possible purchase or lease of land for the development of affordable workforce housing.
 - B. To deliberate regarding the possible lease of property at 350 Barnes Drive for relocation of the City's Municipal Court

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, AUGUST 16, 2024 AT 3:45 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