



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Regular Meeting Agenda - Final City Council

---

Tuesday, March 1, 2022

6:00 PM

City Council Chambers

---

630 E. Hopkins

This will be a hybrid (in-person/virtual 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. 30 Minute Citizen Comment Period

*Persons wishing to participate (speak) during the Citizen Comment portion of the meeting must email [citizencomment@sanmarcostx.gov](mailto:citizencomment@sanmarcostx.gov) the day prior to the meeting and before 12:00PM the day of the meeting. A call in number to join by phone or 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.*

### 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, by motion, of the following meeting minutes:
  - A. February 1, 2022 - Work Session Meeting Minutes
  - B. February 1, 2022 - Regular Meeting Minutes

**Attachments:**     [02.01.2022 Work Session Minutes.pdf](#)  
                                 [02.01.2022 Regular Meeting Minutes.pdf](#)

- 2. Consider approval of Ordinance 2022-08, on the second of two readings, annexing into the City approximately 2.527 acres of land generally located on Centerpoint Rd approximately 340' northwest of the intersection between Centerpoint Rd and Gregson's Bend in Case No. AN-22-05; including procedural provisions; and providing an effective date.

**Attachments:**     [AN-22-05 Presentation](#)  
                              [Ordinance](#)  
                              [AN-22-05 Service Agreement](#)  
                              [AN-22-05 Maps](#)  
                              [AN-22-05 Notice](#)  
                              [AN-22-05 Application Documents](#)

3. Consider approval of Ordinance 2022-09, on the second of two readings, amending the Official Zoning Map of the City in Case ZC-21-26, by rezoning approximately 70.89 acres, more or less, out of the Edward Burleson Survey, Abstract 63, generally located north of the intersection of Gregson's Bend and Commercial Loop, from Planning Area (PA), Future Development (FD), and General Commercial (GC) to Character District-5 (CD-5), or, subject to the consent of the owner, another less intense zoning district classification, including procedural provisions; and providing an effective date.

**Attachments:**     [ZC-21-26 Presentation](#)  
                              [Ordinance](#)  
                              [ZC-21-26 Staff Report](#)  
                              [ZC-21-26 Maps](#)  
                              [ZC-21-26 Personal Notice](#)  
                              [ZC-21-26 Code Comparison](#)  
                              [ZC-21-26 Comp Plan Checklist](#)  
                              [ZC-21-26 Application Documents](#)

4. Consider approval of Ordinance 2022-15, on the second of two readings, authorizing the installation of speed cushions in both directions in the 500 through 1200 blocks of Franklin Drive (from Old Ranch Road 12 and Bishop Street); and including procedural provisions.

**Attachments:**     [Ordinance.doc](#)  
                              [Franklin Dr Speed Hump Survey Sheets \\_2021](#)  
                              [Franklin Dr Speed Hump](#)  
                              [Franklin Drive Speed Cushion - Proposed Locations](#)

5. Consider approval of Ordinance 2022-16, on the second of two readings, reducing the speed limit from 30 miles per hour to 25 miles per hour in the Vista De Los Santos Neighborhood; authorizing the installation of signs and traffic control devices reflecting the new speed limits; directing that the traffic register maintained under Section 82.067 of the San Marcos City Code be amended to reflect the new speed limits; and including procedural provisions.

**Attachments:**     [Ordinance.docx](#)  
                              [LosSantosPetition25MPH](#)  
                              [Los Santos Petition form](#)

6. Consider approval of Resolution 2022-45R, approving an agreement with Freeit Data Solutions for a five-year term through the Texas Department of Information Resource

Cooperative Purchasing Program in the estimated amount of \$152,164.84 for the purchase of a Backup Solutions subscription to include annual maintenance; authorizing the City Manager or her designee to execute the agreement on behalf of the City; and declaring an effective date.

**Attachments:**     [Resolution](#)  
[10498545 SM - FDS Backup Solution 5yr - 20220107\[1\]](#)

7. Consider approval of Resolution 2022-46R, approving an agreement for the provision of services in connection with the proposed owner requested annexation in Case No. AN-22-02 of approximately 75.17 acres of land, generally located on State Highway 123 approximately 1,400 feet south of the intersection of SH 123 and Rattler Road; authorizing the City Manager, or his 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.

**Attachments:**     [AN-22-02 Presentation](#)  
[Resolution](#)  
[AN-22-02 Annexation Service Agreement](#)  
[AN-22-02 Application Documents](#)

8. Consider approval of Resolution 2022-47R, approving an agreement for the provision of services in connection with the proposed owner requested annexation in Case No. AN-22-06 of approximately 74.24 acres of land, generally located 1,300' northwest of the West Centerpoint Road and Central Park Loop. intersection; 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.

**Attachments:**     [AN-22-06 Presentation](#)  
[AN-22-06 Resolution](#)  
[AN-22-06 Annexation Service Agreement](#)  
[AN-22-06 Application](#)

9. Consider approval of Resolution 2022-48R, awarding a contract to Heat Transfer Solutions, Inc. through the BuyBoard Purchasing Cooperative for the purchase of air purifiers for the San Marcos Activity Center in the amount of \$162,979.09 to be paid with American Rescue Plan funds; authorizing the City Manager or her designee to execute the contract on behalf of the City; and declaring effective date.

**Attachments:**     [Resolution](#)  
[HTS - Activity Center 17 RGF Air Purifiers Install Proposal.pdf](#)

10. Consider approval of Resolution 2022-49R, approving a Master Lease-Purchase Financing Agreement with J.P. Morgan Chase Bank, N.A. for the financing of a digger derrick, two bucket trucks, and a wire tensioner for use by the Electric Utility Division of the Utilities Department to be financed in the amount of \$855,875.59, inclusive of interest, for a seven-year term; authorizing the City Manager or her designee to execute all appropriate

documents associated with this transaction; and declaring an effective date.

**Attachments:**      [Resolution](#)  
                                 [JPMorgan ARF attachment.pdf](#)

11. Consider approval of Resolution 2022-50R, approving an agreement with Altec Industries, Inc. through the Sourcewell Cooperative Purchasing Contract for the purchase of electric utility equipment including one wire tensioner, two bucket trucks, and one digger derrick in the amount of \$808,092.00; authorizing the City Manager or her designee to execute the agreement on behalf of the City; and declaring effective date.

**Attachments:**      [Resolution](#)  
                                 [Bucket Truck 1](#)  
                                 [Bucket Truck 2](#)  
                                 [Digger Derrick](#)  
                                 [Wire Tensioner Quote](#)  
                                 [Digger Derrick.jpg](#)  
                                 [Large bucket.jpg](#)  
                                 [Small Bucket.jpg](#)  
                                 [Wire tensioner.jpg](#)

12. Consider approval of Resolution 2022-51R, approving the partial release of an approximately 0.001 acre or 36 square foot portion of a water and wastewater easement in the 1900 block of Dutton Drive; such portion of the easement being no longer necessary; authorizing the City Manager, or her designee, to execute the partial release of easement on behalf of the City; and declaring an effective date.

**Attachments:**      [Resolution](#)  
                                 [Partial Release Of Easement](#)  
                                 [Phase II Building Conflict](#)

13. Consider approval of Resolution 2022-52R, expressing support for the taxiway Charlie Reconstruction Project at the San Marcos Regional Airport and authorizing the City's participation in the Project with the Texas Department of Transportation's Aviation Division by contributing ten percent of construction costs in the estimated amount of \$526,050.00; authorizing the City Manager or her designee to execute all documents related to the Project; and declaring an effective date.

**Attachments:**      [Resolution](#)  
                                 [Airport Txy C - Designation of Sponsor.docx](#)

## **PUBLIC HEARINGS**

*Persons wishing to participate remotely in the Public Hearing session must email [citizencomment@sanmarcostx.gov](mailto:citizencomment@sanmarcostx.gov) beginning the day prior to the meeting and before 12:00PM the day of the meeting. A call in number to join by phone or link will be provided for participation on a mobile device, laptop or desktop computer. If attending in person, no sign up is required.*

14. Receive a Staff presentation and Hold a Public Hearing to receive comments for or against

Ordinance 2022-17, adopting Youth Programs Standards of Care for 2022; providing a severability clause; providing for the repeal of any conflicting provision; declaring an effective date; and consider approval of Ordinance 2022-17, on the first of two readings.

**Attachments:**      [Ordinance](#)

15. Receive a staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2022-18, annexing into the City approximately 55.344 acres of land located on Posey Road approximately 280 feet northwest of the intersection of Posey Road and South Old Bastrop Hwy (Case No. AN-22-03); including procedural provisions; and providing an effective date; and consider approval of Ordinance 2022-18, on the first of two readings.

**Attachments:**      [AN-22-03 Presentation](#)  
                                 [Ordinance](#)  
                                 [AN-22-03 Service Agreement](#)  
                                 [AN-22-03 Maps](#)  
                                 [AN-22-03 Notice](#)  
                                 [AN-22-03 Application Documents](#)

16. Receive a staff presentation and hold a public hearing to receive comments for or against Ordinance 2022-19, amending the Official Zoning Map of the City in Case ZC-22-05, by rezoning approximately 55.344 acres of land generally located approximately 280 feet northwest of the intersection of Posey Road and South Old Bastrop Highway from "FD" Future Development District to "CD-3" Character District - 3, or, subject to the consent of the owner, another less intense zoning district classification, including procedural provisions; providing an effective date, and consider approval of Ordinance 2022-19 on the first of two readings.

**Attachments:**      [ZC-22-05 Presentation 1st Reading](#)  
                                 [Ordinance](#)  
                                 [ZC-22-05 Maps](#)  
                                 [ZC-22-05 Code Comparison](#)  
                                 [ZC-22-05 Comprehensive Plan Checklist](#)  
                                 [ZC-22-05 Public Comments](#)  
                                 [ZC-22-05 Application Documents](#)

17. Receive a staff presentation and hold a Public Hearing to receive comments for or against an Ordinance 2022-20, annexing into the City approximately 1.11 acres of land located at 1850 Old Ranch Road 12 (Case No. AN-22-04); including procedural provisions; and providing an effective date; and consider approval of Ordinance 2022-20, on the first two readings.

**Attachments:**     [AN-22-04 Presentation](#)  
                              [Ordinance](#)  
                              [AN-22-04 Service Agreement](#)  
                              [AN-22-04 Maps](#)  
                              [AN-22-04 Notice](#)  
                              [AN-22-04 Application Documents](#)

18. Receive a staff presentation and hold a public hearing to receive comments for or against Ordinance 2022-21, amending the Official Zoning Map of the City in Case ZC-22-06 by rezoning approximately 1.11 acres located at 1850 Old Ranch Road 12, from “FD” Future Development District to “LI”, Light Industrial District, or, subject to the consent of the owner, another less intense zoning district classification, including procedural provisions, providing an effective date, and consider approval of Ordinance 2022-21 on the first of two readings.

**Attachments:**     [ZC-22-06 Presentation 1st Reading](#)  
                              [Ordinance](#)  
                              [ZC-22-06 Staff Report](#)  
                              [ZC-22-06 Maps](#)  
                              [ZC-22-06 Code Comparison](#)  
                              [ZC-22-06 Comprehensive Plan Checklist](#)  
                              [ZC-22-06 Application Documents](#)

19. Receive a staff presentation and hold a public hearing to receive comments for or against Ordinance 2022-22, amending regulations and standards applicable within the Trace Planned Development District (PDD) consisting of approximately 417.63 acres of land generally located at 5818 South Old Bastrop Highway, to, among other things, update provisions concerning document illustrations, the zoning concept plan, public space, circulation and connectivity, site design, architectural design, signage, and appendices, including procedural provisions; and providing an effective date, and consider approval of Ordinance 2022-22 on the first of two readings.

**Attachments:**     [PDD-15-01\(B\) Presentation](#)  
                              [Ordinance](#)  
                              [PDD-15-01\(B\) Trace PDD Redline](#)  
                              [PDD-15-01\(B\) Staff Report](#)  
                              [PDD-15-01\(B\) Maps](#)  
                              [PDD-15-01\(B\) Overview of Changes](#)  
                              [PDD-15-01\(B\) 2015 Illustrations - proposed for amendments](#)  
                              [PDD-15-01\(B\) Comprehensive Plan Checklist](#)  
                              [PDD-15-01\(B\) Application Documents](#)  
                              [PDD-15-01\(B\) Personal Notification Letter](#)  
                              [PDD-15-01\(B\) Citizen Comment Letter](#)

**NON-CONSENT AGENDA**

20. Consider approval of Ordinance 2022-23, on the first of two readings, amending Section 2.044 of the San Marcos City Code relating to the preparation of the City Council agenda; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

**Attachments:** [Section 2.044 Preparation of Agenda Amendment Ordinance ARF Final](#)

21. Consider approval of Resolution 2022-53R, approving a Memorandum of Understanding to extend the current Meet and Confer Agreement between the San Marcos Professional Firefighters Association Local #3963 and the City of San Marcos for one year to September 30, 2023 and to provide a 2% base pay salary increase for firefighters beginning October 1, 2022; authorizing the City Manager to execute the amendment; and declaring an effective date.

**Attachments:** [Resolution 2022-53R.docx](#)

[San Marcos SMPFFA MOU 2022\\_2023 SMPFFA FINAL.pdf](#)

22. Consider approval of Resolution 2022-55R, approving the updated San Marcos Arts Master Plan, and providing an effective date.

**Attachments:** [Arts Master Plan - Approval Resolution - March 1, 2022 Regular Meeting](#)

[KeenIndependentSanMarcosArtsMasterPlan02182022a](#)

[Arts Commission Resolution Recommendation 2021-01RR](#)

23. Receive a presentation from staff and consider Resolution 2022-54R, approving amendments to the Low-Income Housing Tax Credit ("LIHTC") Policy section of the Affordable/Workforce Housing Policy to clarify the process for consideration, adjust the unit mix for tax-exempt projects, and provide additional considerations for review of LIHTC projects, and declaring an effective date.

**Attachments:** [Presentation](#)

[Resolution](#)

[Affordable Housing Policy 2022 Update - Redline](#)

24. Consider approval, by motion, adopting a revised Template for Standard Bylaws for City Boards and Commissions and provide direction to Staff.

**Attachments:** [03.01 Council Approved Template for Standard Bylaws - DRAFT.pdf](#)

25. Receive a staff presentation and consider, by motion, the initial authorization of text amendments to the San Marcos Development Code to improve development processes, address typographical errors, and review criteria for parkland dedication.

**Attachments:** [Presentation - Initial Authorization'](#)

[Development Code Sections for Initial Authorization](#)

26. Discuss and consider annual appointments to various Boards and Commissions, to wit:

- A) Citizen Utility Advisory Board (CUAB)
- B) Convention and Visitors Bureau Board
- C) Economic Development San Marcos Board
- D) Human Services Advisory Board
- E) Neighborhood Commission
- F) San Marcos Industrial Development Corporation
- G) Zoning Board of Adjustment

**Attachments:** [Council Board Commission Appointment Matrix 2022.xlsx](#)

- 27. Hold discussion about cost of city utilities and provide direction to City Manager.
- 28. Hold discussion about the use of Robert's Rules of Order during council meetings and provide direction to City Manager.
- 29. Hold discussion about current city council rules of decorum and make changes accordingly, and provide direction to City Manager.

**Attachments:** [Res 2017-113 Governance Policy.pdf](#)

- 30. Hold discussion about all Council Members being at the dais during meetings and provide direction to City Manager.

## 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.*

- 31. Executive Session in accordance with the following sections:
  - A. Sec. §551.074 of the Texas Government Code: Personnel Matters: to discuss the duties of the City Manager related to the Meet and Confer Process.
  - B. Sec. §551.074 of the Texas Government Code: Personnel Matters: to discuss goals for the city council appointees: city manager, city attorney, city clerk, and presiding judge of the San Marcos Municipal Court

### ACTION/DIRECTION FROM EXECUTIVE SESSION

- 32. Consider action, by motion, or provide direction to Staff regarding the following Executive Session items held during the Work Session and/or Regular Meeting:
  - A. Sec. §551.074 of the Texas Government Code: Personnel Matters: to discuss the duties of the City Manager related to the Meet and Confer Process.
  - B. Sec. §551.074 of the Texas Government Code: Personnel Matters: to discuss goals for the city council appointees: city manager, city attorney, city clerk, and presiding judge of the San Marcos Municipal Court

## 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. Persons wishing to participate remotely in the Q&A session must email [citizencomment@sanmarcostx.gov](mailto:citizencomment@sanmarcostx.gov) beginning the day prior to the meeting and before 12:00PM the day of the meeting. A call in number to join*



*by phone or link will be provided for participation on a mobile device, laptop or desktop computer. If attending in person, no sign up is required.*

VII. Adjournment.

**POSTED ON WEDNESDAY, FEBRUARY 23, 2022 @ 12:00PM**

**TAMMY K. COOK, 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](mailto:ADArequest@sanmarcostx.gov)