



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final City Council

Tuesday, October 20, 2020

6:00 PM

Virtual Meeting

Due to COVID-19, and as long as the State Disaster Declaration is in effect, this will be a virtual meeting. To view the meeting please go to www.sanmarcostx.gov/videos or watch on Grande channel 16 or Spectrum channel 10.

I. Call To Order

II. Roll Call

III. 30 Minute Citizen Comment Period

PRESENTATIONS

1. Receive status reports and updates on response to COVID-19 pandemic; hold council discussion, and provide direction to Staff.

CONSENT AGENDA

2. Consider approval, by motion, of the following meeting Minutes:
 - A. September 15, 2020 - Work Session Meeting Minutes
 - B. September 15, 2020 - Regular Meeting Minutes
 - C. September 23, 2020 - Special Meeting Minutes
 - D. September 29, 2020 - Special Meeting Minutes

Attachments: [09.15.20 Work Session Minutes.pdf](#)
[09.15.2020 Regular Meeting Minutes.pdf](#)
[09.23.2020 Special Meeting Minutes.pdf](#)
[09.29.2020 Special Meeting Minutes.pdf](#)

3. Consider approval of Ordinance 2020-60, on the second of two readings, amending Section 2.361 of the San Marcos City Code relating to the general powers and duties of the San Marcos Arts Commission and recommendations and decisions on funding made by the San Marcos Arts Commission; including procedural provisions; providing for the repeal of any conflicting provisions; and providing an effective date.

Attachments: [Arts Commission Ordinance Amendment.doc](#)
[2019-03RR Arts Commission Resolution](#)

4. Consider approval of Ordinance 2020-78, on the second of two readings, repealing Divisions 23 and 24 of Article 3, Chapter 2 of the San Marcos City Code that established

the San Marcos Youth Commission and the San Marcos Commission on Children and Youth, respectively, in connection with the transitioning of the provision of Youth Services through the Core 4 Partnership with Hays County, Texas State University and the San Marcos Consolidated Independent School District; dissolving said commissions; including procedural provisions; and providing an effective date.

Attachments: [Ordinance](#)
 [Memo to Core 4 3.12.2020 FINAL](#)

5. Consider approval of Ordinance 2020-79, on the second of two readings, reducing the speed limit from 30 miles per hour to 25 miles per hour along the 500-1200 blocks of Burleson Street between Moore Street and Prospect street; authorizing the installation of signs and traffic control devices reflecting the new speed limit; directing that the traffic register maintained under section 82.067 of the San Marcos City Code be amended to reflect the new speed limit; and including procedural provisions.

Attachments: [Ordinance](#)
 [Burleson 25 mph survey](#)
 [Burleson 25 mph map](#)
 [Press release - Hopkins Street Project Amends Traffic Plan with Speed Reducti](#)

6. Consider approval of Resolution 2020-220R, approving an Interlocal Contract with the Edwards Aquifer Authority (“EAA”) and Texas State University for funding by the EAA of activities under the Edwards Aquifer Habitat Conservation Plan Program; authorizing the City manager, or his designee, to execute this contract on behalf of the City; and declaring an effective date.

Attachments: [Resolution](#)
 [FINAL - ILA - EAA TXST and CoSM 1-1-2021 to 03-31-2028.pdf](#)

7. Consider approval of Resolution 2020-221R, authorizing a Change in Service to the agreements with the real estate appraisal firms previously selected to be on an on-call list to provide appraisal services for various City projects to increase each firm’s contract amount from \$50,000.00 to \$100,000.00; authorizing the City Manager or his designee to execute the necessary documents to implement the Change in Service; and declaring an effective date.

Attachments: [Resolution - On-Call List for Appraisal Services.docx](#)

8. Consider approval of Resolution 2020-222R, approving a Real Estate Sales Contract with Randy N. and Patrice A. Greer for the City to purchase lots 2 and 3, block 12 of the original town of San Marcos, located at 128 and 140 South Guadalupe Street, for a price of \$1,600,000, plus any associated closing costs, approving amendments to said contract including an amendment providing for the withholding of funds in an amount up to \$225,000 for expenses associated with enrolling in the Texas Commission on Environmental Quality (“TCEQ”) voluntary cleanup program; approving a Voluntary Cleanup Program Agreement with the TCEQ in connection with the purchase of the property; approving the execution of said Real Estate Sales Contract by the City Manager, or his designee, on behalf of the city; authorizing the City Manager, or his designee, to execute the contract amendment

regarding the withholding of funds under the TCEQ voluntary cleanup program, any related closing documents and the TCEQ Voluntary cleanup program agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution](#)
[Purchase Contract and Extensions](#)
[Holdback Amendment](#)
[VCP Acceptance Letter](#)
[TCEQ VCP Agreement](#)
[Property Location Exhibit](#)

9. Consider approval of Resolution 2020-223R, approving a Real Estate Sales Contract with Patricia R. Murphy and Mary O. Black for the city to purchase lot 1, block 12 of the original town of San Marcos, located at 152 South Guadalupe street, for a price of \$824,000, plus any associated closing costs; approving the execution of said contract by the City Manager, or his designee, on behalf of the city; authorizing the city manager, or his designee, to execute any related closing documents on behalf of the city; and declaring an effective date.

Attachments: [Resolution](#)
[Contract](#)

10. Consider approval of Resolution 2020-224R, approving the Alliance Regional Water Authority (ARWA) Issuing Contract Revenue Bonds for the City of San Marcos in the aggregate principal amount of \$43,955,000.00 including approval of the Bond Resolution and other related matters in accordance with the Regional Water Supply Contract; authorizing the City Manager or his designee to execute any necessary related documents; and declaring an effective date.

Attachments: [Resolution Approving Bond Issuance 10-13-20.docx](#)
[Authorizing Resolution San Marcos 10-5-2020](#)
[San Marcos Phase 1B Financing Update 2020-10-20.pdf](#)
[TWDB Private Placement Memo - City of San Marcos 2020C](#)

11. Consider approval of Resolution 2020-225R, approving an interlocal agreement with the Canyon Regional Water Authority for the treatment and transmission of water from the Canyon Regional Water Authority Hays-Caldwell Water Treatment Plant; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution - Interlocal Agreement - Canyon Regional Water.docx](#)
[CRWA Contract.docx](#)

12. Consider approval of Resolution 2020-226R, approving a Change in Service to the agreement with GDS Associates, Inc. relating to a utility rate study to increase the contract amount by \$62,000.00 for a total contract amount of \$142,000.00; authorizing the City Manager or his designee to execute the documents necessary to implement the Change in Service; and declaring an effective date.

Attachments: [Resolution - Change in Service - GDS Associates.docx](#)
 [219-119 ACIS1 Utility Rate Study.pdf](#)

13. Consider approval of Resolution 2020-227R, approving an Airport Facility Lease Agreement for Commercial Use for Airport property located at 2049 Airport Drive with Gryphon Aviation, Inc for an initial eighteen-month term; authorizing the City Manager or his designee to execute the lease on behalf of the City; and declaring an effective date.

Attachments: [Resolution - Airport - Gryphon Aviation Lease.doc](#)
 [Texas State 2049 Airport - Tenant Executed.pdf](#)

14. Consider approval of Resolution 2020-228R, approving a month-to-month Airport Facility Lease Agreement for Commercial Use for Airport property located at 4400 Highway 21 with Air Carriage Over Texas, LLC; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution - Airport - Air Carriage Over Texas Lease.doc](#)
 [Air Carriage Use Agreement - Tenant Executed.pdf](#)

15. Consider approval of Resolution 2020-229R, approving the compliance policy under Title VI of the Civil Rights Act of 1964 in connection with the City's requirements as Direct Recipient of Federal Transit Administration Funding, and declaring an effective date.

Attachments: [Resolution](#)
 [COSM Title VI Policy-v6 rev.10.05.2020.pdf](#)
 [Public-notice-Title VI.pdf](#)

16. Consider approval of Resolution 2020-230R, approving a Chapter 380 Economic Development Incentive Agreement with DBI San Marcos Property, L.P., providing incentives in the form of refunds of a percentage of real property taxes over three years for the development of approximately 174,515 square feet of space for lease to commercial and industrial users at 1551 Clovis Barker; authorizing the City Manager, or his designee, to execute said agreement; and declaring an effective date.

Attachments: [Resolution](#)
 [Agreement](#)
 [Project Site](#)
 [General Project Specifications](#)
 [Presentation](#)

PUBLIC HEARINGS

17. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2020-77, amending the Official Zoning Map of the City in Case No. ZC-20-12 by rezoning approximately 14.71 acres out of the J.W. Berry Survey, located near the 1500 block of N LBJ Drive (Steen Road) from "FD" Future Development District to "SF-6" Single Family District; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2020-77, on the first of two readings.

Attachments: [Ordinance](#)
[ZC-20-12 Staff Report](#)
[ZC-20-12 Maps](#)
[ZC-20-12 Code Comparison](#)
[ZC-20-12 Comp Plan Analysis Checklist](#)
[Letter to San Marcos Mayor and Council Members 10.8.20](#)
[ZC-20-12 Notification Letter](#)
[ZC-20-12 Public Comments](#)
[ZC-20-12 Application Documents](#)
[ZC-20-12 Presentation](#)
[12-14-11 Agenda Packet 314](#)

NON-CONSENT AGENDA

18. Consider approval of Resolution 2020-231R, approving an agreement for the provision of services in connection with the proposed owner requested annexation of approximately 33 acres of land, generally located in the 2400 Block of State Hwy 123 (Case No. AN-20-12: Picoma); 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: [Resolution](#)
[AN-20-12 Presentation](#)
[AN-20-12 Annexation Service Agreement](#)
[AN-20-12 Maps](#)
[AN-20-12 Application Documents](#)
[AN-20-12 Consent to Annexation \(signed\)](#)
[AN-20-12 Declination of Development Agreement \(signed\)](#)

19. Consider approval, by motion, to move the December 1, 2020 Regular City Council meeting, due to the Election Runoff, to Wednesday, December 2, 2020, and provide direction to Staff.
20. Consider applications from interested citizens for service on an ad hoc committee to study the use of force policies of the San Marcos Police Department and make recommendations to the Chief of Police and City Council, hold discussion and make appointments to the committee, and provide direction to staff.
21. Consider applications from interested citizens for service on a Comprehensive Plan Rewrite Steering Committee charged with assisting in the City's Comprehensive Plan rewrite; hold discussion and make appointments to the committee, and provide direction to Staff.
22. Receive a Staff update on CARES Funding, discuss program strategy and options for Coronavirus Relief Fund (CRF) and Community Development Block Grant - Coronavirus (CDBG-CV) Round Three funding, and provide direction to staff.

Attachments: [Presentation CRF and CDBG-CV-Rd3](#)
[Approval Resolution](#)

23. Receive a Staff presentation and hold discussion regarding the utility disconnections for non-payment, and provide direction to Staff.

Attachments: [Resuming Utility Disconnection 10.20.pptx](#)

24. Hold discussion on San Marcos Convention and Visitor Bureau Board Recommendation Resolution proposing to the City Council that the Second Saturday of May and October be recognized as World Migratory Bird Days; and provide direction to staff.

Attachments: [2020-001R_WMBD_RecRes.final.docx](#)

25. Hold discussion on Parks and Recreation Board Recommendation Resolution 2020-02RR, supporting the implementation of healthy streets, also known as slow streets, to promote active recreation and transportation in the public right of way on low traffic neighborhood streets and to promote a multimodal network connecting greenspaces and parks, and provide direction to staff.

Attachments: [Healthy Streets Recommendation Resolution 2020-02RR.pdf](#)
[Slow Streets Council Comment and Attachments v2 \(2\).pdf](#)
[Slow Streets Resource .pdf](#)

26. Hold discussion on Historic Preservation Commission Recommendation Resolution 2020-02RR, proposing City Council support for the repatriation efforts of the Miakan-Garza Band of the Coahuiltecan people, and provide direction to staff.

Attachments: [2020-02RR - Requesting Support of Miakan-Garza Band Repatriation Efforts.pc](#)
[2020-02RR - Presentation 10.20.20 CC](#)

EXECUTIVE SESSION

27. Executive Session in accordance with:
- A. Section §551.074 of the Texas Government Code: Personnel Matters - to discuss the duties and responsibilities of the City Manager, pertaining to the Police Chief Selection Process
 - B. Section §551.071 of the Texas Government Code: Consultation with Attorney - to receive advice of legal counsel regarding acquisition of wastewater easement for proposed development in the Southeast area of the Extraterritorial Jurisdiction
 - C. Section §551.072 of the Texas Government Code: Real Property - to receive a staff briefing and deliberations regarding the acquisition of wastewater easement for proposed development in the Southeast area of the Extraterritorial Jurisdiction
 - D. Section §551.072 of the Texas Government Code: Real Property - to receive a staff briefing and deliberations regarding acquisition of property in Downtown San Marcos for public use-----.

ACTION/DIRECTION FROM EXECUTIVE SESSION

28. 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. Section §551.074 of the Texas Government Code: Personnel Matters - to discuss the duties and responsibilities of the City Manager, pertaining to the Police Chief Selection Process

B. Section §551.071 of the Texas Government Code: Consultation with Attorney - to receive advice of legal counsel regarding acquisition of wastewater easement for proposed development in the Southeast area of the Extraterritorial Jurisdiction

C. Section §551.072 of the Texas Government Code: Real Property - to receive a staff briefing and deliberations regarding the acquisition of wastewater easement for proposed development in the Southeast area of the Extraterritorial Jurisdiction

D. Section §551.072 of the Texas Government Code: Real Property - to receive a staff briefing and deliberations regarding acquisition of property in Downtown San Marcos for public use-----.

IV. Adjournment.

POSTED ON WEDNESDAY, OCTOBER 14, 2020 @ 4:00PM

TAMMY K. COOK, INTERIM 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