



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Regular Meeting Agenda - Final-Amended City Council

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Tuesday, June 16, 2015

5:00 PM

City Council Chambers

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630 E. Hopkins

I. Call To Order

II. Roll Call

### 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.*

1. 5:00PM Executive Session in accordance with Section §551.074 of the Texas Government Code: Personnel Matters - to discuss annual Appointee Evaluations; and in accordance with Section §551.071 of the Texas Government Code: Consultation with Attorney - to receive the advice of legal counsel regarding the process for amendment of a home rule city charter under the requirements of state law and the San Marcos City Charter and in accordance with in accordance with Section §551.087 of the Texas Government Code: Economic Development - to receive a briefing from the Greater San Marcos Partnership and deliberate regarding the potential offer of Economic Development Incentives to Project Humpty Dumpty, Project Endurance and Project PowerChip.
2. Consider adoption or direction to Staff on matters discussed in Executive Session.

### PRESENTATIONS

3. Receive a Flood Recovery update from the Memorial Weekend Flood Event, and provide direction to Staff.
4. Receive a presentation by Tom Taggart, Public Services Director regarding levels of naturally occurring fluoride in the City of San Marcos water supply, hold discussion, and provide direction to Staff.
5. Receive a Staff presentation of the Annual Program Update for the Main Street Program, and provide direction to Staff.

**6:00 PM**

## III. Invocation

## IV. Pledges Of Allegiance - United States And Texas

## V. 30 Minute Citizen Comment Period

**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.*

6. Consider approval of the following meeting minutes:  
May 28, 2015 Emergency Meeting Minutes  
June 2, 2015 Regular Meeting Minutes  
June 6, 2015 Special Meeting Minutes
7. Consider approval of Ordinance 2015-20, on the second of two readings, amending the San Marcos Smartcode by amending Section 1.5.2 and corresponding provisions to set a limit of seven stories as the maximum building height allowed by warrant, correcting Table 1.2 to reflect a building height limit of two stories in a T3 Transect, and amending Table 1.2 to reduce the building height limit from five stories to three stories in a T4 Transect; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.
8. Consider approval of Resolution 2015-67R, adopting the Public Agency Retirement System Trust ("PARS"), including the PARS section 457(b) Alternative Retirement Plan; approving an agreement for administrative services with phase II systems, doing business as Public Agency Retirement Services; appointing the City Manager, or his/her successor or his/her designee as the City's Plan Administrator for the PARS section 457(b) Alternative Retirement Plan/Trust; authorizing the City's Plan Administrator to implement the plan(s), execute the PARS legal and administrative documents on behalf of the City and to take whatever additional actions are necessary to maintain the City's participation in PARS and to maintain PARS compliance of any relevant regulation issued or as may be issued; therefore, authorizing him/her to take whatever additional actions are required to administer the City's PARS; authorizing the City Manager or his designee to execute the Administrative Services Agreement on behalf of the City; and declaring an effective date.

9. Consider approval of Resolution 2015-68R, approving the award of a Construction Contract to Westar Construction, Inc. for the Blanco River-River Road Slope Stabilization Project in the total amount of \$485,825.00 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 appropriate contract documents on behalf of the City and declaring an effective date.
10. Consider approval of Resolution 2015-69R, approving a three year extension of a Property Use Agreement between the City and Texas State University for the City's use of a parking area downtown and Texas State University's use of a parking area along Charles Austin; authorizing the City Manager to execute this agreement on behalf of the City; and declaring an effective date.
11. Consider approval of Resolution 2015-70R, approving the award of a construction contract to Cox Commercial Construction, LLC for the Stagecoach Trail Widening Project in the total amount of \$350,583.00 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 appropriate contract documents on behalf of the City and declaring an effective date.
12. Consider approval, by motion to approve Change Order #16 to RGM for the Downtown Reconstruction Project for street, sidewalk, lighting and pedestrian improvements in the amount of \$525,368.48.

## **NON-CONSENT AGENDA**

13. Consider approval of Ordinance 2015-21, on the first of two readings, revising and updating Chapter 14, Buildings and Building Regulations, of the City Code; including procedural provisions; and providing for penalties.
14. Consider approval of Resolution 2015-71R adopting the City Council's Visioning Goals for 2015-2016; and declaring an effective date.
15. Consider approval of Resolution 2015-72R, under the authority of Section 418.108 of the Texas Government Code, extending a local state of disaster in the City of San Marcos, Texas due to recent historic flooding.
16. Discuss and consider an additional appointment to the Greater San Marcos Partnership (GSMP) Board of Directors, and provide direction to Staff.
17. Hold discussion regarding the possible reallocation and use of Community Development Block Grant (CDBG) Funds that were approved for use for City projects, not non-profits or outside agencies, for Memorial Day 2015 flood program(s), and provide direction to Staff.

18. Receive a Staff update and hold discussion on the lease and sale of water, and provide direction to Staff.
19. Receive a Staff presentation and hold discussion regarding a possible amendment to Chapter 74 of the City Code to include a new Article 6 that allows for Sidewalk Cafés, Parklets, and Similar Uses of Public Rights-of-way and associated fees, and provide direction to Staff.
20. Presentation and discussion regarding the impacts of the Woods of San Marcos apartment development on the Blanco Gardens neighborhood including but not limited to traffic circulation, parking, and drainage issues, and provide direction to staff

#### 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.*

#### VII. Adjournment.

**POSTED ON WEDNESDAY, JUNE 10, 2015 AT 5:00PM**

**JAMIE LEE PETTIJOHN, CITY CLERK**

#### VIII. ADDENDUM

Item #11 has been amended to update the total amount after the agenda was posted on Wednesday, June 10, 2015. It was previously posted as:

Item # 11 Consider approval of Resolution 2015-70R, approving the award of a construction contract to Cox Commercial Construction, LLC for the Stagecoach Trail Widening Project in the total amount of \$306,273 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 appropriate contract documents on behalf of the City and declaring an effective date.

Item #12 has been amended to expand the detail of the caption after the agenda was posted on Wednesday, June 10, 2015. It was previously posted as:

Item # 12 Consider approval, by motion to approve Change Order #16 to RGM for the Downtown Reconstruction Project in the amount of \$525,368.48.

**ADDENDUM POSTED ON FRIDAY, JUNE 12, 2015 AT 2:00PM**

**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)