



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final City Council

Tuesday, April 2, 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.

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 2024-13, on the second of two readings, annexing into the City approximately 176.5 acres of City-owned land known as Quail Creek out of the J. M. Veramendi Survey, No. 2, and Thomas G. McGehee Survey, No. 11, in Hays County, Texas, in Case No. AN-24-01, generally located north of the intersection of State Highway 21 and the railroad and south of the Blanco River; including procedural provisions; and providing an effective date.
2. Consider approval of Ordinance 2024-14, on the second of two readings, amending Chapter 34, Article 7, Rental Property Standards, of the San Marcos City Code by updating the regulations governing Short-Term Rentals; providing a savings clause; providing for the repeal of conflicting ordinances; and providing an effective date.
3. Consider approval of Resolution 2024-48R, approving ground leases with 2080 Airport

Drive, LLC., for an office/hangar facility and a fuel facility, and a facility lease with Redbird Flight Simulations, Inc. at the San Marcos Regional Airport; authorizing the City Manager, or her designee, to execute the leases and associated documents and approvals; and declaring an effective date.

4. Consider approval of Resolution 2023-49R, awarding a contract to Stantec Consulting Services Inc. in an amount not to exceed \$105,000.00 for the purposes of preparing an action-oriented, equitable, and inclusive community-wide historic preservation plan for a term of up to two years; authorizing the City Manager, or her designee, to execute this agreement on behalf of the city; and declaring an effective date.
5. Consider approval of Resolution 2024-50R, approving a Memorandum of Understanding between the City of San Marcos and San Marcos Consolidated Independent School District, providing for the shared use of facilities for youth related programs and activities and providing for the waiver of certain facility rental fees in connection with such uses; and declaring an effective date.
6. Consider approval of Resolution 2024-51R, approving a Memorandum of Understanding between the City of San Marcos and San Marcos Consolidated Independent School District, allowing for use of school facilities by the city in response to emergencies; and declaring an effective date.
7. Consider approval of Resolution 2024-52R, approving Change Order No. 4 to the contract with Santa Clara Construction, LTD., for the Blanco Gardens Drainage improvements Project in the amount of \$884,001.79 for landscaping and irrigation, pedestrian lighting, trash screening, cost reconciliation, and additional excavation; authorizing the City Manager, or her designee, to execute the appropriate documents relating to the Change Order on behalf of the city; and declaring an effective date.

PUBLIC HEARINGS

NOTE: Public Hearing sign up procedures have changed:

Persons wishing to participate remotely (speak) during the Public Hearing 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. If attending in person, no sign up is required.

8. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2024-15, approving an amendment to the preferred scenario map of the city's Comprehensive Plan to change the designation for approximately 1.139 acres of land generally located southwest of the intersection between Lindsey Street and North Street from "Existing Neighborhood" to "High Intensity-Downtown"; including procedural provisions; and declaring an effective date; and consider approval of Ordinance 2024-15, on the first of two readings.
9. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2024-16, amending the Official Zoning Map of the City in Case No. ZC-23-19, by rezoning approximately 1.931 acres of land generally located at the south side of Lindsey Street between North Comanche Street and North Street, and southwest of the intersection between Lindsey Steet and North Street from Multifamily-12 "MF-12" District, Multifamily-18 "MF-18" District, and Multifamily-24

"MF-24" District to Character District-5 Downtown "CD-5D" District, or, subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2024-16, on the first of two readings.

10. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2024-53R, approving a request for a Conditional Use Permit to allow a purpose-built student housing development generally located on the south side of Lindsey Street between North Comanche Street and North Street, and southwest of the intersection between Lindsey Street and North Street; authorizing city staff to issue a Conditional Use Permit consistent with this resolution; and declaring an effective date; and consider approval of Resolution 2024-53R.
11. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2024-54R, granting a request in Case No. AC-23-09 for Alternative Compliance to the maximum building height requirements in section 4.4.3.7 of the Development Code to increase the permitted building height from five to seven stories, for a proposed development generally located on the south side of Lindsey Street between North Comanche Street and North Street, and southwest of the intersection between Lindsey Street and North Street; authorizing city staff to issue permits consistent with this resolution; and declaring an effective date; and consider approval of Resolution 2024-54R.

NON-CONSENT AGENDA

12. Consider approval of Ordinance 2024-17, on the first of two readings, amending Chapter 86, Article 2, Division 2, Water Conservation, of the City Code pertaining to water use restrictions during drought conditions; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.
13. Consider approval of Resolution 2024-45R, approving the 2024 City of San Marcos Hazard Mitigation Action Plan ("HMAP"); authorizing final submission to both the Texas Division of Emergency Management ("TDEM") and the Federal Emergency Management Agency ("FEMA"); and declaring an effective date.
14. Consider approval of Resolution 2024-55R, appointing a councilmember to the Mental Health Coordinating Committee of the Hays County Behavioral Advisory Team; and declaring an effective date.
15. Receive an update from staff following City Council direction to add planned development zoning districts, or another similar zoning option, to the development code and consider, by motion, the initial authorization of text amendments to the San Marcos Development Code for that purpose.
16. Discuss and consider appointments to various Boards and Commissions, to wit:
 - A) Citizen Utility Advisory Board (CUAB)
 - B) Construction Board of Appeals
 - C) Convention and Visitors Bureau Board
 - D) Economic Development San Marcos Board

- E) Human Services Advisory Board
- F) Neighborhood Commission
- G) Parking Advisory Board
- H) Senior Citizen Advisory Board
- I) Veteran Affairs Advisory Board

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.

17. The City Council will convene in executive session pursuant to the following sections of the Texas Government Code:
- A. Section 551.072-Real Property:
 - 1. To deliberate regarding the possible acquisition of land in the Blanco Gardens neighborhood for use as a park.
 - 2. To deliberate the possible acquisition of land for cemetery purposes.
 - B. Section 551.071-Consultation with Attorney:
 - 1. To receive legal advice regarding and discuss a possible settlement in the matter captioned as The State of Texas v. the City of San Marcos, et al, Case No. 24-0267, in the District Court of Hays County, Texas pertaining to the City's enforcement of marijuana laws under Chapter 54, Article 4 of the City Code.

DIRECTION/ACTION FROM EXECUTIVE SESSION

18. 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 551.072-Real Property:
 - 1. To deliberate regarding the possible acquisition of land in the Blanco Gardens neighborhood for use as a park.
 - 2. To deliberate regarding the possible acquisition of land for cemetery purposes.
 - B. Section 551.071-Consultation with Attorney:
 - 1. To receive legal advice regarding and discuss a possible settlement in the matter captioned as The State of Texas v. the City of San Marcos, et al, Case No. 24-0267, in the District Court of Hays County, Texas pertaining to the City's enforcement of marijuana laws under Chapter 54, Article 4 of the City Code.

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, MARCH 29, 2024 at 3:00PM

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