



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final City Council

Tuesday, April 16, 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.

PRESENTATIONS

- 1. Receive a Staff presentation of the Quarter End December 31, 2023 Investment Report, and provide direction to City Manager.
- 2. Receive a Staff presentation of the Quarter End December 31, 2023 Financial Report, and provide direction to City Manager.
- 3. Receive a presentation from Deloitte and Touche, LLP on the Community Development Block Grant-Disaster Recovery (CDBG-DR) Quarterly Internal Audit Report, including housing program activities, and provide direction to Staff.

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.

4. 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.
5. Consider approval of Ordinance 2024-15, on the second of two readings, 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"; including procedural provisions; and declaring an effective date.
6. Consider approval of Ordinance 2024-16, on the second of two readings, amending the Official Zoning Map of the City in Case No. ZC-23-19, by rezoning approximately 1.94 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 Street and North Street from Multifamily-12 "MF-12" District, Multifamily-18 "MF-18" District, and Multifamily-24 "MF-24" District to Character District-5 "CD-5" and Character District-5 Downtown "CD-5D" Districts, or, subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and providing an effective date.
7. Consider approval of Ordinance 2024-17, on the second of two readings, amending Chapter 86, Article 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.
8. Consider approval of Resolution 2024-56R, approving an agreement for the provision of services in connection with the proposed owner requested annexation in Case No. AN-24-02 of approximately 54.015 acres of land generally located at the southeast corner of West Centerpoint Road and Central Park Loop in the La Cima Subdivision, 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.
9. Consider approval of Resolution 2024-57R, approving the purchase of a Freightliner Chassis with Vactor 2100i for \$553,392.45 from Doggett Freightliner of South Texas LLC., through the Texas BuyBoard Purchasing Cooperative, for use by the Water/Wastewater Department; 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 2024-58R, approving an agreement with Kimley Horn and Associates, Inc., for the provision of professional engineering services for the Rattler Road Waterline Extension Project for \$147,009.10; authorizing the City Manager, or her designee, to execute the agreement on behalf of the city; and declaring an effective date.
11. Consider approval of Resolution 2024-59R, approving an amendment to the Interlocal Agreement with Hays County providing for the installation of city waterline facilities in conjunction with the Old Bastrop Highway (CR 266) project; authorizing the City Manager, or her designee, to execute the amendment on behalf of the city; and declaring an effective date.

date.

12. Consider approval of Resolution 2024-60R, authorizing the submission of two grant applications to the Office of the Governor's Public Safety Office for Fiscal Year 2025 State and Local Cybersecurity Grant Program (SLCGP) funding for 1) the city to conduct a Cybersecurity Risk Assessment and Evaluation and 2) for mitigation enhancements to reduce system vulnerabilities; designating the City Manager as the official authorized to act on behalf of the city and execute required documents for purposes of these applications and any resulting grants, including authorization to accept the grants; providing assurances; and declaring an effective date.
13. Consider approval of Resolution 2024-61R, approving the reallocation of \$982,063.00 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.
14. Consider approval of Resolution 2024-62R, approving a contract renewal agreement with Austin Wood Recycling, Inc., for Wood Grinding Services for use by the Neighborhood Enhancement Department and increasing the contract amount by \$26,000.00 for a total contract amount of \$130,000.00; authorizing the City Manager, or her designee, to execute the agreement on behalf of the city; and declaring an effective date.

NON-CONSENT AGENDA

15. Consider approval of 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.
16. Consider approval of Ordinance 2024-18, on the first and final reading, authorizing the issuance and sale of an amount not to exceed \$31,100,000.00 of Combination Tax and Revenue Certificates of Obligation, Series 2024, levying an ad valorem tax and pledging certain surplus revenues in support of the certificates; approving an official statement, a paying agent/registrar agreement for improving, constructing, equipping, acquiring, or designing the city's: water and waste water system, including technology improvements; streets; sidewalks; public safety facilities, including fire station improvements; stormwater management for flood control and drainage; electric utility system; and the payment of professional services in connection therewith including legal, fiscal and engineering fees and the costs of issuing the certificates of obligation and other matters related thereto; and providing for the approval of this Ordinance 2024-18, on one reading as authorized by state law.
17. Consider approval of Ordinance 2024-19, on one reading, approving and establishing an exemption from the assessment of the city's ad valorem property tax for eligible child-care facilities pursuant to section 11.36 of the Texas Tax code; declaring an emergency; and providing that this ordinance shall be effective after one reading.
18. Consider approval of Ordinance 2024-20, on the first of two readings, amending Chapter

86, Article 1, Division 1, Water and Wastewater Line Extensions of the San Marcos City Code by amending Section 86.003 to allow certain out of city connections to be made without application for annexation; providing for the repeal of conflicting provisions; providing a savings clause; and providing an effective date.

19. Consider approval of Resolution 2024-63R, approving a professional services agreement with Ardurra, Inc., to provide owner advisor services for the second Wastewater Treatment Plant Project, in the estimated amount of \$3,896,204.00; authorizing the City Manager, or her designee, to execute the agreement on behalf of the city; and declaring an effective date.
20. Consider approval of Resolution 2024-64R, approving an On-Call Professional Services Agreement with Freese and Nichols, Inc., for engineering planning, design, permitting, bid, and construction phase services related to potential upgrades required for the Wastewater System, in an amount not to exceed \$2,595,871.00; authorizing the City Manager, or her designee, to execute the agreement on behalf of the city; and declaring an effective date.
21. Consider approval of Resolution 2024-65R, approving the submittal of the 2024 revised Water Conservation Plan and Revised 2024 Drought Response Plan to the Texas Water Development Board; and declaring an effective date.
22. Consider approval of Resolution 2024-66R, approving the Director of Utilities, or the Utilities Assistant Director, as the delegate of the Director to serve as the City of San Marcos representative on the Canyon Regional Water Authority's Board of Managers; and declaring an effective date.
23. Consider approval of Resolution 2024-67R, supporting the granting of Economic Development Incentives under Chapter 380 of the Texas Local Government Code for a grocery store development, such incentives to include property and sales tax abatements for up to 5 years from the Resolution adoption; and declaring an effective date.
24. Consider approval of Resolution 2024-68R, approving an amended template for Standard City Board and Commission Bylaws in accordance with Section 2.073 of the San Marcos City Code; directing staff liaisons to boards and commissions to present such bylaws for adoption by their respective boards and commissions; and declaring an effective date.
25. Hold discussion regarding the Parks and Recreation Board Recommendation Resolution 2024-01RR-PRB, to request the City Council implement paid parking in Rio Vista Park; and provide direction to the City Manager.
26. 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) Human Services Advisory Board
 - E) Neighborhood Commission
 - F) Parking Advisory Board
 - G) Senior Citizen Advisory Board

H) 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.

27. The City Council will convene in executive session pursuant to the following sections of the Texas Government Code:

A. Section §551.087: Economic Development-To deliberate regarding possible economic development incentives for Project Snapdragon and Project Peanut Butter.

B. Section 551.071: Consultation with Attorney-To receive legal advice regarding a proposed cost sharing agreement for construction of a wastewater treatment plant.

C. Section 551.071: Consultation with Attorney, and Section 551.072: Real Property-To receive legal advice and deliberate regarding the possible acquisition of real property interests necessary for the Highway 80 Utilities Project, River Ridge Drainage Project and Linda Drive Improvements Project.

D. Section 551.072: Real Property-To deliberate regarding the possible lease, use or disposition of land in the vicinity of South Edward Gary Street and South LBJ Drive.

DIRECTION/ACTION 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 §551.087: Economic Development-To deliberate regarding possible economic development incentives for Project Snapdragon and Project Peanut Butter.

B. Section 551.071: Consultation with Attorney-To receive legal advice regarding a proposed cost sharing agreement for construction of a wastewater treatment plant.

C. Section 551.071: Consultation with Attorney, and Section 551.072: Real Property-To receive legal advice and deliberate regarding the possible acquisition of real property interests necessary for the Highway 80 Utilities Project, River Ridge Drainage Project and Linda Drive Improvements Project.

D. Section 551.072: Real Property-To deliberate regarding the possible lease, use or disposition of land in the vicinity of South Edward Gary Street and South LBJ Drive.

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. Due to*

requirements of the Texas Open Meeting Act, City Council may not discuss matters not posted 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, APRIL 12, 2024 AT 4:00PM

LUCIA CORDOVA, DEPUTY 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