



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Regular Meeting Agenda - Final-Amended City Council

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Tuesday, May 1, 2018

6:00 PM

City Council Chambers

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- I. Call To Order
- II. Roll Call
- III. Invocation
- IV. Pledges Of Allegiance - United States And Texas

### 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. Consider action, by motion, or provide direction to Staff regarding the following Executive Session item in accordance with Local Government Code Section §551.071 - Consultation With Attorney - to receive legal advice regarding claims and pending litigation questioning the validity of Ordinance No. 2008-16 that annexed a 563.199 tract of land commonly known as the Hillert Tract into the City of San Marcos including litigation threatened by the City of Martindale, Texas and Mr. Gerald Lee Bennett; and the pending lawsuit filed on April 18, 2018 styled: The Mayan At San Marcos, LLC, vs. City of San Marcos, Cause No. 18-0958-CV-A, in the 25th Judicial District Court of Guadalupe County, Texas.

- V. 30 Minute Citizen Comment Period

### PRESENTATIONS

2. Receive a Staff presentation of the City of San Marcos Stormwater Master Plan, 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.*

3. Consider approval, by motion, of the following meeting Minutes:
  - A) March 20, 2018 - Work Session Meeting Minutes

- B) March 26, 2018 - Code SMTX Special Meeting Minutes
  - C) April 3, 2018 - Work Session Meeting Minutes
  - D) April 17, 2018 - Work Session Meeting Minutes
  - E) April 17, 2018 - Regular Meeting Minutes
4. Consider approval of Ordinance 2018-07, on the second of two readings, amending the City's 2017-2018 Fiscal Year Budget by budgeting and appropriating \$442,000 from General Fund to be distributed to The Village to provide funding for the construction of Phase II of The Village Main Project; and providing an effective date.
  5. Consider approval of Resolution 2018-62R, approving the recommendation of the San Marcos Commission on Children and Youth to allocate \$50,285 in 2017-2018 Fiscal Year funding for 14 youth programs that contribute to implementation of the Youth Master Plan; authorizing the City Manager to take such actions as are necessary to enable such allocation of funds; and declaring an effective date.
  6. Consider approval of Resolution 2018-63R, approving the award of a term contract to Integrated Generator Systems, Inc., for generator maintenance, repair services and parts (IFB 218-210) in the amount not to exceed amount of \$140,000 and authorizing the City Manager or his designee to execute the appropriate purchasing documents on behalf of the City and declaring an effective date.
  7. Consider approval of Resolution 2018-64R, approving the award of a contract for project site rehabilitation, underdrain piping replacement, and new landscaping for the Hutchison Street Biofiltration Pond Improvements Project (IFB 218-153) for the total purchase amount of \$99,888.00 from M2 Federal, Inc.; authorizing the City Manager or his designee to execute the appropriate purchase documents on behalf of the City and declaring an effective date.
  8. Consider approval of Resolution 2018-65R, approving an amendment of the current Meet and Confer Agreement between the San Marcos Professional Firefighters Association Local #3963 and City of San Marcos to provide for the establishment of the Fire Marshal's Office within the Fire Department and authorize the Fire Chief to hire a Fire Marshal from outside the Department's classified service; and declaring an effective date.
  9. Consider approval of Resolution 2018-66R, approving Change Order No.1 to the contract with Deloitte and Touche to perform additional consulting services related to the preparation, reconciliation and submission of projects for FEMA Public Assistance Grants and increasing the total amount of the project by \$55,000.00; ratifying the City's execution of the original contract and the increase in dollar amount; and declaring an effective date.
  10. Consider approval of Resolution 2018-67R, approving the Stormwater Master Plan; and declaring an effective date.

## **PUBLIC HEARINGS**

11. Receive a staff presentation and hold a Public Hearing to receive comments for or against Resolution 2018-69R, approving Substantial Amendment No. 6 to the Community

Development Block Grant-Disaster Recovery ("CDBG-DR") Action Plan to include the Reconstruction On City-Owned Property ("RCOP") Program to enable qualified residents affected by the 2015 floods to construct new homes on city-owned lots; approving the allocation of CDBG-DR funds to projects and activities under the RCOP program; authorizing the City Manager or his designee to act as the official representative of the City in matters related to the CDBG-DR program and action plan; and declaring an effective date; and consider approval of Resolution 2018-69R.

## **NON-CONSENT AGENDA**

12. Consider approval of Ordinance 2018-11, on the first of two readings, amending the Design Manual for the Installation of Network Node Support Poles authorized by Ordinance 2017-56 to establish a daily penalty of \$500 for failure to relocate improperly placed equipment; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.
13. Consider approval of Ordinance 2018-12, on the first of two readings, amending Chapter 14, Buildings and Building Regulations, of the City Code to implement recent legislation prohibiting the City from collecting fees from members of certain trades before they are authorized to practice their trades in the City; providing for an effective date.
14. Consider approval of Ordinance 2018-13, on the first of two readings, adopting fees to be charged by the City for various city services, including changes to some existing fees and the addition of new fees; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.
15. Consider approval of Ordinance 2018-14, on the first of two readings, amending Section 2.041 of the San Marcos City Code to update the frequency of Regular Meetings per month; including procedural provisions; and declaring an effective date.
16. Consider approval of Resolution 2018-70R, approving the allocation of five City-owned residential lots to be made available for qualified residents affected by the 2015 floods to construct new homes under the Housing and Urban Development Community Development Block Grant-Disaster Recovery-Reconstruction on City-owned property ("RCOP") Program; authorizing the City Manager or his designee to act as the official representative of the City in matters related to the RCOP program; and declaring an effective date.
17. Consider approval of Resolution 2018-61R, approving an Action Plan that outlines further measures to be taken to implement or enhance the purposes and objectives of the newly adopted San Marcos Development Code ("Code SMTX") and associated changes to the City's Comprehensive Plan; authorizing City Staff to undertake such efforts as are necessary to implement such measures; and declaring an effective date.
18. Consider approval, by motion, of the following matters pertaining to the lease of property located at 201 South LBJ (the site of the former Dixie Cream Donut Shop):
  - a) Approving the acceptance of an amount in settlement of rent due under an existing lease of real property located at 201 South LBJ.
  - b) Approving the termination of the existing lease

c) Approving a new Lease Agreement of the property with Suenos & Rezo, LLC for the operation of a frozen yogurt shop and authorizing the City Manager to execute the Lease Agreement.

19. Discuss and consider appointments to fill vacancies the Cemetery Commission and the San Marcos Commission on Children and Youth 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.

#### ADDENDUM

The following item has been amended from when originally posted on Monday, April 23, 2018:

Item #11 was previously posted as, and has been updated to the posting above on Item #18: Consider approval of Resolution 2018-68R, approving a Lease Agreement with Suenos & Rezo, LLC for the year to year lease of approximately 4500 square feet of space at 201 South LBJ (the site of the former Dixie Cream Donut Shop) for the operation of a frozen yogurt shop; authorizing the City Manager to execute said lease; and declaring an effective date.

The following item has been added from when the Agenda was originally posted on Monday, April 23, 2018:

Item #15: Consider approval of Ordinance 2018-14, on the first of two readings, amending Section 2.041 of the San Marcos City Code to update the frequency of Regular Meetings per month; including procedural provisions; and declaring an effective date.

#### **ADDENDUM POSTED ON FRIDAY, APRIL 27, 2018 AT 4:15PM**

#### **JAMIE LEE CASE, TRMC, 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)