



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Regular Meeting Agenda - Final-Amended City Council

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Tuesday, August 6, 2019

6:00 PM

City Council Chambers

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630 E. Hopkins

- I. Call To Order
- II. Roll Call
- III. Invocation
- IV. Pledges Of Allegiance - United States And Texas
- V. 30 Minute Citizen Comment Period

### PRESENTATIONS

- 1. Receive a Staff presentation and hold discussion on the TxDOT Striping Improvements to Guadalupe Street between University & Grove Streets, 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.*

- 2. Consider approval, by motion, of the following meeting Minutes:
  - A) May 30, 2019 - Executive Session Meeting Minutes
  - B) June 14, 2019 - Special Meeting Minutes
  - C) June 18, 2019 - Regular Meeting Minutes
  - D) June 24, 2019 - Executive Session Meeting Minutes
  - E) June 25, 2019 - Executive Session Meeting Minutes
- 3. Consider approval of Resolution 2019-123R, approving an Interlocal Cooperation Agreement with the City of Plano, Texas, to enable each City to utilize vendors for goods and services under contracts procured by the other; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.
- 4. Consider approval of Resolution 2019-124R, approving a contract with Life Extension Clinics, Inc., dba Life Scan Wellness, through the city's cooperative purchasing program contract with the City of Plano, for the provision of physical examinations for firefighters in

the estimated amount of \$25,000 per year, with options to renew the contract annually; authorizing the City Manager or his designee to execute such contract; and declaring effective date.

5. Consider approval of Resolution 2019-125R, awarding a contract for routine generator maintenance and repairs to LJ Powers, Inc. in the estimated annual amount of \$35,000, with the option to renew three additional years, for the Community Services Department, Parks and Recreation Division; authorizing the City Manager or his designee to execute the appropriate purchasing documents on behalf of the City; and declaring an effective date.
6. Consider approval of Resolution 2019-126R, approving a contract with Environmental Systems Research Institute, Inc. for Geographic Information System Software and Maintenance Services in an amount not to exceed \$150,000 over a three-year term; authorizing the City Manager or his designee to execute the contract on behalf of the City; and declaring an effective date.
7. Consider approval of Resolution 2019-127R, approving a Change in Service to the Agreement with Holmes Murphy and Associates relating to the provision of employee benefit consulting services to extend the agreement for five additional years at a cost of \$225,000; authorizing the City Manager or his designee to execute the appropriate documents to implement the change in service; and declaring an effective date.
8. Consider approval of Resolution 2019-128R, approving Amendment No. 3 to the WIC Program Funding Contract with the Texas Health and Human Services Commission that allocates funding in the amount of \$1,719,649 for Fiscal Year 2020; authorizing the City Manager, or his designee, to execute said contract amendment on behalf of the City; and providing an effective date.
9. Consider approval of Resolution 2019-129R, approving a contract with Pontem Software, Inc. for Cemetery Management Software in an amount not to exceed \$100,000 over a ten-year term; authorizing the City Manager or his designee to execute this contract on behalf of the City; and declaring an effective date.
10. Consider approval of Resolution 2019-130R, approving the purchase of twelve 15.5 kV R-MAG Circuit Breakers for the Public Services Department, Electric Utilities Division, in the total amount of \$223,450 from Wesco Distribution, Inc. through the Texas Cooperative Purchasing Network Contract #R142106; authorizing the City Manager or his designee to execute the appropriate purchasing documents on behalf of the City; and declaring an effective date.
11. Consider approval of Resolution 2019-131R, awarding a construction contract to the Brandt Companies, LLC for upgrades to the Canyon and San Marcos substations in the amount of \$548,042.04; 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 of Resolution 2019-132R, awarding a contract to Clean Earth of Alabama, Inc. for the provision of Household Hazardous Waste Collection, Transportation

and Disposal Services in an annual estimated amount of \$14,880 with an option to extend for four additional years with an optional two percent increase on the second annual renewal for a total five year cost of \$74,400; authorizing the City Manager or his designee to execute the appropriate purchasing documents on behalf of the City; and declaring an effective date.

13. Consider approval of Resolution 2019-133R, approving an engagement agreement with the Law Firm of Russell Rodriguez Hyde Bullock, LLP to provide specialized legal counsel and represent the City before State Agencies when necessary in various utility matters; authorizing the City Attorney to execute the engagement agreement on behalf of the City; and declaring an effective date.
14. Consider approval of Resolution 2019-134R, awarding a contract to WEX Bank, through a cooperative purchasing agreement with Sourcwell, for a Fuel Card Management System for an initial term of one year in the estimated amount of \$800,000, with the option to renew the contract for up to three additional one year terms for a possible estimated amount of \$3,200,000 over four years; authorizing the City Manager, or his designee, to execute the appropriate contract documents on behalf of the City; and declaring an effective date.
15. Consider approval of Resolution 2019-135R, approving the appointment of Bickerstaff Heath Delgado Acosta, LLP to represent the City in litigation brought by a consortium of Texas cities challenging the constitutionality of Senate Bill 2004 (2017) which relates to the deployment of network nodes in municipal rights-of-way and the fees cities may charge for the use of their rights-of-way and Senate Bill 1152 (2019) which can preclude cities from receiving payment for use of their rights-of-way for both cable and telecom; authorizing an expenditure of monies not-to-exceed \$7,000 based on population for the legal services to be provided; authorizing the City Attorney to execute the Engagement Agreement on behalf of the City; and declaring an effective date.
16. Consider approval of Resolution 2019-136R, approving an interlocal agreement with Texas State University (Edwards Aquifer Research and Data Center) providing for groundwater quality monitoring services in the vicinity of the Kissing Tree Subdivision for an amount not to exceed \$150,000 over a five-year term; authorizing the City Manager to execute this agreement on behalf of the City; and declaring an effective date.
17. Consider approval of Resolution 2019-137R, supporting the City's application to the Texas Department of Transportation ("TXDOT") for funding of the Hopkins Street/State Highway 80 shared use path project under TXDOT's Transportation Alternatives Set-Aside (TASA) Program call for projects; and declaring an effective date.
18. Consider approval of Resolution 2019-138R, forbidding persons licensed to carry a handgun, from carrying a handgun, regardless of whether the handgun is concealed or openly carried, in any room or rooms, including but not limited to the City Council Chambers, where the City Council or any City Board, Commission, Committee or Body is meeting in an Open Meeting subject to the Texas Open Meetings Act; authorizing the City Manager, the City Clerk, their designees and any other officers, employees or appointees responsible for such meetings to provide notice of such handgun restriction in accordance with Sections 30.06 and 30.07 of the Texas Penal Code; and declaring an effective date.

19. Consider approval of Resolution 2019-139R, approving a renewal contract with VeoRide Inc., for the provision of a Dockless Bike Share System with the option to renew the contract for up to three additional one year terms; authorizing the City Manager or his designee to execute the appropriate documents on behalf of the City; and declaring an effective date.
20. Consider approval, by motion, of a 4% retroactive pay increase in the amount \$772.20 for work performed between April 1, 2019 to June 30, 2019 for Judge Dallari Landry, as well as a new hourly rate of \$55 per hour for an annual increase of \$5,491.20 effective July 1, 2019.

## **NON-CONSENT AGENDA**

21. Consider approval of Ordinance 2019-18, on first and final reading, ordering a General Election to be held on November 5, 2019 for the purpose of electing City Council Member, Place 1 and City Council Member, Place 2; declaring an emergency creating the need to adopt this ordinance with only one reading; and providing an effective date.
22. Consider approval of Ordinance 2019-20, on the first of two readings, appointing an associate Municipal Court Judge for the San Marcos Municipal Court of Record for a term of two years; and providing an effective date.
23. Consider approval of Ordinance 2019-21, on the first of two readings, amending the City's 2018-2019 Fiscal Year Budget to allocate a total amount not to exceed \$689,500 from General Fund to provide funding for facility maintenance, software licenses, IT equipment, building security, and Hays Caldwell Woman's Shelter and providing an effective date.
24. Consider approval of Resolution 2019-140R, approving a Meet and Confer Agreement between the San Marcos Professional Firefighters Association Local #3963 and the City of San Marcos and declaring an effective date.
25. Consider approval of Resolution 2019-141R, approving a Meet and Confer Agreement between the San Marcos Police Officers' Association and the City of San Marcos and declaring an effective date.
26. Consider approval of Resolution 2019-142R, approving the 2019 Amended and Restated Service and Assessment Plan with Highpointe Trace, L.L.C. in connection with the Trace Public Improvement District; authorizing the City Manager to execute said document on behalf of the city; and declaring an effective date.
27. Consider an appointment to fill a vacancy on the Historic Preservation Commission and the Senior Citizen Advisory Board, and provide direction to Staff.
28. Hold discussion regarding Ethics Review Commission Recommendation Resolution 2019-1, that recommends an amendment to the San Marcos City Code of Ethics to Require City Employees to appear and testify as witnesses and produce City records at Public Hearings conducted by the Commission on pending Ethics Complaints, 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, JULY 31, 2019 AT 4:00PM**

**JAMIE LEE CASE, CITY CLERK**

## VIII. ADDENDUM

The following items was added after the agenda was posted on Wednesday, July 31, 2019:

## Item #1

Receive a Staff presentation and hold discussion on the TxDOT Striping Improvements to Guadalupe Street between University & Grove Streets, and provide direction to Staff.

## Item #28

Hold discussion regarding Ethics Review Commission Recommendation Resolution 2019-1, and provide direction to Staff.

**ADDENDUM POSTED ON FRIDAY, AUGUST 2, 2019 @ 1:45PM**

## 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)