



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final-Amended City Council

Wednesday, February 24, 2021

6:00 PM

Virtual Meeting

This meeting was rescheduled from February 16, 2021

**Due to COVID-19, this will be a virtual 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. 30 Minute Citizen Comment Period

Persons wishing to participate (speak) during the Citizen Comment portion of the meeting must email citizencomment@sanmarcostx.gov prior to 12:00PM the day of the meeting. A call in number to join by phone or link will be provided for participation on a mobile device, laptop or desktop computer.

PRESENTATIONS

- 1. Receive status reports and updates on response to COVID-19 pandemic; 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. January 19, 2021 - Regular Meeting Minutes
 - B. February 2, 2021 - Work Session Meeting Minutes

Attachments: [01.19.2021 Regular Meeting Minutes.pdf](#)
 [02.02.2021 Work Session Minutes.pdf](#)

- 3. Consider approval of Resolution 2021-27R, confirming the City Manager's appointment of Kathy Martinez-Prather to the San Marcos Civil Service Commission; and declaring an

effective date.

Attachments: [Civil Service Commission - Resolution appointing George R. Landry for a term e
ID21-118.docx](#)

4. Consider approval of Resolution 2021-28R, approving a Change in Service to the agreement with Dell Marketing, LP through the Texas Comptroller of Public Accounts Department of Information Resources program for the purchase of VMware equipment and support services in the estimated annual amount of \$49,821.26 and authorizing four additional annual renewals; authorizing the City Manager or his designee to execute the appropriate documents to implement the Change in Service; and declaring an effective date.

Attachments: [Resolution
217-162 ACIS 5 Request for CM signature Form 07.01.19 - Executed](#)

5. Consider approval of Resolution 2021-30R, approving a Change in Service to the agreement with Kimley-Horn and Associates, Inc. to add additional engineering design services for the Hopkins Street Improvements project in the estimated amount of \$57,915.00; authorizing the City Manager or his designee to execute the appropriate documents to implement the Change in Service; and declaring an effective date.

Attachments: [Resolution
Hopkins\(Guad to Moore\)-CIS01_partialLM.pdf
project limits_rev.pdf](#)

6. Consider approval of Resolution 2021-31R, approving an Advanced Funding Agreement (AFA) between the City of San Marcos and the Texas Department of Transportation (TxDOT) for utility betterments along IH35 from south of SH 80 (Hopkins St) to north of RM 12 (Wonder World Dr); in the amount of \$185,195.28, to be paid by the City of San Marcos, at least 45 days prior to the date set by TxDOT, for receipt of the construction bids; authorizing the City Manager to execute the agreement; and declaring an effective date.

Attachments: [Resolution
AFA_IH 35_SH 123_COSM-Water_CSJ 0016-03-114_DRAFT 02.10.21.docx
01_0016-03-114_100% W_WW Plan.pdf
project limits.pdf](#)

7. Consider approval of Resolution 2021-32R, approving a Change in Service to the agreement with HDR Engineering, Inc., for various drainage improvement projects identified in the Stormwater Master Plan to add additional design and construction phase services in the estimated amount of \$220,692.00; authorizing the City Manager or his designee to execute the appropriate documents to implement the Change in Service; and declaring an effective date.

Attachments: [Resolution](#)
 [COSM Various Drainage Design Scope 200105](#)
 [Various Drainage Overall Map](#)

8. Consider approval of Resolution 2021-33R, approving a contract with Paradigm Traffic Systems, Inc. through the BuyBoard Purchasing Cooperative for a backup battery system to be used to operate traffic signals in the event of a power outage, in the estimated amount of \$105,600.00; authorizing the City Manager or his designee to execute the contract on behalf of the City; and declaring effective date.

Attachments: [Resolution](#)
 [221-108 Paradigm Quote](#)

NON-CONSENT AGENDA

9. Consider approval of Ordinance 2021-09, authorizing the issuance and sale of \$8,700,000 of Combination Tax and Revenue Certificates of Obligation, Series 2021 for (1) constructing, improving, designing, acquiring and equipping the City's Road and Street Projects, to include a Railroad Overpass and related Infrastructure on Yarrington Road; and (2) the payment of professional services in connection therewith including Legal, Fiscal and Engineering Fees and the costs of issuing the Certificates of Obligation; providing for approval of this Ordinance an emergency measure on only one reading as authorized by State Law; and other matters related thereto.

Attachments: [Ordinance 01.06.2021.rtf](#)

10. Consider approval of Ordinance 2021-10, on the first of two readings, amending the City's 2019-2020 Fiscal Year budget to allocate an additional \$8,423,553 from the General Fund for Economic Development Incentive payments; and providing an effective date.

Attachments: [ORDINANCE 2021- YE 2020 Budget Amendment.docx](#)

11. Consider approval of Ordinance 2021-11, on the first of two readings, amending certain funds in the City's 2020-2021 Fiscal Year budget to allocate for the rollover of funds and to adjust the revenue and expenditure budget for lower Economic Incentives; and providing an effective date.

Attachments: [2021 Budget Amendment Ordinance MFK](#)
 [FY 20 Gen Fund Dept Budget to Actual](#)

12. Consider approval of Ordinance 2021-12, on the first of two readings, amending section 2.351 of the San Marcos City Code relating to the composition of the Convention and Visitor Bureau Advisory Board; including updating language of representative titles; and providing an effective date.

Attachments: [Ordinance](#)
 [Memo_CVB_Board_Composition_1.2021](#)

13. Consider approval of Ordinance 2021-13, on the first of two readings, amending Section 86.003. of the San Marcos City Code to required that both connections and extensions for

City Water and Wastewater Service outside the City Limits will be subject to approval by the City Council; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

Attachments: [Ordinance](#)

14. Consider approval of Ordinance 2021-14, granting a temporary waiver of permit fees for plumbing repairs made necessary by the 2021 Presidents Day Winter Storm Event and ratifying any fee waivers administratively approved for this purpose prior to February 24, 2021; providing for adoption of this ordinance on only one reading as an emergency measure; and declaring an effective date.

Attachments: Ordinance

15. Consider approval of Resolution 2021-41R, Authorizing Extraordinary Optional Redemption of a portion of the City of San Marcos, Texas Special Assessment Revenue Bonds, Series 2020 (Whisper Public Improvement District).

Attachments: [Redemption Resolution v1- Redemption Notice for 3.5.2021 redemption date.dc](#)

16. Consider approval of Resolution 2021-35R, approving the award of a Construction Contract to Seidel Construction, LLC, for construction of San Marcos Fire Station No. 6 in the amount of \$5,502,900.00; authorizing the City Manager or his designee to execute the contract on behalf of the City; and declaring an effective date.

Attachments: [Resolution](#)
[220-245 Bid Tabulation](#)

17. Consider approval of Resolution 2021-36R, approving the award of a construction contract to Lambda Construction I, LLC, for construction of the Rattler Electric Substation in the estimated amount of \$6,448,491.00; authorizing the City Manager or his designee to execute the contract on behalf of the City; and declaring an effective date.

Attachments: [Resolution](#)
[Res 2019-161](#)
[221-010 Bid Tabulation](#)
[2019-005_amending the City's 2018-2019 Fiscal Year Budget](#)
[2019-021R Amended 380](#)
[2019-022R CIAC](#)
[2020-03R approving Rattler Substation XFMR Purchase](#)

18. Consider approval of Resolution 2021-37R, approving an agreement with John Bugge providing for the City to purchase approximately 3.64 acres of land located at 1410 and 1412 River Road for a price of \$396,500.00, together with associated closing costs, in connection with the Blanco Riverine Flood Mitigation Project; authorizing the City Manager, or his designee, to execute said agreement; and declaring an effective date.

Attachments: [Resolution](#)
 [Purchase Agreement signed by owner](#)
 [1 P-9, Bugge, Offer Packet Blanco Riverine 1.7.2021](#)
 [P-9, Location Maps John Bugge](#)

19. Consider approval of Resolution 2021-39R, approving the issuance of revenue bonds in a principal amount not to exceed \$30,000,000 to be issued by the New Hope Cultural Education Facilities Finance Corporation for a residential senior living project to be known as the Villas Del San Xavier Senior Residences and located at 2621 South IH-35; and declaring an effective date.

Attachments: [Resolution](#)

20. Consider approval of Resolution 2021-40R, expressing the City Council's support for exploring the possibility of a collaboration with the Indigenous Cultures Institute in establishing an Indigenous Cultures Center, including exploring the possibility of joining with the Indigenous Cultures institute in applying for Hays County Parks and Opens Space Bond funding and providing City property for this project; and declaring an effective date.

Attachments: [Resolution](#)
 [ICI Letter to City of San Marcos 2-8-2021](#)
 [Email from Mark Kennedy - Re_ Indigenous Culture Center](#)

21. Consider approval of Resolution 2021-43R, approving the City Council's Strategic Initiatives for Fiscal Year 2021-2022; and declaring an effective date.

Attachments: [Res. 2021-43R.docx](#)
 [2021-22 Strategic Initiatives Plan - Clean Draft](#)
 [2021-22 Strategic Initiatives Plan - Redline](#)

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.

22. Executive Session in accordance with Section §551.071 of the Texas Government Code: Consultation with Attorney - to seek the advice of legal counsel regarding the pending application to discharge wastewater from the privately-operated Fleming Farms Wastewater Treatment Facility proposed to be constructed 1.2 miles east of the intersection of Farm-to-Market 1978 and State Highway 123 in Guadalupe County under the following case name and docket numbers: Application by Regal, LLC for a new TPDES Permit No. WQ0015817001; TCEQ Docket No. 2020-0973-MWD; SOAH Docket No. 582-21-0576.

ACTION/DIRECTION FROM EXECUTIVE SESSION

23. Consider action, by motion, or provide direction to Staff regarding the following Executive

Session item held during the Work Session and/or Regular Meeting: Section §551.071 of the Texas Government Code: Consultation with Attorney - to seek the advice of legal counsel regarding the pending application to discharge wastewater from the privately-operated Fleming Farms Wastewater Treatment Facility proposed to be constructed 1.2 miles east of the intersection of Farm-to-Market 1978 and State Highway 123 in Guadalupe County under the following case name and docket numbers: Application by Regal, LLC for a new TPDES Permit No. WQ0015817001; TCEQ Docket No. 2020-0973-MWD; SOAH Docket No. 582-21-0576.

VI. Adjournment.

POSTED ON FRIDAY, FEBRUARY 19, 2021 @ 12:00PM

TAMMY K. COOK, INTERIM CITY CLERK

VII. ADDENDUM

Item 14 was added after the agenda was posted on Friday, February 19, 2021:

Consider approval of Ordinance 2021-14, granting a temporary waiver of permit fees for plumbing repairs made necessary by the 2021 Presidents Day Winter Storm Event and ratifying any fee waivers administratively approved for this purpose prior to February 24, 2021; providing for adoption of this ordinance on only one reading as an emergency measure; and declaring an effective date.

ADDENDUM POSTED ON SUNDAY, FEBRUARY 21 @ 6:00PM

TAMMY K. COOK, INTERIM 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