



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final City Council

Tuesday, June 1, 2021

6:00 PM

City Council Chambers

**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 a Staff presentation of the Quarter End March 31, 2021 Financial Report, and provide direction to City Manager.

Attachments: [Quarterly Financial Report 2021Q2 FINAL](#)

2. Receive a Staff presentation of the Quarter End March 31, 2021 Investment Report, and provide direction to City Manager.

Attachments: [Quarterly Financial Report 2021Q2 FINAL](#)
 [FY21 Q2 Investments Report Mar 2021 report](#)

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. April 20, 2021 Regular Meeting Minutes
 - B. May 4, 2021 - Work Session Meeting Minutes

C. May 4, 2021 - Regular Meeting Minutes

Attachments: [04.20.2021 Regular Meeting Minutes.pdf](#)
 [05.04.2021 Work Session Minutes.pdf](#)
 [05.04.2021 Regular Meeting Minutes.pdf](#)

4. Consider approval of Ordinance 2021-38, on the second of two readings, amending the official Zoning Map of the City in Case No. ZC-21-01 by rezoning approximately 6.698 acres of land, generally located in the 100 Block of Centerpoint Road, from "FD" Future Development District to "CD-5" Character District-5; and including procedural provisions; and providing an effective date.

Attachments: [Ordinance](#)
 [ZC-21-01 Presentation](#)
 [ZC-21-01 Staff Report](#)
 [ZC-21-01 Maps](#)
 [ZC-21-01 Personal Notification Letter](#)
 [ZC-21-01 Code Comparison](#)
 [ZC-21-01 Comprehensive Plan Checklist](#)
 [ZC-21-01 Application](#)

5. Consider approval of Ordinance 2021-39, on the second of two readings, amending Chapter 6, Animals, to allow for the keeping of miniature goats in Conventional Residential Zoning Districts and establish associated regulations; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

Attachments: [Ordinance](#)

6. Consider approval of Resolution 2021-97R, ratifying a one-year extension of line of duty injury leave for San Marcos Police Officer Claudia Cormier from May 18, 2020 - May 18, 2021; approving an additional extension of Officer Cormier's line of duty injury leave, at full pay, for up to one year from May 18, 2021 to May 18, 2022; and declaring an effective date.

Attachments: [Resolution - Line of Duty Injury Leave - Officer Claudia Cormier.docx](#)

7. Consider approval of Resolution 2021-98R, approving an agreement with Austin Wood Recycling, Inc. for Wood Grinding Services for use by the Neighborhood Enhancement Department in the annual amount of \$26,000.00 and authorizing three annual renewals for a total contract amount of \$104,000.00; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring effective date.

Attachments: [Resolution](#)
 [221-131 Bid Tabulation](#)

8. Consider approval of Resolution 2021-99R, approving a professional services agreement with Freese and Nichols, Inc. for the provision of preliminary engineering services in connection with the Highway 80 Utility Improvements Project in a not-to-exceed amount of \$346,053.00; authorizing the City Manager or his designee to execute the agreement; and

declaring an effective date.

Attachments: [Resolution](#)
 [Map-Highway80.pdf](#)
 [221-145 Highway 80 Utility Project Final.pdf](#)

9. Consider approval of Resolution 2021-100R, approving a Change in Service to the agreement with Plummer Associates, Inc. in the not-to-exceed amount of \$333,215.00 for the design phase of the Blanco Vista Elevated Storage Tank Project; authorizing the City Manager or his designee to execute the appropriate documents to implement the Change in Service on behalf of the City; and declaring an effective date.

Attachments: [Resolution](#)
 [Project Location Map.pdf](#)
 [ARWA Plummer CIS#4 5-12-21.pdf](#)

10. Consider approval of Resolution 2021-101R, seeking reimbursement from the Texas Department of Transportation for the cost of an updated master plan for the San Marcos Regional Airport; authorizing the City Manager or his designee to execute all necessary documents to finalize the request for reimbursement on behalf of the City; and declaring an effective date.

Attachments: [Resolution](#)
 [Designation of Sponsor-Airport Master Plan.pdf](#)

11. Consider approval of Resolution 2021-102R, approving a commitment to support the CAPCOG Clean Air Coalition's Proposed Regional PM2.5 Emission Reduction and Planning Measures for the Austin-Round Rock-Georgetown MSA Regional Air Quality Plan; and declaring an effective date.

Attachments: [Resolution](#)
 [TABLE 1 - PM2.5 Proposed Emission Reduction Measures for the MSA Region](#)
 [PM2.5 Proposed Emission Reduction Measures for the MSA_2021-02-25.docx](#)

12. Consider approval of Resolution 2021-103R, approving a one year hangar lease with Olive Aviation, LLP at the San Marcos Regional Airport in the annual amount of \$14,400.00; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution](#)
 [221-106 Proposal Submittal Log](#)

13. Consider approval of Resolution 2021-104R, rejecting the sole proposal received from Weaver and Tidwell, LLP in response to a Request for Proposals for the HUD Community Development Block Grant Mitigation Grant Internal Audit Services; and declaring an effective date.

Attachments: [Resolution](#)
 [220-241 Proposal Submittal Log](#)

14. Consider approval of Resolution 2021-105R, approving a third amended and restated Interconnection Agreement with the Lower Colorado River Authority Transmission Services Corporation ("LCRA TSC") to update the facility schedules that outline the use and ownership of, and responsibilities for, various appurtenances and components for the Hilltop, Strahan, Ranch Road 12, Rattler, Redwood, and San Marcos Substations; authorizing the City Manager or his designee, to execute said amendment; and declaring an effective date.

Attachments: [Resolution](#)
 [3rd Amendment](#)
 [Res 2009-039 LCRA](#)
 [2016-177R Amended and Restated IA](#)
 [2019-57R Amended and Restated](#)
 [2020-21R Amended and Restated IA](#)

15. Consider approval of Resolution 2021-106R, approving a contract with Freeit Data Solutions, Inc., through the cooperative purchasing agreement with the Texas Department of Information Resources, in the amount of \$355,981.48 for network hardware and software at the new Public Services Complex and the Police Department Renovations and Additions project; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution](#)
 [\\$174,484.20 - FDS 1yr - 20210511.pdf](#)
 [\\$181,497.28 - FDS 1yr - 20210511.pdf](#)

PUBLIC HEARINGS

Persons wishing to participate (speak) during the Public Hearing 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.

16. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-40, annexing into the City approximately 21.73 acres of land generally located 1,500 feet West of the Centerpoint Road and Center Point Court Intersection in No. AN-21-03; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2021-40, on the first of two readings.

Attachments: [AN-21-03 Presentation](#)
 [AN-21-03 Ordinance](#)
 [AN-21-03 Maps](#)
 [AN-21-03 Annexation Service Agreement](#)
 [AN-21-03 Application Documents](#)

17. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-41, amending the Official Zoning Map of the City in Case No. ZC-21-06 by rezoning approximately 10.19 acres of land, generally located 2,000 feet southwest of the of the Centerpoint Road and Centerpoint Court intersection, from "FD" Future

Development District to “CD-1 Character District-1, 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 2021-41 on the first of two readings.

Attachments: [ZC-21-06 Presentation](#)
 [Ordinance](#)
 [ZC-21-06 Staff Report](#)
 [ZC-21-06 Maps](#)
 [ZC-21-06 Personal Notification Letter](#)
 [ZC-21-06 Code Comparison](#)
 [ZC-21-06 Comp Plan Checklist](#)
 [ZC-21-06 Application Documents](#)
 [ZC-21-06 Presentation by Applicant](#)

18. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-42, amending the official zoning map of the city in Case No. ZC-21-07 by rezoning approximately 9.66 acres of land, generally located 1,050 feet West of the of the Centerpoint Road and Centerpoint Court intersection, from “GC” General Commercial and “FD” Future Development Districts to “CD-5” Character District-5, 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 2021-42, on the first of two readings.

Attachments: [ZC-21-07 Presentation](#)
 [Ordinance](#)
 [ZC-21-07 Staff Report](#)
 [ZC-21-07 Maps](#)
 [ZC-21-07 Personal Notification Letter](#)
 [ZC-21-07 Code Comparison](#)
 [ZC-21-07 Comp Plan Checklist](#)
 [ZC-21-07 Application Documents](#)
 [ZC-21-07 Presentation by Applicant](#)

19. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-43, amending the official zoning map of the City in Case No. ZC-21-08 by rezoning approximately 29.66 acres of land, generally located 300 feet West of the of the Centerpoint Road and Centerpoint Court intersection, from “GC” General Commercial and “FD” Future Development Districts to “CD-4” Character District-4, 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 2021-43 on the first of two readings.

Attachments: [ZC-21-08 Presentation](#)
 [Ordinance](#)
 [ZC-21-08 Staff Report](#)
 [ZC-21-08 Maps](#)
 [ZC-21-08 Personal Notification Letter](#)
 [ZC-21-08 Code Comparison](#)
 [ZC-21-08 Comp Plan Checklist](#)
 [ZC-21-08 Application Documents](#)
 [ZC-21-08 Presentation by Applicant](#)

20. Receive a staff presentation and hold a Public Hearing to receive comments for or against Resolution 2021-107R, authorizing the submission of the 2019-2020 Community Development Block Grant ("CDBG") Program Consolidated Annual Performance Evaluation Report ("CAPER") to the United States Department of Housing and Urban Development; and declaring an effective; and consider approval of Resolution 2021-107R.

Attachments: [Presentation](#)
 [Resolution](#)
 [PY2019 CAPER draft](#)

NON-CONSENT AGENDA

21. Consider approval of Ordinance 2021-44, on the first of two readings, amending the City's 2020-2021 fiscal year budget to allocate \$41,705 from State Seized Asset Funds to provide funding for the purchase of equipment for the Crisis Negotiations Team, GPS trackers for CID personnel, and drone mapping software; and declaring an effective date.

Attachments: [Ordinance](#)
 [Police Use of Seized Funds_06012021.pdf](#)

22. Consider approval of Ordinance 2021-45, on the first of two readings, amending Chapter 2, Administration, Article 5, Code of Ethics, by adding a new Division 5 requiring registration of lobbyists and periodic reporting of contacts made by lobbyists with elected City officials, City Board and Commission members, and City Employees; establishing penalties for violations of this ordinance; providing certain exemptions from lobbying registration and reporting requirements; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

Attachments: [Lobbying Ordinance - For First Reading on June 1, 2021](#)
 [Lobbying ordinance updates 10-13-2020 redline](#)

23. Consider approval of Ordinance 2021-46, on first and final reading, authorizing the issuance of City of San Marcos, Texas General Obligation Refunding Bonds in the amount not to exceed \$75,000,000 in one or more series; approving an official statement, a paying agent/registrar agreement, a bond purchase agreement and an escrow agreement; establishing the procedures for selling and delivering one or more series of the bonds; providing for the approval of this ordinance on one reading only as authorized by state law;

and authorizing other matters relating to the bonds.

Attachments: [Ordinance 05.24.2021 2021-46](#)
 [San Marcos refunding info \(5.13.21\)](#)
 [San Marcos 2021 GO Ref Timeline](#)

24. Consider approval of Resolution 2021-108R, directing publication of a notice of intention to issue certificates of obligation in the amount not to exceed \$73,670,000 for constructing, improving, designing, acquiring and equipping the City's (1) water and waste water system; (2) electric utility system; (3) streets including related drainage, sidewalks, traffic improvements and lighting, including acquisition of right-of-way; (4) municipal buildings to include HVAC improvements, roof replacements and security improvements; (5) stormwater management and flood control facilities, including acquisition of land; (6) airport; (7) public safety facilities to include police and fire improvements and technology equipment upgrades; (8) network and fiber optic infrastructure equipment; (9) recreational facilities including parks and sports fields; (10) a new public services facility, including acquisition of land; (11) parking facilities; and (12) 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.

Attachments: [2021 Debt Sale Presentation.pdf](#)
 [Intent Resolution A 5.24.2021 Res 2021-108R](#)
 [San Marcos CO 2021A&B Timeline](#)
 [2021 CIP Final for Debt Sale FINAL.pdf](#)

25. Consider approval of Resolution 2021-109R, supporting and authorizing the submission of applications by the Parks and Recreation and Engineering Departments to the Hays County Parks and Open Space Advisory Commission ("POSAC") for Hays County 2020 Parks Bond funds to fund City Parkland improvement, acquisition and flood mitigation projects; and declaring an effective date.

Attachments: [Resolution](#)

26. Discuss and consider appointment(s) to fill vacancies on the following Boards and Commissions, and provide direction to staff:
- A) Animal Shelter Advisory Board
 - B) Historic Preservation Commissions
 - C) Library Board
 - D) Neighborhood Commission
27. Hold Discussion regarding a temporary, in house, grant writer with experience in organizing non-profits to organize and fortify our non-profits not only to help with those recently homeless due to the fall-out of Covid, but also for any future pandemic emergencies and natural disasters, and provide direction to the City Manager.
28. Hold Discussion related to Mexican American and Indigenous Heritage and Cultural District, and provide direction to Staff.

Attachments: [RESOLUTION Establishing Heritage Cultural District.pdf](#)
[Mexican American and Indigenous Heritage and Cultural District FAQ.docx](#)

29. Hold discussion on a Recommendation Resolution submitted by the Convention and Visitor Bureau Board, requesting support of the Lights Out, Texas! initiative regarding turning off or dimming non-essential lighting during migratory peak periods, and provide direction to Staff.

Attachments: [Memo Regarding Lights Out for Migrating Birds – Light Out, Texas! - 042021.pdf](#)
[Resolution Lights Out Texas.pdf](#)

30. Hold discussion on a Recommendation Resolution submitted by the Parks and Recreation Board, requesting that the City Council to evaluate the parkland fee calculation methodology within the San Marcos Land Development Code, and provide direction to the City Manager.

Attachments: [Cover Memo - Recommendation Resolution 2020-05RR](#)
[Recommendation Resolution 2020-05RR](#)

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.

31. Executive Session in accordance with Sec. §551.071 of the Texas Government Code: Consultation with Attorney: To receive advice of legal counsel regarding the Purchase and Sale Agreement with Pursuant Ventures Development, LLC for the San Marcos Sportsplex Project

ACTION/DIRECTION FROM EXECUTIVE SESSION

32. Consider action, by motion, or provide direction to Staff regarding the following Executive Session item held during the Work Session and/or Regular Meeting:
Sec. §551.071 of the Texas Government Code: Consultation with Attorney: To receive advice of legal counsel regarding the Purchase and Sale Agreement with Pursuant Ventures Development, LLC for the San Marcos Sportsplex Project

VI. Adjournment.

POSTED ON TUESDAY, MAY 25, 2021 @ 4:30PM

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