



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Regular Meeting Agenda - Final City Council

---

Monday, October 4, 2021

6:00 PM

City Council Chambers

---

630 E. Hopkins

This will be a hybrid (in-person/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](mailto:citizencomment@sanmarcostx.gov) the day prior to the meeting and before 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. 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.*

### 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.*

1. Consider approval, by motion, of the following meeting minutes:
  - a. September 7, 2021 - Work Session Meeting Minutes
  - b. September 7, 2021 - Regular Meeting Minutes
2. Consider approval of Ordinance 2021-78, on the second of two readings, annexing into the City approximately 390.25 acres of land generally located between Harris Hill Road and the future FM 110 north of Harris Hill Road, in Case No. AN-21-05; including procedural provisions; and providing an effective date.
3. Consider approval of Ordinance 2021-79, on the second of two readings, amending the Official Zoning Map of the City in Case No. ZC-21-12 by rezoning approximately 363.72 acres of land, generally located between Harris Hill Road and future FM 110 north of Harris

Hill Road, from "FD" Future Development to "CD-3" Character District-3, or, subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and providing an effective date.

4. Consider approval of Ordinance 2021-80, on the second of two readings, amending the Official Zoning Map of the City in Case No. ZC-21-13 by rezoning approximately 34.13 acres of land, generally located on the western side of Harris Hill Road approximately 1,400 feet south of the intersection of Harris Hill Road and Southpoint Drive, from "FD" Future Development District 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.
5. Consider approval of Ordinance 2021-81, on the second of two readings, amending the Official Zoning Map of the City in Case No. ZC-21-14, by rezoning approximately 72.06 acres of land, generally located on the I-35 turnaround access road approximately 3200 feet south of the intersection of the North I-35 Frontage Rd and Saddle Run Way, from "FD" Future Development District to "EC" Employment Center District, or subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and providing an effective date.
6. Consider approval of Ordinance 2021-82, on the second of two readings, amending the Official Zoning Map of the City in Case No. ZC-21-15, by rezoning approximately 16.09 acres of land, generally located on the eastern side of Harris Hill Road approximately 2,400 feet south of the intersection of Harris Hill Road and Southpoint Drive, from "FD" Future Development District to "EC" Employment Center District, 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 Resolution 2021-203R, approving a Professional Services Agreement with Freese & Nichols for the development of an emergency preparedness plan for the City's water utilities as required by recently enacted legislation in the estimated amount of \$59,353.00; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.
8. Consider approval of Resolution 2021-204R, approving a Change in Service to the agreement with DLT Solutions, through the Department of Information Resources Cooperative Purchasing Program, to renew the Autodesk Annual subscription for use by Engineering staff in the estimated annual amount of \$20,543.76 for a total contract price of \$58,998.38 which includes three 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.
9. Consider approval of Resolution 2021-205R, awarding a contract to Weaver and Tidwell, LLP for internal audit services concerning the activities of the City under the CDBG Mitigation-Infrastructure Grant Program in the estimated amount of \$72,000.00 per year, over a term of three years, with the option to renew for up to three additional one-year periods; authorizing the City Manager, or his designee, to execute the contract on behalf of the City; and declaring an effective date.

10. Consider approval of Resolution 2021-206R, approving a contract with Metro Fire Apparatus Specialists, Inc., through the Houston-Galveston Purchasing Cooperative agreement, for the purchase of a new fire engine in the amount of \$789,285.00; authorizing the City Manager or his designee to execute the contract on behalf of the City; and declaring an effective date.

## NON-CONSENT AGENDA

11. Consider approval of Ordinance 2021-85, on the first of two readings, reducing the speed limit from 30 miles per hour to 25 miles per hour along the streets in the Forest Hills Subdivision; authorizing the installation of signs and traffic control devices reflecting the new speed limit; directing that the traffic register maintained under Section 82.067 of the San Marcos City Code be amended to reflect the new speed limit; and including procedural provisions.
12. Consider approval of Resolution 2021-207R, awarding an Indefinite Delivery Indefinite Quantity Master Contract to Greenstone Electrical Services, LLC for electric distribution construction services on an as needed basis in the potential not-to-exceed amount of \$5,752,830.00 for a total term of five years with an initial term of three years and two additional optional annual renewals; authorizing the City Manager or his designee to execute the contract on behalf of the City; and declaring an effective date.
13. Discuss and consider an appointment to fill a vacancy on the Historic Preservation Commission, and provide direction to staff.
14. Hold discussion on the disposition of all city owned personal property, and provide direction to Staff.
15. Hold discussion regarding the City Council Work Session meeting format, and provide direction to Staff.
16. Hold discussion on Recommendation Resolution 2021-01RR, of the Neighborhood Commission, regarding amendments to the current Short-Term Rental, and provide direction to Staff.

## 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.*

17. Executive Session in accordance with the following:
  - A. Section §551.071 of the Texas Government Code: Consultation with Attorney: - To receive legal counsel regarding the pending wastewater discharge application dockets; the application of HK Real Estate Development, LLC for proposed permit for new TPDES Permit No. Q0015784001; TCEQ Docket No. 2021-0053-MWD; SOAH Docket No. 582-21-1893
  - B. Sec. §551.071 of the Texas Government Code: Consultation with Attorney: To receive legal counsel regarding state law preemption of city ordinances regulating the sale or use

of single-use packages and containers

C. Sec. §551.074 of the Texas Government Code: Personnel Matters: to discuss the City Manager Search Process

## **ACTION/DIRECTION FROM EXECUTIVE SESSION**

18. Consider action, by motion, or provide direction to Staff regarding the following Executive Session item held during the Work Session and/or Regular Meeting:
  - A. Section §551.071 of the Texas Government Code: Consultation with Attorney: - To receive legal counsel regarding the pending wastewater discharge application dockets; the application of HK Real Estate Development, LLC for proposed permit for new TPDES Permit No. Q0015784001; TCEQ Docket No. 2021-0053-MWD; SOAH Docket No. 582-21-1893
  - B. Sec. §551.071 of the Texas Government Code: Consultation with Attorney: To receive legal counsel regarding state law preemption of city ordinances regulating the sale or use of single-use packages and containers
  - C. Sec. §551.074 of the Texas Government Code: Personnel Matters: to discuss the City Manager Search Process

## 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 TUESDAY, SEPTEMBER 28, 2021 @ 12:00PM**

**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](mailto:ADArequest@sanmarcostx.gov)