

**RESOLUTION NO. 2023-96R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING A MEET AND CONFER AGREEMENT WITH THE SAN MARCOS POLICE OFFICERS' ASSOCIATION; PROVIDING AN EFFECTIVE DATE FOR THE AGREEMENT; AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY; AND DECLARING AN EFFECTIVE DATE FOR THIS RESOLUTION.**

**RECITALS:**

1. On September 6, 2022, the City Council adopted Resolution No. 2022-203R to approve a Meet and Confer Agreement with the San Marcos Police Officers' Association concerning wages, salaries, rates of pay, hours of work and other terms of employment (the "Meet and Confer Agreement")

2. On November 2, 2022, a petition was filed in the office of Elizabeth Trevino, City Clerk, calling for the repeal of the Meet and Confer Agreement.

3. The City Clerk reviewed the signatures affixed to the petition and presented the results of her review to the city council at its regular meeting on January 3, 2023. She found the petition to contain the signatures of at least 383 voters, which represents at least 10 percent of the number of voters who voted in the election for city council offices in the November 2021 general election and she certified petition to be valid.

4. Texas Local Government Code, Section 142.066 (b), requires the governing body of a municipality that receives a valid petition for repeal of a meet and confer agreement to either repeal the agreement or call an election to determine whether to repeal the agreement.

5. On February 7, 2023, the City Council considered the petition and voted to repeal the agreement rather than to send the agreement to the voters at the next regular election. The Council set an effective date for the repeal of June 7, 2023, and directed the City Manager to re-engage the San Marcos Police Officers' Association in negotiations for a new agreement with a goal of bringing the new agreement back to Council before that date.

6. Accordingly, the City Manager has negotiated a new agreement and recommends approval by the City Council.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:**

**PART 1.** The Recitals are true and correct and incorporated herein.

**PART 2.** The San Marcos City Council hereby approves the Meet and Confer Agreement

with the San Marcos Police Officers' Association (the "Agreement") attached hereto as Exhibit "A," and made a part hereof.

**PART 3.** The Agreement shall be effective as of June 8, 2023.

**PART 4.** The City Manager, or her designee, is hereby authorized to execute the Agreement on behalf of the City.

**PART 5.** This resolution shall be in full force and effect immediately from and after its passage and adoption.

**ADOPTED** on May 16, 2023.

Jane Hughson  
Mayor

Attest:

Elizabeth Trevino  
City Clerk