



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Meeting Minutes City Council

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Friday, September 1, 2017

12:00 PM

City Council Chambers

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### 630 E. Hopkins - Packet Meeting

#### I. Call To Order

**With a quorum present, the packet workshop meeting of the San Marcos City Council was called to order by Mayor Thomaides at 12:07 p.m. Friday, September 1, 2017 in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666.**

#### II. Roll Call

**Present:** 7 - Mayor John Thomaides, Mayor Pro-Tem Jane Hughson, Deputy Mayor Pro Tem Lisa Prewitt, Council Member Saul Gonzales, Council Member Ed Mihalkanin, Council Member Scott Gregson and Council Member Melissa Derrick

1. Consider Staff briefing and Council Member discussion and questions regarding items on the agenda for September 5, 2017 Regular City Council Meeting, to wit Items (3-29).

#### PRESENTATIONS

3. Presentation and discussion regarding a potential agreement with Car2Go NA, Ltd. for provision of car sharing services in San Marcos.
4. Presentation and discussion regarding a potential agreement with Spin for provision of bike sharing services in San Marcos.

#### CONSENT AGENDA

5. Motion, approving the following meeting Minutes:

- A) July 31, 2017 - Code SMTX Workshop Meeting Minutes
- B) August 1, 2017 - Regular Meeting Minutes
- C) August 7, 2017 - Code SMTX Workshop Meeting Minutes
- D) August 11, 2017 - Packet Meeting Workshop Minutes
- E) August 15, 2017 - Regular Meeting Minutes
- F) August 22, 2017 - Special Meeting Minutes

6. Ordinance 2017-44, on the second of two readings, approving an amendment to the Preferred Scenario Map of the City's Comprehensive Plan to change the land use intensity designation for a 0.212 acre, more or less, tract of land located at 323 Lindsey Street from an area of stability to high intensity; amending the Official Zoning Map of the

City by rezoning this tract from "MF-24" Multiple-Family Residential District to Smartcode "T5" Urban Center District.

7. Resolution 2017-131R, approving an agreement with Freese and Nichols, Inc. for the provision of a professional engineering services in connection with the Community Development Block Grant - Disaster Recovery (CDBG-DR) Uhland Road Improvements design amount estimated at \$677,419 contingent upon the consultant's provision of sufficient insurance in accordance with the attached agreement; authorizing the City Manager or his designee to execute this agreement on behalf of the City.

8. Resolution 2017-132R, approving the filing of an application for a loan in the amount not to exceed \$4,400,000 with the Texas Water Development Board to be used for the acquisition of undeveloped land over the Edwards Aquifer Recharge Zone to mitigate nonpoint source pollution in the Edwards Aquifer and the San Marcos Springs and River; designating an authorized representative to act on behalf of the City for the purpose of furnishing information and executing documents that may be required in connection with the preparation and filing of the application; designating firms and individuals authorized and directed to aid and assist the City in the preparation and submission of the application for financial assistance and to appear on behalf of and represent the City in any hearing held by the Texas Water Development Board on the application.

9. Resolution 2017-133R, approving an agreement between the City and Credit Systems International, Inc. for the provision of debt collection services for an amount estimated at \$20,000.00 for each year of the five year term of the agreement; authorizing the City Manager or his designee to execute the agreement on behalf of the City.

10. Resolution 2017-134R, finding a 2.5 inch fire hose once utilized by the Fire Department to be surplus property and of no value to the City; authorizing such fire hose to be donated to the York Creek Volunteer Fire Department.

11. Resolution 2017-135R, approving an Assignment and Assumption of License Agreement that assigns the license agreement with Carma Paso Robles, LLC for subdivision gateway improvements for the Kissing Tree Subdivision in the City's right-of-way to the homeowners' association for the subdivision; authorizing the City Manager to execute said agreement on behalf of the City.

#### PUBLIC HEARINGS

12. Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2017-47, on the first of two readings, amending the Official Zoning Map of the City by rezoning a 3.553 acre tract of land located within the Cottonwood Creek Subdivision Master Plan near the intersection of State Highway 123 and Rattler Road, from "DR" Duplex Restricted District to "GC" General Commercial.

13. Staff presentation and hold a Public Hearing to receive comments for or against the

approval of Ordinance 2017-48, on the first of two readings, adopting a Budget in the amount of \$193,811,647 for the Fiscal Year beginning October 1, 2017 and ending September 30, 2018; authorizing certain adjustments to the Budget with the approval of the City Manager; approving fiscal year 2017-2018 Capital Improvements Program Projects.

14. Staff presentation and the first of two Public Hearings to receive comments for or against Ordinance 2017-49, on the first of two readings, setting the Property Tax Rate for the 2017 Tax Year at 61.39 cents on each \$100 of taxable value of property that is not exempt from taxation; levying taxes for the use and support of the Municipal Government of the City for the Fiscal Year beginning October 1, 2017 and ending September 30, 2018; providing a Sinking Fund for the retirement of the bonded debt of the City.

15. Staff presentation and Public Hearing to receive comments for or against Ordinance 2017-50, on the first of two readings, increasing drainage utility rates as authorized by Section 86.505 of the San Marcos City Code.

16. Staff presentation and Public Hearing to receive comments for or against Ordinance 2017-51, on the first of two readings, increasing rates established for Water, Wholesale Water, Reclaimed Water, Wastewater Treatment, and Sewer Surcharges.

17. Staff presentation and Public Hearing to receive comments for or against Ordinance 2017-52, on the first of two readings, amending the rates for both Residential and Multifamily Customers of Municipal Solid Waste Programs in accordance with Section 66.028 of the San Marcos Code of Ordinances.

#### NON-CONSENT AGENDA

18. Ordinance 2017-46, on the first of two readings, creating a designated permit area under Section 82.189 of the San Marcos City Code to require parking by permit only on the west side of the 400 Block of McGehee Street between Cheatham Street and Grove Street from 3:00 pm to 9:00 pm daily; amending the traffic register to reflect the designated permit area.

19. Ordinance 2017-53R, on the first of two readings, amending section 2.566 of the San Marcos City Code to authorize City Manager, Bert Lumbreras, to approve change orders to City contracts involving increases or decreases of \$50,000 or less.

20. Resolution 2017-136R, adopting, in Resolution form, the "City Council statement regarding Senate Bill 4 (SB4) and pending litigation about the bill," previously approved by motion of the Council on August 15, 2017.

21. Resolution 2017-137R, recognizing the uncanvassed returns and declaring results of the General Election, held on November 8, 2016, for the purpose of electing a Mayor, City Council Member, Place One, City Council Member, Place Two, and a Special Election to

fill a vacancy for the one year remainder of the unexpired term of City Council Member Place Three which was conducted concurrently with the General Election.

22. Resolution 2017-138R, approving the sale of a tract of property identified as Lots 14, Block 33, Victory Gardens (Property ID No. R46543), acquired by Hays County for unpaid taxes, to Dean Cherer for \$1,100; authorizing the execution of any deed or instruments necessary to complete the sale.

23 Resolution 2017-139R, approving a financing agreement with Whisper Master Community Limited Partnership and Yarrington Partners Ltd. in connection with the Whisper Public Improvement District; authorizing the City Manager to execute said agreement on behalf of the City.

24. Resolution 2017-140R, approving a 2nd amendment to the term sheet attached to Resolution 2014-143 regarding the advisability of the improvements in the Whisper Public Improvement District for the purpose of extending the date by which construction of the public improvements must completed to May 1, 2018 and amending the maximum annual assessment rate as an equivalent tax rate from \$0.150 per hundred dollars valuation to a maximum rate of \$0.170 for residential property and a maximum rate of \$0.220 for non-residential property.

25. Resolution 2017-141R, providing nominations to serve on the Hays Central Appraisal District Board of Directors for a two year term commencing on January 1, 2018.

26. Motion, authorizing the first Regular City Council meeting of October to be changed due to National Night Out, and authorizing the first Regular City Council meeting of November to be changed due to the General and Special Election.

27. Staff update and discussion regarding the following Fall 2017 Preferred Scenario Amendment;

A.) SLF II - HWY 360 & Camp Wisdom LP & SLF II San Marcos LP & ET AL., 95 acres, more or less, located adjacent to North IH 35 and Champions Boulevard, submitting a request to change from Medium Intensity to Employment Center, and also requesting a change from General Commercial to Light Industrial.

28. Staff presentation and discussion regarding State Lobbying Services, and direction to Staff.

29. Discussion to consider the creation of enforcement mechanisms that would require Purpose Built Student Housing Developments to provide alternative housing options to lease holders if the development has not received a certificate of occupancy by the original agreed upon move-in date, and direction to Staff.

**The City Council held discussion and asked questions regarding items on the agenda for the September 5, 2017 Regular City Council Meeting, to wit Items (3-29).**

**Item #5 Staff to ensure the July 31, 2017 and August 7, 2017 minutes are included.**

**Item #14 Staff notified the Council that the caption would be expanded to ensure that the language regarding the increase being approved by the voters in May is included.**

**Item #15 Staff will bring back an Ordinance changing drainage to stormwater management. Staff will break out the costs of what the drainage utility supports.**

**Item #24 Staff will amend the caption to change the date from May 1, 2018 to September 1, 2018.**

**Item #29 Staff will provide the Council with what the Student Housing subcommittee has come up with at their meetings and will include Springtown Agreement language.**

**No further direction was provided.**

III. Question and Answer Session with Press and Public.

**None.**

IV. Adjournment.

**Mayor Thomaides adjourned the packet meeting of the San Marcos City Council at 1:00 p.m.**

Jamie Lee Case, City Clerk, TRMC

John Thomaides, Mayor