



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Meeting Minutes City Council

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Tuesday, January 30, 2018

6:00 PM

City Council Chambers

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630 E. Hopkins

### I. Call To Order

**With a quorum present, the regular meeting of the San Marcos City Council was called to order by Mayor Thomaides at 6:05 p.m. Tuesday, January 30, 2018 in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666**

### II. Roll Call

**Present:** 6 - Mayor Pro Tem Lisa Prewitt, Council Member Saul Gonzales, Deputy Mayor Pro Tem Scott Gregson, Council Member Melissa Derrick, Mayor John Thomaides and Council Member Ed Mihalkanin

**Absent:** 1 - Council Member Jane Hughson

### III. Invocation

**Pastor Jon Zmikly, with San Marcos Community Churchs provided this evening's invocation.**

### IV. Pledges Of Allegiance - United States And Texas

**Abby Strait, from the San Marcos Texas Preparatory School led the assembly in the Pledges of Allegiance.**

### V. 30 Minute Citizen Comment Period

**Dr. Shetay Ashford, faculty member at Texas State wanted to thank Council for appointing her to Economic Development San Marcos Board last year. She spoke about the creation of the Dunbar Cultural District. The creation of this cultural district would help strengthen the African American Community. Dr. Ashford submitted a petition of over 100 names of African American community members that support this district. She also noted the lack of sidewalks in the the Dunbar neighborhood.**

**Ramika Adams, expressed her appreciation for the opportunity to speak of the rehabilitation of the Baptist Church on MLK Drive in the Dunbar District. The creation of a Dunbar Cultural District will help preserve the community and will allow more opportunity for tourism and more resources to come into our**

community. It will offers an opportunity for all voices to be heard.

Wayne Thompson, stated that an intentional effort is needed to preserve the Dunbar area. Mr. Thompson grew up in San Marcos and sang in the choir at Bowie and Travis. He spoke of Gospel music and how it needs to be preserved and through the Arts Commission a gospel music festival was funded. He provided a brief history of Gospel music and how it is not just entertainment and there is a need to preserve their heritage, and their music. A larger platform is needed to educate the children and the entire community. He mentioned the recording of his album that was created in this area and the praise he gave to San Marcos on this music project.

Roland Saucedo, spoke about the Neighborhood Districts and the issues with the Land Development Code. He understands that much time has been invested on this, but there is still stuff that we don't know. What is a Neighborhood Character Study? Once we do it what will you guys do with that information? When we are looking at the Neighborhood Districts there are the existing neighborhoods and there is a culture there and we need to preserve it. He understands that the Council could be growing impatient and tired, but you guys are the ones that decided to run and sit on that Dais. He asked that the Council to look at the seriousness in regards to passing Code SMTX.

Eric West, expressed his appreciation that Council is considering mobility parking. He believes this is helpful, but also wants to form a Mayor's Committee on Disability. He mentioned the American Disabilities Act (ADA) has been around for years and it is the least listened to statute regarding civil rights. Disabled persons are trying to get governments to listen to ADA. He knows it is expensive, but this committee can assist with providing recommendations related to how the city spends money on handicap accessibility. Its not that you don't want to help, its just you don't know how.

Robyn Katz, stated that she is a prosecutor and on the State Bar of Texas. She spoke to the Council about an incident involving a pregnant dog that was chained up during the recent cold spell. She provided that there was also a violation regarding the dog not having a swivel. She said the dog house was leaking and that the dog could not get to the dog house. She stated the San Marcos Police Department doesn't handle animal control issues. She sent this to KXAN and the City of San Marcos stated there was nothing illegal. She is demanding transparency because there was illegal things about this case.

## **PRESENTATIONS**

1. Receive a Staff presentation regarding the Community Development Block Grant Program Year 2018, and provide direction to Staff.

**Aaron Harris, Community Initiatives Program Director, provided the Community Development Block Grant Program Year 2018 presentation. He provided an update on HUD funding allocation, City allocation in the past, current projects underway, and the next steps in the planning process.**

**Council asked about the the East Side Resource Center project that has been discussed in the past. Dr. Mihalkanin recommended that we be extraordinarily flexible and look for multiple avenues to fund the resource center.**

**City Manager Lumbreras was under the impression that the Council was wanting to partner with someone like GSMP, Texas State or the School District. What exactly are we trying to solve? If we need a facility or a program then we can move forward from there. Mayor agreed that we talk about this during CDBG time. Mr. Lumbreras indicated that he will be happy to talk to our partners at GSMP and the School District to discuss what the community needs are and he will present some ideas to the Council.**

**Mayor Thomaides would like an update on the Housing Rehab program. Staff will provide Council with a history of this program.**

2. Receive a presentation from the San Marcos Greenbelt Alliance regarding a proposed regional trail system.

**Sherwood Bishop, with the Greenbelt Alliance, provided the City Council with a presentation regarding the Emerald Crown Trail Planning Phase of a Regional Trail connecting communities in Eastern Hays County. He provided that a Regional Trail work group was established that consists of partners (San Marcos Greenbelt Alliance, Hays County, cities of Kyle, Buda and San Marcos) and Stakeholders Guadalupe-Blanco River Trust, Meadows Center, Hill Country Conservancy, Take-a-Hike San Marcos, Texas State University Geography Department. Mr. Bishop provided the purposes of the trail and their vision for the trail. He provided the progress thus far and a map and analysis of conceptual trail routes. He provided the next steps of the process. He stated they may request assistance from the parks, planning, GIS, and grant staffs to assist as they move forward.**

3. Receive a report and recommendation from the 214 E. Hutchison Council Committee, and provide direction to the City Manager.

**Kevin Burke, Economic Development & Downtown Coordinator, provided the**

**Council with a report and recommendation from the 214 E. Hutchinson Council committee. Council provided direction to place this project in the 2019 CIP budget and Staff will follow up related to the concerns of use that Deputy Mayor Pro Tem Gregson expressed which will ensure that it is alcohol and smoke free.**

## **CONSENT AGENDA**

**A motion was made by Council Member Mihalkanin, seconded by Deputy Mayor Pro Tem Gregson to approve the consent agenda with the exception of Item 4A which was postponed until the next Regular City Council Meeting, and items # 6 and #9 which were pulled and considered separately. The motion carried by the following vote:**

4. Consider approval, by motion, of the following meeting Minutes:
  - A) December 19, 2017 - Work Session Meeting Minutes
  - B) December 19, 2017 - Regular Meeting Minutes
5. Consider approval of Ordinance 2017-68, on the second of two readings, annexing into the City approximately 59.734 acres of land, being Phase 1, Section 1, La Cima Subdivision, located West of the intersection of Old Ranch Road 12 and the extension of Wonder World Drive; approving a service plan for this area; including procedural provisions; and providing an effective date.
6. Consider approval of Resolution 2018-01R, approving the submission of a grant proposal to the National Fish and Wildlife Foundation Five Star and Urban Waters Restoration Grant Program for funding in the amount of \$30,000 to be applied toward projects that will ensure clean water flow from Sessom Creek to the San Marcos River; approving matching funds in the amount of the grant request; and declaring an effective date.

**A motion was made by Council Member Mihalkanin, seconded by Deputy Mayor Pro Tem Gregson, to approve Resolution 2018-01R. The motion carried by the following vote:**

**For:** 6 - Mayor Pro Tem Prewitt, Council Member Gonzales, Deputy Mayor Pro Tem Gregson, Council Member Derrick, Mayor Thomaides and Council Member Mihalkanin

**Against:** 0

**Absent:** 1 - Council Member Hughson

7. Consider Approval of Resolution 2018-02R, approving the award of an emergency construction contract to the Fence Lady, Inc. in the amount of \$83,680.00 for the waterline repair at the San Marcos Activity Center; ratifying the City's execution of the contract documents and declaring an effective date.

8. Consider approval of Resolution 2018-03R, approving the award of emergency construction contracts to the Fence Lady, Inc. in the amount of \$85,400.00 for structural repairs and to Firetrol Protection Systems inc. in the amount of \$35,905.00 for fire suppression system repair at the San Marcos Regional Airport; ratifying the City's execution of the contract documents and declaring an effective date.
9. Consider approval of Resolution 2018-04R, awarding a contract to T.F. Harper and Associates, LP. for construction of a playscape at Children's Park in the amount of \$1,251,516.00 contingent upon the Contractor's timely submission of sufficient bonds and insurance as required; through an Interlocal Agreement with Region 19 education service center; authorizing the City Manager or designee to execute the appropriate purchasing documents on behalf of the City and declaring an effective date.

**A motion was made by Deputy Mayor Pro Tem Gregson, seconded by Council Member Mihalkanin, to approve Resolution 2018-04R. The motion carried by the following vote:**

**For:** 6 - Mayor Pro Tem Prewitt, Council Member Gonzales, Deputy Mayor Pro Tem Gregson, Council Member Derrick, Mayor Thomaides and Council Member Mihalkanin

**Against:** 0

**Absent:** 1 - Council Member Hughson

10. Consider approval of Resolution 2018-05R, approving the award of a Construction Renovation Contract to the Fence Lady, Inc. for the Public Services Building (IFB 218-022) in the amount of \$45,509.50 contingent upon the contractor's timely submission of sufficient bonds and insurance in accordance with the City's construction contract documents for the project; authorizing the City Manager or his designee to execute all contract documents on behalf of the City and declaring an effective date.
11. Consider approval of Resolution 2018-06R, approving the award of a construction contract to M2 Federal, Inc. for the Biofiltration Pond Project (IFB 218-005) in the amount of \$413,524.10 contingent upon the contractor's timely submission of sufficient bonds and insurance in accordance with the City's construction contract documents for the project; authorizing the City Manager or his designee to execute all contract documents on behalf of the City and declaring an effective date.
12. Consider approval of Resolution 2018-07R, approving an agreement between the City and K Friese & Associates, Inc. for the provision of Professional Engineering Services in connection with the Sessom Waterline Repair Design Project in the estimated amount of \$78,650.00 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; and declaring an effective date.
13. Consider approval of Resolution 2018-08R, approving an agreement between the City and K. Friese & Associates, inc. for the provision of Community Development Block Grant-Disaster Recover (CDBG-DR) Professional Engineering Services for Midtown

Drainage Improvements, the City's fourth CDBG-DR Project, in the estimated amount of \$140,777.00 contingent upon the engineer'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; and declaring an effective date

14. Consider approval of Resolution 2018-09R, approving the release of an approximately 600 square foot Electric Facilities Easement and a temporary turn around easement at 1451 Sadler Drive; authorizing the City Manager to execute this release of easement on behalf of the City; and declaring an effective date.
15. Consider approval of Resolution 2018-10R, ratifying an Interlocal Agreement between the City and The University of Texas at Austin for aid in City Council Workshop Facilitation; approving funding under this agreement in the amount of \$13,000.00; authorizing the City Manager or his designee to execute the agreement; and declaring effective date.
16. Consider approval, by motion, of an Authorization of Change in Services in a not to exceed amount of \$105,216.02 for additional body and vehicle camera systems for Animal Control, Code Compliance, Fire Marshals, and Park Ranger Divisions of Neighborhood Services Department.

#### **NON-CONSENT AGENDA**

17. Consider approval of Ordinance 2018-01, on the first of two readings, amending Section 2.369 of the San Marcos City Code to require the City's Economic Development Board ("EDSM") to hold meetings at least four times per year, and at least once per quarter; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

**A motion was made by Deputy Mayor Pro Tem Gregson, seconded by Mayor Pro Tem Prewitt, to approve Ordinance 2018-01, on the first of two readings. The motion carried by the following vote:**

**For:** 6 - Mayor Pro Tem Prewitt, Council Member Gonzales, Deputy Mayor Pro Tem Gregson, Council Member Derrick, Mayor Thomaides and Council Member Mihalkanin

**Against:** 0

**Absent:** 1 - Council Member Hughson

#### **VI. Question and Answer Session with Press and Public.**

**Eric West, asked about forming a Mayor's Committee on Disability. He asked when this could happen. Mayor stated that they can discuss this offline.**

**Mike Larson, stated he was the lowest bidder on Resolution 2018-06R (Biofiltration Pond Project), but was not awarded the project. He provided a written letter to council and hopes they can consider this and make changes in the future.**

VII. Adjournment.

**Mayor Thomaides adjourned the Regular Meeting of the San Marcos City Council at 8:03 p.m.**

**Jamie Lee Case, City Clerk**

**John Thomaides, Mayor**