



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes City Council

Tuesday, September 4, 2018

6:00 PM

City Council Chambers

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 6:03 p.m. Tuesday, September 4, 2018 in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666.

II. Roll Call

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

III. Invocation

A moment of silence was observed and the Mayor asked that we please remember the five young people we lost in the fire recently at Iconic Village.

IV. Pledges Of Allegiance - United States And Texas

Council Member Derrick led the assembly in the pledges of allegiance.

V. 30 Minute Citizen Comment Period

Sharri Boyett, addressed the Council as an animal advocate and asked the Council and the public to support everything that is within the budget and to also support additional funding for vet services and the maximum number of spay-neuter. She asked that the Council adopt a resolution for 90% live outcomes at the Animal Shelter.

Kate Shaw, would like to add on to what Sharri Boyette stated. Would like to commend Staff and Council for their attention to this matter and for their work on the proposals for additional animal services funding. She is in support and these additions will make a big difference.

Pat Valls-Trelles, read her letter aloud:

We request that the entire amount of increased revenue being generated by the contracts with Hays County, the City of Kyle, and the City of Buda be used to

either increase funding for shelter services provided by the San Marcos shelter or for spay/neuter services for residents of Buda, Kyle, San Marcos, and Hays County or for a combination of the two. Letter is signed by Laura Hughes, Kelly Fenoglio Arthur, Jennifer Renter, Alexandria Saenz, Calene Summers, and Pat Valls-Trelles.

She also stated that San Marcos and Hays County are woefully underfunding for spay-neuter programs and it is not keeping up with the growth. Austin's Emancipet is available, which offers low-cost spay-neuter program, and San Marcos residents are utilizing those services, but this is putting additional pressure on that program.

CONSENT AGENDA

Council Member Hughson abstained from voting on Item #5 and #6, relating to green space, as to avoid the appearance of impropriety.

A motion was made by Deputy Mayor Pro Tem Gregson, seconded by Council Member Mihalkanin, to approve the consent agenda, with the exception of item #9 and #11, which were pulled and considered separately. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Deputy Mayor Pro Tem Gregson, Council Member Derrick, Council Member Hughson, Mayor Thomaidis and Council Member Mihalkanin

Against: 0

1. Consider approval, by motion, of the following meeting Minutes:
 - A) August 6, 2018 - Ethics Workshop Minutes
 - B) August 21, 2018 - Work Session Meeting Minutes
 - C) August 21, 2018 - Regular Meeting Minutes
2. Consider approval of Ordinance 2018-24, on the second of two readings, reducing the speed limit to 30 miles per hour from the present speed limits of 35 and 45 miles per hour along the sections of Hopkins Street and Hunter Road located between Guadalupe Street (Loop 82) and Wonder World Drive (RM 12); authorizing the installation of signs and traffic control devices reflecting such new speed limit; directing that the traffic register maintained under Section 82.067 of the San Marcos City Code be amended to reflect such new speed limit; and, including procedural provisions.
3. Consider approval of Ordinance 2018-26, on the second of two readings, amending the Official Zoning Map of the City by rezoning 0.2068 acres, more or less, legally known as the Westover Addition, Block 27, Lot 329, located at 1012 North Bishop Street from "SF-6" Single Family-6 to "ND-3" Neighborhood Density - 3, and including procedural

provisions.

4. Consider approval of Ordinance 2018-28 (ZC-18-09 (beyond grooming)), on the second of two readings, amending the Official Zoning Map of the City by rezoning a 0.977 acre, more or less, tract of land, located at 1200 Old Martindale Road, from "NC" Neighborhood Commercial District to "N-MS" Neighborhood Main Street District; and including procedural provisions.
5. Consider approval of Resolution 2018-153R, ratifying the acceptance of a grant award in the amount of \$50,000 from the Jacob and Terese Hershey Foundation to be applied toward the second lease installment due to the Trust for Public Land under the Lease-Purchase Agreement for the Grady Early Tract; authorizing the City Manager or his designee to execute any and all documents as necessary to implement the grant award; and declaring an effective date.
6. Consider approval of Resolution 2018-154R, ratifying the submission of an application to the United States Forest Service for a grant in the amount of \$423,333.33 to be applied toward the third lease installment due to the Trust for Public Land under the Lease-Purchase Agreement for the Grady Early Tract; authorizing the City Manager or his designee to execute any and all documents as necessary to accept and implement the grant, if awarded; and declaring an effective date.
7. Consider approval of Resolution 2018-155R, approving the execution of an interlocal agreement with the Lower Colorado River Authority for Electrical Transmission Control and Substation Maintenance and Repair for an amount not to exceed \$1,000,000.00; ratifying the City's execution of the contract documents and declaring an effective date.
8. Consider approval of Resolution 2018-156R, approving a contract with Rossman Enterprises, Inc. d/b/a Clean Air Concepts, Cincinnati, Ohio, for a Vehicle Exhaust Removal System for Fire Station 5 with an amount estimated at \$76,564.00; authorizing the City Manager or his designee to execute the appropriate documents on behalf of the City; and declaring an effective date.
9. Consider approval of Resolution 2018-157R, approving an amendment to the Aecom Professional Services Agreement (Contract 217-310) for CDBG-DR Case Management Services to extend the term to allow the continuation of services for the Housing Program Project; authorizing the City Manager or his designee to execute the appropriate documents on behalf of the City and declaring an effective date.

Council provided consensus to have Staff look at programs to reimburse people under the CDBG-DR and bring back information on how to allow residents to apply for reimbursement from the CDBG-DR funds.

A motion was made by Deputy Mayor Pro Tem Gregson, seconded by Council Member Mihalkanin, that this Resolution be approved. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Deputy Mayor Pro Tem Gregson, Council Member Derrick, Council Member Hughson, Mayor Thomaidēs and Council Member Mihalkanin

Against: 0

10. Consider approval of Resolution 2018-158R, approving an interlocal agreement with the City of Longview to grant the City of Longview authority to procure utility billing outsourcing services through Contract #218-143 under the authority of Texas Local Government Code Chapter 271; authorizing the City Manager or his designee to execute the appropriate documents on behalf of the City and declaring an effective date.
11. Consider approval, by motion, of a Change Order in a not to exceed amount of \$131,943.75 for the Cheatham Street Waterline Bore Improvements.

A motion was made by Deputy Mayor Pro Tem Gregson, seconded by Council Member Gonzales, to approve the change order for the Cheatham Street Waterline Bore Improvements. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Deputy Mayor Pro Tem Gregson, Council Member Derrick, Council Member Hughson, Mayor Thomaidēs and Council Member Mihalkanin

Against: 0

PUBLIC HEARINGS - 6:00 PM

12. Receive a Staff presentation and hold the second and final Public Hearing to receive comments for or against Ordinance 2018-25, setting the Tax Rate for the 2018 Tax Year at 61.39 cents on each \$100 of taxable value of real 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, 2018, and ending September 30, 2019. Final consideration of this Ordinance will be on September 18, 2018.

Heather Hurlbert, Director of Finance provided a presentation on all the budget public hearing items which include: Tax Rate, Budget, Drainage Utility Rates, W/WW rates, Solid Waste rates and Electric rates.

City Council has reviewed all of the items being presented this evening beginning in February with the budget policy workshop. The additional funds for the animal services position was discussed and fees will be brought back at a later date for Council discussion.

Mayor Thomaidēs opened the Public Hearing at 8:33 p.m.

There being no further comments, the Mayor closed the Public Hearing at 8:33p.m. There is no action required on this item at this time.

13. Receive a Staff presentation and hold a Public Hearing to receive comments for or against the approval of Ordinance 2018-29, adopting a Budget in the amount of \$229,369,259 for the Fiscal Year beginning October 1, 2018 and ending September 30, 2019; authorizing certain adjustments to the Budget with the approval of the City Manager; approving fiscal year 2018-2019 Capital Improvements Program Projects; and consider approval of Ordinance 2018-29, on the first of two readings.

Mayor Thomaides opened the Public Hearing at 8:35 p.m.

There being no comments the Mayor closed the Public Hearing at 8:36 p.m.

Deputy Mayor Pro Tem Gregson will abstain from voting on items related to Hays-Caldwell United Way and the LBJ Museum.

Council Member Mihalkanin will abstain from voting on items related to the LBJ Museum.

Mayor Thomaides will support the budget adoption on first reading, with the exception of the increase of the Community Enhancement fee this budget year.

Council has asked that fees be brought back for review prior to approving on second reading regarding variances and appeal process.

A motion was made by Mayor Pro Tem Prewitt, seconded by Deputy Mayor Pro Tem Gregson, to approve Ordinance 2018-29, on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Deputy Mayor Pro Tem Gregson, Council Member Derrick, Council Member Hughson, Mayor Thomaides and Council Member Mihalkanin

Against: 0

14. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2018-30, increasing Drainage Utility Rates as authorized by Section 86.505 of the San Marcos City Code; including procedural provisions; and consider approval of Ordinance 2018-30, on the first of two readings.

Mayor Thomaides opened the Public Hearing at 8:45 p.m.

There being no comments, the Public Hearing was closed at 8:45 p.m.

A motion was made by Deputy Mayor Pro Tem Gregson, seconded by Council Member Mihalkanin, to approve Ordinance 2018-30, on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Deputy Mayor Pro Tem Gregson, Council Member Derrick, Council Member Hughson, Mayor Thomaides and Council Member Mihalkanin

Against: 0

15. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2018-31, increasing rates established for Water, Wholesale Water, Reclaimed Water, Wastewater Treatment, and Sewer Surcharges; and including procedural provisions; and consider approval of Ordinance 2018-31, on the first of two readings.

Mayor Thomaides opened the Public Hearing at 8:46 p.m

There being no comments, the Public Hearing was closed at 8:46 p.m.

A motion was made by Deputy Mayor Pro Tem Gregson, seconded by Council Member Gonzales, to approve Ordinance 2018-31, on the first of two readings.

The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Deputy Mayor Pro Tem Gregson, Council Member Derrick, Council Member Hughson, Mayor Thomaides and Council Member Mihalkanin

Against: 0

16. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2018-32, 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; including procedural provisions; and declaring an effective date; and consider approval of Ordinance 2018-32, on the first of two readings.

Mayor Thomaides opened the Public Hearing at 8:47 p.m.

There being no comments, The Mayor closed the Public Hearing at 8:47 p.m.

A motion was made by Deputy Mayor Pro Tem Gregson, seconded by Mayor Pro Tem Prewitt, to approve Ordinance 2018-32, on the first of two readings.

The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Deputy Mayor Pro Tem Gregson, Council Member Derrick, Council Member Hughson, Mayor Thomaides and Council Member Mihalkanin

Against: 0

17. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2018-33, establishing two new electric rate classes for Large Independent, Redundant Service and Large Distributed Generation Standby Service as

authorized by Section 86.177 of the City Code; and including procedural provisions; and consider approval of Ordinance 2018-33, on the first of two readings.

Mayor Thomaides opened the Public Hearing at 8:48 p.m.

There being no comments, the Mayor Closed the Public Hearing at 8:48 p.m.

A motion was made by Deputy Mayor Pro Tem Gregson, seconded by Council Member Mihalkanin, to approve Ordinance 2018-33, on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Deputy Mayor Pro Tem Gregson, Council Member Derrick, Council Member Hughson, Mayor Thomaides and Council Member Mihalkanin

Against: 0

18. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2018-34, amending the Official Zoning Map of the City by rezoning 0.41 acres, more or less, legally known as the High Crest Addition, Lot 1-D, located at 1520 Old Ranch Rd 12 from "OP" Office Professional to "N-MS" Neighborhood - Main Street, and including procedural provisions on the first of two readings; and consider approval of Ordinance 2018-34, on the first of two readings.

Shannon Mattingly, Director of Development Services provided a brief overview of the rezoning request. The Planning and Zoning Commission recommended approval 9-0

Mayor Thomaides opened the Public Hearing at 6:39 p.m.

There being no comments, the Mayor closed the Public Hearing at 6:39 p.m.

A motion was made by Council Member Gonzales, seconded by Mayor Pro Tem Prewitt, to approve Ordinance 2018-34, on the first of two readings. The motion carried by the following vote:

For: 5 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Thomaides and Council Member Mihalkanin

Against: 0

Recused: 1 - Deputy Mayor Pro Tem Gregson

Abstain: 1 - Council Member Hughson

19. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2018-35, amending the Official Zoning Map of the City by rezoning approximately .78 acres, more or less, tract of land, located at 128 Windmill Drive from "D" Duplex Residential District, to "ND-3.5" Neighborhood Density - 3.5; and including

procedural provisions; and consider approval of Ordinance 2018-35, on the first of two readings.

Shannon Mattingly, Director of Development Services provided a brief overview on the requested rezoning.

Mayor Thomaides opened the Public Hearing at 6:48 p.m.

Those who spoke:

Michael Lackey, stated that he and his wife purchased this lot 23 years ago. He discussed with the Development Services Department and thought this was the best fit for this property. When people think of multifamily, they think huge buildings and many units, but this is one building, max of two floors with max of 9 units. A 10 foot buffer is required with a 6 foot solid wall, and shade trees every 25 feet. He will not be visible to their neighbors. He would like to encourage his neighbors to help decide what trees would be most beneficial for the neighborhood. One of the goals of CodeSMTX is walkability and this would allow 18 people to walk downtown and to Texas State and provides housing options for citizens.

Larry Mock, spoke against this rezoning change and stated that this is surrounded by low-intensity single family. He stated that this would put more people in there right up against single family. He stated they don't like walls and they have a lot of trees, although they could use more trees. If you look at the map it is surrounded on three sides by low density zoning. Should be less people than more people on this property.

Ryan Rudnicki, read his letter aloud:

It distresses us to have to request that no zoning change be approved near an established neighborhood.

Around 20 years ago, developers tried to get zoning changed for this parcel. At that time, the city's Planning and Zoning Commission made the reasonable decision to continue the already existing "Duplex" zoning category along the north side of Windmill Street because it acted as a buffer between the higher density apartments on the south side of the street and single family homes along Ridgeway Drive and Canyon Road. In the ensuing years we have felt confident that the P&Z's decision was final.

Nothing has changed on the ground. Ridgeway Drive and Canyon Road

properties still consist of single-family houses.

To keep the "Duplex" lower density zoning category in place along the north side of Windmill Street is just as valid and important today as when that category was specified decades ago.

As we're seeing with increasing frequency, San Marcos neighborhoods need protection. The Alamo, Hillcrest, Ridgeway, Canyon area has been subject to repeated assaults by developers interested in increasing housing density. Our neighborhood needs protection from such efforts. In this case the simple application of existing zoning would suffice.

As our city council, please help us maintain the integrity of our tiny portion of San Marcos by not approving this request for increased density next to our established neighborhood.

Jan Rudnicki, stated that she stood with Larry Mock and her husband on this issue. She mentioned a number of members of their neighborhood that came back 20 years later after a number people have since passed away and that is frustrates her that the money was able to wait out and sit on money for 20 years and not do anything until a new Planning and Zoning Commission comes along. Now they can come in and make money on something that is in our back yards. We worked on CodeSMTX, and I know you did and I appreciate your work so please take this into consideration when making your decision.

There being no further comments, the Mayor closed the PH at 6:58 p.m.

A motion was made by Council Member Derrick, seconded by Council Member Gonzales, to deny Ordinance 2018-35. The motion carried by the following vote:

For: 4 - Council Member Gonzales, Council Member Derrick, Council Member Hughson and Council Member Mihalkanin

Against: 3 - Mayor Pro Tem Prewitt, Deputy Mayor Pro Tem Gregson and Mayor Thomaides

20. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2018-159R, approving Substantial Amendment No. 7 To the Community Development Block Grant-Disaster Recovery (CDBG-DR) Action Plan to allow reimbursement to the San Marcos Public Housing Authority in the requested amount of \$866,603 for its costs to repair housing units damaged by the 2015 floods; authorizing the City Manager to act as the official representative of the City in matters related to the CDBG-DR Program and Action Plan; and declaring an effective date; and

consider approval of Resolution 2018-159R.

Stacy Brown, Housing and Community Development Manager, provided an update on Substantial Amendment #7 to CDBG-DR.

Mayor Thomaides opened the Public Hearing at 7:31 p.m.

Roland Saucedo, expressed his support of this amendment. It will be a first step to prior discussions and will give staff more of an opportunity to look at reimbursement to citizens.

Gloria Salazar, here as the former Chair of the San Marcos Housing Authority, she read her letter aloud:

I served on the Housing Authority board during the 2015 floods.

The floods of 2015 inundated 1558 homes and 35 businesses according to the CDBG Disaster Relief needs assessment developed by the City of San Marcos. The needs of the Housing Authority were included in the Disaster Relief Action Plan which was published on August 19, 2016. Their statement of need was not included in the final Action Plan of September 9, 2016. The City's position was that the Housing Authority did not have an unmet need. That was not the case then and is not the case now. The Housing Authority does still have an unmet need. It is an indirect need which was created by their response to the flood.

To mitigate the loss of over 30% of their housing stock and bring units back online quickly, the Housing Authority was forced to divert resources that would have been used to meet other needs. The Housing Authority under Public Law 114-113 is an eligible CDBG entity and meets the national objective of providing housing for low to moderate income persons and addressed a direct or indirect impact from the disaster in a presidentially declared county.

In June 2017, The Housing Authority applied for assistance and has since then been working with HUD and FEMA to address the City's concerns for eligibility.

Provisions of the grant allow the recipient or sub-recipients, including public housing authorities to be reimbursed allowable costs incurred on or after the incident date of the covered disaster.

The Housing Authority is only requesting assistance for funding expended from its own resources. There is no duplication of benefits for funding provided by others.

The total costs were \$1,607,206. The funding from other resources were \$740,603. The remaining amount, \$866,603 came from the San Marcos

Housing Authority. It came from monies set aside for other projects and construction of new homes. At the time of the disaster, waiting for emergency funds was not an option to begin repairs, the Board had to take immediate action.

These flood recovery monies received are because of the damage done to our community, to help our community rebuild.

I hereby request your support of Resolution 2018-159R, approving the Substantial Amendment No. 7 of the Community Development Block Grant - Disaster Recovery Action Plan to allow reimbursement to the San Marcos Public Housing Authority in the requested amount of \$866,603 for its costs to repair housing units damaged by the 2015 floods.

The successful reimbursement will allow for the resumption of construction plans for new affordable housing and will allow the Housing Authority to move forward with delayed improvements to its current properties.

These monies will also reimburse the reserve account which reached low levels that affected the Housing Authority's annual assessment score completed by HUD.

Thank you for your time and support.

Albert Sierra, Director of Housing Authority, stated that Rose Brooks was in attendance as well. He stated it has been 40 months since the flood and over 100 units were damaged at CM Allen Homes. He stated they could not wait for money to rebuild these properties, they had to be fixed. The completion of these units were in May of 2016 and at the time of application, it was determined there was not an unmet need. Recently it was determined there is an unmet need and they hope to get reimbursement for these expenses.

There being no further comments, the Mayor closed the Public Hearing at 7:40 p.m.

A motion was made by Mayor Pro Tem Prewitt, seconded by Council Member Derrick, to approve Resolution 2018-159R. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Deputy Mayor Pro Tem Gregson, Council Member Derrick, Council Member Hughson, Mayor Thomaidis and Council Member Mihalkanin

Against: 0

NON-CONSENT AGENDA

21. Consider approval of Ordinance 2018-36, on the first of two readings, amending the

City's 2017-2018 Fiscal Year budget to allocate a total of \$228,000 of sales tax revenues in the general fund for the purchase, installation, and make ready of a modular building; and providing an effective date.

A motion was made by Council Member Derrick, seconded by Council Member Hughson, to approve Ordinance 2018-36, on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Deputy Mayor Pro Tem Gregson, Council Member Derrick, Council Member Hughson, Mayor Thomaidēs and Council Member Mihalkanin

Against: 0

- 22.** Consider the following amendments to San Marcos Code of Ethics:
- a. Setting an individual limit on contributions to candidates for mayor or city council
 - b. Setting total limits on campaign contributions accepted by candidates for mayor or council member during an election cycle
 - c. Adopting Ordinance No. 2018 - 37, amending the San Marcos Code of Ethics on the first of two readings.

A motion was made by Council Member Derrick, seconded by Mayor Pro Tem Prewitt, to approve Ordinance 2018-37 (Setting an individual limit on contributions to candidates for mayor or city council), on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Deputy Mayor Pro Tem Gregson, Council Member Derrick, Council Member Hughson, Mayor Thomaidēs and Council Member Mihalkanin

Against: 0

A motion was made by Council Member Derrick, seconded by Mayor Pro Tem Prewitt, to approve Ordinance 2018-37 (Setting total limits on campaign contributions accepted by candidates for mayor or council member during an election cycle), on the first of two readings. The motion carried by the following vote:

For: 5 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Council Member Hughson and Council Member Mihalkanin

Against: 2 - Deputy Mayor Pro Tem Gregson and Mayor Thomaidēs

Council consensus was to bring back language for the second reading regarding the receipt of campaign contributions of \$500 or more. If a Council Member receives \$500 or more from a contributor, they would abstain from voting on any zoning or contractual items that pertains to that particular contributor.

A motion was made to approve Ordinance 2018-37 (adopting Ordinance No.

2018 - 37, amending the San Marcos Code of Ethics), on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Deputy Mayor Pro Tem Gregson, Council Member Derrick, Council Member Hughson, Mayor Thomaides and Council Member Mihalkanin

Against: 0

- 23.** Consider approval Resolution 2018-160R, approving the appointment of the Law Firm of Davidson Troilo Ream & Garza as special counsel to advise the Ethics Review Commission as it considers Ethics Complaint No. 2018-1; and declaring an effective date.

A motion was made by Mayor Pro Tem Prewitt, seconded by Council Member Hughson, to approve Resolution 2018-160R. The motion carried by the following vote:

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

Against: 0

Abstain: 1 - Deputy Mayor Pro Tem Gregson

- 24.** Discuss and consider appointing a City Council Committee to review the LaSalle Development Agreement and provide direction to staff.

Steve Parker, Assistant City Manager, provided a brief update on the LaSalle Development Agreement. Since this was originally approved by a subcommittee, Staff wanted to know if this is something that Council is interested in forming once again.

Council consensus was to allow Staff to bring forward any requests and recommendations and no committee is needed at this time.

- 25.** Discuss and consider appointing a City Council Committee to review the Lindsey Hill Project, and provide direction to staff.

Council Member Mihalkanin recused himself from discussion due to the proximity of his residence to this property.

A motion was made to approve the appointment of Council Member Derrick, Council Member Hughson, and Council Member Gonzales to serve on this committee. The motion carried by the following vote:

For: 5 - Mayor Pro Tem Prewitt, Council Member Gonzales, Deputy Mayor Pro Tem Gregson, Council Member Derrick and Council Member Hughson

Against: 1 - Mayor Thomaides

Abstain: 1 - Council Member Mihalkanin

VI. Question and Answer Session with Press and Public.

Roland Saucedo, asked what is the policy on recusing or abstaining from an item at the dais?

City Attorney stated that officials have to file the affidavit then as soon as possible to disclose to the rest of the commission the reason.

Thea Dake, stated she is in support of subcommittee, but does this mean that this will cause the Planning & Zoning Commission meeting dates and Council dates to be pushed back? She asked if Council would consider delaying until historic resource survey is complete before any final action is taken on Lindsey Hill?

H. C. Kyle, stated he has alot of concerns about Lindsey Hill. The developer proposing Lindsey Hill says the City will hold their feet to the fire, what are specific things they are referring to?

This is a Planned Development District and it will be in the form of a contract, but negotiations are still ongoing.

VII. Adjournment.

Mayor Thomaides adjourned the Regular Meeting of the San Marcos City Council Tuesday, September 4, 2018 @ 9:35 p.m.

Jamie Lee Case, TRMC, City Clerk

John Thomaides, Mayor