



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Meeting Minutes City Council

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Wednesday, November 7, 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 Pro Tem Prewitt at 6:02 p.m. Wednesday, November 7, 2018 in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666.**

### II. Roll Call

**Present:** 5 - Mayor Pro Tem Lisa Prewitt, Council Member Saul Gonzales, Council Member Melissa Derrick, Council Member Jane Hughson and Council Member Ed Mihalkanin

**Absent:** 2 - Deputy Mayor Pro Tem Scott Gregson and Mayor John Thomaides

### III. Invocation

**A moment of silence was observed.**

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

**Norah Caraway, a 4th grade student, with San Marcos Preparatory School led the assembly in the pledges of allegiance.**

### V. 30 Minute Citizen Comment Period

**Lisa Marie Coppoletta, stated that Jane Hughson's campaign sign was picked up from her yard quickly and wishes she could have kept it longer. She expressed her opinion of a true warrior of clean campaigning, which is Mr. Mark Gleason. She stated that he is a resident of Blanco Gardens that has been flooded twice, he shows up to every Planning & Zoning meeting and is has voted for protection of our neighborhoods. She wanted to inform the community of the poor rhetoric that is coming from the campaign of Jocabel Marquez. She played a video on her phone where she received a verbal and physical threat from the mother in law of Mrs. Marquez.**

## CONSENT AGENDA

**A motion was made by Council Member Mihalkanin, seconded by Council Member Hughson to approve the consent agenda with the exception of item #11, which was pulled and considered separately. 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:** 0

**Absent:** 2 - Deputy Mayor Pro Tem Gregson and Mayor Thomaides

1. Consider approval, by motion, of the following meeting Minutes:
  - A) October 16, 2018 - Work Session Meeting Minutes
  - B) October 16, 2018 - Regular Meeting Minutes
2. Consider approval of Ordinance 2018-42, on the second of two readings, amending Section 2.3.1.1(G) of the City's Development Code, Subpart B, of the San Marcos City Code, regarding neighborhood presentation meetings, to require: participants to follow rules of decorum; to conduct the meeting on or in close proximity to the subject property; and to conduct the meeting within 20-28 days before the Planning and Zoning Commission considers the matter that is the subject of the meeting; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.
3. Consider approval of Resolution 2018-203R, approving a construction contract with Austin Underground, Inc. for the Primrose Way Waterline Improvements Project for an amount estimated at \$256,982.50; authorizing the City Manager or his designee to execute this contract on behalf of the City and declaring an effective date.
4. Consider approval of Resolution 2018-204R, approving a contract with Alan Plummer Associates, Inc. to update the Alliance Regional Water Authority Water Supply Delivery Water Master Plan for an amount estimated at \$656,590; authorizing the City Manager or his designee to execute this contract on behalf of the City and declaring an effective date.
5. Consider approval of Resolution 2018-205R, approving an on call list for engineering services (RFQ 218-230) for drainage plan reviews, Stormwater Pollution prevention plans and permitting, and construction quality assurance inspections; authorizing the city manager or his designee to execute contracts with the selected firms in amounts not to exceed \$200,000 per firm on behalf of the City; and declaring an effective date.
6. Consider approval of Resolution 2018-206R, approving amendment number one to the Commercial Ground Lease of Airport Property located at 1837 Airport Drive with Coast Flight Training and Management, Inc. to extend the term of the lease for one additional year through December 19, 2019; authorizing the City Manager to execute the amendment; and declaring an effective date.
7. Consider approval of Resolution 2018-207R, approving amendment number one to the

Airport Facility Lease Agreement for commercial use of Airport Property located at 1813 Airport Drive with Coast Flight Training and Management, Inc. to provide the option to renew for five one year additional terms; authorizing the City Manager to execute the amendment; and declaring an effective date.

8. Consider approval of Resolution 2018-208R, authorizing a contract with Perdue, Brandon, Fielder, Collins & Mott, LLP to collect delinquent Municipal Court fines, fees, court costs, and other debts pursuant to Article 103.0031 of the Texas Code of Criminal procedure; authorizing the City Manager to execute said change in services; and declaring an effective date.
9. Consider approval of Resolution 2018-209R, approving a Public Transit System Interlocal Agreement between the City and the Capital Area Rural Transportation System; approving funding to CARTS under this agreement in the amount of \$450,000.00; authorizing the City Manager or his designee to execute the agreement; and declaring effective date.
10. Consider approval of Resolution 2018-210R, approving the expenditure of \$8,000 from the Permanent Art Fund for the purchase of permanent display art for placement on City property; and declaring an effective date.
11. Consider approval of Resolution 2018-211R authorizing the award of a contract to Abercrombie Planning and Design in an amount not to exceed \$58,600 for the creation of a Fire Department Training Facility Master Plan; authorizing the city manager to execute the agreement; and declaring an effective date.

**A motion was made by Council Member Gonzales, seconded by Council Member Hughson to approve Resolution 2018-211R. 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:** 0

**Absent:** 2 - Deputy Mayor Pro Tem Gregson and Mayor Thomaides

12. Consider approval, by motion, to ratify the original contract in the amount of \$49,280 and approve a Change in Service in the amount of \$59,000 to Rojas Planning, LLC for additional work related to a Stormwater Utility Rate Study bringing the total contract value to \$108,280.
13. Consider approval, by motion, of Change in Service No. 4 with Lockwood, Andrews & Newnam, Inc., for Engineering Services for the Coers Drive Improvements Project in a not to exceed amount of \$64,385.00.

## **PUBLIC HEARINGS - 6:00 PM**

14. Receive a Staff presentation and hold a Public Hearing to receive comments for or

against Ordinance 2018-46 (ZC-18-19), amending Section 4.5.2.1(B)(2) of the City's Development Code to establish the "Old African American Baptist Church" located at 219 West MLK Drive as a Local Historic Landmark; and including procedural provisions; and consider approval of Ordinance 2018-46, on the first of two readings.

**Shannon Mattingly, Director of Development Services, provided a brief presentation of the property historically known as the Old First Baptist Church located at the corner of West Martin Luther King Drive and Comanche Street in the Dunbar Historic District. This property is listed in the Historic Resources Survey of the Dunbar and East Guadalupe Neighborhoods (1996) with a High priority. Schools, churches and fraternal lodges provided a focal point for the social history of the neighborhood. The building that houses the Calaboose Museum and the subject property are the only surviving structures that represent these building types. The survey explains that initially, the property was rated with a Medium priority due to the alterations from 1953. After consultation with the Texas Historical Commission the priority designation was changed to High due to the church's significance to the community. The recommendation of the survey is for the subject property to be considered for local designation as an individual landmark.**

**Mayor Pro Tem Prewitt opened the Public Hearing at 6:16p.m.**

**Those who spoke:**

**Roland Saucedo, expressed his support of this project. This distinction will open the door to get more grants.**

**Lisa Marie Coppoletta, she complimented City Staff on their excitement and work on this project and harmonizing our community. This is a great project.**

**Kurt Waldhouser, owner of the property stated that his initial goal was to tear down the property and recycle the building materials. However, after learning the history of the building it would be an abomination. He wanted to thank the City Council members that gave him guidance and for helping make this a historical landmark.**

**There being no further comments, the Public Hearing was closed at 6:20p.m.**

**A motion was made by Council Member Derrick seconded by Council Member Gonzales, to approve Ordinance 2018-46, 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:** 0

**Absent:** 2 - Deputy Mayor Pro Tem Gregson and Mayor Thomaides

## **NON-CONSENT AGENDA**

15. Consider approval of Ordinance 2018-47, on the first of two readings, consolidating five Commercial and Industrial Electric Rate Classes into two large General Service Rate Classes by eliminating the Texas State University Cogeneration contract and all Primary and Secondary Key Accounts as recommended by the Citizens Utility Advisory Board; reducing the energy charge and demand charge associated with such large general service rate classes; including procedural provisions; and providing an effective date.

**MAIN MOTION: a motion was made by Council Member Hughson, seconded by Council Member Mihalkanin, to approve Ordinance 2018-47, on the first of two readings.**

**MOTION TO AMEND: a motion was made by Council Member Mihalkanin, seconded by Council Member Hughson to amend by striking the word "SUCH" and replace with "THE", insert the word "PRIMARY" after service and strike the "es" in classes for it to now read: "Large General Service Primary Rate Class" within the caption of the Ordinance and in Section 2 of the Ordinance. 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:** 0

**Absent:** 2 - Deputy Mayor Pro Tem Gregson and Mayor Thomaides

**MAIN MOTION: to approve Ordinance 2018-47, on the first of two readings, as amended. 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:** 0

**Absent:** 2 - Deputy Mayor Pro Tem Gregson and Mayor Thomaides

16. Consider approval of Ordinance 2018-48, on the first of two readings, amending Chapter 2, Article 3 - Boards, Committees and Commissions, of the San Marcos City Code by amending Section 2.072 to provide Terms of Office for City Board and Commission Members, and adding a new Section 2.073 that requires such Boards and Commissions to adopt a standard set of bylaws; including procedural provisions; and providing an effective date.

**A motion was made by Council Member Gonzales, seconded by Council Member Hughson to approve Ordinance 2018-48, 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:** 0

**Absent:** 2 - Deputy Mayor Pro Tem Gregson and Mayor Thomaides

17. Consider approval of Ordinance 2018-49, on the first of two readings, dissolving the Sunset Advisory Commission; repealing Sections 2.171 - 2.178, Of Division 6, Article 3, Chapter 2 of the San Marcos City Code pertaining to Boards, Committees And Commissions; including procedural provisions; and providing an effective date

**A motion was made Council Member Hughson, seconded by Council Member Derrick to approve Ordinance 2018-49, 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:** 0

**Absent:** 2 - Deputy Mayor Pro Tem Gregson and Mayor Thomaides

18. Consider approval of Resolution 2018-212R, revising the composition and oversight of the Finance And Audit Committee adding the Chief of Staff position to the committee, and adding the review and consideration of amendments requested by a board or commission to the council approved standard bylaws; and declaring an effective date.

**A motion was made by Council Member Hughson, seconded by Council Member Derrick, to approve Resolution 2018-212R. 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:** 0

**Absent:** 2 - Deputy Mayor Pro Tem Gregson and Mayor Thomaides

19. Discuss and consider approval of the proposed 2019 City Council Meeting Schedule, and provide direction to Staff.

**A motion was made by Council Member Hughson, seconded by Council Member Derrick, to approve the 2019 City Council Meeting Schedule as proposed. 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:** 0

**Absent:** 2 - Deputy Mayor Pro Tem Gregson and Mayor Thomaides

VI. Question and Answer Session with Press and Public.

VII. Adjournment.

**Mayor Pro Tem Prewitt adjourned the Regular Meeting of the San Marcos City Council Monday, November 7, 2018 at 6:40p.m.**

**Jamie Lee Case, TRMC, City Clerk**

**Lisa Prewitt, Mayor Pro Tem**

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