



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes City Council

Tuesday, May 21, 2019

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 Hughson at 6:06 p.m. Tuesday, May 21, 2019 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, Council Member Melissa Derrick, Mayor Jane Hughson, Council Member Ed Mihalkanin, Council Member Joca Marquez and Council Member Mark Rockeymoore

III. Invocation

Deacon Robert Gutierrez with St. John the Evangelist Catholic Church provided the invocation.

IV. Pledges Of Allegiance - United States And Texas

Norah Caraway, a 4th Grade student, from San Marcos Preparatory led the assembly in the pledges of allegiance.

V. 30 Minute Citizen Comment Period

Sarah Simpson, spoke on Agenda Item #1, the CIP update. She read the following comments:

"As someone that followed the progress of the Transportation Master Plan update, I would first like to encourage you to ensure that all transportation-related CIP projects support the multimodal and safety goals of the new TMP. This document aims to get people out of their cars and into other modes of transportation and all the CIP projects that have been lined up prior to the TMP's adoption as well as those moving forward should support this long-term vision.

That being said, as a member of the design community, I'd also like to encourage the inclusion of more green infrastructure in CIP projects. Green infrastructure (or low impact development) - through the use of permeable

surfaces, biofiltration and stormwater storage - can help to capture and clean runoff, lessen localized flooding, cultivate biodiversity, reduce the urban heat island effect, and enliven public space. Particularly in a town that prioritizes the health of its local waterways, it is important that the city itself set an example that both the public and private sector can follow.

Contrary to popular belief, urban areas like our historic downtown contribute positively to regional stormwater quality first and foremost through their ability to decrease stormwater per capita and support many jobs and residents in a smaller footprint than more land consumptive development patterns. But right now there is a disconnect between downtown and the river. Generally seen as gray zones where dirty runoff is rushed away and underground into storm pipes before heading for waterways, urban areas are perceived to be at odds with ecological health.

However, this perception can change through the use of incremental green infrastructure improvements to build a better, more connected story of water cycles. And public right of way and city projects like those in the CIP are opportunities to do just that.

Rather than relying solely on hidden, upsized storm pipes or concentrated stormwater controls, green infrastructure can distribute rain load by capturing runoff closer to its point of origin and at the same time enhance public space with educational opportunities and improved aesthetics.

As it relates to the CIP, please encourage the use of urban biofiltration planters or swales along rights-of-way in lieu of typically crowned vegetated strips; permeable surfaces in projects that would otherwise call for impervious surfaces, such as the reconstruction of city parking lots (id 169); and more specifically, permeable pavers in the alley reconstruction project (id 415), not just within the section that is kissing alley but for the entire length that is being rebuilt from Hopkins to Hutchison and University. Similar sized towns across the US - like Longmont, CO and Dubuque, Iowa - have championed the use of permeable pavers in urban alleys throughout historic downtowns to lessen flooding, protect waterway health and better manage maintenance. It isn't everyday that alleys are completely rebuilt and by taking advantage of this project to improve the unique gathering space that is Kissing Alley as well as other adjacent segments, San Marcos could learn from and launch into this noteworthy network of cities that are using green alleys to make communities more resilient. Thank you for your review of this matter."

Sara Lee Underwood-Myers, stated we need to appreciate and uplift staff and those that serve in office. She thanked Sergeant Mobley for his 37 years of service. She stated that when she hears other people slam departments but she wants to say thank you. She transitioned her comments towards the Belvin Street Project and said we do not need to get this wrong. She spoke about River Road and how it was reshifted and this is what contributed to flooding. She stated this is mental health awareness month, so we need to be respectful of our neighbors and encroaching on other people's property.

Dr. Thomas Larsen, stated that he is representing MoveSM and made the following comments:

"After reviewing the 2019 Ten-Year Capital Improvements Program, MoveSM wishes to make the following recommendations to better align the CIP with the multimodal goals of the recently adopted Transportation Master Plan:

- 1. Create an Alternative Transportation Advisory Board to review and help broaden CIP project perspectives; support innovations in multimodal transportation; and ensure safe, equitable, and legible project implementation moving forward.**
- 2. Re-evaluate the scope of all roadway-related CIP projects with a central design focus on improving safety; slowing vehicular traffic; and eliminating fatal and life-threatening crashes. Adopt a Vision Zero Safety Policy to guide this re-scoping process.**
- 3. Prioritize CIP projects that enable mode shift and increase alternative transportation use on primary corridors. Rescope or eliminate projects that add lanes, widen roadways, induce demand and, thereby, increase long-term congestion.**
- 4. Identify and prioritize both potential and existing CIP projects that support east-to-west alternative transportation connectivity; increase ease of use and legibility for pedestrians, cyclists and public transit users; and better link disconnected communities to downtown, the parks system and other city resources.**
- 5. Create a downtown "safe zone" by prioritizing CIP projects that slow vehicular speeds and foster an inviting, walkable / bikeable environment in our historic city center. Supported projects include returning Guadalupe Street and LBJ Drive to two-way streets and moving away from signalized to simplified signed intersections where traffic counts allow.**

6. Call for the installation of green infrastructure in city rights-of-way and at public facilities to lessen localized flooding and improve runoff quality into our natural waterways. The use of permeable pavement or pavers in the upcoming Downtown Alley Reconstruction project and city-owned parking lots are great places to start.

MoveSM thanks you for hearing these requests.

Kelly Stone, thanked Sarah Simpson for her comments. She encouraged everyone to go the Spelling Bee that will be held at the Library this Thursday. She stated she will be participating in the Texas Water Safari Spring Lake to Seadrift. She reminded the Council of the timeline they agreed to regarding a special meeting to discuss the dam. Free the River, Cape's Dam has got to go.

Rodrigo Amaya, asking the Council for assistance in getting a meeting with the City Manager. He stated that he has not received the answers to the objectives that he has brought up with the two assistant City Mangers. What will it take to get him to meet with him? Spoke on dividing leadership and provided the salaries of the City Manager and Assistant City Managers. Mr. Amaya spoke of the lack of consideration from the Water Safari kayakers and boaters on the river, as he was stated he was nearly hit while swimming. He expressed his concerns about cigarette butts all over the city and they are washing into the river. It needs to be addressed because people are not using the receptacles the City has put out.

PRESENTATIONS

- 1. Receive a presentation and hold discussion regarding the 10-year Capital Improvements Plan, and provide direction to the City Manager.**

Laurie Moyer, Director of Engineering and CIP, provided a presentation regarding the 10 Year Capital Improvements Program. This program provides long-range planning and scheduling for capital projects and system assets and identifies options for financing projects. Only the first year CIP is approved in the budget. However the first 3-years projects are reviewed in detail and the projects out 7-10 years are less defined.

Ms. Moyer identified the various funding sources for CIP projects which include Electric Rates, W/WW Rates and Impact Fees, Drainage Utility Fee, Property and Sales Tax, and Grants or outside sources.

Projects are prioritized by a ranking criteria with certain factors to be

considered such as: Strategic Initiative, Federal/State Mandate, External Funding, Public Health/Safety, Projects underway/Previous Funding Approved, Multi Fund Project, and Operational Necessity.

This CIP presentation was made to the Planning and Zoning Commission and the following recommendations were made:

1. Move up all funding on projects #415 Downtown Alley Reconstruction and #712 Downtown Pedestrian Safety and Comfort Improvements to FY2020
2. #438 City Park ADA Playground - Add a shade structure
3. #703 Traffic Signal Synchronization and Improvements - consideration of wayfinding through online map application and intersection optimization
4. On project #415 Downtown Alley Reconstruction collaborate with Meadows Center on use of permeable pavers.
5. Consider the memo from MoveSM.

There were additions since this was brought to Planning and Zoning which include:

1. Addition of Project #750 Bugg Lane Alley, FY2020, \$35K
2. Combined project #616 Cemetery Land Acquisition and #737 Cemetery Master Plan and Improvements into 1 Project, #616
3. Additional funding of \$70k for #9 Airport Hanger project
4. Additional funding of \$150k for #678 Network Cabling Infrastructure for City Facilities - Bond (for FS#2)

Council would like to go back to including a column regarding the Comp Plan Goals on the prioritization spreadsheet. This can happen next year, but they would like to see it moving forward. Staff will update accordingly.

Council was concerned the Stormwater Projects were removed from the strategic initiatives, but want to ensure these projects are still a priority. Ms. Moyer stated these are still on the ongoing list of initiatives and will be included in the presentation when it is brought forward in June.

2. Receive a Staff presentation and hold discussion regarding the Purgatory Creek Improvement Capital Improvement Project, and provide direction to Staff.

John Espinoza, Project Engineer, provided a brief update on the Purgatory Creek Improvement Capital Improvement Project. Mr. Espinoza discussed the project purpose and project status.

During the presentation Mayor Hughson asked about the 90 structures that the map legend shows "90 structures removed" in Phase 1 of this project. Mr. Espinoza indicated these 90 structures will remain; they were only removed from the floodway. Council asked this be indicated within the presentation correctly. Staff will update as requested.

Mr. Espinoza continued the presentation and discussed funding and the next steps in the project which include:

Phase 1 Area (Johnson Avenue to San Marcos River)

- Change In Service to engineering contract to complete the Design, Permitting, and Right-of-way & easement determinations
- Explore funding opportunities
- Construction: 2021

Phase 2 Area (Wonder World Drive to San Marcos River)

- Funding dependent
- Design: Fiscal Year 2021
- Construction: Fiscal Year 2023

Council Member Derrick asked Staff to discuss this project at future open houses that relate to American with Disabilities Act (ADA) access and include, on social media, trail access as they become available. Mr. Espinosa responded that the trails will be mostly on the banks and will be accessible.

Council consensus is to move forward, as presented, with the project.

CONSENT AGENDA

Greg Schwarz, Senior Engineer, provided a brief presentation regarding this item.

A motion was made by Council Member Gonzales, seconded by Council Member Derrick, to approve the consent agenda, with the exception of items # 4, 7, 10, 11, 12, 14, and 18, which were pulled and considered separately. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

3. Consider approval, by motion, of the following meeting Minutes:
 - A) April 24, 2019 Special Meeting Minutes

- B) May 7, 2019 Work Session Meeting Minutes
- C) May 7, 2019 Regular Meeting Minutes

4. Consider approval of Ordinance 2019-12, on the second of two readings, adopting the 2019 Parks, Recreation and Open Space Master Plan; including procedural provisions; and providing an effective date.

A motion was made by Council Member Rockey Moore, seconded by Mayor Pro Tem Prewitt, to approve Ordinance 2019-12, on the second of two readings.

Drew Wells, Interim Director of Community Services, answered a question from Mayor Pro Tem Prewitt regarding design of the trail systems. He noted that this map is pulled from the Transportation Master Plan and must match that map.

He addressed concerns regarding citizens that may be directly affected by construction of a trail. A memo will be sent to Council regarding a timeline of when trails will be implemented. Mayor Pro Tem Prewitt, asked that the trail systems map state conceptual only. Alignment shifts can be made by Staff and if Council would like to make a change they can do so. Laurie Moyer, Director of Engineering, stated she will change this map within the Transportation Master Plan as well.

Council consensus is to include CONCEPTUAL ONLY on the map.

The motion to approve carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockey Moore

Against: 0

5. Consider approval of Ordinance 2019-13, on the second of two readings, updating and revising Chapter 18, Article 3, Food Establishments and Food Vending Machines, of the City Code by repealing the current provisions and replacing them with provisions consistent with State law governing food establishments; including procedural provisions; and providing an effective date.
6. Consider approval of Ordinance 2019-14, on the second of two readings, amending the Official Zoning Map of the City by rezoning an approximately 8.1 acre tract of land, being Lot 1, Block A, Uniprop Subdivision, located at 2821 Leah Avenue, from "FD" Future Development District to "LI" Light Industrial District; and including procedural provisions.
7. Consider approval of Resolution 2019-86R, awarding a Design-Build Construction

Agreement to Flintco, LLC. in the amount of \$359,357.00 for pre-construction phase services for the new Fire Station No. 2 approved as part of the City's 2017 Bond Program; authorizing the City Manager to execute the agreement on behalf of the city; and declaring an effective date.

A motion was made by Council Member Mihalkanin, seconded by Council Member Derrick, to approve Resolution 2019-86R. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

8. Consider approval of Resolution 2019-87R, approving an agreement with Locus Technologies for the purchase of EIM Water Quality Management Software in the total estimated amount of \$65,141.00 through the General Services Administration Contract; authorizing the City Manager or his designee to sign the agreement on behalf of the City; and declaring an effective date.
9. Consider approval of Resolution 2019-88R, approving the first Change in Service to the contract with Volkert, Inc (Contract No. 218-413) related to the TxDOT Mobility IH-35: SH-80 to RM 12 project to add engineering design services for additional Water and Wastewater Pipeline Improvements in the amount of \$66,525.32; authorizing the City Manager or his designee to execute the appropriate documents to implement the change in service; and declaring an effective date.
10. Consider approval of Resolution 2019-89R, approving a contract with Eggemeyer Land Clearing, LLC., for wood grinding services in an estimated annual amount of \$40,000.00; authorizing the City Manager or his designee to execute the contract on behalf of the City; and declaring an effective date.

A motion was made by Council Member Gonzales, seconded by Council Member Derrick, to approve Resolution 2019-89R. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

11. Consider approval of Resolution 2019-90R, approving an Interlocal Agreement with the Capital Area Metropolitan Planning Organization (CAMPO) relating to a Platinum Planning Study grant to enhance Multimodal Transportation in the City of San Marcos and Capital Area; authorizing the City's cost participation of up to \$200,000; authorizing the Mayor to execute the agreement on behalf of the City; and declaring an effective date.

A motion was made by Council Member Gonzales, seconded by Mayor Pro

Tem Prewitt, to approve Resolution 2019-90R.

Laurie Moyer, Director of Engineering and CIP, provided a brief update regarding the Interlocal Agreement (ILA) with the Capital Area Metropolitan Planning Organization (CAMPO) relating to a Platinum Planning Study grant to enhance Multimodal Transportation in the City of San Marcos and Capital Area.

In December of 2017 the City applied for several Capital Area Metropolitan Planning Organization (CAMPO) grants for Platinum Planning Program studies on the following:

- Downtown & Midtown Centers**
- Guadalupe Street/SH 123 Corridor (University to FM110)**
- Hopkins St/SH80 Corridor (SH21 to FM 1984)**
- North-South Arterial Corridor (SH21 extension to Posey)**

CAMPO awarded the City a single sub-regional study grant to cover all of the requests. This ILA covers the conditions of the grant, scope of work and cost participation. The grant is in the amount of \$850,000 with the City's participation in the amount of 20% or \$170,000. Staff is requesting authorization for participation up to the City's full budget amount of \$200,000 so that if the City desires additional economic or other analysis it can be included without bringing the ILA back for amendment.

CAMPO staff will manage the contract with a Steering Committee representing CAMPO, City, TxDOT and other stakeholders. The process will include:

- Public participation**
- Existing Conditions & Needs Assessment**
- Development of Concept Plans**
- Draft Recommendations, Implementation Strategies and Prioritization**
- Final Report with Recommendations**

The outcome of the study will provide a vision for the study area and a prioritized list of projects which the City can then pursue for subsequent CAMPO funding. It will also allow the City to have a more informed discussion with TxDOT on the potential "turn-back" of these TxDOT corridors for City ownership. The study is expected to begin this fall and take approximately 9 months to complete.

The motion to approve carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

12. Consider approval of Resolution 2019-91R, approving a contract with Enterprise Fleet Management, Inc. through the Interlocal Purchasing System, TIPS, for the lease of 49 light vehicles and the purchase of miscellaneous equipment for maintenance in the estimated amount of \$2,000,000.00; authorizing the City Manager or his designee to execute the contract on behalf of the City; and declaring an effective date.

A motion was made by Council Member Mihalkanin, seconded by Mayor Pro Tem Prewitt, to approve Resolution 2019-91R.

Heather Hurlbert, Finance Director, addressed a question regarding leasing versus purchasing of fleet vehicles and possible savings through the program. Ms. Hurlbert stated that in 2014, the City began participating in a Fleet Management contract with Enterprise Fleet Management, Inc. for the leasing of vehicles. Enterprise presented a citywide fleet management proposal to staff after the successful leasing of the vehicles. The City has over one hundred fifty (150) light vehicles in the general fund and enterprise funds fleet and has faced budgetary challenges in replacing the vehicles according to the adopted replacement schedules.

Through the Fleet Management program with Enterprise, light, non-pursuit rated vehicles are directly bought from the manufacturer at government pricing or better with all applicable rebates applied. A leasing factor is applied to the purchasing price and annual lease payments are set. The City will buy and install any aftermarket equipment and this equipment will not be included in the recurring annual lease amount but is included in the contracted amount with Enterprise. The vehicles will be replaced on a five-year schedule. At the conclusion of the lease, the vehicles are sold on the open market and the equity is rolled into the next five-year lease. It is not yet easy to provide the actual savings amount using the lease program because we have a new work order system. She hopes to have more information next year.

All maintenance is included in the annual lease payment with the exception of tires and Enterprise contracts with local vendors for these services. By moving

the routine maintenance out of the City shop, mechanics will be able to work on larger equipment repairs that are routinely outsourced. Bringing these repairs in-house will save money on the large fleet and equipment repair.

Fiscal year 2019 is the fourth year replacements in the general have been leased instead of purchased and the third year for the enterprise funds.

This contract is brought to City Council each year for the approval of the annual vehicle allocation and contract increase. For FY19, the City will lease forty-nine (49) vehicles from Enterprise Fleet Management, Inc., with estimated annual lease payments in the amount of \$370,000 per year, the purchase of equipment the first year estimated at \$150,000 totaling an estimated \$2,000,000 for the five (5) year period.

Council inquired about the cost of transitioning and obtaining electric fleet. Staff stated there is an extra cost, but an email will be sent to Council regarding these costs.

The motion to approve carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

- 13. Consider approval of Resolution 2019-92R, approving the appointment of the Animal Control Supervisor as the temporary Local Rabies Control Authority as required by Texas Health and Safety Code section 826.017 until the Animal Services Manager position is filled; and declaring an effective date.**
- 14. Consider approval of Resolution 2019-93R, approving amendments to the Affordable/Workforce Housing Policy relating to the criteria for the City Council's consideration of support for low-income housing tax credit projects by adding a criterion for a project that includes support services providing flexible voluntary social, economic, or education benefits to residents, and by requiring that projects meet six out of nine criteria to qualify for support; and declaring an effective date.**

A motion was made by Council Member Mihalkanin, seconded by Council Member Derrick, to approve Resolution 2019-93R.

Mayor Pro Tem Prewitt proposed staff add language regarding transitional

housing. Discussion was held regarding possible tax credits to assist those trying to get to the next stage and out of transitional housing to apartments. Transitional housing is typically for a 12-24 month period, but if resources are no longer needed it will leave space for the next person or family in need. If would be great if the community could have something they could move onto such as short term 3-6 month or month to month rental units. Consensus from council is to have staff propose language that supports this and return this item to the agenda at that time.

Council would like to get an update on how affordable housing is going with the County and School District. Staff will provide a memo to Council.

The motion to approve carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

15. Consider approval of Resolution 2019-94R, providing no objection to the submission of an application for low income housing tax credits to the Texas Department of Housing and Community Affairs for the proposed Riverstone Multifamily Housing Project located at 1430 Wonder World Drive; approving findings related to such application; imposing conditions for such non objection; providing authorizations for execution or submission of documents related to the such application; and declaring an effective date.
16. Consider approval of Resolution 2019-95R, approving the City of San Marcos Environmental Health Food Establishment Fee Schedule; and declaring an effective date.
17. Consider approval of Resolution 2019-96R, committing to a contribution of \$9,994.00 to the Capital Area Council of Governments (CAPCOG) Clean Air Coalition in support of the Regional Air Quality Plan.
18. Consider approval, by motion, of Change Order No. 2 for Contract 218-010, with Smith Contracting Co., Inc. for Sanitary Sewer and Water Line Relocation/Replacement, Hutchison Biofiltration Pond Improvements, and IT Conduit Installation to be added to the CM Allen Roadway Reconstruction Project in the amount of \$365,840.00.

A motion was made by Mayor Pro Tem Prewitt, seconded by Council Member Rockeymoore, to approve this Change Order No. 2, with Smith Contracting Co.

Greg Schwarz, Senior Engineer, provided a brief presentation regarding the Sanitary Sewer and Water Line Relocation/Replacement, Hutchinson Biofiltration Pond Improvements, and IT Conduit Installation to the CM

Allen Roadway Reconstruction Project. Mr. Schwarz discussed the additional work added, the revised completion schedule, and summer event coordination.

Due to additional work and rain days the schedule for completion has been revised. The roadway will be open by mid October 2019 with final completion expected mid November 2019. There will be summer event coordination, communication of event access, and looking into providing crosswalk at Hopkins.

The motion to approve carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

NON-CONSENT AGENDA

- 19.** Consider approval of Ordinance 2019-15, on the first of two readings, amending Chapter 2, Article 3, Division 19 Economic Development Board of the San Marcos City Code by; amending section 2.369 - created; composition; terms; officers; including procedural provisions and providing an effective date.

A motion was made by Council Member Mihalkanin, seconded by Mayor Pro Tem Prewitt, to approve Ordinance 2019-15, on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

- 20.** Consider approval of Ordinance 2019-16, on first and final reading, authorizing the issuance and sale of approximately \$31,000,000 of Combination Tax and Revenue Certificates of Obligation, Series 2019 for constructing, improving, designing and equipping the City's (1) water and waste water system including meter upgrades, system operating software, water quality improvements and utility relocation; (2) electric utility system including master planning and studies, utility relocation, and meter upgrades; (3) streets including related drainage, sidewalks, bicycle and pedestrian improvements; (4) municipal buildings to include the City Hall, Library and Charles S. Cock House; (5) drainage and flood control facilities; (6) San Marcos Regional Airport; (7) public safety facilities to include police and fire station improvements; (8) fiber optic infrastructure equipment; (9) recreational facilities including the sports complex and city parks; (10) land acquisition for a City Cemetery; and (11) the payment of professional services in connection therewith including legal, fiscal and engineering fees and the costs of issuing the certificates of obligation; and providing for adoption of this Ordinance on one reading

only in accordance with State Law; and authorizing other matters relating to the certificates.

Dan Wegmiller, Financial Advisor, with Specialized Finance provided the affirmed bond rating of AA for San Marcos and provided information on the competitive sale of Certificate of Obligation Bonds (CO) to fund the FY2019 Capital Improvement Projects.

A motion was made by Council Member Mihalkanin, seconded by Council Member Rockey Moore, that this Ordinance be approved. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockey Moore

Against: 0

- 21.** Consider approval, by motion, authorizing negotiations of a Development Agreement requested by Warner Land Advisors, L.P., on behalf of the Freeman Educational Foundation, for PDA-19-01 (Cresta Verde), approximately 813.51 acres out of the John Carson Survey No. 3, the Patrick McGreal Survey No. 1, the Johns Williams Abstract No. 490, the Thomas H.W. Forsith Survey No. 2, and the John Maxamillan Jr Survey no. 15 located at 2510 Ranch Road 12; and consider the appointment of a Council Committee to review aforementioned Development Agreement, if desired.

Shannon Mattingly, Director of Planning and Development Services, provided a presentation regarding the authorization to negotiate a Development Agreement for approximately 813 acres that abuts Country Estates and consists of mixed use, single family, and multi-family. Ms. Mattingly provided the conceptual plan,

Steve Sallman, President of Warner Land Advisors, Ltd, made a few remarks regarding this property. Mr. Sallman is seeking approval of a development agreement to negotiate future land use of this property.

A motion was made by Council Member Rockey Moore, seconded by Council Member Gonzales, to form a committee, consisting of Mayor Hughson and Deputy Mayor Pro Tem Gonzales, to review this development agreement further. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockey Moore

Against: 0

- 22.** City Council Reports:

- a) Mayor Hughson will provide a brief update regarding her membership on various Capital Area Council of Governments (CAPCOG) committees.
- b) Mayor Hughson will provide a brief update related to her membership on the Capital Area Metro Planning Organization (CAMPO).
- c) Mayor Hughson and Council Member Rockeymoore will provide a brief update related to their membership on the Alliance Regional Water Authority (ARWA) Board of Directors.
- d) Mayor Hughson will provide a brief update regarding her participation in this years Texas Municipal League Leadership Academy.
- e) Council Member Derrick will provide a brief update regarding her membership on the San Marcos Commission for Children and Youth.
- f) Mayor Pro Tem Prewitt will provide a brief update regarding her membership on the Capital Area Rural Transit (CARTS) Board.
- g) Mayor Hughson, Mayor Pro Tem Prewitt, Council Member Derrick and Council Member Rockeymoore will provide a brief update regarding the recent Federal Legislative Delegation trip to Washington D.C.
- h) Mayor Hughson and Council Member Derrick will provide a brief update on the San Marcos Chamber 2019 Inter-City Visit trip to Utah.

Mayor Hughson suggested linking reports to the City Council webpages so citizens can access and stay informed with the various meetings and committees Council attends. The Mayor, the Mayor Pro Tem, and the Deputy Mayor Pro Tem will bring back options.

A motion was made by Council Member Derrick, seconded by Mayor Pro Tem Prewitt, to postpone the City Council Reports to the June 4, 2019 Regular City Council Meeting. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

EXECUTIVE SESSION

- 23.** Executive Session in accordance with the following Government Code Sections:
- A. Section § 551.071 - Consultation with Attorney and Section 551.072 - Deliberations Regarding Real Property, to receive a staff briefing and to deliberate the acquisition of a public utility easement on the Gunnarson property on Ramsey Street at a location adjacent to the Hilltop Electric Substation.
 - B. Section § 551.071 - Consultation with Attorney: to receive a staff briefing and deliberate regarding Martindale ETJ matters and Project Big Hat
 - C. Section § 551.087 - Economic Development: to receive a staff briefing and deliberate regarding Project Big Hat

A motion was made by Council Member Mihalkanin, seconded by Mayor Pro Tem Prewitt, to enter into Executive Session at 9:15 p.m. The motion carried

by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

24. Consider action, by motion, regarding the following Executive Session items held during the Work Session and/or Regular Meeting:

A. Section § 551.071 - Consultation with Attorney and Section 551.072 - Deliberations Regarding Real Property, to receive a staff briefing and to deliberate the acquisition of a public utility easement on the Gunnarson property on Ramsey Street at a location adjacent to the Hilltop Electric Substation.

B. Section § 551.071 - Consultation with Attorney: to receive a staff briefing and deliberate regarding Martindale ETJ matters and Project Big Hat

C. Section § 551.087 - Economic Development: to receive a staff briefing and deliberate regarding Project Big Hat

Council returned to open session at 11:52 p.m. Mayor Hughson stated direction was provided to Staff during Executive Session on the following items:

A. Section § 551.071 - Consultation with Attorney and Section 551.072 - Deliberations Regarding Real Property, to receive a staff briefing and to deliberate the acquisition of a public utility easement on the Gunnarson property on Ramsey Street at a location adjacent to the Hilltop Electric Substation.

B. Section § 551.071 - Consultation with Attorney: to receive a staff briefing and deliberate regarding Martindale ETJ matters and Project Big Hat

C. Section § 551.087 - Economic Development: to receive a staff briefing and deliberate regarding Project Big Hat.

VI. Question and Answer Session with Press and Public.

None.

VII. Adjournment.

A motion was made by Council Member Mihalkanin, seconded by Mayor Pro Tem Prewitt to adjourn the Regular Meeting of the San Marcos City Council at 11:54 p.m. The motion carried by the following vote:

For: 6 - Mayor Pro Tem Prewitt, Council Member Gonzales, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

Absent: 1 - Council Member Derrick

Jamie Lee Case, TRMC, City Clerk

Jane Hughson, Mayor