



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes City Council

Tuesday, September 7, 2021

6:00 PM

City Council Chambers/Virtual

This meeting was held using conferencing software due to COVID-19 rules.

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 6:02 p.m. Tuesday, September 7, 2021. The meeting was held in-person and online.

II. Roll Call

Present: 7 - Mayor Pro Tem Melissa Derrick, Mayor Jane Hughson, Council Member Maxfield Baker, Council Member Saul Gonzales, Deputy Mayor Pro Tem Shane Scott, Council Member Alyssa Garza and Council Member Mark Gleason

III. Invocation

Pastor J.D. Elshoff, from First Baptist Church provided this evening's invocation.

IV. Pledges of Allegiance - United States and Texas

Deputy Mayor Pro Tem Scott led the assembly in the Pledges of Allegiance.

V. 30 Minute Citizen Comment Period

Bucky Couch, spoke in favor of an increase on the tax rate and would like to increase the rate to the \$.6030 from the proposed \$.5930. He stated as a member of the Chief's Advisory Panel, he has seen and heard first-hand the struggles that the San Marcos Police Department endures in trying to keep the community safe with a force of sworn and non-sworn staff that has not kept pace with the growth of San Marcos. He mentioned as a citizen, business-owner, and taxpayer, the additional one cent increase can make a measurable difference in improving the overall quality of life of the community and would demonstrate to first-responders your commitment to support their tireless efforts.

Carina Boston Pinales, spoke in favor of the renewal of Greater San Marcos

Partnership (GSMP) contract. She stated GSMP staff is engaged and SPLASH has filed for non-profit status. She mentioned that over 3 years they have focused on the needs and demands of the community and develop services to offer. Ms. Pinales stated GSMP is in support of services and programs. She mentioned that GSMP joined SPLASH's global entrepreneurship league this past year as SPLASH is the organizer in the area and region. Ms. Pinales stated with collaboration and programs it is helpful to know that community has participation support from GSMP with improving work force, professional development and opportunities.

Meagan McCoy Jones, serves on the Greater San Marcos Partnership (GSMP) Board of Directors and co-lead one of four workgroups working to implement the GSMP Vision 2025 Strategic plan. She spoke in favor of the GSMP contract. In this time and because of the engagement with GSMP by local investors, elected officials, and city and county staff and public servants, she would like council to continue to investment in the Greater San Marcos Partnership. She mentioned the organization is bringing the community together for engaged, purposeful work to benefit our citizens through job growth today and the care and consideration of the community, natural resources, and community members growth and prosperity today and in the future. The work of economic development is very complicated. It cannot successfully happen in individual and separate arenas. It requires planning and deep collaboration. She stated she is encouraged by the engagement of community members across all kinds of ideas and perspectives willing to work hard for the sake of others. The platform for this work at GSMP would be hard to replicate in another way and it benefits the people of San Marcos deeply. She stated to have momentum and collaboration that would benefit from the city's continued financial support and the good work and continued support and insight of City Council and city staff members.

Jason Giuletti, spoke in favor of the GSMP contract. He stated the GSMP is celebrating their 10th anniversary with an integral role in success and partnership with the city. He shared highlights of success in the last twenty four months. The GSMP has secured \$7M tax revenue to the city over the next 10 years to projects, announced 1,000 new jobs, elevated city's profile national and international publications including, Wall Street Journal and the Washington Post. He mentioned the new pipeline activity and \$30B for the city's consideration, 120,000 potential jobs for the City. GSMP has visited more than 80 business of all sizes to ensure they are heard, growing and successful. Seventy-two of those business are not investors in the GSMP. He stated the Hays Central Appraisal District assistance program has assisted 37

micro business awarding them over \$200K. Mr. Giuletti stated there are 9 employees of the GSMP and they all care deeply for San Marcos.

John Mark Slack, spoke in favor of #39. He thanked council for their service and addressed concerns from the last meeting and is available to questions.

CONSENT AGENDA

A motion was made by Deputy Mayor Pro Tem Scott, seconded by Council Member Baker, to approve items 1-3, 6-13, 15, 16, and 18-20, items 4, 5, 14, and 17 were pulled and considered separately after the public hearings. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

1. Consider approval of Ordinance 2021-63, on the second of two readings, amending section 34.401 and 34.402 of the San Marcos City Code to correct a typographical error and to limit the applicability of vehicle idling restrictions to the City limits and areas of the City's Extraterritorial Jurisdiction within 1,000 feet of the City limits; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.
2. Consider approval of Ordinance 2021-64, on the second of two readings, amending the City's 2020-2021 Fiscal Year budget in the total amount of \$581,600.00 to allocate funds needed for the utility account forgiveness program; and providing an effective date.
3. Consider approval of Resolution 2021-162R, approving a Change in Service to the contract with Cobb Fendley & Associates, Inc. to advance the Kissing Alley Improvement Project to the design phase and increase the contract in the amount of \$624,402.25; authorizing the City Manager or his designee to execute the appropriate documents to implement the Change in Service; and declaring an effective date.
6. Consider approval of Resolution 2021-179R, approving an agreement that grants a Non-Exclusive License to Skinny Labs, Inc., doing business as SPIN, that enables SPIN'S shared micromobility devices such as electric scooters and electric bicycles to be operated within City rights-of-way; and declaring an effective date.
7. Consider approval of Resolution 2021-166R, correcting Resolution 2021-110R to clarify the actual purchase price of capital equipment to be used by the Streets Division of the Public Works Department: for the purchase of a trailer from Cooper Equipment Company in the amount of \$97,733.10, instead of \$92,840.35, through the Buyboard Purchasing Cooperative; authorizing the City Manager or his designee to execute the contracts necessary to implement these corrections on behalf of the City; and declaring an effective date.

8. Consider approval of Resolution 2021-167R, approving a Change in Service to the Uninterrupted Power Supply Maintenance Agreement with Weissco Power, LLC ratifying an emergency purchase and installation of batteries in the amount of \$7,355.00 and for the purchase of additional services and equipment in the amount of \$20,000 for a total contract amount of \$73,241; authorizing the City Manager or his designee to execute the appropriate documents to implement the Change in Service; and declaring an effective date.
9. Consider approval of Resolution 2021-168R, approving a Change in Service to the agreement with SHI Government Solutions, Inc. relating to the Microsoft Enterprise Agreement through the State Department of Information Resources in the amount of \$616,673.99; 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 2021-169R, approving an agreement with Bluebonnet Electric Cooperative for interconnection of the City's solar array at the Public Service Center located at 2217 East McCarty Lane; authorizing the City Manager, or his designee, to execute the agreement on behalf of the City; and declaring an effective date.
11. Consider approval of Resolution 2021-170R, approving a Change in Service to the agreement with Operations Management, Inc., now Jacobs Engineering, to provide consultation services related to water and wastewater services for the City in an annual not-to-exceed amount of \$60,000.00 and authorizing two additional annual renewals; authorizing the City Manager or his designee to execute the appropriate documents to implement the Change in Service; and declaring an effective date.
12. Consider approval of Resolution 2021-171R, approving a Change in Service to add additional monitoring services to the agreement with Madden Reprint Media, LLC relating to internet search engine marketing used by the San Marcos Convention Visitor Bureau to promote tourism in the revised annual amount of \$65,000.00 for the two remaining one-year renewals; authorizing the City Manager or his designee to execute the documents necessary to implement the Change in Service on behalf of the City; and declaring an effective date.
13. Consider approval of Resolution 2021-172R, approving a one-year renewal to the agreement with GOW Media, LLC relating to Digital Advertisement for used by the San Marcos Convention and Visitor Bureau to promote tourism in an annual amount of \$12,000 and authorizing two additional one-year renewals for a total contract amount of \$80,745; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.
15. Consider approval of Resolution 2021-174R, approving several Change Orders to the construction contract with Trimbuilt Construction Inc. relating to the San Marcos Police Department Building Renovations and Additions Project in the amount of \$153,621.48; authorizing the City Manager or his designee to execute the appropriate documents relating to the Change Orders on behalf of the City; and declaring an effective date.

16. Consider approval of Resolution 2021-175R, approving an Interlocal Agreement with Hays County under which Hays County is authorized to submit, on behalf of the City, an application for funding under the U.S. Department of Justice, OJP, BJA Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$18,869.00 to fund the purchase of forensic lab equipment and supplies; 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 effective date.
18. Consider approval of Resolution 2021-177R, approving a contract to provide funding to Austin Area Research Organization (AARO) on behalf of Central Texas Addressing Cancer Together in the amount of \$271,915.00 from American Rescue Plan Funds for the purpose of supporting the Breast Cancer Initiative to address health disparities among uninsured, low-income women at risk of breast cancer which will support the recovery of the community from the COVID-19 Pandemic; and declaring an effective date.
19. Consider approval of Resolution 2021-182R, approving a contract to provide funding to Mermaid Society SMTX in the sum of \$25,000 from American Rescue Plan Funds for the purpose of supporting the Mermaid Festival which will support the recovery of the community from the COVID-19 Pandemic; and declaring an effective date.
20. Consider approval of Resolution 2021-183R, approving a contract to provide funding to Nosotros La Gente in the amount of \$25,000 from American Rescue Plan Funds for the purpose of supporting the "Viva Zapatos" shoe drive/community assistance program which will support the recovery of the Community from the COVID-19; and declaring an effective date.

PUBLIC HEARINGS

21. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-66, adopting a budget in the amount of \$259,813,834 for the fiscal year beginning October 1, 2021 and ending September 30, 2022; authorizing certain adjustments to the budget with the approval of the City Manager; approving fiscal year 2021-2022 Capital Improvements Program Projects; adopting a fee schedule; including procedural provisions; and declaring an effective date; consider approval of Ordinance 2021-66, on first of two readings.

Maria Kalka, Finance Director provided the presentation regarding the budget.

FY22 Proposed Budget Changes include the following:

- **General Fund**

- **Decreased Go Wheels Up - new amount is \$47,500**

- **Increased Police salary line item for 911 Telecommunicators - new amount \$77,000**

- **Decreased expenditures for add on equipment for leased vehicles - new amount is \$29,500**

- **Stormwater Fund**
 - Rate increase from 8.0% to 8.5% (\$32,500) to fund needed maintenance costs (cost neutral)
- **Airport Fund**
 - Add new grant revenue (\$90,500) with offset increase in contractual costs (cost neutral)

FY22 Budget General Fund Personnel Breakdown of public safety is 53%, Community Development is 12%, Parks and Recreation is 9%, Public Works is 7%, Neighborhood Enhancement is 4%, Technology Services is 4%, Finance & Human Resources 6% Administrative 5%

Ms. Kalka mentioned for FY22 General fund summary the Community Enhancement Fee will be removed from General Fund and moved to new Special Revenue Fund.

Mayor Hughson opened the Public Hearing at 6:37 p.m.

There being no speakers, Mayor Hughson closed the Public Hearing at 6:37 p.m.

Deputy Mayor Pro Tem Scott inquired about uploading the budget into the info graphics program and uploaded to our website for easier viewing by citizens. Mr. Lumbreras stated staff is re-evaluating that program. Ms. Kalka stated she met with the vendor and there is no contract at this time so to load it, there would need to be a contract in place. Open GOV is currently utilized and will be posted with them this year. Mr. Lumbreras stated he will look into this, understanding a contract is in place with another vendor, but staff will research and provide information to Council.

MOTION TO AMEND: a motion was made by Mayor Hughson, seconded by Council Member Gleason, to amend Section 3 (c-f) of the Ordinance by adding "with notification to the city council members". This section will now read as follows:

The City Manager is authorized to make the following adjustments to the 2021-2022 Annual Budget without further approval from the City Council:

- (a) Transfers of funds among the accounts within each department;**
- (b) Transfers of funds within an operating fund;**
- (c) Transfers of funds for construction projects and equipment purchases from operating accounts to Capital Improvements Program accounts with notification to the city council members;**

(d) Reclassification of positions within each department with notification to the city council members;

(e) Decreases in operating accounts in response to decreases in City revenues or other circumstances, where the decreases do not result in a transfer of funds to another account with notification to the city council members; and

(f) Transfers of positions within an operating fund as long as full-time equivalencies (FTE's) are not increased within the fund with notification to the city council members.

The motion to amend carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

The motion to approve, as amended, carried by the following vote:

For: 6 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 1 - Council Member Gonzales

- 22.** Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-67, increasing rates established for Water, Wholesale Water, Reclaimed Water, Wastewater Treatment, and Sewer Surcharges; including procedural provisions; declaring an effective date; and consider approval of Ordinance 2021-67, on the first of two readings

Marie Kalka, Finance Director, stated there is no presentation, but she is here to answer questions. Mayor Hughson stated there is thorough information in the packet and was discussed extensively at the last meeting.

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

There being no speakers, Mayor Hughson closed the Public Hearing at 6:48 p.m.

A motion was made by Deputy Mayor Pro Tem Scott, seconded by Council Member Gonzales, to deny Ordinance 2021-67, on the first of two readings.

The motion failed by the following vote:

For: 3 - Council Member Gonzales, Deputy Mayor Pro Tem Scott and Council Member Garza

Against: 4 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker and Council Member Gleason

A motion was made by Council Member Baker, seconded by Mayor Pro Tem

Derrick, to approve Ordinance 2021-67, on the first of two readings.

It was noted by Ms. Kalka that the water increases have been planned for a number of years to support our future water plans through the Alliance Regional Water Authority (ARWA) project.

The motion to approve carried by the following vote:

For: 4 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker and Council Member Gleason

Against: 3 - Council Member Gonzales, Deputy Mayor Pro Tem Scott and Council Member Garza

- 23.** Receive a Staff Presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-68, increasing the rates for Electric Utility Services; and including procedural provisions; and providing an effective date; and consider approval of Ordinance 2021-68, on the first of two readings.

Mayor Hughson opened the Public Hearing at 6:54 p.m.

There being no speakers, Mayor Hughson closed the Public Hearing at 6:54 p.m.

A motion was made by Mayor Pro Tem Derrick, seconded by Council Member Gleason, to approve Ordinance 2021-68, on the first of two readings. The motion carried by the following vote:

For: 4 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker and Council Member Gleason

Against: 3 - Council Member Gonzales, Deputy Mayor Pro Tem Scott and Council Member Garza

- 24.** Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-69, increasing Drainage Utility Rates as authorized by Section 86.505 of the San Marcos City Code; and providing an effective date; and consider approval Ordinance 2021-69, on the first of two readings.

Mayor Hughson opened the Public Hearing at 6:56 p.m.

There being no speakers, Mayor Hughson closed the Public Hearing at 6:56 p.m.

A motion was made by Council Member Gleason, seconded by Mayor Pro Tem Derrick, to approve Ordinance 2021-69, on the first of two readings. The motion carried by the following vote:

For: 4 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker and Council Member Gleason

Against: 3 - Council Member Gonzales, Deputy Mayor Pro Tem Scott and Council Member Garza

25. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-70, amending the rates for both Residential and Multifamily Customers of Municipal Solid Waste Programs (currently known as Resource Recovery) in accordance with Section 66.028 of the San Marcos Code of Ordinances; and including procedural provisions; and providing an effective date; consider approval of Ordinance 2021-70 on the first of two readings.

Mayor Hughson opened the Public Hearing at 6:57 p.m.

There being no speakers, the Mayor closed the Public Hearing at 6:57 p.m.

A motion was made by Mayor Pro Tem Derrick, seconded by Council Member Gleason, to approve Ordinance 2021-70, on the first of two readings. The motion carried by the following vote:

For: 4 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker and Council Member Gleason

Against: 3 - Council Member Gonzales, Deputy Mayor Pro Tem Scott and Council Member Garza

26. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-71, setting the Tax Rate for the 2021 Tax Year at 60.30 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, 2021, and ending September 30, 2022; providing a sinking fund for the retirement of the bonded debt of the city; including procedural provisions; and declaring an effective date; and consider approval of Ordinance 2021-71, on the first of two readings.

Marie Kalka, Finance Director, provided a brief presentation regarding the FY2021-22 Tax Rate. Ms. Kalka stated the FY22 proposed tax rate is 60.30¢. Ms. Kalka stated the proposed tax rate of 60.30¢ is lower than both the no new revenue tax rate of 69.99¢ and the voter approval tax rate of 75.54¢. The proposed tax rate of 60.30¢ generates \$300K less revenue than the prior year on the same properties taxed in both years. She stated the new tax revenue generated from new properties on the tax roll amounts to \$1.4M.

Ms. Kalka provided the FY22 General Fund 0.01¢ increase, includes:

- 0.01 cent increase in tax rate = \$655K
- City Manager's Top Priorities for Our Growing Community
- Traffic Officers

– 911 Telecommunicators

- **The remainder of priority positions will be addressed during fiscal year 2022**
- **20 additional positions were requested and won't be addressed in FY22**

Mayor Hughson opened the Public Hearing at 7:08 p.m.

There being no speakers, Mayor Hughson closed the Public Hearing at 7:08 p.m.

A motion was made by Mayor Hughson, seconded by Council Member Baker, to approve Ordinance 2021-71, on the first of two readings.

Council Member Gleason will not support increase. He would like to see if CIP projects can be pushed into the future in order to fund the public safety positions which should be a priority. Ms. Kalka stated FY22 CIP debt service will be in issued in FY22 with the first payment issued in 2023 with no impact to the general fund budget for FY22 to have savings.

Mayor Pro Tem Derrick asked Chief Standridge his thoughts on the needs of the public safety positions. Chief Standridge stated he is surprised that there are zero traffic officers with residents having 3200 accidents per year and relies on six patrol officers. He stated we need to setup a Traffic Division to meet the needs of the community. He mentioned the actual request is for seven telecommunicators that staffing levels has not been adjusted since 2013 and the calls for service are rising. Chief Standridge stated we are the only dispatch center in Hays County that does EMS/Fire and Police and does EMS/Fire for Texas State University. Currently, there are four telecommunicators but there are only three on duty for several hours. Chief is asking for consideration for three traffic officers and four telecommunicators.

Council Member Gonzales asked if Texas State University reimburses the City for services? Chief Standridge stated he has not seen an interlocal contract with Texas State University for dispatch. Mr. Stapp stated we do not seek reimbursement for EMS and Fire and they do their own Police dispatch.

Council consensus is to discuss reimbursements with Texas State University for providing EMS/Fire services.

Council Member Gonzales also inquired about impact fees, but was reminded that those fees do not go into the general fund. His point is that new development should pay for the increases in service needed. Mr. Lumbreras

noted that the property tax from new development is not paying all we need.

Mayor Hughson noted that we are now collecting funds from developers who need to close down a street for months on end. There are some other things we can look at from those who are bringing growth to our city. Mr. Stapp and Mayor Hughson noted that there is up to a year's lag in assessing and collecting taxes, as they are assessed as of January 1 each year. Bills go out in the fall and the taxes are not due until January 31 of the following year. Given our fast growth, we will always be somewhat behind.

Mr. Lumbreras noted that all positions will be reviewed as sale tax receipts increase. Deputy Mayor Pro Tem Scott noted that there is potential for revenue from tickets generated by the traffic officers, if we had them.

Council Member Baker noted that Slow Streets and other methods can slow down traffic and reduce the number of crashes, therefore reducing the number of traffic officers needed. There is a cost to that also.

Council consensus is to request an analysis on fees for new developments other ways to bring in more funds.

The motion carried by the following vote:

For: 5 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales and Council Member Gleason

Against: 2 - Deputy Mayor Pro Tem Scott and Council Member Garza

27. Receive a staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-72, annexing into the City approximately 8.704 acres of land generally located at the northwest corner of the W. Centerpoint Rd. and Central Park Loop intersection in Case No. AN-21-04; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2021-72, on the first of two readings.

Shannon Mattingly, Director of Planning and Development Services, provided a presentation regarding the annexing of 7.777 acres located at W. Centerpoint Rd. and Central Park Loop for the La Cima Amenity Center.

Mayor Hughson opened the Public Hearing at 8:03 p.m.

There being no speakers, Mayor Hughson closed the Public Hearing at 8:03 p.m.

A motion was made by Council Member Gleason, seconded by Mayor

Hughson, to approve Ordinance 2021-72, on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

28. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-73, amending the Official Zoning Map of the City in Case No. ZC-21-10 by rezoning approximately 7.777 acres of land, described as Lot 1, Block A, La Cima Amenity Center, located at 301 Central Park Loop, from "FD" Future Development District to "SF-4.5" single-family - 4.5 District, or subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2021-73, on the first of two readings.

Shannon Mattingly, Director of Planning and Development Services, provided the presentation on the rezoning of approximately 7.777 acres of land for La Cima Amenity Center, located at 301 Central Park Loop.

Mayor Hughson opened the Public Hearing at 8:05 p.m.

There being no speakers, Mayor Hughson closed the Public Hearing at 8:05 p.m.

A motion was made by Council Member Gleason, seconded by Council Member Gonzales, to approve Ordinance 2021-73, on the first of two readings. The motion carried by the following vote:

For: 6 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 1 - Council Member Baker

4. Consider approval of Resolution 2021-163R, approving the Second Amendment to the Interlocal Agreement between the City and Texas State University relating to the implementation of the Edwards Aquifer Habitat Conservation Plan to, among other things, include a description of the duties and compensation of the Habitat Conservation Project Manager and extend the agreement through March 31, 2028; authorizing the City Manager or his designee to execute the Amendment on behalf of the City; and declaring an effective date.

MAIN MOTION: A motion was made by Council Member Baker, seconded by Mayor Pro Tem Derrick, to approve Resolution 2021-163R.

MOTION TO POSTPONE: A motion was made by Deputy Mayor Pro Tem

Scott, seconded by Council Member Garza, to postpone Resolution 2021-163R, to the second meeting in October as a work session item to discuss in more detail. The motion to postpone carried by the following vote:

For: 5 - Mayor Hughson, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 2 - Mayor Pro Tem Derrick and Council Member Baker

5. Consider approval of Resolution 2021-164R, approving a contract with Alpha Building Corporation through the Texas Buyboard Purchasing Cooperative for maintenance and repairs at the City of San Marcos Animal Shelter in the amount of \$240,047.55; 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 Gleason, seconded by Mayor Pro Tem Derrick, to approve Resolution 2021-164R. Ms. Derrick inquired regarding a fence that was suggested. Staff will report back to Council. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

14. Consider approval of Resolution 2021-173R, approving the Terms and Conditions of an Interlocal Agreement between City of San Marcos and the San Marcos Consolidated Independent School District (SMCISD) relating to the City's provision of Officers to serve as School Resource Officers; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

MAIN MOTION: A motion was made by Council Member Gleason, seconded by Mayor Hughson, to approve Resolution 2021-173R.

Council Member Baker provided a list of his concerns regarding training, including addressing mental health of the students, and requested information from our Police Chief. He would like to have a survey regarding the officers and their performance. He also inquired about a research project and a study that Texas State University had produced and the funding source.

Chief Stan Standridge stated that the funding source is the National Institute of Justice. Mr. Baker continued that he would like to see that study. He also wants a report on our program. Chief Standridge stated that we have a good program which is echoed by the study and will provide a memo to the council. He stated that our officers have a combined 724 hours of school based law enforcement training that is specific to school based law enforcement inclusive of mental health and restorative justice, adolescent behavior, development

disabilities, and special populations.

Mayor Pro Tem Derrick noted that the officers need to be trained to deal with a number of types of neurodivergent issues. She inquired about our expectations. Chief Standridge noted that minimum standards are set by the Texas Commission on Law Enforcement Standards. He noted what is available for which officers are trained. There are 14,000 hours across the five school resource officers. Ms. Derrick would like to raise the expectation in the agreement. She is concerned we may be asking the officers to do too much and tasks that are not related to this agreement. She related an incident that happened with her son a few years ago.

Chief Standridge discussed a survey. Council Member Garza noted she was previously employed at the School Safety Center who did the study. She is interested in the content of the training provided. It was noted that the San Marcos Board of Trustees passed the Interlocal Agreement unanimously.

MOTION TO POSTPONE: A motion was made by Council Member Garza, seconded by Mayor Pro Tem Derrick, to postpone Resolution 2021-173R, to the second meeting in October as a work session item to discuss in more detail. Chief Stapp noted that the previous Interlocal Agreement has expired. Mr. Lumbreras noted that he needs council to provide their concerns so that staff can address them at the work session.

The motion to postpone carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

17. Consider approval of Resolution 2021-176R, approving the terms and conditions of an Interlocal Agreement between the City of San Marcos and Texas State University for, among other services, research for a needs assessment relating to homelessness in San Marcos, authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

MAIN MOTION: A motion was made by Council Member Baker, seconded by Council Member Gleason, to approve Resolution 2021-176R.

MOTION TO AMEND: A motion was made by Mayor Hughson, seconded by Deputy Mayor Pro Tem Scott, to amend the agreement under Project Description, Section 6, by inserting "and San Marcos Chamber of Commerce". If approved, the sentence will read as follows:

"Gather information regarding the impact of homeless residents on local

businesses via a survey of business owners with locations affected by homeless residents. Survey will be developed with COSM Main Street and San Marcos Chamber of Commerce input."

The motion to amend carried by the following vote:

For: 6 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott and Council Member Gleason

Against: 1 - Council Member Garza

Council Member Baker inquired about officers accompanying researchers into encampments. He is concerned that responses will not be as accurate as if social workers conduct the survey. Chase Stapp, Director of Public Safety, stated the university requested that the city provide an officer when entering encampments and surveys will be conducted by researchers not the officers. Council Member Baker expressed concern with information being skewed while there is an officer present. Mr. Baker would like for Texas State University to partner with current organizations working with the homeless that do not carry guns. Mr. Stapp stated this request was from the researchers and we plan to send an officer from the homeless outreach team. Mr. Stapp stated the officers on the homeless outreach team are in the encampments often and have not had acts of violence in a long time.

Council Member Garza expressed concern with the presence of police and the skewing of data.

MOTION TO AMEND: a motion was made by Council Member Baker, seconded by Council Member Garza, to amend Section 7 under the Project Description of the agreement by striking "accompanied by a homeless outreach team member from the Police Department". The motion to amend failed by the following vote:

For: 2 - Council Member Baker and Council Member Garza

Against: 5 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Gonzales, Deputy Mayor Pro Tem Scott and Council Member Gleason

MOTION TO AMEND: A motion was made by Mayor Pro Tem Derrick, seconded by Mayor Hughson, to amend Section 7 under Project Description to add a new sentence "Police officers involved will wear plain clothes attire with all law enforcement equipment concealed." The motion to amend carried by the following vote:

For: 6 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 1 - Council Member Baker

MAIN MOTION: to approve Resolution 2021-176R, as amended. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

NON-CONSENT AGENDA

29. Consider approval of Ordinance 2021-74, on the first of two readings, amending Chapter 58 Public Facilities, Parks and Recreation of the San Marcos City Code, making amendments to Section 58.042 prohibited items in a City Park or Natural Area by inserting possession of a weapon as defined in Section 58.026 definitions; and amending Section 58.068 of the San Marcos City Code that prohibits possession or shooting of a speargun by any person while in or upon the San Marcos River without a permit issued by the Parks and Recreation Department; and providing an effective date.

A motion was made by Deputy Mayor Pro Tem Scott, seconded by Council Member Gleason, to approve Ordinance 2021-74, on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

30. Consider approval of Ordinance 2021-75, on first and final reading, amending Ordinance 2021-61 ordering a General and Special Election to be held on November 2, 2021 by establishing early voting and election day polling places for this election; and making provisions for conducting the election; declaring an emergency creating the need to adopt this ordinance with only one reading; and providing an effective date.

A motion was made by Deputy Mayor Pro Tem Scott, seconded by Council Member Baker, to approve Ordinance 2021-75, on the first and final reading. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

31. Consider approval of Resolution 2021-155R, rejecting all proposals to conduct an 18-month Electric Cab Pilot Microtransit Program relating to Downtown parking; and declaring an effective date.

A motion was made by Deputy Mayor Pro Tem Scott, seconded by Council Member Gleason, to approve Resolution 2021-155R. The motion carried by

the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

32. Consider approval of Resolution 2021-180R, approving a Public Transit System Interlocal Agreement with the Capital Area Rural Transportation System ("CARTS") for CARTS to provide transit services on behalf of the City in the San Marcos urbanized area, with a funding amount by the City not to exceed \$2,200,00.00; authorizing the City Manager, or his designee, to execute the agreement on behalf of the City; and declaring effective date.

A motion was made by Council Member Gleason, seconded by Mayor Pro Tem Derrick, to approve Resolution 2021-180R.

Deputy Mayor Pro Tem Scott inquired about other alternatives related to transportation such as Uber. Mr. Lumbreras stated there is a partnership with Texas State and there will be future discussions, but he would like to see this partnership at work first.

Mayor Pro Tem Derrick inquired about the timeline of this partnership becoming a reality. Mr. Lumbreras stated there is an Interlocal agreement that will be formally adopted at a later date. The next step will be a request for proposal and seek a provider that could provide the services.

The motion to approve carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

33. Consider approval of Resolution 2021-181R, approving a one-year State Use Contract with Easter Seals-Central Texas as certified through WorkQuest, a State purchasing cooperative, for vegetation an litter control, and landscape maintenance in the estimated amount of \$1,166,293.36; authorizing the City Manager or his designee to executed the agreement on behalf of the City; and declaring an effective date.

A motion was made by Deputy Mayor Pro Tem Scott, seconded by Council Member Gleason, to approve Resolution 2021-181R.

Council Member Baker expressed concern with the micro litter that is being left behind in the park after it is mowed. Mr. Baker inquired about conservation efforts related to stormwater. Thane Newman, Community

Services Business Operations Manager, stated there are efforts towards conservation. He also stated that Easter Seals utilizes propane at this time, but they are not using battery powered equipment at this time. Council would like this considered when we consider the contract next year.

The motion to approve carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

- 34.** Consider approval of Resolution 2021-178R, approving an agreement with the Greater San Marcos Economic Development Corporation ("The Greater San Marcos Partnership") for economic development and small business economic development services in the amount of \$400,000 per year, plus authorized expenses, over a term of at least three years; authorizing the City Manager, or his designee, to execute the agreement on behalf of the City; and declaring an effective date.

MAIN MOTION: A motion was made by Deputy Mayor Pro Tem Scott, seconded by Council Member Gleason, to approve Resolution 2021 178R.

Council held discussion regarding the Environmental, Social, and Governance (ESG) Report that provides qualitative and quantitative information on a company's impacts to the environment and society, as well as information about how the company is governed, provided by a third party.

Deputy Mayor Pro Tem Derrick would like to include mental health professionals within the agreement. Kelsee Jordan Lee, Economic & Business Development Manager, stated it can be included in the economic development policy and it can be added as a targeted industry on the Greater San Marcos Partnership (GSMP) agreement.

MOTION TO AMEND: a motion was made by Council Member Baker, seconded by Council Member Garza to amend by striking through Section G. Partnership/City Coordination #5, to insert new sentence "The Partnership will develop and conduct annually a quality-of-life survey using best practices regarding GSMP's activity and impact on our residents."

Mayor Hughson noted that the City has contracted for a Community Survey for a number of years and perhaps we should incorporate this request into that survey. She feels it would be better for the city to be in charge of this. Garza noted that the community survey on the city's website was quite robust with a good response rate. Ms. Lee noted that in the Vision 2020 Plan has a

Quality-of-Life information in the scorecard that includes crime, commuting and congestion, affordability, cost of living, health, and recreation items. Mr. Jason Gulietti noted it will be conducted in Phase two and annually. It is based on best practices provided by the consultant for the Plan. Other communities do this, and some data is based on national data. He wants to ensure a good response.

The motion to amend carried by the following vote:

For: 4 - Mayor Pro Tem Derrick, Council Member Baker, Council Member Gonzales and Council Member Garza

Against: 3 - Mayor Hughson, Deputy Mayor Pro Tem Scott and Council Member Gleason

Council held further discussion regarding the ESG reports. Council would like to view ESG samples. Mr. Giulietti stated the companies were not willing to share samples because the information is proprietary. .

Mr. John David Carson provided additional information about ESG reporting.

Mr. Lumbreras noted that after the workshop on this topic, all of those items were included in this contract with no additional funding provided. He noted that an ESG report will cost us and since that was not included in the prior instructions, it would be the responsibility of the City.

Council Member Baker expressed concern that we have not seen an example of a ESG to determine if this will meet our needs and noted that the city will still pay for it as approved by the City Manager.

MOTION TO POSTPONE: a motion was made by Council Member Baker, seconded by Council Member Garza, to postpone consideration of Resolution 2021-178R to the second meeting in October until Council sees an ESG report or samples that were provided to GSMP. It was noted that this agreement expires September 30, 2021.

The motion to postpone failed by the following vote:

For: 3 - Mayor Pro Tem Derrick, Council Member Baker and Council Member Garza

Against: 4 - Mayor Hughson, Council Member Gonzales, Deputy Mayor Pro Tem Scott and Council Member Gleason

MOTION TO AMEND: A motion was made by Mayor Pro Tem Derrick, seconded by Council Member Baker, to amend, by inserting under Section E Business Attraction (Contacts and Leads), #2, a new item h “The partnership will include in its attraction efforts, mental healthcare providers and

professionals.” Re-letter the sentences below.

The motion to amend carried by the following vote:

For: 6 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Council Member Garza and Council Member Gleason

Against: 1 - Deputy Mayor Pro Tem Scott

MOTION TO AMEND: A motion was made by Council Member Baker, seconded by Council Member Garza, to amend under Standard Terms and Conditions, #24 to insert at the end of the first sentence, "Including recommendations of by Centers for Disease Control and Prevention (CDC)."

The motion carried by the following vote:

For: 5 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales and Council Member Garza

Against: 2 - Deputy Mayor Pro Tem Scott and Council Member Gleason

MOTION TO AMEND: a motion was made by Council Member Baker, seconded by Council Member Garza, to amend, by inserting at the end of the first sentence under Standard Terms and Conditions, #24, "Including recommendations by the Centers for Disease Control and Prevention (CDC)."

The motion to amend carried by the following vote:

For: 5 - Mayor Pro Tem Derrick, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 2 - Mayor Hughson and Council Member Baker

MOTION TO CALL THE QUESTION: A motion was made by Deputy Mayor Pro Tem Scott, seconded by Council Member Gleason, to call the question.

The motion to call the question failed by the following vote:

For: 5 - Mayor Pro Tem Derrick, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 2 - Mayor Hughson and Council Member Baker

MAIN MOTION: to approve Resolution 2021-178R, as amended.

The motion carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

35. Consider approval of Resolution 2021-165R, nominating Cooperative Laundry SMS, LLC's location of a new facility in San Marcos as an enterprise project under the Texas Enterprise Zone Program; and declaring an effective date.

A motion was made by Council Member Gleason, seconded by Deputy Mayor Pro Tem Scott, to approve Resolution 2021-165R. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

36. Consider approval, by motion, authorizing Mayor Hughson to sign onto a joint letter with Texas State University to United States Secretary of Labor Martin J. Walsh requesting assistance with projects involving Gary Job Corps and the Department of Labor; and declaring an effective date.

A motion was made by Council Member Baker, seconded by Council Member Gonzales, authorizing Mayor Hughson to sign onto a joint letter with Texas State University to United States Secretary of Labor Martin J. Walsh requesting assistance with projects involving Gary Job Corps and the Department of Labor.

The motion to approve carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

37. Consider approval, by motion, authorizing negotiations of a Development Agreement with TKAR Commercial Real Estates Services, on behalf of Casata San Marcos, LLC, for approximately 31.79 acres out of the William Ward Survey, Abstract 467 and the J.M. Veramendi Survey, Abstract 17 located at 2138 and 2390 Post Rd, and consider the appointment of a Council Committee to review the aforementioned Development Agreement, if desired

A motion was made by Council Member Gleason, seconded by Deputy Mayor Pro Tem Scott, to approve authorization of negotiations of a Development Agreement with TKAR Commercial Real Estates Services, on behalf of Casata San Marcos, LLC, for approximately 31.79 acres out of the William Ward Survey, Abstract 467 and the J.M. Veramendi Survey, Abstract 17 located at 2138 and 2390 Post Rd.

Shannon Mattingly, Director of Planning and Development Services, provided a presentation regarding the Casata on Post Road development agreement and seeks direction from council. Council can appoint a committee or allow staff to

continue to work with the developers.

Council provided consensus to appoint Mayor Hughson, Deputy Mayor Pro Tem Scott, and Council Member Baker to serve on the Council Committee to review the aforementioned Development Agreement and to assist in negotiations. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

38. Consider approval, by motion, of an Out of City Utility Connection request for water and wastewater service by Sarah Corona for approximately 3.598 acres, more or less, located at 2101 Clovis Barker Road.

MAIN MOTION: A motion was made by Deputy Mayor Pro Tem Scott, seconded by Council Member Baker, to approve an Out of City Utility Connection request for water and wastewater service by Sarah Corona for approximately 3.598 acres, more or less, located at 2101 Clovis Barker Road.

Ms. Mattingly, stated this property is adjacent to city limits, proposal is to connect to city water and wastewater and a convenience store is proposed at this site.

Mayor Hughson expressed her interest in moving forward with the annexation of this property as soon as possible.

MOTION TO AMEND: a motion was made by Mayor Hughson, seconded by Council Member Baker, to amend by making this approval effective upon the second reading of the ordinance annexing the property. The motion to amend carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

MAIN MOTION: to approve, as amended. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

39. Consider an appeal of the decision of the Planning and Zoning Commission to deny CUP-21-17, a request by John Mark Slack, on behalf of Mr. Exotics Steakhouse, for a new Conditional Use Permit to allow the sale and on-premise consumption of Mixed Beverages at 101 and 105 East Hopkins Street, and provide direction to Staff.

MAIN MOTION: a motion was made by Deputy Mayor Pro Tem Scott, seconded by Council Member Garza, to approve the request by John Mark Slack, on behalf of Mr. Exotics Steakhouse, for a new Conditional Use Permit to allow the sale and on-premise consumption of Mixed Beverages at 101 and 105 East Hopkins Street.

MOTION TO AMEND: a motion was made by Mayor Hughson, seconded by Council Member Baker to insert a new #6 and renumbering the other conditions. #6 will now read: No outside speakers will be allowed.

The motion to amend carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

Mayor Hughson inquired how this condition would be enforced. Greg Carr, Neighborhood Enhancement Director stated menus can change and all food items are generic related to environment health requirements so additional language is not necessary.

Mayor Hughson and Deputy Mayor Pro Tem Scott withdrew their motion to amend.

Mayor Hughson inquired about the mixed beverage late hours permit condition and how late hours is defined. Ms. Mattingly stated late hours continue until 2:00a.m.

David Sergi, attorney for Mr. Slack commented that his client is not seeking any late hour permits.

MOTION TO AMEND: a motion was made by Mayor Hughson, seconded by Council Member Gleason, to amend by striking "mixed beverage" from item #2 of the Conditional uses. If approved, this section will now read as follows: #2 The applicant shall not apply for a late hours permit from the TABC.

The motion to amend carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

Mayor Pro Tem Derrick inquired about the interior remodel of the building and if this has been issued. Ms. Mattingly stated there is a current remodel permit on file. She stated there are additional items required by Environmental Health as well.

Mayor Hughson asked Mr. Slack if he still wants to open the restaurant and apply for an alcohol CUP at a later time. Mr. Slack stated he would like it approved tonight, but what is stopping them at this time is the sprinkler system and the grease trap, and this will take a few more weeks. He would like to proceed with the alcohol permit request if possible.

MAIN MOTION: to approve, as amended, the request by John Mark Slack, on behalf of Mr. Exotics Steakhouse, for a new Conditional Use Permit to allow the sale and on-premise consumption of Mixed Beverages at 101 and 105 East Hopkins Street. Because this is an appeal from the Planning and Zoning Commission denial, a super majority of six (6) votes in favor is required for this motion to pass.

The motion to approve failed by the following vote:

For: 5 - Mayor Hughson, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 2 - Mayor Pro Tem Derrick and Council Member Baker

- 40.** Discuss and consider appointment(s) to fill vacancies on the following Boards and Commissions, and provide direction to staff:

- A) Convention and Visitors Bureau
- B) Neighborhood Commission

Mayor Hughson nominated Dean Domingo to serve on the Convention and Visitor Bureau Board. Mr. Domingo was unanimously appointed to serve.

Mayor Hughson nominated Andrew Gryce to serve on the Neighborhood Commission. Mr. Gryce was appointed to serve with a vote of 6-0, with Council Member Garza abstaining to vote.

- 41.** Discuss and consider an appointment to serve as the delegate for the Texas Municipal League Business Meeting, and provide direction to Staff.

Mayor Hughson volunteered to serve as the TML delegate and Council

confirmed her appointment.

42. Hold discussion on a Recommendation Resolution 2021-01RR from the Arts Commission that transfers responsibility of future Mermaid March Sculpture creation and promotion to the Mermaid Society of Texas, and provide direction to the City Manager.

Council provided consensus to move forward with the recommendation from the Arts Commission that transfers responsibility of future Mermaid March Sculpture creation and promotion to the Mermaid Society of Texas.

EXECUTIVE SESSION

43. Executive Session in accordance with the following:
- A. Sec. §551.071 of the Texas Government Code: Consultation with Attorney: To receive legal advice regarding the pending wastewater discharge permit application dockets: Application of HK Real Estate Development, LLC for Proposed Permit for New TPDES Permit No. WQ0015784001; TCEQ Docket No. 2021-0053-MWD; SOAH Docket No. 582-21-1893;
 - B. Sec. §551.071 of the Texas Government Code: Consultation with Attorney: To receive legal advice regarding the contract with Together for a Cause; and
 - C. Sec. §551.071 of the Texas Government Code: Personnel Matters: to discuss the duties and responsibilities of the City Manager

A motion was made by Council Member Gleason, seconded by Mayor Hughson, to enter into Executive Session at 11:36 p.m. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 0

ACTION/DIRECTION FROM EXECUTIVE SESSION

44. Consider action, by motion, or provide direction to Staff regarding the following Executive Session item held during the Work Session and/or Regular Meeting:
- A. Sec. §551.071 of the Texas Government Code: Consultation with Attorney: To receive legal advice regarding the pending wastewater discharge permit application dockets: Application of HK Real Estate Development, LLC for Proposed Permit for New TPDES Permit No. WQ0015784001; TCEQ Docket No. 2021-0053-MWD; SOAH Docket No. 582-21-1893;
 - B. Sec. §551.071 of the Texas Government Code: Consultation with Attorney: To receive legal advice regarding the contract with Together for a Cause; and
 - C. Sec. §551.071 of the Texas Government Code: Personnel Matters: to discuss the duties and responsibilities of the City Manager

Mayor Hughson stated Executive Session concluded at 1:04 a.m.

Mayor Hughson stated a report was provided on item (A), direction was provided to staff on item (B), and discussion was held on item (C) during executive session.

VI. Question and Answer Session with Press and Public.

None

VII. Adjournment.

Mayor adjourned the regular meeting of the City Council on Wednesday, September 8, 2021 at 1:05 a.m.

Tammy K. Cook, Interim City Clerk

Jane Hughson, Mayor