



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes City Council

Tuesday, January 15, 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 6:18 p.m. Tuesday, January 15, 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

Pastor Chance with Connection Church - San Marcos, provided this evening's invocation.

IV. Pledges Of Allegiance - United States And Texas

Council Member Derrick led the assembly in the Pledges of Allegiance.

EXECUTIVE SESSION

1. Consider action, by motion, regarding the following Executive Session items:
 - A.) Executive Session in accordance with Section 551.086, Public Power Utility Competitive Matters, to discuss a potential purchased power agreement for the electric utility
 - B.) Executive Session in accordance with Section 551.071, Consultation With Attorney, to receive legal advice from the city attorney regarding disposition of Park property at Cape's Camp previously dedicated to the city by plat of The Woodlands of San Marcos
 - C.) Executive Session in accordance with Section 551.087, Economic Development, to receive a staff briefing and deliberate regarding a potential Chapter 380 Economic Development incentive agreement for the S.M.A.R.T Terminal Project.

Mayor Hughson provided an update regarding the Executive Session Items that were discussed. Staff will execute an agreement of intent regarding the power agreement for Electric Utility. Further direction was provided to staff regarding the Park Property at Cape's Camp and the potential Chapter 380 Economic Development Incentive Agreement for the SMART Terminal

Project.**V. 30 Minute Citizen Comment Period**

Sara Lee Underwood-Myers, expressed her support of the Katterra Development. She expressed her concern that adopting another 900 acres into the City when the neighborhoods are not being protected like they should. She stated some concerns regarding homeless camps in the San Marcos River. Regarding Code enforcement, there has been a lot of issues regarding neighbors reporting on neighbors which has caused a lot of personal turmoil. She stated that she needs more help from the police department in getting crime watch in her neighborhood. She stated that this is a City problem and hopes it will be addressed.

James Bowman, stated the SMART terminal will be near his front doorstep. He is concerned about the pollution, runoff into river, and the traffic, this development will create. He stated traffic accident statistics for San Marcos and Hays County. He stated there is no way to know how many people will be travelling this area, but there is no room for the amount of traffic that is currently in that area. He is for the rezoning of this development in the South Part of San Marcos near the Amazon Facility, but not in this area.

Dr. Shannon Duffy, concerned about the effect this development will have on the environment. This development could cause 700 acres to become impervious cover. Developers always say "think of the jobs that this will create", but they also don't realize the environmental risks. In the past 5 years there has been major floods with millions in damages due to impervious ground cover. There will be an issue with water shortages with this development. Traffic is of concern, and biggest concern is the short time this has been discussed, there needs to be more transparency.

Dolores Rose Lombardo, lives in Blanco River Village and stated she has a petition with citizens in opposition to this project. Spillage and contamination is a big concern with this project. She provided the example of the industrial pollution and ground water contamination that happened in California by PG&E. This also happened in Midland Texas, our neighbors only 500 miles away. Although this is a different industry than Katterra, this could happen. Our tourism could be affected in the summer months if this type of disaster happens to our rivers.

Becky Patterson, asked that Council please vote against the Heavy Industrial rezoning being proposed. Her main concern is not only the environmental

impacts, radiation, toxicity to the land, and other pollution but increased impervious land cover. Other concerns include increased traffice and lack of infrastructure to manage it. She stated she is for growth in this area, but to consider the appropriate growth in this area as it could set precedence for future developments.

Joe Matlock, stated that he worked for a bank and explained that he had a lot of depositors that were environmentalist and developers. He stated that San Marcos is probably one of the best in regards to taking care of our environment. His main concern is with the increased truck traffic. He stated that there has to be a way to keep them off of Highway 80 and 21.

Archie Pendley, stated that he is highly concerned with the potential truck traffic. He stated that this could impact the water wells of the residents around that area. He doesn't see or feel that there has been enough environmental studies to say that it's not going to impact the river. He stated that this is just too much. He stated that he sure would hate to be put in another flood situation.

Peggy Meiners, stated that she has lived in the City for 30 years. She stated her concerns about having this development so close to her subdivision. She stated that this developer is wanting to build a rail yard close to the San Marcos River and she just can't stand to think of it not being protected. She mentioned her concerns with FEMA flood maps and we need growth, but we need it somewhere else.

Dianne Wassenich, representing the San Marcos River Foundation, provided that she had asked the Planning and Zoning Commission to please consider all of their questions and the rezoning was denied the first time. She stated that she had asked the Council about 2D modeling. She stated that she had not heard all of the answers to her questions. She stated that our water quality, flood plain, and development ordinances are so much better than what we have had in the past. She stated that people may not realize that this project will follow the new flood plain lines and that this is not an attack on the eastside and it is by the airport and rail. She stated that she trusts the Council to do the right thing.

CONSENT AGENDA

A motion was made by Council Member Gonzales, seconded by Council Member Mihalkanin, to approve the consent agenda, with the exception of Item #4, which was 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

2. Consider approval, by motion, of the following meeting Minutes:
 - A) December 4, 2018 - Regular Meeting Minutes
 - B) December 12, 2018 - Regular Meeting Minutes
 - C) December 19, 2018 - Special Meeting and Canvass Minutes
 - D) December 20, 2018 - Special Meeting Minutes
3. Consider approval of Ordinance 2018-56, on the second of two readings, amending Chapter 82, Article 4 of the City of San Marcos City Code by adding a new Division 3 regulating Vehicle Booting Activities On Private Parking Facilities; providing a savings clause; providing for the repeal of any conflicting provisions; providing for penalties; and providing an effective date.
4. Consider approval of Resolution 2019-01R, approving the purchase of a 2019 Chevrolet 3500HD Silverado pickup truck Command Vehicle for the Fire Department in the total purchase amount of \$135,738 from Caldwell Country Chevrolet through the Texas Local Government Purchasing Cooperative BuyBoard Contract for Heavy Trucks (Contract #521-16); authorizing the City Manager to execute the appropriate purchase documents on behalf of the City; and declaring an effective date.

A motion was made by Mayor Pro Tem Prewitt, seconded by Council Member Mihalkanin, to approve Resolution 2019-01R. The motion carried by the following vote:

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

Against: 1 - Council Member Marquez

5. Consider approval of Resolution 2019-02R, approving the purchase of a Hydrovac Truck for the Public Services Department-Electric Utility Division (SMEU) in the total amount of \$224,995.00 from Freightliner of Austin, Inc. through the Texas Local Government Purchasing Cooperative Buyboard Contract for Vehicles, Heavy Duty Trucks and Options (Contracts #521-16 and #513-16); authorizing the City Manager to execute the appropriate purchasing documents on behalf of the City; and declaring an effective date.
6. Consider approval of Resolution 2019-03R, approving the purchase of a 2018 John Deere 310L Backhoe for the Public Services Department - Water / Wastewater Division in the total amount of \$90,428.01 from RDO Equipment Company through the Texas Local Government Purchasing Cooperative Sourcewell for Heavy Construction Equipment with Related Accessories (Contract #NJPA 032515); authorizing the City Manager to execute the appropriate purchasing documents on behalf of the City; and

declaring an effective date.

7. Consider approval of Resolution 2019-04R, approving a list of qualified firms to provide Real Estate Appraisal Services to the City as needed for a period of six years; and declaring an effective date.
8. Consider approval of Resolution 2019-05R, approving a three-year contract with Granicus, Inc. for the Agenda Management Workflow System and Video Streaming Services in the amount of \$111,537.48; ratifying the City Staff's acceptance of the contract; and declaring an effective date.
9. Consider approval of Resolution 2019-06R, approving the procurement of Insta-Valve Equipment for the Public Services Department - Water/Wastewater Division from Hydra-Stop, LLC on a sole source basis in the amount of \$80,110.00; authorizing the City Manager to execute the appropriate procurement documents on behalf of the City; and declaring an effective date.
10. Consider approval of Resolution 2019-07R, authorizing the award of a professional services agreement to KGA Architecture for the provision of architectural and engineering services in connection with renovations and additions to the Police Department building in the amount of \$459,000.00; authorizing the City Manager or his designee to execute such agreement on behalf of the City; and declaring an effective date.
11. Consider approval of Resolution 2019-08R, approving the award of a contract between the City and EBR Enterprises of Cypress Texas for removal of invasive plant species within and along the banks of the San Marcos River in the sum of \$38,949 for an initial one year term with up to three extensions of one year each; authorizing the City's Purchasing Manager to execute the contract and contract extensions; and declaring an effective date.
12. Consider approval of Resolution 2019-09R, approving the award of a contract between the City and Atlas Environmental Services of San Marcos, Texas for removal of Aquatic Invasive Fish and Snail Species in the San Marcos River in the sum of \$22,800 for an initial one year term with up to three extensions of one year each; authorizing the City's Purchasing Manager to execute the contract and contract extensions; and declaring an effective date.
13. Consider approval of Resolution 2019-10R, approving the renewal of a contract with Dell Marketing LP for VMWare software in an amount of \$41,200.96 resulting in a total contract price of \$66,078.44; authorizing the City Manager to execute the agreement on behalf of the City; and declaring an effective date.

PUBLIC HEARINGS - 6:00 PM

14. Receive a Staff Presentation and hold a Public Hearing to receive comments for or against Ordinance 2019-02, amending the official zoning map of the City by designating approximately 934.34 acres of land, comprised of six tracts of land out of the William

Pettus Survey, Abstract No. 21 and located along State Highway 80 and FM 1984 as "HI" Heavy Industrial District; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2019-02, on the first of two readings.

Shannon Mattingly, Director of Development Services, stated she is here to answer any questions. This item was considered after item #15, as annexation must occur prior to the zoning.

MAIN MOTION: a motion was made by Council Member Mihalkanin, seconded by Mayor Pro Tem Prewitt, to approve Ordinance 2019-02, on the first of two readings.

Mayor Hughson opened the Public Hearing at 8:06 p.m.

Those who spoke:

Sandra Martinez, expressed her concern regarding this development and feels it does not follow the Development Code that was approved last year. This development places more pressures on neighborhoods and would be a nuisance. She would be more supportive if were Light Industrial. She thanked the Council for trying to ensure water quality at the site, but does not want to see the poisoning of nearby waterwells.

James Lombardo, spoke in opposition of the rezoning. He mentioned the developer has given no other definitive companies in this area and it is solely Katerra for now and they have no control on what other business will come in. He stated crime and riff raff, and cheap labor is increased when heavy industrial comes to an area. When this happens, who pays for this, he stated the tax payers will. Flood insurance and increased patrol of Police and Fire will be paid by the tax payers. He also addressed his concerns for increased traffic due to this development. San Marcos does not need to turn into another Austin.

Frank Parrot, expressed his love for San Marcos and how it is unmatched by any other city in the State. He was a student at Southwest Texas State in 1975 and recently retired in 2013. He stated his support of growth, commerce and prosperity and he supports this project, but not in this location. There has been talk that the river will not be affected but he does not believe this at all. There is no Federal, State, or local watchdog group that can protect the San Marcos River. Once it is fouled it will never be able to be returned to what it is today. This development belongs on the IH 35 corridor and it makes sense, but not on top of the San Marcos River. He also expressed his concern with traffic.

The developer mentioned the traffic load will not be increased, because loop 110 will alleviate all congestion. He reminded Council that the first bond vote approved and appropriated for Loop 110 happened 17 years ago.

Norma Parrot, added to her husband's comments and stated they own three homes in the Blanco River Village subdivision. She has lived there for 12 years and before that lived in Austin for 24 years. She provided history of the developer, John Bob Moffitt and his project, the Barton Creek Resort. She provided that it was denied by Council and 900 people showed up to voice their concerns. Two years later it came back, was approved, and considered as the gold standard of water use and conservation. City Governments pointed to this development and said if you build it like this we will approve it. She believe if those 900 citizens did not show up to voice their concerns, this development would not be what it is today, they saved their springs.

John Meeks, read the following letter to Council:

"Some 120 years ago a very innovative City Council voted to donate 11 acres to the State of Texas on the highest hill in San Marcos. Today, that eleven acres has grown to provide jobs for over 3,600 people with a budget of over \$700 million making the University the largest employer between Austin and San Antonio. Without the foresight by that City Council, the University would have never come to San Marcos.

The next big opportunity for our City came with World War II when the City Council voted to expand the airfield by purchasing 2,000 acres that would eventually become the San Marcos Regional Airport, the size which is unlike any of a town our size in this State. With the confidence shown by that City Council, the San Marcos Regional Airport and Gary Job Corps, with over 500 employees on the payroll, would not have happened.

There was much controversy in the 1980s about giving the Outlet Mall Developer a tax rebate incentive. There were scare tactics voiced in this very chamber that the Outlet Mall would suck all the water from our pipes, and the sewer plants would overflow fetid waste and garbage into our river. From this very platform it was warned that within five years the outlet mall would be a blighted ghetto as opposed to the asset that was transformed from ag exempt farm land to premier retail space and since its construction it has pain tens of millions of dollars of taxes to our City, County, and schools. Without the brave leadership of that City Council, the outlet mall would have never come to San Marcos.

Tonight, you have the opportunity to make a bold affirmative vote in approving the SMART Terminal Development. From my experience traveling this State for McCoy's, I can personally attest to the kind of economic engine a terminal of this kind and size with road, rail, and airport access can bring to the development of the tax base and jobs to the community fortunate enough to land a development such as this.

I well know that a principal mandate of our city leaders is to provide affordable housing, but I submit that the approval of this development will provide hundreds of families in San Marcos and the surrounding counties with good jobs paying well above the minimum wage allowing these citizens to transition out of government sponsored affordable housing to housing that they can afford.

I ask you tonight to step up, as other City Councils before you have done when given an economic development opportunity such as this, and approve this requested zoning change and abatement as a landmark economic improvement to the well-being of our community and our citizens. I respectfully ask that you vote to support the public good and to make our community a better place to live, learn, work, and thrive by approving the resolutions before you this evening."

Sabrina Chapa, stated she was disappointed the council voted to annex and claims there is lack of transparency for homeless, working class students. She feels there is a lack of communication to the residents and most of the working class do not know what is going on. She said people from California are going to displace residents here and they are going to gentrify our land regardless. She said the SMART Terminal Project will be fought completely and she would like to see the City donate to non profits for a land trust. She stated that we don't need growth but sustenance.

Ben Salinas, current student at Texas State, stated that we can't compare this project to the outlet mall as it is closer to the river and will effect the environment. He stated that in the UN report that was put out recently that we have 20 years to get our act together. He threatened council by stating we will keep record of the votes and remember this at election time. We don't appreciate the older people trying to profit off our environment and we are paying attention. We cant have our environment being destroyed any further.

Paula Saks, stated that she downsized from 30 acres to retire here and her

biggest concern is traffic. She stated she works in manufacturing as well and that things always take longer than you think. In the last two years since she has lived in Blanco River Village, turning onto Hwy 80 it takes about 5 minutes when it used to take 5 seconds. She spoke of a fatality because of speeding trucks and cars and this will only increase.

Adriana Cruz, read the following letter from Kevin Carswell:

"To the Honorable Mayor Hughson and the City Council of San Marcos, TX.

I would first like to thank you for your service to our community of San Marcos, TX. And your vision for a prosperous community of citizens and business alike. I'm writing this letter in support for the Katerra project located near the San Marcos Regional airport, HWY 80 and FM 1984.

My wife and I have owned and operated a small business here in San Marcos for the past 16 years, I'm a SMHS alumni class of 1984 and long-time resident dating back to 1967. I've also raised my family here in San Marcos with now two adult children both SMHS graduates. I also live off FM 1984 in the Country Glen subdivision for the past 26 years. This project is a stone's throw from my neighborhood.

With one of the many challenges that I believe San Marcos faces daily, which dates back for decades is our poverty rate or low median income. Projects that we've seen over the past 5 to 7 years has opened the door for more opportunity here in our community. Amazon for an example. One of my daughters friends who had her first child at an early age was able to complete her degree from TX State University because of this opportunity. Amazon offers tuition reimbursement after one-year employment (this is her family telling me not Amazon) and by working here she was able to pay for her last year or more of college with this benefit that Amazon offers and graduate from TX State.

Investment and wages that come with projects and companies like Katerra open the door for our local citizens to have this opportunity. Most folks only ask for the opportunity for a better and stronger future for themselves and their families. It's up to our leaders to make this possible. Base level pays of \$16.80 per hour with benefits is a big step up for the 37% of our community with average annual income of 25,000 or less. And this is only one of the many projects/companies slated to come to this site for future development. John Meeks stated it eloquently at our last P and Z meeting the need for our community to offer a more competitive wage which will directly benefit the

children in our school district and future wages for our citizens. I encourage to go back and listener to John's comments.

If you live in the San Marcos area, flooding is something that always needs to be discussed. Our neighborhood of Country Glen is prone to flooding due to run off, not from development but saturated pastures and degradation, over time, to drainage channels that have become flat. If Katterra is annexed into the city of San Marcos the project will be required to follow the guidelines that our city has put in place to mitigate runoff. The fields above our neighborhood have none, it just flows down hill and goes where it desires. Proper planning from our city staff will ensure proper runoff for this site.

I apologize for not being able to speak directly with you this evening due to a planned trip to North Texas. There are many positives for this project that will directly benefit our community and I urge you to consider your approval for the Katterra project."

Brandon James, new resident in the area and in his former residence he served on the Planning and Zoning Commission. His concerns are in regard to the flood plain maps. Runoff will be changed due to this development and when you make a zoning change it is forever. He does not doubt Katterra's success, but what happens if they leave will there be more heavily industrial than what is currently proposed? He thanked the Council for their service.

M.J. Vandever, concerned about this SMART Terminal project because she is just hearing about this. She mentioned that she welcomes big business it is good for all of us. She is concerned about traffic and it will only get worse. There are so many trucks on Hwy 21 and she is concerned about the increased traffic this project will produce. Our kids have to bear what we do, is it worth it to destroy our water, traffic, and environment. She stated that accidents do happen even if not intentional.

Deb Smith, spoke about her concerns about the location of the SMART Terminal. She stated we must be concerned with all the residents that live near this proposed development. The Air and water are so important. She asked what happened to the plans regarding the Riverine Project. She stated the worst problem will be traffic and she encourages Council to slow down and have control of the next developments. The children and our citizens deserve it.

Mary Beth Harper, lives adjacent to this property on Hwy 80 and she expressed her concerns regarding the approval of the development agreement

before the annexation was approved. The environmental impact due to industrial runoff is a concern and the traffic will be increased greatly. Loop 110 has not even begun construction and this has been discussed for a long time. There is also concern of increased noise from the trains as they do not have quiet zones out there. She encouraged the people to read the San Marcos Daily Record and go to the City's website to get additional information.

Ann Juarez, Blanco River Village resident and has many concerns. She stated she is not opposed to SMART Rail or Katerra, but doesn't know much about this project. The scope of this project is much too large. Going from 0 acres to almost a 1000 acres of zoning change is way too much way too fast. This project would be better placed on the IH 35 corridor. The scope of the project and the controls the City is asking for needs to be adjusted.

David Pruitt, Blanco River Village resident, he asked Council to be careful because what you do here will affect the world forever. He is an engineer and just wants this to be right. He stated that a traffic light goes into a subdivision when there are a certain number of deaths at an intersection. He also addressed his concerns about people being impacted by flooding and how this development could increase this risk. He believes Council is listening some, but check the models and things thoroughly. If you go on and pass it then that means that you are not listening.

Roland Saucedo, stated this project is a great plan in theory but this is Blanco Gardens all over again. The people are saying no, this is their home and they want to stay. This is not compatible to this area. If this happens he would like Council to insure that money from these developments are given to a flood relief or emergency fund in the event that an accident occurs so neighbors are not waiting on federal money to restore their homes. He said that Mr. Schroder needed to be annexed because he needed our services. Creating an emergency fund would be an act of good faith from the developer.

There being no further comments, the Mayor closed the Public Hearing at 8:55 p.m.

MOTION TO AMEND: a motion was made by Mayor Pro Tem Prewitt, seconded by Council Member Mihalkanin, to amend Ordinance 2019-02 by approving on first reading and bringing back for second reading ONLY after discussion is held regarding the details about land use through Chapter 380 and Land Development Agreement. 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

MAIN MOTION: to approve Ordinance 2019-02, on the first of two readings, as amended. The motion carried by the following vote:

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

Against: 2 - Council Member Marquez and Council Member Rockeymoore

NON-CONSENT AGENDA

15. Consider approval of Ordinance 2019-01, on the first of two readings, annexing to the City approximately 934.34 acres of land, comprised of six tracts of land out of the William Pettus Survey, Abstract No. 21 and located along State Highway 80 and FM 1984; approving a service plan for this area; including procedural provisions; and providing an effective date.

This item was considered prior to item #14 as annexation is required prior to zoning.

A motion was made by Council Member Mihalkanin, seconded by Mayor Pro Tem Prewitt, to approve Ordinance 2019-01, on the first of two readings. The motion carried by the following vote:

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

Against: 1 - Council Member Marquez

16. Consider approval of Ordinance 2018-52 (ZC-18-16), on the first of two readings, amending the Official Zoning Map of the City by rezoning a 1.206 acre, more or less, tract of land, being lots 17 through 22 of the Z Williamson Second Addition located at Earle Street and Baylor Avenue, from "SF-6" Single-Family Residential District to "ND-3" Neighborhood Density District-3; approving a regulating plan associated with such zoning map amendment; and including procedural provision.

A motion was made by Council Member Gonzales, seconded by Council Member Mihalkanin, to deny Ordinance 2018-52. 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

17. Consider approval of Ordinance 2019-03, on the first of two readings, authorizing the issuance of the City of San Marcos, Texas Special Assessment Revenue Bonds, Series 2019 (Trace Public Improvement District); approving and authorizing an Indenture of Trust, a Bond Purchase Agreement, an Offering Memorandum, a Continuing Disclosure Agreement and other agreements and documents in connection therewith; making findings with respect to the issuance of such bonds; and providing an effective date.

A motion was made by Mayor Pro Tem Prewitt, seconded by Council Member Gonzales, to approve Ordinance 2019-03 on first and final reading. 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

18. Consider approval of Resolution 2019-11R, approving an agreement regarding conveyance of right of redemption and waiver of agricultural valuation with Highpointe Trace, LLC and UMB Bank, N.A. in connection with the Trace Public Improvement District; authorizing the City Manager or his designee to execute such agreement on behalf of the City; and declaring an effective date.

A motion was made by Mayor Pro Tem Prewitt, seconded by Council Member Gonzales, to approve Resolution 2019-11R. 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

19. Consider approval of Resolution 2019-12R, amending the Business Improvement and Growth (BIG) Grant Program guidelines to prohibit City employees and officials from benefiting from BIG Grant Program Funds and to clarify program eligibility and intent; and declaring an effective date.

MAIN MOTION: a motion was made by Council Member Mihalkanin, seconded by Council Member Rockeymoore, to approve Resolution 2019-12R.

MOTION TO AMEND: a motion was made by Mayor Hughson, seconded by Mayor Pro Tem Prewitt, to amend Resolution 2019-12R by adding the following language: Former city council members are ineligible to apply for or receive BIG program funds for one year after leaving office; All owners and partial owners of property or buildings to be benefitted by BIG program funds must be disclosed on the funding application. 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

MOTION TO AMEND: a motion was made by Mayor Pro Tem Prewitt, seconded by Council Member Mihalkanin, to amend Resolution 2019-12R, by removing the following language: “or their immediate family members (spouse, children, siblings, parents)”. It will now read, City Council Appointees, Assistant City Managers, and Directors are ineligible to apply for or receive BIG Program funds. 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

MOTION TO POSTPONE: a motion was made by Council Member Mihalkanin, seconded by Council Member Gonzales, to postpone Resolution 2019-12R. 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 election of the Mayor Pro Tem and optional Deputy Mayor Pro Tem.

Lisa Prewitt was elected to serve as Mayor Pro Tem and Saul Gonzales was elected to serve as Deputy Mayor Pro Tem.

21. Consider the appointment of the Mayor or a City Council Member to fill vacancies on the following Boards or Committees:
- Conditional Use Permit (CUP) Committee - (1 - Member of the Council)
 - Greater San Marcos Partnership Board of Directors - (1 - Member of the Council)
 - Rental Registration Committee - (1 - Member of the Council)
 - La Cima Committee - (1 - Member of the Council)

The following appointments were made:

Council Member Derrick was appointed to serve on the Conditional Use Permit (CUP) Committee

Mayor Pro Tem Prewitt was appointed to serve on the Greater San Marcos Partnership Board of Directors.

Mayor Hughson was appointed to serve on the Rental Registration Committee

Mayor Hughson was appointed to serve on the La Cima Committee

22. Consider appointments to the vacant positions on the San Marcos Innovation District

Stakeholder Group, and provide direction to the City Manager.

The following appointments were made to fill the vacant positions on the San Marcos Innovation District Stakeholder Group:

John Thomaides and Ed Rios were nominated by Mayor Hughson to serve in two at-large positions

Rosina Valle was nominated by Mayor Pro Tem Prewitt to serve as the Centro Cultural Hispano de San Marcos representative.

Ramika Adams was nominated by Mayor Pro Tem Prewitt to serve as the Callaboose Museum representative.

All nominations were unanimously approved by Council.

VI. Question and Answer Session with Press and Public.

Roland Saucedo, asked about the neighborhood character studies. Mayor stated there will be discussion on small area plans at an upcoming work session.

Brandon James, asked about the BIG Program and the provisions specific to signage. He asked if there a max cap on signage?

Jordan Buckley, asked what the Fire Command Vehicle was so much more expensive than what he found on the Caldwell Country Chevrolet website? Steve Parker, Assistant City Manager, explained this price includes a fully outfitted vehicle with all equipment.

VII. Adjournment.

Mayor Hughson adjourned the Regular Meeting of the San Marcos City Council Tuesday, January 15, 2019 at 10:30 p.m.

Jamie Lee Case, TRMC, City Clerk

Jane Hughson, Mayor