1. Agenda

Documents:

    January 3, 2017 Agenda.pdf

2. Packet

Documents:

    January 3, 2017 Agenda Packet.pdf
I. Call To Order

II. Roll Call

EXECUTIVE SESSION

1. 4:30PM Executive Session in accordance Section 551.074 of the Texas Government Code - Personnel Matters - to discuss the duties and responsibilities of Jared Miller, City Manager.

2. Consider adoption or direction to Staff on matters discussed in Executive Session.

PRESENTATIONS

3. Receive a Staff presentation and hold discussion regarding the approval schedule and process for CodeSMTX.

6:00 PM

III. Invocation

IV. Pledges Of Allegiance - United States And Texas

V. 30 Minute Citizen Comment Period

CONSENT AGENDA

4. Consider approval of the following:
   December 16, 2016 - Packet Meeting Minutes
   December 20, 2016 - Regular Meeting Minutes
   December 21, 2016 - Special Meeting Minutes

5. Consider approval of Ordinance 2016-58, on the second of two readings, amending Chapter 2, Division 15, Sections 2.351 through 2.352 of the San Marcos City Code to remove the Chair and Vice-Chair of the San Marcos Area Chamber of Commerce Board of Directors as non-voting ex-officio members on the Convention and Visitor Bureau Advisory Board; and to modify the general powers and duties of the board; providing for the repeal of any conflicting provisions; and providing an effective date.
6. Consider approval of Resolution 2017-01R, authorizing the submission of an application to the Office of the Governor, Criminal Justice Division for a State-Funded grant in an amount not to exceed $175,000 to fund upgrades to the San Marcos Police Department’s Records Management System for the Police National Incident Based Reporting System (NIBRS) in order to bring the Department into compliance with a State mandate before the deadline of September 1, 2019; authorizing the City Manager or his designee to execute any and all documents as necessary to accept and implement the grant, if awarded; and declaring an effective date.

7. Consider approval of Resolution 2017-02R awarding a contract for the purchase of a Trihalomethanes (THM) Monitor (IFB 217-032) from Aqua Metrology Systems of Sunnyvale, California in the total sum of $95,950 to test the levels of disinfectant byproducts in water produced at the City’s Water Treatment Plant; authorizing the City Manager to execute said contract on behalf of the City; and providing an effective date.

PUBLIC HEARINGS - 7:00 PM

8. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2017-03R approving a Conditional Use Permit (CUP) to allow for an alternative exterior material (Terra Cotta) for a multifamily development located at 401 South Guadalupe Street; and consider approval of Resolution 2017-03R.

NON-CONSENT AGENDA

9. Consider approval of Ordinance 2017-01, on the first of two readings, amending the City’s 2016-2017 Capital Improvements Program Budget to authorize an additional $865,870 of funding for the construction of San Marcos Fire Station No. 4 and thereby increasing the total authorized construction budget for the project (exclusive of land acquisition costs and architectural fees) to the sum of $4,865,870; and providing an effective date.

10. Consider approval of Resolution 2017-04R, making appointments to the Board of Directors of the Hays Caldwell Public Utility Agency (HCPUA); and declaring an effective date.

11. Consider approval of Resolution 2017-05R, appointing a member and alternate members to the Capital Area Metropolitan Planning Organization (“CAMPO”) Board; and declaring an effective date.

12. Consider approval, by motion, to reconfigure the back-in parking placed along N. LBJ Dr to head-in parking, and provide direction to Staff.

13. Discuss and consider an appointment of a City Council Member to fill a vacancy on the Greater San Marcos Partnership Board of Directors, and provide direction to staff.

14. Consider approval of the reappointment of the following Downtown TIRZ #5 Board of Directors: Council Member John Thomaides, Hays County representative Commissioner Will Conley; and discuss possible recommendations to be provided to Hays County to fill Position 5 which is mutually agreed upon by the City of San Marcos and Hays County, and provide direction to Staff.
15. Discuss and consider the appointment of a Council Member to the Capital Area Council of Governments (CAPCOG) Clean Air Coalition, and provide direction to Staff.

16. Discuss and consider the approval of the appointment of the City of San Marcos’ representative(s) on the Capital Area Council of Governments General Assembly, and provide direction to Staff.

17. Discuss and consider nominations and charge to the 2017 Charter Review Commission, and provide direction to Staff.

VI. Question and Answer Session with Press and Public.

VII. Adjournment.

POSTED ON WEDNESDAY, DECEMBER 28, 2016 AT 3:30PM

JAMIE LEE CASE, CITY CLERK

Notice of Assistance at the Public Meetings

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 855-461-6674 or sent by e-mail to ADArequest@sanmarcostx.gov
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File #: ID#17-34, Version: 1

4:30PM Executive Session in accordance Section 551.074 of the Texas Government Code - Personnel Matters - to discuss the duties and responsibilities of Jared Miller, City Manager.
Consider adoption or direction to Staff on matters discussed in Executive Session.
AGENDA CAPTION:
Receive a Staff presentation and hold discussion regarding the approval schedule and process for CodeSMTX.
Meeting date: January 3, 2017

Department: Planning and Development Services

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

CITY COUNCIL GOAL: Beautify and Enhance the Quality of Place

COMPREHENSIVE PLAN ELEMENT(s): Land Use Goal #1 Objective #4: Replace the Land Development Code with an updated document to support the preferred scenario.

BACKGROUND:
The public draft of the new land development code was released on May 27, 2016. Between June 2016 and October 2016, staff has facilitated public review of the draft code with open houses, workshops, speaker’s bureau events, and Think Tank meetings which have resulted in the collection of over 1,000 comments on the draft code. In addition to the public review, staff has worked with the Think Tank to analyze the proposed draft through a series of “hacking the code” exercises where different proposed developments are tested under the new code. Staff has also worked with the Think Tank on the creation and review of a financial model that tests the ability of the new code to deliver a high quality product at affordable rates that meets the goals of the Comprehensive Plan in different areas of town.

Following the public review period between May and October, Staff has:
- Created a revised draft of the code;
- Responded to all comments received on the draft;
- Incorporated feedback received at the City Council workshop on affordable housing;
- Incorporated revisions based on Financial Modeling;
- Incorporated revisions based on Hacking the Code sessions.
The next steps in the process will be to post the revised draft, change log and associated materials on the City’s website on January 6th. Staff will then host two facilitated joint workshops with the Planning Commission and City Council on January 30, 2017 and February 8, 2017 where the major policy level topics will be discussed. The final draft of the code will be produced following the workshops and is scheduled to come before the Planning Commission and City Council for recommendation and consideration in March and April 2017.
City Council
January 3, 2017
Proposed Changes are Deliberate and Comprehensive

Stage I: The Vision – Completed April 2013

Stage II: The Tools – CodeSMTX scheduled for completion Spring 2017

Stage III: Applying the Tools - Re-Mapping beginning immediately after the adoption of CodeSMTX
Where are we now?

Public Review
- When: June - September
- Deliverable: What We Heard Report

Revisions
- When: October - December
- Deliverable: Revised Draft; Comment/Response Log

Approval
- When: January - April
- Deliverable: Final Draft
Phase 1: Public Review Period

Comments entered directly on the draft

Think Tank

Open House

E-Newsletters and Presentations

Council Workshop

Housing and Affordability
Phase 2: Revisions Period

Financial and Comparative Development Modeling

**Comparative Modeling**

**What is the purpose?**
Comparing the potential buildout under the old code vs. the new code provides insight into whether the new code will meet community goals.

**What was Measured?**
- The amount of housing
- Ratio of rental to ownership
- Average rent per square foot
- Household Income needed to rent
- Average home price
- Household Income needed to buy
- Property Tax Revenue per acre
- Sales Tax Revenue per acre

Addressing Comments Received

- **Incorporated** Comment Accepted
- **No Change** No Text change is proposed
- **Minor Change** Text edits address a detailed comment
- **Major Change** Text edits address a higher level topic

Address all Comments received on Public Draft

Test the code on hypothetical projects

Hacking the Code

**What is the purpose?**
Selecting hypothetical projects in different areas of town and reviewing them under the new code provides an opportunity to test the standards and determine if they are creating the type of development desired by the Comprehensive Plan.

**Answers the questions:**
- Is the code able to deliver the type of project desired?
- Are waivers or variances required?
- Are there loopholes that need to be tightened?
Addressing Comments Received

- **Incorporated**
  - Comment Accepted

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The amount of housing
Ratio of rental to ownership
Average rent per square foot
Household Income needed to rent
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Sales Tax Revenue per acre
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What is the purpose?

Selecting hypothetical projects in different areas of town and reviewing them under the new code provides an opportunity to test the standards and determine if they are creating the type of development desired by the Comprehensive Plan.

Answers the questions:

Is the code able to deliver the type of project desired?

Are waivers or variances required?

Are there loop holes that need to be tightened?
Phase 3: Approval Meetings

Purpose: Discuss Major Topics and provide feedback on the proposed solutions, and identify other issues of importance to be included in the final Draft.

#1 Summary of the Major Topic

#2 Key Considerations

#3 Proposed Solutions
# Major Topics for Workshop

<table>
<thead>
<tr>
<th>January 30</th>
<th>February 8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Process</td>
<td>Parkland Dedication</td>
</tr>
<tr>
<td>New Housing Types</td>
<td>New Drainage Requirements</td>
</tr>
<tr>
<td>Protecting Neighborhood Character</td>
<td>New Water Quality Requirements</td>
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<tr>
<td>Material Standards</td>
<td>Parking</td>
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</tbody>
</table>
Phase 3: Approval Meetings

January 6, 2017
Revised Draft and Comment Log is complete

January 30, 2017
Joint Workshop

February 8, 2017
Joint Workshop

Feb./March 2017
Final Draft to Planning Commission

March/April 2017
Final Draft to City Council
Thank you
AGENDA CAPTION: Consider approval of the following:
December 16, 2016 - Packet Meeting Minutes
December 20, 2016 - Regular Meeting Minutes
December 21, 2016 - Special Meeting Minutes

Meeting date: January 3, 2017

Department: City Clerk

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

CITY COUNCIL GOAL: N/A

COMPREHENSIVE PLAN ELEMENT(s): N/A

BACKGROUND: The following minutes are attached for review:
December 16, 2016 - Packet Meeting Minutes
December 20, 2016 - Regular Meeting Minutes
December 21, 2016 - Special Meeting Minutes
I. Call To Order

With a quorum present, the workshop meeting of the San Marcos City Council was called to order by Mayor Guerrero at 12:02 p.m. Friday, December 16, 2016 in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666.

II. Roll Call

Mayor Pro Tem Thomaides arrived after roll call at 12:04 p.m.

   Present:  5 - Mayor John Thomaides, Council Member Jane Hughson, Council Member Melissa Derrick, Council Member Scott Gregson and Council Member Lisa Prewitt

1. Consider Staff briefing and Council Member discussion and questions regarding items on the agenda for the December 20, 2016 Regular City Council Meeting, to wit Items (3-25).

   CONSENT AGENDA

3. December 2, 2016 - Packet Meeting Minutes
   December 6, 2016 - Regular Meeting Minutes

4. Ordinance 2016-51, on the second of two readings, amending Ordinance No. 2014-70 consenting to the creation of Cotton Center Municipal Utility District No. 1 within the City’s Extraterritorial Jurisdiction to provide for an amendment to the Consent Agreement to extend the date for the required creation of a Subdistrict to within sixty months from the date of the confirmation election; and providing for an effective date.

5. Ordinance 2016-54, amending Ordinance 2015-18, which amended Ordinance 2014-13 consenting to the creation of LaSalle Municipal Utility District Number 1 and Ordinance 2013-18 consenting to the creation of LaSalle Municipal Utility Districts Numbers 2, 3, 4, and 5 to provide for an amendment to the consent agreements to extend the date for a confirmation election to six (6) years rather than four (4) years from the date the Texas Legislature created the Municipal Utility Districts; providing for an effective date.

6. Ordinance 2016-55, on the second of two readings, authorizing the issuance of City of San Marcos, Texas General Obligation Refunding Bonds in an amount not to exceed $45,000,000 in one or more series; approving an Official Statement, a Paying...
Agent/Registrar Agreement, a Bond Purchase Agreement and an Escrow Agreement; establishing the procedures for selling and delivering one or more series of the bonds; and authorizing other matters relating to the bonds.

7. Ordinance 2016-56, on the second of two readings, creating a designated permit area under Section 82.189 of the San Marcos City Code that allows parking by permit only on both sides of the 0-100 Elm Hill Ct. between North LBJ Drive and Meadow Parkway; amending the traffic register to reflect such designated permit area; and providing for an effective date.

8. Ordinance 2016-57, on the second of two readings, amending the City’s 2016-2017 Fiscal Year Budget to add a Full-Time Employment Position for an Emergency Management Coordinator; and providing an effective date.

9. Resolution 2016-175R, approving an Interlocal Agreement between the City of San Marcos and Texas State University for the University’s assistance in the City’s implementation of three Edwards Aquifer Habitat Conservation Plan objectives in the total not-to-exceed amount of $672,316.56; authorizing the City Manager or his designee to execute this agreement on behalf of the City; and declaring an effective date.

10. Resolution 2016-176R, approving an Interlocal Agreement with the City of Kyle and the Hays Caldwell Public Utility Agency providing for the parties to share in the cost of a study regarding the feasibility of a wastewater treatment plant to serve the Blanco Basin Area, with an estimated cost to the City of $10,000.00; authorizing the City Manager to execute the agreement; and declaring an effective date.

11. Resolution 2016-177R, approving an amended and restated Interconnection Agreement with the LCRA Transmission Services Corporation (“LCRA TSC”) to, among other things, clarify the transmission and distribution functions of the parties, provide metering to be governed by a separate Wholesale Metering Agreement, and update various provisions to reflect changes in regulation and industry terms and standards; approving an associated bill of sale to transfer certain transmission infrastructure at the Hilltop and Ranch Road 12 Substation to LCRA TSC; authorizing the City Manager to execute the agreement; and declaring an effective date.

12. Resolution 2016-178R, approving an agreement with Cobb, Fendley and Associates, Inc. for the provision of professional consulting services in connection with the Downtown District Distribution System Conversion study in the not-to-exceed amount of $88,357.50 contingent upon the consultant’s provision of sufficient insurance in accordance with the attached agreement; authorizing the City Manager or his designee to execute this agreement on behalf of the City; and declaring an effective date.

13. Resolution 2016-179R, approving a two-year agreement between the City and Southwest Land Services, Inc. for the consultant’s provision of Professional Support,
Advice, and Assistance to the Planning and Development Services Department, the Engineering and Capital Improvements Department and the City Manager’s Office in an amount not to exceed $135,000, contingent upon the consultant’s provision of sufficient insurance in accordance with the attached agreement; authorizing the City Manager or his designee to execute this agreement on behalf of the City; and declaring an effective date.

14. Resolution 2016-180R, approving a commercial ground lease of airport property with Coast Flight Training and Management, Inc. for a term of two years; authorizing the City Manager to execute said lease; and declaring an effective date.

15. Resolution 2016-181R, approving an agreement with Freese & Nichols, Inc. for the provision of Professional Engineering Services in connection with the Travis Street/Heritage Drainage Outfall Project in the not-to-exceed amount of $525,375.00 contingent upon the consultant’s provision of sufficient insurance in accordance with the attached agreement; authorizing the City Manager or his designee to execute this agreement on behalf of the City; and declaring an effective date.

16. Resolution 2016-182R, requesting that the Texas State Legislature and the Governor of Texas take action during the Regular Session of the 85th Texas Legislature to approve Legislation by the Honorable Representative Tom Craddick and Senator Judith Zaffirini relating to the creation of an offense for use of a handheld wireless communication device for text-based communication while operating a motor vehicle.


18. Change in Service, in an amount not to exceed $783,408.00, to an Agreement with Freese and Nichols, Inc. for Engineering Services in connection with the Hopkins Street: Bishop to Moore Improvements Project.

PUBLIC HEARINGS

19. Staff Update on the CDBG Program and Public Hearing to receive comments for or against the 2015 CDBG Consolidated Annual Performance Report (CAPER).

NON-CONSENT AGENDA

20. Ordinance 2016-58, on the first of two readings, amending Chapter 2, Division 15, Sections 2.351 through 2.352 of the San Marcos City Code to remove the Chair and Vice-Chair of the San Marcos Area Chamber of Commerce Board of Directors as non-voting ex-officio members on the Convention and Visitor Bureau Advisory Board; and to modify the general powers and duties of the board; providing for the repeal of any conflicting provisions; and providing an effective date.
21. Resolution 2016-183R, approving a first addendum to the Interlocal Agreement with Hays County regarding the collection, payments and use of tax increment in Tax Increment Reinvestment Zone No. 5 that extends the term of said agreement for an additional five years; authorizing the City Manager to execute this first addendum on behalf of the City; and declaring an effective date.

22. Resolution 2016-184R, approving the sale of a tract of property identified as part of Lots 1 and 2, Block 7, Dan Mckie Second Addition (Hays CAD Parcel ID No. R35383), acquired by Hays County for unpaid taxes, to Dean Cherer for $850.00; authorizing the execution of any deed or instruments necessary to complete the sale; and declaring an effective date.

23. Resolution 2016-185R, approving a second addendum to the Chapter 380 Economic Development Incentive Agreement with Humpty Dumpty SSM, Ltd. in connection with the redevelopment of Springtown Shopping Center which amends the agreement to extend by one year the time period within which the first application for a grant payment may be made; authorizing the City Manager to execute the second addendum; and declaring an effective date.

24. Staff presentation regarding the need for an additional $1,039,930.21 of funding for the construction of San Marcos Fire Station No. 4.

25. Discuss and consider the possible reassembling of the Whisper Texas Project Subcommittee.

The Council received Staff briefings and held discussion regarding items on the agenda for December 20, 2016 Regular City Council Meeting, to wit Items (3-25).

Item #9 Council Member Prewitt requested that staff send her information regarding chemicals that will be used to kill vegetation along the river and its effects on humans, plants and animals.

Item #20 Council Member Hughson stated that she will be offering an amendment to add an additional Council Member to the board.

Item #21 Staff will update the caption of the item to reflect that this is in the Downtown Area.

No further direction was provided.

III. Question and Answer Session with Press and Public.

None.
IV. Adjournment.

Mayor Guerrero adjourned the workshop meeting of the San Marcos City Council at 12:36 p.m.

Jamie Lee Case, City Clerk                                                    Daniel Guerrero, Mayor
I. Call To Order

With a quorum present, the regular meeting of the San Marcos City Council was called to order by Mayor Guerrero at 5:30 p.m. Tuesday, December 20, 2016 in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666.

II. Roll Call

Mayor Pro Tem Thomaides arrived after roll call at 5:49 p.m., Council Member Prather arrived after roll call at 5:33 p.m. and Council Member Derrick arrived after roll call at 5:47 p.m.

Present: 
5 - Mayor John Thomaides, Council Member Jane Hughson, Council Member Melissa Derrick, Council Member Scott Gregson and Council Member Lisa Prewitt

III. Invocation

A moment of silence was observed.

IV. Pledges Of Allegiance - United States And Texas

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

EXECUTIVE SESSION

1. 5:30PM Executive Session in accordance with Section §551.087 of the Texas Government Code: Economic Development - to receive a briefing and deliberate regarding the potential offer of Economic Development Incentives to Project Humpty Dumpty and Project Enfield.

A motion was made by Mayor Guerrero, seconded by Council Member Hughson, to enter into Executive Session at 5:35 p.m. The motion carried by the following vote:

For: 5 - Guerrero, Prather, Council Member Hughson, Council Member Gregson and Council Member Prewitt

Against: 0

Absent: 2 - Mayor Thomaides and Council Member Derrick
2. Consider adoption or direction to Staff on matters discussed in Executive Session.

Council reconvened into open session at 5:48 p.m. Council did not receive an update regarding Project Enfield, but upon returning into open session acted on Item #23 concerning Project Humpty Dumpty.

6:00 PM

V. 30 Minute Citizen Comment Period

John Barthel, CASA Volunteer, expressed his gratitude to the Council for the funding that they approved from the CDBG Program to CASA. He explained what CASA does in the community and his role as a child advocate. He provided their plans for the funds and that they now have 44 advocates are able to support 90 children. He explained how the funding from the City provided CASA the ability to perform their services.

Ben Kvanli, stated that with regard to Item #9 that the Council has the ability to change the river in a very significant way. He stated that families use this part of the river and that Olympians have trained in it as well. He stated that they couldn’t train there today due to the amount of plant matter that is there. He mentioned his experience with getting tangled in wild rice, and asked for balance in regards to the amount of aquatic plants being placed in the river.

Brian Olson, thanked Mayor Guerrero and Council Member Prather for their service and congratulated Mayor-Elect Thomaides and Council Member Prewitt on their recent wins. Mr. Olson echoed Mr. Kvanli’s comments and stated that too much could be a bad thing. He wanted to know why this money is now going to the University Houston Clear Lake or Texas State. He also asked when does the wild rice become too much? He stated that there are people that do not want to get in the river because of it. He asked that the Council please consider this information when voting on this item.

CONSENT AGENDA

A motion was made by Council Member Gregson, seconded by Council Member Prewitt, to approve the Consent Agenda with the exception of items #9, 15 and 18, which were pulled and considered separately. The motion carried by the following vote:

For: 5 - Guerrero, Prather, Council Member Hughson, Council Member Gregson and Council Member Prewitt

Against: 0

Absent: 2 - Mayor Thomaides and Council Member Derrick
3. Consider approval of the following:
   December 2, 2016 - Packet Meeting Minutes
   December 6, 2016 - Regular Meeting Minutes

4. Consider approval of Ordinance 2016-51, on the second of two readings, amending
   Ordinance No. 2014-70 consenting to the creation of Cotton Center Municipal Utility
   District No. 1 within the City’s Extraterritorial Jurisdiction to provide for an amendment
   to the Consent Agreement to extend the date for the required creation of a Subdistrict
   to within sixty months from the date of the confirmation election; and providing for an
   effective date.

5. Consider approval of Ordinance 2016-54, on the second of two readings, amending
   Ordinance 2015-18, which amended Ordinance 2014-13 consenting to the creation of
   LaSalle Municipal Utility District Number 1 and Ordinance 2013-18 consenting to the
   creation of LaSalle Municipal Utility Districts Numbers 2, 3, 4, and 5 to provide for an
   amendment to the consent agreements to extend the date for a confirmation election
   to six (6) years rather than four (4) years from the date the Texas Legislature created
   the Municipal Utility Districts; providing for an effective date.

6. Consider approval of Ordinance 2016-55, on the second of two readings, authorizing
   the issuance of City of San Marcos, Texas General Obligation Refunding Bonds in an
   amount not to exceed $45,000,000 in one or more series; approving an Official
   Statement, a Paying Agent/Registrar Agreement, a Bond Purchase Agreement and
   an Escrow Agreement; establishing the procedures for selling and delivering one or
   more series of the bonds; and authorizing other matters relating to the bonds.

7. Consider approval of Ordinance 2016-56, on the second of two readings, creating a
   designated permit area under Section 82.189 of the San Marcos City Code that allows
   parking by permit only on both sides of the 0-100 Elm Hill Ct. between North LBJ Drive
   and Meadow Parkway; amending the traffic register to reflect such designated permit
   area; and providing for an effective date.

8. Consider approval of Ordinance 2016-57, on the second of two readings, amending
   the City’s 2016-2017 Fiscal Year Budget to add a Full-Time Employment Position for
   an Emergency Management Coordinator; and providing an effective date.

9. Consider approval of Resolution 2016-175R, approving an Interlocal Agreement
   between the City of San Marcos and Texas State University for the University’s
   assistance in the City’s implementation of three Edwards Aquifer Habitat Conservation
   Plan objectives in the total not-to-exceed amount of $672,316.56; authorizing the City
   Manager or his designee to execute this agreement on behalf of the City; and
   declaring an effective date.

   A motion was made by Council Member Prewitt, seconded by Council Member
   Derrick, to approve Resolution 2016-175R. Council Member Hughson recused
   due to funds received by her from Texas State exceeding 10 percent of her
   gross income for the previous year. Council Member Prather abstained to
avoid the appearance of impropriety. The motion carried by the following vote:

For: 5 - Guerrero, Mayor Thomaides, Council Member Derrick, Council Member Gregson and Council Member Prewitt

Against: 0

Recused: 1 - Council Member Hughson

Abstain: 1 - Prather

10. Consider approval of Resolution 2016-176R, approving an Interlocal Agreement with the City of Kyle and the Hays Caldwell Public Utility Agency providing for the parties to share in the cost of a study regarding the feasibility of a wastewater treatment plant to serve the Blanco Basin Area, with an estimated cost to the City of $10,000.00; authorizing the City Manager to execute the agreement; and declaring an effective date.

11. Consider approval of Resolution 2016-177R, approving an amended and restated Interconnection Agreement with the LCRA Transmission Services Corporation (“LCRA TSC”) to, among other things, clarify the transmission and distribution functions of the parties, provide metering to be governed by a separate Wholesale Metering Agreement, and update various provisions to reflect changes in regulation and industry terms and standards; approving an associated bill of sale to transfer certain transmission infrastructure at the Hilltop and Ranch Road 12 Substation to LCRA TSC; authorizing the City Manager to execute the agreement; and declaring an effective date.

12. Consider approval of Resolution 2016-178R, approving an agreement with Cobb, Fendley and Associates, Inc. for the provision of professional consulting services in connection with the Downtown District Distribution System Conversion study in the not-to-exceed amount of $88,357.50 contingent upon the consultant’s provision of sufficient insurance in accordance with the attached agreement; authorizing the City Manager or his designee to execute this agreement on behalf of the City; and declaring an effective date.

13. Consider approval of Resolution 2016-179R, approving a two-year agreement between the City and Southwest Land Services, Inc. for the consultant’s provision of Professional Support, Advice, and Assistance to the Planning and Development Services Department, the Engineering and Capital Improvements Department and the City Manager’s Office in an amount not to exceed $135,000, contingent upon the consultant’s provision of sufficient insurance in accordance with the attached agreement; authorizing the City Manager or his designee to execute this agreement on behalf of the City; and declaring an effective date.

14. Consider approval of Resolution 2016-180R, approving a commercial ground lease of airport property with Coast Flight Training and Management, Inc. for a term of two years; authorizing the City Manager to execute said lease; and declaring an effective date.
15. Consider approval of Resolution 2016-181R, approving an agreement with Freese & Nichols, Inc. for the provision of Professional Engineering Services in connection with the Travis Street/Heritage Drainage Outfall Project in the not-to-exceed amount of $525,375.00 contingent upon the consultant’s provision of sufficient insurance in accordance with the attached agreement; authorizing the City Manager or his designee to execute this agreement on behalf of the City; and declaring an effective date.

A motion was made by Council Member Prewitt, seconded by Mayor Pro-Tem Thomasides, to approve Resolution 2016-181R. Staff will provide the costs as they are listed in the CIP. The motion carried by the following vote:

For:  7 - Guerrero, Mayor Thomasides, Prather, Council Member Hughson, Council Member Derrick, Council Member Gregson and Council Member Prewitt

Against:  0

16. Consider approval of Resolution 2016-182R, requesting that the Texas State Legislature and the Governor of Texas take action during the Regular Session of the 85th Texas Legislature to approve Legislation by the Honorable Representative Tom Craddick and Senator Judith Zaffirini relating to the creation of an offense for use of a handheld wireless communication device for text-based communication while operating a motor vehicle.


18. Consider approval, by motion, of a Change in Service, in an amount not to exceed $783,408.00, to an Agreement with Freese and Nichols, Inc. for Engineering Services in connection with the Hopkins Street: Bishop to Moore Improvements Project.

A motion was made by Council Member Prewitt, seconded by Council Member Gregson, to approve this Change in Service of $783,408.00 with Freese and Nichols, Inc. The motion carried by the following vote:

For:  7 - Guerrero, Mayor Thomasides, Prather, Council Member Hughson, Council Member Derrick, Council Member Gregson and Council Member Prewitt

Against:  0

PUBLIC HEARINGS - 7:00 PM

19. 7:00PM Receive a Staff Update on the CDBG Program and hold a Public Hearing to receive comments for or against the 2015 CDBG Consolidated Annual Performance Report (CAPER).

Janis Hendrix, Community Initiatives Administrator, provided a brief update on the 2015 Consolidated Annual Performance Report (CAPER) and a timeline of upcoming items for the CDBG program.
Mayor Guerrero opened the Public Hearing at 7:03 p.m.

There being no comments, Mayor Guerrero closed the Public Hearing at 7:04 p.m.

No further action was taken.

NON-CONSENT AGENDA

20. Consider approval of Ordinance 2016-58, on the first of two readings, amending Chapter 2, Division 15, Sections 2.351 through 2.352 of the San Marcos City Code to remove the Chair and Vice-Chair of the San Marcos Area Chamber of Commerce Board of Directors as non-voting ex-officio members on the Convention and Visitor Bureau Advisory Board; and to modify the general powers and duties of the board; providing for the repeal of any conflicting provisions; and providing an effective date.

Main Motion: A motion was made by Council Member Prewitt, seconded by Mayor Pro-Tem Thomaiides, to approve Ordinance 2016-58 on the first of two readings.

Motion to Amend: A motion was made by Council Member Hughson, seconded by Council Member Derrick, to amend Ordinance 2016-58 by revising the composition of the board to include two City Council Members as voting members on the Convention and Visitor Bureau Board. The motion carried by the following vote:

For: 7 - Guerrero, Mayor Thomaiides, Prather, Council Member Hughson, Council Member Derrick, Council Member Gregson and Council Member Prewitt

Against: 0

Main Motion: to approve Ordinance 2016-58, as amended on first reading. The motion carried by the following vote:

For: 7 - Guerrero, Mayor Thomaiides, Prather, Council Member Hughson, Council Member Derrick, Council Member Gregson and Council Member Prewitt

Against: 0

21. Consider approval of Resolution 2016-183R, approving a first addendum to the Interlocal Agreement with Hays County regarding the collection, payments and use of tax increment in Tax Increment Reinvestment Zone No. 5 (Downtown Area) that extends the term of said agreement for an additional five years; authorizing the City Manager to execute this first addendum on behalf of the City; and declaring an effective date.

A motion was made by Mayor Pro-Tem Thomaiides, seconded by Council Member Derrick, to approve Resolution 2016-183R. Council stated that they
would like to ensure that the City and the County both have the same list of projects going before their respective governing bodies. Council Member Prather recused due to funds received by him from Hays County exceeding 10 percent of his gross income for the previous year. The motion carried by the following vote:

For: 6 - Guerrero, Mayor Thomaides, Council Member Hughson, Council Member Derrick, Council Member Gregson and Council Member Prewitt

Against: 0

Recused: 1 - Prather

22. Consider approval of Resolution 2016-184R, approving the sale of a tract of property identified as part of Lots 1 and 2, Block 7, Dan Mckie Second Addition (Hays CAD Parcel ID No. R35383), acquired by Hays County for unpaid taxes, to Dean Cherer for $850.00; authorizing the execution of any deed or instruments necessary to complete the sale; and declaring an effective date.

A motion was made by Council Member Prewitt, seconded by Council Member Hughson, to approve Resolution 2016-184R. The motion carried by the following vote:

For: 7 - Guerrero, Mayor Thomaides, Prather, Council Member Hughson, Council Member Derrick, Council Member Gregson and Council Member Prewitt

Against: 0

23. Consider approval of Resolution 2016-185R, approving a second addendum to the Chapter 380 Economic Development Incentive Agreement with Humpty Dumpty SSM, Ltd. in connection with the redevelopment of Springtown Shopping Center which amends the agreement to extend by one year the time period within which the first application for a grant payment may be made; authorizing the City Manager to execute the second addendum; and declaring and effective date.

A motion was made by Council Member Prather, seconded by Council Member Hughson, to approve Resolution 2016-185R. Council Member Gregson recused to avoid the appearance of impropriety. The motion carried by the following vote:

For: 6 - Guerrero, Mayor Thomaides, Prather, Council Member Hughson, Council Member Derrick and Council Member Prewitt

Against: 0

Recused: 1 - Council Member Gregson

24. Receive a Staff presentation regarding the need for an additional $865,870 of funding for the construction of San Marcos Fire Station No. 4, and provide direction to Staff.

Les Stephens, Fire Chief, provided the Council with an update regarding the need for an additional $865,870 of funding for the construction of Fire Station
No 4. Following discussion the Council provided direction to move forward and bring back a budget amendment on January 3, 2017.

25. Discuss and consider the possible reassembling of the Whisper Texas Project Subcommittee, and provide direction to Staff.

Council Member Derrick, Council Member Hughson, and Council Member Scott were appointed as members to serve on the Whisper Texas Project Subcommittee.

VI. Question and Answer Session with Press and Public.

None.

VII. Adjournment.

Prior to adjournment Mayor Guerrero and Council Member Prather provided statements of gratitude to the Staff and Community in relation to their time in office.

Mayor Guerrero adjourned the regular meeting of the San Marcos City Council at 7:09 p.m.

Jamie Lee Case, TRMC, City Clerk                                      Daniel Guerrero, Mayor
630 E. Hopkins - Runoff Election Canvass

I. Call To Order

With a quorum present, the special meeting of the San Marcos City Council was called to order by Mayor Guerrero at 6:02 p.m. Wednesday, December 21, 2016 in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666.

II. Roll Call

Council Members Gonzales and Mihalkanin were seated on the dais following Item #2. Mayor Guerrero and Council Member Prather left the dais following Item #2.

Present:

9 - Mayor John Thomaides, Council Member Lisa Prewitt, Council Member Saul Gonzales, Council Member Jane Hughson, Council Member Melissa Derrick, Council Member Scott Gregson, Council Member Ed Mihalkanin, Mayor Daniel Guerrero and Council Member Jude Prather

1. Consider approval of Ordinance 2016-59, on first and final reading, canvassing returns and declaring results of the Runoff Election, held on December 13, 2016, for the purpose of electing a Mayor, City Council Member, Place Two, and to fill a vacancy for the one year remainder of the unexpired term of City Council Member, Place; declaring an emergency creating the need to adopt this Ordinance with only one reading; and providing an effective date.

A motion was made by Council Member Gregson, seconded by Council Member Derrick, that Ordinance 2016-59 be approved, on emergency. The motion carried by the following vote:

For: 7 - Mayor Thomaides, Council Member Prewitt, Council Member Hughson, Council Member Derrick, Council Member Gregson, Mayor Guerrero and Council Member Prather

Against: 0

Absent: 2 - Council Member Gonzales and Council Member Mihalkanin

2. Issue Certificate of Election to elected Mayor, City Council Member, Place 2, and City Council Member, Place 3; and administer Oath of Office.

Council Member Prather addressed the public about his time in office and extend his thanks to the community. Mayor Guerrero addressed the public
and provided his message of thanks to his colleagues, Staff and Community.

Mayor Guerrero read the Certificate of Election for Mayor Thomaides. Mayor Thomaides was sworn in by Judge Joann Prado. He addressed the public and provided his thanks to everyone that voted for him.

Mayor Thomaides read the Certificate of Election for Council Member Gonzales. Council Member Gonzales was sworn in by Judge Maggie Hernandez Moreno. Council Member Gonzales provided a brief statement of gratitude to his family and the community.

Mayor Thomaides read the Certificate of Election for Council Member Mihalkanin. Council Member Mihalkanin was sworn in by Judge Maggie Hernandez Moreno. Council Member Mihalkanin provided a brief statement of gratitude to the community.

3. Consider election of Mayor Pro Tempore and optional Deputy Mayor Pro Tempore.

A motion was made by Council Member Gregson, seconded by Council Member Derrick, that Council Member Hughson be elected to serve as Mayor Pro Tempore. The motion carried by the following vote:

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

Against: 0

Absent: 2 - Mayor Guerrero and Council Member Prather

A motion was made by Council Member Hughson, seconded by Council Member Derrick, that Council Member Prewitt be elected to serve as Deputy Mayor Pro Tempore. The motion carried by the following vote:

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

Against: 0

Absent: 2 - Mayor Guerrero and Council Member Prather

III. Question and Answer Session with Press and Public.

Sherwood Bishop, thanked Council Member Prather, Mayor Guerrero and Staff for their service. He asked the Council what their priorities will be moving into this next year.

Mayor Pro Tem Hughson - Flood Mitigation.

Deputy Mayor Pro Tem Prewitt - Transportation, Downtown Parking and
brining the community together
Council Member Derrick - Flood Mitigation and Recovery.
Council Member Gregson - To ensure people are where they need to be in relation to housing.
Mayor Thomaides - Agreed with Council Member Gregson and that we need to share the same vision.
Council Member Mihalkanin - Resources for lower income residents.
Council Member Gonzales - Agreed with all of his colleagues.

Sara Lee Underwood-Myers, invited the community to Southside Community Center on January 12, 2017 at 7PM to discuss the homeless problem in San Marcos.

Doug Parcell, asked where the university representation was and stated that they need to participate in City events.

IV. Adjournment.

Mayor Thomaides adjourned the special meeting of the San Marcos City Council at 6:40 p.m.

Jamie Lee Case, City Clerk John Thomaides, Mayor
AGENDA CAPTION: Consider approval of Ordinance 2016-58, on the second of two readings, amending Chapter 2, Division 15, Sections 2.351 through 2.352 of the San Marcos City Code to remove the Chair and Vice-Chair of the San Marcos Area Chamber of Commerce Board of Directors as non-voting ex-officio members on the Convention and Visitor Bureau Advisory Board; and to modify the general powers and duties of the board; providing for the repeal of any conflicting provisions; and providing an effective date.

Meeting date: December 20, 2016 - 1st Reading
January 3, 2017 - 2nd Reading

Department: City Clerk

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

CITY COUNCIL GOAL: Goal #8 Provide for the efficient and effective delivery of services

COMPREHENSIVE PLAN ELEMENT(s): N/A

BACKGROUND:
On November 7, 2016 Rebecca Ybarra-Ramirez, Executive Director (and staff liaison) of the San Marcos Convention and Visitor Bureau submitted a request for changes to be made to the current Convention and Visitor Bureau Advisory Board due to recently becoming a City Department. This request included the removal of the Chamber Board Chair and Vice-Chair as non-voting ex-officio members and revisions to the general powers and duties of the board.

The attached Ordinance has been updated to include these requests.
ORDINANCE NO. 2016-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING CHAPTER 2, DIVISION 15, SECTIONS 2.351 THROUGH 2.352 OF THE SAN MARCOS CITY CODE TO REMOVE THE CHAIR AND VICE-CHAIR OF THE SAN MARCOS AREA CHAMBER OF COMMERCE BOARD OF DIRECTORS AS NON-VOTING EX-OFFICIO MEMBERS ON THE CONVENTION AND VISITOR BUREAU ADVISORY BOARD; AND TO MODIFY THE GENERAL POWERS AND DUTIES OF THE BOARD; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. Sections 2.351 through 2.352 of the San Marcos City Code are hereby amended to read as follows (Added text is indicated by underlining. Deleted text is indicated by strikethroughs):

Sec. 2.351. Created; composition; terms; officers.
(a) The convention and visitors bureau advisory board is created, composed of 13 voting members appointed by the city council as described in subsection (b), and seven five non-voting ex-officio members: the city manager or a designee of the city manager, the president of the San Marcos Area Chamber of Commerce, the chair and vice-chair of the board of the San Marcos Area Chamber of Commerce, a representative designated by Centro Cultural Hispano de San Marcos, the economic development director of [the] Greater San Marcos Partnership or a designee of the partnership president, and the Main Street Manager.
(b) The city council will endeavor to appoint persons who are representative of the following groups, organizations or interests as voting members of the board:

<table>
<thead>
<tr>
<th>No. of appointments</th>
<th>Representing</th>
</tr>
</thead>
<tbody>
<tr>
<td>1–2</td>
<td>City Council Members</td>
</tr>
<tr>
<td>1</td>
<td>Hotel/motel industry in the city</td>
</tr>
<tr>
<td>1</td>
<td>Owner/general manager/senior manager of a hotel/motel in the city (90 or more rooms)</td>
</tr>
<tr>
<td>1</td>
<td>Owner/general manager/senior manager of a hotel/motel in the city (less than 90 rooms)</td>
</tr>
<tr>
<td>1</td>
<td>Owners/general managers/senior management of tourist attractions located in the city</td>
</tr>
<tr>
<td>---</td>
<td>-----------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>1</td>
<td>Owners/general managers/senior management of food/beverage establishments in the city</td>
</tr>
<tr>
<td>2</td>
<td>Managers/senior management of outlet malls in the city</td>
</tr>
<tr>
<td>1</td>
<td>City parks and recreation department staff</td>
</tr>
<tr>
<td>1</td>
<td>Heritage Association/museums located in the city</td>
</tr>
<tr>
<td>1</td>
<td>Downtown/main street business owners/general managers/senior management</td>
</tr>
<tr>
<td>1</td>
<td>Texas State University-San Marcos Athletics</td>
</tr>
<tr>
<td>1</td>
<td>Texas State University-San Marcos Academics/Media/Public Relations</td>
</tr>
</tbody>
</table>

(c) The voting members of the board are appointed for staggered three-year terms

Sec. 2.352. General powers and duties.

(a) The convention and visitor bureau advisory board will advise and provide oversight for contracts between the city and the San Marcos Area Chamber of Commerce for programs for the promotion of tourism within the city, programs for the promotion of tourism outside of San Marcos both nationally and internationally.

(b) The advisory board will activities and duties include the following:

1. Be responsible for developing and making a recommendation to the Board of the San Marcos Area Chamber of Commerce for approval of the proposed annual budget for tourism promotion programs before the chamber board makes a recommendation on the budget to the city council. Providing recommendations to the Convention and Visitor Bureau director and city council.

2. Monitor expenditures of tourism promotion funds provided to the San Marcos Area Chamber of Commerce by the city for conformity to the budget, and make recommendations to the Board of the San Marcos Area Chamber of Commerce on amendments to the budget. Establishing goals and priorities for the Convention and Visitor Bureau.
(3) Monitor the performance of the San Marcos Area Chamber of Commerce in conducting tourism promotion programs under contracts with the city. Monitoring expenditures of program funds while complying with State of Texas Tax Code (Title 3. Subtitle D. Chapter 351) and assessing the effectiveness of the program.

(4) Advise the San Marcos Area Chamber of Commerce as to the hiring and firing of management level employees responsible for tourism promotion programs. Formulating proposed budgets for the program and providing recommendations to the city manager and city council.

(5) Have other duties and authority as described in contracts between the city and the San Marcos Area Chamber of Commerce for tourism promotion programs. Building support for the program.

SECTION 2. In codifying the changes authorized by this ordinance, paragraphs, sections and subsections may be renumbered and reformatted as appropriate consistent with the numbering and formatting of the San Marcos City Code.

SECTION 3. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 4. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 5. This Ordinance will take effect after its adoption on second reading. The change in the composition of the convention and visitors bureau advisory board set forth in Section 1 of this ordinance shall apply to appointment of board members for terms beginning on March 1, 2017.

PASSED AND APPROVED on first reading on December 20, 2016.

PASSED, APPROVED AND ADOPTED on second reading on January 3, 2017.

John Thomaides
Mayor

Attest: Approved:

Jamie Lee Case Michael J. Cosentino
City Clerk City Attorney
AGENDA CAPTION:
Consider approval of Resolution 2017-01R, authorizing the submission of an application to the Office of the Governor, Criminal Justice Division for a State-Funded grant in an amount not to exceed $175,000 to fund upgrades to the San Marcos Police Department's Records Management System for the Police National Incident Based Reporting System (NIBRS) in order to bring the Department into compliance with a State mandate before the deadline of September 1, 2019; authorizing the City Manager or his designee to execute any and all documents as necessary to accept and implement the grant, if awarded; and declaring an effective date.

Meeting date: January 3, 2017

Department: Police - Chief Chase Stapp

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

CITY COUNCIL GOAL:
Provide for the Efficient and Effective Delivery of Services

COMPREHENSIVE PLAN ELEMENT(s): [add the Plan elements and Goal # and Objective(s)]
N/A

BACKGROUND:
Uniform Crime Reporting gathers crime data from law enforcement agencies for statistical analysis. Currently, there are two distinct methods for reporting data: the original model built in 1927, known as Summary Reporting System (SRS) and Incident Reporting, known as National Incident-Based Reporting System (NIBRS). In comparing the two data collection methodologies, it is readily apparent that NIBRS provides a deeper, richer data set. Summary Reporting tallies eight offenses, also known as the index crimes: homicide, rape, robbery, aggravated assault, burglary, etc., as well as arrests made and property stolen. Incident Based Reporting collects data on 24 offense types comprised of 52 distinct offenses and agencies report based upon the specific incident that includes data related not only to offenses and arrests, but also to location, victim and offender data, etc.

House Bill 11 of the 84th Regular Session introduced the requirement for the State to begin a transition from primarily a Summary Reporting System (SRS) state to a National Incident Based Reporting (NIBRS) state, by
setting a goal for transition to NIBRS by 2019. All reporting agencies in Texas have been notified that transition to NIBRS reporting must be completed by September 1, 2019. Grant-funded implementations must be complete by April 30, 2019.

<table>
<thead>
<tr>
<th>Timeline Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Funding Announcement Release</td>
<td>November 15, 2016</td>
</tr>
<tr>
<td>Online System Opening Date</td>
<td>November 15, 2016</td>
</tr>
<tr>
<td>Application Deadline</td>
<td>January 16, 2017 at 5PM CST</td>
</tr>
<tr>
<td>Earliest Start Date</td>
<td>March 1, 2017</td>
</tr>
<tr>
<td>Latest End Date</td>
<td>April 30, 2017</td>
</tr>
</tbody>
</table>

The San Marcos Police Department contracts with Computer Information Systems (CIS) for both Computer Aided Dispatch and Records Management (RMS) services. The RMS module is the portion of the system that must be upgraded to ensure NIBRS compliance. CIS has quoted a cost of $150,000 to complete the conversion of their system for compliance with Texas NIBRS crime reporting. An additional local cost of $25,000 for implementation will also be included in the grant application.
RESOLUTION NO. 2017-06R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR A GRANT IN AN AMOUNT NOT TO EXCEED $175,000 TO FUND UPGRADES TO THE SAN MARCOS POLICE DEPARTMENT’S RECORDS MANAGEMENT SYSTEM FOR THE POLICE NATIONAL INCIDENT BASED REPORTING SYSTEM (NIBRS) IN ORDER TO BRING THE DEPARTMENT INTO COMPLIANCE WITH A STATE MANDATE BEFORE THE DEADLINE OF SEPTEMBER 1, 2019; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY AND ALL DOCUMENTS AS NECESSARY TO ACCEPT AND IMPLEMENT THE GRANT, IF AWARDED; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. It is in the best interest of the citizens of San Marcos, Texas that the NIBRS Implementation Project be operated beginning in the year 2017.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS.

PART 1. The submission of the grant application for the NIBRS Implementation Project to the Officer of the Governor of Texas, therefore, is hereby approved.

PART 2. The City of San Marcos agrees that, in the event of loss or misuse of the Office of the Governor funds, the City of San Marcos assures that the funds will be returned to the Office of the Governor in full.

PART 3. The City Manager is hereby designated as the City’s authorized official with regard to all matters related to the grant and is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the City of San Marcos, Texas.

PART 4. This Resolution shall be in full force and effect immediately from and after its passage.


John Thomaides
Mayor
Attest:

Jamie Lee Case
City Clerk
Office of the Governor

Criminal Justice Division

Funding Announcement:  
*Texas Conversion to the National Incident-Based Reporting System (NIBRS), Second-Round Funding Announcement*

November 15, 2016
Opportunity Snapshot
Below is a high-level overview of many of the elements of this opportunity. Full information is provided in the funding announcement that follows.

Purpose
The primary purpose of this announcement is to solicit applications for projects from local law enforcement agencies to upgrade their technology infrastructure to allow for and support the submission of data to the Uniform Crime Reporting (UCR) Incident Based System (NIBRS), with special consideration given to solutions that support the subsequent submission of incident data to the National Data Exchange (N-DEx).

As an additional consideration for this funding opportunity, local law enforcement agencies in counties bordering Mexico and those with federal checkpoints may also submit applications for projects that facilitate compliance with new requirements in Sec. 362.005(c), Local Government Code, related to the submission of data to the Texas Transnational Intelligence Center (TTIC). TTIC is also based on reporting incident data and has purposes that are complementary to the goals of both NIBRS and N-DEx.

This program is a partnership between the Office of the Governor, Criminal Justice Division (CJD), and the Texas Department of Public Safety (DPS).

Funds Available
It is anticipated that up to $14M may be funded under this announcement.

Process
Applicants will respond to this funding announcement by completing an application in eGrants (http://eGrants.gov.texas.gov).

Budget
The minimum allowed under this program is $5,000 and there is no funding cap.

Match
There is no match requirement under this program.

Project Periods
A project funded must begin on or after March 1, 2017 and may not extend past April 30, 2019.

Organizational Eligibility
Applications may be submitted by Texas law enforcement agencies collecting crime data for submission to DPS. Law enforcement agencies in counties that directly border Mexico and those in counties with federal checkpoints are eligible to apply for an expanded list of activities and expenses. A list of those counties may be found on page four of this announcement.

Contact Information
Contact the CJD eGrants help desk at eGrants@gov.texas.gov or (512) 463-1919 for additional information on the application process. Contact Michelle Farris at DPS at Michelle.Farris@dps.texas.gov or (512) 424-7659 at DPS for information about technical and programmatic issues or available training.
Texas Conversion to the National Incident-Based Reporting System

The goal of the Governor’s Criminal Justice Division (CJD) is to provide needed funding to improve public safety and support victims of crime by filling system gaps and promoting innovative solutions to common problems. CJD is also accepting applications for projects from local law enforcement agencies to upgrade their technology infrastructure to allow for and support Incident-Based Reporting to the Texas Department of Public Safety (DPS). CJD is also accepting expanded applications from border region law enforcement agencies to upgrade the agency’s technology infrastructure to allow for and support Incident Reporting as well as to facilitate compliance with new requirements in Sec. 362.005(c), Local Government Code, related to the submission of data to the Texas Transnational Intelligence Center (TTIC).

If you are interested in applying for a grant under this program, follow the four-step process outlined below.

- **Step One – Review the Process:** Get familiar with the funding announcement and the process used for this particular program.

- **Step Two – Consider the Requirements:** Consider the eligibility requirements as well as what will be required of successful applicants.

- **Step Three – Apply in eGrants.** Compile and submit your grant application. To understand how to apply online or to register for the system go to [http://eGrants.gov.texas.gov](http://eGrants.gov.texas.gov).

- **Step Four – Funding Decisions and Grant Acceptance.** Await the funding decision, which is provided through a grant award or other notice from CJD. If you receive an award, complete the acceptance process to access funds.

**Background**

Uniform Crime Reporting gathers crime data from law enforcement agencies for statistical analysis. Currently, there are two distinct methods for reporting data: the original model built in 1927, known as Summary Reporting System (SRS) and Incident Reporting, known as National Incident-Based Reporting System (NIBRS). In comparing the two data collection methodologies, it is readily apparent that NIBRS provides a deeper, richer data set. Summary Reporting tallies eight offenses, also known as the index crimes, homicide, rape, robbery, aggravated assault, burglary, etc., as well as arrests made and property stolen. Incident Reporting collects data on 24 offense types comprised of 52 distinct offenses and agencies report based upon the specific incident that includes data related not only to offenses and arrests, but also to location, victim and offender data, etc.
House Bill 11 of the 84th Regular Session introduced the requirement for the state to begin a transition from primarily a Summary Reporting System (SRS) state to a National Incident Based Reporting (NIBRS) state, by setting a goal for transition to NIBRS by 2019. Both NIBRS and N-DEx share the same data source and share many of the same data elements that are already being collected by the local agency’s system.

House Bill 11 also established new requirements (now incorporated in Sec. 362.005(c), Local Government Code) for border region law enforcement agencies to contribute intelligence data to the Texas Transnational Intelligence Center (TTIC):

“She each law enforcement agency in a county located along the Texas-Mexico border or in a county that contains a federal checkpoint shall report to the Texas Transnational Intelligence Center intelligence regarding criminal activity in the law enforcement agency’s jurisdiction, including details on kidnappings, home invasions, and incidents of impersonation of law enforcement officers.”

The TTIC is then required to share that data across the state. This statewide sharing can be accomplished by automating and updating the local agency RMS/JMS to submit local agency incident, arrest, and intelligence data to the Department through the Texas Data Exchange (TDEx), which would then forward the data to the National Data Exchange (N-DEx), making it available for view.

This expanded solicitation seeks to fund agencies for a single data submission that will meet the data submission standards and requirements for N-DEx and NIBRS. It also seeks to fund agencies in the border region (see “Organizational Eligibility” below) to facilitate single data submission to TTIC.

**Step 1: Review the Process**

**Timeline**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Funding Announcement Release</td>
<td>November 15, 2016</td>
</tr>
<tr>
<td>Online System Opening Date</td>
<td>November 15, 2016</td>
</tr>
<tr>
<td>Application Deadline</td>
<td>January 16, 2017 at 5PM CST</td>
</tr>
<tr>
<td>Earliest Start Date</td>
<td>March 1, 2017</td>
</tr>
<tr>
<td>Latest End Date</td>
<td>April 30, 2019</td>
</tr>
</tbody>
</table>

**Submission Method**

Per Rule §3.7 of the Texas Administrative Code, all applications must be submitted and certified to CJD via the eGrants system by the applicant’s authorized official on or before the deadline listed above. CJD will strictly interpret this requirement and any application not submitted and certified by the deadline will be considered ineligible for funding under this solicitation. For assistance in certifying an application, please see the “Guide to Creating an Application” link located at [https://eGrants.gov.texas.gov/](https://eGrants.gov.texas.gov/).
Step 2: Consider the Requirements

Organizational Eligibility
Applications may be submitted by Texas law enforcement agencies collecting crime data for submission to the Department of Public Safety. Agencies that are eligible to receive, or have applied to receive, funding through the BJS NCS-x project will also receive consideration for state funding; however, applications from these agencies will be evaluated based on their overall need, response to the solicitation and availability of funding. Organizations that received funding under the previous NIBRS announcement are eligible for grants under this announcement. However, those organizations must detail under the Problem Statement field of the Narrative tab in eGrants why additional funds are required to achieve program objectives.

Border Region Grants
Texas border law enforcement agencies required by Sec. 362.005(c), Local Government Code, to collect crime data for submission to TTIC may submit applications for special additional eligible activities and costs. For the purposes of this solicitation, border region law enforcement agencies are in counties that directly border Mexico (El Paso, Hudspeth, Jeff Davis, Presidio, Brewster, Terrell, Val Verde, Kinney, Maverick, Webb, Zapata, Starr, Hidalgo, and Cameron counties) and those in counties with federal checkpoints (Dimmit, Uvalde, Jim Hogg, Kenedy, and Brooks counties).

Funding and Project Period Limits
Funding Limits. The minimum award under this program is $5,000.

Project Period. Grant-funded projects must begin on or after March 1, 2017 may not extend past April 30, 2019.

Available Funding. It is anticipated that up to $14 million may be funded under this announcement.

Source of Funding. The source of funds is a state appropriation for the 2016-2017 biennium under Article V, Rider 44, General Appropriations Act, House Bill 1 (84R). All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law.

Match Requirement
There is no match requirement under this program.

Eligible Costs and Activities
Funds may be used for activities that further the reporting of NIBRS data to DPS. Such activities include, but are not limited to, technology upgrades to existing infrastructure or the purchase of new technology that would allow for the reporting of NIBRS data. While the procurement of a complete Records Management System (RMS) does not directly correlate to the reporting of NIBRS data, identifiable components within an RMS procurement that specifically relate to NIBRS reporting would and, therefore, that specific component would be an eligible activity.
Eligible expenses include purchase of technology that furthers the agency’s effort to move to a NIBRS reporting agency.

**Border Region Grants**
Grantees may use funds for activities that accomplish the data submission requirement to TTIC and further the reporting of (N-DEx and NIBRS) data to DPS. Such activities include technology upgrades to existing infrastructure, the purchase of new technology that would allow for the reporting of NIBRS data, and other reasonable directly related hardware/software costs.

Eligible expenses include purchase of technology that furthers the agency’s effort to report to the TTIC and subsequently submit data to N-DEx and NIBRS move towards a NIBRS reporting agency.

**Ineligible Costs and Activities**
Grant funds may not be used to support the services, activities, and costs found in the CJD *Guide to Grants* ([http://gov.texas.gov/files/cjd/2016_Guide_to_Grants.pdf](http://gov.texas.gov/files/cjd/2016_Guide_to_Grants.pdf)) and the following:

1. General incident-based reporting training (contact should be made with the Texas Department of Public Safety for inquiries related to additional funding opportunities for NIBRS related training);
2. Equipment for government agencies that are for general agency use that is not in direct support of transmitting NIBRS (or TTIC, for border region agencies) information from an agency database to DPS;
3. Purchase of vehicles and other vehicle related equipment, i.e. computers, that could be used for the data entry of crime information;
4. Salaries;
5. Supplanting or use of grant funds to replace any other existing federal, state or local funds
6. Any other prohibition imposed by federal, state or local law or regulation;
7. Any portion of the salary of, or any other compensation for an elected or appointed government official;
8. Indirect costs.

Grantees **not** in the defined border region have the following additional ineligible costs:

1. RMS components that are not in the direct scope of NIBRS reporting i.e. CAD, JMS, 911, mobile, property room management, and other un-related software products.

**Reporting Requirements**
**Financial and Progress Reports.** At the end of each quarter of the state fiscal year during the one-year grant period, grantees will be required to submit a financial status report via eGrants and a progress report to the Department of Public Safety in a format required by the Department and CJD.

The CJD and DPS reserve the right to monitor the agency and their vendors to ensure completion of the project, according to the agency’s submitted project plan, budget, and that all work done and money expended is in compliance with the grant solicitation and award.
TXGANG Criminal Gang Database Reporting. All law enforcement agencies receiving an award under this announcement must agree to comply with TXGANG reporting requirements relating to criminal combinations and criminal street gang activity, as required by Sec. 61.02, Code of Criminal Procedure. Generally, these are law enforcement agencies in municipalities with populations of 50,000 or more or in counties with populations of 100,000 or more. For more information on this requirement, contact Michelle Farris at Michelle.Farris@dps.texas.gov or (512) 424-7659 at DPS.

Program-Specific Requirements
Funds must be used for solutions that upgrade the agency’s technology infrastructure to allow for and support incident-based reporting to the Texas Department of Public Safety (DPS) and TTIC (eligible agencies only) as well as maximize the automation of the data submission.

- Technology purchases must employ national data standards for NIBRS data submissions. N-DEx and NIBRS data may be submitted to DPS in the N-DEx Information Exchange Packet Documentation (IEPD) format or via a flat file submission in order to participate in the NIBRS program. Submission of data via the N-DEx IEPD is preferred, as it ensures a single submission not only to the state’s UCR system but also to the DPS Texas Data Exchange program, and eventually to the FBI’s National Data Exchange.

- Agencies must obtain a written certification from a vendor prior to purchase and implementation of the system that their product can and will comply with all technical and submission standards and requirements identified in this funding announcement.

- Agencies must only utilize systems that adhere to the NIBRS and TIBRS data specification guides for proper formatting included in the following links:
  - National Incident-Based Reporting System (NIBRS) XML IEPD Technical Specification version 4.0 (http://www.txdps.state.tx.us/ucr/indexnibrs.htm) (zip)
CJD Funding Announcement: NIBRS

- Edits for Texas-centric data, as supplied in the Texas Incident-Based reporting Training and Reference Manual, must be included in the software solution. (See http://www.txdps.state.tx.us/ucr/indexnibrs.htm.) Data edits must be performed within the local agency application prior to the submission to DPS to ensure that data is submitted error free.

- As changes, such as, but not limited to, new data elements and/or changes within the data formats are announced, agencies must perform these changes quickly, in order to, keep systems up to date.
- System implementation funded by these grants must support reporting to DPS no less than monthly, but with a goal of near real-time reporting of data.
- Systems must also have the capability to flag records that are subject to a court ordered expunction to ensure an automated removal of the record from the TDex and NDEx systems.

**Standard CJD Requirements**

**CJD Regulations.** Grantees must comply with the standards applicable to this funding source cited in the Texas Administrative Code (1 TAC Chapter 3), and all statutes, requirements, and guidelines applicable to this funding.

**Immigration and Customs Enforcement Requests.** An application requirement pertaining to full compliance with Department of Homeland Security detainer requests applies to all municipal or county governments that include a department that detains individuals after arrest for a criminal violation. This requirement is met when the applicant submits both a letter and a certification as part of their application.

The letter must contain text specified by OOG (available at http://gov.texas.gov/cjd/dhs_detainerrequest) and be signed and dated by the head of each relevant department that detains individuals after arrest. (In most cases, this will be the county sheriff.) The certification (text in eGrants and also available at http://gov.texas.gov/cjd/dhs_detainerrequest) is made by the authorized official submitting the application on behalf of the grantee, and pertains to the actions of the relevant department that detains individuals after arrest.
OOG, at its sole discretion, may accept a copy of any such the letter for all grants applied for by the county or municipality for a period of two years after the letter date. If that period expires during the project period, a grantee must submit an updated letter in order to remain in compliance with this requirement. The certification must be made by the authorized official for each application the county or municipality submits to OOG. Failure to submit a certification and to submit and maintain a valid letter will result in denial of all applications that benefit the department and may result in denial of applications submitted by other departments or subdivisions of the county or municipality, at OOG’s sole discretion.

**Step 3: Apply via eGrants**

**Basics**
To apply to CJD for these grants, you must complete or make sure you have already completed some standard requirements. All of the following are needed to apply within eGrants:

- Applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency (to request a DUNS number, go to [http://fedgov.dnb.com/webform/displayHomePage.do](http://fedgov.dnb.com/webform/displayHomePage.do))
- Applicants must have or register for an account in eGrants ([http://eGrants.gov.texas.gov](http://eGrants.gov.texas.gov))

**Program-Specific Questions**

- The eGrants system will provide additional information about the requirements of applying and contents of the application. Answer these questions.
- What is the agency’s jurisdictional population?
- Does your agency provide access to other agencies for a shared solution; wherein, the host agency is responsible for the submission of NIBRS data for other hosted agencies?
  - If yes, provide the total jurisdictional population of the area to be covered, including that of the applicant agency.
  - If yes, please list the hosted agencies and their individual jurisdictional populations and upload to the documents tab any inter-local agreements between agencies regarding UCR data reporting.
- How does your agency currently submit Uniform Crime Reporting data to the State? (SRS or IBR)
- How often does your agency submit data and what process do you use to submit?
  - If yes, upload a copy of the readiness assessment to eGrants.
- Does your agency use a third party vendor for the submission of UCR data to the State?
If yes, please provide the following information regarding that vendor:

- Business name;
- Software being used, to include version;
- If a NIBRS vendor, a listing of other states or agencies, either within or outside of the state of Texas, that use their IBR reporting product/tool; and,
- Demonstrable experience with compilation and submission of IBR data according to FBI Technical Specification document.

**Project Narrative**

Within eGrants, applicants will complete several narrative fields. Below is each area along with specific instructions on the minimum requirements.

**Project Abstract.** Provide a brief summary of the proposed project. Do not share new information here that you do not include in the questions below. This abstract is a description of your project and intended for the public and policy makers. Be sure that the summary is easy to understand by a person not familiar with your project. (Limit to 1500 characters.)

**Problem Statement.** Explain why your agency needs this funding. If your agency received funding under the prior NIBRS announcement, you must provide detail why additional funds are required to achieve the program objectives.

**Supporting Data.** Enter N/A.

**Project Approach & Activities.** Provide an understanding of the approach that the agency will take to implement the project including the solution(s) selected, the project management method and the people involved in it, and a timeline or project plan for project implementation. (If you would prefer to upload the project plan portion of this section, simply reference the document in this section and upload it to eGrants).

**Capacity & Capabilities.** Enter N/A

**Performance Management.** Provide an understanding of how the applicant organization will measure success for this project.

**Data Management.** Provide an understanding of how the applicant organization plans to track and maintain the data needed to measure success as stated above.

**Target Group.** Enter N/A

**Evidence-Based Practices.** Explain here whether the solution that the agency is procuring is in operation anywhere else in the state and any other pertinent information about why the agency selected this particular solution.
Step 4: Funding Decisions and Grant Acceptance

Selection Criteria

Project-Specific. DPS will screen all applications to ensure that they meet the program-specific requirements included above. Applications that meet those requirements will move forward to the merit review phase during which a panel of experts from DPS will review those applications for quality and rank by priority. Organizations applying will be subjected to various selection criteria by the Department in an effort to prioritize funding. These criteria may include, but are not limited to:

- Geographical location
- Jurisdictional population covered by and benefitting from proposed solution
- Submissions by one jurisdiction that supports NIBRS data submissions from many hosted agencies
- NCS-X NIBRS Readiness Assessment or similar readiness assessment of agency applying
- Proposed solutions that have vendors with demonstrable experience in NIBRS reporting and have deployed their solution to other similarly sized agencies
- NIBRS file submissions that can be initiated with little to no human intervention, ensuring a near real time or more frequent than monthly file submission
- XML/IEPD submissions to the state that allow for TDEx/N-DEx data contribution
- Frequency in file submissions
- Whether or not the agency is eligible for other federal or state funding sources

Overall. DPS will provide CJD with the outcomes of the merit review, which will form the core decision making factor. However, CJD will review all applications for quality, capability, and past performance and may consider other factors in determining which programs to fund such as (but not limited to) geographic distribution, fairness among different sizes of population areas, need based on crime rate or other similar factors, including economic factors. If the interest in grant funds exceeds available funding, CJD may not fund all applications or may only award part of the amount requested. Preference may be given to organizations who have not received a prior NIBRS grant from CJD.

Announcements

After CJD makes final funding decisions, each applicant will receive either an unfunded notice or a preliminary decision notification or final grant award. The award will provide all of the conditions and requirements of the grant. Release of final grant awards are always contingent on availability of the funds and CJD cannot release or guarantee funding to any applicant until a determination that adequate funding is available.
About CJD

Our mission at the Criminal Justice Division is to direct much needed resources to those who are committed to making Texas a safer place and those who help victims of crime to recover and feel safe again. In carrying out this mission, we are committed to helping our grantees by actively finding ways for them to accomplish their goals and by making sure that we always have our eye to identifying the approaches that work best. We envision positive and beneficial working relationships with our grantees where we provide as much assistance as is needed and where are always ready with answers, not burdensome restrictions or requirements.

CJD is providing over $250 million in funding to hundreds of organizations during state fiscal year 2016 for juvenile justice, delinquency prevention, victims services, law enforcement, prosecution, courts, specialty courts, prevention of child sex trafficking, and other types of projects to benefit Texans.
PROPOSAL

TEXAS NIBRS PROJECT

DECEMBER 19, 2016
Chase Stapp
Chief of Police
San Marcos Police Department
2300 S Interstate 35
San Marcos, TX 78666

Subject: BCA NIBRS Pilot Project
Revised Proposal

Dear Chief Stapp:

Computer Information Systems, Inc. (CIS) is pleased to present the attached Proposal to provide NIBRS compliance in accordance with Texas NIBRS specifications. CIS proposes to provide the CIS NIBRS System to the San Marcos Police Department. CIS looks forward to implementing this project and providing CIS NIBRS throughout its Texas customer base.

Thank you for this opportunity.

Very truly yours,

Computer Information Systems, Inc.

Michael Yefsky
Senior Vice President
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<td>3.0 SUPPORT FOR N-DeX SUBMISSION</td>
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<td>9</td>
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</tbody>
</table>
1.0 SECTION 1.0
MANAGEMENT SUMMARY

1.1 PROJECT GOAL
The Texas of Department of Public Safety ("DPS") has initiated a Program to replace the Summary Reporting System with the National Incident Based Reporting System ("NIBRS"). CIS will provide a Texas NIBRS compatible System to its Texas customers.

1.2 PROJECT DELIVERABLE
The CIS Project Deliverable shall be the CIS NIBRS System configured to the Texas NIBRS Specifications including Level 8 - Additional Texas Data Elements Segment.

NIBRS Data will be submitted to DPS in the National Data Exchange (N-DEx) format. The Incidents transmitted to DPS will include New Incidents, Updated Incidents and Deleted Incidents. CIS will maintain the NIBRS System through its existing Texas customer Agreements.
SECTION 2.0
RMS NIBRS SUPPORT

2.1 CIS RMS NIBRS

Since 1987, the CIS RMS System has provided NIBRS validation and submission. The CIS RMS System is designed to support NIBRS for any State and can be configured to allow for each State’s requirements, including additional fields and unique submission requirements.

2.2 CIS INSTALLED NIBRS STATES

The CIS RMS System provides NIBRS Submission in the following States:

- Colorado
- Connecticut
- Iowa
- Kentucky
- Minnesota
- New York
- North Dakota
- Oregon
SECTION 3.0
SUPPORT FOR N-DEX SUBMISSION

3.1 XML SUBMISSION CAPABILITIES

The CIS Data Submission is provided through the CIS CIDEX System. CIDEX provides data submission in different formats, including XML.

3.2 NIBRS XML SUBMISSION

CIS will modify the RMS System to provide for Data Entry, Validation and Submission per the Texas NIBRS Specifications.
SECTION 4.0
CIS TEST ENVIRONMENT

4.1 TEST ENVIRONMENT

The CIS Development Lab currently provides Test Environment for its customers. The Test Environment is used to test new CAD, RMS, Mobile and JMS products and their respective interfaces and extracts.

4.2 SMPD TESTING

CIS will provide SMPD Testing through its Test Environment. Upon SMPD Test Completion, CIS will install the CIS NIBRS System at SMPD for direct submission to DPS.
SECTION 5.0
PROJECT SCHEDULE

The Target Delivery Schedule detailed below represents a minimum time estimated based on a current starting date. The Actual Schedule will depend upon the date of receipt of order, SMPD delays caused by season, personnel, community events, technical problems and other factors beyond the control of CIS or SMPD.

<table>
<thead>
<tr>
<th>TASK</th>
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<tbody>
<tr>
<td>1. Review Specifications</td>
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<td>2. Design</td>
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<tr>
<td>3. Texas NIBRS System Modification and Configuration</td>
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<td>4. Unit Testing</td>
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<td>5. Quality Assurance Testing</td>
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<td>6. Test CIS-NIBRS Submission</td>
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<td>7. Configure and Install SMPD System</td>
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<td>8. Test SMPD with DPS</td>
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<tr>
<td>9. Train SMPD Personnel in NIBRS Data Entry and Submission</td>
<td>60 weeks</td>
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<tr>
<td>10. Install and Cut-Over SMPD Systems to Texas NIBRS Production System</td>
<td>62 weeks</td>
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SECTION 6.0  
COST PROPOSAL

6.1 CIS LABOR COSTS

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<tr>
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<td>IBR System Modification and Configuration</td>
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<td>Quality Assurance Testing</td>
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<td>Install and Cut-Over SMPD Systems to DPS Production System</td>
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<td><strong>TOTAL</strong></td>
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6.2 PAYMENT SCHEDULE

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<td>Upon Completion of SMPD Personnel Training</td>
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<td>Upon Cut-Over of SMPD System to DPS Production System</td>
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<tr>
<td><strong>PAYMENTS TOTAL</strong></td>
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SECTION 7.0  
ADDITIONAL AGENCIES

7.1 INSTALLED AGENCIES

The CIS RMS System is installed at the following agencies:

- Buda Police Department
- Del Rio Police Department
- Eagle Pass Police Department
- Marshall Police Department
- Port Aransas Police Department
- Port Arthur Police Department
- Richardson Police Department
- San Marcos Police Department
- University of Texas at Dallas Police Department
- University of Texas Medical Branch
- Val Verde County Sheriff’s Office
- Texas State University

7.2 IMPLEMENTATION PLAN

Based on DPS and SMPD feedback, CIS will submit Project Plans and Implementation costs to the CIS Installed Agencies. Upon approval, CIS will install the CIS Texas NIBRS software and provide Implementation Services.
December 19, 2016

Grants Project Manager
Office of the Governor
Criminal Justice Division

To Whom it May Concern,

The Texas State University Police Department is in full support of the City of San Marcos, San Marcos Police Department’s application to the Office of the Governor/Criminal Justice Division. The City of San Marcos/San Marcos Police Department currently contracts with Computer Information Systems (CIS) for Records Management System services. Additionally, the San Marcos Police Department hosts Records Management System (RMS) data and hardware for the Texas State University Police Department utilizing the same system provided by CIS.

We are committed to continuing this partnership and if the City of San Marcos/San Marcos Police Department is awarded the grant, it is the understanding of the Texas State University and San Marcos Police Department to use the funds received to reimburse the San Marcos Police Department for expenses related to the conversion of the CIS system to NIBRS compliant reporting. It is also the understanding of Texas State University Police Department and the intent of the San Marcos Police Department that only the San Marcos Police Department will incur expenses related to this regional conversion project.

We are pleased to provide this letter of support to assist the City of San Marcos/ San Marcos Police Department in its grant application as Texas State University Police Department and other agencies will benefit from it by gaining NIBRS compliance as required by the related State of Texas mandate. It is the intent of Texas State University Police Department to begin NIBRS compliant crime reporting along with the San Marcos Police Department prior to the final end date in the grant application.

Sincerely,

[Signature]

Jose L. Bañales
Chief of Police
Texas State University
December 19, 2016

Grants Project Manager
Officer of the Governor
Criminal Justice Division

To Whom it May Concern,

This letter is to confirm support for and partnership with the San Marcos Police Department on behalf of the Buda Police Department in regards to a pending grant application to the Office of the Governor/Criminal Justice Division being made by the San Marcos Police Department. The San Marcos Police Department contracts with Computer Information Systems (CIS) for Records Management System services. The San Marcos Police Department in turn hosts RMS data and hardware for the Buda Police Department using the same system provided by CIS. If this grant is awarded to the San Marcos Police Department, it is the understanding of the Buda Police Department and the intent of the San Marcos Police Department to use the funds received to reimburse the San Marcos Police Department for expenses related solely to the conversation of the CIS system to NIBRS compliant reporting. It is also the understanding of the Buda Police Department and the intent of the San Marcos Police Department that only the San Marcos Police Department will incur expenses related to this regional conversation project. As such, the Buda Police Department is in support of this grant application made by the San Marcos Police Department and will benefit from it by gaining NIBRS compliance as required by the related State mandate. It is the intent of the Buda police department to begin NIBRS compliant crime reporting along with the San Marcos Police Department before the final end date specified in the grant announcement.

Sincerely,

Bo Kidd
Chief of Police
Buda Police Department
AGENDA CAPTION:
Consider approval of Resolution 2017-02R awarding a contract for the purchase of a Trihalomethanes (THM) Monitor (IFB 217-032) from Aqua Metrology Systems of Sunnyvale, California in the total sum of $95,950 to test the levels of disinfectant byproducts in water produced at the City’s Water Treatment Plant; authorizing the City Manager to execute said contract on behalf of the City; and providing an effective date.

Meeting date: January 3, 2017

Department: Public Services Department - Tom Taggart, Executive Director (By Cheryl Pantermuehl, Purchasing Manager)

Funds Required: $95,950.00
Account Number: 22006333.60125
Funds Available: $140,000
Account Name: Equipment

CITY COUNCIL GOAL: Goal #5: Maintain and improve the City’s infrastructure.

COMPREHENSIVE PLAN ELEMENT(s):

BACKGROUND:
On December 8, 2016, two (2) bids were received for a Trihalomethanes (THM) Monitor (IFB 217-032). According to the terms and conditions of the bid, the City has the right to award a contract on the basis of lowest total cost.

The Public Services Department, Water/Wastewater Utilities Division, has reviewed all bids received and recommends awarding to the lowest, most responsive, responsible bidder, Aqua Metrology Systems located in Sunnyvale, California, in the total amount of $95,950.

This will be a one-time purchase for a Trihalomethanes (THM) Monitor to be installed at the City of San Marcos Water Treatment Plant. It includes training for up to five (5) staff members and a warranty of a minimum of five (5) years which also includes preventative maintenance.

Trihalomethanes are compounds that form as a by-product during the water treatment process when chlorine reacts with naturally occurring organic matter in the water. These compounds are labeled disinfectant byproducts (DBPs) and consist of chloroform, bromoform, Dibromochloromethane, and Bromodichloromethane.
According to the US Environmental Protection Agency (EPA) some people who drink water containing high levels of THM over many years may experience problems with their liver, kidneys, or central nervous system, and may have an increased risk of cancer. As a result, EPA set an annual average limit for THM in drinking water and enacted rules requiring quarterly testing to ensure the health and safety of public water system consumers. The equipment being requested as a result of this bidding process will provide continuous THM monitoring of water from the treatment plant and on-demand monitoring of water samples from throughout the drinking water system.
RESOLUTION 2017- R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AWARDBING A CONTRACT FOR THE PURCHASE OF A TRIHALOMETHANES (THM) MONITOR (IFB 217-032) FROM AQUA METROLOGY SYSTEMS OF SUNNYVALE, CALIFORNIA IN THE TOTAL SUM OF $95,950 TO TEST THE LEVELS OF DISINFECTANT BYPRODUCTS IN WATER PRODUCED AT THE CITY’S WATER TREATMENT PLANT; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID CONTRACT ON BEHALF OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. The City Council hereby approves the award of a contract between the City of San Marcos and Aqua Metrology Systems of Sunnyvale, California for the purchase of a Trihalomethanes Monitor for use at the San Marcos Water Treatment Plant in the total sum of $95,950.

PART 2. The City Manager is authorized to execute the Contract on behalf of the City.

PART 3. This Resolution shall be in full force and effect immediately from and after its passage.


John Thomaides
Mayor

Attest:

Jamie Lee Case
City Clerk
# BID TABULATION
Trihalomethanes (THM) Monitor
December 8, 2016, at 2:00 p.m.

**IFB 217-032**

<table>
<thead>
<tr>
<th>Bidder Name</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apfelbaum Industrial Inc. El Paso, Texas</td>
<td>$168,717.00</td>
</tr>
<tr>
<td>Aqua Metrology Systems Sunnyvale, California</td>
<td>$95,950.00</td>
</tr>
</tbody>
</table>

WITNESSED BY: [Signature]

---

Cheryl Parlee
Veronica,

After looking over the proposals and bids I recommend selecting Aqua Metrology Systems’ bid of $95,950.00.

Thanks,
Jon
AGENDA CAPTION:
7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2017-03R approving a Conditional Use Permit (CUP) to allow for an alternative exterior material (Terra Cotta) for a multifamily development located at 401 South Guadalupe Street; and consider approval of Resolution 2017-03R.

Meeting date: January 3, 2017

Department: Planning & Development Services

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

CITY COUNCIL GOAL: Continue Downtown redevelopment

COMPREHENSIVE PLAN ELEMENT(s): Neighborhood & Housing; Goal 2

BACKGROUND:
This request is for a Conditional Use Permit (CUP) to allow terra cotta as an alternative exterior material for a mixed-use building. In the recently adopted exterior construction and design requirements, terra cotta is not listed as a primary, secondary, or prohibited material. Section 4.4.2.4 of the Land Development Code states that Council may approve a Conditional Use Permit for alternative materials.

Terra cotta is a masonry material made of textured clay that functions as an architectural façade and rain screen. Panel dimensions range from 9”x14” to 10.75”x16”. All panels are .875” thick and weigh 5.06lbs to 6.88lbs per panel.

Panels are attached in an overlapping fashion to rails which are offset from the wall. The panels are designed to allow some moisture to penetrate the gap which allows the building to “breathe,” as opposed to a traditional sealed envelope design.

Staff considers terra cotta to be similar to both brick and tile. While it is applied to the building in a similar manner as tiles, its exterior appearance and durability more resembles brick. Brick is considered a primary material and can be used on the entire structure; tile is considered a secondary material and is limited to 20% by right. Other proposed materials on the structure include architectural metal and glazing (glass).
Staff has analyzed the request and recommends approval of the Conditional Use Permit for the use of terracotta as shown by the applicant.
RESOLUTION NO. 2017- R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW TERRA COTTA AS AN ALTERNATIVE EXTERIOR MATERIAL FOR A MIXED-USE BUILDING AT 401 SOUTH GUADALUPE STREET; AUTHORIZING CITY STAFF TO ISSUE A CONDITIONAL USE PERMIT CONSISTENT WITH THIS RESOLUTION; AND DECLARING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. The request by Scott Ginder, Forge Craft Architecture, on behalf of Cheatham Street Flats, L.L.C., for a conditional use permit to allow terra cotta as an alternative exterior material for a mixed-use building at 401 South Guadalupe Street is hereby approved, subject to conditions, if any, as may be attached hereto and incorporated herein.

PART 2. City staff is hereby authorized to issue a conditional use permit consistent with this resolution.

PART 3. This resolution shall become effective immediately from and after its passage.


John Thomaides
Mayor

Attest:

Jamie Lee Case
City Clerk
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.
Applicant Information:

Applicant: Scott Ginder
Forge Craft Architecture
608 W Monroe Street, Suite C
Austin, TX 78704

Property Owner: Cheatham Street Flats, LLC
Gary Bellomy
5900 Balcones, Suite 160
Austin, TX 78731

Applicant Request: A request to use terra cotta as an alternative exterior material on a mixed-use building.

Notification Personal notification was mailed to all property owners within 200 feet of the property on December 20, 2016.

Response: None as of date of this report.

Subject Property:

Legal Description: All of lots 5-7, part of lot 8, block 5, Dan McKie Second Addition
Location: 401 S Guadalupe Street

Existing Use of Property: (Abandoned) Hughson Meat Market
Proposed Use of Property: Commercial / Student Housing
Preferred Scenario Map: High Intensity – Downtown
Existing Zoning: SmartCode - Urban Center (T5)
Sector: Sector Eight (8)

Zoning and Land Use Pattern:

<table>
<thead>
<tr>
<th>Zoning</th>
<th>Existing Land Use</th>
<th>Preferred Scenario</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>N of Property</strong></td>
<td>T5</td>
<td>Cheatham Street Warehouse</td>
</tr>
<tr>
<td><strong>S of Property</strong></td>
<td>T5</td>
<td>Single-Family Residence</td>
</tr>
<tr>
<td><strong>E of Property</strong></td>
<td>T5</td>
<td>Commercial / Single-Family Residence</td>
</tr>
<tr>
<td><strong>W of Property</strong></td>
<td>T5</td>
<td>Tire shop</td>
</tr>
</tbody>
</table>
**Code Requirements:**

This request is for a Conditional Use Permit (CUP) to allow terra cotta as an alternative exterior material for a mixed-use building. In the exterior construction and design requirements, which were approved September 20, 2016, terra cotta is not listed as a primary, secondary, or prohibited material. Section 4.4.2.4 of the Land Development Code states that Council may approve a Conditional Use Permit for alternative materials.

The intent of the design standards is to promote quality design and create visual interest through texture, color, and detailing. Materials should be durable so that the development will continue to be an attractive part of the community over time.

**Background**

The subject property is approximately 0.842 acres out of the Dan McKie Second Addition. The site is located at 401 South Guadalupe Street which is at the intersection of South Guadalupe Street and Cheatham Street. The old Hughson Meat Market building, which has been abandoned for a number of years, is currently on the property.

The applicant intends to construct a 5-story mixed-use project on this site, which is permitted in T5 districts. The building will consist of ground floor retail and 4 stories of student housing.

**Proposed Material**

The architect is proposing panels of unglazed terra cotta cladding manufactured by Terreal North America. Terra cotta is a masonry material made of textured clay that functions as an architectural façade and rain screen. Panel dimensions range from 9”x14” to 10.75”x16”. All panels are .875” thick and weigh 5.06lbs to 6.88lbs per panel.

Panels are attached in an overlapping fashion to rails which are offset from the wall. The panels are designed to allow some moisture to penetrate the gap which allows the building to “breathe,” as opposed to a traditional sealed envelope design.

Staff considers terra cotta to be similar to both brick and tile. While it is applied to the building in a similar manner as tile, its exterior appearance and durability more resembles brick. Brick is considered a primary material and can be used on the entire structure; tile is considered a secondary material and is limited to 20%. Other proposed materials on the structure include architectural metal and glazing (glass).

**Comments from Other Departments:**

There have been no comments from other departments.

**Planning Department Analysis:**

Evaluation of a request for CUPs for alternate materials is subject to the criteria in Section 4.4.2.2(d).

1. The approved alternative meets the intent of the Exterior Design and Materials Standards to an equivalent or better degree than the minimum standards required;

   Staff believes that the use of terra cotta exceeds the minimum standards and meets the intent of the code. Staff considers terra cotta to be of better quality and more durable than stucco, which is considered a primary material and can be used on 100% of the façade.
2. The request conforms to the Comprehensive Plan and adopted City Plans;

While the Comprehensive Plan does not address materials, the proposed development meets Goal 2 of Neighborhood and Housing: “Housing opportunities for Texas State University in appropriate areas…”

3. The request is based on a unique character of the property or proposed use;

The design appears to match the character of the proposed mixed-use building.

4. Financial hardship is not the basis for the request;

Financial hardship is not the basis for this request. Other materials, such as stucco, could be used at a lower cost.

5. The request is offset by additional architecture treatments and increased vertical landscaping;

The building will meet all SmartCode requirements which exceed architectural requirements of the Land Development Code. Additionally, street trees will be installed on both frontages.

Staff has analyzed the request and recommends approval of the Conditional Use Permit for the use of terra cotta as shown by the applicant.

**The City Council's Responsibility:**

The City Council may approve, approve with conditions or deny the request. In evaluating the use of the alternative material, consider the five criteria of approval listed above.

Prepared by:
Tory Carpenter Planner December 21, 2016

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tory Carpenter</td>
<td>Planner</td>
<td>December 21, 2016</td>
</tr>
</tbody>
</table>
CONDITIONAL USE PERMIT

November 16 2016

401 S. Guadalupe Mixed-Use Project
a.k.a Cheatham Street Flats

re: Exterior Masonry

To Whom It May Concern:

One of the primary goals for the 401 S. Guadalupe project is to adhere to and advance the principles described within the City of San Marcos Smartcode while raising the bar of quality and design for student housing projects in San Marcos. We intend to showcase how a material like shingled-terra cotta meets and exceeds the basic requirements per Article 4.4.3.2.(b):

    Materials - The intent is to promote quality design and create visual interest through texture, color and detailing. Materials should be durable so that the development will continue to be an attractive part of the community over time.

Terracotta, Italian for “baked earth”, is one of the oldest forms of masonry on earth with archaeological references dating as far back as 3,000 B.C. Terracotta is considered a quintessential hill country product, adorning historical buildings throughout the state, such as courthouses, educational, and civic buildings. Architects and builders chose terracotta products, such as D’Hanis Terra cotta, primarily for its proven durability and aesthetic quality. The durability of the material comes from the technique used for fabrication: clay is sourced, shaped, then fired in a 1,000 °C kiln creating a very durable and rich material.

As designers and developers, we are driven by the need and desire to improve the performance of our built environment by advancing our expertise on how building’s react to their environment. Currently, one of the most innovative building techniques is the use of a rain screen exterior wall assembly. A rain screen wall shifts the primary rain/weather barrier away from the moisture and vapor barrier, allowing for a “breathable” air gap to occur. This separation significantly reduces building’s thermal heat gain by eliminating thermal bridging and creating, in essence, an air insulation layer. This separation helps lowers the energy load requirements for the building while increasing internal thermal comfort and quality.

By combining the performative benefits of a rainscreen system with the durability of a terracotta product – a premium product that relates closer with the existing context of San Marcos – we in effect raise the standards of student housing in San Marcos. An added benefit with this strategy is an increase in the building’s life expectancy with a reduction in maintenance and repair over the life of the building, creating a product that is beautiful now and for many years to come.

Please see the attached product information to help support our considerations.

Regards,

[Signature]

Scott Ginder, AIA
Principal, Forge Craft Architecture + Design

FORGE CRAFT ARCHITECTURE + DESIGN
608 West Monroe, Suite C
Austin, Texas 78704
512.872.6655
www.forgecraftarchitecture.com
Classic material meets modern design

Terreal North America takes an engineered systems and solutions approach to designing and manufacturing terra cotta cladding and solar shade systems. In addition to having multiple factories to produce terra cotta, our approach is to design, support, engineer and manufacture systems. Our in-house professional team, along with our engineering and fabrication partners, ensure a systems solution is furnished. We offer complete detail and design support, including engineering calculations sealed by registered engineers in all jurisdictions. With millions of square feet of terra cotta installed around the world, Terreal North America’s team has the experience and expertise to assist on all designs. Let our technical team assist you on your next terra cotta cladding and/or solar shade project.
ADVANTAGES
OF TERREAL’S TERRA COTTA SYSTEMS:

• Affordable cladding and solar shade solutions
• Sustainable material
• Natural, time proven building material
• Non-fading, through body colors
• Maintenance free
• Easy to install
• High impact resistance
• Individual cladding panels may be easily replaced if necessary
• Increased building envelope insulating performance for energy savings
• Reduced solar heat gain through solar shading
**FUNDAMENTALS OF RAINSCREEN DESIGN:**

- Shifts the primary rain/weather barrier away from the air, moisture and vapor barrier
- Keeps the majority of the moisture away from the air and moisture barrier and interior/exterior pressure differential
- Allows for air circulation between the cladding and air and moisture barrier to facilitate drainage and promote drying

![Diagram of rainscreen design](image)

1. **Terreal terra cotta panel**
2. **Air flow**
3. **Moisture drainage**
4. **Insulation (rigid or mineral wool)**
5. **Air and moisture barrier**

**BENEFITS OF RAINSCREEN SYSTEMS:**

- Improves structure life expectancy by protecting primary wall with second skin
- Energy savings and thermal benefits with reduction in thermal transfer into the building and additional insulation
- Low maintenance costs
- Lightweight and can be installed year round, in all weather conditions
- Ventilated wall cavity and air space ensure a more weather tight building envelope

![Diagram of typical Terreal terra cotta ventilated cladding system](image)
LIBERTY METHODIST CHURCH
Liberty, KS
NEXCLAD™ SYSTEM
MATTE WHITE AND MATTE WHITE WITH GRAY MIST

NIH FAMILY LODGE
Bethesda, MD
NEXCLAD™ SYSTEM
EBONY MIST

ST. COLETTA SCHOOL
Washington, DC
NEXCLAD™ SYSTEM
CUSTOM HIGH GLOSS COLORS

LAKESIDE GRADUATE STUDENT HOUSING
PRINCETON UNIVERSITY
NEXCLAD™ SYSTEM
CUSTOM IMPRESSIONIST BLEND
City of San Marcos
CONDITIONAL USE PERMIT APPLICATION - GENERAL

APPLICANT
Name: Scott Ginder, AIA
Mailing Address: 608 W. Monroe Street, Suite C
                Austin, TX 78704
Telephone No.: 512-872-6655
E-mail address: scott@forgencreafarchitecture.com

PROPERTY OWNER
Cheatham Street Flats, LLC
5900 Balcones, Suite 160
Austin, Texas 78731
Contact: Gary Bellomy / 512-694-8839
garyb@lanndesignstudio.com

Property Address: 401 S. Guadalupe Street, San Marcos, TX 78666
Legal Description (if platted): Lot Block Subdivision
Tax ID Number: R
Zoning District: Downtown / Approach

PROPOSED USE
Brief description of Proposed Use (attach separate page if needed):
The project at 401 S. Guadalupe, San Marcos, TX 78666 is a new construction mixed-use multi-family building designed for student housing. The project is to be a five (5) story building with: two levels of basement parking; ground level containing retail, restaurant, leasing office and covered parking; four (4) stories of housing units. A "podium" construction strategy will be utilized with a 3-HR separating Type IA construction on the ground floor down to basement level, and Type VA construction from Level 2 above.

Please see the attached materials for further clarification of our application:
- Letter of Intent
- Material information
- 3D Axons of proposed project

I certify that the information in this application is complete and accurate. I understand that I or another representative should be present at all meetings concerning this application.
☐ I am the property owner of record; or
☒ I have attached authorization to represent the owner, organization, or business in this application.
Signature of Applicant: Scott Ginder
Date: 11/18/16

To be completed by Staff:
Meeting Date: Application Deadline:
Accepted by: Date:
AGENDA CAPTION:
Consider approval of Ordinance 2017-01, on the first of two readings, amending the City’s 2016-2017 Capital Improvements Program Budget to authorize an additional $865,870 of funding for the construction of San Marcos Fire Station No. 4 and thereby increasing the total authorized construction budget for the project (exclusive of land acquisition costs and architectural fees) to the sum of $4,865,870; and providing an effective date.

Meeting date: January 3, 2017

Department: Fire - Les Stephens, Fire Chief (by Cheryl Pantermuehl, Purchasing Manager)

Funds Required: $865,870

Account Number: FY 2016-17 Capital Improvements Authorization

Funds Available: $865,870 (funds dependent on the sale of 2017 Certificates of Obligation Bonds

Account Name: Fire Station #4

CITY COUNCIL GOAL:
Goal #7: Maintain Fiscal Responsibility; Maintain City’s investment in infrastructure and facilities. Prudent investment of public funds while addressing the needs of our growing city.

Goal #8: Provide for the efficient and effective delivery of city services. Enhance the city’s ability to respond to large scale emergencies. Provide facilities to ensure high quality services. Provide a high level of customer service consistent with the city’s high work ethic and culture.

COMPREHENSIVE PLAN ELEMENT(s):
Parks, Public Spaces & Facilities
Goal 4: Funding and staffing to ensure quality public safety and community services.
Objective: Make fire and police asset investments that accommodate the more compact, sustainable, and dense development and infrastructure in the preferred scenario.

BACKGROUND:
On October 6, 2016 the City received eight (8) proposals for the construction of San Marcos Fire Station #4, located at 1404 Wonder World Drive (see attached: Sta 4 Proposal Tabulation signed). A selection committee has met, evaluated the eight proposals that were submitted, and ranked the contractors according the criteria set forth in the RFP. Teal Construction Inc., based in Houston, Texas was the highest ranked contractor with a proposal in the amount of $4,341,700. The City will enter into negotiations and value engineer the project with the contractor.

As previously discussed with the City Council, construction costs in the region continue to increase at unprecedented rates. Below is a comparison of the construction costs of our facility and two other fire station facilities in our region. Although there are some notable differences in the three facilities, the quotes on
Austin’s and Leander’s facilities were received after the quotes on Station 4 and clearly demonstrate the continued increase in construction costs in our area.

San Marcos Fire Station #4
- 11,182 SF
- $4,341,700
- $388/SF

Austin Onion Creek Station
- 9,176 SF
- $4,383,000
- $478/SF

Leander Station #4
- 8,864 SF
- $3,998,554
- $451/SF

In addition to the construction cost ($4,341,700) there are additional project related expenses that must be accounted for that comprise the “TOTAL PROJECT COST” which is now estimated to be $4,865,870 (see below)

<table>
<thead>
<tr>
<th>Fire Station No. 4 Total Project Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teal Construction Co.</td>
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<tr>
<td>Contingency: 10%</td>
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<tr>
<td>FFE (not included in bid)</td>
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<tr>
<td>Knight Security (not included in the bid)</td>
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<tr>
<td>Bluebonnet Electric relocation</td>
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<td>Telecommunications relocation</td>
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<tr>
<td>Water</td>
</tr>
<tr>
<td>Wastewater</td>
</tr>
<tr>
<td>Permit fees</td>
</tr>
<tr>
<td>Technology fee</td>
</tr>
<tr>
<td>Impact fee total</td>
</tr>
<tr>
<td>Grand Total excluding the items highlighted in red</td>
</tr>
</tbody>
</table>

*These costs will be absorbed by the San Marcos Utilities Department by performing these items with in-house utility personnel.

**These costs have been removed because the City does not charge itself for impact or permit fees.

To date, excluding funds for land and design totaling $900,000, the City Council authorized $4,000,000 for this
project during the approval of the FY 2015-16 Budget process. Due to cost factors beyond our control, we cannot complete the project, as currently planned and designed, without Council's authorization of additional funding.

The City has been advised by numerous contractors, our architect, and others within the City that a 10% contingency is "standard" and "appropriate". We believe, as does our Architect that we have a very sound project that has been extremely well vetted by the committee and we are confident that we can complete the project utilizing no more than a 5% contingency. However, we feel it is prudent to request authorization from the City Council for the full 10% at this point in order to avoid costly time delays should we encounter an unexpected situation during construction. If the entire contingency fund is not used, the funding will be used to offset a future CIP project.

City Staff was given direction at the December 20 City Council meeting to bring back a budget amendment authorizing the increase of $865,870 in the 2017 Capital Improvements Plan.
ORDINANCE NO. 2017-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING THE CITY’S 2016-2017 CAPITAL IMPROVEMENTS PROGRAM BUDGET TO AUTHORIZE AN ADDITIONAL $865,870 OF FUNDING FOR THE CONSTRUCTION OF SAN MARCOS FIRE STATION NO. 4 AND THEREBY INCREASING THE TOTAL AUTHORIZED CONSTRUCTION BUDGET FOR THE PROJECT (EXCLUSIVE OF LAND ACQUISITION COSTS AND ARCHITECTURAL FEES) TO THE SUM OF $4,865,870; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

In accordance with Section 8.16 of the City Charter, the City Council declares that a public necessity exists that requires an amendment to the City’s 2016-2017 Fiscal Year Budget.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The City Budget Ordinance for the 2016-2017 Fiscal Year is amended as set forth in the attached Exhibit A, by authorizing an additional $865,870 in the Capital Improvements Program for the construction of San Marcos Fire Station No. 4 and thereby increasing the total construction budget for the project (exclusive of land acquisition costs and architectural fees) to $4,865,870.

SECTION 2. These revisions will be incorporated into the 2016-2017 Fiscal Year City Budget.

SECTION 3. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 4. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 5. This ordinance will take effect immediately after its passage, approval and adoption on second reading.

PASSED AND APPROVED on first reading on January 3, 2017

PASSED, APPROVED AND ADOPTED on second reading on January 17, 2017.

John Thomaides
Mayor
Approved:  
Michael J. Cosentino  
City Attorney  

Attest:  
Jamie Lee Case  
City Clerk
<table>
<thead>
<tr>
<th>Proj ID</th>
<th>Project Name</th>
<th>Previous Funding</th>
<th>2017 Proposed City Cost</th>
<th>2018 Proposed City Cost</th>
<th>2019 Proposed City Cost</th>
<th>2020 Proposed City Cost</th>
<th>2021 Proposed City Cost</th>
<th>2022-2026 Proposed City Cost</th>
<th>Total City 10 Year Cost</th>
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<tr>
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<td>Airport - FM 110 Connection Drive</td>
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<td>$13,686,536</td>
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<td>Airport RTSA Hangars</td>
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<td>Airport Runway 17.35 Extension</td>
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<td>Airport Wildlife Hazard Assessment</td>
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<td>Comm Sv 12</td>
<td>Animal Shelter - Phase II, Design, Construction</td>
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<td>$750,000</td>
<td>$5,500,000</td>
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<td>$6,250,000</td>
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<td>Comm Sv 473</td>
<td>Arts District to enhance performing and visual space</td>
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## FY 2017-2026 10 Year CIP Project List

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<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$4,493,725</td>
<td>The Kocher Company, Seguin, Texas</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$4,966,000</td>
<td>Lots Brothers CP Inc., Austin, Texas</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$4,700,000</td>
<td>The Bar Company, ALA Austin, Texas</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$4,129,000</td>
<td>Don Kueger Construction Co., Victoria, Texas</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>$4,520,000</td>
<td>Journeyman Construction, Austin, Texas</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Total #</th>
<th>Proposal</th>
<th>Total</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,2,3,4</td>
<td>1,2,3,4</td>
<td>1,2,3,4</td>
<td>1,2,3,4</td>
<td>1,2,3,4</td>
</tr>
</tbody>
</table>

PROPOSAL TABULATION

RF-P-216-276

October 6, 2016 2:00 P.M.
San Marcos Fire Station No. 4
### Fire Station 4 Total Project Cost

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teal Construction Co.</td>
<td>$4,341,700.00</td>
</tr>
<tr>
<td>Contingency: 10%</td>
<td>$434,170.00</td>
</tr>
<tr>
<td>FFE (not included in bid)</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Knight Security (not included in the bid)</td>
<td>$50,000.00</td>
</tr>
<tr>
<td>Bluebonnet Electric relocation</td>
<td>$32,620.19 *</td>
</tr>
<tr>
<td>Telecommunications relocation</td>
<td>$35,000.00</td>
</tr>
<tr>
<td>Water</td>
<td>$30,000.00 *</td>
</tr>
<tr>
<td>Wastewater</td>
<td>$40,000.00 *</td>
</tr>
<tr>
<td>Permit fees</td>
<td>$6,821.02 **</td>
</tr>
<tr>
<td>Technology fee</td>
<td>$11.00 **</td>
</tr>
<tr>
<td>Impact fee total</td>
<td>$64,608.00 **</td>
</tr>
<tr>
<td>Grand Total excluding the items highlighted in red</td>
<td>$4,865,870.00</td>
</tr>
</tbody>
</table>

* These costs will be absorbed by the San Marcos Utilities Department by performing these items with in-house utility personnel.

** These costs have been removed because the City does not charge itself for impact fees or permit fees.
This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.
Fire Station Locations

Larson Model Applied to Current, Future, and Proposed Stations

[Map of fire station locations with various symbols for existing, proposed, and future stations, roads, and other geographic features.]

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.
ORDINANCE NO. 2017-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING THE CITY’S 2016-2017 CAPITAL IMPROVEMENTS PROGRAM BUDGET TO AUTHORIZE AN ADDITIONAL $865,870 OF FUNDING FOR THE CONSTRUCTION OF SAN MARCOS FIRE STATION NO. 4 AND THEREBY INCREASING THE CONSTRUCTION BUDGET TO THE SUM OF $4,865,870 AND INCREASING THE TOTAL COST OF THE FIRE STATION TO THE SUM OF $5,921,869.21; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

In accordance with Section 8.16 of the City Charter, the City Council declares that a public necessity exists that requires an amendment to the City’s 2016-2017 Fiscal Year Budget.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The City Budget Ordinance for the 2016-2017 Fiscal Year is amended as set forth in the attached Exhibit A, by authorizing an additional $865,870 in the Capital Improvements Program for the construction of San Marcos Fire Station No. 4 and thereby increasing the construction budget for the project to $4,865,870 and increasing the total cost of the fire station to the sum of $5,921,869.21. The detail of the total cost of the fire station is set forth in Exhibit B.

SECTION 2. These revisions will be incorporated into the 2016-2017 Fiscal Year City Budget.

SECTION 3. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 4. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 5. This ordinance will take effect immediately after its passage, approval and adoption on second reading.

PASSED AND APPROVED on first reading on January 3, 2017

PASSED, APPROVED AND ADOPTED on second reading on January 17, 2017.

John Thomaides
Mayor
Approved: Michael J. Cosentino
City Attorney

Attest: Jamie Lee Case
City Clerk
## January 3, 2017

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Square Feet</td>
<td>11,182</td>
</tr>
<tr>
<td>Teal Construction Company (Selected based upon Internal Scoring System)</td>
<td>4,341,700.00</td>
</tr>
<tr>
<td>Contingency</td>
<td>434,170.00</td>
</tr>
<tr>
<td>FFE (not included in bid)</td>
<td>5,000.00</td>
</tr>
<tr>
<td>Knight Security</td>
<td>50,000.00</td>
</tr>
<tr>
<td>Telecommunications relocated</td>
<td>35,000.00</td>
</tr>
<tr>
<td>Land</td>
<td>523,139.00</td>
</tr>
<tr>
<td>Architectural</td>
<td>358,800.00</td>
</tr>
<tr>
<td><strong>Cost Subtotal</strong></td>
<td><strong>5,747,809.00</strong></td>
</tr>
</tbody>
</table>

### Costs to be absorbed by San Marcos Utility Departments

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water</td>
<td>30,000.00</td>
</tr>
<tr>
<td>Wastewater</td>
<td>40,000.00</td>
</tr>
<tr>
<td>Bluebonnet Electric Relocations</td>
<td>32,620.19</td>
</tr>
<tr>
<td>Permit Fees</td>
<td>6,821.02</td>
</tr>
<tr>
<td>Technology Fees</td>
<td>11.00</td>
</tr>
<tr>
<td>Impact Fees</td>
<td>64,608.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>174,060.21</strong></td>
</tr>
</tbody>
</table>
AGENDA CAPTION:
Consider approval of Resolution 2017-04R, making appointments to the Board of Directors of the Hays Caldwell Public Utility Agency (HCPUA); and declaring an effective date.

Meeting date: January 3, 2017

Department: City Clerk

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

CITY COUNCIL GOAL:

BACKGROUND:
The City of San Marcos holds 5 positions on the Board of Directors of the Hays Caldwell Public Utility Agency. Board Positions 5 & 6 expired on September 30, 2016, but the Council directed Staff to hold off on appointments/reappointments until after the Election.
Board Position #5 is currently held by Mayor Thomasides who is not seeking reappointment.
Board Position #6 is currently held by Mayor Pro Tem Hughson who is wishing to be reappointed. The attached resolution confirms the appointments of two Council Members to fill terms expiring on September 30, 2018.

<table>
<thead>
<tr>
<th>Board Position</th>
<th>Person Appointed</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>to continue serving a two year term ending September 30, 2018.</td>
</tr>
<tr>
<td>6</td>
<td>Jane Hughson to continue serving a two year term ending September 30, 2018.</td>
</tr>
<tr>
<td>7</td>
<td>Jared H. Miller to serve a two year term ending September 30, 2017.</td>
</tr>
<tr>
<td>8</td>
<td>Steve Parker to serve a two year term ending September 30, 2017.</td>
</tr>
<tr>
<td>9</td>
<td>Tom Taggart to serve a two year term ending September 30, 2017.</td>
</tr>
</tbody>
</table>
RESOLUTION 2017_______ R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, MAKING APPOINTMENTS TO THE BOARD OF DIRECTORS OF THE HAYS CALDWELL PUBLIC UTILITY AGENCY; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. The governing bodies of the City of San Marcos, the City of Buda, the City of Kyle and the Canyon Regional Water Authority have adopted resolutions (the “Concurrent Resolutions”) approving the creation of the Hays Caldwell Public Utility Agency (the “Agency”) under the Texas Local Government Code Chapter 422, as amended (the “PUA Act”).

2. The Concurrent Resolutions provide for the Agency to be governed by a Board of Directors (the “Agency Board”) to which the City is entitled to appoint five members.

3. The Agency Bylaws provide that the City’s appointees to the Agency Board will serve staggered two-year terms.

4. The City Council adopted Resolution No. 2011-147 on November 15, 2011 making five appointments to the Agency Board. Since that time, the terms of three of the City’s appointees to the Agency Board have expired.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

Part 1. The City Council hereby appoints and confirms the appointment of the following persons to serve as the City’s representatives on the Board of Directors of the Hays Caldwell Public Utility Agency:

<table>
<thead>
<tr>
<th>Board Position</th>
<th>Person Appointed</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>____________to continue serving a two year term ending September 30, 2018</td>
</tr>
<tr>
<td>6</td>
<td>____________to continue serving a two year term ending September 30, 2018</td>
</tr>
<tr>
<td>7</td>
<td>Jared H. Miller to serve a two year term ending September 30, 2017.</td>
</tr>
<tr>
<td>8</td>
<td>Steve Parker to serve a two year term ending September 30, 2017.</td>
</tr>
<tr>
<td>9</td>
<td>Tom Taggart to serve a two year term ending September 30, 2017.</td>
</tr>
</tbody>
</table>
Part 2. This Resolution shall be in full force and effect from and after its passage.

ADOPTED on this ___________ day of ________________, 2017.

John Thomaides
Mayor

Attest:

Jamie Lee Case
City Clerk
AGENDA CAPTION:
Consider approval of Resolution 2017-05R, appointing a member and alternate members to the Capital Area Metropolitan Planning Organization (“CAMPO”) Board; and declaring an effective date.
Meeting date: January 3, 2017

Department: City Clerk’s Office

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

CITY COUNCIL GOAL:

COMPREHENSIVE PLAN ELEMENT(s):

BACKGROUND:
The Transportation Policy Board (TPB) provides policy guidance and direction for CAMPO. The board is made up of elected officials and designated representatives from across the six county area. There are 20 voting members of the board with a chair and a vice-chair. The TPB meets monthly, typically on the second Monday of the month or as needed.

Mayor Daniel Guerrero has served on the board since 2011 and will now need to be replaced.

Mayor John Thomaides has indicated that he would like to serve on this board.

The Council may also appoint alternate members to attend meeting of the Board and vote if the Mayor is absent.

Staff recommends that another member of Council and the following City Staff be appointed as alternates: Laurie Moyer, Tom Taggart, and Sabas Avila.
RESOLUTION NO. 2017- ___ R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPOINTING A MEMBER AND ALTERNATE MEMBERS TO THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION (“CAMPO”) BOARD; AND DECLARING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. That Mayor John Thomaides is appointed as a member of the CAMPO Board. City staff members Laurie Moyer, Tom Taggart and Sabas Avila are appointed to serve as alternate members of the CAMPO Board with the authority to attend meetings of the Board and vote if the Mayor is absent.

PART 2. This Resolution shall become effective immediately from and after its passage.


John Thomaides
Mayor

Attest:

Jamie Lee Case
City Clerk
SECTION I DEFINITIONS

For the purposes of these bylaws, the following definitions apply

A. **Metropolitan Transportation Planning Process.** The Metropolitan Planning Organization (MPO), designated as Capital Area Metropolitan Planning Organization (CAMPO), in cooperation with the State and with operators of publicly owned transit services, shall be responsible for carrying out the metropolitan transportation planning process in accordance with Section 134, Title 23, United States Code (23 USC 134) and applicable federal and state regulations. CAMPO shall have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs that consider all transportation modes and supports metropolitan community development and social goals. These plans and programs shall lead to the development and operation of an integrated, intermodal transportation system that facilitates the efficient, economic movement of people and goods.

The metropolitan transportation planning process includes the development of a transportation plan, transportation improvement program (TIP) and a unified planning work program (UPWP) that will encourage the achievement of community goals by evaluating the environmental, energy, economic, and social costs of transportation plans and systems, projecting future travel demands, determining viable transportation alternatives, and evaluating these alternatives to determine the optimum combination of all modes of travel to best serve the citizens of the Austin metropolitan area.

B. **Public Involvement Program.** The metropolitan transportation planning process includes the development of a Public Involvement Program and staff procedures. The
Program is intended to include all Austin metropolitan area citizens, groups, agencies, and transportation providers in a transportation effort that is proactive and provides complete information, timely public notice, full public access to key decisions, and supports early and continuing involvement of the public in developing plans and programs including the Transportation Plan and Transportation Improvement Program. The Public Involvement Program shall integrate the concerns of a wide variety of involved parties and encourage and provide for the greatest level of education of transportation issues. The program will provide opportunities for citizens to contribute ideas and voice opinions early and often, both during and after preparation of draft plans and programs. Public participation in CAMPO Transportation Policy Board meetings is governed by Section III. E. of this document.

C. **Transportation Plan.** The metropolitan planning process includes the development of a transportation plan addressing at least a twenty-year planning horizon. The plan shall include both long-range and short-range strategies/actions that lead to the development of an integrated intermodal transportation system that facilitates the efficient movement of people and goods. The transportation plan shall be reviewed and updated at least every five years to confirm its validity and its consistency with current and forecasted transportation and land use conditions and trends and to extend the forecast period. The transportation plan must be approved (adopted) by the CAMPO Transportation Policy Board.

D. **Transportation Improvement Program.** The Transportation Improvement Program specifies how federal transportation funds are spent in the Austin metropolitan area for a minimum three-year period. The TIP will be prepared at least every other year and will include a financial plan that demonstrates how the Transportation Improvement Program can be implemented.
E. Unified Planning Work Program. The Unified Planning Work Program is a document setting forth, by work element tasks, the planning priorities facing the metropolitan area and documenting the planning activities to be performed with funds available to CAMPO. The estimated expenditures and funding sources for carrying out the work shall be identified.

F. Metropolitan Planning Organization. The Metropolitan Planning Organization (MPO) is that organization designated by the Governor as being responsible, together with the state, for carrying out the provisions of 23 USC 134 (The Urban Transportation Planning Process) and 49 USC 5303, as amended. The MPO is the forum for cooperative decision making by principal elected officials of general purpose local and state government and a representative from the Texas Department of Transportation and the Capital Metropolitan Transportation Authority.

SECTION II ORGANIZATION
The structure of the Metropolitan Planning Organization consists of the Transportation Policy Board, the Executive Committee, the CAMPO Office and other Committees, all as described in subsequent paragraphs of these bylaws and operating procedures.

A. Transportation Policy Board. The Transportation Policy Board, as the Metropolitan Planning Organization, hereinafter referred to as the TPB, furnishes policy guidance and direction for the continuing transportation study. Ultimate responsibility for the total transportation process including, but not limited to, review and approval of the recommended transportation plan and transportation improvement program rests with the Transportation Policy Board.

B. Executive Committee. The Executive Committee are members of the Transportation Policy Board who make recommendations on transportation planning issues, projects and the process as directed by the Transportation Policy Board.
C. **CAMPO Office.** The development of detailed transportation studies, maintenance of accurate data, preparation of reports, and performance of other activities requested by the Transportation Policy Board is the responsibility of the CAMPO Office. The Director of the CAMPO Office is responsible solely to the Transportation Policy Board.

D. **Other Committees.** The Chairperson, with the advice and consent of the Executive Committee, may establish other committees as needed.

**SECTION III TRANSPORTATION POLICY BOARD**

The following rules shall govern the operations of the Transportation Policy Board.

A. **Membership.** Membership on the Transportation Policy Board is established by the Joint Powers Agreement.

B. **Voting Representation.**

1. **Voting Alternate.** A member of the Transportation Policy Board may designate an alternate to exercise some or all of that member’s authority as a member of the Transportation Policy Board pursuant to the applicable subsection (a) and (b) of this subparagraph (B)(1). The alternate designated by a member will count toward a quorum and may vote on any matter authorized by the member designating the alternate. A person designated as a voting alternate may vote as an alternate on behalf of only one designating member. A member who designates an alternate shall give written notice of the alternate’s name and voting authority to the Chairperson prior to the first meeting for which the alternate is designated. The authority of an alternate designated under this subparagraph (B)(1) shall continue until it is rescinded or changed by written notice from the designating member to the Chairperson.
a. An elected official may designate as an alternate a person appointed as an alternate by the body who appointed that member.

b. A member who is not an elected official may designate as an alternate a person employed by or who serves on the Board of the organization represented by that member.

2. **Non-Voting Proxy.** A member of the Transportation Policy Board may appoint a proxy to attend a meeting in the member’s stead. The proxy appointed by a member does not count toward a quorum and may not vote.

C. **Quorum.** Fifty percent (50%) of the total members encompassed in paragraph A or their alternate shall constitute a quorum of the members for transaction of business at all meetings.

D. **Officers.** The Transportation Policy Board elects a Chairperson and a Vice Chairperson for a term of two years. It is the preference that the Vice Chair succeeds to the Chair position. However, the Executive Committee shall reserve the right to recommend that the Vice Chair not succeed to the Chair’s position at the end of the two-year term. The Chair and the Vice Chair must come from different counties. Elections are to be held at the first meeting of each even year. If the Chairperson resigns or is no longer eligible to be a member of the Transportation Policy Board, the Vice Chairperson will serve as Chairperson until an election is held.

E. **Meetings.** The Chairperson, with the advice and consent of the Executive Committee, shall establish the dates and times of meetings, and the Chairperson designates in the written notice of the meetings the location and business to be transacted or considered. Any Board member may submit a matter for consideration on a future agenda. If the Chairperson does not include that item on the agenda, the member may
petition the Executive Committee and the Executive Committee may require the item to be placed on a future agenda.

Written notice of the meeting, the agenda, and all supporting documents shall be mailed to each member of the Board at least seven (7) days prior to the meeting.

All meetings are to be held as open meetings as defined in Chapter 551, Government Code, and the CAMPO Director shall insure that the written notice of the meeting is posted in the appropriate governmental offices at least seventy-two (72) hours prior to the meeting, and shall insure that at least two copies of the agenda and such supporting documentation as is available to the members of the Transportation Policy Board are made available for public inspection in the CAMPO Office at the same time they are made available to Board members.

In the absence of the Chairperson and Vice Chairperson from a meeting of the Transportation Policy Board at which a quorum is present, the Executive Director will convene the meeting and the remaining members of the board present shall elect a presiding officer who shall serve until the conclusion of that meeting or until the arrival of the Chairperson or Vice Chairperson.

Public participation in meetings shall be as follows. Internal reports from CAMPO employees and committees not posted for action by the board are not eligible for public comment. If action is required on an item which has already been the subject of a public hearing, no public comment will be taken. Otherwise, persons wishing to comment on a specific agenda item must fill out the card provided by the CAMPO staff. The card will be presented to the Chairperson before the board begins consideration of the item. The card must specify the item on which they will comment and include the speaker’s name and whom they represent. Speakers are limited to three minutes and a speaker’s time may not be assigned to another speaker.
Persons wishing to address the board about issues not on the agenda should offer their comments during the “Citizens Communication” agenda item. Persons wishing to speak during “Citizens Communication” must contact the CAMPO staff via phone, electronic mail, facsimile transmission, or in person between 9:00 a.m. on the 6th day before the meeting at which they wish to speak and 4:30 p.m. on the day of the meeting at which they wish to speak. Such persons must give their name and specify the topic on which they wish to address the board. Topics are limited to those that directly or indirectly affect transportation in the CAMPO geographic area. No more than ten persons will address the board during Citizens Communication at any given meeting. Speakers are limited to three minutes and a speaker’s time may not be assigned to another speaker. Speakers are requested to not directly address individual members of the board or the CAMPO staff. The Chairperson will enforce decorum.

F. Functions. The functions of the Transportation Policy Board shall be as delineated in the Joint Powers Agreement.

G. Attendance. If a member of the Transportation Policy Board misses more than half of the Board meetings scheduled during a calendar year, the Chairperson may contact the member’s appointing body to request a replacement appointee to the Transportation Policy Board.

SECTION IV EXECUTIVE COMMITTEE

A. Membership. The Executive Committee will consist of the Transportation Policy Board Chairperson and Vice-Chairperson and members of the Transportation Policy Board that are, at a minimum, representative of the jurisdictions that are signatory of the Joint Powers Agreement. The members of the Executive Committee shall be appointed by the Chairperson of the Transportation Policy Board at the first meeting
each year. The jurisdictional representatives of the Joint Powers Agreement are indicated below:

- Texas Department of Transportation 1
- City of Austin 1
- County of Travis 1
- County of Williamson 1
- County of Hays 1
- Capital Metropolitan Transportation Authority 1

B. **Function.** The functions of the Executive Committee shall be as follows:
   1. Meet at the direction of the Chairperson.
   2. Take actions on items delegated by the Transportation Policy Board and/or make recommendations on items to the Transportation Policy Board.
   3. The Executive Committee will have no distinctive powers on their own unless given by the Transportation Policy Board or established by these bylaws and operating procedures.

SECTION V CAMPO OFFICE

The following rules govern the operations of the CAMPO Office:

A. **Direction.** The CAMPO Director will be selected by the Transportation Policy Board. The CAMPO Director will hire staff, supervise, and prepare contracts as necessary to perform the work outlined in the Unified Planning Work Program.

B. **Funding.** The budget of the CAMPO Office must be consistent with the Unified Planning Work Program.

C. **Functions.** The functions of the CAMPO Director and CAMPO Office are established in the Joint Powers Agreement.
SECTION VI OTHER COMMITTEES

The following rules govern the operations of other committees.

A. **Other Committees.** The committee will perform tasks and functions as requested by the Chairperson, with the advice and consent of the Executive Committee.

B. **Membership.** Members of other committees are appointed by the Chairperson with the advice and consent of the Executive Committee. Membership of each committee may include persons who are not board members with expertise of a nature that would be beneficial to the planning process.

C. **Officers.** The Chairperson and Vice Chairperson for the committee shall be designated by the Chairperson of the Transportation Policy Board.

D. **Meetings.** Meetings of a committee are held as necessary to perform the tasks and functions of the committee. The Chairperson of the committee calls such meetings as necessary and shall notify all committee members of the time, date, and place of the meeting.

E. **Technical Advisory Committee.** The Technical Advisory Committee’s purpose is to advise the Transportation Policy Board in its development of

1. The long-range metropolitan transportation plan;
2. The Transportation Improvement Program, including review of and recommendations on candidate projects for the TIP;
3. The Unified Planning Work Program; and
4. Other transportation planning activities, as directed by the Transportation Policy Board or CAMPO’s Executive Director.
SECTION VII ETHICS POLICY

A. A member of the Transportation Policy Board or employee of CAMPO shall not:

1. Accept or solicit any gift, favor, or service that might reasonably tend to influence the member or employee in the discharge of official duties or that the member or employee knows or should know is being offered with the intent to influence the member's or employee's official conduct;

2. Accept other employment or engage in a business or professional activity that the member or employee might reasonably expect would require or induce the member or employee to disclose confidential information acquired by reason of the official position;

3. Accept other employment or compensation that could reasonably be expected to impair the member's or employee's independence of judgment in the performance of the member's or employee's official duties;

4. Make personal investments that could reasonably be expected to create a substantial conflict between the member's or employee's private interest and the public interest; or

5. Intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the member's or employee's official powers or performed the member's or employee's official duties in favor of another.

B. An employee of CAMPO who violates Subsection (a) is subject to termination of the employee's employment or another employment-related sanction. Notwithstanding this subsection, a policy board member or employee who violates Subsection (a) is subject to
any applicable civil or criminal penalty if the violation also constitutes a violation of another statute or rule.

SECTION VIII ADOPTION

These bylaws and operating procedures shall be in full force and effect at such time as they have been approved by a majority vote of the Transportation Policy Board at a meeting at which a quorum, as defined herein, is present.

SECTION IX REVISIONS

These bylaws and operating procedures may be revised by approval of the Transportation Policy Board at a meeting at which a quorum, as defined herein, is present. Adopted unanimously by the Capital Area Metropolitan Planning Organization Transportation Policy Board on June 10, 1996; revised by resolution on February 8, 1999, April 14, 2003, February 13, 2006, January 22, 2007, November 9, 2009, January 20, 2010, May 10, 2010, September 13, 2010, February 13, 2012 and January 13, 2014.

ATTEST:

________________________________________
Maureen McCoy
Director
AGENDA CAPTION:
Consider approval, by motion, to reconfigure the back-in parking placed along N. LBJ Dr to head-in parking, and provide direction to Staff.
Meeting date: January 3, 2017

Department: City Clerk’s Office

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

CITY COUNCIL GOAL: Goals #3  Continue Downtown redevelopment

COMPREHENSIVE PLAN ELEMENT(s):

BACKGROUND:

This item was placed on the agenda at the request of Mayor John Thomaides.
EXISTING BACK-IN PARKING ALONG LBJ = 42
AGENDA CAPTION:
Discuss and consider an appointment of a City Council Member to fill a vacancy on the Greater San Marcos Partnership Board of Directors, and provide direction to staff.

Meeting date: January 3, 2017

Department: City Clerk

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

CITY COUNCIL GOAL: N/A

COMPREHENSIVE PLAN ELEMENT(s): N/A

BACKGROUND:
The Greater San Marcos Partnership (GSMP) bylaws allow for the City to appoint six members to the Corporation’s Board of Directors. These appointees shall include the City Manager, the Mayor, the Economic Development San Marcos Chair, San Marcos Regional Airport Representative and at least two elected officials.

The City Council needs to appoint a representative from the City of San Marcos to fill the vacancy left by Mayor Daniel Guerrero since Mayor John Thomaides is currently on the Board of Directors the Council will need to appoint another member of Council to the Board.
AGENDA CAPTION:
Consider approval of the reappointment of the following Downtown TIRZ #5 Board of Directors: Council Member John Thomaides, Hays County representative Commissioner Will Conley; and discuss possible recommendations to be provided to Hays County to fill Position 5 which is mutually agreed upon by the City of San Marcos and Hays County, and provide direction to Staff.

Meeting date: January 3, 2017

City of San Marcos

City Council Goal: Goal #3 - Continue Downtown redevelopment.

COMPREHENSIVE PLAN ELEMENT(s): N/A

BACKGROUND:
The following members currently serve on the TIRZ #5:

Position 1 (Chair) - Jared Miller (2 year term), Expires September 30, 2017
Position 2 - Council Member John Thomaides (1 year term), Expires September 30, 2016
Position 3- Commissioner Debbie Ingalsbe (2 year term), Expires September 30, 2017
Position 4 - Commissioner Will Conley (1 year term), Expires September 30, 2016
Position 5 - Dr. Ed Mihalkanin (2 year term), Expires September 30, 2017
AGENDA CAPTION:
Discuss and consider the appointment of a Council Member to the Capital Area Council of Governments (CAPCOG) Clean Air Coalition, and provide direction to Staff.
Meeting date: January 3, 2017

Department: City Clerk’s Office

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

CITY COUNCIL GOAL: N/A

BACKGROUND:
Mayor Daniel Guerrero has been representing the City of San Marcos on the Coalition, and will now need to be replaced. The term will expire December 31, 2017.

The Central Texas Clean Air Coalition, or the Clean Air Coalition, is a voluntary, unincorporated association that became affiliated with CAPCOG by a resolution adopted on Nov. 13, 2002. Its purpose:

- Facilitate the development, adoption, and implementation of clean air plans to maintain compliance with the federal eight-hour ozone standard for the Bastrop, Caldwell, Hays, Travis, and Williamson counties.
- Establish and monitor a regional effort toward the improvement of air quality.
- Develop policies and strategies that will provide guidance for each of its independent governing bodies about actions that will achieve clean air in Central Texas.
- Work cooperatively to achieve clean air standards that will protect public health and yet allow local governments the flexibility to select measures best suited to each community’s needs and resources.
- Provide CAPCOG Executive Committee with recommendations for administering funding provided by local sources for the purpose of supporting the regional air quality plan or program implementation, assessment and improvement activities in Central Texas.

The Clean Air Coalition meets at a time, date and place specified by the Coalition Chair, generally the second Wednesday of selected months. Meetings are open to the public and announced on CAPCOG’s website once scheduled.

The next meeting of the CAC is February 8, 2017 at 11:30am at CAPCOG in Austin.
AGENDA CAPTION:
Discuss and consider the approval of the appointment of the City of San Marcos’ representative(s) on the Capital Area Council of Governments General Assembly, and provide direction to Staff.

Meeting date: January 3, 2017

Department: City Clerk’s Office

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

CITY COUNCIL GOAL: N/A

COMPREHENSIVE PLAN ELEMENT(s): N/A

BACKGROUND:
CAPCOG's General Assembly is composed of the official representatives of all member organizations, including cities and counties as well as school districts, chambers of commerce, nonprofits and any other organization that has an interest in COG programs and regionalism in general. The population of the cities and counties determine how many General Assembly representatives and at-large seats they may fill.

The General Assembly meets at least twice per year and is responsible for approving the CAPCOG annual budget and amendments to the CAPCOG bylaws as well as approving to approve/appoint members to CAPCOG's Executive Committee. In late summer, the General Assembly elects a Nominating Committee charged with soliciting and recommending membership on the Executive Committee at the General Assembly's annual meeting in December.

The City of San Marcos qualifies for 3 positions on the CAPCOG General Assembly based on State Data Center’s 2016 Population estimates.
Current General Assembly representatives:
- Mayor Pro Tem Jane Hughson - Was recently elected to the Executive Committee
- Jamie Lee Case, City Clerk
- Vacant
AGENDA CAPTION:
Discuss and consider nominations and charge to the 2017 Charter Review Commission, and provide direction to Staff.
Meeting date: January 3, 2017

Department: City Clerk’s Office

Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

CITY COUNCIL GOAL: N/A

COMPREHENSIVE PLAN ELEMENT(s): N/A

BACKGROUND:
The last Charter Review Commission was appointed in 2013. They held a series of 7 meetings to consider possible amendments to the San Marcos City Charter. They reviewed and discussed provisions recommended by the City Council, City Staff, Open San Marcos and the San Marcos Voice.

Sec. 12.12. - Charter review commission.
Beginning in January 2013 and at least every four years thereafter, the city council shall appoint a charter review commission of seven citizens of the City of San Marcos.

(a) Duties of the commission:
   (1) Inquire into the operation of the city government under the charter provisions and determine whether any such provisions require revision. To this end public hearings may be held; and the commission shall have the power to compel the attendance of any officer or employee of the city and to require the submission of any of the city records which it may deem necessary to the conduct of such hearing.
   (2) Propose any recommendations it may deem desirable to ensure compliance with the provisions of the charter by the several departments of the city government.
   (3) Propose, if it deems desirable, amendments to this Charter to improve the effective application of said charter to current conditions.
   (4) Report its finding and present its proposed amendments, if any, to the city council.

(b) The city council may take action to amend the charter in the manner provided by state law.
(c) Term of office: The term of office of such charter review commission shall be six months, and, if during such term no report is presented to the city council, then all records of the proceedings of such commission shall be filed with the person performing the duties of the city clerk and shall become a public record.