I. Call To Order

II. Roll Call

III. Invocation

IV. Pledges of Allegiance - United States and Texas

V. Citizen Comment Period

NOTE: Citizen Comment sign up procedures have changed:
Persons wishing to participate remotely (speak) during the Citizen Comment portion must sign up at www.sanmarcostx.gov/citizencommentsignup before 12:00PM the day of the meeting. A link will be provided for participation on a mobile device, laptop or desktop computer. Those wishing to speak in person must sign up in the City Clerk's office between 8:00AM - 5:45PM the day of the meeting.

PRESENTATION

1. Receive a Staff presentation on Gateway Monument Signs including final concepts; and provide direction to the Staff.

CONSENT AGENDA

THE FOLLOWING ORDINANCES, RESOLUTIONS AND OTHER ITEMS MAY BE ACTED UPON BY ONE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THE ITEMS IS NECESSARY UNLESS DESIRED BY A COUNCIL MEMBER OR A CITIZEN, IN WHICH EVENT THE ITEM SHALL BE CONSIDERED IN ITS NORMAL SEQUENCE AFTER THE ITEMS NOT REQUIRING SEPARATE DISCUSSION HAVE BEEN ACTED UPON BY A SINGLE MOTION.

2. Consider approval of Ordinance 2023-87, on second of two readings, prohibiting the use of designated groundwater from beneath certain property and supporting certification of a Municipal Setting Designation by the Texas Commission on Environmental Quality; providing a penalty clause; providing a severability clause; and providing an effective date.

3. Consider approval of Resolution 2024-01R, approving a sole source contract with Teledyne ISCO for the purchase of a LaserFlow Sensor and related equipment
associated wastewater collection in the estimated amount of $198,852.00; authorizing the City Manager, or her designee, to execute the contract on behalf of the city; and declaring an effective date.

4. Consider approval of Resolution 2024-02R, approving a contract for the purchase and installation of a dispatch console for first responder radio services to Lower Colorado River Authority (LCRA) in the amount of $160,000.00; authorizing the City Manager, or her designee, to execute the contract on behalf of the city; and declaring an effective date.

5. Consider approval of Resolution 2024-03R, approving a contract with Fischer Scientific through Omnia Partners Cooperative Purchasing for water quality laboratory equipment to perform in-house analytical testing on public drinking water in the amount of $118,654.32; authorizing the City Manager, or her designee, to execute the contract on behalf of the city; and declaring an effective date.

6. Consider approval of Resolution 2024-04R, accepting the award of special commissioners in the amount of $271,000.00 in Cause No. 23-1002-C, Hays County Court at Law No. 1, in connection with the city’s acquisition of a wastewater line easement and right-of-way from Two Rivers Interests, LP for the installation and perpetual operation of wastewater improvements in the area south and east of the intersection of Staples Road and Old Bastrop Highway; and declaring an effective date.

7. Consider approval of Resolution 2024-05R, authorizing a Change Order #1 to the construction contract with Aaron Concrete Contractors, LLC., relating to the Hills of Hays Drainage Improvements Project, to provide for necessary construction of a sanitary sewer main, increasing the contract price by $89,924.71; authorizing the City Manager, or her designee, to execute the appropriate documents to implement the change order on behalf of the city; and declaring an effective date.

8. Consider approval of Resolution 2024-06R, approving the award of a construction contract to Sullivan Contracting Services for the provision of remodel construction services for the City of San Marcos Municipal Complex in the estimated amount of $537,510.64; authorizing the City Manager, or her designee, to execute the contract on behalf of the city; and declaring an effective date.

PUBLIC HEARINGS

NOTE: Public Hearing sign up procedures have changed:
Persons wishing to participate remotely (speak) during the Public Hearing portion must sign up at www.sanmarcostx.gov/citizencommentssignup before 12:00PM the day of the meeting. A link will be provided for participation on a mobile device, laptop or desktop computer. If attending in person, no sign up is required.

9. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2024-01, amending the Official Zoning Map of the city in Case No. ZC-23-24, by rezoning approximately 18.84 acres of land, out of the John H. Yearby Survey, generally located 3,300 feet east of IH35 near Centerpoint Road, from Character District-5 (CD-5) to Light Industrial (LI), or, subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2024-01, on the first of
two readings.

NON-CONSENT AGENDA

10. Consider approval of Ordinance 2024-02, on the first of two readings, amending the city's 2023-2024 Fiscal Year budget to carry forward funds from the 2022-2023 Fiscal Year; to adjust revenue and expenditure accounts in multiple operating, special revenue, internal service, and capital improvement project funds; including procedural provisions; and providing an effective date.

11. Consider approval of Ordinance 2024-03, on the first of two readings, amending Chapter 82 of the San Marcos City Code to, among other things, define the authority of the city’s Parking Advisory Board, update the list parking violations and associated fines, and allowing for the creation of parking benefit districts; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

12. Consider approval of Ordinance 2024-04, amending Section 2.566 of the San Marcos City Code concerning the city manager’s spending authority to remove obsolete provisions related to the COVID-19 pandemic and to clarify the types of agreements to which the city manager’s authority extends; including procedural provisions; and providing an effective date.

13. Receive an update from Staff and the Comprehensive Plan Ad Hoc Council Committee, including the committee’s recommendations for additional public outreach on VisionSMTX++ with Council amendments; hold a discussion regarding such recommendations and any matters concerning the plan; and consider a motion to set a new public hearing date for approval of the Comprehensive Plan on second reading that would be after the committee’s final recommendations regarding the plan for consideration by the city council.

14. Discuss and consider appointments or reappointments to Positions Two and Four and confirm appointments of Positions Seven, Eight and Nine, and appoint a Chair of the Tax Increment Reinvestment Zone (TIRZ) Number 4 - Paso Robles (now known as Kissing Tree) Board of Directors; and provide direction to Staff.

15. Discuss and consider appointment and/or reappointment to Position One, Two and Five and confirm Hays County appointments to Position Three, Four, and appoint a Chair to the Tax Increment Reinvestment Zone (TIRZ) No. 5 (Downtown) Board of Directors; and provide direction to Staff.

EXECUTIVE SESSION

NOTE: The City Council may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The City Council may also publicly discuss any item listed on the agenda for Executive Session.

16. The City Council will convene in executive session pursuant to the following sections of the Texas Government Code:
   A. Section §551.071: Consultation with Attorney: to receive legal advice regarding:
1. The following pending wastewater discharge application dockets: a) the application of Fleming Farms WWTP for proposed permit for new TPDES Permit No. WQ0015817001, TCEQ Docket No. 2020-0973-MWD, SOAH Docket No. 582-21-0576; and b) the application of Rattler Ridge, LLC for proposed permit for new TPDES Permit No. WQ0016049001, TCEQ Docket No. 2022-1046-MWD, SOAH Docket No. 582-23-07913.
2. A potential solution involving a regional wastewater treatment plant in connection with the above.
3. The applicability of, and standards for exemptions from the requirement for landowner consent to annexation under Section 86.003 of the San Marcos City Code when requesting utility service outside the city limits.

DIRECTION/ACTION FROM EXECUTIVE SESSION

17. Consider action, by motion, or provide direction to Staff regarding the following Executive Session item held during the Work Session and/or Regular Meeting:

A. Section §551.071: Consultation with Attorney: to receive legal advice regarding:
1. The following pending wastewater discharge application dockets: a) the application of Fleming Farms WWTP for proposed permit for new TPDES Permit No. WQ0015817001, TCEQ Docket No. 2020-0973-MWD, SOAH Docket No. 582-21-0576; and b) the application of Rattler Ridge, LLC for proposed permit for new TPDES Permit No. WQ0016049001, TCEQ Docket No. 2022-1046-MWD, SOAH Docket No. 582-23-07913.
2. A potential solution involving a regional wastewater treatment plant in connection with the above.
3. The applicability of, and standards for exemptions from the requirement for landowner consent to annexation under Section 86.003 of the San Marcos City Code when requesting utility service outside the city limits.

VI. Question and Answer Session with Press and Public.

NOTE: Question and Answer with Press and Public sign up procedures have changed:
This is an opportunity for the Press and Public to ask questions related to items on this agenda. Persons wishing to participate remotely (speak) during the Citizen Comment portion must sign up www.sanmarcostx.gov/citizencommentssignup before 12:00PM the day of the meeting. A call in number and link will be provided for participation on a mobile device, laptop or desktop computer. If attending in person, no sign up is required.

NOTICE: In accordance with Section 2.045 of the City Code, speakers must state their name, and must limit their remarks to three minutes. The allotted time will commence from the beginning of the speaker's remarks and will include any time spent in discussion between the speaker and council or board or commission members. Issues taking longer to communicate can be addressed outside the meeting to the city staff or to individual members of the council or board or commission, or submitted in writing.

VII. Adjournment.

POSTED ON WEDNESDAY, JANUARY 10, 2024 AT 8:30 AM

LUCIA CORDOVA, DEPUTY 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