I. Call To Order

II. Roll Call

III. Invocation

IV. Pledges Of Allegiance - United States And Texas

V. 30 Minute Citizen Comment Period

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.

1. Consider adoption or Staff direction regarding matters discussed in Executive Session in accordance with Section 551.087, Economic Development, to receive a staff briefing and deliberate regarding a potential Chapter 380 Economic Development incentive agreement for Project World Series.

PRESENTATIONS

2. Receive the Annual Audit Report and highlights from the City of San Marcos’ Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended September 30, 2018 from the City’s audit firm ABIP, P.C.

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.

3. Consider approval, by motion, of the following meeting Minutes:
   A) November 20, 2018 Work Session Meeting Minutes
   B) January 15, 2019 Work Session Meeting Minutes
4. Consider approval of Ordinance 2019-09, on the second of two readings, amending Chapter 2, Article 3, Division 11 - Citizens Utility Advisory Board of the San Marcos City Code by; amending Section 2.271 - Composition, Section 2.272 - Terms of Office, Section 2.276 - Organization, and Section 2.278 - Bylaws and Open Meetings Act Compliance; including procedural provisions and providing an effective date.

5. Consider approval of Resolution 2019-36R, approving the award of a construction contract to Insituform Technologies, LLC for the Aquarena Springs Waterline Rehabilitation Project in the total amount of $267,356.50 through the Texas Local Government BuyBoard Purchasing Cooperative (Contract No.555-18), contingent upon the contractor’s timely submission of sufficient bonds and insurance in accordance with the City’s construction contract documents for the project; authorizing the City Manager or his designee to execute the appropriate documents related to this contract on behalf of the City; and declaring an effective date.

6. Consider approval of Resolution 2019-37R, approving an Interlocal Cooperation Agreement between the City and Hays County establishing the Hays County Unmanned Robotics Team and providing the rights and duties of the parties thereto; authorizing the City Manager or his designee to execute this agreement on behalf of the City; and declaring an effective date.

7. Consider approval of Resolution 2019-38R, awarding a contract to Townsend Tree Service Company, LLC doing business as National Tree Expert Company for tree trimming services in the estimated total amount of $847,392.00 over a four-year period contingent upon the bidder’s timely submission of sufficient insurance in accordance with the City’s bid documents; authorizing the purchasing manager to execute the appropriate purchasing documents on behalf of the City; and declaring an effective date.

8. Consider approval of Resolution 2019-39R, approving an addendum to the Master Lease Purchasing Financing Agreement with US Bancorp Government Leasing and Finance, Inc. that adds a dump truck, water truck, backhoe, steel roller, skid steer and trailer for the Public Services, Transportation Division as vehicles to be financed under the Agreement in the amount of $524,550.60, inclusive of interest, for a seven year term; authorizing the City Manager or his designee to execute all appropriate documents associated with this transaction; and declaring an effective date.

9. Consider approval of Resolution 2019-40R, approving the purchase of a water truck for $65,365.47 from Texas First Rentals through the BuyBoard Cooperative Contract, a Backhoe for $88,865.97 from RDO Equipment through the Sourcewell Cooperative Contract, a Steel Roller for $153,338.00 through the BuyBoard Cooperative Contract, a Skid Steer for $44,475.18 through the Sourcewell Cooperative Contract, a Dump Truck for...
$80,162.00 through the BuyBoard Cooperative Contract, and a Trailer for $30,123.76 through the Sourcewell Cooperative Contract, each for use by the Public Services Department, Streets Division; authorizing the city manager or his designee to execute all appropriate documents to complete these purchases; and declaring an effective date.

10. Consider approval of Resolution 2019-41R, awarding an annual contract for lawn maintenance services to Landscape Commander, LLC in the estimated annual amount of $60,450.00 for the Community Service Department, Parks and Recreation Division contingent upon the bidder’s timely submission of sufficient insurance in accordance with the City’s bid documents; authorizing the City Manager or his designee to execute the appropriate purchasing documents on behalf of the City; and declaring an effective date.

11. Consider approval of Resolution 2019-42R, approving the award of a construction contract to Ultimate Roofing Systems for the replacement of roofing at the San Marcos Regional Animal Shelter in the total amount of $108,904.04 through the Texas Interlocal Purchasing System Cooperative (Contract No. 2092415) contingent upon the contractor’s timely submission of sufficient bonds and insurance in accordance with the City’s construction contract documents for the project; authorizing the City Manager or his designee to execute the appropriate documents related to this contract on behalf of the City; and declaring an effective date.

12. Consider approval of Resolution 2019-43R, approving the award of a construction contract to Ultimate Roofing Systems for replacement of roofing at the Price Center in the total amount of $89,938.35 through the Texas Interlocal Purchasing System Cooperative (Contract No. 2092415) contingent upon the contractor’s timely submission of sufficient bonds and insurance in accordance with the City’s construction contract documents for the project; authorizing the City Manager or his designee to execute the appropriate documents related to this contract on behalf of the City; and declaring an effective date.

13. Consider approval of Resolution 2019-44R, approving the annual renewal of the agreement with Gene Bagwell doing business as Maintenance Management for the management and operation of the San Marcos Cemetery in the amount of $148,345.34; authorizing the City Manager or his designee to execute the appropriate documents related to this contract extension on behalf of the City, and declaring an effective date.

14. Consider approval of Resolution 2019-45R, approving an Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation (CSJ No. 3379-01-016), for the Hunter Road and Wonder World Drive Intersection Improvements Project, including the installation of median islands and pedestrian poles, reconstruction of sidewalks and curb ramps, and striping of crosswalks and bike lanes, with an estimated cost of participation by the city in the amount of $28,126; authorizing the City Manager to execute said agreement on behalf of the City; and declaring an effective date.

15. Consider approval of Resolution 2019-46R, approving the City Council’s Strategic Initiatives for Fiscal Year 2020; and declaring an effective date.

16. Consider approval of Resolution 2019-47R, opposing the routing of the proposed Permian Highway Pipeline through Hays County; requesting immediate action from the State Legislature; and providing an effective date.
PUBLIC HEARINGS

17. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2019-48R, approving a Budget Policy Statement for preparation of the 2019-2020 Fiscal Year budget; and declaring an effective date; and consider approval of Resolution 2019-48R.

NON-CONSENT AGENDA

18. Consider approval of Ordinance 2019-10, on the first of two readings, amending the City’s 2018-2019 Fiscal Year Budget to allocate a total amount not to exceed of $65,000.00 from State Seized Asset Funds to provide funding for Unmanned Aerial Vehicle (drone) equipment and supporting hardware to support the capabilities of the Police Department’s unmanned robotics team; and providing an effective date.

19. Consider the appointment of Tafari Robertson to serve as the representative of the Calaboose Museum on the San Marcos Innovation District Stakeholder Group, and provide direction to the City Manager.

VI. Question and Answer Session with Press and Public.

This is an opportunity for the Press and Public to ask questions related to items on this agenda.

VII. Adjournment.

POSTED ON THURSDAY, FEBRUARY 28, 2019 @ 5:00PM

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
AGENDA CAPTION:
Consider adoption or Staff direction regarding matters discussed in Executive Session in accordance with Section 551.087, Economic Development, to receive a staff briefing and deliberate regarding a potential Chapter 380 Economic Development incentive agreement for Project World Series.
AGENDA CAPTION:
Receive the Annual Audit Report and highlights from the City of San Marcos’ Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended September 30, 2018 from the City’s audit firm ABIP, P.C.

Meeting date:  March 5, 2019

Department:  Finance

Amount & Source of Funding
Funds Required:  N/A
Account Number:  Click or tap here to enter text.
Funds Available:  Click or tap here to enter text.
Account Name:  Click or tap here to enter text.

Fiscal Note:
Prior Council Action:  Click or tap here to enter text.

City Council Strategic Initiative:  [Please select from the dropdown menu below]
N/A
Choose an item.

Comprehensive Plan Element(s):  [Please select the Plan element(s) and Goal # from dropdown menu below]
☐ Economic Development - Choose an item.
☐ Environment & Resource Protection - Choose an item.
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
☐ Parks, Public Spaces & Facilities - Choose an item.
☐ Transportation - Choose an item.
☒ Not Applicable

Master Plan:  [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]
Choose an item.

**Background Information:**
The audit of the City's annual financial statements has been completed by ABIP, P.C. Janet Pitman, shareholder with the firm, will be available to discuss the results of the audit and the City's financial position as of September 30, 2018.

The City's audit report and Comprehensive Annual Financial Report (CAFR) was presented to the Finance and Audit Committee on March 1.

**Council Committee, Board/Commission Action:**
Finance & Audit Committee received the report on March 1, 2019.

**Alternatives:**
Click or tap here to enter text.

**Recommendation:**
Click or tap here to enter text.
AGENDA CAPTION:
Consider approval, by motion, of the following meeting Minutes:
A) November 20, 2018 Work Session Meeting Minutes
B) January 15, 2019 Work Session Meeting Minutes
C) January 29, 2019 Work Session Meeting Minutes
D) February 5, 2019 Work Session Meeting Minutes
E) February 5, 2019 Regular Meeting Minutes
F) February 13, 2019 Budget Policy Workshop Meeting Minutes
G) February 19, 2019 Work Session Meeting Minutes
H) February 19, 2019 Regular Meeting Minutes

Meeting date: 3/5/2019

Department: City Clerk

Amount & Source of Funding
Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

Fiscal Note:
Prior Council Action: Approval of Previous Meeting Minutes

City Council Goal: [Please select goal from dropdown menu below]
Choose an item.

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from below]
☐ Economic Development Choose an item.
☐ Environment & Resource Protection Choose an item.
☐ Land Use Choose an item.
☐ Neighborhoods & Housing Choose an item.
Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:
The following minutes are attached for review:
A) November 20, 2018 Work Session Meeting Minutes
B) January 15, 2019 Work Session Meeting Minutes
C) January 29, 2019 Work Session Meeting Minutes
D) February 5, 2019 Work Session Meeting Minutes
E) February 5, 2019 Regular Meeting Minutes
F) February 13, 2019 Budget Policy Workshop Meeting Minutes
G) February 19, 2019 Work Session Meeting Minutes
H) February 19, 2019 Regular Meeting Minutes

Council Committee, Board/Commission Action: Click or tap here to enter text.

Alternatives:

Recommendation: Approve Minutes as attached
I. Call To Order

With a quorum present, the work session meeting of the San Marcos City Council was called to order by Mayor Hughson at 3:02 p.m. Tuesday, November 20, 2018 in the City Hall Conference Room, 630 E. Hopkins, San Marcos, Texas 78666.

II. Roll Call

Deputy Mayor Pro Tem Gregson was absent due to family reasons.

Present:  5 - Mayor Pro Tem Lisa Prewitt, Council Member Saul Gonzales, Council Member Melissa Derrick, Mayor Jane Hughson and Council Member Ed Mihalkanin
Absent:  1 - Deputy Mayor Pro Tem Scott Gregson

PRESENTATIONS

1. Receive a presentation and review the proposed Small Area Plan Program, a component of Neighborhood Character Studies, and provide direction to staff.

Rebecca Leonard, with Lionhart and Shannon Mattingly, Director of Development Services provided a presentation regarding Small Area Plans.

Ms. Leonard provided the definition of a Small Area Plan (SAP) which focuses planning efforts in smaller geographic areas within the neighborhood or community. It will be the tool used to implement the neighborhood character studies. She explained the timeline and events that have occurred so far in the process. These include project kickoff, gathering input from small groups, survey outreach and community open houses and presentations, and now Council is receiving the small area plan program policy for their review and input. Ms. Leonard went into further detail about the SAP survey which involves program goals, boundaries, and what outcomes and benefits are most valued. The results of the survey indicate the following goals are most important: Housing affordability, neighborhood stability, managing student behavior, transportation options, access to goods/services, resident participation, streets/corridors, and willingness to change. The community
participated in a mapping exercise to identify areas for further outreach and to create location and boundary criteria.

Ms. Leonard explained residents or community groups such as neighborhood groups, stakeholders, and civic organizations are able to apply for a SAP. The process of the Small Area Plan would involve the following steps: organize, connect with City Staff, City would facilitate application meeting, application would be submitted, Council would review and select application and finally the plan would be created and implemented.

Council inquired how the minimum of 20% of properties within the proposed boundary was determined has a requirement of who can apply for a SAP. Ms. Leonard said this number can certainly be adjusted, but felt that it was an aggressive number yet attainable. Mayor Pro Tem Prewitt suggested that Staff knock on every door and get their input on whether or not they are interested in having a SAP in their neighborhood. Since these areas are in such a small radius, this should be possible. Mayor Hughson recommends talking to the neighborhoods first and identify issues or concerns prior to the application of an SAP. Council Member Gonzales would like to see more outreach using the local churches as they are able to reach their congregations. Council Member Derrick would like to see more outreach to various organizations and stakeholders within the community before implementation. Mayor Hughson stated these are geographic in nature and we must get into the neighborhoods and get them together in order to get their input. Mayor Pro Tem Prewitt also stated that she would like Fire and Police be involved in the process for safety concerns within the neighborhoods.

Staff will put together an outreach plan that includes the criteria for the application. Council would like to have an additional work session or a lunch and learn on this subject. Staff has created a Small Area Plan section on the message board.

2. Receive a presentation regarding the DRAFT On-Street Paid Parking Implementation Plan.

Bert Lumbreras, City Manager introduced this item and stated the next steps in the Parking Implementation Plan will be discussed.

Dennis Burns, Vice President / Senior Practice Builder with Kimley-Horn and Associates provided a presentation outlining Parking Organization and Staffing Plan, Parking Program Framework Plan, Summary of Data Collection Efforts, On-Street Paid Parking Assessment, Paid Parking Recommendations,
Technology Recommendations, Initial Revenue & Capital Cost Estimate, Parking Benefit Districts, and next steps in the process.

The primary action items presented includes the Creation & Empowerment of a Parking Management Organization, the establishment of Parking Benefit Districts, and the Investment in Parking Technology.

Mr. Burns discussed the data collection efforts made which included parking occupancy surveys and parking enforcement citation data. Some of the data suggests that Texas State students add approximately 13% to downtown parking demand, compared to counts done during the summer. Mr. Burns explained that this data does not affect the final recommendation, but it was just an observation.

Mr. Burns reviewed the Violation Rate Data Analysis. The key metrics for assessing on-street parking conditions is the “Violation Rate” (the number of vehicles in violation of posted time limits). We have currently have a violation rate of 10% and target violation rate is typically 3%-5%.

Mr. Burns provided the following Phase I recommendations:
1. Paid On-Street Parking Hours: Monday – Friday, 9:00 AM – 6:00 PM
2. Time Limits: Retain two-hour time limits in the paid parking area(s).
3. Rates: Initial rate for Phase I area is $1.00 per hour. Grant administrative flexibility, with oversight from Parking Advisory Board, to set paid hours, time limits, and rates (ordinance should authorize a range of acceptable paid hours, time limits, and a rate ceiling. A rate range of $1.00 minimum up to $3.00 maximum is recommended. Increases can be made in increments of $0.25. Criteria should be developed to justify rate increases based on utilization analyses.
4. Phased expansion of paid system: Conduct on-going utilization studies of high demand parking areas.
   Use the On-Street Paid Parking Assessment criteria to determine future paid parking expansion. Parking Zones: Create defined parking “zones” within the paid parking area to facilitate pay-by-cell phone applications.
5. Residential Parking Permit Program: Amend the existing Residential Parking Permit program policies and procedures to reflect and integrate the new License Plate Recognition (LPR) system.
6. Employee Parking: Create on-street permits in lower demand areas, where the City can lease off-street space for monthly permits + designate 10-hour zones to accommodate employee parking in the short-term until additional
Council discussed the two hour time limit and much of the resistance to paid parking is due to this time limit. Mr. Burns stated this is a policy issue and can be set by Council.

Council held discussion regarding validation by Texas State or business owners for paid parking. Mr. Burns stated that placing a price on parking so people know there is a value to it and make the violations a little stronger for repeat violators. He also stated there is some flexibility to work with business and organizations for validation.

Mr. Burns discussed the technology recommendations which include investing in a system that supports pay-by-license plate and a pay-by-cell phone parking application. Mr. Burns explained the pay-by-license plate is compatible with the LPR system that is already in place. Mr. Burke explained the pay-by-cell and this does require a smart phone, but it is a great option if you do have a smart phone.

Council asked about the American with Disability Act (ADA) parking use and whether or not they would fall under the same parking requirements. Council would like to make sure meters are convenient to the handicap parking spaces so they are easily accessible to users.

Mr. Burke provided the Budget Strategy which includes the creation of a Parking Management Fund to capture revenue and expenses, issue previously authorized short term debt for purchase of equipment, with debt service paid from parking revenues, and use previously issued bond funds first year of program administrative expenses, with subsequent years paid from parking revenues.

Mr. Burns stated his recommendation of a 70%/30% split with 70% being dedicated to the Parking Management Fund and 30% to the Parking Benefit districts. Council is not required to make a decision at this time regarding the placement of these funds.

Staff is recommending the following: Hire Parking Manager, Create Parking Advisory Board, Establish Parking Benefit Districts, Procure pay-by-plate meters and mobile application technology, Community education & outreach, Implement Phase I on-street paid parking, and monitor and continue improvement of Phase II.
Council would like to wait until the two new Council Members come on board and get additional feedback from the downtown business owners prior to moving forward with the next steps in the process.

Staff will contact business owners and/or managers to obtain additional information as they will be affected by the paid parking implementation.

Council Consensus is to have the budget amendment, authorizing the creation of the parking manager position and the creation of the Parking Advisory Board on the December 4th City Council meeting, but wait until implementation of the plan after the new Council Members take office and have the opportunity to weigh in.

III. Adjournment.

Mayor Hughson adjourned the Work Session Meeting of the San Marcos City Council at 5:35 p.m.

Jamie Lee Case, TRMC, City Clerk

Jane Hughson, Mayor
I. Call To Order

With a quorum present, the work session meeting of the San Marcos City Council was called to order by Mayor Hughson at 3:00 p.m. Tuesday, January 15, 2019 in the City Hall Conference Room, 630 E. Hopkins, San Marcos, Texas 78666.

II. Roll Call

Present: 7 - Mayor Pro Tem Lisa Prewitt, Council Member Saul Gonzales, Council Member Melissa Derrick, Mayor Jane Hughson, Council Member Ed Mihalkanin, Council Member Joca Marquez and Council Member Mark Rockeymoore

PRESENTATIONS

1. Receive a presentation from Richard Castanon, U.S Census Bureau Partnership Specialist about preparing for the 2020 Census Count.

Ms. Rebecca Brisko and Mr. Richard Castanon with the US Census Bureau Partnership presented the Council with a presentation about preparing for the 2020 Census Count.

Ms. Brisko explained that Texas receives over $43 billion dollars per year based on Decennial Census data. The per capita allocation is $1,578. She also discussed the key collection dates and that Group Quarters will start in early 2020 to ensure that university students are counted accurately.

Ms. Brisko explained what a Complete Count Committee is, who makes them up and when they should be formed. She reviewed the structure of a Complete Count Committee and discussed their formation. Ms. Brisko also reviewed tools that are available to assist in community outreach.

Ms. Brisko provided the critical steps and what’s next. She explained that Census Jobs are available now.

Mr. Castanon provided information regarding the different levels of jobs that
are available. He explained that wages are based on the County and he believed that this area is a minimum of $14 or $15 per hour. He explained that recruiting assistants are a two year assignment and employees would even be able to work from home.

Discussion was held regarding the complete count committee, and setting a date for training.

Staff will bring back the Complete Count Committee for the Council's review and appointment.

2. Receive a presentation and hold a discussion regarding the Ethics Review Commission’s recommendation to adopt an ordinance regulating lobbyists and lobbying activities in San Marcos; and provide direction to staff.

Mr. Michael Consentino, City Attorney, provided the City Council with a presentation and regarding the Ethics Review Commission’s recommendation to adopt an ordinance regulating lobbyists and lobbying activities in San Marcos

Council Member Rockeymoore provided his perspective after serving as an Ethics Review Commissioner that worked on this item.

Discussion was held regarding exceptions to lobbying as defined in the proposed ordinance.

The Council discussed including rental properties to the exceptions to lobbying.
Concerns were expressed about being able to enforce it and the concern that it would limit Citizen communications to the City Council Members.

Suggestion was made to remove or modify the words “including but not limited to” under Qualifying contracts, applications, and activities that trigger lobbying registration.

Discussion was held regarding removing City Staff.

Council provided consensus for the Ethics Review Commission to do more work on this proposed Ordinance.

EXECUTIVE SESSION

3. A.) Executive Session in accordance with Section 551.086, Public Power Utility
January 15, 2019

City Council Meeting Minutes

Competitive Matters, to discuss a potential purchased power agreement for the electric utility.

B.) Executive Session in accordance with Section 551.071, Consultation With Attorney, to receive legal advice from the city attorney regarding disposition of Park property at Cape’s Camp previously dedicated to the city by plat of The Woodlands of San Marcos.

C.) Executive Session in accordance with Section 551.087, Economic Development, to receive a staff briefing and deliberate regarding a potential Chapter 380 Economic Development incentive agreement for the S.M.A.R.T Terminal Project.

A motion was made by Council Member Gonzales, seconded by Mayor Pro Tem Prewitt, to adjourned into Executive Session at 4:04 p.m. The motion carried by the following vote:

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

Against: 0

III. Adjournment.

The City Council returned into open session at 6:05 p.m.

Mayor Hughson adjourned the work session of the San Marcos City Council at 6:05 p.m.

Jamie Lee Case, TRMC, City Clerk

Jane Hughson, Mayor
I. Call To Order

With a quorum present, the work session meeting of the San Marcos City Council was called to order by Mayor Hughson at 3:03 p.m. Tuesday, January 29, 2019 in the City Hall Conference Room, 630 E. Hopkins, San Marcos, Texas 78666.

II. Roll Call

Present: 7 - Mayor Pro Tem Lisa Prewitt, Council Member Saul Gonzales, Council Member Melissa Derrick, Mayor Jane Hughson, Council Member Ed Mihalkanin, Council Member Joca Marquez and Council Member Mark Rockeymoore

PRESENTATIONS

1. Receive a Staff presentation and hold discussion on the Katerra Development and SMART Terminal Project, including but not limited to Land uses; and provide direction to Staff.

Steve Parker, Assistant City Manager, provided the council with the presentation related to the Katerra Development and SMART Terminal Project.

Mr. Parker explained that the SMART Terminal Project annexation has been reduced to 734.6 acres due to the City of San Marcos still being in discussions with the City of Martindale related to the two cities working through an Extraterritorial Jurisdiction (ETJ) boundary issue. Mr. Parker informed the Council that Staff has met with 4 of the 6 Martindale Council Members, and that they seem open to discussions of an ETJ swap that would clear up any dispute over this area.

Mr. Parker provided that Katerra is within the area to be annexed and explained that the City Council has approved a Chapter 380 Economic Development Incentive with them to build an approximately $109 million facility within the SMART Terminal property.
Mr. Parker reviewed the benefits of annexation, and explained that if it were to develop out in the County that there would be certain things that we would not be able to enforce or regulate. If annexed the City would have the ability to require full development regulations related to building code, fire code, flood prevention, land use control, and police and fire protection. Mr. Parker mentioned that the developer has agreed to go above and beyond related to stormwater quality. Mr. Parker also provided that there could be a potential $3-$4 billion property value increase.

Mr. Parker reviewed the annexation process for this property. He explained that it began in October when the developer and property submitted an application requesting annexation. He provided that there have been two public hearings held at City Council to date, and that the first reading for the annexation was January 15. He stated that the final reading is scheduled for February 19. He restated that a portion of the original request is within a disputed area of San Marcos and Martindale’s ETJ, and that the applicant has since removed the contested area from the request.

Mr. Parker reviewed the uses that are allowed and prohibited in light industrial and heavy commercial within our Land Development Code. Mr. Parker provided the list of prohibited uses that the developer provided staff. Those prohibited land uses included:

- Acid manufacture.
- Auto wrecking yards.
- Bulk storage of fuel, liquefied petroleum and flammable liquids. Cement, lime, gypsum or plaster of Paris manufacture. Distillation of bones.
- Explosives manufacture or storage.
- Fertilizer manufacture and storage.
- Garbage, offal or dead animal reduction or dumping.
- Gas manufacture.
- Iron and steel manufacture.
- Junkyards, including storage, sorting, baling or processing of rags.
- Manufacture of carbon batteries.
- Manufacture of paint, lacquer, oil, turpentine, varnish, enamel, etc.
- Manufacture of rubber, glucose, or dextrin. Monument or marble works.
- Oil compounding and barreling plants. Paper or pulp manufacture.
- Petroleum or its products (refining of). Railroad roundhouses or shops.
- Rock crushers.
- Smelting of tin, copper, zinc or iron ores. Steel furnaces.
- Stockyards or slaughtering.
- Structural iron or pipe works.
Sugar refineries.
Tar distillation or manufacture.

Staff will have our watershed expert, Melani Howard, review this list and provide comments.

Discussion was held related to including all of the prohibited uses above and adding any others that could be potentially harmful to the river. Staff will provide the Council with a brief summary of regulations that are already in place.

Mr. Parker provided that the proposed additional permitted land uses were:
Professional Office
Hotel/Motel
Vehicle Repair (Train Maintenance)
Building Material Sales (McCoy’s)
Eating Establishment
Day Care Services

The Council provided consensus that they were not ok with underground gasoline tanks underground in this area.

Mr. Parker reviewed the City’s impervious cover requirements.
• Existing slopes between 15% and 25% are limited to 35% impervious cover.
• Existing slopes greater than 25% are limited to 20% impervious cover.
• No impervious cover is allowed within a Water Quality Zone, except for limited instances
• Limited impervious cover is allowed within a Buffer Zone.

Mr. Parker provided that the developer has voluntary reduced to 72% overall development impervious cover limitation, and would like to allow variation within individual lots. Discussion was held regarding the use of pervious cover and low impact development tools.

Mr. Parker reviewed the City’s floodplain requirements that would be required. He provided that City Ordinance treats all floodplain as floodway, and that hydraulic analysis is required for improvement within the floodplain showing no-rise. Mr. Parker provided that floodplain storage volume must be maintained, and that they will have to build the lowest floor elevation 2-feet above the floodplain.
Mr. Parker reviewed the City’s drainage requirements and explained that runoff from increased impervious cover must be equal to or less than the rate of runoff prior to development for the 2, 10, 25, and 100-year storms, and that there can be no increase in water surface elevations offsite. He provided that upstream flow, based on ultimate buildout conditions, must be conveyed through site, and that drainage infrastructure must be designed for the 25-year storm with the 100-year contained within a drainage easement or Right-of-way (ROW). He explained that a potential discussion with the developer would be to coordinate with the Airport stormwater flows to assist with management of regional flows. Staff will get the Council a map of the Riverine Project to show how it would impact this project.

Mr. Parker reminded the Council that during the platting process, whether the project is in the City Limits or not, will require water quality standards. Mr. Parker reviewed the City’s water quality standards and explained that stormwater quality treatment is not required as the site is outside of the Recharge Zone, Transition Zone, San Marcos River Protection Zone, and San Marcos River Corridor. He provided that water quality and buffer zones are located within the development.

Laurie Moyer, Director of Engineering/CIP, provided that the developer has committed to 70% total suspended solids removal and compliance with water volume reduction for stream erosion control. Ms. Parker provided that the developer has discussed improvements to Hwy 80 with TxDOT and anticipates the need for center and right turn lanes in the vicinity, which should improve safety in the area. He stated that a traffic impact analysis will be required and will determine which improvements are necessary, and that the construction of FM 110 is scheduled to begin in 2019 and will help alleviate traffic in the area. He provided that this aligns with Multimodal initiatives. Mr. Parker provided the Loop 110 and rail construction timelines.

Discussion was held regarding traffic impacts in this area due to the project. Ms. Moyer provided that Staff is looking at the safety issues and concerns that have been expressed by the residents of Blanco River Village with TxDOT to see if it warrants a traffic signal at the entrance to the subdivision. They are looking into this concern as a separate issue.

Mr. Parker discussed the regional solution of the wastewater lift station that is currently in our CIP. Mr. Parker explained that the developer has agreed to take the lead on it and pay his pro-rata share. This lift station will eventually
serve Whisper, Blanco Vista and Cotton Center MUD. Ms. Moyer explained that this was identified in our Wastewater Masterplan as a need that was planned for construction in 2020. Mr. Parker explained how the developer would be reimbursed over time as impact fees are paid by companies building in the area.

Mr. Parker explained that the developer is in conversations with Texas Aviation Partners, the organization that manages the San Marcos Regional Airport, and both groups understand that development of this site cannot disrupt future plans to extend runway 35/17. The details regarding the runway protection zone will be written into a 380 agreement for SMART Terminal.

Mr. Parker provided that there are currently approximately 21 trains per day along the rail line. The applicant indicated that development of this site at peak buildout would increase locomotive traffic by 1 to 3 trains a week. Caldwell County has applied for a Department of Transportation Grant for rail improvements. He explained that deferring to rail transportation can reduce a company’s road miles by up to 80%. One of the potential projects of the SMART Terminal has stated that the company currently drives 15,000,000 road miles per year. By using this terminal, 80% of those road miles would be taken off the highway system. Michael Schroeder, the developer, explained how the rail cars will be coming and going from the rail line into the terminal.

Mr. Parker reviewed the Katerra 380 Agreement and explained that 66 acres of the SMART Terminal are affected by an approved Economic Incentives Development Agreement. The company has agreed to employ at least 542 individuals and invest $109 million in the project. This agreement waives the following development standards: block perimeter maximums, dead end street maximums, and maximum blank wall area on a building. This agreement also waives a portion of the property taxes for the site. The applicant has stated that this project will invest $45 million in infrastructure improvements and an estimated $3 to $4 billion in increased property values. To put this in perspective, the current City of San Marcos’ property tax values for residential and commercial are approximately $4.5 billion in total. In order to receive its incentive from the City of San Marcos, Katerra must provide all of its 542 San Marcos area employees with employer-sponsored group health insurance, paid sick days, paid holidays, and annual paid vacation based upon length of service. According to the U.S. Census Bureau American Community Survey estimates, over 17% of the San Marcos population did not have health insurance in 2017. Estimated annual Katerra purchases subject to local sales tax is $44,000,000.
Discussion was held regarding flooding concerns in this area. Ms. Moyer provided that there is a new standard called ATLAS 14 that takes more recent storm events all the way up to Hurricane Harvey and looks at the intensities of rain fall. She provided the example of currently a 100 year event for San Marcos is around 10 inches over a 24 hour period, but under ATLAS 14 it would take it up to about 13 inches. She indicated that the developers engineers plan to use ATLAS 14 rainfall in their due diligence. Staff will provide a map showing the tributaries in this area.

Discussion was held regarding the Sustainability Plan and using it as development is done on the eastside of San Marcos. Discussion was held regarding land banking on the eastside. Discussion was held regarding the zoning of the property and if the developer sells the property and how the restrictions were maintained.

No further discussion was held or direction provided.

EXECUTIVE SESSION

2. Executive Session in accordance with Section 551.087, Economic Development, to receive a staff briefing and deliberate regarding a potential Chapter 380 Economic Development incentive agreement for the S.M.A.R.T Terminal Project, and to receive a staff briefing and deliberate regarding the amendment to the Chapter 380 Economic Development incentive agreement with Urban Mining.

A motion was made by Mayor Pro Tem Prewitt, seconded by Council Member Mihalkanin, to enter Executive Session at 4:25 p.m.. The motion carried by the following vote:

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

Against: 0

III. Adjournment.

The Council reconvened into Open Session at 5:46 p.m.

Mayor Hughson adjourned the work session meeting of the San Marcos City Council at 5:46 p.m.

Jamie Lee Case, TRMC, City Clerk  Jane Hughson, Mayor
I. Call To Order

With a quorum present, the regular meeting of the San Marcos City Council was called to order by Mayor Hughson at 6:00 p.m. Tuesday, February 5, 2019 in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666.

II. Roll Call

Present: 7 - Mayor Pro Tem Lisa Prewitt, Council Member Saul Gonzales, Council Member Melissa Derrick, Mayor Jane Hughson, Council Member Ed Mihalkanin, Council Member Joca Marquez and Council Member Mark Rockeymoore

III. Invocation

Tracy L. Parker with First Baptist Church-NBC provided this evening’s invocation.

IV. Pledges Of Allegiance - United States And Texas

Council Member Rockeymoore led the assembly in the pledges of allegiance.

V. 30 Minute Citizen Comment Period

Matt Briggs, General Manager of VEO Ride, provided a 6-month report to Council since launching here in San Marcos. He provided a matrix regarding usage and stated 150 electronic assist bikes will launch soon. They have also launched their new app for users and all tech operations will be brought inhouse. They are very excited about the first 6 months and stated a formal report will be coming in the future.

Lisa Marie Coppoletta, transit helps those that need it the most. She stated the City eliminated a Belvin/Bishop bus stop and then it was back and those that were impacted the most were not notified. She asked why the City would install a sidewalk in her neighborhood when there are only 8 houses that will be impacted. Why implement this without completing the study? She expressed her issues with the sidewalk project and incomplete sidewalks and the lack of maintenance of the sidewalks we already have. To her the most troubling fact is that we don’t care about the artifacts and the trees that will be destroyed.
Sara Lee Underwood-Myers, spoke in favor of Item #7 for the speed limit reduction and Item #8 where she is applying for 3 positions. Her first choice is Neighborhood Commission, then Parks Board, and Planning & Zoning Commission and asked the Council to please consider placing Angie Ramirez on the Neighborhood Commission. She asked the Council to appoint her to the Parks Board. She spoke about safety concerns and cleanliness within the neighborhoods. Would like to speak with City Manager regarding the homeless in the area. She stated that she feels that they need to change location and work just like “we do”. She said that there is a drinking and driving is a problem on Bugg Lane. She hopes a crime watch can be created in every neighborhood.

Kelly Stone, spoke regarding Cape’s Dam and stated there is misinformation about this project. She stated that the stink at Mill Race is not natural. She said that it’s the year of the Pig and we need to remember going into a year of wealth and prosperity we need to remember how we got here. It was from slavery and daming a river and there were many mistakes made that need to be undone. She stated that she’ll be here to speak until the Council and the citizen's opinions have been changed. "Let it flow".

Mark Gleason, spoke in support of the speed reduction on Item #7. He thanked the City Staff, Sara Lee Underwood-Myers and students that worked hard for the neighborhood cleanup. He asked that Angie Ramirez be placed on the Neighborhood Commission this evening.

Jennifer Hayes, Hays County Animal Advocate, and said no animal should die due to lack of transparency. She recently attended a seminar on animal shelter and the no kill implementation. No animal dies an invisible death and recognize the biggest protection against being killed is being seen. We also need to empower volunteers. She stated that she is not allowed to access animals in the back of the shelter. She stated that all animals deserve to be seen. The shelter has capacity and they are not all being placed on the website.

Sharri Boyett, stated that she was here to speak on behalf of the Staff at the Animal Shelter. She stated that she saw Kara Montiel go from class to class this weekend. She thanked the Council for everything that they are doing. She stated that there is a Resolution that we will go no kill within 5 years, but you should try expedite this if possible. She recommends having open houses and see what this is really about. She spoke for the brave staff members that have to decide who live and dies. Please work to bring SNAP, a mobile vet in San
Antonio, to Hays County. She is also willing to serve on any committees regarding spay and neuters.

Roland Saucedo, thanked Mr. Lumbreras for all of the things that he has taken care of since coming here. He spoke about the sidewalk project on Bishop Street. He stated that he has all of the addresses in that area and believes it won’t be sustainable because of the number of trees, water meters and plants that are in the easements. It just doesn’t make sense. Where are you going to dig? There is even a beautiful rock wall that will have to be torn down. He recommends we look at other projects that need attention before taking on others. Victory Gardens and Wallace addition still has asphalt sidewalks from 7 years ago. Go back and do a good assessment of what really needs to be done.

CONSENT AGENDA

A motion was made by Council Member Gonzales, seconded by Mayor Pro Tem Prewitt, to approve the consent agenda, with the exception of item #4, which was pulled and considered separately. The motion carried by the following vote:

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

Against: 0

1. Consider approval, by motion, of the following meeting Minutes:
   A) December 4, 2018 Work Session Minutes

2. Consider approval of Ordinance 2019-05, on the second of two readings, amending the City’s 2018-2019 Fiscal Year Budget to allocate up to $8,250,000 to be applied toward the costs for construction of the Rattler Electric Substation off of Clovis Barker Road near Leah Avenue; and providing an effective date.

3. Consider approval of Resolution 2019-24R, approving a Municipal Maintenance Agreement with the State of Texas that fixes responsibility for the maintenance of State Highways within and through the corporate limits of the City; authorizing the City Manager to execute said agreement on behalf of the City; and declaring an effective date.

4. Consider approval of Resolution 2019-25R, approving an Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation (CSJ Nos. 0016-09-040 and 0366-01-079), for the Guadalupe Street Improvements Project from University Drive to Grove Street, that includes bike lanes, parking, bike signals and signs with an estimated cost of participation by the City in the amount of $26,777;
authorizing the City Manager to execute said agreement on behalf of the City; and declaring an effective date.

Mayor Pro Tem Prewitt asked about the current funding. Staff stated this is for striping after overlay.

A motion was made by Council Member Mihalkanin, seconded by Mayor Pro Tem Prewitt, to approve Resolution 2019-25R. The motion carried by the following vote:

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

**Against:** 0

**PUBLIC HEARINGS**

5. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2019-07 (SNC-18-01 (Hunter Road to West Hopkins)), changing the street name of Hunter Road between Wonder World Drive and West San Antonio street to West Hopkins Street in order to eliminate multiple street names along the continuity of a single street; and including procedural provisions; and consider approval of Ordinance 2019-07, on the first of two readings.

Shannon Mattingly, provided a brief presentation. She provided an update on the steps taken so far on this item. Staff reviewed the possibility of the name change while reviewing the speed limit on this road. Transportation staff supports the name change at this intersection to reduce confusion.

Approximately 330 residents and property owners have been identified that will be impacted by address changes if the street name is changed. Transportation staff held a public meeting on November 15, 2018. Staff received a petition from 85 residents on Hunter Road requesting that the Street Name Change be denied. At there regularly scheduled January 8th meeting, the Planning and Zoning Commission recommended denial of the proposed Street Name Change by a vote of 8-0. A majority vote of Council would be required for approval.

Mayor Hughson opened the Public Hearing at 6:38 p.m.

Those who spoke:

Roland Saucedo, reviewed previous minutes and video and did not see that Council asked Staff to place this on an agenda. He believes this will be a big inconvenience to citizens that would be impacted by this name change. There are no issues with 9/11, GPS, or delivery services. Please deny this request.

Bernie Zurbagin, spoke on behalf of residents in the Purgatory Creek Complex
and their opposition to this name change. He spoke of various inconveniences residents would incur due to this change. It has been Hunter Road for six or seven decades. It makes no sense to change the name again as this would only create confusion. We respectfully request you deny this request.

Dennis Moore, most issues were covered from previous speakers regarding inconveniences. However, he suggests placing a three way sign at the corner of San Antonio Street.

Lisa Marie Coppoletta, dialogue should be made and she asked that you listen to the citizens whose lives are being impacted.

There being no further comments, the Mayor closed the Public Hearing at 6:46 p.m.

Council asked that Staff look into the installation of a three-way sign at San Antonio Street and Hunter/Hopkins.

A motion was made by Council Member Derrick, seconded by Mayor Pro Tem Prewitt, to deny Ordinance 2019-07. The motion carried by the following vote:

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

Against: 0

6. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2019-26R (LIHTC-19-01 (Riverstone)), providing no objection to the submission of an application for low income housing tax credits to the Texas Department of Housing and Community Affairs for the proposed Riverstone Multifamily Housing Project located at 1430 Wonder World Drive; approving findings related to such application; imposing conditions for such no objection; providing authorizations for execution or submission of documents related to the such application; and declaring an effective date; and consider approval of Resolution 2019-26R.

Shannon Mattingly provided a brief presentation. She provided a summary of the no objection submission and she provided information on the proximity to services this property is located. Based on the criteria outlined in the City of San Marcos Affordable Housing Policy, the application meets 5 out of the 8 these criteria. Staff recommends approval of the Resolution of No Objection for the proposed Riverstone application to the Texas Department of Housing and Community Affairs for Low Income Housing Tax Credits.

Mayor Hughson opened the Public Hearing at 6:55 p.m.
Those who spoke:

Jake Brown, LGR Developer, stated that Shannon provided all accurate information and wanted to re-emphasize that this will not be a student housing complex. He is here for any questions that Council may have.

Roland Saucedo, stated that he is 100% for affordable housing in our community. He would like Council to exercise caution with this regarding the criteria tenants need to follow to qualify for this housing. His main concern is in regards to the requirement to provide three previous rental references. If a person wants to get into a house they may have no previous rental history. He also wants to make sure it does not become student housing because this has happened before.

Betseygail Rand, stated there are two areas that have a ton of "bang for the buck" is to provide free wi-fi to close the digital divide and encourage the construction of a well maintained playground in the middle of the complex. We need to signal to college students that this a family environment.

Lisa Marie Coppoletta, stated this is a Legacy District and suggests this goes before the affordable housing committee prior to taking action. She doesn't believe it is fair to keep students out of this development that may need cheaper housing.

There being no further comments, the Mayor closed the Public Hearing at 7:02 p.m.

Council Consensus was to refer this, and all other application for low income housing tax credits, to the City Council workforce housing committee.

A motion was made by Council Member Derrick, seconded by Mayor Pro Tem Prewitt, to postpone Resolution 2019-26R. The motion carried by the following vote:

- For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore
- Against: 0

NON-CONSENT AGENDA

7. Consider approval of Ordinance 2019-08, on the first of two readings, reducing the speed
limit from 30 miles per hour to 25 miles per hour along the following sections of Roadway in the Blanco Garden and Blanco Terrace Neighborhoods: 1400 block of Harper Drive, between River Road and Bugg lane; 100 to 200 block of Highline Drive; 100 to 200 block of Wendell Drive; 400 to 500 block of Bliss Lane between Barbara Drive and Sturgeon Drive; 200 to 300 block of Sherburb Street between Linda Drive and Barbara Drive; 400 to 500 block of Mary Lane between Barbara Drive and Sturgeon Drive; 100 to 200 block of Clair Drive between Barbara Drive and Sturgeon Drive; 100 to 300 block of Smith Lane between River Road and north end; 600 to 1300 block of Barbara Drive between River Road and Bugg Lane; 600 to 900 block of Sturgeon Drive between River Road and Seth Street; authorizing the installation of signs and traffic control devices reflecting such new speed limit; directing that the traffic register maintained under Section 82.067 of the San Marcos City Code be amended to reflect such new speed limit; and including procedural provisions.

A motion was made by Council Member Mihalkanin, seconded by Mayor Pro Tem Prewitt, to approve Ordinance 2019-08, on the first of two readings. The motion carried by the following vote:

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

Against: 0

8. Discuss and consider annual appointments to various Boards and Commissions, to wit:

A) Airport Advisory Board
B) Animal Shelter Advisory Committee
C) Arts Commission
D) Cemetery Commission
E) Comprehensive Plan Oversight Committee
F) Convention and Visitors Bureau Board
G) Economic Development San Marcos Board
H) Ethics Review Commission
I) Historic Preservation Commission
J) Housing Authority
K) Human Services Advisory Board
L) Library Board
M) Main Street Advisory Board
N) Neighborhood Commission
O) Parking Advisory Board
P) Parks and Recreation Board
Q) Planning and Zoning Commission
R) San Marcos Commission on Children and Youth
S) San Marcos Youth Commission
T) Senior Citizen Advisory Board
U) Zoning Board of Adjustment
The following applicants were nominated by Council Member Mihalkanin for consideration to serve on the Airport Advisory Board:
Travis Ahlhorn and Scott Gregson

Following a roll call vote both members were unanimously approved for appointment to the Airport Advisory Board.

The following applicants were nominated by Council Member Rockeymoore for consideration to serve on the Animal Shelter Advisory Committee:
Steven Heath and Sergeant Barry Lee

Following a roll call vote both members were unanimously approved for appointment to the Animal Shelter Advisory Committee.

The following applicants were nominated for consideration to serve on the Arts Commission:
Lela Holt - nominated by Council Member Mihalkanin
Stephanie Symmes - nominated by Council Member Mihalkanin
Dawn Stienecker - nominated by Mayor Pro Tem Prewitt
Russell Clark - nominated by Mayor Pro Tem Prewitt
Priscilla Leder - nominated by Mayor Pro Tem Prewitt to fill the one year vacancy

Following a roll call vote all members were unanimously approved for appointment to the Arts Commission.

The following applicants were nominated by Mayor Hughson for consideration to serve on the Cemetery Commission:
Patsy Pohl
Michelle Donnelly
Peter Dedek

Following a roll call vote all members were unanimously approved for appointment to the Cemetery Commission.

Jason Mock was nominated by Mayor Pro Tem Prewitt to fill a vacancy on the Comprehensive Plan Oversight Committee. Following a roll call vote all members unanimously approved this appointment.

The following applicants were nominated for consideration to serve on the Convention and Visitor Bureau Board:
Richard Morace, Hotel/Motel representative - nominated by Council Member Mihalkanin
James Martin, Museum representative - nominated by Mayor Hughson
John Lairsen, Tanger Outlet representative - nominated by Council Member Derrick
Matt Akins, Hotel/Motel representative - nominated by Mayor Pro Tem Prewitt

Following a roll call vote Richard Morace, James Martin, and John Lairsen received a majority of the votes and were appointed to the Convention and Visitor Bureau Board. Council Member Mihalkanin abstained from the vote for the museum representative as he currently serves on the Board of Directors for the LBJ Museum.

The following applicants were nominated for consideration to serve on the Economic Development Board:
Momar Mattocks, manufacturing firm representative - nominated by Council Member Mihalkanin
Jason Mock, Chamber representative - nominated by Mayor Pro Tem Prewitt
Adriana Cruz, Greater San Marcos Partnership President - nominated by Council Member Mihalkanin
Eric Algoe, representative with 100+ employees - nominated by Mayor Hughson
Debbie Ingalsbe, Hays County representative - nominated by Council Member Mihalkanin
Bucky Couch, Small Business representative - nominated by Council Member Mihalkanin
Joe Kenworthy, Finance representative - nominated by Mayor Hughson
Lisa Prewitt, Council Member - nominated by Council Member Mihalkanin

Following a roll call vote all members were unanimously approved for appointment to the Economic Development Board.

The following applicants were nominated for consideration to serve on the Ethics Review Commission:
Jonathan Lollar - nominated by Mayor Pro Tem Prewitt
Forrest Fulkerson - nominated by Council Member Rockeymoore
Tammy Walden - nominated by Mayor Hughson

Following a roll call vote Jonathan Lollar and Tammy Walden received a majority of council votes and were appointed to the Ethics Review
The following applicants were nominated for consideration to serve on the Historic Preservation Commission:
Bob Holder, representative with interest in the history of the city - nominated by Council Member Gonzales
Alexander Arlinghaus, representative with a discipline in historical preservation - nominated by Council Member Derrick
Jordan Buckley, Downtown Historic District representative - nominated by Mayor Pro Tem Prewitt
Stephanie Symmes, Downtown Historic District representative - nominated by Mayor Hughson
Frank Contreras, representative with interest in history of the city - nominated by Council Member Mihalkanin

Following a roll call vote Bob Holder, Alexander Arlinghaus and Jordan Buckley received a majority of council votes and were appointed to the Historic Preservation Commission.

The following applicants were nominated for consideration to serve on the Housing Authority Board:
Gerald Brown, Housing Resident - nominated by Council Member Mihalkanin
Gloria Salazar - nominated by Council Member Mihalkanin
Nina Ramos - nominated by Council Member Derrick

Following a roll call vote all members were unanimously approved for appointment to Housing Authority Board.

The following applicants were nominated for consideration to serve on the Human Services Advisory Board:
Thomas Rhodes - nominated by Council Member Mihalkanin
Megan Campbell, Social Worker - nominated by Mayor Pro Tem Prewitt
JoAnn Parsons - nominated by Council Member Derrick
Eleanor Owens-Oshan - nominated by Council Member Derrick
Marlene Moriarity - nominated by Council Member Derrick

Following a roll call vote Thomas Rhodes, Megan Campbell, JoAnn Parsons, and Eleanor Owens-Oshan received a majority of council votes and were appointed to the Human Services Advisory Board.

The following applicants were nominated for consideration to serve on the
Library Board:
Jayne Baker - nominated by Mayor Pro Tem Prewitt
Martha Moore - nominated by Mayor Pro Tem Prewitt
Ann Whitus - nominated by Council Member Derrick

Following a roll call vote all members were unanimously approved for appointment to the Library Board.

The following applicants were nominated for consideration to serve on the Main Street Advisory Board:
Sarah Simpson - nominated by Mayor Pro Tem Prewitt
Cory S. Glisson-Munier - nominated by Mayor Hughson
Tres Hefter - nominated by Mayor Hughson
Linda Coker - nominated by Council Member Mihalkanin
Matt Akins - nominated by Mayor Pro Tem Prewitt

Following a roll call vote Sarah Simpson, Cory Glisson-Munier, Linda Coker, and Matt Akins received a majority of council votes and were appointed to the Main Street Advisory Board.

The following applicants were nominated for consideration to serve on the Neighborhood Commission:
Cathy Dillon, Sector 1 - nominated by Mayor Pro Tem Prewitt
Jose Cantu, Sector 2 - nominated by Council Member Marquez
Tres Hefter, Sector 2 - nominated by Mayor Pro Tem Prewitt
Jennifer Morrison-Katz, Sector 3 - nominated by Council Member Rockeymoore
Estella Enriquez, Sector 5 - nominated by Council Member Mihalkanin
Angie Ramirez, Sector 6 - nominated by Mayor Pro Tem Prewitt
Shane Scott, Sector 7 - nominated by Deputy Mayor Pro Tem Gonzales
Kendra Wesson, Texas State Division of Student Affairs - nominated by Mayor Hughson

Following a roll call vote Cathy Dillon, Jose Cantu, Jennifer Morrison-Katz, Estella Enriquez, Angie Ramirez, Shane Scott, and Kendra Wesson received a majority of council votes and were appointed to the Neighborhood Commission.

The following applicants were nominated for consideration to serve on the Parking Advisory Board:
Kelly Stone, Main Street recommended member - nominated by Council
Member Mihalkanin
Carina Boston-Pinales, Downtown Association recommended member - nominated by Council Member Mihalkanin
Johnny Finch, Downtown Property Owner - nominated by Council Member Derrick
Esther Henk, at large member - nominated by Council Member Rockeymoore
Kyle Mylius, Downtown Business Owner - nominated by Council Member Derrick
Chris Rue, at large member - nominated by Council Member Derrick
John David Carson, Downtown Property Owner - nominated by Mayor Pro Tem Prewitt
Esther Garcia, at large member - nominated by Mayor Pro Tem Prewitt
Dr. Joca Marquez, Council Member
Lisa Prewitt, Council Member

Following a roll call vote Kelly Stone, Carina Boston-Pinales, Johnny Finch, Esther Henk, Kyle Mylius, Chris Rue, Esther Garcia, Council Member Marquez, and Mayor Pro Tem Prewitt received a majority of council votes and were appointed to the Parking Advisory Board.

The following applicants were nominated for consideration to serve on the Parks and Recreation Board:
Frank Contreras - nominated by Mayor Pro Tem Prewitt
Eric Gilbertson - nominated by Council Member Mihalkanin
Nicholas Aluotta - nominated by Mayor Hughson
Margaret Crittenden - nominated by Council Member Mihalkanin
Keith Ubben - nominated by Mayor Hughson
Joshua Simpson - nominated by Council Member Derrick

Following a roll call vote Frank Contreras, Eric Gilbertson, Margaret Crittenden, Keith Ubben, and Joshua Simpson received a majority of council votes and were appointed to the Parks and Recreation Board.

The following applicants were nominated for consideration to serve on the Planning and Zoning Commission:
Lee Porterfield - nominated by Mayor Pro Tem Prewitt
Betseygail Rand - nominated by Council Member Derrick
Gabrielle Moore - nominated by Mayor Hughson
Forrest Fulkerson - nominated by Council Member Marquez
Travis Kelsey - nominated by Council Member Mihalkanin
Molly Ann Rosas-Garcia - nominated by Deputy Mayor Pro Tem Gonzales
Following a roll call vote Betseygail Rand, Gabrielle Moore, and Travis Kelsey received a majority of council votes and were appointed to the Planning and Zoning Commission.

The following applicants were nominated for consideration to serve on the San Marcos Commission on Children and Youth:

Catherine Marler, City of San Marcos representative - nominated by Council Member Mihalkanin
Nicole Dray, San Marcos Consolidated Independent School District representative - nominated by Council Member Mihalkanin
Kim Porterfield, United Way of Hays County representative - nominated by Council Member Mihalkanin
Christian Duran, Greater San Marcos Partnership - nominated by Council Member Mihalkanin
Melissa Derrick, Council Member - nominated by Council Member Mihalkanin
Anne Halsey, School Board Trustee - nominated by Council Member Mihalkanin
Dennis Gutierrez, Hays County Representative - nominated by Council Member Mihalkanin
David Swain, Key Constituency Member - nominated by Mayor Pro Tem Prewitt
Mattie Howard - nominated by Mayor Pro Tem Prewitt
Suad Hooper - nominated by Mayor Pro Tem Prewitt
Marlene Moriarity - nominated by Mayor Pro Tem Prewitt
Alexandria Mylius - nominated by Mayor Pro Tem Prewitt
Andrea Perez - nominated by Council Member Marquez
Ruah Gleason - nominated by Mayor Hughson

A motion was made by Council Member Mihalkanin, seconded by Deputy Mayor Pro Tem Gonzales to reconsider the nomination of Dennis Gutierrez. The motion passed 7 to 0.

A motion was made by Deputy Mayor Pro Tem Gonzales, seconded by Council Member Mihalkanin to remove the nomination of Dennis Gutierrez as the Hays County representative, as it was determined he was not eligible for this role.

Following a roll call vote all members were unanimously approved for appointment to the San Marcos Commission on Children and Youth.
The following applicants were nominated for consideration to serve on the
Senior Citizen Advisory Board:
Wayne Schurter - nominated by Mayor Hughson
Mary Catherine Clayton - nominated by Mayor Hughson
Naomi Narvaiz - nominated by Council Member Marquez

Following a roll call vote all member were unanimously approved for
appointment to the Senior Citizen Advisory Board.

The following applicants were nominated for consideration to serve on the
Zoning Board of Adjustments:
Gloria Fortin - nominated by Council Member Mihalkanin
Floyd Akers - nominated by Council Member Derrick
Michael Nolen - nominated by Council Member Mihalkanin
Gary Pack - nominated by Council Member Mihalkanin

Following a roll call vote all member were unanimously approved for
appointment to the Zoning Board of Adjustments.

9. Hold discussion regarding possible amendments to Chapter 2, Article 3, Division 11 -
   Citizens Utility Advisory Board, and provide direction to Staff.

   Jamie Lee Case, City Clerk, provided a brief update on the possible
   amendments to this Ordinance. Mrs. Case provided a redlined version to
   Council with these revisions.

   Council Consensus is to make the following changes:

   In Section 2.271 - Created; composition: Strike “Mayor” and replace with “a
   member of city council.”

   In Section 2.272 - Terms of office: Strike the language in its entirety and insert,
   “Members are appointed to three-year staggered terms.”

   In Section 2.276 - Organization: Strike “The mayor or the mayor's designee
   shall function as the chair of the board, and” and replace it with “The board
   shall elect a chair, vice-chair and secretary from among its members at its first
   meeting each year after the appointment of members.”

   In Section 2.278 - Bylaws and open Meetings Act compliance: Strike the word
   “may” and replace with “will”. Insert the following after the word “adopt”
“and adhere to a standard set of” Strike “subject to review and approval by” and replace it with “that are approved by the city council as required in Section 2.073 of this code.”

Strike the role of secretary

Add an additional Citizen at Large position

Edit the number of technical or field specific roles

Insert language that the stated qualifications are encouraged, but not required.

10. Hold discussion regarding potentially amending the City of San Marcos Charter, including, but not limited to, possible amendments to the Charter, assembling the Charter Review Commission, drafting a charge to the Charter Review Commission, and provide direction to Staff.

Mayor Hughson introduced this item and stated we are required to review our Charter every four years, but State law allows the City to amend and have a charter election no more than every two years.

Mayor Hughson introduced a couple of items regarding election terms and the section of the Charter pertaining to governance. She asked how Council would like to proceed with review of these items. Council consensus is to work out the possible amendments in an evening workshop meeting.

11. City Council Reports:
   a) Mayor Hughson will provide a brief update regarding her membership on various Capital Area Council of Governments (CAPCOG) committees.
   b) Mayor Hughson will provide a brief update related to her membership on the Capital Area Metro Planning Organization (CAMPO).
   c) Mayor Hughson will provide a brief updated related to her membership on the Alliance Regional Water Authority (ARWA).

A motion was made by Mayor Hughson, seconded by Council Member Mihalkanin, to postpone these reports to the February 19, 2019 City Council Meeting. The motion carried by the following vote:

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

Against: 0

VI. Question and Answer Session with Press and Public.

Joe Castillo, would like Council to look at the history of Utility Advisory
Board that was once a City Board.

Griffin Spell, wanted to thank Dr. Marquez for her nomination of Naomi Narvaiz to serve on the Senior Citizen Advisory Board. Ms. Narvaiz was unable to attend and express her appreciation.

VII. Adjournment.

Mayor Hughson adjourned the Regular Meeting of the San Marcos City Council at 9:24 p.m.

Jamie Lee Case, TRMC, City Clerk                         Jane Hughson, Mayor

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
630 E. Hopkins - Budget Policy Workshop

I. Call To Order

With a quorum present, the Budget Policy Workshop of the San Marcos City Council was called to order by Mayor Hughson at 4:07 p.m. Wednesday, February 13, 2019, in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666.

II. Roll Call

Present: 7 - Mayor Pro Tem Lisa Prewitt, Council Member Saul Gonzales, Council Member Melissa Derrick, Mayor Jane Hughson, Council Member Ed Mihalkanin, Council Member Joca Marquez and Council Member Mark Rockeymoore

1. Receive a Staff presentation and hold discussion regarding the Fiscal Year 2019-2020 Budget Policy for the City of San Marcos, and provide direction to the City Manager.

Bert Lumbreras, City Manager provided a brief introduction to the Budget Policy discussion and introduced Heather Hulbert, Finance Director and Melissa Neel, Assistant Finance Director.

Ms. Hurlbert and Ms. Neel provided the presentation with detailed information regarding budget development outlining the following:
1. Set strategic initiatives for the coming year
2. Formulate policy statement to guide City Manager during budget preparation
3. Deliver proposed budget of all general budget items by fund type
4. Deliver budgeted programs, revenues, and expenditure philosophy
5. Deliver budget capacity and trends

The timeline of all meetings proposed or scheduled this year include the following:

February 13th - Budget Policy Workshop
March 5th Adoption of Budget Policy at Regular City Council Meeting
May 7th Work Session
June 26th-27th Budget Workshops
August 1 Budget Workshop
August 20th - 1st reading of Tax Rate
September 3rd - 1st reading of Budget adoption and 2nd reading on tax rate
September 17th - 2nd reading of Budget Adoption

2019 Strategic Initiatives were discussed and include Workforce Development, Workforce Housing, Multi Model Transportation, Downtown Vitalization, and City facilities.

Ms. Neel provided the General Fund Revenue forecast assumptions regarding property tax, operating capacity generated by bond revenue, and Sales tax. Council consensus is to not increase property tax and to keep money in reserves from the operating capacity generated by bond revenue. Council has requested that staff provide additional information in the form of a memo regarding Operating capacity generated by bond revenue.

Ms. Neel provided the current initiatives in process and the policies impacting revenue and fund allocation which include:
1. User fee policy (council consensus to keep as is)
2. City Special Events Policy
3. Social Services & Youth Initiatives Policy

Council provided consensus to keep the user fee policy as is and requested that staff send out social services funding via email and the forum with research comparing our funding with other cities. Council would like the Youth Initiatives Policy to remain on hold until additional information is received. Council would like to know what the focus is and need information from the Commission on Children and Youth and does not want to do funding until we hear back from them. A needs assessment was discussed and Council does not want to take money of the Social Services funding to complete this assessment.

Council provided direction on the following policy considerations:

1. Strategic Initiatives
2. Increase Live Outcomes
3. Fund Balance - maintain balance of 25%
4. HB/SB2 Rollback Rate
5. Maintenance Funding
6. Meet & Confer
7. Merit Increase
8. Health Insurance
9. Transit Operations
10. Staffing needs
11. Parking Management
12. CIP Capacity
13. Over 65 Property Tax Freeze - do not freeze or implement but provide further direction after Legislature meets this year
14. Economic Development Reserve - utilize 800k and use towards initiatives
15. Other considerations

Discussion was held regarding the Best Buy Call Center. Council requested the revenue be set aside for one time usage and new initiatives.

III. Adjournment.

Mayor Hughson adjourned the Budget Policy Workshop of the San Marcos City Council at 6:52 p.m.

Tammy Cook, TRMC, Deputy City Clerk  Jane Hughson, Mayor
I. Call To Order

With a quorum present, the work session meeting of the San Marcos City Council was called to order by Mayor Hughson at 3:03 p.m. Tuesday, February 19, 2019 in the City Hall Conference Room, 630 E. Hopkins, San Marcos, Texas 78666.

Present: Mayor Pro Tem Lisa Prewitt, Council Member Saul Gonzales, Council Member Melissa Derrick, Mayor Jane Hughson, Council Member Ed Mihalkanin, Council Member Joca Marquez and Council Member Mark Rockeymoore

II. Roll Call

Mayor Pro Tem Prewitt arrived after roll call at 3:09 p.m.

Present: Mayor Pro Tem Lisa Prewitt, Council Member Saul Gonzales, Council Member Melissa Derrick, Mayor Jane Hughson, Council Member Ed Mihalkanin, Council Member Joca Marquez and Council Member Mark Rockeymoore

PRESENTATIONS

1. Receive a Staff presentation and review the proposed Small Area Plan Program, a component of Neighborhood Character Studies, and provide direction to staff.

Mr. Bert Lumbrares, City Manager, provided a brief introduction and introduced Ms. Rebecca Leonard.

Rebecca Leonard, Lionhart, began by reviewing the history of the Neighborhood Character Studies and the Small Area Plan Program. She then reviewed the Neighborhood Character & Small Area Plan process. Ms. Leonard reviewed Phase I of Program Development which kicked off in August of 2018. Ms. Leonard explained that a Small Area Plan focuses planning efforts in smaller geographic areas within the community or neighborhood. It will be the tool used to implement Neighborhood Character Studies. She provided that it implements the Comprehensive Plan, is neighborhood driven, serves citizens with varying need, and is a component of Neighborhood Character Studies.
Ms. Leonard explained that a Small Area Plan serves as a tool to help strengthen neighborhoods by:
• Preserving neighborhood character
• Shaping development
• Improving access to services and amenities
• Improving infrastructure
• Enhancing city and neighborhood communication

She also reviewed what is expected of the participating neighborhoods:
• A commitment to working with staff to conceive of the process and goals of the project.
• A commitment to implementing the goals of the Comprehensive Plan in their neighborhood.
• A commitment to including a variety of points-of-view in the process.
• A commitment to involving 20 percent of the residents within the proposed boundary.

Ms. Leonard informed the Council that they would be partnering with Texas State Geography classes to map growth pressures in neighborhoods and to analyze the key indicators of change: city policy, investment, land to improvement ratios, owner occupancy and mixture in land use types.

Ms. Leonard reviewed the Small Area Plan Survey and provided the program goals, boundaries and outcomes. Program goals: What issues and factors are most important when creating and/or maintain high-quality neighborhoods. Boundaries: Where are neighborhoods most impacted by growth and where are neighborhoods lacking basic amenities? Outcomes: What outcomes and benefits of participating in the Small Area Plan Program are most valued?

The results of the survey related to Program Goals were as follows: Housing Affordability, Neighborhood Stability, Managing Student Behavior, Transportation Options, Access to Goods/Services, Resident Participation, Streets/Corridors, Willingness to Change.

The results of the survey related to Program Outcomes were as follows: Shaping Development, Street Design, Beautification Projects, Increased Communication, Financial Assistance, and Organizational Support.

Ms. Leonard reviewed the engagement efforts that were made. Regarding the Survey: There were 397 participants, 128 written comments, 878 map markers, and 588 map comments. These were received via iPad Survey Kiosks at the
Activity Center, Library and public meetings such as Council Meetings. Ms. Leonard provided that informational presentations and general outreach were also conducted. Ms. Leonard reviewed the Open House that was held in October where the draft program was introduced along with the survey results. Staff collected input on the program and connected with around 35 attendees. She provided that the Open House information is available online as well.

Andrea Villalobos, Senior Planner, reviewed Phase 2: Outreach Plan of the process with the Council. She provided that the purpose is focused outreach city-wide and in targeted neighborhoods to encourage and assist residents in applying for a Small Area Plan (SAP). Ms. Villalobos reviewed the City-Wide Outreach program to educate citizens on SAP Program and how to apply.

Ms. Villalobos explained the Targeted Neighborhoods and the purpose of hosting strategic SAP Application Workshops. She reviewed that the benefits of these workshops and conversations that have been held with representatives of the East Guadalupe, Dunbar and Blanco Gardens Neighborhoods.

Ms. Villalobos reviewed Stakeholder Outreach and explained the purpose is to engage & educate stakeholders in SAP boundaries. Stakeholders include neighborhood groups, businesses and organizations. She provided that staff will work with neighborhood leaders to gather a list of stakeholders in SAP boundaries. The list will be further refined by the Neighborhood Commission and CONA representatives. Staff will contact stakeholders to inform them of the SAP Program and the upcoming application workshops.

Ms. Villalobos reviewed Personal Outreach and explained that the purpose is to notify residents of an upcoming Application Workshop. Stakeholder assistance and door hangers will be used. Discussion was held regarding when the personal outreach would begin. Ms. Villalobos explained that once Staff had Council approval of the program components then they would set the application workshop dates. Once the dates were set they would begin notification.

Discussion was held regarding if boundaries have been identified. Staff provided that they wanted to allow citizens to help identify the boundaries of their neighborhoods.

Discussion was held regarding how neighborhoods were selected and any hot spots that should be included.
Staff explained the 1/4 mile radius boundary further and that it could be larger than that, but it would be based on what the neighborhood tells staff.

Council requested that meetings be held in the Neighborhoods.

Council provided consensus for Staff to add churches to the stakeholder outreach list.

Discussion was held regarding utilizing current maps that we already have to aid in the boundary development to prevent from having an additional map.

Council requested that there be a focus on the neighborhoods that may be left out.

Council provided direction to changes the word ‘targeted’ to ‘focused’ related to the neighborhood application workshops.

Council would like one large map with transitional areas and not use the 1/4-mile radius. It was mentioned that the map with the 12 identified areas could be utilized. Staff indicated that before they will move forward with Phase 2 that they will need to get a copy of the map, formulate around that and will bring it back to the Council for review.

2. Receive a Staff presentation and hold discussion of a proposed amendment to the San Marcos Development Code to allow for Planned Development Districts (PDD), and provide direction to Staff.

Shannon Mattingly, Planning and Development Services Director, began by providing a brief history of Planned Development Districts (PDDs). She explained that it is an zoning overlay district and that there have been 32 PDDs approved. She provided the benefits that they are site specific negotiations, allows for flexibility for special users and provided increased standards. She reviewed the constraints that they provide a lack of predictability, incompatible development and too complex and time consuming. Previously they could be used on lots as small as 2 acres.

Ms. Mattingly provided that PDDs were replaced by Existing Neighborhood Regulating Plans and Planning Area Districts. Ms. Mattingly explained that a Existing Neighborhood Regulating Plan is a Zoning Overlay District that is required for a zoning change. It is more restrictive than base zoning and there is no waiver of standards. She provided that it addresses the following: Type and number of lots and buildings, transitional protective yards, infill compatibility standards, streets/streetscape, parkland and parking location.
Ms. Mattingly reviewed Planning Area Districts. She provided that these are larger than 20 acres. She explained that they are in CD areas and are not allowed in existing neighborhoods. They are a zoning district and not an overlay. They are not required like the Existing Neighborhood Regulating Plan is. Ms. Mattingly reviewed the approval process and explained that it also requires that the plan identify buildable land, pedestrian sheds (with a mixture of uses), public facilities, utilities plan, transportation plan, neighborhood transitions and overlay districts.

Discussion was held regarding PDDs providing a lack of predictability for the neighborhoods vs. Planning Area Districts. Discussion was held regarding the benefits of PDDs and site-specific negotiations and how they have been used in San Marcos to date.

Council would like to look at Existing Neighborhood Regulating Plans at either a density standpoint or number of lots standpoint and how we would break that down and have different requirements. Council was good with keeping the base standards, but adding to them. Council would like to have a more specific site plan especially when it would increase density. Council provided consensus to allow this topic to go along with the annual Land Development Code update process.

Staff will offer topic specific work sessions similar to what was offered during the Code SMTX review process.

EXECUTIVE SESSION

3. A.) Executive Session in accordance with Section 551.087, Economic Development, to receive a staff briefing and deliberate regarding a potential Chapter 380 Economic Development incentive agreement for the S.M.A.R.T Terminal Project.

   B.) Executive Session in accordance with Section 551.087, Economic Development, to receive a staff briefing and deliberate regarding a potential Chapter 380 Economic Development incentive agreement for Project World Series.

A motion was made by Council Member Mihalkanin, seconded by Council Member Rockeymoore, to enter into Executive Session at 4:43 p.m. The motion carried by the following vote:

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

   Against: 0
III. Adjournment.

The Council returned into Open Session at 5:59 p.m.

Mayor Hughson adjourned the work session meeting of the San Marcos City Council at 5:59 p.m.

Jamie Lee Case, City Clerk                                           Jane Hughson, Mayor
I. Call To Order

With a quorum present, the regular meeting of the San Marcos City Council was called to order by Mayor Hughson at 6:07 p.m. Tuesday, February 19, 2019 in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666.

II. Roll Call

Present: 7 - Mayor Pro Tem Lisa Prewitt, Council Member Saul Gonzales, Council Member Melissa Derrick, Mayor Jane Hughson, Council Member Ed Mihalkanin, Council Member Joca Marquez and Council Member Mark Rockeymoore

III. Invocation

Pastor Dr. Chad Chaddick, with First Baptist Church, provided this evening's invocation.

IV. Pledges Of Allegiance - United States And Texas

Council Member Rockeymoore led the assembly in the pledges of allegiance.

V. 30 Minute Citizen Comment Period

Sara Lee Underwood Myers, invited the public to the next Council of Neighborhood Association (CONA) meeting on March 19th. She also referenced Bobcat Build and that they are seeking applications because they want to be number one in the state for community service. A representative with Bobcat Build will speak on the details of the application process. She also asked that the Council approve the ordinance reducing the speed limit in Blanco Gardens.

Lisa Marie Coppoletta, spoke in support of Item #6 and the sirens purchase. She introduced her costume for the Mardi Gras Parade and invited Council to attend. She said you are welcome to park in her driveway and in front of her house. She said she loves the spunk and enthusiasm from Kelly Stone and she requested that she ask for reparations for the Blanco Garden Neighborhood because there is environmental racism, known as the Woods.
Karen Ford, representative of WaterPR, she is here representing a group called SMARTER San Marcos that is against the SMART Terminal and asked that the council take no action on the Chapter 380 agreement. She stated they are not against the project but the location of the project. This location may not be in the best interest of the citizens or the environment. She has requested that Council slow down and let engaged citizens learn more about this project. They ask the City to require an Environmental Impact Study and a Traffic Impact Analysis. If these already exist we want time to review this information. She asked if there is another location for this project?

Erin Magee, expressed her appreciation for Council looking over the City and she spoke against the SMART Terminal and the location. She expressed concern with drainage of this project into our river. She asked that the Council require a 60% impervious cover limit instead of the 72% that it is currently proposed. She stated that there are options and she is open to any options that the Council puts forward. She hopes the Blanco Bypass Project where Yarrington Road meets Hwy I-35 and Hwy 130 is not being considered the flood mitigation project for this property.

Kelly Stone, she spoke out against Cape’s Dam, and read information related to dams from Internationalrivers.org which states dams are not climate neutral and affect climate change negatively. In the United States more than 1200 dams have been removed, which is a step in the right direction. She stated that our community is not immune to these side effects and she stated the flood, the dam and climate change contributed to the flooding that impacted Blanco Gardens neighborhood. Please restore the river by removing the dam.

Becky Patterson, addressed concerns about the SMART Terminal project. She stated that neighbors want to be heard and want to know what the implications are. She asked Council to slow down. She said this area is prone to flooding and spoke about being able to see standing water on the farm lands. She lived in a part of town that co-existed in an industrial area and it was not pretty. Fuel emissions, toxicity from oil and gas, loud engine noise, and constant traffic is not an acceptable environment for people, plants or pets. She stated that there is no guarantee that the San Marcos River will be protected. She asked that the environmental impact study and traffic impact analysis be conducted and look for a different location.

Jennifer Hayes, provided the Council with a DVD of the audio of a recent Animal Shelter conference. She expressed her concerns with the Animal Shelter’s website and the lack of information. She provided that most of the
information on the adoption site is blank and volunteers can help write bios.

David Sergi, spoke on behalf of SmarterSanMarcos.org. He reminded Council of the days of Sessom Creek and the development they fought against at that time. He referenced the Comprehensive Plan and asked if this SMART Terminal project fits the criteria outlined in this plan. He then spoke about policies and read the land use vision statement of the comp plan: "We envision San Marcos as a community with balanced and diverse land uses that expand our lifestyle choices while protecting and enriching our historical, cultural, and natural resources." We must look at whether or not our comp plan can be looked at when it comes to annexation.

Zachary Lopez, spoke on behalf of Bobcat Build and informed Council the event will be held on April 13th. They are currently seeking job sites, with applications due by March 1st. Request forms are located at the library and online at bobcatbuild.txstate.edu.

Frank Parrott, spoke in opposition of the SMART Terminal project. He stated that the San Marcos River is one of a kind. He stated that the vision of San Marcos Comp Plan even states that “a river runs through us”. He has heard three reasons why we would put a Heavy Industrial Complex 1,250 feet from the river. The first is to bring jobs to San Marcos, the truth is we currently have full employment. Second he stated that our new land development code will protect all and save all, but it will not win against all and human errors will happen. Do not test the code with this project. The third is that the complex is South and the springs will not be affected. However the terminal complex will fowl the river to the south and will destroy habitat.

Written Statements were provided by Scott Cove, Mary Beth Harper, and Sharri Boyett

EXECUTIVE SESSION

1. Consider action, by motion, regarding the following Executive Session items:
   A.) Executive Session in accordance with Section 551.087, Economic Development, to receive a staff briefing and deliberate regarding a potential Chapter 380 Economic Development incentive agreement for the S.M.A.R.T Terminal Project.
   B.) Executive Session in accordance with Section 551.087, Economic Development, to receive a staff briefing and deliberate regarding a potential Chapter 380 Economic Development incentive agreement for Project World Series.

   Mayor Hughson stated the Project World Series item was postponed.
She also stated the SMART Terminal Project has given staff a 380 economic development agreement outlining a lot of uses that will not be allowed on the property. This is set to come back at a future date.

CONSENT AGENDA

A motion was made by Council Member Derrick, seconded by Council Member Gonzales, to approve the Consent Agenda, with the exception of item #2D, 4, and 11, which were pulled considered separately. The motion carried by the following vote:

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

Against: 0

2. Consider approval, by motion, of the following meeting Minutes:
   A) December 12, 2018 Work Session Minutes
   B) January 2, 2019 Special Meeting Minutes
   C) January 11, 2019 Visioning Session Minutes
   D) January 15, 2019 Work Session Minutes
   E) January 29, 2019 Regular Meeting Minutes

   A motion was made by Mayor Hughson, seconded by Council Member Mihalkanin, to postpone the January 15, 2019 Work Session Minutes. The motion carried by the following vote:

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

   Against: 0

3. Consider approval of Ordinance 2019-08, on the second of two readings, reducing the speed limit from 30 miles per hour to 25 miles per hour along the following sections of Roadway in the Blanco Garden and Blanco Terrace Neighborhoods: 1400 block of Harper Drive, between River Road and Bugg lane; 100 to 200 block of Highline Drive; 100 to 200 block of Wendell Drive; 400 to 500 block of Bliss Lane between Barbara Drive and Sturgeon Drive; 200 to 300 block of Sherbarb Street between Linda Drive and Barbara Drive; 400 to 500 block of Mary Lane between Barbara Drive and Sturgeon Drive; 100 to 200 block of Clair Drive between Barbara Drive and Sturgeon Drive; 100 to 300 block of Smith Lane between River Road and north end; 600 to 1300 block of Barbara Drive between River Road and Bugg Lane; 600 to 1300 block of Conway Drive between River Road and Seth Street; authorizing the installation of signs and traffic control devices reflecting such new speed limit; directing that the traffic register maintained under Section 82.067 of the San Marcos City Code be amended to reflect such new speed limit; and including procedural provisions.
4. Consider approval of Resolution 2019-27R, approving the award of a Construction Contract to T.F. Harper and Associates, LP, through the Buyboard Cooperative (Contract No. 512-16), for improvements to Anita Reyes Park in the amount of $143,530.75; authorizing the City Manager or his designee to execute the appropriate documents related to this contract on behalf of the City; and declaring an effective date.

A motion was made by Council Member Derrick, seconded by Mayor Pro Tem Prewitt, to approve Resolution 2019-27R. The motion carried by the following vote:

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

Against: 0

5. Consider approval of Resolution 2019-28R, authorizing the City Manager or his designee to apply for Homeland Security Grants for continuity of operations planning; authorizing the City Manager or his designee to accept, reject, alter or terminate the grants, if awarded, and to execute all contracts and documents as necessary to implement the grants; and declaring an effective date.

6. Consider approval of Resolution 2019-29R, authorizing the City Manager or his designee to apply for Homeland Security Grants for San Marcos Emergency Warning Sirens; authorizing the City Manager or his designee to accept, reject, alter or terminate the grants, if awarded, and to execute all contracts and documents as necessary to implement the grants; and declaring an effective date.

7. Consider approval of Resolution 2019-30R, authorizing the City Manager or his designee to apply for Homeland Security Grants for Primary Emergency Operations Center Technology Upgrades; authorizing the City Manager or his designee to accept, reject, alter or terminate the grants, if awarded, and to execute all contracts and documents as necessary to implement the grants; and declaring an effective date.

8. Consider approval of Resolution 2019-31R, authorizing the City Manager or his designee to apply for Homeland Security Grants for Emergency Mobile Command Vehicle; authorizing the City Manager or his designee to accept, reject, alter or terminate the grants, if awarded, and to execute all contracts and documents as necessary to implement the grants; and declaring an effective date.

9. Consider approval of Resolution 2019-32R, consenting to and supporting the conversion of Maxwell Water Supply Corporation to a Special Utility District Operating under Chapter 65, Texas Water Code; making findings of fact; and declaring an effective date.

10. Consider approval of Resolution 2019-33R, renewing for up to three additional years an Indefinite Delivery and Indefinite Quantity (IDIQ) contract for Slurry Seal Materials with Viking Construction, Inc. in an amount not to exceed $550,000.00 per year, through the City’s Interlocal Cooperative Purchasing Contract with the City of Grand Prairie;
authorizing the City Manager or his designee to execute all documents necessary to renew such contract for up to three years; and declaring effective date.

11. Consider approval of Resolution 2019-34R, approving an agreement with Geographic Technologies Group, Inc. for contract services related to the 2019-2024 Five-Year Geographic Information System (GIS) Strategic Plan and an amendment thereto for a total contract amount of $100,000; authorizing the City Manager or his designee to execute all necessary documents related thereto; and declaring an effective date.

A motion was made by Mayor Pro Tem Prewitt, seconded by Council Member Gonzales, to approve Resolution 2019-34R. The motion carried by the following vote:

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

Against: 0

12. Consider approval, by motion, of Change Order #1 for the Victory Gardens Subdivision Improvement Project in the amount of $142,076.00 adding locations for water and wastewater replacement to replace all of the water and wastewater infrastructure within the Project limits.

NON-CONSENT AGENDA

13. Consider approval of Ordinance 2019-09, on the first of two readings, amending Chapter 2, Article 3, Division 11 - Citizens Utility Advisory Board of the San Marcos City Code by; amending Section 2.271 - Composition, Section 2.272 - Terms of Office, Section 2.276 - Organization, and Section 2.278. - Bylaws and Open Meetings Act Compliance; including procedural provisions and providing an effective date.

A motion was made by Council Member Rockeymoore, seconded by Mayor Pro Tem Prewitt, to approve Ordinance 2019-09, on the second of two readings. The motion carried by the following vote:

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

Against: 0

14. Consider approval of Resolution 2019-35R supporting the United States Census Bureau by creating a Census 2020 Complete Count Committee to coordinate efforts and deploy resources across the community to achieve the most accurate and complete population count in the upcoming decennial census; and declaring an effective date.

MAIN MOTION: a motion was made by Mayor Pro Tem Prewitt, seconded by Council Member Rockeymoore to approve Resolution 2019-35R.
MOTION TO AMEND: A motion was made by Mayor Pro Tem Prewitt, seconded by Council Member Rockeymoore to amend Resolution 2019-35R, Part 1 by adding an additional section J. At Large Members. The motion carried by the following vote:

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

Against:  0

MOTION TO AMEND: a motion was made by Mayor Pro Tem Prewitt, seconded by Mayor Hughson, to amend the composition of the committee by having two members of each category with the exception of the at large position, which will have three members. The motion carried by the following vote:

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

Against:  0

MOTION TO AMEND: a motion was made by Mayor Hughson, seconded by Council Member Mihalkanin, to amend Resolution 2019-35R by including the following statements in Part 1: "all members of the committee shall be residents of the City of San Marcos" and "endeavor to appoint atleast three members who are bilingual." The motion carried by the following vote:

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

Against:  0

MAIN MOTION: to approve Resolution 2019-35R, as amended. The motion carried by the following vote:

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

Against:  0

15. Consider an appointment to fill a vacancy on the following Boards or Commissions, and provide direction to staff:
A) Human Services Advisory Board
B) San Marcos Commission on Children and Youth

Sara Lee Underwood was nominated by Mayor Pro Tem Prewitt for consideration to serve on the Human Services Advisory Board.

Michelle Hamilton was nominated by Council Member Derrick to serve on the
Commission on Children and Youth.
Following a roll call vote both members were unanimously approved for appointment.

16. Discuss and consider an appointment to the Capital Area Rural Transportation System (CARTS) Board of Directors, and provide direction to Staff.

A motion was made by Mayor Hughson, seconded by Council Member Rockeymoore, to approve the appointment of Mayor Pro Tem Prewitt to serve on the Capital Area Rural Transportation System (CARTS) Board of Directors. The motion carried by the following vote:

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

Against: 0

17. Reconsider the appointment of the property owner, business owner, or resident of the Downtown Historic District position on the Historic Preservation Commission which was made on February 5, 2019, make appointment, and provide direction to Staff.

It was determined that the person previously appointed to the Downtown Historic District position does not qualify to fill this role. Brian Jeffrey was nominated by Council Member Derrick for consideration to serve on the Historic Preservation Commission. Following a roll call vote he was unanimously approved for appointment.

18. Discuss the current decision-making and appeal processes pertaining to the issuance of certificates of appropriateness for construction, alteration, restoration, relocation or demolition of city-owned historic landmarks or city-owned structures within historic districts and provide direction to staff regarding possible code amendments.

Mayor Hughson stated the appeals process is currently set by City Council and not an outside entity. Therefore the ordinance could be amended to allow for appeals related to all City owned properties and structures to come before City Council and leave all other appeals as is. The Historic Preservation Commission will still be deciding factor but for appeals it will come before Council. Staff will bring back an ordinance with this amendment and a workshop with the Historic Preservation Commission will be set regarding the Capes Dam project.

19. City Council Reports:
   a) Mayor Hughson will provide a brief update regarding her membership on various Capital Area Council of Governments (CAPCOG) committees.
   b) Mayor Hughson will provide a brief update related to her membership on the Capital Area Metro Planning Organization (CAMPO).
c) Mayor Hughson will provide a brief updated related to her membership on the Alliance Regional Water Authority (ARWA).

Mayor Hughson provided a brief update on the various Capital Area Council of Governments (CAPCOG) committees on which she currently serves.

At the most recent Capital Area Economic Development District meeting, Charisse Bodisch of the Austin Chamber of Commerce provided a presentation on Opportunity Austin, including an overview of the campaign current data, and how economic development trends are shaping the region.

Craig Eissler, CAPCOG GIS Program Manager, presented information about New Flood Scenario Modeling. Last fall, NOAA (National Oceanic and Atmospheric Administration) released Atlas 14, which substantially increases expectations for rainfall events in our region. This means it is not just FEMA flood maps anymore. At the same time, TNRIS (Texas Natural Resources Information Systems) provided new LiDAR terrain data for much of the state. By combining these data, CAPCOG can produce flood scenarios of unprecedented accuracy and timeliness. Mr. Eissler discussed the potential value regarding economic development and planning in addition to general city and county planning. The City will continue to collaborate with CAPCOG to utilize these resources.

Each meeting of CARTPO (Capital Area Regional Transportation Planning Organization) includes information regarding TxDOT programs, including grant opportunities. Updates were also received on commute solutions. In October, the committee heard about the Texas Department of Agriculture’s Downtown Revitalization and Main Street Programs which offer competitive funding to CDBG (Community Development Block Grant) non-entitlement communities for public infrastructure improvements, to eliminate slum or blight conditions in a downtown area. This does not apply to San Marcos but this information was well received by those who qualify. They also heard about a pilot program between United Way 2-1-1 and Lyft which provides free rides to those with unmet transportation needs in twelve cities around the nation. Austin is one of those cities.

Last week the Clean Air Coalition met and discussed funding of our programs. In 2016, the governor vetoed part of the funding for our monitoring activities and the member counties and cities split the cost so the programs could continue. The committee saw an excellent program by the City of Austin Office of Sustainability on Regional Climate Change Collaboration. It covered Greenhouse Gas Emissions, and their Community Climate Plan. Mayor
Hughson indicated that she will provide this information to Council and stated additional information can be found at CAPCOG.org.

Mayor Hughson provided a brief update on the Capital AreaMetro Planning Organization (CAMPO) stating that at last week’s CAMPO meeting an interlocal agreement was approved with Caldwell County for planning and engineering analysis to extend Yarrington Road and FM 150 from Hwy 21 to Hwy 130 to increase connectivity. Additional information can be found on their website at campotexas.org.

Mayor Hughson provided a brief update on the Alliance Regional Water Authority (ARWA). Phase 1A, the construction of a pipeline between Kyle and Buda to serve Buda’s more immediate needs, is currently underway. The next phase will be drilling wells into the Carrizo Wilcox, to determine pipeline routes from the well site to all of the destination sites. These sites include San Marcos, Kyle, Buda, Canyon Regional Water Authority, plus the sites associated with the Guadalupe Blanco River Authority customers who is our partner in this effort. Major water lines from our well fields will be shared which are located near ours.

VI. Question and Answer Session with Press and Public.

Jordan Buckley, inquired about the SMART terminal and what steps are next? Bert Lumbreras, City Manager, stated the Chapter 380 agreement and the zoning change request will be considered at the March 5th meeting.

James Lombardo, asked no question, but made some statements about the issues he sees with the SMART terminal. He stated his concern with the increase in property taxes and the loss of citizens due to these tax increases. Steve Parker, Assistant City Manager, will meet after the meeting to discuss his concerns.

VII. Adjournment.

Mayor Hughson adjourned the Regular Meeting of the San Marcos City Council at 7:22 p.m.

Jamie Lee Case, City Clerk
Jane Hughson, Mayor
AGENDA CAPTION:
Consider approval of Ordinance 2019-09, on the second of two readings, amending Chapter 2, Article 3, Division 11 - Citizens Utility Advisory Board of the San Marcos City Code by; amending Section 2.271 - Composition, Section 2.272 - Terms of Office, Section 2.276 - Organization, and Section 2.278. - Bylaws and Open Meetings Act Compliance; including procedural provisions and providing an effective date.

Meeting date: March 5, 2019

Department: City Clerk

Amount & Source of Funding
Funds Required: N/A
Account Number: Click or tap here to enter text.
Funds Available: Click or tap here to enter text.
Account Name: Click or tap here to enter text.

Fiscal Note:
Council Approved these amendments on 1st Reading at the February 19, 2019 City Council Meeting.

City Council Strategic Initiative: [Please select from the dropdown menu below]
N/A
Choose an item.
Choose an item.

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☐ Economic Development - Choose an item.
☐ Environment & Resource Protection - Choose an item.
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
☐ Parks, Public Spaces & Facilities - Choose an item.
The City Council discussed the following amendments during their meeting on February 5, 2019. The attached Ordinance contains these amendments along with the additional direction to staff to strike the role of secretary, to add an additional Citizen at Large position, to edit the number of technical or field specific roles, and to insert language that the stated qualifications are encouraged, but not required.

1. In Section 2.271 - Created; composition: Strike “Mayor” and replace with “a member of city council.”
2. In Section 2.272 - Terms of office: Strike the language in its entirety and insert, “Members are appointed to three-year staggered terms.”
3. In Section 2.276 - Organization: Strike “The mayor or the mayor’s designee shall function as the chair of the board, and” and replace it with “The board shall elect a chair, vice-chair and secretary from among its members at its first meeting each year after the appointment of members.”
4. In Section 2.278 - Bylaws and open Meetings Act compliance: Strike the word “may” and replace with “will”. Insert the following after the word “adopt” “and adhere to a standard set of” Strike “subject to review and approval by” and replace it with “that are approved by the city council as required in Section 2.073 of this code.”
ORDINANCE NO. 2019-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING CHAPTER 2, ARTICLE 3, DIVISION 11 CITIZENS UTILITY ADVISORY BOARD OF THE SAN MARCOS CITY CODE BY; AMENDING SECTION 2.271 – COMPOSITION, SECTION 2.272 – TERMS OF OFFICE, SECTION 2.276 – ORGANIZATION, AND SECTION 2.278. - BYLAWS AND OPEN MEETINGS ACT COMPLIANCE; INCLUDING PROCEDURAL PROVISIONS AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. Sections 2.271, 2.272, 2.276 and 2.278 of the San Marcos City Code pertaining to the Citizens Utility Advisory Board are hereby amended to read as follows (Added text is indicated by underlining. Deleted text is indicated by strikethroughs):

Sec. 2.271. Composition.

There is hereby created the City of San Marcos Citizen Utility Advisory Board, hereinafter referred to as the "board." The board will be comprised of five voting members. The council shall appoint one two citizens at large. When considering appointments to the remaining four three positions on the board, council shall endeavor to appoint individuals meeting the following qualifications: Two members with Experience as a licensed professional engineer, or experience in the operation and management of public utility systems and two members with education and experience in finance or accounting. These qualifications are encouraged, but not required. All voting members must be customers of the city's water, wastewater, or electric utility systems and must reside within the city limits. The city council may remove and replace members of the board at any time. The Mayor A member of city council of the City of San Marcos will be a non-voting, ex officio member of the board.

Sec. 2.272. Term of Office.

The term of office for members shall be two years, with all members initially appointed for two full years. The second appointments shall be staggered, so that two members shall be appointed for two year terms, and the remaining three members appointed for one-year terms. Thereafter, all terms shall be for two years. Members are appointed to three-year staggered terms.

Sec. 2.276. Organization.

The mayor or the mayor’s designee shall function as the chair of the board, and the board shall select from among its members a vice chair and secretary. The board shall elect
a chair, and vice-chair from among its members at its first meeting each year after the appointment of members. The board shall adopt such rules and regulations, subject to council approval, as it may deem proper for the governance of its proceedings. Such rules and regulations shall be consistent with the ordinances of the city. The secretary staff liaison shall keep a record of all transactions of the board. The city manager shall assign appropriate staff to provide the board with information and support assistance, and any resources as directed by council necessary for the performance of its functions.

Sec. 2.278. Bylaws and Open Meetings Act Compliance.

The board may will adopt and adhere to a standard set of bylaws, subject to review and approval by city council that are approved by the city council as required in Section 2.073 of this code, in conformity with this chapter and with any applicable federal and state laws. The board shall comply with the provisions of the Texas Open Meetings Act.

SECTION 2. 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 3. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 4. This Ordinance will take effect after its adoption on second reading.

PASSED AND APPROVED on first reading on February 19, 2019.

PASSED, APPROVED AND ADOPTED on second reading on March 5, 2019.

Jane Hughson
Mayor

Attest:

Jamie Lee Case
City Clerk

Approved:
Michael J. Cosentino
City Attorney
ORDINANCE NO. 2012-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, AMENDING CHAPTER 2, ARTICLE 3, BOARDS, COMMITTEES AND COMMISSIONS, OF THE SAN MARCOS CITY CODE BY ESTABLISHING A CITIZENS UTILITY ADVISORY BOARD; PROVIDING FOR THE COMPOSITION AND FUNCTIONS OF THE BOARD; INCLUDING PROCEDURAL PROVISIONS AND PROVIDING AN EFFECTIVE DATE

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

SECTION 1. Chapter 2, Article 3, Boards, Committees, and Commissions, of the San Marcos City Code is hereby amended by adopting a new Division 11 (previously reserved for future codification) establishing a Citizens Utility Advisory Board to read as follows:

DIVISION 11. CITIZENS UTILITY ADVISORY BOARD

Sec. 2.271. Created; Composition.

There is hereby created the City of San Marcos Citizen Utility Advisory Board, hereinafter referred to as the "Board." The Board will be comprised of five voting members. The council shall appoint one citizen at large. When considering appointments to the remaining four positions on the Board, Council shall endeavor to appoint individuals meeting the following qualifications: two members with experience as a licensed professional engineer or experience in the operation and management of public utility systems and two members with education and experience in finance or accounting. All voting members must be customers of the city’s water, wastewater, or electric utility systems and must reside within the city limits. The city council may remove and replace members of the Board at any time. The Mayor of the City of San Marcos will be a non-voting, ex officio member of the Board.

Sec. 2.272. Term of office. The term of office for members shall be two years, with all members initially appointed for two full years. The second appointments shall be staggered, so that two members shall be appointed for two-year terms, and the remaining three members appointed for one-year terms. Thereafter, all terms shall be for two years.

Sec. 2.273. Purpose. The Board is empowered to review the financial performance and resources of the City of San Marcos Electric, Water and Wastewater Utility Systems for purposes of providing advice to the Council concerning the business aspects of such financial performance and resources including rate levels and fees and to report, by official vote, their recommendations to the City Council. The Board may also include recommendations regarding the operating budgets and capital improvements plans for these utility systems and future water sources.
Sec. 2.274. Rights and duties. The Board is responsible to and shall act solely as an advisory body to the Council and shall exercise only those functions as defined in this Division. The Board and its members have no authority to expend funds, make obligations on behalf of the city or to give instructions to city staff.

Sec. 2.275. Compensation. All members of the Board shall serve without compensation, but may be reimbursed for all expenses reasonably incurred by them in the performance of their duties as members of such Board, when authorized in advance by the City Council.

Sec. 2.276. Organization. The Mayor or the Mayor's designee shall function as the chair of the Board, and the Board shall select from among its members a vice chair and secretary. The Board shall adopt such rules and regulations, subject to Council approval, as it may deem proper for the governance of its proceedings. Such rules and regulations shall be consistent with the ordinances of the City. The secretary shall keep a record of all transactions of the board. The City Manager shall assign appropriate staff to provide the board with information and support assistance, and any resources as directed by Council necessary for the performance of its functions.

Sec. 2.277. Meetings. The Board will meet quarterly to perform the duties herein prescribed and will have the authority to schedule special meetings if required to fulfill the board's obligations or to meet deadlines set by the city council.

Sec. 2.278. Bylaws and Open Meetings Act Compliance. The board may adopt bylaws, subject to review and approval by City Council, in conformity with this Chapter and with any applicable federal and state laws. The Board shall comply with the provisions of the Texas Open Meetings Act.

SECTION 2. 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 3. All ordinances and resolution or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 4. This Ordinance will take effect immediately following its adoption on second reading.

PASSED on first reading on the 15th day of May 2012.

PASSED, APPROVED AND ADOPTED on the 5th day of June 2012.
Attest:

Jamie Lee Pettjohn
City Clerk

Approved:

Michael J. Cosentino
City Attorney

Daniel Guerrero
Mayor
AGENDA CAPTION:
Consider approval of Resolution 2019-36R, approving the award of a construction contract to Insituform Technologies, LLC for the Aquarena Springs Waterline Rehabilitation Project in the total amount of $267,356.50 through the Texas Local Government BuyBoard Purchasing Cooperative (Contract No.555-18), contingent upon the contractor’s timely submission of sufficient bonds and insurance in accordance with the City’s construction contract documents for the project; authorizing the City Manager or his designee to execute the appropriate documents related to this contract on behalf of the City; and declaring an effective date.

Meeting date: March 5, 2019

Department: Engineering/CIP, Laurie Moyer, Director (by Lynda Williams, Purchasing Manager)

Amount & Source of Funding
Funds Required: $267,356.50
Account Number: C636
Funds Available: $368,532.00
Account Name: Aquarena Springs Waterline Rehab

Fiscal Note:

City Council Strategic Initiative: [Please select from the dropdown menu below]
N/A
Choose an item.
Choose an item.

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☐ Economic Development - Choose an item.
☒ Environment & Resource Protection - Natural Resources necessary for community's health, well-being, and prosperity secured for future development
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
☐ Parks, Public Spaces & Facilities - Choose an item.
Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Water Master Plan

Background Information:
The project will replace approximately 780 feet of 80 year old 10-inch water main located along Aquarena Springs Drive between Charles Austin Drive and the bridge over the San Marcos River. This section water main failed in September 2016 and given its age and failure history is in need of replacement to prevent future failures. The consequences of failure of this section of water main are high due to the importance of Aquarena Springs Drive roadway and proximity to the San Marcos River.

The pipe will be replaced by means of pipe bursting which is a trenchless technology. This will minimize traffic disruption along Aquarena Springs Drive and reduce overall construction time compared to open excavation. Additionally, the work will be scheduled to begin after Texas State Spring Commencement ceremonies in May 2019.

Staff recommends award of a construction contract #219-152 to Insituform Technologies, LLC for this work in the total amount of $267,356.50 through the Texas Local Government Purchasing Cooperative (BuyBoard) Contract #555-18. The City is authorized by Texas Local Government Code Chapter 271.102 to participate in cooperative purchasing programs to procure goods and services, satisfying any state law requiring the local government to seek competitive bids.

Council Committee, Board/Commission Action:
Click or tap here to enter text.

Alternatives:
Click or tap here to enter text.

Recommendation:
Staff recommends the award of a contract to Insituform Technologies, LLC in the amount of $267,356.50.
RESOLUTION NO. 2019-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING THE AWARD OF A CONSTRUCTION CONTRACT TO INSITUFORM TECHNOLOGIES, LLC FOR THE AQUARENA SPRINGS WATERLINE REHABILITATION PROJECT IN THE TOTAL AMOUNT OF $267,356.50 THROUGH THE TEXAS LOCAL GOVERNMENT BUYBOARD PURCHASING COOPERATIVE (CONTRACT NO.555-18), CONTINGENT UPON THE CONTRACTOR’S TIMELY SUBMISSION OF SUFFICIENT BONDS AND INSURANCE IN ACCORDANCE WITH THE CITY’S CONSTRUCTION CONTRACT DOCUMENTS FOR THE PROJECT; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE APPROPRIATE DOCUMENTS RELATED TO THIS CONTRACT ON BEHALF OF THE CITY; AND DECLARING AN EFFECTIVE DATE.

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

PART 1. The attached contract with Insituform Technologies, LLC in the amount of $267,356.50 is approved.

PART 2. The City Manager or his designee is authorized to execute appropriate documents related to said contract on behalf of the City.

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

ADOPTED on March 5, 2019.

Jane Hughson
Mayor

Attest:

Jamie Lee Case
City Clerk
January 9, 2019

Buyboard Proposal

Project Name: City of San Marcos, Tx – Replacement of 10” Water Main on Aquarena Springs by Means of Pipebursting

Insituform Technologies, LLC. (Insituform) herein proposes to furnish all labor, materials, equipment and services for accomplishing the referenced task (as described in the project location maps presented by the City of San Marcos) utilizing The Local Government Purchasing Cooperative Contract #555-18 administered through the BuyBoard.

ASSUMPTIONS AND QUALIFICATIONS

We have based this proposal on a 10 inch DR18 DIPS Fusible PVC pipe with a nominal wall thickness as shown on the price sheet. This is based on the best available information at the time of this proposal. The system is designed to be a fully structural pipe for all external loading and internal pressure loading.

Unless directed otherwise, all water services connections to the main will be reconnected after installation with the appropriate size copper tubing or other City of San Marcos approved material to include new angle stop and brass fittings. Temporary service will be provided to each connection prior to flow isolation and will be maintained throughout the installation process until new connections can be completed.

Insituform Technologies, LLC will work with the City of San Marcos to make all practical attempts to notify the affected residents or businesses of this water line replacement project with the expected inconveniences and project schedule.

Insituform will supply the City of San Marcos, Payment, and Performance Bonds and Certificate of Insurance if necessary following acceptance of this proposal.

The pricing in this proposal assumes that all Technical Specifications set forth by the BuyBoard will be strictly adhered to.

City of San Marcos will supply the following:

- Valve operation to isolate system to be rehabilitated.
- Permits and Tax-Exempt Certificate.
- Exact limits of the project prior to start of work.
- Assistance with resident / effected businesses notification and coordination.
- Close pipe staging area for short term storage, fusing, and stringing pipe 2-4 days prior to install.
- Bac-T testing as required for temporary water service lines and post installation of the designated main line.
Insituform will supply the following:

- All access pits at each end of the pipe segments to be rehabilitated and exposure of all service connections. Pits will be properly secured to OSHA standards.
- Fusing of PVC pipe above ground prior to installation.
- Pipebursting of existing lines after excavation pits and services are exposed.
- Reassembly of new system.
- Pressure testing of mainlines prior to reconnections.
- Complete all restoration necessary after installing pipe. In accordance with City specifications.

Proposal Terms and Conditions

Terms and Conditions from the Texas Statewide Cooperative Purchasing Contract are available upon request from the BuyBoard. Any changes to these conditions must be noted and agreed upon by both parties.

Proposal Pricing

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<tr>
<th>Bid Item per Docs</th>
<th>Description</th>
<th>Unit of Measure</th>
<th>Quantity</th>
<th>Bid Price</th>
<th>Total</th>
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<td>2</td>
<td>Burst existing 8” or 10” IPS SDR 19 (0'-8' deep)</td>
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<td>3</td>
<td>8” - 12” Pipeburst Setup Charge Per Install Length</td>
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<td>Mobilization Demobilization for Fusible PVC®</td>
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<td>Potholing for Nearby Utility Location (0'-8' deep up to 4Hr duration)</td>
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<td>10” Main Line Connection to existing Main</td>
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<td>10” Water Line Testing (Chlorination, Filtering, Samples)</td>
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<td>Set up bypass of mainlines using 2&quot; - 4&quot; AWWA approved bypass</td>
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<td>26</td>
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<td>$2,750.00</td>
<td>$2,750.00</td>
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<td>Install Temp Wheel Chair Ramp</td>
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<td>32</td>
<td>Pre TV 10” prior to pipeburst</td>
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Total: $267,356.50
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<tr>
<th>Offered By:</th>
<th>Accepted By:</th>
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<tbody>
<tr>
<td>Insituform Technologies, LLC.</td>
<td>City of San Marcos, TX</td>
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**Timothy N. Naylor**
**Business Development Manager**

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AGENDA CAPTION:
Consider approval of Resolution 2019-37R, approving an Interlocal Cooperation Agreement between the City and Hays County establishing the Hays County Unmanned Robotics Team and providing the rights and duties of the parties thereto; authorizing the City Manager or his designee to execute this agreement on behalf of the City; and declaring an effective date.

Meeting date: March 5, 2019

Department: Police

Amount & Source of Funding
Funds Required: N/A
Account Number: Click or tap here to enter text.
Funds Available: Click or tap here to enter text.
Account Name: Click or tap here to enter text.

Fiscal Note:
Prior Council Action: There has been no prior Council action on this item.

City Council Strategic Initiative: [Please select from the dropdown menu below]
Community Partners
Choose an item.
Choose an item.

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
- [ ] Economic Development - Choose an item.
- [ ] Environment & Resource Protection - Choose an item.
- [ ] Land Use - Choose an item.
- [ ] Neighborhoods & Housing - Choose an item.
- [ ] Parks, Public Spaces & Facilities - Choose an item.
- [ ] Transportation - Choose an item.
- [x] Not Applicable
Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]
Choose an item.

Background Information:
The City and Hays County participate cooperatively in multiple programs to maximize the smart use of tax dollars and increase efficiency and effectiveness in service delivery. A few of these cooperative partnerships include the Hays County Narcotics Task Force, the Hays County SWAT team, and the Hays County Crisis Negotiation Team. Both the Hays County Sheriff’s Department and the San Marcos Police Department are in the early stages of forming unmanned robotics teams to make use of both unmanned aerial vehicles (drones) and unmanned ground-based robots. These tools allow for a much greater capacity to document crime scenes, conduct area searches, and ensure the safety of personnel on the ground during tactical operations. Both agencies recognize that working together when a need arises to deploy these tools will help reduce the financial burden on both agencies, thus making better use of tax dollars.

The purpose of this ILA is to formally establish and set forth the controlling covenants of the Hays County Unmanned Robotics Team.

Council Committee, Board/Commission Action:
N/A

Alternatives:
The alternatives to working together with Hays County on this project is to maintain our own program exclusively or to avoid expanding the drone program altogether. Neither of those alternatives are preferred.

Recommendation:
Staff recommendation is to approve the resolution and accompanying Interlocal Agreement.
RESOLUTION NO. 2019-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY AND HAYS COUNTY ESTABLISHING THE HAYS COUNTY UNMANNED ROBOTICS TEAM AND PROVIDING THE RIGHTS AND DUTIES OF THE PARTIES THERETO; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE AGREEMENT; AND DECLARING EFFECTIVE DATE.

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

PART 1. The attached Interlocal Cooperation Agreement (the “Agreement”) between the City of San Marcos and Hays County establishing the Hays County Unmanned Robotics Team and providing the rights and duties of the Parties thereto is approved.

PART 2. The City enters into this Interlocal Cooperation Agreement pursuant to the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, as amended.

PART 3. The City Manager or his designee is authorized to execute this contract on behalf of the City.

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

ADOPTED on March 5, 2019.

Jane Hughson
Mayor

Attest:

Jamie Lee Case
City Clerk
Hays County Unmanned Robotics Team

INTERLOCAL AGREEMENT

STATE OF TEXAS
COUNTY OF HAYS

WHEREAS Hays County, Texas and the City of San Marcos, Texas have determined that there exists and ongoing need for an Unmanned Robotics Team in the greater San Marcos and Hays County region;

WHEREAS it would be inefficient and ineffective for Hays County Sheriff’s Office and the San Marcos Police Department to have separate and independent Unmanned Robotics Teams;

WHEREAS Chapter 791 of the Texas Government Code provides the authority for Hays County, Texas and the City of San Marcos, Texas to enter into an Interlocal Agreement for the creation and operation of a joint unmanned robotics team called the “Hays County Unmanned Robotics Team”; and

WHEREAS an “unmanned robotic” means an unmanned ground, water, or airborne vehicle, guided by a pilot via a tether, ground control system, or autonomously through the use of an on-board computer, communication links, or other additional equipment.

NOW THEREFORE, Hays County, Texas (“Hays County”), acting through its duly authorized County Judge and Sheriff, and the City of San Marcos, Texas (“San Marcos”), acting through its duly authorized City Manager and Chief of Police, hereby agree to the following terms and conditions.

1. PARTICIPATING LAW ENFORCEMENT AGENCIES: The Hays County Sheriff’s Office (“Sheriff’s Office”) and the San Marcos Police Department (“Police Department”).

2. EFFECTIVE DATE OF AGREEMENT: January 1, 2019

3. GOVERNING BODY AUTHORIZATION: This agreement is authorized by the Hays County Commissioners Court and the San Marcos City Council, pursuant to §791.011 (d)(1) of the Texas Government Code.

4. GRANTS OF AUTHORITY:
   a. For law enforcement purposes associated with this Agreement, officers of the Police Department designated to be members of the Hays County Unmanned Robotics Team are granted full peace officer authority throughout Hays County.
   b. For law enforcement purposes associated with the Agreement, deputies of the Sheriff’s Office are granted full peace officer authority within such portions of the City of San Marcos and upon all property owned or regulated by San Marcos including property which is situated outside of Hays County.

5. DESIGNATION OF HAYS COUNTY UNMANNED ROBOTICS TEAM: Designees to the Hays County Unmanned Robotics Team shall be selected in the following manner:
a. From the Sheriff’s Office: Deputies and corresponding rank to be determined by the Sheriff.
b. From the Police Department: Officers and corresponding rank to be determined by the Chief of Police.
c. The Chief of Police and the Sheriff may change the number and designation of personnel by written agreement signed by the Chief of Police and the Sheriff. The San Marcos Police Chief and the Sheriff of Hays County shall jointly designate one member from the above compliment to serve as the Team Commander. All members assigned to the Hays County Unmanned Robotics Team shall report to and be supervised by the Team Commander who shall report jointly to the Hays County Sheriff and San Marcos Chief of Police or their specified designee.

6. HAYS COUNTY UNMANNED ROBOTICS TEAM SUPERVISION: The day-to-day supervision of the Hays County Unmanned Robotics Team will be the responsibility of the Team Commander. The Hays County Sheriff and the San Marcos Chief of Police shall make supervision, guidance of team operation, decisions on assignment of personnel, expenditures of funds, and all other administrative matters jointly.

7. HAYS COUNTY UNMANNED ROBOTICS TEAM RESPONSIBILITIES:

a. The deployment of small Unmanned Robotic Systems by the Hays County Unmanned Robotics Team is expected to assist law enforcement as a force multiplier, provide increased situational awareness, improve cost-operating efficiency, and enhance officer and public safety. Deployments of this technology will be in direct support of critical incidents, crime scene and vehicular accident forensics collection, tactical operations, officer training, direct or indirect Fire Department assistance, disaster response and any other mission requiring unmanned overview within a Defined Incident Perimeter (DIP).

b. As with all investigative methods, the unmanned robotics system must be operated consistent with the U.S. Constitution. Accordingly, all Hays County Unmanned Robotics Team personnel shall abide by the Fourth Amendment and protect citizens from unreasonable searches and seizures. The unmanned robotics system shall never be used solely for the purpose of monitoring activities protected by the First Amendment or the lawful exercise of other rights secured by the Constitution and laws of the United States except as necessary to protect people who are exercising their constitutional rights. Hays County Unmanned Robotics Team personnel must be trained on, and abide by, all applicable federal, state and local legal standards, including agency guidance applicable to the deployment and use of this technology. Finally, unmanned robotics systems shall only be deployed in connection with properly authorized investigations and emergency response activities and shall only be deployed within the context of existing and applicable federal, state and local laws/regulations, and agency safeguards.

8. FUNDING AND EXPENDITURES:

a. Funds for those expenditures for equipment, supplies, and operation of the Team listed on the attached Exhibit A shall be provided by the respective agencies of each designated officer/deputy to the team.
b. The Hays County Sheriff’s Office and the San Marcos Police Department acknowledge that funding under this Agreement will be made from current revenues available to each of the entities. Funds for the participation in this Agreement have been provided through the Parties’ respective budgets approved by the Commissioner’s Court and by the City Council for the current fiscal year only. State statutes prohibit the obligation to expend public funds beyond the fiscal year for which a budget has been approved. However, the cost of services by this Agreement is considered a recurring requirement and is included as a standard and routine expense of the Sheriff’s Office and the Police Department to be included in each proposed budget within the foreseeable future. The Sheriff’s Office and the Police Department expect this to be an integral part of future budgets to be approved during the period of this Agreement except for unanticipated needs or events which may prevent participation in this Agreement. This Agreement shall terminate if Hays County, Texas or the City of San Marcos, Texas does not appropriate funds to continue the Team’s operations in and subsequent fiscal year.

9. STATUS OF PERSONNEL ASSIGNED TO THE HAYS COUNTY UNMANNED ROBOTICS TEAM

a. Each entity shall be solely responsible for the conduct, alleged misconduct, training, supervision discipline and control of the personnel it assigns to the Team while engaged in Team activities.

b. Each entity shall be solely responsible for the wages, salaries, pension, compensation, injury or death benefits, workers compensation benefits, equipment, clothing, medical expenses, vehicles, travel, food and lodging of the personnel it assigns to the Team.

c. If any person assigned to perform Unmanned Robotics activities is cited as a party to any civil lawsuit, state or federal, arising out of such activities, the person shall be entitled only to the benefits, if any, provided by the entity that employs that person.

10. INDEMNITY:

a. TO THE EXTENT ALLOWED BY LAW, UNDER APPLICABLE LAW OF THE CITY OF SAN MARCOS AGREES TO HOLD HARMLESS, INDEMNIFY, AND DEFEND HAYS COUNTY AND ITS EMPLOYEES, AGENTS, OFFICERS, AND SERVANTS FROM ANY AND ALL LAWSUITS, CLAIMS, DEMANDS, AND CAUSES OF ACTION OF ANY KIND ARISING FROM THE NEGLIGENT OR INTENTIONAL ACTS, ERRORS, OR OMISSIONS OF THE CITY, ITS OFFICERS, EMPLOYEES, OR AGENTS WITH RESPECT TO ACTIONS TAKEN UNDER THIS AGREEMENT.

b. TO THE EXTENT ALLOWED BY LAW, HAYS COUNTY AGREES TO HOLD HARMLESS, INDEMNIFY, AND DEFEND THE CITY OF SAN MARCOS AND ITS EMPLOYEES, AGENTS, OFFICERS, AND SERVANTS FROM ANY AND ALL LAWSUITS, CLAIMS, DEMANDS, AND CAUSES OF ACTION OF ANY KIND ARISING FROM THE NEGLIGENT OR INTENTIONAL ACTS, ERRORS OR OMISSIONS OF THE COUNTY, ITS OFFICERS, EMPLOYEES, OR AGENTS WITH RESPECT TO ACTIONS TAKEN UNDER THIS AGREEMENT.

11. TERM AND TERMINATION:
a. All other Interlocal Agreements for the creation of a joint Hays County Unmanned Robotics Team between the parties to this Agreement that were created prior to the Effective Date of this Agreement, if any, are hereby revoked and voluntarily terminated by the parties to this Agreement.

b. Subject to the availability of funding as set forth above in Section 8(b), this agreement shall remain in force and effect for annual periods effective each October 1st, unless either party gives the other party written notice of its intention to terminate this Agreement at least thirty (30) days in advance of an anniversary of that date.

c. Upon any termination of this Agreement, each item of equipment purchased for the Hays County Unmanned Robotics Team will be kept and maintained by the agency that originally purchased that equipment.

12. PUBLIC INFORMATION OFFICER: In compliance with the Public Information Act, the Hays County Sheriff’s Office will be responsible for the releasing of any information to the media as it relates to the Hays County Unmanned Robotics Team and its operations.

13. SEVERABILITY: If any portion of the Agreement is determined by a court of competent jurisdiction to be invalid for any reason, the remaining provisions shall remain in full force and effect.

14. SURVIVAL: Notwithstanding any termination of this Agreement, the following Sections, and the terms and conditions contained therein, shall remain in effect: 8, 9, 10, 11, 12, 13, 14, 15, 16.

15. WAIVER BY PARTY: Unless otherwise provided in writing by the waiving party, a waiver by either of the parties to this Agreement of any covenant, term, condition, agreement, right, or duty that arises under this Agreement shall be considered a one-time waiver and shall not be construed to be a waiver of any succeeding breach thereof or any other covenant, term, condition, agreement, right, or duty that arises under this Agreement.

16. ENTIRE AGREEMENT; AMENDMENT: This agreement (including any and all Exhibits attached hereto) constitutes the entire agreement between the parties hereto with respect to the subject matter hereof. Any amendments to this Agreement must be made in writing and signed by the parties to this Agreement prior to the performance of any terms or conditions contained in said amendments.

The parties to this Interlocal Agreement for the Hays County Unmanned Robotics Team hereby agree to the terms and conditions contained herein on this the _____ day of ____________, 2019, as is evidenced by their signatures below.

THE CITY OF SAN MARCOS

__________________________________
Bert Lumbreras
City Manager

COUNTY OF HAYS

__________________________________
Ruben Becerra
County Judge
Attest:

________________________________
Elaine Cardenas, Hays County Clerk

________________________________
Chase Stapp, Chief of Police

________________________________
Gary Cutler, Sheriff
EXHIBIT A-RESPECTIVE AGENCY EXPENDITURES

1. Salaries, benefits and insurance of assigned personnel
2. Vehicles and operating expenses for assigned personnel
3. Vehicular and portable radio equipment and operating expenses for assigned personnel
4. Liability insurance coverage for assigned personnel
5. Overtime pay and benefits for assigned personnel
6. Non-Unmanned Robotics related training as required by agency
7. Hays County Unmanned Robotics Team training as determined by the Commander, Chief of Police and/or Sheriff
8. Non-Unmanned Robotics related travel required by agency
9. Hays County Unmanned Robotics Team travel as determined by the Commander, Chief of Police and/or Sheriff
10. Hays County Unmanned Robotics Team equipment and supplies as determined by the Commander, Chief of Police and/or Sheriff
AGENDA CAPTION:
Consider approval of Resolution 2019-38R, awarding a contract to Townsend Tree Service Company, LLC doing business as National Tree Expert Company for tree trimming services in the estimated total amount of $847,392.00 over a four-year period contingent upon the bidder’s timely submission of sufficient insurance in accordance with the City’s bid documents; authorizing the purchasing manager to execute the appropriate purchasing documents on behalf of the City; and declaring an effective date.
Meeting date: March 5, 2019

Department: Public Services Department - Tom Taggart, Executive Director Public Services (By Lynda Williams, Purchasing Manager)

Amount & Source of Funding
Funds Required: $211,848 FY2019, $211,848 FY2020, $211,848/plus CPI% FY2021, $211,848/plus CPI% FY 2022
Account Number: 21006319-52305
Funds Available: $211,848
Account Name: Contracted Services

Fiscal Note:

City Council Strategic Initiative: [Please select from the dropdown menu below]
N/A
Choose an item.
Choose an item.

Comprehensive Plan Element (s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☐ Economic Development - Choose an item.
☐ Environment & Resource Protection - Choose an item.
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
☐ Parks, Public Spaces & Facilities - Choose an item.
Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:
The previous tree trimming contract to Townsend Tree Service Company expires on February 28, 2019 for two (2) three (3) man crews.

On January 17, 2019 six (6) bids were received for Invitation for Bid 219-001 for Tree Trimming Services with Hourly Crew for the purpose of maintaining clearance for electric distribution lines. The recommended contract award is an annual contract for one (1) crew of three (3) personnel. The scope of work for this contract includes emergency trimming and tree clearing as well as out of cycle trimming in areas where needed that fall outside a five-year tree trimming program. (A secondary bid process is in development in coordination with the City arborist for the five-year program and is considered separately from this scope.)

Within the terms and conditions of the contract, the City has the option to extend for three (3) additional one (1) year periods for a total possible contract term of four (4) years for an annual amount of $211,848 for the first two years. The remaining two (2) years may be subject to an annual 2% increase. Contract extensions may be awarded administratively in the form of an Authorization of Change in Service signed by the Purchasing Manager.

Staff recommends contract award to Townsend Tree Service Company, dba National Tree Expert Company, Parker City, Indiana based on lowest price who provides the best value to the City for the amount of $211,848.00.

Council Committee, Board/Commission Action:
Click or tap here to enter text.

Alternatives:
Click or tap here to enter text.

Recommendation:
Award a contract to Townsend Tree Trimming Services, LLC, located in Muncie, Indiana in the amount of $211,848.00.
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, AWARDING A CONTRACT TO TOWNSEND TREE SERVICE COMPANY, LLC D/B/A NATIONAL TREE EXPERT COMPANY FOR TREE TRIMMING SERVICES IN THE ESTIMATED TOTAL AMOUNT OF $847,392.00 OVER A FOUR-YEAR PERIOD CONTINGENT UPON THE BIDDER’S TIMELY SUBMISSION OF SUFFICIENT INSURANCE IN ACCORDANCE WITH THE CITY’S BID DOCUMENTS; AUTHORIZING THE PURCHASING MANAGER TO EXECUTE THE APPROPRIATE PURCHASING DOCUMENTS ON BEHALF OF THE CITY; AND DECLARING AN EFFECTIVE DATE.

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

PART 1. The award of a contract with Townsend Tree Service Company, LLC d/b/a National Tree Expert Company for Tree Trimming Services (IFB #219-001) in the estimated total amount of $847,392.00 over a four-year period (#211,848.00 FY2019, $211,848.00 FY2020, $211,848.00 plus CPI% FY2021 and $211,848.00 plus CPI% FY 2022) contingent upon the bidder’s timely submission of sufficient insurance in accordance with the City’s bid documents.

PART 2. The Purchasing Manager is authorized to execute the appropriate purchasing documents on behalf of the City.

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

ADOPTED on March 5, 2019.

Jane Hughson
Mayor

Attest:

Jamie Lee Case
City Clerk
Recommendation for Award

Date: 22-Jan-19
Council Meeting Date: 19-Mar-19
ARF Deadline: 18-Jan-19

To: Lynda Williams, Purchasing Manager
cc: Connie Singleton, Purchasing Specialist
cc: Scot King, Electric Distribution Manager

From: Tyler Hjorth
Title: Assistant Director Public Svc.
Department: Public Svc., Electric Utility

Account #: 21006319052230
Account Name: Professional Services
Solicitation Number: 219-001

Tree Trimming Services Hourly Crew of Three
Name of Project

Background

This project is for trimming trees within the City limits to maintain clearance from distribution lines in zones from one through five.

Analysis of Award

C. METHOD TO AWARD: Award will be made to the bidder who provides the good and services at the best value for the City. The following criteria will be utilized in the evaluation of the invitation for bid (IFB):

Best value to the City
1. The bid must meet all requirements of the IFB
2. The reputation of the bidder and of the bidder’s good or services - Good
3. The quality of the bidder’s good or services - Good
4. The bidder’s performance in meeting the City’s needs - Good
5. The bidder’s past relationship with the City - Good
6. The bidder has no responsibility to City - Good

List of Respondents

Rios Tree Service - Boerne TX
Townsend Tree Service/dba/National Tree Expert - Muncie IN
Unity Contractor Services, Inc. - Austin, TX
McCoy Tree Surgery, Inc. - Norman OK

Recommendation

Townsend Tree Service/dba/National Tree Expert
Company Name

Company Name (If more than one award)

Award Amount: $211,848.00

Recommended Award: $211,848.00

Approved by: [Signature]
Title: [Signature]
Director or Assistant Director of Department

Rev. 04/20/18
**BID TABULATION**  
Tree Trimming Services Hourly Crew, IFB 219-001  
January 17, 2019

<table>
<thead>
<tr>
<th>Bidder Name</th>
<th>Total Annual Cost</th>
<th>Addendum Acknowledged</th>
</tr>
</thead>
<tbody>
<tr>
<td>Townsend Tree Service LLC dba National Tree Expert Co. Muncie, IN</td>
<td>$211,848.00</td>
<td>Yes</td>
</tr>
<tr>
<td>Unity Contractor Services, Inc Austin, TX</td>
<td>$249,600.00</td>
<td>Yes</td>
</tr>
<tr>
<td>Shea's Cleaning Services Austin, TX</td>
<td>$330,720.00</td>
<td>Yes</td>
</tr>
<tr>
<td>Landscape Commander, LLC New Braunfels, TX</td>
<td>$368,160.00</td>
<td>Yes</td>
</tr>
<tr>
<td>McCoy Tree Surgery Company Norman OK</td>
<td>$301,828.80</td>
<td>Yes</td>
</tr>
<tr>
<td>Rios Tree Service, Inc. Boerne, TX</td>
<td>$187,200.00</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Withdrawn Bid on 1/18/19  
Non-Responsive - Lack of relevant experience

Recorded by: [Signature]  
Witnessed by: [Signature]  
Rev. 05/29/18
AGENDA CAPTION:
Consider approval of Resolution 2019-39R, approving an addendum to the Master Lease Purchasing Financing Agreement with US Bancorp Government Leasing and Finance, Inc. that adds a dump truck, water truck, backhoe, steel roller, skid steer and trailer for the Public Services, Transportation Division as vehicles to be financed under the Agreement in the amount of $524,550.60, inclusive of interest, for a seven year term; authorizing the City Manager or his designee to execute all appropriate documents associated with this transaction; and declaring an effective date.

Meeting date: March 5, 2019

Department: Public Services Department…Tom Taggart, Executive Director (By Lynda Williams, Purchasing Manager)

Amount & Source of Funding
Funds Required: $74,935.80 Annually for FY20-26
Account Number: CAPF-GENERALC-VEHICLE-STREET
Funds Available: Appropriated in FY20 Budget
Account Name: Capital Outlay-Street Equipment

Fiscal Note:
Prior Council Action: Click or tap here to enter text.

City Council Strategic Initiative: [Please select from the dropdown menu below]
Choose an item.
Choose an item.
Choose an item.

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☐ Economic Development - Choose an item.
☐ Environment & Resource Protection - Choose an item.
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
☐ Parks, Public Spaces & Facilities - Choose an item.
☒ Transportation - Multimodal transportaion network to improve accessibility and mobility, minimize
congestion and reduce pollution
☐ Not Applicable

**Master Plan:** [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]
Transportation Master Plan

**Background Information:**
Quotes were obtained and the best interest rate was from US Bancorp Government Leasing & Finance, Inc at 3.26% for a seven (7) year term: the amount financed for the equipment listed below is $462,330.38 with the total interest amount of $62,220.25. The total amount paid at the conclusion of the financing agreement will be $524,550.60. Payments will be annual with the first payment due on March 5, 2020.

Water Truck: The Public Services Department’s Streets Division is purchasing a water truck to replace a 1999 water truck and will be used to support the street overlay program. This purchase is being made from Texas First Rentals, Pflugerville, Texas, in the amount of $65,365.47, through the BuyBoard cooperative contract #515-16.

Backhoe: The Streets Division is also purchasing a backhoe to support the Streets and Concrete crews for patching operations and sidewalk program. This purchase is being made from RDO Equipment, Co, Pflugerville, Texas, in the amount of $88,865.97, through the Sourcewell cooperative contract #032515-JDC.

Steel Roller: The Streets Division is also purchasing a steel roller to replace a 1996 roller and support the street overlay program. This purchase is being made from Nueces Power Equipment, San Antonio, Texas, in the amount of $153,338.00, through the BuyBoard cooperative contract #515-16.

Skid Steer: The Streets Division is also purchasing a skid steer to support sidewalk program. This purchase is being made from RDO Equipment Co, Pflugerville, Texas, in the amount of $44,475.18, through the Sourcewell cooperative contract #032515-JDC.

Dump Truck: The Streets Division is also purchasing a dump truck to replace a 1997 dump truck and will be used to support the street overlay and sidewalk programs. This purchase is being made from Grande Truck Center, San Antonio, Texas, in the amount of $80,162.00, through the BuyBoard cooperative contract #571-18.

Trailer: The Streets Division is also purchasing a trailer to replace a 2006 trailer to support the street overlay and sidewalk programs. This purchase is being made from Vermeer Equipment of Texas-Louisiana, Round Rock, Texas, in the amount of $30,123.76, through the Sourcewell cooperative contract #106906.

The City is authorized by Texas Local Government Code Chapter 271.102 to participate in cooperative purchasing programs to procure goods and services, satisfying any state law requiring the local government to seek competitive bids.

**Council Committee, Board/Commission Action:**
Click or tap here to enter text.
Recommendation:
Recommend approving a vehicle addendum which amends the financed purchase agreement for several pieces of equipment between the City and US Bancorp.
RESOLUTION NO. 2019-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING AN ADDENDUM TO THE MASTER LEASE-PURCHASE FINANCING AGREEMENT WITH US BANCORP GOVERNMENT LEASING AND FINANCE INC. THAT ADDS A DUMP TRUCK, WATER TRUCK, BACKHOE, STEEL ROLLER, SKID STEER AND TRAILER FOR THE PUBLIC SERVICES, TRANSPORTATION DIVISION AS VEHICLES TO BE FINANCED UNDER THE AGREEMENT IN THE AMOUNT OF $524,550.60, INCLUSIVE OF INTEREST, FOR A SEVEN YEAR TERM; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL APPROPRIATE DOCUMENTS ASSOCIATED WITH THIS TRANSACTION; AND DECLARING AN EFFECTIVE DATE.

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

PART 1. The Addendum to Master Lease Purchase Financing Agreement (the “Addendum”) with US Bancorp Government Leasing and Finance, Inc. adding a dump truck, water truck, backhoe, steel roller, skid steer and trailer as vehicles to be financed under the agreement in the amount of $524,550.60, inclusive of interest, for a seven year term is approved.

PART 2. The City Manager, or his designee, is authorized to execute the appropriate documents associated with this transaction on behalf of the City.

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

ADOPTED on March 5, 2019.

Jane Hughson
Mayor

Attest:

Jamie Lee Case
City Clerk
City of San Marcos, TX

At your request, U.S. Bancorp Government Leasing and Finance, Inc. (“USBGLF”) has prepared for your consideration the following proposal for financing (“Proposal”). This is only a proposal and does not represent a commitment by U.S. Bancorp Government Leasing and Finance, Inc.

<table>
<thead>
<tr>
<th>Customer:</th>
<th>City of San Marcos, TX</th>
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</thead>
<tbody>
<tr>
<td>PROPERTY:</td>
<td>Dump truck, trailers and street sweeper</td>
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<tr>
<td>EXPIRATION:</td>
<td>March 30, 2019</td>
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### LEASE QUOTE:

<table>
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<tr>
<th>Amount</th>
<th>Rate</th>
<th>Payments</th>
<th>Factor</th>
<th>Pmts / Year</th>
<th>Term</th>
<th>Adv. / Arr.</th>
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<td>3.07%</td>
<td>163,667.85</td>
<td>0.3540063</td>
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<td>462,330.38</td>
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<td>74,935.80</td>
<td>0.1620828</td>
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<td>84 Months</td>
<td>Arrears</td>
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Notes: There are no fees associated with this offer including the establishment and use of a U.S. Bank N.A. escrow account should one be required.

The Lease will be structured as a tax-exempt municipal lease, with title in the Lessee’s name and USBGLF holding a security interest in the equipment during the term. The lease is “triple-net” with the Lessee responsible for taxes, maintenance and insurance. Documentation will be provided by USBGLF, including (i) standard representations, warranties and covenants by the Lessee pertaining to the accuracy of information, organization, authority, essential use, compliance with laws, pending legal action, location and use of collateral, insurance, financial reporting and financial covenants; and (ii) standard USBGLF provisions pertaining to events of default and remedies available upon default. This offer is subject to the execution of all documentation by the Lessee within a reasonable time and in form and substance acceptable to Lessee, USBGLF and USBGLF’s counsel, including terms and conditions not outlined in this Proposal.

This Proposal is conditioned on there being no material adverse change in the financial condition of the Lessee. Additionally, the terms and conditions outlined herein are subject to final review and approval (including collateral and essential use review) by USBGLF’s business, legal, credit, and equipment risk management personnel.

Sincerely,

Tasha Barreau

Tasha Barreau
Vice President
U.S. Bancorp Government Leasing & Finance, Inc.
Phone: 303-330-4160
Email: tasha.barreau@usbank.com
### Payment Schedules

*Assume a March 5, 2019 commencement*

#### 3 years

<table>
<thead>
<tr>
<th>Date</th>
<th>Payment</th>
<th>Principal</th>
<th>Interest</th>
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</thead>
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Totals: 491,003.55 462,330.38 28,673.17 0.00

#### 5 years

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Totals: 507,067.96 462,330.38 44,737.58 0.00

#### 7 Years

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Totals: 524,550.63 462,330.38 62,220.25 0.00
AGENDA CAPTION:
Consider approval of Resolution 2019-40R, approving the purchase of a water truck for $65,365.47 from Texas First Rentals through the BuyBoard Cooperative Contract, a Backhoe for $88,865.97 from RDO Equipment through the Sourcewell Cooperative Contract, a Steel Roller for $153,338.00 through the BuyBoard Cooperative Contract, a Skid Steer for $44,475.18 through the Sourcewell Cooperative Contract, a Dump Truck for $80,162.00 through the BuyBoard Cooperative Contract, and a Trailer for $30,123.76 through the Sourcewell Cooperative Contract, each for use by the Public Services Department, Streets Division; authorizing the city manager or his designee to execute all appropriate documents to complete these purchases; and declaring an effective date.

Meeting date: March 5, 2019

Department: Public Services Department…Tom Taggart, Executive Director (By Lynda Williams, Purchasing Manager)

Amount & Source of Funding
Funds Required: Funded through finance purchase agreement approved by City Council March 05, 2019
Account Number: Click or tap here to enter text.
Funds Available: Click or tap here to enter text.
Account Name: Click or tap here to enter text.

Fiscal Note:
Prior Council Action: March 05, 2019 - Council approval of finance agreement

City Council Strategic Initiative: [Please select from the dropdown menu below]
Choose an item.
Choose an item.
Choose an item.

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☐ Economic Development - Choose an item.
☐ Environment & Resource Protection - Choose an item.
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
Parks, Public Spaces & Facilities - Choose an item.

Transportation - Multimodal transportation network to improve accessibility and mobility, minimize congestion and reduce pollution

Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]
Choose an item.

Background Information:
Staff recommends award of multiple cooperative contracts for capital equipment listed below through its authority to procure through cooperative agreements. The City is authorization per Texas Government Code, Title 10, Subtitle D, Section 2155-504(b) and Local Government Code, Section 271.101 to participate in cooperative purchasing programs to procure goods and services, satisfying any state law for competitive bidding. The following cooperative contracts are being used:

The Public Services Department’s Streets Division is purchasing the following equipment:
1. $65,365.47 - Water Truck - Texas First Rentals, Pflugerville, Texas - BuyBoard #515-16 (Replacement of a 1999 water truck)
2. $88,865.97 - Backhoe - RDO Equipment, Co, Pflugerville, Texas - Sourcewell #032515-JDC (New Piece of Equipment)
3. $153,338.00 - Steel Roller - Nueces Power Equipment, San Antonio, Texas - BuyBoard #515-16 (Replacement of a 1996 Steel Roller)
4. $44,475.18 - Skid Steer - RDO Equipment, Co, Pflugerville, Texas - Sourcewell #032515-JDC (New Piece of Equipment)
5. $80,162.00 - Dump Truck - Grande Truck Center, San Antonio, Texas - BuyBoard #571-18 (Replacement of a 1997 dump truck)
6. $30,123.76 - Trailer - Vermeer Equipment of Texas-Louisiana, Round Rock, Texas - Sourcewell #106906 (Replacement of a 2006 trailer)

This equipment is to be financed in the total amount of $524,550.60, which is inclusive of the total interest amount of $62,220.25. The approval of the amendment to the master finance purchase agreement with USBancorp (for financing) is on March 05, 2019, City Council agenda.

The equipment purchases for the Public Services Transportation Division will support the City’s street operations, street overlay program, and sidewalk maintenance and gap program.

Council Committee, Board/Commission Action:
Click or tap here to enter text.

Alternatives:
Click or tap here to enter text.
Recommendation:
Recommend approval of the purchase of a water truck, backhoe, steel roller, skid steer, dump truck, and trailer in the amount of $524,550.60.
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING THE PURCHASES OF A WATER TRUCK FOR $65,365.47 FROM TEXAS FIRST RENTALS THROUGH THE BUYBOARD COOPERATIVE CONTRACT, A BACKHOE FOR $88,865.97 FROM RDO EQUIPMENT THROUGH THE SOURCEWELL COOPERATIVE CONTRACT, A STEEL ROLLER FOR $153,338.00 THROUGH THE BUYBOARD COOPERATIVE CONTRACT, A SKID STEER FOR $44,475.18 THROUGH THE SOURCEWELL COOPERATIVE CONTRACT, A DUMP TRUCK FOR $80,162.00 THROUGH THE BUYBOARD COOPERATIVE CONTRACT, AND A TRAILER FOR $30,123.76 THROUGH THE SOURCEWELL COOPERATIVE CONTRACT, EACH FOR USE BY THE PUBLIC SERVICES DEPARTMENT, STREETS DIVISION; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL APPROPRIATE DOCUMENTS TO COMPLETE THESE PURCHASES; AND DECLARING AN EFFECTIVE DATE.

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

PART 1. The purchases of a water truck for $65,365.47 from Texas First Rentals through the BuyBoard Cooperative Contract, a Backhoe for $88,865.97 from RDO Equipment through the Sourcewell Cooperative Contract, a Steel Roller for $153,338.00 through the BuyBoard Cooperative Contract, a Skid Steer for $44,475.18 through the Sourcewell Cooperative Contract, a Dump Truck for $80,162.00 through the BuyBoard Cooperative Contract, and a Trailer for $30,123.76 through the Sourcewell Cooperative Contract are hereby approved.

PART 2. The City Manager, or his designee, is authorized to execute the appropriate documents necessary to complete such purchases on behalf of the City.

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

ADOPTED on March 5, 2019.

Jane Hughson
Mayor

Attest:

Jamie Lee Case
City Clerk
**Customer Unit/Stock:** FAX: 10,290

**Copy No:** Appx Wgt +/-: 10,290

**OVL Length:** 37.3

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<th>Unit</th>
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<th>Total Amt</th>
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<td>Beavertail</td>
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<td>Beavertail, Acc</td>
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<td>Ramps; Rear</td>
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<td>Addtl Disc (see TERMS)</td>
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** FOB IF NO FREIGHT charged **

** FET Tax may apply on 26,000 lb GVWR and above **

Please sign and date your acceptance of this quote:
PURCHASER'S NAME: City of San Marcos

ADDRESS: 630 E Hopkins

CITY: San Marcos

STATE: TX

ZIP: 78666

PHONE: 512-393-8019

DATE: 11/2/2018

STOCK NO.: 187100

PLEASE ENTER MY ORDER FOR THE FOLLOWING MOTOR VEHICLE:

YEAR: 2018

MAKE: Ford

MODEL: F750

COLOR: white

W.B.: 1FDWF7DC5JDF04457

LIST PRICE: $75,500.00

SALE PRICE: $75,500.00

ADDITIONAL EQUIPMENT: $11,600.00

FEDERAL EXCISE TAX: $0.00

**DEALER'S INVENTORY TAX: $205.99

NET DIFFERENCE: $87,305.99

** The Dealer's Inventory Tax charge is intended to reimburse the dealer for ad valorem taxes on its motor vehicle inventory. The charge, which is paid by the dealer to the county tax assessor-collector, is not a tax imposed on a consumer by the government, and is not required to be charged by the dealer to the consumer.

Buyboard #571-18

LESS TRADE-IN ALLOWANCE: $0.00

FEDERAL EXCISE TAX: $0.00

STATE & LOCAL TAXES: $0.00

LICENSE & BRIDGE FEES: $0.00

TITLE FEE: $0.00

STATE INSPECTION: $62.00

EXTENDED SERVICE PLAN: $0.00

LIFE AND A&H: $0.00

DOCUMENTARY FEE: $0.00

USED VEHICLE MILES: 512-393-8019

A DOCUMENTARY FEE IS NOT AN OFFICIAL FEE. A DOCUMENTARY FEE IS NOT REQUIRED BY LAW BUT MAY BE CHARGED TO BUYERS FOR HANDLING DOCUMENTS AND PERFORMING SERVICES RELATING TO THE CLOSING OF A SALE. A DOCUMENTARY FEE MAY NOT EXCEED $300 OR A REASONABLE AMOUNT AGREED TO BY THE PARTIES FOR A HEAVY COMMERCIAL VEHICLE CONTRACT. THIS NOTICE IS REQUIRED BY LAW.

SUB TOTAL: $87,367.99

LIENT TO: $0.00

CASH DEPOSIT REC. #: 

REBATES: ($7,000.00)

AMOUNT DUE: $80,367.99

Unpaid Balance - Amount Financed: $0.00

BALANCE DUE: $80,367.99

PURCHASER AGREES THAT THIS ORDER INCLUDES ALL OF THE TERMS AND CONDITIONS ON BOTH THE FACE AND REVERSE SIDE HEREOF, THAT THIS ORDER CANCELS AND SUPERSEDES ANY PRIOR AGREEMENT AND AS OF THE DATE HEREOF COMPRISMS THE COMPLETE AND EXCLUSIVE STATEMENT OF THE TERMS OF THE AGREEMENT RELATING TO THE SUBJECT BINDING UNTIL ACCEPTED BY THE GENERAL MANAGER OR SALES MANAGER.

PURCHASER BY HIS EXECUTION OF THIS ORDER ACKNOWLEDGES THAT HE HAS READ ITS TERMS AND CONDITIONS AND HAS RECEIVED A TRUE COPY OF THIS ORDER.

IF SALE IS OF A USED VEHICLE, IT IS SOLD (BOUGHT) AS IS.

COMPANY NAME: City of San Marcos

PURCHASER'S SIGNATURE: 

ACCEPTED & APPROVED: 

SALESMAN: Bob Davie

F&L
# TASB Buyboard

## Quotation Worksheet

**BB# 151-16**

**Date:** 4/25/2017

**Distributor Name:** Nueces Power Equipment  
**Sales Person:** JC Reynolds  
**Phone Number:** 210-310-0066  
**Price list date:** 1/1/2017

**Customer name:** City of San Marcos  
**Model Discount:** 15.0%  
**Customer Contact:** factor  
**Model Discount:** 85.0%

<table>
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<tr>
<th>Machine Make</th>
<th>Model</th>
<th>Description</th>
<th>Sales Code</th>
<th>Factory List Price</th>
<th>Customer Price</th>
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<tr>
<td>Hamm</td>
<td>HD90</td>
<td>VO</td>
<td>515-16</td>
<td>$191,286.00</td>
<td>$162,593.10</td>
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</tbody>
</table>

- Operating weight 20550,6 lbs
- Infinitely variable speed pre-selection of: 0-7,46 mph
- Cruise control
- Engine management
- Vibration automatic system
- Frequency adjustment
- Non-divided vibratory drum with 2 amplitudes
- Non-divided oscillating drum
- Drum diameter 47,24/47,24 in
- Diesel engine
- DEUTZ TCD 3.6 L4
- Power rat. ISO 14396, kW/PS/rpm 85,0/115,6/2300
- On-board voltage 12 V
- Emissions standard EU/USA EU Stage IV/EPA Tier 4

## Factory Options & Attachments

- $0.00
- $0.00
- $0.00
- $0.00

## Non-Factory Options & Attachments

- Shop Manuals, freight, assembly & training
  - Factory Freight: $4,500.00
  - Local Delivery: $1,500.00
  - PDI & Training: $1,500.00

**Sub Total** $170,093.10

**NPE DISCOUNT 6%** $ (10,205.59)

**Total Sale Price** $159,887.51

**Validity** 4/25/2017

**Delivery** 30-90 Days A.R.O.

**FOB** Customers Yard
Investment Proposal (Quote)

RDO Equipment Co.
16415 N IH-35
Pflugerville TX, 78660
Phone: (512) 272-4141 - Fax: (512) 272-9365

Proposal for:
CITY OF SAN MARCOS
FINANCE DEPARTMENT
630 E HOPKINS ST
SAN MARCOS, TX, 78666
HAYS

Investment Proposal Date: 10/31/2018
Pricing Valid Until: 12/20/2018
Deal Number: 1121989
Customer Account#: 8032006
Sales Professional: Terry Weeter
Phone: (512) 272-4141
Fax: 
Email: TWeeter@rdoequipment.com

Comments
PRICE IS BASED ON SOURCE WELL COOPERATIVE CONTRACT # 032515-JDC
CITY OF SAN MARCOS ID # 94343

Equipment Information

<table>
<thead>
<tr>
<th>Quantity</th>
<th>Serial Number</th>
<th>Hours (approx.)</th>
<th>Status / Year / Make / Model Additional Items</th>
<th>Cash Price</th>
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<tbody>
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<td>1</td>
<td>TBD</td>
<td>0</td>
<td>New 2018 JOHN DEERE 310L</td>
<td>$147,479.00</td>
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<td>Freight In FRT</td>
<td>$2,350.00</td>
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<tr>
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<td>Prep / Reconditioning PDI</td>
<td>$1,500.00</td>
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<tr>
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<td>Freight Out DEL</td>
<td>$550.00</td>
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<td>Other SOURCE WELL DISCOUNT 47%</td>
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<td>Warranty - John Deere Power Train &amp; Hyd. 48 Months, 4000 Hours, Deductible: 0</td>
<td>$1,647.00</td>
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<tr>
<td>1</td>
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<td>Attachment - New 2018 TAG MANUFACTURING WAIN ROY CPLR</td>
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<td>Attachment - New 2018 TAG MANUFACTURING MECHANICAL THUMB</td>
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Equipment Subtotal: $88,865.97

Purchase Order Totals

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D1121989  Page 1 of 2
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<td>2018 JOHN DEERE 310L</td>
<td>0A60T 310L BACKHOE LOADER</td>
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<td>170C JDLINK 5YR TEMP LICENSE 50HR</td>
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<td>2035 CAB STANDARD</td>
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<td>2403 DECAL W/SP&amp;ENG PACKET</td>
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<td>3075 AXLE MFWD 4WD OPEN DIFF</td>
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<td>4462 TIRE GAL 19.5L24 16.5XD2010</td>
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<td>5400 COUPLER LESS</td>
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<td>5500 BUCKET BHO LESS</td>
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<td>6010 DIPPER STANDARD</td>
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<td>6230 HYD AUX W/ONE &amp; TWO WAY FLOW</td>
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<td>7025 LDR 1 LEVER HYD NO AUX</td>
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<td>7635 LDR BKT 1.12CY LG LIP BUCKET</td>
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<td>8455 COUNTERWEIGHT 750LB</td>
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<td>8635 BATTERY SINGLE W/JUMP POST</td>
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<td>9095 MACHINE SECURITY</td>
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<td>9110 RIDE CONTROL</td>
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<td>9917 RADIO BASIC PACKAGE</td>
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<td>2018 TAG MANUFACTURING WAIN ROY CPLR</td>
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<td>2018 TAG MANUFACTURING MECHANICAL THUMB</td>
<td>MECHANICAL THUMB MECHANICAL THUMB W/ EXTENSIONS TO FIT TAG WR CPLR AND TAG 24&quot; BKT</td>
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</tbody>
</table>
**Comments**

SOURCE WELL COOP PRICE. CONTRACT # 032515-JDC
CITY OF SAN MARCOS ID # 94343

<table>
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<tr>
<th>Equipment Information</th>
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<td><strong>Quantity</strong></td>
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<tr>
<td><strong>Serial Number</strong></td>
<td>TBD</td>
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<tr>
<td><strong>Hours (approx.)</strong></td>
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<td><strong>Status / Year / Make / Model</strong></td>
<td>New 2018 JOHN DEERE 324G</td>
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<td><strong>Additional Items</strong></td>
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<td>Freight In FRT</td>
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<td>Prep / Reconditioning PDI</td>
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<td>Freight Out DEL</td>
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<td>Hours, Deductible: 0</td>
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<td><strong>Cash Price</strong></td>
<td>$61,606.02</td>
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**Equipment Subtotal:** $44,376.04

**Purchase Order Totals**

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</table>
The Loss Damage Waiver ("LDW") is not available for all rental transactions. Texas First Rentals may refuse to offer the LDW in its sole discretion. The LDW charge is 14% of the Base Rental installment per month.

Ordered By: CITY, SAN MARCOS
Purchase Order Number: BUYBOARD #515-16
Cust Job Ref No.:
Terms: Due Upon Receipt

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<tr>
<th>Qty</th>
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<td>100473</td>
<td>65000.00</td>
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<td>CC: 750-1000</td>
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<td></td>
<td>2000 GAL WATER TRUCK</td>
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<td></td>
<td>Make: LEDWELL</td>
<td>Model: LW2000WT</td>
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<tr>
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SALES ITEMS:

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<tr>
<th>Qty</th>
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<tr>
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<td>HEITX</td>
<td>HEAVY EQUIPMENT INVENTORY TAX SAL</td>
<td>EA</td>
<td>115.466</td>
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<td>TITLE TRANSFER FEES</td>
<td>TITLE TRANSFER FEES</td>
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DELIVERY INSTRUCTIONS:

Delivery location tbd

Exempt: 65365.47

CUSTOMER MUST CALL FOR PICK UP AND OBTAIN A PICK UP NUMBER

CONDITIONS OF RENTAL, READ FRONT & REVERSE SIDE

Loss Damage Waiver: Customer Accepts ___________ initials
Customer Declines ___________ initials

Statement of Total Charge for Optional Loss Damage Waiver: If the customer elects to purchase the Optional Loss Damage Waiver the total estimated charge to the customer under this agreement shall be $65365.47

CUSTOMER SIGNATURE ____________________________
DATE ____________________________
NAME PRINTED ____________________________

By initialing this, I have read and received a safety sheet explaining the safe operation of the equipment I am renting. Initials ___________
AGENDA CAPTION:
Consider approval of Resolution 2019-41R, awarding an annual contract for lawn maintenance services to Landscape Commander, LLC in the estimated annual amount of $60,450.00 for the Community Service Department, Parks and Recreation Division contingent upon the bidder’s timely submission of sufficient insurance in accordance with the City’s bid documents; authorizing the City Manager or his designee to execute the appropriate purchasing documents on behalf of the City; and declaring an effective date.

Meeting date: March 5, 2019

Department: Community Services Department - Drew Wells, Acting Executive Director of Community Services (by Lynda Williams, Purchasing Manager)

Amount & Source of Funding
Funds Required: $60,450.00
Account Number: 10003180.52230
Funds Available: $60,450
Account Name: Professional Services

Fiscal Note:
Prior Council Action: March 2015, Lawn Services Maintenance contract 215-014 was awarded to Rios Tree Services in the amount of $68,544.00.

City Council Strategic Initiative: [Please select from the dropdown menu below]
City Facilities
Choose an item.
Choose an item.

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
- Economic Development - Choose an item.
- Environment & Resource Protection - Choose an item.
- Land Use - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
Background Information:
The previous lawn maintenance contract expires March 2019. Solicitation #219-083 was issued for a new lawn maintenance contract and on January 24, 2019, ten (10) bids were received.

This recommended contract award is for annual lawn maintenance for City-wide facilities such as City Hall, Library, Activity Center, Grant Harris, City Fire and Police Stations, SMEU and various auxiliary buildings throughout the City. The contract is anticipated to be effective on March 15, 2019 through March 14, 2020. Within the terms and conditions of the contract, the City has the option to extend for three (3) additional one (1) year periods. Contract extensions may be awarded administratively in the form of an Authorization of Change in Service signed by the Purchasing Manager.

Council Committee, Board/Commission Action:
Click or tap here to enter text.

Alternatives:
Click or tap here to enter text.

Recommendation:
Based on lowest and best value to the City of San Marcos, staff recommends award to Landscape Commander, LLC, New Braunfels, Texas, in the amount of $60,450.00 for an annual lawn maintenance contract 219-083.
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, AWARDING AN ANNUAL CONTRACT FOR LAWN MAINTENANCE SERVICES TO LANDSCAPE COMMANDER, LLC IN THE ESTIMATED ANNUAL AMOUNT OF $60,450.00 FOR THE COMMUNITY SERVICES DEPARTMENT, PARKS AND RECREATION DIVISION, CONTINGENT UPON THE BIDDER’S TIMELY SUBMISSION OF SUFFICIENT INSURANCE IN ACCORDANCE WITH THE CITY’S BID DOCUMENTS; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE APPROPRIATE PURCHASING DOCUMENTS ON BEHALF OF THE CITY; AND DECLARING AN EFFECTIVE DATE.

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

PART 1. The award of an annual contract to Landscape Commander, LLC for Lawn Maintenance Services (IFB #219-083) is approved in the estimated annual amount of $60,450.00 for the Community Services Department, Parks and Recreation Division, contingent upon the bidder’s timely submission of sufficient insurance in accordance with the City’s bid documents.

PART 2. The City Manager or his designee is authorized to execute the appropriate purchasing documents on behalf of the City.

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

ADOPTED on March 5, 2019.

Jane Hughson
Mayor

Attest:

Jamie Lee Case
City Clerk
### BID TABULATION

**LAWN MAINTENANCE SERVICES**  
**IFB #219-083**  
**JANUARY 24, 2019 2:00 P.M.**

<table>
<thead>
<tr>
<th>Bidder Name</th>
<th>Total Bid For Sections 1 and 2</th>
<th>Addendum Acknowledged</th>
</tr>
</thead>
</table>
| Rios Tree Service, Inc  
Boerne, TX                                              | $73,200.00                     | Yes                   |
| Landscape Commander  
New Braunfels, TX                                      | $60,450.00                     | Yes                   |
| Elk Ridge  
Wimberley, TX                                           | $91,200.00                     | Yes                   |
| Unity Contractor Services  
Austin, TX                                                 | $126,780.00                    | Yes                   |
| Diamondback Landscaping  
San Marcos, TX                                           | $134,904.00                    | Yes                   |
| Kyle Landscaping Services  
Kyle, TX                                                    | $150,369.00                    | Yes                   |
| Olympia Landscape Development  
San Antonio, TX                                           | $161,820.00                    | Yes                   |

Recorded by:  
Witnessed by:  

Rev. 05/29/18
# BID TABULATION

**LAWN MAINTENANCE SERVICES**  
**IFB #219-083**  
**JANUARY 24, 2019 2:00 P.M.**

<table>
<thead>
<tr>
<th>Bidder Name</th>
<th>Total Bid For Sections 1 and 2</th>
<th>Addendum Acknowledged</th>
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<tbody>
<tr>
<td>Corridor Landscaping</td>
<td>$192,744.00</td>
<td>Yes</td>
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<td>San Marcos, TX</td>
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<tr>
<td>ABBECAPE Group</td>
<td>$208,071.77</td>
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<td>Liberty Hill, TX</td>
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<tr>
<td>B &amp; T Dependable</td>
<td>$258,870.00</td>
<td>Yes</td>
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<tr>
<td>San Antonio, TX</td>
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Recorded by: [Signature]

Witnessed by: [Signature]

Rev. 05/29/18
Recommendation for Award

Clear Form

Date: 28-Jan-19

To: Bert Lumbreras
cc: Lynda Williams
cc: Connie Singleton

From: Rodney Cobb
Title: Executive Director Community Services
Department: Community Services
Account #: 10003180 52230
Account Name: C.S. Professional Service
Solicitation Number: 219-083

Lawn Maintenance Services
Name of Project

Background

This project includes lawn maintenance for various locations owned and/or maintained by the City of San Marcos including City facilities, sewage lift stations, including water and pressure stations. The successful bidder will provide all labor, equipment, tools, materials, chemicals, supplies, supervision, and other items or services necessary to perform lawn maintenance services.

Analysis of Award

Community Services recommends awarding to the low bidder, Landscape Commander. This recommendation is based on pricing provided, experience with other municipalities and excellent feedback from the references provided by the Landscape Commander.

List of Respondents

- Rios Trees: Landscape Commander
- Elk Ridge: Unily Contractor
- Diamondback Landscaping: Kyle Landscaping
- Olympia Landscape: Corridor Landscaping
- Abescape Group: B & T Dependable

Recommendation

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Award Amount</th>
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<tr>
<td>Landscape Commander, LLC</td>
<td>$60,450.00</td>
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</table>

Company Name (if more than one award)

Award Amount

Approved by:

Title: EXECUTIVE DIRECTOR, COMMUNITY SERVICES DEPT.
Director or Assistant Director of Department

Rev. 04/20/18
AGENDA CAPTION:
Consider approval of Resolution 2019-42R, approving the award of a construction contract to Ultimate Roofing Systems for the replacement of roofing at the San Marcos Regional Animal Shelter in the total amount of $108,904.04 through the Texas Interlocal Purchasing System Cooperative (Contract No. 2092415) contingent upon the contractor’s timely submission of sufficient bonds and insurance in accordance with the City’s construction contract documents for the project; authorizing the City Manager or his designee to execute the appropriate documents related to this contract on behalf of the City; and declaring an effective date.

Meeting date: March 5, 2019

Department: Community Services - Oscar Hairell, Assistant Director (by Lynda Williams, Purchasing Manager)

Amount & Source of Funding
Funds Required: $108,904.04
Account Number: C352-GENERAL-CONST-ANMLSHLTR
Funds Available: Click or tap here to enter text.
Account Name: Click or tap here to enter text.

Fiscal Note:
Prior Council Action: Click or tap here to enter text.

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.
Choose an item.
Choose an item.

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]

- Economic Development - Choose an item.
- Environment & Resource Protection - Choose an item.
- Land Use - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]
Choose an item.

Background Information:
The Animal Shelter Roof is comprised of three different roofing systems ranging in age from 12 to 19 years old. Existing roofs are screw-down R-Panel that have required a tremendous amount of maintenance and have exceeded their life expectancy. The proposed Durolast roof will prevent further maintenance and will increase the energy efficiency of the facility.

City Staff recommends award of a contract to Ultimate Roofing Systems of Cedar Park, Texas in the amount of $108,904.04. This contract award is made through the TIPS (The Interlocal Purchasing System) Cooperative Contract 2092415 as authorized by Texas Local Government Code Chapter 271.102 which authorizes the City to participate in cooperative purchasing programs.

Council Committee, Board/Commission Action:
Click or tap here to enter text.

Alternatives:
Click or tap here to enter text.

Recommendation:
City Staff recommends award to Ultimate Roofing Systems in the amount of $108,904.04
RESOLUTION NO. 2019- R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING THE AWARD OF A CONSTRUCTION CONTRACT TO ULTIMATE ROOFING SYSTEMS FOR REPLACEMENT OF ROOFING AT THE SAN MARCOS REGIONAL ANIMAL SHELTER IN THE TOTAL AMOUNT OF $108,904.04 THROUGH THE TEXAS INTERLOCAL PURCHASING SYSTEM COOPERATIVE (CONTRACT NO. 2092415), CONTINGENT UPON THE CONTRACTOR’S TIMELY SUBMISSION OF SUFFICIENT BONDS AND INSURANCE IN ACCORDANCE WITH THE CITY’S CONSTRUCTION CONTRACT DOCUMENTS FOR THE PROJECT; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE APPROPRIATE DOCUMENTS RELATED TO THIS CONTRACT ON BEHALF OF THE CITY; AND DECLARING AN EFFECTIVE DATE.

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

PART 1. The attached contract with Ultimate Roofing Systems in the amount of $108,904.04 for the replacement of the roof at the San Marcos Regional Animal Shelter is approved.

PART 2. The City Manager or his designee is authorized to execute appropriate documents related to said contract on behalf of the City.

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

ADOPTED on March 5, 2019.

Jane Hughson
Mayor

Attest:

Jamie Lee Case
City Clerk
Date: September 27, 2018

PROPOSAL

In-

Prepared by Rocky DeMarco
Cell phone 512-718-3060

Customer Name:
City of San Marcos
630 East Hopkins
San Marcos, TX 78666
Oscar Hairell 512-644-6489

Job Name/Location:
**New Duro-Last Roofing System**
San Marcos Animal Shelter
750 River Rd.
San Marcos, TX 78666

Proposal – based on Ultimate Roofings contract # 2092415 with TIPS

SCOPE OF WORK

We hereby propose to furnish the materials & labor necessary for the completion of the following roofing project, unless otherwise noted: Animal Shelter, San Marcos, TX

⇒ Furnish and install Duro-Last 40 mil dark gray prefabricated energy efficient system, EPS flute insulation. Fan Fold EPS insulation barrier under mechanically attached energy efficient and sustainable membrane on both buildings.
⇒ Furnish and install Duro-Last Roofing System according to manufacturers specifications including:

* Duro-Last 40 mil Duro-Last reinforced single-ply roof membrane color—dark gray
* Duro-Last Pre-fabricated curb flashings at all existing roof curbs
* Duro-Last Pre-fabricated pipe flashings at all sewer stack and other round penetrations
* Duro-Last Pre-fabricated roof drain boots, strainers and CDR rings
* Duro-Last Pre-fabricated parapet wall flashing at all roof to wall joints
* Duro-Last termination bar around all penetration curbs
* Duro-Last poly-plates and associated fasteners
* Duro-Last patented 2 way membrane venting system
* Duro-Last walk pad on service side of A.C. units
* Duro-Last 4” Two piece compression Fascia and termination.
* Duro-Last EPS flute fill insulation & Fan Fold EPS insulation barrier
* Clean up and remove all roofing related debris.

Total price for roof area replacement (approximately 20,358 sq. ft.) ........................................... $108,904.04 (Price includes bonds & TIPS).
Total price if tax exempt (if not there will be a tax rate of 8.25% added) ...........................................$108,904.04

*The Duro-Last System carries a 15 year NON-PRORATED manufacturer’s full replacement cost MATERIAL AND LABOR warranty (with NO EXCLUSIONS for consequential damages or ponding water). Consequential damage is covered for the full 15 years. After final inspection, the Duro-Last Inspector will generate the warranty and have them available per the terms and conditions stated herein.
PROPOSAL

Customer Name:  City of San Marcos
                630 East Hopkins
                San Marcos, TX 78666
                Oscar Hairell 512-644-6489

Job Name/Location: **New Duro-Last Roofing System**
                  San Marcos Animal Shelter
                  750 River Rd.
                  San Marcos, TX 78666

SCOPE OF WORK

Disclaimer: Any additional work required, tear out, electrical, HVAC, plumbing, mechanical or lightning protection, will only be initiated upon owners approval accompanied with a change order.

Any alterations or deviation from the scope of work involving extra costs including, but not limited to, additional materials and labor will be executed only upon written change orders submitted to Ultimate Roofing Systems, which will result in an extra charge over this proposal.

- The base price does not include any allowances for roof deck replacement or for other hidden damages.
- Proposal based on overlay of existing roof, permits and bonding are not included.
- Ultimate Roofing Systems is not responsible for existing conditions of roof, or for defects in the design or construction of the building, (including any design that allows ponding water on the roof) its structural components or fixtures, modifications or additions which are made on, to or through the metal Roofing System.
- Ultimate Roofing Systems is not responsible for conduit whether on the roof, within the roof or below the existing roofing system.
- Ultimate Roofing is not responsible for the calibration, recalibration, readjustment and/or testing on any electronic equipment such as but not limited to satellite dish, camera security, communication equipment, GPS devices, or recertification of lightning rods (grounding system).

Please be advised that noise created by installation of roof is normal and is expected during working hours. If this is an issue please advise prior to commencement.
All material is guaranteed to be as specified, and the above work to be performed in accordance with the specifications submitted for the above work and completed in a substantial workmanlike manner for the sum of:

[ $108,904.04]

Invoices will be provided for progress payments, a final invoice will be provided upon completion

Any alteration or deviation from above specifications involving extra costs will be executed only upon written change orders and will become an extra charge over and above the proposal. All change orders must be pre-paid prior to commencement. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance upon above project. The building owner is responsible to secure any items within or around the building that could be disturbed by the process of the work to be performed. The building owner agrees to supply to Ultimate Roofing Systems, at no charge, use of power/water supply, space for signage, and access to the roof and all areas of the exterior of the buildings including: designated space for cranes, dumpsters, material storage, and portable toilets. We will make every attempt to work with your schedule and keep any inconveniences that you may encounter to a minimum. All warranties and lien wavers will be issued after the receipt of final payment. After 30 days accounts will be charge interest at a rate of 18% annum. Should there be a default in payment according to the contract terms, the customer shall be responsible for any/all collections and attorney fees.

NOTICE TO OWNER:
Any person or company supplying labor or materials for this project on your property may file a lien against your property if that person or company is not paid for their contributions. Under Texas law you have the right to pay persons who supplied labor or materials for this project directly and deduct this amount from our contract price, or withhold the amounts due them from us until 120 days after completion of the project unless we give you a lien waiver signed by persons who supplied any labor or materials for the improvement and who gave you timely notice.

Respectfully submitted by Ultimate Roofing Systems

Date_________________ Per __________________________
Rocky DeMarco

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Acceptance of this proposal is pursuant to and in accordance with the City’s Standard Terms and Conditions found at www.sanmarcostx.gov/termsandconditions. Lynda Williams, Purchasing Manager 2/4/19

ACCEPTANCE OF PROPOSAL
The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date_________________ Signature____________________ Alternate________________________

Date_________________ Signature____________________ Alternate________________________
AGENDA CAPTION:
Consider approval of Resolution 2019-43R, approving the award of a construction contract to Ultimate Roofing Systems for replacement of roofing at the Price Center in the total amount of $89,938.35 through the Texas Interlocal Purchasing System Cooperative (Contract No. 2092415) contingent upon the contractor’s timely submission of sufficient bonds and insurance in accordance with the City’s construction contract documents for the project; authorizing the City Manager or his designee to execute the appropriate documents related to this contract on behalf of the City; and declaring an effective date.

Meeting date: March 5, 2019

Department: Community Services - Drew Wells, Interim Director (by Lynda Williams, Purchasing Manager)

Amount & Source of Funding
Funds Required: $89,983.35
Account Number: MCF001
Funds Available: $130,000
Account Name: CIP-Facility Renovations

Fiscal Note:
Prior Council Action: A $9,640.00 Community Development Block Grant roof/ceiling restoration project was completed in 2004.

City Council Strategic Initiative: [Please select from the dropdown menu below]
City Facilities
Choose an item.
Choose an item.

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☐ Economic Development - Choose an item.
☐ Environment & Resource Protection - Choose an item.
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
☐ Parks, Public Spaces & Facilities - Well maintained public facilities that meet needs of our community
Background Information:
The City of San Marcos accepted the donation of the property “for the purpose of providing the City of San Marcos with a facility to be used for youth and/or senior citizen activity programs” in a deed from the First Christian Church recorded in Volume 994, page 684 of the Hays County Deed Records.

The City of San Marcos leased the property at 222 West San Antonio Street, now known as the Price Center, to the Greater San Marcos Area Seniors Association on December 21, 1998. The term of this lease is thirty years commencing on January 1, 1999 and ending on December 31, 2028.

The Price Center roof is comprised of five different roofing systems ranging in age from 18 to 35 years old. The existing roofs are a mixture of asphalt shingles and metal with numerous leaks. The proposed new roof is a Galvalume standing seam roof that will require less maintenance.

City Staff recommends award of a contract to Ultimate Roofing Systems of Cedar Park, Texas in the amount of $89,938.35. This contract award is made through the TIPS (The Interlocal Purchasing System) Cooperative Contract 2092415 as authorized by Texas Local Government Code Chapter 271.102 which authorizes the City to participate in cooperative purchasing programs.

Council Committee, Board/Commission Action:
N/A

Alternatives:
N/A

Recommendation:
City Staff recommends award to Ultimate Roofing Systems in the amount of $89,983.35
RESOLUTION NO. 2019- R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING THE AWARD OF A CONSTRUCTION CONTRACT TO ULTIMATE ROOFING SYSTEMS FOR REPLACEMENT OF ROOFING AT THE PRICE CENTER IN THE TOTAL AMOUNT OF $89,938.35 THROUGH THE TEXAS INTERLOCAL PURCHASING SYSTEM COOPERATIVE (CONTRACT NO. 2092415), CONTINGENT UPON THE CONTRACTOR’S TIMELY SUBMISSION OF SUFFICIENT BONDS AND INSURANCE IN ACCORDANCE WITH THE CITY’S CONSTRUCTION CONTRACT DOCUMENTS FOR THE PROJECT; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE APPROPRIATE DOCUMENTS RELATED TO THIS CONTRACT ON BEHALF OF THE CITY; AND DECLARING AN EFFECTIVE DATE.

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

PART 1. The attached contract with Ultimate Roofing Systems in the amount of $89,938.35 for the replacement of the roof at the Price Center is approved.

PART 2. The City Manager or his designee is authorized to execute appropriate documents related to said contract on behalf of the City.

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

ADOPTED on March 5, 2019.

Jane Hughson
Mayor

Attest:

Jamie Lee Case
City Clerk
Date: October 18, 2018

PROPOSAL

Customer Name:
City of San Marcos
630 East Hopkins
San Marcos, TX 78666
Oscar Hairrell 512-644-6489

Job Name/Location:
**New Duro-Last Roofing System**
Price Building
222 W San Antonio St.
San Marcos, TX 78666

Proposal –based on Ultimate Roofings contract # 2092415 with TIPS

SCOPE OF WORK
We hereby propose to furnish the materials & labor necessary for the completion of the following roofing project, unless otherwise noted: Price Bldg., San Marcos, TX

Contract is for a Premium Standing Seam Metal Roof System at 222 West San Antonio St., San Marcos, TX.

SCOPE OF WORK
• Remove existing metal roof system and haul away.
• Provide and install synthetic underlayment, 24 Gauge Standard Color drip edge and cleated hook style valley metal attachment.
• Provide and install 24 Gauge Standard Color standing seam metal roof system.
• Panels to be 17” wide with 2 stiffening ribs and a 1 1/2” tall double lock folded leg. Panels to be continuous from ridge to the eaves. Panel at drip edge detail to folded 180* and attached to drip edge metal perimeter.
• Provide and install 24 Gauge Galvalume Ridge Cap flashings.
• * Property to be magnetic raked and debris to be hauled from property.
• * Oil canning is a natural occurring phenomenon and is not a reason for rejection.

Exclusions
Excluded will be gutter replacement, painting, decking or wood replacement will be added with approved change order. Added work to become change order if approved i.e. fascia, wood decking.

Total price for roof area replacement (approximately 10,100 sq. ft.)…………………………………… $69,938.35
Total decking allowance for replacement (to be deducted if not used)…………………………………… $20,000.00
(Price includes bond & TIPS).
Total price if tax exempt (if not there will be a tax rate of 8.25% added).…………………………………… $89,938.35

Included, Manufactures a 20 year LIMITED warranty on materials and a 5 year warranty on labor. After final inspection, Inspector will generate the appropriate warranty documents and have them available per the terms and conditions stated herein.
PROPOSAL

Customer Name:  
City of San Marcos  
630 East Hopkins  
San Marcos, TX 78666  
Oscar Hairell 512-644-6489

Job Name/Location:  
**New Duro-Last Roofing System**  
Price Building  
222 W San Antonio St.  
San Marcos, TX 78666

SCOPE OF WORK

Disclaimer: Any additional work required, tear out, electrical, HVAC, plumbing, mechanical or lightning protection, will only be initiated upon owners approval accompanied with a change order.

Any Alterations or deviation from the scope of work involving extra costs including, but not limited to, additional materials and labor will be executed only upon written change orders submitted to Ultimate Roofing Systems, which will result in an extra charge over this proposal.

- The base price does not include any allowances for roof deck replacement or for other hidden damages.
- Proposal based on new metal roof, permits are not included. Bonding & TIPS is included. A deck replacement of $20,000, unused dollars will be deducted in a change order.
- Ultimate Roofing Systems is not responsible for existing conditions of roof, or for defects in the design or construction of the building, (including any design that allows ponding water on the roof) its structural components or fixtures, modifications or additions which are made on, to or through the metal Roofing System.
- Ultimate Roofing Systems is not responsible for conduit whether on the roof, within the roof or below the existing roofing system.
- Ultimate Roofing is not responsible for the calibration, recalibration, readjustment and/or testing on any electronic equipment such as but not limited to satellite dish, camera security, communication equipment, GPS devices, or recertification of lightning rods (grounding system).

Please be advised that noise created by installation of roof is normal and is expected during working hours. If this is an issue please advise prior to commencement.
All material is guaranteed to be as specified, and the above work to be performed in accordance with the specifications submitted for the above work and completed in a substantial workmanlike manner for the sum of:

[ $89,938.35 ]

Invoices will be provided for progress payments, a final invoice will be provided upon completion.

Any alteration or deviation from above specifications involving extra costs will be executed only upon written change orders and will become an extra charge over and above the proposal. All change orders must be pre-paid prior to commencement. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance upon above project. The building owner is responsible to secure any items within or around the building that could be disturbed by the process of the work to be performed. The building owner agrees to supply to Ultimate Roofing Systems, at no charge, use of power/water supply, space for signage, and access to the roof and all areas of the exterior of the buildings including: designated space for cranes, dumpsters, material storage, and portable toilets. We will make every attempt to work with your schedule and keep any inconveniences that you may encounter to a minimum. All warranties and lien waivers will be issued after the receipt of final payment. After 30 days accounts will be charge interest at a rate of 18% annum. Should there be a default in payment according to the contract terms, the customer shall be responsible for any/all collections and attorney fees.

NOTICE TO OWNER:
Any person or company supplying labor or materials for this project on your property may file a lien against your property if that person or company is not paid for their contributions. Under Texas law you have the right to pay persons who supplied labor or materials for this project directly and deduct this amount from our contract price, or withhold the amounts due them from us until 120 days after completion of the project unless we give you a lien waiver signed by persons who supplied any labor or materials for the improvement and who gave you timely notice.

Respectfully submitted by Ultimate Roofing Systems

Date_______________ Per ______________________________
Rocky DeMarco

Note: This proposal may be withdrawn by us if not accepted within 30 days.
AGENDA CAPTION:
Consider approval of Resolution 2019-44R, approving the annual renewal of the agreement with Gene Bagwell doing business as Maintenance Management for the management and operation of the San Marcos Cemetery in the amount of $148,345.34; authorizing the City Manager or his designee to execute the appropriate documents related to this contract extension on behalf of the City, and declaring an effective date.

Meeting date: March 5, 2019

Department: Community Services - Rodney Cobb, Executive Director (By Lynda Williams, Purchasing Manager)

Amount & Source of Funding
Funds Required: $75,804.47 FY19, Remainder appropriated in FY20
Account Number: 12050220.52400
Funds Available: $75,804.47
Account Name: Maintenance Contract-Cemetery M&O

Fiscal Note:
Prior Council Action: February 20, 2018 - First one year renewal of contract #217-023 for Management and Operations of the San Marcos Cemetery in the amount of $145,152.00.

City Council Strategic Initiative: [Please select from the dropdown menu below]
City Facilities
Choose an item.
Choose an item.

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☐ Economic Development - Choose an item.
☐ Environment & Resource Protection - Choose an item.
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
☒ Parks, Public Spaces & Facilities - Choose an item.
☐ Transportation - Choose an item.
Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]
Parks, Recreation, & Open Space Master Plan

Background Information:
The contract for the Management and Operations of the San Marcos Cemetery (RFP 217-023) with Gene Bagwell dba Maintenance Management awarded at the amount of $145,152.00, expires March 31, 2019. Within the terms and conditions of the contract the City of San Marcos has the option to extend the contract for nine (9) additional (1) year periods. This will be the second (2nd) one year extension of the contract.

The City of San Marcos has the option to adjust the contract price for any extension period on a percentage equal to the new percentage change from the previous year in the Consumer Price Index (CPI) for Wage Earners and Clerical Workers as published by the United States Department of Labor, Bureau of Labor Statistics. The current CPI adjustment, if exercised, would increase our current contract price of $148,345.34 by 2.2% or an increase of $3,263.60.

The contract renewal will be effective April 1, 2019 through March 31, 2020, therefore it crosses two (2) fiscal years. The total annual amount of the contract is $151,608.94 but the amount required for FY19 (April 1, 2019 - September 30, 2020) is $75,804.47.

Council Committee, Board/Commission Action:
Click or tap here to enter text.

Alternatives:
Click or tap here to enter text.

Recommendation:
The Cemetery Commission met on January 23, 2019 and discussed the contract extension options and recommends extending the current contract with a 2.2% increase for a total contract amount of $151,608.94 for FY2019-20.
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, APPROVING THE ANNUAL RENEWAL OF THE AGREEMENT WITH GENE BAGWELL DOING BUSINESS AS MAINTENANCE MANAGEMENT FOR THE MANAGEMENT AND OPERATION OF THE SAN MARCOS CEMETERY IN THE AMOUNT OF $148,345.34; AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE DOCUMENTS RELATED TO THE RENEWAL OF THIS AGREEMENT; AND DECLARING AN EFFECTIVE DATE.

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

PART 1. The annual renewal of the Agreement (“Agreement”) with Gene Bagwell doing business as Maintenance Management for maintenance and operation of the San Marcos Cemetery in the amount of $148,345.34 is approved.

PART 2. The City Manager or his designee is authorized to execute the appropriate documents related to the renewal of this Agreement on behalf of the City.

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

ADOPTED on March 5, 2019.

Jane Hughson
Mayor

Attest:

Jamie Lee Case
City Clerk
Management & Operations of the San Marcos Cemetery

Annual Contract

<table>
<thead>
<tr>
<th>YEAR</th>
<th>2018</th>
<th>2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>CPI</td>
<td>$3,263.60</td>
<td>2.2%</td>
</tr>
<tr>
<td>YEARLY AMOUNT</td>
<td>$148,345.34</td>
<td>$151,608.94</td>
</tr>
</tbody>
</table>

Our current annual contract for Management & Operations of the San Marcos Cemetery with Gene Bagwell dba Maintenance Management expires on March 31, 2019. Within the terms and conditions of the contract, the City has the option to extend for nine (9) additional one (1) year periods. This is the first extension.

The contract price for any extension period shall be adjusted on a percentage amount equal to the net percentage change from the previous year in the Consumer Price Index (CPI) for Wage Earners and Clerical Workers as published by the United States Department of Labor, Bureau of Labor Statistics. The CPI for our current contract price is +2.2%.
1. Call to Order – Robert Cotner called the meeting to order at 5:18 pm on January 23, 2019.

2. Roll Call – Members present were Robert Cotner, Nancy Scott, Melani Liddle, Shannon Fitzpatrick, Bobby Moore, and Delores Gibbs. Members absent were Michele Donnelly. Staff present were Drew Wells, Bert Stratemann, and Sandy McKenzie. There were no others present.

3. Citizen Comment Period – Inquiries from speakers about matters not listed on the agenda will either be directed to the staff or placed on a future agenda for future discussion (3-minute time limit). None at this time.

4. Approval of the October 25, 2018 minutes. The commission noted that the December meeting was cancelled so there will be no minutes for the month of December. Shannon Fitzpatrick made the motion to approve the October minutes as written. Nancy Scott seconded the motion and all members were in favor. Motion passed 6-0.

5. Review of the budget – the budget was presented to the board. The main encumbrances were for the surveying of two areas of the cemetery.

6. Discussion/Recommendation – Approval or denial for the renewal of the contract for the maintenance of the cemetery by Gene Bagwell, dba Maintenance Management. CPI increase of 2.2%. The commission discussed the performance of Gene Bagwell and Maintenance Management. The commission is happy with the work being done but would like to see the quarterly reports that Bert Stratemann is getting. Nancy Scott made the motion to approve the increase of the Maintenance Management Contract by 2.2%. Shannon Fitzpatrick seconded the motion and all members were in favor. Motion passed 6-0. The commission would like to consider asking that the yearly contract be moved to a Fiscal Year instead of the March-February so that it aligns with the budget.

7. Discussion/Recommendation – Approval of the new ordinance regarding terms and By-Laws. The commission had received the by-laws via email so that they could read them and if they had questions they could be answered at this meeting. Robert Cotner had a question regarding the amount of terms that a commission could hold. Previously the terms were two-2-year terms. They are now moving as members are appointed or re-appointed to two-3-year terms. The commission asked for clarification on extending terms if there was a special project going on and Jamie Case via phone spoke to that and mentioned that if the City Council feels that it is needed for a commissioner to stay on they could extend the terms. With the clarification from Jamie Case on the terms, Shannon Fitzpatrick made the motion to
approve the by-laws as written. Melanie Liddle seconded the motion and all members were in favor. Motion passed 6-0.

8. Discussion on purchase of property off of Ranch Road 12, in front of Ramsey Addition – Drew mentioned that during the end of December that the City and Mr. Fields came to an agreement on the sale of the property off of Old RR 12 near Holland St, in front of the Ramsey Addition. The houses that are there will be removed with the exception of the rock house and that will be used as an office.

9. Discussion – New columbarium information – Drew mentioned that it is being considered to do the full build out of the columbarium area instead of doing phases of the project. He will be asking, in the upcoming budget, for the funds from CIP to build out the columbarium, plat the new section and make some new roads. Bert mentioned that Brent Luck will be doing a rendering of the columbarium area as well as the new section that will be put into the master plan.

10. Project Updates:
   - Fence – the city is holding off until the new section is surveyed.
   - Surveying of entire cemetery – Tri Tech has started the surveying of the Woodlawn section 8.
   - Signage in the cemetery, front entrance and plaque by flag pole – the Parks department will move the sign on the front column and Gene is supposed to repaint the one by the flag pole and then sand it down.
   - Ordinance changes – the ordinance is in the hands of legal, the revisions are done and now the commission will approve a resolution to move the changes forward to council. There will be a discussion item on next month’s agenda for approval.

11. Discussion/Recommendation – Staff to receive direction on the following areas:
   - Cemetery Liaison – Robert had not recently met with Gene; however, the cemetery does look good. He was curious about the sign for the Tower Addition, Bert mentioned that it is done but that Jeannine from Lucky Sky Graphics was not able to get it installed yet. The other item that Robert mentioned, and this will be put on the next agenda, is the installation of a Windmill in the Old Original section. There are footings from the windmill that was there many years ago. The Historical Commission would donate the funds for the windmill.
   - Friends of the Cemetery Liaison – Nancy Scott mentioned that the next meeting will be on Tuesday, February 2 and she will have a report from that meeting next month.

12. Questions and answers from press and public – Questions answered regarding items that were discussed on this agenda only. None at this time.

13. Items for the upcoming agenda and meeting date – no discussion about the items at this time only the placement on the agenda for the next month.
   - Year in review report
   - Windmill in Old Original Section
   - Approve resolution to move forward the ordinance changes to council
   - Columbarium and New addition information
   - Signage
14. Adjourn

The minutes from the January 23, 2019 meeting of the City of San Marcos, Cemetery Commission are respectfully submitted on ________________ by

___________________________________
Sandy McKenzie, Administrative Coordinator

___________________________________
Robert Cotner, Chair
AGENDA CAPTION:
Consider approval of Resolution 2019-45R, approving an Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation (CSJ No. 3379-01-016), for the Hunter Road and Wonder World Drive Intersection Improvements Project, including the installation of median islands and pedestrian poles, reconstruction of sidewalks and curb ramps, and striping of crosswalks and bike lanes, with an estimated cost of participation by the city in the amount of $28,126; authorizing the City Manager to execute said agreement on behalf of the City; and declaring an effective date.

Meeting date: March 5, 2019

Department: Engineering & CIP

Amount & Source of Funding
Funds Required: $205,770.00
Account Number: C634
Funds Available: $575,000.00
Account Name: Hunter Rd/Wonder World Dr Intersection Improvements

Fiscal Note:
Prior Council Action: NA

City Council Strategic Initiative: [Please select from the dropdown menu below]
Choose an item.
Choose an item.
Choose an item.

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☐ Economic Development - Choose an item.
☐ Environment & Resource Protection - Choose an item.
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
☐ Parks, Public Spaces & Facilities - Choose an item.
☒ Transportation - Multimodal transportaion network to improve accessibility and mobility, minimize
congestion and reduce pollution
☐ Not Applicable

**Master Plan:** [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]
Transportation Master Plan

**Background Information:**
An Advanced Funding Agreement (AFA) is required between the Texas Department of Transportation (TxDOT) and the City of San Marcos (City) to improve Hunter Rd/Wonder World Drive Intersection traffic operations and safety. This local project advanced funding agreement (LPAFA) is for a surface transportation block grant program intersection improvement on-system project. Construction cost for this project will be allocated based on 80% Federal funding and 20% Local Government (City) funding until the Federal funding reaches the maximum obligated amount. The Local Government will then be responsible for 100% of the costs.

Wonder World Drive (RM 12) intersection with Hunter Road (FM 2349) is extremely wide and makes pedestrian crossings unsafe. Project scope includes engineering and construction phase services to improve Wonder World Dr/Hunter Road intersection. The project will include installation of median islands for pedestrian refuge, installation of pedestrian poles with audible pedestrian system, restriping of the intersection crosswalks for high visibility, reconstruction of sidewalk and curb ramps, and installation of new stripping for new bicycle lanes for safe and efficient bicycle movements through the intersection.

Estimated total payment by the City to TxDOT is $28,126.00.

**Council Committee, Board/Commission Action:**
NA

**Alternatives:**
NA

**Recommendation:**
Staff recommends approval of this Resolution
RESOLUTION NO. 2019- R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING AN ADVANCE FUNDING AGREEMENT WITH THE STATE OF TEXAS, ACTING THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION (CSJ NO. 3379-01-016), FOR THE HUNTER ROAD AND WONDER WORLD DRIVE INTERSECTION IMPROVEMENTS PROJECT, INCLUDING THE INSTALLATION OF MEDIAN ISLANDS AND PEDESTRIAN POLES, RECONSTRUCTION OF SIDEWALKS AND CURB RAMPS, AND STRIPING OF CROSSWALKS AND BIKE LANES, WITH AN ESTIMATED COST OF PARTICIPATION BY THE CITY IN THE AMOUNT OF $28,126; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY; AND DECLARING AN EFFECTIVE DATE.

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

PART 1. The attached Advance Funding Agreement with the State of Texas, acting through the Texas Department of Transportation (CSJ No. 3379-01-016) (the “Agreement”) is approved.

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

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

ADOPTED on March 5, 2019.

Jane Hughson
Mayor

Attest:

Jamie Lee Case
City Clerk
STATE OF TEXAS

COUNTY OF TRAVIS

LOCAL TRANSPORTATION PROJECT
ADVANCE FUNDING AGREEMENT for a
SURFACE TRANSPORTATION BLOCK GRANT PROGRAM (STBG)
INTERSECTION IMPROVEMENT
ON-SYSTEM PROJECT

THIS Local Project Advance Funding Agreement (LPAFA) is made by and between the State of Texas, acting by and through the Texas Department of Transportation, called the “State”, and the City of San Marcos, acting by and through its duly authorized officials, called the “Local Government.”

WITNESSETH

WHEREAS, a Master Agreement between the Local Government and the State has been adopted and states the general terms and conditions for transportation projects developed through this LPAFA; and,

WHEREAS, the Texas Transportation Commission passed Minute Order Number 115292 that provides for the development of, and funding for, the Project described herein; and,

WHEREAS, the Governing Body of the Local Government has approved entering into this LPAFA by resolution or ordinance dated _______________, 20__, which is attached to and made a part of this agreement as Attachment A for the development of the Project. A map showing the Project location appears in Attachment B, which is attached to and made a part of this agreement.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties, to be by them respectively kept and performed as hereinafter set forth, it is agreed as follows:

AGREEMENT

1. **Period of the Agreement**
   The period of this LPAFA is as stated in the Master Agreement, without exception.

2. **Termination of this LPAFA**
   Termination of this LPAFA shall be under the conditions as stated in the Master Agreement. This LPAFA may be terminated by the State if the Project is inactive for thirty-six (36) months or longer and no expenditures have been charged against federal funds.

3. **Amendments**
   Amendments to this LPAFA shall be made as described in the Master Agreement, without exception.
4. Scope of Work
The scope of work for this LPAFA is the installation of median islands and pedestrian poles, reconstruction of sidewalk and curb ramps, and striping for crosswalks and bicycle lanes at the intersection of RM 12 and FM 2439 in City of San Marcos described as “Project”

5. Right of Way and Real Property
Right of way and real property shall be the responsibility of the Local Government as stated in the Master Agreement, without exception.

6. Utilities
Adjustment of utilities will be provided by the Local Government as required and as stated in the Master Agreement, without exception.

7. Environmental Assessment and Mitigation
Environmental assessment and mitigation will be carried out as stated in the Master Agreement. Additionally, before the advertisement for bids, the Local Government shall provide to the State written documentation from the appropriate regulatory agency or agencies that all environmental clearances have been obtained.

8. Compliance with Accessibility Standards
All parties to this Agreement shall ensure that the plans for and the construction of all projects subject to this Agreement are in compliance with standards issued or approved by the Texas Department of Licensing and Regulation (TDLR) as meeting or consistent with minimum accessibility requirements of the Americans with Disabilities Act (P.L. 101-336) (ADA).

9. Architectural and Engineering Services
Architectural and engineering services will be provided by the Local Government. The Local Government is responsible for performance of any required architectural or engineering work. For projects on the state highway system, the design shall, at a minimum conform to applicable State manuals. For projects not on the state highway system, the design shall, at a minimum, conform to applicable American Association of State Highway and Transportation Officials design standards.

10. Construction Responsibilities
The Local Government is responsible for the following:
A. Advertise for construction bids, issue bid proposals, receive and tabulate the bids, and award and administer the contract for construction of the Project. Administration of the contract includes the responsibility for construction engineering and for issuance of any change orders, supplemental agreements, amendments, or additional work orders that may become necessary subsequent to the award of the construction contract. In order to ensure federal funding eligibility, projects must be authorized by the State prior to advertising for construction.
B. If the State is the responsible party, the State will use its approved contract letting and award procedures to let and award the construction contract.
C. If the Local Government is the responsible party, the Local Government shall submit its contract letting and award procedures to the State for review and approval prior to letting.
D. If the Local Government is the responsible party, the State must concur with the low bidder selection before the Local Government can enter into a contract with the vendor.
E. Upon completion of the Project, the party constructing the Project will issue and sign a “Notification of Completion” acknowledging the Project’s construction completion and submit certification(s) sealed by a professional engineer(s) licensed in the State of Texas.

F. For federally funded contracts, the parties to this Agreement will comply with federal construction requirements cited in 23 CFR Part 635 and with requirements cited in 23 CFR Part 633, and shall include the latest version of Form “FHWA-1273” in the contract bidding documents. If force account work will be performed, a finding of cost effectiveness shall be made in compliance with 23 CFR 635, Subpart B.

11. Project Maintenance
Project maintenance will be undertaken as provided for in the Master Agreement, without exception.

12. Local Project Sources and Uses of Funds

A. A Project Budget Estimate is provided in Attachment C. The State and the Federal Government will not reimburse the Local Government for any work performed before the federal spending authority is formally obligated to the Project by the Federal Highway Administration. After federal funds have been obligated, the State will send to the Local Government a copy of the formal documentation showing the obligation of funds including federal award information. The Local Government is responsible for one hundred percent (100%) of the cost of any work performed under its direction or control before the Federal spending authority is formally obligated.

B. If the Local Government will perform any work under this contract for which reimbursement will be provided by or through the State, the Local Government must complete training before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled Local Government Project Procedures and Qualification for the Texas Department of Transportation. The Local Government shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Local Government or an employee of a firm that has been contracted by the Local Government to perform oversight of the Project. The State in its discretion may deny reimbursement if the Local Government has not designated a qualified individual to oversee the Project.

C. A Source of Funds estimate based on the Transportation Improvement Program (TIP) is also provided in Attachment C. Attachment C shows the percentage and estimated dollar amount to be contributed to the project by federal, state, and local sources. The parties agree that the LPAFA may be amended from time to time as required to meet the funding commitments based on revisions to the TIP, Federal Project Authorization and Agreement (FPAA), or other federal document.

D. The Local Government is responsible for all non-federal and non-state funding, unless otherwise provided for in this agreement or through amendment of this agreement. Where Special Approval has been granted by the State, the Local Government shall only in that instance be responsible for overruns in excess of the amount to be paid by the Local Government.

E. Prior to the performance of any engineering review work by the State, the Local Government will pay to the State the amount specified in Attachment C. At a minimum, this amount shall
equal the Local Government's funding share for the estimated cost of preliminary engineering for the project. At least sixty (60) days prior to the date set for receipt of the construction bids, the Local Government shall remit its remaining financial share for the State’s estimated construction oversight and construction costs.

F. Whenever funds are paid by the Local Government to the State under this Agreement, the Local Government shall remit a check or warrant made payable to the "Texas Department of Transportation." The check or warrant shall be deposited by the State and managed by the State. Funds may only be applied by the State to the Project. If after final Project accounting any excess funds remain, those funds may be applied by the State to the Local Government's contractual obligations to the State under another advance funding agreement with approval by appropriate personnel of the Local Government.

G. If any existing or future local ordinances, commissioners court orders, rules, policies, or other directives, including but not limited to outdoor advertising billboards and storm water drainage facility requirements, are more restrictive than State or Federal Regulations, or if any other locally proposed changes, including but not limited to plats or replats, result in increased costs, then any increased costs associated with the ordinances or changes will be paid by the Local Government. The cost of providing right of way acquired by the State shall mean the total expenses in acquiring the property interests either through negotiations or eminent domain proceedings, including but not limited to expenses related to relocation, removal, and adjustment of eligible utilities.

H. When Special Approval has been granted by the State so that the Local Government bears the responsibility for paying cost overruns, the Local Government shall make payment to the State within thirty (30) days from receipt of the State's written notification of those amounts.

I. The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. Any entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

J. Payment under this contract beyond the end of the current fiscal biennium is subject to availability of appropriated funds. If funds are not appropriated, this contract shall be terminated immediately with no liability to either party.

K. The Local Government is authorized to submit requests for reimbursement by submitting the original of an itemized invoice in a form and containing all items required by the State no more frequently than monthly and no later than ninety (90) days after costs are incurred. If the Local Government submits invoices more than ninety (90) days after the costs are incurred, and if federal funding is reduced as a result, the State shall have no responsibility to reimburse the Local Government for those costs.

13. Document and Information Exchange
The Local Government agrees to electronically deliver to the State all general notes, specifications, contract provision requirements, and related documentation in a Microsoft® Word or similar document. If requested by the State, the Local Government will use the State's document template. The Local Government shall also provide a detailed construction time estimate including types of activities and month in the format required by the State. This
requirement applies whether the Local Government creates the documents with its own forces or by hiring a consultant or professional provider. At the request of the State, the Local Government shall submit any information required by the State in the format directed by the State.

   This LPAFA incorporates all of the governing provisions of the Master Agreement in effect on the date of final execution of this LPAFA, unless an exception has been made in this agreement.

15. Insurance
   If this Agreement authorizes the Local Government or its contractor to perform any work on State right of way, before beginning work the entity performing the work shall provide the State with a fully executed copy of the State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on State right of way. This coverage shall be maintained until all work on the State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and the State may recover damages and all costs of completing the work.

16. Debarment Certification
   The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, “Debarment and Suspension.” By executing this Agreement, the Local Government certifies that it and its principals are not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party, to include principals, that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this contract shall require any party to a subcontract or purchase order awarded under this contract to certify its eligibility to receive federal funds and, when requested by the State, to furnish a copy of the certification.

17. Cost Principles and Office of Management and Budget (OMB) Audit Requirements
   In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in 2 CFR 200 that specify that all reimbursed costs are allowable, reasonable, and allocable to the Project.

18. Notices
   All notices to either party shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to that party at the following address:
All notices shall be deemed given on the date delivered in person or deposited in the mail, unless otherwise provided by this agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that notices shall be delivered personally or by certified U.S. mail, and that request shall be carried out by the other party.

19. Civil Rights Compliance

A. Compliance with Regulations: The Local Government will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (USDOT), the Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made part of this agreement.

B. Nondiscrimination: The Local Government, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Local Government will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

C. Solicitations for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the Local Government for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier will be notified by the Local Government of the Local Government’s obligations under this contract and the Acts and Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.

D. Information and Reports: The Local Government will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and facilities as may be determined by the State or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations or directives. Where any information required of the Local Government is in the exclusive possession of another who fails or refuses to furnish this information, the Local Government will so certify to the State or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.

E. Sanctions for Noncompliance: In the event of the Local Government’s noncompliance with the Nondiscrimination provisions of this contract, the State will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:

   a. withholding of payments to the Local Government under the contract until the Local Government complies and/or

   b. cancelling, terminating, or suspending of the contract, in whole or in part.
F. **Incorporation of Provisions:** The Local Government will include the provisions of paragraphs (A) through (F) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Local Government will take such action with respect to any subcontract or procurement as the State or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Local Government becomes involved in, or is threatened with, litigation with a subcontractor or supplier because of such direction, the Local Government may request the State to enter into such litigation to protect the interests of the State. In addition, the Local Government may request the United States to enter into such litigation to protect the interests of the United States.

20. **Disadvantaged Business Enterprise (DBE) Program Requirements**

A. The parties shall comply with the Disadvantaged Business Enterprise Program requirements established in 49 CFR Part 26.

B. The Local Government shall adopt, in its totality, the State’s federally approved DBE program.

C. The Local Government shall set an appropriate DBE goal consistent with the State’s DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Local Government shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.

D. The Local Government shall follow all other parts of the State’s DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation’s Federally-Approved Disadvantaged Business Enterprise by Entity, and attachments found at web address [http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf](http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf).

E. The Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State’s DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Local Government of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

F. Each contract the Local Government signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.*
21. Federal Funding Accountability and Transparency Act Requirements
   A. Any recipient of funds under this Agreement agrees to comply with the Federal Funding
      Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part
      170, including Appendix A. This agreement is subject to the following award terms:
      http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf and
   B. The Local Government agrees that it shall:
      1. Obtain and provide to the State a System for Award Management (SAM) number (Federal
         Acquisition Regulation, Part 4, Sub-part 4.11) if this award provides more than $25,000 in
         Federal funding. The SAM number may be obtained by visiting the SAM website whose
         address is: https://www.sam.gov/portal/public/SAM/
      2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a
         unique nine-character number that allows the Federal government to track the distribution
         of federal money. The DUNS number may be requested free of charge for all businesses
         and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration
         website http://fedgov.dnb.com/webform; and
      3. Report the total compensation and names of its top five (5) executives to the State if:
         i. More than 80% of annual gross revenues are from the Federal government, and those
            revenues are greater than $25,000,000; and
         ii. The compensation information is not already available through reporting to the
             U.S. Securities and Exchange Commission.

22. Single Audit Report
   A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502,
      ensuring that the single audit report includes the coverage stipulated in 2 CFR 200.
   B. If threshold expenditures of $750,000 or more are met during the fiscal year, the Local
      Government must submit a Single Audit Report and Management Letter (if applicable) to
      TxDOT’s Compliance Division, 125 East 11th Street, Austin, TX 78701 or contact TxDOT’s
      Compliance Division at singleaudits@txdot.gov.
   C. If expenditures are less than the threshold during the Local Government’s fiscal year, the Local
      Government must submit a statement to TxDOT’s Compliance Division as follows: “We did not
      meet the $_____ expenditure threshold and therefore, are not required to have a single audit
      performed for FY ______.”
   D. For each year the project remains open for federal funding expenditures, the Local
      Government will be responsible for filing a report or statement as described above. The
      required annual filing shall extend throughout the life of the agreement, unless otherwise
      amended or the project has been formally closed out and no charges have been incurred
      within the current fiscal year.

23. Pertinent Non-Discrimination Authorities
   During the performance of this contract, the Local Government, for itself, its assignees, and
   successors in interest agree to comply with the following nondiscrimination statutes and authorities;
   including but not limited to:
   A. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits
      discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
B. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects).


F. Airport and Airway Improvement Act of 1982, (49 U.S.C. Chapter 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex).

G. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, subrecipients and contractors, whether such programs or activities are Federally funded or not).

H. Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38.

I. The Federal Aviation Administration’s Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).

J. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.

K. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, the parties must take reasonable steps to ensure that LEP persons have meaningful access to the programs (70 Fed. Reg. at 74087 to 74100).

L. Title IX of the Education Amendments of 1972, as amended, which prohibits the parties from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).
24. Signatory Warranty
Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

THIS AGREEMENT IS EXECUTED by the State and the Local Government in duplicate.

THE LOCAL GOVERNMENT

_________________________________
Signature

_________________________________
Typed or Printed Name

_________________________________
Title

_________________________________
Date

THE STATE OF TEXAS

_________________________________
Kenneth Stewart
Director of Contract Services
Texas Department of Transportation

_________________________________
Date
ATTACHMENT A
RESOLUTION OR ORDINANCE
ATTACHMENT C
PROJECT BUDGET ESTIMATE AND SOURCE OF FUNDS

Costs will be allocated based on 80% Federal funding and 20% Local Government funding until the Federal funding reaches the maximum obligated amount. The Local Government will then be responsible for 100% of the costs.

<table>
<thead>
<tr>
<th>Description</th>
<th>Total Estimated Cost</th>
<th>Federal Participation</th>
<th>State Participation</th>
<th>Local Participation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>%</td>
<td>Cost</td>
<td>%</td>
<td>Cost</td>
</tr>
<tr>
<td>Engineering (by Local Government)</td>
<td>$65,145</td>
<td>0%</td>
<td>$0</td>
<td>0%</td>
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<tr>
<td>Construction (by Local Government)</td>
<td>$562,500</td>
<td>80%</td>
<td>$450,000</td>
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<tr>
<td>Subtotal</td>
<td>$627,645</td>
<td>$450,000</td>
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<tr>
<td>Environmental Direct State Costs</td>
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<td>$0</td>
<td>0%</td>
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<tr>
<td>Right of Way Direct State Costs</td>
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<td>0%</td>
<td>$0</td>
<td>0%</td>
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<tr>
<td>Engineering Direct State Costs</td>
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<td>Utility Direct State Costs</td>
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<td>0%</td>
<td>$0</td>
<td>100%</td>
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<tr>
<td>TOTAL</td>
<td>$685,752</td>
<td>$450,000</td>
<td>$29,981</td>
<td></td>
</tr>
</tbody>
</table>

Initial payment by the Local Government to the State: $8,438.00  
Payment by the Local Government to the State before construction: $19,688  
Estimated total payment by the Local Government to the State $28,126

This is an estimate. The final amount of Local Government participation will be based on actual costs.
INTERSECTION IMPROVEMENTS
WONDER WORLD AT HUNTER

95+00
100+00
FM 2439

EXIST ROW
EXIST ROW

HUNTER ROAD (FM 2439)

TRAFFIC SIGNAL POWER POLE TO BE RELOCATED

EXIST ROW

EXISTING INLET TO REMAIN

OFF STREET
BICYCLE ACCOMMODATION

FILE NAME: G:\069227310_WW-HunterDesign_WWsup01.dgn
PLOTTED: 8/16/2018 2:08:53 PM
F-928
AGENDA CAPTION:
Consider approval of Resolution 2019-46R, approving the City Council’s Strategic Initiatives for Fiscal Year 2020; and declaring an effective date.

Meeting date: March 6, 2018

Department: City Manager’s Office

Amount & Source of Funding
Funds Required: Click or tap here to enter text.
Account Number: Click or tap here to enter text.
Funds Available: Click or tap here to enter text.
Account Name: Click or tap here to enter text.

Fiscal Note:
Prior Council Action: Follow-up to Council’s Visioning Advance held in January 2019

City Council Strategic Initiative: [Please select from the dropdown menu below]
Choose an item.
Choose an item.
Choose an item.

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☒ Economic Development - Choose an item.
☒ Environment & Resource Protection - Choose an item.
☒ Land Use - Choose an item.
☒ Neighborhoods & Housing - Choose an item.
☒ Parks, Public Spaces & Facilities - Choose an item.
☒ Transportation - Choose an item.
☐ Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]
Choose an item.

**Background Information:**
The Strategic Initiatives identified by the City Council during the Visioning Advance in January 2019 lend themselves to being organized around the following key priorities:

- Workforce Housing;
- Multi-Modal Transportation;
- City Facilities;
- Workforce Development; and
- Downtown Vitalization.

The draft initiatives and strategies were presented to Council during the February 5, 2019 City Council Meeting.

Staff teams have been developed around each Strategic Initiative. Once Council approves the initiatives, staff will add specific outcomes and timelines for each strategy. These strategies will be used to focus Council and staff priorities for the next 12 to 18 months. Staff will also provide quarterly updates to Council regarding progress for each initiative.

**Council Committee, Board/Commission Action:**
Click or tap here to enter text.

**Alternatives:**
Click or tap here to enter text.

**Recommendation:**
Staff recommends approval.
RESOLUTION NO. 2018- R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING THE CITY COUNCIL’S STRATEGIC INITIATIVES FOR FISCAL YEAR 2019; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. During its Visioning Advance in January 2018, the City Council identified certain Strategic Initiatives to guide its decisions and the policies of the City

2. The City Council wishes to formally adopt such Strategic Initiatives.

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

PART 1. The City Council hereby adopts the Strategic Initiatives as outlined in the attachment hereto.

PART 2. This resolution shall be in full force and effect from and after its passage.

ADOPTED on March 6, 2018.

John Thomaides
Mayor

Attest:

Jamie Lee Case
City Clerk
[STRATEGIC INITIATIVES FINAL DOCUMENT TO BE ATTACHED]
Key Priorities:

The Strategic Initiatives identified by the Council during the Visioning Meeting in January 2019 focus around the following key priorities:

- Workforce Housing
- Multi Modal Transportation
- City Facilities
- Workforce Development
- Downtown Vitalization

Strategic Initiatives

Key Priority: Workforce Housing

A. Update, consolidate and communicate housing policies and action plans.

Strategies:

I. Conduct a housing study that analyzes housing supply, housing demand, and housing choice.
II. Update the Affordable Housing Policy and adopt a housing framework / blueprint based on the work of the San Marcos Workforce housing Task Force.
III. Maintain a robust website and participate as a community partner in advancing the City's housing goals.
IV. Develop internal city capacity and support capacity building efforts in community partners to advance the City's housing goals. Work with local employers such as Texas State University, San Marcos ISD, Hays County, Central Texas Medical Center, the banking community, the Greater San Marcos Partnership and area non-profits to identify and implement housing solutions.

B. Develop dedicated housing and revenue sources that meet goals.

Strategies:

I. Build permanently affordable homes targeted to flood victims on city-owned lots with CDBG-DR funds.
II. Apply for HOME funds. Utilize CDBG funds to preserve and maintain for households earning less than 80% AMI through the Housing Rehabilitation Program.
IV. Lend CDBG first-time homebuyer funds to households earning less than 80% AMI to purchase housing.
V. Enter into cooperative agreements with other taxing entities to identify tax-forfeiture properties and make them available for construction of permanently affordable workforce housing.
VI. Establish a land bank and community land trust with the purpose of supporting permanently affordable workforce housing.
VII. Establish an Emergency Housing Rehabilitation Program.

C. Implement land use and zoning regulations that support diverse, mixed income communities in all areas of the City.

Strategies:

I. Encourage mixed income communities within new development.
II. Monitor the bonus density program for effectiveness and re-assess during the annual code update.
III. Monitor the number of new missing middle housing types built under Code SMTX and re-assess during the annual Code update.
IV. Draft an ordinance targeting geographic locations and non-profit home builders for appropriate zoning when permanently affordable for sale housing is constructed.
Key Priority: **Multi-Modal Transportation**

**A. City becomes the Direct Recipient for federal and state transit funding allocated to the San Marcos urbanized area.**

**Strategies:**
I. Formalize official concurrence from TxDOT-PTN and the FTA, that the City is the Direct Recipient for the San Marcos urbanized area. All federal and state requirements for the Direct Recipient from CARTS to the City by October 1, 2019.

II. Consider the potential impacts of the 2020 Census upon transit services in the San Marcos urbanized area.

**B. City reviews the benefits and challenges of creating an integrated, seamless transit partnership between the City and Texas State University.**

**Strategies:**
I. Review transit partnership models and select a system model to operate and manage the transit services, which that historically have been accepted by the FTA and TxDOT.

II. Assess the operating and financial alternatives for coordinated transit services.

III. Evaluate the benefits and constraints of a transit partnership with Texas State, to include:
   a. Seamless transit services for all customers.
   b. Expand community access to transit options.
   c. Share capital budget resources.
   d. Coordinate transit routes to maximize efficiency.
   e. Leverage state and federal funding opportunities.
   f. Contribute to regional goals to reduce traffic and protect air quality.

IV. Evaluate the challenges of a transit partnership with Texas State, to include:
   a. Determine who will be the Direct Recipient.
   b. Create a shared governance structure.
   c. Compliance with federal and state regulations, to include paratransit services.
   d. Coordinate transit routes to maximize efficiency.
   e. Establish a financial plan to include operating funds, initial investment of capital for vehicles, maintenance facility, and passenger amenities.

V. Consider the potential impacts of the 2020 US Census upon transit services in the San Marcos urbanized area.

**C. City continues other multi-modal initiatives.**

**Strategies:**
I. Transportation Demand Management/including downtown parking management:
   a. Adopt and implement parking management plan.
   b. Prioritize Transportation Master Plan projects to improve multi-modal alternatives.
   c. Evaluate and prioritize other transportation demand management tactics.

II. Improve Bicycle Friendly Community rating:
   a. Improve and expand dockless bike share program and explore other shared mobility opportunities.
   b. Revisit Complete Streets policy and propose changes for Council consideration.
   d. Consider creation of a Bicycle & Pedestrian Advisory Committee.
   e. Adopt and implement bicycle master plan.

III. Improve pedestrian connectivity and accessibility:
   a. Conduct updated assessment of existing sidewalk infrastructure.
b. Conduct gap analysis and identify/prioritize needed connections to multimodal facilities, transit stops, schools, neighborhoods, hike-bike trails, and east-west connections.
c. Develop and adopt Sidewalk Master Plan.
d. Identify and implement short-term maintenance and gap improvements.
e. Identify and program long-term pedestrian improvements.
f. Conduct site survey sampling for ADA compliance.
g. Continue utilizing external sources to confirm ADA compliance and staff training.

IV. Other regional transit:
   a. Evaluate the benefits of regional transit partnerships with interurban providers including multimodal transit facility options.
   b. Explore light rail, AMTRAK, and other future transit opportunities.
   c. Explore options for a downtown circulator, including all alternative fuel/vehicle options.

V. Pursue multi-modal funding opportunities.

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**Key Priority: City Facilities**

**A. Explore short-term alternatives for staff expansion within City Hall Complex.**

**Strategies:**
   I. Determine 3-4 year staff growth potential for current City Hall Services.
   II. Examine possible facility expansion alternatives to current City Hall campus, which could include temporary portable facilities.
   III. Examine potential for possible short-term facility lease.
   IV. Explore possible City Hall parking alternatives.

**B. Review all possible alternative delivery methods for new facility construction.**

**Strategies:**
   I. Identify advantages and disadvantages of alternative delivery methods for City facility related projects.
   II. Provide education materials to City staff and City Council on the alternative delivery methods.
   III. Hire experienced project manager to implement those alternatives.
   IV. Evaluate the success or issues related to each delivery method used by the City.

**C. Develop a 5-year Fiscal Strategic Plan for implementation of Bond Projects.**

**Strategies:**
   I. Develop design and construction schedules for all facility projects.
   II. Develop cost and time tracking system for all facility projects.
   III. Develop Citizen Bond Review Committee that will meet periodically to review projects.
   IV. Provide quarterly updates to Council.

**D. Develop Public Services, Community Services and City Hall Project Design and Scope.**

**Strategies:**
   I. Develop RFP for Public and Community Service Maintenance Facility project.
   II. Evaluate potential future alternatives for City Hall Campus.
   III. Create a master plan for City Hall redevelopment.
   IV. Implement strategic plan for City Hall redevelopment.

**E. Explore alternatives for future land purchases for facilities.**

**Strategies:**
   I. Develop strategy for future facility site locations.
   II. Build cost into 10-year CIP Projects.
   III. Identify opportunities for land and/or facility acquisitions related to all City services and programs.
Key Priority: **Workforce Development**

A. **Leverage and Partner with the Community.**

**Strategies:**

I. Identify current assets including partners, existing services, possible locations, and organizational purpose. Include mapping of assets and services within the City.

II. Identify community partner to anchor a cradle to career initiative.

III. Identify and develop outreach opportunities.

IV. Identify challenges and unmet needs in the business community that are impacted by workforce development.

B. **Facilitate opportunities for Training and Programming.**

**Strategies:**

I. Identify and communicate existing training available.

II. Identify potential gaps and barriers for San Marcos residents.

III. Identify potential items to include when incentivizing economic development agreements.

IV. Evaluate Greater San Marcos Partnership (GSMP) contract to include deliverables that require training and programming opportunities.

V. Determine where to invest city funding to mitigate gaps and barriers that have been identified including a possible training location.

Key Priority: **Downtown Vitalization**

A. **Support diversified business activity.**

**Strategies:**

I. Begin a revised Downtown Master Plan including, the innovation, cultural and arts districts.

b) Scope and Visioning Exercise with district Stakeholders and City Council.

b) Request for Proposal (RFP) and Contract for consultant.

c) Public outreach with key stakeholders including the Downtown Association, Main Street, the University, as well as other key stakeholders.

d) Drafting and adopting the Downtown Master Plan.

II. Review permitted and conditional uses in the downtown area.

a) Identify potential code amendments during the annual code update process.

b) Explore other modifications to alcohol Conditional Use Permits (CUP) related ordinances.

c) Discuss bar service hours with the Council CUP Committee.

III. Define goals and objectives for the Main Street program.

a) Review current goals and objectives within the Four Point approach of (1-Economic Vitality, 2-Design, 3-Organization, and 4-Promotion).

b) Develop a strategy for transformation of Downtown along the Four Points.

c) Define quantifiable outcomes for the transformation strategies identified.

d) Align organizational resources to achieve desired outcomes through the budget process.

B. **Take measures to improve downtown quality of place.**

**Strategies:**

I. Review and assess possible sites and facilities which could promote San Marcos as a destination.

II. Review and address underground electric ordinances.

a) Feasibility and cost analysis.

b) Identify code amendments during the annual code update process.

III. Review and assess strategies for vacant and neglected buildings.
a) Review model programs and identify resources needed for implementation.
b) Propose code amendments during the annual code update process.

IV. Identify strategic locations for streetscape and infrastructure improvements and identify funding options.
   a) Define departmental roles and responsibilities with regard to design, construction, operation and maintenance of downtown streetscape and infrastructure improvements.
b) Develop an interim maintenance and beautification plan and coordinate efforts amongst stakeholders.
c) Explore the long-term solutions for beautification and maintenance including a downtown management district with downtown stakeholders.
d) Align organizational resources to achieve desired outcomes through the budget process.

V. Review and amend the Downtown Tax Increment Reinvestment Zone (TIRZ) #5.
   a) Convene the TIRZ Board to consider pending funding request for Cheatham Street Flats project.
b) Ensure previously approved project (Crossroads/Justice Center) is completed, in conjunction with TxDOT and COSM improvements to Guadalupe Street.
c) Prepare a revised Project & Finance Plan for Board consideration and approval.
d) Present revised Project & Finance Plan for Council and Commissioner’s Court consideration.

C. Accessibility to and within the downtown.

Strategies:
I. Complete the San Marcos River Bike and Pedestrian Trail project.
   a) Finalize design.
b) Letting of Project – TxDOT.
II. Approve and implement the Parking Management Plan.
   a) Hire Parking & Mobility Manager.

b) Parking Advisory Board orientation, bylaws and work plan.
c) Procure parking management technology (meters & mobile app).
d) Create program branding and marketing campaign.
e) Initiate phased rollout of on-street paid parking.
f) Negotiate off-street parking agreements with private property owners and facilitate options.

❖ Staff will continue to prioritize work around Stormwater and Community Partnerships moving forward.
❖ Staff will work towards “Year of the City”.
Key Priorities:
The Strategic Initiatives identified by the Council during the Visioning Meeting in January 2019 focus around the following key priorities:

- Workforce Housing
- Multi Modal Transportation
- Public Transit
- City Facilities
- Stormwater Workforce Development
- Downtown Vitalization Community Partners

Strategic Initiatives

Key Priority: Workforce Housing

A. Update, consolidate and communicate housing policies and action plans.

Strategies:

I. Conduct a housing study that analyzes housing supply, housing demand, and housing choice.
II. Update the Affordable Housing Policy and adopt a housing framework / blueprint based on the work of the San Marcos Workforce housing Task Force.
III. Maintain a robust website and participate as a community partner in advancing the City’s housing goals.
IV. Develop internal city capacity and support capacity building efforts in community partners to advance the City's housing goals. Work with local employers such as Texas State University, San Marcos ISD, Hays County, Central Texas Medical Center, the banking community, the Greater San Marcos Partnership and area nonprofits to identify and implement housing solutions.

B. Develop dedicated housing and revenue sources that meet goals.

Strategies:

I. Build permanently affordable homes targeted to flood victims on city-owned lots with CDBG-DR funds.
II. Apply for HOME funds. Utilize CDBG funds to preserve and maintain for households earning less than 80% AMI through the Housing Rehabilitation Program.
IV. Lend CDBG first-time homebuyer funds to households earning less than 80% AMI to purchase housing.
V. Enter into cooperative agreements with other taxing entities to identify tax-forfeiture properties and make them available for construction of permanently affordable workforce housing.
VI. Establish a land bank and community land trust with the purpose of supporting permanently affordable workforce housing.
VII. Establish an Emergency Housing Rehabilitation Program.

C. Implement land use and zoning regulations that support diverse, mixed income communities in all areas of the City.

Strategies:

I. Encourage mixed income communities within new development.
II. Monitor the bonus density program for effectiveness and re-assess during the annual code update.
III. Monitor the number of new missing middle housing types built under Code SMTX and re-assess during the annual Code update.
IV. Draft an ordinance targeting geographic locations and non-profit home builders for appropriate zoning when permanently affordable for sale housing is constructed.
2019 Strategic Initiatives  
City of San Marcos

Key Priority: Multi-Modal Transportation
Public Transit

A. **City becomes the Direct Recipient for federal and state transit funding allocated to the San Marcos urbanized area.**

Strategies:
I. Reach a local consensus and secure a City Council resolution authorizing the City Manager to request that the Capital Area Metropolitan Planning Organization (CAMPO) officially recognize the City as the Direct Recipient.
II. Request CAMPO provide formal concurrence by the Transportation Policy Board (TPB) of the City's Direct Recipient status and, subsequently, that the CAMPO conveys such support to the attention of the Public Transit Division of the TxDOT-PTN.
III. Formalize After official concurrence from TxDOT-PTN and the FTA, that the City is the Direct Recipient for the San Marcos urbanized area. Transfer All federal and state requirements for the Direct Recipient from CARTS to the City by October 1, 2019, will become the City’s responsibility.
IV. Consider the potential impacts of the 2020 Census upon transit services in the San Marcos urbanized area.

B. **City reviews researches the benefits and challenges of creating an integrated, seamless coordinated transit system and interlocal Agreement transit partnership between the City and Texas State University.**

Strategies:
I. Review explore transit partnership models and select a system model to operate and manage the transit services, which that historically have been accepted by the FTA and TxDOT.
II. Assess the operating and financial alternatives for coordinated transit services.
III. Evaluate the benefits and constraints of a transit partnership with Texas State, to include:
   a. Seamless transit services for all customers.
   b. Expand community access to transit options
   c. Share capital budget resources.
   d. Coordinate transit routes to maximize efficiency.
   e. Leverage state and federal funding opportunities.
   f. Contribute to regional goals to reduce traffic and protect air quality.
IV. Evaluate the challenges of a transit partnership with Texas State, to include:
   a. Determine who will be the Direct Recipient.
   b. Create a shared governance structure.
   c. Compliance with federal and state regulations, to include paratransit services.
   d. Coordinate transit routes to maximize efficiency.
   e. Establish a financial plan to include operating funds, initial investment of capital for vehicles, maintenance facility, and passenger amenities.
   f. Contribute to regional goals to reduce traffic and protect air quality.
V. Consider the potential impacts of the 2020 US Census upon transit services in the San Marcos urbanized area.

C. **City continues other multi-modal initiatives.**

Strategies:
I. Transportation Demand Management/ including downtown parking management:
   a. Adopt and implement parking management plan.
   b. Prioritize Transportation Master Plan projects to improve multi-modal.
II. Improve Bicycle Friendly Community rating:
   a. Improve and expand dockless bike share program and explore other shared mobility opportunities.
   b. Revisit Complete Streets policy and propose changes for Council consideration.
   d. Consider creation of a Bicycle & Pedestrian Advisory Committee.
   e. Adopt and implement bicycle master plan.

III. Improve pedestrian connectivity and accessibility:
   a. Conduct updated assessment of existing sidewalk infrastructure.
   b. Conduct gap analysis and identify/prioritize needed connections to multimodal facilities, transit stops, schools, neighborhoods, hike-bike trails, and east-west connections.
   c. Develop and adopt Sidewalk Master Plan.
   d. Identify and implement short-term maintenance and gap improvements.
   e. Identify and program long-term pedestrian improvements.
   f. Conduct site survey sampling for ADA compliance.
   g. Continue utilizing external sources to confirm ADA compliance and staff training.

IV. Other regional transit:
   a. Evaluate the benefits of regional transit partnerships with interurban providers including multimodal transit facility options.
   b. Explore light rail, AMTRAK, and other future transit opportunities.
   c. Explore options for a downtown circulator, including all alternative fuel/vehicle options.

V. Pursue multi-modal funding opportunities.

Key Priority: City Facilities

A. Explore short-term alternatives for staff expansion within City Hall

B. Review all possible alternative delivery methods for new facility construction.

Strategies:
   I. Identify advantages and disadvantages of alternative delivery methods for City facility related projects.
   II. Provide education materials to City staff and City Council on the alternative delivery methods.
   III. Hire experienced project manager to implement those alternatives.
   IV. Evaluate the success or issues related to each delivery method used by the City.

C. Develop a 5-year Fiscal Strategic Plan for implementation of Bond Projects.

Strategies:
   I. Develop design and construction schedules for all facility projects.
   II. Develop cost and time tracking system for all facility projects.
   III. Develop Citizen Bond Review Committee that will meet periodically to review projects.
   IV. Provide quarterly updates to Council.

D. Develop Public Services, Community Services and City Hall Project Design and Scope.

Strategies:
   I. Develop RFP for Public and Community
2019 Strategic Initiatives

City of San Marcos

Service Maintenance Facility project.
II. Evaluate potential future alternatives for City Hall Campus.
III. Create a master plan for City Hall redevelopment.
IV. Implement strategic plan for City Hall redevelopment.

E. Explore alternatives for future land purchases for facilities.

Strategies:
I. Develop strategy for future facility site locations.
II. Build cost into 10-year CIP Projects.
III. Identify opportunities for land and/or facility acquisitions related to all City services and programs.

Key Priority: Workforce Development
Community Partners

A. Leverage and Partner with the Community.

Strategies:
I. Identify current assets including partners, existing services, possible locations, and organizational purpose. Include mapping of assets and services within the City.
II. Identify community partner to anchor a cradle to career initiative.
III. Identify and develop outreach opportunities.
IV. Identify challenges and unmet needs in the business community that are impacted by workforce development.

B. Facilitate opportunities for Training and Programming.

Strategies:
I. Identify and communicate existing training available.
II. Identify potential gaps and barriers for San Marcos residents.
III. Identify potential items to include when incentivizing economic development agreements.
IV. Evaluate Greater San Marcos Partnership (GSMP) contract to include deliverables that require training and programming opportunities.
V. Determine where to invest city funding to mitigate gaps and barriers that have been identified including a possible training location.

Key Priority: Downtown Vitalization
Stormwater

A. Support diversified business activity.

Strategies:
I. Begin a revised Downtown Master Plan including the innovation, cultural and arts districts.
a) Scope and Visioning Exercise with district Stakeholders and City Council.
b) Request for Proposal (RFP) and Contract for consultant.
c) Public outreach with key stakeholders including the Downtown Association, Main Street, the University, as well as other key stakeholders.
d) Drafting and adopting the Downtown Master Plan.
II. Review permitted and conditional uses in the downtown area.
a) Identify potential code amendments during the annual code update process.
b) Explore other modifications to alcohol Conditional Use Permits (CUP) related ordinances.
c) Discuss bar service hours with the Council CUP Committee.
III. Define goals and objectives for the Main Street program.
a) Review current goals and objectives within the Four Point approach of (1-
2019 Strategic Initiatives

City of San Marcos

Economic Vitality, 2-Design, 3-Organization, and 4-Promotion).

b) Develop a strategy for transformation of Downtown along the Four Points.

c) Define quantifiable outcomes for the transformation strategies identified.

d) Align organizational resources to achieve desired outcomes through the budget process.

B. Take measures to improve downtown quality of place.

Strategies:

I. Review and assess possible sites and facilities which could promote San Marcos as a destination.

II. Review and address underground electric ordinances.

a) Feasibility and cost analysis.

b) Identify code amendments during the annual code update process.

III. Review and assess strategies for vacant and neglected buildings.

a) Review model programs and identify resources needed for implementation.

b) Propose code amendments during the annual code update process.

IV. Identify strategic locations for streetscape and infrastructure improvements and identify funding options.

a) Define departmental roles and responsibilities with regard to design, construction, operation and maintenance of downtown streetscape and infrastructure improvements.

b) Develop an interim maintenance and beautification plan and coordinate efforts amongst stakeholders.

c) Explore the long-term solutions for beautification and maintenance including a downtown management district with downtown stakeholders.

d) Align organizational resources to achieve desired outcomes through the budget process.

V. Review and amend the Downtown Tax Increment Reinvestment Zone (TIRZ) #5.

a) Convene the TIRZ Board to consider pending funding request for Cheatham Street Flats project.

b) Ensure previously approved project (Crossroads/Justice Center) is completed, in conjunction with TxDOT and COSM improvements to Guadalupe Street.

c) Prepare a revised Project & Finance Plan for Board consideration and approval.

d) Present revised Project & Finance Plan for Council and Commissioner’s Court consideration.

C. Accessibility to and within the downtown.

Strategies:

I. Complete the San Marcos River Bike and Pedestrian Trail project.

a) Finalize design.

b) Letting of Project – TXDOT.

II. Approve and implement the Parking Management Plan.

a) Hire Parking & Mobility Manager.

b) Parking Advisory Board orientation, bylaws and work plan.

c) Procure parking management technology (meters & mobile app).

d) Create program branding and marketing campaign.

e) Initiate phased rollout of on-street paid parking.

f) Negotiate off-street parking agreements with private property owners and facilitate options.

❖ Staff will continue to prioritize work around Stormwater and Community Partnerships moving forward.

❖ Staff will work towards “Year of the City”.

File #: Res. 2019-47R, Version: 1

AGENDA CAPTION:
Consider approval of Resolution 2019-47R, opposing the routing of the proposed Permian Highway Pipeline through Hays County; requesting immediate action from the State Legislature; and providing an effective date.

Meeting date: March 5, 2019

Department: City Manager’s Office

Amount & Source of Funding
Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

Fiscal Note:
Prior Council Action: N/A

City Council Strategic Initiative: [Please select from the dropdown menu below]
N/A
Choose an item.
Choose an item.

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☐ Economic Development - Choose an item.
☒ Environment & Resource Protection - Public & Private Sector Partnership to Protect Water Quality & proper development in San Marcos and Blanco Rivers
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
☐ Parks, Public Spaces & Facilities - Choose an item.
☐ Transportation - Choose an item.
☐ Not Applicable
Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:
Kinder Morgan and Exxon Mobil in partnership with EagleClaw Midstream Ventures (“Private Partnership”) have begun the process of routing a 42-inch underground high pressure natural gas pipeline, known as the Permian Highway Pipeline (“PHP”) from Coyanosa, Texas to Sheridan, Texas through the Texas Hill Country and Hays County.

The citizens of the City of San Marcos have expressed strong concerns and opposition to the presence of the PHP in Hays County due to its potential negative impacts to the environment, soil, air, development, water system, and land values.

The City of San Marcos opposes the PHP on behalf of the interests of its citizens and in recognition of the potential harm the PHP poses to its natural and economic resources.

The City of San Marcos requests immediate action by all members of both houses of the Texas Legislature to protect landowners, landowners’ property rights and communities from the negative impact of PHP and other potential oil and gas pipelines by:

1. Creating a regulatory process for oil and gas pipeline routing that enables impacted landowners and communities to have a voice and to have the right to participate in a public, open, and transparent routing process much like the process for selecting the routing of electric transmission lines before the Public Utility Commission.
2. Requiring formal and thorough Environmental and Economic Impact Studies for all intra-state oil and gas pipelines, including the participation of governmental entities and affected landowners.
3. Requiring substantial governmental oversight over the power of eminent domain delegated to private companies or rescinding the unlimited power of eminent domain delegated to private companies.

Council Committee, Board/Commission Action: N/A

Alternatives:

Recommendation: Approve as submitted.
RESOLUTION NO. 2019-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS OPPOSING THE ROUTING OF THE PROPOSED PERMIAN HIGHWAY PIPELINE THROUGH HAYS COUNTY; REQUESTING IMMEDIATE ACTION FROM THE STATE LEGISLATURE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Kinder Morgan and Exxon Mobil in partnership with EagleClaw Midstream Ventures ("Private Partnership") have begun the process of routing a 42-inch underground high pressure natural gas pipeline, known as the Permian Highway Pipeline ("PHP") from Coyanosa, Texas to Sheridan, Texas through the Texas Hill Country and Hays County; and

WHEREAS, the Private Partnership asserts that the State of Texas has delegated to the Private Partnership the authority to choose the route of the PHP and to take the private land traversed by the PHP using the governmental delegated power of eminent domain; and

WHEREAS, the laws of Texas provide for little oversight of the routing of private pipelines like the PHP pipeline and the laws of Texas provide no formal opportunity for the landowners of the impacted property to participate in the routing selection process; and

WHEREAS, the PHP project will traverse the properties of multiple landowner and the Private Partnership has asserted it intends to take and clear cut of all trees and vegetation a permanent easement of fifty (50) feet, plus an additional seventy (75) feet of temporary construction easements; and

WHEREAS, the Private Partnership has not performed a formal Environmental Impact Study evaluating the potential impact to property near or adjacent to the PHP, the Trinity and Edwards Aquifers, other groundwater sources, erosion, drainage, subsidence and other generally detrimental impacts to the surrounding community; and

WHEREAS, the citizens of the City of San Marcos have expressed strong concerns and opposition to the presence of the PHP in Hays County due to its potential negative impacts to the environment, soil, air, development, water system, and land values; and

WHEREAS, the PHP project will cause developmental limitations on affected properties and will cause a diminution in value to affected properties; and

WHEREAS, the City of San Marcos has an interest in the protection of its natural resources including the Edwards Aquifer and an interest in how the PHP may affect its citizens;

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

Part 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.
Part 2. **Opposition.** The City of San Marcos opposes the PHP on behalf of the interests of its citizens and in recognition of the potential harm the PHP poses to its natural and economic resources.

Part 3. **Call to Action.** The City of San Marcos requests immediate action by all members of both houses of the Texas Legislature to protect landowners, landowners’ property rights and communities from the negative impact of PHP and other potential oil and gas pipelines by:

1. Creating a regulatory process for oil and gas pipeline routing that enables impacted landowners and communities to have a voice and to have the right to participate in a public, open, and transparent routing process much like the process for selecting the routing of electric transmission lines before the Public Utility Commission.
2. Requiring formal and thorough Environmental and Economic Impact Studies for all intra-state oil and gas pipelines, including the participation of governmental entities and affected landowners.
3. Requiring substantial governmental oversight over the power of eminent domain delegated to private companies or rescinding the unlimited power of eminent domain delegated to private companies.

Part 4. **Effective Date.** This resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED on March 5, 2019.

Jane Hughson
Mayor

Attest:

Jamie Lee Case
Map provided by Kinder-Morgan.
Texas Geography
GRANTOR”, whose address is
for and in consideration of the sum of Ten Dollars ($10.00) and other valuable consideration in hand paid, the receipt and sufficiency of which is hereby acknowledged, does grant, bargain, sell and convey unto PERMIAN HIGHWAY PIPELINE LLC, a
Delaware limited liability company (“GRANTEE”), whose address is 1001 Louisiana Street, Suite
1000, Houston, Texas 77002, its successors and assigns, effective ________________
(“Effective Date”) a permanent right-of-way and easement (“Easement”) fifty feet (50’) in width to
own, use, develop, construct, lay, improve, install, operate, maintain, inspect, test, protect, repair,
alter, convert, replace, in whole or in part, change the size of, change the product, relocate within
the easement, and remove or abandon in place one (1) pipeline and appurtenances for the
transportation of natural gas, oil, petroleum and its associated hydrocarbon substances on, in, over,
under, through and across the Lands described in Exhibit “B” of Grantor situated in Hays, Texas with
its approximate location being shown on the Preliminary Exhibit “A” attached hereto and made a part
of this Agreement.

GRANTEE shall remove all trash and other debris that GRANTEE or its contractors deposit on the
Easement and restore the surface of the land to as near its original condition as is reasonably
practicable. GRANTEE agrees to bury the pipeline so that the top of the pipelines at least thirty-six
inches (36”) below the surface when constructed/installed so as not to interfere with normal
cultivation of the land, except at those locations where rock is encountered, the pipeline may be
buried at a lesser depth. Grantor agrees to not disturb, alter interfere with or reduce the depth of
cover over the pipeline and shall be responsible for any expenses associated with its farming
operations if the depth of cover is reduced below thirty-six (36”) inches.
Contributing Zones of the Aquifer
Watershed Boundaries & Cave Features / Karst Terranes
Caves and Karst Map with Permian Pipeline

Legend:
- **Green** Caves
- **Red**: This is a verified route from landowners who are helping Braun & Gresham to pinpoint the actual route Kinder-Morgan will not provide. This imprecise route is drawn at the centerline of the pipeline buffer and is not accurate.
- **Cave Blobs**: Cave Blobs
- **Orange**: Texas Speleological Survey Data
- **Blue**: Jurisdiction

Source: Braun & Gresham, USGS, HSPW, TCAG, etc.
Voids, Caves & Sinkholes
Springs

This 3-mile wide buffer shows the most likely route. The public maps made available by Kinder-Morgan are not precise enough for us to locate the corridor with more certainty.

This is a verified route from landowners who are helping Braun & Gresham to pinpoint the actual route Kinder-Morgan will not provide.

This imprecise route is drawn at the centerline of the pipeline buffer and is not accurate.
Salaman der populations in the Aquifer
Alternate Routes

- Avoid the sensitive topography and aquifers of the Hill Country
- Avoid population density and growth
- Are within 30 miles of the current pipeline length
Explosions, Leaks & Evacuations

For the Permian Highway Pipeline, the evacuation zone is a 1.4 mile diameter from the line.

Fire supression contaminants will enter the aquifer and contaminate groundwater in an event such as this.
New Mexico: Dec. 2018

- 250,000 gal. Of gasoline were spilled into an agricultural ditch
- 168,000 gal. Were recovered
- 82,000 gal. Lost
- How much oil, gas, and other hydrocarbons would we lose in our karst aquifers?
Questions & Concerns

- Has KM estimated the number of karst features?
- What are the construction methods to eliminate potential impacts to karst features?
- Will KM develop a void mitigation plan?
- Will background water-quality sampling of wells be conducted?
- Will the pipeline be double-walled?
- Will KM conduct ongoing sampling of Trinity & Edwards Aquifer wells for possible pipeline contaminants?
- What liquids might be in the pipeline and how much could be released if a leak or spill occurs?
- Will KM notify GCDs if pipeline switches from transporting natural gas to crude or other liquid?
- What resources will be in place to respond in the event of a leak/contamination?
- In the event of drinking water contamination, what actions will be taken to protect water users?
AGENDA CAPTION:
Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2019-48R, approving a Budget Policy Statement for preparation of the 2019-2020 Fiscal Year budget; and declaring an effective date; and consider approval of Resolution 2019-48R.

Meeting date: March 5, 2019

Department: Finance

Amount & Source of Funding
Funds Required: N/A
Account Number: Click or tap here to enter text.
Funds Available: Click or tap here to enter text.
Account Name: Click or tap here to enter text.

Fiscal Note:
Prior Council Action: Council held a Budget Policy Workshop on February 13, 2019 to discuss budget policy statement.

City Council Strategic Initiative: [Please select from the dropdown menu below]
N/A
Choose an item.
Choose an item.

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☐ Economic Development - Choose an item.
☐ Environment & Resource Protection - Choose an item.
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
☐ Parks, Public Spaces & Facilities - Choose an item.
☐ Transportation - Choose an item.
☐ Not Applicable
Background Information:
The San Marcos City Council held a budget policy workshop on February 13, 2019 in order to develop a proposed budget policy statement to guide staff and the City Manager in the development of the Fiscal Year 2019-20 budget. During the workshop, Staff provided initial assumptions to City Council for consideration and posed specific questions to which City Council provided direction.

As stated by the City charter, City Council is required to hold a workshop to discuss the budget policy and provide direction to staff by the end of February of each year. Then City Council must hold a public hearing and adopt the policy statement to be used by the City Manager as direction during the preparation of the proposed budget by the end of March.

Council Committee, Board/Commission Action:
Click or tap here to enter text.

Alternatives:
Click or tap here to enter text.

Recommendation:
Click or tap here to enter text.
RESOLUTION NO. 2019-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING A BUDGET POLICY STATEMENT FOR PREPARATION OF THE 2019-2020 FISCAL YEAR BUDGET; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. Section 8.02(b) of the San Marcos City Charter requires the City Council to formulate a policy statement to be used by the City Manager as direction during the preparation of the proposed budget.

2. The City Council conducted a public hearing regarding the formulation of the budget policy statement at its regular meeting on March 5, 2019.

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

PART 1. The Budget Policy Statement attached to this Resolution is hereby approved and the City Manager shall use this statement to direct the preparation of the proposed budget for the 2019-2020 fiscal year.

PART 2. This resolution shall be in full force and effect from and after its passage.

ADOPTED on March 5, 2019.

Jane Hughson
Mayor

Attest:

Jamie Lee Case
City Clerk
City of San Marcos
FY20 Proposed Budget Policy
Statement

I. Fund Balance

▪ General Fund: Maintain 25% (of recurring operating expenses).
▪ Water/ Wastewater Fund: Maintain 25% (of recurring operating expenses).
▪ Drainage Utility Fund: Maintain a range of 20% (of recurring operating expenses).
▪ Electric Utility Fund: Minimum of the equivalent of 60 days of operating expenses including purchased power.

II. Revenue

GENERAL FUND

▪ Property tax rate maintained at 61.39 cents per $100 of valuation.
▪ Amend budget during fiscal year if revenue deviates from budget
▪ Revisit Over 65 tax freeze in June awaiting state legislature ruling on property tax cap on rollback rates
▪ Utility Fund franchise fee transfers to the General Fund reduced back to 7%
▪ All other revenues will be budgeted based on historical trends.
▪ Adjust fees according to Fee Policy (upon adoption), or CPI index for the calendar year 2018.
▪ Revenue generated from the increased tax rate’s operating & maintenance capacity remaining $500,000 to be reserved for additional bond project expenses

WATER FUND

▪ Rate study to determine possible rate increases and structure changes.
▪ Citizens Utility Advisory Board will make recommendations related to rate structure and future rate adjustments.

ELECTRIC FUND
▪ Rate study to determine possible rate increases and structure changes. No rate adjustment anticipated.
▪ Citizens Utility Advisory Board will make recommendations related to rate structure and future rate adjustments.

**STORMWATER MANAGEMENT FUND**

Rate study completed. Proposed rates and rate structure will be brought forward for discussion during the budget process.

**HOTEL MOTEL FUND**

▪ Revenue budgeted based on conservative trends reflecting new hotel rooms, occupancy rate, and average room rate.

**III. Expenditures**

**GENERAL FUND**

▪ Meet and Confer negotiations for civil-service employees will be finalized later in the budget process. The outcome will be reported later in the budget process.
▪ Merit and cost of living increase for non-civil service employees will be determined later in the budget process.
▪ Base operations budgets held flat. Additions to the department budgets must be requested, justified, and ranked by priority.
▪ Staffing needs will be evaluated through the department budget request process
▪ Estimated 10% increase in health insurance premium beginning January 1, 2020.
▪ Fuel/Contractual Obligations/Consumer Price Index increases allowed.
▪ Continue funding Social Services at $500,000 for Human Service Advisory Board to administer application, contract, and funding process to eligible agencies.
▪ Youth initiatives funding $150,000 to include Youth Services Manager put on hold pending application process modifications.
▪ The annual contribution to the Economic Development reserve of $200,000 allocation between General Fund, Water Wastewater Fund, and Electric Fund will be used to fund Strategic Initiatives and/or special projects at the discretion of the City Manager.
▪ The existing balance of the Economic Development reserve of $800,000 will be used to fund Strategic Initiatives and/or special projects at the discretion of the City Manager. The fund is a contribution of General Fund, Water Wastewater Fund, and the Electric Fund. Funds will be used on projects/initiatives that support all areas of funding source.

▪ Best Buy Call Center revenue net of sales tax rebate will be used for one-time expenses and/or special projects to include but not limited to:
  ▪ Strategic initiatives
    ▫ Workforce Housing
    ▫ Workforce Development
    ▫ Downtown Vitalization
    ▫ Multi modal transportation
    ▫ City Facilities
  ▪ Animal Services – Increase live outcomes
  ▪ Maintenance funding
    ▫ Facilities
    ▫ Parks
    ▫ Streets

▪ Maintain allocation for museum funding at $100,000 with a maximum of $25,000 per participant.

▪ Parking management funding requests to be presented later in the budget process

▪ CIP capacity to be determined to meet the needs of -
  ▫ City facility projects
  ▫ Cape’s Dam
  ▫ Infrastructure projects

▪ Transit operations funding requests to be presented later in the budget process

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**WATER/WASTEWATER FUND**

▪ Merit and cost of living increase for non-civil service employees will be determined later in the budget process.

▪ Estimated 10% increase in health insurance premium beginning January 1, 2020.

▪ Base operations budgets held flat. Additions to the department budgets must be requested, justified, and ranked by priority.

▪ Staffing needs will be evaluated through the department budget request process
▪ Fuel/contractual obligations/consumer price index increases allowed.

▪ Continue the annual $200,000 contribution to the economic development reserve that is shared equally between General Fund, Water Wastewater Fund, and Electric Fund. The funds will be used to fund Strategic Initiatives and/or special projects at the discretion of the City Manager.

▪ Utility fund transfers to the General Fund budgeted at 7%.

**ELECTRIC UTILITY FUND**

▪ Merit and cost of living increase for non-civil service employees will be determined later in the budget process.

▪ Estimated 10% increase in health insurance premium beginning January 1, 2020.

▪ Base operations budgets held flat. Additions to the department budgets must be requested, justified, and ranked by priority.

▪ Staffing needs will be evaluated through the department budget request process.

▪ Fuel/contractual obligations/consumer price index increases allowed.

▪ Continue the annual $200,000 contribution to the economic development reserve that is shared equally between General Fund, Water Wastewater Fund, and Electric Fund. The funds will be used to fund Strategic Initiatives and/or special projects at the discretion of the City Manager.

**STORMWATER UTILITY FUND**

▪ Merit and cost of living increase for non-civil service employees will be determined later in the budget process.

▪ Estimated 10% increase in health insurance premium beginning January 1, 2020.

▪ Base operations budgets held flat. Additions to the department budgets must be requested, justified, and ranked by priority.

▪ Staffing needs will be evaluated through the department budget request process.

▪ Fuel/contractual obligations/consumer price index increases allowed.

**HOTEL MOTEL FUND**

▪ Merit and cost of living increase for non-civil service employees will be determined later in the budget process.

▪ Funding for special programs will be evaluated based on capacity. Organizations can request increases during the budget process for specific programs.
City of San Marcos
2019-FY2020 Proposed Budget
Policy Statement

I. Fund Balance

- General Fund: Maintain 25% (of recurring operating expenses).
- Water/Wastewater Fund: Maintain 25% (of recurring operating expenses).
- Drainage Utility Fund: Maintain a range of 20% (of recurring operating expenses).
- Electric Utility Fund: Minimum of the equivalent of 60 days of operating expenses including purchased power.

II. Revenue

GENERAL FUND

- Property tax rate maintained at 61.39 cents per $100 of valuation.
- Property values increased based on a conservative trend estimated at 10%.
- Amend budget during fiscal year if revenue deviates from budget
- Revisit Over 65 tax freeze in June awaiting state legislature ruling on property tax cap on rollback rates
- Explore impact of providing homestead exemption and an over 65 freeze.
- Base sales tax revenue and revenue generated by the outlet mall will not be increased from the FY18 budget. Revenue generated by Best Buy will include the City’s 25% allocation and will be increased by 4% from FY2018. These estimates will be updated as the collection trend indicate.
- Utility Fund franchise fee transfers to the General Fund reduced back to 7%
- Maintain City-owned utility fund franchise fee transfers to the General Fund at 8%.
- Bring forward Community Services fee adjustments based on the results of the cost of service study.
- All other revenues will be budgeted based on historical trends.
- Adjust fees according to Fee Policy (upon adoption), or CPI index for the calendar year 2018.
- Fees for services will be increased approximately 2.12% based on the average CPI index for the calendar year 2017.
Revenue generated from the increased tax rate’s operating & maintenance capacity remaining $500,000 to be reserved for additional bond project expenses

WATER FUND
- Rate study to determine possible rate increases and structure changes. Citizens Utility Advisory Board will make recommendations related to rate structure and future rate adjustments.

ELECTRIC FUND
- Rate study to determine possible rate increases and structure changes. No rate adjustment anticipated.
- Citizens Utility Advisory Board will make recommendations related to rate structure and future rate adjustments.

STORMWATER MANAGEMENT FUND
- Rate study completed. Proposed rates and rate structure will be brought forward for discussion during the budget process. Rate study underway and preliminary results and decision points will be presented to Council during budget discussions.
- Proposed rates will be brought forward after the first of the calendar year for adoption.

HOTEL MOTEL FUND
- Revenue budgeted based on conservative trends reflecting new hotel rooms, occupancy rate, and average room rate.

III. Expenditures

All budget requests from outside agencies must be submitted for consideration prior to May 1.

GENERAL FUND
- Meet and Confer negotiations for civil-service employees will be finalized later in the budget process. The outcome will be reported later in the budget process.
- Funding year 4 of the Meet and Confer agreement with Police and Fire with a 4.5% increase in wages.
- Merit and cost of living increase for non-civil service employees will be determined later in the budget process.
- Pursue the goal of funding 4.5% merit and cost of living increase for non-civil service employees.
- Base operations budgets held flat. Additions to the department budgets must be requested, justified, and ranked by priority.
- Staffing needs will be evaluated through the department budget request process.
- Additional personnel will be evaluated through the departmental budget request process.
- Estimated 10% increase in health insurance premium beginning January 1, 2020.
- Estimated 5% increase in health insurance premium beginning January 1, 2019.
- Base operations budgets flat. Additions to the department budgets must be requested, justified, and ranked by priority.
- Fuel/Contractual Obligations/Consumer Price Index increases allowed.
- Continue funding Social Services at $500,000 for Human Service Advisory Board to administer application, contract, and funding process to eligible agencies.
- Youth initiatives funding $150,000 to include Youth Services Manager put on hold pending application process modifications.
- The annual contribution to the Economic Development reserve of $200,000 allocation between General Fund, Water Wastewater Fund, and Electric Fund will be used to fund Strategic Initiatives and/or special projects at the discretion of the City Manager.
- The existing balance of the Economic Development reserve of $800,000 will be used to fund Strategic Initiatives and/or special projects at the discretion of the City Manager. The fund is a contribution of General Fund, Water Wastewater Fund, and the Electric Fund. Funds will be used on projects/initiatives that support all areas of funding source.
- Best Buy Call Center revenue net of sales tax rebate will be used for one-time expenses and/or special projects to include but not limited to:
  - Strategic Initiatives
    - Workforce Housing
    - Workforce Development
    - Downtown Vitalization
    - Multi modal transportation
    - City Facilities
- Animal Services – Increase live outcomes
- Maintenance funding
  - Facilities
  - Parks
  - Streets
- Continue the annual $200,000 contribution to the economic development reserve that is shared equally between General Fund, Water Wastewater Fund, and Electric Fund.
- Continue allocation of $150,000 to fund the existing Youth Services Manager position and youth focused programs identified in the youth master plan. City Manager will examine structure and cycle of funding.
- Increase Maintain allocation for museum funding $25,000 to at $100,000 with a maximum of $25,000 per participant.
- Parking management funding requests to be presented later in the budget process
- CIP capacity to be determined to meet the needs of -
  - City facility projects
  - Cape’s Dam
  - Infrastructure projects
- Transit operations funding requests to be presented later in the budget process

WATER/WASTEWATER FUND

- Merit and cost of living increase for non-civil service employees will be determined later in the budget process.
- Estimated 10% increase in health insurance premium beginning January 1, 2020.
- Base operations budgets held flat. Additions to the department budgets must be requested, justified, and ranked by priority.
- Staffing needs will be evaluated through the department budget request process
- Fuel/contractual obligations/consumer price index increases allowed.
- Pursue the goal of funding 4.5% merit and cost of living increase for non-civil service employees.
- Additional personnel will be evaluated through the departmental budget request process.
- Estimated 5% increase in health insurance premium beginning January 1, 2019.
- Base operations budgets flat. Additions to the department budgets must be requested, justified, and ranked by priority.
- Fuel/Contractual Obligations/Consumer Price Index increases allowed.
- Continue the annual $200,000 contribution to the economic development reserve that is shared equally between General Fund, Water Wastewater Fund, and Electric Fund. The funds will be used to fund Strategic Initiatives and/or special projects at the discretion of the City Manager.
- Utility fund transfers to the General Fund budgeted at 87%.

ELECTRIC UTILITY FUND

- Merit and cost of living increase for non-civil service employees will be determined later in the budget process.
- Estimated 10% increase in health insurance premium beginning January 1, 2020.
- Base operations budgets held flat. Additions to the department budgets must be requested, justified, and ranked by priority.
- Staffing needs will be evaluated through the department budget request process.
- Fuel/contractual obligations/consumer price index increases allowed.
- Pursue the goal of funding 4.5% merit and cost of living increase for non-civil service employees.
- Additional personnel will be evaluated through the departmental budget request process.
- Estimated 5% increase in health insurance premium beginning January 1, 2019.
- Base operations budgets flat. Additions to the department budgets must be requested, justified, and ranked by priority.
- Fuel/Contractual Obligations/Consumer Price Index increases allowed.
- Continue the annual $200,000 contribution to the economic development reserve that is shared equally between General Fund, Water Wastewater Fund, and Electric Fund. The funds will be used to fund Strategic Initiatives and/or special projects at the discretion of the City Manager.
- Utility fund transfers to the General Fund budgeted at 87%.

STORMWATER UTILITY FUND

- Merit and cost of living increase for non-civil service employees will be determined later in the budget process.
- Estimated 10% increase in health insurance premium beginning January 1, 2020.
- Base operations budgets held flat. Additions to the department budgets must be requested, justified, and ranked by priority.
- Staffing needs will be evaluated through the department budget request process.
- Fuel/contractual obligations/consumer price index increases allowed.
- Pursue the goal of funding 4.5% merit and cost of living increase for non-civil service employees.
- Additional personnel will be evaluated through the departmental budget request process.
- Estimated 5% increase in health insurance premium beginning January 1, 2019.
- Base operations budgets flat. Additions to the department budgets must be requested, justified, and ranked by priority.
- Fuel/Contractual Obligations/Consumer Price Index increases allowed.

HOTEL MOTEL FUND

- Merit and cost of living increase for non-civil service employees will be determined later in the budget process.
- Pursue the goal of funding 4.5% merit and cost of living increase for non-civil service employees.
- Funding for special programs remains flat will be evaluated based on capacity. Organizations can request increases during the budget process for specific programs.

IV. Debt

On April 3rd, a City Council work session will be held to discuss the City’s current debt balances, future debt requirements, and the effect on the budget.
AGENDA CAPTION:
Consider approval of Ordinance 2019-10, on the first of two readings, amending the City’s 2018-2019 Fiscal Year Budget to allocate a total amount not to exceed of $65,000.00 from State Seized Asset Funds to provide funding for Unmanned Aerial Vehicle (drone) equipment and supporting hardware to support the capabilities of the Police Department’s unmanned robotics team; and providing an effective date.
Meeting date: March 5, 2019

Department: Police

Amount & Source of Funding
Funds Required: $65,000.00
Account Number: 12055230.60125
Funds Available: $172,712.35
Account Name: State Seized Assets

Fiscal Note:
Prior Council Action: Council has not taken prior action on this item

City Council Strategic Initiative: [Please select from the dropdown menu below]
N/A

Comprehensive Plan Element(s): [Please select the Plan element(s) and Goal # from dropdown menu below]
☐ Economic Development - Choose an item.
☐ Environment & Resource Protection - Choose an item.
☐ Land Use - Choose an item.
☐ Neighborhoods & Housing - Choose an item.
☒ Parks, Public Spaces & Facilities - Funding and staffing to ensure quality public safety and community services
☐ Transportation - Choose an item.
☐ Not Applicable
Master Plan:

Choose an item.

Background Information:

The advancement of unmanned aerial vehicle (UAV or drone) technology has given law enforcement, fire departments, and cities as a whole a new set of tools allowing for a much safer and effective delivery of services. Before this technology became available, the need for aerial video and photography had to be met using fixed wing or rotary aircraft or with the use of elevated platforms such as ladder-equipped fire apparatus. The City of San Marcos is not in a financial position to be able to fund an aircraft division. Approximately three years ago, the police department acquired a very basic drone for the purpose of assisting our collision investigation team with the documentation of fatal and serious injury crashes. Since that time, the use of drones by municipal entities including police departments has become more commonplace, and we have seen how this technology can help us deliver a higher level of service to the community without incurring the costs of a true aircraft division.

Realizing these same benefits, the Hays County Sheriff’s Department has begun to expand their UAV capabilities. In order to maximize resources and build efficiencies into the respective programs, the Sheriff’s Department has approached the Police Department and proposed a cooperative effort in the form of the Hays County Unmanned Robotics Team. We have worked together with the Sheriff’s Department and subject matter experts to draft a robust policy to ensure that these aircraft are flown under the strictest guidelines possible. This policy will ensure the appropriate and lawful use of this technology and will protect the privacy of individuals in the area of proposed flight operations. The policy is attached to this item for Council’s review.

This ordinance, if approved, will allow the expenditure of state seized asset funds for the purchase of four UAV aircraft, miscellaneous spare parts, state of the art cameras, a toolkit, and supporting equipment such as protective carrying cases. These aircraft will allow specially trained and federally licensed members of the Police Department to support our operations in ways that previously would have required assistance from manned aircraft from neighboring agencies. Examples of some of these operations include crime scene surveying and photography, search and rescue operations, safety enhancement of tactical operations, and vehicle crash scene documentation. In addition, this equipment and our pilots will be available to assist other city departments with tasks such as project photography and video documentation, damage assessments, and site surveying.

Attached to this action request is the aforementioned policy, the 2018 annual report required to be filed with the State by our agency, and quotes for the equipment we intend to purchase.
**File #: Ord. 2019-10, Version: 1**

**Council Committee, Board/Commission Action:**

N/A

**Alternatives:**

An alternative is obviously to deny this funding or to approve a lesser level of funding. Neither would be preferred or recommended by staff.

**Recommendation:**

The staff request and recommendation is to approve this action item.
ORDINANCE NO. 2019-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING THE CITY’S 2018-2019 FISCAL YEAR BUDGET TO ALLOCATE A TOTAL OF $65,000 FROM THE STATE SEIZED ASSET FUNDS TO PROVIDE FUNDING FOR UNMANNED AERIAL VEHICLE (DRONE) EQUIPMENT AND SUPPORTING HARDWARE TO SUPPORT THE CAPABILITIES OF THE POLICE DEPARTMENT’S UNMANNED ROBOTICS TEAM; 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 2018-2019 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 2018-2019 Fiscal Year is amended as set forth in the attached Exhibit A, to allocate a total of $65,000 from the State Seized Asset Funds to provide funding for Unmanned Aerial Vehicle (Drone) equipment and supporting hardware to support the capabilities of the Police Department’s unmanned robotics team.

SECTION 2. These revisions will be incorporated into the 2018-2019 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 March 5, 2019.

PASSED, APPROVED AND ADOPTED on second reading on March 19, 2019.

Jane Hughson
Mayor

Attest: Approved:

Jamie Lee Case Michael J. Cosentino
City Clerk City Attorney
I. POLICY

The deployment of small Unmanned Aircraft Systems (sUAS) by the San Marcos Police Department is expected to assist as a force multiplier, providing increased situational awareness, improve cost-operating efficiency, and enhanced officer and public safety. Deployments of this technology will be in direct support of critical incidents, crime scene and vehicular accident forensics collection, tactical operations, officer training, direct or indirect Fire Department assistance, disaster response and any other mission requiring aerial overview within a Defined Incident Perimeter (DIP).

This policy establishes sUAS program management, operational requirements, reporting and records management, and safety considerations necessary to support law enforcement officers conducting missions as permitted by the Federal Aviation Administration (FAA) issued Certificate of Waiver / Authorization (COA) and/or civil/commercial operations under 14 CFR part 107. sUAS program guidance is designed to minimize risk to people, property and other aircraft while continuing to safeguard the right to privacy by all persons. Further, this policy is designed to comply with all applicable federal, state and local statutes.

As with all investigative methods, the sUAS must be operated consistent with the U.S. Constitution. Accordingly, all San Marcos Police Department (T) program personnel shall abide by the Fourth Amendment and protect citizens from unreasonable searches and seizures. The sUAS shall never be used solely for the purpose of monitoring activities protected by the First Amendment or the lawful exercise of other rights secured by the Constitution and laws of the United States except as necessary to protect people who are exercising their constitutional rights. Agency personnel must be trained on, and abide by, all applicable federal, state and local legal standards, and Department guidance applicable to the deployment and use of this technology. Finally, sUAS shall only be deployed in connection with properly authorized investigations and emergency response activities, and shall only be deployed within the context of existing and applicable federal, state and local laws/regulations, and agency safeguards.

The use of sUAS by the San Marcos Police Department is expected to enhance officer situational awareness and improve response and investigation activities. sUAS operations may be integrated with manned aircraft operations if it provides a most effective response to specific situations.
II. PURPOSE
This guidance will ensure law enforcement, public safety and national security missions while ensuring an appropriate level of program management, accountability and transparency. This guidance does not replace the Federal Aviation Administration (FAA) rules and regulations that govern sUAS deployments and help to ensure the safe operation of all aircraft. The San Marcos Police Department has unique mission characteristics and challenges in serving the citizens of San Marcos. Accordingly, this guidance is merely to foster standardized and comprehensive program management, operations and safety.

III. DEFINITIONS

A. Airworthiness: A condition in which the small Unmanned Aircraft System (sUAS) (including the aircraft, airframe, engine, propeller, accessories, firmware, software and control station elements) conforms to its design intent and is determined to be in condition for safe flight operation.

B. Avionics: Consists of the complete electronics hardware and software for command and control of the small Unmanned Aircraft (sUA) (i.e., Global Positioning System (GPS), battery(s) to power sUA motors and electronic systems, radio elements with antennas, etc.)

C. Beyond Visual Line-of-Sight, BVLOS: Operation of the sUAS when the Remote Pilot-in-Command (RPIC) or Visual Observer(s) (VOs) responsible for controlling the trajectory of the sUA cannot maintain direct visual contact with the sUA unaided other than by corrective lenses (spectacles or contact lenses), sunglasses or both.

D. Certificate of Waiver/Authorization (COA): Certificate of Waiver/Authorization issued by the Federal Aviation Administration that permits public agencies and organizations to operate a particular aircraft for a particular purpose in a particular area or waives specific requirements for operations.

E. 14 CFR Part 107: The FAA regulation that governs routine civil operation, to include public safety, of sUAS in the National Airspace System (NAS), and provides safety rules for those operations. The rule defines sUAS as unmanned aircraft weighing less than 55 pounds.

F. Concept of Operations (CONOPS): An agency promulgated document that describes systems characteristics, limitations and agency organization, and is used to communicate specific mission(s), operational procedures, and operational objectives and controls for deployment of a proposed sUAS.

G. Defined Incident Perimeter (DIP): The location in which sUAS operations will be constrained during a specific mission. The maximum operating height of the mission will be in accordance with the altitude limit of the COA or as regulated by 14 CFR Part 107, depending on what authority the operation is being flown.

H. Extended Visual Line-of-Sight (EVLOS): The operation of a sUA when the Remote Pilot-in-Command (RPIC) or any Visual Observer (VO) cannot maintain visual
contact with the sUA for see and avoid practices, but where the location of the sUA is known through technological means; however, the individual responsible for see and avoid shall be able to see other aircraft, terrain, obstacles, or combinations thereof so that the sUAS can be maneuvered clear of a collision. Either the RPIC or, alternatively, the VO can determine the location of the sUAS relative to intruding aircraft, obstacles, structures or terrain and determine that the sUAS does not endanger the life or property of another.

I. Fly-Away: Sudden unexpected, unplanned, unintended sUAS flight in altitude/airspeed/lateral limits as the result of a failure of the navigation control element or onboard systems, or both.

J. Ground Control Station (GCS): The interface between the Remote Pilot-in-Command (RPIC) and the sUAS. This may be a handheld control box, a laptop computer, or other device with all associated hardware, power, antennas, cabling, etc.

K. Hazard: A discovered or foreseeable potentially unsafe condition resulting from failures, malfunctions, external events, errors, conditions or combinations thereof that are considered to have a dangerous impact on the safe operation of the sUAS.

L. Nonparticipant: Any individual in the vicinity of sUAS operations who is not participating or directly supporting the specific sUAS mission. (Note: a person who is the subject of the UAS mission is not considered to be a nonparticipant).

M. Operational Risk Assessment (ORA) as it relates to sUAS operations: An evaluation of the operational area, the sUAS and its operation during the intended mission to determine potential risks to persons and property and identify reasonable mitigation strategies to reduce those risks through training, operating procedures or limitations.

N. Operational Risk Management (ORM): The continual process of evaluating the effectiveness of program controls, which includes risk assessment, risk decision making, and implementation of risk controls to ensure operations satisfy an acceptable level of risk.

O. Payload: Any sensors, equipment, and/or device attached to or carried by the sUAS for the purpose of collecting data, or otherwise essential to the mission.

P. Pilot at Controls (PAC): The person who is directly controlling the sUAS under the direct supervision of a certificated Remote Pilot-in-Command (RPIC).

Q. Post-flight Inspection: Conducted by the RPIC to ensure that the sUAS has not suffered any damage or mechanical issues after the mission is completed. NOTE: All preflight and post-flight forms should be filled out and signed by the RPIC and submitted to the team leader for recordkeeping.

R. Preflight Briefing: A discussion conducted by the RPIC prior to aircraft launch which should include, but not be limited to, the following:
   1. Review of the mission, mission area (Defined Incident Perimeter), mission objectives and any issues of concern.
2. Review of current and forecasted weather conditions and weather limitations.
3. Review of operating limitations and safety issues such as battery charge, GPS strength and potential for radio interference.
4. Review of crew coordination and communications procedures, (flight crew and on-scene commander).
5. Review of emergency/contingency procedures including aircraft system failure, flight termination, divert and lost link procedures.
6. Review of image collection and documentation as determined by the mission.
7. Execution of all checklists.

S. Preflight Inspection: Conducted by the RPIC to ensure the sUAS is operational and ready for flight. Also ensures that the control unit is charged and operating appropriately.

T. Reasonable Expectation of Privacy: An element of law that determines in which places and in which activities a person has a legal right to privacy. Reasonable expectation refers to a person’s belief that they are in a place where their activities are protected from being discovered or known, such as in their domicile.

U. Remote Pilot-in-Command (RPIC): The person who is qualified and designated by The Department, and is directly responsible for and is the final authority to the operation of the sUAS (as described by Federal Aviation Regulations (14 CFR Part 107). The RPIC will also hold, and have in his/her possession, the appropriate FAA sUAS airman certificate for the conduct of the flight.

V. Risk: The composite of predicted likelihood and severity of the potential effect of a hazard.

W. Safety Officer: The Safety Officer is responsible for assisting the RPIC with safety-related issues and providing support to the RPIC during sUAS operations. The Safety Officer will act as the liaison officer for coordination with the incident commander, on scene commander or special response personnel on behalf of the RPIC.

X. “Shall” versus “Should” versus “May”: Within this program guidance, the use of the word “SHALL” describes a practice or procedure or statement that is MANDATORY and must be complied with. “Shall” statements are requirements that will include sufficient detail needed to define compliance. “SHOULD” implies a recommended practice or procedure to comply with as guidance toward the overall goal of improving safety. “MAY” implies an optional procedure or practice where compliance is at the discretion of the individual and are provided to clarify acceptability of a specific item or practice and offer options for satisfying requirements.

Y. Small Unmanned Aircraft (sUA): A small unmanned aircraft weighing 0.55 pounds or has a maximum takeoff weight (aircraft and payload) less than 55 lb. (25 kg).

Z. Small Unmanned Aircraft System (sUAS): A small unmanned aircraft (sUA) and all of its associated elements, accessories, etc. (i.e., telemetry links, payload elements and control interfaces (Ground Control Station, antennas, avionics equipment, etc.))
that are required for the safe and efficient operation of the sUA in the national airspace system.

AA. sUAS Flight Crewmember: A remote pilot, visual observer, payload operator and/or any other designated person assigned duties for sUAS operations.

BB. sUAS In-Flight Emergency (IFE): An event or emerging circumstance in which the safety of the aircraft, persons or property on the ground is endangered for any reason. Typically, this situation is one in which it is no longer possible to continue the flight using normal procedures. Emergency situations involving a sUAS may develop as a result of one or more factors within or outside the sUAS, for example:
   1. Fire on board the aircraft.
   2. Aircraft component failure or malfunction (e.g., engine failure, navigation or flight guidance system malfunction.
   3. Shortage of battery power or fuel.
   4. Remote Pilot and Visual Observer have lost visual contact with the sUA.
   5. Worsening weather.
   6. Pilot incapacitation (e.g., as a result of illness).
   7. sUAS damage (e.g., as a result of collision, bird strike or extreme weather)
   8. Illegal activity (e.g., willful damage, spoofing or hijacking, etc.).

An emergency or abnormal situation may result in the sUAS aborting the mission to the destination as planned due to one or more of the following outcomes:
   1. Loss of altitude.
   2. Fly Away.
   3. Loss of Command and Control of the sUA (lost link).
   4. Diversion to a planned or unplanned emergency landing zone or divert location.
   5. Forced landing.

CC. sUAS Team Leader: This individual is responsible for sUAS program management and retains full oversight responsibility of all logistical and administrative elements of sUAS operations for the Department. This includes, but is not limited to, ensuring that any person that operates the sUAS, or has a responsibility within the sUAS operation, is properly trained and designated for whatever roles they may fulfill.

DD. Visual Line-of-Sight (VLOS): The ability of the RPIC and/or Visual Observer(s) (VO) to see and determine the trajectory of the sUAS throughout the entire flight with vision that is unaided other than by corrective lenses, sunglasses or both, and determine the sUAS movement relative to intruding aircraft, obstacles, terrain and observe the airspace for other air traffic or hazards so that the sUAS does not endanger the life or property of another.

EE. Visual Observer (VO): A person who is designated by the Department and/or RPIC, to assist the RPIC or PAC to maintain VLOS with the sUAS.

IV. ACCOUNTABILITY
The San Marcos Police Department promotes accountability by requiring all personnel to accept responsibility for the decisions and actions they undertake, and to evaluate the potential consequences of those decisions and actions. The Department imposes codes of conduct to guide its employees in the use of all investigative methods, including sUAS operations. As with the use of any technology, there must be policies and guidance for utilization and oversight, along with procedures to hold the Department and its employees accountable. The Chief of Police or designee is ultimately responsible for activities and performance of agency employees, as well as the operation of a sUAS and its program management.

Part of accountability is ensuring that personnel are appropriately trained and supervised. Department personnel whose responsibility it is to manage, supervise, maintain, fly and/or otherwise use sUAS must receive training on this policy and the underlying policies incorporated within the sUAS program.

Approval authority for the deployment of a sUAS in support of a Department mission will be set at an appropriate and consistent level across the Chief of Police’s Office. At a minimum, each time a sUAS is deployed, approval should be granted by the on-scene incident commander, or supervisor on scene. Notifications, when practical, should be made to the sUAS program’s supervisor or a sUAS team leader. Additionally, since the Department may only deploy a sUAS in connection with authorized investigations, crisis response activities or routine events (i.e., training, etc.), supervisors must ensure that the underlying investigations themselves, or the crisis response or training activity, has been authorized consistent with applicable guidelines and other policies. In certain instances, sUAS deployment will occur in response to a developing emerging emergency event and in those cases, prudent judgment must be exercised by the on-scene incident commander, or supervisor present, or team leader, and the appropriate supervisor notified immediately. In no case will a sUAS be flown without specific notification and authorization from the appropriate chain of command. All sUAS operations shall be recorded and all records retained in accordance with standing agency policy if the mission has evidentiary value or as determined by the on-scene incident commander or supervisor.

V. CONCEPT OF OPERATIONS (CONOPS)

The Department’s sUAS Concept of Operations (CONOPS) is a broad description of operations, or series of operations, and is designed to provide an overall description of the planned or anticipated employment of the sUAS to support agency missions. The sUAS CONOPS is to enhance the mission effectiveness, provide tactical aerial support, provide real-time situational awareness upon which risk-based decisions may be executed, capture incident-related imagery related to the crisis response or investigation, and generally assist on scene assets in the execution of their various roles during any emergency response event, or high threat situations where the operating environment may be hazardous to officers and the public. The deployment of this technology may also be provided to support forensic data collection in support of any investigation.

All sUAS deployments should be authorized by appropriate chain of command and conducted within an authorized training location or Defined Incident Perimeter controlled by appropriate public safety representatives.

VI. sUAS SYSTEM REQUIREMENTS (Procurement Considerations)
In order to meet the expected CONOPS for the Department, any sUAS system that may be procured must meet basic mission capabilities. Some general sUAS capabilities and system considerations should include, but not be limited to, the following:

A. The sUAS vendor should provide appropriate system operating and maintenance manuals as well as training and technical support, if available.
B. The sUAS should be contained and transported within an appropriate case to prevent damage.
C. The sUAS should include the ability for an integrated image (still and video camera) system (electro-optical high-definition and infrared selectable camera systems preferred).
D. The sUAS should be able to be transported, set up and launched by one officer. The setup and preflight should not be complicated or overly cumbersome. The time from setup to preflight to launch should not be extensive (optimum would be less than 10 minutes).
E. The sUAS should have the ability to capture flight time by individual flight, as well as a cumulative flight time over a certain period. The ability to reset the flight time counter should be restricted to a program supervisor or administrator.

VII. STANDARD OPERATIONS PROCEDURES

A. System Storage
The sUAS and all support equipment, (e.g., spare parts, battery chargers, folding tables and chairs, radio equipment, etc.) will be securely stored and maintained in an appropriate location for timely portability and deployment. Consideration should be given to the storage and transport of sUAS batteries. Transporting Lithium ion batteries via agency vehicles or aircraft, commercial aircraft and express cargo will be done in a manner that is consistent with manufacturer’s recommendations. A Department program team member will be assigned to oversee all sUAS equipment and will ensure said equipment is labeled (FAA registered as required), inventoried, and inspected annually.

B. System Transportation
The sUAS system should be stored in a rigid case(s) that can be easily carried and will protect the contents from damage during transport. The sUAS may be transported via Department vehicles, employee personally owned vehicles with supervisor approval, aircraft or any other method with supervisory approval.

Prior to transporting the sUAS for deployment, the crew member(s) responsible for transport will ensure that all necessary equipment is loaded by referring to the approved sUAS Equipment Checklist (Appendix A).

C. Mission Readiness
All of the policies and procedures within this operating doctrine shall be complied with in order to ensure that sUAS operations remain fully mission ready. The following standard operations address most, but not all, of the operational protocols for safe sUAS deployments:

1. All training missions will be conducted in a safe manner at a safe or approved location. Any demonstration flights must be approved by the chain of
command with justification and location of the flight to include risk assessment. All flight operations should be conducted in accordance with the manufacturer’s recommendations, Department policies and procedures.

2. Only personnel, both pilots and crewmembers, who have been trained and certified in the operation of the system, will operate Department sUAS(s).

3. All flights, flight times, and team members will be properly documented on a dedicated form (Flight Tracking Form) or sUAS Mission Tracking Software designed for that purpose.

4. All flight times will be documented in 15-minute intervals. For example: 9 minutes of flight will be logged as 0.25 hours.

5. The program manager or designee will be assigned to conduct periodic audits of all documentation related to the program (FTF, Maintenance Action Form (MAF), Mishap Forms, Training records, logbooks, etc.) quarterly, but not less than annually. The results of the audit will be documented. Any changes to the flight time counter will be documented.

6. Whenever there are specific and articulable grounds to believe that sUAS operations may collect evidence of criminal wrongdoing, and if the sUAS will intrude upon reasonable expectations of privacy, a search warrant may be required prior to conducting the flight.

7. Prior to takeoff, the sUAS should be programmed to direct it to return to the launch point (Return to Home function) if the Command and Control (C2) signal is lost for any period of time. In the event of a C2 interruption (loss of link) with the sUAS, lost link procedures should be executed with the immediate landing of the sUAS.

8. When the sUAS is deployed to meet an approved mission task, it should be recovered within the same general area, if possible.

9. A designated safe area should be maintained during takeoff and landing for all personnel in and around the area with the exception of the sUAS flight crew.

10. sUAS operations will be conducted during daylight hours unless night operations are approved in the COA or authorized under a waiver for 14 CFR Part 107 operations. If exigent circumstances exist, night operations are necessary (and the mission is approved by the appropriate chain of command (incident commander or supervisor or team leader)), the RPIC should contact the FAA System Operations Support Center (SOSC) to request a Special Government Interest (SGI) approval in the event of a COA not being on hand.

11. The RPIC shall make every effort to ensure that flight operations will not pose any undue risk to the personnel directly involved with the mission. The RPIC is the FINAL AUTHORITY concerning the safety and flight of the sUAS. The RPIC shall have final determination of risk to the public and authority over any launch of the aircraft. In all cases, the sUAS should not be flown over nonparticipants (with the exception of those nonparticipants who are the subject of the mission) and/or property in a manner that is in violation of the FAA regulations and/or the approved COA.

12. If, at any time, the RPIC and/or the Observer(s) believe there is a potential for air-to-air conflict, collision, risk of harm/injury to persons or property, the RPIC should abort the flight and immediately land the sUAS. When the hazard has been resolved/mitigated, the flight operation may resume.

13. Any sUAS operations expected to be conducted within any controlled airspace, or in close proximity of an airport, should be coordinated with the
applicable airport tower, and/or FAA approval through the provisions of the COA or through coordination with the FAA System Operations Support Center.

14. sUAS flight operations should not be flown within unsafe distances to any building, structure, tower or person, except when the risk of collision and/or loss of the sUAS is outweighed by the need to obtain critical information.

15. Weather is a critical factor for safe sUAS operations. A local source of weather may be utilized via the Internet, cellular phone application, or may be observed onsite based upon previous training and experience. The sUAS should not be flown outside the approved/authorized weather minimums identified by the manufacturer or the restrictions of 14 CFR part 107, or the FAA approved COA. The RPIC shall have final determination of risk due to weather and authority over any mission.

16. Unauthorized use of a Department sUAS could result in disciplinary action.

D. Flight Operations

1. Normal Procedures
   a. Preflight
      A preflight check of the sUAS utilizing the checklists will be completed prior to flight and should incorporate the manufacturer’s recommendation and applicable Federal Aviation Regulations (FARs). The RPIC shall conduct a preflight crew briefing before every mission to ensure duties, responsibilities, mission objectives, hazards, weather and any information deemed necessary is clearly conveyed to the sUAS team (see FAA AC 107-2).
   b. Communications
      All radio communications required by the FAA will be complied with. Communications between the sUAS team members and the incident commander during the mission will be limited to operationally necessary in order to minimize disruptions or distractions of the RPIC and team members. Federal Communications Commission (FCC) ground station licenses may be required by the FCC for state and local agencies and authorizations may be required from the National Telecommunications & Information Administration (NTIA) for federal agencies.
   c. Sterile Cockpit or UAS Operations Area
      As with commercial aviation, all sUAS operations will maintain a sterile cockpit, or environment, free from all unnecessary outside distractions. To alleviate mission distraction, all external communications will be halted until after flight operations have been terminated. During all phases of flight, the UAS crew must focus on the safety of the UAS, crew, and mission requirements. Any interruptions during flight operations may decrease the effectiveness of the crew, crew coordination, crew communication, UAS support equipment or flight time, or a loss of mission objectives.

2. General Procedures
   a. The sUAS should be operated in accordance within manufacturer specifications and applicable FAA limitations and restrictions.
b. Care shall be taken in the operation of the sUAS to avoid overflying persons and property that could result in injury or damage whenever possible.

c. A copy of the current valid COA, if the operation is under the COA, shall be present whenever sUAS operations are conducted. All personnel shall ensure that a copy of the COA, and 14 CFR Part 107 certificate if applicable, are available prior to commencing flight operations.

d. The lost link response should be set to the home point and the altitude set in accordance with the altitude limit of the COA or as regulated by 14 CFR Part 107, depending on what authority the operation is being flown.

e. For all operations, the observer shall utilize a distance from the sUAS that will adequately permit them to maintain a visual observation on the sUAS and maintain officer safety at all times.

f. All sUAS team members shall comply with all limitations, restrictions and requirements as enumerated in the COA or as directed by 14 CFR Part 107. The RPIC will function as team leader and the operator of the sUAS. The RPIC is ultimately responsible for the sUAS operation, safety of the mission, and is solely responsible for the input of commands/piloting of the sUAS during flight with or without a PAC.

g. The RPIC shall be responsible for the system assembly, setup, preflight, operations, post-flight, disassembly, storage, debrief and paperwork for every mission. Additionally, the designated VO(s) and other personnel as assigned can assist the RPIC in all of these activities.

h. The RPIC shall be responsible for contacting the FAA in order to publish the applicable Notice to Airmen (NOTAM) or Temporary Flight Restrictions (TFR) prior to the mission if required.

i. An Air Band radio (VHF radio) should be part of the sUAS crewmember kit in order to communicate with or monitor the local controlling Air Traffic Authority, or other aircraft if operating nearby an active departure or arrival facility. Additionally, the ability to communicate with low flying first responder helicopters for airspace de-confliction will be increasingly important as sUAS presence will continue to increase at crisis sites.

j. The sUAS should operate with position navigation or anti-collision lights during night time hours.

k. The RPIC shall obtain and record the most up-to-date weather forecast for the area of operation.

l. The RPIC shall conduct a pre-mission briefing to ensure all crewmembers and supporting personnel are fully informed about all aspects of the mission to include, but not limited to, the purpose of the mission, the Defined Incident Perimeter, the weather, any flight hazards or other safety issues and any special coordination concerns.

m. All sUAS operations should be conducted at less than 400 feet Above Ground Level (AGL) or within the limitations of the COA.

n. The operating guidelines related to ambient temperature are stated in the manufacturer’s flight operations handbook. The battery and flight
duration may be adversely affected when high ambient temperatures exist. Expected flight times should be adjusted accordingly based on high humidity and temperature.

o. The sUAS should not be operated in sustained winds greater than the manufacturer’s recommendations. The RPIC may decide that wind conditions in the operation area are too hazardous and opt not to fly.

3. Post-flight
A post-flight check of the sUAS will be completed in accordance with the manufacturer’s recommendation and applicable Federal Aviation Regulations utilizing the Post-flight Checklist (Appendix A). The sUAS shall then be prepared for redeployment or for disassembly and storage. Prior to placing the UAS into storage, a complete inspection and wipe-down of the UAS and associated equipment will be performed. Any debris such as dirt, dust, water can cause early component failure and/or catastrophic events. At any time the sUAS is operated within a fire scene (extinguished or active), the UAS will be thoroughly inspected between flights and a complete wipe-down of the UAS and associated equipment will be performed.

E. Emergency Procedures
Emergency procedures are typically stated in the manufacturer’s flight operations manual. They may be detailed or very brief. In any case, the manufacturer’s specified emergency procedures should be complied with for all sUAS operations. Any abnormal flight characteristics or unresolved situations observed by the RPIC, and not listed below, that affect the sUAS operations/mission shall cause the RPIC to immediately bring the sUAS back to the launch/recovery site. Common emergencies are:

1. LOSS OF FLIGHT CONTROL (Lost Link), Return to Home (RTH)
The sUAS lost link procedures should be set to enable the sUAS to climb to its programmed maximum ceiling altitude and then return to and land at the launch site. The initial procedure in any loss of link condition is to verify the status of power on the sUAS, GCS, and to adjust the antennas in order to get an optimum line of site to the sUAS.

If positive control of the sUAS cannot be re-established and it is leaving the area of operation (Defined Incident Perimeter) in a Fly Away condition, or the sUAS poses a risk to life and/or property, the RPIC will issue an Engine Kill command (if a feature of the sUAS). If this should occur, immediately notify the local ATO facility providing the location and circumstances, last known direction of flight and altitude and the registration number. The RPIC will then immediately inform the chain of command providing all details needed and complete the appropriate incident form.

2. LOSS OF VISUAL CONTACT
If visual contact with the sUAS is lost during any mission, the RPIC should command the aircraft into a hover mode and the RPIC and VO shall try to re-establish visual contact. If visual contact cannot be re-established within a reasonable amount of time, as determined by the RPIC, then the RPIC shall execute the emergency lost link procedures (RTH) in an attempt to reacquire visual contact. If the RPIC and VO are unable to visually reacquire the sUAS,
the flight should be terminated, and the Lost Link procedures shall be filed. The RPIC should complete the appropriate incident form for the termination of the flight.

3. LOSS OF GPS SIGNAL
Should the sUAS lose the GPS signal during autonomous operations, the RPIC must immediately take manual command of the sUAS and land as soon as practical. If positive control of the sUA cannot be maintained and the sUAS is leaving the operational area, or the sUAS poses a risk to life and/or property, the RPIC will issue an Engine Kill command. If the sUAS is not located, the RPIC should immediately notify the local ATO facility, providing the location and circumstances, last know direction of flight and altitude, and the registration number. The RPIC will then immediately inform the chain of command, providing all details needed and complete the appropriate incident form.

4. LOSS OF POWER (Motor Failure)/sUAS Forced Landing (CRASH)
In case of a motor failure or loss of battery power, the sUAS cannot maintain flight. The RPIC will immediately notify the chain of command, note the location and time of the mishap and then, together with the supporting crewmembers, will attempt to locate and recover the sUAS. The RPIC shall assess the impact site for injuries, and render first aid if necessary. The RPIC shall take pictures of the sUAS at the impact site, record the location and time and complete the necessary mishap forms. The RPIC will prepare the appropriate notifications to comply with Department reporting procedures.

VIII. LOST COMMUNICATION WITH VO(s) OR ON-SCENE COMMANDER

A. Remote Pilot-in-Command (RPIC) and Visual Observer (VO)
If the VO(s) is distant and not within normal speaking range of the RPIC, both the RPIC and the VO(s) shall use communication devices for continuous communications that are NOT on the tactical frequency at the scene. In the event the RPIC loses communications with the VO, the RPIC will immediately land the sUAS until communications can be regained. In all cases where there is a loss of communications and a concern for people or property, in the air or on the ground, the RPIC will immediately land the aircraft. Once communications with all crewmembers is re-established, the mission may resume.

B. Remote Pilot-in-Command (RPIC) and Air Traffic Control (ATC)
If required, the RPIC will communicate with ATC through use of two-way radio communications or a cellular phone based on the agreement between ATC and the RPIC. In the event the RPIC is unable to establish communications, the RPIC will immediately land the sUAS until communications can be regained. In all cases where there is a loss of communications and a concern for people or property, in the air or on the ground, the RPIC will immediately land the aircraft. Once communications with ATC is re-established, the mission may resume. The following chart is a quick reference guide for potential system failures and possible appropriate action to take:
<table>
<thead>
<tr>
<th>Potential System Failures</th>
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<tbody>
<tr>
<td><strong>Type of Failure</strong></td>
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<tr>
<td>Low Signal Strength</td>
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<tr>
<td>Loss of Communication</td>
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<td>Loss of GPS</td>
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<tr>
<td>Low Power Avionics</td>
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<td>Low Power Actuators</td>
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<tr>
<td>Generator Failure</td>
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<tr>
<td>Engine Failure</td>
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**IX. NIGHT OPERATIONS**

As previously stated, any operation conducted between official sunset and sunrise will require approval from the incident commander or on-scene supervisor. The remote pilot will determine if a COA or Part 107 flight with waivers is required prior to accepting the mission. Prior to any night time operation, the remote pilot must have completed three take-off and landing sequences within the last 30 days using the sUAS of choice.

All rated UAS operators who hold a FAA Part 107 certificate with night waivers must maintain currency after initial training for each night capable UAS. If a remote pilot does not have the
training or currency has lapsed, the remote pilot will make arrangements with the program manager, or designee, to complete training and currency prior to accepting any night operation missions.

All planned night operational flights will have a site assessment completed and documented on the operational document that will be used for the night operation. In the event that exigent circumstances exist and a day time assessment cannot be completed, the remote pilot and visual observer will conduct a site assessment using hand-held flashlights, or equivalent, upon arrival at the scene. When flight operations commence, the visual observer(s) will continue to monitor and communicate airspace intrusions, hazards, and any potential threats to the safety of the crew and UAS. Direct communication with the remote pilot and visual observer(s) will continue throughout the entire flight operation. If more crewmembers are required, they will also perform the same requirements as the visual observer unless directed by the remote pilot.

In addition to night operations, all crewmembers are reminded that operations at night require at least 30 minutes of time to allow their eyes to adjust to the darkness for night vision. Chapter 17 of the Pilot’s Handbook of Aeronautical Knowledge (Aeromedical Factors) will be reviewed and documented in each crewmember’s logbook. All crewmembers will be familiar with Chapter 17 and should be able to recognize any potential hazards to night vision in regard to night operations. When the UAS night flight begins, the remote pilot will be restricted to only flying the UAS.

X. MISSION CALLOUTS/REQUESTS

There are generally three types of mission callouts/requests for which the Department may deploy its sUAS:

A. Emergency Responses,
B. Planned Support Missions
C. Demonstration Flights

All requests for the deployment of a sUAS team will be coordinated through the appropriate supervisor on duty who will make the determination if deployment of the sUAS team will be appropriate for the mission. A mission should be planned prior to the flight unless a supervisor authorizes, due to immediate exigent circumstances, to conduct the flight posthaste. The RPIC will then proceed to set up the mission by reviewing the weather, location, type of incident and personnel to support the mission (VO, camera operator, etc.). The RPIC is then responsible for completing the flight log and any other required documents. No mission will be flown without authorization from the appropriate supervisor. The RPIC is authorized to evaluate the mission, perform any coordination that may be required, assess risk factors for the response, and accept, decline, or modify any mission request. The basis for declining a mission should be communicated to requesting personnel. The sUAS program manager, or program supervisor if immediately necessary, should be notified by the RPIC as to the reasons for declining a specific mission. Additionally, the sUAS pilot declining the mission should document the circumstances. Supervisor and RPIC considerations for authorizing deployment of the sUAS include, but are not limited to, the following:

A. The location of the mission, for purposes of ensuring the safety of people, officers and property.
B. Defined Incident Perimeter. Law enforcement personnel must secure the Defined Incident Perimeter to prohibit civilian traffic or interference and protect responding assets at the scene during flight operations.
C. The weather and its potential effect on the mission.
D. The potential usefulness of the information gathered through other means.
E. Any other relevant risk factors to successfully complete a risk benefit analysis for the use of a sUAS in the specific mission. A “Risk Assessment Worksheet” should be completed that includes all of the factors listed, and a point scale that requires escalating level of authority for high-risk flights. That “high-risk” can refer to threats to a crew from subjects in the vicinity/security, threats to a surveillance or detection, threats to the public from the operating environment or elevated risk due to a fatigued crew.
F. Operational Area Risk Review. The RPIC and Observer(s) are responsible for identifying all ground and flight hazards at the scene (i.e., infrastructure, buildings, tree canopy, distance between buildings, smoke, trees, bushes, power lines and other potential obstructions) and coordinate the preflight briefing accordingly. The flight team should identify cell towers, TV and microwave sources, which may create interference with the flight equipment. The equipment should be tested on the ground to ensure proper communications and operation before flight.
G. Takeoff and Landing Site. This area should be free from obstructions or ground debris that may interfere with the rotors. This includes creation of flight line/launch and recovery zone from which all non-essential personnel must remain clear.
H. Documentation. A copy of the current COA, flight log and pilot certifications must be kept with the sUAS at all times. At the conclusion of each mission, the RPIC will be responsible for completing all of the mission documentation and reports in the lead agency’s Record Management Software.

XI. TAKEOFF AND LANDING ZONES

The selection of an appropriate launch site demands careful attention to many factors. The selection of a suitable site shall be driven by safety first and foremost. Considerations for the selection of a suitable launch site include, but are not limited to, the following:
A. The ability to remain within the Defined Incident Perimeter and maintain an adequate buffer zone between aircraft and responding personnel. The RPIC should maintain an adequate buffer between aircraft launch and recovery operations and all responding non-sUAS personnel. The RPIC may designate an individual as a Safety Officer to ensure the safety and security of the launch and recovery area.
B. Coordination and Communications between crewmembers and the on-scene commander.
C. The operation area selected by the sUAS team should be located within a secure perimeter, whenever possible. The area should be evaluated for adequate space and clearances in order to safely assemble, launch and recover the sUAS. Attention should be given to overhead obstacles and obstructions that may pose a risk to the sUAS during operation. The site selected and utilized by the sUAS team should be restricted and access granted to personnel for operational purposes only. The site should allow for long-duration sUAS operations free from access to casual observers and non-sUAS personnel, which can become a significant distraction.

XII. ALTERNATE (EMERGENCY) LANDING SITES
A. Typically, the primary landing area shall be the same as the launch site. The RPIC has final authority for any approaches to the primary landing site and may wave off any approach deemed unsafe.

B. The RPIC should designate at least one alternate landing site. In the event that the primary landing site is deemed unsafe, the alternate landing site should be utilized.

C. The RPIC may optionally designate an “abortive flight site,” whereby the aircraft flight may be terminated in an emergency situation. This site should be clear of people and structures as to limit the risk should the aircraft be required to vacate any airspace in the event of an emergency. Should the RPIC abort the sUAS flight, the sUAS may be flown to this site and the flight terminated.

D. An adequate safety buffer should be established between the sUAS takeoff and landing area, and people not specifically involved in the sUAS flight operations.

XIII. PROHIBITED ACTS

Unauthorized use, or use inconsistent with applicable law(s) of a sUAS, could result in disciplinary actions and/or civil and criminal penalties.

A. The sUAS shall not be operated in violation of applicable law/regulations and/or the U.S. Constitution. When a search warrant is required by law, and no warrant exception exists, flight is prohibited unless a search warrant is obtained.

B. The sUAS should not be flown in conditions that exceed the manufacturer’s recommended limitations to include range, ceiling, wind strength and battery charge.

C. The sUAS shall not be flown for any mission that the RPIC determines the risk of flying the sUAS outweighs the benefit to the mission. Risks may include hazards to individuals, property on the ground, a possible collision hazard with other aircraft, and loss of control of the sUAS. The RPIC has sole discretion and responsibility for the safety of flight of the sUAS.

D. sUAS flights are prohibited in Class B airspace without appropriate FAA Emergency COA (ECOA) authorization and should not exceed a 400 foot ceiling height without prior approval from the FAA ATO authority.

E. Only one sUAS should be flown by a single control station and by one pilot at a time. This guidance is not intended to prevent a second sUAS, with available technology, relieving the primary sUAS on station.

F. sUAS operations are prohibited when other manned aircraft are operating within the Defined Incident Perimeter unless appropriate safety margins of altitude separation (de-confliction of airspace) can be established and maintained.

XIV. AIR BOSS

The position of “Air Boss” is one that requires the ability to multi-task and prioritize during any given scenario or incident. An Air Boss is required when an incident or scenario involves the use of more than one sUAS to be operated at the same time. At no time will multiple sUASs be operated without this position being designated.

If the mission dictates the use of multiple UAS operations, either by complexity or necessity, the Remote Pilot in Command (RPIC) will request the approval from the on-scene commander or incident commander. The PIC will then either become the Air Boss or a UAS team member will be designated to become the Air Boss. This position requires the ability to prioritize mission requests, logistics, support elements, air space considerations (clearance, NOTAMS
and/or TFRs (Temporary Flight Restrictions)), and security of the sterile flight environment as well as the security of the flight operations area. No one person shall become an Air Boss without proper training or recommendation of the program manager, or program manager designee. Once flight operations are terminated, or the use of multiple UASs has been terminated, the position of Air Boss may be terminated with the approval of the on-scene commander or incident commander. As with any sUAS flight, the flight operations will be documented on all Operation Documents to include the notes from the Air Boss.

XV. REMOTE PILOT AND VISUAL OBSERVER TRAINING

A. Remote Pilot-in-Command (RPIC)

Department RPICs flying a sUAS in support of any law enforcement mission should first receive appropriate aeronautical knowledge (“ground school”) training. Following completion of aeronautical knowledge training, the RPICs should complete initial flight training on the specific sUAS they will be flying operationally from the sUAS manufacturer (if provided) or by a qualified/designated law enforcement sUAS instructor. Remote pilots should comply with these Standard Operating Procedures and remain current in order to be available for flight operations. The RPICs will maintain a working knowledge of the operational airspace, risk management policies and procedures, and the ability to obtain appropriate weather forecasts and conditions, and the filing of Notices to Airmen for the area of operations. All RPICs shall be familiar with the agency COA, applicable aviation regulations, and maintain proficiency in their operator and observer abilities. All RPICs must complete and document all flight training and mission flight time to maintain their sUAS currency, both as part of the COA or as required by the operator’s FAA Remote Pilot Certificate. RPICs who do not, or cannot, maintain currency shall complete a proficiency flight check before performing pilot duties during an operational mission. Repeated failures to maintain proficiency will result in removal as a remote sUAS pilot. Qualification and training consists of the following:

1. Basic Aeronautical Knowledge and Flight Operations Training. All RPICs must successfully complete and pass a Basic Aeronautical Knowledge Training Curriculum and Initial Flight Operations Training administered by the sUAS manufacturer or a certified/designated law enforcement sUAS instructor.

2. Mission Training. All RPICs must also undergo Mission Training Exercises held on a routine basis to increase core competencies. These scenario-focused training events will include operation of the sUAS, crew coordination, communications, Observer duties and Safety Officer duties.

3. All RPICs must complete/log a minimum of three qualifying sUAS flights, to include takeoffs and landings, in the preceding 30 days to be eligible to act as Remote Pilot-in-Command during an operational mission. Each incremental takeoff and landing will be recorded on the PIC’s logbook (electronic or handwritten log) for that current flight training session.

4. If a sUAS RPIC has not maintained currency in the sUAS, as describe above (fewer than three flights in the preceding 30 days), they must notify their immediate supervisor and will not be eligible to operate the sUAS as RPIC (except for training purposes) until they regain currency. In order regain currency as a RPIC, the RPIC has 30 days to fly the three Launch/Recoveries. These flights shall be observed and supervised by a certified/designated law
enforcement sUAS instructor who will verify the RPIC competency in the flight of the sUAS.

The aforementioned training will also apply during night flights and include the following either under a COA or FAA Part 107 certificate with night waiver:

5. Three take-off and landing sequences within 90 days. All remote pilots will conduct initial training with each night capable UAS with the program manager, or designee. If a remote pilot does not have the necessary training to fly at night or does not have the appropriate training with a night capable UAS, the remote pilot will decline the mission or request a pilot with the appropriate training fly the mission. If at any time a remote pilot’s currency lapsed for any reason, the remote pilot will complete flight currency with the program manager, or designee.

6. All crewmembers will review Chapter 17 of the Pilot’s Handbook of Aeronautical Knowledge every three months and annual documented training will be completed in each crewmember’s logbook.

7. All remote pilot officers should participate in regularly scheduled training regarding sUAS. Training should include both aeronautical knowledge and flight training. Training shall include a review of all pertinent and related aviation matters and not limited to actual pilot, visual observer, and additional crewmember skills.

B. Visual Observer (VO)

Just like RPICs, VOs supporting any law enforcement mission should first receive appropriate training. VOs shall comply with these Standard Operating Procedures and should maintain a working knowledge of the operational airspace, risk management policies and procedures, and support the crew coordination initiatives. Unless an exigent circumstance exists, at least one VO shall be assigned for all training and operational sUAS missions. Additional VOs may be necessary at the discretion of the RPIC.

For initial training, VOs should be familiar with the specific operational parameters of the sUAS being used. VOs should also train with the RPIC to ensure proper crew resource management. Specifically, communications between the RPIC and the VO should be practiced in order that the VO will provide necessary information (i.e., hazards to flight) to the RPIC in a way that does not distract the RPIC and their operation of the sUAS. The VO should have a current working knowledge of the airspace intended for operations to determine potential risks to the sUAS flight. The VO should have the ability to obtain and interpret operational weather conditions to determine the risk to sUAS mission flight.

XVI. TRAINING LOCATION(S)

sUAS training events should only take place at a site designated and approved by the Department for such purpose. The location should be in somewhat remote areas that are clear of flight hazards, people, infrastructure and airports if at all possible.

XVII. MAINTENANCE PROCEDURES

Appropriate personnel should successfully complete a basic training course on sUAS maintenance related to the technology and its support equipment (e.g., battery maintenance, battery storage, battery safety, sUAS and ground control station (GCS) software updates
and documentation, rotor blade or propeller replacements, etc.) from the manufacturer. They will carry out all scheduled and unscheduled maintenance, servicing and repairs of the sUAS that they are capable of performing, and they shall document all maintenance activities on agency Maintenance Action Forms (MAFs). All personnel shall be certified/trained on basic maintenance (e.g., battery replacement, battery safety and storage, propeller replacements, and basic sUAS frame maintenance (tightening screws)) to insure safety and security of flight.

If a malfunction exists that cannot be repaired locally, the sUAS will be shipped back to the manufacture/vendor for repair as appropriate. Accurate and complete maintenance logs serve to validate the service history and airworthiness of the sUAS.

The Department shall promulgate MAFs that will be available to the RPIC to complete before or after every mission. The MAF will provide adequate space to record a date, name of person making the report, and reason or malfunction for the report. Additional space directly across from the corresponding discrepancy block will document the corrective action narrative, date, and names of who performed and inspected the work performed. Once the corrective action has been documented, the corrective action should also indicate that a maintenance flight was performed (such as “ops check good,” “ops ck good,” or “OCG”) to verify system integrity, flight worthiness, and mission ready. At no time will the person signing the “corrected by” block be the same person who inspected the maintenance.

The MAFs will be retained in a logbook serialized for the sUAS they are associated with (typical when any agency owns more than one sUAS), and be retained in the case or near the sUAS so that it may be referred to by any RPIC before flight. Each maintenance log will provide a line for signature by the RPIC or person discovering the malfunction, and the designated person who completed the service or repaired and returned the sUAS to service. The maintenance logbook shall accompany the sUAS and be serialized/labeled with the registration number of the sUAS.

A. Batteries

Electric powered sUAS technologies will typically use Lithium ion battery packs. Lithium ion batteries have exhibited several documented risks for fire or explosion if not properly handled, charged and stored. The sUAS batteries should be cycled and stored according to the vendor’s recommendation. These batteries are normally run through a charger on a monthly basis (as recommended by the manufacturer) to ensure reliability and immediate operability upon deployment. The charging and cycling of batteries should be documented in a sUAS Battery Log. Batteries shall be labeled with the date of first placed in use, a serial number and replaced as/when necessary. All sUAS shall have enough spare batteries to ensure sUAS operability for extended deployment/use with careful consideration given for cool down, and charging times. Note: not all batteries will have the same charge times regardless of sUAS type.

B. System Configuration Management

The following section outlines mission and system configuration management and associated data requirement best practices to be included as part of applicant applications and operational risk assessment (ORA) considerations. Overall change management practices should be adhered to regardless of whether the change
occurring is within the mission concept, aircraft configuration, and use of a sUAS or the interaction between sUAS subsystems. The principles of change management and associated data requirements are part of the overall safety management of a program regardless of the size or scope of involved program’s operations. For type certification, there are data retention requirements and approval requirements that exist for any changes to the sUAS (including software elements).

C. System Configuration Management (CM) Plan
The Department shall maintain a simple CM plan for maintaining sUAS equipment and software as a fundamental supporting element of operational risk assessments and in support of the operations and system configuration component of operations. It is vital to ensure that any hardware or software configuration changes or updates are properly documented and implemented. A CM approach provides the Department with a method to implement the policies, procedures, techniques and tools to manage system changes, evaluate proposed changes to a sUAS concept of operations (CONOPS) or ORA, track the status of changes to any system element, and maintain an inventory of sUAS systems and operations with associated documentation through the sUAS life cycle. Changes to system and design requirements of the sUAS should be approved and documented according to a CM plan, and should reflect accurately the system design and operational status. Furthermore, the RPIC will be responsible for asserting that the sUAS is airworthy and safe for the intended flight.

D. Data Requirements
Proper system maintenance and data management throughout system life cycle is essential to support a robust safety management process. Maintenance data management is the continuous development and maintenance of processes and procedures to assure that the Department has the necessary data in an organized, archived method to include a rational retention schedule. Periodic reviews of such data can support Department safety through trend analysis.

XVIII. RECORDS MANAGEMENT

The Department will develop and implement four basic records forms and/or software:
A. Flight Tracking Form (FTF),
B. Maintenance Action Form (MAF),
C. Crew member training record and
D. Mishap Reporting Form (MRF) (accident/incident form).

These are the four basic records that the Department shall retain in archives to properly record and document all sUAS activity. Additional program documentation may be required according to agency guidelines and reporting requirements. The Department has adopted the forms and checklists created by DPI that were used during the training process of all sUAS team members until new forms are created and approved.

The purpose of the FTF will be to accurately capture and record all flight events of each sUAS the Department operates. The RPIC shall be responsible for completion of the FTF at the conclusion of every mission (Training or Operational). Typically, there are several takeoff and landing evolutions during a mission which creates the need for adequate line entries on each form to record multiple takeoffs and landings; one line entry per every takeoff/landing evolution with spaces to record the time of takeoff and time of landing and...
any remarks for every flight at the end. One FTF may be used to record several flights with the same RPIC. If at any time the RPIC changes, a new FTF shall be used to record the new RPIC’s flights. These forms are critical to capturing a complete operational history record of the sUAS. The FTF shall be designed to capture several critical flight elements, to include but not limited to the following:

1. Date
2. sUAS FAA Registration Number
3. RPIC Name
4. Observer Name
5. Other Crew Members
6. Location (latitude/longitude/geographic area, best description)
7. Prevailing weather conditions (wind, sky cover, temperature, etc.)
8. Purpose (training or operational, return to service after maintenance, etc.)
9. For each sortie (takeoff to landing) – takeoff time, landing time and total flight time
10. Total flight minutes/hours (sum of all flight times)
11. Specify Mission authority (Part 107, Blanket Area COA, Jurisdictional COA)
12. Signature of the RPIC
13. Remarks (to record any relevant information concerning the mission and any issues or concerns about the flight (malfunction, lost link, problems with communications, coordination, etc.)

The completed flight logs should be retained in a binder (logbook) that is labeled and serialized for the particular sUAS it belongs to, or as part of a mission tracking software document. The FTF “logbook” will remain with the sUAS for examination by RPICs, maintenance personnel, supervisory authorities and anyone else having the authorization to review them. The times from each FTF will be transcribed into a monthly and annual report in order to capture the total number of flights/missions and other information deemed appropriate by the agency. If there is any sUAS flight that has, or may have, evidentiary value, all forms, images, and video will be uploaded into the current evidence storage locations (e.g., online evidence storage, or the media will be physically retained in normal evidence procedures).

The purpose of the MAF will be to accurately capture and record all maintenance related actions for each sUAS owned and operated by the Department. Any malfunction, broken or missing part or element, or any abnormality discovered with the sUAS or the ground control station, shall be recorded on a MAF, and that particular sUAS shall be immediately removed from service until appropriate maintenance activity restores it to a safe and airworthy condition, and the MAF is signed off returning the sUAS to service.

All completed MAFs should be retained in a binder (logbook) that is labeled and serialized for the particular sUAS it belongs to. The maintenance “logbook” will remain with the sUAS for examination by RPICs, maintenance personnel, supervisory authorities and anyone else having the authorization to review MAFs. It is a best practice for the RPIC to review that last few MAFs in the logbook before commencing a flight if there has not been any significant maintenance history. The maintenance actions from each MAF will be transcribed into an annual report in order to capture and summarize the maintenance history of each sUAS.
The crewmember training record is an administrative document that records the name, date, location and the specific type of training received/completed by each crew member. These training records shall be retained in a Department training folder for each crewmember assigned to the program whether online or in a binder. The supervisory personnel shall complete a quarterly review of each training record to ensure that all assigned personnel have completed all the training evolutions prescribed and administered. If testing is accomplished, the completed test and grade shall be retained in the training folder along with the training records.

The Department has a published Mishap Reporting Form (accident/incident form) and has made available for each team member. This form shall be completed by the RPIC for any event that is deemed relevant. In the event of an aircraft (sUAS) mishap that results in damage to the sUAS, damage to other property, injury to crewmembers or other people, the RPIC should immediately notify the chain of command and then complete the MRF with as much detail as possible. The RPIC should consider filling out a MRF whenever any abnormal event before, during or after a flight occurs. These can serve as risk awareness tools and help to establish further or revise mitigations.

Finally, complete and accurate records must be captured, managed and retained in a manner consistent with applicable laws and regulations. As with records collected by other investigative tools, sUAS units are obligated to retain sUAS collected data in accordance with applicable records retention schedules.

XIX. OPERATIONAL RISK MANAGEMENT

A. Operational Risk Assessment (ORA)

Overall change management practices should be adhered to regardless of whether the change occurring is within the operational doctrine, mission concept, aircraft configuration, pilot training, deployment of the sUAS or the interaction between sUAS subsystems. A vibrant and robust risk management program will enhance mission safety and improves citizen and leadership confidence in the overall program.

Identifying hazards and the risks they pose to sUAS operations is a critical function of risk management and operational safety. Mitigating operational risk to people (participating or nonparticipating) and property is the responsibility of all sUAS participants, and ultimately the RPIC. If operational constraints, environmental conditions or geographic limitations are insufficient for mitigating the risk to people and property, the mission or operational limitations may be revised, additional design assurances provided, or some combination of actions as specified and coordinated among the responding participants (see Appendix B).

B. Operational Mitigations

There are various methods to eliminate or mitigate existing operational risks from existing hazards. sUAS crew training is a key method of risk mitigation. Pilot and crewmember abilities to identify hazards are enhanced through training related to flight operations and airspace rules. Through the proper training, pilots and crews are able to develop the critical thinking required for appropriate response to hazards and an overall attitude of safety. For instance, training in standard preflight activities will lower
overall risk as crews conduct disciplined checks and assessments of mission plans in association with current conditions present at the time of each flight.

Likewise, response scenario training will help prepare sUAS members to effectively and safely respond with sUAS support of on-scene events. As a result, properly trained sUAS operators know that risk is reduced through mitigations identified during the preflight planning hazard assessment. Training may also dictate the level of pilot capability and knowledge. For flights conducted at or below controlled airspace, training received from another sUAS operator, an online course, or aeronautical training class may provide the necessary knowledge needed to understand airspace rules, aircraft limitations and operational rules of the sUAS operational environment.

Thorough system knowledge will also enhance pilot and crew capabilities. Knowledge of critical performance parameters of a sUAS, such as maximum command and control link range and lost-link protocols, is a precondition for flight. For example, if a directional antenna is used, one may choose to improve the antenna performance by physically pointing the antenna toward the aircraft in a more optimal manner consistent with its design. These practices offer a means to avoid potential lost-link hazards. System knowledge is important in recovering from unusual attitudes and avoiding high-risk maneuvers.

Another mitigation will include predetermined Mission Go/No-Go Criteria. Similar to manned aviation, sUAS RPICs and crewmembers shall determine their go/no-go criteria in advance. The go/no-go criteria encompass more than simply assessing sUAS limitations. In addition, pilot capability, awareness of the relevant geography (including proximity to people), current and changing weather conditions across the entire flight path, and system limitations, among other factors, inform the final go/no-go decision.

Procedural Changes in Specific Flight Environments can support operational mitigations on the scene. sUAS pilots and crewmembers may need to incorporate additional operational limitations, flight procedures, maintenance processes, inspections and so forth depending on the flight environment. For example, if a sUAS operates in a particularly harsh environment, the frequency of inspections may need to be increased and additional maintenance performed.

C. Common Operational Mitigations for sUAS
1. Operational Standards (SOPs). Written, published and periodically reviewed/revised operational procedures and doctrine provide the first layer of risk awareness and mitigation. This doctrine is developed to address known and anticipated risks for the operation of the sUAS, and procedures are implemented to overcome or reduce those risks. Most public safety agencies are familiar with the necessity of publishing such standards.
2. Training. sUAS crew training is a key method of risk mitigation. Pilots and Visual Observers and other crewmember abilities to identify hazards are enhanced through training related to flight operations and airspace rules. Through the proper training, various common operational risks can be mitigated and lessons learned may be promulgated. Above all training activities is the need for consistent communications and coordination between
the RPIC, all crewmembers, responding officers and the on-scene commander. Training scenarios (classroom and practical flight training events) should be developed to both enhance flight skills and situational awareness and focus on several anticipated CONOPS mission types. Practice with actual training scenarios that are patterned after expected real mission sets improves awareness, coordination and risk management.

XX. COMMUNITY OUTREACH, ENGAGEMENT, PRIVACY POLICY

It is essential that the Department engages its community early in the planning process, including governing body and civil liberties advocates in order to avert any complaints or negative consequences that would inhibit or perhaps prohibit the acquisition of this technology. The Department shall assure the community that it values the protections provided to citizens by the U.S. Constitution. Furthermore, the Department will operate the aircraft (each sUAS) in full compliance with the mandates of the Constitution, and federal, state and local law governing search and seizure as well as flight operations and safety.

Program transparency, in so far as is practical, should permit the community an opportunity to review and comment on the agency sUAS program as it evolves. Where appropriate, recommendations offered by citizens or the governing councils should be considered for adoption in this policy. As with the community, the news media should be brought into the process early in its development.

Rigorous adherence to the requirements set forth in this doctrine is not enough to be successful in the public safety mission. The Department will continue to facilitate and nurture relationships of trust with the community it serves. Enhancing transparency about the Department’s sUAS operations, including how the Department deploys and operates the technology, creates an informed community and greater confidence in the Department’s decision making process. As appropriate, while not revealing information that might compromise law enforcement or national security needs, the Department will complete an annual review and update as needed its current policies and procedures, and will provide an end-of-year summary of sUAS operations conducted by the Department, including a brief description of types or categories of missions flown and the number of times the Department has provided assistance to other federal, state, local and tribal agencies or entities.

A. Protection of Privacy

The Department operates under a set of rules, policies and laws that control the collection, retention, dissemination and disposition of records that contain personally identifiable information. For example, the Privacy Act of 1974 (that applies to federal agency records) contains provisions on unauthorized use and disclosure of information about individuals, and imposes civil penalties and criminal penalties on agency personnel for violations of applicable requirements. As with personally identifiable information collected in the course of any investigation, these authorities will be applied to information collected via sUAS. Consistent with applicable existing laws and requirements, the Department’s use of sUAS shall adhere to best practices and protocols.
As noted above, the Department shall only collect, use and disseminate information obtained from sUAS for an authorized lawful purpose. The Department shall not retain information collected using sUAS that may contain personally identifiable information for more than the allotted time as specified by the applicable rules, regulations or laws. Data/imagery collected by the Department’s sUAS operations that is retained must be safeguarded in accordance with applicable federal laws, executive orders, directives, policies, regulations, standards and guidance. These authorities ensure that agency personnel with access to such data follow practices that are consistent with the protection of privacy and civil liberties. Use of all agency information systems may be monitored, recorded and subject to audit, and any unauthorized collection, retention or dissemination of data is strictly prohibited. Further, the agency has procedures in place to review, investigate and address privacy and civil liberties complaints.

The Department’s deployment of sUAS shall continue to be used in a manner consistent with the U.S. Constitution and all applicable laws, regulations and policies, including those protecting privacy and civil liberties.

XXI. SAFETY POLICY

During sUAS Operations, the safety of all people is the number one priority of the sUAS team. It is the responsibility of the RPIC and all sUAS team members to assess all hazards within the Defined Incident Perimeter that could pose a potential safety risk, and to deny launching the sUAS or terminate a flight when it is clearly unsafe to continue. The RPIC shall bring safety-related issues to the attention of the on-scene commander and the other team members when any condition exists or develops that becomes a safety concern, including the safety of persons and property on the ground. It should be understood and acknowledge by all participants that the RPIC is the sole and final authority regarding the safe operation of the sUAS.

Except for agency personnel or other authorized persons as required by the mission, all sUAS team members will ensure that no persons are in the vicinity of the sUAS during operations. Under no circumstances should a sUAS operations be conducted directly over large gatherings of people, as a chase vehicle in a vehicle pursuit, or operated from a moving vehicle.

Except for the purpose of training or with specific supervisory approval, only sUAS personnel who meet the training and qualification requirements in this policy will be permitted to act as a team member.

The designated RPIC is authorized to evaluate and accept, or decline, any sUAS mission or portion thereof for which the safe completion of the mission is in question. Supporting VOs and other team members are expected to assist the RPIC with that mission evaluation and contribute mitigation strategies or issues that are relevant to the RPIC making a valid risk-based decision. All sUAS team members shall comply with the sUAS Operator Manual, warnings, limitations, placards and/or mission checklists at all times unless an emergency dictates otherwise.

XXII. MISHAP REPORTING
Any time any abnormal circumstance, event or mishap occurs before, during or after any sUAS flight, the RPIC is responsible for notifying the appropriate supervisor and completing the agency mishap report form. The RPIC shall be responsible for notifying the program manager or supervisor for any mishap involving injury or damage to property or the sUAS during any sUAS mission (training or operational). In the case of a serious mishap where injury, damage, forced landing or other serious emergency occurs, the RPIC shall be responsible for reporting and record submission in accordance with Department and FAA reporting requirements. The Department shall retain and make available to agency personnel the mishap reports so that appropriate lessons learned may be derived for every event with the intention to prevent any re-occurrence.

A. Mishap Action Priority
   Immediately following any incident/accident, all efforts will be focused on:
   1. Minimizing any other risk to life or property
   2. Rescuing and caring for the injured
   3. Contacting emergency services (Fire, EMS, etc.)
   4. Securing the mishap location from unauthorized entry (use of crime scene log mandatory for reported injuries)
   5. Completing the initial notification to agency supervisors
   6. Recording as much information as possible for the mishap report
   7. Notify FAA and/or National Transportation Safety Board if required.

B. Mishap Investigations
   sUAS supervisory personnel utilizing an Accident/Incident Investigation Form shall conduct an initial mishap investigation. Any follow-up investigation(s) will be conducted by the appropriate Department personnel and shall include a careful review of all mishap reporting information.

C. sUAS Damage
   Any damage to the sUAS or its support equipment shall be immediately reported to the program manager or supervisor. Any damage to the sUAS or its equipment that is determined to render the system un-airworthy shall be labeled (e.g., utilizing a red tag) so as to be visually observable. A sUAS supervisor will be contacted and advised.

XXIII. DATA COLLECTION AND MANAGEMENT

Image Recording and Retention
   Unless required as evidence of a crime, as part of an ongoing investigation, for training, or required by law, images or video captured by a sUAS should not be retained. All supporting imagery related to any operational mission that is retained will be treated in accordance with existing evidence control and archiving policies of the Department. Any time the sUAS is used for an operational mission, the entire mission shall be accurately recorded. The recording will be removed from the sUAS and/or GCS and considered original evidence. That evidence shall be handled in accordance with the Department’s electronic evidence guidelines, to include chain-of-custody considerations, and duplication to a storage medium that has an appropriate digital shelf life.
Cameras used on sUAS may capture images in areas that manned aircraft cannot which results in an increase concern by the Department of collateral or “unintended imagery” capturing of people or activities outside the scope of the investigation. Some examples of unintended imagery capture include surveillance of multistory dwellings in which a suspect resides. All personnel must be aware that the sUAS may capture images that are not intended and mitigate when necessary. Additionally, a sUAS may fly over someone’s backyard that has a privacy fence and capture images in the yard or outbuildings that were not part of the investigation. Also, during public gatherings (e.g., public demonstrations), the sUAS will capture faces of non-participants and therefore potential identities of everyone in a line of demonstrators who are exercising their lawful right to assembly. This issue of unintended imagery capture creates a larger Constitutional issue that agencies must consider in the use and flight path control of their sUAS. The Department has developed and implemented retention of imagery approval to a higher level of authority within the agency for civil rights violations for further investigation.

Unless exempt by law, all retained sUAS images should be available for public inspection.
Unmanned Vehicle Technologies, LLC  
1722 N College Avenue, Suite D  
Fayetteville, AR  72703  
(479) 595-8010  
www.uvt.us

**QUOTE**

**ADDRESS**
Ed Bradshaw  
San Marcos Police Department  
2300 S IH 35  
San Marcos, TX  78666

**SHIP TO**
Ed Bradshaw  
San Marcos Police Department  
2300 S IH 35  
San Marcos, TX  78666

**QUOTE #** Q101228  
**DATE** 01/28/2019

**REP ID**
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**DESCRIPTION:**
Compatible with the DJI Zenmuse X4S, DJI Zenmuse X5S, DJI Zenmuse Z30 and the DJI/FLIR Zenmuse XT thermal camera in single downward camera configuration only.

**INCLUDES:**
(1) DJI Matrice 200 aircraft
(1) DJI Inspire 2/Matrice 200 Remote Controller
(2) DJI Matrice 200 - Intelligent Flight Battery TB50-M200
(4) DJI Matrice 200 - 1760S Quick-Release Propellers, Pair
(1) DJI Matrice 200 - 1760S Propeller Mounting Plates, Pair
(1) DJI Inspire 2 - Battery Charging Hub
(1) DJI Inspire 2 - 180W AC Power Adapter
(1) DJI Inspire 2 - 180W AC Power Adapter Wall Cable
(1) DJI Vision Calibration Plate

**DJI MATRICE 200 - INTELLIGENT FLIGHT BATTERY TB55 2PC**
MPN: CP.SB.000373
MSRP: $369

**DJI CRYSTALSKY - REMOTE CONTROLLER MOUNTING BRACKET**
MPN: CP.BX.000231
MSRP: $79

**DJI CRYSTALSKY - 7.85" / HIGH-BRIGHTNESS (1000 CD/M )**
MPN: CP.BX.000223
MSRP: $699

**GO PROFESSIONAL CASES DJI MATRICE 200/210/210 RTK XTS CASE**
MPN: GPC-DJI-M210-XTS
MSRP: $739

Thank you for choosing Unmanned Vehicle Technologies!
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**DESCRIPTION:**
The latest camera borne out of DJI and FLIR’s partnership, the Zenmuse XT2 is constructed of a rugged, IP44 rated enclosure that houses both a 12MP optical camera as well as a FLIR Tau 2-based thermal camera, providing dual imaging within a single sensor. Like its predecessor, the XT2 can be fully controlled through DJI’s Pilot App. Live viewing of both the optical and thermal data feeds, changing of the color palette, setting isotherms, etc. has never been easier. Now with Intelligent Flight Modes, such as Heat Track, where the XT2 automatically locks on and tracks the hottest subject within the scene, and Quick Track, similar to Active Track on the Mavic and Phantom series, thermal imaging has never been smarter.

| HOODMAN LAUNCH PAD 5’ - CUSTOM GRAPHICS                                  | 118-101-1007    | 1   | 119.00 | 119.00  |
| MPN: HDLP-C                                                              |                 |     |       |         |
| MSRP: $119                                                              |                 |     |       |         |

| DJI INSPIRE 2 - BATTERY CHARGING HUB                                     | 101-104-1010    | 1   | 119.00 | 119.00  |
| MPN: CP.BX.000182                                                        |                 |     |       |         |
| MSRP: $119                                                              |                 |     |       |         |

**DESCRIPTION:**
Compatible with the Inspire 2’s TB50 as well as the Matrice 200 Series’ TB50-M200 & TB55 Intelligent Flight Batteries, the Inspire 2 Battery Charging Hub can charge four batteries sequentially starting with the batteries that have the highest voltage. This hub only puts power into two batteries at one time, but automatically cycles to the second pair when the first pair is done charging.

| DJI INSPIRE 2 - 180W POWER ADAPTER                                       | 101-104-1009    | 1   | 89.00  | 89.00   |
| MPN: CP.BX.000181                                                        |                 |     |       |         |
| MSRP: $89                                                               |                 |     |       |         |

| UNIVERSAL POWER CORD - 18 AWG / 6 FEET / STANDARD - IEC 320 C13          | 999-113-1002    | 1   | 5.00   | 5.00    |
| Universal power cord that is compatible with DJI’s 180W power adapter and Hex Charger. |

| SANDISK EXTREME PRO MICROSD UHS-I 64GB (DELETED)                         | 121-101-1019    | 2   | 44.99  | 89.98   |
| MPN: SDSDQXP-064G-A46A                                                   |                 |     |       |         |
| MSRP: $99.99                                                            |                 |     |       |         |

| DJI MATRICE 200 - 1760S QUICK-RELEASE PROPELLERS                         | 101-111-1008    | 2   | 21.00  | 42.00   |
| MPN: CP.SB.000382                                                        |                 |     |       |         |
| MSRP: $21                                                               |                 |     |       |         |

**INCLUDES:**
(1) Clockwise 1760S Quick-Release Propeller
(1) Counterclockwise 1760S Quick-Release Propeller
Thank you for choosing Unmanned Vehicle Technologies!

<table>
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<tr>
<th>SHIPPING / FREIGHT TERMS</th>
<th>SUBTOTAL</th>
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<tr>
<td>Quote does not include shipping/freight</td>
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<table>
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<th>RETURNS</th>
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<td>All sales of UAV systems are final. Returns</td>
<td>$27,566.00</td>
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<td>of unopened items in the original</td>
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<td>packaging are subject to a 20% restocking</td>
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<td>fee.</td>
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</table>

Accepted By  
Accepted Date
Unmanned Vehicle Technologies, LLC  
1722 N College Avenue, Suite D  
Fayetteville, AR  72703  
(479) 595-8010  
www.uvt.us

QUOTE

ADDRESS  
Ed Bradshaw  
San Marcos Police Department  
2300 S IH 35  
San Marcos, TX  78666

SHIP TO  
Ed Bradshaw  
San Marcos Police Department  
2300 S IH 35  
San Marcos, TX  78666

QUOTE # Q101227  
DATE 01/28/2019

REP ID  
101

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<td>DJI MATRICE 200 - INTELLIGENT FLIGHT BATTERY TB55 2PC</td>
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<td>GO PROFESSIONAL CASES DJI MATRICE 200/210/210 RTK XTS CASE</td>
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**DESCRIPTION:**
Compatible with the DJI Zenmuse X4S, DJI Zenmuse X5S, DJI Zenmuse Z30 and the DJI/FLIR Zenmuse XT thermal camera.

The Matrice 210 is capable of carrying either a single downward camera, dual downward cameras or a single upward camera.

The Matrice 210 also allows for third party sensor/payload integration via a PWM/CAN Bus/expansion port and XT30 power port on the rear of the aircraft in a weather-sealed compartment.

**INCLUDES:**
(1) DJI Matrice 210 aircraft
(1) DJI Cendence Remote Controller
(1) DJI CrystalSky 7.85" High Brightness monitor
(2) DJI Matrice 200 - Intelligent Flight Battery TB50-M200
(2) DJI Matrice 200 - Intelligent Flight Battery TB55
(4) DJI Matrice 200 - 1760S Quick-Release Propellers, Pair
(1) DJI Matrice 200 - 1760S Propeller Mounting Plates, Pair
(1) DJI Inspire 2 - Battery Charging Hub
(1) DJI Inspire 2 - 180W AC Power Adapter
(1) DJI Inspire 2 - 180W AC Power Adapter Wall Cable
(2) DJI CrystalSky & Cendence - Intelligent Battery
(1) DJI CrystalSky & Cendence - Battery Charging Hub
(1) DJI Vision Calibration Plate

Thank you for choosing Unmanned Vehicle Technologies!
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<tr>
<td><strong>DJI ZENMUSE XT2 - 640X512 / 30HZ / 13MM</strong></td>
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<td>MSRP: $13,200</td>
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<tr>
<td>DESCRIPTION: The latest camera borne out of DJI and FLIR’s partnership,</td>
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</tr>
<tr>
<td>the Zenmuse XT2 is constructed of a rugged, IP44 rated enclosure</td>
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<td></td>
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<tr>
<td>that houses both a 12MP optical camera as well as a FLIR Tau</td>
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<tr>
<td>2-based thermal camera, providing dual imaging within a single sensor.</td>
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<tr>
<td>Like its predecessor, the XT2 can be fully controlled through</td>
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</tr>
<tr>
<td>DJI’s Pilot App. Live viewing of both the optical and thermal data</td>
<td></td>
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<tr>
<td>feeds, changing of the color palette, setting isotherms, etc. has</td>
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<tr>
<td>never been easier. Now with Intelligent Flight Modes, such as Heat</td>
<td></td>
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<tr>
<td>Track, where the XT2 automatically locks on and tracks the hottest</td>
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<tr>
<td>subject within the scene, and Quick Track, similar to Active Track on</td>
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<tr>
<td>the Mavic and Phantom series, thermal imaging has never been smarter.</td>
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<td><strong>HOODMAN LAUNCH PAD 5’ - CUSTOM GRAPHICS</strong></td>
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<td>119.00</td>
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<td>MPN: HDLP-C</td>
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<td>MSRP: $119</td>
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<tr>
<td><strong>DJI INSPIRE 2 - BATTERY CHARGING HUB</strong></td>
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<td>MSRP: $119</td>
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<tr>
<td>DESCRIPTION: Compatible with the Inspire 2’s TB50 as well as the</td>
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<tr>
<td>Matrice 200 Series’ TB50-M200 &amp; TB55 Intelligent Flight Batteries, the</td>
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<tr>
<td>Inspire 2 Battery Charging Hub can charge four batteries</td>
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<tr>
<td>sequentially starting with the batteries that have the highest</td>
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<tr>
<td>voltage. This hub only puts power into two batteries at one time,</td>
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<tr>
<td>but automatically cycles to the second pair when the first pair is</td>
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<tr>
<td>done charging.</td>
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<tr>
<td><strong>DJI INSPIRE 2 - 180W POWER ADAPTER</strong></td>
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<td>89.00</td>
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<td>MSRP: $89</td>
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<tr>
<td><strong>UNIVERSAL POWER CORD - 18 AWG / 6 FEET / STANDARD - IEC 320 C13</strong></td>
<td>999-113-1002</td>
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<td>5.00</td>
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<tr>
<td>Universal power cord that is compatible with DJI’s 180W power</td>
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<td>adapter and Hex Charger.</td>
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<td><strong>SANDISK EXTREME PRO MICROSD UHS-I 64GB (DELETED)</strong></td>
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Thank you for choosing Unmanned Vehicle Technologies!
(1) Clockwise 1760S Quick-Release Propeller
(1) Counterclockwise 1760S Quick-Release Propeller

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<tr>
<th>ACTIVITY</th>
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<th>RATE</th>
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SHIPPING / FREIGHT TERMS
Quote does not include shipping/freight charges unless shown.

PAYMENT TERMS
Payment due prior to shipment, unless terms have been extended.

RETURNS
All sales of UAV systems are final. Returns of unopened items in the original packaging are subject to a 20% restocking fee.

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<th>SUBTOTAL</th>
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<th>TOTAL</th>
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<tr>
<td>29,513.98</td>
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<td>$29,450.00</td>
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</table>

Accepted By

Accepted Date

Thank you for choosing Unmanned Vehicle Technologies!
**Unmanned Vehicle Technologies, LLC**

1722 N College Avenue, Suite D

Fayetteville, AR  72703

(479) 595-8010

www.uvt.us

---

**QUOTE**

**ADDRESS**

Ed Bradshaw  
San Marcos Police Department  
2300 S IH 35  
San Marcos, TX  78666

**SHIP TO**

Ed Bradshaw  
San Marcos Police Department  
2300 S IH 35  
San Marcos, TX  78666

**QUOTE #** Q101344  
**DATE** 01/28/2019

**REP ID**  
103

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<td>(1) DJI Battery Charger</td>
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<td>(3) Propeller (Pair)</td>
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<td>(1) Communication Cable</td>
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<td>(1) USB Adapter</td>
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<td>(1) Extended Port Cover</td>
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<td>(1) Speaker</td>
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<td>(1) Beacon</td>
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<th>101-121-1007</th>
<th>4</th>
<th>169.00</th>
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<tr>
<td>HOODMAN LAUNCH PAD 3' - CUSTOM GRAPHICS</td>
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<th>DJI CRYSTALSky - 5.5&quot; / HIGH-BRIGHTNESS (1000 CD/M)</th>
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| SALES | | | | |
|-------| | | | |

Thank you for choosing Unmanned Vehicle Technologies!
### ACTIVITY

**ACTIVITY**

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<td>Sandisk Extreme Pro MicroSD 64GB.</td>
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**SHIPPING / FREIGHT TERMS**

Quote does not include shipping/freight charges unless shown.

**PAYMENT TERMS**

Payment due prior to shipment, unless terms have been extended.

**RETURNS**

All sales of UAV systems are final. Returns of unopened items in the original packaging are subject to a 20% restocking fee.

---

**SUBTOTAL**

4,167.46

**DISCOUNT**

-79.98

**TOTAL**

$4,087.48

---

Accepted By

Accepted Date

---

Thank you for choosing Unmanned Vehicle Technologies!
Thank you for choosing Unmanned Vehicle Technologies!

<table>
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<th>SKU</th>
<th>QTY</th>
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<td>(1) DJI Battery Charger</td>
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<td>(1) DJI Power Cable</td>
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<tr>
<td>(1) Communication Cable</td>
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<td>(1) USB Adapter</td>
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<td>(1) Extended Port Cover</td>
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<td>(1) Speaker</td>
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<td>(1) Spotlight</td>
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<td>(1) IP67-rated Hard Case</td>
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<td>MSRP: $169</td>
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<td>HOODMAN LAUNCH PAD 3’ - CUSTOM GRAPHICS</td>
<td>118-101-1006</td>
<td>1</td>
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<td>MPN: HDP3-C</td>
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<td>SANDISK EXTREME PRO MICROSD UHS-I 64GB (DELETED)</td>
<td>121-101-1019</td>
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<td>MSRP: $89</td>
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<td>DJI MAVIC 2 - LOW-NOISE PROPELLERS</td>
<td>101-120-1019</td>
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<td>15.00</td>
<td>30.00</td>
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<td>MPN: CP.MA.00000059.01</td>
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<td>MSRP: $15</td>
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<tr>
<td>DJI CRYSTALSKY - 5.5&quot; / HIGH-BRIGHTNESS (1000 CD/M )</td>
<td>101-112-1001</td>
<td>1</td>
<td>469.00</td>
<td>469.00</td>
</tr>
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</table>

Thank you for choosing Unmanned Vehicle Technologies!
Thank you for choosing Unmanned Vehicle Technologies!

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>SKU</th>
<th>QTY</th>
<th>RATE</th>
<th>AMOUNT</th>
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</thead>
<tbody>
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<td>MAVMOUNT 3.0 (BLACK, CRYSTALSKY)</td>
<td>136-101-1009</td>
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</table>

**MSRP:** $469

**SHIPPING / FREIGHT TERMS**
Quote does not include shipping/freight charges unless shown.

**PAYMENT TERMS**
Payment due prior to shipment, unless terms have been extended.

**RETURNS**
All sales of UAV systems are final. Returns of unopened items in the original packaging are subject to a 20% restocking fee.

---

**SUBTOTAL** 3,467.46
**DISCOUNT** -79.98
**TOTAL** $3,387.48

Accepted By

Accepted Date
Unmanned Vehicle Technologies, LLC  
1722 N College Avenue, Suite D  
Fayetteville, AR  72703  
(479) 595-8010  
www.uvt.us

QUOTE

ADDRESS
Ed Bradshaw  
San Marcos Police Department  
2300 S IH 35  
San Marcos, TX  78666

SHIP TO
Ed Bradshaw  
San Marcos Police Department  
2300 S IH 35  
San Marcos, TX  78666

QUOTE # Q101231  
DATE 01/28/2019

REP ID
101

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SHIPPING / FREIGHT TERMS
Quote does not include shipping/freight charges unless shown.

PAYMENT TERMS
Payment due prior to shipment, unless terms have been extended.

RETURNS
All sales of UAV systems are final. Returns of unopened items in the original packaging are subject to a 20% restocking fee.

TOTAL $279.99

Accepted By

Accepted Date

Thank you for choosing Unmanned Vehicle Technologies!
REPORT FOR THE USE OF SMALL UNMANNED AIRCRAFT SYSTEMS

January 1, 2017 – December 31, 2018
San Marcos Police Department
Report for the Use of Small Unmanned Aircraft Systems
January 1, 2017 through December 31, 2018

This document satisfies the reporting requirements mandated by H.B. 912 related to the use of unmanned aircraft.

Background:

In 2013, the 83rd Texas Legislature passed H.B. 912. The bill requires that no earlier than January 1 and not later than January 15 of each odd-numbered year, a municipal law enforcement agency located in a county or municipality with a population greater than 150,000 that used or operated an unmanned aircraft during the preceding 24 months shall issue a written report to the Governor, the Lieutenant Governor, and each member of the Legislature.

The San Marcos Police Department (SMPD) is authorized by the Federal Aviation Administration to operate one battery powered small unmanned aircraft system (sUAS) and conducted flights during the reporting period.

In accordance with H.B. 912, this report includes:

- Number of criminal investigations aided by the use of the unmanned aircraft and a description of how the unmanned aircraft aided each investigation;

- Number of times the unmanned aircraft was used for a law enforcement operation other than a criminal investigation, the dates and locations of those operations, and a description of how the unmanned aircraft aided each operation;

- Type of information collected on an individual, residence, property, or area that was not the subject of a law enforcement operation and the frequency of the collection of this information; and

- Total cost of acquiring, maintaining, repairing, and operating or otherwise using each unmanned aircraft for the preceding 24 months.

In addition, SMPD retains the report for public viewing at its headquarters located at 2300 IH 35 South, San Marcos, Texas, and has posted the report on the department’s publicly accessible website at

www.sanmarcostx.gov/151/Police
<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Location</th>
<th>Incident Type</th>
<th>Justification</th>
<th>Description</th>
<th>Type and frequency of information collected on an individual, residence, property, or area which was not the subject of an LE operation</th>
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<tr>
<td>07/19/2017</td>
<td>1430</td>
<td>2300 IH 35 S. SMPD</td>
<td>Training</td>
<td>FAA currency training</td>
<td>N/A</td>
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<tr>
<td>07/19/2017</td>
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<td>2300 IH 35 S. SMPD</td>
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<tr>
<td>01/19/2018</td>
<td>1552</td>
<td>100 Center Point Rd, San Marcos, TX</td>
<td>Criminal Investigation</td>
<td>Field search for stolen vehicles</td>
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<td>FAA currency training</td>
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<td>2300 IH 35 S. SMPD</td>
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<td>06/18/2018</td>
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<td>Training</td>
<td>FAA currency training</td>
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<td>2300 IH 35 S. SMPD</td>
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<tr>
<td>07/19/2017</td>
<td>1430</td>
<td>2300 IH 35 S. SMPD</td>
<td>Training</td>
<td>Precision flying, POI, ATTI and distance landing</td>
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<td>07/20/2017</td>
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<td>10/06/2018</td>
<td>1200</td>
<td>2300 IH 35 S. SMPD</td>
<td>DWP/Accident</td>
<td>Aerial photographs and video of vehicle accident</td>
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<td>Training</td>
<td>FAA currency training</td>
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</table>

Normal Currency Training is defined as an FAA requirement training flight. All FAA licensed pilots are required to maintain their flight currency by completing flights to include at least three take offs and three landing’s within the previous rolling 90-day period. The San Marcos Police Department has three (3) FAA licensed sUAS pilots.
<table>
<thead>
<tr>
<th>Costs</th>
<th>Reporting Period</th>
<th>Description</th>
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</thead>
</table>
| Acquisition      | $1500.00         | One DJI Phantom Pro III  
One carrying case  
One Apple iPad |
| Maintenance      | $350.00          | Replacement parts (blades, batteries, etc)                                 |
| Repairs          | $100.00          | Costs related to shipping unit back to vendor for repairs                   |
| Operations       | $0.00            | No expenses                                                                |
| Training         | $4,000.00        | Certification training (100 hours) for two (2) pilots.                      |
| Medical Certifications | $0.00     | No expenses                                                                |
| Other expenses   | $450.00          | Cost to take the FAA aeronautical knowledge exam (for 3 pilots)             |
| **Total**        | **$6,400.00**    |                                                                             |
### Budget Amendment
Approved by Ordinance No.

<table>
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<tr>
<th>Fund/Account</th>
<th>Account Name</th>
<th>Current Budget/Balance</th>
<th>Total Amendment</th>
<th>Amended Budget/Balance</th>
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<td>12055000.35015</td>
<td>Use of Fund Balance</td>
<td>$172,712.00 $</td>
<td>(65,000.00) $</td>
<td>107,712.00 $</td>
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<td>12055230.60125</td>
<td>Equipment</td>
<td>$68,180.00 $</td>
<td>65,000.00 $</td>
<td>133,180.00 $</td>
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### Description

Amend the FY2019 budget for the purchase of an unmanned aerial vehicle from state seized asset funds.
AGENDA CAPTION:
Consider the appointment of Tafari Robertson to serve as the representative of the Calaboose Museum on the San Marcos Innovation District Stakeholder Group, and provide direction to the City Manager.

Meeting date: March 5, 2019

Department: City Clerk’s Office in cooperation with Kevin Burke

Amount & Source of Funding
Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

Fiscal Note:
Prior Council Action: Council discussed the Innovation District concept on October 2, 2017, held a Work Session on June 19, 2018, and adopted Resolution 2018-131R on August 7, 2018, and amended this Resolution on December 12, 2019

City Council Strategic Initiative:
Community Partners

Comprehensive Plan Element(s):
☒ Economic Development - Opportunity created by Capital of University, Business, Civic, & Cultural Leaders
☐ Environment & Resource Protection
☐ Land Use
☐ Neighborhoods & Housing
☐ Parks, Public Spaces & Facilities
☐ Transportation
☐ Not Applicable

Master Plan:
Vision San Marcos - A River Runs Through Us
Background Information:
On December 12, 2018, the City Council amended the make-up of the San Marcos Innovation District Stakeholder Group to add the Calaboose African American History Museum and an additional Citizen-at-Large position. The list below outlines all current members.

a. Jane Hughson, Mayor, City of San Marcos
b. Debbie Ingalsbe, Hays County Commissioner’s Court representative
c. Anthony Stahl, President/CEO, Central Texas Medical Center
d. Carina Boston-Pinales, Splash Coworking, Coworking Space
e. Walter Horton, Assoc. Vice President for Research, Texas State University
f. Steve Frayser, Executive Director, Texas State University STAR Park
g. Kayli Head, Main Street Board Chair
h. Adriana Cruz, Greater San Marcos Partnership
i. Rosina Valle, Centro Cultural Hispano de San Marcos
j. Tafari Robertson, Calaboose African American History Museum
k. Christopher Laing, Executive Director, Capital City Innovation
l. John David Carson, Carson Properties, Property Owner Representative
m. Vacant, Business Owner Representative
n. John Thomaides, Citizen-at-Large
o. Ed Rios, Citizen-at-Large

Council Committee, Board/Commission Action:

Alternatives:
Click or tap here to enter text.

Recommendation:
Staff recommends approval.
To Whom It May Concern:

On behalf of the Calaboose African American Museum, Board Member Tafari Diop Robertson has been officially designated to represent the Calaboose in the San Marcos Innovation District Stakeholder Group. He will be taking on this role as replacement for Ms. Ramika Adams.

Any further inquiries may be directed to info@calaboosemuseum.org.

With Regards,
The Calaboose African American Museum Board of Directors
Dr. Elvin Holt
Ms. Linda Kelsey Jones
Dr. Skyller Walkes
Ms. Rose Brooks
Ms. Diana Garcia
Mr. Tafari Robertson
Mr. Alex Banbury

RECITALS:

1. By the adoption of Resolution No. 2018-131R the City Council approved the establishment of the San Marcos Innovation District.

2. The City Council wishes to amend certain provisions of its previous resolution as set forth in this resolution below.

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

PART 1. The boundaries of the Innovation District are hereby modified as shown in Exhibit A, attached hereto.

PART 2. The stakeholder advisory group for the Innovation District shall be composed of the following members:

a. Mayor, City of San Marcos;
b. Hays County Commissioner’s Court representative
c. President/CEO, Central Texas Medical Center;
d. Coworking Representative;
e. Associate Vice President for Research, Texas State University;
f. Executive Director, Texas State University STAR Park;
g. Main Street Advisory Board Chair;
h. President, Greater San Marcos Partnership;
i. Centro Cultural Hispano de San Marcos Representative;
j. Calaboose African American History Museum;
k. Executive Director, Capital City Innovation;
l. Property Owner Representative;
m. Business Owner Representative;
n. Citizen-at-Large; and
o. Citizen-at-Large

PART 3. Persons previously appointed by name by virtue of holding any office or position listed in Part 2, subsections a-g, shall serve only for so long as such named persons
continue to hold such office or position. All other persons previously appointed shall continue to serve at the pleasure of the City Council.

**PART 4.** The stakeholder advisory group is hereby directed to approve a district governance structure, conduct an audit of innovation ecosystem assets, and develop an action plan

**PART 5.** This resolution shall be in full force and effect immediately from and after its passage.

**ADOPTED** on December 12, 2018.

Jane Hughson
Mayor

Attest:

Jamie Lee Case
City Clerk