



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Regular Meeting Agenda - Final City Council

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Tuesday, March 17, 2020

6:00 PM

City Council Chambers

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630 E. Hopkins

- I. Call To Order
- II. Roll Call
- III. Invocation
- IV. Pledges of Allegiance - United States and Texas
- V. 30 Minute Citizen Comment Period

### PRESENTATIONS

1. Receive a presentation from Deloitte and Touche, LLP on the Community Development Block Grant-Disaster Recovery (CDBG-DR) Quarterly Internal Audit Report, and provide direction to Staff.
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, 2019 from the City's audit firm ABIP, P.C.
3. Receive a Staff presentation of the Quarterly Investment and Financial Reports, and provide direction to City Manager.

**Attachments:**     [FY20 Q1 Investments Report Dec 2019](#)  
                                 [Q1 FY20 Financial Report](#)

### CONSENT AGENDA

4. Consider approval, by motion, of the following meeting Minutes:
  - A. February 4, 2020 - Regular Meeting Minutes
  - B. February 27, 2020 - Budget Policy Workshop Meeting Minutes
  - C. March 3, 2020 - Work Session Meeting Minutes

**Attachments:**     [02.27.2020 Budget Policy Minutes.pdf](#)  
                                 [02.04.2020 Regular Meeting Minutes.pdf](#)

5. Consider approval of Resolution 2020-55R, approving an agreement with the Leadership San Marcos Class of 2021 providing for its members to construct a cat barn at the San

Marcos Regional Animal Shelter at no cost to the city; authorizing the City Manager, or his designee, to execute the agreement; and declaring an effective date.

**Attachments:**     [Leadership Resolution March 17](#)  
                          [Leadership Donation Agreement](#)  
                          [Res 2005-189](#)  
                          [Res 2007-027](#)

6. Consider approval of Resolution 2020-56R, approving the City Council's Strategic Initiatives for Fiscal Year 2020-2021.

**Attachments:**     [Resolution](#)  
                          [2020-21 Strategic Initiatives Plan - Final](#)  
                          [2020-21 Strategic Initiatives Plan - Redline Draft](#)

7. Consider approval of Resolution 2020-57R, approving an agreement with Enterprise Fleet Management, Inc. through the Texas Interlocal Purchasing System (TIPS) for the lease of thirty-seven light vehicles and the purchase of miscellaneous equipment and maintenance in the estimated amount of \$1,650,000.00; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

**Attachments:**     [FY2020 ENTERPRISE ORDER \(10-28-19\)](#)  
                          [Resolution - Enterprise Fleet Management.doc](#)

8. Consider approval of Resolution 2020-59R, approving a grant agreement with the United States Department of Justice in the amount of \$50,000.00 to assist the City's Police Department by providing funding to identify and secure a Criminal Justice Information Services (CJIS) compliant information sharing platform; authorizing the City Manager or his designee to execute the grant agreement on behalf of the City; and declaring an effective date.

**Attachments:**     [Resolution - DOJ Grant.doc](#)  
                          [201302\\_DOJOJJP\\_Gulf States Award Agreement FY 19](#)  
                          [Project Abstract Gulf State Tech Grant 2019 FINAL](#)  
                          [Narrative Gulf State Tech Grant 2019 Final](#)  
                          [COSM Map](#)  
                          [COSM Budget\\_FINAL.pdf](#)

9. Consider approval of Resolution 2020-58R, approving the sale of a tract of property identified as the Southwesterly 28 feet of Lot 5, Block 11, C.D. Wallace Subdivision, (Hays CAD Parcel ID No. R47051), City of San Marcos, Hays County, Texas acquired by the San Marcos Consolidated Independent School District for Unpaid Taxes, to Ganymede Enterprises, LLC for \$3,200.00; authorizing the execution of any deed or instruments necessary to complete the sale; and declaring an effective date.

**Attachments:**     [Resolution](#)  
                          [Bid Analysis](#)  
                          [Resale Deed](#)  
                          [R47051 Location Map](#)

10. Consider approval of Resolution 2020-60R, approving an agreement with Freese and Nichols, Inc. for the preparation of a Risk and Resilience Assessment and Emergency Response Plan for the City's Water Infrastructure as required by the Federal America's Water Infrastructure Act in the estimated amount of \$124,600.00; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

**Attachments:**     [Resolution - Freese and Nichols Water Infrastructure Agreement.docx](#)  
                          [220-003 Proposal Submittal Log](#)  
                          [220-003 Recommendation Memo](#)

11. Consider approval of Resolution 2020-61R, approving an agreement with Stanley Consultants, Inc. relating to the San Marcos Electric Utility Master Plan Project in the estimated amount of \$400,000.00; authorizing the City Manager or his designee to execute the agreement; and declaring an effective date.

**Attachments:**     [Resolution - Electric Utility Master Plan.doc](#)  
                          [220-032 Proposal Submittal Log](#)

12. Consider approval of Resolution 2020-62R, approving an agreement with San Juanita Rosario Vela appointing her as the Interim Finance Director in a not-to-exceed amount of \$75,000.00 through September 15, 2020; and declaring an effective date.

**Attachments:**     [Resolution - Interim Finance Director.docx](#)  
                          [ACIS #1.pdf](#)

13. Consider approval of Resolution 2020-63R, approving a release of easements in the Cottonwood Creek Subdivision, subject to the dedication to the city of alternate easements, as appropriate; authorizing the City Manager, or his designee, to execute the release of easements on behalf of the city; and declaring an effective date.

**Attachments:**     [Resolution](#)  
                          [Release of Easements](#)  
                          [COTTONWOOD-MASTER EXHIBIT](#)  
                          [INSTRUMENT # 18021624](#)  
                          [INSTRUMENT # 18032673](#)  
                          [INSTRUMENT # 19021623](#)  
                          [INSTRUMENT # 19021626](#)  
                          [INSTRUMENT # 19021628](#)  
                          [INSTRUMENT # 19021629](#)  
                          [Project Location Map](#)

14. Consider approval of Resolution 2020-64R, approving a release of easement in connection with the Riverstone Apartments development at 1430 Wonder World Drive, subject to the dedication to the City of Alternate Easements, as appropriate; authorizing the City Manager, or his designee, to execute the release of easements on behalf of the City; and declaring an effective date.

**Attachments:**     [Resolution](#)  
                          [Easement to be Released](#)  
                          [Location Map of the Easement](#)

15. Consider approval of Resolution 2020-65R, approving a second change order amendment to the participation agreement with Lazy Oaks Ranch, LP (La Cima) providing for the extension of a roadway to the new Fire Station in the La Cima development with a cost participation amount by the City of up to \$300,000.00; authorizing the City Manager, or his designee, to execute said amendment; and declaring an effective date.

**Attachments:**     [Resolution](#)  
                          [La Cima Participation Agreement Change Order #2](#)  
                          [Project Location Map](#)  
                          [Res 2017-043](#)  
                          [Res 2017-180\\_CO-1](#)

16. Consider approval of Resolution 2020-66R, approving a change order to the construction contract awarded to Santa Clara Construction, Ltd. for construction of sewer mains in the Edwards Aquifer Recharge Zone to decrease the total contract price by \$123,929.52; authorizing the City Manager or his designee to execute the appropriate documents to implement the change order; and declaring an effective date.

**Attachments:**     [Resolution - Change Order Santa Clara Construction.docx](#)  
                          [SSES EARZ Map.pdf](#)  
                          [CO 03 SSR EARZ-020320\\_Signed.pdf](#)

17. Consider approval of Resolution 2020-67R, approving an agreement with Freese and Nichols, Inc. for engineering design services related to a new Lift Station No. Five in the estimated amount of \$100,651.00; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

**Attachments:**     [Resolution - Freese and Nichols Care Inn Lift Station Agreement.docx](#)  
                          [Exhibits.pdf](#)  
                          [Care Inn LS Location Map.pdf](#)

18. Consider approval of Resolution 2020-68R, confirming the City Manager's appointment of George R. Landry to the San Marcos Civil Service Commission; and declaring an effective date.

**Attachments:**     [Civil Service Commission - Resolution appointing George R. Landry for a term e](#)

19. Consider approval of Resolution 2020-69R, directing publication of a notice of intention to issue certificates of obligation in the amount of approximately \$50,500,000 for

constructing, improving, designing, acquiring and equipping the city's (1) water and waste water system; (2) electric utility system; (3) streets including related drainage, sidewalks, traffic improvements and lighting; (4) municipal buildings to include the City Hall and other city facilities, HVAC improvements, roof replacements and security improvements; (5) stormwater management and flood control facilities; (6) airport, including hangars; (7) public safety facilities to include police and fire station improvements and a new ladder truck and engine; (8) network and fiber optic infrastructure equipment; (9) recreational facilities including parks and sports fields; (10) city cemetery including land acquisition; (11) animal shelter; (12) parking including land acquisition; and (13) the payment of professional services in connection therewith including legal, fiscal and engineering fees and the costs of issuing the certificates of obligation and other matters related thereto.

**Attachments:** [San Marcos Bond-CO 2020 Timeline 1-21-2020](#)  
[Project List for City Council](#)  
[Intent Resolution 03.10.2020](#)

20. Consider approval of Resolution 2020-70R, adopting revised Investment Policies for Operating Funds and Reserve Funds; and declaring an effective date.

**Attachments:** [Investment Policies Resolution - 2020](#)  
[FY20 Investment Policy Operating March 2020 Draft Redline](#)  
[FY20 Investment Policy Operating March 2020 DRAFT](#)  
[FY20 Investment Policy Reserves March 2020 Draft Redline](#)  
[FY20 Investment Policy Reserves March 2020 Draft](#)

## PUBLIC HEARINGS

21. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2020-08, approving annexation of approximately 62.48 acres of land generally located at the intersection of Gregsons Bend and Commercial Loop; and consider approval of Ordinance 2020-08, on the first of two readings.

**Attachments:** [AN-20-02 Presentation](#)  
[Ordinance](#)  
[Service Agreement](#)  
[AN-20-02 Map Package](#)  
[AN-20-02 Application Documents](#)

22. Receive a Staff presentation and hold a public hearing to receive comments for or against Ordinance 2020-09, amending the Official Zoning Map of the City by rezoning approximately 62.48 acres of land generally located at the intersection of Commercial Loop and Gregsons Bend from "FD" Future Development District and "GC" General Commercial District to "PA" Planning Area District; and including procedural provisions; and consider approval of Ordinance 2020-09, on the first of two readings.

**Attachments:** [ZC 20 03 Presentation](#)  
[Outlet West Investors, Ltd. \(Sportsplex\) Rezoning Ordinance](#)  
[ZC-20-03 StaffReport](#)  
[ZC-20-03 Maps](#)  
[ZC-20-03 CodeComparison](#)  
[ZC-20-03 Comp Plan Analysis Checklist](#)  
[ZC-20-03 Personal Notice](#)  
[ZC 20 03 Application Documents](#)

23. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2020-10, annexing into the City approximately 31 acres of land, generally located on the east side of Highway 123 between Old Bastrop Road and Monterey Oak Road; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2020-10, on the first of two readings.

**Attachments:** [AN-20-03 Presentation](#)  
[Ordinance](#)  
[AN-20-03 Map Package](#)  
[Agreement for Services](#)  
[AN-20-03 12.43 metes and bounds](#)  
[AN-20-03 18.58 metes and bounds](#)  
[AN-20-03 Owner's Consent to Annexation of Land](#)  
[AN-20-03 Declination of offer of development.pdf](#)

24. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2020-11, amending the Official Zoning Map of the City by rezoning approximately 12.5 acres of land generally located North of the intersection of Highway 123 and Monterey Oak Drive, from "FD" Future Development District to "CD-3" Character District 3; and including procedural provisions; and consider approval of Ordinance 2020-11, on the first of two readings.

**Attachments:** [ZC-20-02 Presentation](#)  
[Ordinance](#)  
[ZC-20-02 Staff Report](#)  
[ZC-20-02 Map Package](#)  
[ZC-20-02 Code Comparison](#)  
[ZC-20-02 Comp Plan Analysis Checklist](#)  
[ZC-20-02 Personal Notice](#)  
[ZC-20-02 Application packet](#)  
[ZC-20-02 Letter Against with Facebook Discussion](#)  
[ZC-20-02 Opposition Petition As of 2/26/2020](#)  
[ZC-20-02 P&Z Written Comment](#)

25. Receive a Staff presentation and hold a Public Hearing to receive comments for or against

Ordinance 2020-12, amending the Official Zoning Map of the City by rezoning approximately 18.5 acres of land generally located North of the intersection of Highway 123 and Monterey Oak Drive, from “FD” Future Development District to “CD-4” Character District 4; and including procedural provisions; and consider approval of Ordinance 2020-12, on the first of two readings.

**Attachments:** [ZC-20-05 Presentation.pptx](#)  
[Ordinance](#)  
[ZC-20-05 Map Package](#)  
[ZC-20-05 Land Use and Code Comparison](#)  
[ZC-20-05 Comp Plan Analysis Checklist](#)  
[ZC-20-05 Personal Notice](#)  
[ZC-20-05 Application Packet](#)

26. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2020-72R, approving a Budget Policy Statement for preparation of the 2020-2021 Fiscal Year budget; and declaring an effective date; and consider approval of Resolution 2020-72R.

**Attachments:** [Budget Policy Statement - Resolution.doc](#)  
[FY21 Proposed Budget Policy.pdf](#)  
[FY21 Proposed Budget Policy REDLINED.docx](#)

## NON-CONSENT AGENDA

27. Consider approval of Ordinance 2020-13, on the first of two readings, amending Chapter 38 of the City Code titled Fire Prevention and Protection, of the San Marcos City Code by revising the local amendments recommended in the 2015 edition of the International Fire Code to include provisions relating to mobile food vending operations, gate access, signage, location of fire extinguishers in multi-family structures and requiring buildings in certain zoned areas of the City that have been impacted by a fire event to install fire-sprinkler systems prior to re-occupancy, among other revisions, to enhance public safety in the City; providing for the repeal of any conflicting provisions; and providing an effective date.

**Attachments:** [Ordinance - Fire Code Amendments FORMATTED.docx](#)  
[SMFD Chapter 38-REDLINE-Mar2020\\_kk-v3](#)  
[SMFD Chapter 38-REDLINE-Mar2020\\_kk-v3](#)

28. Consider approval of Ordinance 2020-14, on the first of two readings, adopting fees to be charged by the City for various Parks and Recreation Facilities, including changes to existing fees; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

**Attachments:** [Ordinance](#)  
[Exhibit A - Parks and Recreation Fees](#)  
[Non-Resident Incremental Fee Increases Options](#)  
[Non Profit Fee Memo](#)  
[Non-Profit Rate Options](#)

29. Consider approval of Ordinance 2020-15, amending Section 34.080 of the San Marcos City Code to establish an administrative fee and provide for the collection of costs related to the filing of a nuisance abatement lien; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

**Attachments:** [Nuisance Abatement Administrative Fee Ordinance 2020.docx](#)

30. Consider approval of Ordinance 2020-16, on first and final reading, ordering a Special Election to be held on May 2, 2020 for the purpose of filling a vacancy for the remainder of the unexpired term of office of City Council Member, Place 5; establishing early voting locations and polling places for this election; making provisions for conducting the election; declaring an emergency creating the need to adopt this ordinance with only one reading; and providing an effective date.

**Attachments:** [Ordinance Calling Election.doc](#)  
[Early Voting & Election Day Vote Center locations May 2020.pdf](#)

31. Consider approval of Resolution 2020-73R, approving a lease agreement with Theodore Breihan, doing business as Ted Breihan Electric Company, for the lease of approximately 10,140 square feet of space along Edward Gary Street, east of South LBJ Drive with a rental rate of \$3,500.00 per year for five years; authorizing the City Manager, or his designee, to execute said lease; and declaring an effective date.

**Attachments:** [Resolution](#)  
[Lease](#)

32. Consider approval of Resolution 2020-71R, approving the renaming of El Camino Real Park to Kenneth M. Copeland Memorial Park; authorizing the City Manager to install any signs and recognition plaques reflecting the new name of the park as may be appropriate; and declaring an effective date.

**Attachments:** [Resolution - Kenneth M Copeland Memorial Park](#)  
[Recommendation Resolution 2019-03RR](#)  
[Resolution No. 2020-001 Kenneth M. Copeland Memorial Park](#)  
[Letter proposing El Camino Real Park renaming](#)  
[Staff Memo: El Camino Real Renaming](#)  
[El Camino Real HOA Letter of Support](#)  
[The Gardens of El Camino Real HOA Letter of Support](#)  
[Email communication with CONA Rep](#)

33. Discuss and consider the appointment of Council Member Baker to fill a vacancy on the Census 2020 Complete Count Committee, and provide direction to staff.

34. Hold discussion regarding Arts Commission Recommendation Resolution 2019-03RR to consider amendments to the Permanent Art Rules, and provide direction to Staff.

Attachments:      [2019-03RR Arts Commission Resolution.pdf](#)

### **EXECUTIVE SESSION (if necessary)**

35. Executive Session in accordance with the following Government Code Section(s):
- A. Section § 551.087 - Economic Development: to receive a staff briefing and deliberate regarding Project Barker
  - B. Section §551.071 - Consultation with Attorney: to discuss Legal considerations of anti-discrimination ordinance

### **DIRECTION/ACTION FOLLOWING EXECUTIVE SESSION**

36. Consider action, by motion, regarding the following Executive Session items held during the Work Session and/or Regular Meeting:
- A. Section § 551.087 - Economic Development: to receive a staff briefing and deliberate regarding Project Barker
  - B. Section §551.071 - Consultation with Attorney: to discuss Legal considerations of anti-discrimination ordinance

VI. Question and Answer Session with Press and Public.

VII. Adjournment.

**POSTED ON THURSDAY, MARCH 12, 2020 @ 4:00PM**

**TAMMY K. COOK, INTERIM 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](mailto:ADArequest@sanmarcostx.gov)