I. Call To Order

II. Roll Call

III. Invocation

IV. Pledges of Allegiance - United States and Texas

V. Citizen Comment Period

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

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.

1. Consider approval of Resolution 2024-95R, approving an Advance Funding Agreement (AFA) with the State of Texas, acting through the Texas Department of Transportation (TxDOT) for a transportation alternatives set-aside (TASA) project for the IH-35 Shared Use Pathway Connection Project; authorizing the City Manager, or her designee, to execute said agreement; and declaring an effective date.

2. Consider approval of Resolution 2024-96R, approving an agreement with Rush Truck Center, through the Texas Buyboard Purchasing Cooperative, for the purchase and delivery of one Peterbilt 537 Dump Truck for use by the Utilities Department - Water/Wastewater Division, in the amount of $147,978.76; authorizing the City Manager, or her designee, to execute the agreement on behalf of the city; and declaring an effective date.
3. Consider approval of Resolution 2024-97R, approving an amended agreement providing for revised rates and quantities in the city’s agreement for the sale of Edwards Aquifer Water on a temporary basis to the County Line Special Utility District and extending the agreement through 2026; authorizing the City Manager, or her designee, to execute the amended agreement on behalf of the city; and declaring an effective date.

4. Consider approval of Resolution 2024-98R, approving an amended agreement providing for the city to sell additional potable treated water on a wholesale basis to the County Line Special Utility District for an additional two years with the option for further extensions; authorizing the City Manager, or her designee, to execute the amended agreement on behalf of the city; and declaring an effective date.

5. Consider approval of Resolution 2024-99R, approving a renewal for a term of one-year of the license agreement that grants a non-exclusive license to Pheenix USH, LLC., doing business as SPIN, that enables SPIN’s shared micromobility devices such as electric scooters and electric bicycles to be operated within city rights-of-way; authorizing the City Manager, or her designee, to execute said renewal on behalf of the City; and declaring an effective date.

6. Consider approval of Resolution 2024-100R, approving an amendment to a site lease agreement with L3harris Technologies, Inc. for the installation and maintenance of ground-based radio stations at the San Marcos Regional Airport that interact with satellite-based GPS units and transponder/radio equipment in aircraft to create an interactive air traffic control system; authorizing the City Manager, or her designee, to execute said lease agreement; and declaring an effective date.

7. Consider approval of Resolution 2024-101R, authorizing the Center for Archaeological Studies at Texas State to nominate the site known as the Zatopec site for a State Antiquities Landmark designation by the Texas Historical Commission; authorizing the City Manager, or her designee, to execute the nomination form on behalf of the city; and declaring an effective date.

8. Consider approval of Resolution 2024-102R, authorizing the submission of the Taskforce Grant Application to the Motor Vehicle Crime Prevention Authority in the amount of $55,900.00 to support the addition of ten (10) license plate reader cameras; authorizing the City Manager, or her designee, to execute any and all documents as needed to apply for, accept, implement, decline, modify, or cancel the grant, if awarded; and declaring an effective date.

PUBLIC HEARINGS

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

9. Receive a Staff presentation and hold a Public Hearing to receive comments for or against
the use of $1,421,152 in Community Development Block Grant (CDBG) funding for housing, social services, public facilities, and infrastructure, and the selection of projects for the 2024-2025 Community Development Block Grant (CDBG) Action Plan; and provide direction to Staff.

10. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2024-25, amending the regulations and standards of the Paso Robles (Kissing Tree) Planned Development District (PDD), consisting of approximately 1,338.58 acres of land, generally located in the area of Centerpoint Road and Hunter Road, establishing, among other things, a reduction in the total number of residential units in the Mixed Use portion of the development west of Hunter Road, and allowing all of those residential units to be active adult dwelling units for use by adults aged 55 and over, in Case No. PDD-08-05(b) (Kissing Tree second amendment); including procedural provisions; and providing an effective date; and consider approval of Ordinance 2024-25, on the first of two readings.

11. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2024-26, amending the project plan and reinvestment zone financing plan for Tax Increment Reinvestment Zone No. 4 - Kissing Tree, to increase reimbursements to the developer by $16,000,000.00 and to add eligible project costs for completing the Centerpoint Road four lane extension, changing the water storage tank to an elevated storage tank, and upgrading a water line; providing authorization to consummate the transactions contemplated by this amendment; including procedural provisions and declaring an effective date; and consider approval of Ordinance 2024-26, on the first of two readings.

NON-CONSENT AGENDA

12. Consider approval of Resolution 2024-103R, authorizing a change in service to the Wastewater Treatment Facilities Operations Agreement with Jacobs Engineering Group, Inc., to add provisions for engineering design and replacement of a centrifuge and diffusers by Archer Western in an amount not-to-exceed $6,716,477.45; authorizing the City Manager, or her designee, to execute the appropriate documents to implement the change in service on behalf of the city; and declaring an effective date.

13. Consider approval of Resolution 2024-104R, approving a contract for Election Services with the Hays County Elections Administrator for the provision of Election Services for the City’s General Election to be held on November 5, 2024 and, if necessary, a Runoff Election to be held in accordance with State law; authorizing the City Manager, or her designee to execute the contract on behalf of the City; and declaring an effective date.

14. Consider approval of Resolution 2024-105R, approving a Joint Election Agreement between the City of San Marcos and Hays County for the holding of a joint election to be held on November 5, 2024; authorizing the City Manager, or her designee, to execute the agreement on behalf of the City; and declaring an effective date.

15. Consider approval of Resolution 2024-106R, amending the City Council Procurement
16. Hold discussion regarding the Parking Advisory Board Recommendation Resolution 2023-03RR-PAB, to explore on-street paid parking implementation downtown; and provide direction to the City Manager.

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.

17. The City Council will convene in executive session pursuant to the following sections of the Texas Government Code:

1. Section 551.071-Consultation with Attorney: To receive legal advice regarding the following matters:

   A. Canyon Regional Water Authority/Hays Caldwell Mediation

   B. Derek Arredondo vs. City of San Marcos, Civil Action No. 1:22-cv-684-DAE in the United States District Court for the Western District of Texas, Austin Division

   C. Austin R. Colson vs. City of San Marcos, Texas, et al; Case No. 24-50283 in the United States Court of Appeals for the Fifth Circuit

   D. John Gregson vs. City of San Marcos, Hays County, et al; Civil Action No. 1:24-cv-00400 in the United States District Court for the Western District of Texas, Austin Division

   E. Reece v. Skinny Labs, Inc dba SPIN Scooters and the City of San Marcos, et al; Cause No. 24-0776 District Court of Hays County, Texas

2. Section 551.087- Economic Development: To deliberate regarding possible economic development incentives for Project Wind Chime

DIRECTION/ACTION FROM EXECUTIVE SESSION

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

1. Texas Government Code Section 551.071-Consultation with Attorney: To receive legal advice regarding the following matters:

   A. Canyon Regional Water Authority/Hays Caldwell Mediation

   B. Derek Arredondo vs. City of San Marcos, Civil Action No. 1:22-cv-684-DAE in the United States District Court for the Western District of Texas, Austin Division

   C. Austin R. Colson vs. City of San Marcos, Texas, et al; Case No. 24-50283 in the United
States Court of Appeals for the Fifth Circuit

D. John Gregson vs. City of San Marcos, Hays County, et al; Civil Action No. 1:24-cv-00400 in the United States District Court for the Western District of Texas, Austin Division

E. Reece v. Skinny Labs, Inc dba SPIN Scooters and the City of San Marcos, et al; Cause No. 24-0776 District Court of Hays County, Texas

2. Texas Government Code Section 551.087- Economic Development: To deliberate regarding possible economic development incentives for Project Wind Chime

VI. Question and Answer Session with Press and Public.

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

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

VII. Adjournment.

POSTED ON FRIDAY, MAY 31, 2024 @ 10:00 AM

ELIZABETH TREVINO, CITY CLERK

VIII. ADDENDUM

Executive Session #2 was added to items #17 and 18 after the agenda was posted on Friday, May 31, 2024

2. Texas Government Code Section 551.087- Economic Development: To deliberate regarding possible economic development incentives for Project Wind Chime

ADDENDUM POSTED ON FRIDAY, MAY 31, 2024 @ 4:30PM

ELIZABETH TREVINO, 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