



City of San Marcos

Regular Meeting Agenda - Final City Council

Wednesday, October 7, 2020

6:00 PM

Virtual Meeting

Due to COVID-19, and as long as the State Disaster Declaration is in effect, this will be a virtual meeting. To view the meeting please go to www.sanmarcostx.gov/videos or watch on Grande channel 16 or Spectrum channel 10.

I. Call To Order

II. Roll Call

III. 30 Minute Citizen Comment Period

Persons wishing to participate (speak) during the Citizen Comment portion of the meeting must email citizencomment@sanmarcostx.gov prior to 12:00PM the day of the meeting. A call in number to join by phone or link will be provided for participation on a mobile device, laptop or desktop computer.

PRESENTATIONS

1. Receive status reports and updates on response to COVID-19 pandemic; hold council discussion, and provide direction to Staff.

CONSENT AGENDA

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

2. Consider approval, by motion, of the following meeting Minutes:
 - A. September 15, 2020 - Work Session Meeting Minutes
 - B. September 15, 2020 - Regular Meeting Minutes
 - C. September 23, 2020 - Special Meeting Minutes
3. Consider approval of Ordinance 2020-76, on the second of two readings, amending Article 3 of Chapter 66 of the San Marcos City Code to transfer oversight responsibility for permitting commercial solid waste haulers from the Public Services Department to the Neighborhood Enhancement Department and increasing the permit fee to 7% of gross revenues; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

Attachments: [Ordinance - Chapter 66 Solid Waste Haulers Amendment Ordinance.docx](#)

4. Consider approval of Resolution 2020-202R, approving a renewal of the agreement with

the Texas Department of Transportation for advertisement in the Texas Highway Magazine to promote tourism in the estimated annual amount of \$9,735.10 to include the authorization of three one-year additional renewals in the total contract amount of \$58,680.35; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution - Texas Highway Magazine.docx](#)
[217-430R ACIS3 Texas Highway Magazine 2020-2021 All.pdf](#)

5. Consider approval of Resolution 2020-203R, approving the renewal of an agreement with CrowdRiff, Inc. relating to internet advertising software used by the San Marcos Convention and Visitor Bureau to promote tourism in the estimated annual amount of \$18,900.00 to include the authorization of three additional one-year renewals for a total contract amount of \$84,900.00; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution - CrowdRiff.docx](#)
[217-193 ACIS3 Visual Advertising Influence Platform.pdf](#)

6. Consider approval of Resolution 2020-204R, approving the renewal of an agreement with Madden Reprint Media, LLC relating to internet search engine marketing used by the San Marcos Convention and Visitor Bureau to promote tourism in the estimated annual amount of \$35,999.77 to include the authorization of three additional one-year renewals for a total contract amount of \$146,984.53; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution - Madden Reprint Media.docx](#)
[218-035 ACIS3 Search Engine Renewal 2020-21.pdf](#)

7. Consider approval of Resolution 2020-205R, approving the award of a construction contract to Montoya Anderson Construction, Inc. for the Hopkins Street Multi-Use Bike and Pedestrian Project in the estimated amount of \$1,483,214.00; authorizing the City Manager or his designee to execute the construction contract on behalf of the City; and declaring an effective date.

Attachments: [Resolution - Construction Contract - Hopkins Street Bike and Pedestrian Project](#)
[HopkinsBikePed-RecommendationOfAward.pdf](#)
[HopkinsBikePed-BidTab.pdf](#)
[Exhibit-ScopeOfWork](#)
[219-328 Bid Tabulation.pdf](#)

8. Consider approval of Resolution 2020-206R, approving a professional services agreement with Floodace, LLC for the asset management system development project in the estimated amount of \$149,885.00; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution - Floodace professional services.docx](#)
[Scope-Fee-Schedule.pdf](#)
[220-127 Proposal Submittal Log.pdf](#)
[220-127 RFP-RFQ Recommendation Memo.pdf](#)

9. Consider approval of Resolution 2020-207R, approving a Change in Service to the engineering services agreement with American StructurePoint, Inc. relating to the Sessom Drainage Improvements Project to add engineering design services for revising traffic control, signage, and pavement markings along Academy Street and Sessom Drive from Holland Street to LBJ Drive in the estimated amount of \$96,204.00 for a total contract price of \$523,704.62; authorizing the City Manager or his designee to execute the appropriate documents to implement the Change in Service; and declaring an effective date.

Attachments: [Resolution - Change in Service - American StructurePoint.docx](#)
[ACIS #4.pdf](#)
[buffered bike lanes.pdf](#)

10. Consider approval of Resolution 2020-208R, approving a Consent of Encroachment Agreement with Ella Lofts Funding Company, LLC that allows certain improvements to encroach within a City drainage easement in the vicinity of Chestnut Street and Live Oak Street, subject to the owner of such improvements granting a drainage easement to the City for improvements along Sessom Creek as part of the Edwards Aquifer Habitat Conservation Plan; authorizing the City Manager or his designee to execute the said agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution](#)
[ConsentToEncroachmentWithAttachments](#)
[Area of Encroachment](#)

11. Consider approval of Resolution 2020-209R, approving amendments to the original Interlocal Cooperation Agreement that established the Austin Regional Intelligence Center and the Interlocal Cooperation agreement for sustainment funding for the Austin Regional Intelligence Center, that enabled the Police Department and other regional law enforcement agencies to share information, which amendments add five new partner agencies to the agreements; authorizing the City Manager or his designee to execute these amendments on behalf of the City; and declaring an effective date.

Attachments: [Resolution](#)
[ARIC Cover Letter.pdf](#)
[ARIC Amendment 3 Agreement.pdf](#)
[ARIC Amendment 3 Funding.pdf](#)

12. Consider approval of Resolution 2020-210R, approving an Airport Facility Lease Agreement for Commercial Use for Airport property located at 1747 Airport Drive with Surveying and Mapping, LLC for an initial five-year term in the total amount of \$203,680.00 in revenue to the City in response to Request for Proposals No. 220-141; authorizing the City Manager or his designee to execute the lease on behalf of the City; and declaring an

effective date.

Attachments: [Resolution - Airport SAM Lease.doc](#)

[220-141 Proposal Submittal Log](#)

[220-141 Recommendation Memo](#)

13. Consider approval of Resolution 2020-211R, approving a Lease of Airport Property for Agricultural Use with Curby D. Ohnheiser at the San Marcos Regional Airport for an initial three-year term with authorization for an additional three-year term in the total annual amount of \$64,474.32 of revenue to the City in response to Request for Proposals No. 220-140; authorizing the City Manager or his designee to execute the Lease Agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution - AG lease.doc](#)

[220-140 Proposal Submittal Log](#)

[220-140 Recommendation Memo](#)

14. Consider approval of Resolution 2020-212R, approving an agreement with Envirosight, LLC. through the Texas BuyBoard Purchasing Cooperative for sewer inspection vehicle and equipment in the estimated amount of \$72,222.00; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution - Buyboard - Envirosight.doc](#)

15. Consider approval of Resolution 2020-213R, approving an agreement with Milsoft Utility Solutions, Inc. for an Outage Management System for use by the Public Services Department to include, among other services, software and technical support for an initial five-year term in the estimated annual amount of \$235,000.00 and authorizing five optional one-year terms for a total contract term of ten years; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution - Outage Management System.docx](#)

[220-005 Proposal Submittal Log](#)

[220-005 Recommendation Memo](#)

16. Consider approval of Resolution 2020-214R, opposing the relocation of retail services provided by the San Marcos Main Post Office from 210 South Stagecoach Trail to 900 Bugg Lane, San Marcos, Texas; and providing an effective date.

Attachments: [Post Office Relocation Resolution](#)

17. Consider approval of Resolution 2020-215R, revising the composition of the Finance and Audit Committee to limit the staff members of the committee to the City Manager, Assistant City Managers, and the Finance Director, and providing that the Council Members on the committee will be the Mayor, Mayor Pro-Tem, Deputy Mayor Pro-Tem or another City Council Member appointed by the City Council if there is no Deputy Mayor Pro-Tem; clarifying that the role of the committee includes audit processes; and declaring an effective date.

Attachments: [Resolution \(Redline\)](#)
 [Resolution \(Clean\)](#)

18. Consider approval of Resolution 2020-216R, approving a Change in Service to the agreement with Texas Disposal Systems, Inc. for collection and disposal of solid waste and recyclable materials to extend the agreement for five years at an estimated annual increase of \$400,000.00; authorizing the City Manager or his designee to execute the Change in Service on behalf of the City; and declaring an effective date.

Attachments: [Resolution - Texas Disposal Systems.docx](#)
 [215-221.A ACIS Renew Disposal Solid Waste Recycle Materials.pdf](#)

19. Consider approval of Resolution 2020-217R, approving the terms of a Settlement Agreement to resolve all claims in the pending litigation styled-The Mayan at San Marcos River, LLC and the City of Martindale Texas v. City of San Marcos: Case No. 18-0985-CV-A in the 25TH Judicial District Court of Guadalupe County, Texas and on appeal to the Fourth Court of Appeals of Texas Under Case No. 04-19-00018-CV; authorizing the City Manager to sign the Settlement Agreement; and declaring an effective date.

Attachments: [Settlement Agreement Resolution - The Mayan at San Marcos River, LLC and C](#)
 [Mayan Settlement Agreement - Proposed Final Draft - October 7 2020 Agenda.](#)

PUBLIC HEARINGS

Persons wishing to participate (speak) during the Public Hearing portion of the meeting must email citizencomment@sanmarcostx.gov prior to 12:00PM the day of the meeting. A call in number to join by phone or link will be provided for participation on a mobile device, laptop or desktop computer.

20. Receive a Staff presentation and hold a public hearing to receive comments for or against Resolution 2020-219R, approving a Development Agreement with Rattler Road Storage, LLC to provide for the annexation and to regulate the future development of approximately 3.62 acres of land in the City's Extraterritorial Jurisdiction generally located on the north side of Rattler Road, between Old Bastrop Hwy and Hwy 123; authorizing the City Manager, or his designee, to execute said agreement on behalf of the City; and providing an effective date; and consider approval of Resolution 2020-219R.

Attachments: [Resolution](#)
 [PDA-20-01 Aerial Map](#)
 [PDA-20-01 - CC Development Agreement](#)
 [PDA-20-01 10.7.2020 CC Presentation](#)
 [PDA-20-01 Application](#)

21. Receive a Staff presentation and hold a public hearing to receive comments for or against Resolution 2020-218R, making findings as to the advisability of the improvements proposed in the petition to create the Staples Road Public Improvement District (the "District"); establishing the district; creating the Staples Road Public Improvement District Board of Directors (the "Board"); appointing members to the board; and providing for an effective date.

Attachments: [Staples Road PID Creation Resolution - Proposed Final Draft For October 7th A](#)
[First Amendment To Petition - Staples Road Public Improvement District](#)
[Original Petition - Staples Road Public Improvement District - September 1, 202](#)

NON-CONSENT AGENDA

22. Consider approval of Ordinance 2020-60, on the first of two readings, amending Section 2.361 of the San Marcos City Code relating to the general powers and duties of the San Marcos Arts Commission and recommendations and decisions on funding made by the San Marcos Arts Commission; including procedural provisions; providing for the repeal of any conflicting provisions; and providing an effective date.

Attachments: [Arts Commission Ordinance Amendment.doc](#)
[2019-03RR Arts Commission Resolution](#)

23. Consider approval of Ordinance 2020-78, on the first of two readings, repealing Divisions 23 and 24 of Article 3, Chapter 2 of the San Marcos City Code that established the San Marcos Youth Commission and the San Marcos Commission on Children and Youth, respectively, in connection with the transitioning of the provision of Youth Services through the Core 4 Partnership with Hays County, Texas State University and the San Marcos Consolidated Independent School District; dissolving said commissions; including procedural provisions; and providing an effective date.

Attachments: [Ordinance](#)
[Memo to Core 4 3.12.2020 FINAL](#)

24. Consider approval of Ordinance 2020-79, on the first of two readings, reducing the speed limit from 30 miles per hour to 25 miles per hour along the 500-1200 blocks of Burleson Street between Moore Street and Prospect street; authorizing the installation of signs and traffic control devices reflecting the new speed limit; directing that the traffic register maintained under section 82.067 of the San Marcos City Code be amended to reflect the new speed limit; and including procedural provisions.

Attachments: [Ordinance](#)
[Burleson 25 mph survey](#)
[Burleson 25 mph map](#)
[Press release - Hopkins Street Project Amends Traffic Plan with Speed Reducti](#)

25. Discuss and take action on the creation, appointment, and implementation of a Comprehensive Plan Rewrite Steering Committee charged with assisting in the City's Comprehensive Plan rewrite; and provide direction to Staff.

26. Consider applications from interested citizens for service on an ad hoc committee to study the use of force policies of the San Marcos Police Department and make recommendations to the Chief of Police and City Council, hold discussion and make nominations to the committee, and provide direction to staff.

Attachments: [SMPD Use of Force Policy Application - fillable](#)

27. Consider the appointment of three city representatives to the Core Four Task Force, an advisory group to the Core Four Policy Group, and provide direction to Staff.

Attachments: [Memo to Core 4 3.12.2020 FINAL](#)

28. Consider the appointment of three city representatives to the Core Four Policy Group, and provide direction to Staff.

Attachments: [Memo to Core 4 3.12.2020 FINAL](#)

[Agreement for Joint Funding of Youth Services - Fully Executed by all Core 4 E](#)

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.

29. Executive Session in accordance with the following Government Codes:
(A) Section § 551.087 - Economic Development: to receive a staff briefing and deliberate regarding economic incentives for Project Spec and Project Lord of the Rings.

ACTION/DIRECTION FROM EXECUTIVE SESSION

30. Consider action, by motion, regarding the following Executive Session items held during the Work Session and/or Regular Meeting and in accordance with the following Government Codes:
(A) Section § 551.087 - Economic Development: to receive a staff briefing and deliberate regarding economic incentives for Project Spec and Project Lord of the Rings.

IV. Adjournment.

POSTED ON THURSDAY, OCTOBER 1, 2020 @ 12:00 PM

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