I. Call To Order

With a quorum present, the regular meeting of the San Marcos City Council was called to order by Mayor Thomaides at 5:00 p.m. Tuesday, May 2, 2017 in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666.

II. Roll Call

Present: 7 - Mayor John Thomaides, Mayor Pro-Tem Jane Hughson, Deputy Mayor Pro Tem Lisa Prewitt, Council Member Ed Mihalkanin, Council Member Saul Gonzales, Council Member Scott Gregson and Council Member Melissa Derrick

III. Invocation

Pastor Jarrell Sharp from First United Methodist-San Marcos provided this evening’s invocation.

IV. Pledges Of Allegiance - United States And Texas

Travis Alvarez, a 2nd grade student, from Texas Prepratory School, led the Assembly in the Pledges of Allegiance.

EXECUTIVE SESSION

1. 5:30PM Executive Session in accordance with Section § 551.072 of the Texas Government Code - Real Property: Discuss possible acquisition of certain real property interests from Crystal Clear SUD.

A motion was made by Council Member Gregson, seconded by Mayor Pro-Tem Hughson, to enter closed session at 5:35 p.m. The motion carried by the following vote:

For: 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against: 0

2. Consider adoption or direction to Staff on matters discussed in Executive Session.

Council reconvened into regular session at 6:05 p.m. and provided direction to
staff in Executive Session.

PRESENTATIONS

3. Receive a Staff presentation and hold discussion regarding back-in parking on Edward Gary, and the process for future locations, and provide direction to Staff.

Collette Jamison, Assistant City Manager, provided the Council with an overview of the direction that is being requested regarding back-in parking on Edward Gary in front of The Local, and the process for future locations.

Council Member Mihalkanin stated for the records that just because he is in favor of maintaining the back-in parking on the plan submitted by Mr. Carson does not mean that he is in favor of back-in parking in the downtown. Council direction was to move forward with back-in parking on Edward Gary as requested. Staff will bring back a review after a year from the time of construction to reevaluate the back-in parking on Edward Gary. Discussion was held regarding bike infrastructure plans and the preference of back-in parking in those areas. Council Members Hughson and Mihalkanin requested that a discussion come back regarding the one-way/two-way conversion on Guadalupe and LBJ at a future meeting.

6:00 PM

V. 30 Minute Citizen Comment Period

Chris Rue, Downtown Association President, asked that all downtown parking items be postponed until the second meeting in June to allow the Executive Board the time to review the ordinances and to weigh in. They plan to open up the dialogue with Texas State regarding the use of the parking garage, and they would like to contact downtown property owners of underutilized lots to see if they can work together on the issue. He thanked the City for the help.

CONSENT AGENDA

A motion was made by Council Member Gregson, seconded by Mayor Pro-Tem Hughson, to approve the Consent Agenda with the exception of item #6 which was pulled and considered separately. The motion carried by the following vote:

For: 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against: 0

4. Consider approval, by motion, of the following meeting Minutes:
A) April 14, 2017 - Packet Meeting
B) April 18, 2017 - Regular Meeting

5. Consider approval of Ordinance 2017-19, on the second of two readings, amending the term limit of key constituency representatives in Chapter 2, Article 3, Division 24, Section 2.370.26, San Marcos Commission on Children and Youth; including procedural provisions; and providing an effective date.

6. Consider approval of Ordinance 2017-20, on the second of two readings, amending Chapter 2, Article 5, Code of Ethics, of the San Marcos City Code; requiring updating of Financial Disclosure Forms; requiring Financial Disclosure Forms to be filed by members of temporary boards, commissions, subcommittees or similar groups; and providing an effective date.

A motion was made by Council Member Mihalkanin, seconded by Deputy Mayor Pro Tem Prewitt, to postpone Ordinance 2017-20 to the June 6, 2017 Regular City Council Meeting. The motion carried by the following vote:

For: 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against: 0

7. Consider approval of Ordinance 2017-21, on the second of two readings, amending Chapter 58 of the San Marcos City Code regarding Public Facilities, Parks and Recreation by eliminating the requirement of a verbal warning before issuance of citations for public display or consumption of alcoholic beverages in city parks, prohibiting charcoal grills in city parks, and limiting the use of shelters or tents in city parks; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

8. Consider approval of Resolution 2017-79R, approving an Airport Advertising Agreement with Clear Channel Airports for advertisement created by the San Marcos Convention and Visitor Bureau to be displayed at the Austin Bergstrom International Airport; authorizing the City Manager to execute the airport advertising agreement; and declaring an effective date.

9. Consider approval of Resolution 2017-80R, approving the procurement of two Nimble Storage Array Systems for the City’s Information Technology Department from Freeit Data Solutions, Inc. in the total amount of $374,605.63 through the Texas Comptroller of Public Account’s Department of Information Resources Program (contract dir-tso-2716) for data storage products and related services; authorizing the Interim City Manager or his designee to execute the appropriate purchasing documents on behalf of the City and declaring an effective date.

10. Consider approval of Resolution 2017-81R, approving the procurement of a Dell Blade Server Chassis from Dell, Inc. in the total amount of $66,574.01 through the Texas Comptroller of Public Account’s Department of Information Resources Program (contract DIR- SDD-1951) for Dell Branded Manufacturer Hardware, Software and Related Products; authorizing the Interim 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 2017-82R, approving the award of a construction contract to Rockin Q Construction, LLC for the Reclaimed Water Expansion Project - Pipeline (IFB 217-165) in the amount of $5,076,273.00 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 Interim City Manager or his designee to execute all contract documents on behalf of the City and declaring an effective date.

12. Consider approval, by motion, of Change in Service #4 in the not to exceed amount of $184,753.00 to Espey Consultants, dba RPS for the Comprehensive Watershed Master Plan.

13. Receipt of the Planning and Zoning Commission’s recommended 10 Year Capital Improvement Plan for FY2018-2027

PUBLIC HEARINGS - 7:00 PM

14. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2017-27, creating four Downtown Employee Permit Parking Areas under section 82.190 of the San Marcos City Code allowing parking by permit only From 8:00 am to 5:00 pm, Monday through Friday, on certain portions of Moon Street, South Edward Gary Street, Comal Street, Centre Street, and Pat Garrison Street; amending the Traffic Register to reflect such parking areas; and providing for an effective date; and consider approval of Ordinance 2017-27, on the first of two readings.

Kevin Burke, provided the Council with an overview of the creation of four Downtown Employee Permit Parking Areas.

Mayor Thomaides opened the Public Hearing at 7:14 p.m.

Dianne Wassennich, 11 Tanglewood, thanked the Council for looking at this. She asked about a scenario where you have five employees per shift, and you have five permits for use, but they do not always work at the same time. How do you track 15 people at once?

There being no further comments, Mayor Thomaides closed the Public Hearing at 7:15 p.m.

Discussion was held regarding parking on Centre Street in front of the two churches and reevaluating the use of Centre Street for parking. Staff to provide the street width of Centre Street, Pat Garrison, Comal and the other streets. Discussion was held about previous requests from downtown business
owners requesting this program. Discussion was held regarding the License Plate Recognition (LPR) program and getting it online timely. Discussion was held regarding the need for an employee parking lot and offering electric bus service. Discussion was held regarding the cost to the City to identify those are parking spaces. Staff to bring a cost for striping and signs for second reading. Discussion was held regarding allowing the downtown businesses via the Downtown Business Association to weigh in on the program. Discussion was held regarding holding off on second reading until they can have a thorough discussion regarding License Plate Recognition (LPR) and its implementation. Discussion was held regarding the education period of LPR.

A motion was made by Council Member Mihalkanin, seconded by Council Member Derrick, that Ordinance 2017-27 be postponed until the second meeting in June. The motion carried by the following vote:

For: 5 - Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales and Council Member Derrick

Against: 2 - Mayor Thomaides and Council Member Gregson

NON-CONSENT AGENDA

15. Consider approval of Ordinance 2017-22, on the first of two readings, authorizing the installation of speed cushions in both directions in the 500 through 600 blocks of Candlelight Lane (from Del Sol Drive to Broadway Street); and including procedural provisions.

A motion was made by Council Member Mihalkanin, seconded by Council Member Derrick, to approve Ordinance 2017-22, on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against: 0

16. Consider approval of Ordinance 2017-23, on first and final reading as allowed by Section 1201.028 of the Texas Government Code, authorizing the issuance and sale of City of San Marcos, Texas, Waterworks and Waste Water System Revenue Bonds, series 2017a in the amount of $4,760,000; providing for the security for and payment of said bonds; prescribing the form of said bonds; awarding the sale thereof; approving the Private Placement Memorandum; enacting other provisions relating to the subject.

A motion was made by Mayor Pro-Tem Hughson, seconded by Council Member Mihalkanin, to approve Ordinance 2017-23, on the first and final
reading. The motion carried by the following vote:

For: 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against: 0

17. Consider approval of Ordinance 2017-24, on first and final reading as allowed by Section 1201.028 of the Texas Government Code, authorizing the issuance and sale of City of San Marcos, Texas, Waterworks And Waste Water System Revenue Bonds, Series 2017B in the amount of $1,000,000; providing for the security for and payment of said bonds; prescribing the form of said bonds; awarding the sale thereof; approving the Private Placement Memorandum; enacting other provisions relating to the subject.

A motion was made by Council Member Gregson, seconded by Council Member Mihalkanin, to approve Ordinance 2017-24, on the first and final reading. The motion carried by the following vote:

For: 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against: 0

18. Consider approval of Ordinance 2017-25, on the first of two readings, creating a two-hour parking restriction between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday in the general area of downtown San Marcos as authorized by Section 82.160 of the San Marcos City Code and amending the traffic register to reflect such parking restriction; and including procedural provisions.

A motion was made by Council Member Mihalkanin, seconded by Deputy Mayor Pro Tem Prewitt, to postpone Ordinance 2017-25 to the June 20, 2017 Regular City Council Meeting. The motion carried by the following vote:

For: 6 - Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against: 1 - Mayor Thomaides

19. Consider approval of Ordinance 2017-26, on the first of two readings, amending Chapter 82 of the City of San Marcos Code of Ordinances to create a new Section 82.190 establishing a Downtown Employee Parking Permit Program; and providing an effective date.

A motion was made by Deputy Mayor Pro Tem Prewitt, seconded by Council Member Mihalkanin, to postpone Ordinance 2017-26 to the June 20, 2017 Regular City Council Meeting. The motion carried by the following vote:

For: 5 - Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales and Council Member Derrick
20. Consider approval of Resolution 2017-83R, approving a principal forgiveness agreement with the Texas Water Development Board that forgives an amount not to exceed $685,839 out of $5,445,839 in principal funds to the city from the Clean Water State Revolving Fund to finance the construction of certain Wastewater System Improvements; authorizing the city manager or mayor to execute said agreement on behalf of the city; and declaring an effective date.

A motion was made by Mayor Pro-Tem Hughson, seconded by Council Member Gregson, to approve Resolution 2017-83R. The motion carried by the following vote:

For: 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against: 0

21. Consider approval of Resolution 2017-84R, approving a principal forgiveness agreement with the Texas Water Development Board that forgives an amount not to exceed $961,821 out of $1,961,821 in principal funds to the city from the Clean Water State Revolving Fund to finance the planning, acquisition and design of certain wastewater system improvements; authorizing the Interim City Manager or mayor to execute said agreement on behalf of the City; and declaring an effective date.

A motion was made by Mayor Pro-Tem Hughson, seconded by Council Member Gregson, to approve Resolution 2017-84R. The motion carried by the following vote:

For: 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Tem Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against: 0

22. Discuss and consider an appointment to fill vacancies on the Zoning Board of Adjustments, and provide direction to Staff.

The following applicants were nominated for consideration to serve on the Zoning Board of Adjustments:
Lisa Spencer - Nominated by Council Member Derrick
Gary Gooch - Nominated by Council Member Pewitt
Rick Henderson - Nominated by Council Member Prewitt

Following a roll call vote Rick Henderson, with a term ending February 28, 2019, and Gary Gooch, with a term ending February 28, 2018, received the majority of votes and were approved for appointment to the Zoning Board of Adjustments.
23. Discuss and consider an appointment to fill a vacancy on Senior Citizen Advisory Board, and provide direction to Staff.

A motion was made by Council Member Gregson, seconded by Deputy Mayor Pro Temp Prewitt, to approve the appointment of Wayne Schurter to the Senior Citizen Advisory Board. The motion carried by the following vote:

For: 7 - Mayor Thomaides, Mayor Pro-Tem Hughson, Deputy Mayor Pro Temp Prewitt, Council Member Mihalkanin, Council Member Gonzales, Council Member Gregson and Council Member Derrick

Against: 0

VI. Question and Answer Session with Press and Public.

None.

VII. Adjournment.

Mayor Thomaides adjourned the regular meeting of the San Marcos City Council at 8:12 p.m.

POSTED ON THURSDAY, APRIL 27, 2017 AT 11:15AM

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