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 5:31 p.m. Monday, October 2, 2017 in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666

II. Roll Call

Council Member Mihalkanin arrived after roll at 5:52 p.m.

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

A moment of silence was observed.

IV. Pledges Of Allegiance - United States And Texas

Council Member Derrick led the assembly in the Pledges of Allegiance.

PRESENTATIONS

1. Receive a presentation from Dr. Thomas Longoria: “Understanding Poverty in San Marcos, Texas: A Comparative Perspective.”

Dr. Thomas Longoria provided a presentation “Understanding Poverty in San Marcos, Texas: A Comparative Perspective.” Dr. Longoria stated the overall poverty rate in San Marcos was 37% in the 2010-2015 estimate, and when students are removed from the census data, this number falls to 23%. The non-student poverty rate in San Marcos is increasing, as it is in other large metro area suburbs. When students are taken out of the overall poverty statistics, only 1 census tract meets the definition of concentrated poverty, compared to 4 when students are included in the poverty statistics. He noted that San Marcos is becoming less distinctive as a college town compared to other major Texas college towns.
6:00 PM

V. 30 Minute Citizen Comment Period

Lisa Marie Coppoletta, stated that she would be requesting meetings with all Council Members regarding the mold and split screen issues. She spoke about her issues with the recent meeting that she had with the city manager about the split screen. She stated that she was told by Kristi Wyatt and Jared Miller that all citizen comments would have split screen, whether this was citizen comment or Public Hearings. She feels we have lost transparency with the new communication equipment that was installed. She referenced that the City Manager told her that all reasonable accommodations would be made. She says that if it becomes an ADA this will need to be discussed.

Roland Saucedo, addressed the Council about his concerns about the Residential Parking Program (RPP). He stated that a citizen was ticketed for parking in front of his house because he didn’t know the program had begun. He stated there is still no RPP coordinator, but he understands due to the strain on City Staff. He mentioned the Ordinance should state that anytime a citizen requests a petition staff would be responsible for posting a sign that notifies the neighborhood about this petition. He stated that this may need to go before the Neighborhood Commission for them to work on.

CONSENT AGENDA

A motion was made by Council Member Mihalkanin, seconded by Council Member Gregson, to approve the consent agenda. 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 approval, by motion, of the following meeting Minutes:
   A) September 15, 2017 - Packet Meeting Workshop Minutes
   B) September 19, 2017 - Regular Meeting Minutes

3. Consider approval of Ordinance 2017-55, on the second of two readings, amending the City’s 2016-2017 Fiscal Year Budget to include expenditures in the total sum of $25,000.00 from State Seized Asset Funds to provide matching funds for a grant received from the Office of the Governor, Criminal Justice Division to fund the conversion of the Police Department’s records management system from UCR summary data crime reporting to the National Incident-Based Reporting System (NIBRS); and providing an effective date.
4. Consider approval of Resolution 2017-147R awarding a contract to Interstate Electric, LLC for Pump and Motor Repair Services for the City Water/Wastewater Utilities Department; authorizing the Purchasing Manager to execute purchasing documents on behalf of the City in an amount estimated at $165,000 for Fiscal Year 2018; and declaring an effective date.

5. Consider approval of Resolution 2017-148R, approving an Interlocal Agreement between the City of San Marcos and the San Marcos Consolidated Independent School District for the City’s provision of Police Officers to the School District to serve as School Resource Officers; authorizing the City Manager or his designee to execute this agreement on behalf of the City; and declaring an effective date.

6. Consider approval of Resolution 2017-149R, approving the extension of the contract with McCamant Consulting, LLC for the provision of professional services related to wholesale power and utilities; authorizing the Purchasing Manager to execute the appropriate documents related to this contract extension on behalf of the City and declaring an effective date.

7. Consider approval of Resolution 2017-150R, approving a license agreement with NABI, LLC that allows Signage and Landscaping Improvements for Rancho Meat Market d/b/a Poco Loco at 2745 Hunter Road at 2745 Hunter Road to encroach into a public utility easement; authorizing the City Manager to execute the license agreement on behalf of the City; and declaring an effective date.

8. Consider approval of Resolution 2017-151R, approving an agreement with PIDWorks, LLC for Public Improvement District Formation and Administrative Services in connection with the Whisper Public Improvement District; authorizing the City Manager to execute the agreement on behalf of the City; and declaring an effective date.

9. Consider approval of Resolution 2017-152R rejecting a bid received in response to an invitation for bids for the Craddock Avenue Medians Improvements Project (IFB 217-397); and declaring an effective date.

NON-CONSENT AGENDA

10. Consider approval of Ordinance 2017-57, amending Section 2.370.25 of the San Marcos City Code to amend the meeting schedule of the San Marcos Youth Commission; including procedural provisions; and providing an effective date.

A motion was made by Mayor Pro-Tem Hughson, seconded by Council Member Mihalkanin, to approve Ordinance 2017-57, 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
11. Consider approval of Resolution 2017-135R, approving an Assignment and Assumption of License Agreement that assigns the license agreement with Carma Paso Robles, LLC for subdivision gateway improvements for the Kissing Tree Subdivision in the City’s right-of-way to the homeowners’ association for the subdivision; authorizing the City Manager to execute said agreement on behalf of the City; and declaring an effective date.

A motion was made by Deputy Mayor Pro Tem Prewitt, seconded by Council Member Gregson, to approve Resolution 2017-135R. 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

12. Consider approval of Resolution 2017-153R, approving a real estate sales contract for the purchase of approximately 20.61 acres of land located at 2240 Clovis Barker Road from James K. Wise Real Estate, Inc. at a price of $2,468,872, plus associated closing costs, for a future Public Services and Community Services Maintenance Facility; authorizing the City Manager to execute all closing documents necessary to complete such purchase; and declaring an effective date.

A motion was made by Mayor Thomaides, seconded by Council Member Derrick, to approve Resolution 2017-153R. 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

13. Discuss and consider an appointment to fill a vacancy on the following boards, and provide direction to staff:

A) Arts Commission
B) Parks and Recreation Board
C) Zoning Board of Adjustments

The following applicants were nominated for consideration to serve on the Arts Commission:
Anita Collins - Nominated by Council Member Mihalkanin
Stephanie Nelson - Nominated by Mayor Thomaides

Following a roll call vote Anita Collins received a majority of council votes and was appointed to the Arts Commission.

Eric Gilbertson was nominated by Mayor Pro Tem Hughson for consideration
to serve on the Parks Board.

Following a roll call vote Eric Gilbertson was unanimously approved for appointment to the Parks Board.

Wayman Jones was nominated by Council Member Gregson for consideration to serve on the Zoning Board or Adjustments.

Following a roll call vote Wayman Jones was unanimously approved for appointment to the Zoning Board of Adjustments.

14. Discuss and consider appointments to the La Cima subcommittee, and provide direction to Staff.

Council directed Staff to move forward with a subcommittee for discussion purposes. Council Member Prewitt also asked that this committee abide by Resolution 2015-165R, and if not the committee would need to present their reasons to council.

A motion was made by Council Member Gregson, seconded by Council Member Derrick, to approve the appointment of Council Member Prewitt, Council Member Gregson, and Council Member Derrick to serve on this subcommittee. 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

15. Hold discussion regarding regulation of the distribution and display of magazines and other printed materials in the public right-of-way, and provide direction to Staff.

Kevin Burke, provided the Council with a presentation regarding the distribution and display of magazines and other printed materials.

In March 2017, staff conducted an inventory of existing magazine racks located in the public right-of-way within the Main Street District boundary. The existing racks were found to be in varying states of disrepair.

The distribution of newspapers and magazines is a form of speech protected by the First Amendment; however, cities may establish reasonable time, place and manner restrictions on this form of speech. The City does not have any such restrictions in place at this time.
Mr. Burke provided some options to the City Council to consider and stated City Council may regulate by Ordinance, the location, permitting, maintenance, abandonment and number of allowed magazine racks. Staff provided the recommendation to develop a draft Ordinance for Council consideration. The options provided for Council to consider include the following:

#1 Vendor supplies its own rack and its own style.
#2 Vendor supplies its own rack that meets specifications established by the City.
#3 City supplies a display "corral" within which separate vendor racks are contained.
#4 City supplies a consolidated rack from which all vendors must display their publications.

Council provided direction to move forward with Option #4 in the downtown area and Option #2 outside the downtown area.

16. Hold discussion regarding the US Conference of Mayor’s Climate Action Agreement and Friendly City Initiative, and provide direction to Staff.

Mayor Thomaides provided the Council with a presentation regarding the US Conference of Mayor’s Climate Action Agreement and Friendly City Initiative.

Council provided direction to move forward with this Initiative. A future discussion related to next steps, scope, community involvement will be placed on an upcoming agenda. City Manager Bert Lumbreras would like to have council define what the community group role will be and what level of expertise is expected from this group. Staff will reach out to other large entities in our community, such as the San Marcos Consolidated Independent School District, Texas State, and Hays County and see what steps they are currently taking.

17. Hold discussion regarding the establishment of an Innovation District in Downtown San Marcos, and provide direction to Staff.

Mayor Thomaides provided the Council with a presentation regarding the establishment of an Innovation District in Downtown San Marcos.

After council discussion consensus is to move forward with this initiative. An Innovation District Advisory Board was discussed that would consists of not only the larger entities within our community but also the private sector, business incubators, co-working space, and Gary Job Corp. Staff will do some initial assessments and will come back to get additional direction from
18. Hold discussion regarding the US Conference of Mayor’s Compact to Combat Hate; and provide direction to Staff.

Mayor Thomaides provided the Council with an overview regarding the US Conference of Mayor’s Compact to Combat Hate. Police Chief Chase Stapp provided the Council with the 6 pillars of 21st Century policing. He provided that they have taken steps to enhance the level of trust between our officers and citizens. He stated they host community outreach events and forums around town, coffee with a cop open forum, and every day outreach. He stated that they plan to print targeted brochures and host 3 or 4 very large outreach events where they cook for folks and people will come out and share what concerns they have on their minds. He stated that the extra $50,000 that the Council recently approved in the budget will go to fund those events. Council Member Derrick mentioned having an anti-discrimination policy related to funding being provided to sub-recipients. Council provided direction to move forward with bringing back a resolution on a future agenda.

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 8:25 p.m.