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 5:30 p.m. Tuesday, October 17, 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 Saul Gonzales, Council Member Ed Mihalkanin, Council Member Scott Gregson and Council Member Melissa Derrick

III. Invocation

Pastor Elshoff with New Life Christian Church provided this evening’s invocation.

IV. Pledges Of Allegiance - United States And Texas

Lina Hartoin, a 3rd grade student at Texas Preparatory School - San Marcos, led this evening’s invocation.

PRESENTATIONS

1. Receive a Staff presentation and hold discussion regarding the Historic Resources Survey Project Scope, and provide direction to Staff.

Alison Brake, City Planner and Historic Preservation Officer, provided the City Council with a presentation regarding the Historic Resources Survey Project Scope.

The Scope deliverables include:
- Evaluation and update of all existing surveys
- New survey information compiled into one comprehensive database
- Survey Plan with recommendations for new or expanded areas
- Districts and Landmark designations
- Final report detailing process, methodology, and inventory
- Public outreach component including public meetings
Ms. Brake explained that there are two levels to the surveys.

Reconnaissance
• A “once over lightly”
• Most useful for characterizing an areas resources in general
• Basis for future efforts

Intensive
• Close and careful
• Involves detailed background research, inspection and documentation in the field
• Identifies precisely and completely all historic resources in the area

Council agreed with the recommended areas for each of the levels and an outreach survey to the property owners.

6:00 PM

V. 30 Minute Citizen Comment Period

Karen Munoz, addressed the Council regarding Item #9 and applauded the Council for bringing this forward. She spoke about a person that is appointed and is in a position of power on a School District committee. Ms. Munoz said she has seen and witnessed hateful, racist, and bigoted speech from this person. The School Board became aware of this hateful rhetoric and has denounced these types of comments. Ms. Munoz spoke about Ms. Naomi Narvaiz' service on the Ethics Commission and feels that the council should vet these positions better. Ms. Munoz feels Ms. Narvaiz does not represent the whole community but just a segment and shouldn't be eligible to serve on the Ethics Commission.

Jordan Buckley, addressed the council and read numerous tweets from Ethics Commissioner Naomi Narvaiz. He continued reading tweets and posts from Ms. Narvaiz. He asked the Mayor and council to make a statement and to denounce Ms. Narvaiz' statements.

CONSENT AGENDA

A motion was made by Mayor Pro-Tem Hughson, seconded by Council Member Gregson, to approve the consent agenda with the exception of #2A, which was postponed to the November 8, 2017 Regular City Council meeting and item #9, which was pulled and considered separately. The motion carried by the following vote:
2. Consider approval, by motion, of the following meeting Minutes:
   A) September 27, 2017 - Code SMTX Workshop Meeting Minutes
   B) September 29, 2017 - Packet Meeting Workshop Minutes
   C) October 2, 2017 - Regular Meeting Minutes

3. Consider approval of Ordinance 2017-57, on the second of two readings, 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.

4. Consider approval of Resolution 2017-154R, approving a Resolution by the Board of Directors of the Alliance Regional Water Authority and approving other related matters.

5. Consider approval of Resolution 2017-155R, approving the purchase of seven R-Mag Circuit Breakers (part number MB11136LLMH5SBL4) and one R-Mag Circuit Breaker (part number MB11236VVMH5SBL4) for the Public Services Department-Electric Utilities Division from Wesco Distribution, Inc. through the Texas Cooperative Purchasing Network Contract #R142106 for Maintenance, Repair, and Operations (“MRO”) Supplies and related services in the total amount of $136,002.00; authorizing the City Manager or his designee to execute the appropriate purchasing documents on behalf of the City; and declaring an effective date.

6. Consider approval of Resolution 2017-156R, approving the annual renewal of the Maximo (computerized maintenance mgmt. system) License with IBM under DIR-SD-2108 in the amount of $52,812.20; authorizing the City Manager to execute the appropriate documents related to the renewal of this agreement; and declaring an effective date.

7. Consider approval of Resolution 2017-157R, approving the annual renewal of the Microsoft Enterprise Agreement with SHI under DIR-SDD-2503 for software licenses in the amount of $269,324.50; authorizing the City Manager to execute the appropriate documents related to the renewal of this agreement; and declaring an effective date.

8. Consider approval of Resolution 2017-158R, approving a contract between the City and Hays County for the City’s provision of Library Services to residents of Hays County; authorizing the City Manager or his designee to execute the contract on behalf of the City; and declaring an effective date.

9. Consider approval of Resolution 2017-159R, adopting the U.S. Conference of Mayor’s Compact to Combat Hate, Extremism, and Bigotry; and declaring an effective date.

A motion was made by Council Member Mihalkanin, seconded by Mayor
Pro-Tem Hughson, to approve Resolution 2017-159R. Council discussed some of the next steps to carry out the items in the Resolution. City Manager Lumbreras stated that he will report back staff recommendations. 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

PUBLIC HEARINGS - 7:00 PM

10. 7:00PM Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2017-58, amending Chapter 4, Article 3 of the Land Development Code, Subpart B, and Section 1.5.4 of the San Marcos Smartcode, Subpart C, of the City Code, by adding requirements for the City Council’s approval of a Conditional Use Permit or a Warrant for Purpose Built Student Housing, including the requirement that, as a condition of the approval, the lease offered to a student shall incorporate provisions ensuring that, when a rental unit is unavailable for occupancy as of the first day of the lease term, the landlord will provide temporary alternate housing or allow the student to terminate the lease without penalty; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date; and consider approval of Ordinance 2017-58, on the first of two readings.

Shannon Mattingly, Director of Planning and Development Services, provided a brief presentation regarding additional requirements for the City Council’s approval of a Conditional Use Permit or a Warrant for Purpose Built Student Housing, including the requirement that, as a condition of the approval, the lease offered to a student shall incorporate provisions ensuring that, when a rental unit is unavailable for occupancy as of the first day of the lease term, the landlord will provide temporary alternate housing or allow the student to terminate the lease without penalty.

Mayor Thomaides opened the Public Hearing at 7:07 p.m. There being no comments, the Mayor closed the Public Hearing at 7:08 p.m.

Council consensus was to bring the (already) formed subcommittee together to further discuss these issues and provide a recommendation to council at a future date.

A motion was made by Council Member Derrick, seconded by Mayor Pro-Tem Hughson, to approve Ordinance 2017-58, on the first of two readings. The motion carried by the following vote:
11. 7:00PM  Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2017-160R approving Substantial Amendment No. 4 to the Community Development Block Grant-Disaster Recovery (CDBG-DR) Action Plan to include an additional allocation of CDBG-DR funding as published in the August 7, 2017 Federal Register in the amount of $8,714,000 for a total of $33,794,000 in CDBG-DR funding; approving the allocation of the use of CDBG-DR funding to projects and activities; authorizing the City Manager to act as the official representative of the City in matters related to the CDBG-DR Program and Action Plan; and declaring an effective date; and consider approval of Resolution 2017-160R.

Stacy Brown, Housing and Community Development Manager, provided the City Council with a presentation regarding substantial amendment no. 4 to the Community Development Block Grant-Disaster Recovery (CDBG-DR) Action Plan.

Mayor Thomaides opened the Public Hearing at 7:41 p.m.

Those speaking:
Gloria Salazar, 1614 Mockingbird Dr, addressed the Council as the president of the San Marcos Housing Authority. She read a prepared statement that the Housing Authority has an unmet need due to the diversion of funds to the repairs from the flood. They submitted an application in June and they have not heard anything regarding their application. She stated they are allowed to receive CDBG funding and they are looking to recoup the cost used to make the repairs.

Albert Sierra, echoed the chair Salazar's statements. He is asking for the reimbursement of the funds that they were forced to expend due to the response. They did everything that they were supposed to do and they were cleared by FEMA, small projects were done, mold remediation. They have almost 80% complete, but more needs to be done to reach people than just social media. They need to go out and reach people to tell them what they are eligible for. He stated that he doesn’t think that people understand what they are eligible for and these people need help and a lot of people don’t know. Over 1200 homes were damaged in the 2015 floods. It’s only a matter of time before it happens again. We need to address the needs of the residents.

Lorraine Burleson, 1109 Barbara Drive, addressed the Council regarding
homes on Conway. She stated there is anything being done with some of the homes. Some of the homes in that neighborhood haven’t been checked for mold or mildew. She is trying to get as much information out as possible. She noted that people have gotten their homes into livable conditions, but a lot of work still needs to be done. She wishes everyone could qualify and Blanco Gardens needs assistance.

Roland Saucedo, 211 Ebony Street, shared the concerns of all of the people that have spoken previously. He applauded the efforts of Ms. Browne and the staff, and recognizes they are trying to get to everyone. Mr. Saucedo apologized that people feel communications have fallen short, but he feels staff has done as much as they can. However, other measures can be taken. He noted that literature from the City is often overlooked and it may not be reaching the residents like they could.

There being no further comments, the Mayor closed the Public Hearing at 7:55 p.m.

A motion was made by Council Member Gregson, seconded by Council Member Mihalkanin, to approve Resolution 2017-160R. 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

NON-CONSENT AGENDA

12. Consider approval of Ordinance 2017-56, on the first of two readings, amending Chapter 74 of the Code of Ordinances to add a new Article 7 to provide a framework for the deployment of Network Nodes and Node Support Poles in the right-of-way by Network Providers in accordance with Senate Bill 1004 codified as Texas Local Government Code Chapter 284; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

Main Motion: a motion was made by Mayor Pro-Tem Hughson, seconded by Council Member Gregson, to approve Ordinance 2017-56, on the first of two readings.

Motion to Amend: a motion was made by Mayor Thomaides, seconded by Council Member Gonzales, to amend Ordinance 2017-56 by adding Roosevelt Street and Patton Street to the Design District because they also have decorative street lighting fixtures. The motion carried by the following vote:
Tom Taggart, Executive Director of Public Services, provided the City Council with an overview presentation regarding the deployment of Network Nodes and Node Support Poles in the right-of-way by Network Providers in accordance with Senate Bill 1004 as Texas Local Government Code Chapter 284.

Main Motion: to approve Ordinance 2017-56, on the first of two readings, as amended. 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. Consider the appointment of an ad hoc Extraterritorial Jurisdiction (ETJ) member to the Impact Fee Advisory Committee, and provide direction to Staff.

A motion was made by Mayor Pro-Tem Hughson, seconded by Council Member Mihalkanin, to postpone this appointment to the November 8, 2017 Regular City Council meeting. The motion carried by the following vote:

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

Against: 0

Absent: 1 - Council Member Gonzales

14. Discuss and consider an appointment to fill two vacancies on the San Marcos Youth Commission, and provide direction to Staff.

Council Member Derrick nominated Isabella de la Iglesia
Council Member Prewitt nominated William R. Hutchinson
After a roll call vote, both candidates were appointed to the San Marcos Youth Commission.

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

Against: 0

Absent: 1 - Council Member Gonzales

15. Hold discussion regarding the transfer of City Council compensation funds out of the General Fund to another City fund, and provide direction to Staff.
Council provided direction to move forward with bringing back budget amendments for Dr. Mihalkanin and Ms. Hughson's unused stipend to the drainage fund as a policy matter.

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.

Jamie Lee Case, TRMC, City Clerk                                      John Thomaides, Mayor