



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes City Council

Tuesday, August 20, 2019

6:00 PM

City Council Chambers

630 E. Hopkins

I. Call To Order

With a quorum present, the regular meeting of the San Marcos City Council was called to order by Mayor Hughson at 6:02 p.m. Tuesday, August 20, 2019 in the City Council Chambers, 630 E. Hopkins, San Marcos, Texas 78666.

II. Roll Call

Present: 7 - Mayor Pro Tem Lisa Prewitt, Council Member Saul Gonzales, Council Member Melissa Derrick, Mayor Jane Hughson, Council Member Ed Mihalkanin, Council Member Joca Marquez and Council Member Mark Rockeymoore

III. Invocation

Pastor Dr. Chad Chaddick with First Baptist Church, San Marcos provided this evening's invocation.

IV. Pledges Of Allegiance - United States And Texas

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

V. 30 Minute Citizen Comment Period

Greg Clayton, spoke of his concerns regarding the ban on concealed handguns. He provided that license holders are individuals that have been vetted and are considered trustworthy. He stated that the council is placing gun violence at the feet of law-abiding citizens. He stated that only the unlawful will have guns. He stated that people that use guns defensively are less likely to be harmed than people that use other forms of protection. He provided that data shows that concealed carry permit holders are far less likely to break the law. He stated that the safest place for the firearm is on the person licensed to carry it. He asked the Council to think through this and he thinks they will be making a wrong decision if you approve this Resolution.

Lisa Marie Coppoletta, spoke in regards to the metal detector and the lack of mold testing at City Hall. She stated that the Mayor noted at the last meeting that the Capital has a fast track through the metal detector if a citizen has a concealed carry license. She then stated that the City Manager lives in a gated

community but he built a sidewalk on her block which will increase crime on her street. She then spoke in regards to the 17-story building that is being constructed at the University and asked how the fire fighters would fight these fires. She stated that the voters rights issue is getting out of hand, at the point where we think students are disenfranchised and oppressed. We have people that are seniors and people of color that can't get their polling locations. You need to situate yourself and know who your target voting audience is and who the true victims are, which are the Latinos, Hispanics, and African Americans of this community.

Rachel Malone, represents Gun Owners of America, spoke on the concealed carry resolution. She stated about 11 years ago she was unaware that people even carried guns. How could someone use a gun to protect their lives. She provided her story and explained that she feels safer carrying a gun. She provided data that involved felons and how they were not likely to attack someone they thought had a gun and even less likely to attack if they saw a gun. She stated that a lot of mass shootings occur at locations where guns are prohibited. Guns are used far more often to protect than to harm life. She stated that guns can go undetected through metal detectors at times.

Sara Lee Underwood-Myers, thanked everyone for doing what they do and that she stated that we will be talking about the vote. She is here on agenda item #4 and #5 and she asked who put these items on the agenda. She is wanting to know who is pushing these forward. She stated that she appreciates the comments made by Greg Clayton and Rachel Malone. She stated that she is floored that the Hays County Government Center security always make her take her finger nail file out to her car. She stated that she is not licensed to carry. She stated that we have to continue with our right to carry and it is bad policy to pass. She stated that she will be listening to the VeoRide item, she wants them to have more control over the bikes that are left in their neighborhood.

Kelly Stone, addressed the Council about their vote that occurred in March of 2016 to remove Cape's Dam, but it is still there. She spoke about metal detectors and her hate of guns. She stated that she always carries a pocket knife, but when she goes to the Hays County Government Center she is unable to carry this. She doesn't want more deterrence. She said that people are going to have their guns, they just do. She stated that the Council was going to have a special meeting six months ago. The dam is still there and she stated that we do not borrow the Earth from our ancestors, but rather our children. The eyes of the future that are looking back we need to make sure they are stuck in our

own time, we need to look to the future. She asked Council to stay focused and take care of our planet.

Anthony Cross, affiliated with MoveSM and he is here to comment on Item #5. He commended the City on working with the University to bring a dockless bike share to San Marcos. This is a great transportation alternative. He stated that the overall service he has received from VeoRide has been great. He believes the ridership is pretty robust. He stated that he watched the last meeting and understands some of the concerns that were brought up regarding VeoRide. He said cancelling the contract will be like throwing the baby out with the bathwater. These issues can be fixed. He stated that moving to a docked bike service would cost more and would cause more problems to the users. He stated that VeoRide program has done good, and the concerns are legitimate, but fixable. He strongly encouraged the Council to approve the contract.

John David Carson, stated he was disheartened that the Council postponed the VeoRide item at the last meeting. He provided that more people use VeoRide than the Bus. He provided a great deal of study information. There are some issues to be addressed but please keep in mind the visual clutter and poor user behavior and environmental damage made by cars are too numerous for most people to notice anymore. This service provides low cost transportation and is easy on the environment. He stated that the dockless biking system allows more diverse ridership and it this is cost effective for a city to roll out. He stated that VeoRide rolled out E-bikes just a few months ago. He encourages the City to take on more of a partnership with VeoRide. He stated that there were some negative comments made at the last meeting about VeoRide, but he shared a positive story that he was able to get a VeoRide from downtown after bus services were no longer running that evening. He stated that there are thousands of other stories where VeoRide has helped citizens get around town and he encourages Council to continue the partnership.

Mike Scheiern stated that he attended the Workforce Housing Taskforce and he was sad to see that Texas State was not part of the working group. He stated that the Chancellors office needs to be involved. He stated that if a university is trying to aspire to be a National university that they should have a good student housing program. He quoted someone that stated "gentlemen we are all out of money, so we must now think." You can use the entire City budget on housing, but do you really create the opportunity to get people out of housing? He spoke about how a lot of the Council is in education and this demonstrates your beliefs that individuals are best served by improving their

knowledge level through their own growth. Public housing is usually given to those in lower income brackets and its difficult to solve this, but people have to be personally responsible.

Roland Saucedo, thanked the Mayor, Council and City Staff, he provided that all of the arguments related to Item #4 were valid points. He stated that he grew up around guns, but he doesn't see the need to bring them to a meeting. Although it makes someone feel safe it makes him feel uncomfortable. He suggested that the Council defer this issue to their boards and commissions for further discussion. He stated that he hopes we aren't moving towards metals detectors. Lastly he stated his support for Item #5 and that VeoRide has been great to work with.

Samantha Bagley, spoke about the proposals made by the Workforce Housing Taskforce. There is a huge omission from their recommendation and this is property taxes. She stated that affordable housing starts with affordable property taxes. In two years her mortgage has increase \$200.00 per month. She stated that this is unsustainable and outrageous. Renters are effected by this as well. The City, County and especially the School district need to quit using property owners as money trees. You are taxing people out of their homes, she stated that property taxes need to be lowered. Perhaps the government should live within its means. She asked where the school districts, city's and county's sacrifices were? She stated that lowering property taxes would allow current property owners to keep their homes and home ownership would be more attainable for those that dream to own their own home. This increase in home ownership would actually increase property tax revenue, this is basic economics.

Naomi Narvaiz, addressed the Council and asked them to vote against the item to ban concealed carry for license holders. Just like voting it is a right that is not negotiable. She stated that we do not have enough police officers patrolling our streets. The Police Department is always recruiting and crime continues to rise as San Marcos continues to grow. She stated that it is not right to place the officer in a dangerous situation at our meetings, because if a bad guy walks into a meeting and knows that only one person is armed, who do you think they will target first? She doesn't believe she received an answer regarding Council's plan on having an officer at every Board or Commission. She stated that there are 26 board or commissions and if this Ordinance is passed wouldn't this require an officer to be present at every meeting? She responded to a comment made at the last meeting that said volunteers that serve on the City Boards and Commission shouldn't have to worry about someone walking

into their meeting with a gun in their hand. She said that no one has a right to walk in with a gun in their hand. If you see someone with a gun in their hand, you better take cover or return fire. Please uphold our 2nd amendment right and vote against this item.

Mike Cox, spoke as a licensed to carry instructor. In 1995 when the license to carry law went into effect, it mandated that the Department of Public Safety (DPS) compile demographic information and a listing of all license to carry individuals. He stated a sign will not stop a violent criminal shooter. Nothing in the State law requires local governments to enforce such restrictions, and gun free zones only serve to disarm law abiding citizens. You are targeting the wrong individuals. What incidents can the council point to involving License To Carry (LTC) holders that is driving this change? What other safety measures is council prepared to utilize to ensure bad guys don't enter these meetings? He stated that the Texas State Capital, where meetings are held, allows LTC holders to carry. In the 25 years since this law took effect, there has been no incidents involving LTC in that building. Please preserve the same freedom and right to self defense here in San Marcos.

Jessica Thibodeaux, addressed the City Council and the City regarding our environment. She stated people are supposed to have varying perspectives on how to improve our quality of life. Her perspective is that humans are adaptable to change and we must remain open minded. Some citizens may mourn the loss of City street lanes that cater to their cars, some may not enjoy oil pipelines being rejected nearby, and others may fear a new green deal. She doesn't believe anyone is here to allow fear to take over our opportunity for sustained happiness. With plans in the new green deal, we can have our citizens adapt to a new way of living that will result in less pollution, less congestion and more innovation within our City. She told Council not to feel guilty about asking our citizens to adapt and learn something new. Let's be open, creative and be willing to learn. Let's be an example of productive change of all the major cities around us. Don't worry we will be alright, we will be even better.

Marla Johnson, Hays Caldwell Women's Center Executive Director, thanked the Council for being supportive of their transitional housing that will be utilized by victims of abuse.

Gabrielle Moore, spoke in support of the VeoRide contract. She stated that there have been more bikes used than the CARTS bus system. She stated information regarding docked bikes vs. dockless system. It is estimated that we would need 10-15 stations of docked bikes if we were to go that route. She

stated that she has heard complaints about the visual clutter of these bikes but these typically come from non bicycle riders. She believes cars create more clutter and noise of the City. She stated that VeoRide immediately sends push notifications to the user when they check-out a bike and reminds the user how to properly park the bike and to keep it out right-of-ways. There are few transportation options that we give to our citizens beside cars. She asked that we please renew the VeoRide Contract.

Rick Briscoe, spoke against Item #5 and respectfully submitted that it is a poor public policy. He stated that the Texas Capital allows License to Carry (LTC) holders to enter into the Capital and they have done so since 1997 without incident. He provided statistics related to the percentage of criminal offenses committed by police officers over the years is at a rate of 1.8%-2% and LTC holders on contrast is 0.2%-0.4%, the purpose of pointing this out is that most people believe that commissioned peace officers are law abiding citizens and he stated so are LTC holders. As an LTC holder, a person would need to leave their firearm in their vehicle during a public meeting where it is subject to theft and often they have to walk back at night where they will be unarmed. He stated the conclusion is that LTC holders are not a threat to this council or the community. He stated that a fact based analysis or risk assement of purchasing metal detectors and hiring more officers would suggest the cost does not justify the expenditure of public funds. He requested that the council vote no on this proposal.

CONSENT AGENDA

A motion was made by Council Member Gonzales, seconded by Council Member Rockey Moore, to approve the consent agenda with the exception of items # 4, 5, 15, 16, 17, which were pulled and considered separately. Mayor Pro Tem Prewitt abstained from voting on item #7 and Council Member Mihalkanin abstained from voting on item #10. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockey Moore

Against: 0

1. Consider approval, by motion, of the following meeting Minutes:
 - A. February 5, 2019 - Work Session Minutes
 - B. June 18, 2019 - Work Session Meeting Minutes
 - C. August 6, 2019 - Regular Meeting Minutes
2. Consider approval of Ordinance 2019-20, on the second of two readings, appointing an

associate Municipal Court Judge for the San Marcos Municipal Court of Record for a term of two years; and providing an effective date.

3. Consider approval of Ordinance 2019-21, on the second of two readings, amending the City's 2018-2019 Fiscal Year Budget to allocate a total amount not to exceed \$689,500 from General Fund to provide funding for facility maintenance, software licenses, IT equipment, building security, and Hays Caldwell Woman's Shelter and providing an effective date.
4. Consider approval of Resolution 2019-138R, forbidding persons licensed to carry a handgun, from carrying a handgun, regardless of whether the handgun is concealed or openly carried, in any room or rooms, including but not limited to the City Council Chambers, where the City Council or any City Board, Commission, Committee or Body is meeting in an Open Meeting subject to the Texas Open Meetings Act; authorizing the City Manager, the City Clerk, their designees and any other officers, employees or appointees responsible for such meetings to provide notice of such handgun restriction in accordance with Sections 30.06 and 30.07 of the Texas Penal Code; and declaring an effective date.

A motion was made by Council Member Mihalkanin, seconded by Council Member Rockey Moore, to approve Resolution 2019-138R.

After discussion, Council consensus was to hold a future work session to further discuss safety issues.

The motion failed by the following vote:

For: 1 - Council Member Marquez

Against: 6 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin and Council Member Rockey Moore

5. Consider approval of Resolution 2019-139R, approving a renewal contract with VeoRide Inc., for the provision of a Dockless Bike Share System with the option to renew the contract for up to three additional one year terms; authorizing the City Manager or his designee to execute the appropriate documents on behalf of the City; and declaring an effective date.

A motion was made by Council Member Derrick, seconded by Council Member Mihalkanin, to approve Resolution 2019-139R.

Lee Hitchcock, Interim Assistant Director of Community Services, provided a brief update on VeoRide Inc. regarding the provision of a Dockless Bike Share System. Council will receive a report in 90 days regarding mitigation techniques that have occurred to keep bikes off right of ways. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

6. Consider approval of Resolution 2019-143R, approving an agreement with BGE, Inc. for the provision of professional engineering services for the Briarwood and River Ridge Improvements Project in the estimated amount of \$124,035.00; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.
7. Consider approval of Resolution 2019-144R, approving an Agreement with K Friese & Associates, Inc. for the provision of Professional Engineering Services for the Midway Wastewater Improvements Project in the estimated amount of \$89,770; authorizing the City Manager or his designee to execute this agreement on behalf of the City; and declaring an effective date.
8. Consider approval of Resolution 2019-145R, approving the award of a construction contract to Keystone Construction for the reclaimed water expansion project in the total amount of \$892,060.00; authorizing the City Manager or his designee to execute the appropriate documents related to this contract on behalf of the City; and declaring an effective date.
9. Consider approval of Resolution 2019-146R, approving the terms and conditions of an Interlocal Agreement between the City of San Marcos and Hays County for the continuation of the Hays County Narcotics Task Force; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.
10. Consider approval of Resolution 2019-147R, approving an amended Interlocal Agreement between the City, Hays County, Texas State University, the City of Kyle, and the City of Buda for joint operation of the Hays County Special Weapons and Tactics (SWAT) Team; authorizing the City Manager, or his designee to execute the agreement on behalf of the City; and declaring an effective date.
11. Consider approval of Resolution 2019-148R, approving an Interlocal Agreement with the San Marcos Consolidated Independent School District (SMCISD) for the City's provision of Police Officers to the School District to serve as School Resource Officers; authorizing the City Manager to execute said agreement on behalf of the City; and declaring an effective date.
12. Consider approval of Resolution 2019-149R, approving a contract with SHI Government Solutions, Inc. through the State Department of Information Resources Contract (DIR-TSO-4092) for Microsoft Enterprise Software Licenses in the annual estimated amount of \$280,759.37; authorizing the City Manager or his designee to execute the agreement on behalf of the City and three additional one-year renewals; and declaring an

effective date.

13. Consider approval of Resolution 2019-150R, approving a contract with Troy Scott Najjar doing business as Evergreen Southwest for Micro-Solve Chemical product to be used in the City's Sanitary Sewer Collection System in the estimated annual amount of \$70,000; authorizing the City Manager or his designee to execute the contract on behalf of the City; and declaring an effective date.
14. Consider approval of Resolution 2019-151R, approving a change in service to the agreement with Online Utility Exchange services providing for web-based services related to the vetting of new utility account applicants to add additional services and support at a cost of \$17,000; authorizing the City Manager or his designee to execute the appropriate documents to implement the change in service; and declaring an effective date.
15. Consider approval of Resolution 2019-152R, approving an Election Services Agreement with the Hays County Elections Administrator, for her provision of Election Services for the City's General Election to be held on November 5, 2019 and, if necessary, a Runoff Election to be held in accordance with State law; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

A motion was made by Council Member Mihalkanin, seconded by Council Member Derrick, to approve Resolution 2019-152R.

Discussion was held regarding training of the new equipment and a demo will be set up by the County at various locations. A training video will be made and placed on our website so citizens can view. Council would like staff to reach out to our senior community to make sure they are aware if the new process as well.

Council would like make sure the City is more involved in the process in the following year with the possibility of utilizing the Legislative Committee to further these discussions.

The motion to approve carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

16. Consider approval of Resolution 2019-153R, approving the terms and conditions of a Joint Election Agreement between the City of San Marcos and Hays County for the holding of a joint election on November 5, 2019; authorizing the City Manager to execute the agreement on behalf of the City; authorizing the City Manager and City Clerk to negotiate minor revisions to this agreement; and declaring an effective date.

A motion was made by Council Member Mihalkanin, seconded by Council Member Derrick, to approve Resolution 2019-153R. The motion to approve carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

17. Consider approval of Resolution 2019-154R, approving a contract with the Fence Lady, Inc. for renovations to the Activity Center Natatorium in the amount of \$438,032.54 through the Choice Partners Purchasing Cooperative (Contract #18/029JN-14); authorizing the City Manager to execute the agreement on behalf of the City; and declaring an effective date.

A motion was made by Mayor Pro Tem Prewitt, seconded by Council Member Mihalkanin, to approve Resolution 2019-154R. Council asked for the anticipated time of completion for this project. Drew Wells, Interim Director of Community Services stated 120 days but they do not anticipate it taking this long. There is a clause in the contract for liquidated damages (cash penalty) if they exceed these 120 days. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

18. Consider approval of Resolution 2019-155R, authorizing the Mayor to execute a Deed without warranty from the City of San Marcos, as trustee for each taxing unit, conveying to the City of San Marcos Lot 77, South End Addition, for the sum of \$100.00; setting aside and authorizing the sale of such lot for the relocation of a qualifying family displaced by the 2015 floods under the CDBG-DR Grant Program; and declaring an effective date.
19. Consider approval of Resolution 2019-156R, supporting the submission of a Texas Commission on Environmental Quality (TCEQ)/ United States Environmental Protection Agency (EPA) 319 Grant proposal for Watershed Protection Plan (WPP) Water Quality Measures to the Texas Commission on Environmental Quality; and declaring an effective date.
20. Consider approval of Resolution 2019-157R, authorizing the City of San Marcos to form an Urban Transit District as allowed under Chapter 458 Rural and Urban Transit Districts, of the Texas Transportation Code; and providing an effective date.
21. Consider approval of Resolution 2019-158R, approving a change in service to the contract with KGA Architecture relating to the renovation of the Police Department building by increasing the amount of the agreement by \$504,400 to add design and construction administration services; authorizing the City Manager or his designee to

execute the appropriate documents to implement the change in services; and declaring an effective date.

PUBLIC HEARINGS

22. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2019-22, setting the Tax Rate for the 2019 Tax Year at 61.39 cents on each \$100 of taxable value of real property that is not exempt from taxation; levying taxes for the use and support of the Municipal Government of the City for the fiscal year beginning October 1, 2019, and ending September 30, 2020; providing a sinking fund for the retirement of the bonded debt of the city; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2019-22, on the first of two readings.

Melissa Neel, Assistant Director of Finance, provided a brief update regarding the Tax Rate for 2019.

Mayor Hughson announced that State Law requires that the City hold two public hearings on the City's proposed tax rate. The city council set a proposed maximum tax rate of 61.39 cents per hundred during adoption of the City's budget policy. This proposed tax rate was published in the local newspaper on August 11, 2019 and has been viewable on the home page of the city's website as required.

This agenda item is the first public hearing on the tax rate and Council's vote to approve the tax rate on first reading. The second public hearing is scheduled for September 3 during the City Council's regular meeting. Council is scheduled to approve the second reading of the tax rate Ordinance during its regular meeting on September 17.

Mayor opened the Public Hearing at 9:53 p.m.

There being no comments, the Mayor closed the Public Hearing at 9:53 p.m.

Mayor Hughson asked for a motion that reads as follows:

"I move that the property tax rate be increased by the adoption of a Tax Rate of 61.39 cents per hundred, which is effectively a 7.9 percent increase in the tax rate."

Council Member Mihalkanin motioned and Council member Derrick seconded to approve on first reading. The motion carried by the following vote:

For: 6 - Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 1 - Mayor Pro Tem Prewitt

- 23.** Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2019-159R, providing no objection to the submission of an application for low income housing tax credits to the Texas Department of Housing and Community Affairs for the proposed Redwood Multifamily Housing Project located in the 1600 Block of Redwood Road; approving findings related to the application; imposing conditions for such non objection; providing authorizations for execution or submission of documents related to the application; and declaring an effective date; and consider Resolution 2019-159R.

Shannon Mattingly, Director of Development Services, provided a brief presentation that outlined the distance to various services, zoning and summary of the project.

Ms. Mattingly provided the summary of criteria met and per Housing Policy, at least 6 out of 9 criteria outlined below, including criteria #1 must be met in order to receive a staff recommendation for a resolution of support.

#1 No exemption from local taxes is provided

#2 Addresses a housing need identified in this housing policy or in the City's HUD programs

#3 The project is located in a high or medium intensity zone on the Preferred Scenario Map

#4 The project is not proposed to develop under a legacy district on the City's current zoning map.

#5 The project is located within a ½ mile walking distance to grocery, medical services, and schools.

#6 The project is located within .25mi walking distance of a proposed or existing bus stop on a current or planned transit route.

#7 The project is renovating or redeveloping an existing multifamily complex or under-performing development.

#8 The project is mixed income and provides at least 20% market rate units.

#9 The project incorporates wraparound support services that provide flexible voluntary social, economic, or

education benefits to the residents

Based on the criteria outlined in the City of San Marcos Affordable Housing Policy, the application meets 5 out of the 9 criteria and does not meet criteria #1.

Staff recommends denial of the Resolution of No Objection for the proposed Redwood application to the Texas Department of Housing and Community Affairs for Low Income Housing Tax Credits.

Jake Brown, Project Manager with LGD Development, provided the reasoning why criteria was not met on items #1, 6, 7, and 8.

A motion was made by Council Member Mihalkanin, seconded by Council Member Rockey Moore, to approve Resolution 2019-159R.

Mayor Hughson opened the Public Hearing at 8:11 p.m.

Those who spoke:

Roland Saucedo, spoke in support of this project. He read the memo and the packet and he believes they have done their due diligence with this project in trying to meet the needs of our community. He spoke as a member of the Workforce Housing Taskforce and believe this meets a lot of the criteria they are seeking. The diversity and inclusivity that we are looking for, the programs and classes are great and they are making an effort to provide transportation for residence that don't have any. He stated that we want people to be able to save money and buy a house.

There being no further comments, the Public Hearing was closed at 8:14 pm.

Shannon Mattingly stated that the committee will look at tax exemption and review the policy as they will be meeting tomorrow. A map showing the location will be included as well at the meeting.

The motion failed by the following vote:

For: 0

Against: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockey Moore

NON-CONSENT AGENDA

24. Consider approval of Ordinance 2019-23, on the first of two readings, amending the City's 2018-2019 Fiscal Year budget to allocate a total amount not to exceed \$261,462 from the Hotel Occupancy Tax ("HOT") Fund to reinstate operational budgets that were reduced in the original 2018-2019 Fiscal Year budget due to initial forecasted hot collection amounts that were lower than actual collections; and providing an effective date.

A motion was made Mayor Pro Tem Prewitt, seconded by Council Member Mihalkanin, to approve Ordinance 2019-23, on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

25. Consider approval of Ordinance 2019-24, on first and final reading, amending Ordinance 2019-18 ordering a General Election to be held on November 5, 2019 by establishing early voting and election day polling places for this election; and making provisions for conducting the election; declaring an emergency creating the need to adopt this ordinance with only one reading; and providing an effective date.

MAIN MOTION: a motion was made by Council Member Mihalkanin, seconded by Mayor Pro Tem Prewitt, to approve Ordinance 2019-24, on first and final reading.

MOTION TO AMEND: a motion was made by Mayor Hughson, seconded by Council Member Mihalkanin, to change the address of the LBJ Student Center, within the Ordinance from 601 University Drive to 101 Student Center Drive. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

MAIN MOTION: to approve Ordinance 2019-24, as amended. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

26. Consider approval of Resolution 2019-160R, approving funding to the Hays Caldwell Women's Shelter in an amount up to \$400,000 over three years for new transitional housing facilities at the shelter; authorizing the City Manager or his designee to approve

and execute a funding agreement with the Hays Caldwell Women's Shelter regarding the manner of disbursement of such funds consistent with this resolution; and declaring an effective date.

MAIN MOTION: a motion was made by Council Member Mihalkanin, seconded by Mayor Hughson to approve Resolution 2019-160R.

MOTION TO AMEND: a motion was made by Mayor Hughson, seconded by Council Member Mihalkanin, to amend by adding the following language to Resolution 2019-160R:

"with payment disbursements of \$150,000 in FY19, \$150,000 in FY20, and \$100,000 in FY21". Complete language will read as follows:

Pt. 1. Funding to the Hays Caldwell Women's Shelter in an amount up to \$400,000 with payment disbursements of \$150,000 in FY19, \$150,000 in FY20, and \$100,000 in FY21 for new transitional housing facilities at the Shelter is approved. The motion carried by the following vote:

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

Against: 0

Absent: 1 - Council Member Marquez

MAIN MOTION: to approve Resolution 2019-160R, as amended. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

- 27.** Consider the appointment of a City of San Marcos Representative to the Greater Austin-San Antonio Corridor Council, and provide direction to Staff.

A motion was made by Council Member Derrick, seconded by Council Member Gonzales, to approve the appointment of Mayor Hughson to the Greater Austin-San Antonio Corridor Council. The motion carried by the following vote:

For: 7 - Mayor Pro Tem Prewitt, Council Member Gonzales, Council Member Derrick, Mayor Hughson, Council Member Mihalkanin, Council Member Marquez and Council Member Rockeymoore

Against: 0

- 28.** Hold discussion regarding design standards applicable in downtown, and design

standards applicable in Historic Districts, and provide direction to Staff.

Abigail Gillfillan, Planning Manager, provided a brief update regarding design standards and guidelines.

Alison Brake, Historic Preservation Officer & Planner, provided Council with information regarding design guidelines and the process for construction of a building in the downtown district. If a building is constructed in the Downtown Historic district it will be subject to all architectural and design requirements of the San Marcos Development Code identified in Chapter 4 in addition to the San Marcos Historic District standards and guidelines.

Consensus is to hold a work session to further discuss design standards and guidelines within the Historic District in order to provide additional information related to the concerns of Council.

EXECUTIVE SESSION (if necessary)

- 29.** Executive Session in accordance with the following Government Code Sections:
- A. Section § 551.071 - Consultation with Attorney: to receive a staff briefing and deliberate regarding the creation of Hays County Municipal Utility District No. 8.
 - B. Section § 551.087 - Economic Development: to receive a staff briefing and deliberate regarding Hays County Municipal Utility District No. 8.
 - C. Section § 551.072 - Real Property: to discuss the acquisition of land for cemetery purposes

Council did not have a need to enter into Executive Session this evening.

RETURN FROM EXECUTIVE SESSION

- 30.** Consider action, by motion, regarding the following Executive Session items held during the Work Session:
- A. Section § 551.071 - Consultation with Attorney: to receive a staff briefing and deliberate regarding the creation of Hays County Municipal Utility District No. 8.
 - B. Section § 551.087 - Economic Development: to receive a staff briefing and deliberate regarding Hays County Municipal Utility District No. 8.
 - C. Section § 551.072 - Real Property: to discuss the acquisition of land for cemetery purposes

Direction was provided to Staff during Executive Session.

VI. Question and Answer Session with Press and Public.

None.

VII. Adjournment.

Mayor Hughson adjourned the Regular meeting of the San Marcos City Council at 10:17 p.m.

Jamie Lee Case, City Clerk

Jane Hughson, Mayor