



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final City Council

Tuesday, May 7, 2019

6:00 PM

City Council Chambers

630 E. Hopkins

- I. Call To Order
- II. Roll Call
- III. Invocation
- IV. Pledges Of Allegiance - United States And Texas
- V. 30 Minute Citizen Comment Period

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.

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.

1. Consider approval, by motion, of the following meeting Minutes:
 - A) March 19, 2019 Work Session Meeting Minutes
 - B) April 2, 2019 Work Session Meeting Minutes
 - C) April 16, 2019 Work Session Meeting Minutes
 - D) April 16, 2019 Regular Meeting Minutes
2. Consider approval of Ordinance 2019-11, on the second of two readings, amending Chapter 38, Fire Prevention and Protection, of the San Marcos City Code by, among other things, providing that the Fire Marshal shall be appointed by the Fire Chief and revising the local adoption of and amendments to the 2015 edition of the International Fire Code, including the addition of penalties for violations and providing that no culpable mental state is required for violations of this chapter; providing for the repeal of any conflicting provisions; and providing an effective date.
3. Consider approval of Resolution 2019-71R, approving an interlocal agreement between the City of San Marcos and Hays County to provide Hays County with Animal Shelter

Services for a payment of \$259,596 to cover expenses through the end of the current Fiscal Year to be paid by Hays County upon execution of the agreement; authorizing the City Manager or his designee to execute the agreement; and declaring an effective date.

4. Consider approval of Resolution 2019-72R, approving an interlocal agreement between the City of San Marcos and the City of Buda to provide the City of Buda with Animal Shelter Services for a payment of \$37,463 to cover expenses through the end of the current fiscal year to be paid by the City of Buda upon execution of this agreement; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.
5. Consider approval of Resolution 2019-73R, approving the award of a contract to Compumeric Engineering, inc., DBA Bearsaver, for Animal Resistant Trash and Recycling containers in the amount of \$40,960.00; authorizing the City Manager or his designee to execute the contract and associated documents on behalf of the City; and declaring an effective date.
6. Consider approval of Resolution 2019-74R, approving a list of qualified firms to provide professional surveyor services to the City on an as-needed basis for a period of six years; and declaring an effective date.
7. Consider approval of Resolution 2019-75R, approving the award of a construction contract to T. F. Harper and Associates for the installation of walkways and landscaping at 214 East Hutchison in the total amount of \$360,032.95; authorizing the City Manager or his designee to execute the appropriate documents relating to this contract on behalf of the City; and declaring an effective date.
8. Consider approval of Resolution 2019-76R, approving the award of a construction contract to Cash Construction Company, Inc. in the total amount of \$1,624,995.00 for the Cottonwood Creek 24-inch Water Main Extension Project; 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 2019-77R, authorizing the submission of an application to the Office of the Attorney General, Crime Victims Services Division, for a Victim Coordinator and Liaison Grant (VCLG) in an amount not to exceed \$42,000 to continue funding for the Police Department's Victim's Services Program; authorizing the City Manager or his designee to execute any and all documents as needed to accept and implement the grant, if awarded; and declaring an effective date.
10. Consider approval of Resolution 2019-78R, supporting the Cultural Arts District application of the Department of Occupational, Workforce, and Leadership Studies to be submitted to the Texas Commission on the Arts seeking designation of the Dunbar Arts, Cultural and Innovation District; and declaring an effective date.
11. Consider approval of Resolution 2019-79R, approving the recommendation of the San Marcos Commission on Children and Youth to allocate \$63,750 in 2018-2019 Fiscal Year funding for 21 youth programs that contribute to implementation of the Youth Master Plan; authorizing the City Manager to take such actions as are necessary to enable such

allocation of funds; and declaring an effective date.

12. Consider approval of Resolution 2019-80R, authorizing the suspension of an application by CenterPoint Energy Texas Gas to increase the fixed monthly charge for the Gas Reliability Infrastructure Program (GRIP) from the effective date of May 27, 2019, for forty-five days; authorizing the hiring of special counsel; determining that the meeting at which this Resolution was adopted complied with the Texas Open Meetings Act; making such other findings and provisions related to the subject; and declaring an effective date.
13. Consider approval of Resolution 2019-81R, supporting the construction of FM 110 from State Highway 123 to I-35 at Yarrington Road.
14. Consider approval of Resolution 2019-84R, amending the 2019 Guiding Principles for the 86th Legislative Session to add pursuit of a concurrent resolution designating the City as "The Mermaid Capital of Texas" as part of the City's Legislative Program; and declaring an effective date.
15. Consider approval of Resolution 2019-83R, approving a trademark license agreement with July Moreno granting to the City a license to use the phrase "The Mermaid Capital of Texas" in connection with city promotions and activities; authorizing the City Manager or his designee to execute the agreement; and declaring an effective date.
16. Consider approve of Resolution 2019-82R, supporting a concurrent resolution of the Texas Legislature designating the City as "The Mermaid Capital of Texas", and declaring an effective date.
17. Consider approval, by motion, of Change in Service No. 4 with Kimley Horn and Associates for Engineering Services related to providing design and construction phase services for the Sessom Creek Wastewater Replacement from N.LBJ to Canyon Road Project in a not to exceed amount of \$317,738.00.

PUBLIC HEARINGS

18. Receive a Staff Presentation and hold the second of two public hearings to receive comments for or against the adoption of the Parks, Recreation, and Open Space Master Plan, and consider approval of Ordinance 2019-12, on the first of two readings adopting the 2019 Parks, Recreation and Open Space Master Plan; including procedural provisions; and providing an effective date.
19. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2019-14, amending the Official Zoning Map of the City by rezoning an approximately 8.1 acre tract of land, being Lot 1, Block A, Uniprop Subdivision, located at 2821 Leah Avenue, from "FD" Future Development District to "LI" Light Industrial District; and including procedural provisions; and consider approval of Ordinance 2019-14, on the first of two readings.

NON-CONSENT AGENDA

20. Consider approval of Ordinance 2019-13, on the first of two readings, updating and

revising Chapter 18, Article 3, Food Establishments and Food Vending Machines, of the City Code by repealing the current provisions and replacing them with provisions consistent with State law governing food establishments and discussion of applicable fees; including procedural provisions; and providing an effective date.

21. Consider a request to approve the sale of a tract of property identified as Lot 8, Block 12, Combs Addition, (Hays CAD Parcel ID No. R24712), Acquired by San Marcos Consolidated School District for Unpaid Taxes, to Uhuru Ndirangu for \$3,200.00; authorizing the execution of any deed or instruments necessary to complete the sale; and declaring an effective date, as set forth in Resolution 2019-85R.
22. Receive a Staff presentation and consider approval of setting the proposed schedule for the annexation of the Redwood 1 (High Branch) Development, and provide direction to the City Manager.
23. Receive a Staff presentation and consider approval of setting the proposed schedule for the annexation of the Redwood 2 (High Branch) Development, and provide direction to the City Manager.
24. Consider the appointment of Shelley Sherman, to fill the Housing Resident Position vacancy on the Housing Authority Board, and provide direction to Staff.
25. Hold discussion regarding Historic Preservation Commission Recommendation Resolution 2019-01RR requesting policy that would implement incentive programs, including tax-based incentive programs, designed to encourage or enable the ownership, rehabilitation, and continued maintenance of historic structures in the City, and provide direction to Staff.
26. Hold discussion regarding Historic Preservation Commission Recommendation Resolution 2019-02RR to consider the management of painting historic commercial buildings and masonry in the City, and provide direction to Staff.
27. Discuss a recommendation Resolution requested by the Cemetery Commission that would dissolve the perpetual care fund, modify the cemetery fee schedule, and amend Chapter 22 of the City Code of Ordinances, and provide direction to Staff.
28. Discuss and potentially create a council committee on Criminal Justice Reform, and provide direction to Staff.
29. City Council Reports:
 - a) Mayor Hughson will provide a brief update regarding her membership on various Capital Area Council of Governments (CAPCOG) committees.
 - b) Mayor Hughson will provide a brief update related to her membership on the Capital Area Metro Planning Organization (CAMPO).
 - c) Mayor Hughson and Council Member Rockey Moore will provide a brief update related to their membership on the Alliance Regional Water Authority (ARWA) Board of Directors.
 - d) Mayor Hughson will provide a brief update regarding her participation in this year's Texas Municipal League Leadership Academy.
 - e) Council Member Derrick will provide a brief update regarding her membership on the San Marcos Commission for Children and Youth.

- f) Mayor Pro Tem Prewitt will provide a brief update regarding her membership on the Capital Area Rural Transit (CARTS) Board.

EXECUTIVE SESSION

This is a continuation from the Work Session Meeting, if necessary.

- 30.** Executive Session in accordance with the following Local Government Code Sections:
- A. Section § 551.071 - Consultation with Attorney: to receive a staff briefing and deliberate regarding Martindale ETJ matters and Project Big Hat
 - B. Section § 551.087 - Economic Development: to receive a staff briefing and deliberate regarding Project Big Hat
- 31.** Consider action, by motion, regarding the following Executive Session items held during the Work Session and/or Regular Meeting:
- A. Section § 551.071 - Consultation with Attorney: to receive a staff briefing and deliberate regarding Martindale ETJ matters and Project Big Hat
 - B. Section § 551.087 - Economic Development: to receive a staff briefing and deliberate regarding Project Big Hat

VI. Question and Answer Session with Press and Public.

This is an opportunity for the Press and Public to ask questions related to items on this agenda.

VII. Adjournment.

POSTED ON THURSDAY, MAY 2, 2019 @ 2:30PM

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