



City of San Marcos

Regular Meeting Agenda - Final City Council

Tuesday, April 6, 2021

6:00 PM

Virtual

Due to COVID-19, this will be a virtual meeting. To view the meeting please go to <http://sanmarcostx.gov/421/City-Council-Videos-Archives> or watch on Grande channel 16 or Spectrum channel 10.

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

Persons wishing to participate (speak) during the Citizen Comment portion of the meeting must email citizencomment@sanmarcostx.gov prior to 12:00PM the day of the meeting. A call in number to join by phone or link will be provided for participation on a mobile device, laptop or desktop computer.

PRESENTATIONS

1. Receive status reports and updates on response to COVID-19 pandemic; and provide direction to Staff.
2. Receive an update on the Charter Review Commission Interim report, and provide direction to the City Manager.
3. Receive the Annual Audit Report and highlights from the City of San Marcos' Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2020 from the City's audit firm ABIP, P.C.
4. Receive a Staff presentation of the Quarterly Investment Reports, and provide direction to City Manager.
5. Receive a Staff presentation of the Quarter end December 31, 2020 Financial Report, and provide direction to City Manager.
6. Receive a presentation from Deloitte and Touche, LLP on the Community Development Block Grant-Disaster Recovery (CDBG-DR) Quarterly Internal Audit Report, and provide direction to Staff.

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.

7. Consider approval, by motion, of the February 2, 2021 Regular Meeting Minutes.
8. Consider approval of Ordinance 2021-19, on the first of two readings, annexing into the City approximately 3.62 acres of land generally located on Rattler Road, between Old Bastrop Highway and Highway 123, including procedural provisions; and providing an effective date.
9. Consider approval of Ordinance 2021-20, on the second of two readings, amending the Official Zoning Map of the City in Case No. ZC-20-16 by rezoning approximately 3.62 acres of land, generally located at 2835 Rattler Road, from Future Development (FD) to Light Industrial (LI), or subject to consent of the owner, another less intense zoning district classification; including procedural provisions.
10. Consider approval of Ordinance 2021-23, on the second of two readings, amending Sections 14.006(c) and 14.372(a)(2) of the San Marcos City Code to continue the residential home improvement exemption from fees and to enable one to perform construction work on the home of an immediate family member without a contractor's license, unless a license is required by State Law; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.
11. Consider approval of Ordinance 2021-21, on the second of two readings, extending the delayed effective date of Ordinance 2020-08 that provided for the Annexation into the City of Approximately 62.48 acres of land generally located at the intersection of Gregson's Bend and Commercial Loop; including procedural provisions; and providing an effective date.
12. Consider approval of Ordinance 2021-22, on the second of two readings, extending the delayed effective date of Ordinance 2020-09 that provided for the rezoning of approximately 62.48 acres of land generally located at the intersection of Commercial Loop and Gregson's Bend from "FD" Future Development District and "GC" General Commercial District to "PA" Planning Area District; and including procedural provisions.
13. Consider approval of Resolution 2021-61R, authorizing the sale of eleven surplus police vehicles to the City of Oak Ridge and Brazoria County in the amount of \$76,500 and the donation of three surplus police vehicles to the Town of Staples and Brazos Port College; finding that such conveyances serve the public purpose of fiscal responsibility for each of the entities; authorizing the City Manager to execute all documents necessary to transfer title and convey the police vehicles; and declaring an effective date.
14. Consider approval of Resolution 2021-62R, approving a release of easements in connection with the Development of the Millbrook Park Phase 1A subdivision; authorizing the City Manager, or his designee, to execute the release of easements on behalf of the City; and declaring an effective date.

15. Consider approval of Resolution 2021-63R, awarding an Indefinite Delivery Indefinite Quantity contract to Haulbrooke, Inc. for Demolition Services to be funded through the Community Development Block Grant program in a not-to-exceed amount of \$125,000 and authorizing two additional annual renewals; authorizing the City Manager or his designee to execute the contract on behalf of the city; and declaring an effective date.

PUBLIC HEARINGS

Persons wishing to participate (speak) during the Public Hearing portion of the meeting must email citizencomment@sanmarcostx.gov prior to 12:00PM the day of the meeting. A call in number to join by phone or link will be provided for participation on a mobile device, laptop or desktop computer.

16. Receive a staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-24, authorizing the conveyance, at no cost, of City-owned lots located at 404 Broadway (also addressed as 501-503 Parkdale Drive), 300 Herndon, 318 Shady Lane and 207 South Comanche (also addressed as 213 South Comanche) to qualified buyers under applicable Community Development Block Grant (CDBG) and Home Grant Programs for the purpose of constructing affordable single-family homes using Grant Funds under such programs; authorizing the City Manager or his designee, to execute contracts, deeds and associated closing document necessary for the conveyance of these lots under terms as allowed under said Grant programs on behalf of the City; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2021-24 on the first reading.
17. Receive a staff presentation and hold a Public Hearing to receive comments for or against Resolution 2021-64R, approving Substantial Amendment No. 10 to the Community Development Block Grant-Disaster Recovery (CDBG-DR) Action Plan re-allocating project funding and revising a cap on housing cost.

NON-CONSENT AGENDA

18. Consider approval of Ordinance 2021-25, on the first of three readings, granting to Maxwell Special Utility District, formerly Maxwell Water Supply Corporation, the right, privilege and franchise to construct, install, extend, remove, replace, abandon, operate and maintain its facilities within the Public Rights-of-Way of the City of San Marcos, Texas for the transportation, delivery, sale and distribution of potable water; containing other provisions relating to the foregoing subject; providing for severability; including procedural provisions; providing for approval on three readings of the ordinance; and providing an effective date.
19. Consider approval of Resolution 2021-68R, approving an agreement with Lazy Oaks Ranch, LP for the provision of services in connection with the proposed owner requested annexation in Case Number AN-21-01 of approximately 7.024 acres of land, more or less, being Lot 1 and Lot 2, La Cima Fire Station, generally located at the intersection of West Centerpoint Road and Flint Ridge Road; authorizing the City Manager, or his designee, to execute said agreement on behalf of the City; setting a date for a Public Hearing concerning the proposed annexation of said tract of land; and declaring an effective date.
20. Consider approval of Resolution 2021-65R, approving the First Amended and Restated

Lease Agreement between the City of San Marcos and the San Marcos Lions Club providing for a five year lease of a portion of the City Recreation Building located in City Park for an annual rent of \$11,900.00 with an option to renew for up to two additional five year terms upon mutual agreement; authorizing the City Manager or his designee to execute the lease agreement on behalf of the City; and declaring an effective date.

21. Consider approval of Resolution 2021-66R, adopting revised Investment Policies for Operating Funds and Reserve Funds; and declaring an effective date.
22. Consider approval of Resolution 2021-67R, designating categories and criteria for the use of General Fund dollars made available due to the Award to the City of CARES Act Coronavirus Relief Funds; partially allocating such funds; authorizing the City Manager to act as the Official Representative of the City in matters related to said funds on behalf of the City, and declaring an effective date.
23. Receive a staff update and hold discussion on the Revive SMTX small business grant program and consider direction to staff on revising the contract to add a requirement that funded businesses must follow CDC COVID-19 pandemic guidelines.
24. Consider approval, by motion, authorizing negotiations of a Development Agreement for Whisper South requested by R.W. McDonald IV, on behalf of Harris Hill Residential Land Holdings, Ltd., for approximately 379.84 acres out of the J. Miner Survey, Abstract 321, the Thomas G. McGehee Survey, Abstract 11, and the J. Veramendi Survey, Abstract 17, Hays County, Texas, generally located between Harris Hill Road and future FM 110 north of Harris Hill Road, and consider the appointment of a Council Committee to review aforementioned Development Agreement, if desired.
25. Hold discussion on Council Committee Rules of Procedure, and provide direction to Staff.
26. Hold discussion on Historic Preservation Commission Recommendation Resolution 2021-01RR, Recommending that specific guidelines for accessory dwelling units and other such outbuildings be added to the Historic District Design Guidelines in Appendix C of the San Marcos Design Manual, and provide direction to Staff.

EXECUTIVE SESSION

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.

27. Executive Session in accordance with:
 - A. Sec. §551.087 of the Texas Government Code: Economic Development: to receive a staff briefing and deliberate regarding economic incentives for Project Outlook.
 - B. Sec. §551.071 of the Texas Government Code: Consultation with Attorney: To receive advice of legal counsel regarding the Purchase and Sale Agreement with Pursuant Ventures Development, LLC for the San Marcos Sportsplex Project
 - C. Sec. §551.074 of the Texas Government Code: Personnel Matters: to discuss the duties and responsibilities of a Public Official, to wit: City Council Members

ACTION/DIRECTION FROM EXECUTIVE SESSION

28. Consider action, by motion, or provide direction to Staff regarding the following Executive Session item held during the Work Session and/or Regular Meeting:
Executive Session in accordance with:
- A. Sec. §551.087 of the Texas Government Code: Economic Development: to receive a staff briefing and deliberate regarding economic incentives for Project Outlook.
 - B. Sec. §551.071 of the Texas Government Code: Consultation with Attorney: To receive advice of legal counsel regarding the Purchase and Sale Agreement with Pursuant Ventures Development, LLC for the San Marcos Sportsplex Project
 - C. Sec. §551.074 of the Texas Government Code: Personnel Matters: to discuss the duties and responsibilities of a Public Official - to wit City Council Members

VI. Adjournment.

POSTED ON WEDNESDAY, MARCH 31, 2021 @ 3:00PM

TAMMY K. COOK, INTERIM 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