



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Regular Meeting Agenda - Final City Council

---

Tuesday, April 21, 2020

6:00 PM

Virtual Meeting

---

**Due to COVID-19, this will be a virtual meeting. To view the meeting please go to [www.sanmarcostx.gov/videos](http://www.sanmarcostx.gov/videos) or watch on Grande channel 16 or Spectrum channel 10.**

I. Call To Order

II. Roll Call

III. 30 Minute Citizen Comment Period

### PRESENTATIONS

1. Receive status reports and updates on response to COVID-19 pandemic; hold council discussion, and provide direction to Staff.

### CONSENT AGENDA

2. Consider approval, by motion, of the following meeting Minutes:
  - A. March 3, 2020 - Work Session Meeting Minutes
  - B. March 3, 2020 - Regular Meeting Minutes
  - C. March 17, 2020 - Regular Meeting Minutes
  - D. March 31, 2020 - Special Meeting Minutes
  - E. April 7, 2020 - Work Session Meeting Minutes
  - F. April 7, 2020 - Regular Meeting Minutes

**Attachments:**     [03.03.2020 Work Session Minutes.pdf](#)  
[03.03.20 Regular Meeting Minutes.pdf](#)  
[03.17.2020 Regular Meeting Minutes.pdf](#)  
[03.31.2020 Special Meeting Minutes.pdf](#)  
[04.07.2020 Work Session Minutes.pdf](#)  
[04.07.2020 Regular Meeting Minutes.pdf](#)

3. Consider approval of Ordinance 2020-18, on the second of two readings, supporting the San Marcos Police Department's increased use of the cite and release process, when appropriate, instead of arresting individuals suspected of having committed certain misdemeanor offenses: requiring recordkeeping and reporting of use of the cite and release process and instances in which individuals have been arrested for cite and release eligible offenses; and providing an effective date.

**Attachments:** [CITE AND RELEASE ORDINANCE - SECOND READING - APRIL 21 2020.pdf](#)  
[CITE AND RELEASE ORDINANCE - FIRST READING - APRIL 7, 2020](#)  
[Article 14.06 memo.docx](#)  
[Background Memo](#)  
[Summary Memo C&R Stats](#)  
[2018 Cite and Release Analysis](#)  
[2018 Cite Arrest Ineligibility](#)  
[2019 Cite and Release Analysis](#)  
[2019 Cite Arrest Ineligibility](#)  
[Final draft 040720.docx](#)

4. Consider approval of Resolution 2020-84R, approving Amendment No. 4 to the Airport Project Participation Agreement between the City and the Texas Department of Transportation initially approved by Resolution 2015-80R and then amended by Resolution 2016-80R and Resolution 2019-117R which authorized the City's acceptance of a grant from the Texas Department of Transportation for the construction of a box hangar and associated developments at the San Marcos Regional Airport; to increase the estimated project cost from \$881,200.00 to \$920,447.00; to approve the City's expenditure of local funds in the estimated amount of \$253,283.70; authorizing the City Manager or his designee to execute any documents necessary for the implementation of the hangar development project; and declaring an effective date.

**Attachments:** [Res 2020-84R.docx](#)

5. Consider approval of Resolution 2020-85R, approving an Advanced Funding Agreement with the State of Texas, acting through the Texas Department of Transportation (CSJ No. 0016-02-149) for the Water and Electric Utility Relocation project from Interstate Highway 35 from North of River Ridge Parkway to Loop 82, with an estimated cost of participation by the City in the amount of \$555,400.00; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

**Attachments:** [U14931\\_CoSM\\_RCSJ 0016-02-159\\_AFA Utility-FINAL-03-20-20.pdf](#)  
[Resolution - Advance Funding Agreement IH 35 to River Ridge.docx](#)

6. Consider approval of Resolution 2020-86R, approving an Advanced Funding Agreement (AFA) with the State of Texas, acting through the Texas Department of Transportation (CSJ No. 0016-03-114), for drainage and landscaping betterments along IH-35 from south of SH 80 (Hopkins St) to north of RM 12 (Wonder World Dr) with a participation amount by the City of \$5,822,990.22, authorizing the City Manager, or his designee, to execute said agreement on behalf of the City; and declaring an effective date.

**Attachments:** [0016-03-114 Approved AFA SH 123 FIXED City of SMarcos.pdf](#)  
[Resolution](#)

7. Consider approval of Resolution 2020-87R, awarding a contract to Fleet Safety Equipment, Inc. (known as Dana Safety Supply) through the Texas Local Government Purchasing Cooperative BuyBoard (Contract No. 603-20) for the purchase of patrol

equipment to outfit the recently purchased vehicles for the Police Department in the amount of \$331,724.80; authorizing the City Manager or his designee to execute the appropriate purchase documents on behalf of the City; and declaring an effective date.

**Attachments:**      [220-182 Dana Safety Supply Quote](#)  
[Resolution - Buyboard Fleet Safety Equipment.doc](#)

8. Consider approval of Resolution 2020-88R, approving the following in connection with the Whisper Public Improvement District: (I) an amended and restated financing agreement with Whisper Master Community Limited Partnership, Yarrington Partners Ltd., Whisper Industrial 2019 QOZB, LLC and 135 Residential Development, LLC; (II) an improvement area #1 acquisition and reimbursement agreement with Whisper Master Community Limited Partnership, Yarrington Partners Ltd., Whisper Industrial 2019 QOZB, LLC and 135 Residential Development, LLC; and (III) an improvement area #2 acquisition and reimbursement agreement with Whisper Master Community Limited Partnership; authorizing the City Manager to execute said agreements on behalf of the City; and declaring an effective date for said agreements.

**Attachments:**      [Resolution Approving Financing Agreement and Reimbursement Agreements c/](#)  
[Acquisition Reimbursement Agreement \(Improvement Area #2\) \(Orrick Comme](#)  
[Acquisition Reimbursement Agreement \(Improvement Area #1\) JBF Comments](#)  
[Amended and Restated Whisper PID Financing Agreement 3rd draft \(orrick cor](#)

9. Consider approval of Resolution 2020-89R, approving an Interlocal Agreement with the City of Cedar Park, Texas, to enable each city to utilize vendors for goods and services under contracts procured by the other; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

**Attachments:**      [220-188 Interlocal Agreement City of Cedar Park.pdf](#)  
[Resolution - Interlocal Agreement with Cedar Park Resolution.docx](#)

## NON-CONSENT AGENDA

10. Consider approval of Ordinance 2020-22, on the first of two readings, reducing the speed limit from 30 miles per hour to 25 miles per hour along the 500 block of Harvey Street between North Street and Blanco Street; authorizing the installation of signs and traffic control devices reflecting the new speed limit; directing that the traffic register maintained under Section 82.067 of the San Marcos City Code be amended to reflect the new speed limit; and including procedural provisions.

**Attachments:**      [Ordinance - Speed Limit Harvey Street.docx](#)  
[Harvey 25mph petition](#)  
[Harvey 25 mph Map](#)

11. Consider approval of Ordinance 2020-23, on the first of two readings, establishing a no parking / tow-away zone on the southside of a city easement located at 708 Peques Street pursuant to Section 82.066 of the San Marcos City Code; authorizing the installation of signage reflecting the no parking / tow-away zone; directing that the Traffic Register maintained under Section 82.067 of the San Marcos City Code be amended to reflect the

no parking / tow-away zone; and including procedural provisions.

**Attachments:**     [Ordinance - No Parking Peques.docx](#)  
                              [708 Peques](#)

12. Consider approval of Ordinance 2020-24, on the first of two readings, amending the traffic register maintained pursuant to section 82.067 of the City Code by decreasing the speed limit in the 1300 through 1500 blocks of Belvin Street (between Bishop Street to Dixon Street) from 30 miles per hour to 25 miles per hour in both directions and authorizing the installation of speed cushions; and including procedural provisions.

**Attachments:**     [Ordinance - Decreased Speed Limit and Speed Cushions Belvin.doc](#)  
                              [petition 04.21.pdf](#)  
                              [Map 04.21.pdf](#)  
                              [Belvin Speed cushion petition](#)  
                              [Belvin Speed Cushion Map](#)

13. Consider approval of Ordinance 2020-25 amending the city's 2019-2020 fiscal year budget to allocate \$50,000.00 from each of the special services budgets of the city's general fund, electric fund, and water and wastewater fund for a total amount of up to \$150,000 to pay for various activities in response to the covid-19 pandemic; providing for the adoption of this ordinance on only one reading as an emergency measure; and declaring an effective date.

**Attachments:**     [Ordinance](#)

14. Consider approval of Resolution 2020-90R, approving an agreement for the provision of services in connection with the proposed owner requested annexation of approximately 9.61 acres out of the Edward Burleson Survey No. 18, Abstract No. 63, Hays County, generally located in the 400 Block of Centerpoint 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.

**Attachments:**     [Resolution](#)  
                              [AN-20-04 Presentation](#)  
                              [AN-20-04 Annexation Service Agreement](#)  
                              [AN-20-04 Maps](#)  
                              [AN-20-04 Metes and Bounds](#)  
                              [AN-20-04 Application](#)

15. Consider approval of Resolution 2020-91R, approving an agreement for the provision of services in connection with the proposed owner requested annexation of approximately 60 acres out of the Thomas G. McGehee Survey, Abstract No. 11, Hays County, located at 4087 State Highway 21; 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.

**Attachments:**     [AN-20-05 Presentation](#)  
[Resolution](#)  
[AN-20-05 Annexation Service Agreement](#)  
[AN-20-05 Maps](#)  
[AN-20-05 Survey](#)  
[AN-20-05 Proposed Zoning Boundary](#)  
[AN-20-05 Application](#)

### **EXECUTIVE SESSION (if necessary)**

16. Executive Session in accordance with the following Government Code Sections:
- A. §551.071 - Consultation with Attorney regarding: Legal considerations of an anti-discrimination ordinance; and acquisition of property in Downtown San Marcos for public use
  - B. Section § 551.072 - Real Property: to receive a staff briefing and deliberation regarding acquisition of property in Downtown San Marcos for public use

### **DIRECTION/ACTION FOLLOWING EXECUTIVE SESSION**

17. Consider action, by motion, regarding the following Executive Session items held during the Work Session:
- A. §551.071 - Consultation with Attorney regarding: Legal considerations of an anti-discrimination ordinance; and acquisition of property in Downtown San Marcos for public use
  - B. Section § 551.072 - Real Property: to receive a staff briefing and deliberation regarding acquisition of property in Downtown San Marcos for public use

IV. Question and Answer Session with Press and Public.

V. Adjournment.

**POSTED ON WEDNESDAY, APRIL 15, 2020 @ 4:00 PM**

**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](mailto:ADArequest@sanmarcostx.gov)