



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Regular Meeting Agenda - Final-Amended City Council

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Tuesday, June 5, 2018

6:00 PM

City Council Chambers

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630 E. Hopkins

- I. Call To Order
- II. Roll Call
- III. Invocation
- IV. Pledges Of Allegiance - United States And Texas

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

1. Consider action, by motion, or provide direction to Staff regarding the following Executive Session item in accordance with Section §551.074 of the Texas Government Code: Personnel Matters - to discuss and provide Annual Appointee Evaluations to the City Attorney and City Manager, which took place during the June 5, 2018 Work Session at 3:30PM.

- V. 30 Minute Citizen Comment Period

### **CONSENT AGENDA**

2. Consider approval of Resolution 2018-68R, approving the award of a contract to Infosend Inc. for utility billing and notice services for a maximum term of four years in an amount not to exceed \$1,050,000.00; authorizing the City Manager or his designee to execute the said agreement on behalf of the City and declaring an effective date.
3. Consider approval of Resolution 2018-85R, approving the award of a contract for radar system for patrol vehicles to Stalker Radar d/b/a Applied Concepts, Inc., in the estimated amount of \$80,863.28; approving the award of a contract for patrol vehicle equipment and installation to Fleet Safety Equipment, Inc. (Buyboard #534-17) in the estimated amount of \$32,105.50; approving the award; authorizing the City Manager or his designee to execute the said agreement on behalf of the City and declaring an effective date.
4. Consider approval of Resolution 2018-86R, approving the award of a contract to Lambda Construction I, Ltd., for transformer and feeder breaker replacement services in connection with the Ranch Road 12 Substation Transformer Upgrades Project in an amount not to exceed \$828,697.00; authorizing the City Manager or his designee to execute the said

agreement on behalf of the City and declaring an effective date.

5. Consider approval of Resolution 2018-87R, approving the award of a three year contract to Climatec, LLC., for climate control system maintenance and support in the estimated amount of \$99,062.00; authorizing the City Manager or his designee to execute the said agreement on behalf of the City and declaring an effective date.
6. Consider approval of Resolution 2018-88R, approving the award of a contract to Cobb, Fendley & Associates, Inc., for the provision of engineering services in connection with the Bishop Street Improvements Project in an amount not to exceed \$357,209.50, contingent upon the engineer's provision of sufficient insurance; authorizing the City Manager or his designee to execute this agreement on behalf of the City; and declaring an effective date.
7. Consider approval of Resolution 2018-89R, approving the award of a contract to RPS for the provision of professional services in connection with the Staples Road Water Line Project in an amount not to exceed \$185,584.40, contingent upon the engineer's provision of sufficient insurance in accordance with the attached agreement; 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 2018-90R, approving the award of an Engineering Services Contract to Maestas & Associates, LLC, for the Guadalupe Street Improvement project in the estimated amount of \$211,845; authorizing the City Manager or his designee to execute the appropriate purchasing documents on behalf of the City; and declaring an effective date.
9. Consider approval of Resolution 2018-91R, approving the award of an Engineering Contract to Lockwood, Andrews & Newnam, Inc., for the Purgatory Creek project, in the estimated amount of \$467,440; authorizing the City Manager or his designee to execute the said agreement on behalf of the City; and declaring an effective date.
10. Consider approval of Resolution 2018-92R, approving the award of a contract to Denbow Company, Inc. for services to reroute storm water run-off from residential areas to Coers Creek for an amount estimated at \$1,690,365.03; authorizing the City Manager or his designee to execute the said agreement on behalf of the City and declaring an effective date.
11. Consider approval of Resolution 2018-93R, approving the award of a Construction Contract to Cox Commercial Construction, LLC., for the Victory Gardens Neighborhood Improvements Project for the estimated amount of \$8,260,891.20; authorizing the City Manager or his designee to execute the said agreement on behalf of the City and declaring an effective date.
12. Consider approval of Resolution 2018-94R, approving the change of the Fuel Flowage Fee rate for the San Marcos Regional Airport from 4% of the cost of fuel delivered to \$0.09 per gallon of fuel delivered; and declaring an effective date.
13. Consider approval of Resolution 2018-95R, approving a subordination agreement with Goldman Sachs Mortgage Company and JPMorgan Chase Bank that subordinates the

City's Deed of Trust lien against the Embassy Suites Hotel Property securing a note in the principal amount of \$1,500,000 to the lien of such entities securing their loan to JDHQ Hotels, LLC. (a subsidiary of Atrium Hospitality) for the purchase of the hotel from JQH-San Marcos Development (a subsidiary of John Q. Hammons Hotels and Resorts); authorizing the City Manager to execute the subordination agreement on behalf of the City; and declaring an effective date.

14. Consider approval of Resolution 2018-96R, approving a loan assignment and assumption agreement between the City, JQH-San Marcos Development, LLC. (a subsidiary of John Q. Hammons Hotels and Resorts) and JDHQ Hotels LLC. (a subsidiary of Atrium Hospitality) that assigns the duties and obligations of JQH Development LLC under various loan documents with the City related to the development of the Embassy Suites Hotel and Conference Center to JDQH Hotels, LLC. in connection with the sale of the hotel from JQH-San Marcos Development, LLC to JDQH Hotels LLC.; authorizing the City Manager to execute the agreement on behalf of the City; and declaring an effective date.

## **PUBLIC HEARINGS**

15. Receive a Staff update and hold a Public Hearing to receive comments on the 2018 CDBG Annual Action Plan, and provide direction to the City Manager.

## **NON-CONSENT AGENDA**

16. Discuss and consider appointments to fill vacancies on the Convention and Visitor Bureau Board (CVB) and provide direction to Staff.

## **EXECUTIVE SESSION**

17. Executive Session item in accordance with Section §551.072 of the Texas Local Government Code which allows deliberations regarding the purchase, exchange, lease or value of Real Property: Discuss and deliberate possible options available to the City related to the property in the vicinity of the intersection of South Edward Gary Street and South LBJ Drive purchased from Union Pacific Railroad Company in 2013.
18. Consider action, by motion, or provide direction to Staff regarding the following Executive Session item in accordance with Section §551.072 of the Texas Local Government Code which allows deliberations regarding the purchase, exchange, lease or value of Real Property: Discuss and deliberate possible options available to the City related to the property in the vicinity of the intersection of South Edward Gary Street and South LBJ Drive purchased from Union Pacific Railroad Company in 2013.

VI. Question and Answer Session with Press and Public.

VII. Adjournment.

**POSTED ON WEDNESDAY, MAY 30, 2018 @ 4:45PM**

**JAMIE LEE CASE, CITY CLERK**

## VIII. ADDENDUM

The following language was added to the agenda after it was posted on May 30, 2018:

Consider action, by motion, or provide direction to Staff regarding the following Executive Session item in accordance with Section §551.074 of the Texas Government Code: Personnel Matters - to discuss and provide Annual Appointee Evaluations to the City Attorney and City Manager, which took place during the June 5, 2018 Work Session at 3:30PM.

**ADDENDUM POSTED ON THURSDAY, MAY 31, 2018 @ 5:00PM****JAMIE LEE CASE, TRMC, 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)