



# City of San Marcos

## Regular Meeting Agenda - Final City Council

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Tuesday, August 4, 2020

6:00 PM

Virtual Meeting

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**Due to Covid-19, and as long as the State Disaster Declaration is in effect, 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

*Persons wishing to participate (speak) during the Citizen Comment portion of the meeting must email [citizencomment@sanmarcostx.gov](mailto:citizencomment@sanmarcostx.gov) prior to 12:00PM the day of the meeting. A call in number/link will be provided for participation.*

### PRESENTATIONS

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

2. Consider approval, by motion, of the following meeting Minutes:
  - A. June 25, 2020 - Joint Meeting Minutes
  - B. June 30, 2020 - Budget Workshop Meeting Minutes
  - C. July 7, 2020 - Work Session Meeting Minutes
  - D. July 7, 2020 - Regular Meeting Minutes

**Attachments:** [06.25.2020 Design Guideline Workshop Minutes.pdf](#)  
[06.30.2020 Budget Workshop Minutes.pdf](#)  
[07.07.2020 Work Session Minutes.pdf](#)  
[07.07.2020 Regular Meeting Minutes.pdf](#)

3. Consider approval of Resolution 2020-144R, approving Change in Service No. 5 to the agreement with Starboard Consulting, LLC relating to the Maximo Work Order System used by the Public Services Department by adding an annual license renewal in the

amount of \$47,586.30; authorizing the City Manager to execute the appropriate documents to implement the Change in Service; and declaring an effective date.

**Attachments:**      [Resolution - Change in Service Maximo.docx](#)  
[218-291 ACIS 5 \\$47,586.30.pdf](#)

4. Consider approval of Resolution 2020-145R, rejecting the sole bid received in response to an invitation for bids from E-Z Bel Construction, LLC, for the San Marcos Downtown Accessible Pedestrian Traffic Signal Improvements Project; and declaring an effective date.

**Attachments:**      [Resolution - Reject Bid on Downtown Accessible Pedestrian Traffic Signal Proje](#)  
[219-394 Bid Tabulation](#)  
[219-394 Reject Letter approval required by TxDOT](#)  
[TxDOT Concurrence Letter.pdf](#)

5. Consider approval of Resolution 2020-146R, approving an agreement with Davis Vision for the provision of voluntary vision insurance for City employees in an estimated annual amount of \$80,000.00 to be paid by participating employees for an initial four-year term with an option to extend up to three additional two-year terms for a total possible term of ten years; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

**Attachments:**      [Resolution - Davis Vision.docx](#)  
[220-125 Proposal Submittal Log](#)  
[City of San Marcos - 2021 Vision Analysis by Holmes Murphy.pptx](#)

6. Consider approval of Resolution 2020-125R, approving a Change in Service to the agreement with Knight Security Systems, LLC for the provision of professional high technology services, maintenance, and equipment related to security at the San Marcos Police Department in the estimated amount of \$216,680.33 through the Texas Comptroller of Public Accounts' Department of Information Resources ("DIR") program; authorizing the City Manager or his designee to execute the appropriate documents to implement the Change in Service on behalf of the City; and declaring an effective date.

**Attachments:**      [Resolution - Knight Security.doc](#)  
[218-058 ACIS 24 Revised 06.15.20.pdf](#)

7. Consider approval of Resolution 2020-147R, approving the award of a construction contract to Flasher Equipment Company for the Hunter Road Restriping project in the total amount of \$183,363.45; authorizing the City Manager or his designee to execute the contract on behalf of the City; and declaring an effective date.

**Attachments:**      [Resolution - Construction Contract - Hunter Road Restriping Project.docx](#)  
[220-148 Bid Tabulation.pdf](#)  
[Hunter\\_Location-Map](#)

8. Consider approval of Resolution 2020-148R, approving the award of a construction contract to Lone Star Sitework, LLC, for the Wonder World Drive/Hunter Road Intersection

Improvements project in the total amount of \$529,832.56; authorizing the City Manager or his designee to execute the contract on behalf of the City; and declaring an effective date.

**Attachments:**     [Resolution - Construction Contract - Wastewater Lift Station No. 28 Rehabilitatic](#)  
[WW Hunt Award Rec.pdf](#)  
[219-374 Bid Tabulation.pdf](#)  
[project location map](#)

9. Consider approval of Resolution 2020-149R, approving the award of a construction contract to T. Gray Utility and Rehab. Co., LLC for the Wastewater Lift Station No. 28 Rehabilitation project in the total amount of \$370,500.00; authorizing the City Manager or his designee to execute the contract on behalf of the City; and declaring an effective date.

**Attachments:**     [Resolution - Construction Contract - Wastewater Lift Station No. 28 Rehabilitatic](#)  
[San Marcos Lift Station 28 - Bid Recommendation Letter - Signed.pdf](#)  
[Project Location Map](#)  
[220-179 Bid Tabulation.pdf](#)

10. Consider approval of Resolution 2020-150R, approving Change in Service No. 2 to the Engineering Services agreement with K. Friese and Associates relating to the Midtown Drainage Project to provide additional design, topographic survey, geotechnical laboratory testing and structural engineering services in the estimated amount of \$63,577.00; authorizing the City Manager or his designee to execute the appropriate documents to implement the Change in Service; and declaring an effective date.

**Attachments:**     [Resolution - Change in Service -Midtown Drainage.docx](#)  
[Midtown CIS 2 compiled rev](#)

11. Consider approval of Resolution 2020-151R, approving a Change in Service to the Engineering Services agreement with Chapman Engineering, Inc. related to the Downtown Property Acquisition Project in the amount of \$22,900.00 for the installation of monitoring wells, laboratory analysis, and reporting on a chlorinated solvent plume in the vicinity of South Guadalupe; authorizing the City Manager or his designee to execute the documents necessary to implement the Change in Service; and declaring an effective date.

**Attachments:**     [Resolution - Change in Service - Chapman Engineering.docx](#)  
[ACIS#1r.pdf](#)

12. Consider approval of Resolution 2020-152R, approving a project partnership agreement with the U.S. Department of the Army (Corps of Engineers) for the San Marcos River Section 206 Aquatic Ecosystem Restoration Project; authorizing the City Manager, or his designee, to execute said easement on behalf of the City; and declaring an effective date.

**Attachments:**     [Resolution](#)  
[Project Participation Agreement](#)  
[San Marcos River Project Management Plan.doc](#)

13. Consider approval of Resolution 2020-153R, awarding contracts related to the San Marcos Public Library renovation project to fund Phase 1 of the Furniture, Fixtures and

Equipment (FFE) for the Library to Library Interiors of Texas through the Choice Partners Cooperative in the amount of \$51,803.24 and McCoy Rockford through the Comptroller's Texas Multiple Award Schedule Program in the amount of \$28,013.92; authorizing the City Manager or his designee to execute the agreements on behalf of the City; and declaring effective date.

**Attachments:**     [Resolution - Library FFE.docx](#)  
                          [Tennsco Shelving.pdf](#)  
                          [Worden Desk Quote.pdf](#)  
                          [Krueger Inc Quote.pdf](#)

14. Consider approval of Resolution 2020-154R, 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, or his designee, to execute said agreement on behalf of the City; and declaring an effective date.

**Attachments:**     [Resolution](#)  
                          [2020-2021 SMCISD and SMPD SRO Agreement.pdf](#)

15. Consider approval of Resolution 2020-155R, approving a Change in Service to the agreement between the City and Axon Enterprises Inc. relating to the Police Video Upgrade Project to increase the contract in the amount of \$180,002.01 for additional equipment, and annual software maintenance, hosting and plan fees; authorizing the City Manager or his designee to execute the appropriate documents to implement the Change in Service; and declaring an effective date.

**Attachments:**     [Resolution - Change in Service - Axon Enterprise.docx](#)  
                          [ACIS 4 216-153R \\$180,002.01 05.19.20 -.pdf](#)

16. Consider approval of Resolution 2020-156R, awarding an Indefinite Delivery Indefinite Quantity (IDIQ) Agreement for plumbing services to Premier Comfort Service Company, Inc, as the primary provider of plumbing services, and TCS Mechanical, LLC, as the secondary provider of plumbing services, to provide plumbing maintenance services on an as-needed basis for City facilities in the estimated annual amount of \$200,000 and authorizing three additional one-year renewals for a total estimated contract price of \$800,000; authorizing the City Manager or his designee to execute the contract documents on behalf of the City; and declaring effective date.

**Attachments:**     [Resolution - IDIQ Plumbing Services.doc](#)  
                          [Bid Tabulation.pdf](#)

17. Consider approval of Resolution 2020-157R, approving an Election Services Agreement with the Hays County Elections Administrator for the provision of Election Services for the City's General and Special Election to be held on November 3, 2020 and, if necessary, a Runoff Election to be held in accordance with State law; authorizing the Interim City Clerk to execute the agreement on behalf of the City; and declaring an effective date.

**Attachments:**     [Resolution - City Election November 3, 2020.docx](#)  
                          [Election Services Contract with Election Administrator CLEAN.docx](#)  
                          [Election Services Contract with Election Administrator - redline.pdf](#)

18. Consider approval of Resolution 2020-158R, approving a Joint Election Agreement between the City of San Marcos and Hays County for the holding of a joint election to be held on November 3, 2020; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

**Attachments:**     [Resolution - Hays County Joint Election 2020](#)  
                          [Joint Election Agreement.doc](#)  
                          [Joint Election Agreement - redline.pdf](#)

## **PUBLIC HEARINGS**

*Persons wishing to participate (speak) during the Public Hearing portion of the meeting must email [citizencomment@sanmarcostx.gov](mailto:citizencomment@sanmarcostx.gov) prior to 12:00PM the day of the meeting. A call in number/link will be provided for participation.*

19. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2020-48, annexing into the City approximately 10.1073 acres of land generally located at South Old Bastrop Highway and Rattler Road, including procedural provisions; and providing an effective date; and consider approval of Ordinance 2020-48, on the first of two readings.

**Attachments:**     [Ordinance](#)  
                          [AN-20-06 Presentation](#)  
                          [AN-20-06 Maps](#)  
                          [AN-20-06 CL vs OCL](#)  
                          [AN-20-06 Application](#)  
                          [AN-20-06 Annexation Service Agreement](#)  
                          [AN-20-06 Signed Consent to Annexation](#)  
                          [AN-20-06 Signed Declination of Offer of Development Agreement](#)

20. Receive a Staff Presentation and hold a Public Hearing to receive comments for or against Ordinance 2020-49, amending the Official Zoning Map of the City by rezoning approximately 10.1073 acres of land, generally located at the northern corner of South Old Bastrop Highway and Rattler Road, from "FD" Future Development District to "CD-5" Character District-5 District; and including procedural provisions; and consider approval of Ordinance 2020-49 on the first of two readings.

**Attachments:**     [ZC-20-11 Presentation](#)  
                          [Ordinance](#)  
                          [ZC-20-11 Staff Report](#)  
                          [ZC-20-11 Maps](#)  
                          [ZC-20-11 Code Comparison](#)  
                          [ZC-20-11 Comp Plan Analysis Checklist](#)  
                          [ZC-20-11 Personal Notice](#)  
                          [ZC-20-11 Application](#)

21. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2020-50, annexing into the City approximately 83.291 acres of land located at 2519 Redwood Road; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2020-50, on the first of two readings.

**Attachments:**     [Ordinance](#)  
                          [AN-20-07 Presentation](#)  
                          [AN-20-07 Maps](#)  
                          [AN-20-07 CL vs OCL Comparison Chart](#)  
                          [AN-20-07 Application](#)  
                          [AN-20-07 Annexation Service Agreement](#)  
                          [AN-20-07 SIGNED Consent to Annexation](#)  
                          [AN-20-07 SIGNED Declination of offer of development agreement](#)

22. Receive a Staff Presentation and hold a Public Hearing to receive comments for or against Ordinance 2020-51, amending the Official Zoning Map of the City by rezoning approximately 80 acres of land located at 2519 Redwood Road, from “FD” Future Development District to “SF-6” Single Family-6 District; and including procedural provisions; and consider approval of Ordinance 2020-51 on the first of two readings.

**Attachments:**     [Ordinance](#)  
                          [ZC-20-13 Presentation](#)  
                          [ZC-20-13 Staff Report](#)  
                          [ZC-20-13 Maps](#)  
                          [ZC-20-13 Code Comparison](#)  
                          [ZC-20-13 Comp Plan Analysis Checklist](#)  
                          [ZC-20-13 Personal Notification Letter](#)  
                          [ZC-20-13 Application Documents](#)

## NON-CONSENT AGENDA

23. Consider approval of Ordinance 2020-52, on first and final reading, ordering a General Election to be held on November 3, 2020 for the purpose of electing a Mayor, City Council Member, Place Three, City Council Member, Place Four, and ordering a Special Election to fill a vacancy for the one year remainder of the unexpired term of office of City Council

Member Place Five to be conducted concurrently with the General Election; 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.

**Attachments:** [2020 General and Special Election Ordinance.doc](#)

24. Consider approval of Ordinance 2020-53, on the first of two readings, appointing a Presiding Judge for the San Marcos Municipal Court of Record for a term of two years; and providing an effective date.

**Attachments:** [Municipal Court Judges Appointments 2020.doc](#)

25. Consider approval of Ordinance 2020-54, on the first of two readings, amending section 78.103 of the San Marcos City Code to modify the amounts of additional fees to be assessed and paid on delinquent hotel occupancy taxes and to provide for a one percent discount against the amount of taxes due when timely paid; providing a savings clause; providing for the repeal of any conflicting provisions; and declaring an effective date.

**Attachments:** [Ordinance](#)

[HOT Payment Policy rvsd7.16.20](#)

[HOTEL OCCUPANCY TAX - LATE CHARGES AND INTEREST - TEMPORAR'](#)

26. Consider approval of Ordinance 2020-55, on the first of two readings, amending the City's 2019-2020 Fiscal Year Budget to allocate \$148,250.00 from the Municipal Court Technology Fund to provide funding for an updated Municipal Court Case Management System and expansion of the City's Ticket Writing System; and declaring an effective date.

**Attachments:** [Budget Amendment Ordinance Municipal Court Fund.docx](#)

27. Consider approval of Resolution 2020-159R, approving an agreement with Vertosoft LLC through the Interlocal Purchasing System ("TIPS") for the purchase of the LT Court Software System for the San Marcos Municipal Court in the initial amount of \$95,000.00 for the integration, installation and one year of maintenance and authorizing four additional years of maintenance at a cost of \$20,000.00 per year for a total contract amount of \$175,000.00; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

**Attachments:** [Resolution - Vertisoft.doc](#)

[Schedule 1 - Vertosoft TIPS LT Systems Quote for San Marcos Municipal Court](#)

28. Consider approval of Resolution 2020-160R, approving Change in Service No. 5 to the agreement with Tyler Technologies, Inc. for expansion of the Brazos eCitation Ticketwriter system in the amount of \$79,977.00 and authorizing approve four additional annual renewals in the amount of \$36,032.00; authorizing the City Manager or his designee to execute the appropriate documents to implement the Change in Service; and declaring an effective date.

**Attachments:** [Resolution - Change in Service - Tyler Technologies.docx](#)

[ACIS 5 216-349 \\$79,977.00 07.15.2020.pdf](#)

29. Consider approval of Resolution 2020-161R, adopting the Community Development Block

Grant (CDBG) Action Plan that provides for the allocation of \$722,904 of CDBG entitlement funds for the program year 2020-2021; authorizing the City Manager, or his designee, to act as the Official Representative of the City in matters related to the CDBG Program and Action Plan; and declaring an effective date.

**Attachments:**     [Resolution](#)  
                          [2020\\_CDBG\\_AP\\_draft\\_posted](#)  
                          [200804\\_Pres\\_2020AP](#)

30. Consider approval of Resolution 2020-162R, amending the Community Development Block Grant (CDBG) Action Plan for program year 2019-2020 adopted by Resolution No. 2019-121R to reallocate \$125,000 from the Paul Pena Park Project to a new program for Substandard Home Demolition; authorizing the City Manager, or his designee, to act as the Official Representative of the City in matters related to the CDBG-DR Program and Action Plan; and declaring an effective date.

**Attachments:**     [Resolution](#)  
                          [2019\\_CDBG\\_AP\\_draft\\_Amd3\\_posted](#)  
                          [200804\\_Pres\\_2019AP\\_Reallocation](#)

31. Consider approval of Resolution 2020-163R, amending the Community Development Block Grant (CDBG) Action Plan for program year 2019-2020 adopted by Resolution No. 2019-121R to award \$105,530.00 to Hays County to increase or improve COVID-19 testing in the City of San Marcos, authorizing the City Manager, or designee, to act as the Official Representative of the City in matters related to the CDBG Program and Action Plan, and declaring an effective date.

**Attachments:**     [Resolution](#)  
                          [200804\\_Pres\\_2019AP\\_CDBG-CV\\_Testing](#)

32. Consider approval of Resolution 2020-164R, 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, including the requirement that the applicant make an annual payment in lieu of taxes, providing authorizations for execution or submission of documents related to the application and for execution of an agreement for the annual payment in lieu of taxes, and declaring an effective date.

**Attachments:**     [Presentation](#)  
                          [New Updated Resolution of No Objection](#)  
                          [Staff Memo](#)  
                          [Redlined Resolution of No Objection](#)  
                          [Maps](#)  
                          [Applicant Request](#)  
                          [LIHTC Policy Criteria](#)

33. Consider approval of Resolution 2020-165R, approving an agreement for the provision of

services in connection with the proposed owner requested annexation of approximately 89.694 acres of land generally located west of the intersection of Old Ranch Road 12 and Wonder World Drive; 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-20-08 Presentation](#)  
[AN-20-08 Annexation Service Agreement](#)  
[AN-20-08 Exhibit A](#)  
[AN-20-08 Map Package](#)  
[AN-20-08 Application](#)

- 34.** Discuss and consider appointment(s) to fill vacancies on the following Boards and Commissions, and provide direction to staff:
- A) Airport Advisory Board
  - B) Human Services Advisory Board
  - C) Parks and Recreation Advisory Board
  - D) Veteran Affairs Advisory Committee

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

*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.*

- 35.** Executive Session in accordance with the following Government Code Sections:
- A. Section § 551.072 - Real Property: to receive a staff briefing and deliberation regarding the following:
    - 1. Acquisition of property in Downtown San Marcos for public use
    - 2. Acquisition of property for the Uhland Road CDBG-DR Project
  - B. Section §551.071 - Consultation with Attorney regarding: Legal considerations regarding the following:
    - 1. Acquisition of property in Downtown San Marcos for public use
    - 2. Acquisition of property for the Uhland Road CDBG-DR Project

### **ACTION/DIRECTION PROVIDED DURING EXECUTIVE SESSION**

- 36.** Consider action, by motion, regarding the following Executive Session items held during the Work Session and/or Regular Meeting:
- A. Section § 551.072 - Real Property: to receive a staff briefing and deliberation regarding the following:
    - 1. Acquisition of property in Downtown San Marcos for public use
    - 2. Acquisition of property for the Uhland Road CDBG-DR Project
  - B. Section §551.071 - Consultation with Attorney regarding: Legal considerations regarding the following:
    - 1. Acquisition of property in Downtown San Marcos for public use

2. Acquisition of property for the Uhland Road CDBG-DR Project

IV. Adjournment.

**POSTED ON WEDNESDAY, JULY 29, 2020 @ 2:00PM**

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