



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final City Council

Tuesday, February 21, 2023

6:00 PM

City Council Chambers

630 E. Hopkins St.

This will be an in-person and online 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. Citizen Comment Period

Persons wishing to participate (speak) during the Citizen Comment portion of the meeting must email citizencomment@sanmarcostx.gov the day prior to the meeting and before 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. Those wishing to speak in person must sign up in the City Clerk's office between 8:00AM - 5:45PM the day of the meeting.

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 of Ordinance 2023-13, on the second of two readings, annexing into the City approximately 5.022 acres of land out of the William H. Van Horn Survey No. 18, Abstract No. 464, in Hays County, Texas, in Case No. AN-22-15 (including adjacent right-of-way), located at 5618 S Old Bastrop Hwy; including procedural provisions; and providing an effective date.
2. Consider approval of Ordinance 2023-14, on the second of two readings, amending the Official Zoning Map of the City in Case ZC-22-31, by rezoning approximately 5.022 acres of land out of the William H. Van Horn Survey No. 18, Abstract No. 464, located at 5618 S Old Bastrop Hwy, from "FD" Future Development to "CD-4" Character District 4, or, subject to consent of the owner, another less intense zoning district classification, including procedural provisions; and providing an effective date.

3. Consider approval of Ordinance 2023-15, on the second of two readings, annexing into the City approximately 351.73 +/- acres of land, more or less, out of the Elijah Clark Survey, A-84, and the Thomas Forsyth Survey in Hays County, Texas, generally located on Country Estates Drive approximately 1,400 feet north of the intersection between Country Estates Drive and Ranch Road 12 in Case No. AN-23-03 (City Property) including procedural provisions; and providing an effective date.
4. Consider approval of Ordinance 2023-16, on the second of two readings, amending the Official Zoning Map of the City in Case No. ZC-23-07, by rezoning approximately 350.28 acres out of the Elijah Clark Survey, A-84, and the Thomas Forsyth Survey Hays County, Texas, generally located on Country Estates Drive approximately 1,400 feet north of the intersection between Country Estates Drive and Ranch Road 12, from "FD" Future Development, to "CD-1" Character District-1, or, subject to consent of the owner, another less intense zoning district classification including procedural provisions; and providing an effective date.
5. Consider approval of Ordinance 2023-17, on the second of two readings, annexing into the City approximately 32.79 acres of land out of the out of the William Ward Survey, Abstract 467 and the J.M. Veramendi Survey, Abstract 17 in Hays County, Texas, in Case No. AN-23-02 (including adjacent right-of-way), generally located at 2138 and 2390 Post Rd; including procedural provisions; and providing an effective date.
6. Consider approval of Ordinance 2023-18, on the second of two readings, amending the Official Zoning Map of the City in Case ZC-23-06, by rezoning approximately 6.5 acres of land out of the out of the William Ward Survey, Abstract 467 and the J.M. Veramendi Survey, Abstract 17, located at 2138 and 2390 Post Rd, from "FD" Future Development to "CD-4" Character District 4, or, subject to consent of the owner, another less intense zoning district classification, including procedural provisions; and providing an effective date.
7. Consider approval of Ordinance 2023-19, on the second of two readings, amending the Official Zoning Map of the City in Case ZC-23-09, by rezoning approximately 24.47 acres of land out of the out of the William Ward Survey, Abstract 467 and the J.M. Veramendi Survey, Abstract 17, located at 2138 and 2390 Post Road, from "FD" Future Development to "MH" Manufactured Home District, or, subject to consent of the owner, another less intense zoning district classification, including procedural provisions; and providing an effective date.
8. Consider approval of Resolution 2023-35R, approving the filing of an application with the Bureau of Reclamation seeking financial assistance in connection with a Feasibility Study for Water Recycling/Reuse in the estimated amount of \$500,000.00 with a non-federal cost share of fifty percent (50%); designating an authorized representative to act on behalf of the City for the purpose of furnishing information and executing documents that may be required in connection with the preparation and filing of the application and any resulting grant; and declaring an effective date.
9. Consider approval of Resolution 2023-36R, authorizing a Change in Service to the contract with Deloitte & Touche, LLP for internal audit and monitoring services for compliance with Community Development Block Grant - Disaster Recovery ("CDBG-DR")

funding to decrease the not to exceed amount from \$1,151,694.00 to \$691,017.00 and to extend the contract term to December 9, 2024; authorizing the City Manager, or her designee, to execute the appropriate documents to implement the Change in Service on behalf of the city; and declaring an effective date.

10. Consider approval of Resolution 2023-37R, approving a contract with Thirkettle Corporation through the Houston Galveston Area Council Cooperative Purchasing Program for the purchase of water meters and registers in the amount of \$510,000.00; authorizing the City Manager or her designee to execute the contract on behalf of the City; and declaring an effective date.
11. Consider approval of Resolution 2023-38R, approving an agreement providing for the city to sell potable treated water on a wholesale basis to the County Line Special Utility District; authorizing the City Manager, or her designee, to execute this agreement on behalf of the city; and declaring an effective date.
12. Consider approval of Resolution 2023-39R, approving a contract with Altec Industries, Inc., through the Sourcewell Cooperative Purchasing Program for the purchase of a 22' Hydraulic Pressure Digger in the amount of \$417,780.00; authorizing the City Manager or her designee to execute the agreement on behalf of the city; and declaring an effective date.
13. Consider approval of Resolution 2023-40R, rejecting all bids received in response to an invitation for bids for Occupational Medical Services: and declaring an effective date.
14. Consider approval of Resolution 2023-41R, approving a contract to purchase cybersecurity system and services through the Texas Buyboard Purchasing Cooperative for the purchase of a cybersecurity intrusion system/service, in the estimated annual amount of \$35,100.00 and approving five annual renewals for a total estimated price of \$192,770.00; authorizing the City Manager or her designee to execute the agreement and annual renewals on behalf of the city; and declaring an effective date.
15. Consider approval of Resolution 2023-42R, approving the Airport Facility Redevelopment Lease Agreement for Commercial Use with 5x5 Airport Development. LLC, for a 7,200 square foot hangar facility with an additional 8,000 square feet for vehicle parking with an address of 1813 Airport Drive, having a term of 30 years at an initial rent of \$2,066.67 per month; authorizing the City Manager or her designee to execute the agreement on behalf of the city; and declaring an effective date.

PUBLIC HEARINGS

Persons wishing to participate remotely in the Public Hearing session must email citizencomment@sanmarcostx.gov beginning the day prior to the meeting and before 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. If attending in person, no sign up is required.

16. Receive a Staff presentation and hold a public hearing to receive comments for or against Ordinance 2023-21, approving the abandonment of 0.3269 acres (14,240 square feet) of public right of way known as Nash Lane in final plat of Lot 1, Nash Subdivision, located in the vicinity of the Interstate 35 west frontage road south of Yarrington Road and north of

Chuck Nash Loop, subject to replacement right of way being dedicated to the city; authorizing the City Manager, or her designee, to execute the quitclaim deed on behalf of the city; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2023-21, on the first of two readings.

NON-CONSENT AGENDA

17. Consider approval of Ordinance 2023-22, on the first of two readings, reducing the speed limit on State Highway 123 from 60 miles per hour to 55 miles per hour; authorizing the installation of signs and traffic control devices reflecting the new speed limits; directing that the traffic register maintained under Section 82.067 of the San Marcos City Code be amended to reflect the new speed limits and penalties to be applied accordingly; and including procedural provisions.
18. Consider approval of Ordinance 2023-23, on the first of two readings, amending the City's 2022-2023 fiscal year budget to allocate up to \$45,000.00 from State Seized Asset Funds to provide funding for the construction of a metal awning for police vehicle protection and repair; and providing an effective date.
19. Consider approval of Resolution 2023-43R, approving award of a contract to Cedar Hill Construction for the Briarwood Waterline Improvement Project (including additive alternative) in the amount of \$1,346,381.00; authorizing the City Manager or her designee to execute the contract on behalf of the City; and declaring an effective date.
20. Consider approval of Resolution 2023-44R, approving award of a contract to D&S Concrete Contractors LLC for the Midtown Drainage Improvements Phase 1A project (including additive alternative 2) in the amount of \$2,182,211.00; authorizing the City Manager or her designee to execute the contract on behalf of the city; and declaring an effective date.
21. Consider approval of Resolution 2023-45R, approving the appointment of Stephanie L. Reyes as City Manager; and declaring an effective date.
22. Receive a Staff presentation and consider approval of Resolution 2023-46R, approving Substantial Amendment Number 2 to the Community Development Block Grant-Mitigation ("CDBG-MIT") Action Plan designating one new project and re-allocating project funding; authorizing the City Manager to execute any documents necessary to implement this amendment; and declaring an effective date.
23. Consider approval, by motion, of the Council Committee Rules of Procedure and provide direction to the City Manager.
24. Hold discussion regarding Cemetery Commission Recommendation Resolution 2022-02RR, amending Chapter 22 - Cemeteries of the Code of Ordinances, and amendments to the fee schedule to include pricing for the newly installed columbarium and ossuary, and provide direction to the City Manager.
25. Hold discussion regarding the boards and commissions process 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.

- 26.** Executive Session in accordance with the following:
- A. Sec. §551.074 of the Texas Government Code: Personnel Matters: to deliberate the duties of the City Manager related to the upcoming meet and confer negotiations with the San Marcos Police Officers' Association; and Sec. §551.071 Consultation with the City's attorney regarding legal matters related to the upcoming meet and confer negotiations.
 - B. Sec. §551.074 of the Texas Government Code: Personnel Matters: to hold discussion regarding the city attorney position

DIRECTION/ACTION FROM EXECUTIVE SESSION

- 27.** 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 the following:
- A. Sec. §551.074 of the Texas Government Code: Personnel Matters: to deliberate the duties of the City Manager related to the upcoming meet and confer negotiations with the San Marcos Police Officers' Association; and Sec. §551.071 Consultation with the City's attorney regarding legal matters related to the upcoming meet and confer negotiations.
 - B. Sec. §551.074 of the Texas Government Code: Personnel Matters: to hold discussion regarding the city attorney position

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. Persons wishing to participate remotely in the Q&A session must email citizencomment@sanmarcostx.gov beginning the day prior to the meeting and before 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. If attending in person, no sign up is required.

VII. Adjournment.

POSTED ON FRIDAY, FEBRUARY 17, 2023 @ 2:00PM

ELIZABETH TREVINO, 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