



# City of San Marcos

## Regular Meeting Agenda - Final City Council

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Tuesday, May 18, 2021

6:00 PM

Virtual Meeting

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**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](mailto: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 a presentation of the final report from the 2021 Charter Review Commission; discuss proposed amendments to the San Marcos City Charter; 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. March 16, 2021 Work Session Meeting Minutes
  - B. April 6, 2021 - Regular Meeting Minutes
  - C. April 20, 2021 - Work Session Meeting Minutes
3. Consider approval of Ordinance 2021-01, on the second of two readings, annexing into the City approximately 73.412 acres of land out of the Joel Miner Survey, Abstract No. 321, Hays County, generally located at 2811 Harris Hill Road in Case No. AN-20-11; including procedural provisions; and providing an effective date.

4. Consider approval of Ordinance 2021-02, on the second of two readings, amending the Official Zoning Map of the City in Case No. ZC-20-22 by rezoning approximately 72.85 acres of land located on Harris Hill Road, approximately one-half mile south of Yarrington Road; from "FD" Future Development District to "MH" Manufactured Home District; including procedural provision; and providing an effective date.
5. Consider approval of Ordinance 2021-30, on the second of two readings, annexing into the City approximately 23.2 acres of land generally located at the Northeast corner of Redwood Road and South Old Bastrop Hwy (Case No. AN-20-10), including procedural provisions; and providing an effective date.
6. Consider approval of Ordinance 2021-31, on the second of two readings, amending the Official Zoning Map of the City in Case No. ZC-20-25 by rezoning approximately 20 acres of land, generally located at the Northeast corner of Redwood Road and South Old Bastrop Hwy from "FD" Future Development District to "CD-5" Character District-5 District; and including procedural provisions.
7. Consider approval of Ordinance 2021-32, on the second of two readings, annexing into the City approximately 7.024 acres of land, described as Lot 1 and Lot 2, La Cima Fire Station Subdivision, generally located at the intersection of West Centerpoint Road and Flint Ridge Road, in Case No. AN-21-01; including procedural provisions; and providing an effective date.
8. Consider approval of Ordinance 2021-33, on the second of two readings, amending the Official Zoning Map of the City in Case No. ZC-21-04 by rezoning approximately 1.197 acres, described as Lot 2, La Cima Fire Station Subdivision, located at 115 Flint Ridge Road, from "FD" Future Development District to "CC" Community Commercial District, or subject to consent to the owner, another less intense Zoning District Classification; including procedural provisions; and providing an effective date.
9. Consider approval of Ordinance 2021-34, on the second of two readings, amending the Official Zoning Map of the City in Case No. ZC-21-05 by rezoning approximately 4.310 acres, described as Lot 1, La Cima Fire Station Subdivision, located at 205 Flint Ridge Road from "FD" Future Development District to "P" Public and Institutional District, or subject to consent of the owner, another less intense Zoning District Classification; including procedural provisions; and providing an effective date.
10. Consider approval of Ordinance 2021-35, on the second of two readings, amending Chapter 34, Environment, Article 5, Air Pollution, of the San Marcos City Code by adding a New Division 4, Clean Air, that provides supplemental regulations concerning the emission of air contaminants and controlling or abating air pollution; creating associated offenses and penalties; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.
11. Consider approval of Ordinance 2021-36, on the second of two readings, amending Chapter 82, Article 9 of the San Marcos City Code by exempting motor-assisted scooters provided by a commercial scooter company under the terms of a License Agreement approved by the City Council from the prohibition against commercially owned scooters on

public property, streets and sidewalks in the City; providing a savings clause; providing for the repeal of any conflicting provisions; providing for penalties; and providing an effective date.

12. Consider approval of Ordinance 2021-37, on the second of two readings, amending the project plan for Tax Increment Reinvestment Zone No. 5, also known as the “Downtown TIRZ,” approving an amendment to the Tax Increment Participation Interlocal Agreement with Hays County to extend the City’s and the County’s reduced contribution rate of the tax increment deposited into the Tax Increment Fund from 70 percent to 25 percent for one additional year; authorizing the City Manager or his designee to execute the amendment on behalf of the City; including procedural provisions; and declaring an effective date.
13. Consider approval of Resolution 2021-51R, approving an updated Council Technology Acquisition Policy, Council Member Electronic Use Policy, and a Council Policy Acknowledgement form that provides guidelines, expectations and responsibilities for the procurement and use of technology used by the City Council, and aligns hardware standards for devices used by the City Council with the city’s current standards; and declaring an effective date.
14. Consider approval of Resolution 2021-92R, awarding a sole source contract to Doble Engineering Company for the purchase of Substation Test Equipment for use by the Electric Utilities Department in the amount of \$56,845.00; authorizing the City Manager or his designee to execute the contract on behalf of the City; and declaring effective date.
15. Consider approval of Resolution 2021-93R, approving an addendum to the Master Lease-Purchase Financing Agreement with US Bancorp Government Leasing and Finance, Inc. that adds a hydro excavator for use by the Public Services Water Distribution Division to be financed under the agreement in the amount of \$475,324.69, inclusive of interest, for a ten-year term; authorizing the City Manager or his designee to execute all appropriate documents associated with this transaction; and declaring an effective date.
16. Consider approval of Resolution 2021-94R, authorizing a Change in Service to the Water Treatment Facilities Operations and Asset Management agreement with the Guadalupe-Blanco River Authority to add \$25,863.84 annually through 2025 for maintenance of the McCarty Lane Wells and Elevated Storage Facility recently acquired from Crystal Clear Special Utility District; authorizing the City Manager or designee to execute the Change in Service 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](mailto: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.*

17. Receive a Staff Presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-38, amending the official Zoning Map of the City in Case No. ZC-21-01 by rezoning approximately 6.698 acres of land, generally located in the 100 Block of Centerpoint Road, from “FD” Future Development District to “CD-5” Character District-5; and including procedural provisions; and consider approval of Ordinance 2021-38, on the

first of two readings.

18. Receive a staff presentation and hold a public hearing to obtain the views of citizens on housing and community development needs, including non-housing community needs, and the selection of proposed activities for \$755,351 in new funding and \$56,932.87 to be reallocated in the 2021-2022 Community Development Block Grant (CDBG) Action Plan; and provide staff direction.

## **NON-CONSENT AGENDA**

19. Consider approval of Ordinance 2021-39, on the first of two readings, amending Chapter 6, Animals, to allow for the keeping of miniature goats in Conventional Residential Zoning Districts and establish associated regulations; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.
20. Consider approval of Resolution 2021-95R, approving an Interlocal Agreement and Memorandum of Understanding between the City of San Marcos and Hays County related to the Cape's Dam Complex; authorizing the City Manager or his designee to execute this agreement on behalf of the City; and declaring an effective date.
21. Consider approval of Resolution 2021-96R, approving an agreement with Enterprise Fleet Management, Inc. through the Texas Interlocal Purchasing System (TIPS), to provide for the lease and maintenance of vehicles for the use by several City departments over a five year period and the purchase of miscellaneous equipment and maintenance in the estimated amount of \$1,206,000.00; authorizing the City Manager or his designee to execute the agreement; and declaring an effective date.
22. Discuss and consider authorizing the City Manager or his designee to enter into an agreement providing a 10% greens fee discount to the Kissing Tree Golf Club for San Marcos residents.
23. Consider, by motion, the creation of a City Council committee to be known as the COVID-19 Recovery Committee, including the appointment of no more than three members of Council to serve on this committee, defining the scope and purpose of the committee, and providing direction to staff.
24. Hold discussion on the Veteran Affairs Advisory Committee Recommendation Resolution 2021-01RR, supporting the Military Order of the Purple Heart-National Purple Heart Trail Program and seeking designation as a Purple Heart City on said trail, and provide direction to Staff.
25. Hold discussion on the Ethics Review Commission Recommendation Resolution 2021-1, recommending an amendment to the San Marcos Code of Ethics to require ethics training for appointed and elected city officials and city board and commission members, and provide direction to Staff.
26. Hold discussion on the Ethics Review Commission Recommendation Resolution 2021-2, recommending an amendment to Section 2.444 of the San Marcos City Code to require a copy of the Commission's rules of procedure for hearings to be provided by the city

attorney to the complainant and to the person accused of an ethics violation within seven business days of accepting an ethics complaint, and provide direction to Staff.

27. Hold discussion on Sec. 58.068 of the San Marcos City Code related to Possessing of or shooting spearguns in San Marcos River, and provide direction to the City Manager.
28. Hold discussion on Ordinance 2020-18, Cite and Release and provide direction to the City Manager.
29. Hold Discussion regarding a temporary, in house, grant writer with experience in organizing non-profits to organize and fortify our non-profits not only to help with those recently homeless due to the fall-out of Covid, but also for any future pandemic emergencies and natural disasters., and provide direction to the City Manager.

## 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.*

30. Executive Session in accordance with:
  - A. 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
31. 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. §551.074 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, MAY 12, 2021 @ 4:00PM**

**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)