



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final City Council

Wednesday, March 23, 2022

6:00 PM

City Council Chambers

630 E. Hopkins

This will be a hybrid (in-person/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 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.

PRESENTATIONS

1. Receive a presentation from Deloitte and Touche, LLP on the Community Development Block Grant-Disaster Recovery (CDBG-DR) Quarterly Internal Audit Report, and provide direction to Staff.
2. Receive the Annual Audit Report and highlights from the City of San Marcos' Annual Comprehensive Financial Report for the Fiscal Year ended September 30, 2021 from the City's audit firm ABIP, P.C.
3. Receive a Staff presentation of the Quarter End December 31, 2021 Financial Report, and provide direction to City Manager.
4. Receive a Staff presentation of the Quarter End December 31, 2021 Investment Report, and provide direction to City Manager.

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.

5. Consider approval, by motion, of the following meeting minutes:
 - A. February 15, 2022 - Work Session Meeting Minutes
 - B. February 16, 2022 - Budget Policy Workshop Meeting Minutes
 - C. February 17, 2022 - Budget Policy Workshop Meeting Minutes
 - D. March 1, 2022 - Work Session Meeting Minutes
6. Consider approval of Ordinance 2022-17, on the second of two readings, adopting Youth Programs Standards of Care for 2022; providing a severability clause; providing for the repeal of any conflicting provision; declaring an effective date.
7. Consider approval of Ordinance 2022-20, on the second of two readings, annexing into the City approximately 1.11 acres of land located at 1850 Old Ranch Road 12 (Case No. AN-22-04); including procedural provisions; and providing an effective date.
8. Consider approval of Ordinance 2022-21, on the second of two readings, amending the Official Zoning Map of the City in Case ZC-22-06 by rezoning approximately 1.11 acres located at 1850 Old Ranch Road 12, from "FD" Future Development District to "LI", Light Industrial District, or, subject to the consent of the owner, another less intense zoning district classification, including procedural provisions, providing an effective date.
9. Consider approval of Ordinance 2022-22, on the second of two readings, amending regulations and standards applicable within the Trace Planned Development District (PDD) consisting of approximately 417.63 acres of land generally located at 5818 South Old Bastrop Highway, to, among other things, update provisions concerning document illustrations, the zoning concept plan, public space, circulation and connectivity, site design, architectural design, signage, and appendixes, including procedural provisions.
10. Consider approval of Ordinance 2022-23, on the second of two readings, amending Section 2.044 of the San Marcos City Code relating to the preparation of the City Council agenda; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.
11. Consider approval of Resolution 2022-56R, authorizing a Change in Service to the agreement with Scheibe Consulting to provide additional construction phase engineering services required due to environmental regulations for the Blanco Gardens Drainage Improvement Project in the estimated amount of \$180,811.00 to be paid with CDBG-DR and MIT funds; 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.
12. Consider approval of Resolution 2022-57R, approving the award of a contract to Walker Partners, LLC. For design and administrative engineering services relating to the Centerpoint Road Water Main Extension Project in the amount of \$148,180.00; authorizing the City Manager or her designee to execute the contract on behalf of the City; and declaring an effective date.

13. Consider approval of Resolution 2022-58R, authorizing a Change Order to the construction contract with Seidel Construction, LLC relating to the Fire Station No. 6 Construction Project for procurement of temporary air conditioning units in the amount of \$125,565.03; authorizing the City Manager or her designee to execute the appropriate documents relating to the Change Order on behalf of the City; and declaring an effective date.
14. Consider approval of Resolution 2022-59R, approving an agreement with ClearGov Inc., for the purchase of Financial Data Transparency Software for an initial term of two years with three optional extension years in the estimated amount of \$15,100 for the first year and \$12,100 each subsequent year for a total contract price of \$63,500.00; authorizing the City Manager or her designee to execute the agreement on behalf of the City; and declaring an effective date.
15. Consider approval of Resolution 2022-60R, approving a contract with Consolidated Traffic Controls, Inc. through the HGACBuy Cooperative Purchasing Program for the purchase of ADA Traffic Signal Equipment in the amount of \$56,675.35; authorizing the City Manager or her designee to execute the contract on behalf of the City; and declaring an effective date.
16. Consider approval of Resolution 2022-49R, approving a Master Lease-Purchase Financing Agreement with U.S. Bank Government Leasing and Finance, Inc. for the financing of a digger derrick, two bucket trucks, and a wire tensioner for use by the Electric Utility Division of the Utilities Department to be financed in the amount of \$911,760.86, inclusive of interest, for a seven-year term; authorizing the City Manager or her designee to execute all appropriate documents associated with this transaction; and declaring an effective date.
17. Consider approval of Resolution 2022-50R, approving an agreement with Altec Industries, Inc. through the Sourcewell Purchasing Cooperative Contract for the purchase of electric utility equipment including one wire tensioner, two bucket trucks, and one digger derrick in the estimated amount of \$911,760.86; authorizing the City Manager or her designee to execute the agreement on behalf of the City; and declaring 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.

18. Hold a Public Hearing to receive comments for or against Resolution 2022-61R, approving a Budget Policy Statement for preparation of the 2022-2023 Fiscal Year budget; and declaring an effective date; and consider approval of Resolution 2022-61R.

NON-CONSENT AGENDA

19. Consider approval of Ordinance 2022-24, on the first of two readings, amending certain funds in the City's 2021-2022 Fiscal Year budget to authorize a mid-year Cost of Living Allowance, an adjustment to Public Safety Overtime, adding personnel, and revising sales

tax revenue and transfers; including procedural provisions; and declaring an effective date.

20. Consider approval of Ordinance 2022-25, on the first of two readings, amending certain funds in the City's 2021-2022 Fiscal Year budget to authorize the use of fund balance for one-time non-recurring items and increases in fuel and other contractual services; including procedural provisions; and declaring an effective date.
21. Consider approval of Resolution 2022-62R, awarding a construction contract to Austin Underground, Inc., for the Sessom Drainage and Street Improvements Project in the estimated amount of \$5,746,040.25; authorizing the City Manager or her designee to execute the contract on behalf of the City; and declaring an effective date.
22. Consider approval of Resolution 2022-63R, adopting the City Council's Strategic Initiatives for Fiscal Year 2022-2026; and declaring an effective date.
23. Consider approval of Resolution 2022-64R, approving Substantial Amendment Number 12 to the Community Development Block Grant-Disaster Recovery (CDBG-DR) Action Plan to reallocate project funding and add activities for housing projects; authorizing the City Manager 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.
24. Consider approval of Resolution 2022-65R, approving and authorizing the City Manager, or her designee, to execute an Assignment of Rights with the Lower Colorado River Authority (LCRA) related to the city's capacity participation in the Gentex, LLC Electric Generating Station; declaring the agreement to be a public power competitive matter of the San Marcos Election Utility (SMEU) under Section 552.133 of the Texas Government Code; and declaring an effective date.
25. Consider approval, by motion, authorizing negotiations of a Development Agreement with Max Whipple with The NRP Group, LLC, on behalf of John Dreyfus, Seymour Dreyfus Family Limited Partnership, for approximately 20.07 acres out of the L S Yeates Survey located at 1800 Centerpoint Rd, and consider the appointment of a Council Committee to review the aforementioned Development Agreement, if desired.
26. Hold discussion regarding Historic Preservation Commission Recommendation Resolution 2022-01RR, that recommends Council authorize an amendment to the San Marcos Development Code and Appendix C, Historic District Design Guidelines of the San Marcos Design Manual, to amend the criteria for approval of local historic landmarks and local historic districts and provide direction to the City Manager.
27. Hold discussion regarding Parks and Recreation Board Recommendation Resolution 2021-03RR that supports the renaming of the City Recreation Hall (located within City Park) to the Pauline Espinosa Community Hall, and provide direction to the City Manager.
28. Hold discussion about the use of Robert's Rules of Order during council meetings and provide direction to City Manager.
29. Hold discussion about current city council rules of decorum and make changes accordingly, and provide direction to City Manager.

30. Hold discussion about all Council Members being at the dais during meetings and provide direction to City Manager.
31. Hold discussion regarding the process for appointee evaluations 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.

32. Executive Session in accordance with the following sections:
 - A. Sec. §551.074 of the Texas Government Code: Personnel Matters: to discuss goals for the city council appointees: city manager, city attorney, city clerk, and presiding judge of the San Marcos Municipal Court
 - B. Sec. §551.086 -Texas Government Code - Public Power Utility Competitive Matters: to discuss plans or proposals for electric generation system improvements, additions, or sales
 - C. Sec. §551.072 -Texas Government Code - Real Property: Acquisition of land on the city's east side for a public park using Hays County Parks and Open Space Advisory Committee (POSAC) bond funds

ACTION/DIRECTION FROM EXECUTIVE SESSION

33. Consider action, by motion, or provide direction to Staff regarding the following Executive Session items held during the Work Session and/or Regular Meeting:
 - A. Sec. §551.074 of the Texas Government Code: Personnel Matters: to discuss goals for the city council appointees: city manager, city attorney, city clerk, and presiding judge of the San Marcos Municipal Court
 - B. Sec. §551.086 -Texas Government Code - Public Power Utility Competitive Matters to discuss plans or proposals for electric generation system improvements, additions, or sales.
 - C. Sec. §551.072 -Texas Government Code - Real Property: Acquisition of land on the city's east side for a public park using Hays County Parks and Open Space Advisory Committee (POSAC) bond funds

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 WEDNESDAY, MARCH 16, 2022 @ 3:00PM

ELIZABETH TREVINO, DEPUTY 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