



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final City Council

Tuesday, September 20, 2022

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. 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.

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 2022-65, on the second of two readings, annexing into the City approximately 69.407 acres of land, generally located between I-35 South and the Union Pacific railroad, approximately 1,000 feet south of Posey Road in Case No. AN-22-12; including procedural provisions; and providing an effective date.
2. Consider approval of Ordinance 2022-66, on the second of two readings, amending the Official Zoning Map of the City in Case ZC-22-25, by rezoning approximately 7.251 acres of land, generally located east of the Union Pacific railroad, approximately 1,000 ft south of Posey Road, from "FD" Future Development District to "HI" Heavy Industrial District, or, subject to the consent of the owner, another less intense zoning district classification, including procedural provisions; and providing an effective date.

3. Consider approval of Ordinance 2022-67, on the second of two readings, amending the Official Zoning Map of the City in Case ZC-22-26, by rezoning approximately 48.718 acres of land, generally located on the I-35 South Frontage Road, approximately 1,000 ft south of the intersection of I-35 and Posey Road, from "FD" Future Development District and "AR" Agricultural Ranch Districts to "LI" Light Industrial District, or, subject to the consent of the owner, another less intense zoning district classification, including procedural provisions; and providing an effective date.
4. Consider approval of Ordinance 2022-68, on the second of two readings, amending the Official Zoning Map of the City in Case ZC-22-27, by rezoning approximately 15.6 acres of land, generally located on the I-35 South Frontage Road, approximately 1,400 feet south of the intersection of I-35 and Posey Road from "FD" Future Development District and "AR" Agricultural Ranch Districts to "HC" Heavy Commercial District, or, subject to the consent of the owner, another less intense zoning district classification, including procedural provisions; and providing an effective date.
5. Consider approval of Ordinance 2022-74, on the second of two readings, increasing Stormwater Utility Rates as authorized by Section 86.505 of the San Marcos City Code; including procedural provisions; and providing an effective date.
6. Consider approval of Ordinance 2022-75, on the second of two readings, amending the rates for both Residential and Multifamily Customers of Municipal Solid Waste Programs (currently known as Resource Recovery) in accordance with Section 66.028 of the San Marcos Code of Ordinances; including procedural provisions; and providing an effective date.
7. Consider approval of Resolution 2022-205R, approving a contract with Firetrol Protection Systems Inc., through the Texas BuyBoard Purchasing Cooperative for preventative maintenance and inspection of fire alarm systems in the estimated annual amount of \$18,190.00 and authorizing three additional optional one-year renewals; authorizing the City Manager or her designee to execute the contract and related documents on behalf of the City; and declaring an effective date.
8. Consider approval of Resolution 2022-206R, approving a contract with Sullivan Contracting Services through the Choice Partners Purchasing Cooperative Program for emergency roof repair of a hangar at the San Marcos Regional Airport damaged recently during a storm in the estimated amount of \$101,277.77; authorizing the City Manager or her designee to execute the contract on behalf of the City; and declaring an effective date.
9. Consider approval of Resolution 2022-207R, authorizing the cancellation of the prior contract award for Indefinite Delivery Indefinite Quantity Concrete Construction Services to Partners Remodeling Restoration and Waterproofing in a not to exceed amount of \$500,000.00; and declared an effective date.
10. Consider approval of Resolution 2022-208R, accepting financial assistance for the Taxiway Charlie Reconstruction Project at the San Marcos Regional Airport from the Texas Department of Transportation's Aviation Division and authorizing the City's participation in the project by contributing ten percent of the construction costs in the estimated amount of

\$539,273.00; authorizing the City Manager or her designee to execute all necessary documents related to the project; and declaring an effective date.

11. Consider approval of Resolution 2022-209R, authorizing a Change in Service to the agreement with Garver, LLC related to the FM 110 Connection Drive Project to advance the project to the detailed design phase in the estimated amount of \$154,610.00; 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 2022-210R, approving a Change in Service to the agreement with Freeit Data Solutions Inc., through the Texas Comptroller of Public Accounts Department of Information Resources (DIR) Program, to renew the contract for Nimble Storage Array Systems for data storage and associated items for the Information Technology Department in the estimated annual amount of \$21,338.53; and authorizing four optional one-year renewals; authorizing the City Manager or her designee to execute the appropriate documents to implement the Change in Service; and declaring an effective date.
13. Consider approval of Resolution 2022-211R, approving a contract with SHI Government Solutions, Inc. through the State Department of Information Resources Contract for Microsoft Enterprise Software Licenses in the annual estimated amount \$387,093.15 and authorizing two additional annual renewals; authorizing the City Manager or her designee to execute the agreement on behalf of the City; and declaring an effective date.
14. Consider approval of Resolution 2022-212R, approving a Participation Agreement with the City of San Antonio, CPS Energy and other agencies providing for training, coordination, monitoring and related activities regarding cybersecurity threats through Alamo Regional Security Operation Center; authorizing the City Manager, or her designee, to execute this agreement on behalf of the City; and declaring an effective date.
15. Consider approval of Resolution 2022-213R approving an expenditure of \$120,385 from the Permanent Art Fund for the purchase of four sculptures as recommended by the Arts Commission; authorizing the City Manager to execute related documents, including a contract with Dimension Gallery in the estimated amount of \$94,135; and declaring an effective date.
16. Consider approval of Resolution 2022-214R, authorizing the naming of the alley that runs between the east 100 block of San Antonio Street and East Martin Luther King Drive, directly across from the Hays County Historic Courthouse "Boyhood Alley"; and declaring and effective date.
17. Consider approval of Resolution 2022-215R, approving a Change in Service to the agreement with The Normandy Group, LLP relating to the provision of Federal Governmental Relations Services to extend the contract for two years in the estimated amount of \$300,000.00; authorizing the City Manager or her designee to execute the appropriate documents to implement the Change in Service; and declaring an effective date.
18. Consider approval of Resolution 2022-216R, approving a services contract with

McCamant Consulting Services, LLC for the provision of Wholesale Power and Utility Consulting Services in the estimated annual amount of \$92,400.00 with up to \$7,700.00 in reimbursable expenses annually and authorizing up to three optional additional one-year renewals; authorizing the City Manager or her designee to execute this agreement on behalf of the City; and declaring an effective date.

19. Consider approval of Resolution 2022-217R, approving a contract with Buyers Barricades through the Buyboard Purchasing Cooperative in the estimated amount of \$70,637.50 for the purchase of five electronic message boards for the Neighborhood Enhancement Department; authorizing the City Manager, or her designee, to execute the contract on behalf of the City; 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.

20. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2022-73, adopting a budget in the amount of \$298,144,470 for the fiscal year beginning October 1, 2022 and ending September 30, 2023; authorizing certain adjustments to the budget with the approval of the City Manager; adopting a fee schedule; approving fiscal year 2022-2023 Capital Improvements Program Projects; including procedural provisions; and declaring an effective date; consider approval of Ordinance 2022-73, on the second of two readings.
21. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2022-76, setting the Tax Rate for the 2022 Tax Year at 60.30 cents on each \$100 of taxable value of real property that is not exempt from taxation; levying taxes for the use and support of the Municipal Government of the City for the fiscal year beginning October 1, 2022, and ending September 30, 2023; providing a sinking fund for the retirement of the bonded debt of the city; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2022-76, on the second of two readings.
22. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2022-78, amending the Official Zoning Map of the City in Case No. ZC-22-33, by rezoning approximately 120 acres of land, generally located near the 4100 block of State Highway 21, approximately 1,400 feet north of Harris Hill Road from "P" Public and Institutional District to "LI" Light Industrial District, or, subject to consent of the owner, another less intense zoning district classification; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2022-78, on the first of two readings.
23. AC-22-10 Hold a public hearing and consider approval by motion of a request for an Alternative Compliance to the maximum cut and fill requirements in Section 6.1.2.2 of the Land Development Code to allow cuts and fill up to 13 feet, for a proposed development of land generally located north of the intersection of East McCarty Lane and Rattler Road.

NON-CONSENT AGENDA

24. Consider approval of Ordinance 2022-79, on the first of two readings, approving the 2022 Annual Service Plan Update for the Trace Public Improvement District; authorizing the City Manager, or her designee, to execute said document on behalf of the City; and declaring an effective date.
25. Consider approval of Ordinance 2022-80, on the first of two readings, approving the 2022 Annual Service Plan Update for the Whisper Public Improvement District; authorizing the City Manager, or her designee, to execute said document on behalf of the City; and declaring an effective date.
26. Consider approval of Ordinance 2022-81, on the first of two readings, approving the 2022 Annual Service Plan Update for the Whisper South Public Improvement District; authorizing the City Manager, or her designee, to execute said document on behalf of the City; and declaring an effective date.
27. Consider approval of Ordinance 2022-82, on the first of two readings, amending Section 58.127 of the San Marcos City Code to, among other things, eliminate fees for overdue library materials; include procedural provisions; and providing an effective date.
28. Consider approval of Ordinance 2022-83, on the first of two readings, approving the abandonment and release of all or portions of various streets, easements and alleyways, including portions of Loquat Street and Locust Street, to Texas State University in exchange for the conveyance by Texas State University of certain real property interests in connection with the Sessom Creek Improvements Project (Phase 2); authorizing the City Manager, or her designee, to execute the appropriate conveyance instruments to and from Texas State University, subject to approval of the forms thereof by the City Attorney; and declaring an effective date.
29. Consider approval of Resolution 2022-218R, approving an Interlocal Agreement with Texas State University in connection with the Sessom Creek Improvements Project (Phase 2) providing, among other things, for the closure of Loquat Street near Sessom Creek and the abandonment and exchange of certain real property interests to facilitate said project; authorizing the City Manager, or her designee, to execute the agreement on behalf of the City; and declaring an effective date.
30. Consider approval of Resolution 2022-219R, approving the Public Transit Interlocal Agreement with the Capital Area Rural Transportation System for the provision of public transit service and maintenance to the San Marcos urbanized area; authorizing the City Manager or her designee to execute the agreement on behalf of the City; and declaring an effective date.
31. Consider approval of Resolution 2022-220R, authorizing the acquisition of an easement across a tract of land located at 230 Ramsey Street, San Marcos, Hays County, Texas for public utility purposes as generally depicted in the exhibit attached hereto and incorporated herein for all purposes; this acquisition being necessary to advance and achieve the public use of maintaining existing and future public utility systems, including electric and water

utilities to meet existing and future needs; authorizing the institution of condemnation proceedings to acquire the necessary land rights to the extent negotiations are unsuccessful; and providing an effective date.

32. Consider approval of Resolution 2022-221R, casting votes for candidates for Places Six to Nine of the Board of Trustees of the Texas Municipal League Intergovernmental Risk Pool; authorizing the City Manager to execute documents; and declaring an effective date.
33. Consider approval, by motion, of the ratification of the property tax revenue increase reflected in the proposed budget for the fiscal year October 1, 2022 through September 30, 2023.
34. Discuss and consider appointment(s) to fill vacancies on the following Boards and Commissions, and provide direction to Staff.
 - A) Historic Preservation Commission
 - B) Veteran's Affairs Advisory Committee
35. Hold discussion regarding a request from the San Marcos Greenbelt Alliance to name the natural area commonly known as the "Buie Tract" the "River Recharge Natural Area," and provide direction to the City Manager.
36. Hold discussion regarding Recommendation Resolution 2022-01RR of the San Marcos Cemetery Commission, recommending amendments to Chapter 22 of the City Code of Ordinances by adding definitions and procedures for Ecofriendly Burials within the San Marcos Cemetery, and provide direction to the City Manager.
37. Hold discussion on possible amendments to the Council Committee Rules of Procedure 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.

38. Executive Session in accordance with the following:
 - A. Sec. §551.071 of the Texas Government Code: Consultation with Attorney: To seek legal advice from the City Attorney regarding a San Marcos Regional Airport facility lease at 2049 Airport Drive
 - B. Sec. §551.072 of the Texas Government Code: Real Property: Deliberate on facility lease agreements with non-profit organizations

DIRECTION/ACTION FROM EXECUTIVE SESSION

39. Consider action, by motion, or provide direction to Staff regarding the following Executive Session item held during the Work Session and/or Regular Meeting:
 - A. Sec. §551.071 of the Texas Government Code: Consultation with Attorney: To seek legal advice from the City Attorney regarding a San Marcos Regional Airport facility lease at 2049 Airport Drive
 - B. Sec. §551.072 of the Texas Government Code: Real Property: Deliberate on facility

lease agreements with non-profit organizations

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 THURSDAY, SEPTEMBER 15, 2022 @ 4:00PM

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