



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Minutes - Final City Council

Tuesday, March 1, 2022

6:00 PM

City Council Chambers

630 E. Hopkins

I. Call To Order

With a quorum present, the regular meeting of the San Marcos City Council was called to order by Mayor Hughson at 6:00 p.m. Tuesday, March 1, 2022. This meeting was held in-person and online.

II. Roll Call

Present: 7 - Mayor Jane Hughson, Council Member Maxfield Baker, Council Member Saul Gonzales, Mayor Pro Tem Shane Scott, Deputy Mayor Pro Tem Alyssa Garza, Council Member Jude Prather and Council Member Mark Gleason

III. Invocation

Rev. Krista Weber Huang with San Marcos Unitarian Universalist Fellowship provided this evening's invocation.

IV. Pledges of Allegiance - United States and Texas

Council Member Prather led the assembly in the Pledges of Allegiance.

V. 30 Minute Citizen Comment Period

Lela Holt, spoke in favor of the item #22 on Arts Master Plan, she is the former chair of the Arts Commission and served 2 terms. She would like council to vote for the Arts Master Plan. She stated the plan has suggested more work that needs to be done and to build relationships with art groups in the city. This plan can help the city stay on track in moving forward for the next 5 years.

Rodrigo Amaya, stated he tried to meet with the Police Chief regarding serious police matters. He expressed concern with accountability and inappropriate decorum during council meetings. He expressed concern with the conditions at the Southside Community Center. He stated he doesn't want to see more development in the city. He stated Diana at the library was very helpful in

assisting completing an application.

Amy Oakes, expressed concern with development occurring on Coffee Road. She expressed concern with flooding coming from the Trace development. She stated there is concern with backflow going into her property from the development. She mentioned the development is built behind her house that is a low line that floods. She expressed concern with the sale price of homes being built and doesn't consider this project affordable housing.

Lisa Marie Coppoletta, she expressed concern with the speed bumps on her street. She expressed concern with items #28, 29, 30 and nothing in the charter protects the citizens. There is nothing in the charter to protect her rights. She is expressed concern with emergency preparedness if there is an international situation. She would like the city to create a disaster committee formed by citizens.

CONSENT AGENDA

A motion was made by Mayor Pro Tem Scott, seconded by Council Member Prather, to approve consent agenda items #1-8 and 12 -13. Items #9, 10, and 11 were pulled and considered separately. The motion carried by the following vote:

For: 7 - Mayor Hughson, Council Member Baker voted for items #1, 4-6, 12-13, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0 Council Member Baker voted against items #2, 3, 7 and 8

1. Consider approval, by motion, of the following meeting minutes:
 - A. February 1, 2022 - Work Session Meeting Minutes
 - B. February 1, 2022 - Regular Meeting Minutes
2. Consider approval of Ordinance 2022-08, on the second of two readings, annexing into the City approximately 2.527 acres of land generally located on Centerpoint Rd approximately 340' northwest of the intersection between Centerpoint Rd and Gregson's Bend in Case No. AN-22-05; including procedural provisions; and providing an effective date.
3. Consider approval of Ordinance 2022-09, on the second of two readings, amending the Official Zoning Map of the City in Case ZC-21-26, by rezoning approximately 70.89 acres, more or less, out of the Edward Bursleson Survey, Abstract 63, generally located north of the intersection of Gregson's Bend and Commercial Loop, from Planning Area (PA), Future Development (FD), and General Commercial (GC) to Character District-5 (CD-5), 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 2022-15, on the second of two readings, authorizing the installation of speed cushions in both directions in the 500 through 1200 blocks of Franklin Drive (from Old Ranch Road 12 and Bishop Street); and including procedural provisions.
5. Consider approval of Ordinance 2022-16, on the second of two readings, reducing the speed limit from 30 miles per hour to 25 miles per hour in the Vista De Los Santos Neighborhood; 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 including procedural provisions.
6. Consider approval of Resolution 2022-45R, approving an agreement with Freeit Data Solutions for a five-year term through the Texas Department of Information Resource Cooperative Purchasing Program in the estimated amount of \$152,164.84 for the purchase of a Backup Solutions subscription to include annual maintenance; authorizing the City Manager or her designee to execute the agreement on behalf of the City; and declaring an effective date.
7. Consider approval of Resolution 2022-46R, approving an agreement for the provision of services in connection with the proposed owner requested annexation in Case No. AN-22-02 of approximately 75.17 acres of land, generally located on State Highway 123 approximately 1,400 feet south of the intersection of SH 123 and Rattler Road; 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.
8. Consider approval of Resolution 2022-47R, approving an agreement for the provision of services in connection with the proposed owner requested annexation in Case No. AN-22-06 of approximately 74.24 acres of land, generally located 1,300' northwest of the West Centerpoint Road and Central Park Loop. intersection; authorizing the City Manager, or her 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.
12. Consider approval of Resolution 2022-51R, approving the partial release of an approximately 0.001 acre or 36 square foot portion of a water and wastewater easement in the 1900 block of Dutton Drive; such portion of the easement being no longer necessary; authorizing the City Manager, or her designee, to execute the partial release of easement on behalf of the City; and declaring an effective date.
13. Consider approval of Resolution 2022-52R, expressing support for the taxiway Charlie Reconstruction Project at the San Marcos Regional Airport and authorizing the City's participation in the Project with the Texas Department of Transportation's Aviation Division by contributing ten percent of construction costs in the estimated amount of

\$526,050.00; authorizing the City Manager or her designee to execute all documents related to the Project; and declaring an effective date.

PUBLIC HEARINGS

14. Receive a Staff presentation and Hold a Public Hearing to receive comments for or against Ordinance 2022-17, adopting Youth Programs Standards of Care for 2022; providing a severability clause; providing for the repeal of any conflicting provision; declaring an effective date; and consider approval of Ordinance 2022-17, on the first of two readings.

Mayor Hughson opened the Public Hearing at 6:24 p.m.

Those who spoke:

Lisa Marie Coppoletta, expressed concern with nutrition and would like to see better food offered.

There being no more speakers, Mayor Hughson closed the Public Hearing at 6:26 p.m.

A motion was made by Mayor Pro Tem Scott, seconded by Council Member Prather, to approve Ordinance 2022-17, on the first of two readings.

Council Member Baker expressed concern with nutrition minimums and would like to establish more nutritional balance by working with the members of the food bank.

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

MOTION TO AMEND: A motion was made by Mayor Hughson, seconded by Council Member Prather, to amend Ordinance 2022-17 by inserting "specifying different conditions" under (D) Participants Pick Up & Drop Off. The new section will read as follows "Participants may be signed out by a custodial parent unless court paperwork specifying different conditions, is given to Program Staff."

The motion carried by the following vote:

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

MAIN MOTION: approve Ordinance 2022-17, on the first of two readings, as amended.

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

15. Receive a staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2022-18, annexing into the City approximately 55.344 acres of land located on Posey Road approximately 280 feet northwest of the intersection of Posey Road and South Old Bastrop Hwy (Case No. AN-22-03); including procedural provisions; and providing an effective date; and consider approval of Ordinance 2022-18, on the first of two readings.

Shannon Mattingly, Director of Planning and Development Services, provided the presentation regarding the annexing of 55.344 acres, located on Posey Road approximately 280 feet northwest of the intersection of Posey Road and South Old Bastrop Hwy.

Mayor Hughson opened the Public Hearing at 6:32 p.m.

Those who spoke:

Ronan O'Connor, spoke in favor of this project and is available to answer questions.

Cory Nikolaus, spoke in favor of the project. He thanked city staff for assistance during the process. He stated the development of a new residential master plan community. He mentioned the project will be named The Village of Posey Road with 160 single family homes, a community center and have open space within the community. He mentioned a concern was discharge of water issues due to inadequate drainage on Posey Road, he stated there will be oversize retention pond and create more open space for the water to drain to.

Lisa Marie Coppoletta, expressed concern with some agenda items not having a staff presentation.

There being no further speakers, Mayor Hughson closed the Public Hearing at 6:37 p.m.

A motion was made by Mayor Pro Tem Scott, seconded by Council Member Prather, to approve Ordinance 2022-18, on the first of two readings.

Council Member Baker inquired why is it not a standard practice to include the map for level of service for fire and police. He asked if the project would be serviced by the city's fire and police? Ms. Mattingly stated the project is adjacent to the Trace development and there will be a new fire station in Trace development. She believes there is no issue with the fire emergency service but not sure regarding police services.

The motion carried by the following vote:

For: 6 - Mayor Hughson, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 1 - Council Member Baker

- 16.** Receive a staff presentation and hold a public hearing to receive comments for or against Ordinance 2022-19, amending the Official Zoning Map of the City in Case ZC-22-05, by rezoning approximately 55.344 acres of land generally located approximately 280 feet northwest of the intersection of Posey Road and South Old Bastrop Highway from “FD” Future Development District to “CD-3” Character District - 3, or, subject to the consent of the owner, another less intense zoning district classification, including procedural provisions; providing an effective date, and consider approval of Ordinance 2022-19 on the first of two readings.

Shannon Mattingly, Director of Planning and Development Services, provided the presentation regarding rezoning 55.344 acres located 280 feet northwest of the intersection of Posey Road and South Old Bastrop Highway from “FD” Future Development to “CD-3” Character District - 3. The developer is proposing an approximately 135 lot single-family residential development with detention pond and recreation center. A small portion of the proposed development is in the 100-year floodplain. A detention pond is proposed for this area.

Mayor Hughson opened the Public Hearing at 6:46 p.m.

Those who spoke:

Ronan O'Conner, spoke in favor of this project and is available to answer questions.

Cory Nikolaus, spoke in favor of this project.

Lisa Marie Coppoletta, spoke against this project. She stated this project is not affordable housing and expressed concern with future flooding. She expressed concern with lack of affordability and the proximity of the cemetery.

There being no further speakers, Mayor Hughson closed the Public Hearing at 6:51 pm.

A motion was made by Council Member Prather, seconded by Mayor Pro Tem Scott, to approve Ordinance 2022-19, on the first of two readings.

Council Member Baker inquired if the developer can mitigate flooding during construction. Ms. Mattingly stated the developer is not allowed to move any water off the property that currently flows across the property before development begins.

Council Member Gleason inquired if there is or how far is the pipeline from the San Pedro Cemetery? Mr. Gleason would like to know if there is intent to have a buffer near the cemetery. Mr. O'Connor stated it is 200 feet away from the cemetery. Mr. O'Connor stated there will be a 15 foot buffer between the cemetery and property and will add a 8 feet wall for privacy.

Council Member Prather asked if property is not annexed, then what would happen? Mr. Nikolaus stated the property lots would be larger and wouldn't have City water and wastewater services but will rely on a septic system and well water.

MOTION TO AMEND: A motion was made by Mayor Gleason, seconded by Mayor Pro Tem Scott, to add a restrictive covenant that will require a 15 foot buffer and install an 8 feet privacy wall along the cemetery property.

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

MAIN MOTION: to approve Ordinance 2022-19 as amended, on the first of two readings.

For: 4 - Mayor Hughson, Mayor Pro Tem Scott, Council Member Prather and Council Member Gleason

Against: 3 - Council Member Baker, Council Member Gonzales and Deputy Mayor Pro Tem Garza

17. Receive a staff presentation and hold a Public Hearing to receive comments for or against an Ordinance 2022-20, 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; and consider approval of Ordinance 2022-20, on the first two readings.

Shannon Mattingly, Director of Planning and Development Services provided

the presentation regarding annexing into the City approximately 1.11 acres of land located at 1850 Old Ranch Road 12 Self-Storage.

Mayor Hughson opened the Public Hearing at 7:56pm

Those who spoke:

Tom Holeman, spoke in favor of the project. He stated he is one of three partners on the development and mentioned we have an agreement with the adjacent property owner that processes the sewer onsite. The septic system is obsolete and is overflowing. He mentioned by annexing, it will allow them to tie into the city sewer line. He stated this will force the adjacent property owner to abandon the septic system and shut it down. He noted the zoning with the development agreement is to allow them to demolish the existing building to build a modern self storage facility.

Lisa Marie Coppoletta, she would like staff to have included in the packet the comments from planning and zoning commissioners. She stated there is a concern with sewerage leak problems and it will not be fixed by the developer. Expressed concern with developers are from out of town and houses they live in is more than \$800K.

There being no further speakers, Mayor Hughson closed the Public Hearing at 8:02 p.m.

A motion was made by Council Member Baker, seconded by Council Member Prather, to postpone Ordinance 2022-20, until Hays County has a plan for businesses not to be interrupted. The motion to postpone failed by the following vote:

For: 1 - Council Member Baker

Against: 6 - Mayor Hughson, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

A motion was made by Mayor Pro Tem Scott, seconded by Council Member Prather, to approve Ordinance 2022-20, on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

18. Receive a staff presentation and hold a public hearing to receive comments for of against Ordinance 2022-21, 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, and consider approval of Ordinance 2022-21 on the first of two readings.

Shannon Mattingly, Director of Planning and Development Services, provided a presentation regarding rezoning approximately 1.11 acres located at 1850 Old Ranch Road 12, the Self Storage from "FD" Future Development District to "LI", Light Industrial District. She noted the development agreement was approved in December and part of the agreement restricts uses to only the self storage facility and associated office space.

Mayor Hughson opened the Public Hearing at 8:29 p.m.

Those who spoke:

Lisa Marie Coppoletta, express concern with information on staff reports being left out of the agenda packets.

There being no further speakers, Mayor Hughson closed the Public Hearing at 8:33 p.m.

A motion was made by Mayor Pro Tem Scott, seconded by Mayor Gleason, to approve Ordinance 2022-21, on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

- 19.** Receive a staff presentation and hold a public hearing to receive comments for or against Ordinance 2022-22, 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; and providing an effective date, and consider approval of Ordinance 2022-22 on the first of two readings.

Shannon Mattingly, Director of Planning and Development Services, provided the presentation regarding the proposed amendments to update various standards and illustrations within the Trace Planned Development District (PDD) consisting of approximately 417.63 acres of land generally located at 5818 South Old Bastrop Highway.

Mayor Hughson opened the Public Hearing at 8:39 p.m.

Karen Williams Murch, project manager for Trace and spoke in favor of the proposed amendments. These changes are the process of 3-4 years building the project.

Lisa Marie Coppoletta, expressed concern with trees being butchered and is pleased that Trace is having amendments to the PDD.

There being no further speakers, Mayor Hughson closed the Public Hearing at 8:45 p.m.

A motion was made by Mayor Pro Tem Scott, seconded by Mayor Gleason, to approve Ordinance 2022-22, on the first of two readings.

Council Member Baker would like to see more innovative and sustainability by suggesting purple pipe and solar panels to power the streetscape.

Council Member Prather noted that those are good ideas, but this development is already substantially built out and due to their financing in place that it wouldn't be fair to require it at this late date.

Mayor Pro Tem Scott asked if natural gas were required in this development. He noted the importance of having natural gas required in a housing development during winter times when the electricity is out. Someone can use their stovetop to partially heat their home.

Ms. Murch stated items have been done that are not in the PDD. After the PDD added rainwater catchment system at the amenity center to irrigate the landscape and the elementary school was required to do a rainwater catchment system on the roof. She stated many homes are encouraged to have solar panels. She mentioned there is natural open space and pervious cover will go to plants. Ms. Murch stated they planted low water natural grasses and plants that don't require a lot of irrigation.

The motion carried by the following vote:

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

9. Consider approval of Resolution 2022-48R, awarding a contract to Heat Transfer Solutions, Inc. through the BuyBoard Purchasing Cooperative for the purchase of air purifiers for the San Marcos Activity Center in the amount of \$162,979.09 to be paid with American Rescue Plan funds; authorizing the City Manager or her designee to execute the contract on behalf of the City; and declaring effective date.

A motion was made by Mayor Pro Tem Scott, seconded by Mayor Gleason, to approve Resolution 2022-48R. Council Member Gonzales asked if the City looked at other things than just the air purifiers such as UV lights. Sabas Avila, Director of Public Works, stated they did extensive research on what type of air cleaning systems including UT filtration, ionization, HEPA filtration. The EPA Environment Protection recommends a combination and not a single use. For example, at the Activity Center, we will be using UV filtration and HEPA filtration. The motion carried by the following vote:

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

10. Consider approval of Resolution 2022-49R, approving a Master Lease-Purchase Financing Agreement with J.P. Morgan Chase Bank, N.A. 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 \$855,875.59, 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.

MOTION TO POSTPONE: A motion was made by Mayor Hughson, seconded by Mayor Gleason, to postpone Resolution 2022-49R to the March 23rd meeting. The motion to postpone carried by the following vote:

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

11. Consider approval of Resolution 2022-50R, approving an agreement with Altec Industries, Inc. through the Sourcewell Cooperative Purchasing Contract for the purchase of electric utility equipment including one wire tensioner, two bucket trucks, and one digger derrick in the amount of \$808,092.00; authorizing the City Manager or her designee to execute the agreement on behalf of the City; and declaring effective date.

MOTION TO POSTPONE: A motion was made by Mayor Hughson, seconded by Mayor Pro Tem Scott, to postpone Resolution 2022-50R to the March 23rd meeting. The motion to postponed carried by the following vote:

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

NON-CONSENT AGENDA

22. Consider approval of Resolution 2022-55R, approving the updated San Marcos Arts Master Plan, and providing an effective date.

A motion was made by Council Member Prather, seconded by Mayor Pro Tem Scott, to approve Resolution 2022-55R. Mayor Hughson requested that progress on the plan be made regularly. The motion carried by the following vote:

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

20. Consider approval of Ordinance 2022-23, on the first 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.

A motion was made by Mayor Pro Tem Scott, seconded by Mayor Gleason, to approve Ordinance 2022-33, on the first of two readings. The motion carried by the following vote:

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

21. Consider approval of Resolution 2022-53R, approving a Memorandum of Understanding to extend the current Meet and Confer Agreement between the San Marcos Professional Firefighters Association Local #3963 and the City of San Marcos for one year to September 30, 2023 and to provide a 2% base pay salary increase for firefighters beginning October 1, 2022; authorizing the City Manager to execute the amendment; and declaring an effective date.

A motion was made by Mayor Gleason, seconded by Mayor Pro Tem Scott, to approve Resolution 2022-53R. The motion carried by the following vote:

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

23. Receive a presentation from staff and consider Resolution 2022-54R, approving amendments to the Low-Income Housing Tax Credit (“LIHTC”) Policy section of the Affordable/Workforce Housing Policy to clarify the process for consideration, adjust the unit mix for tax-exempt projects, and provide additional considerations for review of LIHTC projects, and declaring an effective date.

A motion was made by Council Member Baker, seconded by Mayor Gleason, to approve Resolution 2022-54R. The motion carried by the following vote:

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

24. Consider approval, by motion, adopting a revised Template for Standard Bylaws for City Boards and Commissions and provide direction to Staff.

A motion was made by Mayor Gleason, seconded by Council Member Baker, to approve the revised Template for Standard Bylaws for City Boards and Commissions. The motion carried by the following vote:

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

25. Receive a staff presentation and consider, by motion, the initial authorization of text amendments to the San Marcos Development Code to improve development processes, address typographical errors, and review criteria for parkland dedication.

Shannon Mattingly, Director of Planning and Development Services, provided a brief presentation on the proposed amendments.

Summary of the proposed amendments are the following:

- **Table 2.1 will be updated, as necessary, to update / incorporate all process changes.**
- **Table 2.2: reflect accurate section references for Certificates of Appropriateness and accurately reflect the Expiration / Extension periods.**
- **Table 2.3: reflect the change of Employment Center (EC) to Commercial (CM) which was previously approved by City Council.**
- **Section 2.5.5.3.B.4: update the 45-day requirement for HPC to render a decision on an application to 60-days to account for rescheduled meetings and months with a 5th Thursday.**
- **Section 3.10.1.2.D.2: remove requirement for 50% of parkland to be**

dedicated to the City and allow 100% HOA maintenance, at the request of the Parks Department.
- Create a new section to address denial of parkland dedication or fee in lieu at the Parks Board.

Mayor Hughson would like changes so that people will know about neighborhood presentations by developers. Council consensus is to have the planning staff come up with ideas to increase the number of attendees at a neighborhood presentation.

A motion was made by Mayor Gleason, seconded by Council Member Gonzales, to approve the initial authorization of text amendments to the San Marcos Development Code. The motion carried by the following vote:

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

26. Discuss and consider annual appointments to various Boards and Commissions, to wit:

- A) Citizen Utility Advisory Board (CUAB)
- B) Convention and Visitors Bureau Board
- C) Economic Development San Marcos Board
- D) Human Services Advisory Board
- E) Neighborhood Commission
- F) San Marcos Industrial Development Corporation
- G) Zoning Board of Adjustment

The following applicants were nominated for consideration to serve on the Citizen Utility Advisory Board:

William McCann - nominated by Council Member Prather

Michael Adams - nominated by Mayor Hughson

Elizabeth Trevino - nominated by Deputy Mayor Pro Tem Garza

Following a roll call vote Elizabeth Trevino received a majority of the votes and was approved for appointment to serve on the Citizen Utility Advisory Board.

The following applicant was nominated to serve on the Convention and Visitor Bureau Board:

Richard Morace - nominated by Mayor Hughson for the Hotel/Motel Representative

Following a roll call vote Richard Morace was unanimously approved for appointment to the Convention and Visitor Bureau Board.

The following applicant was nominated to serve on the Neighborhood Commission:

Michael Adams - nominated by Council Member Gleason

Following a roll call vote Michael Adams was approved for appointment to serve on the Neighborhood Commission. A vacancy remains for Sector 3 and this will be brought forward at a future date.

The following applicants were nominated to serve on the San Marcos Industrial Development Corporation:

Darby Burleson - nominated by Mayor Hughson

John Slack - nominated by Mayor Pro Tem Scott

Thomas Korzeniewski - nominated by Mayor Hughson

Griffin Spell - nominated by Council Member Prather

Following a roll call vote Darby Burleson, John Slack, and Griffin Spell received a majority of the votes and were approved for appointment to the San Marcos Industrial Development Corporation.

The following applicants were nominated to serve on the Zoning Board of Adjustments:

John Slack - nominated by Mayor Pro Tem Scott

William McCann -nominated by Mayor Hughson

Following a roll call vote William McCann received a majority of votes and was approved to serve on the Zoning Board of Adjustments. A vacancy remains for the second alternate position and we will bring this forward at a future date.

The Economic Development Board and the Human Service Advisory Board currently each has a vacancy and these will be brought forward at a future date.

- 27. Hold discussion about cost of city utilities and provide direction to City Manager.**

Mayor Pro Tem Scott stated there have been wise investments with water and electricity and would like to citizens to benefit. He would like to increase the minimum water amount from 6000 gallons to 8000 gallons with the same fee. He stated he would like to see a slight reduction for sewer rates. He would like to see a rate decrease in customer's utility bill.

Council Member Gonzales inquired if wastewater is charged by the gallon? Tyler Hjorth, Director of Utilities stated the wastewater rates is based per 1000 meter water consumption of the council approved based rate. He stated there is

a tier with the size of meters.

Mr. Hjorth stated the first tier is 6000 gallon on residential customer with the minimum base charge of \$26.82. He noted from 0 to 6,000 gallon is \$4.49 per 1000 and from 6,001 to 9,000 gallon is \$7.86. He mentioned the fee does get higher with more usage with the idea of more conservation. He stated the wastewater rate with the first 2,000 is \$27.88 and over 2,000 gallon the fee is \$8.03. Mr. Scott would like to see the rate of \$8.03 for the first 2,000 gallons of wastewater.

Mayor Hughson noted that we have a Citizens Utility Advisory Board (CUAB) and inquired as to their responsibility. Are recommendations on rates part of their charge?

Mr. Hjorth stated that consultants looks at what it costs to run the water plant, wastewater plant, and what revenues we need to pay debt service and current processing costs. The CUAB takes all of that into consideration regarding what rates we need. We also want to maintain a very good bond rating.

Council Member Prather asked, "How do we keep our utilities from increasing?" He noted that if a person is living on \$1,000 a month, a \$100 utility bill is 10 percent of their income. For a household living on \$10,000 per month, a \$100 utility bill is only 1 percent? How can we approach this with fairness in mind?

Mayor Hughson informed the council that we have a lifeline rate for water and wastewater that is a reduced rate. She noted that on our webpage that shows the rates does not have information as to how to apply for this reduced rate.

Council Member Gonzales inquired about raising impact fees, which is the fee charged to developers to pay for the impact on the system of new development. Mayor Hughson inquired as to the requirements in order to raise the fees. Staff responded that study is required to ensure that the fee is covering the cost, but no higher. Council does not have authority to raise the rates any higher.

Ms. Reyes stated that past councils have wanted to impose small increases as they are needed and not to wait for a year or two and then raise the rates by a higher percentage. Council can discuss this. She also noted that there is funding set aside for those who need help paying their utility bills.

Council Member Prather also noted the need to conserve water. He is more

concerned about electric rates in the summer because people need air conditioning.

Mayor Pro Tem Scott noted the CUAB raised the rates this year but he feels that the increase was not needed this year.

Council Member Baker would like staff to bring back defined parameters.

Deputy Mayor Pro Tem Garza would like an update on the utility assistance program with Community Action. She noted customers are not applying and she would like to provide more aid.

Council Member Gleason noted that bills are high at times due to water breaks or other issues. He noted the cost of operating a utility is going up including laying new pipe. He noted the importance of keeping a good bond rating.

Mayor Hughson requested some information and council concurred

- how many people are using the lifeline rate?
- How many customers have used the utility assistance and the dollar amount used for the last 3 years.
- how many applications were submitted, denied and awarded.
- What is the amount funded per application?
- How many accounts are overdue and the number of disconnections?

Mayor Hughson noted if someone's water bill is high, there could be leaks and how can we address those situations?

Council also discussed usage and how people can control some of those costs such as raising/lowering the thermostat when no one is at home.

Council Member Scott noted that the conversation about assisting low income people is good, but he is concerned about the rates for everyone.

Council Member Gonzales would like to see the financial impact with the changes from 6,000 to 8,000 gallon minimum at the same minimum cost.

Deputy Mayor Pro Tem Garza would like the billing system to have timely usage notifications. She also noted that for people who rent, home improvements to reduce usage may not be an option if the landlord is not willing to do the work.

Council Member Gleason noted that if one reviews their bill, including year

over year, they can see if the usage is increasing and make changes to lower their bill.

Mayor Hughson noted she has used a programmable thermostat for over 30 years that sets the temperature at a saving rate during the day when she is gone. This has saved her many dollars over the years. Mayor Hughson inquired about wastewater rates and how they are set per address. Is it the winter water usage? Mr. Hjorth confirmed that is the way it is calculated. Mayor Hughson asked about a vacant house and if there is no water in use at that location, is the wastewater rate no higher than the water usage? Mr. Hjorth will let council know.

Council consensus is to refer this to the Citizen Utility Advisory Board and the same information is sent to council with the intent to bring this back as an action item within 45 days. Council Member Baker noted that the council Sustainability committee discusses similar topics including rebates for various items.

28. Hold discussion about the use of Robert's Rules of Order during council meetings and provide direction to City Manager.

A motion was made by Mayor Pro Tem Scott, seconded by Council Member Prather, to postpone this item to the March 23rd meeting. The motion carried by the following vote:

For: 6 - Mayor Hughson, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 1 - Council Member Baker

29. Hold discussion about current city council rules of decorum and make changes accordingly, and provide direction to City Manager.

A motion was made by Council Member Prather, seconded by Mayor Pro Tem Scott, to postpone this item to the March 23rd meeting. The motion carried by the following vote:

For: 6 - Mayor Hughson, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 1 - Council Member Baker

30. Hold discussion about all Council Members being at the dais during meetings and provide direction to City Manager.

A motion was made by Council Member Prather, seconded by Mayor Pro Tem Scott, to postpone this item to the March 23rd meeting. The motion carried by the following vote:

For: 6 - Mayor Hughson, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 1 - Council Member Baker

EXECUTIVE SESSION

31. Executive Session in accordance with the following sections:

A. Sec. §551.074 of the Texas Government Code: Personnel Matters: to discuss the duties of the City Manager related to the Meet and Confer Process.

B. 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

A motion was made by Mayor Pro Tem Scott, seconded by Mayor Gleason, to enter into Executive Session at 10:58 p.m. The motion carried by the following vote:

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

ACTION/DIRECTION FROM EXECUTIVE SESSION

32. 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 the duties of the City Manager related to the Meet and Confer Process.

B. 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

Mayor Hughson stated on item A direction was provided to staff and item B will be brought forward at the March 23rd meeting.

VI. Question and Answer Session with Press and Public.

Lisa Marie Coppoletta stated the Citizens Utility Advisory Board (CUAB) meets 2 to 4 times a year. She inquired how often does the arts commission Master Plan need to be reviewed? Mayor Hughson mentioned a number of recommendations and implementation strategies both provide list of what some tasks are. She stated that her suggestion was to form a list and report to the arts master plan when items get checked off in the plan. Mayor Hughson stated CUAB meets as necessary.

VII. Adjournment.

A motion was made by Council Member Prather, seconded by Mayor Pro Tem Scott, to adjourn the regular meeting of the City Council on Wednesday, March 2, 2022 at 12:32 a.m. The motion carried by the following vote:

For: 7 - Mayor Hughson, Council Member Baker, Council Member Gonzales, Mayor Pro Tem Scott, Deputy Mayor Pro Tem Garza, Council Member Prather and Council Member Gleason

Against: 0

Tammy K. Cook, City Clerk

Jane Hughson, Mayor