



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Work Session Meeting Minutes City Council

Tuesday, April 5, 2022

3:00 PM

City Council Chambers

630 E. Hopkins - Work Session

I. Call To Order

With a quorum present, the work session of the San Marcos City Council was called to order by Mayor Hughson on Tuesday, April 5, 2022 at 3:01 p.m. 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. 30 Minute Citizen Comment Period

There were no speakers this afternoon.

PRESENTATIONS

1. Hold discussion on Chapter 2, Administration, Article 5, Code of Ethics, regarding a new Division 5 that would require registration of lobbyists and periodic reporting of contacts made by lobbyists with elected City officials, City Board and Commission members, and City Employees, and provide direction to the City Manager.

Michael Cosentino, City Attorney, provided a brief introduction regarding the lobbying ordinance.

Mayor Hughson stated that she would like the council to go back to the original concern that initiated the lobbying ordinance which was concern about influence by developers and suggested that we redo the lobbying ordinance so that it applies only to developers. Since not all actions requested by developers come to the city council, she suggested that we start with rezoning and annexation requests.

Council Member Baker opposes an ordinance applying to developers and wants the lobbying ordinance to apply to the San Marcos Police Officers' Association.

Council Member Baker expressed concern that city staff are being lobbied by developers. Mayor Hughson asked Mrs. Reyes what rules are in place regarding conflict of interest? Mrs. Reyes stated there are multiple mechanism in place for example, the employee handbook, Code of Ethics ordinance that prohibits from accepting gifts and Purchasing department have rules of affidavit while serving on a request for proposal (RFP) committee in addition to professional ethics of multiple organizations.

Deputy Mayor Pro Tem Garza would like a summary of the history on the lobbying ordinance from the time the committee began to work on it and the proposed amendments provided by the mayor. She stated this will help her get information out to the community. She stated citizens are concern of not being able to speak to the elected officials and how this may limit their ability.

Council Member Gonzales and Mayor Hughson expressed concern about “the little guy” who may have inherited a small lot and wants to rezone it. Acreage size of the rezoning request could be a consideration.

Council Member Gleason thinks this is a compromise he can support but more work needs to be done. He would like to look at number of units being rezoned and scope of acreage .

Jonathan Lollar, Ethics Commissioner said he would assist in creating the summary requested by Council Member Garza.

Upon completion of deliberation, council consensus is to narrow down the Lobbying Ordinance to include developers specifically rezoning, 380 agreements, development agreements, out of city utility extension or connection in the Extra Territorial Jurisdiction area, conditional use permit for housing projects and appeals of recommendation from the planning and zoning commission to deny projects.

Mayor Hughson asked Mr. Cosentino what are the next steps and what to expect. Mr. Cosentino asked if it should be a new ordinance and have it on two readings, or put this on a second readings with the context? Consensus is to have a new ordinance and defer the ordinance back to the Ethics Commission. This will come back to council when ready and will include the new direction on the new ordinance.

EXECUTIVE SESSION

2. Executive Session in accordance with the following:
- A. Sec. §551.071 of the Texas Government Code: Consultation with Attorney: To receive a briefing on pending litigation, to wit: Civil Action No. 1:21-CV-00568-RP; In the United States District Court; Western District of Texas; Eric Cervini, Wendy Davis, David Gins, and Timothy Holloway v. Chase Stapp, Brandon Winkenwerder, Matthew Daenzer, and City of San Marcos
- B. Sec. §551.072 of the Texas Government Code: Real Property: to receive a briefing and deliberate on Blanco Riverine Acquisitions

A motion was made by Mayor Pro Tem Scott, seconded by Council Member Gleason, to enter into Executive Session at 4:12 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

IV. Question and Answer Session with Press and Public.

There were no questions from the press or public this afternoon.

V. Adjournment.

Mayor Hughson stated Executive Session was concluded at 5:07 p.m.

A motion was made by Council Member Prather, seconded by Mayor Pro Tem Scott, to adjourn the work session of the City Council on Tuesday, April 5, 2022 at 5:10 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

Tammy K. Cook, City Clerk

Jane Hughson, Mayor