



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Special Meeting Agenda - Final City Council

Thursday, June 27, 2019

4:00 PM

City Council Chambers

630 E. Hopkins - Special Meeting

I. Call To Order

II. Roll Call

1. Hold discussion regarding demolition of historic structures; consider approval Ordinance 2019-19, on emergency, with only one reading, establishing a waiting period for issuance of demolition permits for historic structures.
2. Provide direction to the city staff and the Historic Preservation Commission to provide recommendations pertaining to demolition of historic structures.
3. Hold discussion regarding mermaid parade in-kind funding, and provide direction to Staff.

III. Adjournment.

POSTED ON MONDAY, JUNE 24, 2019 AT 3:50 PM

JAMIE LEE CASE, 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



Legislation Text

File #: Ord 2019-19, **Version:** 1

AGENDA CAPTION:

Hold discussion regarding demolition of historic structures; consider approval Ordinance 2019-19, on emergency, with only one reading, establishing a waiting period for issuance of demolition permits for historic structures.

Meeting date: June 27, 2019

Department: City Clerk's Office

Amount & Source of Funding

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

Fiscal Note:

Prior Council Action: N/A

City Council Strategic Initiative: N/A

Comprehensive Plan Element (s):

- Economic Development
- Environment & Resource Protection
- Land Use
- Neighborhoods & Housing
- Parks, Public Spaces & Facilities
- Transportation
- Not Applicable

Master Plan: N/A

Background Information:

While demolition requests are subject to review by City staff, they are not reviewed for historic significance. If a

structure is a designated landmark or within a local historic district, a Certificate of Appropriateness is required to be reviewed by City staff and the Historic Preservation Commission (HPC) following the process outlined in Section 2.5.5.1(B) of the San Marcos Development Code. There is currently no language in the San Marcos Development Code to allow for the review of demolition applications for non-designated resources (i.e. those that are not existing local landmarks or within existing local historic districts). Pending direction from City Council, Staff will be working with the Historic Preservation Commission on a permanent solution and codifying a process for demolition review of historic-age structures. If City Council directs to move forward with including a demolition review process into the San Marcos Development Code, staff will work with the HPC to draft a recommendation at either their Regular meeting in July or at a Special meeting in July. This recommendation would be sent back to the City Council for formal consideration at the August 20th meeting.

The City of San Antonio sends demolition request notices via email to neighborhood associations, the City Council Office, community organizations and nonprofits related to preservation, and community members that have asked to be included. These notices state that a demolition application for the structure has been submitted and includes a photo of the property and a timeline.

While working on codifying a permanent solution, staff can begin to send similar notices to interested parties (e.g. City Council, HPC, Neighborhood Commission, CONA, Heritage Association, Hays County Historical Commission, etc.). These notices can also be placed on the City's website for the public to view at any time. Without a demolition delay ordinance in place, the City cannot hold applications for demolitions and the typical turnaround time for a permit is 5-10 business days.

Council Committee, Board/Commission Action:

N/A

Alternatives:

N/A

Recommendation:

N/A

ORDINANCE NO. 2019 –

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS PROVIDING FOR A MINIMUM WAITING PERIOD BEFORE A PERMIT MAY BE ISSUED FOR THE DEMOLITION OR REMOVAL OF ANY BUILDING OR STRUCTURE THAT IS IDENTIFIED AS HISTORICALLY SIGNIFICANT OR AT LEAST 45 YEARS OLD; REQUIRING ADVANCE PUBLIC NOTICE OF THE PROPOSED DEMOLITION OR REMOVAL OF ANY SUCH BUILDING OR STRUCTURE; PROVIDING FOR PENALTIES; INCLUDING PROCEDURAL PROVISIONS; PROVIDING FOR THE ADOPTION OF THIS ORDINANCE ON ONLY ONE READING AS AN EMERGENCY MEASURE; AND DECLARING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The requirements of this ordinance are in addition to all other requirements pertaining to the demolition or removal of buildings or structures in the city under applicable ordinances, laws and regulations.

SECTION 2. No building or structure that is identified as historically significant in the city's most recent historic resources survey or that is at least 45 years of age, nor any part of or addition to such building or structure, may be demolished or removed unless a permit authorizing such demolition or removal has been issued by the city.

SECTION 3. The request or application for a permit authorizing the demolition or removal of a building or structure described in Section 2, or part of or addition to such building or structure, shall include the address and a detailed description of the building or structure, or part of or addition to such building or structure, proposed to be demolished or removed, together with color photographs of all exterior elements of the building or structure.

SECTION 4. Before the city may issue a permit authorizing the demolition of any building or structure described in Section 2, or any part of or addition to such building or structure, the city will provide notice to the public of the proposed demolition or removal by:

a. posting notice in a conspicuous manner on the city's official website and continuously maintaining such notice on the website until a permit is issued by the city authorizing the demolition or removal, or the request for demolition or removal is withdrawn;

b. sending written notice by regular mail to the owners of real property located within 400 feet of the tract of land or lot on which the building or structure,

or part of or addition to such building or structure, subject to demolition or removal is situated as determined by the most recent published tax roll of the county tax assessor-collector;

c. sending written notice by regular mail, or by email if requested, to the Council of Neighborhood Associations (“CONA”) and any individual neighborhood or property owners’ associations registered with the city to receive such notices;

d. sending written notice by regular mail, or by email if requested, to any other persons registered with the city to receive such notices; and

e. sending written notice by email to the members of the city’s Historic Preservation Commission.

SECTION 5. The person or applicant requesting the demolition or removal shall pay in advance all costs associated with providing the notices required under section 4.

SECTION 6. The city shall not issue a permit authorizing the demolition or removal of any building or structure described in Section 2, or part of or addition to such building or structure, until at least 90 days have passed since the date that the last notice required under Section 4 was posted or sent. For purposes of this section, the date notice is placed in the mail or that the sender enters the send command for email shall be considered the date notice is sent.

SECTION 7. The requirements of this ordinance shall not apply to the demolition of a building or structure, or part of or addition to such building or structure, the condition of which is determined by the Chief Building Official or the Fire Marshal to be an imminent threat to public safety.

SECTION 8. It is a violation of this ordinance to demolish or remove a building or structure described in Section 2, or part of or addition to such building or structure, without having been issued a permit from the city specifically authorizing the demolition or removal. A person who violates this ordinance shall be subject to a fine not to exceed \$2,000.00. A culpable mental state is not required to establish a violation of this ordinance.

SECTION 9. In addition to the assessment of any criminal penalties, the city may pursue any remedies available at law or in equity, including injunctive relief, to enforce the provisions of this ordinance.

SECTION 10. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 11. All ordinances and resolution or parts of ordinances or resolutions

in conflict with this ordinance are repealed.

SECTION 12. The importance of this ordinance creates an emergency and an imperative public necessity, and the provisions of the Charter requiring that ordinances be presented at two separate meetings are waived, and this ordinance will take effect upon adoption with only one reading.

PASSED, APPROVED AND ADOPTED as an emergency measure on only one reading on June 27, 2019.

Jane Hughson
Mayor

Attest:

Approved:

Jamie Lee Case
City Clerk

Michael J. Cosentino
City Attorney



Legislation Text

File #: ID#19-338, **Version:** 1

AGENDA CAPTION:

Provide direction to the city staff and the Historic Preservation Commission to provide recommendations pertaining to demolition of historic structures.

Meeting date: June 27, 2019

Department: City Clerk's Office

Amount & Source of Funding

Funds Required: Click or tap here to enter text.

Account Number: Click or tap here to enter text.

Funds Available: Click or tap here to enter text.

Account Name: Click or tap here to enter text.

Fiscal Note:

Prior Council Action: Click or tap here to enter text.

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

Comprehensive Plan Element (s): [Please select the Plan element(s) and Goal # from dropdown menu below]

- Economic Development - Choose an item.
- Environment & Resource Protection - Choose an item.
- Land Use - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Not Applicable

File #: ID#19-338, **Version:** 1

Master Plan: *[Please select the corresponding Master Plan from the dropdown menu below (if applicable)]*

Choose an item.

Background Information:

Click or tap here to enter text.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Click or tap here to enter text.



Legislation Text

File #: ID#19-339, **Version:** 1

AGENDA CAPTION:

Hold discussion regarding mermaid parade in-kind funding, and provide direction to Staff.

Meeting date: June 27, 2019

Department: City Clerk's

Amount & Source of Funding

Funds Required: N/A

Account Number: Click or tap here to enter text.

Funds Available: Click or tap here to enter text.

Account Name: Click or tap here to enter text.

Fiscal Note:

Prior Council Action: Click or tap here to enter text.

City Council Strategic Initiative: [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

Comprehensive Plan Element (s): [Please select the Plan element(s) and Goal # from dropdown menu below]

- Economic Development - Choose an item.
- Environment & Resource Protection - Choose an item.
- Land Use - Choose an item.
- Neighborhoods & Housing - Choose an item.
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Not Applicable

Master Plan: [Please select the corresponding Master Plan from the dropdown menu below (if applicable)]

Choose an item.

Background Information:

This item was requested by Council Member Derrick and supported by Council Member Marquez and Mayor Pro Tem Prewitt.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Click or tap here to enter text.



MEMO

To: Mayor and City Council
FROM: Bert Lumbreras, City Manager
DATE: June 26, 2019
RE: Special meeting to consider mermaid parade in-kind funding

A Special Called Council Meeting has been set for Thursday, June 27, 2019 to discuss in-kind funding for the mermaid parade.

Council Member Derrick forwarded the estimated in-kind costs the City could consider to support the Mermaid Parade which are listed below:

COSM Barricade Rentals and Placement	\$15,000
COSM Police	\$ 3,000
COSM Charge to hang 3 street banners	\$ 1,200
COSM Permit fees	<u>\$ 40</u>
Total:	\$19,240

I worked with staff to evaluate these items and determined City costs involved and prioritized these items. Based on this analysis, to keep these true in-kind support, I recommend the following fees waived.

	<u>Value</u>
• Waive use of city space or site, such as hanging street banners.	\$1,200
• Waive city permit fees	\$ 40
• City provide barricades and allot one Supervisor with overtime costs to help supervise/manage volunteers	\$2,000
• COSM Police	<u>\$3,000</u>
Total:	\$6,240

The \$15K was the amount they provided us that included Barricade Rentals and Placement. This does involve on their part to pay probably a contractor fee to set up and take down the barricades for the parade.

What we are saying, under our recommended waived fees, we can provide our barricades, assign a Supervisor for that day to work OT, and Chief Stapp and Danny Castillo, will coordinate to get CERT (Community Emergency Response Team) volunteers to provide traffic control. The volunteers would take the place of the other expense they incur under Police for \$3K.

In summary, we believe we can waive city space and hanging banners, city permit fees, provide barricades with Supervisor and City Police charges to help them out totaling \$6,240 for parade related costs. This is what we would waive as our part.

As for the marketing, if we are talking about putting it on CVB materials, website, face book and other means we use to put the word out on all other city events, I think we can do that without too much cost. I would have Council include that in the direction if the wishes of a majority.

In terms of discussing anything else, Michael can provide some comments but believes Council may have the ability to discuss the festival and parade since there is not a vote. However, I will defer to him.

Also, we understood this to be strictly on the parade costs but your intent was to consider both. So, I will have staff review the Aquafest portion to see what else we can consider.

Regarding marketing, the Convention and Visitor Bureau promotes festivals and events, not as an in-kind donation, but as a part of their marketing plan. A Successful event makes for a memorable #SMTXperience. Promotion for all events include inclusion in the following: Downtown Guide (20k distributed per year), General visitor brochure (100k dpy), social media platforms, www.toursanmarcos.com, digital/print advertising, event submissions both print and digital...

With that being said, the CVB marketing value is much more than the \$500 budgeted marketing included in the proposed budget submitted by the Mermaid Society. The street banners included in the budget targets locals. A successful event should target outside of their community to generate new money.

Aqua Faire Expenses Park Plaza 10-6:00p	2017	2018	2019 *Estimated	City Expenses IF event is Outdoor	Additional City Expenses IF event is Indoor at Activity Center
Sound	\$1,200.00	\$2,000.00	\$2,300.00		
Music (3) Performers	\$2,200.00	\$2,500.00	\$6,000.00		
Own Your Own Universe - Performance Coordinator	\$300.00				
Stage Coordinator	\$200.00	\$500.00	\$300.00		
Tent Purchase (3)	\$650.00				
Activity Center Rental					\$835.00
Table/Chairs/Main Tent rental (Peerless Rental)	\$1,415.00	\$1,500.00	\$1,600.00		
COSM Grounds/Stage Rental	\$253.75	\$275.00	\$275.00	\$253.75	
COSM Fish Hatchery Bldg. rental	\$255.00	\$275.00	\$275.00	\$255.00	
COSM Tent Rental	\$374.50	\$375.00	\$375.00	\$400.00	

COSM Tent Permit	\$50.75	\$50.00	\$50.00	\$50.00	
COSM Port O Pottie Cleaning	\$60.00	\$75.00	\$75.00	\$60.00	
Event Management	\$1,500.00	\$1,750.00	\$3,000.00		
Port O Pottie Rental - Additional			\$400.00		
Analytical Report			\$2,000.00		
Volunteer Food/beverage	\$355.00	\$400.00	\$500.00		
Mermaid Maya appearance	\$300.00	\$500.00	\$500.00		
SPLASH Patch	\$405.00	\$0.00	\$0.00		
FB Sponsored Posts	\$120.00	\$150.00	\$250.00		
Security	\$1,800.00	\$2,400.00	\$1,600.00	\$1,600.00	\$800.00
KidZone supplies	\$150.00	\$300.00	\$200.00		
Volunteer Tshirts	\$457.00	\$0.00	\$500.00		
Building materials	\$68.00	\$100.00	\$250.00		
SMAL/Art market printing	\$250.00	\$0.00	\$0.00		
Videography			\$600.00		
Photography	\$300.00	\$500.00	\$500.00		
Signage/Banners	\$461.68	\$750.00	\$1,200.00		

General printing	\$700.00	\$500.00	\$500.00		
Insurance - split 1/3	\$706.00	\$1,200.00	\$1,200.00		
Print Ads	\$475.00	\$650.00	\$0.00		
Office Supplies	\$325.00	\$0.00	\$0.00		
Total	\$15,331.68	\$18,768.00	\$24,450.00	\$2,618.75	\$1,635.00

	Totals for In Kind Only	
	Parade	\$19,240.00
	Aquafare outside	\$2,618.75
	Aquafare inside	\$4,253.75
		\$26,112.50

Parade Expenses	2016	2017	2018	2019 * Estimated	City Costs ONLY
10:00- Noon					
COSM Barricade					
Rentals/placement * estimated	\$0.00	\$463.00	\$0.00	\$15,000.00	\$15,000
Traffic Control Plan		\$3,500.00	\$0.00		
COSM Police	\$880.00	\$1,400.00	\$2,560.00	\$3,000.00	\$3,000.00
Samba Dance Group	\$1,200.00	\$1,000.00	\$0.00	\$1,200.00	
Print Ads		\$475.00	\$0.00	\$1,000.00	
FB Sponsored Posts		\$120.00	\$200.00	\$250.00	
Maya the Mermaid		\$300.00	\$500.00	\$500.00	
Parade Announcers				\$1,200.00	
Table/Chair rentals		\$374.49	\$0.00		
Parade route Sound Speakers	\$1,000.00	\$1,876.00	\$1,200.00	\$2,100.00	
Charge to hang over Street Banners (3)				\$1,200.00	1200
Royal Court expenses/sashes		\$618.00	\$600.00	\$600.00	
Parade Banners		\$400.00	\$515.00	\$400.00	
Over Street Banners printing (3) \$475 ea.				\$1,525.00	
Insurance - split 1/3		\$706.00	\$450.00	\$750.00	
Volunteer Tshirts		\$457.00	\$150.00	\$600.00	
Event Management		\$950.00	\$0.00	\$1,500.00	
City permit fees	\$40.00	\$40.00	\$40.00	\$40.00	\$40.00
Golf Carts (6)	\$650.00	\$872.30	\$500.00	\$1,550.00	
Office Supplies		\$325.00			
Photography		\$300.00	\$475.00	\$500.00	
Videography				\$500.00	
Hired labor post event		\$220.00	\$0.00	\$250.00	
Admin staff		\$600.00	\$0.00		
Total	\$3,770.00	\$14,996.79	\$7,190.00	\$33,665.00	\$19,240.00