



City of San Marcos

Meeting Minutes City Council

Tuesday, January 5, 2021

3:00 PM

Virtual Meeting

This meeting was held using conferencing software due to COVID-19 rules.

I. Call To Order

With a quorum present, the work session of the San Marcos City Council was called to order by Mayor Hugshon at 3:02 p.m. Tuesday, January 5, 2021. The meeting was held online.

II. Roll Call

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

PRESENTATIONS

1. Receive a presentation and update by Chamber President, Jason Mock regarding the San Marcos Area Chamber of Commerce.

Bert Lumbreras, City Manager, provided a brief introduction regarding the San Marcos Area Chamber of Commerce on the efforts of the Governmental Affairs Advisory Council. Mr. Lumbreras stated the group is charged with building an agenda to advocate for pro-business legislation for the benefit of San Marcos and our region. Mr. Lumbreras mentioned many of these advocacy issues and collaboration opportunities match up with the strategic priorities that have been identified by Council. The Chamber of Commerce has been an important partner as the City responds to events such as the COVID-19 pandemic, and looks forward to the continued cooperation and collaboration to address the needs of our community.

Bucky Couch, Governmental Affairs Advisory Council (GAAC) chair, Keely Sonlitner, Board Chair, and Jason Mock, Chamber President provided the presentation.

Mr. Mock thanked Council for their service. Mr. Mock stated that the Chamber has over 540 business members that represent 53,755 employees. Seventy percent of them are small business with 1-10 employees. Locally

owned businesses make up 60% of the membership.

The San Marcos Area Chamber of Commerce Government Affairs Advisory Council (GAAC) is charged with building a strong agenda to advocate for pro-business legislation for the benefit of San Marcos and the region.

Mr. Couch stated the advisory council discussed their advocacy issues and one priority is community investment. This is a way to create and support policies that promote investment in our community and it allows businesses to invest in themselves and the economic future of San Marcos.

Ms. Sonlitner discussed housing growth and diversity needs in the community. They are looking at ways to support opportunities that create housing stock suitable for a diversity of needs, preferences, stages of life and incomes for both present and future residents.

Ms. Sonlitner discussed transportation and infrastructure and support policies and investments that enable the movement of people, products and information throughout our region from expanded transit to enhancing the capacity of roadways and services.

Mr. Couch mentioned jobs and opportunities within our community. The Chamber and Committee support policies that strengthen efforts in job creation and talent development to best address the needs of an ever-expanding workforce and population, and the businesses that employ them.

Ms. Sonlinter stated open communication that fosters and encourages open and transparent communication ensures the representation of all constituents. They wish to proactively engage with and stakeholders to allow for meaningful dialogue and proactive solutions.

Mr. Couch mentioned partnerships with City Council through future Visioning Workshops. The Chamber would like to participate alongside the City and boards and commissions to continue supporting our community. The Chamber leadership and City leadership can work together to help small businesses recover from the COVID-19 pandemic.

Mr. Couch invited Council, one at a time, to attend a Governmental Affairs committee meeting.

Deputy Mayor Pro Tem Scott asked for a list of city ordinances that may be hindering the Chamber from providing services to the community. Mr. Mock said they can look into this, but they do not have a list readily available.

Council Member Baker would like to attend a Governmental Affairs committee meeting and was invited to do so by the Chamber representatives. Council Member Baker expressed concern with communication by the Chamber and is seeking financial information regarding funding of the chamber such as event sponsorships. Mr. Mock stated that an annual profit sheet including revenue and loss was provided. Mr. Mock stated they are a private organization that represents members and shows data openly, He noted that when a business sponsors an event the Chamber places the name of business and logo on the website and in email distribution.

Mr. Mock stated the dues revenues are from memberships and non dues revenues come from events or programming. Businesses choose to sponsor these and this is a way to help market their business.

Council Member Baker inquired about the statistics of minority owned businesses that are members of the Chamber and how many non English speaking organizations there are. Mr. Mock stated this type of demographic information is not currently collected or tracked.

Mayor Hughson stated that the State HUB (Historically Underutilized Business) program is public information . Mr. Mock said they could look into this and begin collecting this information.

Mayor Pro Tem Derrick expressed concern with some members on the Governmental Affairs committee being abusive on social media. Mr. Couch mentioned he understands and stated every year they seek new membership to expand different viewpoints. Members of the committee do not need to be members of the Chamber but do need to be part of the business community. Mr. Couch assured Council that he understands the concern and Council does not need to worry about the meetings getting hostile.

Garza noted her surprise that the Chamber was not more involved with the Census activities this past year. In other cities, local businesses were very helpful with Census efforts. She inquired as to why and how we can work together better in the future. Mr. Mock noted that the Chamber included Census information in the weekly email newsletter and the Census was also the

focus of a Chamber Chat.

Council Member Garza inquired about professional development training on diversity practices. Mr. Mock stated professional development is part of their leadership training and yearly meetings are held annually with Chamber Executives across the State.

Council Member Baker asked about the barriers on why some business are not members. He also, asked if the 540 current members are businesses or employees? Mr. Mock stated there are 540 businesses that are members and if the business is a member of the Chamber then their employees are members through that business.

Mr. Couch stated organizations like the Chamber exist to help the business Community; 60% of businesses out of the current 540 members are locally owned. He would estimate about 50% of the businesses are non white owners. Mr. Couch stated the Chamber is a member driven association and benefits from relationships with businesses. He noted that the Chamber stepped in to assist all businesses this year during the pandemic.

Ms. Sonlitner stated there is a minimum membership fee of \$325. This can be paid on a monthly or yearly basis. The Chamber will work with businesses that have issues making the payment. When the Chamber hosts the summits or other programming events, these are open to all members and to the public. Non-members pay the same as members.

Council Member Baker asked if there are any scholarships to pay the membership? Do non English speakers feel a barrier regarding networking? Mr. Mock stated a Hispanic chamber was not successful in the past so we reach out to all business, not just English speaking businesses. Chamber members are passionate on what they do for their businesses and the Chamber wants them to be successful.

Ms. Sonlitner noted how much our local businesses give back to the community. They are our neighbors and our kids go to school together. Everyone works for the success of all.

Council Member Gleason thanked the Chamber for their presentation and stated lots of discussion was held on communication and it is great to hear about key issues, COVID recovery and the items discussed are great for the community.

Council Member Gonzales asked what determines the membership cost for businesses. Mr. Mock stated the Chambers across the country have a fair share model based on the number of employees and how much they pay. The Chamber uses a two tier model that begins at \$300 which gives access to everything and the difference is that upper level memberships get more sponsorship credits at various events. The membership also provides brand awareness on website and magazines.

Council Member Garza thinks there is a disconnect with minority owned businesses and the Chamber and wants to make sure this is on their radar. She does feel the Chamber provides a valuable service to the community, but she wants to make sure they are aware of this disconnect. Mr. Mock stated he would like to bridge this gap and make sure they are making connections with all businesses. They are always looking at new ways to get information out.

Mayor Hughson spoke of her long term Membership in the Chamber. Mayor Hughson reminded the Council that COVID information was provided for businesses who are members and also those who are not currently members of the Chamber. She is happy to see expansion of the Governmental Affairs Advisory Committee. She stated that Chambers support businesses by providing workshops and networking opportunities. Mayor Hughson joined because she was employed by the government and wanted to learn more about our local businesses. She expressed her appreciation to the Chamber and thanked them for what they do and looks forward to future opportunities and the outreach that will occur.

- 2. Receive a Staff presentation regarding proposed amendments to Chapter 22 - Cemeteries, of the San Marcos City Code by, among other things, eliminating the issuance of a recorded deed, removing the reference of a specific city department responsible for cemetery matters, and clarifying the payment plan term; and provide direction to Staff.**

Bert Lumbreras, City Manager provided a brief introduction regarding proposed amendments to the City's cemeteries ordinance and an update on cemetery fees. The proposed amendments will clear up some confusion regarding the department responsible for cemetery sales and operations, designation of cemetery lots, and the repayment time period for those who wish to pay over time. The amendments and fee schedule were recommended by the Cemetery Commission last November.

Jamie Lee Case, Assistant Director of Parks and Recreation, provided a presentation outlining proposed amendments to Ch. 22 – Cemeteries of the

San Marcos City Code.

Amendments include the following:

***Striking “Finance Department” with the recommendation of inserting “the city” in the event the cemetery sales and recording is assigned to another department by future City Management. This is so that if an assignment to a department changes, the ordinance will not need to be updated every time the operational change occurs.**

***Replacing “Deed” with “Cemetery Lot”, per the Texas Cemeteries Commission the City should not be recording deeds with the County as if we are selling real property. The City is selling them the right to be interred on cemetery property which is owned by the City.**

- The Cemetery Commission evaluated various options regarding repayment and recommends a 12 month period with a 25% down payment of the total purchase price.

***Clarifying the repayment option within the Ordinance, due to the large number of accounts going unpaid in full for years it is necessary to set a time frame within the ordinance.**

Ms. Case provided the redlined version of the Ordinance and where these changes would occur if council chooses to move forward.

Ms. Case discussed the Cemetery Fees and other fees related to the construction of the columbarium and ossuary. The Ossuary is a place for cremation remains “cremains” She discussed archival fee, plaque & name, and administrative fee.

Deputy Mayor Pro Tem Scott noted the previous fees when he was last on Council. Ms. Case referenced the Level Tiers, there were 3 in the past, now there are two levels. Deputy Mayor Pro Tem Scott does not want to make money off these lots as we already own this property. Ms. Case said we only want to recoup the cost of the purchase of the property and the maintenance of this property. Ms. Case stated with the surrounding cities, we have reasonable fees and we are not trying to price gauge any citizen. Deputy Mayor Pro Tem Scott would like to know the number of how many people are paying. Ms. Case stated she will provide to council.

Mayor Hughson mentioned the cemetery commission and committee met with funeral directors and this is how they came up with numbers. Mayor Hughson

asked about payment on multiple lots. Ms. Case said if a person was paying on a lot they can interr. Ms. Case stated the pricing is locked in at the time of purchase so a family member that does not utilize the lot, it could be carried to the next of kin.

Deputy Mayor Pro Tem Scott expressed concern with the ability for families to pay over time and the expense that would incur for larger families.

Mayor Pro Tem Derrick is interested in giving residents (Level 1) 5 years to pay and non residents (Level 2) 1 year to pay. She asked Ms. Case about the new property, what is the estimate of how many lots will be available. Ms. Case said that will be forthcoming to Council, no exact number, but it is significant and it is currently being platted.

Council Member Garza asked where they obtained some information regarding the fee scale. Mayor Hughson said she has information but we may need to repeat the research to see what other cities charge. Ms. Case said we need to look at other municipality cemeteries vs. private cemeteries.

Council Member Baker inquired about the payment plan and what council feels about the 25% down payment. Was there discussion regarding area median income when it comes to the lot fees? Ms. Case stated she was in a different job role, and did not participate in the discussion regarding the proposed fees, but does not believe so.

Mayor Hughson said one of the concerns at the time was the aesthetics of the cemetery and there was concern that someone could come from out of town and buy up a large amount of lots and not allow enough space for residents of San Marcos.

Council Member Gleason said he feels the fees are fair, and he thinks one year to pay off may not be enough time. He would like a timeline for lots to be paid off and believes 25% down payment is fair.

Ms. Case asked Council if 36 months to pay off lots with 25% is reasonable.

Deputy Mayor Pro Tem Scott would like to prorate or amortize the down payment. Also, suggested when citizens purchase when buying multiple lots the down payment would be less and spread out between the lots.

Council Member Gonzales would like to see a larger down payment of 25% for

level 2 and a smaller down payment of 10% for level 1.

Council Member Gonzales asked if lots can be transferred or sold. Ms. Case stated, yes they can. Council Member Gonzales asked if someone can sell a lot and make a profit. Ms. Case said it is not currently in the Ordinance, but language could be included if Council desires to state something regarding resell of lots. However, this may be hard to regulate.

Council Member Baker asked what happens if a lot is not paid off and they die, and there is no next of kin. Ms. Case said there is nothing in place at this time, but indigent burials are handled by the county.

Mayor Hughson stated there needs to be a balance because are we wanting to run the cemetery as a business or social service and a decision needs to be made.

Council Member Gleason liked Mr. Gonzales suggestion to lessen the burden for residents regarding the down payment.

Mayor Pro Tem Derrick asked if a certain amount of payment is made, can they be transferred to ossuary or a more reasonable location. If payment has been done for a lot but family decided on a cremation would a refund be given.

Ms. Case said they can work with those that have paid enough to be buried in the ossuary or columbarium. What is happening right now, is someone will pay \$25 towards their \$5,000 lot over a long period of time so wording needs to be added to the ordinance to indicate how this scenario will be handled.

Council Member Baker asked about the backlog and how will it be approached. Ms. Case stated there is not enough personnel and there is a large number of customers that have not paid. Ms. Case stated that we have not enforced the agreements for default of payment.

Council provided direction to staff to get a report of how many people need to pay and how much is owed.

Mr. Lumbreras expressed concern on how to administer it properly and not allowing extensions go on for more years. Staff would like to continue to work more with the Cemetery committee on the issues and bring this back to council.

Deputy Mayor Pro Tem Scott suggested to have an online portal for payments.

Mayor asked how this is addressed when someone is planning ahead versus if this is an immediate need. Ms. Case stated there is nothing established administratively at this time.

Council provided consensus to defer the discussion regarding the down payment and fees back to the Cemetery Commission.

Council provided consensus to move forward with the wording amendments provided by staff.

III. Adjournment.

A motion was made by Deputy Mayor Pro Tem Scott, seconded by Council Member Baker, to adjourn the work session meeting of the City Council at 5:27 p.m. The motion carried by the following vote:

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

Against: 0

Tammy K. Cook, Interim City Clerk

Jane Hughson, Mayor