



Meeting Minutes
City Council

Tuesday, March 2, 2021

6:00 PM

Virtual Meeting

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

I. Call To Order

With a quorum present, the regular meeting of the San Marcos City Council was called to order by Mayor Hughson at 6:02 p.m. Tuesday March 2, 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

III. Invocation

Pastor, Chad Chaddick, with First Baptist Church provided this evening's invocation

IV. Pledges of Allegiance - United States and Texas

Mayor Hughson led the assembly in Pledges of Allegiance this evening.

V. 30 Minute Citizen Comment Period

Lisa Marie Coppoletta, mentioned item #11 and never promoted Smart Meter program and would like the program to be promoted. She asked if the bypass will be doing eminent domain, or a free market deal. She stated item #9, the council promised a work session regarding concerns with sidewalks and expressed concern with the company who worked on her street and the damaged trees nearby.

Roland Saucedo, spoke as a board member of Salvation Army and thanked everyone that helped during the winter storm. He stated it was challenging and applauds the city and staff on how everyone helped. He thanked Mayor, council and the support from the Salvation Army and has great gratitude and appreciation to Southside Community Center, HOME Center and to churches, hotels and restaurants that were engaged during the winter

storm.

Dan Nix, stated Council has done extraordinarily well in helping the community all to weather these trying times and efforts and the service to the community are greatly appreciated. He expressed concern with the sewer charges and the assessment done during the pandemic of an increase due to people staying at home. Mr. Nix mentioned to consider those that are retired/senior citizens on limited incomes which comprise a large percentage of the San Marcos community. Mr. Nix suggested to use the 2020 assessment period and subsequent monthly rate/charge in place of the 2021 year's assessment.

PRESENTATIONS

1. Receive status reports and updates on response to COVID-19 pandemic; and provide direction to Staff.

Chase Stapp, Director of Public Safety provided the presentation on the COVID-19 pandemic.

County Vaccination Update

- February 22 and 23 – Kyle PAC 1st dose clinic (a.m.) and 2nd dose clinic (p.m.)
- February 25 – San Marcos High School 2nd dose clinic (all day)
- March 2 and 3 – Wimberley 2nd dose and mobile vaccination clinics in San Marcos (Wellington and Stonebrook)
- Vaccination pre-registration available at www.haysinformed.com
- Vaccinations are currently still limited to tier 1a and 1b recipients

Known Cases – as of February 26, 2021

- Approx. 2.28 million total cases (160k active) cases in Texas with 42,936 fatalities
*source: Texas Department of State Health Services
- 16,270 total cases in Hays County (480 active and 15,557 recovered) with 213 fatalities
- 740 cases have required hospitalization, as of Friday 29 current
- 5,791 total cases in San Marcos (124 active and 5,584 recovered) with 83 fatalities
*source: Hays County Health Department
- 2,169 total cases at TX State (39 active)
- 1,949 students, 220 faculty/staff
*source: Texas State University Student Health Services

Mr. Stapp mentioned that four employees were positive.

Comparative Information

- **Texas – About 42k fewer active cases since the last update and 1,529 new fatalities**
- **Hays – 234 fewer active cases since the last update and 5 new fatalities**
- **San Marcos – 75 fewer active cases since last update and 1 new fatalities**
- **Employee test results – 2 more employees currently positive**

Currently there are 124 active cases in San Marcos. There have been 13 to 25 new cases per day lately.

There are currently 20 Hays County residents hospitalized.

Trauma Service Area “O” COVID-19 below 15% for a month today was 7.3% In February, there were 5 deaths in Hays County, 2 were San Marcos residents.

Testing Overview

- **138,151 tests administered county wide**
 - **121,881 negative (88.2%)**
 - **16,270 confirmed (11.8%)**

- **Testing by Curative**
 - **Goodnight Jr. High (near old ACC building off of Hwy 123)**
 - **Various additional locations throughout the region**
- **Abbott Labs BinaxNow Rapid Testing**
 - **City Employees (Fire and Police)**
 - **San Marcos CISD (employees and students)**
 - **Chamber of Commerce (can be used by businesses to test employees)**

Updates to Governor Abbott’s Actions

- **February 25: Governor Announces “Save Our Seniors” Initiative To Vaccinate Homebound Seniors In Texas**
 - **1,100 National Guardsmen deployed in teams to assist communities.**
 - **Some will focus on identifying and registering homebound seniors for the program while others will visit homes and administer vaccines.**
 - **Up to 8,000 vaccines dedicated to this initiative for the first week (began March 1)**
 - **Work with organizations like Meals On Wheels and nursing groups to identify homebound seniors who volunteer to be vaccinated.**
- **February 26: Governor, Texas Health and Human Services Commission (HHSC) Announce Extension of Emergency SNAP Benefits for March**
 - **\$229 million for month of March related to COVID-19 response**

- Funding made available through partnership with USDA
- Funding is in addition to previously allocated money
- Recipients will also continue to receive monthly 15% increase in SNAP benefits until June 2021
- Apply for SNAP at YourTexasBenefits.com

Mr. Stapp stated the Gov. Abbot had a press conference to open Texas back to 100% and the categories of vaccines will expand to a broader group of people. Mr. Stapp stated effective Wednesday, March 10 all businesses may reopen at 100% with no limitations and mask mandate will be lifted. Businesses may impose strict requirements entering their business and trespassing is against the law when a person is asked to leave a business and refuses to leave. Any region with high hospitalizations that have greater than 15% hospital capacity with seven days or longer may impose restrictions. Mr. Stapp stated mask mandates in the affected counties can't impose penalties for failure of wearing a face mask. Mr. Stapp stated he is working with our Legal team and the Texas Municipal League (TML) to answer questions.

Mr. Stapp mentioned the anticipated questions and with some answers are unknown and are waiting for guidance.

Will the City require employees to wear a mask? Mr. Stapp stated yes to the extent of the City Manager believes that it is the right thing to do.

Will customers be required to wear masks in city facilities? Mr. Stapp stated that the answer is unknown due to conflicting wording and is waiting for guidance from TML and our Legal team for advice on what we can and cannot do.

Does this impact the current state of disaster that has been extended month after month? Mr. Stapp stated there is nothing in the order that stops the disaster declaration.

Any modifications to the open meetings act been impacted by today's announcement in the Governor's order? Mr. Stapp stated this is not mentioned and the modifications made will remain in effect.

Can the Mayor issue local restrictions in the same way County Judges can, if hospital capacity is more than 50% by COVID patients for seven days? Mr. Stapp stated there are no mentions about mayoral authority in the Governor's order number 34, it references only County Judges.

Council Member Baker expressed concern with people having a hard time filling out SNAP paperwork and is concerned that there are not enough volunteers to help individuals and would like to make sure there are volunteers to help with the process. Mr. Stapp stated they are working on a staff response

to note what our capabilities are.

Council Member Baker expressed concern with the Governor's order regarding the mask mandated lifted. He read relevant sections of the order that recommends wearing of masks and distancing and expressed his concerns about it. He would like businesses to require employees and customers to wear masks and utilize trespassing, if customers are not adhering to the business request. Mr. Stapp provided the police non emergency phone number 512-753-2108.

Council Member Baker asked if City employees are required to wear masks? Mr. Lumbreras stated the information is very new and would like our Legal team and TML Risk pool to review the order and determine what we can do. If we can, he would want to keep mask wearing a requirement. Mr. Stapp stated we have until next Wednesday to make a decision.

Mayor Pro Tem Derrick stated what kind of qualifications must be shown to receive vaccines for 1a or 1b? Mr. Stapp stated if someone fills out the questionnaire and meets the qualifying conditions they are not required to show medical proof. Mayor Pro Tem Derrick encourages the public don't claim if you are not at high risk.

Mayor Pro Tem Derrick would like to assist businesses with legal language for signs regarding wearing masks and considered trespassing if customer refuses. Mr. Cosentino stated he would provide language to the City Manager's Office to disseminate.

Council Member Gleason asked if the order addresses the allowed modifications to the Texas open meetings Act? Mr. Stapp mentioned it is not mentioned in the current Governor's order. Mayor Hughson stated the Governor's order has allowed cities to have Zoom meetings. Council Member Gleason expressed concern if the order is rescinded, how will our council meetings be impacted? We may need an emergency meeting if the current allowances are no longer in effect.

CONSENT AGENDA

A motion was made by Council Member Baker, seconded by Mayor Hughson, to approve the consent agenda items number 2-8, 10, and 12. Items #9 and 11 were pulled and considered separately. 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

2. Consider approval, by motion, of the February 19, 2021 Special Emergency Meeting Minutes.
3. Consider approval of Ordinance 2021-10, on the second of two readings, amending the City's 2019-2020 Fiscal Year budget to allocate an additional \$8,423,553 from the General Fund for Economic Development Incentive payments; and providing an effective date.
4. Consider approval of Ordinance 2021-11, on the second of two readings, amending certain funds in the City's 2020-2021 Fiscal Year budget to allocate for the rollover of funds and to adjust the revenue and expenditure budget for lower Economic Incentives; and providing an effective date.
5. Consider approval of Ordinance 2021-12, on the second of two readings, amending section 2.351 of the San Marcos City Code relating to the composition of the Convention and Visitor Bureau Advisory Board; including updating language of representative titles; and providing an effective date.
6. Consider approval of Ordinance 2021-13, on the second of two readings, amending Section 86.003. of the San Marcos City Code to required that both connections and extensions for City Water and Wastewater Service outside the City Limits will be subject to approval by the City Council; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.
7. Consider approval of Resolution 2021-29R, approving a first lease modification and extension agreement providing for a five year extension of the commercial lease for the space at 550 North Highway 123 Bypass, Seguin, Texas for the operation of a WIC Program Satellite Office, authorizing the City Manager, or his designee, to execute said lease; and declaring an effective date.
8. Consider approval of Resolution 2021-44R, approving the award of a construction contract to Rural Electric, Inc. for the Wastewater Treatment Plant Electric Backup Feed Distribution Project in the estimated amount of \$1,652,864.00; authorizing the City Manager or his designee to execute the contract on behalf of the City; and declaring an effective date.
9. Consider approval of Resolution 2021-45R, awarding an Indefinite Delivery Indefinite Quantity agreement to Lone Star Paving for Street Overlay services on an as needed basis in the estimated annual cost of \$1,675,625.00 and authorizing two additional annual renewals for a total contract amount of \$5,026,875.00; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

MOTION TO DENY: a motion was made by Council Member Baker to deny Resolution 2021-45R, Deputy Mayor Pro Tem Scott seconded for purposes of discussion.

Council Member Baker expressed concern with working with the company that causes damages to the trees as shown by video during our citizen comment tonight? He also asked if the company compensated the damages.[spaces here] Sabas Avila, Assistant Director of Transportation stated he is unfamiliar with the compliant. The contract is for paving services within the existing street right away. Mr. Avila mentioned the only times it will impact trees is when they are low hanging and under the Code limit. Property owners would need to clear branches to have 16ft clearance from the roadway. The City has an ordinance that requires that trees should be trimmed to 13 ft at the curb line and 16ft of the center line. The purpose is to allow clearance on the roadway.

Mr. Avila noted that the city will notify owners if the tree limbs are too low and the city will often trim the limbs to comply with the ordinance. Generally speaking, owners allow the city to do that trimming.

Mayor asked who is responsible to check the limbs prior to street work, the City or the contractor? Mr. Avila stated the contractor is required to check the limbs. Mr. Avila mentioned he doesn't know the specifics into the situation that was mentioned during citizen comment and will look into it.

Deputy Mayor Pro Tem Scott asked how does the company know on a "as needed basis". Mr. Avila stated the city has a paving management program and the purpose of the program is to identify streets that require maintenance over the next five years and then plan for that maintenance.

Public Services Director Tom Taggart noted that the Indefinite Delivery Indefinite Quantity type of contract is so that we can acquire these services as we need them. He noted that this contractor has worked for us in the past with almost no complaints.

Council Member Gleason suggested that we add language stating penalties written in the contract for any infractions if they do not trim the trees as needed.

**Mayor Hughson asked if the contract can change after receiving the bids?
Purchasing Manager Ms. Williams**

stated we can negotiate a change but it is not advisable to change the terms of the agreement once it has been posted.

Mayor Hughson asked if the contract addresses trees if limbs are longer than required to call the city to get it trimmed? Mr. Taggart stated he is not sure if that specific wording is included but we can make sure before beginning a street the project to send out crews to check.

Mayor Pro Tem Derrick asked if we have contracted with this particular company in the past? Mr. Avila noted we have contracted with them once before. There were no complaints in the past. Due to the current price of oil, the price of this contract is lower than usual. Our cost savings can be up to \$200,000 in this contract. She noted issues with a previous contractor, but that was a slurry-seal project and we terminated that contract due to poor performance.

Council Member Gonzales asked if we have the equipment to do the overlay in house and he also inquired about our current tree trimming services? Mr. Taggart stated we do have paving equipment with two crews only but would need to increase employees and equipment through this contract. Mr. Taggart stated this is seasonal project and work above certain temperatures and it is efficient to have a contract to have the large scale of overlay. This is the only time we need this done and if we were doing this with our own employees, there would only be work for them six months per year. This is not efficient for the city.

Council Member Gonzales asked if there is tree trimming contract. Mr. Taggart stated the Public Services Transportation department works on the right of way maintenance over the streets and the electric utility works the trimming on the electric conductors.

Deputy Mayor Pro Tem Scott asked about claiming damages to the trees. Ms. Williams stated it would not be wise to change such a significant part of the contract and would not suggest re-bidding due to the good pricing in this contract.

Mayor Hughson suggested the simplest method is to have our crews to check on limbs before project begins. Mr. Taggart agreed to this solution.

Council Member Baker stated to postpone this item on the verbiage of the

contracts to add the expectations on the trees but wouldn't want this to be re bid.

MOTION TO POSTPONE: A motion was made by Council Member Baker, seconded by Deputy Mayor Pro Tem Scott, to postpone Resolution 2021-45R to allow Ms. Williams to determine the expiration of the bid. The motion carried by the following vote:

For: 4 - Mayor Pro Tem Derrick, Council Member Baker, Deputy Mayor Pro Tem Scott and Council Member Garza

Against: 3 - Mayor Hughson, Council Member Gonzales and Council Member Gleason

MOTION TO RECONSIDER THE POSTPONEMENT: a motion was made by Council Member Baker, seconded by Deputy Mayor Pro Tem Scott, to reconsider Resolution 2021 45R. 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

Mr. Baker withdrew his motion to postpone and Mr. Scott agreed to withdraw his second.

Ms. Williams stated it opened January 14 and it is good for 60 days unless the contractor agrees to extend the bid.

Council Member Baker and Deputy Mayor Pro Tem Scott withdrew their motion to deny. Council determined they did not want to re-bid due to the pricing and will rely on our staff to ensure streets are cleared of any low-hanging limbs prior to work by this contractor.

MOTION TO APPROVE: a motion was made by Mayor Hughson, seconded by Council Member Gonzales, to approve Resolution 2021-45R. The motion carried by the following vote:

For: 4 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Gonzales and Council Member Gleason

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

10. Consider approval of Resolution 2021-46R, rejecting the sole bid received from Denbow Company, Inc. in response to an invitation for bids for an Indefinite Delivery Indefinite Quantity agreement to assist the San Marcos Electric Utility with large electrical underground components; and declaring an effective date.

11. Consider approval of Resolution 2021-34R, authorizing the City's Electric Utility Division

("SMEU") to implement a voluntary program allowing its customers to purchase certified renewable energy; and declaring an effective date.

A motion was made by Council Member Baker, seconded by Mayor Pro Tem Derrick, to approve Resolution 2021-34R.

Tyler Hjorth, Assistant Director of Public Services, stated this program is completely voluntary to the Electric Customers to pay an additional fee to guarantee they are receiving 100% renewable energy to their home or business.

Mayor Pro Tem Derrick asked if customers get advanced notice if the price increases. Mr. Hjorth stated this will be a fixed rate for the first year and notice will be provided to customers so they may continue or opt out of this additional fee.

The motion to approve 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

12. Consider approval of Resolution 2021-47R, approving a Change in Service to the agreement with Cannon Technologies, Inc. for the renewal of hosting fees for a Yukon Master Server and related support services in the amount of \$63,336.00 and authorizing three additional annual renewals; authorizing the City Manager or his designee to execute the appropriate documents to implement the Change in Service; and declaring an effective date.

PUBLIC HEARINGS

13. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-15, amending the Official Zoning Map of the City in Case No. ZC-21-02 by designating the property at 200 West MLK Drive, currently the location of the Calaboose African American History Museum, as a local historic landmark; including procedural provisions, and consider approval of Ordinance 2021-15, on the first of two readings.

Alison Brake, Historic Preservation Officer, provided the presentation regarding the Calaboose African American History Museum recommending this be designated as a local historic landmark.

Mayor Hughson opened the Public Hearing at 7:23 p.m.

Those who spoke:

Lisa Marie Coppoletta, spoke of and gave tribute to the late Ollie Giles. She

spoke of her advocacy to neighborhoods and to our community. Ollie Giles is a big reason we need this museum.

Brent Salone, Calaboose Board Member, spoke in favor of the designation and stated the Calaboose Museum has received grants and they are currently providing an online mental health program, along with an elementary curriculum. He is available to answer questions.

Ginger Salone, Calaboose Board Member, spoke in favor of this designation and is happy that the city recognizes the historical significance of this museum.

There being no further speakers, Mayor Hughson closed the Public Hearing at 7:29 p.m.

A motion was made by Council Member Gleason, seconded by Mayor Pro Tem Derrick, to approve Ordinance 2021-15, on the first of two readings. 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

- 14.** Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-16, on the first of two readings, amending Chapters 3 and 4 of the San Marcos Development Code and Appendix A, Article 1 of the Design Manual, by, among other things, updating provisions concerning nonconforming streetscapes, the Character District 5 Downtown description, the minimum two story building height in downtown, and the downtown architectural design standards and guidelines related to varied massing, transparency, blank wall area, expression elements, building elements, and contextual height stepdown; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

Andrea Villalobos, Planning Manager, provided a presentation related to the update of the Downtown Design Standards and Guidelines including the timeline showing the opportunities for community input. The key topics addressed the workshop in December 2020 included:

- Massing of larger buildings to promote compatibility with traditional downtown scale**
- Articulation of facades**
- Building materials**
- Street level design that promotes a sense of place and activates the public realm**
- Transitions from high density zones to sensitive edges**

Ms. Villalobos provided the project timeline and common feedback that was received from the community throughout the process.

Ms. Villalobos introduced Marcia Boyle, with Winter and Company to guide the discussion related to the summary standards and guidelines.

Design Standards

- **Nonconforming Streetscapes**
- **Character District-5D Zoning District (Added clarification text)**
- **Mixed Use Shopfront Building Type**
- **Minimum Two-Story Requirement**
- **Transparency (small text changes to transparency percentages)**
- **Blank Wall Area**
- **Building Elements: Forecourt**

Design Guidelines

- **Design Principles**
- **Design Traditions**
- **Height Strategy by Context (went back to original Design Context names)**
- **Varied Massing Requirement**
- **Expression – Four Sided Design**
- **Neighborhood Transitions**
- **Design Options for a Pedestrian Friendly Ground Floor**
- **Ways to Create and Activate Outdoor Space**
- **Connectivity**
- **Working with Topography**
- **Strategies for Activating Street Frontages**

Exhibit A - See Attached

Ms. Villalobos provided the amendments proposed by the Planning and Zoning Commission which include the following:

- 1. Amendment to update the description of “The Approach” on page A:7 of the design guidelines to state that it is between “IH-35 and the Transit Neighborhood”.**
- 2. Amendment to Table 4.13 of the Development Code to add in “Awning / Canopy” as a fourth horizontal element in the table.**
- 3. Amendment to add a definition for “Design Context” to Chapter 8, Definitions, of the Development Code. “Design Context” should be capitalized.**

4. Amendment to add a condensed version of Table 4.15 to the bottom of Option 1, 2, and 3 images to enhance readability.
5. Amendment to add a definition for “Street Wall” to Chapter 8, Definitions, of the Development Code.

Mayor Hughson opened the Public Hearing at 7:55 p.m.

Those who spoke:

Lisa Marie Coppoletta, expressed her appreciation to Council and staff for the hard work during the pandemic. She spoke on the Neighborhood Plan and the Historical Resources Survey. She is concerned with demolishing buildings for gentrification purpose. She spoke on the transition zone and stated there needs to be home owner improvements. She said both sides of the street should have buy-in.

Nore Winter, stated he and Ms. Boyle are here to answer questions. (outside consultant) stated he is available to answer questions.

There being no further speakers, Mayor Hughson closed the Public Hearing at 7:59 p.m.

MAIN MOTION: A motion was made by Mayor Pro Tem Derrick, seconded by Council Member Baker, to approve Ordinance 2021 16, on the first of two readings.

Mayor Pro Tem Derrick spoke on alternative compliance process which now may be approved by the Planning and Zoning Commission and stated she feels that this should come before council for approval. She inquired about design standards and wants to ensure we define "sensitive site". This should have a clear definition.

She would also like to see the Historical Preservation Commission (HPC) review items then provide recommendation to staff instead of administrative approval before it comes to council.

She inquired about building material and thought the Historic District would only be brick and mortar and not allow metal or glass as a secondary material.

Mr. Nore Winter provided clarified several items. He stated these standards and guidelines apply to the downtown area. The historic district and

individually land marked buildings will remain subject to review by the HPC; there is no change suggested to that process. Mr. Winter stated there is a map in the code that identifies those that are sensitive sites. All items that have been listed as historic resources are clearly defined as sensitive sites. Mr. Winter addressed concerns regarding the building materials and those only relate to those outside the Historic District. The existing limitations inside the Historic District do not change.

Mayor Pro Tem Derrick asked if a Certificate of Appropriateness is still required to be approved by the HPC for use of materials. Mr. Winter stated that anything under the purview of the HPC will still require a Certificate of Appropriateness. Mayor Pro Tem Derrick prefers to have any contiguous areas to the Downtown Area that HPC should be required to give a Certificate of Appropriateness for materials.

Mayor Pro Tem Derrick would like to change "Design Context is a consideration for improvements in the area." to "Design Context is required for improvements in the area." This would be in the areas continuous to the Downtown Core.

Mayor inquired about interest in revising the minimum set back for railing of a rooftop deck from four (4) feet to (10) feet. She noted this is so the railing isn't seen from the street. This would include any structure such as a canopy. This could vary depending on which floor the rooftop amenity is located. Deputy Mayor Pro Tem Scott asked about the intent of this request and if it is for safety or just the visual aspect. Mayor Hughson confirmed this is for the visual effect. There was no consensus to change the recommendation provided in the packet. at this time.

Mayor Hughson proposed a change to the section related to the contextual height stepdown, sensitive edge. She would like to include the definition of "sensitive edge". She noted that the definition was in the December version but is missing in the version for approval tonight. "Sensitive Edge" is used multiple times in the document.

MOTION TO AMEND: A motion was made by Mayor Hughson, seconded by Council Member Baker, to amend the design manual, Division 6: NEIGHBORHOOD TRANSITIONS, Section 4.3.6.2 Neighborhood Transition Standards, item C by adding a definition for "sensitive edge": The location at which the sensitive site and the property that requires a contextual height

stepdown is referred to as the "sensitive edge" throughout the design guideline.
The motion to amend 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

MOTION TO AMEND: A motion was made by Mayor Hughson, seconded by Council Member Gonzales, to amend the design manual by adding the words "Entertainment District" to Figure 1.1 map. Figure 1.1 will be labeled the Downtown and Midtown Entertainment District Design Context Map. This is to provide more clarity. The motion to amend 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

MOTION TO AMEND: A motion was made by Mayor Hughson, seconded by Mayor Pro Tem Derrick, to amend the design manual by amending Guidelines A.1.4.5 Views Section b. by removing the word "may" and insert, "but are not limited to". The section will now read:

b. View targets to consider include, but are not limited to: Hays County Courthouse, Old Main at Texas State University, First United Methodist Church.

The motion to amend 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

Mayor Hughson inquired about the context areas and the need to have proper descriptions and not be included in the design manual as "downtown". Mayor Hughson received consensus to discuss this with staff to properly identify these areas.

MOTION TO AMEND: A motion was made by Mayor Hughson, seconded by Mayor Pro Tem Derrick, to include the following amendments proposed by the Planning and Zoning Commission:

1. Update the description of the "The Approach" so that it is defined correctly.
2. In Table 4.13, add in a fourth horizontal element of awnings/canopies.
3. Add a formal definition for "Design Context" to Chapter 8, Definitions.
4. Condense Table 4.15 and place it underneath Options 1, 2, and 3 models.
5. Add a formal definition for "Street Wall" to Chapter 8, Definitions. Staff

will include in the code amendments for second reading.

The motion to amend 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

Mayor Hughson returned to Mayor Pro Tem Derrick's note about Design Context. Ms. Derrick noted it is number 3 on the Planning and Zoning Commission list of amendments. Mayor noted that the council just approved those amendments to be included in the code amendments for second reading.

Mayor Hughson inquired about the change in the alternative compliance process and Ms. Villalobos confirmed a comprehensive list of items that go before Council and the Planning and Zoning Commission will be provided prior to second reading.

**MOTION TO AMEND: A motion was made by Mayor Pro Tem Derrick, seconded by Council Member Baker to amend the design manual by removing glass and steel as a secondary material. Section 4.3.5.6 Durable Building Material Area, D. Classification of Materials. 1(b) currently includes: wood; architectural metal; tile; glass block; and a combination of glass and steel framework. The section will now read:
D. Classification of Materials. 1(b) Secondary materials include: wood; architectural metal; tile; and glass block**

The motion to amend carried by the following vote:

For: 6 - Mayor Pro Tem Derrick, Mayor Hughson, Council Member Baker, Council Member Gonzales, Council Member Garza and Council Member Gleason

Against: 1 - Deputy Mayor Pro Tem Scott

Mayor Pro Tem Derrick would also like to see what goes before the Historic Preservation Commission. Ms. Villalobos confirmed they will provide this information as well.

MAIN MOTION: to approve Ordinance 2021-16, on the first of two readings, as amended. 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

15. Receive a Staff presentation and Hold a Public Hearing to receive comments for or against Ordinance 2021-17, adopting Youth Programs Standards of Care for 2021; and consider approval of Ordinance 2021-17, on the first of two readings; providing a severability clause; providing for the repeal of any conflicting provision; declaring an effective date.

Jessica Ramos, Recreation Manager, provided the presentation on the Youth Programs Standards of care for 2021. Mrs. Ramos stated this is an annual requirement under The State of Texas Human Resources Code Chapter 42. Last year Council requested additional information be included regarding personal protection practices as recommended by the Centers for Disease Control. Staff incorporated additional information into Section VIII - Health and Safety.

Mayor Hughson opened the Public Hearing at 8:34 p.m.

Those who spoke:

Lisa Marie Coppoletta, expressed concern with Section V related to Nutrition. She would like other food alternatives such as vegan, vegetarian and organic options. She asked if the City is paying the San Marcos Consolidated Independent School District for food? If we are she thinks we could open this up to local businesses. There is nothing on additional food protocols in this document. Ms. Coppoletta expressed concern with the new order issue by the Governor lifting the mask mandate, she would like to see protocols on masks included.

There being no further speakers, Mayor Hughson closed the Public Hearing at 8:37 p.m.

A motion was made by Deputy Mayor Pro Tem Scott, seconded by Council Member Gleason, to approve Ordinance 2021-17, on the first of two readings.

Council Member Baker spoke on food security and with nutrition being such a focus and would like us to exceed the minimum requirement outlined by the state because the food provided is important for the growth of children.

Mrs. Ramos stated the city does work with the school district. The district receives grants to provide food for all children 18 and younger. Ms. Ramos stated they can research organic food options. Council Member Baker understands the resource challenge, but he would like to receive food from other sources and not just the school. This could increase the program fee, but staff will do additional research. Ms. Hughson noted there could be storage

concerns also.

Mayor Hughson asked how many kids are in the summer program. Mrs. Ramos stated pre COVID there is maximum of 300 children plus 25 in Discovery Camp and they were full each week. If there is a need to do something different there may be a need to contract with another source.

Mayor Pro Tem Derrick would like to ensure there is awareness for those with food allergies. She also inquired about a lunch add on such as the purchase of additional fruits. Mrs. Ramos stated fruit and vegetable options are currently provided and many foods are baked.

Mr. Lumbreras stated direction from council would be helpful if there is an interest in researching additional options, but there would be a cost associated with this.

Council Member Gonzales stated the school district has a dietician or nutritionist and we can find out what the school district is serving. Mr. Lumbreras stated staff will provide this information.

Council Member Garza stated the same children are provided meals and if there was a concern with allergies, we would have heard about it already. The food options are good. The district lunch workers do a good job and the district is aware regarding cultural context and associated complexities.

Council Member Gleason stated the school district does a good job but from a budgetary stand point, staff shouldn't spend too much time on this effort.

Mr. Lumbreras will be providing the additional information and he will ask the school district what the trends are and to provide the list of healthier items.

The motion to approve the ordinance on first reading 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

NON-CONSENT AGENDA

16. Consider approval of Ordinance 2021-08, on the first of two readings amending the Official Zoning Map of the City in Case No. ZC-20-26 by rezoning approximately 15.2331

acres of land, generally located in the 400 Block of Riverway Avenue, from “CC” Community Commercial District to “HC” Heavy Commercial District; including procedural provisions; and consider approval of Ordinance 2021-08 on the first of two readings.

A motion was made by Deputy Mayor Pro Tem Scott, seconded by Council Member Gleason, to approve Ordinance 2021-08, on the first of two readings.

Shannon Mattingly, Director of Planning and Development Services, provided the presentation regarding the property located within City Limits and is zoned “CC” Community Commercial. The purpose of this zoning change to “Heavy Commercial” is to allow for the development of an outdoor storage facility. The facility would be used for safe and secure storage of Recreational Vehicles and boats.

Discussion centered around the proximity of this intended use to the Blanco River with concerns about automotive fluids. Council was also concerned about other possible uses in the HC District if this use is not followed through.

City Council discussed the possibility of deed restrictions/restrictive covenants which could address concerns with allowable uses in the HC Zoning District. If approved, the applicant would record restrictions for the property, prior to second reading, which could include, at a minimum, the following statement: Only Self-Storage and Outdoor-Storage uses, with associated office space, are permitted on the property. At no time shall the property be used for-profit for vehicle service or maintenance. The changing of oil or other fluids on the property shall be prohibited. Vehicle maintenance shall be limited to necessary repair required to move a vehicle to an off-site location for service, such as replacing a battery or tire.

The motion to approve carried by the following vote:

For: 5 - Mayor Hughson, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 2 - Mayor Pro Tem Derrick and Council Member Baker

17. Consider approval of Ordinance 2021-18, on the first of two readings, to approve Deeds with access easements to Hays County for FM 110 ROW and drainage easements associated with FM 110.

A motion was made by Deputy Mayor Pro Tem Scott, seconded by Council Member Gleason, to approve Ordinance 2021-18. The motion carried by the following vote:

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

Against: 1 - Council Member Baker

16. Consider approval of Ordinance 2021-08, on the first of two readings amending the Official Zoning Map of the City in Case No. ZC-20-26 by rezoning approximately 15.2331 acres of land, generally located in the 400 Block of Riverway Avenue, from “CC” Community Commercial District to “HC” Heavy Commercial District; including procedural provisions; and consider approval of Ordinance 2021-08 on the first of two readings.

Michael Cosentino, City Attorney noted that Ordinance 2021-08 requires a super majority vote from Council to approve as it was denied by the Planning and Zoning Commission. The vote was taken earlier this evening with a 5 2 vote, so the motion did not pass.

A motion was made by Council Member Gleason, seconded by Mayor Hughson, to reconsider Ordinance 2021-08.

The motion to reconsider carried by the following vote:

For: 5 - Mayor Hughson, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 2 - Mayor Pro Tem Derrick and Council Member Baker

A motion was made by Council Member Gleason, seconded by Council Member Gonzales, to send this item back to Planning and Zoning Commission with the suggestion of using restrictive covenants.

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

18. Consider approval of Resolution 2021-48R, approving amendment number one to the chapter 380 Economic Development Incentive agreement with Best Buy Texas.com, LLC that provided certain incentives for said company to locate and operate an internet sales operations center in the city for the purpose of conforming the agreement to changes in law regarding the sourcing of sales taxes on internet sales; authorizing the City Manager, or his designee, to execute said amendment; and declaring an effective date.

A motion was made by Mayor Pro Tem Derrick, seconded by Council Member Baker, to approve Resolution 2021-48R. The motion to approve 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

19. Consider approval of Resolution 2021-49R, approving a Change in Service to the agreement with Recreation Engineering and Planning, Inc. for additional design and construction services for the Rio Vista Falls Maintenance Project in the estimated amount of \$74,000.00; authorizing the City Manager or his designee to execute the appropriate documents to implement the Change in Service; and declaring an effective date.

A motion was made by Council Member Baker, seconded by Council Member Gleason, to approve Resolution 2021-49R.

Greg Schwarz, Senior Engineer provided the presentation regarding the Rio Vista Falls Maintenance Project.

Mr. Schwarz stated Rio Vista Falls has experienced consistent strong currents and multiple flood events since 2006 without major maintenance. In several locations, underwater voids or undercuts have formed along the in stream structures and banks due to the river's strong currents and we now need maintenance and repair.

The engineering consultant, Recreation Engineering and Planning, Inc. (REP), who designed the original project, is also designing the proposed maintenance repairs and will perform construction engineering services.

An early repair strategy was identified to address the voids/undercuts that allowed for minimal impact to the river. However, after further investigation of the voids, it was determined this strategy would be difficult to implement and would not provide the structural longevity needed.

A new design strategy was developed consisting of a more robust maintenance repair. This strategy has a greater impact on the river, requiring dewatering and construction equipment in the dewatered area, the strategy allows for thoroughly addressing voids with grout and stone, rebuilding banks where necessary, and providing additional anchoring and erosion preventative armoring.

This project will take 120 days and project schedule is from September 2021 - January 2022.

Mr. Schwarz stated the project will begin in March 2021 to install additional measures to secure left bank and begin daily observations and tend to any issues that develop. Mr. Schwarz mentioned this project is scheduled to start after Rio Vista Falls is complete and will begin January 2022 - March 2022.

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

20. Consider approval of Resolution 2021-50R, approving the award of a construction contract to Austin Filter Systems, Inc. for the Rio Vista Falls Maintenance Project in the estimated amount of \$966,730.00; authorizing the City Manager or his designee to execute the contract on behalf of the City; and declaring an effective date.

A motion was made by Mayor Pro Tem Derrick, seconded by Council Member Baker, to approve Resolution 2021-50R. 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

21. Consider approval of Resolution 2021-51R, approving an updated Council Electronics Policy that provides guidelines, expectations and responsibilities for the procurement and use of technology used by the City Council, and aligns hardware standards for devices used by the City Council with the city's current standards; and declaring an effective date.

A motion was made by Deputy Mayor Pro Tem Scott, seconded by Council Member Gonzales, to postpone Resolution 2021-51R, until Council can meet in an Executive Session.

The motion carried by the following vote:

For: 5 - Mayor Hughson, Council Member Gonzales, Deputy Mayor Pro Tem Scott, Council Member Garza and Council Member Gleason

Against: 2 - Mayor Pro Tem Derrick and Council Member Baker

22. Consider approval of Resolution 2021-38R, amending Resolution 2020-164R, which provided no objection to an application for low income housing tax credits to the Texas Department of Housing and Community Affairs for the proposed Redwood Multifamily project located in the 1600 Block of Redwood Road, to include language which approves the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code and grants approval for the use of bond proceeds issued by a housing finance corporation pursuant to the Act, and providing no objection to the submission of an application for low income housing tax credits; approving findings related to such application, imposing conditions for such non objection; providing authorizations for execution or submission of documents related to the such application, and declaring an effective date.

A motion was made by Mayor Pro Tem Derrick, seconded by Council Member Baker, to approve Resolution 2021-38R. 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

- 23.** Consider approval, by motion, authorizing negotiations of a Development Agreement requested by R.W. McDonald IV, on behalf of the Whisper Master Community Limited Partnership, for approximately 153 acres out of the Joel Miner Survey, Abstract 321, the William Hemphill Survey, Abstract 221, and the Thomas G. McGehee Survey, Abstract 11, Hays County, Texas, generally located at the intersection of Harris Hill Road and Yarrington Road, and consider the appointment of a Council Committee to review aforementioned Development Agreement, if desired.

A motion was made by Deputy Mayor Pro Tem Scott, seconded by Council Member Gleason, to approve negotiations of a Development Agreement on behalf of the Whisper Master Community Limited Partnership.

Shannon Mattingly, Director of Planning and Development Services, provided a brief presentation regarding the Development Agreement for 153 acres located at Harris Hill Road and Yarrington Road.

Ms. Mattingly stated part of the code requirement is to have staff begin negotiation and appoint a council committee to negotiate with the developer. Ms. Mattingly mentioned the applicant is proposing one change in the development agreement which would allow unrestricted parking in the first layer of the lot within the 50-acre Employment Center tract West of FM 110. The current Whisper PDD restricts surface parking to one row only and prohibits garage parking in the first layer.

Council Member Baker asked who is on the Whisper Council Committee. Ms. Cook stated Council Member Gonzales, Mayor Hughson and Deputy Mayor Pro Tem Scott are on the committee. Mr. Baker will be passing his comments along to the committee.

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

24. Receive a Staff presentation and hold discussion regarding the utility disconnections for non-payment and late fees, and provide direction to Staff.

Marie Kalka, Director of Finance, provided the presentation on resuming utility disconnections.

Ms. Kalka stated that in March 2020 the City Council agreed to halt utility service disconnections for non-payment for 90 days due to difficulties our community has been experiencing from the COVID-19 pandemic. In July 2020, Council supported extending the date through Sept. 30, 2020. Currently, utility disconnections remain on hold through March 31, 2021 as directed by Council in November 2020. In December 2020, staff recommended, and Council approved, setting the late fees suspension to the same date as nonpayment disconnection hold of March 31, 2021.

Ms. Kalka mentioned staff will begin robo calls two days prior to disconnections beginning in June 2021.

Ms. Kalka stated staff recommendations is to resume utility disconnections and utility late fees effective July 1, 2021.

Council Member Gleason asked if the CARES replacement money could be implemented before disconnections begin? Mr. Pantalione stated it will be cutting it close to begin July 1. Council Member Gleason suggested changing the date to August 1.

Mayor Pro Tem Derrick agreed with Council Member Gleason. She asked about the late payments and disconnections she wanted to ensure people were told it could be waived or they could receive payment assistance. Mr. Cavazos, Utility Billing Manager stated the information is on the literature, website, and staff informs customers by phone. Staff will also begin robo calls and courtesy phone calls.

Council Member Baker stated the issue is getting people to apply for assistance through Community Action. Mayor Hughson asked if we can pay for individual's bill without applying and using COVID funds. Mr. Cosentino stated if it has a public purpose for expending funds, then yes. Discussion is of having a method of distributing funds.

Mayor Hughson asked what the dollar amount that is behind on payments? Ms. Kalka stated since January 21 there is \$9.6M that is owed. Ms. Kalka expressed concerned with how many customers and how many months is the

City going to pay on accounts? Mayor Hughson would like to know what is the delinquent amount? Mr. Cavazos will provide the actual numbers to Council.

Mayor Pro Tem Derrick stated the Community Action application is 10 pages if applicant doesn't have specific documents, it is not worth the time to fill it out to get money. Mr. Cavazos stated the application is used for standard funding and city staff did meet with the Community Action staff and asked if city funding applications go through a shorter application process, to show proof that it was due to COVID and that is why the numbers picked up in December. Mayor Pro Tem Derrick asked if we have announced the shorter application? Mr. Cavazos stated we haven't told the utility customers about the assistance but do notify customers to reach out to Community Action and state this is for City funding assistance. Mayor Hughson stated we have to inform people since no disconnections are occurring. Mr. Cavazos stated the application is long because it includes different funding programs to which Community Action has for which the applicant can be approved.

Mayor Hughson asked how much can we spend? Ms. Kalka stated \$2-2.5M is available.

Mayor Hughson suggested extending to Aug 1. Mr. Lumbreras stated there will be communication regarding a shorter application to our customers, the dollar amount will be provided, and he suggests acting on the recommendation when actual number is presented to Council. Council agrees with waiting on the dollar amount before moving forward with staff recommendation. This item will be brought forward for further discussion at the next City Council Meeting.

- 25. Hold a discussion regarding use standards and zoning for outdoor storage and self-storage facilities, and provide direction to Staff.**

Shannon Mattingly, Director of Planning and Development Services, provided information regarding the standards and zoning for outdoor storage and self-storage facilities that would require a Conditional Use Permit (CUP) for all storage related uses. Ms Mattingly stated with CUPs, Council can add criteria or different requirements and set up different standards. Ms. Mattingly stated that deferring the effective date of Zoning to tie to the CUP will ensure no other uses would be authorized if storage is not constructed. Ms. Mattingly mentioned staff will work on cleaning up the definitions regarding Outdoor Storage and what is considered outdoor storage, accessory use vs. primary use, and standards where the use may be limited.

Council consensus is to move forward with staff recommendations and will be placed on a future Planning and Zoning Commission agenda.

26. Hold discussion on Rules of Decorum for City Council Meetings and provide direction to Staff.

A motion was made by Deputy Mayor Pro Tem Scott, seconded by Mayor Pro Tem Derrick, to postpone this item and discuss during Executive Session at a future meeting. The motion carried by the following vote:

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

Against: 1 - Council Member Baker

EXECUTIVE SESSION

27. Executive Session in accordance with:

A. §Sec. 551.071 of the Texas Government Code: Consultation with attorney - to receive advice of legal counsel regarding the acquisition of property, through eminent domain proceedings if necessary, for the Blanco Riverine Construction Project

B. §Sec. 551.072 of the Texas Government Code: Real Property - to discuss acquisition of property for the Blanco Riverine Construction Project.

C. §Sec. 551.071 of the Texas Government Code: Consultation with attorney - To Seek Advice of Legal Counsel Regarding Pending Litigation to wit: Top of the Hill Partners, LLC. v. City of San Marcos; Cause No. 21-0408; In The 453rd District Court of Hays County, Texas.

A motion was made by Council Member Baker, seconded by Deputy Mayor Pro Tem Scott, to enter into Executive Session at 10:53 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

ACTION/DIRECTION FROM EXECUTIVE SESSION

28. 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 receive advice of legal counsel regarding the acquisition of property, through eminent domain proceedings if necessary, for the Blanco Riverine Construction Project

B. §Sec. 551.072 of the Texas Government Code: Real Property - to discuss acquisition of property for the Blanco Riverine Construction Project.

C. §Sec. 551.071 of the Texas Government Code: Consultation with attorney - To Seek

Advice of Legal Counsel Regarding Pending Litigation to wit: Top of the Hill Partners, LLC. v. City of San Marcos; Cause No. 21-0408; In The 453rd District Court of Hays County, Texas.

Mayor Hughson stated discussion was held and direction was provided to Staff in Executive Session earlier this afternoon and this evening.

VII. Adjournment.

Mayor Hughson adjourned the regular meeting of the City Council on Tuesday, March 2, 2021 at 11:32 p.m.

Tammy K. Cook, Interim City Clerk

Jane Hughson, Mayor

EXHIBIT A

Direction Provided - Standards

<u>TOPIC</u>	<u>DIRECTION</u>	<u>FINAL DRAFT CHANGES</u>
Varied Massing	Update Option 3 model to fix a typo	Typo was fixed and small text changes were made to Option 1, 2, and 3
Expression Elements	Require more expression elements	<ul style="list-style-type: none">• Increased requirements with additional detail• Split into horizontal and vertical categories• The models were edited for clarity
Rooftop Amenity Deck	Include a “setback” in the visual and the requirements.	<ul style="list-style-type: none">• Setbacks are required based on the frontage• Standards for railings and their transparency.• Emphasized review of the Historic Preservation Commission where needed
Durable Building Materials	Review the glass and steel material standards.	A “combination of glass and steel framework” is now a Secondary Material
Neighborhood Transitions Standards	Provide stronger standards while allowing multiple options. Increase required setback from 12’ to 25’.	<ul style="list-style-type: none">• Standards revised / strengthened• Updated the 3 models to reflect the new standards• New table

Direction Provided – Guidelines

<u>TOPIC</u>	<u>DIRECTION</u>	<u>FINAL DRAFT CHANGES</u>
Description of Context Areas	Concerns with “West Downtown” and “South Downtown” context area naming	Back to original naming, “Residential Transition Edge” and the “Approach”. Discuss further with Comprehensive Plan.
Expression Elements	Require more expression elements	<ul style="list-style-type: none"> • Increased requirements in the Development Code. • Guidelines updated accordingly
Views	Desire for more in-depth view standards incorporated downtown	<ul style="list-style-type: none"> • New overarching view guidelines • Views memo discussing need for further view study
Building Materials	Concerns regarding too much glass and metal and to differentiate between sidings.	<ul style="list-style-type: none"> • New language to the “siding category” • Updated the Development Code regarding metal and glass
Strategies to Define the Street Wall of a Forecourt	The model images should reflect San Marcos	Models updated to reflect San Marcos
Improving an Existing Front Setback	The model images should reflect San Marcos	Models updated to reflect San Marcos