



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes City Council

Wednesday, March 23, 2022

6:00 PM

City Council Chambers

630 E. Hopkins

I. Call To Order

With a quorum present, the regular meeting of the San Marcos City Council was called to order by Mayor Hughson at 6:15 p.m. Wednesday, March 23, 2022. Mayor Hughson apologized for the technical difficulties that caused a delay of the meeting. This meeting was held in-person and online.

II. Roll Call

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

III. Invocation

Rev. John Molina from Primera Iglesia Bautista/First Hispanic Baptist provided this evening's invocation.

IV. Pledges of Allegiance - United States and Texas

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

V. 30 Minute Citizen Comment Period

Bucky Couch, thanked council for coming back to the dais. He thanked council for increasing the tax rate to fund staffing request for the police department. He spoke regarding #19 and #20, he mentioned as a member of the chief advisory panel he would like council to approve the staffing request and items to improve the safety in downtown from the police department.

Ryan Patrick Perkins, he would like council to approve the expansion of criteria for the approval of local landmarks in historic district determined by sixteen criteria for evaluation and expanded list of eligible definitions. He thanked council for supporting historical preservation efforts and to protect cultural and living heritage. He would like council to approve the renaming of

the Rec Hall to Pauline Espinosa Community Hall.

Sonia Cortez, spoke in support of item #26, she stated Barrio Victoria has had unfinished roadways and turned up sidewalks, dust everywhere, noise pollution from machinery and trucks, street closures and water main breaks. She expressed concern that public projects are not completed faster because her neighborhood is not affluent and not viewed as historically integral. She stated expanding local landmark and historic district criteria for the preservation of local cultural heritage will protect the prosperity and general wellbeing.

Anita Collins, stated she is a representative of Council for the Indigenous and Tejano Community (CITC) spoke in support of item #26, she stated part of CITC mission is to preserve the history traditions, rich culture of indigenous and Tejano community in Hays County. She applauds the Historic Preservation Commission for bringing forward a resolution to amend the development code and historical district design guidelines to expand criteria for approval of landmarks and historic districts. She would like council to support item #27 in renaming the Rec Hall to Paulina Espinosa Community Hall.

Christina Casas-Moreno, she spoke in favor of item #26. She expressed concern with Barrio Pescado, Dunbar and E. Guadalupe Street are experiencing fast changes to the neighborhood history, cultural and arts. She mentioned that there are buildings that need to be protected. She stated residents are fighting against protecting their homes and treasured community places. She mentioned she supports the resolution to protect against gentrification and residents and business displacement.

Rodrigo Amaya, he expressed concern regarding conflict of interest pertaining to a council member and a car dealership that was issued a citation. He mentioned a motion to dismiss case occurred in Seguin that involved a previous San Marcos employee. He mentioned he reviewed the rules of conduct and an officer with parking enforcement using his position to secure parts from a wrecker company. He stated staff provided him information and expressed concern with serious issues with integrity.

Lisa Marie Coppoletta, she expressed concern with major destruction to indigenous and cultural artifacts and trees that are not from developers but from capital improvement projects and TxDOT projects. She stated Blanco Gardens are been victimized that there is no sidewalks for mother's walking with children. She expressed a safety concern with the Hopkins Project by

having Bishop Street as a cut through and is concerned with the narrow street, 13 potholes and no sidewalks for pedestrians and cyclists.

Bobbie Garza-Hernandez, spoke regarding item #27 and would like council to approve the renaming of the Rec Hall to Paulina Espinosa Community Hall. She provided information on Ms. Espinosa's legacy and her hard work in the community.

PRESENTATIONS

1. Receive a presentation from Deloitte and Touche, LLP on the Community Development Block Grant-Disaster Recovery (CDBG-DR) Quarterly Internal Audit Report, and provide direction to Staff.

Anna Miranda, Interim Finance Director, provided the presentation on the Community Development Block Grant Disaster Recovery (CDBG-DR) Quarterly Internal Audit Report for the fourth quarter of Fiscal Year 2021. She stated the internal audits evaluate the design and operating effectiveness of internal controls over program activities and funds and provides recommendations for enhancement, compliance with Federal program and administrative regulations governing the CDBG-DR program, compliance with City policies and procedures governing the CDBG-DR program and compliance with the City's HUD Action Plan for Disaster Recovery and related amendments. Ms. Miranda stated there are no new procurements or contracts occurring during this review period.

Ms. Miranda provided the only observation by the auditors is that in six instances reimbursement from HUD to the City for monies that the city spend within the program were not reimbursement timely.

2. Receive the Annual Audit Report and highlights from the City of San Marcos' Annual Comprehensive Financial Report (ACFR) for the Fiscal Year ended September 30, 2021 from the City's audit firm ABIP, P.C.

Anna Miranda, Interim Finance Director provided a brief introduction to San Marcos Comprehensive Annual Financial Report (CAFR) for 2021 Fiscal Year. She introduced Janet Pitman with ABIP, P.C. who presented the audit and stated the city has been a recipient for the past forty-two years of the Government Finance Officers Association (GFOA) Certificate of Achievement Financial Reporting and Budget Presentation awards. She mentioned we are in compliance with the financial policy of having 25% of the fund balance in the general fund. Ms. Pitman stated there was an increase in the general fund of \$8.1M from small increase in property taxes, franchise fees and building permits. She stated funds received from federal funds of \$750K and \$14M

federal funds, WIC funds, COVID-19 funds, American Rescue Plan relief funds and is happy to report they found no questionable items.

3. Receive a Staff presentation of the Quarter End December 31, 2021 Financial Report, and provide direction to City Manager.

Anna Miranda, Interim Finance Director, provided a brief presentation regarding the quarterly financial report ending December 31, 2021.

The revenue and expenditures are highlighted below with the present of budget indicated:

General Fund:

Revenue: 28.5%

Expenditures: 19.7%

Electric Utility:

Revenue: 22.1%

Expenditures: 20.8%

Water/Wastewater Utility:

Revenue: 23.6%

Expenditures: 14.8%

Stormwater Management:

Revenue: 24.8%

Expenditures: 8.7%

Resource Recovery:

Revenue: 25.4%

Expenditures: 16.8%

Airport Fund:

Revenue: 19.6%

Expenditures: 21.9%

Hotel Tax Fund:

Revenue: 30.8%

Expenditures: 17.9%

4. Receive a Staff presentation of the Quarter End December 31, 2021 Investment Report, and provide direction to City Manager.

Anna Miranda, Interim Finance Director, provided a brief presentation on

Quarterly Investment Report ending December 31, 2021.

Ms. Miranda provided an overview of the Texas economic related to recovery from the pandemic.

She provided as of December 31, 2021 pooled cash \$104.3M, pooled cash reserves was \$13.9M, enterprise funds was \$173.5M and enterprise reserve funds were \$18.3M.

Ms. Miranda provided the investment distribution which includes Money Market Mutual Funds (29.7%), Local Government Investment Pools (52.9%), Federal Agency Coupon Securities (9%), and Bank Deposits (8.4%).

CONSENT AGENDA

A motion was made by Mayor Pro Tem Scott, seconded by Council Member Gleason, to approve the consent agenda, items #5-17. The motion carried by the following vote:

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

Against: 0

5. Consider approval, by motion, of the following meeting minutes:
 - A. February 15, 2022 - Work Session Meeting Minutes
 - B. February 16, 2022 - Budget Policy Workshop Meeting Minutes
 - C. February 17, 2022 - Budget Policy Workshop Meeting Minutes
 - D. March 1, 2022 - Work Session Meeting Minutes
6. Consider approval of Ordinance 2022-17, on the second of two readings, adopting Youth Programs Standards of Care for 2022; providing a severability clause; providing for the repeal of any conflicting provision; declaring an effective date.
7. Consider approval of Ordinance 2022-20, on the second of two readings, annexing into the City approximately 1.11 acres of land located at 1850 Old Ranch Road 12 (Case No. AN-22-04); including procedural provisions; and providing an effective date.
8. Consider approval of Ordinance 2022-21, on the second of two readings, amending the Official Zoning Map of the City in Case ZC-22-06 by rezoning approximately 1.11 acres located at 1850 Old Ranch Road 12, from "FD" Future Development District to "LI", Light Industrial District, or, subject to the consent of the owner, another less intense zoning district classification, including procedural provisions, providing an effective date.
9. Consider approval of Ordinance 2022-22, on the second of two readings, amending regulations and standards applicable within the Trace Planned Development District (PDD) consisting of approximately 417.63 acres of land generally located at 5818 South Old Bastrop Highway, to, among other things, update provisions concerning document illustrations, the zoning concept

plan, public space, circulation and connectivity, site design, architectural design, signage, and appendixes, including procedural provisions.

10. Consider approval of Ordinance 2022-23, on the second of two readings, amending Section 2.044 of the San Marcos City Code relating to the preparation of the City Council agenda; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.
11. Consider approval of Resolution 2022-56R, authorizing a Change in Service to the agreement with Scheibe Consulting to provide additional construction phase engineering services required due to environmental regulations for the Blanco Gardens Drainage Improvement Project in the estimated amount of \$180,811.00 to be paid with CDBG-DR and MIT funds; authorizing the City Manager or her designee to execute the appropriate documents to implement the Change in Service on behalf of the City; and declaring an effective date.
12. Consider approval of Resolution 2022-57R, approving the award of a contract to Walker Partners, LLC. For design and administrative engineering services relating to the Centerpoint Road Water Main Extension Project in the amount of \$148,180.00; authorizing the City Manager or her designee to execute the contract on behalf of the City; and declaring an effective date.
13. Consider approval of Resolution 2022-58R, authorizing a Change Order to the construction contract with Seidel Construction, LLC relating to the Fire Station No. 6 Construction Project for procurement of temporary air conditioning units in the amount of \$125,565.03; authorizing the City Manager or her designee to execute the appropriate documents relating to the Change Order on behalf of the City; and declaring an effective date.
14. Consider approval of Resolution 2022-59R, approving an agreement with ClearGov Inc., for the purchase of Financial Data Transparency Software for an initial term of two years with three optional extension years in the estimated amount of \$15,100 for the first year and \$12,100 each subsequent year for a total contract price of \$63,500.00; authorizing the City Manager or her designee to execute the agreement on behalf of the City; and declaring an effective date.
15. Consider approval of Resolution 2022-60R, awarding a contract with Consolidated Traffic Controls, Inc. through the HGACBuy Cooperative Purchasing Program for the purchase of ADA Traffic Signal Equipment in the amount of \$56,675.35; authorizing the City Manager or her designee to execute the contract on behalf of the City; and declaring an effective date.
16. Consider approval of Resolution 2022-49R, approving a Master Lease-Purchase Financing Agreement with U.S. Bank Government Leasing and Finance, Inc. for the financing of a digger derrick, two bucket trucks, and a wire tensioner for use by the Electric Utility Division of the Utilities Department to be financed in the amount of \$911,760.86, inclusive of interest, for a seven-year term; authorizing the City Manager or her designee to execute all appropriate documents associated with this transaction; and declaring an effective date.
17. Consider approval of Resolution 2022-50R, approving an agreement with Altec Industries, Inc. through the Sourcewell Purchasing Cooperative Contract for the purchase of electric utility equipment including one wire tensioner, two bucket trucks, and one digger derrick in the estimated amount of \$911,760.86; authorizing the City Manager or

her designee to execute the agreement on behalf of the City; and declaring effective date.

PUBLIC HEARINGS

18. Hold a Public Hearing to receive comments for or against Resolution 2022-61R, approving a Budget Policy Statement for preparation of the 2022-2023 Fiscal Year budget; and declaring an effective date; and consider approval of Resolution 2022-61R.

Mayor Hughson opened the Public Hearing at 7:04 p.m.

Lisa Marie Coppoletta, stated there has been no analysis on the policy for the GAP program in the last 9 years. The program was completed in 2013 and the master plan states it should be reviewed every 5 years. The sidewalk program should have two sided sidewalks to create green spaces. She expressed concern with installation of sidewalks in areas of flooding and not in historical areas. She stated sidewalks should not be installed without input from citizens and they should be installed where there is no street light.

There being no further speakers, Mayor Hughson closed the Public Hearing at 7:08 p.m.

A motion was made by Council Member Gleason, seconded by Mayor Pro Tem Scott, to approve Resolution 2022-61R. The motion carried by the following vote:

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

Against: 0

NON-CONSENT AGENDA

19. Consider approval of Ordinance 2022-24, on the first of two readings, amending certain funds in the City's 2021-2022 Fiscal Year budget to authorize a mid-year Cost of Living Allowance, an adjustment to Public Safety Overtime, adding personnel, and revising sales tax revenue and transfers; including procedural provisions; and declaring an effective date.

A motion was made by Mayor Pro Tem Scott, seconded by Council Member Gleason, to approve Ordinance 2022-24, on the first of two readings.

Council Member Baker would like clarification on the additional overtime miscalculation in the current budget. Police Chief Standridge stated he learned of this late into the budget process in 2021. It was discovered by the previous finance director and this miscalculation was before her tenure with the city. He stated overtime is paid one and one-half time the salary the overtime. He mentioned that the city was charging the overtime but only half and not one

and one-half time.

Council Member Garza asked who was responsible and to avoid in the future for the costly oversight. Ms. Miranda stated there has been a change going into FY22 by adding an item line for the one and one-half time to show overtime hours in one place. She stated as new staff she was not aware of how it was being reported and made assumptions but moving forward with the change done shouldn't be an issue in the future.

The motion carried by the following vote:

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

Against: 0

- 20.** Consider approval of Ordinance 2022-25, on the first of two readings, amending certain funds in the City's 2021-2022 Fiscal Year budget to authorize the use of fund balance for one-time non-recurring items, recognition of donation revenue for specific costs, and increases in fuel and other contractual services; including procedural provisions; and declaring an effective date.

A motion was made by Mayor Pro Tem Scott, seconded by Council Member Gleason, to approve Ordinance 2022-25, on the first of two readings. The motion carried by the following vote:

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

Against: 0

Absent: 1 - Council Member Prather

- 21.** Consider approval of Resolution 2022-62R, awarding a construction contract to Austin Underground, Inc., for the Sessom Drainage and Street Improvements Project in the estimated amount of \$5,746,040.25; authorizing the City Manager or her designee to execute the contract on behalf of the City; and declaring an effective date.

A motion was made by Council Member Gonzales, seconded by Council Member Gleason, to approve Resolution 2022-62R. The motion carried by the following vote:

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

Against: 0

Absent: 1 - Council Member Prather

- 22.** Consider approval of Resolution 2022-63R, adopting the City Council's Strategic Initiatives for Fiscal Year 2022-2026; and declaring an effective date.

MAIN MOTION: a motion was made by Mayor Pro Tem Scott, seconded by Mayor Hughson, to approve Resolution 2022-63R. Deputy Mayor Pro Tem Garza would like to insert letter f and add "Area of Focus" in the Resolution Part 1. Council concurred in adding item f to the Resolution.

MOTION TO AMEND: a motion was made by Council Member Baker, seconded by Deputy Mayor Pro Tem Garza, to amend Workforce Housing, short term, item #5 by removing the words "consider adding" and inserting the word "add". This will now read as follows:

5. Work with the Neighborhood Commission to address multifamily substandard conditions, outreach to apartments, and add an apartment complex representative. The purpose is to have someone who lives in an apartment complex and is not limited to any particular sector.

The motion carried by the following vote:

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

Against: 0

MOTION TO AMEND: a motion was made by Council Member Baker, seconded by Council Member Prather, to amend Sustainability, intermediate, item 15 by adding "community gardens and local production of goods". This will now read as follows:

15. Promote farming community gardens and local production of goods through incentives and education.

The motion carried by the following vote:

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

Against: 0

MOTION TO AMEND: a motion was made by Deputy Mayor Pro Tem Garza, seconded by Mayor Pro Tem Scott to amend Workforce Housing, intermediate, #16 by adding, "and implement". This will read as follows:

16. Research and implement intentional community outreach engagement related to housing.

The motion carried by the following vote:

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

Against: 0

MOTION TO AMEND: a motion was made by Council Member Gleason,

seconded by Council Member Baker, to amend Sustainability, intermediate, by adding item #17 and renumbering the remaining list. This will now read as follows:

17. Promote rainwater capture.

The motion carried by the following vote:

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

Against: 0

MOTION TO POSTPONE: a motion was made by Mayor Hughson, seconded by Council Member Gleason, to postpone Resolution 2022-63R to a date no later than April 19, 2022. The motion carried by the following vote:

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

Against: 1 - Council Member Baker

- 26.** Hold discussion regarding Historic Preservation Commission Recommendation Resolution 2022-01RR, that recommends Council authorize an amendment to the San Marcos Development Code and Appendix C, Historic District Design Guidelines of the San Marcos Design Manual, to amend the criteria for approval of local historic landmarks and local historic districts and provide direction to the City Manager.

Shannon Mattingly, Director of Planning and Development Services, provided a brief presentation regarding the Historic Preservation Commission recommendation resolution. She stated staff would need to work on the amendments to the Land Development Code and the Historic Districts Design Guidelines approved by the Historic Preservation Commission. Council concurred to send this back to the Commission and bring back to council for a future action item.

- 27.** Hold discussion regarding Parks and Recreation Board Recommendation Resolution 2021-03RR that supports the renaming of the City Recreation Hall (located within City Park) to the Pauline Espinosa Community Hall, and provide direction to the City Manager.

Council concurred to move forward with the renaming of the City Hall Recreation Hall.

Mayor Hughson inquired about an implementation plan. She expressed concern with the transition of renaming and signage because the building has been known as "The Rec Hall" for many many years. Mrs. Reyes stated staff can bring back at the next meeting or the next available meeting.

- 23.** Consider approval of Resolution 2022-64R, approving Substantial Amendment Number 12 to the Community Development Block Grant-Disaster Recovery (CDBG-DR) Action Plan to reallocate project funding and add activities for housing projects; authorizing the City Manager

to act as the official representative of the City in matters related to the CDBG-DR Program and Action Plan; and declaring an effective date.

A motion was made by Mayor Pro Tem Scott, seconded by Council Member Baker, to approve Resolution 2022-64R.

Carol Griffith, Housing and Community Development Manager, provided the presentation regarding the substantial amendment #12 to the Community Development Block Grant -Disaster Recovery (CDBG-DR). She stated the city received a \$33M grant from U.S. Department of Housing (HUD).

She stated the infrastructure project of \$2,075,000 will be moved from Midtown/Aquarena Springs Project to Blanco Gardens Projects. The amendment to the housing projects will add the following wording New Construction, Demolition, Clearance, Temporary Relocation as approved activities for housing projects. The wording is required by HUD for clarification to the public.

The motion carried by the following vote:

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

Against: 0

- 24.** Consider approval of Resolution 2022-65R, approving and authorizing the City Manager, or her designee, to execute an Assignment of Rights with the Lower Colorado River Authority (LCRA) related to the city's capacity participation in the Gentex, LLC Electric Generating Station; declaring the agreement to be a public power competitive matter of the San Marcos Election Utility (SMEU) under Section 552.133 of the Texas Government Code; and declaring an effective date.

MAIN MOTION: a motion was made by Council Member Gleason, seconded by Mayor Hughson to approve Resolution 2022-65R.

MOTION TO TABLE: a motion was made by Mayor Hughson, seconded by Mayor Pro Tem Scott, to table Resolution 2022-65R later in the meeting. The motion carried by the following vote:

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

Against: 0

- 25.** Consider approval, by motion, authorizing negotiations of a Development Agreement with Max Whipple with The NRP Group, LLC, on behalf of John Dreyfus, Seymour Dreyfus Family

Limited Partnership, for approximately 20.07 acres out of the L S Yeates Survey located at 1800 Centerpoint Rd, and consider the appointment of a Council Committee to review the aforementioned Development Agreement, if desired.

A motion was made by Mayor Pro Tem Scott, seconded by Council Member Baker, to approve negotiations of a Development Agreement on behalf of John Dreyfus, Seymour Dreyfus Family Limited Partnership.

Shannon Mattingly, Director of Planning and Development Services, provided a brief presentation regarding the proposed property of 20.07 acres located at 1800 Centerpoint Road. She mentioned the applicant is requesting a Development Agreement for a proposed Multi-Family Residential. She stated an application for consideration of a Resolution of No Objection is also in process and will be presented to the Workforce Housing Council Committee. Ms. Mattingly stated the applicant is willing to negotiate the annexation part with the development agreement.

Council deferred the development agreement to the Workforce Housing Council Committee since this committee will review the Low Income Housing Tax Credit (LIHTC) proposal.

The motion carried by the following vote:

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

Against: 0

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

The city clerk read the caption for items 28, 29, and 30 to allow Council to discuss Robert's Rules of Order, rules of decorum and council members meeting in person at the dais at the same time.

Council Member Prather provided comments regarding Roberts rules of order and the possibility of enacting time limits or number of times each council member can speak on an item. Mayor Hughson commented on personal responsibility and that all council members should come prepared, be ready, bring notes, and be concise. Council Member Baker expressed his concern with Roberts rules of order and feels this is an oppressive measure that limits debate. He also expressed concern with the Virtual Meeting (Zoom) aspect no longer being an option if Council returns to the dais. Mayor Hughson stated she does not see the virtual aspect of these meetings going away, but she would like to see council members return to the dais. Deputy Mayor Pro Tem Garza

expressed concern with rules at various meetings and how a standard set of rules should be followed. Mayor Pro Tem Scott stated he does not prepare backup for these discussion items because he wants this to be a discussion with his colleagues. Council Member Gleason expressed his desire to not limit debate because he may have a different perspective after hearing from colleagues. He agrees with the need for decorum and he spoke of a generational divide and reminded everyone that this is a professional environment. He would like to see everyone at the dais as this humanizes everyone and the strain that Covid has put on everyone's life, being in the same room will help in finding common ground for the community. Deputy Mayor Pro Tem Garza feels the rules of decorum are antiquated and are somewhat oppressive.

PLEASE DELETE THE PREVIOUS PARAGRAPH IF UNNECESSARY

Council held extensive discussion on length of meeting, length of time on agenda items, decorum concerns, and the return of council members to the dais. Council provided the following consensus:

- 1. A retreat/facilitated discussion will be held for council members to attend.**
- 2. After 30-60 minutes of discussion on an item, council will begin wrap up of the item by limiting time or calling the question but will allow for extension if/when necessary**
- 3. Encourage council members to meet in person, but allow flexibility by utilizing virtual method.**
- 4. Create a short policy regarding executive session guidelines, Council Member Prather and Council Member Baker will work on this with assistance of the City Attorney.**
- 29. Hold discussion about current city council rules of decorum and make changes accordingly, and provide direction to City Manager.**
- 30. Hold discussion about all Council Members being at the dais during meetings and provide direction to City Manager.**

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and the possibility of enacting time limits or number of times each council member can speak on an item. Mayor Hughson commented on personal responsibility and that all council members should come prepared, be ready, bring notes, and be concise. Council Member Baker expressed his concern with Roberts Rules of Order and feels this is an oppressive measure that limits debate. He also expressed concern with the Virtual Meeting (Zoom) aspect no longer being an option if Council returns to the dais. Mayor Hughson stated she does not see the virtual aspect of these meetings going away due to factors such as staff being able to participate as needed but not necessarily have to stay in chambers or in their office to do so. However, she would like to see council members return to the dais. Deputy Mayor Pro Tem Garza expressed concern with rules at various meetings and how a standard set of rules should be followed. Mayor Pro Tem Scott stated he does not prepare backup for these discussion items because he wants this to be a discussion with his colleagues. Council Member Gleason expressed his desire to not limit debate because he may have a different perspective after hearing from colleagues. He agrees with the need for decorum and he spoke of a generational divide and reminded everything that this is a professional environment. He would like to see everyone at the dais as this humanizes everyone. He acknowledges the strain that Covid has put on everyone's life, but being in the same room can help in finding common ground for the community. Deputy Mayor Pro Tem Garza feels the rules of decorum are antiquated and are somewhat oppressive.

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1. A retreat/facilitated discussion will be held for council members to attend.
 2. After 30-60 minutes of discussion on an item, council will begin wrap up of the item by limiting time or calling the question but will allow for extension if/when necessary
 3. Encourage council members to meet in chambers, but allow flexibility by utilizing an online method.
 4. Create a short policy document regarding executive session guidelines, Council Member Prather and Council Member Baker will work on this with assistance of the City Attorney.
31. Hold discussion regarding the process for appointee evaluations and provide direction to the City Manager.

Linda Spacek, Director of Human Resources, introduced presenter Sue Breland, Breland Facilitation presented the proposal for the appointee evaluations.

Ms. Breland stated managing by results should be aligned to the strategic plan, focusing on the outcomes rather than the inputs. It should also show managing people by the results of what they do, rather than the time they put in (time is an input). It sets absolutely clear, shared understanding of what the results should be: Employees, Evaluators, other Stakeholders. It also ensures measurement that focuses on Effectiveness; Increases objective evaluation and reduce subjective evaluation; Improves plans and focus on resources: talent, time, tools. If the target is unclear, employees are not sure what they are aiming for and can't apply resources appropriately. Progress can be measured more precisely throughout the year so that course corrections can (and should) be made. It should educate stakeholders on what is important and specifically how well the organization is doing.

She mentioned the result driven goals are to be phrased as statements of what success will look like when achieved rather than a description of what is to be done; Appears as the outcome of a combination of many (and perhaps complex) inputs, not "how" it is going to be done; Requires research to establish current level and set realistic and stretch goals; and Requires measurement systems in place, creating systems of measurement, or determining where to access measurement data from other sources.

Council Member Baker inquired if the evaluations are open to the public? Ms. Spacek stated the files have been provided to the appointees and have not been placed in their public files. Mr. Baker would like the aggregated form attached to the agenda item if a raise will be involved.

Council consensus is to move forward with the appointee self assessment, post the aggregated data with the agenda item and provide a written summary for a pay increase.

EXECUTIVE SESSION

- 32.** Executive Session in accordance with the following sections:
 - A. Sec. §551.074 of the Texas Government Code: Personnel Matters: to discuss goals for the city council appointees: city manager, city attorney, city clerk, and presiding judge of the San Marcos Municipal Court
 - B. Sec. §551.086 -Texas Government Code - Public Power Utility Competitive Matters: to discuss plans or proposals for electric generation system improvements, additions, or sales

- C. Sec. §551.072 -Texas Government Code - Real Property: Acquisition of land on the city's east side for a public park using Hays County Parks and Open Space Advisory Committee (POSAC) bond funds

A motion was made by Council Member Baker, seconded by Mayor Pro Tem Scott, to enter into Executive Session at 11:12 p.m. The motion carried by the following vote:

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

Against: 0

24. Consider approval of Resolution 2022-65R, approving and authorizing the City Manager, or her designee, to execute an Assignment of Rights with the Lower Colorado River Authority (LCRA) related to the city's capacity participation in the Gentex, LLC Electric Generating Station; declaring the agreement to be a public power competitive matter of the San Marcos Election Utility (SMEU) under Section 552.133 of the Texas Government Code; and declaring an effective date.

A motion was made by Mayor Hughson, seconded by Mayor Pro Tem Scott, to remove Resolution 2022-65R from table. The motion carried by the following vote:

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

Against: 0

A motion was made by Council Member Gleason, seconded by Council Member Prather, to approve Resolution 2022-65R. The motion carried by the following vote:

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

Against: 1 - Mayor Pro Tem Scott

ACTION/DIRECTION FROM EXECUTIVE SESSION

33. Consider action, by motion, or provide direction to Staff regarding the following Executive Session items held during the Work Session and/or Regular Meeting:
- A. Sec. §551.074 of the Texas Government Code: Personnel Matters: to discuss goals for the city council appointees: city manager, city attorney, city clerk, and presiding judge of the San Marcos Municipal Court
 - B. Sec. §551.086 -Texas Government Code - Public Power Utility Competitive Matters to discuss plans or proposals for electric generation system improvements, additions, or sales.
 - C. Sec. §551.072 -Texas Government Code - Real Property: Acquisition of land on the

city's east side for a public park using Hays County Parks and Open Space Advisory Committee (POSAC) bond funds

Executive Session concluded at 11:47 p.m.

Mayor Hughson stated item A council held discussion on goals for the interim city manager and the rest of appointees will be on the established schedule.

Mayor Hughson reported on item B that discussion was held and was approved on item #24. She stated on item C that direction was given to staff and any actionable items will be brought forward at a future meeting.

VI. Question and Answer Session with Press and Public.

Lisa Marie Coppoletta, asked Council Member Gleason and Council Member Prather if they posted on the message board. Both council member stated no they have not. She stated the public will like to know the raw data. She asked Mr. Gleason why he is against giving the raw data. Mr. Gleason stated it might influence Council member opinions or could cause problems and impact decisions.

VII. Adjournment.

A motion was made by Deputy Mayor Pro Tem Scott, seconded by Council Member Gleason, to adjourn the regular meeting of the City Council on Tuesday, March 23, 2022 at 11:55 p.m. The motion carried by the following vote:

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

Against: 0

Tammy K. Cook, City Clerk

Jane Hughson, Mayor