



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final City Council

Tuesday, September 15, 2020

6:00 PM

Virtual Meeting

Due to COVID-19, and as long as the State Disaster Declaration is in effect, this will be a virtual meeting. To view the meeting please go to www.sanmarcostx.gov/videos or watch on Grande channel 16 or Spectrum channel 10.

I. Call To Order

II. Roll Call

III. 30 Minute Citizen Comment Period

Persons wishing to participate (speak) during the Citizen Comment portion of the meeting must email citizencomment@sanmarcostx.gov prior to 12:00PM the day of the meeting. A call in number to join by phone or link will be provided for participation on a mobile device, laptop or desktop computer.

PRESENTATIONS

1. Receive status reports and updates on response to COVID-19 pandemic, including but not limited to plans for re-opening parks; hold council discussion, and provide direction to Staff.
2. Receive a staff presentation and hold discussion regarding the San Marcos Police Department use of cite and release.

Attachments: [2020_2Q_Cite&Release.pdf](#)
[Sept 1 Cite and Release Update.pptx](#)

CONSENT AGENDA

THE FOLLOWING ORDINANCES, RESOLUTIONS AND OTHER ITEMS MAY BE ACTED UPON BY ONE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THE ITEMS IS NECESSARY UNLESS DESIRED BY A COUNCIL MEMBER OR A CITIZEN, IN WHICH EVENT THE ITEM SHALL BE CONSIDERED IN ITS NORMAL SEQUENCE AFTER THE ITEMS NOT REQUIRING SEPARATE DISCUSSION HAVE BEEN ACTED UPON BY A SINGLE MOTION.

3. Consider approval, by motion, of the following meeting Minutes:
 - A. September 1, 2020 - Work Session Meeting Minutes
 - B. September 1, 2020 - Regular Meeting Minutes

Attachments: [09.01.2020 Work Session Minutes.pdf](#)
[09.01.2020 Regular Meeting Minutes.pdf](#)

4. Consider approval of Ordinance 2020-61, on the second of two readings, under Case No. AN-20-08 (La Cima Phase 2), annexing into the City approximately 89.694 acres, more or

less, out of the John Williams Survey, Abstract 490, and the William Smithson Survey, Abstract 419, Hays County, generally located West of the Intersection of Old Ranch Road 12 and Wonder World Drive; including procedural provisions; and providing an effective date.

Attachments: [Ordinance](#)
[Presentation](#)
[Boundary Exhibit](#)
[Map Package](#)
[Annexation Service Agreement](#)
[Conceptual Land Use Plan](#)
[Application](#)

5. Consider approval of Ordinance 2020-62, on the second of two readings, amending the official zoning map of the City in Case No. ZC-20-15 (La Cima Phase 2), by rezoning approximately 89.694 acres out of the John Williams Survey, Abstract no. 490, and the William Smithson Survey, Abstract No. 419, Hays County, generally located West of the intersection of Old Ranch Road 12 and Wonder World Drive, from “FD” Future Development District to “SF-4.5” Single Family-4.5 District; including procedural provisions; and providing an effective date.

Attachments: [Ordinance](#)
[ZC-20-15 Presentation](#)
[ZC-20-15 Staff Report](#)
[ZC-20-15 Map Package](#)
[ZC-20-15 Code Comparison](#)
[ZC-20-15 Comp Plan Analysis Checklist](#)
[ZC-20-15 Personal Notice](#)
[ZC-20-15 Application](#)
[ZC-20-15 Boundary Exhibit](#)

6. Consider approval of Ordinance 2020-63, on the second of two readings, amending the Official Zoning Map of the City (ZC-20-17), by rezoning approximately 38.019 acres of land, more or less, located at 2801 Staples Road, from “FD” Future Development District to “LI” Light Industrial District; and including procedural provisions.

Attachments: [Second Reading Ordinance](#)
[ZC-20-17 Presentation](#)
[ZC-20-17 Staff Report](#)
[ZC-20-17 Maps](#)
[ZC-20-17 Comp Plan Analysis Checklist](#)
[ZC-20-17 Code Comparison](#)
[ZC-20-17 Personal Notification Letter](#)
[ZC-20-17 Application](#)

7. Consider approval of Ordinance 2020-64, on the second of two readings, amending the Official Zoning Map of the City in Case No. ZC-20-18, by rezoning approximately 30.326 acres of land located at 2801 Staples Road from “FD” Future Development District to “CD-5” Character District-5; including procedural provisions; and providing an effective date.

Attachments: [Second Reading Ordinance](#)
[ZC-20-18 Presentation](#)
[ZC-20-18 CC Staff Report](#)
[ZC-20-18 Alt Staff Recommendation](#)
[ZC-20-18 Consent to Alternate Recommendation](#)
[ZC-20-18 Maps](#)
[ZC-20-18 Code Comparison](#)
[ZC-20-18 Comprehensive Plan Checklist](#)
[ZC-20-18 Personal Notification Letter](#)
[ZC-20-18 Application](#)

8. Consider approval of Ordinance 2020-65, on the second of two readings, amending the Official Zoning Map of the City (ZC-20-19), by rezoning approximately 78.853 acres of land located at 2801 Staples Road, from “FD” Future Development District to “CD-4” Character District-4; and including procedural provisions.

Attachments: [Ordinance](#)
[ZC-20-19 Presentation](#)
[ZC-20-19 Staff Report](#)
[ZC-20-19 Maps](#)
[ZC-20-19 Code Comparison](#)
[ZC-20-19 Comp Plan Analysis Checklist](#)
[ZC-20-19 Personal Notification Letter](#)
[ZC-20-19 Application](#)

9. Consider approval of Ordinance 2020-66, on the second of two readings, amending the Official Zoning Map of the City (ZC-20-20), by rezoning approximately 220.023 acre of land located at 2801 Staples Road, from “FD” Future Development District to “CD-3” Character District-3, and including procedural provisions.

Attachments: [Ordinance](#)
[ZC-20-20 Presentation](#)
[ZC-20-20 Staff Report](#)
[ZC-20-20 Maps](#)
[ZC-20-20 Code Comparison](#)
[ZC-20-20 Comprehensive Plan Checklist](#)
[ZC-20-20 Personal Notification Letter](#)
[ZC-20-20 Application](#)

10. Consider approval of Ordinance 2020-67, on the second of two readings, increasing rates established for Water, Wholesale Water, Reclaimed Water, Wastewater Treatment, and Sewer Surcharges; and including procedural provisions; and providing an effective date.

Attachments: [2020 Water Rates Ordinance.doc](#)
[Exhibit A - WaterWW Rate Change 2020-21.doc](#)
[FY2021 Executed Utility Rate Recommendation.doc](#)

11. Consider approval of Ordinance 2020-68, on the second of two readings, amending the rates for both Residential and Multifamily Customers of Municipal Solid Waste Programs (currently known as Resource Recovery) in accordance with Section 66.028 of the San Marcos Code of Ordinances; and including procedural provisions; and providing an effective date.

Attachments: [2020 Solid Waste Ordinance](#)
[Resource Recovery Rate Change 2020-21.doc](#)

12. Consider approval of Ordinance 2020-69, on the second of two readings, increasing Drainage Utility Rates as authorized by Section 86.505 of the San Marcos City Code; including procedural provisions; and providing an effective date.

Attachments: [2020 Drainage Rate Ordinance.doc](#)
[Exhibit A - Drainage Rate Change 2020-21.doc](#)

13. Consider approval of Ordinance 2020-73, on the second of two readings, amending section 26.002 of the San Marcos City Code to establish that the City will implement the National Incident Management System (“NIMS”) as its model for managing public safety emergencies and incidents; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

Attachments: [Ordinance](#)
[Chapter 26 CIVIL EMERGENCIES Redline July 2020](#)

14. Consider approval of Ordinance 2020-74, on the second of two readings, providing for the temporary reduction in sewer surcharges for commercial utility customers during the COVID-19 Pandemic; providing procedural provisions; and providing an effective date.

Attachments: [Ordinance](#)
[Sewer Surcharge - COVID-19 Update PPT - 080420 Council mtg](#)

15. Consider approval of Resolution 2020-192R, approving the San Marcos Transit Plan, also referred to as the Five-Year Strategic Plan for Transit Service; and declaring an effective date.

Attachments: [Resolution](#)
[San Marcos Transit Plan - Final Report amended.pdf](#)
[Five Year Strategic Plan Final Presentation.pdf](#)

16. Consider approval of Resolution 2020-193R, approving a Public Transit System Interlocal Agreement with the Capital Area Rural Transportation System (“CARTS”) for CARTS to

provide transit services on behalf of the City in the San Marcos urbanized area, with a funding amount by the City not to exceed \$2,490,359.00; authorizing the City Manager, or his designee, to execute the agreement on behalf of the City; and declaring effective date.

Attachments: [Resolution](#)
 [Public Transit Interlocal Agreement FY2021.pdf](#)
 [ILA Attachment-1.pdf](#)
 [ILA Attachment-2.pdf](#)
 [ILA Attachment-3.pdf](#)
 [ILA Attachment-4.pdf](#)

17. Consider approval of Resolution 2020-194R, approving a Change in Service to the agreement with Freeit Data Solutions, Inc. through the Texas Comptroller of Public Accounts Department of Information Resources (“DIR”) program for license renewal of security software in the estimated annual amount of \$18,512.61 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.

Attachments: [Resolution - Change in Service - Freeit Data Solutions .docx](#)
 [ACIS 3 217-487 \\$18,512.61 07.15.2020](#)

18. Consider approval of Resolution 2020-195R, approving a Change in Service to the agreement with SHI Government Solutions, Inc. for renewal of the Adobe Enterprise software license in the amount of \$41,695.00 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.

Attachments: [Resolution - Change in Service - SHI Government Solutions.docx](#)
 [217-452 ACIS 3 \\$41,695 08.10.20](#)

19. Consider approval of Resolution 2020-196R, approving an agreement with Graybar Electric through the US Communities (Omnia Partners) Cooperative for Solar LED Lighting for the Parks and Recreation Department to install outdoor lighting with solar powered, high efficiency light bulbs in the amount of \$55,498.00; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring effective date.

Attachments: [Resolution - Graybar Electric.docx](#)
 [Graybar Quotation](#)

20. Consider approval of Resolution 2020-197R, approving a Change in Service to the agreement with Eggemeyer Land Clearing, LLC for wood grinding services to authorize an increase in the annual amount to \$62,250.00 and authorize four additional one-year terms; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution - Change in Service - Eggemeyer .docx](#)
 [ACIS3 Wood Grinding Renewal.pdf](#)

21. Consider approval of Resolution 2020-198R, approving a Change in Service to the agreement with Texas Disposal Systems, Inc. for collection and disposal of solid waste and recyclable materials to extend the agreement for five years at an estimated annual increase of \$400,000.00; authorizing the City Manager or his designee to execute the Change in Service on behalf of the City; and declaring an effective date.

Attachments: [Resolution - Texas Disposal Systems.docx](#)
[215-221.A ACIS Renew Disposal Solid Waste Recycle Materials.pdf](#)

22. Consider approval of Resolution 2020-199R, approving an agreement with Doucet & Associates for Preliminary Engineering and Environmental Services for the Rio Vista Drainage Improvement Project in the estimated amount of \$69,695.00; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution - Doucet and Associates Agreement.docx](#)
[2020-8-13 Rio Vista Exhibit](#)
[2020-8-13 Rio Vista CDBG PER Doucet Revised Proposal](#)

23. Consider approval of Resolution 2020-200R, approving an Interlocal Agreement between Texas State University and the City for the implementation of restoration work in the Sessom Creek Natural Area funded through the Texas State University Watershed Protection Plan Program; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution - Interlocal Agreement - Texas State Sessom Canyon.docx](#)
[City of San Marcos ILA10.1.20-2.28.23.pdf](#)

24. Consider approval of Resolution 2020-201R, authorizing the City Manager to negotiate and sign an Interlocal Agreement between the City and the San Marcos Consolidated Independent School District (SMCISD) providing for the City to pay the district \$98,925 from the funds the City anticipates receiving under the Coronavirus Aid, Relief and Economic Security ("CARES") Act to be used for the purchase of technology devices for use by SMCISD Students; and declaring an effective date.

Attachments: [Resolution - Interlocal Agreement with SMCISD.docx](#)

PUBLIC HEARINGS

Persons wishing to participate (speak) during the Public Hearing portion of the meeting must email citizencomment@sanmarcostx.gov prior to 12:00PM the day of the meeting. A call in number to join by phone or link will be provided for participation on a mobile device, laptop or desktop computer.

25. Receive a Staff presentation and hold the second of two public hearings to receive comments for or against Ordinance 2020-70, adopting a budget in the amount of \$258,741,410 for the fiscal year beginning October 1, 2020 and ending September 30, 2021; authorizing certain adjustments to the budget with the approval of the City Manager; approving fiscal year 2020-2021 Capital Improvements Program Projects; adopting a fee schedule; including procedural provisions; providing an effective date; consider approval of Ordinance 2020-70 on the second of two readings.

Attachments: [2020 Budget Ordinance.docx](#)
[Proposed Budget Sept 1 2020.pdf](#)
[Exhibit B - FY21 Proposed Fees General Fund.pdf](#)
[FY 2021 Proposed Fund Summary.pdf](#)
[FY21 Headcount-Personnel Roster Adopted.pdf](#)
[10 Yr CIP for Budget Book FY2021.pdf](#)

26. Receive a Staff presentation and hold a public hearing to receive comments for or against Ordinance 2020-72, setting the tax rate for the 2020 Tax Year at 59.30 cents on each \$100 of taxable value of real property that is not exempt from taxation; levying taxes for the use and support of the Municipal Government of the City for the fiscal year beginning October 1, 2020, and ending September 30, 2021; providing a sinking fund for the retirement of the bonded debt of the city; including procedural provisions; and providing an effective date; and consider approval of Ordinance 2020-72, on the second of two readings.

Attachments: [2020 Tax Rate Ordinance.docx](#)
[Revised Truth in Taxation signed copy.2020.pdf](#)
[Proposed Tax Rate Sept 15 2020.pdf](#)

NON-CONSENT AGENDA

27. Consider approval of Ordinance 2020-76, on the first of two readings, amending Article 3 of Chapter 66 of the San Marcos City Code to transfer oversight responsibility for permitting commercial solid waste haulers from the Public Services Department to the Neighborhood Enhancement Department and increasing the permit fee to 7% of gross revenues; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

Attachments: [Ordinance - Chapter 66 Solid Waste Haulers Amendment Ordinance.docx](#)

28. Consider approval, by motion, of the ratification of the tax rate reflected in the proposed budget of 59.30 cents per \$100 valuation, which will raise more revenue from property taxes than in the previous fiscal year.
29. Discuss and consider an appointment to the Alliance Regional Water Authority (ARWA) Board of Directors, and provide direction to staff.
30. Discuss and consider an appointment to serve as the delegate for the Texas Municipal League Business Meeting, and provide direction to Staff.
31. Receive a Staff presentation and hold discussion on the formation of a Community Development Block Grant - Mitigation (CDBG-MIT) Advisory Committee; and provide direction to Staff.

Attachments: [200915 MIT AdvComm pres](#)
[Federal Register Notice](#)

32. Discuss and consider the creation, appointment and implementation of an Ad Hoc Council-appointed committee charged with reviewing the Police Department's use of force

policy; and provide direction to City Manager.

Attachments: [AdHocCommitteeSMPD.docx](#)

33. Hold discussion regarding Section 2.042 of the City Code relating to the Order of Business for Regular City Council meetings; and provide direction to Staff.

Attachments: [Sec. 2.042. Order of business.doc](#)

34. Hold discussion regarding the United States Postal Service (USPS) re-location of retail services from the San Marcos Post Office.
35. Receive an update and hold discussion on the road closures connected to the West Hopkins Street project; and provide direction to Staff.

EXECUTIVE SESSION

NOTE: The City Council may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The City Council may also publicly discuss any item listed on the agenda for Executive Session.

36. Executive Session in accordance with §Sec.551.071 of the Texas Government Code: Consultation with attorney - to receive advice of legal counsel regarding pending litigation, to wit: The Mayan at San Marcos River, LLC and City of Martindale v. City of San Marcos, Docket No. 04-19-00018-CV in the 4th Court of Appeals of Texas.

ACTION/DIRECTION FROM EXECUTIVE SESSION

37. Consider action, by motion, regarding the following Executive Session items held during the Work Session and/or Regular Meeting: §Sec.551.071 of the Texas Government Code: Consultation with attorney - to receive advice of legal counsel regarding pending litigation, to wit: The Mayan at San Marcos River, LLC and City of Martindale v. City of San Marcos, Docket No. 04-19-00018-CV in the 4th Court of Appeals of Texas.

IV. Adjournment.

POSTED ON WEDNESDAY, SEPTEMBER 9, 2020 @ 6:00PM

TAMMY K. COOK, INTERIM CITY CLERK

Notice of Assistance at the Public Meetings

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 855-461-6674 or sent by e-mail to ADArequest@sanmarcostx.gov