



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Special Meeting - Final City Council

Wednesday, September 29, 2021

5:00 PM

City Council Chambers/Virtual

630 E. Hopkins - Special Meeting

This will be a hybrid (in-person/virtual meeting). To view the meeting please go to <http://sanmarcostx.gov/421/City-Council-Videos-Archives> or watch on Grande channel 16 or Spectrum channel 10.

I. Call To Order

II. Roll Call

PUBLIC HEARINGS

1. Receive a Staff presentation and hold a Public Hearing, to receive comments, and consider an appeal of the decision of the Planning and Zoning Commission to deny CUP-21-21, a request by Eric White, on behalf of Vodka Street Global Bistro, for the renewal of a Conditional Use Permit to allow the sale and on-premise consumption of Mixed Beverages at 200 North LBJ Drive, Suite 101 and provide direction to Staff.

NON-CONSENT AGENDA

2. Consider approval of Ordinance 2021-84, amending Ordinance 2021-61 ordering a General and Special Election to be held on November 2, 2021 for the purpose of Electing a City Council Member for Place 5, a City Council Member for Place 6 and to submit proposed amendments to the San Marcos City Charter to the voters; adding polling locations, dates, and times for voting on Election Day and for Early Voting by personal appearance; making provisions for conducting the election; repealing and replacing Ordinance 2021-75; providing for the approval of this Ordinance as an emergency measure on only one reading; and providing an effective date.

EXECUTIVE SESSION

3. Executive Session in accordance with Sec. §551.074 of the Texas Government Code: Personnel Matters: to discuss the City Manager Search Process.

ACTION/DIRECTION FROM EXECUTIVE SESSION

4. Consider action, by motion, or provide direction to Staff regarding the following Executive Session item: Sec. §551.074 of the Texas Government Code: Personnel Matters: to discuss the City Manager Search Process.

III. Adjournment.

POSTED ON FRIDAY, SEPTEMBER 24, 2021 @ 12:00PM

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



Legislation Text

File #: ID#21-767, **Version:** 1

AGENDA CAPTION:

Receive a Staff presentation and hold a Public Hearing, to receive comments, and consider an appeal of the decision of the Planning and Zoning Commission to deny CUP-21-21, a request by Eric White, on behalf of Vodka Street Global Bistro, for the renewal of a Conditional Use Permit to allow the sale and on-premise consumption of Mixed Beverages at 200 North LBJ Drive, Suite 101 and provide direction to Staff.

Meeting date: September 29, 2021

Department: Planning & Development Services

Amount & Source of Funding

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

Fiscal Note:

Prior Council Action: N/A

City Council Strategic Initiative:

N/A

Comprehensive Plan Element (s):

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

Master Plan:

N/A

Background Information:

The applicant is requesting a renewal of the Vodka Street CUP for the on premise consumption of mixed beverages. The establishment's original CUP was issued in 2014. A renewal of that permit was administratively approved in 2017.

Restaurant and Bar uses serving alcohol within the downtown CBA are subject to specific Use Standards which include limitations on noise, cleanliness of immediately adjacent areas, serving meals to customers, and 3 year maximum terms of CUP validity.

Staff's recommended conditions correspond with the conditions of prior approvals and concerns from other departments.

Reversal of the Planning and Zoning Commission's decision to deny the CUP would require approval by at least 6 members of the City Council.

Council Committee, Board/Commission Action:

At their regular meeting on July 13, 2021, the Planning and Zoning Commission heard the request and voted to **postpone** action on the renewal request with a 9-0 vote. This was to allow the applicant a chance to be present at the meeting in order to answer questions from the Commission.

At their regular meeting on August 10, 2021, the Planning and Zoning Commission voted to **deny** the renewal request with an 8-0 vote.

The applicant submitted an application for the appeal on August 24, 2021, meeting the requirements of Section 2.8.3.6 of the San Marcos Development Code

Alternatives:

N/A

Recommendation:

Staff provides the following conditions for consideration, should the City Council choose to approve the request:

- 1. The permit is valid for three (3) years, provided standards are met.**
- 2. The permit shall be effective upon compliance with the corrective action form issued by Code Compliance.**
- 3. Food shall be available to patrons in all areas of the restaurant in a manner that meets the requirements of Section 5.1.5.5(4)(b), Eating Establishments - Downtown CBA Boundary.**
- 4. The permit shall be posted in the same area and manner as the Certificate of Occupancy.**



Public Hearing

CUP-21-21

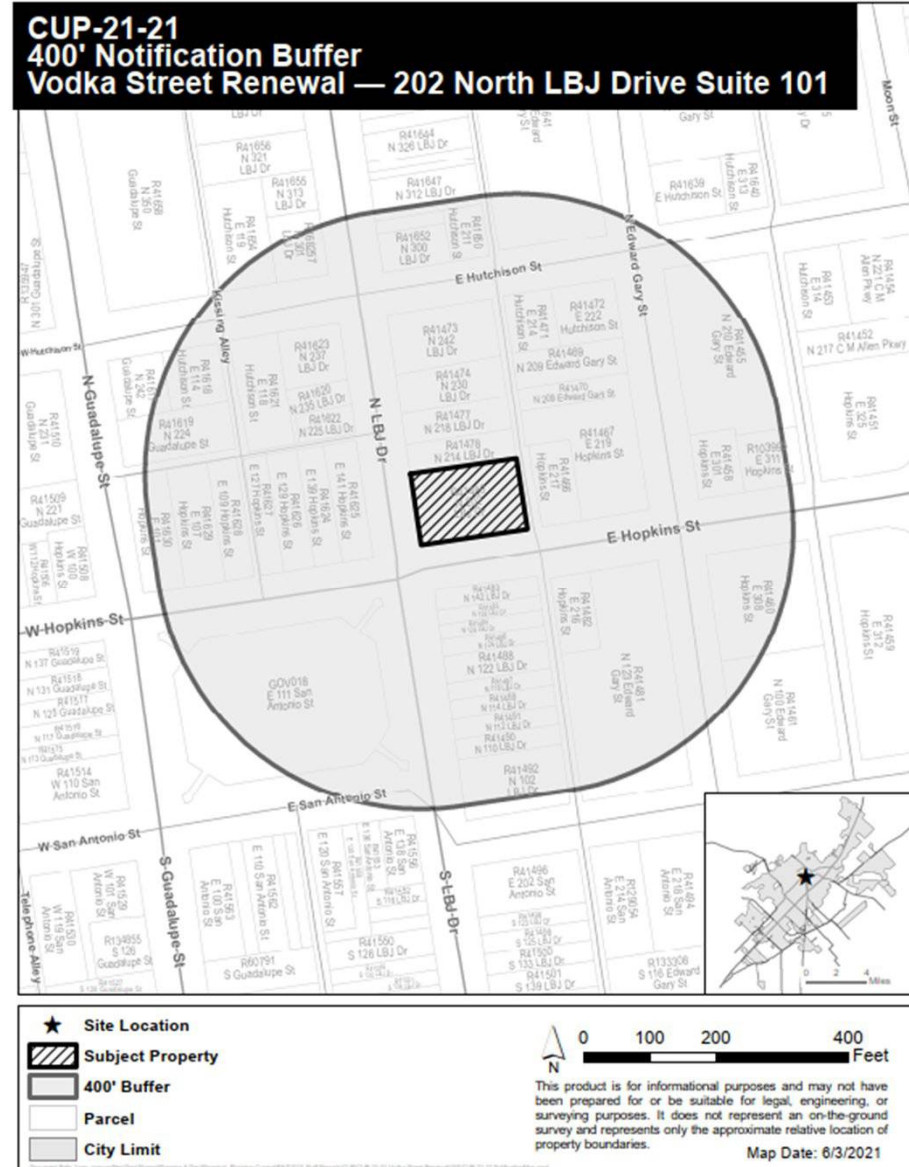
Vodka Street

Hold a public hearing and consider an appeal of the decision of the Planning and Zoning Commission to deny CUP-21-21, a request by Eric White, on behalf of Vodka Street, for renewal of an existing Conditional Use Permit to allow the sale and on-premise consumption of Mixed Beverages at 202 North LBJ Drive, Suite 101.



Property Information

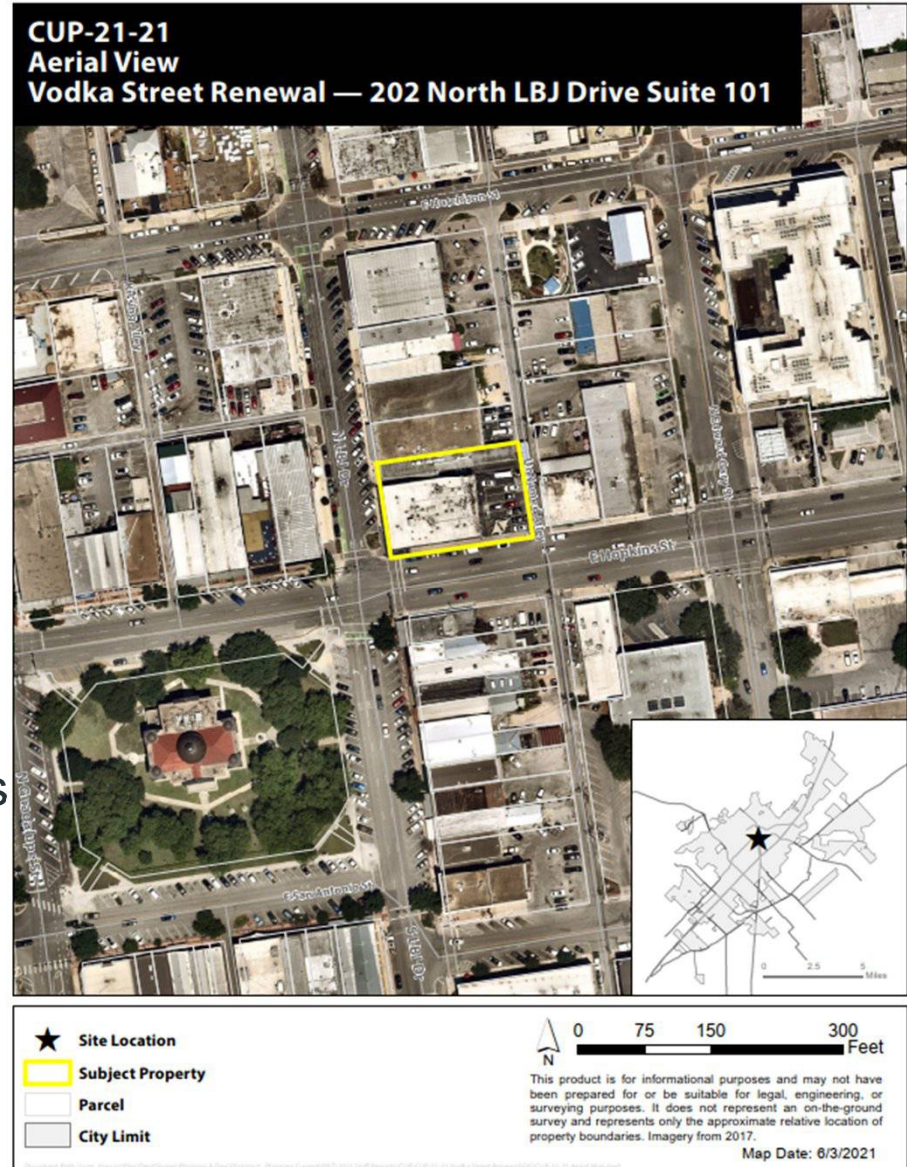
- Approximately 0.3029 acres
- Corner of East Hopkins Street and North LBJ Drive





Context & History

- Currently Vodka Street Global Bistro
- Surrounding Uses
 - The Coffee Bar
 - Chimy's
 - Freddy C's Lounge
 - Hays County Courthouse Square
- High preservation priority within Hays County Courthouse National Register of Historic Places District





Context & History

- Existing Zoning: CD-5D
- Use: Restaurant
 - Hours of operation:
3:00 PM to 2:00 AM
(Monday – Sunday)

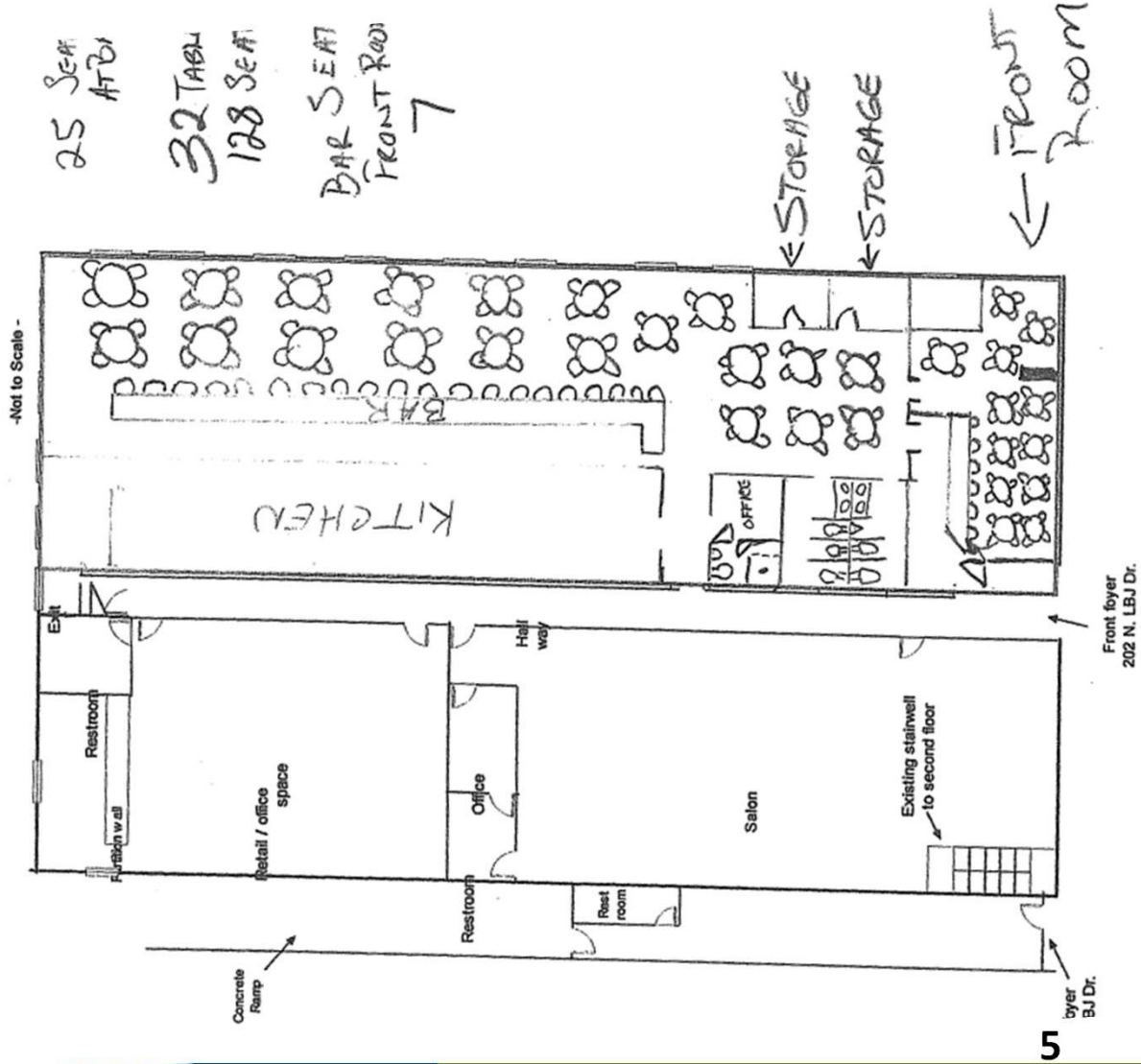




Floor Plan

Addendum # 1

A. B. ROGER'S BUILDING
(Approximate Main Floor)





Menu

Tapas

- Maytag Blue Cheese Potato Chips**
- Patagonia Rolls**
feta cheese sticks wrapped in beef and seared to perfection topped with chimichurri sauce. Argentinean Proud
- Ravioli Crisps**
wonton pillows filled with a blend of creamy cheese, corn, fresh herbs and a hint of bacon topped with a cilantro cream sauce
- Vodka's Three Cheese Focaccia**
with Caramelized Shallots, finished with Prosciutto and fresh Basil "A Must"
- Crawfish Caroline**
Crawfish Pies. A taste of Conroe Texas. (mothers do it the best)
- Fried Alligator with Voodoo sauce**
- Corn Fritters**
with a Toasted Orange Soy Cilantro sauce
- Chang's Lettuce Wraps**
Quickly-cooked spiced Chicken served with cool Lettuce cups
- Chevre Mac & Cheese with Prosciutto**
a taste of France
- Mexican Egg**
Avocado stuffed with Shrimp, Pico de Gallo, fresh Cilantro and topped with melted cheese served with homemade tortilla chips
- Seafood Tacos *Drizzled with Lobster Bisque***
Grilled flour tacos with Shrimp, Crab, Red Pepper Coullious, Pico de Gallo and cilantro. Drizzled with **Lobster Bisque!**
- Ahi Tuna**
Japan meets Mexico in this fusion plate of Sashimi Ahi Tuna served on a tortilla chip with Wasabi Guacamole toasted Sesame seeds and Tequila Ponzu sauce
- Tartare of Pacific Ahi Tuna**
Ahi tuna served with Mango Salsa & Avocado along with Panini Toast
- Baked Mussels**
- | | |
|--------------------------------|---------------------------|
| 1. Argentina | with chimichurri |
| 2. Italian | spicy tomato and parmesan |
| 3. American Blue Cheese | blue cheese and bacon |
| 4. Thailand | green curry |
| 5. French | red pepper coullious |
- Roasted Corn Salsa**
savory blend of corn, black beans, Pico and fresh herbs

Soups

- 6.95 **Seafood Gumbo**
- 7.95 **Lobster Bisque**
cup 3.95 / bowl 5.25

Handheld Salads

- 6.95 **Salad #1**
- 6.95 **Salad #2**
add-ons salmon chicken or beef shrimp

Gourmet Pizzas

- 6.95 **Chipotle Chicken**
Grilled Chicken, fire roasted peppers, chipotle sauce, Mozzarella and Jack cheeses. Topped with roasted corn & black bean salsa and cilantro and lime cream sauce
- 4.95 **White Pizza**
Pesto and creamy Alfredo sauce, Mozzarella, Ricotta, spinach sautéed garlic and bacon, topped with Feta Cheese
- 6.95 **Classic Margherita**
Zesty red sauce, Roma tomatoes, Mozzarella cheese and fresh Basil
- 5.95 **Kicked UP Margherita**
The Classic with Jalapenos, Feta Cheese and Bacon (add chicken \$1.00)

Sandwiches & Tacos

- 8.95 **Fish Tacos**
mango salsa, Jichama, with cilantro cream sauce
- 7.95 **Shrimp Tacos**
roasted peppers and Chimichurri sauce
- 8.50 **Avocado Tacos**
Sliced Avocados, Roasted Corn & Black Bean Salsa with cilantro cream sauce
- 5.95 **Steak Sandwich**
Grilled sliced Steak, Roasted Red Peppers, garlic and Feta Cheese on Focaccia
- Buenos Aires Cheese Steak**
Sliced steak, roasted bell peppers, provolone cheese and Chimichurri sauce
- Vatican Cheese Steak**
Sliced steak, zesty red sauce, Provolone cheese and Fresh Basil
- 3.95 **Classic Philly Cheese Steak**

Soup of the Day

ask server

- Shrimp Po Boy** 7.95
fried or grilled, lettuce, tomato, spicy cream sauce on a Baggett or tortilla wrap
- Crawfish Po Boy** 7.95
Fried or sautéed, lettuce, tomato, spicy cream sauce on a Baggett or tortilla wrap
- Chicken Poblano Sandwich** 7.95
Grilled Chicken Breast, Roasted Pablano peppers, Aloli sauce on Focaccia
- Pesto Chicken Sandwich** 6.95
Grilled Chicken Breast, Pesto Sauce, Provolone cheese, spinach, tomato (can substitute chimichurri for pesto)
- Turkey Bacon Avocado Sandwich** 6.95
with lettuce, tomato and ranch
- Burger?** ???

Entrees

- Crawfish Etouffe** 9.95
- 8.95 **Pad Thai (Chicken or Shrimp)** 7.95 / 8.95
- 8.95 **Green Curry (Chicken or Shrimp)** 7.95 / 8.95
- 7.95 **Crying Tiger (Chicken or Shrimp)** 7.95 / 8.95
- 8.95 **General Tso's Chicken** 8.95
- Admiral Tso's Shrimp** 9.95
- Lobster Raviolis** 9.95
- 6.95 **Blackened Steak with Crawfish Etouffe** 13.95
- 7.95
- | | | |
|------------------|-------------------------------|-------|
| Ahi Tuna | Sautéed, Blackened or Grilled | 12.95 |
| Mahi Mahi | Sautéed, Blackened or Grilled | 8.95 |
| Salmon | Sautéed, Blackened or Grilled | 9.95 |
- | | | |
|---|-------------------------|--------------------------------------|
| | Fish Toppings | |
| | Crawfish Etouffe | |
| 6.95 Ponchatrain | | Fresh Roma tomato & Basil |
| Brown Butter Medira Wine Sauce with shrimp and crab | | |
| 6.95 | | |
| 6.95 | add 3.25 | add 3.25 |
| | | add 2.95 |



Recommendation

Staff provided this request to the Planning and Zoning Commission and recommended **APPROVAL** of the Conditional Use Permit with 5 conditions

At their regular meeting on July 12, 2021 the Planning and Zoning Commission heard the request and voted to **POSTPONE** the request for renewal of the Conditional Use Permit with a 9-0 vote. This was to allow the applicant to be present at the meeting.

At their regular meeting on August 10, 2021 the Planning and Zoning Commission heard the request and voted to **DENY** the request for renewal of the Conditional Use Permit with an 8-0 vote.

The applicant submitted an application for the appeal on August 24, 2021, meeting the requirements of Section 2.8.3.6 of the San Marcos Development Code.

*A super majority vote of the City Council is required to reverse the decision of the Planning and Zoning Commission.



Update

Following the August 10th Planning & Zoning Commission meeting:

- As of 9.21.21, the applicant still has not coordinated with Code Compliance to sign the corrective action plan.
- As of 9.21.21, all fire code violations noted on the inspection report have been resolved.

***A super majority vote of the City Council is required to reverse the decision of the Planning and Zoning Commission.**



Alternatively, should the City Council choose to approve the request, staff recommends the following conditions:

1. The permit is valid for three (3) years, provided standards are met.
2. The permit shall be effective upon compliance with the corrective action form issued by Code Compliance.
3. Food shall be available to patrons in all areas of the restaurant in a manner that meets the requirements of Section 5.1.5.5(4)(b), Eating Establishments – Downtown CBA Boundary.
4. The permit shall be posted in the same area and manner as the Certificate of Occupancy.



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Final Planning and Zoning Commission

Tuesday, July 13, 2021

6:00 PM

Virtual Meeting

Due to COVID-19, this will be a virtual meeting. To view the meeting please go to <http://www.sanmarcostx.gov/541/PZ-Video-Archives> or watch on Grande channel 16 or Spectrum channel 10.

I. Call To Order

With a quorum present the regular meeting of the San Marcos Planning and Zoning Commission was called to order by Chair Garber at 6:07 p.m. on Tuesday, July 13, 2021 via Virtual Meeting due to COVID-19.

II. Roll Call

Present 8 - Commissioner Betseygail Rand, Commissioner Gabrielle Moore, Commissioner Travis Kelsey, Commissioner Griffin Spell, Commissioner Jim Garber, Commissioner William Agnew, Commissioner Zachariah Sambrano, and Commissioner Lupe Costilla

III. Chairperson's Opening Remarks

IV. 30 Minute Citizen Comment Period

Lisa Marie Coppoletta, 1322 Belvin, said she's shocked with how the Charter Review has rolled out, and disappointed with the Mayor and citizens. She said the Mayor gave the Charter Review Commission direction on what to discuss, and manipulating decisions.

EXECUTIVE SESSION

CONSENT AGENDA

1. Consider approval of the minutes of the regular meeting of June 8, 2021.
2. PC-20-35 (Whisper Multifamily Final Plat) Consider a request by Kimley-Horn, on behalf of Whisper Apartments 1, LLC, for approval of a Final Plat for approximately 14.256 acres, more or less, out of the Joel Miner Survey, Abstract No. 321, located east of IH-35 and south of Yarrington Road. (A. Brake)
3. PC-20-65 (Paso Robles Phase 4E Final Plat) Consider a request by Pape-Dawson Engineers Inc., on behalf of Carma Paso Robles, LLC, for a Final Plat of approximately 15.538 acres, more or less, out of the Johns Williams Survey located near the intersection of Dancing Oak Way and Waiving Muhly Drive (T. Carpenter)
4. PC-21-08 (Paso Robles Phase 4F Final Plat) Consider a request by Pape-Dawson Engineers

Inc., on behalf of Carma Paso Robles, LLC, for a Final Plat of approximately 13.800 acres, more or less, out of the Johns Williams Survey located near the intersection of Waving Muhly Drive and Sweeping Sage Lane (T. Carpenter)

5. PC-21-09 (Paso Robles Phase 4D Final Plat) Consider a request by Pape-Dawson Engineers Inc., on behalf of Carma Paso Robles, LLC, for a Final Plat of approximately 14.112 acres, more or less, out of the Johns Williams Survey located near the intersection of Waving Muhly Drive and Sweeping Sage Lane (T. Carpenter)
6. PC-21-39 (Cottonwood Creek Master Plan) Consider a request by Ramsey Engineering, LLC, on behalf of Cottonwood Creek JDR, Ltd., for renewal of a Master Plan for approximately 471.94 acres, more or less, out of the Farnham Frye, Rebecca Brown, and John F Geister Surveys, located at the intersection of Rattler Road and Highway 123. (T. Carpenter)

A motion was made by Commissioner Kelsey, seconded by Commissioner Spell, that the Consent Agenda be approved. The motion carried by the following vote:

For: 8 - Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 0

PUBLIC HEARINGS

7. CUP-21-16 (Anchor Bar) Hold a public hearing and consider a request by Joseph Snyder, on behalf of Bramerson, RE, LLC, for a new Conditional Use Permit to allow the sale of mixed beverages for on-premise consumption at 1400 Aquarena Springs Drive (J.Cleary).

Chair Garber opened the Public Hearing.

Julia Cleary, Planner, gave an overview of the request.

Joe Snyder (applicant), 25915 Kalksteine Loop, New Braunfels, TX, was available for questions. He said he has two other locations near residential areas, and they haven't had any issues.

Lisa Marie Coppoletta, 1322 Belvin, said the applicant should reach out to the neighbors, and see if they have any concerns.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Moore, seconded by Commissioner Spell, that CUP-21-16 (Anchor Bar) be approved with staff conditions.

A motion was made by Commissioner Agnew, seconded by Commissioner

Garber, that the main motion be amended so that: "No outdoor amplified music shall be allowed." The motion carried by the following vote:

For: 7 - Commissioner Rand, Commissioner Kelsey, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 1 - Commissioner Moore

Chair Garber called for a vote on the main motion with the following conditions: 1.) The applicant shall not apply for a late hour's license from the Texas Alcoholic Beverage Commission (TABC); 2.) Any addition of outdoor seating on the site shall necessitate an amendment to this CUP; 3.) No permanent vehicular access to the site shall be established less than 200 ft. from the property line of any single family residential home; 4.) The applicant shall maintain the existing landscaping screen along the boundary of the site; 5.) The applicant shall provide 4 bicycle parking spaces in accordance with the minimum parking requirements set out in Table 7.1 of the Land Development Code; 6.) The permit shall be valid for one (1) year, provided standards are met; 7.) The permit shall be effective only upon the issuance of a TABC License and a Certificate of Occupancy; 8.) The permit shall be posted in the same area and manner as the Certificate of Occupancy; and 9.) No outdoor amplified music shall be allowed. The motion carried by the following vote:

For: 8 - Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 0

8. **CUP-21-21 (Vodka Street CUP)** Hold a public hearing and consider a request by Eric White, on behalf of Vodka Street, for renewal of an existing Conditional Use Permit to allow the sale and on-premise consumption of Mixed Beverages at 202 North LBJ Drive, Suite 101. (A. Brake)

Chair Garber opened the Public Hearing.

Alison Brake, Historic Preservation Officer, gave an overview of the request.

Lisa Marie Coppoletta, 1322 Belvin, said she's never seen so many food and safety violations from an applicant. She added that they don't follow fire code regulations, or historic preservation, since they painted over the building's brick exterior. She said the Commission should deny the request.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Garber, seconded by Commissioner Sambrano, to approve CUP-21-21 (Vodka Street CUP) with staff conditions.

A motion was made by Commissioner Rand, seconded by Commissioner Costilla, to postpone the vote on CUP-21-21 (Vodka Street CUP) until the August 10, 2021 regular meeting. The motion carried by the following vote:

For: 7 - Commissioner Rand, Commissioner Moore, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 0

Recused: 1 - Commissioner Kelsey

9. CUP-21-24 (1560 S IH 35 Loft Apartments) Hold a public hearing and consider a request by Brandon Smith, on behalf of Vaka LTD, for a Conditional Use Permit to allow the use of Loft Apartments at 1560 S IH 35. (W. Rugeley)

Chair Garber opened the Public Hearing.

Will Rugeley, Planner, gave an overview of the request.

Rob Killen, 100 N. Loop 410 San Antonio, said they've recently seen an increase in demand for apartments, and housing of any type. He added that converting an existing hotel into apartments allows them to fill that demand and need.

Brandon Smith, 461 E. 200 South, Salt Lake City, UT, said they are a nationwide developer that primarily converts hotels into apartment buildings. He added that they welcome input from the public.

Brian Zaitz, 849 W. Hillfield Rd. Layton, UT, is an architect on the project. He said they had a lot of the amenities that are needed for the project, and was available for questions.

Lisa Marie Coppoletta, 132 Belvin, said they are not meeting the parking requirements, and asked if they reached out to people in the area.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Moore, seconded by Commissioner Agnew to approve CUP-21-24 (1560 S IH 35 Loft Apartments) with staff conditions.

A motion was made by Commissioner Garber, seconded by Commissioner Agnew, that the main motion be amended so the following condition be added: "The appropriate number of parking spaces shall meet the number of rooms the applicant plans to build out." The motion carried by the following vote:

For: 5 - Commissioner Rand, Commissioner Kelsey, Commissioner Garber, Commissioner Agnew and Commissioner Costilla

Against: 3 - Commissioner Moore, Commissioner Spell and Commissioner Sambrano

Chair Garber called for a vote on the main motion with the following conditions: 1.) The site shall meet all interior lot landscaping requirements associated with multifamily development; 2.) The site shall meet the bicycle parking requirements associated with multifamily development; 3.) The site shall meet the mailbox location and design requirements associated with multifamily; 4.) The site shall meet the pedestrian access and circulation requirements associated with multifamily development; 5.) The developer shall pay the required parkland dedication and parking development fees in lieu associated with multifamily development; 6.) Current requirements of the International Fire Code, as amended, shall be met; 7.) If another use other than loft apartment occupies any portion of the site, the minimum parking requirements for all uses must be met; and 8.) The appropriate number of parking spaces shall meet the number of rooms the applicant plans to build out. The motion carried by the following vote:

For: 7 - Commissioner Rand, Commissioner Moore, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 1 - Commissioner Kelsey

- 10.** ZC-21-11 (Lively Lane CD-4) Hold a public hearing and consider a request by John David Carson, on behalf of LVLYLN, LLC for a zoning change from "GC" General Commercial to "CD-4" Character District 4 for approximately 0.98 acres, more or less, out of Lot 5, Block 1 San Marcos Business Park, Section 2, located at 1909 Dutton Dr. (W. Rugeley)

Chair Garber opened the Public Hearing.

Will Rugeley, Planner, gave an overview of the request.

John David Carson, 407 S. Stagecoach Trl., Ste. 203 (applicant), said it is a pocket neighborhood of individual townhomes for sale. He added this is the second and final phase of the project.

Lisa Marie Coppoletta, 1322 Belvin, said the bicycle lanes are financially benefiting the developer. She added that the proposed area floods, and is an archeological site.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Moore, seconded by Commissioner Sambrano, that ZC-21-11 (Lively Lane CD-4) be recommended for approval. The motion carried by the following vote:

For: 8 - Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 0

V. Adjournment

A motion was made by Commissioner Moore, seconded by Commissioner Spell, that the meeting be adjourned. The meeting was adjourned at 7:51 p.m.

The motion carried by the following vote:

For: 8 - Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 0

Notice of Assistance at the Public Meetings

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the _____ day of _____

Title:

Jim Garber, Chair

ATTEST:

Cesly Burrell, Recording Secretary



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Meeting Minutes - Final Planning and Zoning Commission

Tuesday, August 10, 2021

6:00 PM

Virtual Meeting

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I. Call To Order

With a quorum present the regular meeting of the San Marcos Planning and Zoning Commission was called to order by Chair Garber at 6:01 p.m. on Tuesday, August 10, 2021 via Virtual Meeting due to COVID-19.

II. Roll Call

Present 8 - Commissioner Betseygail Rand, Commissioner Gabrielle Moore, Commissioner Travis Kelsey, Commissioner Griffin Spell, Commissioner Jim Garber, Commissioner William Agnew, Commissioner Zachariah Sambrano, and Commissioner Lupe Costilla

III. Chairperson's Opening Remarks

IV. 30 Minute Citizen Comment Period

EXECUTIVE SESSION

CONSENT AGENDA

1. PC-21-37 (Blanco Vista, Tract K-2B) Consider a request by CSF Civil Group, on behalf of Brookfield Residential, for approval of a Final Plat for approximately 12.005 acres, more or less, out of the William Ward League, Abstract 467, located east of Old Stagecoach Road, north of Royal Oak Boulevard. (A. Brake)
2. Consider approval of the minutes of the regular meeting of June 22, 2021.

A motion was made by Commissioner Kelsey, seconded by Commissioner Agnew, that the Consent Agenda be approved. The motion carried by the following vote:

For: 8 - Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 0

PUBLIC HEARINGS

3. CUP-21-22 (The Davenport) Hold a public hearing and consider a request by Duane Bradley, on behalf of the Davenport, for renewal of an existing Conditional Use Permit to allow the sale and on premise consumption of Mixed Beverages at 194 S Guadalupe St. (T. Carpenter)

Chair Garber opened the Public Hearing.

Tory Carpenter, Planner, gave an overview of the request.

Duane Bradley (applicant), 16244 Laurelfield, Houston, TX, thanked the Commission for their time.

Andy Greenwood (no address given), provided written comments that were read aloud. He said DJs play loud music there, waking neighbors, and said management there has told police they were unaware of a noise ordinance. He asked that the noise ordinance be made clear to the establishment.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Sambrano, seconded by Commissioner Moore, to approve CUP-21-22 (The Davenport) with staff conditions.

A motion was made by Commissioner Agnew, seconded by Commissioner Garber, to amend the main motion to that: Outdoor amplified music on the patio fronting South Guadalupe shall be limited to the hours between 11 a.m. and 10 p.m. Sunday – Thursday, and between 11 a.m. and 12 a.m. Friday and Saturday. The motion carried by the following vote:

For: 5 - Commissioner Rand, Commissioner Spell, Commissioner Garber, Commissioner Agnew and Commissioner Costilla

Against: 2 - Commissioner Moore and Commissioner Sambrano

Recused: 1 - Commissioner Kelsey

A motion was made by Commissioner Sambrano to amend the main motion so that: Condition #2 shall not apply to the speakers providing ambient music on the patio fronting South Guadalupe St. The motion failed for lack of second.

A motion was made by Commissioner Costilla, seconded by Commissioner Rand, that the main motion be amended so that: The permit shall be valid for one (1) year, provided standards are met. The motion carried by the following

vote:

For: 6 - Commissioner Rand, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 1 - Commissioner Moore

Recused: 1 - Commissioner Kelsey

A motion was made by Commissioner Sambrano, seconded by Commissioner Rand to amend the main motion so that: Condition #2 shall not apply to the speakers providing ambient music on the patio fronting South Guadalupe St.

Commissioner Sambrano revised the main motion so that: Condition #2 shall not apply to the speakers providing ambient music on the patio fronting South Guadalupe St. Sunday – Thursday between the hours of 10 p.m. – 12 a.m. The motion carried by the following vote:

For: 5 - Commissioner Rand, Commissioner Moore, Commissioner Spell, Commissioner Sambrano and Commissioner Costilla

Against: 2 - Commissioner Garber and Commissioner Agnew

Recused: 1 - Commissioner Kelsey

Chair Garber called for a vote on the main motion for CUP-21-22 (The Davenport) with the following conditions: 1.)The permit shall be valid for one(1) year, provided standards are met; 2.) Outdoor amplified music on the patio fronting South Guadalupe shall be limited to the hours between 11 a.m and 10 pm Sunday – Thursday, and between 11 a.m. and 12 a.m. Friday and Saturday; 3.) Condition #2 shall not apply to the speakers providing ambient music on the patio fronting South Guadalupe St. Sunday – Thursday between the hours of 10 p.m. – 12 a.m. 4.) Outdoor amplified music on the rear patio directly adjacent to Telephone Alley shall be limited to the hours between 11 a.m. – 10 p.m. 5.) Parking shall be prohibited in the City right-of-way along South Guadalupe St; and 6.) The permit shall be posted in the same area and manner as the Certificate of Occupancy. The motion carried by the following vote:

For: 7 - Commissioner Rand, Commissioner Moore, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 0

Recused: 1 - Commissioner Kelsey

- 4. PC-21-24 (Stonecreek Crossing Lot 5A Replat) Hold a public hearing and consider a request by Robert Pruett, on behalf of Clearview Investments, Ltd., for approval of a replat of Stonecreek Crossing, Phase 1, Lot 5 and creating a new Lot 8, consisting of approximately 16.81 acres located at 651 Barnes Dr. (W. Rugeley).

Chair Garber opened the Public Hearing.

Will Rugeley, Planner, gave an overview of the request.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Kelsey, seconded by Commissioner Costilla, that PC-21-24 (Stonecreek Crossing Lot 5A Replat) be approved. The motion carried by the following vote:

For: 8 - Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 0

- 5. ZC-21-10 (La Cima Amenity Center Zoning) Hold a public hearing and consider a request by LCSM Ph 3, LLC for a zoning change from “FD” Future Development to “SF-4.5” Single-Family - 4.5, or subject to consent of the owner, another less intense zoning district classification, for approximately 7.77 acres, described as Lot 1, Block A, La Cima Amenity Center, located at 301 Central Park Loop (W. Rugeley).

Chair Garber opened the Public Hearing.

Will Rugeley, Planner, gave an overview of the request.

Chair Garber closed the Public Hearing.

A motion was made by Commissioner Costilla, seconded by Commissioner Kelsey, that ZC-21-10 (La Cima Amenity Center Zoning) be recommended for approval. The motion carried by the following vote:

For: 8 - Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 0

NON-CONSENT AGENDA

- 6. **CUP-21-21(a) (Vodka Street CUP)** Consider a request by Eric White, on behalf of Vodka Street, for renewal of an existing Conditional Use Permit to allow the sale and on-premise consumption of Mixed Beverages at 202 North LBJ Drive, Suite 101. (A. Brake)

Alison Brake, Historic Preservation Officer, gave an overview of the request.

Chair Garber called for a vote on the motion to approve CUP-21-21(a) (Vodka Street CUP) on the table from the July 13, 2021 meeting. The motion failed by the following vote:

For: 0

Against: 7 - Commissioner Rand, Commissioner Moore, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Recused: 1 - Commissioner Kelsey

A motion was made by Commissioner Agnew, seconded by Commissioner Spell, that CUP-21-21(a) (Vodka Street CUP) be denied. The motion carried by the following vote:

For: 7 - Commissioner Rand, Commissioner Moore, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 0

Recused: 1 - Commissioner Kelsey

- 7. Hold a discussion on returning to in person meetings to be in compliance with the Texas Open Meetings Act.

Staff informed the Commission that discussions are ongoing, and will provide an update to the Commission at the next meeting.

V. Adjournment

A motion was made by Commissioner Rand, seconded by Commissioner Spell, that the meeting be adjourned. The meeting was adjourned at 8:07 p.m. The motion carried by the following vote:

For: 8 - Commissioner Rand, Commissioner Moore, Commissioner Kelsey, Commissioner Spell, Commissioner Garber, Commissioner Agnew, Commissioner Sambrano and Commissioner Costilla

Against: 0

Notice of Assistance at the Public Meetings

I certify that the attached notice and agenda of items to be considered by the Planning and Zoning Commission was removed by me from the City Hall bulletin board on the _____ day of _____

_____ Title:

Jim Garber, Chair

ATTEST:

Cesly Burrell, Recording Secretary



Legislation Text

File #: CUP-21-21(a), Version: 1

AGENDA CAPTION:

CUP-21-21(a) (Vodka Street CUP) Consider a request by Eric White, on behalf of Vodka Street, for renewal of an existing Conditional Use Permit to allow the sale and on-premise consumption of Mixed Beverages at 202 North LBJ Drive, Suite 101. (A. Brake)

Meeting date: August 10, 2021

Department: Planning & Development Services

Amount & Source of Funding

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

Fiscal Note:

Prior Council Action: N/A

City Council Strategic Initiative:

N/A

Comprehensive Plan Element (s):

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

Master Plan:

N/A

Background Information:

The applicant is requesting a renewal of the Vodka Street CUP for the on premise consumption of mixed beverages. The establishment's original CUP was issued in 2014. A renewal of that permit was administratively approved in 2017.

Restaurant and Bar uses serving alcohol within the downtown CBA are subject to specific Use Standards which include limitations on noise, cleanliness of immediately adjacent areas, serving meals to customers, and 3 year maximum terms of CUP validity. Staff's recommended conditions correspond with the conditions of prior approvals and concerns from other departments.

Council Committee, Board/Commission Action:

Following the public hearing at the July 13, 2021 regular meeting, the Planning and Zoning Commission postponed consideration of the Conditional Use Permit to obtain more information regarding the violations identified by Code Compliance and the Fire Department as well as to allow the applicant to be present at the meeting.

Alternatives:

N/A

Recommendation:

Staff has reviewed the application with criteria from Sections 2.8.3.4 and 5.1.5.5 of the San Marcos Development Code and recommends approval with the following conditions:

1. The permit is valid for three (3) years, provided standards are met.
2. The permit shall be effective upon compliance with the fire inspection completed on June 8, 2021.
3. The permit shall be effective upon compliance with the corrective action form issued by Code Compliance.
4. Food shall be available to patrons in all areas of the restaurant in a manner that meets the requirements of Section 5.1.5.5(4)(b), Eating Establishments - Downtown CBA Boundary.
5. The permit shall be posted in the same area and manner as the Certificate of Occupancy.

Conditional Use Permit	202 North LBJ Drive, Ste 101
CUP-21-21(a)	Vodka Street Global Bistro



Summary

Request:	Renewal of a Conditional Use Permit		
Applicant:	Eric White EFW Food & Beverage Inc. 202 N. LBJ Drive, Ste. 101 San Marcos, TX 78666	Property Owner:	Aubrey Brisendine 202 N. LBJ Venture Group LP 2606 RR 620 N. Austin, TX 78734
CUP Expiration:	March 25, 2020	Type of CUP:	Restaurant / Mixed Beverage
Interior Floor Area:	4,200 sq. ft	Outdoor Floor Area:	N/A
Parking Required:	0 spaces	Parking Provided:	N/A
Days & Hours of Operation:	Monday – Sunday: 3pm-2am		

Notification

Application:	N/A	Neighborhood Meeting:	N/A
Published:	N/A	# of Participants:	N/A
Posted:	July 2, 2021	Personal:	July 2, 2021
Response:	None as of the date of this report		

Property Description

Legal Description:	Original Town of San Marcos, Block 7, Lot 8		
Location:	Corner of East Hopkins Street and North LBJ Drive		
Acreage:	0.3029 acres	PDD/DA/Other:	N/A
Existing Zoning:	CD-5D	Proposed Zoning:	CD-5D
Existing Use:	Bar and Restaurant	Proposed Use:	Bar and Restaurant
Preferred Scenario:	Downtown High Intensity	Proposed Designation:	Same
CONA Neighborhood:	Downtown	Sector:	8
Utility Capacity:	Adequate	Floodplain:	No
Historic Designation:	Downtown Historic District; Hays County Courthouse District National Register of Historic Places	My Historic SMTX Resources Survey	Yes; High Preservation Priority

Surrounding Area

	Zoning	Existing Land Use	Preferred Scenario
North of Property:	CD-5D	Vacant, Commercial Suites	Downtown High Intensity
South of Property:	CD-5D	The Coffee Bar	Downtown High Intensity
East of Property:	CD-5D	Chimy's	Downtown High Intensity
West of Property:	CD-5D	Freddy C's Lounge/Patio	Downtown High Intensity

Conditional Use Permit	202 North LBJ Drive, Ste 101
CUP-21-21(a)	Vodka Street Global Bistro



Staff Recommendation

Approval as Submitted	<input checked="" type="checkbox"/>	Approval with Conditions	<input type="checkbox"/>	Denial	<input type="checkbox"/>
<p>Staff has reviewed the application with criteria from Sections 2.8.3.4 and 5.1.5.5 of the San Marcos Development Code and recommends <u>approval</u> with the following conditions:</p> <ol style="list-style-type: none"> 1. The permit is valid for three (3) years, provided standards are met. 2. The permit shall be effective upon a compliance with the fire inspection completed on June 8, 2021. 3. The permit shall be effective upon compliance with the corrective action form issued by Code Compliance. 4. Food shall be available to patrons in all areas of the restaurant in a manner that meets the requirements of Section 5.1.5.5(4)(b), Eating Establishments – Downtown CBA Boundary. 5. The permit shall be posted in the same area and manner as the Certificate of Occupancy. 					
Staff: Alison Brake, CNU-A		Title: Historic Preservation Officer		Date: July 8, 2019	

History

The establishment’s original CUP was issued in 2014. A renewal of that permit was administratively approved in 2017. The applicant is seeking the renewal of an existing CUP to serve Mixed Beverages.

Additional Analysis

Restaurant and Bar uses serving alcohol within the downtown CBA are subject to specific Use Standards which include limitations on noise, cleanliness of immediately adjacent areas, serving meals to customers, and **3-year** maximum terms of CUP validity. **Staff’s recommended conditions correspond with the conditions of prior approvals and concerns from other departments.**

Comments from Other Departments

Police	While the Police Department has received over 100 calls for service this year, Assistant Chief Winkenwerder explained that sometimes the address is used when incidents occur immediately outside. Sergeant Myers confirmed that there had been a few disturbances and fights but that the majority did not happen inside the establishment.
Fire	A fire inspection was conducted on June 8, 2021. The violations cited will be required to be cleared prior to the issuance of the CUP. A copy of the report is included as an attachment. A re-inspection was attempted on July 13, 2021 but the business was not open. As of report date, the Fire Department is still working to schedule an inspection with the applicant.
Code Compliance	The establishment received a score that was on the low end of passing following a Health inspection on June 8, 2021. Code Compliance has given the applicant a detailed corrective action form that outlines expectations for the establishment moving forward. Code Compliance will be conducting quarterly inspections and the applicant will be required to respond to their inspection requests. Additionally, the action form spells out the ramifications if the applicant does not communicate with Code Compliance, including citations and utility disconnections. Mr. White has yet to sign the corrective action form.
Public Services	No Comment
Engineering	No Comment





Conditional Use Permit	202 North LBJ Drive, Ste 101
CUP-21-21(a)	Vodka Street Global Bistro

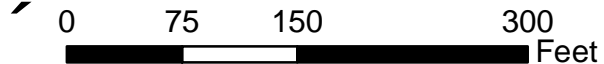


Evaluation			Criteria for Approval (Sec. 2.8.3.4 & 5.1.5.5)
Consistent	Inconsistent	Neutral	
<u>X</u>			The proposed use at the specified location is consistent with the policies embodied in the adopted comprehensive plan.
		<u>N/A</u>	The proposed use is consistent with any adopted neighborhood character study for the area. <i>Studies were not complete at the time of this request.</i>
<u>X</u>			The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations. <i>The proposed use is consistent with the general intent of the zoning district. Character District 5-Downtown zoning allows retail and service type uses by right and allows businesses that sell alcohol for on-premise consumption through the Conditional Use Permit process.</i>
<u>X</u>			The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods. <i>The location is adjacent to other properties utilized as bars and restaurants with alcohol sales.</i>
<u>X</u>			The proposed use does not generate pedestrian and vehicular traffic which shall be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
		<u>N/A</u>	The proposed use incorporates roadway adjustments, traffic control devices or mechanisms and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets. <i>The use is not incorporating adjustments or control devices to reduce or eliminate traffic.</i>
		<u>N/A</u>	The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed conditional use on adjacent properties. <i>The applicant is not proposing any new additional improvements to the site.</i>
<u>X</u>			The proposed use meets the standards for the applicable district, or to the extent variations from such standards have been requested that such variations are necessary to render the use compatible with adjoining development and the neighborhood.
<u>X</u>			The proposed use is not within 300 ft. of a detached single-family residence located in a zoning district that only permits detached single-family residences.
<u>X</u>			The proposed use is not within 300 ft. of a church, public or private school, or public hospital.
<u>X</u>			The proposed use is not within 1,000 ft. of a public or private school as outlined within section 1.5.1.1.

CUP-21-21 Aerial View Vodka Street Renewal — 202 North LBJ Drive Suite 101



-  Site Location
-  Subject Property
-  Parcel
-  City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

Map Date: 6/3/2021

CUP-21-21 Existing Zoning Vodka Street Renewal — 202 North LBJ Drive Suite 101



Legend

- Subject Property
- Public (P)
- Character District 5-Downtown (CD-5D)
- Parcel
- City Limit

Site Location

Site Location

Scale

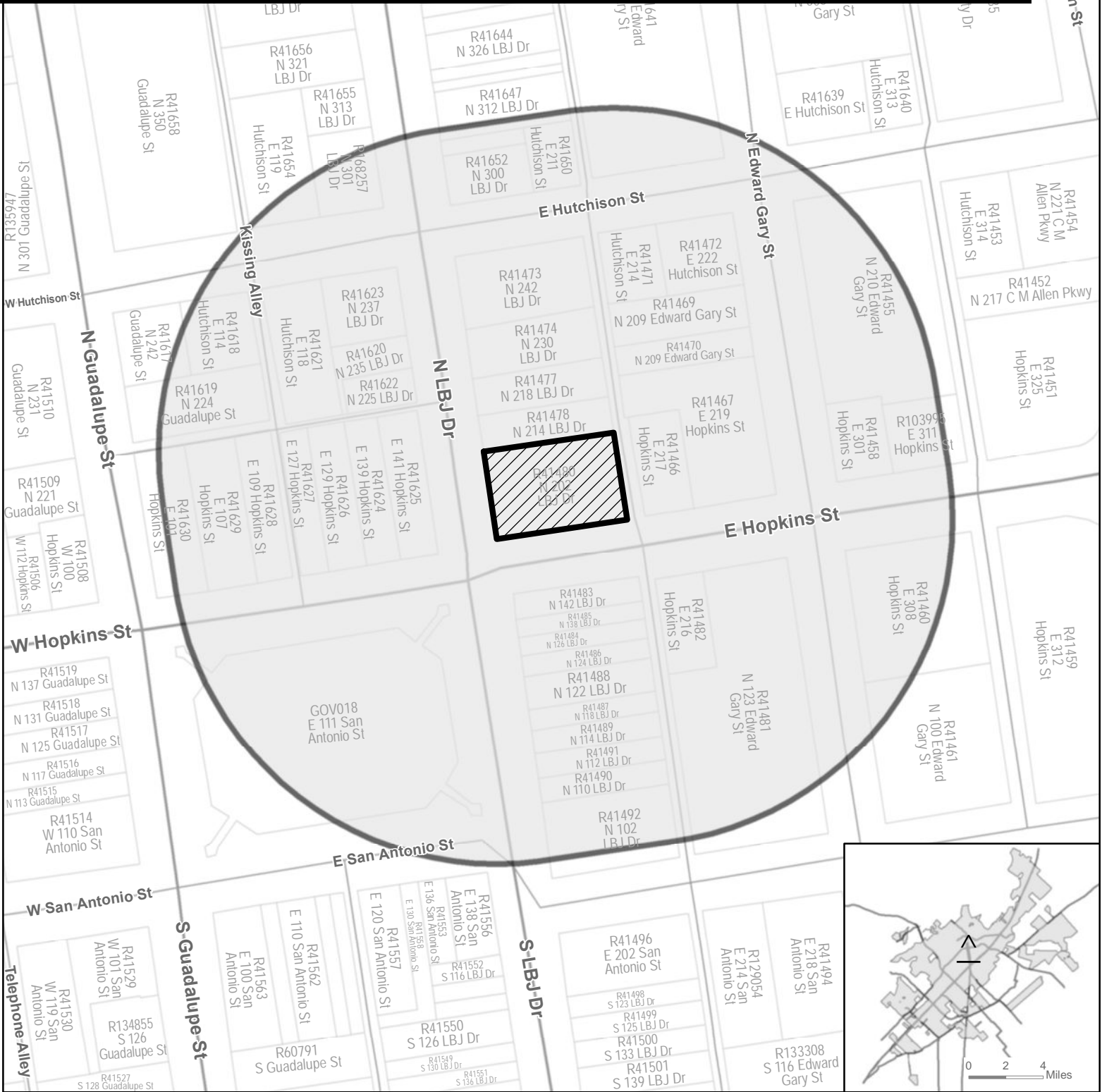
0 100 200 400 Feet

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 6/22/2021

Document Path: R:\Planning Current\PAZ\2021 Staff Reports\CUP\CUP-21-21 Vodka Street Renewal\CUP-21-21 ExistingZoning.mxd

CUP-21-21 400' Notification Buffer Vodka Street Renewal — 202 North LBJ Drive Suite 101



Site Location
 Subject Property
 400' Buffer
 Parcel
 City Limit

0 100 200 400
Feet

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.
Map Date: 6/3/2021

PLANNING AND DEVELOPMENT SERVICES



07/01/21

CUP-21-21

**Notice of Public Hearing
Conditional Use Permit – On Premise Consumption of Mixed Beverages
Vodka Street Renewal
202 North LBJ Drive, Suite 101**

CUP-21-21 (Vodka Street CUP) Hold a public hearing and consider a request by Eric White, on behalf of Vodka Street, for renewal of an existing Conditional Use Permit to allow the sale and on premise consumption of Mixed Beverages at 202 North LBJ Drive, Suite 101. (A. Brake)

The San Marcos Planning and Zoning Commission will consider the above request at an upcoming public hearing to obtain citizen comments and will either approve, approve with conditions, or deny the request. Because you are listed as the owner of property located within 400 feet of the subject property, we would like to notify you of the following public hearings and seek your opinion of the request:

- A public hearing will be conducted by the Planning and Zoning Commission via virtual meeting on **Tuesday, July 13, 2021** at **6:00 p.m.** You may watch the public hearing on Grande channel 16 or Spectrum channel 10 or by using the following link: <http://sanmarcostx.gov/541/PZ-Video-Archives>. Or email planninginfo@sanmarcostx.gov or call 512-393-8230 to request a link or phone number to participate in the public hearing by computer, mobile device, or phone.

Due to the State Disaster Declaration enacted by the Governor, Public Hearings will be held in a virtual meeting. All interested citizens are invited to watch or participate in the public hearing by the means described above. If you cannot participate in the virtual public hearing of the Planning and Zoning Commission but wish to comment, you may write to the below address. Your written comments will be given to the Planning & Zoning Commission if they are received before 12 PM on the day of the meeting.

For Planning & Zoning Commission

Planning and Development Services
630 East Hopkins
San Marcos, TX 78666
planninginfo@sanmarcostx.gov

For more information regarding this request, contact the case manager, **Alison Brake**, at **512.393.8232**. When calling, please refer to case number **CUP-21-21**.

As of the date of this notice, there are no other means of participating in the public hearing. However, please check for updates on the City's website at: www.sanmarcostx.gov to see if other means of participating in the public hearing become available.

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 512-393-8074 or sent by e-mail to ADArequest@sanmarcostx.gov

PLANNING AND DEVELOPMENT SERVICES
Enclosure: Map (See Reverse)

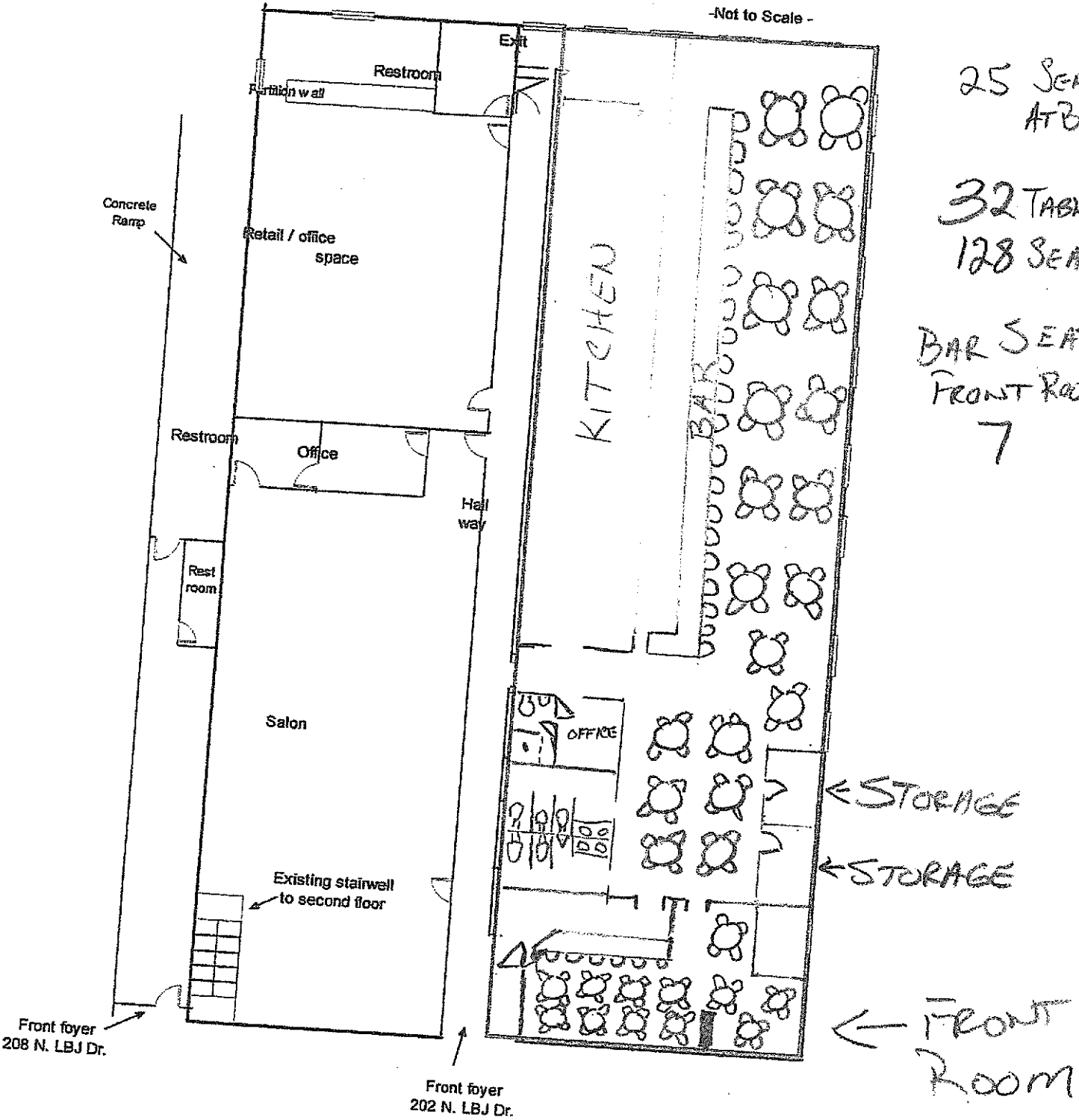
Notification List CUP-21-21

Prroperty ID	Property Address	Owner Name	Owner Address	Owner City, State, Zip
41487	118-120 N LBJ DR, SAN MARCOS, TX 78666	118-120 N LBJ LLC	118-120 N LBJ DR	SAN MARCOS, TX 78666
41484	126 N LBJ DR, SAN MARCOS, TX 78666	126 & 138 N LBJ SERIES	901 E CESAR CHAVEZ ST	AUSTIN, TX 78702-4205
41458	301 E HOPKINS ST, SAN MARCOS, TX 78666	13651 RESEARCH LTD ATTN: V & S ENTERPRISES	3201 BEE CAVES RD STE 120-163656	AUSTIN, TX 78746-6696
41480	202 N LBJ DR, SAN MARCOS, TX 78666	202 NORTH LBJ VENTURE GROUP LP	2606 RANCH ROAD 620 N	AUSTIN, TX 78734-2628
41469		214HUTCHISON LLC	407 S STAGECOACH TRL STE 203	SAN MARCOS, TX 78666-5063
41474	226 N LBJ DR, SAN MARCOS, TX 78666	230 N LBJ LLC	912 NARANJO DR	GEORGETOWN, TX 78628
41652	300 N LBJ DR, SAN MARCOS, TX 78666	300 NORTH LBJ DRIVE LLC	10900 BEACHAM CT	AUSTIN, TX 78739
103995	311 E HOPKINS ST, SAN MARCOS, TX 78666	311 EAST HOPKINS LLC	4330 GAINES RANCH LOOP STE 150	AUSTIN, TX 78735-6758
41630	101 E HOPKINS ST, SAN MARCOS, TX 78666	AIKEN, C H	242 Whitney RUN	Buda, TX 78610-3008
41641	301 N EDWARD GARY ST, SAN MARCOS, TX 78666	AURELIUS LTD	103 W LAUREL LN	SAN MARCOS, TX 78666-4706
41627	127 E HOPKINS ST, SAN MARCOS, TX 78666	B L SCOFIELD INC	127 E Hopkins ST	San Marcos, TX 78666-5611
41620	235 N LBJ DR, SAN MARCOS, TX 78666	BURNSIDE JOHN & ELLEN	1045 ERICKSON RD	HELENA, MT 59602-8323
41478	212 N LBJ DR, SAN MARCOS, TX 78666	CARSON FAMILY PROPERTIES	407 S STAGECOACH TRL STE 203	SAN MARCOS, TX 78666-5063
41623	237-245 N LBJ DR, SAN MARCOS, TX 78666	CASEY MANAGEMENT TRUST CASEY JAMES NEWMAN TRUSTEE	7801 HEATHERCREST CIRCLE	AUSTIN, TX 78731
41622	225 N LBJ DR, SAN MARCOS, TX 78666	CHRYSAL JANAA & TOM	1447 FRIENDLY PATH	NEW BRAUNFELS, TX 78132-4608
41629	105-107 E HOPKINS ST, SAN MARCOS, TX 78666	EAST HOPKINS LLC	1801 CHALK ROCK CV	AUSTIN, TX 78735-1733
41486	124 N LBJ DR, SAN MARCOS, TX 78666	EFW HOLDINGS INC	124 NORTH LBJ DR	SAN MARCOS, TX 78666
41617	242 N GUADALUPE ST, SAN MARCOS, TX 78666	GREATER TEXAS FEDERAL CREDIT UNION	6411 N LAMAR BLVD	AUSTIN, TX 78752
41461	100 N EDWARD GARY ST, SAN MARCOS, TX 78666	HANSON-SKILES CONSTANCE MARIE FAMILY BYPASS TRUST	4111 HAMILTON HOLLOW RD	SAN MARCOS, TX 78666-9542
41467	219 E HOPKINS ST, SAN MARCOS, TX 78666	HAYSCO SM LLC	407 S STAGECOACH TRL STE 203	SAN MARCOS, TX 78666-5063
41472	222 E HUTCHISON ST, SAN MARCOS, TX 78666	MATT PATTERSON INS AGENCY INC	222 E HUTCHISON ST	SAN MARCOS, TX 78666-5682
41492	102 N LBJ DR, SAN MARCOS, TX 78666	MLKSM LLC	510 HEARN ST # 200	AUSTIN, TX 78703-4516
41490	110 N LBJ DR, SAN MARCOS, TX 78666	MLKSM LLC	3500 OAKMONT BLVD STE 206	AUSTIN, TX 78731
41460	308 E HOPKINS ST, SAN MARCOS, TX 78666	NCNB TEXAS NATIONS BANK BANK OF AMERICA, CORPORATE	101 N TRYON ST	CHARLOTTE, NC 28255
41626	129 E HOPKINS ST, SAN MARCOS, TX 78666	REAL ESTATE ASSESSMENTS NC1-001-03-81	129 E HOPKINS ST STE 120	SAN MARCOS, TX 78666-5636
41483	142 N LBJ DR, SAN MARCOS, TX 78666	ONIONS R US LLC	211 CLAREMONT DR	SAN MARCOS, TX 78666-7335
41466	217 E HOPKINS ST, SAN MARCOS, TX 78666	OUSEY, MICHAEL	195 PICO CT	SAN MARCOS, TX 78666-1847
41650	211/215 E HUTCHISON ST, SAN MARCOS, TX 78666	PIPER JAMES M & TAMARA P	PO BOX 911	SAN MARCOS, TX 78666
41479	214 N LBJ DR, SAN MARCOS, TX 78666	ROTHER INVESTMENTS LLC		
41455	210 N EDWARD GARY ST, SAN MARCOS, TX 78666	SAN MARCOS COMMUNITY PARTNERS LLC % LATIPAC	P O BOX 162304	AUSTIN, TX 78716-2304
		COMMERCIAL	999 SHADY GROVE RD S STE 600	MEMPHIS, TN 38120-4130
41488	122 N LBJ DR, SAN MARCOS, TX 78666	SAN MARCOS TX STUDENT HOUSING LLC		
41624	122 N LBJ DR, SAN MARCOS, TX 78666	SERUR JOHN & JUDITH L LIVING TRUST SERUR JOHN & JUDITH L	14550 NUTTY BROWN RD	AUSTIN, TX 78737-8856
41476	139 E HOPKINS ST, SAN MARCOS, TX 78666	CO-TRUSTEES	2686 BLACK BEAR DR	NEW BRAUNFELS, TX 78132-4179
41477	232 N LBJ DR, STE #101, SAN MARCOS, TX 78666	SHY GROUP LP	112 DOLLY ST	SAN MARCOS, TX 78666
41477	218-220 N LBJ DR, SAN MARCOS, TX 78666	SLACK JOHN MARK	P O BOX 199	HUNT, TX 78024-0199
41482	216 E HOPKINS ST, SAN MARCOS, TX 78666	TARRANT, LINDA LEWIS	113 W PUBLIC SQUARE STE 200	GLASOW, KY 42141-2413
		TEXAS P B REAL ESTATE LP		
		TEXAS STATE UNIVERSITY - SAN MARCOS Attn: VP FOR FINANCE		
41619	224 N GUADALUPE ST, SAN MARCOS, TX 78666	AND SUPPORT SERVICES	601 UNIVERSITY DR	SAN MARCOS, TX 78666
41481	123 EDWARD GARY ST, SAN MARCOS, TX 78666	VICTORIA BANK & TRUST	100 CONGRESS AVE STE 1900	AUSTIN, TX 78701-2750
41489	114-116 N LBJ DR, SAN MARCOS, TX 78666	WALDRIP CHARLES M JR & MARTHA JANE	P O BOX 805	SAN MARCOS, TX 78667-0805
41649	312 N LBJ DR, SAN MARCOS, TX 78666	WEATHERFORD, LAURA	2275 SUMMOT RIDGE DR	SAN MARCOS, TX 78666-4945

Addendum# 1

A. B. ROGER'S BUILDING (Approximate Main Floor)

-Not to Scale-



4,108 SQ. FT.

Vodka

Street

Global Bistro & Bar

Tapas

Maytag Blue Cheese Potato Chips	6.95
Patagonia Rolls	7.95
feta cheese sticks wrapped in beef and seared to perfection topped with chimichurri sauce. Argentinean Proud	
Ravioli Crisps	6.95
wonton pillows filled with a blend of creamy cheese, corn, fresh herbs and a hint of bacon topped with a cilantro cream sauce	
Vodka's Three Cheese Focaccia	6.95
with Caramelized Shallots, finished with Prosciutto and fresh Basil "A Must"	
Crawfish Caroline	7.95
Crawfish Pies. A taste of Conroe Texas. (mothers do it the best)	
Fried Alligator with Voodoo sauce	6.95
Corn Fritters	4.95
with a Toasted Orange Soy Cilantro sauce	
Chang's Lettuce Wraps	6.95
Quickly-cooked spiced Chicken served with cool Lettuce cups	
Chevre Mac & Cheese with Prosciutto	5.95
a taste of France	
Mexican Egg	6.95
Avocado stuffed with Shrimp, Pico de Gallo, fresh Cilantro and topped with melted cheese served with homemade tortilla chips	
Seafood Tacos <i>Drizzled with Lobster Bisque</i>	8.95
Grilled flour tacos with Shrimp, Crab, Red Pepper Coullious, Pico de Gallo and cilantro. Drizzled with Lobster Bisque!	
Ahi Tuna	7.95
Japan meets Mexico in this fusion plate of Sashimi Ahi Tuna served on a tortilla chip with Wasabi Guacamole toasted Sesame seeds and Tequila Ponzu sauce	
Tartare of Pacific Ahi Tuna	8.50
Ahi tuna served with Mango Salsa & Avocado along with Panini Toast	
Baked Mussels	5.95
1. Argentina	with chimichurri
2. Italian	spicy tomato and parmesan
3. American Blue Cheese	blue cheese and bacon
4. Thailand	green curry
5. French	red pepper coullious
Roasted Corn Salsa	3.95
savory blend of corn, black beans, Pico and fresh herbs	

Soups

Seafood Gumbo

cup 3.95 / bowl 5.25

Lobster Bisque

cup 3.95 / bowl 5.25

Soup of the Day

ask server

Handheld Salads

Salad #1

\$.\$\$

Salad #2

\$.\$\$

add-ons

salmon

chicken or beef

shrimp

Gourmet Pizzas

Chipotle Chicken

8.95

Grilled Chicken, fire roasted peppers, chipotle sauce, Mozzarella and Jack cheeses.
Topped with roasted corn & black bean salsa and cilantro and lime cream sauce

White Pizza

8.95

Pesto and creamy Alfredo sauce, Mozzarella, Ricotta, spinach sautéed garlic and bacon,
topped with Feta Cheese

Classic Margherita

7.95

Zesty red sauce, Roma tomatoes, Mozzarella cheese and fresh Basil

Kicked UP Margherita

8.95

The Classic with Jalapenos, Feta Cheese and Bacon (add chicken \$1.00)

Sandwiches & Tacos

Fish Tacos

6.95

mango salsa, Jichama, with cilantro cream sauce

Shrimp Tacos

7.95

roasted peppers and Chimichurri sauce

Avocado Tacos

5.95

Sliced Avocados, Roasted Corn & Black Bean Salsa with cilantro cream sauce

Steak Sandwich

8.95

Grilled sliced Steak, Roasted Red Peppers, garlic and Feta Cheese on Focaccia

Buenos Aires Cheese Steak

6.95

Sliced steak, roasted bell peppers, provolone cheese and Chimichurri sauce

Vatican Cheese Steak

6.95

Sliced steak, zesty red sauce, Provolone cheese and Fresh Basil

Classic Philly Cheese Steak

6.95

Sliced steak, roasted bell peppers and provolone cheese

Shrimp Po Boy 7.95

fried or grilled, lettuce, tomato, spicy cream sauce on a Baggett or tortilla wrap

Crawfish Po Boy 7.95

Fried or sautéed, lettuce, tomato, spicy cream sauce on a Baggett or tortilla wrap

Chicken Poblano Sandwich 7.95

Grilled Chicken Breast, Roasted Pablano peppers, Aioli sauce on Focaccia

Pesto Chicken Sandwich 6.95

Grilled Chicken Breast, Pesto Sauce, Provolone cheese, spinach, tomato (can substitute chimichurri for pesto)

Turkey Bacon Avocado Sandwich 6.95

with lettuce, tomato and ranch

Burger? ???

Entrees

Crawfish Etouffe 9.95

Pad Thai (Chicken or Shrimp) 7.95 / 8.95

Green Curry (Chicken or Shrimp) 7.95 / 8.95

Crying Tiger (Chicken or Shrimp) 7.95 / 8.95

General Tso's Chicken 8.95

Admiral Tso's Shrimp 9.95

Lobster Raviolis 9.95

Blackened Steak with Crawfish Etouffe 13.95

Ahi Tuna Sautéed, Blackened or Grilled 12.95

Mahi Mahi Sautéed, Blackened or Grilled 8.95

Salmon Sautéed, Blackened or Grilled 9.95

Fish Toppings

Crawfish Etouffe

**Fresh Roma tomato &
Basil**

Ponchatrain
Brown Butter Medira Wine Sauce
with shrimp and crab

add 3.25

add 3.25

add 2.95

CONDITIONAL USE PERMIT APPLICATION (ALCOHOL WITHIN CBA)



Updated: September, 2020

CONTACT INFORMATION

Applicant's Name	ERIC WHITE	Property Owner	AUBREY BRISENDINE
Company	EFW FOOD AND BEVERAGE INC	Company	202 NORTH LBJ VENTURE GROUP LP
Applicant's Mailing Address	202 N LBJ DR. STE 101	Owner's Mailing Address	2606 RR 620 N AUSTIN, TX. 78734
Applicant's Phone #	(512)644-6234	Owner's Phone #	(512)394-6447
Applicant's Email	ewhite_99@hotmail.com	Owner's Email	aubrey@bristile.com

PROPERTY INFORMATION

Subject Property Address: 202 N LBJ DR. STE 101

Zoning District: CBA

Tax ID #: R41480

Legal Description: Lot 8 Block 7 Subdivision ORIGINAL TOWN OF SAN MARCOS

Number of Parking Spaces: 2

Is property more than 300' from church, school, hospital, or residential district? Y N

DESCRIPTION OF REQUEST

Business Name: VODKA STREET GLOBAL BISTRO Restaurant Bar Other: _____

NEW RENEWAL/AMENDMENT Mixed Beverage Beer & Wine Late Hours

Hours of Operation(ex. Mon 12pm-1am): Mon 3pm-2am Tue 3pm-2am Wed 3pm-2am

Thurs 3pm-2am Fri 3pm-2am Sat 3pm-2am Sun 3pm-2am

Indoor Seating Capacity: 150 Outdoor Seating Capacity: N/A Gross Floor Area: 4200

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Initial Filing Fee 793* Technology Fee \$13 TOTAL COST \$806

Renewal/Amendment Filing Fee \$423* Technology Fee \$13 TOTAL COST \$436

*Nonprofit Organization fees are 50% of the adopted fee listed for Conditional Use Permits

Submission of this digital Application shall constitute as acknowledgement and authorization to process this request.

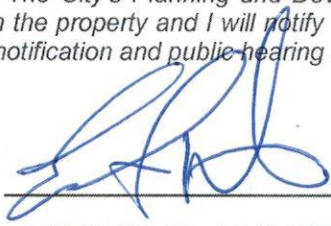
**AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS
AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS**

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***
- Personal Notice: if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$91 plus a \$13 technology fee.***

I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: _____



Date: _____

05/25/2021

Print Name: _____

ERIC F. WHITE

Form Updated October, 2019

PROPERTY OWNER AUTHORIZATION

I, Aubrey T. Brisendine / General Partner (owner name) on behalf of
202 N LBJ Venture Group, LP (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
202 N LBJ DR. STE 101 (address).

I hereby authorize ERIC F. WHITE (agent name) on behalf of
EFW FOOD AND BEVERAGE, INC (agent company) to file this application for
CONDITIONAL USE PERMIT WITHIN CBA-TABC (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  Date: 05/25/2021
A53C1CD3F500435...

Printed Name, Title: Aubrey T. Brisendine / General Partner

Signature of Agent:  Date: 05/25/2021

Printed Name, Title: ERIC F. WHITE, PRESIDENT

Form Updated October, 2019

REGARDING CUP RENEWAL FOR EFW FOOD AND BEVERAGE INC dba VODKA STREET GLOBAL BISTRO.

LOCATION: 202 N LBJ DR. STE. 101 SAN MARCOS, TX 78666

NOTHING HAS CHANGED SINCE THE PREVIOUS APPROVAL.

ERIC F. WHITE



San Marcos Fire Department

630 E. HOPKINS
San Marcos, TX 78666
512-805-2600



Occupant Name:	Vodka Street Bistro	Inspection Date:	6/8/2021
Address:	202 North LBJ Drive	Inspected By:	Jonathan Henderson
City:	San Marcos	InspectionType:	Life Safety (High Risk)
Occupancy Class:	A-2	Property Owner:	-None-
Local File ID:		Contacts:	-None-

Insp. Result	Location	Code Set	Code
N/A		San Marcos, TX Amended IFC 2015 CHAPTER 5 FIRE SERVICE FEATURES	503.6 - Emergency gate access
N/A		San Marcos, TX Amended IFC 2015 CHAPTER 5 FIRE SERVICE FEATURES	504.1 - Required access.
Violation		San Marcos, TX Amended IFC 2015 CHAPTER 5 FIRE SERVICE FEATURES	506.2 - Key box maintenance.

Inspector Comments:

Provide keys to access the building including the riser room. These keys will be put in the Knox box during the next inspection.
The operator of the building shall immediately notify the fire code official and provide the new key where a lock is changed or rekeyed. The key to such lock shall be secured in the key box.

N/A		San Marcos, TX Amended IFC 2015 APPENDIX D FIRE APPARATUS ACCESS ROADS	D103.5 - Fire apparatus access road gates.
Violation		San Marcos, TX Amended IFC 2015 CHAPTER 53 COMPRESSED GASES	5303.5 - Security. (see photo 1.1, 1.2)

Inspector Comments:

Please ensure compressed gas cylinders are secured.
Compressed gas containers, cylinders, tanks and systems shall be secured against accidental dislodgement and against access by unauthorized personnel in accordance with Sections 5303.5.1 through 5303.5.3.

Violation		San Marcos, TX Amended IFC 2015 CHAPTER 10 MEANS OF EGRESS	1010.1.9.3 - Door to remain unlocked while occupied (see photo 2.1, 2.2, 2.3)
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Inspector Comments:

Sign from item 2.2 should be on the egress side of the main door(s) and on the patio side of the patio door. hardware should be changed to a double keyed cylinder.
Locks and latches shall be permitted to prevent operation of doors where any of the following exist:

1. Places of detention or restraint.
2. In buildings in occupancy Group A having an occupant load of 300 or less, Groups B, F, M and S, and in places of religious worship, the main door or doors are permitted to be equipped with key-operated locking devices from the egress side provided:
 - 2.1. The locking device is readily distinguishable as locked.
 - 2.2. A readily visible durable sign is posted on the egress side on or adjacent to the door stating: THIS DOOR TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED. The sign shall be in letters 1 inch (25 mm) high on a contrasting background.
 - 2.3. The use of the key-operated locking device is revokable by the fire code official for due cause.
3. Where egress doors are used in pairs, approved automatic flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts does not have a doorknob or surface-mounted hardware.
4. Doors from individual dwelling or sleeping units of Group R occupancies having an occupant load of 10 or less are permitted to be equipped with a night latch, dead bolt or security chain, provided such devices are openable from the inside without the use of a key or tool.

5. Fire doors after the minimum elevated temperature has disabled the unlatching mechanism in accordance with listed fire door test procedures.

Violation San Marcos, TX Amended IFC 2015
CHAPTER 6 BUILDING SERVICES AND SYSTEMS 609.3.4 - Commercial cooking extinguishing system service (see photo 3.1)

Inspector Comments:

Kitchen hood system requires a tag indicating the system is operational.

Automatic fire-extinguishing systems protecting commercial cooking systems shall be serviced as required in Section 904.12.6.

Violation San Marcos, TX Amended IFC 2015
CHAPTER 6 BUILDING SERVICES AND SYSTEMS 609.1 - Hoods shall comply with IMC (see photo 4.1)

Inspector Comments:

ensure all grills/grease filters are properly in place.

Commercial kitchen exhaust hoods shall comply with the requirements of the International Mechanical Code.

Violation San Marcos, TX Amended IFC 2015
CHAPTER 6 BUILDING SERVICES AND SYSTEMS 609.3.3.2 - Hood-Grease accumulation (see photo 5.1)

Inspector Comments:

Ensure hood is cleaned and that the cleaning is documented.

If during the inspection it is found that hoods, grease-removal devices, fans, ducts or other appurtenances have an accumulation of grease, such components shall be cleaned in accordance with ANSI/IFCA C 10.

Violation San Marcos, TX Amended IFC 2015
CHAPTER 7 FIRE AND SMOKE PROTECTION FEATURES 703.1 - Maintenance of fire-resistance-rated construction (see photo 6.1, 6.2, 6.3, 6.4, 6.5)

Inspector Comments:

Ensure all ceiling tiles are in place and no other openings exist in the ceiling.

The required fire-resistance rating of fire-resistance-rated construction, including, but not limited to, walls, firestops, shaft enclosures, partitions, smoke barriers, floors, fire-resistive coatings and sprayed fire-resistant materials applied to structural members and fire-resistant joint systems, shall be maintained. Such elements shall be visually inspected by the owner annually and properly repaired, restored or replaced where damaged, altered, breached or penetrated. Records of inspections and repairs shall be maintained. Where concealed, such elements shall not be required to be visually inspected by the owner unless the concealed space is accessible by the removal or movement of a panel, access door, ceiling tile or similar movable entry to the space. Openings made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer openings and holes made for any reason shall be protected with approved methods capable of resisting the passage of smoke and fire. Openings through fire-resistance-rated assemblies shall be protected by self- or automatic-closing doors of approved construction meeting the fire protection requirements for the assembly.

Violation San Marcos, TX Amended IFC 2015
CHAPTER 1 SCOPE AND ADMINISTRATION 110.1.1 - Unsafe conditions. (see photo 7.1, 7.2)

Inspector Comments:

Water is leaking onto electrical connections. Water damage has resulted in a weak floor. When stepped on the floor feels like it could collapse.

Structures or existing equipment that are or hereafter become unsafe or deficient because of inadequate means of egress or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. A vacant structure that is not secured against unauthorized entry as required by Section 311 shall be deemed unsafe.

Violation San Marcos, TX Amended IFC 2015
CHAPTER 6 BUILDING SERVICES AND SYSTEMS 605.4.2 - Relocatable power taps shall be directly connected to a permanently installed receptacle (see photo 8.1)

Inspector Comments:

Relocatable power taps, or "power strips," cannot be plugged into an extension cord, or into another similar device. These devices must be plugged directly into a suitable wall outlet.

Relocatable power taps shall be directly connected to a permanently installed receptacle.

Violation San Marcos, TX Amended IFC 2015
CHAPTER 6 BUILDING SERVICES AND SYSTEMS 605.1 - Identified electrical hazards shall be abated (see photo 9.1, 9.2)

Inspector Comments:

Replace outlet cover, junction box cover.

Identified electrical hazards shall be abated. Identified hazardous electrical conditions in permanent wiring shall be brought to the attention of the responsible code official. Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.

Violation	San Marcos, TX Amended IFC 2015 CHAPTER 3 GENERAL REQUIREMENTS	315.3.1 - Ceiling clearance in sprinkler and nonsprinkled areas (see photo 10.1, 10.2, 10.3)
Inspector Comments:		
Multiple areas.		
Storage shall be maintained 2 feet (610 mm) or more below the ceiling in nonsprinklered areas of buildings or not less than 18 inches (457 mm) below sprinkler head deflectors in sprinklered areas of buildings.		

Violation	San Marcos, TX Amended IFC 2015 CHAPTER 10 MEANS OF EGRESS	1013.6.3 - Exit sign power source, (see photo 11.1, 11.2, 11.3)
Inspector Comments:		
Ensure all emergency lights and exit signs work with normal building power as well as when building power is shut off.		
Exit signs shall be illuminated at all times. To ensure continued illumination for a duration of not less than 90 minutes in case of primary power loss, the sign illumination means shall be connected to an emergency power system provided from storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with Section 604.		
Exceptions:		
1. Approved exit sign illumination means that provide continuous illumination independent of external power sources for a duration of not less than 90 minutes, in case of primary power loss, are not required to be connected to an emergency electrical system.		
2. Group I-2 Condition 2 exit sign illumination shall not be provided by unit equipment battery only.		

Violation	San Marcos, TX Amended IFC 2015 CHAPTER 9 FIRE PROTECTION SYSTEMS	901.4 - Maintenance of Installation (see photo 12.1)
Inspector Comments:		
Ensure sprinkler escutcheon is properly installed.		
Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered or augmented as necessary to maintain and continue protection where the building is altered, remodeled or added to. Alterations to fire protection systems shall be done in accordance with applicable standards.		

Violation	San Marcos, TX Amended IFC 2015 CHAPTER 6 BUILDING SERVICES AND SYSTEMS	605.5 - Extension cords and flexible cords shall not be a substitute for permanent wiring (see photo 13.1)
Inspector Comments:		
Ensure extension cords are not used as permanent wiring and that they are not run through ceilings or walls.		
Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances.		

Violation	San Marcos, TX Amended IFC 2015 CHAPTER 5 FIRE SERVICE FEATURES	509.1 - Identification of fire protection equipment and equipment rooms (see photo 14.1)
Inspector Comments:		
Label Fire Riser Room.		
Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location shall be constructed of durable materials, permanently installed and readily visible.		

Violation	San Marcos, TX Amended IFC 2015 CHAPTER 5 FIRE SERVICE FEATURES	509.2 - Approved access shall be provided and maintained for all fire protection equipment (see photo 15.1)
Inspector Comments:		
Keep riser room clean. Not to be used for storage.		
Approved access shall be provided and maintained for all fire protection equipment to permit immediate safe operation and maintenance of such equipment. Storage, trash and other materials or objects shall not be placed or kept in such a manner that		

would prevent such equipment from being readily accessible.

Violation

San Marcos, TX Amended IFC 2015
CHAPTER 5 FIRE SERVICE FEATURES

505.1 - Address Identification. (see photo 16.1)

Inspector Comments:

New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 12 inches (304.8 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road, buildings do not immediately front a street, and/or the building cannot be viewed from the public way, a monument, pole or other sign with approved 6 inch (152.4 mm) height building numerals or addresses and 4 inch (101.6 mm) height suite/apartment numerals of a color contrasting with the background of the building or other approved means shall be used to identify the structure. Numerals or addresses shall be posted on a minimum 20 inch (508 mm) by 30 inch (762 mm) background on border. Address identification shall be maintained.

Exceptions:


- 1.R-3 Single Family occupancies shall have approved numerals of a minimum 3 1/2 inches (88.9 mm) in height and a color contrasting with the background clearly visible and legible from the street fronting the property and rear alleyway where such alleyway exists.
2. Structures located within the historic district may utilize a minimum of 6 inches (152.4 mm) high numbers as approved by the Fire Code Official.

ALL VIOLATIONS MUST BE CORRECTED IMMEDIATELY.

The Inspector will return on or after **6/22/2021**.

Thank you for your cooperation in keeping your business and our community safe! If you have any questions, please contact the fire inspector listed at the top of this report.

Inspector:


Jonathan Henderson
6/8/2021
Signature valid only in mobile-eye documents

1.1 - 5303.5.



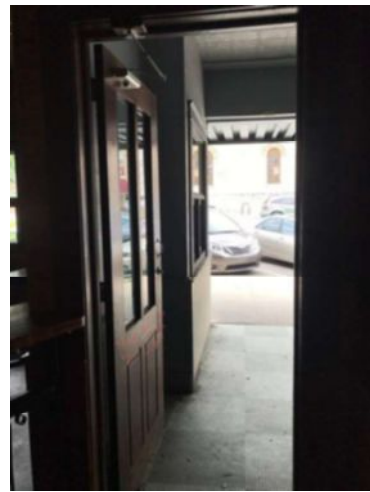
1.2 - 5303.5.



2.1 - 1010.1.9.3.



2.2 - 1010.1.9.3.



2.3 - 1010.1.9.3.



3.1 - 609.3.4.



4.1 - 609.1.



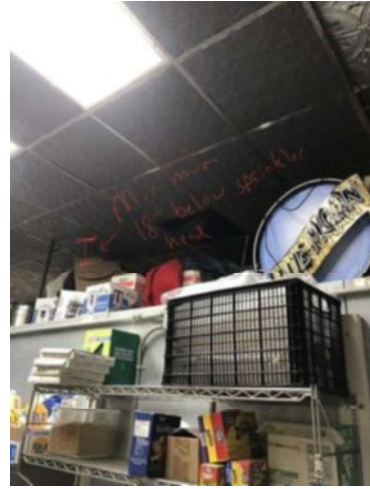
5.1 - 609.3.3.2.



6.1 - 703.1.



6.2 - 703.1.



6.3 - 703.1.



6.4 - 703.1.



6.5 - 703.1.



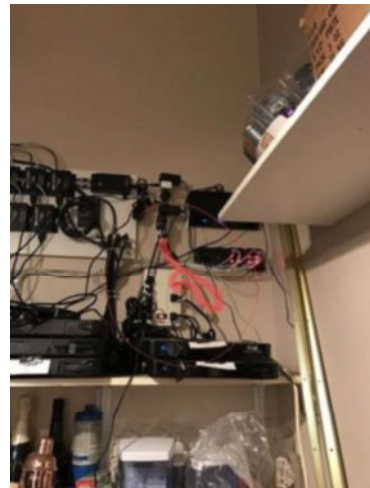
7.1 - 110.1.1.



7.2 - 110.1.1.



8.1 - 605.4.2.

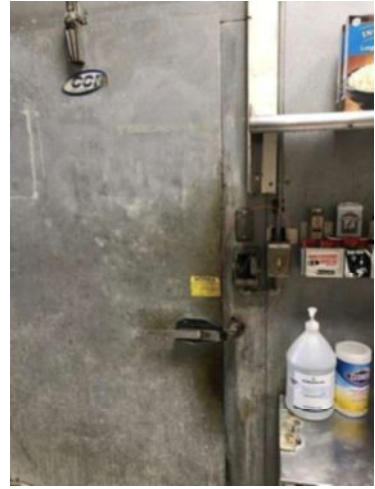


9.1 - 605.1.

9.2 - 605.1.



10.1 - 315.3.1.



10.2 - 315.3.1.



10.3 - 315.3.1.



11.1 - 1013.6.3.



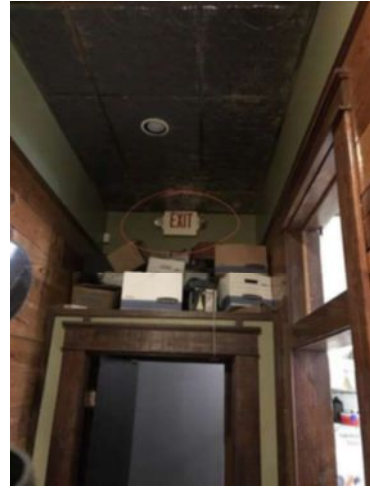
11.2 - 1013.6.3.



11.3 - 1013.6.3.



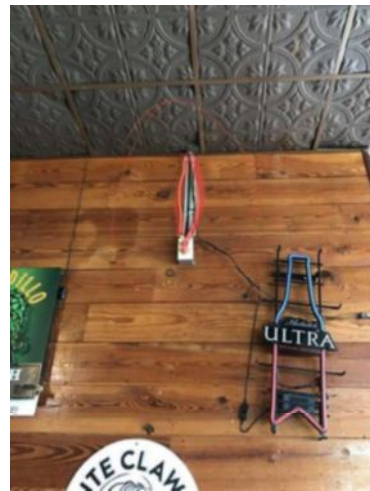
12.1 - 901.4.



13.1 - 605.5.



14.1 - 509.1.



15.1 - 509.2.



16.1 - 505.1.





Ref: 11822



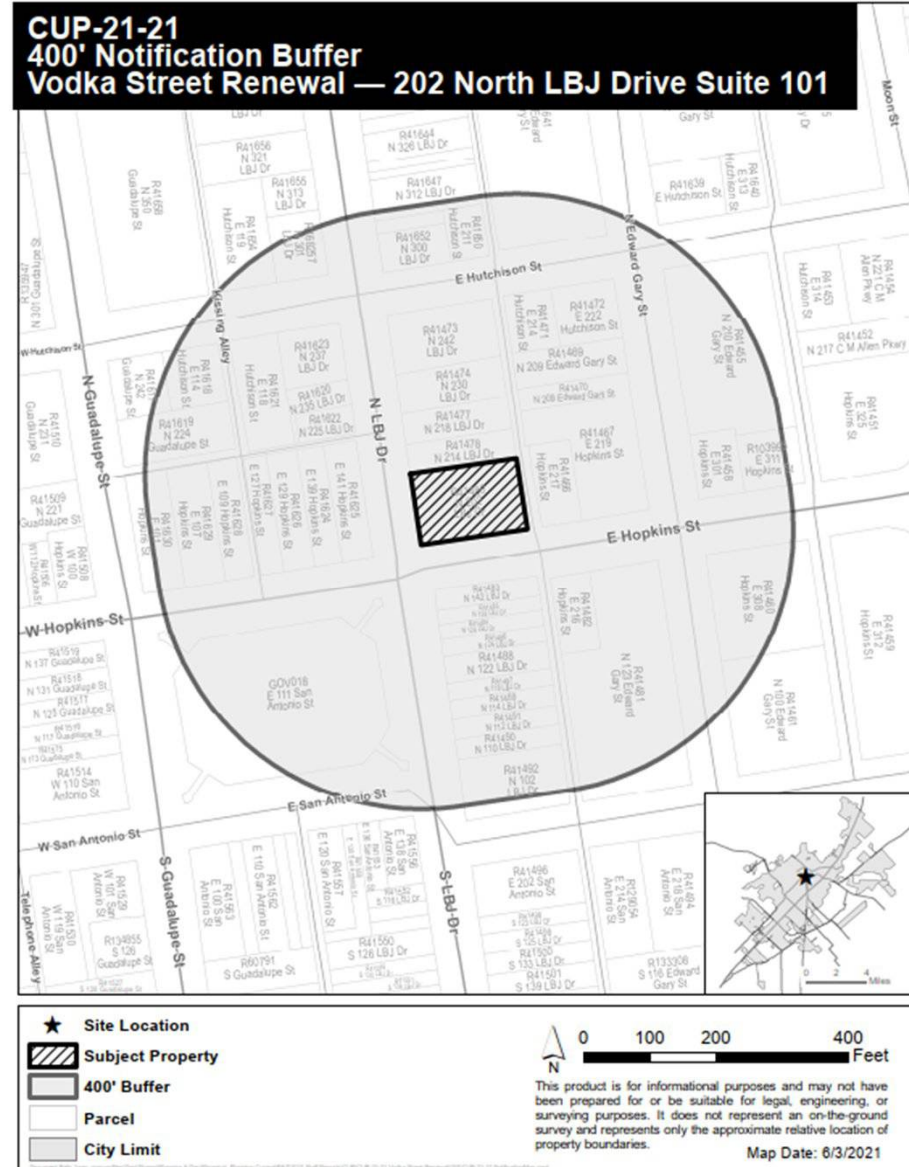
Public Hearing CUP-21-21(a) Vodka Street

Hold a public hearing and consider a request by Eric White, on behalf of Vodka Street, for renewal of an existing Conditional Use Permit to allow the sale and on-premise consumption of Mixed Beverages at 202 North LBJ Drive, Suite 101. (A. Brake)



Property Information

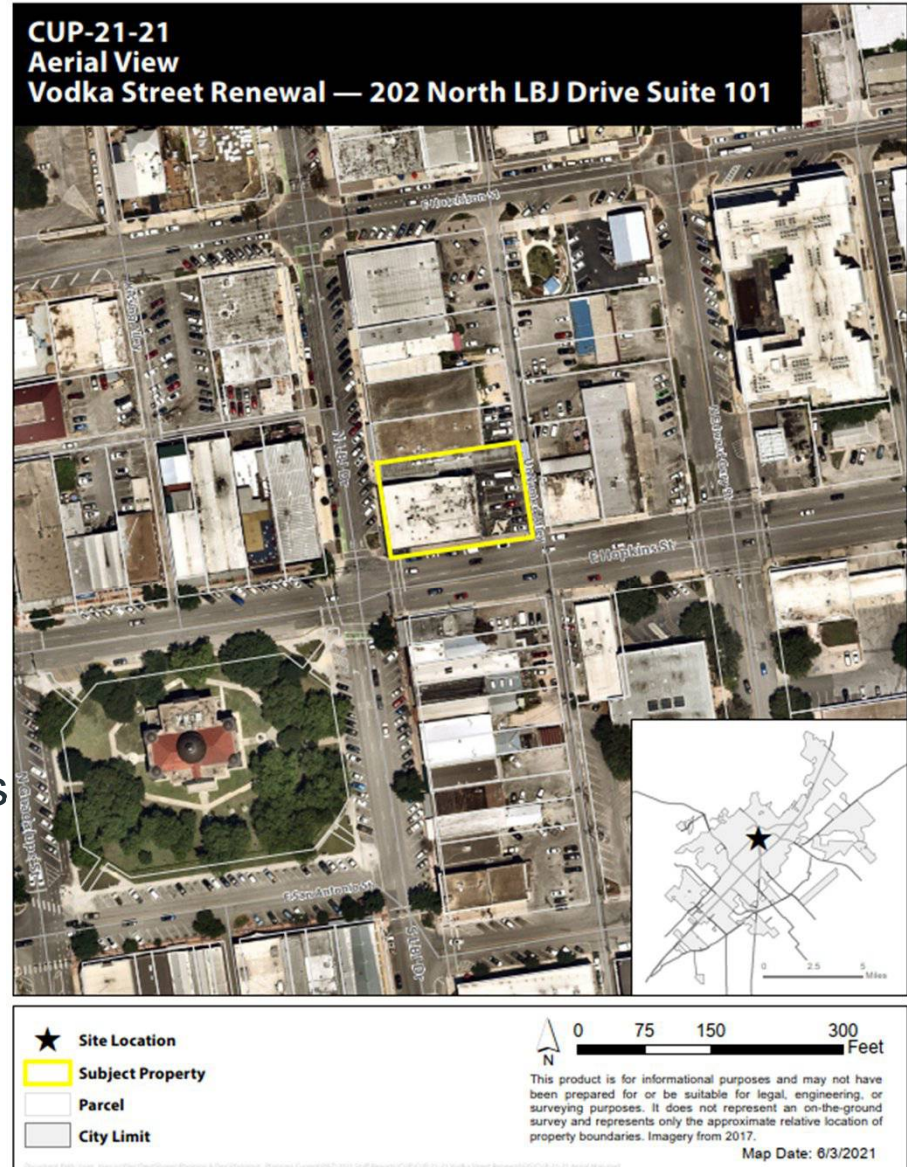
- Approximately 0.3029 acres
- Corner of East Hopkins Street and North LBJ Drive





Context & History

- Currently Vodka Street Global Bistro
- Surrounding Uses
 - The Coffee Bar
 - Chimy's
 - Freddy C's Lounge
 - Hays County Courthouse Square
- High preservation priority within Hays County Courthouse National Register of Historic Places District





Context & History

- Existing Zoning: Bar & Restaurant
- Proposed Use: Same
 - Hours of operations are 3:00 PM to 2:00 AM (Monday – Sunday)
- Request postponed at July 13th Planning & Zoning Commission meeting to obtain more information & allow applicant to be present at meeting





Tapas

Maytag Blue Cheese Potato Chips	6.95
Patagonia Rolls	7.95
feta cheese sticks wrapped in beef and seared to perfection topped with chimichurri sauce. Argentinean Proud	
Ravioli Crisps	6.95
wonton pillows filled with a blend of creamy cheese, corn, fresh herbs and a hint of bacon topped with a cilantro cream sauce	
Vodka's Three Cheese Focaccia	6.95
with Caramelized Shallots, finished with Prosciutto and fresh Basil "A Must"	
Crawfish Caroline	7.95
Crawfish Pies. A taste of Conroe Texas. (mothers do it the best)	
Fried Alligator with Voodoo sauce	6.95
Corn Fritters	4.95
with a Toasted Orange Soy Cilantro sauce	
Chang's Lettuce Wraps	6.95
Quickly-cooked spiced Chicken served with cool Lettuce cups	
Chevre Mac & Cheese with Prosciutto	5.95
a taste of France	
Mexican Egg	6.95
Avocado stuffed with Shrimp, Pico de Gallo, fresh Cilantro and topped with melted cheese served with homemade tortilla chips	
Seafood Tacos <i>Drizzled with Lobster Bisque</i>	8.95
Grilled flour tacos with Shrimp, Crab, Red Pepper Coullious, Pico de Gallo and cilantro. Drizzled with Lobster Bisque!	
Ahi Tuna	7.95
Japan meets Mexico in this fuslon plate of Sashimi Ahi Tuna served on a tortilla chip with Wasabi Guacamole toasted Sesame seeds and Tequila Ponzu sauce	
Tartare of Pacific Ahi Tuna	8.50
Ahi tuna served with Mango Salsa & Avocado along with Panini Toast	
Baked Mussels	5.95
1. Argentina	with chimichurri
2. Italian	spicy tomato and parmesan
3. American Blue Cheese	blue cheese and bacon
4. Thailand	green curry
5. French	red pepper coullious
Roasted Corn Salsa	3.95
savory blend of corn, black beans, Pico and fresh herbs	

Soups

Seafood Gumbo	Lobster Bisque	Soup of the Day
cup 3.95 / bowl 5.25	cup 3.95 / bowl 5.25	ask server

Handheld Salads

Salad #1		\$.\$
Salad #2		\$.\$
	add-ons salmon chicken or beef shrimp	

Gourmet Pizzas

Chipotle Chicken	8.95
Grilled Chicken, fire roasted peppers, chipotle sauce, Mozzarella and Jack cheeses. Topped with roasted corn & black bean salsa and cilantro and lime cream sauce	
White Pizza	8.95
Pesto and creamy Alfredo sauce, Mozzarella, Ricotta, spinach sautéed garlic and bacon, topped with Feta Cheese	
Classic Margherita	7.95
Zesty red sauce, Roma tomatoes, Mozzarella cheese and fresh Basil	
Kicked UP Margherita	8.95
The Classic with Jalapenos, Feta Cheese and Bacon (add chicken \$1.00)	

Sandwiches & Tacos

Fish Tacos	6.95
mango salsa, Jichama, with cilantro cream sauce	
Shrimp Tacos	7.95
roasted peppers and Chimichurri sauce	
Avocado Tacos	5.95
Sliced Avocados, Roasted Corn & Black Bean Salsa with cilantro cream sauce	
Steak Sandwich	8.95
Grilled sliced Steak, Roasted Red Peppers, garlic and Feta Cheese on Focaccia	
Buenos Aires Cheese Steak	6.95
Sliced steak, roasted bell peppers, provolone cheese and Chimichurri sauce	
Vatican Cheese Steak	6.95
Sliced steak, zesty red sauce, Provolone cheese and Fresh Basil	
Classic Philly Cheese Steak	6.95



Shrimp Po Boy fried or grilled, lettuce, tomato, spicy cream sauce on a Baggett or tortilla wrap	7.95
Crawfish Po Boy Fried or sautéed, lettuce, tomato, spicy cream sauce on a Baggett or tortilla wrap	7.95
Chicken Poblano Sandwich Grilled Chicken Breast, Roasted Pablano peppers, Aloli sauce on Focaccia	7.95
Pesto Chicken Sandwich Grilled Chicken Breast, Pesto Sauce, Provolone cheese, spinach, tomato (can substitute chimichurri for pesto)	6.95
Turkey Bacon Avocado Sandwich with lettuce, tomato and ranch	6.95
Burger?	???

Entrees

Crawfish Etouffe	9.95
Pad Thai (Chicken or Shrimp)	7.95 / 8.95
Green Curry (Chicken or Shrimp)	7.95 / 8.95
Crying Tiger (Chicken or Shrimp)	7.95 / 8.95
General Tso's Chicken	8.95
Admiral Tso's Shrimp	9.95
Lobster Raviolis	9.95
Blackened Steak with Crawfish Etouffe	13.95
Ahi Tuna Sautéed, Blackened or Grilled	12.95
Mahi Mahi Sautéed, Blackened or Grilled	8.95
Salmon Sautéed, Blackened or Grilled	9.95

Ponchatrain Brown Butter Medira Wine Sauce with shrimp and crab	Fish Toppings Crawfish Etouffe	Fresh Roma tomato & Basil
add 3.25	add 3.25	add 2.95



Recommendation

- Staff recommends **approval** of the request with the following conditions:
 1. The permit is valid for three (3) years, provided standards are met.
 2. The permit shall be effective upon compliance with the fire inspection completed on June 8, 2021.
 3. The permit shall be effective upon compliance with the corrective action form issued by Code Compliance.
 4. Food shall be available to patrons in all areas of the restaurant in a manner that meets the requirements of Section 5.1.5.5(4)(b), Eating Establishments – Downtown CBA Boundary.
 5. The permit shall be posted in the same area and manner as the Certificate of Occupancy.



Legislation Text

File #: ID#21-801, Version: 1

AGENDA CAPTION:

Consider approval of Ordinance 2021-84, amending Ordinance 2021-61 ordering a General and Special Election to be held on November 2, 2021 for the purpose of Electing a City Council Member for Place 5, a City Council Member for Place 6 and to submit proposed amendments to the San Marcos City Charter to the voters; adding polling locations, dates, and times for voting on Election Day and for Early Voting by personal appearance; making provisions for conducting the election; repealing and replacing Ordinance 2021-75; providing for the approval of this Ordinance as an emergency measure on only one reading; and providing an effective date.

Meeting date: September 29, 2021

Department: City Clerk

Amount & Source of Funding

Funds Required: [Click or tap here to enter text.](#)

Account Number: [Click or tap here to enter text.](#)

Funds Available: [Click or tap here to enter text.](#)

Account Name: [Click or tap here to enter text.](#)

Fiscal Note:

Prior Council Action: [Click or tap here to enter text.](#)

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

Choose an item.

Choose an item.

Choose an item.

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

Economic Development - Choose an item.

Environment & Resource Protection - Choose an item.

Land Use - Choose an item.

Neighborhoods & Housing - Choose an item.

- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Not Applicable

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

Choose an item.

Background Information:

Ordinance 2021-61, approved on August 3, 2021, called the election, and approved the ballot proposition and charter text amendment language. Ordinance 2021-75, approved on September 7, 2021, amended Ordinance. 2021-61 by adding polling locations.

The charter text amendments that were approved with Ordinance 2021-61, were not captured in Ord. 2021-75. The attached Ordinance creates a clean version, which amends Ord. 2021-61 and repeals and replaces Ord. 2021-75.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Click or tap here to enter text.

ORDINANCE NO. 2021-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, AMENDING ORDINANCE NO. 2021-61 ORDERING A GENERAL AND SPECIAL ELECTION TO BE HELD ON NOVEMBER 2, 2021 FOR THE PURPOSE OF ELECTING A CITY COUNCIL MEMBER FOR PLACE 5, A CITY COUNCIL MEMBER FOR PLACE 6 AND TO SUBMIT PROPOSED AMENDMENTS TO THE SAN MARCOS CITY CHARTER TO THE VOTERS; ADDING POLLING LOCATIONS, DATES, AND TIMES FOR VOTING ON ELECTION DAY AND FOR EARLY VOTING BY PERSONAL APPEARANCE; MAKING PROVISIONS FOR CONDUCTING THE ELECTION; REPEALING AND REPLACING ORDINANCE NO. 2021-75; PROVIDING FOR THE APPROVAL OF THIS ORDINANCE AS AN EMERGENCY MEASURE ON ONLY ONE READING; AND PROVIDING AN EFFECTIVE DATE

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

SECTION 1. Ordinance No. 2021-61, adopted on August 3, 2021 and ordering a general and special election to be held on November 2, 2021, is hereby amended to read as provided in Sections 2 through 22 of this ordinance. Ordinance No. 2021-75, adopted on September 7, 2021, is hereby repealed and replaced with this ordinance.

SECTION 2. A general and special election is ordered to be held by the City of San Marcos (the "City") at the various polling places and election precincts within the corporate limits of the City, yet to be designated, on November 2, 2021 from the hours of 7:00 a.m. to 7:00 p.m. This General and Special City Election will be conducted jointly with Hays County and will be administered for the City by the Hays County Elections Administrator. At the General Election the qualified voters of the City will elect a City Council Member for Place 5 and a City Council Member for Place 6 with each Council Member position having a term of three years. At the concurrent Special City Election, the voters will consider proposed amendments to the San Marcos City Charter as set forth in this ordinance. The official canvass of the election shall be held November 15, 2021 following Election Day. In the event it becomes necessary to conduct a Runoff Election, it shall be held on December 7, 2021. Canvass of the returns of the runoff election, if necessary, shall be held on December 16, 2021.

SECTION 3. The ballots for the City election will conform to the requirements of the Texas Election Code, and will contain the following propositions that correspond to and summarize each of the proposed charter text amendments set forth in section 3 of this ordinance:

PROPOSITION - A

FOR/AGAINST The amendment of Section 1.03 of the City Charter (Statement of Goals) to replace the current section with a new statement of goals of city government that is organized by the categories of people, place, environment, economy, and public services.

PROPOSITION - B

FOR/AGAINST The amendment of Section 3.01(c) of the City Charter (City Council – Number, Selection and Term) to establish term limits for council members by providing that a council member elected at the regular election held in November of 2022 or at any regular election held thereafter shall be ineligible to run for any city council position, other than mayor, for two years after serving three consecutive terms of office.

PROPOSITION - C

FOR/AGAINST The amendment of Section 3.01(c) of the City Charter (City Council – Number, Selection and Term) to establish term limits for the position of mayor by providing that a person elected as mayor at the regular election held in November of 2024 or at any regular election held thereafter shall be ineligible to run again for mayor for a period of two years after serving four consecutive terms in that position.

PROPOSITION - D

FOR/AGAINST The amendment of Section 3.09 (Meetings of the City Council) to require all regular city council meeting agendas to include “Citizen Comment Period” and “Question and Answer Session with Press and Public” as agenda items.

PROPOSITION - E

FOR/AGAINST The amendment of Section 4.01(b) of the City Charter (City Manager – Term and Salary) to allow the removal of city manager by a vote of four members of the entire city council instead of five members, as currently required.

PROPOSITION - F

FOR/AGAINST The amendment of Section 4.01(c)(2) of the City Charter (City Manager – Duties of the City Manager) to remove the requirement for city council approval of the city manager’s appointment of assistant city managers.

PROPOSITION - G

FOR/AGAINST The amendment of Section 4.02 of the City Charter (City Clerk) to remove the requirement for city council approval of the city clerk's appointment of assistant city clerks.

PROPOSITION - H

FOR/AGAINST The amendment of Section 4.02 of the City Charter (City Clerk) to change the residency requirement for the position of city clerk to allow the person appointed to that position to reside in either the city limits, as currently required, or within Hays County or within the city's extraterritorial jurisdiction.

PROPOSITION - I

FOR/AGAINST The amendment of Section 4.03(b) of the City Charter (Municipal Court) to remove the requirement for city council approval of the presiding judge's appointment of a municipal court clerk and assistant clerks

PROPOSITION - J

FOR/AGAINST The amendment of Section 4.03(b) of the City Charter (Municipal Court) to remove the residency requirement for appointment of the presiding judge.

PROPOSITION - K

FOR/AGAINST The amendment of Section 4.04 of the City Charter (City Attorney) to remove the requirement for city council approval of the city attorney's appointment of assistant city attorneys.

PROPOSITION – L

FOR/AGAINST The amendment of Section 7.01(a) of the City Charter (Planning and Zoning Commission) to add a provision stating that no action of the planning and zoning commission shall have any force or effect unless it is adopted by a vote of five or more of its members.

PROPOSITION – M

FOR/AGAINST

The amendment of Section 12.12(a)(4) of the City Charter (Charter Review Commission) to require the charter review commission to make a final report of its recommendations and require that the chair or a designated member of the commission present the report to the city council.

SECTION 4. If approved by the voters, the San Marcos City Charter would be amended as follows: [proposed deleted text is shown with ~~strikethroughs~~ and proposed added text is underlined]:

TEXT AMENDMENT – FOR PROP “A”

SECTION 1.03 OF THE CITY CHARTER WOULD BE AMENDED TO READ AS FOLLOWS:

Sec. 1.03. - Statement of goals.

~~The goals of the city government are to safeguard the health, safety and welfare of the city's residents, provide for a high quality of life including, but not limited to, neighborhood integrity, a clean and abundant water supply, a cost efficient electricity supply, efficient police and fire departments, educational opportunities, effective road and transportation systems, a healthy business environment, well maintained parkland and recreational opportunities, foster intergovernmental liaison and communication, encourage responsible citizenship, promote sound community and economic development, promote high quality affordable housing, conserve and protect the city's natural resources and environment and, in particular the San Marcos River, its springs, aquifer, and tributaries.~~

The topics and goals of the City Government are:

People

- Equal access to opportunity and prosperity
- Engaged and informed residents
- Strong social ties supported by social, civic and faith organizations
- A diverse and welcoming culture that is celebrated and respected
- Supported services and advocacy for disadvantaged, vulnerable, and at-risk groups

Place

- A safe, secure community
- Attractive, walkable neighborhoods with diverse housing types, values and character
- Inviting and accessible parks and public spaces that provide recreation experiences, respect the environment, and connect people and places
- Promotes affordable housing
- A community that respects and preserves our history, historical structures, and culture
- Beautiful streetscapes and public places
- A city that enables healthy active lifestyles
- A thriving local arts and creative community

Environment

- Efficient use and reuse, and conservation of resources
- Clean, plentiful, and accessible water, air, land and food resources
- Conserve and protect all the city's unique natural resources and ecosystems, including the San Marcos River, its springs, aquifer, and tributaries

Economy

- A thriving, resilient, and diverse economy
- An exemplary climate for business, with an entrepreneurial spirit, support for innovation, ease of doing business, and world-wide competitiveness
- Job opportunities that support a good standard of living and financial stability
- A culture that encourages innovation

Public Services

- Fiscally responsible, accountable, and responsive public services and civic investments
- Effective transportation networks supportive of all transportation modes and users
- Active regional cooperation and collaboration among governments, community leaders, and residents

TEXT AMENDMENT – FOR PROP “B”

SECTION 3.01(C) OF THE CITY CHARTER WOULD BE AMENDED TO READ AS FOLLOWS:

Sec. 3.01. – Number, Selection and term.

(a) The legislative and governing body of the city shall consist of seven council members and shall be known as the "City Council of San Marcos".

(b) The members of the city council shall be elected from the city at large, and each council member shall be elected to occupy a place on the council, such places being numbered and designated 1, 2, 3, 4, 5, 6 and mayor.

(c) Each council member for places 1, 2, 3, 4, 5 and 6 shall hold office for a period of three years, staggered so that two members shall be elected to a regular term each year. A council member elected at the regular election in November of 2022 or at any regular election held thereafter shall be ineligible to run for any council position, other than mayor, for a period of two years after serving three consecutive terms. The council member elected to the place of mayor shall hold office for a period of two years.

TEXT AMENDMENT - FOR PROP “C”

SECTION 3.01(C) OF THE CITY CHARTER WOULD BE AMENDED TO READ AS FOLLOWS:

Sec. 3.01. – Number, Selection and term.

(a) The legislative and governing body of the city shall consist of seven council members and shall be known as the "City Council of San Marcos".

(b) The members of the city council shall be elected from the city at large, and each council member shall be elected to occupy a place on the council, such places being numbered and designated 1, 2, 3, 4, 5, 6 and mayor.

(c) Each council member for places 1, 2, 3, 4, 5 and 6 shall hold office for a period of three years, staggered so that two members shall be elected to a regular term each year. The council member elected to the place of mayor shall hold office for a period of two years. A person elected as mayor at the regular election held in November of 2024 or at any regular election held thereafter shall be ineligible to run again for mayor for a period of two years after serving four consecutive terms in that position.

TEXT AMENDMENT – FOR PROP “D”

SECTION 3.09 OF THE CITY CHARTER WOULD BE AMENDED TO READ AS FOLLOWS:

Sec. 3.09. - Meetings of the city council.

The city council shall hold at least two twenty-two regular meetings ~~in~~ at a minimum each month year at a time to be fixed by it for such regular meetings, and may hold as many additional meetings during the month as may be necessary for the transaction of the business of the city and its citizens. All meetings of the city council shall be held within the city, except that the city council may conduct a meeting at a location outside the city after publishing notice of the meeting in one issue of a newspaper in general circulation in the City of San Marcos. All meetings of the city council shall be public; however, the council may recess for the purpose of discussing in a closed session any matter permitted to be so discussed by state law, provided that the general subject matter for consideration is expressed in the motion calling for such a session and that final action thereon shall not be taken by the council until the matter is placed on the agenda. Special meetings of the council shall be called by the city secretary upon the written request of the mayor or any three members of the city council. All regular city council meeting agendas shall include “Citizen Comment Period” and “Question and Answer Session with Press and Public” as agenda items.

The city council shall provide by ordinance for procedures to call meetings, set meeting agendas, conduct meetings, provide for reasonable time limits on presentations to the council and any other matters necessary to the efficient and fair conduct of the public's business.

TEXT AMENDMENT - FOR PROP “E”

SECTION 4.01(B) OF THE CITY CHARTER WOULD BE AMENDED TO READ AS FOLLOWS:

Sec. 4.01. – City Manager.

(a) *Appointment and qualifications:* The city council shall appoint a city manager who shall be the chief administrative and executive officer of the city, and shall be responsible to the city council for the administration of all the affairs of the city. The manager shall be chosen by the city council on the basis of education, executive and administrative training, experience and ability; and need not, when appointed, have his or her principal physical residence in the City of San Marcos. The manager shall establish his or her principal physical residence in the city, within 90 days after appointment, and shall have his or her principal physical residence in the city continuously thereafter while holding that office.

(b) *Term and salary:* The city manager shall not be appointed for a definite term, but may be removed by a vote of ~~five~~ four members of the entire council. The action of the city council in suspending or removing the city manager shall be final, it being the intention of this Charter to vest all authority and fix all responsibility of each suspension or removal in the city council. In case of temporary absence or disability, the city manager may designate by letter filed with the city clerk a qualified administrative officer of the city to perform the duties of the city manager for a period not to exceed 30 days. In the event of failure of the city manager to make such designation, the council may by resolution appoint an officer of the city to perform the duties of the city manager, until the manager shall return or the disability shall cease. The city manager shall receive compensation as may be fixed by the council.

(c) *Duties of the city manager:*

(1) To appoint and remove all employees of the city, except where such authority is reserved to the city council or otherwise prescribed by this Charter or by state law.

(2) To appoint an assistant or assistants with the approval of the city council, and to supervise, direct and control all administrative units of the city, except those supervised by other appointees of the council.

(3) To prepare and submit the annual budget to the city council in accordance with the requirements of this Charter and state law.

(4) To keep the city council fully advised of the financial condition and needs of the city.

(5) To recommend to the city council for action such administrative measures as the manager deems necessary or expedient.

(6) To perform other duties as provided by this Charter and as prescribed by the city council.

TEXT AMENDMENT – FOR PROP “F”

SECTION 4.01(C)(2) OF THE CITY CHARTER WOULD BE AMENDED TO READ AS FOLLOWS

Sec. 4.01. – City Manager.

(a) *Appointment and qualifications:* The city council shall appoint a city manager who shall be the chief administrative and executive officer of the city, and shall be responsible to the city council for the administration of all the affairs of the city. The manager shall be chosen by the city council on the basis of education, executive and administrative training, experience and ability; and need not, when appointed, have his or her principal physical residence in the City of San Marcos. The manager shall establish his or her principal physical residence in the city, within 90 days after appointment, and shall have his or her principal physical residence in the city continuously thereafter while holding that office.

(b) *Term and salary:* The city manager shall not be appointed for a definite term, but may be removed by a vote of five members of the entire council. The action of the city council in suspending or removing the city manager shall be final, it being the intention of this Charter to vest all authority and fix all responsibility of each suspension or removal in the city council. In

case of temporary absence or disability, the city manager may designate by letter filed with the city clerk a qualified administrative officer of the city to perform the duties of the city manager for a period not to exceed 30 days. In the event of failure of the city manager to make such designation, the council may by resolution appoint an officer of the city to perform the duties of the city manager, until the manager shall return or the disability shall cease. The city manager shall receive compensation as may be fixed by the council.

(c) Duties of the city manager:

(1) To appoint and remove all employees of the city, except where such authority is reserved to the city council or otherwise prescribed by this Charter or by state law.

(2) To appoint an assistant or assistants ~~with the approval of the city council~~, and to supervise, direct and control all administrative units of the city, except those supervised by other appointees of the council.

(3) To prepare and submit the annual budget to the city council in accordance with the requirements of this Charter and state law.

(4) To keep the city council fully advised of the financial condition and needs of the city.

(5) To recommend to the city council for action such administrative measures as the manager deems necessary or expedient.

(6) To perform other duties as provided by this Charter and as prescribed by the city council.

TEXT AMENDMENT – FOR PROP “G”

SECTION 4.02 OF THE CITY CHARTER WOULD BE AMENDED TO READ AS FOLLOWS:

Sec. 4.02. - City Clerk.

The city council shall appoint a city clerk, who shall give notice of council meetings, shall keep the minutes of the proceedings of such meetings, shall authenticate by signature or electronic signature all ordinances and resolutions, and shall perform such other duties as city council, shall assign and those elsewhere provided for in this Charter. The city clerk's compensation shall be fixed by the city council. The city clerk may appoint an assistant or assistants. ~~with the approval of the council~~. The city clerk shall establish his or her principal physical residence in the city, within 90 days after appointment, and shall have his or her principal physical residence in the city continuously thereafter while holding that office.

TEXT AMENDMENT – FOR PROP “H”

SECTION 4.02 OF THE CITY CHARTER WOULD BE AMENDED TO READ AS FOLLOWS:

Sec. 4.02. - City Clerk.

The city council shall appoint a city clerk, who shall give notice of council meetings, shall keep the minutes of the proceedings of such meetings, shall authenticate by signature or electronic signature all ordinances and resolutions, and shall perform such other duties as city council, shall assign and those elsewhere provided for in this Charter. The city clerk's

compensation shall be fixed by the city council. The city clerk may appoint an assistant or assistants with the approval of the council. The city clerk shall establish his or her principal physical residence in the city, or in Hays County, or in the city's extraterritorial jurisdiction, within 90 days after appointment, and shall have his or her principal physical residence in the city, or in Hays County, or in the city's extraterritorial jurisdiction continuously thereafter while holding that office.

TEXT AMENDMENT – FOR PROP “I”

SECTION 4.03(B) OF THE CITY CHARTER WOULD BE AMENDED TO READ AS FOLLOWS:

Sec. 4.03. - Municipal Court

a) A municipal court is established for the trial of misdemeanor offenses, with jurisdiction, powers and duties as prescribed by ordinance and state laws.

(b) The city council shall appoint a presiding judge for the municipal court and any associate judges it deems advisable. The presiding judge and each associate judge shall be a competent and duly qualified and licensed attorney authorized to practice law in the State of Texas. The presiding judge shall establish his or her principal physical residence in the city within 90 days after appointment, and shall have his or her principal physical residence in the city continuously thereafter while holding that office. The compensation of the judges shall be fixed by the city council.

The presiding judge shall appoint a municipal court clerk and any assistants, ~~with the approval of the city council.~~

TEXT AMENDMENT – FOR PROP “J”

SECTION 4.03(B) OF THE CITY CHARTER WOULD BE AMENDED TO READ AS FOLLOWS:

Sec. 4.03. - Municipal Court

a) A municipal court is established for the trial of misdemeanor offenses, with jurisdiction, powers and duties as prescribed by ordinance and state laws.

(b) The city council shall appoint a presiding judge for the municipal court and any associate judges it deems advisable. The presiding judge and each associate judge shall be a competent and duly qualified and licensed attorney authorized to practice law in the State of Texas. ~~The presiding judge shall establish his or her principal physical residence in the city within 90 days after appointment, and shall have his or her principal physical residence in the city~~

~~continuously thereafter while holding that office.~~ The compensation of the judges shall be fixed by the city council.

The presiding judge shall appoint a municipal court clerk and any assistants-with the approval of the city council.

TEXT AMENDMENT – FOR PROP “K”

SECTION 4.04 OF THE CITY CHARTER WOULD BE AMENDED TO READ AS FOLLOWS:

Sec. 4.04. City Attorney

The city council shall appoint a city attorney, who shall be a competent and duly qualified and licensed attorney, authorized to practice law in the State of Texas. The city attorney shall establish his or her principal physical residence in the city within 90 days after appointment, and shall have his or her principal physical residence in the city continuously thereafter while holding that office. The city attorney's compensation shall be fixed by the city council. The city attorney may appoint an assistant or assistants. ~~with the approval of the city council.~~ The city attorney, or other attorneys selected by the city attorney with the approval of the city council, shall represent the city in all litigation. The city attorney shall be the legal advisor and counsel for the city and all city officers and administrative units; provided, that the city council may retain special counsel at any time it deems same appropriate and necessary. The city attorney shall prepare or review all ordinances and shall prosecute all criminal cases in the municipal court in person or through an assistant.

TEXT AMENDMENT – FOR PROP “L”

SECTION 7.01(A) OF THE CITY CHARTER WOULD BE AMENDED TO READ AS FOLLOWS:

Sec. 7.01. – Planning and zoning commission.

- (a) A city planning and zoning commission is established. The commission shall consist of nine members appointed for staggered three-year terms. Commission members shall be appointed by the council and serve without compensation. No action by the commission shall have any force or effect unless it is adopted by a vote of five or more of its members.
- (b) To be eligible for appointment to the commission, all commission members must have resided in the city for a period of five years before the date of appointment. To be eligible for continued service on the commission, the commission members must maintain residence in the city.
- (c) The council shall establish, by ordinance, the month in which appointments are made, and the month in which terms of office commence. The council may prescribe, by ordinance, educational requirements to be met after persons are appointed to the commission.
- (d) In making appointments to the commission, council shall seek to ensure broad citizen representation which includes geographic, professional, gender, racial, and viewpoint diversity.

The commission shall establish bylaws to govern rules of procedure and the annual election of officers. All meetings of the commission shall be open to the public.

TEXT AMENDMENT – FOR PROP “M”

SECTION 12.12(A)(4) OF THE CITY CHARTER WOULD BE AMENDED TO READ AS FOLLOWS:

Sec. 12.12. – Charter Review Commission

Beginning in January 2013 and at least every four years thereafter, the city council shall appoint a Charter review commission of seven citizens of the City of San Marcos.

(a) *Duties of the commission:*

(1) Inquire into the operation of the city government under the Charter provisions and determine whether any such provisions require revision. To this end public hearings may be held; and the commission shall have the power to compel the attendance of any officer or employee of the city and to require the submission of any of the city records which it may deem necessary to the conduct of such hearing.

(2) Propose any recommendations it may deem desirable to ensure compliance with the provisions of the Charter by the several departments of the city government.

(3) Propose, if it deems desirable, amendments to this Charter to improve the effective application of said Charter to current conditions.

(4) The commission shall provide a final report. The chair or designated member of the commission, shall report its findings and present its proposed amendments, if any, to the city council.

(b) The city council may take action to amend the Charter in the manner provided by state law.

(c) *Term of office:* The term of office of such Charter review commission shall be six months, and, if during such term no report is presented to the city council, then all records of the proceedings of such commission shall be filed with the person performing the duties of the city clerk and shall become a public record.

SECTION 5. On Election Day, eligible City of San Marcos and Hays County voters may vote at any of the locations listed below from 7:00 a.m. to 7:00 p.m. Voters are not limited to only voting in the precinct where they are registered to vote:

POLLING PLACE	ADDRESS	CITY
<u>Broadway</u>	<u>401 Broadway Street #A</u>	<u>San Marcos</u>
<u>Brookdale San Marcos North</u>	<u>1720 Old Ranch Road 12</u>	<u>San Marcos</u>
<u>Calvary Baptist Church</u>	<u>1906 North Interstate 35</u>	<u>San Marcos</u>
<u>Centro Cultural Hispano</u>	<u>211 Lee Street</u>	<u>San Marcos</u>
<u>Dunbar Center</u>	<u>801 MLK Dr.</u>	<u>San Marcos</u>
<u>First Baptist Church – San Marcos</u>	<u>325 W McCarty Lane</u>	<u>San Marcos</u>

<u>Hays County Government Center</u>	<u>712 South Stagecoach Trail Northwest Conference Rooms</u>	<u>San Marcos</u>
<u>Hays County Transportation Department – Yarrington Building</u>	<u>2171 Yarrington Road</u>	<u>San Marcos</u>
<u>Promiseland Church</u>	<u>1650 Lime Kiln Rd.</u>	<u>San Marcos</u>
<u>San Marcos Activity Center</u>	<u>501 E. Hopkins</u>	<u>San Marcos</u>
<u>San Marcos Fire Station #5</u>	<u>100 Carlson Circle</u>	<u>San Marcos</u>
<u>San Marcos Housing/CM Allen Homes</u>	<u>820 Sturgeon St.</u>	<u>San Marcos</u>
<u>Sinai Pentecostal Church</u>	<u>208 Laredo St.</u>	<u>San Marcos</u>
<u>South Hays Fire Station #12</u>	<u>8301 Ranch Road 12</u>	<u>San Marcos</u>
<u>Texas State University, LBJ Student Center</u>	<u>601 University Drive</u>	<u>San Marcos</u>
<u>Hays County Precinct 2 Office</u>	<u>5458 FM 2770</u>	<u>Kyle</u>
<u>HCISD Admin – Arnold Transportation Bldg</u>	<u>21003 IH 35 Frontage Rd.</u>	<u>Kyle</u>
<u>Kyle City Hall</u>	<u>100 West Center Street</u>	<u>Kyle</u>
<u>Live Oak Academy High School</u>	<u>4820 Jack C. Hays Trail</u>	<u>Kyle</u>
<u>Simon Middle School (HCISD Clothes Closet)</u>	<u>3839 East FM 150</u>	<u>Kyle</u>
<u>Tobias Elementary School</u>	<u>1005 East FM 150</u>	<u>Kyle</u>
<u>Wallace Middle School</u>	<u>1500 West Center Street</u>	<u>Kyle</u>
<u>HCISD Transportation Dept – Main Office</u>	<u>2385 High Road</u>	<u>Uhland</u>
<u>Buda City Hall</u>	<u>405 East Loop Street, Building 100</u>	<u>Buda</u>
<u>Hays Hills Baptist Church</u>	<u>1401 North FM 1626</u>	<u>Buda</u>
<u>McCormick Middle School</u>	<u>5700 Dacy Lane</u>	<u>Buda</u>
<u>Southern Hills Church of Christ</u>	<u>3740 FM 967</u>	<u>Buda</u>
<u>Sunfield Station</u>	<u>2610 Main Street</u>	<u>Buda</u>
<u>Cypress Creek Church</u>	<u>211 Stillwater Road</u>	<u>Wimberley</u>
<u>Scudder Primary School</u>	<u>400 Green Acres Drive</u>	<u>Wimberley</u>
<u>VFW Post #6441</u>	<u>401 Jacobs Well Road</u>	<u>Wimberley</u>
<u>Wimberley Community Center</u>	<u>14068 Ranch Road 12</u>	<u>Wimberley</u>
<u>Dripping Springs United Methodist Church</u>	<u>28900 Ranch Road 12</u>	<u>Dripping Springs</u>
<u>Hays County Precinct 4 Office</u>	<u>195 Roger Hanks Parkway</u>	<u>Dripping Springs</u>
<u>Belterra Centre</u>	<u>151 Trinity Hills Drive (sometimes listed as 688 Trinity Hills Drive)</u>	<u>Austin</u>
<u>Ledgestone Senior Living</u>	<u>13152 Four Star Blvd</u>	<u>Austin</u>
<u>North Hays County Fire Rescue Station #2</u>	<u>15850 FM 1826</u>	<u>Austin</u>

SECTION 6. As per the contract, the Hays County Election Administrator shall appoint presiding judges and alternate judges to serve in this election, and it shall be each such judge's duty to hold the election in their respective precincts

SECTION 7. Each presiding judge may appoint up to four clerks, and with the permission of the Hays County Election Administrator, additional clerks, to serve for each precinct in this election.

SECTION 8. Jennifer Anderson is appointed Early Voting Clerk for the City.

SECTION 9. The main early polling place for early voting by personal appearance for the election is the Hays County Government Center, 712 S. Stagecoach Trail, Northwest Conference Rooms San Marcos, TX 78666. Early voting by personal appearance will be conducted during the following stated dates and times (excluding holidays) at the following locations:

<u>Location</u>	<u>Date</u>	<u>Time</u>
<u>Broadway (formerly County Health Department) 401 Broadway Street #A San Marcos, TX</u>	<u>October 18 – 22, 2021 October 23, 2021 October 25, - 27, 2021 October 28 - 29, 2021</u>	<u>8:00 a.m. - 5:00 p.m. 10:00 a.m. - 2:00 p.m. 8:00 a.m. - 5:00 p.m. 7:00 a.m. – 7:00 p.m.</u>
<u>Buda City Hall 405 East Loop Street, Bld. 100 Buda, TX</u>	<u>October 18 – 22, 2021 October 23, 2021 October 25, - 27, 2021 October 28 - 29, 2021</u>	<u>8:00 a.m. - 5:00 p.m. 10:00 a.m. - 2:00 p.m. 8:00 a.m. - 5:00 p.m. 7:00 a.m. – 7:00 p.m.</u>
<u>Dripping Springs United Methodist Church 28900 Ranch Road 12 Dripping Springs, TX</u>	<u>October 18 – 22, 2021 October 23, 2021 October 25, - 27, 2021 October 28 - 29, 2021</u>	<u>8:00 a.m. - 5:00 p.m. 10:00 a.m. - 2:00 p.m. 8:00 a.m. - 5:00 p.m. 7:00 a.m. – 7:00 p.m.</u>
<u>Hays County Government Center 712 S. Stagecoach Trail, Northwest Conference Room San Marcos, TX</u>	<u>October 18 – 22, 2021 October 23, 2021 October 25, - 27, 2021 October 28 - 29, 2021</u>	<u>8:00 a.m. - 5:00 p.m. 10:00 a.m. - 2:00 p.m. 8:00 a.m. - 5:00 p.m. 7:00 a.m. – 7:00 p.m.</u>
<u>Ledgestone Senior Living 13152 Four Star Blvd Austin, TX</u>	<u>October 18 – 22, 2021 October 23, 2021 October 25, - 27, 2021 October 28 - 29, 2021</u>	<u>8:00 a.m. - 5:00 p.m. 10:00 a.m. - 2:00 p.m. 8:00 a.m. - 5:00 p.m. 7:00 a.m. – 7:00 p.m.</u>

<u>Hays County Transportation – Yarrington Building 2171 Yarrington Road San Marcos, TX</u>	<u>October 18 – 22, 2021 October 23, 2021 October 25, - 27, 2021 October 28 - 29, 2021</u>	<u>8:00 a.m. - 5:00 p.m. 10:00 a.m. - 2:00 p.m. 8:00 a.m. - 5:00 p.m. 7:00 a.m. – 7:00 p.m.</u>
<u>HCISD Administration – Arnold Transportation Building (formerly the bus barn) 21003 Interstate 35 Frontage Road Kyle, TX</u>	<u>October 18 – 22, 2021 October 23, 2021 October 25, - 27, 2021 October 28 - 29, 2021</u>	<u>8:00 a.m. - 5:00 p.m. 10:00 a.m. - 2:00 p.m. 8:00 a.m. - 5:00 p.m. 7:00 a.m. – 7:00 p.m.</u>
<u>Live Oak Academy High School 4820 Jack C. Hays Trail Kyle, TX</u>	<u>October 18 – 22, 2021 October 23, 2021 October 25, - 27, 2021 October 28 - 29, 2021</u>	<u>8:00 a.m. - 5:00 p.m. 10:00 a.m. - 2:00 p.m. 8:00 a.m. - 5:00 p.m. 7:00 a.m. – 7:00 p.m.</u>
<u>Scudder Primary School 400 Green Acres Drive Wimberley, TX</u>	<u>October 18 – 22, 2021 October 23, 2021 October 25, - 27, 2021 October 28 - 29, 2021</u>	<u>8:00 a.m. - 5:00 p.m. 10:00 a.m. - 2:00 p.m. 8:00 a.m. - 5:00 p.m. 7:00 a.m. – 7:00 p.m.</u>
<u>Simon Middle School 3839 East FM 150 Kyle, TX</u>	<u>October 18 – 22, 2021 October 23, 2021 October 25, - 27, 2021 October 28 - 29, 2021</u>	<u>8:00 a.m. - 5:00 p.m. 10:00 a.m. - 2:00 p.m. 8:00 a.m. - 5:00 p.m. 7:00 a.m. – 7:00 p.m.</u>
<u>Sunfield Station 2610 Main Street Buda, TX</u>	<u>October 18 – 22, 2021 October 23, 2021 October 25, - 27, 2021 October 28 - 29, 2021</u>	<u>8:00 a.m. - 5:00 p.m. 10:00 a.m. - 2:00 p.m. 8:00 a.m. - 5:00 p.m. 7:00 a.m. – 7:00 p.m.</u>
<u>Texas State University LBJ Student Center 601 University Drive San Marcos, TX</u>	<u>October 18 – 22, 2021 October 23, 2021 October 25, - 27, 2021 October 28 - 29, 2021</u>	<u>8:00 a.m. - 5:00 p.m. 10:00 a.m. - 2:00 p.m. 8:00 a.m. - 5:00 p.m. 7:00 a.m. – 7:00 p.m.</u>
<u>Wimberley Community Center 14068 Ranch Road 12 Wimberley, TX</u>	<u>October 18 – 22, 2021 October 23, 2021 October 25, - 27, 2021 October 28 - 29, 2021</u>	<u>8:00 a.m. - 5:00 p.m. 10:00 a.m. - 2:00 p.m. 8:00 a.m. - 5:00 p.m. 7:00 a.m. – 7:00 p.m.</u>

SECTION 10. Early voting by mail ballot shall be conducted in accordance with applicable provisions of the Texas Election Code. The address of 712 S. Stagecoach Trail, Suite 1012 San Marcos, Texas 78666, shall be the early voting clerk's mailing address to which ballot applications and ballots voted by mail may be sent for the City.

SECTION 11. All early votes and other votes to be processed in accordance with early voting procedures pursuant to the Texas Election Code shall be delivered to the Early Voting Ballot Board at the Hays County Election Administrator's office which is located in the City, in accordance with the Election Code. Early votes shall be counted at the central counting station. The Early Voting Ballot Board shall perform in accordance with applicable provisions of the Election Code.

SECTION 12. The Verity Duo Hybrid voting system, shall be utilized in connection with the election. This system shall be utilized for all early voting as well as for all voting conducted on Election Day. Ample voting equipment shall be provided for early voting and in each of the various vote centers on Election Day. The central counting station is established as the Hays County Elections Administrator's office, 712 S. Stagecoach Trail, Suite 1012, San Marcos, Texas.

SECTION 13. The Hays County Elections Administrator will appoint the Early Voting Ballot Board, a Presiding Judge of the Central Counting Station, a Tabulation Supervisor of the Central Counting Station, and a Central Counting Station Manager.

SECTION 14. The election will be held in accordance with the provisions of the Charter and Ordinances of the City of San Marcos and the laws of the State of Texas. The deadline for filing by candidates for the position of Council Member, Place 5 and Council Member, Place 6 is 5:00 p.m. on August 16, 2021.

SECTION 15. An executed copy of this Ordinance will serve as proper notice of the election.

SECTION 16. Notice of the election, including a Spanish translation thereof, will be published at least once in a newspaper published in San Marcos on or after October 4, 2021 and on or before October 19, 2021, and will be posted on the bulletin board at City Hall on or before October 13, 2021.

SECTION 17. A writ of election as required by the Texas Election Code will be delivered on or before October 19, 2021 by the Hays County Election Administrator to the presiding and alternate judges of each election precinct in which the election is ordered to be held.

SECTION 18. Testing of the automatic tabulating equipment will be performed and notice thereof will be given in accordance with Subchapter D of Chapter 127 of the Texas Election Code.

SECTION 19. The rate of compensation to be paid judges, clerks, and assistants to the Central Counting Station Presiding Judge and Tabulation Supervisor for services rendered during the election will be compensated at the rate of no more than \$12.00 per hour.

SECTION 20. The additional compensation to be paid judges who deliver returns of the election is established at \$25.00.

SECTION 21. If any portion of this Ordinance is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect.

SECTION 22. The importance of this Ordinance creates an emergency and an imperative public necessity, and the provisions of the Charter requiring that ordinances be presented at two separate meetings be waived and, this Ordinance will take effect immediately upon adoption.

CONSIDERED, APPROVED, AND ADOPTED on September 29, 2021

Jane Hughson
Mayor

Attest:

Approved:

Tammy K. Cook
Interim City Clerk

Michael J. Cosentino
City Attorney

PROPOSITION - A

FOR/AGAINST The amendment of Section 1.03 of the City Charter (Statement of Goals) to replace the current section with a new statement of goals of city government that is organized by the categories of people, place, environment, economy, and public services.

PROPUESTA - A

A FAVOR/ EN CONTRA Enmienda de la Sección 1.03 de la Carta de la Ciudad (Declaración de objetivos) para reemplazar la sección actual con una nueva declaración de objetivos del gobierno de la ciudad que está organizada por las categorías de personas, lugares, medio ambiente, economía y servicios públicos.

PROPOSITION - B

FOR/AGAINST The amendment of Section 3.01(c) of the City Charter (City Council – Number, Selection and Term) to establish term limits for council members by providing that a council member elected at the regular election held in November of 2022 or at any regular election held thereafter shall be ineligible to run for any city council position, other than mayor, for two years after serving three consecutive terms of office.

PROPUESTA - B

A FAVOR/ EN CONTRA Enmienda de la Sección 3.01 (c) de la Carta de la Ciudad (Concejo Municipal - Número, Selección y Término) para establecer límites de mandato para los miembros del concejo al establecer que un miembro del concejo elegido en la elección regular celebrada en noviembre de 2022 o en cualquier elección regular celebrada a partir de entonces no será elegible para postularse para cualquier puesto del concejo municipal, excepto el puesto de alcalde, durante dos años después de cumplir tres términos consecutivos.

PROPOSITION - C

FOR/AGAINST

The amendment of Section 3.01(c) of the City Charter (City Council – Number, Selection and Term) to establish term limits for the position of mayor by providing that a person elected as mayor at the regular election held in November of 2024 or at any regular election held thereafter shall be ineligible to run again for mayor for a period of two years after serving four consecutive terms in that position.

PROPUESTA - C

A FAVOR/ EN CONTRA

Enmienda de la Sección 3.01 (c) de la Carta de la Ciudad (Concejo Municipal - Número, Selección y Término) para establecer límites de mandato para el cargo de alcalde al establecer que una persona elegida como alcalde en la elección regular celebrada en noviembre de 2024 o en cualquier elección regular celebrada a partir de entonces no será elegible para postularse nuevamente para alcalde por un período de dos años después de servir cuatro términos consecutivos en ese puesto.

PROPOSITION - D

FOR/AGAINST

The amendment of Section 3.09 (Meetings of the City Council) to require all regular city council meeting agendas to include “Citizen Comment Period” and “Question and Answer Session with Press and Public” as agenda items.

PROPUESTA - D

A FAVOR/ EN CONTRA

Enmienda de la Sección 3.09 (Reuniones del Concejo Municipal) para requerir que todas las agendas regulares de las reuniones del Concejo Municipal incluyan un "Período de comentarios de los ciudadanos" y "Sesión de preguntas y respuestas con prensa y el público" como puntos de la agenda.

PROPOSITION - E

FOR/AGAINST The amendment of Section 4.01(b) of the City Charter (City Manager – Term and Salary) to allow the removal of city manager by a vote of four members of the entire city council instead of five members, as currently required.

PROPUESTA - E

A FAVOR/ EN CONTRA Enmienda de la Sección 4.01 (b) de la Carta de la Ciudad (Administrador de la Ciudad - Término y Salario) para permitir la remoción del administrador de la ciudad por un voto de cuatro miembros de todo el Concejo Municipal en lugar de cinco miembros, como se requiere actualmente.

PROPOSITION - F

FOR/AGAINST The amendment of Section 4.01(c)(2) of the City Charter (City Manager – Duties of the City Manager) to remove the requirement for city council approval of the city manager’s appointment of assistant city managers.

PROPUESTA - F

A FAVOR/ EN CONTRA Enmienda de la Sección 4.01 (c) (2) de la Carta de la Ciudad (Administrador de la Ciudad - Deberes del Administrador de la Ciudad) para eliminar el requisito de la aprobación del Concejo Municipal del nombramiento de administradores auxiliares de la ciudad por parte del administrador de la ciudad.

PROPOSITION - G

FOR/AGAINST The amendment of Section 4.02 of the City Charter (City Clerk) to remove the requirement for city council approval of the city clerk’s appointment of assistant city clerks.

PROPUESTA - G

A FAVOR/ EN CONTRA Enmienda de la Sección 4.02 de la Carta de la Ciudad (Secretario de la Ciudad) para eliminar el requisito de la aprobación del Concejo Municipal del nombramiento de secretarios municipales asistentes por parte del secretario de la ciudad.

PROPOSITION - H

FOR/AGAINST The amendment of Section 4.02 of the City Charter (City Clerk) to change the residency requirement for the position of city clerk to allow the person appointed to that position to reside in either the city limits, as currently required, or within Hays County or within the city's extraterritorial jurisdiction.

PROPUESTA - H

A FAVOR/ EN CONTRA Enmienda de la Sección 4.02 de los Estatutos de la Ciudad (Secretario de la Ciudad) para cambiar el requisito de residencia para el puesto de secretario de la ciudad para permitir que la persona designada para ese puesto resida dentro de los límites de la ciudad, como se requiere actualmente, o dentro del condado de Hays o dentro de la jurisdicción extraterritorial de la ciudad.

PROPOSITION - I

FOR/AGAINST The amendment of Section 4.03(b) of the City Charter (Municipal Court) to remove the requirement for city council approval of the presiding judge's appointment of a municipal court clerk and assistant clerks

PROPUESTA - I

A FAVOR/ EN CONTRA Enmienda de la Sección 4.03 (b) de la Carta de la Ciudad (Tribunal Municipal) para eliminar el requisito de la aprobación del Concejo Municipal del nombramiento de un secretario de la corte municipal y secretarios asistentes por parte del juez presidente.

PROPOSITION - J

FOR/AGAINST The amendment of Section 4.03(b) of the City Charter (Municipal Court) to remove the residency requirement for appointment of the presiding judge.

PROPUESTA - J

A FAVOR/ EN CONTRA Enmienda de la Sección 4.03 (b) de la Carta de la Ciudad (Tribunal Municipal) para eliminar el requisito de residencia para el nombramiento del juez presidente.

PROPOSITION - K

FOR/AGAINST The amendment of Section 4.04 of the City Charter (City Attorney) to remove the requirement for city council approval of the city attorney's appointment of assistant city attorneys.

PROPUESTA - K

A FAVOR/ EN CONTRA Enmienda de la Sección 4.04 de la Carta de la Ciudad (Abogado de la Ciudad) para eliminar el requisito de aprobación del Concejo Municipal del nombramiento de los abogados asistentes de la ciudad por parte del abogado de la ciudad.

PROPOSITION – L

FOR/AGAINST The amendment of Section 7.01(a) of the City Charter (Planning and Zoning Commission) to add a provision stating that no action of the planning and zoning commission shall have any force or effect unless it is adopted by a vote of five or more of its members.

PROPUESTA – L

A FAVOR/ EN CONTRA Enmienda de la Sección 7.01 (a) de la Carta de la Ciudad (Comisión de Planificación y Zonificación) para agregar una disposición que establece que ninguna acción de la Comisión de Planificación y Zonificación tendrá ninguna fuerza o efecto a menos que se adopte por un voto de cinco o más de sus miembros.

PROPOSITION – M

FOR/AGAINST The amendment of Section 12.12(a)(4) of the City Charter (Charter Review Commission) to require the charter review commission to make a final report of its recommendations and require that the chair or a designated member of the commission present the report to the city council.

PROPUESTA – M

A FAVOR/ EN CONTRA Enmienda de la Sección 12.12 (a) (4) de la Carta de la Ciudad (Comisión de Revisión de la Carta) para requerir que la Comisión de Revisión de la Carta rinda un informe final de sus recomendaciones y requiera que el presidente o un miembro designado de la comisión presente el informe al Concejo Municipal.



**Vote Center Locations for Early Voting and Election Day
2021 November General Election (Constitutional Amendment and Local Jurisdictions)**

**Early Voting: Monday, October 18 ☐ Friday, October 29, 2021
Main Early Voting Site ☐ Hays County Government Center**

Monday, October 18 ☐ Friday, October 22	8 am ☐ 5 pm
Saturday, October 23	10 am ☐ 2 pm
Monday, October 25 ☐ Wednesday, October 27	8 am ☐ 5 pm
Thursday, October 28 ☐ Friday, October 29	7 am ☐ 7 pm

Election Day: Tuesday, November 2, 2021
Tuesday, November 2 7 am ☐ 7 pm

Jennifer Anderson, Elections Administrator: (512) 393-7310

Early Voting	Election Day	<u>San Marcos</u>	
✓	✓	Broadway	401 Broadway Street #A
✓	✓	Hays County Government Center Main Early Voting Site	712 South Stagecoach Trail
✓	✓	Hays County Transportation Department ☐ Yarrington	2171 Yarrington Road
✓	✓	Texas State University, LBJ Student Center	601 University Drive
	✓	Brookdale San Marcos North	1720 Old Ranch Road 12
	✓	Calvary Baptist Church	1906 North Interstate 35 Frontage Road
	✓	Centro Cultural Hispano de San Marcos	211 Lee Street
	✓	Dunbar Center	801 Martin Luther King Drive
	✓	First Baptist Church San Marcos	325 West McCarty Lane
	✓	Promiseland Church	1650 Lime Kiln Road
	✓	San Marcos Activity Center	501 East Hopkins Street
	✓	San Marcos Fire Department Station #5	100 Carlson Circle
	✓	San Marcos Housing Authority / C.M. Allen Homes	820 Sturgeon Drive
	✓	Sinai Pentecostal Church	208 Laredo Street

	✓	South Hays Fire Department Station #12	8301 Ranch Road 12
Early Voting	Election Day	<u>Kyle and Uhland</u>	
✓	✓	HCISD Admin ☒ Arnold Transportation Building	21003 Interstate 35 Frontage Road
✓	✓	Live Oak Academy High School	4820 Jack C. Hays Trail
✓	✓	Simon Middle School (HCISD Clothes Closet)	3839 East FM 150
	✓	Hays County Precinct 2 Office	5458 FM 2770
	✓	HCISD Transportation Department, Main Office	2385 High Road, Uhland
	✓	Kyle City Hall	100 West Center Street
	✓	Tobias Elementary School	1005 East FM 150
	✓	Wallace Middle School	1500 West Center Street
<u>Buda</u>			
✓	✓	Buda City Hall (Multipurpose Room #1034)	405 East Loop Street, Building 100
✓	✓	Sunfield Station	2610 Main Street
	✓	Hays Hills Baptist Church	1401 North FM 1626
	✓	McCormick Middle School	5700 Dacy Lane
	✓	Southern Hills Church of Christ	3740 FM 967
<u>Wimberley</u>			
✓	✓	Scudder Primary School (former campus)	400 Green Acres Drive
✓	✓	Wimberley Community Center	14068 Ranch Road 12
	✓	Cypress Creek Church	211 Stillwater Road
	✓	VFW Post #6441	401 Jacobs Well Road
<u>Dripping Springs and Austin</u>			
✓	✓	Dripping Springs United Methodist Church	28900 Ranch Road 12, Dripping Springs
✓	✓	Ledgestone Senior Living	13152 Four Star Boulevard, Austin
	✓	Belterra Centre	151 Trinity Hills Drive, Austin (sometimes listed as 688 Trinity Hills Drive)
	✓	Hays County Precinct 4 Office	195 Roger Hanks Parkway, Dripping Springs
	✓	North Hays County Fire Rescue Station #2 ☒ Driftwood Battalion	15850 FM 1826, Austin

37- Vote Centers
13 ☐ Early Voting

Precinct 1 ☐ 9
Precinct 2 ☐ 11
Precinct 3 ☐ 7
Precinct 4 - 10



Legislation Text

File #: ID#21-799, **Version:** 1

AGENDA CAPTION:

Executive Session in accordance with Sec. 551.074 of the Texas Government Code: Personnel Matters: to discuss the City Manager Search Process.

Meeting date: September 29, 2021

Department: Attorney/CMO

Amount & Source of Funding

Funds Required: Click or tap here to enter text.

Account Number: Click or tap here to enter text.

Funds Available: Click or tap here to enter text.

Account Name: Click or tap here to enter text.

Fiscal Note:

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

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

Choose an item.

Choose an item.

Choose an item.

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

Economic Development - Choose an item.

Environment & Resource Protection - Choose an item.

Land Use - Choose an item.

Neighborhoods & Housing - Choose an item.

Parks, Public Spaces & Facilities - Choose an item.

Transportation - Choose an item.

Core Services

Not Applicable

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

Choose an item.

Background Information:

Click or tap here to enter text.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Click or tap here to enter text.



Legislation Text

File #: ID#21-800, **Version:** 1

AGENDA CAPTION:

Consider action, by motion, or provide direction to Staff regarding the following Executive Session item: Sec. 551.074 of the Texas Government Code: Personnel Matters: to discuss the City Manager Search Process.

Meeting date: September 29, 2021

Department: Attorney/CMO

Amount & Source of Funding

Funds Required: Click or tap here to enter text.

Account Number: Click or tap here to enter text.

Funds Available: Click or tap here to enter text.

Account Name: Click or tap here to enter text.

Fiscal Note:

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

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

Choose an item.

Choose an item.

Choose an item.

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

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

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

Choose an item.

Background Information:

Click or tap here to enter text.

Council Committee, Board/Commission Action:

Click or tap here to enter text.

Alternatives:

Click or tap here to enter text.

Recommendation:

Click or tap here to enter text.