



# City of San Marcos

## Special Meeting Minutes City Council

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Thursday, April 30, 2020

4:00 PM

Virtual Meeting

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

### I. Call To Order

**With a quorum present, the special meeting of the San Marcos City Council was called to order by Mayor Hughson at 4:00 p.m. Thursday, April 30, 2020. The meeting was held virtually.**

### II. Roll Call

**Present:** 6 - Council Member Melissa Derrick, Mayor Jane Hughson, Mayor Pro Tem Ed Mihalkanin, Deputy Mayor Pro Tem Mark Rockeymoore, Council Member Maxfield Baker and Council Member Saul Gonzales

**Absent:** 1 - Council Member Joca Marquez

### PRESENTATIONS

1. Receive a Staff presentation and hold discussion on Food establishment permits and fees during the COVID-19 pandemic response including recommendations to consider quarterly payment plans to assist local food establishments struggling with the impacts of COVID-19.

**Bert Lumbreras, City Manager, stated that proposed ordinance is to implement a quarterly payment plan that would allow food establishments to be on a payment plan for their permit and inspection fees. An emergency ordinance has been placed on the May 5th Council agenda for consideration.**

**Mr. Lumbreras turned the presentation over to Greg Carr, Neighborhood Enhancement Director.**

**Mr. Carr stated that some businesses renewed their permits and other owners have asked about making payments. The ordinance will provide relief for food establishments allowing them to get back on their feet. Mr. Carr mentioned that the ordinance will allow up to 6 months to make quarterly payments. After the 6 months, hopefully the businesses will be back on track. Mr. Carr stated that the number of food establishments to renew the rest of this fiscal year is under 70 establishments and about 29 establishments are estimated that**

will need help to get them back on their feet and hopes before the ordinance expires.

Council Member Baker asked how long can this ordinance be extended, if more than 6 months is needed. Mr. Carr mentioned that the time frame can be extended with Council approval.

Council Member Baker asked if this ordinance is for businesses that are operating or are closed. Mr. Carr stated that it is for both and some are doing ok but others had to close completely because they didn't have the drive thru capability or couldn't change the model for pick up.

Mayor Hughson suggested dividing the annual payment by three and have four payments, with the first payment being zero.

Council provided direction to staff to use this method and divide it between three payments.

2. Receive status reports and updates on response to COVID-19 pandemic; hold council discussion, and provide direction to Staff.

**Bert Lumbreras, City Manager, provided a brief introduction and turned the presentation over to Chase Stapp, Director of Public Safety. Mr. Stapp provided status reports and updates on response to the COVID-19 pandemic.**

The following actions were updated by Governor Abbott with three additional executive orders:

**Expanded reopening of services**

- Effective May 1, retail stores, restaurants, movie theaters, and shopping malls may operate at 25% of total listed occupancy for their facility
- Libraries and museums may also reopen at 25% capacity, but interactive exhibits, child play areas must remain closed
- Should implement social distancing, work from home if possible, and practice good hygiene, environmental cleanliness, and sanitation
- Individuals encouraged to wear appropriate face coverings, but no jurisdiction can impose a civil or criminal penalty for failure to wear a face covering
- Supersedes any conflicting order issued by local officials in response to COVID-19

**Hospitals to reserve 15% capacity for treatment of COVID-19 patients**

**Expanding travel without restrictions**

- Lifts restrictions on some travel, such as from Louisiana, but maintains restrictions on flying from some states and cities, including California; New York; Atlanta, Georgia.

**Efforts to date (updated)****Convened Recovery Task Force**

- Made up of 23 local public and private individuals, including local governments, health authorities, restaurants, business associations
- Determine how best to accomplish Governor's re-opening initiatives

**Responding to questions regarding occupancy questions****Developed new FAQ document regarding re-opening****Processed Late Fee Exemptions for 117 commercial utility accounts, 80 residential utility accounts since implementation on March 26**

- Set up payment arrangements totaling over \$192,000 for 714 utility customer accounts over that same time period

**Providing daily Council email updates and message board additions****Upcoming considerations****Enforcing COVID-19 best practices**

- Restaurant/business occupancy
- Park closures

**Expanded testing capacity**

7 medical facilities that are testing for COVID-19 on May 10th, DHS conduct two drive up testing sites for 120 test kits funded by the site. Those tests are free.

Mr. Stapp defined what is the screening process: Medical professional asks a series of questions when the person calls the facilities and the answers determines if the individual will be tested.

Daily updates sent to Council - Council provided direction that the daily updates are no longer needed and they can utilize the dashboard on our website for current status on COVID-19.

Mayor Hughson reiterated that the second public health advisory states

wearing masks is still in effect.

Council Member Baker expressed concern about reopening the business and the verbiage on the order from the Governor with the words "should" instead of "shall" business are not following guidelines, if they meet the occupancy limit, are they fined? Mr. Cosentino mentioned that the Fire Marshal would be the contact for concerns regarding occupancy. If they receive a complaint on exceeding the occupancy limit it will be a discretionary call to issue a warning or a citation.

**Upcoming Council action items:**

**May 5 meeting**

- Emergency ordinance addressing adjustments to inspections and permit fees for Food Establishments, due to COVID-19.
- Ordinance allowing for temporary licenses for parklets as a means to reactivate Downtown.

**Financial Assistance**

**Additional Financial Strategies Update Reallocate Existing CDBG Funds**

- Not recommended at this time
- FY 2018 and FY 2019 funds already allocated, plan updates required
- Recommend using FY 2020 CDBG and CDBG-CV (Coronavirus) funds

**Grants and Loans**

- Promoting federal grant and loan programs including Economic Injury Disaster

**Loan (EIDL) and Payroll Protection Loans created through the Coronavirus Aid, Relief, and Economic Security (CARES) Act.**

- San Marcos grant and loan program under consideration using Special Economic Development Fund allocation

**Reallocate Strategic Initiative Funding**

- Not recommended due to constraints on General Fund

**Grant Status**

**Coronavirus Aid, Relief, and Economic Security (CARES) Act Federal Transit Administration (FTA) - \$6,429,168**

- Transit planning, capital and operating expenses after Jan. 20, 2020
- 100% grant, no match, reimbursable basis
- Application required with a fast-track agency review

**Federal Aviation Administration (FAA) - \$157,000**

- Allotment for general aviation airports
- Reimbursement for expenses that airport revenue can be lawfully used

**U.S Department of Housing and Urban Development (HUD) - \$425,261**

- CDBG-Coronavirus grant to support activities responding to coronavirus impacts
- Reimbursement of eligible pandemic response costs
- Encouraged to prioritize needs of low- and moderate-income persons

**Mr. Stapp mentioned the City is going to apply for a small Grills grant for \$10,000 for the downtown Parklet program.**

**Council Member Baker mentioned that there was a letter received from Mano Amiga working with el Centro Hispano Cultural to assist low income residents and to work with people that don't have legal immigration status. Mr. Baker asked if the City can that help with? Mr. Pantalion, Assistant City Manager mentioned that HUD has not released criteria for those funds and City will facilitate funds.**

**Council Member Baker asked about statistics seen in the community and that the data is very misleading and we should open up in a faster pace. He asked for further details on the process. Mr. Stapp mentioned that the test is a confirmed lab test and not systemic but not qualifies because residents answered no to more questions but they are being quarantined.**

**Council Member Baker expressed concerns about the order from the Governor regarding protocols with the customers and restaurants. Mr. Stapp stated that staff will look into the enforcement ability.**

- 3. Consider approval of Resolution 2020-96R, requesting the Capital Area Metropolitan Planning Organization (CAMPO) extend the comment period on the CAMPO 2045 Plan (which originally expired on April 13, 2020 and was extended to April 27, 2020) for another 60 days.**

**A motion was made by Council Member Derrick, seconded by Council Member Baker, to approve Resolution 2020-96R.**

**Council Member Derrick stated that community members are concerned due to Covid-19 restrictions the attention of many was elsewhere although the comment deadline was extended by two weeks. There is some missing technical information, so the Save Our Springs organization is requesting a 60 day**

extension. We know that CAMPO would like to approve the plan at their May 5 meeting in order to have the plan finalized to be eligible for IH 35 funding, but I hear the money is already there. Not important if it's stale for a period of time.

Mayor Hughson noted her appreciation of those who have a passion for the Hill Country. She has read all 304 emails since April 24 on this topic and has another 809 emails on this and other recent CAMPO topics. She stated that we need to hear from our residents when we update OUR San Marcos Transportation Plan. We last updated it in 2018 and expect to update it in 2023. Stay tuned and bring us your ideas and opinions. Mayor Hughson continued with: Here is what everyone needs to know. We are hearing from people who want to change the CAMPO 2045 plan NOW. This plan is comprised of the Transportation Master Plans of multiple cities and multiple counties all of which roll up into the 6-county regional plan regarding the maps and lines on maps that might be roadways. Each of those processes is a very public process as is the CAMPO process. Ours consisted of multiple Open Houses, the draft plan on our website for all to review, and multiple opportunities to comment. Those comments are considered, each and every one, when the plan is created.

Hays County is now beginning the process of updating their plan, last approved in 2013, I believe. It will be a very public process. She recommends anyone interested in this topic to watch this part of the County Commissioners Court April 28 meeting. They discussed their views on what some Hill Country roadways will be in the future. Narrow with limited pavement. I was happy to hear the Hill Country area commissioners speak about the need and their desire for public input. The more the better! And each one is important. Just like preparation for our plan. Through these public processes, we listen to everyone. The plan is put together by all of us and if the members of the CAMPO 6-county board were to make changes to a roadway on the San Marcos plan by changing the 2045 plan next Monday, that means we have people outside our area making changes to OUR plan, with almost no public notice or input from our residents about that change. I don't think our residents want that. But no need to worry because none of these roads will be built without initiation by local entities – the cities and counties. The outer loop lone is there to show the potential need for a road sometime in the future. It will not be built unless it determined that we need it. There are two opportunities every year to amend the plan. If we allow this plan to go stale, there could be complications for some projects in San Marcos and Hays County. None of the 22 Metropolitan Planning Organizations in Texas have indicated a desire to delay their plan submissions for a deadline of May 31.

**And the Federal Highways Administration has not indicated an extension to their deadline. CAMPO Open Houses were canceled due to Covid-19 concerns and those were opened again as virtual events and the deadline was extended to April 27. There are other reasons provided as to why an extension is needed and CAMPO staff have provided me information about those items. She stated that she would inquire about the population projections and the source of that data.**

**Council Member Derrick noted her concerns about having the lines on a map that might encourages developers to purchase land in that area. Mayor Hughson noted that the way to modify the plan is for each city and county to update their own plans which will be rolled up into the CAMPO plan. The Council noted their concern for environment and the location of future roadways.**

**Council asked that a future Work Session be dedicated to discuss the CAMPO 2045 Plan. Staff will work on setting a date for this meeting.**

**The motion to approve failed by the following vote:**

- For:** 2 - Council Member Derrick and Council Member Baker
- Against:** 4 - Mayor Hughson, Mayor Pro Tem Mihalkanin, Deputy Mayor Pro Tem Rockeymoore and Council Member Gonzales
- Absent:** 1 - Council Member Marquez

III. Adjournment.

**A motion was made by Council Member Derrick, seconded by Council Member Gonzales, to adjourn the special meeting of the San Marcos City Council at 5:36 p.m. The motion carried by the following vote:**

- For:** 6 - Council Member Derrick, Mayor Hughson, Mayor Pro Tem Mihalkanin, Deputy Mayor Pro Tem Rockeymoore, Council Member Baker and Council Member Gonzales
- Against:** 0
- Absent:** 1 - Council Member Marquez

**Tammy K. Cook, Interim City Clerk**

**Jane Hughson, Mayor**