

(Youth Service Agency position) to fill a vacancy.

22. Hold a public hearing and consider approval of Ordinance on first reading amending Chapter 1, Article 9, Division 5; Chapter 6, Article 3; and Chapter 8, Article 1 of the San Marcos Land Development Code to revise and update the City's Sign Regulations to add regulations for changeable electronic variable message signs.

Mayor Narvaiz opened the public hearing and asked if anyone wished to speak. No one did, so Mayor Narvaiz closed the public hearing. **MOTION:** Upon a motion made by Councilmember Guerrero and a second by Councilmember Couch, the City Council voted seven (7) for and none (0) opposed, to approve the ordinance on first reading. Ms. Jamison stated the Planning and Zoning Commission held a workshop on this issue and determined that while a useful technology, conditions must be established for appropriate location and operation of these signs. Planning and legal staff have worked to craft amendments to the LDC covering Changeable Electronic Variable Message (CEVM) signs that are both practical and enforceable. The proposed amendments limit the size of CEVM signs to a percentage of total free-standing or on-building signs, limits the mounting height of a CEVM sign and establishes operational standards to reduce distraction to drivers and potential nuisance to adjacent properties. The Planning and Zoning Commission held a public hearing and approved the amendments on a vote of 7-0 with three absences. The motion carried unanimously.

23. Hold a public hearing and consider approval of Ordinance on first reading amending Section 4.2.5.1 of the City Land Development Code to designate an area within the City as the Hopkins Street Historic District, along the 500 through 1200 blocks of Hopkins Street.

Mayor Narvaiz opened the public hearing and asked if anyone wished to speak. 1) Steve Cline encouraged the Council to support this Ordinance. Mayor Narvaiz asked if anyone else wished to speak. No one did, so Mayor Narvaiz closed the public hearing. **MOTION:** Upon a motion made by Councilmember Jones and a second by Councilmember Bose, the City Council voted seven (7) for and none (0) opposed, with Councilmember Thomaides abstaining (an Affidavit of Disclosure was filed with the City Clerk's Office and Mr. Thomaides left the Chamber during this item), for approval of Ordinance on first reading. The motion carried unanimously.

24. Consider approval of Ordinance on first reading amending Chapter 86, Article 3, Division 2, Industrial Waste Discharge Regulations, of the San Marcos City Code by replacing each reference therein to the term "industry" with a reference to the term "industrial user".

MOTION: Upon a motion made by Councilmember Guerrero and a second by Councilmember Couch, the City Council voted seven (7) for and none (0) opposed, approval of Ordinance on first reading. The motion carried unanimously.

25. Hold a discussion regarding Automated Meter Reading (AMR) Project and direction to Staff.

Dale Pennington, Managing Director of UtiliWorks Consulting, provided the Council with a powerpoint update regarding the AMR Project.

26. Hold a discussion regarding negotiation with Texas Disposal Systems (TDS) and direction to Staff.

Ryan Beard, Rick Froman and Bob Grear, Texas Disposal Systems, provided Council with a powerpoint



regarding solid waste collections and disposal services. Ms. Jamison inquired whether the Council wants trash collection two times or one time per week and whether the contract should be extended or re-bid. Mayor Narvaiz stated she feels for comparable prices the City would have to go to once a week trash collection. Mr. Guerrero stated he supports the once a week trash collection, if the \$5 per month for an additional receptacle is omitted. Mr. Jones stated he feels the Council should keep trash collections at two times per week. Mr. Thomaides stated he like twice a week collection, but the cost increase is too steep. He suggested Council going with a once a week collection and then review the contract after a year. Mayor Narvaiz stated with the cost of \$5 for an additional cart is still less to have the extra cart than to keep twice a week collection. The Council agreed by consensus to once a week trash service and to negotiate the cost for an additional cart. The City Attorney was instructed to address the language on changing cost structure for CPI. Ms. Jamison provided the Council with an outlined cost for city services. The Council agreed by consensus to leave in-city services and to continue with the current provider. Ms. Jamison stated she needed direction regarding Multi-Family recycling, whether voluntarily participation or mandate by ordinance. Mr. Fraumann stated Multi-family recycling is for different types of materials; corrugated, mixed paper, etc. He stated TDS would come with same truck with recycling at the curb, and have different ones. Mayor Narvaiz and Mr. Guerrero stated they feel this additional cost would be passed on to the renters. Mayor Narvaiz stated with the affordable housing issues and San Marcos this would cause additional hardship to some. Mr. Thomaides stated he is not sure mandatory is the way to go, but it would have significant benefits. Mr. Jones stated he feels this is an issue the city is concerned about, and this is the method we need to take of some of the problems the City is having. The Council agreed by consensus to agendize a public hearing for public comments regarding multi-family collections becoming part of residential collections, and to come back with an additional discussion item so the Council can provide direction to Staff. Ms. Jamison inquired to directions regarding a single drop off center or multiple drop off sites for Recycling. Mr. Thomaides stated San Marcos has a recycling center in town and he feels Council should negotiate with them. The Council agreed by consensus to go out for bids for a recycling contract. Ms. Jamison stated she needs to get direction regarding the Franchise Fee for when Staff begins talking to the commercial and solid waste provider. She stated the City is currently at 5% and if the City went to 10% this would be absorbed in the rates. The Council agreed by consensus to not increase the 5% Franchise Fee.

27. **Hold a discussion regarding provisions of the San Marcos City Charter that need to be addressed by the Charter Review Commission and direction to Staff.** Due to the late hour this Item was moved to the February 19, 2008, City Council Meeting.

28. **Hold a discussion regarding Legislative initiatives to be presented during trip to NLC March 8-11, 2008 and direction to Staff.** Ms. Jamison stated during the NLC March Conference some of the Council Members usually meet with our Senators to discussion a few issues. She inquired to the initiatives the Council would like to discuss. The Council agreed by consensus to present Loop 82 Overpass, Homeland Security Dollars for Training Facility for Fire, Ecosystem Restoration and Airport funding.

29. **Hold a discussion to remove prohibition of Swimming Ordinance at and around Spring Lake Dam and direction to Staff.** Mr. Thomaides stated he contacted the City Attorney regarding a concern with the swimming ordinance. He stated Mr. Cosentino researched and provided him with the ordinance that has a complete and total prohibition as it is written into law. Mr. Cosentino stated the ordinance prohibits entry into the river from the banks. He stated if the Council repeals the ordinance this would still leave some control to the University, so the University can restrict entry from their property. The Council agreed by consensus to bring back amended Swimming Ordinance at Spring Lake Dam removing the prohibition of swimming.