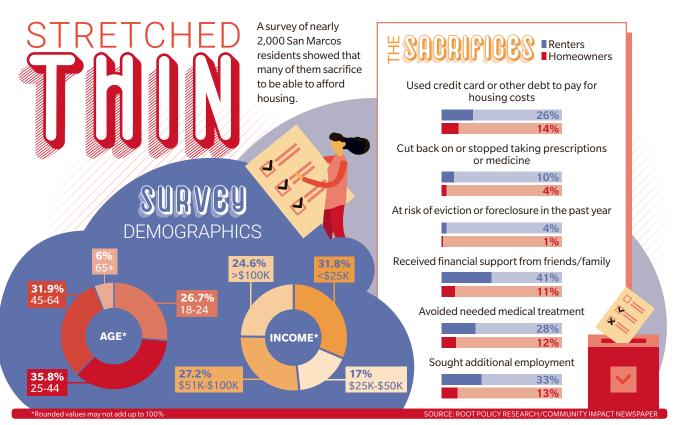


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San Marcos' housing task force seeks input from locals

BY **HOJUN CHOI**

The San Marcos Workforce Housing Task Force, formed in September 2018 as part of the city's push to remedy a lack of affordable housing, is now focused on gathering community input on a draft of its action plan.

Laura Dupont, the chair of the task force, says it has not been easy getting all the neighborhoods in the city to embrace the action plan, which is expected to be presented to the City Council in October. One of the major challenges, Dupont said, has been

CONTINUED ON 26

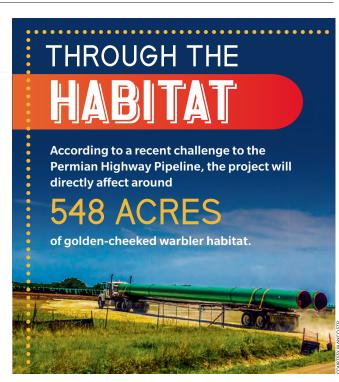
Pipeline faces legal action over endangered species

BY **KATHARINE JOSE**

Local opponents of the Permian Highway pipeline have taken a second major legal action to try to force the company developing the project into conducting a full and public environmental review.

Hays County, Travis Audubon Society and several private plaintiffs filed a notice of intent July 17 to sue the U.S. Army Corps of Engineers, the U.S. Fish & Wildlife Service and Kinder Morgan. The challenge follows months of discussion among elected officials and residents over the impact that the proposed natural gas pipeline could have on the environmentally sensitive region.

"Basically the suit is saying: We need you to do an environmental impact study," said Christy Esmahan, a Travis Audubon board member and chair of the advocacy committee.



SAN MARCOS BUDA KYLE EDITION

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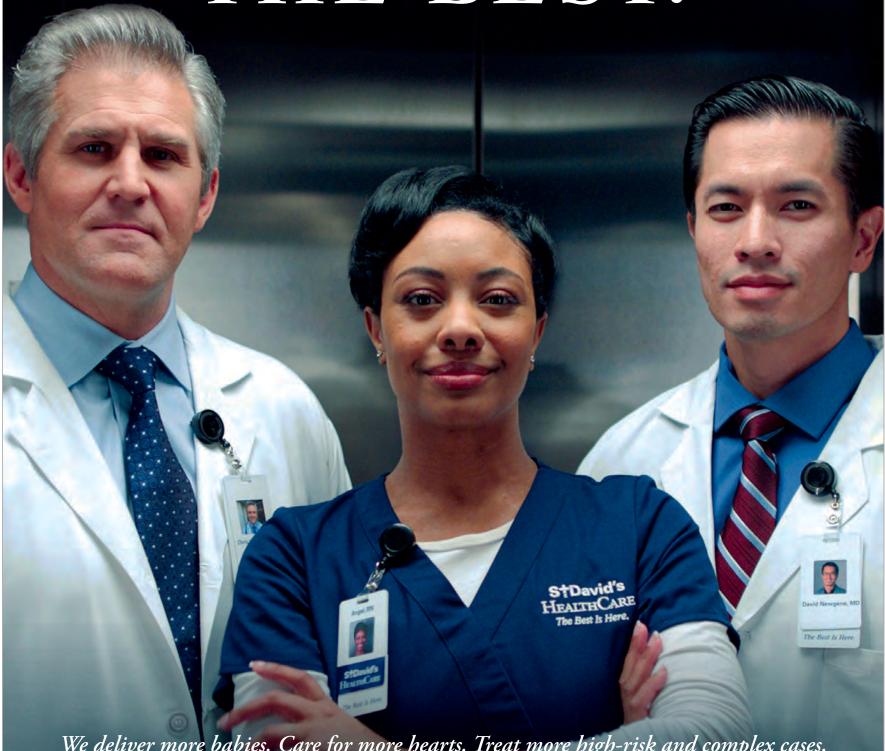








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PUBLISHERS AND FOUNDERS

John and Jennifer Garrett

PUBLISHER-AUSTIN METRO

Travis Baker

GENERAL MANAGER

Vicki Hayes, vhayes@communityimpact.com

EDITORIAL

EXECUTIVE EDITOR Joe Lanane

MANAGING EDITOR Joe Warner

EDITOR Katharine Jose

REPORTER Hojun Choi

COPY CHIEF Andy Comer

COPY EDITORS Katherine Powell, Kasey Salisbury

ENGAGEMENT EDITOR Natalie Moore

ADVERTISING

SALES DIRECTOR Tess Coverman

ACCOUNT EXECUTIVE Adrian Martinez

GENERAL MANAGER, DIGITAL Rick Robinson

DESIGN

CREATIVE DIRECTOR Derek Sullivan

ART PRODUCTION MANAGER Haley Grace

GRAPHIC DESIGNER Rachal Russell

BUSINESS

ABOUT US

GROUP PUBLISHER Traci Rodriguez
CHIEF OPERATING OFFICER Claire Love

CHIEF OPERATING OFFICER CI

John and Jennifer Garrett began Community Impact Newspaper in 2005 in Pflugerville, Texas. The company's mission is to build communities of informed citizens and thriving businesses through the collaboration of a passionate team.

CONTACT US

16225 Impact Way, Ste. 1 Pflugerville, TX 78660 • 512-989-6808 communityimpact.com

PRESS RELEASES sbknews@communityimpact.com
ADVERTISING sbkads@communityimpact.com

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Proud to be an Impacter!

Hello and welcome to this month's issue of *Community Impact Newspaper*. My name is Vicki Hayes, and I am the new general manager of the San Marcos-Buda-Kyle edition.

I am a native Texan who has been living in North Carolina for the past 28 years—I am so happy to be back in the state where I was born. I am doing my best to get to local business and civic groups to introduce myself and listen to questions or concerns, but I also want to hear from you, our valued readers. I want to know what you may want from us in the future.

In this month's issue, Editor Katharine

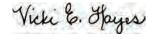
Jose continues her coverage on the Permian Highway Pipeline. Our new reporter, Hojun Choi, covered the State of San Marcos event—which included school and county officials—and submitted an interesting story about our community: who we are, where we are going and how we will get there.

The San Marcos area is a great place to be, and I am very grateful to now call it my home.

Please feel free to email me anytime with questions or concerns, and if you see me around town, please stop me and say hello.

I look forward to meeting you!





Vicki Hayes

GENERAL MANAGER

vhayes@communityimpact.com

ASK THE EDITOR





EDITOR

kjose@communityimpact.com

Do you have a question about how local government works or something going on in town? Send it to sbkfeedback@communityimpact.com.

Do other neighborhoods get 'Community Impact Newspaper?'

John and Jennifer Garrett launched *Community Impact Newspaper* in 2005 from their game room to provide hyperlocal, useful news to readers. Today, we continue to be locally and privately owned by the Garretts, and we've also been fortunate to have grown to serve new communities over nearly 14 years.

In addition to this newspaper our team works to deliver into your hands each month, there are eight more editions in Central Texas. We also have newspapers in the Dallas and Houston metros, and recently, we ventured out of state—starting editions in the Phoenix and Nashville areas.

If you are interested in finding out more about what's going on in other communities, visit our website at communityimpact.com and click the "Find Your Community" menu.

Do you have an idea for where we should go next? Give me a call at 512-615-1284 or write me an email. I love to hear from readers!

FEATURED STORIES

6 IMPACTS Now Open, Coming Soon & more

11 TO-DO-LIST Events around town

15 TRANSPORTATION Downtown San Marcos mobility hub gets close to opening

17 NEWS REPORT Buda takes GrubTubs to court over updated odor nuisance ordinance

San Marcos CISD administration building plans put on hold

21 CITY COUNTY Kinder Morgan sues Kyle after council passes new ordinance

23 BUSINESS FEATURE Ellipsis Boutique

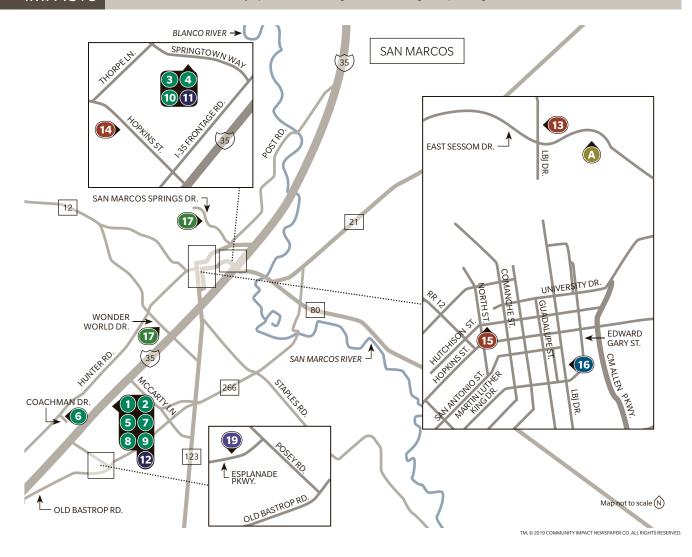
25 DINING FEATURE Cafe on the Square

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NOW OPEN

1 Bally, a Swiss luxury clothing brand, opened its first Texas outlet-based store July 3 at the San Marcos Premium Outlets, located at 3939 I-35, Ste. 181, San Marcos. Bally operates in 66 countries and specializes in footwear, accessories and clothing for men and women. 737-214-8440. www.bally.com

2 Stuart Weitzman, a luxury footwear and accessories brand, opened its first outlet-style storefront at San Marcos Premium Outlets on July 19. The company, largely known for its line of shoes, is in the middle of expanding into accessories, such as jewelry and handbags. The new 857-square-foot store is located at 3939 l-35, Ste. 1140, San Marcos. 512-392-3635. www.stuartweitzman.com

3 A new San Marcos location of **Pure Barre** opened on the ground floor of The
Lyndon, 200 Springtown Way, San Marcos,
on Aug. 1. The barre fitness franchise has
more than 500 studios across North America, according to the company, and also
offers online classes via streaming video.
512-222-6911. www.purebarre.com

4 Tiff's Treats, an Austin-born baked goods delivery shop, opened its first San

Marcos location July 29 at 200 Springtown Way. The store, located on the ground floor of The Lyndon apartment complex, will host a grand opening celebration Aug. 24 by offering cookies for \$5 per dozen along with other giveaways. Proceeds from the grand opening will benefit the Hays County Food Bank. 512-957-0704. www.cookiedelivery.com

5 Pepper Palace, a one-stop shop for barbecue sauces, salsas, pickled items, jellies, jams and beef jerky, opened its doors to San Marcos Premium Outlets shoppers in May. The store, located at 3939 I-35, Ste. 207, San Marcos, has a variety of different flavors and

offers free samples at the shop. The company also recently opened a store in Round Rock and has more than 50 stores across the country. www.pepperpalace.com

6 My Buddy's Pet Resort opened July 15 and is now taking reservations. The pet day care and overnight boarding service, located at 177 Coachman Drive, San Marcos, also offers grooming. Owner Ken Jenkins has been an active member of the San Marcos community for more than 40 years, according to the business's website. 512-667-7334. www.mybuddyspetresort.com

7 Stadium Signatures, a company with Houston roots, opened a storefront at San Marcos Premium Outlets on June 21. Located at 3939 I-35, Ste. 195, San Marcos, the family-owned business sells certified collections of sports helmets, jerseys, gloves, shoes, balls and other memorabilia. The store also boasts an extensive inventory of signed sports collectibles. 512-392-5400. www.stadiumsigs.com

3 Attic Salt, a retailer that specializes in all types of jewelry, gifts, novelty clothing and accessories, opened at San Marcos Premium Outlets on June 13. The 2,500-square-foot store is located at 3939 l-35, Ste. 1355, San Marcos, and is a place to find a gift for friends, family and loved ones. The company also has stores in Arizona, California, Colorado and Nevada. 512-318-2343. www.shopfuego.com

9 Wetzel's Pretzels opened both an inside store as well as an outside stand at San Marcos Premium Outlets in July. Located at 3939 I-35, Ste. 145, San Marcos, the restaurant, along with its food stand, offers shoppers a place to take a break and snack on sweet and savory handcrafted pretzels. The business prides itself on using fresh ingredients and also has a reputation for its freshly squeezed lemonade. www.wetzels.com

10 Ideal Dental opened in the ground floor of The Lyndon July 15 at 200 Springtown Way, Ste. 108, San Marcos. The practice has 69 locations around Texas, including in Austin and San Antonio. Dr. Travis Quintanilla, the featured dentist for the San Marcos location, offers a wide variety of dental services for children and adults. 512-717-6053. www.myidealdental.com/dentist-offices/san-marcos





COMING SOON

111 Green Mesquite BBQ, which has three different locations in the Austin area, is expected to open in November at The Lyndon apartment complex, located at 200 Springtown Way, San Marcos. The restaurant opened in 1988 and has locations in Barton Springs, Southpark Meadows and Round Rock. 512-282-7100. www.greenmesquitebbg.com

12 Twisted Cork is expected to open at San Marcos Premium Outlets, 3939 I-35, San Marcos, in early August at the mall's plaza area. The 400-square-foot wine bar offers frozen wine along with a lineup of 15 different beers, IPAs, sangrias and mimosas. The company also has three other locations in Central Texas. 512-522-5219. www.twistedcork.wine

ANNIVERSARIES

13 Dos Gatos Kolache Bakery celebrated its decade-long business in San Marcos in June. The store, operated by local entrepreneurs Chase and Seth Katz, is located at 700 N. LBJ Drive, Ste. 102A, near the Texas State University campus. After first opening the Czech-style kolache bakery in 2009, the brothers opened a second bakery by the same name on Wonder World Drive in December 2017. 512-392-1444. www.dosgatoskolaches.com

14 The San Marcos location of Earth Burger, located at 656 E. Hopkins St., will celebrate its first anniversary Aug. 19. The plant-based, fast-food restaurant from San Antonio is a vegan and vegetarian eatery and the company's fourth location. Earth Burger features a drive-thru window and serves yegan burgers, fries, salads and coconut soft-serve ice cream. 210-254-1391. www.eatearthburger.com

15 Top Shelf Boutique will celebrate one year in business Aug. 18 at 331 W. Hopkins St., Ste. 102, San Marcos. The boutique sells women's clothing, accessories and handbags. 281-731-4048. www.facebook.com/topshelfsanmarcos

NEW OWNERSHIP

16 Maraya Dunn is the new owner of

COMPILED BY KATHARINE JOSE AND **HOJUN CHOI**

News or questions about San Marcos, Buda or Kyle? Email us at sbknews@communityimpact.com.

Stinky Dawg, a self-serve dog washing and professional grooming service located at 151 S. LBJ Drive, San Marcos. In addition to five self-serve dog wash stations, Stinky Dawg sells gourmet treats and birthday cakes for canine companions. The business celebrated its five-year anniversary in May 2018. Dunn has served as the new owner since June 4. 512-262-9482. www.stinkydawgwash.com

EXPANSIONS

17) The Meadows Center for Water and the Environment, 201 San Marcos Springs Drive, San Marcos, expanded its course offerings beginning in June by launching the Splash Into Science class. The two-hour course offers an introduction to the unique history and habitat of Spring Lake and guided tours of some of its most notable features, such as the Ossified Forest and Diversion Springs. Equipment is provided. 512-245-9200. www.meadowscenter.txstate.edu/ education/snorkelprogram.html

RELOCATIONS

18 Century 21 Randall Morris & **Associates** in San Marcos is planning on moving to the bottom floor of a new office commercial space, located 330 Wonder World Drive, sometime later this year. The new office will be 3,234 square feet. 512-353-1776. www.century21.com

SCHOOL NOTES

19 San Marcos CISD will be hosting a ribbon-cutting ceremony at 4 p.m. Aug. 21 at 1481 Esplanade Parkway, San Marcos, to celebrate the opening of Rodriguez Elementary School. Construction on the new campus, which will be the seventh elementary school in the district, is scheduled to finish before school starts, according to district documents. The project was included in the district's 2017 bond package. 512-393-6700. www.smcisd.net

FEATURED IMPACT—IN THE NEWS



Current and former San Marcos city officials gathered to dedicate a new mural by Washington artist Jake Wagoner on July 2. The mural is located on the retaining wall on Sessom Drive, near the North LBJ Drive intersection. Titled "Life in Color," the mural is meant to show the wildlife of the Edwards Aquifer and to encourage environmental stewardship. 512-393-8000. www.sanmarcostx.gov























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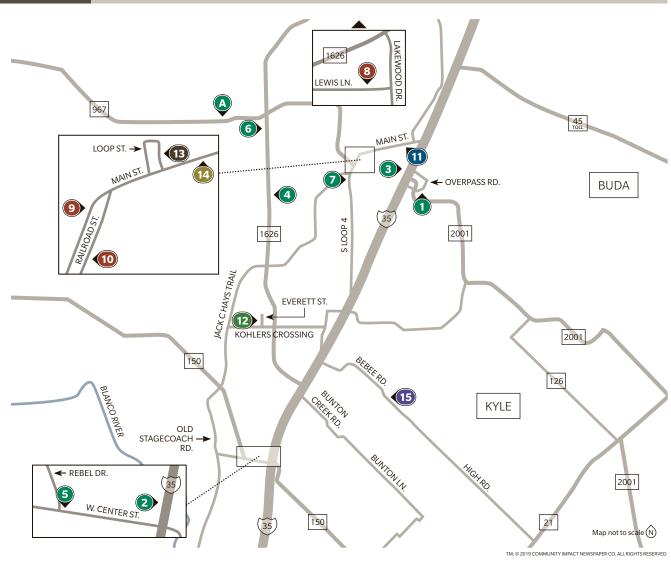
We're no longer three generations in one household, and that's a huge stress lifted off of our shoulders. It's a huge blessing. I don't think [Habitat] realizes how much good that they've done in our life.

- Celeste, Austin Habitat Homeowner

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NOW OPEN

1 The primary care and multispeciality clinic at the new **Baylor, Scott & White Medical Center** in Buda opened Aug. 5 at 5330 Overpass Road, Buda; appointments can be made on the website. The medical campus will also include Buda's first full-service hospital, which is scheduled to open Sept. 28. 737-999-6600. www. bswhealth.com/locations/clinic-buda

2 Dr. Heather Bunting opened **Kindred Animal Hospital** at 22510 I-35, Ste. 109, Kyle, on July 17. Bunting is a native Texan who practiced veterinary medicine in Redondo Beach, California, and at Bulverde Animal Hospital outside of San Antonio before deciding to open her own shop in Kyle. Kindred is a full-service animal hospital that will be open two Saturdays a month in addition to weekdays. 737-208-0778. www.kindredanimalhospital.com

3 A new optometry practice, **Budaful Eyes**, run by Dr. Michael Chavez, formerly of Eye Capitol in Austin, held a soft opening Aug. 16 at 15550 S. I-35, Ste. 107, Buda. A Buda resident, Chavez will offer eye exams, glasses, contact lenses and

treat ocular emergencies. 512-598-5981. www.budafuleyes.com

4 Fijisno, a veteran-owned shaved ice food truck, opened for business June 24 at Buck's Backyard, 1750 FM 1626, Buda. In addition to traditional flavors, Fijisno sells more unique choices, such as pickle juice, and offers options such as ice cream, sweet cream or a sour splash. 512-786-8474. www.facebook.com/myfijisno

5 Abundant Life Counseling Services, which has had a location in North Austin since 2003, opened a Kyle branch July 2 at 802 W. Center St. Professional counselor

Michelle Johnson, who lives in Kyle, will offer both traditional and faith-based sessions for children, adults, individuals and couples. 512-258-5100. www.abundantlifecounseling.com

6 A new location of McSpadden's Tire & Automotive, a full-service mechanic shop, opened July 6 at 420 S. FM 1626, Buda. "This is a dream come true for us and it has been over 20 years in the making," the owners wrote on Facebook. "We feel very blessed!" The Buda shop joins locations in Austin, Pflugerville and Bee Cave-Lakeway in offering a variety of services for motor vehicles. 512-523-9800. www.mcspaddenautomotive.com

After a soft launch earlier this summer, **Plumber Near Me** is up and running in Buda. Owner Stephen Harwell and his wife operate the family-owned business from 100 Precision Drive, Ste. 103, Buda, and serve residential and commercial clients in Austin, Buda, Kyle and San Marcos with a roster of master plumbers and licensed experts. 512-361-0502. www.myplumbernearme.com

ANNIVERSARIES

3 Sunshine Cottage Preschool and Development Center, located at 402 Lewis Lane, Buda, will celebrate its fifth anniversary Sept. 1. The facility offers care and education for children who are infants through age 5. 512-312-4816. www.sunshinecottagepreschool.com

Chocolate Drop Confections will celebrate its first anniversary at Cambria and Jordan's Rail Switch food truck park, 400 Main St., in downtown Buda on Sept. 5. The dessert shop, which has added a full menu of meat- or plant-based burgers, hot dogs, fries and other items in addition to baked goods, soft-serve and chocolates, also makes deliveries. Special deliveries of full pies, cakes or cookie trays can also be arranged. 512-657-7336. www.chocolatedropconfections.com

airbrush tanning as well as both stand-up and lie-down tanning beds, will celebrate one year in downtown Buda, 203 Railroad St., Ste. 3A, on Aug. 20. 512-523-8477. www.facebook.com/baretans78610

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NEW OWNERSHIP

11) HCA Healthcare, a nationwide health care provider that operates **CareNow**Urgent Care Centers, has purchased 24

MedSpring urgent care centers in Texas.

St. David's HealthCare and CareNow are affiliated, so Austin locations will be rebranded as St. David's CareNow Urgent Care centers, according to a July 1 media release from St. David's. The Buda location 1567 Main St., Ste. 100, will rebrand. 512-351-4405. www.carenow.com

NEW MANAGEMENT

12 Firehouse Animal Health Center, located at 4100 Everett St., Ste. 100, Kyle, hired Dr. Ashley Opyt in June as its medical director. Opyt joins Drs. Roslyn Reavis and Staci Hansen, who have been with the practice for two years. Firehouse, which first opened in 2014, offers a wide range of veterinary services in an environment that focuses on a stress-free experience for people and pets. 512-410-0616. www.firehousekyle.com

EXPANSIONS

13 The Buda Public Library, at 405 Loop St., Buda, expanded its services in July with the new self-check stations that guests can use for faster and easier checkout by using their library card and password or phone number before scan-

COMPILED BY **KATHARINE JOSE AND HOJUN CHOI**

News or questions about San Marcos, Buda or Kyle? Email us at sbknews@communityimpact.com.

ning. Overdue fees of more than \$5 can now also be paid with credit cards, as can fees for lost items. 512-295-5899. www.ci.buda.tx.us/108/Library

NAME CHANGE

The businesses formerly known as Buda's Protein Weight Loss changed its name in June to **Results Weight Loss &**Med Spa; it is located at 825 Main St., Buda. Owners Debby Brewington and Kelly Reyes said in a release that they "needed a new name for their business that reflects their focus of achieving the best results." They have also added a med spa and offer facial and non-invasive body contouring in addition to a specialty store, where they sell low calorie, low carb, low fat, high protein and gluten-free foods, among other items. 512-295-0173. www.budaweightloss.com

SCHOOL NOTES

CEI Preschool Spanish Immersion School, located at 2381 Bebee Road, Kyle, opened its doors June 10. The facility, which is open 6:30 a.m.-6:30 p.m., focuses on educating and caring for children 6 weeks through 5 years old. 512-621-3202. www.ceipreschool.com



Hays CISD cut the ribbon on **Johnson High School**, located at 4260 Ranch Road 967, Buda, on Aug. 3. Johnson High, the district's third comprehensive high school, was funded with \$122 million from the 2017 voter-approved bond and will host freshman and sophomore classes in its inaugural year. 512-268-2141. ww.hayscisd.net/hs3









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The free and all-inclusive music festival known as SMFEST takes place across more than 10 San Marcos venues and businesses and features dozens of local musicians. Times and locations vary, check the website for up-to-date schedules. Free. Downtown San Marcos, www.smfest78666.com



The festival put on by the city of Kyle features more than 25 hot air balloons and includes performances by the Austin End of the Line Kite Team, fireworks, kite-making and the "gathering of the Kyles" as well as pie-centric events. Activity dates and times vary; check the website for specifics. Free (under age 10), \$20 (adult weekend pass), \$30 (at the gate). 512-262-1010. www.pieinthesky.com



A national nonprofit organizes this five-week running series for ages 2-14, designed to help kids get active. 4 p.m. (race starts). \$40. Buda Sportsplex, 310 Buda Sportsplex Drive, Buda. 512-568-1549. www.healthykidsrunningseries.org/ race-locations/buda-kyle-tx

BUDA SPORTSPLEX

AUGUST

THROUGH OCT. 14 SEE ORIGINAL ARTWORK BY ARTISTS FROM AROUND THE AREA

A new juried art show with the theme "San Marcos: A River Runs Through It" will be on display at the Price Center from August until October. Made possible in part by a grant from the San Marcos Arts Commission, the works displayed in the show are original pieces by area artists who submitted work. Some of the items are for sale, and a portion of the proceeds will benefit the Price Center, 10 a.m.-5 p.m. Free. 222 W. San Antonio St., San Marcos. 512-393-2900. www.price-center.org

NETWORK WITH OTHER LOCAL BUSINESS OWNERS

The San Marcos Chamber of Commerce Business Expo is in its 34th year and expects at least 125 local businesses and



The sixth annual SMTX Pride event, the theme of which is red this year, includes a march, live music, a drag show and an after party at Zelick's. Noon-5 p.m. Free. San Marcos Park Plaza, 206 N. CM Allen Parkway, San Marcos. 512-644-5637. www.smtxpride.org

organizations to set up booths or exhibits for socializing, networking and learning about the community. An after-hours gathering with a cash bar will follow the main event. 10 a.m.-5:30 p.m. (exposition hall open), 4:30-5:30 p.m. (after-hours event). \$35 (expo passport). Embassy Suites by Hilton San Marcos Hotel, Conference Center and Spa, 1001 E. McCarty Lane, San Marcos. 512-393-5900. www.sanmarcosbizexpo.com

CELEBRATE SAN MARCOS' HOMETOWN JAZZ LEGEND

Learn about and honor trombonist, guitarist and musical arranger Eddie Durham, the San Marcos native who had a lasting influence on jazz, swing and other genres of popular music in America. Sponsored by The Calaboose African American History Museum, the festival will include art, music and spoken word. Times to be announced. Free. Eddie Durham Park, 201 MLK Drive, San Marcos. 512-393-8421.

www.facebook.com/calaboosemuseum

LEARN HOW TO GROW FALL VEGETABLES AT HOME

The Hays County Master Gardener's fall vegetable gardening class will help participants with planning, site selection, seed and plant choice and soil health as well as feeding and watering in order to grow produce before the winter closes in. 10:30 a.m. Free. Buda Public Library, 405 E. Loop St., Buda. 512-295-5899. www.budalibrary.org

SEPTEMBER

HIT THE GREENS AT THE PLUM CREEK GOLF COURSE

The Kyle Chamber of Commerce hosts the annual Kyle Classic Golf Tournament, where morning golf is followed by an awards luncheon for sponsors and players once the last golfers have finished. 7:30 a.m. (check-in), 9 a.m. (shotgun start). \$175 (individual), \$400 (team of four). Plum Creek Golf Course, 4301 Benner Road, Kyle. 512-268-4220. www.kylechamber.org

START THE SCHOOLHOUSE ROCKS FALL RUNNING SERIES

Directed by For the Love of Go, a Kylebased nonprofit dedicated to providing wellness opportunities for local families, the Schoolhouse Rocks Fall Series challenges participants to better their health by completing a set of three races. The first event is the 2019 Hornet Races on Sept. 14, which is followed by the Race for the Stars on Sept. 28 and the Bulldog Dash on Nov. 2. Participants must complete all three to win the Schoolhouse Rocks medal. The Hornet Races start at 7:30 a.m. at Tom Green Elementary School, 1301 Old Goforth Road, Buda. \$60 (all three races).

www.fortheloveofgo.com

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24 Jody Booth

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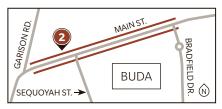
RECENT UPDATES



1 Lehman Road closure

Installation of a 30-inch wastewater line under FM 150 at Lehman Road is complete, Kyle City Engineer Leon Barba told City Council in July, and work on installing casing for a 12-inch reclaimed water line has begun, though Lehman is still closed between FM 150 and Primrose Boulevard. The project is funded by the 2013 voter-approved bond and is expected to cost about \$6.1 million.

Timeline: expected completion in January 2020



2 Main Street Improvement Project

Work on Buda's Main Street Improvement Project officially began in July. The first phase of the project will include installing a traffic signal at Main Street and Sequoyah Street to aid in controlling traffic generated by the new municipal complex. The work is being funded by the city's 2014 voter-approved Proposition 3 bond. Future phases will include widening the intersection of Bradfield Drive and Main, modifying signals, extending the sidewalk along Main and improving access to Bradfield Park.

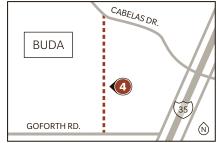
Timeline: expected to be complete in summer 2020



3 Wonder World Drive and Hunter Road intersection work

The city of San Marcos Engineering Department and the Texas Department of Transportation also held a public hearing July 9 to gather feedback on the planned changes to the intersection of Wonder World Drive and Hunter Road. The project would add two pedestrian islands, add bike lanes, and update signage and striping to improve safety.

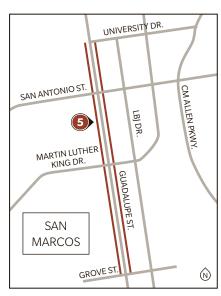
Timeline: design expected to be complete in August; construction expected to be complete in May 2020



4 Cabela's Drive connector

The geotechnical study, pavement design, environmental study and preliminary schematic for the West Goforth Road to Cabela's Drive connector has been completed, according to officials from the city of Buda. Buda previously asked the Capital Area Metropolitan Planning Organization for funding of the project, and although it "ranked well," according to city documents, no money was awarded at that time. The city hopes other projects will come in under budget and will provide the means to complete the road, which runs between West Goforth and Cabela's Drive.

Timeline: TBD



5 Guadalupe Street improvements

The city of San Marcos and TxDOT held a public hearing June 24 at the San Marcos Activity Center to listen to comments on the proposed improvements to Loop 82, also known as Guadalupe Street. Phase 1 of the project would add pavement striping between University Drive and Grove Street as well as bike lanes and sidewalk improvements along the east side of Guadalupe between Martin Luther King Drive and the railroad tracks—including improvements to the intersection signaling to accommodate cyclists. See the city of San Marcos website to view documents from the open house: www.sanmarcostx.gov.

Timeline: bidding expected to be complete in November; construction complete by April 2021

All information on this page was updated as of 8/5/19. News or questions about these or other local transportation projects?
Email us at sbknews@communityimpact.com.





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- Orinking fountain
- Parking
- Lawn area/casual seating space
- Limestone benches
- Public art/sculpture
- Shaded structure
- Rain garden

SOURCE: CITY OF SAN MARCOS/COMMUNITY IMPACT NEWSPAPER

TRANSPORTATION

San Marcos' first mobility hub takes shape as scheduled opening approaches

BY **HOJUN CHOI**

San Marcos' first mobility hub is scheduled to open in late August or early September, but it could take the city several more months to finish placing all the planned features.

Mobility hubs have been used in other cities as convenient access points for different methods of public transportation. Austin, for example, has different types of mobility hubs that cater to bike, bus and rail riders.

Before San Marcos City Council approved plans for the mobility hub located 214 E. Hutchison St.-in January 2018, the lot had been considered for a surface parking lot.

When plans for the mobility hub were approved by City Council, the project included a performance stage, a mural, benches, green space, an electric car-charging station, public art, a rain garden, a pet waste station, a water refill station, bike racks, a

bike-repair station, a snack bar and four parking spaces, along with one Americans With Disabilities Act-compliant parking spot.

The hub will still include some parking, including a handicapped spot, but will have two fewer spaces than the five originally included in approved designs.

Bert Stratemann, San Marcos parks operations manager, has been helping manage the project due to his experience in public amenities. He said the city will be able to add the additional parking spaces in the future.

"Because we, at this time, cannot move one of the utility poles, we are losing a couple of parking spaces until future development relocates the utility poles," Stratemann said.

As for amenities, such as the bike-repair station and shade structures, Stratemann said the city is still on schedule with its late August target

completion date. Details on the public art components have not yet been ironed out.

Additionally, bus transit stops that had been planned as part of the project will not be completed before the mobility hub is open. Stratemann said new bus stops, which would be placed on East Hutchison Street, could be operational as early as October.

Stratemann added that the project has stayed on its \$361,000 budget approved by City Council.

Mayor Jane Hughson was still a council member when plans for the mobility hub were approved. She also served on the subcommittee charged with looking into potential uses of the property.

"Given the original plan of being a parking lot, which wouldn't have held be a nice draw," Hughson said.

3

She said the mobility hub, in time, could have car-sharing stations, along with other amenities to aid commuters.

HUTCHISON-ST.

Hughson said the hub will be more than just a place to help facilitate public transportation; it will also be a place to take a break and enjoy the scenery.

Though the city's arts commission has not yet received many details about art options, San Marcos Arts Coordinator George Hatt said commissioners have expressed interest in the project.

"I think any time we have the opportunity to team up with other city departments as well as anybody else who we can work with to help bring some great art and cultural opportunity, it's exciting," Hatt said.

"It's just going to be a nice bright spot of greenery and a

place to just sit and relax and think about how great it is to be

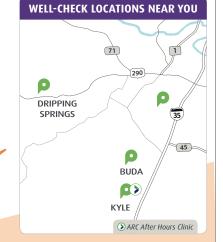
> in San Marcos, Texas." — JANE HUGHSON, SAN MARCOS MAYOF

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Austin-based startup GrubTubs will contest Buda's newly expanded odor regulations

BY **HOJUN CHOI**

Austin-based startup GrubTubs is denying that it violated Buda's newly adopted odor regulations.

The startup, which composts food waste to produce animal feed, had until Aug. 7 to respond to complaints from the city of Buda that it had violated an expanded odor nuisance ordinance that the City Council approved in May.

Though the company is headquartered in Austin, it conducts its composting on a farm located just outside Buda's city limits, across the street from the Whispering Hollow neighborhood.

About a year after GrubTubs started operating the farming and composting facility in April 2018, the Texas Commission on Environmental Quality began receiving complaints about odors. Officials in Buda also began hearing informal complaints in the months before City Council approved an updated odor ordinance May 7, 2019.

In short, the new ordinance expands the city's jurisdiction of its odor nuisance code to 5,000 feet past city limits.

City Attorney George Hyde emphasized that the City Council did not "target" GrubTubs, but he said the change was spurred by resident complaints.

"The complaints that the citizens of the city had were heard by the City Council, and the City Council responded by developing a law that would protect them," he said.

In light of the updated ordinance, Buda city officials met with GrubTubs executives in June about eight code compliance violations regarding the smell coming from the farm.

"Because it's a new law, we didn't want to just hammer these people; we wanted to treat them the way that we want to be treated," Hyde said.

About two weeks after their June meeting, GrubTubs submitted a Continuous Quality Improvement Report for the city's review, but Hyde said the city received more than 50 resident complaints around the same time, which led to calling the company to court.

"After 50 complaints over that time period, it was no longer something we could just try to get them into compliance with," Hyde said.

GrubTubs' social mission is to reduce the amount of food waste in landfills,

which it does by composting excess organic materials from restaurants and grocery stores into material that can be used to grow grubs, or fly larvae. Adult grubs are sold as animal feed.

"It's really a logistics problem that we're trying to solve—to keep food waste out of the trash and, in turn, help farmers," GrubTubs Director of Marketing Stephanie Hicks said.

The company has won several recognitions and in January was accepted into Chipotle's accelerator program, which aims to help food-related startups grow their businesses.

GrubTubs Chief Operation Officer Peter Black said the company had been expecting Buda to respond to its proposed plans for addressing odor violations when the city issued its order to appear in court.

"It's a little surprising that we didn't get feedback on our plan before we were pulled into court," Black said.

Included in the company's report were plans that had been implemented by GrubTubs both before and after its June meeting with city officials. Among those actions were: moving a portion of its composting process into an enclosed greenhouse and added methods for reducing odor-causing bacteria.

In its report, the company stated that it was considering implementing "various channels to reach out to the Buda community and neighborhoods" to communicate its mission of helping small farmers. GrubTubs also told the city that it would be open to starting a hotline for questions and concerns.

Despite the efforts described in the report, Hyde said Buda city officials feel that GrubTubs failed to work diligently to "remediate and mitigate" issues surrounding odor.

"THE COMPLAINTS THAT THE
CITIZENS OF THE CITY HAD WERE
HEARD BY THE CITY COUNCIL, AND
THE CITY COUNCIL RESPONDED BY
DEVELOPING A LAW THAT WOULD
PROTECT THEM."

 $-\operatorname{\mathsf{GEORGE}}\operatorname{\mathsf{HYDE}},\operatorname{\mathsf{BUDA}}\operatorname{\mathsf{CITY}}\operatorname{\mathsf{ATTORNEY}}$

Hays County and TCEQ each conducted separate investigations into the GrubTubs farm in response to local complaints. None of the county's inspections were odor-related.

PASSING THE SMELL

When a complaint is made to the **Texas Commission on Environmental**

Quality regarding an "odor nuisance," the agency has specific steps it must take to detect and measure the severity of a reported smell issue.

HOW TCEQ INVESTIGATES

On-site investigation conducted at the residence or business of the complainant

TCEQ tries to determine the source of the odor and conducts on-site investigation of the alleged source

ODOR NUISANCE ACCORDING TO THE TOEO

Texas Health and Safety Code defines "air contaminant" as

- particulate matter
- mist
- radioactive material
- smokevaporodor
- dust

 fumes including any combination of those items produced by processes that are

not natural.

SOURCE: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY/COMMUNITY IMPACT NEWSPAPER

A representative from TCEQ told *Community Impact Newspaper* that the agency had received "about 50 complaints" regarding the farm, starting in December. Complaints that were received after Buda's expanded odor ordinance were relayed to city officials.

The agency conducted three separate on-site investigations in response. Reports for the first two investigations have been made public, while the third, which took place July 9, was still under review as of Aug. 9.

According to reports for the two initial investigations, which took place March 15 and June 11, the company was not hit with any odor nuisance violations by TCEQ.

GrubTubs did receive violations related to its placement of composting piles, and it was also cited for inadequately mixing and covering "putrescible material."

"During an investigation conducted on March 15, 2019, it was observed that the compost had been inadequately processed to prevent odors and vectors because it had been poorly mixed, leaving rotting food on the surface, which was not

MEASURING ODOR NUISANCE

Investigators use the FIDO Chart to document whether an odor nuisance is present.

FIDO stands for Frequency, Intensity, Duration and Offensiveness

Investigators may also use handheld monitoring equipment to screen for odor nuisances.

UNDERSTANDING FIDO

FREQUENCY

How often an odor is experienced

INTENSITY

How strong the odor is

DURATION

How long the odor is experienced

OFFENSIVENESS

How unpleasant the odor is to most people

covered with adequate amounts of cover," the TCEQ report states.

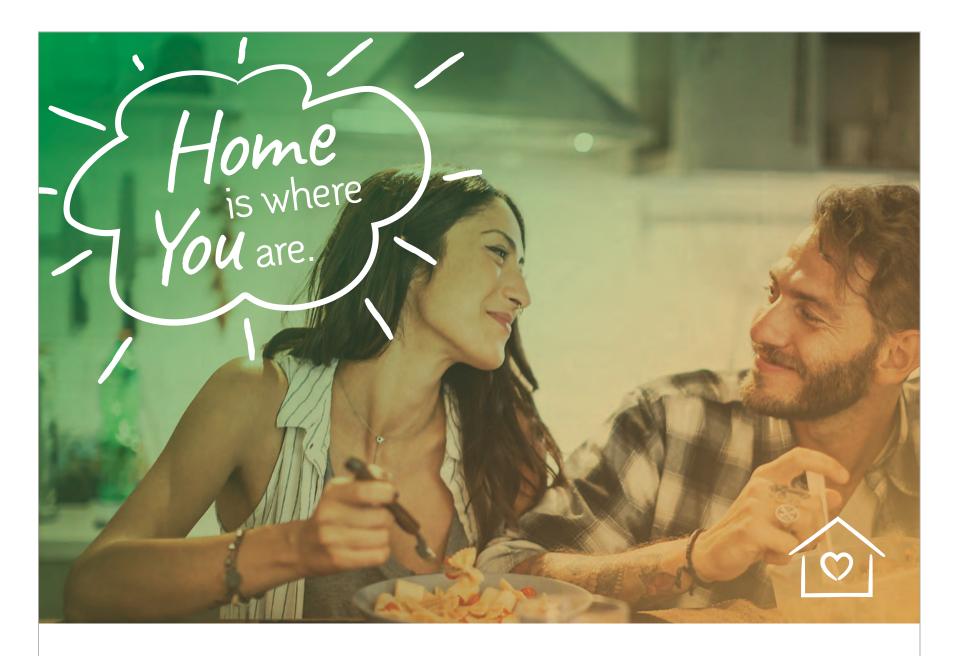
Black said all violations related to potential odor have been resolved.

Robert Olivier, founder and CEO of GrubTubs, said the company did not reach out to the city before opening the composting operation, as the property had previously been a farm.

"We gave a 30-day notice to the neighbors that we were going to apply for a compost permit at our farm; that's what is required according to TCEQ laws and regulations; and all this was done in 2018," Olivier said.

As for the city of Buda's expanded odor regulations, Black said the company was only notified of the ordinance after changes were adopted by the City Council.

"Nobody reached out to us," he said.



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District halts plan for new administration building

SAN MARCOS CISD With an estimated \$7 million deficit looming over the upcoming school year, San Marcos CISD trustees took a step back July 15 on plans to fund a new central administration office.

The board voted unanimously to rescind its previous decision authorizing \$4.55 million for renovations to a portion of Mendez Elementary School, which will allow the district to put \$4.29 million back into its general fund balance.

Plans for a new office location were sparked in late 2017 after air-quality tests evidenced mold at the central administration building on South LBJ Drive. After considering several options for relocation, trustees voted in February 2018 to renovate a part of Mendez Elementary School to house the district's central office.

Trustees approved the project, but Superintendent Michael Cardona said previously unexpected costs related to renovating the elementary school would require additional funding—something his administration was not willing to

ask of the school board.

In February, the SMCISD board of trustees voted 4-3 to postpone its final decision on the location of the new building and was considering two sites-the existing tract on South LBJ Drive or an 11.96-acre property at Hunter Road and Suttles Drive.

The July 15 vote voids the board's previous approval of the price tag on the renovation project, \$261,766 of which has already been spent on construction design and research, leaving approximately \$4.29 million available to return to the district's general fund.

Board President John McGlothlin said the decision was a "prudent" one, adding that the board's vote reflected a shift in the administration's expectations of when, where and how the central office would be relocated.

For now, the district will continue leasing space at 631 Mill St. to house central administration employees. Community Impact Newspaper reported in March that the temporary office would cost approximately \$12,000 per month in rent.



The search for a new site for the SMCISD central administration office began in late 2017 after air-quality tests revealed mold.



postponed by school board

Other location options presented to school board for consideration

JULY

Board rescinds previously approved decision to spend \$4.55 million for renovations

> SOLIRCES: SAN MARCOS CISDA COMMUNITY IMPACT NEWSPAPER

Iric Ramos named new principal for Science Hall

HAYS CISD Following the promotion of Karen Zuniga, the former principal of Science Hall Elementary School, to lead Lehman High School, Hays CISD has announced Assis-



tant Principal Iric Ramos will serve as the school's new head administrator starting in the 2019-20 school year.

After beginning his career in Austin ISD, Ramos joined HCISD in 2010 as an elementary school bilingual special education teacher. Two years later, he was promoted to campus leader and served as assistant principal at Simon Middle School and Camino Real Elementary School.

Ramos holds an undergraduate degree from Southwest Texas State University, now Texas State University, and a master's degree from Concordia University.



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County, city and school officials spoke at the State of San Marcos event.

Hughson highlights job creation, workforce need

SAN MARCOS Job creation and workforce development were among the major focuses of Mayor Jane Hughson's July 31 State of San Marcos address.

Hughson highlighted the city's initiatives and projects, including the historic survey and Workforce Housing Task Force. She said the city is committed to attracting more businesses and residents to San Marcos.

A major part of that mission, Hughson said, involves making living in the city more affordable while still preserving the history and culture of San Marcos.

San Marcos CISD Superintendent Michael Cardona and Hays County Judge Ruben Becerra also shared what they saw as their respective priorities for the next year.

Kyle hires Austin firm for defense against Kinder Morgan's lawsuit over development ordinance

KYLE Two weeks after the pipeline giant Kinder Morgan sued the city of Kyle over a development ordinance, City Council voted Aug. 6 to retain the services of Austin-based law firm Graves, Dougherty, Hearon & Moody to defend the city in court.

The suit, filed July 22 in the U.S. District Court in Austin, is the latest in a series of legal actions over the Permian Highway Pipeline; it charges Kyle with overstepping its authority when council approved a new set of rules that places additional restrictions on—and requires additional steps of—pipeline companies working within the city as well as developers building near those pipelines.

"I'm not going so far as to say we expected it," Kyle Mayor Travis Mitchell told *Community Impact Newspaper* after the suit was filed. "But it's not unexpected."

Kinder Morgan's suit against Kyle, which asks for both a preliminary and permanent injunction, argues the city does not have the power to regulate oil and gas pipelines because it is preempted by both state and federal law.

"In addition to occupying the field, the [federal Pipeline Safety Act] also expressly preempts municipal regulation of pipeline safety in Texas," the suit states, later adding, "[t]o add further clarity, the Texas Legislature provided that cities and counties do not have the power to regulate the safety of gas utilities and gas pipeline facilities."

The suit was filed just a week after the Texas Real Estate Advocacy and Defense Coalition said it would appeal the dismissal of a lawsuit in which both Kyle and Hays County were plaintiffs.

That challenge, which was filed originally April 22 before being dismissed June 25, is mentioned several times in the suit brought by Kinder Morgan, which calls the ordinance the "defendant's second attempt to impermissibly interfere with the construction and operation of the Permian Highway Pipeline."

Members of the TREAD Coalition are funding both lawsuits.

According to court documents, a hearing on Kinder Morgan's lawsuit has been scheduled for Sept. 17.

QUOTE OF NOTE

"WE ARE WINNING WITH AND WITHOUT INCENTIVES."

—STEVE PARKER, SAN MARCOS ASSISTANT CITY MANAGER, ON THE CITY'S ABILITY TO ATTRACT NEW COMPANIES

CITY HIGHLIGHTS

HAYS COUNTY Hays County commissioners voted to submit a grant application to the Texas Indigent Defense Commission to help fund the county's indigent defense coordinator program. If approved, the grant will fund \$73,638.40, or 80%, of the \$92,048 projected for the new program in its first year. The grant would also cover 60% of the program costs in its second year, 40% in its third year and 20% in its fourth year. The county would be responsible for the remaining costs of the program, which will help Hays County with the implementation and improvement of its indigent criminal defense services.

BUDA City Manager Kenneth Williams on June 30 started as president of the Texas City Manager Association for 2019-20. Williams, who has more than 20 years of experience in city government, described the position as an "honor of a lifetime." The association is a membership-based organization that promotes best practices and ethics standards for city managers in Texas.

SAN MARCOS The city's arts commission is now accepting applications for arts and cultural grants. The deadline to submit an application, which can be found on the city website at www.sanmarcostx.gov/artsgrants, is Sept. 15. The commission is holding an applicant workshop meeting from 6-8 p.m. on Aug. 27 at the San Marcos Activity Center to speak with those who are interested in applying.

Arts center negotiating lease for old Buda City Hall

BUDA City officials will start negotiations with an arts organization to be the new tenant for its old downtown City Hall building.

At their Aug. 6 meeting, council members voted to work on a contract with Inspired Minds Art Center, which is seeking to repurpose the facility, located at 121 S. Main St., into a center that will provide art education and theater to the community.

Sinead Whiteside and Susan Guerra, the co-owners of the art center, said the new facility would provide art instruction for children and adults along with space for a gallery. They also proposed subleasing a portion of the property to Hill Country Theatre.

"Inspired Minds Arts Center and Hill County Theatre will collaborate to bring the only diverse art center in Hays County to Buda," Whiteside told council members.

In 2017 the city conducted an online survey to ask residents how they thought the 5,730-square-foot building should be used in the future. The results of the survey, which had more than 380 responses, showed 29% of respondents wanted theater space.



Commissioners move forward with purchase of new hybrid voting machines

HAYS COUNTY Starting in November, Hays County residents will use new hybrid voting machines that produce paper records in addition to counting electronic votes.

County commissioners voted 4-1 on July 30 to authorize county staff to

negotiate a contract with Hart Inter-Civic for its Verity Duo system.

Hays County's voting equipment is aging—it was bought in 2004—but residents have been particularly concerned about having new machines that leave a paper trail since 1,816

votes were lost during the November 2017 election.

In terms of making sure all votes are counted accurately, Jeff McGill, Hays County's director of information security, said he was confident in the Hart InterCivic system.

MEETINGS

San Marcos City Council

Meets first and third Tuesdays of each month at 6 p.m. • 630 E. Hopkins St., San Marcos 512-393-8000 • www.sanmarcostx.gov

Kyle City Council

Meets first and third Tuesdays of each month at 7 p.m. • 100 W. Center St., Kyle 512-262-1010 • www.cityofkyle.com

Buda City Council

Meets first and third Tuesdays of each month at 6 p.m. • 405 E. Loop St., Buda 512-312-0084 • www.ci.buda.tx.us

Hays County Commissioners Court

Meets every Tuesday at 9 a.m. •11 E. San Antonio St., San Marcos • 512-393-2205 www.co.hays.tx.us



For instant coverage of these meetings, follow us on Twitter:

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Ellipsis Boutique

Local shop brings the latest fashions to Buda

hen Amy Krell opened her own boutique during the summer of 2017, she said she chose a name that meant something to her.

"Ellipsis is the dot, dot, dot," Krell said. "It always means: more to come, more to add to your story."

Krell used to work in an office, but when her family moved to Austin from Montana five years ago, she wanted to try something different.

"I discovered Buda, especially this area—the Mill and Grain [Co.]—and just thought, this is a good fit for me," Krell said.

Not long after opening the store, Krell and her family relocated.

"We moved to Buda about a year ago just to be more part of the community," Krell said. "Because we love it—it's such a small-town feel. It's growing, and it's going to be a big city, but it's still keeping that small-town vibe."

Ellipsis Boutique sells women's clothing, accessories, shoes and a few home goods.

Krell describes the style at Ellipsis as contemporary, fresh and above all "always changing."

Krell goes to Dallas a few times a year to bring the newest fashions home.

"You're not going to find cookie-cutter styles in here," she said.

With occasional help from her daughter, Krell runs the store and curates the selection entirely on her own, traveling to Dallas a few times a year to see new styles and brands. She said she also takes suggestions from customers and is sure to include local designers from the Austin area such as Dot + Dash Design and Big Imagination Design. Krell also carries Buda's own handbag and accessory brand, Brynn Ashtyn, which donates a portion of profits to its scholarship fund.

Krell said that in Buda, small businesses do not compete as much as they support each other.

"Everybody has been so welcoming," she said. "Being a small community ... I want my neighbors to thrive, I want the boutique business down the road to do well, because that's just going to bring more traffic for all of us."

She said she hopes to be running Ellipsis Boutique long into the future.

"I feel like I found a niche here in Buda," she said. "I want to be here; I want to be growing."









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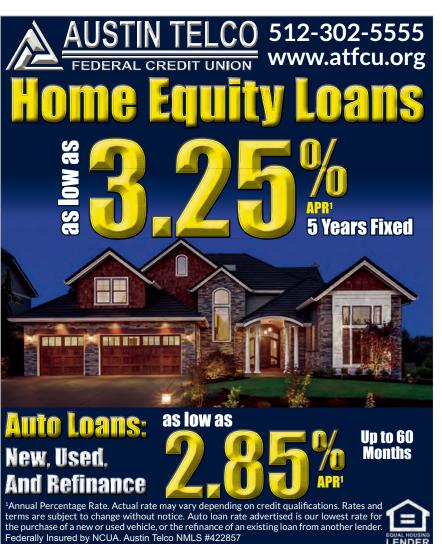
www.gefcu-austin.org



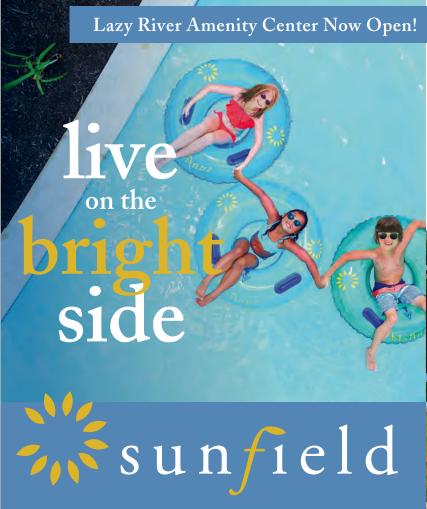


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Cafe on the Square regular Linda Hoerner, who has made the restaurant her favorite local spot, offers up her top dishes.



MIGAS

One of Hoerner's favorites is Migas, made with eggs, cheese, onions and green peppers, and served with potatoes, black or refried beans and a side of warm tortillas.

FRENCH VANILLA SILK PIE

Linda likes to sweeten up her meal with a slice of pie, which the cafe gets from a local shop. The cafe has different selections of pie throughout the week.



KNOW?

DID YOU Mike Dawoud brought Cafe on the Square to its current location in historic downtown in 1999.

Cafe on the Square

126 N. LBJ Drive, San Marcos

512-396-9999

www.facebook.com/ cafeonthesquaresm

Hours: Mon.-Sat. 7 a.m.-10:30 p.m., Sun. 8 a.m.-10 p.m.





Cafe on the Square

San Marcos restaurant offers classic eats and family atmosphere

he first time Linda Hoerner and her husband, David, sat down to eat at Cafe on the Square in San Marcos, they said they enjoyed the smalltown feel of the cozy restaurant.

"David and I ate at different places; we liked trying different restaurants; but we decided we liked this place best," Hoerner said.

They enjoyed the view of the historic courthouse, and the cafe became one of their spots—a place they could sit and people-watch.

When her husband of 42 years died four years ago, Hoerner said she felt lost.

"I actually wasn't sure that I could make new friends," Hoerner said. "And then I started coming back here again, and the girls here have been really good to me. They helped me realize I can still go out there and meet new people."

Hoerner now eats at the restaurant almost every day, and calls it her home away from home.

Regulars such as Hoerner is why longtime manager Esther Hink calls the restaurant a family.

"We're not just feeding her belly; we're feeding her soul," Hink said. "And to me, that's hugely important."

BY HOJUN CHOI

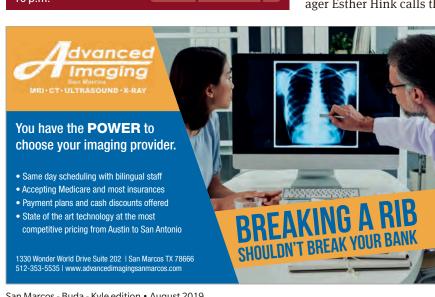
Cafe on the Square serves breakfast all day, but also has a diverse menu of Tex-Mex and diner-style eats. Even if something is not on the menu, Hink says the staff is always open to seeing what they have in the kitchen.

"If we got it back there, we'll make it for them," Hink said.

Owner Mike Dawoud first opened Cafe on the Square at its current location in 1999, when he moved his business to the former location of Cafe de Corte. Hink joined his staff shortly after.

Though development in the downtown area has led to some growing pains for the cafe, Hink says the staff is happy to be a place where people can catch up with old friends and take a break from the noise.

"It's downtown, hometown, good people and good food," Hink said.





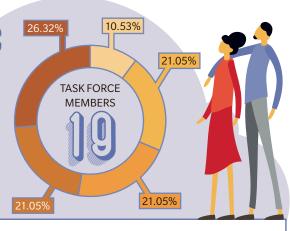
San Marcos - Buda - Kyle edition • August 2019

READY ... SET OBJOOD DESIGNED BY RACHAL RUSSELL

The San Marcos Workforce Housing Task Force identified goals, strategies and five actions that it deemed feasible within three years. Plans, which will be presented to City Council in the fall, are designed to address housing affordability issues.

The task force is made of individuals from a variety of backgrounds. Government Real estate Education Other Nonprofit, community

VOICES ON THE





CLEAR PATH PERMITTING

By streamlining the permitting process and prioritizing developers building affordable housing, the city can encourage lower-cost options.

CONTINUED FROM 1

centered around debate over whether the action plan benefits renters or homeowners.

"There has got to be an all-in by the community," said Dupont, who in addition to sitting on the task force serves as senior vice president at Corridor Title Co. "There has got to be political bravery on our elected officials' part, because people are resistant to change."

In addition to the workforce housing task force, San Marcos has also commissioned three council members—Lisa Prewitt, Melissa Derrick and Saul Gonzales—to serve on the council's workforce housing committee.

Mayor Jane Hughson, who mentioned workforce development as a goal in her State of San Marcos address July 31, said she has "great confidence" in the task force and the City Council committee.

"Given the composition of our community and the income levels, we have a huge need for housing that people can afford," Hughson said.

STRETCHED THIN

Much of the data being used by the task force stems from a 2019 housing study conducted by Root Policy

SHARED-EQUITY HOMEOWNERSHIP

The draft recommends the city start a program in which it shares the cost of buying a house. In return, the homeowner agrees to limit their proceeds when they sell the house to help a buyer in need of affordable housing.

LAND BANKING

By reviewing existing structures, including those owned by the city or nonprofits and those on the tax-delinquent rolls, the city can identify properties that can be used for affordable housing.

SOURCE: ROOT POLICY RESEARCH/ COMMUNITY IMPACT NEWSPAPER

Research, which reported that more than 65% of renters and about 27% of the residents with mortgages in San Marcos were "cost-burdened," meaning that more than 30% of their income went toward housing.

The housing assessment also found that 72% of residents in the city were renters, while 28% were homeowners.

Though U.S. Census data was used to put together the report, researchers also conducted a survey that gathered input from approximately 2,000 San Marcos renters and homeowners as well as people who commute to the city for work. Data from the survey was also separated into student and non-student respondent populations.

Root Policy Research presented ways in which non-student renters and homeowners in San Marcos cope with high housing costs.

Survey results showed that 41% of renters and 11% of homeowners had financial support from friends or family to deal with their living situations. It also showed that about 33% percent of the renters and 13% of the homeowners

surveyed sought additional employment due to housing costs.

Additionally, 28% of survey respondents who were non-student renters and 12% who were non-student homeowners reported that they had foregone needed medical treatment.

FINDING SOLUTIONS

Dupont said she recognizes that housing problems exist across the board and added there will not be a one-size-fits-all solution.

The task force identified major needs related to housing in the city, from which four primary goals were set: to expand opportunities for housing, preserve and enhance existing stock, leverage community and regional partners, and quantify and meet the housing needs of current and future residents.

Strategies to address the four goals, along with a total of 23 correlating actions, were also outlined.

One of the two issues highlighted as a top need was additional affordable rentals for residents who have an annual income of less than \$25,000.

The other high-priority need was the need for homes priced to sell near or below \$200,000.

According to the plan, San Marcos' housing market is "generally affordable" for people earning more than \$50,000 per year. But the median family income in 2017 was \$49,551 and the median household income was \$34,748.

"This means that homeownership in the current market is out of reach for many people in San Marcos," the action plan reads.

Preventing displacement of non-student renters, according to the draft plan, is another need. The document states that almost 18% of non-student renters in San Marcos in the past five years were forced to move, most commonly due to rent increases, flood damage, the cost of utilities or the landlord selling the home.

Strategies to create more affordable rent options included removing what the task force described as "regulatory barriers" for developments that commit to providing affordable housing options.

This could mean removing or lowering impact and permit fees, but the





ACCOMMODATE GROWTH THROUGH ZONING

Using the comprehensive plan and current zoning regulations, the task force hopes to identify areas appropriate for more dense development and a greater diversity of housing options.

task force also recommended adjusting material, parking, height and maximum density requirements.

Dupont said the strategy is not about creating a more lax set of requirements, but it is aimed to produce a predictable set of rules for developers looking to bring more affordable housing into the city.

"It's truly not about lowering any standards for development," she said.

Dupont said creative solutions for rental opportunities are not limited to apartment complexes, but also includes bringing in more duplextype structures.

Other strategies intended to increase the number of affordable single-family homes included down payment assistance, assistance for home rehabilitation and tiny home ownership.

Ultimately, she said, diverse housing products should be available throughout the city, rather than an isolated area.

A PHILOSOPHICAL DISCUSSION

Dupont said that though the task force is looking at a variety of options to address affordable housing, any solution without a focus on multifamily options is unrealistic.

"If you want to create affordability, you have to go dense—you have to; that's the only way to do it; and you have to go smaller," Dupont said. "If anybody thinks that we're going to build single-family homes and create affordability, and create urban sprawl,



OWNER-OCCUPIED REHABILITATION

The city could help those who do not have the resources to fix their homes by expanding its housing rehabilitation programs.

I would venture to say that they're just wrong; it won't work that way."

But that is exactly what some of the residents who have responded unfavorably to the task force's draft action plan fear most—a growth of multifamily housing options in their neighborhoods.

Sara Lee Underwood-Myers is the president of the San Marcos Council of Neighborhood Associations.

Underwood-Myers said she appreciates the task force, but—thus far—does not understand its direction. She added that many members of the organization have raised concerns about the action plan favoring renters.

"People are very concerned about developers coming in, buying it up and making everybody a renter. That's a concern," she said.

Members of the task force have also said they have heard criticism about their backgrounds.

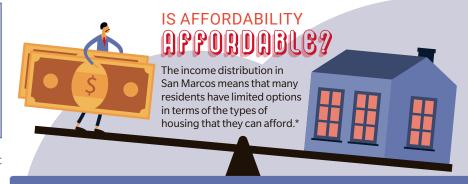
Out of the 19 members, five were associated with a nonprofit or community organization. Four members had ties to the real estate industry, and four others had ties to education.

Roland Saucedo was the only person listed as a "neighborhood representative" in the workforce housing group.

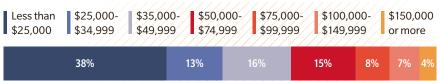
Saucedo told *Community Impact Newspaper* he had heard some of the same concerns that Underwood-Myers heard from community members.

"The spirit that has really been shared in the community, at least with the people that I've spoken with and the groups that I've spoken to, the main issue that everybody has is density," Saucedo said.

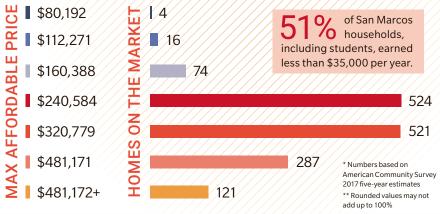
To address some of these fears,



INCOME DISTRIBUTION IN SAN MARCOS**



The information below shows the breakdown of housing prices that are affordable for different incomes and how many San Marcos homes were listed at those prices in 2017.



SOURCES: U.S. CENSUS BUREAU, AUSTIN BOARD OF REALTORS, ROOT POLICY RESEARCH/COMMUNITY IMPACT NEWSPAPER

Saucedo said the task force is moving forward with outreach programs to educate residents of the city's specific needs for affordable housing. The most recent open house meeting was held Aug. 14 at the San Marcos Activity Center.

Saucedo agreed with Dupont's sentiment that affordable housing options should not be isolated.

"We don't want to have dissected communities. We want to have affordable housing in all the neighborhoods throughout the city," he said.

Dupont said she and other members of the task force will continue their work to reach out to the San Marcos community to help them get a better understanding of what the city needs to do to begin "chipping away" at its lack of affordable housing.

In her opinion, elected officials will have to work with their constituents.

"What we have, in my opinion, is as philosophical discussion," Dupont said. "We either say we're inclusive and we say we want diversity, and we say that we want to create a space for everybody and we take solid actions that support that—or we don't."





IN THE PATH OF THE ENDANGERED SPECIES ACT The Endangered Species Act is a federal law to help recover the population of plant and animal species that are in danger of going extinct. Part of the mission of ESA is to protect and conserve land and aquatic ecosystems that serve as habitat that to both threatened and endangered species. **DESIGNED BY RACHAL RUSSELL ENDANGERED** THREATENED Though Kinder Morgan has released only a A species at risk of extinction A species likely to become preliminary map of the pipeline's route, the letter throughout all or a significant endangered in the foreseeable of intent to sue claims that it will pass through portion of its range future thousands of acres of habitat belonging to the golden-cheeked warbler, including conservation land in Hays County. U.S. endangered U.S. endangered or threatened or threatened animal species plant species Conservation easements Other conserved lands •••• 31 known or known or believed to believed to Permian Highway Pipeline occur in Texas occur in Texas **DRIPPING** CONTINUED FROM 1 **SPRINGS** Law passed in The letter of intent, which must be filed at least 60 days before a lawsuit is SOURCE: U.S. FISH & WILDLIFE brought under the federal SERVICE/COMMUNITY IMPACT NEWSPAPER Endangered Species Act, Trinity aquicharges the company fers," Sansom said. with trying to avoid The golden-cheeked warbler-a black bird with a yel-"Kinder Morgan is low head—is the federally deliberately choosing endangered to force a 42-inch petrospecies at the center leum pipeline through one of the letter of intent. WIMBERLEY of the most ecologically unique and diverse areas of the state of **KYLE** THE NEW LAWSUIT Texas, as opposed to avoiding According to David P. Smith—a former deputy assisexpected impacts to endangered species and the Edwards tant secretary for fish, wildlife SAN MARCOS Aquifer by following a more t h e and parks at the U.S. Depart-**GET TO** traditional route that would potenment of the Interior and the **KNOW THE** avoid these impacts," the lettial effect of

In addition to filing a letter of intent, the Texas Real Estate Advocacy and Defense Coalition—the organization funding the legal action-announced in July that it would appeal a previous lawsuit in which Hays County was a plaintiff. That suit was dismissed by a Travis County state district judge in June, but Hays County commissioners voted at their July 16 meeting to support the appeal. The first lawsuit, originally filed in April, focused on the lack of regulation around the exercise of eminent domain by private pipeline companies.

ter of intent reads. "If Kinder

Morgan is going to stubbornly

insist upon this route for

whatever reason, it should be

required to follow the correct

legal process."

THE ENVIRONMENTAL ISSUE

Even as eminent domain

dominated conversations about legal challenges against the Permian Highway Pipeline in recent months, environmental issues have been at the heart of public opposition

The golden-cheeked warbler

breeds exclusively in **Central**

that are endangered and protected

to habitat loss

The year the warbler was listed

as an endangered species due

Golden-cheeked

winter nesting

grounds where

SOURCE: U.S. FISH & WILDLIFE SERVICE/COMMUNITY IMPACT NEWSPAPER

habitat loss is

also rapid.

warblers migrate to

Central America for their

through local or federal policies.

Texas and is among several

species in the Hill Country

1990

Nesting grounds:

Central Texas oak-

juniper woodlands

to the project in Central Texas since landowners first began receiving letters from Kinder Morgan last fall.

Months

in Texas:

March-

July

Local residents have repeatedly expressed concern about

land.
Andrew Sansom, a conservationist and the former executive director of the Texas Parks & Wildlife Department, joined the first lawsuit as a plaintiff. Though he is not a party to the letter of intent, he supports its message.

the pipeline on

as well as unique

features of the

aguifer that

are a draw for

tourists and

disruption of

conservation

the Edwards Aquifer

"I think that what is most disturbing about this is that it would become an assault on one of the most iconic regions of our state in both its culture and its natural resources those being the endangered species and the Edwards and According to David P. Smith—a former deputy assistant secretary for fish, wildlife and parks at the U.S. Department of the Interior and the attorney who filed the notice of intent—the Permian Highway Pipeline will directly affect around 548 acres of habitat belonging to the golden-cheeked warbler and indirectly affect 2,355 acres.

Smith said this would clearly amount to what the federal government refers to as "take" of endangered species—defined as to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect"—which must be specially permitted to avoid violating the ESA.

"I don't think anyone is debating whether or not take is going to occur with the golden-cheeked warbler based on the amount of occupied habitat that's going to be impacted," Smith said.

The letter of intent charges that the permitting process Kinder Morgan is pursuing "is a thinly veiled attempt to avoid obtaining the necessary federal permits to allow them to lawfully 'take' federally listed endangered species." It goes on: "[I]t is obvious that Kinder Morgan is deliberately attempting to hide the true effects of the [pipeline] on the human and natural environment by failing to obtain the necessary permits to comply with federal law in an effort to avoid conducting a full and necessary review of the project."

Though the Permian Highway Pipeline never crosses outside of Texas, there are still federal permits Kinder Morgan can and in some cases must obtain. The company is required, for example, to have permission from the Corps for any crossing of waterways, of which there are many over the pipeline's 430-mile path from the Permian Basin to the Gulf Coast.

That permission can come in one of two forms. The first option is a general nation-wide permit, which the Corps issues every few years and are not project-specific. But according to the Corps, not all projects qualify for nation-wide permits, including those that "would have more than minimal individual or cumulative net adverse impacts on the environment."

Basically the suit is saying: We need you do an environmental impact study.

—CHRISTY ESMAHAN, TRAVIS AUDUBON BOARD MEMBER

The letter of intent argues that the Permian Highway Pipeline will have much more than a minimal impact on the environment, and therefore that Kinder Morgan must pursue the second option for permission from the Corps: an individual permit under Section 404 of the Clean Water Act.

Unlike nationwide permits, those individual permits require public notice, public hearings, and case-by-case evaluation.

"They're almost in essence playing keep-away with the information by using the nationwide permitting process," Smith said.

With either type of permit, if the pipeline remains on the same route, the Corps will have to consult with the U.S. Fish & Wildlife Service under Section 7 of the ESA. In turn, the USFW will have to produce a biological opinion and what it calls an incidental take statement, or ITS, which quantifies the damage that could be done to the species.

But, Smith said, neither the biological opinion nor ITS actually give Kinder Morgan permission for incidental take of the golden-cheeked warbler. Those items must be incorporated into the Corps permit.

Even if those elements are incorporated into the Corps permit, however, the issue of jurisdiction may remain. The nationwide permit—and in some cases an individual permit—is applied only to the area of the project that crosses a waterway under Corps jurisdiction, which Smith estimates would be 2%-3% of the project as a whole.

Or, as the letter of intent states, in that case "Kinder Morgan will have no legal coverage for incidental take of listed endangered species resulting from the construction, operation and maintenance of the PHP for over 95% of its route."

The letter of intent to sue outlines three options that the federal agencies and Kinder Morgan can take to avoid a lawsuit. First, Kinder Morgan can apply for an individual Corps permit to cover the whole project, which would require a full and public environmental review, and consult with the USFW and then incorporate the biological opinion and ITS into the permit. Second, Kinder Morgan can proceed with nationwide permitting but also apply separately to the USFW for what is known under the ESA as a Section 10(a)(1) (B) Incidental Take Permit, which also requires a full environmental impact statement, including public notice and public comment.

"We're just hoping to get some answers on how [Kinder Morgan] will mitigate the environmental impacts that they will create in Hays County," Hays County Commissioner Lon Shell said.

The third option offered by the letter of intent is to move the pipeline "to an alternative route that would avoid substantial adverse impacts to federally listed endangered species and the Edwards Aquifer."

Kinder Morgan sent *Community Impact Newspaper* a written statement from Vice President of Public Affairs Allen Fore, responding to both the appeal of the first lawsuit and the filing of the letter of intent.

"We feel confident that the Travis County District Court ruled in accordance with settled law, and we continue to work with all stakeholders, including state and federal regulators, as we complete the Permian Highway Pipeline Project," the statement reads. "We are also complying with all applicable laws related to endangered species along the pipeline route."

A MATTER OF PROCESS

The first lawsuit Hays County joined to challenge the Permian Highway Pipeline charged that when it came to the exercise of eminent domain by pipeline companies, the Texas Railroad Commission does not provide enough oversight.

The second suit levels a similar challenge at federal agencies, should Kinder Morgan be allowed to proceed with only nationwide permits, stating the use of those permits is the company's "effort to avoid fully analyzing the impacts of its project on the human and natural environment, disclosing those impacts to the public or to elected officials, or allowing any sort of public comment on the environmental effects of their project."

The difference between what is required of private companies and what is required of the government in terms of both the use of eminent domain and the evaluation of environmental impacts has been raised often

BATTLE WITH THE PIPELINE

The recent legal challenge to the Permian Highway Pipeline is only one of several court battles being waged between local opposition groups, government agencies and Kinder Morgan.

FALL Kinder Morgan begin receiving meets with **letters** from 2018 local officials Kinder Morgan **19** Kyle passes **26** Hays County FEB. resolution opposing the passes similar 2019 pipeline and asking the resolution Legislature to take action 16 Hays County APRIL **22** Lawsuit filed over use and Kyle **approve** agreement<u>s</u> of **eminent domain** by 2019 for legal pipelines companies representation **7** Kinder Morgan 28-29 asks for **summary** MAY 261st Travis County judgment 2019 **District Court** hears testimony **19** City of Austin JUNE 25 Claims passes a resolution 2019 dismissed opposing pipeline 17 60-day notice **2** Kyle adopts of intent to sue filed in JULY **U.S. District Court** 2019 16 TREAD Coalition 22 Kinder Morgan announces appeal in sues city of Kyle over ordinance

2019

by local elected officials and pipeline opponents.

17 Hearing

ordinance suit to be

held in U.S. District

"If the county were going to build a road along the route that they have chosen to build their pipeline we would be doing a more thorough environmental impact analysis," Shell said.

By the end of the 60-day period after the letter of intent is filed, Smith said he hopes the federal agencies in charge of permitting and Kinder Morgan will have taken action to keep the suit from going forward. If not, a second suit

will ask that a judge enjoin the project until the pipeline company completes a similar process as government agencies disrupting an endangered species' habitat.

SOURCE: COMMUNITY IMPACT NEWSPAPER

"Our hope would be that Kinder Morgan would have a conversation with the Fish and Wildlife Service and with the Corps and decide to do the sensible thing and get full coverage for their endangered species impacts," Smith said.





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*Valid at Kid to Kid in Kyle. 15% off entire purchase. May not be combined with any other offer. Must present coupon at checkout. One per family per transaction. Expires 9/15/2019.

IMPACTDEALS







\$6.95 KIDS \$6.95 KIDS HAIRCUT SAVE \$5!

Expires 9/16/19 Community Impact

\$3.05 ADULT HAIRCUT SAVE UP TO \$7! Expires 9/15/2019 Community Impact



ESTELLA

I started working for Premier Cuts at the San Marcos location in 2006. I was promoted to Assistant Manager in 2007. In December 2013, I was promoted to the General Manager of the Kyle store. I have been cutting hair since 1997. I love cutting all types of hair especially kids. I love to see how they react to their haircut.



SARAH

My name is Sarah, I am the manager at the San Marcos location. I have been with Premier Cuts for 4 years. One of the reasons I enjoy working with Premier Cuts is because of how much they do for their community.

MYPREMIERCUTS.COM



KYLE 5401 South FM 1626 Ste.#100F 512-268-5500



SAN MARCOS

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DEALS THIS MONTH

IN	IN	C

Asian Garden	32
Cici's pizza - San Marcos	34
Ivars River Pub	33
Mochas & Javas Coffee & Tea	32
Sakura Sushi and Steak	33
Thundercloud Subs	34
MEDICAL	
MEDICAL	
Buda Health Center	
Neo Dentistry	32
San Marcos Gentle Dental	34
PROFESSIONAL SERVIC	ES
Cardinal Frame & Art	33
Rising Phoenix Martial Arts	33
Smilin' Castle Productions	
REAL ESTATE	
Studio Estates	32
TRANSPORTATION	

Reliable Automotive













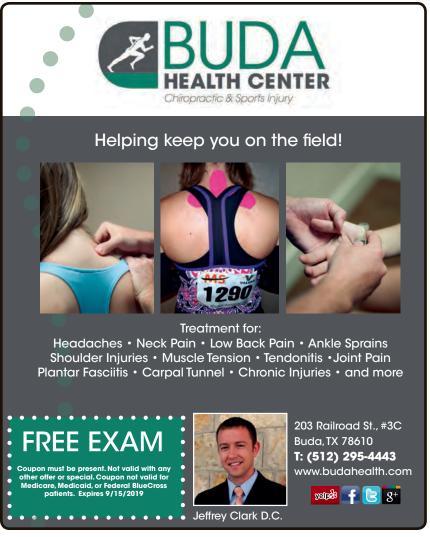
512-392-7699 www.cardinalframe.art

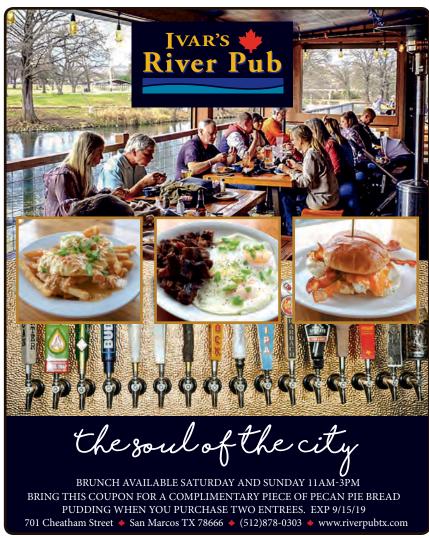
117 N. Guadalupe, Suite 102 in San Marcos Hours: Tues.-Fri. 10:00-5:30, Sat. 10:00-2:00 Closed Sunday & Monday















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50% OF AMERICANS ARE AFRAID OF THE DENTIST We Understand, and Cater to Your Fears



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New Patient Cleaning, Exam & X-Rays

New Patient Only

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At San Marcos Gentle Dental we offer many amenities to ensure that you are comfortable throughout your visit.

- Sedation & Nitrous Oxide
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- Dental Implants
- Same Day Crowns
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AP0819

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\$395

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Includes:

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- ☑ Tire Rotation
- Brake Fluid Flush*
- ✓ Power Steering System Flush
- Battery & Charging System Check
- ✓ Scan On-Board Computer for Codes
- ✓ Cooling System Flush with Extended Life Coolant*
- Transmission Fluid Exchange (excludes filter)
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- Multi Point Vehicle Inspection"

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*Any additional parts or services extra. Some exceptions apply. Cannot be combined with any other offer or discounts. Does not include waste disposal fee. Additional charge for Synthetic Oil. Expires 9/30/19 AP0819

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\$15 OFF any repair over \$100

\$45 OFF any repair over \$300

\$75 OFF any repair over \$500

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AD0910

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FULL Synthetic Oil Change

w/ 4 Tire Rotation & 52 Point Inspection

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