



**NOTICE OF MEETING  
GOVERNING BODY OF MARBLE FALLS, TEXAS  
Tuesday, February 16, 2016 – 6:00 pm**

A quorum of the Marble Falls Economic Development Corporation  
and the Planning & Zoning Commission may be present

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Notice is hereby given that on the 16<sup>th</sup> day of February, 2016 the Marble Falls City Council will meet in regular session at 6:00 pm in the City Hall Council Chambers located at 800 3<sup>rd</sup> Street, Marble Falls, Texas, at which time the following subjects will be discussed:

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.** *“Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”*
4. **UPDATES, PRESENTATIONS AND RECOGNITIONS**
  - [Proclamation](#) – National Engineers Week (February 21-27, 2016)
  - Update from the Marble Falls Housing Authority. **Mark Mayfield, Executive Director**
5. **CITIZEN COMMENTS.** *This is an opportunity for citizens to address the City Council concerning an issue of community interest that is not on the agenda. Comments on a specific agenda item must be made when the agenda item comes before the Council. The Mayor may place a time limit on all comments. Any deliberation of an issue raised during Citizen Comments is limited to a proposal to place it on the agenda for a later meeting.*
6. **CONSENT AGENDA.** *The items listed are considered to be routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which case the item will be removed from the Consent Agenda prior to a motion and vote. The item will be considered in its normal sequence on the Regular Agenda.*
  - (a) Approval of the [minutes](#) of the February 2, 2016 regular meeting and workshop. **Christina McDonald, City Secretary**
  - (b) Approval of a [Park Concession Agreement](#) between the City of Marble Falls and Tamara Johnson for the purpose of Zumba classes at the Westside Park Community Hall. **Robert Moss, Parks and Recreation Director**

- (c) Acceptance of the [Annual Contact Report](#) from the Marble Falls Police Department. **Mark Whitacre, Chief of Police**

**7. REGULAR AGENDA.** Council will individually consider and possibly take action on any or all of the following items:

- (a) Public Hearing, Discussion, and Action on the first reading of [Ordinance 2016-O-02C](#) and waiving the second reading of Conditional Use Permit request to allow Single-Family Residential within the General Commercial Base District (C-3), with site plan approval, on Lot 9-A, Block No. 70, Marble Falls Original Township, City of Marble Falls, Burnet County, Texas, municipally addressed as 908 Avenue G. **Caleb Kraenzel, Director of Development Services**
- (b) Discussion and Action on approval of Interlocal Agreement regarding annual renewal of membership and participation in the [Central Texas Water Coalition](#). **Mike Hodge, City Manager**
- (c) Discussion and Action on appointments to the [Ethics Review Commission](#). **Christina McDonald, City Secretary**
- (d) Discussion and Action on appointments to the [Capital Improvement Plan Committee](#). **Christina McDonald, City Secretary**
- (e) Discussion and Action on appointments to the [Hotel Motel Tax Advisory Committee](#). **Christina McDonald, City Secretary**
- (f) Discussion and Action on appointments to Places 2, 3, 4 and 6 of the [Parks and Recreation Commission](#). **Christina McDonald, City Secretary**
- (g) Discussion and Action on appointments to Places 2, 4 and 6 of the [Planning and Zoning Commission](#). **Christina McDonald, City Secretary**
- (h) Discussion regarding [feeding wildlife](#) in the city limits. **Chief of Police Mark Whitacre, Lieutenant Steve Eckstein and Sergeant Tom Dillard**
- (i) Discussion regarding [Unmanned Aerial Systems](#) (Drones). **Chief of Police Mark Whitacre and Captain Glenn Hanson**

**8. CITY MANAGER'S REPORT**

- Update on New Fire Chief
- City Email Domain Change – marblefallstx.gov

**9. EXECUTIVE SESSION**

- None

**10. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ITEMS DISCUSSED IN EXECUTIVE SESSION.**

**11. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS.**

**12. ADJOURNMENT.**

*“The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.183 (Deliberations about Homeland Security Issues) and as authorized by the Texas Tax Code, including, but not limited to, Section 321.3022 (Sales Tax Information).”*

*In compliance with the Americans with Disabilities Act, the City of Marble Falls will provide for reasonable accommodations for persons attending City Council Meetings. To better serve you, requests should be received 24 hours prior to the meeting. Please contact Ms. Christina McDonald, City Secretary at (830) 693-3615.*

**Certificate of Posting**

I, Christina McDonald, City Secretary for the City of Marble Falls, Texas, do certify that this Notice of Meeting was posting at City Hall, in a place readily accessible to the general public at all times, on the 11<sup>th</sup> day of February, 2016 at noon and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

*/s/ Christina McDonald*  
\_\_\_\_\_  
Christina McDonald, TRMC  
City Secretary

**PROCLAMATION  
NATIONAL ENGINEERS WEEK  
FEBRUARY 21-27, 2016**

WHEREAS, engineers use their scientific skills and specialized knowledge and skills in creative and innovative ways to fulfill society's needs; and

WHEREAS, engineers help solve major technological challenges of our time - from designing efficient building systems to rebuilding towns devastated by natural disasters; and,

WHEREAS, engineering has been called the invisible or stealth profession because everything around us and things we use every day have been engineered in some way, yet we may not see the engineers behind the scenes or know much about engineering; and,

WHEREAS, founded in 1951, National Engineers Week (EWeek) is dedicated to ensuring a diverse and well-educated future engineering workforce by increasing understanding of, and interest in, engineering and technology careers; and,

WHEREAS, EWeek is a formal coalition of more than 70 engineering, education and cultural societies, with more than 50 corporations and government agencies dedicated to raising public awareness of engineers' positive contributions to quality of life; and,

WHEREAS, EWeek promotes recognition among parents, teachers and students of the importance of a technical education and a high level of math, science and technology literacy, and motivates youth to pursue engineering careers in order to provide a diverse and vigorous engineering workforce; and,

WHEREAS, ASHRAE sets standards for the heating, ventilation, air conditioning and refrigeration industry, in addition to certifying and educating people in the industry all across the country; and

WHEREAS, the AUSTIN, TEXAS Chapter of ASHRAE would like to acknowledge engineers across Marble Falls in honor of National Engineers Week, observed February 21-27, 2016.

NOW THEREFORE, I, John Packer, Mayor of the City of Marble Falls by virtue of the authority vested in me by the laws of the City of Marble Falls, Texas, do hereby proclaim February 21-27, 2016, as

**NATIONAL ENGINEERS WEEK**

in Marble Falls, Texas, and urge all citizens to join me in recognizing the important contributions of engineers to our daily lives.

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of Marble Falls, Texas to be affixed this 16<sup>th</sup> day of February, 2016.

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John Packer, Mayor

## February 16, 2016

### 6. CONSENT AGENDA

- (a) Approval of the minutes of the February 2, 2016 regular meeting and joint workshop. ***Christina McDonald, City Secretary***
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Background information is attached as follows:

[February 2, 2016 regular meeting minutes](#)

[February 2, 2016 workshop minutes](#)

STATE OF TEXAS  
COUNTY OF BURNET  
CITY OF MARBLE FALLS

On this the 2<sup>nd</sup> day of February, 2016 the Council of the City of Marble Falls convened in regular session at 6:00 pm at the City Hall Council Chambers located at 800 Third Street, Marble Falls, Texas, with notice of meeting giving time, place, date, and subject having been posted as described in Chapter 551 of the Texas Government Code.

**PRESENT:** John Packer Mayor  
Jane Marie Hurst Mayor Pro-Tem  
Rachel Austin-Cook Councilmember  
Richard Lewis Councilmember  
Ryan Nash Councilmember  
Reed Norman Councilmember

**ABSENT:** Richard Westerman Councilmember

**STAFF:** Mike Hodge City Manager  
Patty Akers City Attorney  
Christina McDonald City Secretary  
Mark Whitacre Police Chief  
Caleb Kraenzel Director of Development Services  
Mike Ingalsbe Building Official  
Elizabeth Jaimes City Planner  
Perry Malkemus Public Works Director  
Eric Belaj City Engineer  
Margie Cardenas Finance Director  
Glenn Hanson CID Captain  
Johnny Caraway Fire Chief/Fire Marshal

**VISITORS:** Larson Lloyd (General Manager Northland Communications), Glynis Smith (The Highlander), Mary Ann Raesener (Mayor City of Meadowlakes), Billy Wall (Candidate Burnet County Precinct 3), Craig Magerkurth (Candidate Council Place 1), Grant Dean, Josh Parker, Jeff Ford, Greg Mills, Fred Zagst, Darlene Oostermeyer, Thomas Barr and Steve Reitz (Planning and Zoning Commissioner), Johnny Campbell (Marble Falls Area EMS), Stuart Nunnally, Emma Davenport, Chad Calhoun, Ed and Heidi Braun

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT.** Mayor Packer called the meeting to order and announced the presence of a quorum.
2. **INVOCATION.** Councilmember Norman gave the invocation.

**3. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.** Councilmember Lewis led the pledges.

**4. UPDATES, PRESENTATIONS AND RECOGNITIONS**

- **Update on the Western Regional Radio System.** Mark Whitacre, Chief of Police gave the update.
- **Update from Northland Communications.** Larson Lloyd, General Manager gave the update.

**5. CITIZEN COMMENTS.**

**6. CONSENT AGENDA.**

**(a) Approval of the minutes of the January 19, 2016 regular meeting and joint workshop.**

**(b) Approval of Ordinance 2015-O-02A ordering a General Election on May 7, 2016 for the purpose of electing three Councilmembers.**

Mayor Pro-Tem Hurst requested item 6(c) be removed from the consent agenda to the regular agenda. Councilmember Norman made a motion to approve items 6(a) and 6(b) of the consent agenda. Mayor Pro-Tem Hurst seconded the motion. The consent agenda was approved by a vote of 6-0.

**7. REGULAR AGENDA.**

**(a) Discussion and Action regarding a Cost Participation Agreement between the City of Marble Falls and Faith Academy of Marble Falls for the construction of a water line.** Eric Belaj, City Engineer addressed Council. Stuart Nunnally was present. Councilmember Nash made a motion to approve the Cost Participation Agreement as presented. Mayor Pro-Tem Hurst seconded the motion. The motion carried by a vote of 6-0.

**Approval of Ordinance 2016-O-02B abandoning a portion of sidewalk on Avenue N.**

Mayor Pro-Tem Hurst asked staff if the property exchange deeds had been executed and recorded. Staff confirmed that the deeds have been recorded. Mayor Pro-Tem Hurst made a motion to approve Ordinance 2016-O-02B. Councilmember Nash seconded the motion. The motion carried by a unanimous vote (6-0).

**8. CITY MANAGER'S REPORT.** City Manager Mike Hodge gave an update on the development of the Gregg Ranch property and recent Fire Chief interviews. Mr. Hodge noted that Robert Ballard, Battalion Chief with City of Wylie and Russell Sander, Fire Chief City of Missouri City are the final two candidates for the Fire Chief position.

**9. EXECUTIVE SESSION.** Council did not convene to executive session.

**10. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ITEMS DISCUSSED IN EXECUTIVE SESSION.**

**11. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS.** The February 16 draft Council agenda was reviewed.

**12. ADJOURNMENT.** There being no further business to discuss, Councilmember Norman made a motion to adjourn. Councilmember Austin-Cook seconded the motion. The meeting was adjourned at 7:03 pm.

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**John Packer, Mayor**

**ATTEST:**

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**Christina McDonald, TRMC  
City Secretary**

STATE OF TEXAS  
COUNTY OF BURNET  
CITY OF MARBLE FALLS

On this the 2<sup>nd</sup> day of February, 2016 the Council of the City of Marble Falls convened in joint workshop session at 6:30 pm with the Marble Falls Planning and Zoning Commission at the City Hall Council Chambers located at 800 Third Street, Marble Falls, Texas, with notice of meeting giving time, place, date, and subject having been posted as described in Chapter 551 of the Texas Government Code.

**PRESENT:** John Packer Mayor  
Jane Marie Hurst Mayor Pro-Tem  
Rachel Austin-Cook Councilmember  
Richard Lewis Councilmember  
Ryan Nash Councilmember  
Reed Norman Councilmember

**ABSENT:** Richard Westerman Councilmember

**P&Z**

**PRESENT:** Steve Reitz Chairman  
Fred Zagst Vice Chair  
Darlene Oostermeyer Commissioner  
Greg Mills Commissioner  
Thomas Barr Commissioner

**ABSENT:** Jason Coleman Commissioner  
William Haddock Commissioner

**STAFF:** Mike Hodge City Manager  
Patty Akers City Attorney  
Christina McDonald City Secretary  
Mark Whitacre Police Chief  
Elizabeth Jaimes City Planner  
Caleb Kraenzel Director of Development Services  
Mike Ingalsbe Building Official  
Margie Cardenas Finance Director  
Johnny Caraway Fire Chief/Fire Marshal

**VISITORS:** Billy Wall (Candidate Burnet County Commissioner Precinct 3), Mary Ann Raesener (Mayor City of Meadowlakes), Glynis Smith (The Highlander)

1. **CALL TO ORDER.** Mayor Packer called the workshop to order at 7:17 pm.

2. **WORKSHOP**

- **Discussion regarding Short Term Rentals.** Caleb Kraenzel, Director of Development Services gave a presentation on short term rentals. Existing Conditions, other jurisdictions, planning considerations, economics and next steps were reviewed and discussed. Issues also discussed were zoning, separation or clustering and neighborhood impacts.

3. **ADJOURNMENT.** There being no further business to discuss, Mayor Pro-Tem Hurst made a motion to adjourn the workshop. The motion was seconded by Councilmember Norman and the workshop was adjourned at 8:20 pm.]

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John Packer, Mayor

ATTEST:

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Christina McDonald, TRMC  
City Secretary

**February 16, 2016**

**6. CONSENT AGENDA**

(b) Approval of a Park Concession Agreement between the City of Marble Falls and Tamara Johnson for the purpose of Zumba classes at the Westside Park Community Hall. ***Robert Moss, Parks and Recreation Director***

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Background information is attached as follows:

[Cover Memo and Supporting Documentation](#)



**City of Marble Falls, Texas  
Council Agenda Item Cover Memo  
February 16, 2016**

**Agenda Item: 6(b)  
Prepared By: Robert W. Moss  
Department: Parks and Recreation  
Submitted By: Robert W. Moss**

**AGENDA CAPTION**

Approval of a Park Concession Agreement between the City of Marble Falls ('City') and Tamara Johnson ('Concessioner') for the purpose of Zumba classes at the Westside 'Park Community Hall.

**BACKGROUND**

Tamara Johnson wishes to use the Westside Park Community Hall primarily on Thursday evenings solely for the purpose of Zumba classes. This Agreement will be for a period of one (1) year to expire on February 28, 2017. Mrs. Johnson has had a Park Concession Agreement with the City in the past utilizing the Lakeside Pavilion for the classes. She was forced to take a break for health reasons. The Park Concession Agreement specifies that 15% of the Zumba class fees will be paid to the City on a monthly basis. Approval recommended.

The Park Concession Agreement is attached.

THE STATE OF TEXAS     §  
COUNTY OF BURNET     §

**CONCESSION AGREEMENT BETWEEN  
THE CITY OF MARBLE FALLS, TEXAS  
AND TAMARA JOHNSON**

The **City of Marble Falls**, a duly incorporated Texas home-rule municipal corporation, ("City"), and Tamara Johnson ("Concessioner"), enter into this Concession Agreement ("Agreement") on February 16, 2016, upon the terms and conditions set forth below:

**1. Premises.** The City grants Concessioner the right to use the Westside Park Community Hall, ("Licensed Property").

The City makes this grant solely to the extent of its right, title and interest in the Licensed Property, without any express or implied warranties.

**2. Purpose.** The City grants Concessioner permission to use the Licensed Property solely for the purposes of Zumba Classes.

**3. Consideration.** Concessioner agrees to pay the City 15% of gross receipts for the term of this Agreement.

If the City causes damage to or destruction of Concessioner's Improvements or Property, Concessioner covenants not to sue the City, or pursue other remedies against the City to recover costs of repairing or replacing the Improvements or Property, as additional consideration for being granted this Agreement.

Payments collected and related documentation for all sales shall be due monthly. Concessioner will provide documentation to the City that describes the type and dates of sales originating from the Licensed Property on or before the 15<sup>th</sup> day of the month following the month the sales occurred. The City auditor, or duly authorized representative of the City, shall, for the purpose of audit and examination, have access to records and other books, documents, and papers of the Concessioner pertinent to the contract. The City may, upon reasonable notice to concessioner, conduct an audit of concessioner's records to verify that Concession Fees have been properly paid and that charges to the public by the Concessioner have been properly charged and received.

**4. Term.** This Agreement shall commence on the execution date and shall continue in full force and effect for a **one year** period ending February 28, 2017; provided that the Licensed Property is used solely for the purposes set out in Section 2 Purpose. This Agreement may be renewed by the City Council for one year terms.

**5. Limits on License.** The existence of this Agreement is expressly subordinate to the present and future right of the City to use this property in any manner authorized by law. This Agreement is also subordinate to any easements, utility easements, rights of way, use agreements, park reservation permits issued by the city staff, licenses or other property interests recorded and associated with the property.

The City may enter the Licensed Property without giving notice and without incurring any obligation to Concessioner and remove the Improvements or any alteration thereof. Such removal will occur only if the City Manager deems it is necessary: (a) in order to exercise the City's rights or duties with respect to the Licensed Property; (b) to protect persons or property; or (c) for the public health or safety with respect to the Licensed Property.

**6. Conditions.**

**A. Use of the Licensed Property.** Concessioner shall use the Licensed Property solely for the purposes listed in Section 2 Purpose.

**B. Improvements or Alteration of Property.** Concessioner shall not construct or locate any other structures or improvements on the property without the prior written permission of the City Manager. Concessioner shall not remove or alter any improvement, soil or other material on the property without the prior written consent of the City Manager. Concessioner shall be responsible for repairs to the property or its improvements if damage is caused to such property or improvements. All improvements and/or alterations must comply with the city's current ordinances and regulations and must pass all applicable inspections.

**C. Remove or Modify Improvements.** If Concessioner is granted written authority to construct or locate a structure or improvement on the property, Concessioner may be required at its own cost to remove the structure or improvement, at the option of the City upon termination of this License, or prior to termination upon a determination by the City Manager that the structure or improvement needs to be removed or modified because the structure or improvement is a hazard to persons or property, that the structure or improvement prevents the City from using the property for a lawful purpose or because the structure or improvement does not comply with federal, state or local ordinances or this License. All improvements must meet the City's ordinances and be compliant with the Americans with Disabilities Act. All improvements and/or alterations must comply with the city's current ordinances and regulations and must pass all applicable inspections.

**D. Maintenance.** Concessioner shall maintain the Licensed Property by keeping the immediate area around the Improvements free of debris and litter on an ongoing basis. Further, Concessioner must timely and properly maintain the Improvements, if any.

**E. Activities.** Concessioner will not conduct any activities, events, or operate the Licensed Property in a manner that would violate any city ordinance or cause the City to be in violation of any federal, state or local laws, deed restrictions, covenants or easements in effect for the property.

**F. Signage.** Concessioner shall post and maintain a clearly readable sign, of a format, context, and material approved by the City, in a clearly visible location that shows the days/times of Licensed Property usage for purpose defined in Section 2.

**G. Insurance.** Concessioner shall be required to maintain in effect Comprehensive General Liability insurance covering claims for personal injury, death or damage to property to the limit of not less than one-million dollars (\$1,000,000.00) per occurrence.

**The city will be named as an additional insured** on such policy. A thirty (30) day notice of cancellation endorsement in favor of the City of Marble Falls must also be provided. Required coverage may be provided in the form of a rider and/or endorsement to a previously existing insurance policy. The insurance must cover all perils arising from the activities of concessioner, its employees, agents, contractors, and invitees, related to concessioner's use of the park land or facilities covered in the concession. Concessioner shall be responsible for the payment of any deductibles stated in the policy.

**H. Health Permits.** Concessioner shall be required to possess, in good standing, all necessary health permits required for prepared food service in the State of Texas.

**7. Indemnification.** To the extent permitted by applicable law, Concessioner hereby agrees to indemnify, save, and hold harmless the City of Marble Falls, its officers, employees, agents, and Concessioners (collectively called "Indemnitees") against any and all liability, damage, loss, claims, causes of action, expenses or demands (collectively "Costs") of any nature whatsoever, on account of personal injury (including without limitation, Workers' Compensation and death claims), or property loss or damage of any kind whatsoever, which arises, or is claimed to arise, out of or is, or is claimed to be, in any manner connected with, construction, installation, existence, operation, use, maintenance, repair, restoration, or removal of the Improvements on the Licensed Property pursuant to this License. Concessioner must, at its own expense, investigate all those claims and demands, attend to their settlement or other disposition, defend all actions based thereon using counsel satisfactory to Indemnitees' City Attorney, and pay all other Costs and expenses of any kind arising from any of the aforesaid claims, demands or causes of action.

**8. Termination.**

**A. Termination by Notice.** Either party may terminate this Agreement by delivering written notice of termination to the other party not later than thirty (30) days before the effective date of termination. In the event that the Concessioner is the terminating party, Concessioner shall deliver the required thirty (30) day notice of termination to the City Manager.

**B. Termination by Abandonment.** If Concessioner abandons or fails to comply with the terms of the Concession Agreement, and the ~~City Manager~~ receives no substantive response within thirty (30) days following written notification to concessioner, then the City (through action by the City Manager) may terminate the Concession Agreement and remove and/or replace any improvements, equipment or inventory at its option and located on City park land or within City facilities. All of Concessioner's improvements, equipment or inventory located on City park land or within City facilities after the date that a Concession Agreement expires or is terminated shall be deemed property of the City.

**C. Termination by Default.** In the event that Concessioner fails to make timely payments to the City or fails to comply with the terms and conditions of this Agreement, City may revoke Concessioner's License and terminate this Agreement.

**9. Venue.** Venue for all lawsuits concerning this Agreement must be in the State District Courts of Burnet County, Texas.

**10. Waiver of Default.** Either party may waive any default of the other at any time, without affecting or impairing any right arising from any subsequent or other default.

**11. Assignment.** Concessioner shall not assign, sublet or transfer its interest in this Agreement without the prior written consent of the City Council. Concessioner shall provide the City with a copy of any such proposed assignment or transfer of any of Concessioner's rights in this Agreement, which must include the name, address, and contact person of the assignee, along with the proposed date of assignment or transfer.

**12. Notice.** Notice required or permitted to be given in connection with this Agreement must be in writing. Notice may be given by hand delivery or certified mail, postage prepaid, to the recipient at the address for notice set forth below or at the last address for notice that the sender has for the recipient at the time notice is given. If properly addressed and sent certified mail or hand-delivered as provided herein, such notice will be deemed received on the day hand delivered, as evidenced by a written acknowledgment of receipt by the recipient, or on the third day after deposit in the U.S. mail, if sent certified mail, postage prepaid. Notice given in any other manner will be deemed delivered if and when actually received by the party specified below. Notice must be sent as follows:

**If to City:**

Attention:  
Christina McDonald  
City Secretary  
800 Third Street  
Marble Falls, Texas 78654  
Phone: 830-693-3615  
Fax: 830-693-6737

With additional notice to:  
Patty Akers  
City Attorney  
The Akers Law Firm  
13809 Research Blvd, Suite 250  
Austin, Texas 78750  
Phone: 512-600-2305

**If to Concessioner:**

Tamara Johnson  
400 Tungsten  
Horseshoe Bay, TX 78657  
Phone: 512-947-7627

Either party may change its address for notice by providing the other party with a written notice of change of address for notice.

**13. Default.** If Concessioner fails to maintain the Licensed Property, comply with the requirements of Section 6, or otherwise comply with the terms or conditions herein, then the City Manager shall give Concessioner written notice as set out in Section 12 Notice. Concessioner will have thirty (30) days from the date of such notice to take action to remedy the failure complained of, or such lesser period if such is required under the terms of this Agreement, and, if Concessioner does not satisfactorily remedy the same within that thirty (30) day period, the City may remedy the default or contract to remedy the default.

**14. Compliance with Laws.** Concessioner covenants that all construction, installation, repair, maintenance, and removal of the Improvements permitted by this Agreement must be done in compliance with all applicable City, County, State and/or Federal laws, ordinances, regulations and policies now existing or later adopted.

**15. Interpretation.** Although drafted by the City, this Agreement must, in the event of any dispute over its meaning or application, be interpreted fairly and reasonably, and neither more strongly for or against either party.

**16. Application of Law.** This Agreement must be governed by the laws of the State of Texas. If the final judgment of a court of competent jurisdiction invalidates any part of this Agreement, then the remaining parts must be enforced, to the extent possible, consistent with the intent of the parties as evidenced by this Agreement.

**Terms and Conditions Accepted on February 16, 2016.**

**CITY: CITY OF MARBLE FALLS, TEXAS**

**By:** \_\_\_\_\_  
John Packer  
Mayor  
City of Marble Falls, Texas

**Date:** \_\_\_\_\_

**CONCESSIONER: TAMARA JOHNSON**

**By:** \_\_\_\_\_  
Tamara Johnson

**Date:** \_\_\_\_\_

**ATTEST:** \_\_\_\_\_  
Christina McDonald  
City Secretary  
City of Marble Falls, Texas

**Date:** \_\_\_\_\_

**February 16, 2016**

**6. CONSENT AGENDA**

- (c) Acceptance of the Annual Contact Report from the Marble Falls Police Department. ***Mark Whitacre, Chief of Police***
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Background information is attached as follows:

[Cover Memo and Supporting Documentation](#)



**Council Agenda Item Cover Memo**  
**February 16, 2016**

**Agenda Item No.: 6 (c)**  
**Presenter: Mark N. Whitacre, Chief of Police**  
**Department: Police Department**  
**Legal Review:**

**AGENDA CAPTION**

Acceptance of the Annual Contact Report from the Marble Falls Police Department.

**BACKGROUND INFORMATION**

In 2001, the Texas Legislature passed the Texas Racial Profiling Law (S.B. 1074). Since becoming effective, the Marble Falls Police Department, in accordance with the law, has collected contact data for the purpose of identifying and addressing (if necessary) concerns regarding racial profiling practices by police officers. In 2009, the Texas Racial Profiling Law was modified and new requirements are now in place. The modification consisted of adding "Middle Eastern" to the ethnicity category.

In this report, you will find documentation that supports the fact that the Marble Falls Police Department has complied with The Texas Racial Profiling Law. This report also contains statistical data relevant to motor vehicle contacts between January 1, 2015 and December 31, 2015. The data and supporting documentation presented in this report support the notion that the Marble Falls Police Department is committed to the identification and resolution (if necessary) of all issues relevant to racial profiling according to the state law.

# **The Marble Falls Police Department Annual Contact Report ~2015~**



February 16, 2016

Marble Falls City Council  
Marble Falls, Texas 78654

Dear Distinguished Members of the City Council,

In 2001, the Texas Legislature passed the Texas Racial Profiling Law (S.B. 1074). Since becoming effective, the Marble Falls Police Department, in accordance with the law, has collected contact data for the purpose of identifying and addressing (if necessary) concerns regarding racial profiling practices by police officers. In 2009, the Texas Racial Profiling Law was modified and new requirements are now in place. The modification consisted of adding "Middle Eastern" to the ethnicity category.

In this report, you will find documentation that supports the fact that the Marble Falls Police Department has complied with The Texas Racial Profiling Law. This report also contains statistical data relevant to motor vehicle contacts between January 1, 2015 and December 31, 2015. The data and supporting documentation presented in this report support the notion that the Marble Falls Police Department is committed to the identification and resolution (if necessary) of all issues relevant to racial profiling according to the state law.

Sincerely,

Mark N. Whitacre  
Chief of Police

**THE CITY OF MARBLE FALLS  
MARBLE FALLS POLICE DEPARTMENT  
POLICY ON RACIAL PROFILING**

**I. PURPOSE**

1. The purpose of the policy is to reaffirm the City of Marble Falls Police Department's commitment to unbiased policing in all its encounters between officer and any person; to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of departmental policy and the law.

**II. POLICY**

1. It is the policy of this department to police in a proactive manner and, to aggressively investigate suspected violations of law. Officers shall actively enforce state and federal laws in a responsible and professional manner, without regard to race, ethnicity or national origin. Officers are strictly prohibited from engaging in racial profiling as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians.
2. Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. Two of the fundamental rights guaranteed by both the United States and Texas constitutions are equal protection under the law and freedom from unreasonable searches and seizure by government agents. The right of all persons to be treated equally and to be free from unreasonable searches and seizure must be respected. Racial profiling is an unacceptable patrol tactic and will not be condoned.
3. This policy shall not preclude officers from offering assistance, such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person.

**III. DEFINITIONS**

1. **Racial Profiling** – A law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.
2. Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants or other citizen contacts.
3. The prohibition against racial profiling does not preclude the use of race, ethnicity or national origin as factors in a detention decision. Race, ethnicity or national origin may be legitimate factors in a detention decision when used as part of an actual description of a specific suspect for whom an officer is searching. Detaining an individual and conducting an inquiry into that person's activities simply because of that individual's race, ethnicity or national origin is racial profiling. Examples of racial profiling include but are not limited to the following:
  - a. Citing a driver who is speeding in a stream of traffic where most other drivers are speeding because of the cited driver's race, ethnicity or national origin.

- b. Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity or national origin is unlikely to own or possess that specific make or model of vehicle.
  - c. Detaining an individual based upon the determination that a person of that race, ethnicity or national origin does not belong in a specific part of town or a specific place.
4. A law enforcement agency can derive at two principles from the adoption of this definition of racial profiling:
    - a. Police may not use racial or ethnic stereotypes as factors in selecting whom to stop and search, while police may use race in conjunction with other known factors of the suspect.
    - b. Law enforcement officers may not use racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling is not relevant as it pertains to witnesses, etc.
  5. **Race or Ethnicity** – Of a particular decent, including Caucasian, African, Hispanic, Asian, Middle Eastern or Other.
  6. **Pedestrian Stop** – An interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.
  7. **Traffic Stop** – A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic.

#### IV. TRAINING

1. Officers are responsible to adhere to all Texas Commission on Law Enforcement Officer (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.
2. All officers shall complete a TCOLE training and education program on racial profiling no later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. A person, who on September 1, 2001, held a TCOLE intermediate proficiency certificate, or who had held a peace officer license issued by TCOLE for a least two years, shall complete a TCOLE training and education program on racial profiling no later than September 1, 2003.
3. The Chief of Police, as part of the initial training and continued education for such appointment, will be required to attend the LEMIT program on racial profiling.
4. An individual appointed or elected as a police chief before the effective date of this Act shall complete the program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

#### V. COMPLAINT INVESTIGATION

1. The department shall accept complaints from any person who believes he or she has been stopped or searched based on racial, ethnic or national origin profiling. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.
2. Any employee who receives an allegation of racial profiling, including the officer who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint through the appropriate channel or direct the individual(s). Any employee contacted shall provide

to that person a copy of a complaint form or the department process for filing a complaint. All employees will report any allegation of racial profiling to their superior before the end of their shift.

3. Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable period of time. The investigation shall be reduced to writing and any reviewer's comments or conclusions shall be filed with the chief. When applicable, findings and/or suggestions for disciplinary action, retraining, or changes in policy shall be filed with the chief.
4. If a racial profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.
5. If there is a departmental video or audio recording of the events upon which a complaint of racial profiling is based, upon commencement of an investigation by this department into the complaint and written request of the officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that officer.

#### **VI. PUBLIC EDUCATION**

1. This department will inform the public of its policy against racial profiling and the complaint process. Methods that may be utilized to inform the public are the news media, radio, service or civic presentations, the Internet, as well as governing board meetings. Additionally, information will be made available as appropriate in languages other than English.

#### **VII. CITATION DATA COLLECTION & REPORTING**

1. An officer is required to collect information relating to traffic stops in which a citation is issued. On the citation officers must include:
  - a. the violators race or ethnicity;
  - b. whether a search was conducted;
  - c. was the search consensual; and
  - d. arrest for this cited violation or any other violation.

#### **VIII. USE OF VIDEO AND AUDIO EQUIPMENT**

1. Each motor vehicle used by this department to make traffic and pedestrian stops is equipped with a video camera and transmitter-activated equipment, and each motorcycle regularly used by this department to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and
2. Each traffic and pedestrian stop made by an officer of this department that is capable of being recorded by video and audio, or audio, as appropriate, is recorded.
3. This department shall retain the video and audiotapes, or the audiotape of each traffic and pedestrian stop for at least ninety (90) days after the date of the stop. If a complaint is filed with this department alleging that one of our officers has engaged in racial profiling with respect to a traffic or pedestrian stop, this department shall retain the video and audiotapes, or the audiotape of the stop until final disposition of the complaint.
4. Supervisors will ensure officers of this department are recording their traffic and pedestrian stops. A recording of each officer will be reviewed at least once every ninety (90) days.

5. If the equipment used to record audio and/or video of the traffic or pedestrian stops is malfunctioning or otherwise not operable, the officer making the stop may properly record and report the information as required in Section VIII of this policy.

#### **VIII. COLLECTION AND REPORTING INFORMATION GATHERED FROM TRAFFIC AND PEDESTRIAN STOPS WITHOUT THE USE OF VIDEO AND AUDIO EQUIPMENT**

1. An officer who stops a motor vehicle for an alleged violation of a law or ordinance regulation traffic, or who stops a pedestrian for any suspected offense, shall record and report the following information:
  - a. A physical description of each person detained as a result of the stop, including:
    - The person's gender;
    - The person's race or ethnicity, as stated by the person or as determined by the officer to the best of his/her ability.
  - b. The street address or approximate location of the stop. The suspected offense or the traffic law or ordinance alleged to have been violated.
  - c. Whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search.
  - d. Whether probable cause to search existed and, if so, the fact(s) supported the existence of that probable cause.
  - e. Whether any contraband was discovered in the course of the search and, if so, the type of contraband discovered.
  - f. Whether the officer made an arrest as a result of the stop and/or search and, if so, a statement of the offense charged.
  - g. Whether the officer issued a warning or a citation as a result of the stop and, if so, a statement of the offense charged.
2. This department shall compile and analyze the information contained in these individual reports. Not later than March 1<sup>st</sup> of each year, this department shall submit a report to our governing body containing the information compiled from the preceding calendar year. This report will include:
  - a. A comparative analysis of the information contained in the individual reports in order to:
    - Determine the prevalence of racial profiling by officers in this department; and
    - Examine the disposition of traffic and pedestrian stops made by this department's officers, including searches resulting from stops.
  - b. Information relating to these individual reports regarding each complaint filed with this department alleging racial profiling.

*This report will not include identifying information about a peace officer who makes a stop or about an individual who is stopped or arrested by a peace officer.*

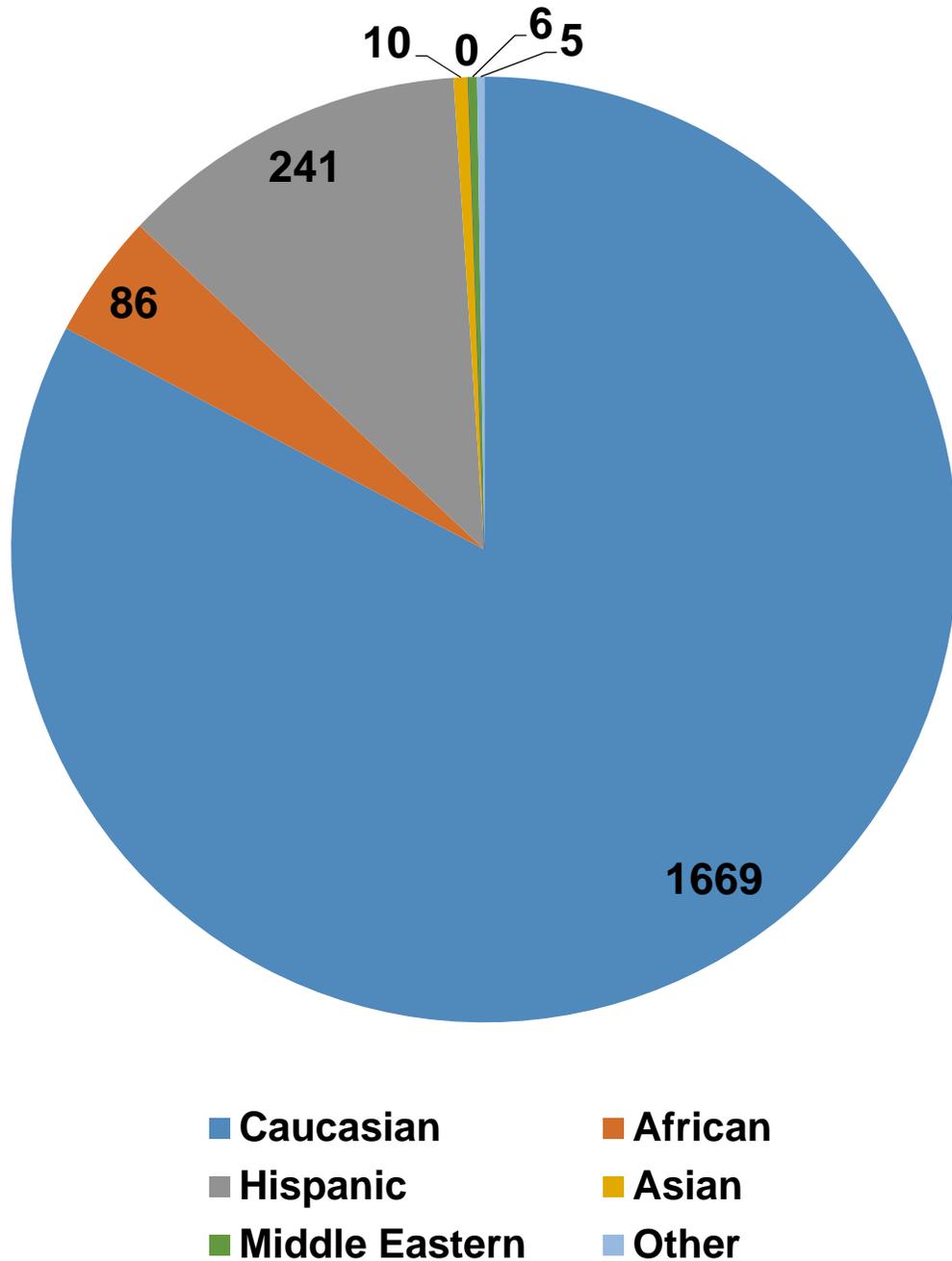
## Motor Vehicle-Related Contact Information (January 1, 2015 — December 31, 2015)

Race/Ethnicity*	Contacts		Searches		Consensual Searches		PC Searches		Custody Arrests	
	N	%	N	%	N	%	N	%	N	%
<b>Caucasian</b>	1669	82.75%	56	74.67%	22	75.86%	34	73.33%	15	60.00%
<b>African</b>	86	4.25%	1	1.33%	1	3.45%	0	0.00%	0	0.00%
<b>Hispanic</b>	241	11.95%	17	22.67%	6	20.69%	11	24.44%	10	40.00%
<b>Asian</b>	10	0.50%	1	1.33%	0	0.00%	1	2.23%	0	0.00%
<b>Middle Eastern</b>	6	0.30%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
<b>Other</b>	5	0.25%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
<b>Total</b>	2017	100%	75	100%	29	100%	46	100%	25	100%

“N” represents “number” of traffic-related contacts

\* Race/Ethnicity is defined by Senate Bill 1074 as being of a “particular descent, including Caucasian, African, Hispanic, Asian, Middle Eastern or Other”.

## Motor Vehicle-Related Contact Information (January 1, 2015 — December 31, 2015)



Total Number of Officers Knowing/Not Knowing

Race/Ethnicity of Individuals before Being Detained  
(January 1, 2015 through December 31, 2015)

<b>Total Number of Officers Who <u>Knew</u> Race and Ethnicity of Individual Before Being Detained</b>	<b>Total Number of Officers Who <u>Did Not</u> <u>Know</u> the Race and Ethnicity of Individual Before Being Detained</b>
79	1,938

**Comparison of Twelve-Year Traffic and Motor Vehicle-Related Contact  
Information  
(January 1, 2004 – December 31, 2015)**

Race/Ethnicity*												
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
<b>Caucasian</b>	82.88%	83.71%	78.50%	77.97%	81.50%	82.73%	81.69%	84.37%	88.34%	89.89%	91.01%	82.75%
<b>African</b>	1.95%	2.02%	3.09%	2.36%	2.37%	2.45%	2.19%	3.02%	3.00%	3.27%	2.37%	4.25%
<b>Hispanic</b>	14.64%	14.02%	18.21%	19.34%	15.45%	14.38%	15.50%	11.34%	7.64%	6.05%	5.84%	11.95%
<b>Asian</b>	0.33%	0.06%	0.15%	0.18%	0.48%	0.31%	0.45%	0.55%	0.66%	0.59%	0.30%	0.50%
<b>Middle Eastern</b>	-	-	-	-	-	-	0.00%	0.72%	0.32%	0.15%	0.12%	0.30%
<b>Other</b>	0.20%	0.16%	0.02%	0.15%	0.20%	0.13%	0.17%	0.00%	0.04%	0.05%	0.36%	0.25%
<b>Total**</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

\* Race/Ethnicity is defined by Texas Senate Bill 1074 as being of a “particular descent, including Caucasian, African, Hispanic, Asian, or Other”.

\*\* Figure has been rounded.

**Twelve-Year Comparison**

The twelve-year comparison from 2004 through 2015 showed similarities with respect to the traffic-related contacts. As evident in the Table, the percentage of drivers contacted by our officers (in traffic-related incidents) remains consistent over the past twelve years.

# Contact Information

For additional questions regarding the information presented in this report, please contact:

Marble Falls Police Department  
209 Main Street  
Marble Falls, Texas 78654  
(830) 693-3611

**February 16, 2016**

**7. REGULAR AGENDA**

- (a) Public Hearing, Discussion, and Action on the first reading of Ordinance 2016-O-02C and waiving the second reading of Conditional Use Permit request to allow Single-Family Residential within the General Commercial Base District (C-3), with site plan approval, on Lot 9-A, Block No. 70, Marble Falls Original Township, City of Marble Falls, Burnet County, Texas, municipally addressed as 908 Avenue G. ***Caleb Kraenzel, Director of Development Services***
- 

Background information is attached as follows:

[Cover Memo and Supporting Documentation](#)



**Council Agenda Item Cover Memo  
February 16, 2016**

**Agenda Item No.:** 7(a)  
**Presenter:** Caleb Kraenzel, Director of Development Services  
**Department:** Development Services  
**Legal Review:**  N/A

**AGENDA CAPTION**

Public Hearing, Discussion, and Action on the first reading of Ordinance 2016-O-02C and waiving the second reading of Conditional Use Permit request to allow Single-Family Residential within the General Commercial Base District (C-3), with site plan approval, on Lot 9-A, Block No. 70, Marble Falls Original Township, City of Marble Falls, Burnet County, Texas, municipally addressed as 908 Avenue G.

**BACKGROUND INFORMATION**

At the February 4, 2016 regular meeting of the Planning & Zoning Commission, the Commission recommended approval (7-0) of the Conditional Use Permit as presented.

This item is for consideration of a Conditional Use Permit (CUP) application requesting Single-Family Residential use within the General Commercial Base District (C-3) on Lot 9-A, Block 70, of the Marble Falls Original Subdivision, being a 0.32 acre lot municipally addressed as 908 Avenue G.

Current C-3 zoning district regulations allow the residential use of Single-Family Residential conditionally, if developed under the R-1 Single-Family Base District Regulations. City code (Sections 1120-1139, Conditional Use, Administration Procedures, Appendix B Land Use Regulations) states that the site plan for a conditional use permit must be deemed to be located, designed and operated to be compatible with uses of surrounding properties and within the City at large.

The Subject Area is currently an undeveloped lot, one hundred feet (100') wide by one hundred and forty feet (140') deep. The applicant is proposing to construct a single-family residential structure, following the Single-Family Residential (R-1) zoning district regulations.

The proposed site plan includes a two story residential structure, with a porch and a second story deck. A garage and workshop are found on the first floor, and a living room with a fireplace, a kitchen, one bedroom, and one bath are found on the second floor. The living area on the second floor is 1080 square feet, meeting the minimum 900 square feet requirement. The proposed structure meets all minimum setbacks required by the R-1 zoning district, and is under the allowed maximum height of 35'. The exterior finish of the proposed structure has been described as "modern" and example materials/images have been provided by the applicant on pages 21-23 in order to help explain the desired façade. The structure will feature large glass windows and galvanized/corrugated metal sheeting, along with smooth hardie plank siding and wood veneer accents. The proposed floor plan and elevations for the structure can be found on pages 14-20 for review. The site plan depicts drainage being directed to the existing creek, away from the proposed structure and any surrounding properties. The proposed twelve foot (12') wide, ninety-three foot (93') long, concrete driveway provides adequate on-site parking for the intended single-family use.

The Subject Area is a wooded lot, and the applicant has stated that only the necessary intervening trees will be removed from the lot, due to conflicts with the proposed driveway and building footprints. All others will remain to preserve the tree canopy. The Subject Area is adequately served by water and sewer services and is not within the 100-year FEMA floodplain.

Adjacent properties to the north, west, and south are zoned C-3. Neighboring properties to the east are zoned C-1. Existing land uses on surrounding properties include the Marble Falls Church of Christ to the south, the Hope for the Wounded Heart Ministries to the north, retail uses to the west, across a 20' alley, and residential homes to the east across Avenue G. The future land use module for the property is Low Density Residential, therefore the proposed land use would be consistent with the adopted Comprehensive Plan.

Due to the presence of the existing institutional and residential uses on Avenue G, the Single-Family Residential land use at the proposed site does not appear to pose any unfavorable impacts on nearby uses and is compatible with existing and permitted uses in the abutting Neighborhood Commercial (C-1) zoning. Furthermore, because the property and surrounding area is transitional (between commercial and residential) in nature, the proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

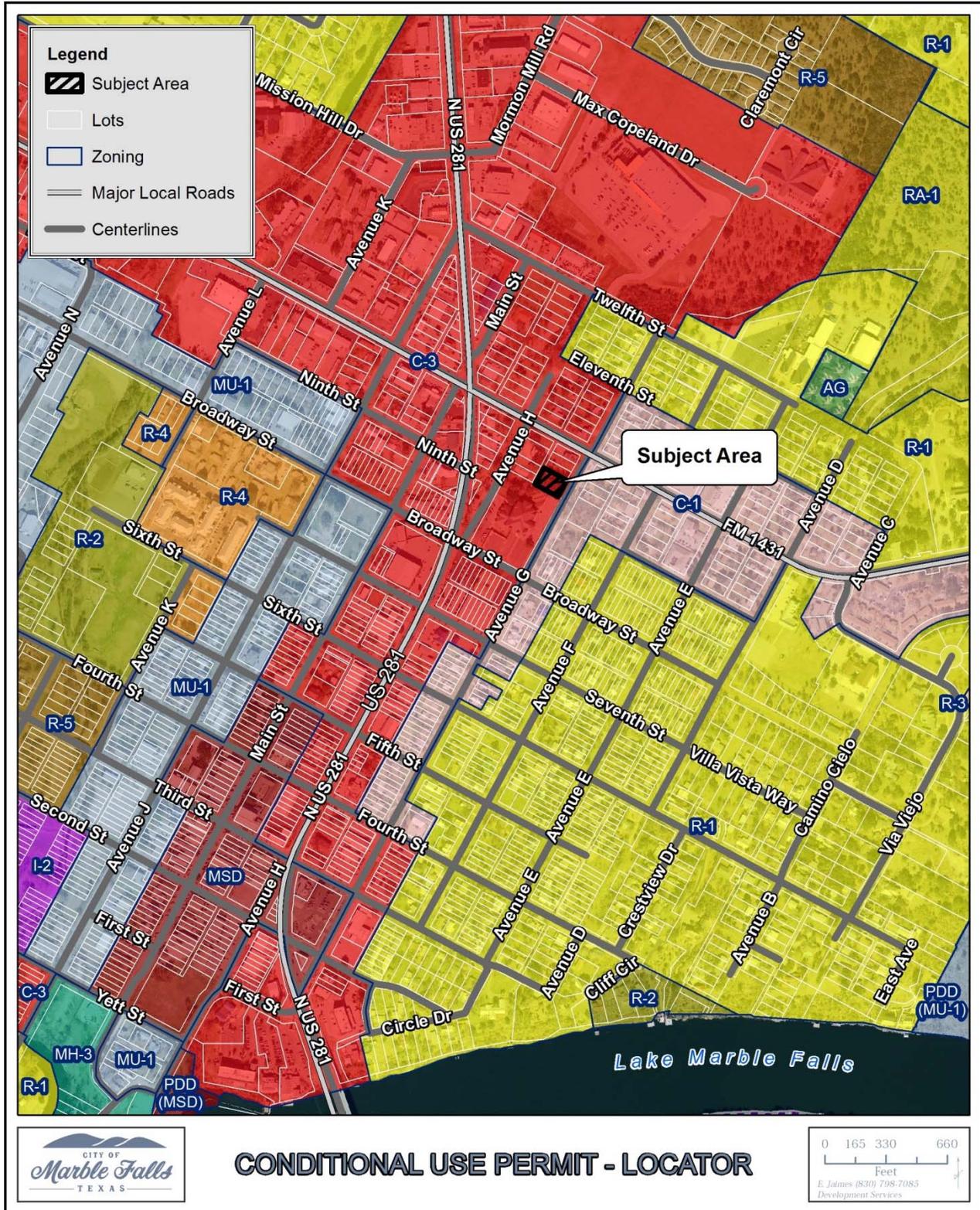
A total of nine (9) adjacent property owners within two hundred feet (200') of the Subject Area were mailed notification letters, including the public hearing dates and a pre-paid comment card for response supporting/opposing the proposed CUP. At the time of packet distribution three (3) property owners responded in favor of the CUP.

## RECOMMENDATION

Due to conformance with the Comprehensive Plan, the compatibility with surrounding existing land uses, the need for diversification of City housing inventory and the site improvements meeting minimum standards for the proposed use within the property, City staff recommends approval of the Conditional Use Permit with site plan approval.

### **Memo Contents:**

- |  |   |
|--|---|
| <ul style="list-style-type: none"><li>• Informational maps produced by City Staff:</li><li>• Applicant Statement:</li><li>• Site Plan:</li><li>• Floor Plan:</li><li>• Elevations:</li><li>• Materials and Example Images:</li></ul> | <p><b>Pages 4 - 11</b></p> <p><b>Page 12</b></p> <p><b>Page 13</b></p> <p><b>Pages 14 - 16</b></p> <p><b>Pages 17 - 20</b></p> <p><b>Page 21 - 23</b></p> |
|--|---|







**CONDITIONAL USE PERMIT - AERIAL W/ SITE PLAN**







**Legend**

- Subject Area
- Lot Boundaries
- Floodway
- 100 Yr Floodplain
- 500 Yr Floodplain



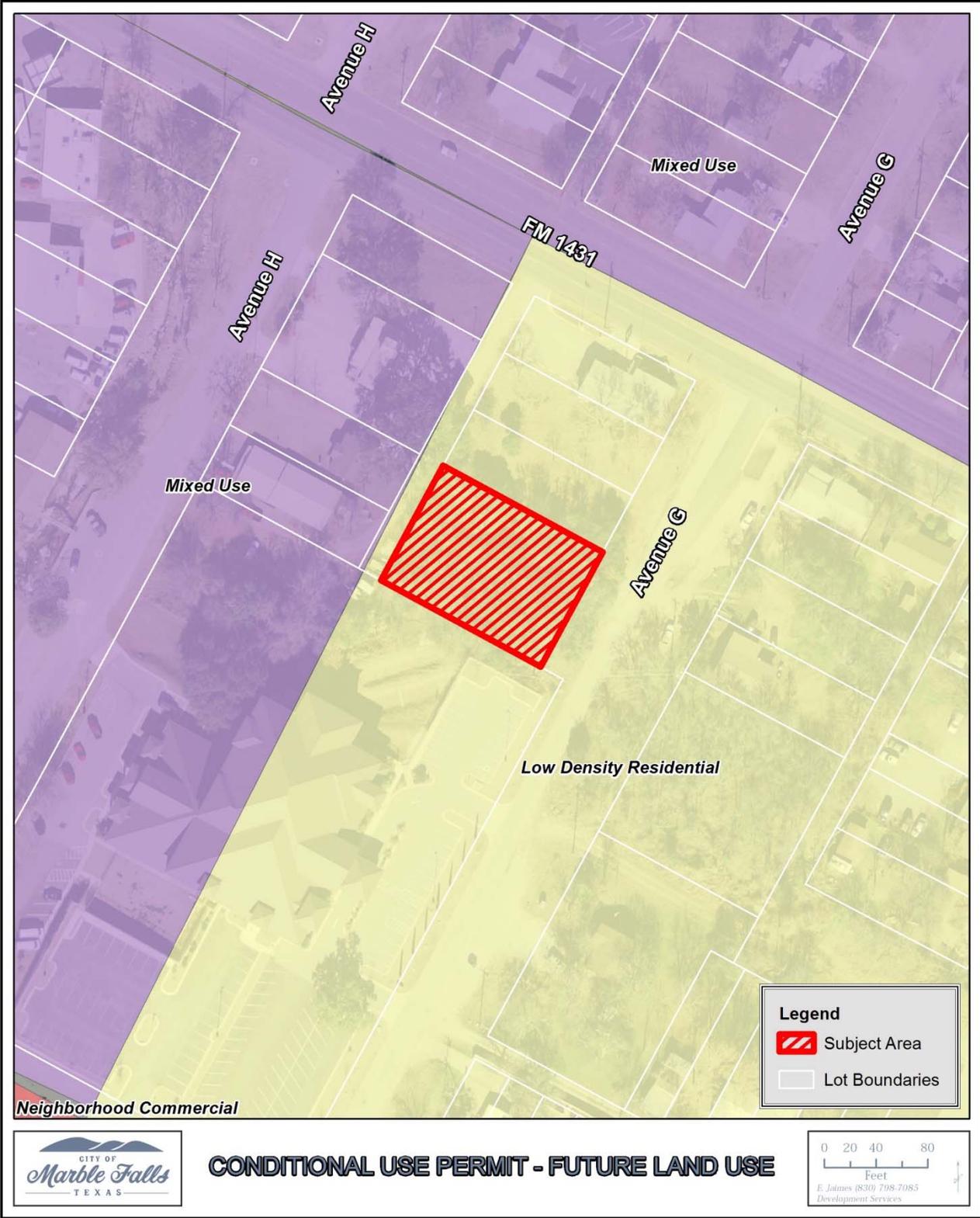
**CONDITIONAL USE PERMIT - FLOODPLAIN**

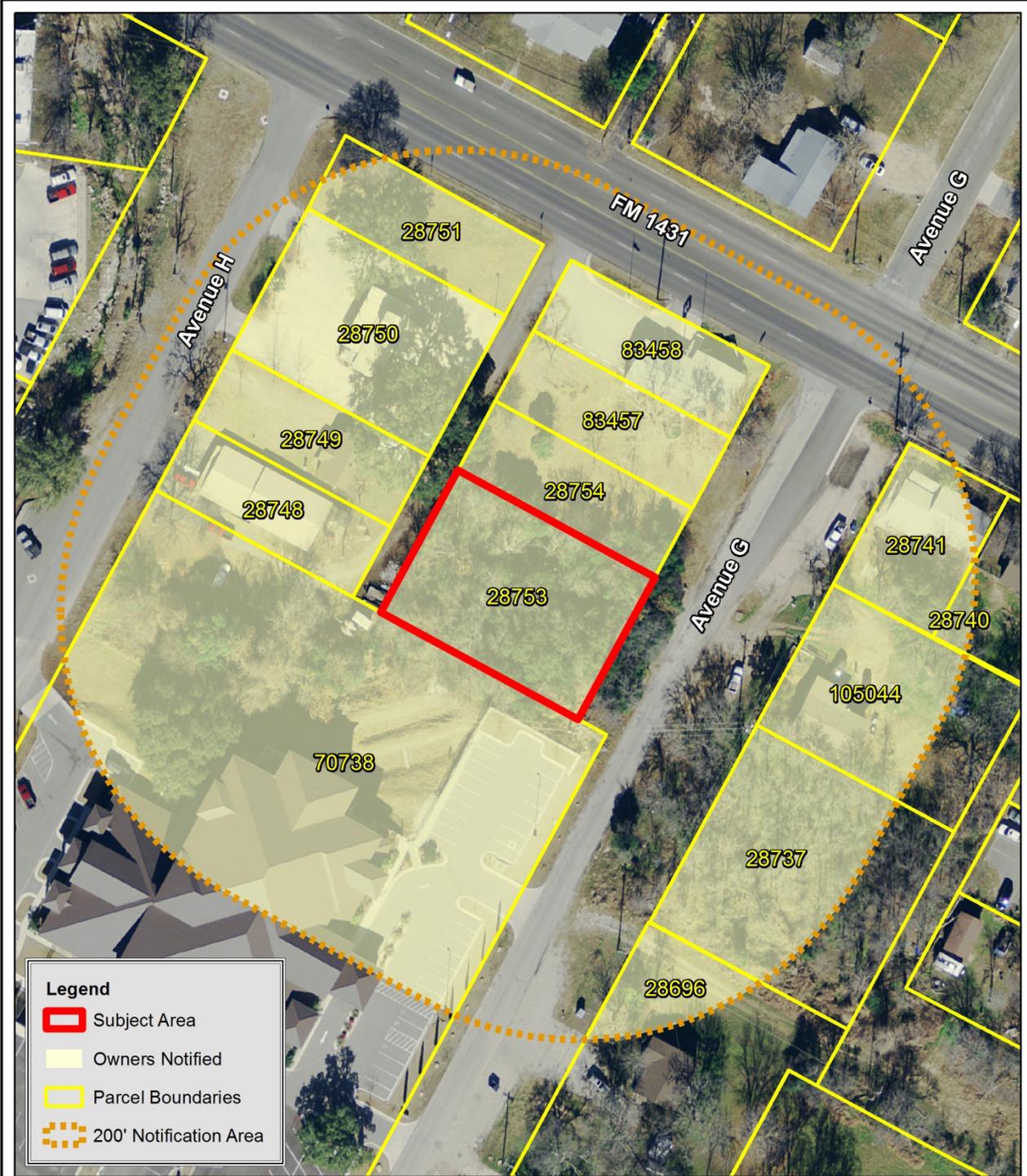




**CONDITIONAL USE PERMIT - EXISTING LAND USE**







**Legend**

- Subject Area
- Owners Notified
- Parcel Boundaries
- 200' Notification Area



**CONDITIONAL USE PERMIT - NOTIFICATION**



**Applicant Statement**

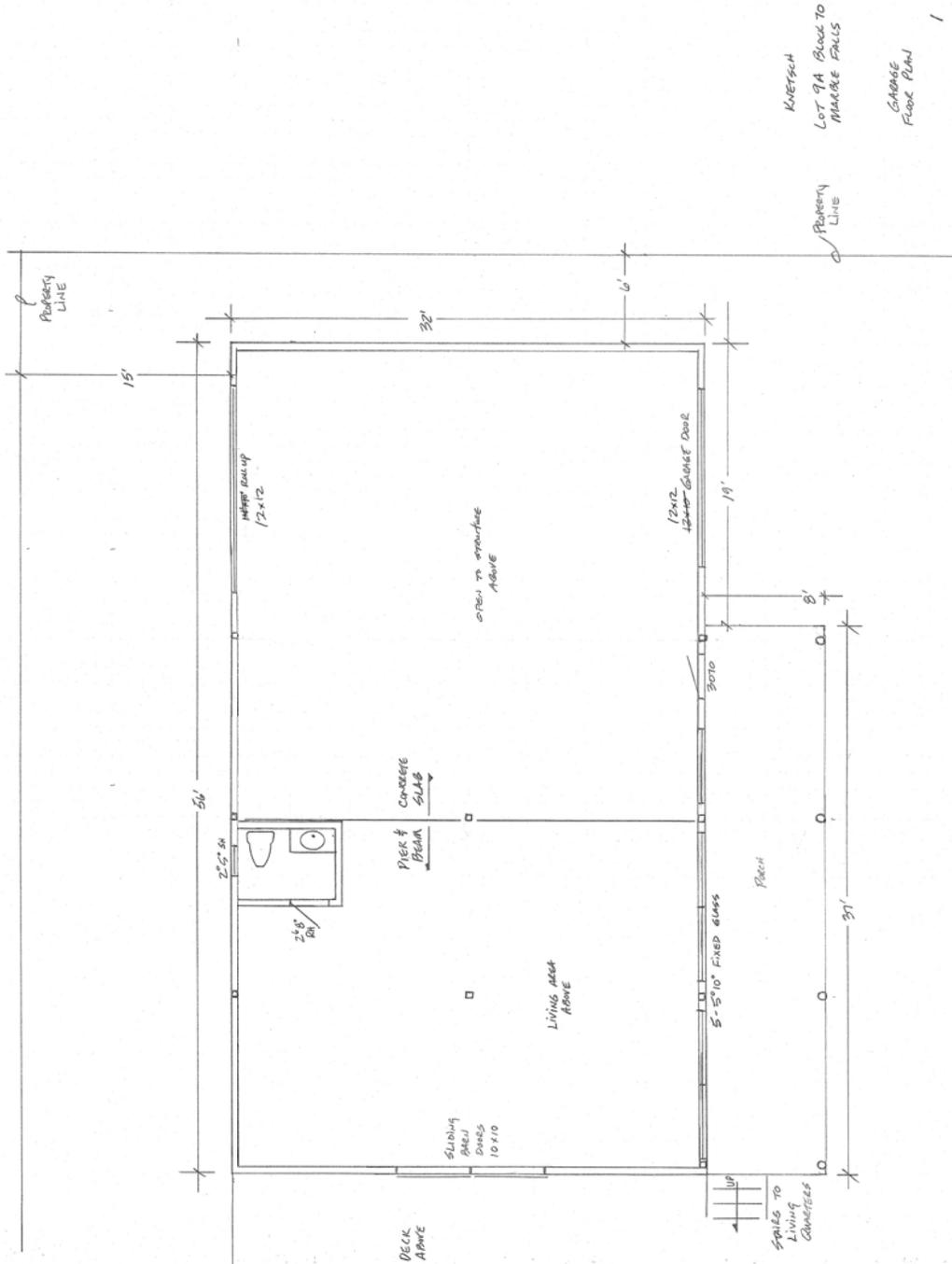
Lot 9A Block 70

I, Curtis Knetsch, Am requesting a permit  
to build a residence in a C3 ZONE AREA.  
I see no impact on existing traffic.

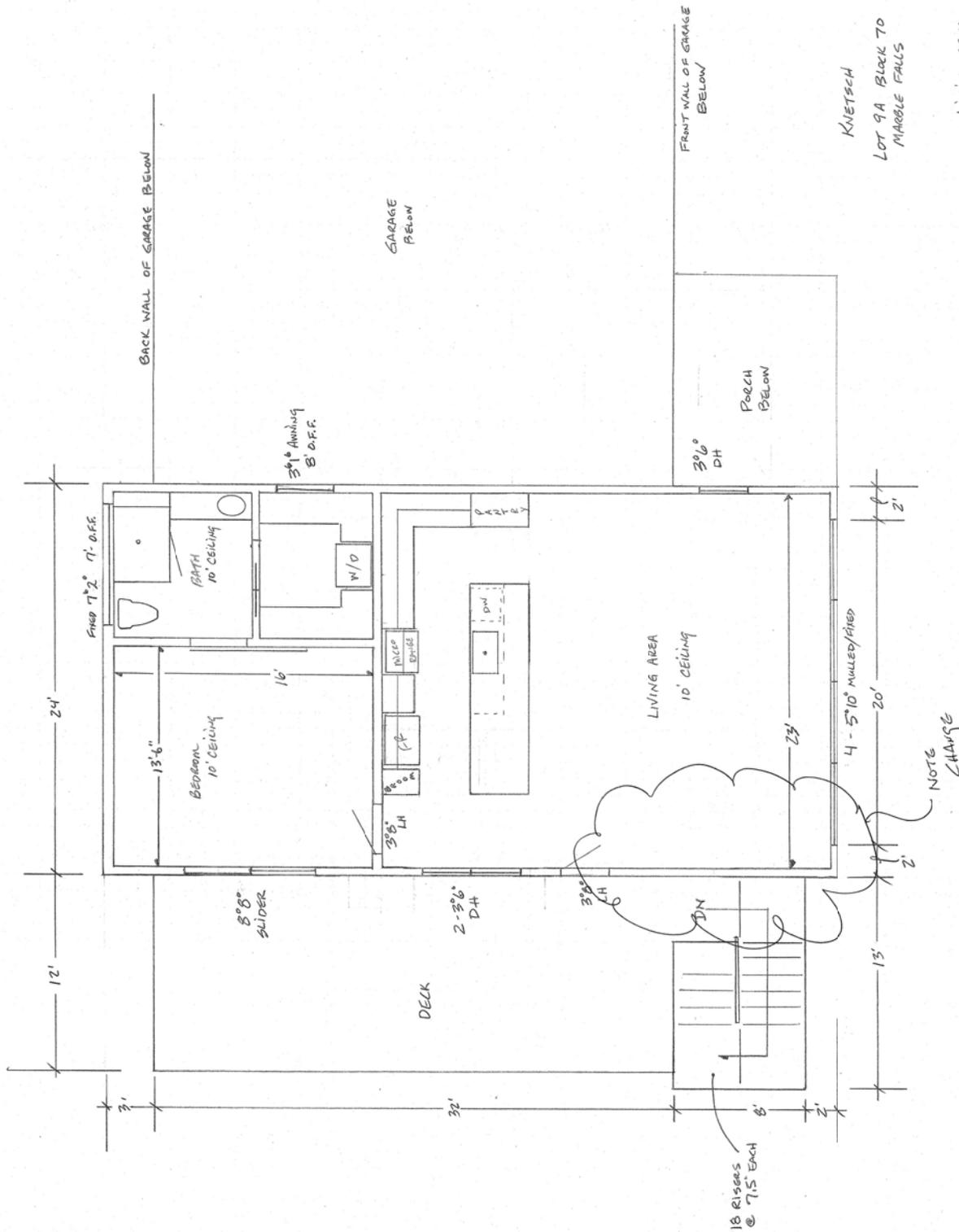




# Floor Plan



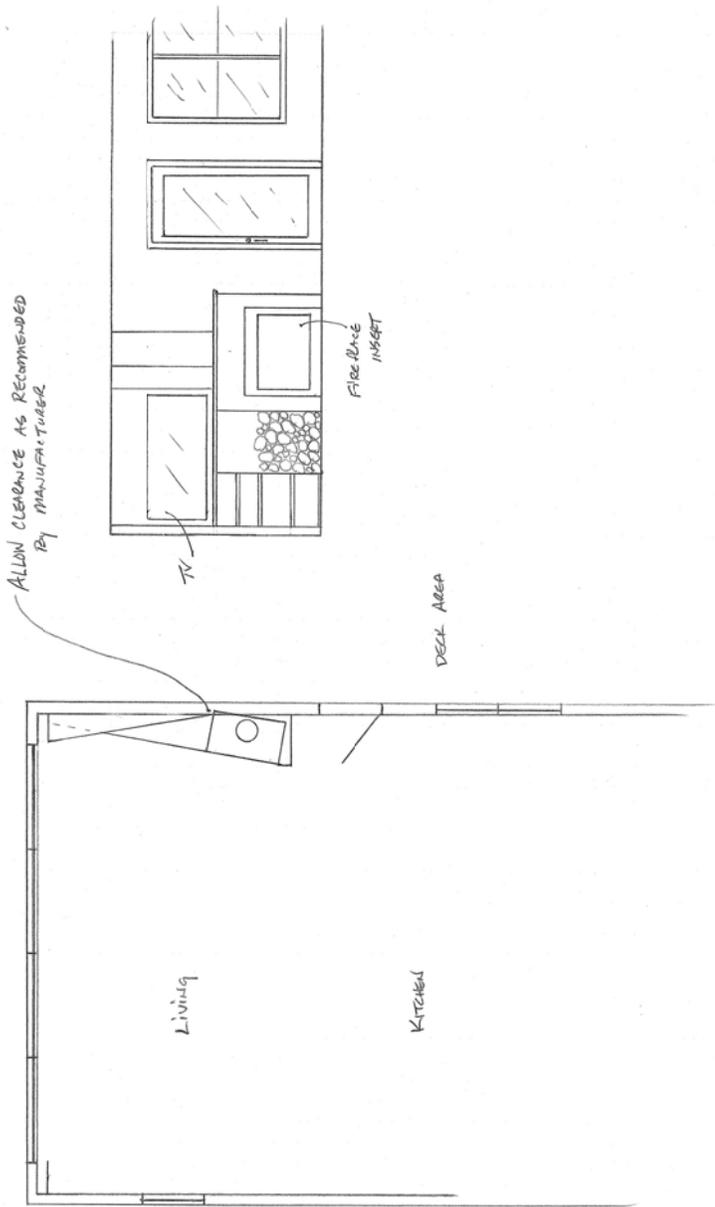
KNETSCA  
 LOT 9A Block 70  
 MARBLE FALLS  
 CHANGE  
 FLOOR PLAN



KNETSCH  
 LOT 9A BLOCK 70  
 MARBLE FALLS

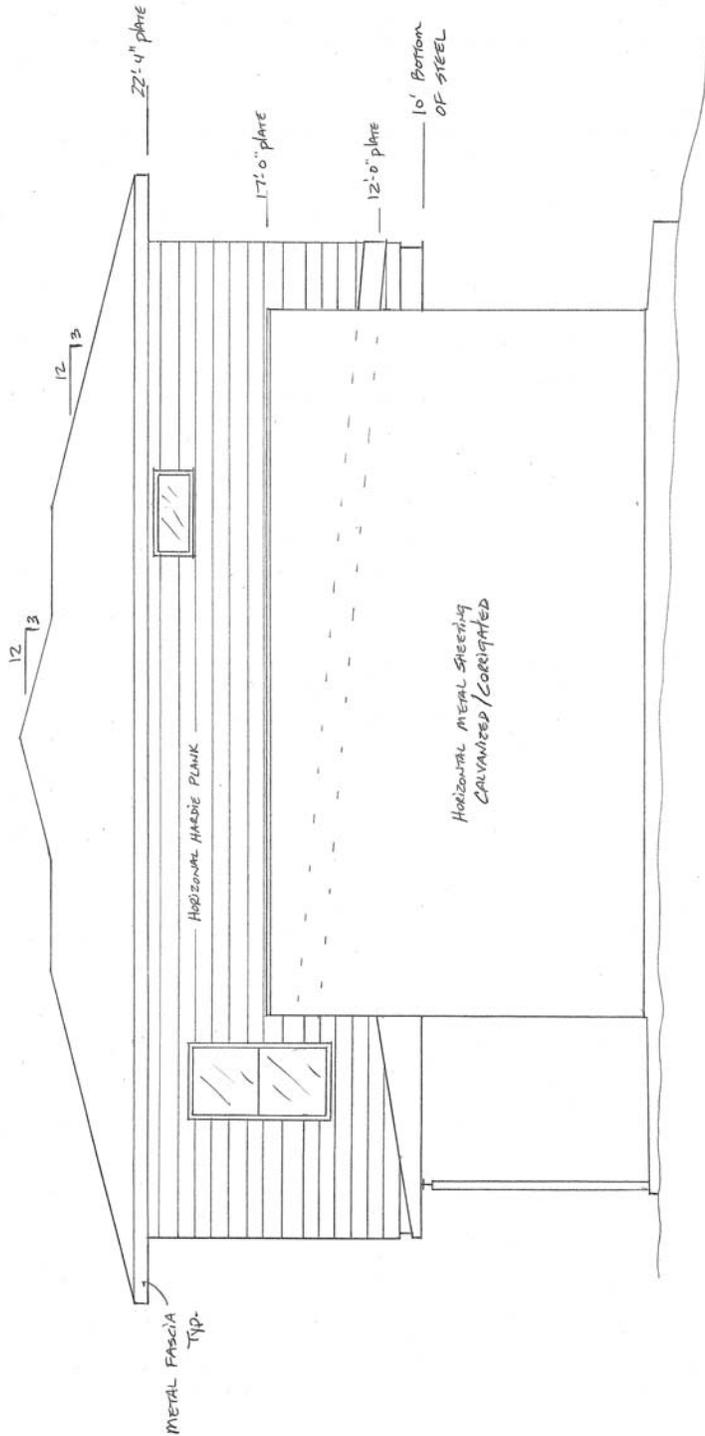
LIVING AREA  
 FLOOR PLAN

2

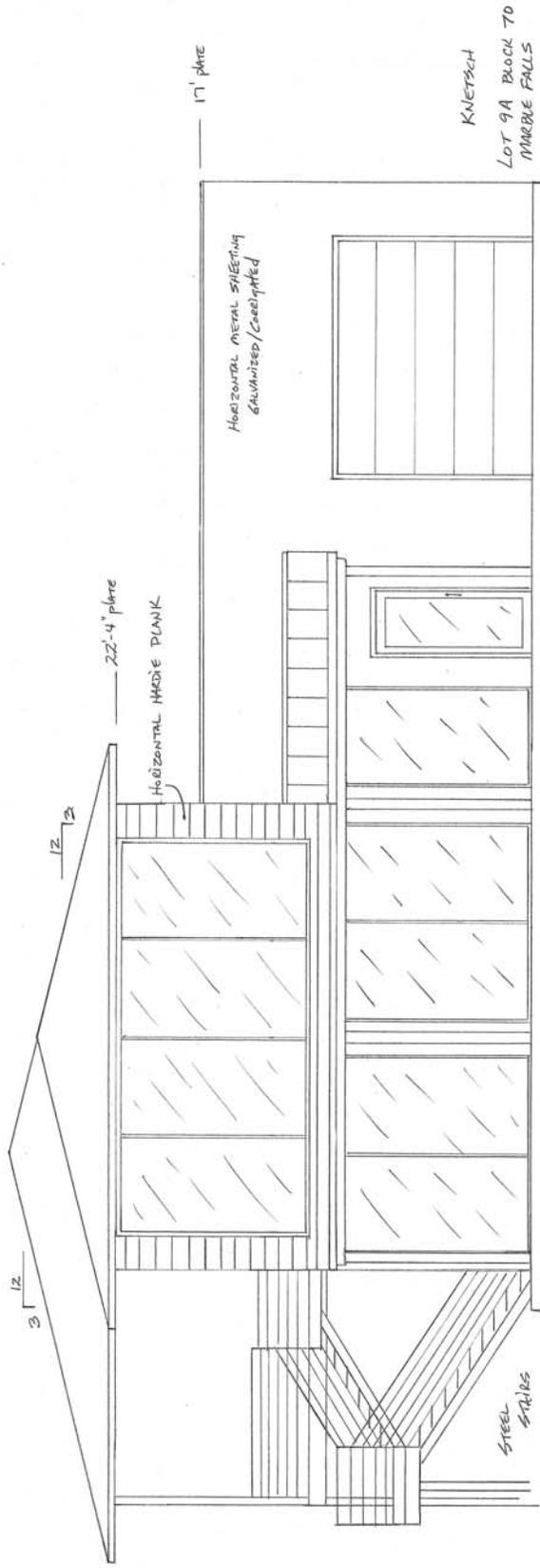


KNERSCH  
 LOT 9A Block 70  
 MARBLE FALLS  
 FIREPLACE/LIVING AREA CHANGE

# Building Elevations



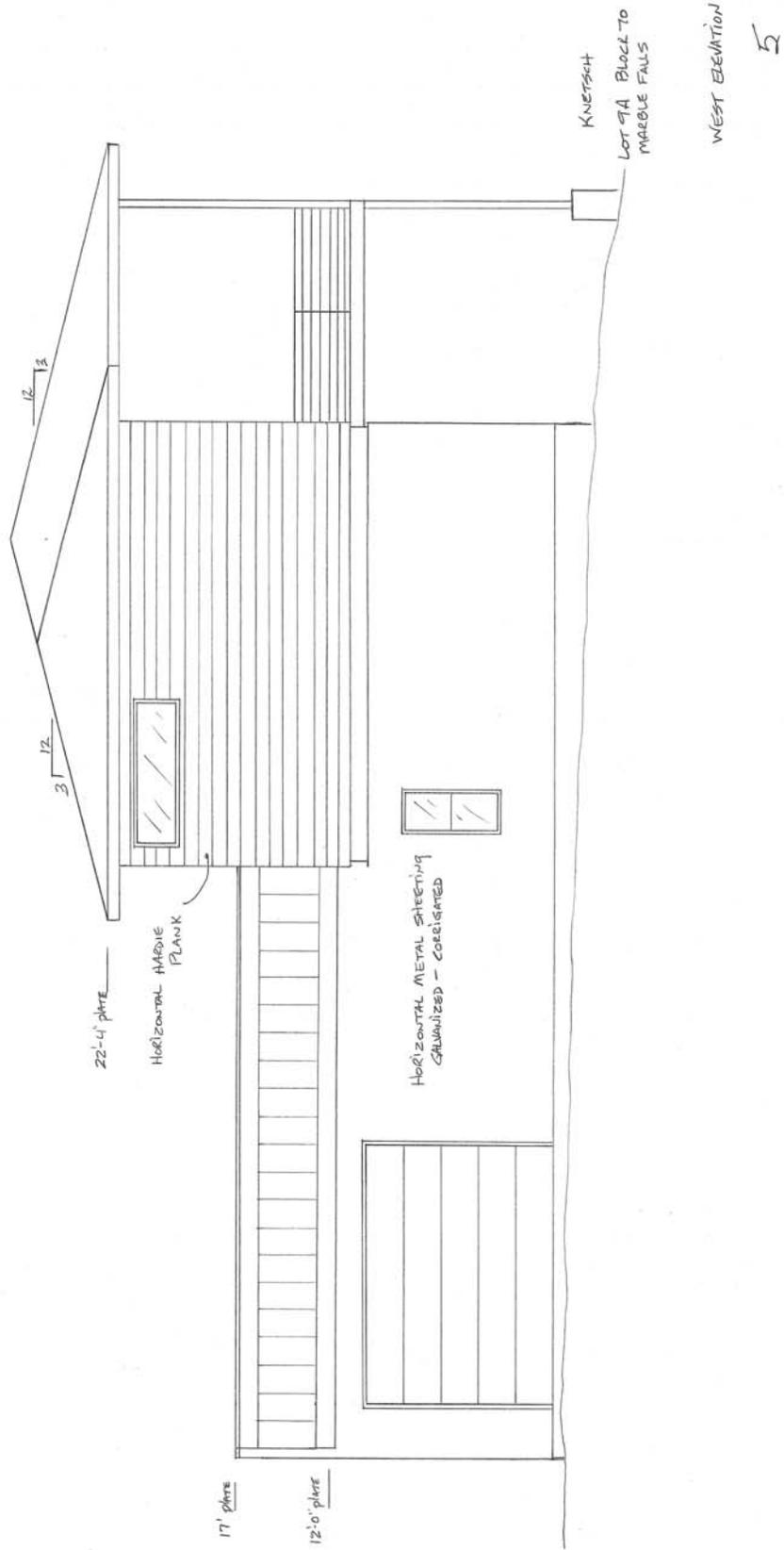
KNEISCH  
LOT 9A BLOCK 7D  
MARBLE FALLS  
NORTH ELEVATION  
3

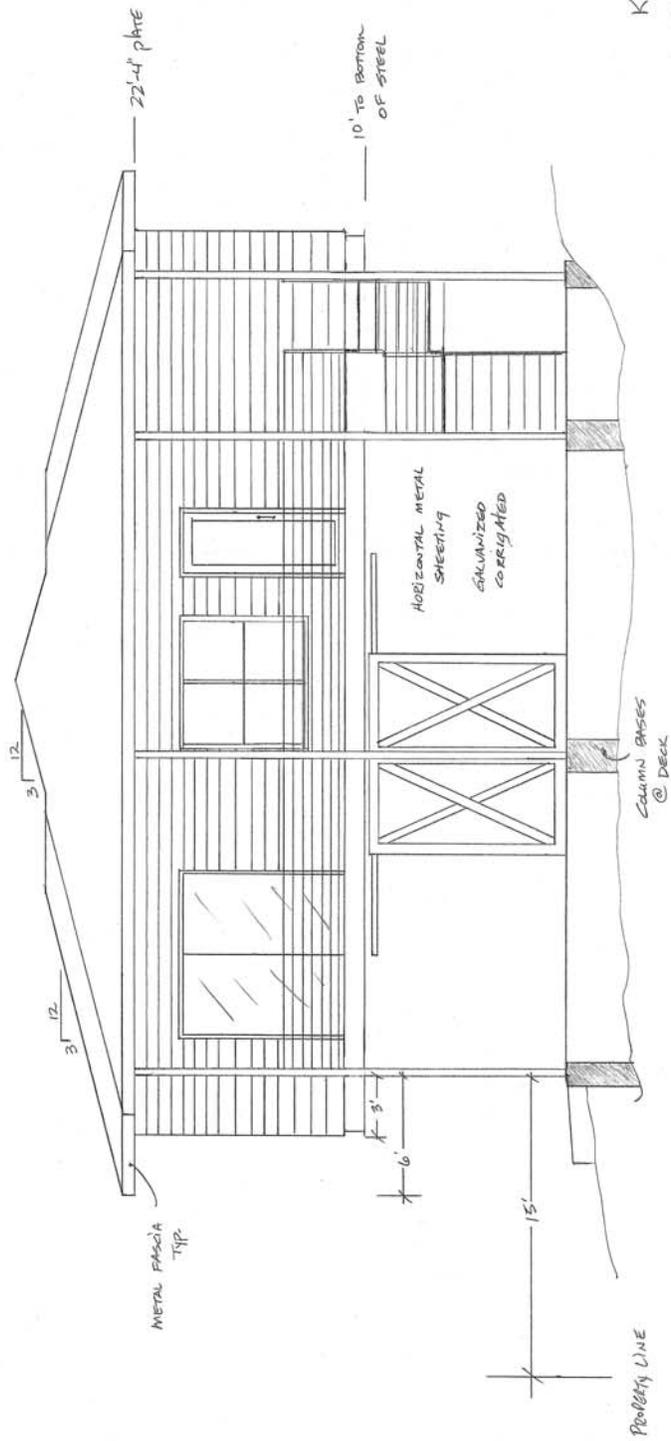


KNIESCH  
 LOT 9A BLOCK TO  
 MARBLE FALLS

EAST ELEVATION

4





KNETSCH  
 LOT 7A BLOCK 70  
 MARBLE FALLS

SOUTH ELEVATION

6

## Materials and Example Images







## **ORDINANCE NO. 2016-O-02C**

**AN ORDINANCE OF THE CITY OF MARBLE FALLS, TEXAS APPROVING A CONDITIONAL USE PERMIT (CUP) WITH CONDITIONS TO ALLOW SINGLE-FAMILY RESIDENTIAL USE WITHIN THE GENERAL COMMERCIAL BASE DISTRICT (C-3) ON THE PROPERTY DESCRIBED AS BEING LOT 9-A, BLOCK NO. 70, MARBLE FALLS ORIGINAL TOWNSHIP, CITY OF MARBLE FALLS, BURNET COUNTY, TEXAS, MUNICIPALLY ADDRESSED AS 908 AVENUE G, APPROVING SITE PLAN AND ELEVATIONS, AS DEPICTED IN EXHIBIT "A"; PROVIDING FOR A SAVINGS CLAUSE, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.**

**WHEREAS** the City of Marble Falls is legally empowered to regulate development in the community through the legitimate use of its police powers; **AND,**

**WHEREAS,** the City Council seeks to promote responsible and sustainable growth consistent with the City of Marble Falls's Comprehensive Plan; **AND,**

**WHEREAS,** the owners seek to use the property located in the General Commercial Base District (C-3) for development of Single-Family Residential Use (the "Project"), via a Conditional Use Permit; **AND,**

**WHEREAS,** the City of Marble Falls Planning & Zoning Commission at a public hearing on Thursday February 4, 2016, recommended approval of the request for CUP with a finding that such use is compatible with the City's land use objectives and with surrounding uses; **AND,**

**WHEREAS,** the City Council of the City of Marble Falls, Texas, has considered the matter at a public hearing and deems it appropriate to grant a CUP by this Ordinance to allow Single-Family Residential Use and the Project as depicted on the site plan and elevations shown in Exhibit "A", and hereby finds such use in conformance with the City's land use objectives as stated in the Comprehensive Plan and compatible with surrounding uses.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARBLE FALLS, TEXAS, THAT:**

**SECTION I.** All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Marble Falls and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

**SECTION II.** The Site Plan(s) and Building Elevations depicted in "Exhibit A" and a Conditional Use Permit ("CUP") for Single-Family Residential land use on Lot 9-A, Block No. 70, Marble Falls Original Township, City of Marble Falls, Burnet County, Texas is hereby approved contingent upon the following conditions:

- A. Project shall be constructed in accordance with the approved site plan and elevations shown in Exhibit "A";
- B. Project will be developed and constructed in compliance with the City's Code of Ordinances and in particular the zoning requirements applicable to R-1, except as same may be modified by the approved site plan and elevations depicted in Exhibit "A";
- C. Amendments to the Project that are not considered as Minor Amendments, as defined by the City's Code of Ordinances, shall be approved by the City Council prior to such changes;



---

Christina McDonald, City Secretary  
City of Marble Falls

(Seal)

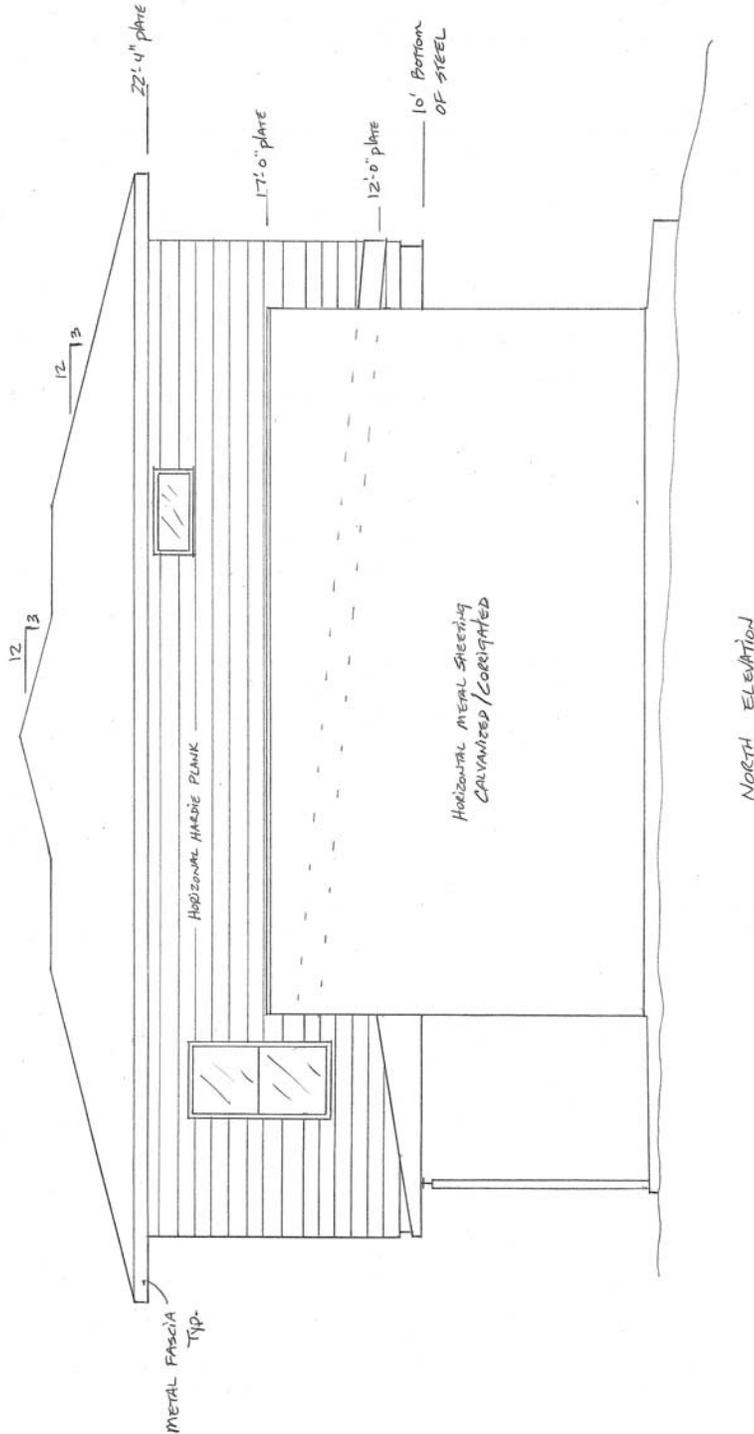
APPROVED AS TO FORM:

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Patty L. Akers, City Attorney  
City of Marble Falls



EXHIBIT "A" – Building Elevations  
(Page 2 of 5)



KNETSCH  
LOT 9A BLOCK 70  
MARBLE FALLS

NORTH ELEVATION  
3

EXHIBIT "A"  
(Page 3 of 5)

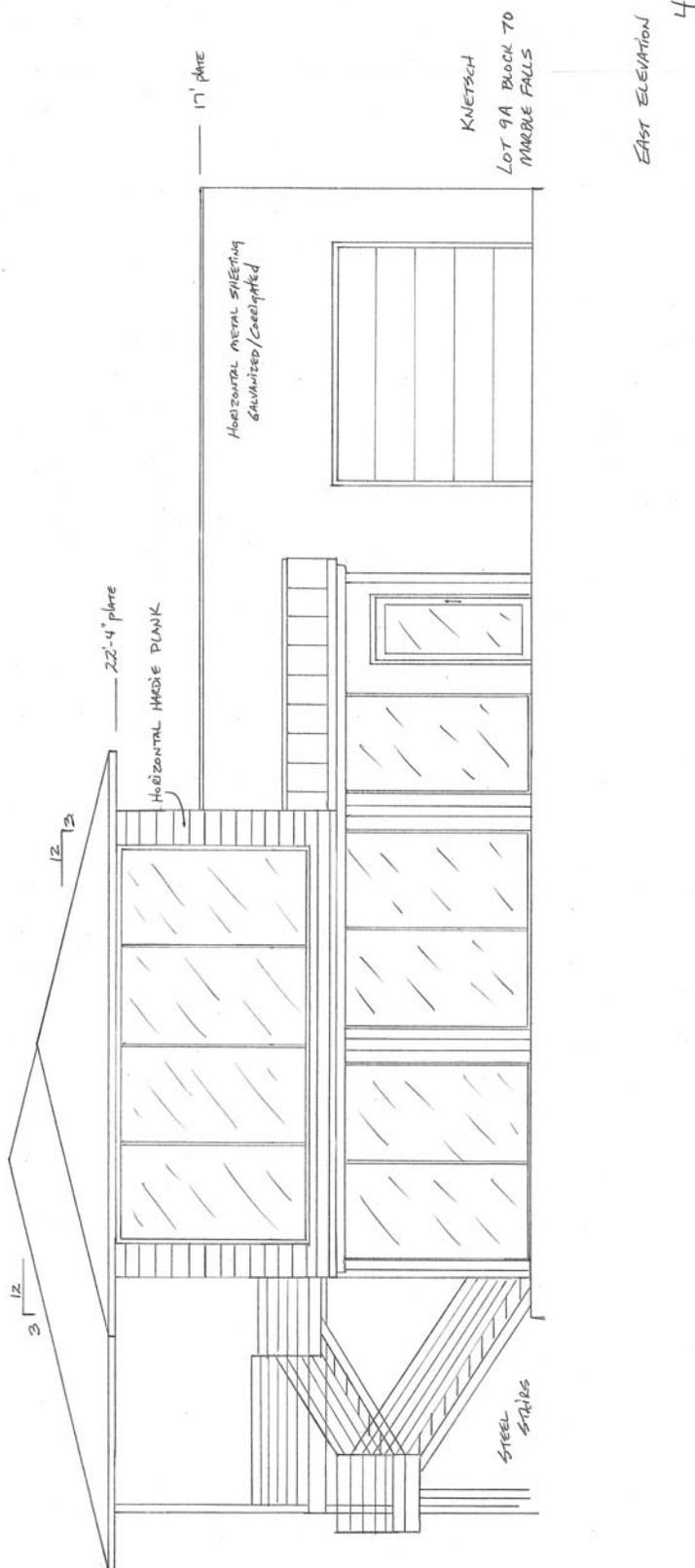


EXHIBIT "A"  
(Page 4 of 5)

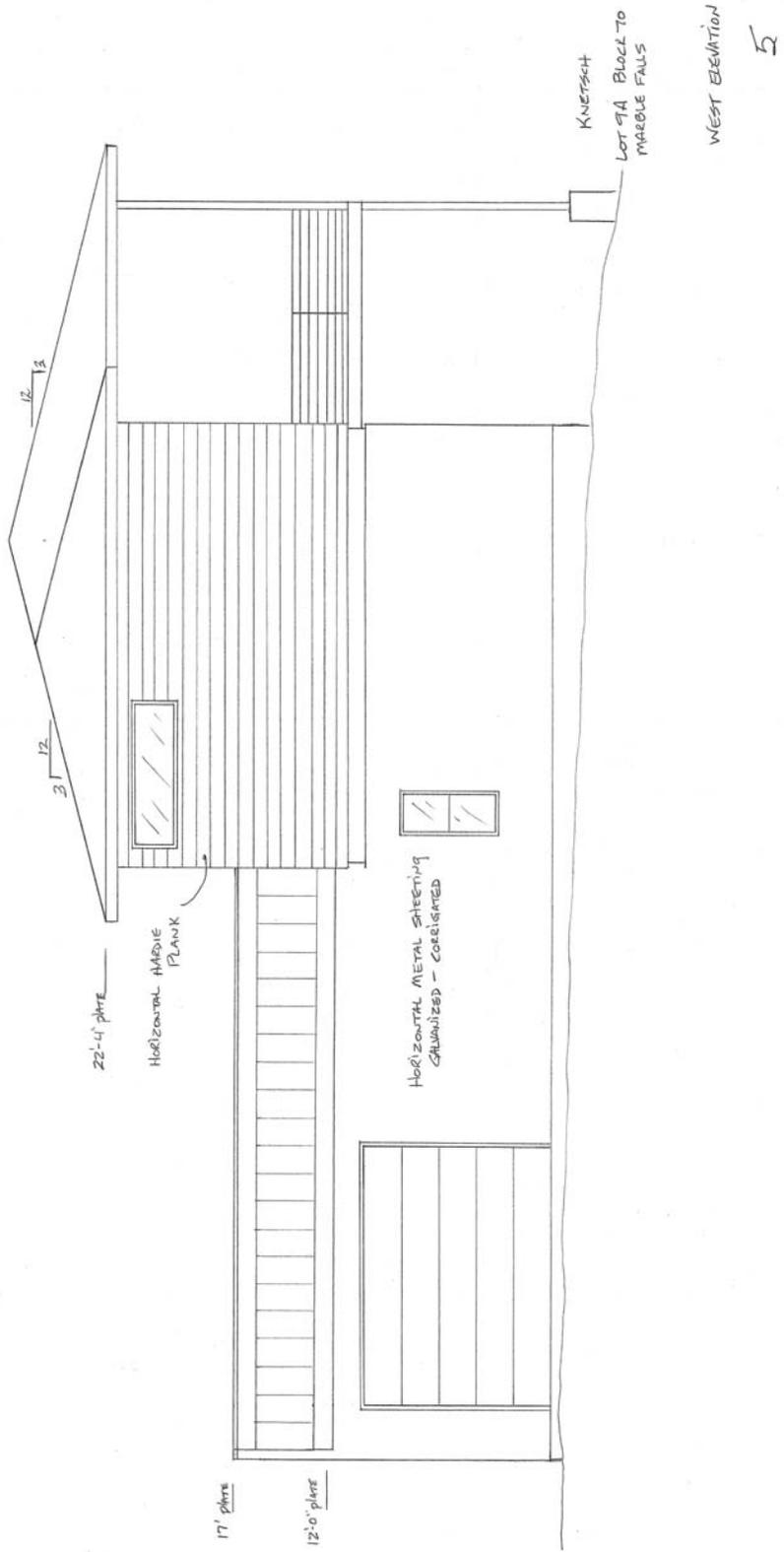
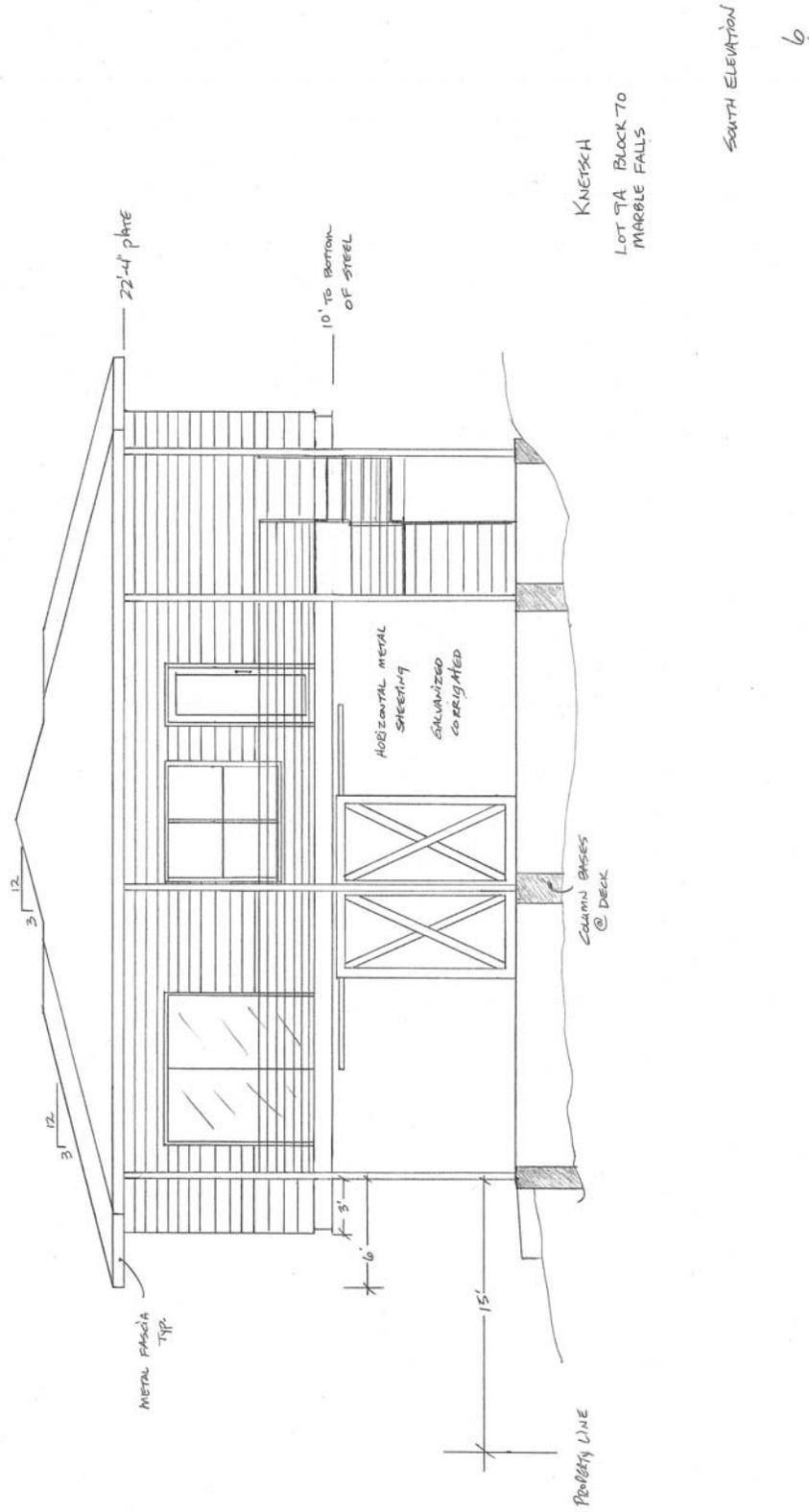


EXHIBIT "A"  
(Page 5 of 5)



**February 16, 2016**

**7. REGULAR AGENDA**

- (b) Discussion and Action on approval of Interlocal Agreement regarding annual renewal of membership and participation in the Central Texas Water Coalition.  
***Mike Hodge, City Manager***
- 

Background information is attached as follows:

[Cover Memo and Supporting Documentation](#)



**Council Agenda Item Cover Memo**  
**February 16, 2016**

**Agenda Item No.:** 7(b)  
**Presenter:** Mike Hodge, City Manager  
**Department:** Administration  
**Legal Review:**  Not Applicable

**AGENDA CAPTION**

Discussion and Action on approval of Interlocal agreement regarding annual renewal of membership and participation in the Central Texas Water Coalition.

**BACKGROUND INFORMATION**

In July of 2014 City Council elected to participate in the Central Texas Water Coalition (CTWC).

The CTWC is an umbrella 501(c)4 non-profit organization formed in May of 2010 following the development of the LCRA Water Management Plan Stakeholders Advisory Committee. Several members of the CTWC were on the LCRA Committee as part of the Lakes team. After several years, they decided to form the CTWC to better represent the interests of the businesses and communities along the lakes. The CTWC works to educate the public on responsible water management, encourage conservation and urges citizen involvement in preservation of the lakes.

Ms. Tedder will present to Council the advantages of supporting membership as well as provide information detailing CTWC's advocacy efforts during the 84<sup>th</sup> Legislative Session and the LCRA Water Management Plan update process, as well as their role in several regional water issues impacting the Highland Lakes. Additional information detailing the activity of the CTWC can be found [here](#).

The membership fee for municipalities is \$5,000 which is not currently accounted for in the FY 2015/2016 City of Marble Falls Budget.

Staff recommends approving the Interlocal Agreement renewing the City's membership in the amount of \$5,000 to be paid from the Hotel Occupancy Tax fund.

CTWC will bring a copy of their 2015 and 2016 budgets for Council's review at the Council Meeting.

Membership is approximately 3500. [View partial membership list.](#)

COUNTY OF BURNET     §  
STATE OF TEXAS       §

## INTERLOCAL COOPERATION AGREEMENT

This **INTERLOCAL COOPERATION AGREEMENT** ("Agreement") is executed by and between **CENTRAL TEXAS WATER COALITION, INC.**, P O Box 328, Spicewood, Texas 78669, hereinafter referred to as "CTWC", and the **CITY OF MARBLE FALLS**, Texas, a home rule municipal corporation organized under the laws of the State of Texas, hereinafter referred to as the "City", acting by and through their duly authorized representatives.

**WHEREAS**, the City of Marble Falls is a local government as defined in 791.003 of the Texas Government Code, and

**WHEREAS**, CTWC is a non-profit 501(C)4 political subdivision of the State of Texas, with goals that directly assist the City of Marble Falls with the economic impact of Lake Buchanan and Lake Travis water levels and the impact on tourism, and

**WHEREAS**, both CTWC and the City of Marble Falls desire to enter into an Interlocal Cooperation Agreement, pursuant to the Interlocal Cooperation Act, Chapter 791, Texas Government Code;

**NOW, THEREFORE**, for and in consideration of the covenants, conditions and undertakings hereinafter described, and the benefits to accrue to the citizens of the City, the parties contract, covenant and agree to provide certain governmental services and functions as follows:

**Section 1. Program Funding Assistance.** The City agrees to provide program funding assistance to CTWC in an amount not to exceed \$5,000.00 for the term of this Agreement.

**Section 2. Conflict of Interests.** CTWC covenants and agrees that it presently has no interest and will not acquire, direct or indirect which conflicts with its efficient, diligent faithful performance of the terms of this contract and agreement. This agreement shall not be assigned or transferred by CTWC without prior written consent of the City.

**Section 3. Agreement Period.** This Agreement shall commence on January 1, 2016 and shall continue in effect for one year unless terminated in writing by the City or CTWC.

**Section 4. Amendments and Modifications.** This Agreement may not be amended or modified except in writing executed by the City and the CTWC and authorized by both parties.

**Section 5. Captions.** The descriptive captions of this Agreement are for informational purposes only and shall in no way limit or effect the terms or conditions of the paragraphs.

**Section 6. Severability.** The sections, paragraphs, clauses and phrases of this Agreement are severable and, if any phrase, clause, sentence, paragraph, or section of this Agreement should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, or paragraphs, and sections of this Agreement.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement by their duly authorized agents and officers.

**SIGNED AND APPROVED** this the 16<sup>th</sup> day of February, 2016.

\_\_\_\_\_  
**John Packer, Mayor, City of Marble Falls**

\_\_\_\_\_  
**Jo Karr Tedder, CTWC President**

ATTEST:

\_\_\_\_\_  
**Christina McDonald, City Secretary**

## 84th Legislative Session Update From CTWC

**C**TWC visited the offices of every Senate and House member on Water Day, March 26, 2015, and delivered our message of the importance of drinking water preservation and conservation. Our successful focus this session was establishing a relationship with members on House and Senate committees that impact water issues, raising awareness of the economic impacts of low reservoir levels, and playing defense against legislation that would harm our interests.

### CTWC worked to SUPPORT the following bills:

SB 523, by Sen. Birdwell, to **require Sunset Review of river authorities**, which was signed by the Governor.

CTWC assisted in drafting **HB 2308, by Rep. Keffer, requiring economic impact to be considered as part of water permitting decisions**. A hearing on this bill was held in the House Natural Resources Committee on April 15, and CTWC and its members provided testimony. CTWC is currently working to include information regarding economic impact in the Legislature's interim studies.

HB 2031, by Rep. Lucio, III, which **streamlines the regulatory process related to marine seawater desalination**, and reduces the time required and costs. Marine seawater is a potential new source for drinking water, and seawater desalination allows for this and other beneficial uses. **This bill was signed by the Governor.**

HB 30, by Rep. Larson, which **requires each regional water planning group to include in its regional water plan to the Texas Water Development Board opportunities for and the benefits of developing large-scale desalination facilities** for seawater or brackish groundwater for local or regional brackish groundwater production zones. **This bill was signed by the Governor.**

HB 1, by Rep. Otto (the budget bill) – CTWC supported a legislative appropriation exceptional item request for TCEQ that ultimately **provided funding for additional staff to conduct updated water modeling for the state's 23 river basins, drought technical analysis and support, assistance and review of innovative technologies, and drought response for public water systems**. This bill was signed by the Governor.

HB 1232, by Rep. Lucio, III, which **requires the Texas Water Development Board to conduct a study of the hydrology and geology of confined and unconfined aquifers** to determine the water quality and quantity, whether aquifers are tributary or non-tributary, their respective contributions to surface water, and their contributions to other aquifers, by no later than 12/31/2016. **This bill was signed by the Governor.**

### CTWC worked to STOP the following bills:

SB 1598, by Sen. Kolkhorst: Would have required an interim study regarding the composition of the LCRA Board of Directors to add two new directors representing agriculture and to replace one of the three electricity representatives with a bays and estuaries representative. **The bill did not receive a hearing.**

SB 1936, by Sen. Kolkhorst: Would have allowed for the recovery of monetary damages resulting from an emergency transfer of water authorized by TCEQ. **The bill did not receive a hearing.**

SB 580/HB 3397, by Sen. Kolkhorst/Rep. Stephenson: Would have imposed additional design requirements on water intakes providing water for municipalities out of an LCRA reservoir. **The House bill was left pending in committee and the Senate bill did not receive a hearing.**

## 2014 & 2015 CTWC Accomplishments – Protecting the Lakes

CTWC **worked with other stakeholders to secure adoption of the LCRA's updated Water Management Plan.** The plan was approved November 4, 2015. These changes require LCRA to consider drought conditions and higher lake levels before releasing water for interruptible supplies – a complete turnaround from past water management plans. CTWC has worked for the adoption of the changes since 2010.

By representing our members in an administrative hearing, CTWC was instrumental in **securing an Emergency Order preventing downstream release of stored water** in the beginning of 2014. CTWC **supported Emergency Orders from 2012 to 2015 that have prevented releases of stored water.** Before 2012, the downstream rice farmers had never seen their water interrupted in the history of LCRA.

CTWC **continues working in a collaborative manner with LCRA**, which includes regular meetings with staff and ongoing discussions on the need for updated hydrology and fair and equitable water pricing.

CTWC **encouraged qualified applicants to apply to serve on the LCRA Board** and is pleased that the Governor's recent appointments maintained balance on the Board.

CTWC **continues working with other Central Texas firm water customers** as part of monthly water strategy meetings.

CTWC **has two board members who also serve as members of the Region K Regional Water Planning Group**, which sends our basin's water needs and plans for meeting those needs to the Texas Water Development Board for inclusion in the State Water Plan. The Region K Planning Group recently voted to adopt a revised regional plan that includes an appendix prepared by CTWC regarding the socioeconomic importance of the Highland Lakes.

CTWC **continues to be part of Dr. Andrew Sansom's project, Water Grand Challenges**, a statewide group facilitating dialogue on cutting-edge water issues.

CTWC is **participating on the Texas Leadership Roundtable on Water.** This group is developing specific recommendations for needed legislative change.

CTWC **continues to work statewide with other basin partners on water management issues.**

CTWC President **Jo Karr Tedder was an invited speaker in Tampa Bay at the International Marina and Boatyard Conference**; topic was 'Inland Reservoirs in the Southwestern US.' She has been invited back for the 2016 event.

CTWC is **working with the San Saba organization No Colorado River Dam to stop a proposal to build a dam across the Colorado River upstream of Lake Buchanan.** The organization presented a petition to the City of Goldthwaite with over 1,000 signatures asking the city to cease its participation in the application filed by O.P. Leonard Jr. for the 20' dam. (More info at [www.nocoloradoriverdam.com](http://www.nocoloradoriverdam.com))

CTWC **continues to focus on education, hydrology, climatology, and conservation** of our limited water supplies.

**The Central Texas Water Coalition is a 501(c)4 non-profit organization advocating for water policies that will preserve the Highland Lakes as irreplaceable natural resources supplying water for more than one million Central Texans and providing an important economic engine for the tourism industry and the State of Texas.**

Coalition partners include more than 3000 Texas residents, businesses, local government representatives, property owner associations, environmental interests and concerned citizens. All are united by their commitment to protect our future through responsible water management and conservation policies.

**HISTORY OF CTWC**

In May of 2010, the Lower Colorado River Authority (LCRA) appointed the Water Management Plan Stakeholders Advisory Committee, which consisted of 16 individuals representing diverse interests: Rice Farmers, Environmentalists, Firm Customers and the Lakes.

Individuals representing the Highland Lakes formed CTWC in 2011 to provide a unified voice for Central Texas. Friends of CTWC, a 501(c)3 tax-deductible non-profit organization was formed in 2012, and a new statewide committee - Water Equality for Texans - was formed in 2014.

**GOALS OF CTWC**

The CTWC groups' continue to represent lake interests by educating the public on the need for responsible water management, encouraging conservation and urging citizen involvement to help protect the lakes and our future.

**WHAT WE'RE WORKING FOR:**

With significant growth in the state's population occurring and expected to continue, unreliable rainfall for water supplies could pose a real threat to the state's drinking water, public health and safety and the economy.

Annual economic losses from not meeting water supply needs could be devastating.

We can't control the rainfall, so we must plan for the future and ensure responsible and forward-thinking management of the resources we have during floods, drought, or our new normal.

**CENTRAL TEXAS  
WATER COALITION**

**Jo Karr Tedder**  
*President*

**David Lindsay**  
*Secretary &  
VP, Technical Research*

**Bill Aydam**  
*Treasurer*

**Tom Harrison**  
*VP, Agency Liaison*

**Kevin Klein**  
*VP, Communications*

**Pete Clark**  
*Legislative Committee Chair*

**Buddy Harris**  
*Conservation  
Committee Chair*

**Frank Cooley**  
*Legal Committee Chair*

**Jim Maury**  
*Finance Committee Chair*

**Harry Ransier**  
*Outreach Committee Chair*

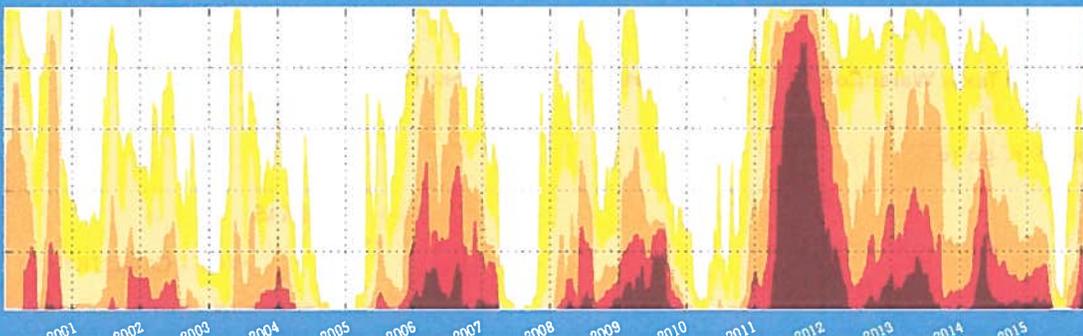
**Garry Schnabel**  
*Fundraising and  
Event Committee Chair*

**Donna Klaeger**  
*Statewide Outreach  
Committee Chair*

**BOARD OF DIRECTORS**

**Dorothy Taylor**  
*Executive Director*  
dorothy.taylor.ctwc@gmail.com

**SINCE 2000, AT LEAST SOME PART OF THE STATE WAS IN DROUGHT CONDITIONS 93 PERCENT OF THE TIME.**



- D0 (Abnormally Dry)
- D1 (Moderate Drought)
- D2 (Severe Drought)
- D3 (Extreme Drought)
- D4 (Exceptional Drought)

Source: Texas Water Development Board

## ENSURE ADEQUATE DRINKING WATER SUPPLIES FOR THE FUTURE

A dependable supply of safe drinking water is essential to public health, the state's economy and quality of life. With depleted water sources, an expanding population, and increasingly unpredictable weather patterns, it is critical that greater emphasis be placed on protecting the state's drinking water supply. In order to ensure adequate water supplies for the future, water management entities must thoroughly consider the full future impact of their decisions at different degrees of water availability including times of extraordinary drought, less severe drought and normal conditions.

***Recommendation: Ensure that regulatory entities make water management decisions that are more protective of drinking water supplies using current sound science to ensure adequate supplies are available for our growing population, even through extended drought.***

## CONSIDER ECONOMIC IMPACT

Currently, the Texas Water Code does not include consideration of the personal, local and statewide economic impacts of water management decisions made by state regulators. In addition to the impact on a region's drinking water, such decisions can have a negative effect on tax revenues, economic viability, business and industry, and job growth.

***Recommendation: Clarify state law to require economic impact as a factor that must be given due consideration in making water management decisions.***

## INCREASE WATER CONSERVATION

Fostering water conservation and efficiency must be a central part of the state's water management strategy for the future. These efforts should include but not be limited to reducing water losses in water distribution systems, encouraging agricultural users to transition to the best available technology for water and irrigation systems, and increasing public education on the value of water conservation. It should also include preserving the watersheds that feed our lakes and aquifers by recognizing and protecting them through land use policies and infrastructure planning. Conservation, and policies supporting it, should drive all decisions regarding water use, from personal use to business use to decisions about the types of crops we grow.

***Recommendation: Support conservation rules and policies, and prioritize projects that will have the greatest impact on protecting water resources and reducing water consumption.***

## CREATE TRANSPARENCY IN WATER PLANNING

Texas' State Water Plan is developed by 16 regional water planning groups from across the state that functions independently. To many observers, the groups lack transparency. Issues complicating public access and participation are common. Additionally, public notices of critical meetings by river authorities often provide little time or information for citizen understanding and input.

***Recommendation: Require greater transparency, public access and input to river authorities and regional water planning groups.***

## USE UPDATED SCIENTIFIC DATA

Hydrological data provides the foundation for predictive water modeling that guides water management decisions. With much of the state experiencing an increasingly drier climate and a corresponding decline in lake inflows, historical hydrology data can no longer be relied upon to provide accurate projections of future inflows. Updated studies should be conducted to guarantee water management decisions used to ensure our state's future water supplies are based on current inflow modeling.

***Recommendation: Support the use of updated hydrological data in water management decision-making. Staff resources appropriately to provide real-time hydrological data.***

## ESTABLISH EQUITABLE WATER RATES TO ENHANCE WATER CONSERVATION BY ALL

Water pricing is an important factor in managing water demand and should support the state's growing emphasis on conservation. While many municipal and industrial users face higher rates that encourage reduced use, other pricing practices provide little incentive for conservation.

***Recommendation: Require fair and equitable pricing of water for all customers to encourage conservation. Create a viable avenue for customers to appeal water rates they believe to be unjust and discriminatory.***

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For more information on the Central Texas Water Coalition or to support its efforts by contributing go to: [www.CentralTexasWaterCoalition.org](http://www.CentralTexasWaterCoalition.org)

To make a tax deductible donation, go to [www.friendsofctwc.org](http://www.friendsofctwc.org)

Follow us on:

 [Facebook.com/CentralTexasWaterCoalition](https://www.facebook.com/CentralTexasWaterCoalition)

 [Twitter.com/CentralTxWater](https://twitter.com/CentralTxWater)

CENTRALTEXAS

WATERCOALITION

P.O. Box 328 | Spicewood, Texas 78669

## **Central Texas Water Coalition – Partial Membership List**

Barton Creek Lakeside Irrigation Co.  
Barton Creek Lakeside POA  
Blue Cove POA  
Bonanza Beach POA  
City of Burnet  
City of Highland Haven  
City of Lakeway  
City of Marble Falls  
Burnet County Commissioners Court  
Cassie Community Association  
Cassie Property Owners Association  
Comanche Trail Community Assoc  
Concerned Volente Citizens  
Council Creek South POA  
Council Creek Village POA  
The Coves on Lake Travis HOA, Inc  
Donall Estates POA  
East Lake Buchanan Community Assoc (ELBCA)  
Granite Hills POA  
Indigo Cove Partners  
Kingsland Water Supply Corp  
Lago Vista POA  
Lake Buchanan Conservation Corp (LBCC)  
Lake Cliff POA  
Lake Travis Chamber of Commerce  
Llano County Commissioners Court  
Morgan Creek Village POA  
Ridge Harbor POA  
Rivercliff POA  
Rocky Point POA  
The Coves on Lake Travis HOA  
Travis Lakeside Owners Association  
Vanishing Texas River Cruise POA  
Village of Point Venture  
Village of Volente  
Windermere Oaks POA  
Windermere Oaks Water Supply Corp (WOWSC)  
Wolf Creek Ranch POA

**February 16, 2016**

**7. REGULAR AGENDA**

- (c) Discussion and Action on appointments to the Ethics Review Commission.  
*Christina McDonald, City Secretary*
- 

Background information is attached as follows:

[Cover Memo and Supporting Documentation](#)



**Council Agenda Item Cover Memo**  
**February 16, 2016**

**Agenda Item No.:** 7(c)  
**Presenter:** Christina McDonald, City Secretary  
**Department:** Administration  
**Legal Review:**  N/A

**AGENDA CAPTION**

Discussion and Action on appointments to the Ethics Review Commission.

**BACKGROUND INFORMATION**

The Ethics Review Commission meets on an as needed basis.

The terms of commissioners Bill Ealy and Lenwood Nelson have expired. Mr. Ealy does not wish to be considered for reappointment. Mr. Nelson has submitted his [reappointment questionnaire](#).

[View Commission Member Roster](#)



**CITY BOARD OR COMMISSION REAPPOINTMENT QUESTIONNAIRE**

NAME: Lenwood Y Nelson \_\_\_\_\_ DATE: 1/4/2016 \_\_\_\_\_

ADDRESS: 104 Gateway N. \_\_\_\_\_ (This application will expire 2 years after this date)  
Marble Falls, Texas 78654 \_\_\_\_\_

HOME PHONE: ( 512 ) 573-0673 \_\_\_\_\_ CELL PHONE: (512 )573-2723 \_\_\_\_\_

E-MAIL ADDRESS: [lenwoodnelson@yahoo.com](mailto:lenwoodnelson@yahoo.com), lenwoodynelsonsr@yahoo.com

PLACE OF EMPLOYMENT: Retired \_\_\_\_\_

POSITION AND TITLE: N/A \_\_\_\_\_

CURRENT BOARDS: Williamson/Burnet County Opportunities., Burnet County Republican Club, High Land Lakes Tea Party \_\_\_\_\_

YEARS OF SERVICE: 1 Year and 1 Year \_\_\_\_

Resident of the Marble Falls Corporate City Limits?  Yes  No If yes, how long? 12 Years \_\_\_\_\_

Qualified Voter?  Yes  No Voter Registration Number: 1019904947 \_\_\_\_\_

Voted in the last city election?  Yes  No

Are you in arrears on any City of Marble Falls taxes or other liabilities due the City of Marble Falls?  Yes  No  
(Arrears is defined to mean that payment has not been received within ninety (90) days from due date.)

- 1) Please list your accomplishments and contributions made as a board or commission member and detail your role in these accomplishments:

WBCO: Serve as Secretary of Executive Committee. Member of Property Committee, 50<sup>th</sup> Anniversary Celebration Committee, (Assisted in establishing hot meals in Marble Falls Area, at Serriff Center and in home deliveries). Participated in evaluating most efficient use of properties, vehicles, housing, etc., Including developing a partnership with the private sector to achieve income streams and return of same to the non-profit client base. Involved in planning and fund raising for upcoming 2016 50<sup>th</sup> Anniversary celebration WBCO's service to Williamson and Burnet Counties need based Clients.

Serve on Board of Highview Low Income Housing Complex in Marble Falls. Investigating alternatives to enhance and increase opportunities for low income and affordable housing in Marble Falls.

Republican Club of Burnet County: Serving as Secretary, working to communicate conservative values and their positive effect for Texas and The United States.

Serve as Vice President of Highland Lakes Tea Party, attempting to provide increased knowledge and information as to the positive effects of conservative values to our State and Nation.

2) What are your goals and objectives for the board or commission in the coming year?

WBCO: Need based clients becoming self sufficient.

Low income housing: opportunities for housing more readily available

Burnet County Republican Club/ HLTP: Elect more conservative leaders and that our state continues to thrive on conservative values and our nation elects a president with conservative values returning our nation to a world leadership role once again. Continue to preserve our 2<sup>nd</sup> AMMENDMENT RIGHTS.

3) What improvements do you think need to be made to the board or commission on which you serve?

WBCO/Highview: More aggressively pursue partnerships with the private sector for increasing revenue streams.  
Conservative organizations: Improved "Get Out The Vote" campaign

PLEASE PROVIDE ALL INFORMATION REQUESTED. INCOMPLETE QUESTIONNAIRES WILL NOT BE CONSIDERED FOR BOARD/COMMISSION REAPPOINTMENTS.

DISCLAIMER AND SIGNATURE: I hereby request consideration for reappointment to a board or commission of the City of Marble Falls, Texas. I certify that my answers above are true and complete. I understand that the information contained in this application may be considered, among other criteria, qualifications and/or information, by the City Council in its evaluation for the position being sought. I further understand that should I be reappointed to any City of Marble Falls Board or Commission, I serve at the pleasure of the City Council and may be removed from said position at any time and for any reason or no reason at all, with or without notice. I also understand that should I be reappointed to a City of Marble Falls Board or Commission, I must be responsible for a creditable record of attendance and performance. If this questionnaire leads to my reappointment to a position on a City of Marble Falls Board or Commission, I understand that false or misleading information in my questionnaire may result in my removal from the position

I also acknowledge that this information may be made available to the public.

Lenwood Y Nelson

1/4/2016

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

.....  
**CITY USE ONLY:**

Board/Commission Reappointed to: \_\_\_\_\_

Date Reappointed: \_\_\_\_\_

Number of Terms Served: \_\_\_\_\_

RETURN COMPLETED QUESTIONNAIRE TO:

City of Marble Falls Board and Commission Reappointment Questionnaire - Page 2 of 3

**City Secretary's Office  
City of Marble Falls  
800 Third Street, Marble Falls, Texas 78654  
Phone: (830) 693-3615 • Fax: (830) 693-6737**



## ETHICS REVIEW COMMISSION

(Meets as Needed)

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### CHAIR

Neal A. Kennedy  
1305 Pecan Valley Drive  
[neal@klblawfirm.com](mailto:neal@klblawfirm.com)

Term Expires  
January 2017

Phone: (830) 693-0107 hm.  
(830) 693-9911 wk.

### VICE-CHAIR

Bill Ealey  
1516 Northwood Drive  
[billealey45@yahoo.com](mailto:billealey45@yahoo.com)

Term Expires  
January 2016

Phone: (830) 693-2736 hm.  
(830) 613-9945 cell

### SECRETARY

Joe Bruns  
704 Sherman Avenue  
[joebruns@hotmail.com](mailto:joebruns@hotmail.com)

Term Expires  
January 2017

Phone: (512) 756-3911 hm.

Lenwood Nelson  
104 Gateway Park  
[lenwoodnelson@yahoo.com](mailto:lenwoodnelson@yahoo.com)

Term Expires  
January 2016

Phone: (512) 425-0673 hm.  
Phone: (512) 573-2723 cell

### VACANT

Term Expires  
January 2017

### CITY STAFF SUPPORT:

Christina McDonald, City Secretary  
(830) 798-7060  
[cmcdonald@ci.marble-falls.tx.us](mailto:cmcdonald@ci.marble-falls.tx.us)

Patty Akers, City Attorney  
The Akers Law Firm  
(512) 600-2305  
[pakers@txcityattorney.com](mailto:pakers@txcityattorney.com)

800 Third Street • Marble Falls, TX 78654 • Phone: (830) 693-3615 • Fax: (830) 693-6737

2/4/2016

**February 16, 2016**

**7. REGULAR AGENDA**

(d) Discussion and Action on appointments to the Capital Improvement Plan Committee. ***Christina McDonald, City Secretary***

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Background information is attached as follows:

[Cover Memo and Supporting Documentation](#)



**Council Agenda Item Cover Memo**  
**February 16, 2016**

**Agenda Item No.:** 7(d)  
**Presenter:** Christina McDonald, City Secretary  
**Department:** Administration  
**Legal Review:**  N/A

**AGENDA CAPTION**

Discussion and Action on appointments to the Capital Improvement Plan Committee.

**BACKGROUND INFORMATION**

The terms of members Sharon Pittard, Mary Ellen Goff, Tony Plumlee and Brian Shirley have expired.

Sharon Pittard does not wish to be considered for reappointment. Mary Ellen Goff, Tony Plumlee and Brian Shirley have submitted [reappointment questionnaires](#) for Council's review and consideration.

Please note that Mary Ellen Goff serves as an Ex-Officio member and does not have the power to vote.

[CIP Member Roster.](#)



**CITY BOARD OR COMMISSION REAPPOINTMENT QUESTIONNAIRE**

NAME: MARY ELLEN GOFF

DATE: 12/1/15

ADDRESS: 505 BOULDER CREEK DR.,  
MARBLE FALLS, TX 78654

(This application will expire 2 years after this date)

HOME PHONE: (830) 798-8781 CELL PHONE: ( ) —

E-MAIL ADDRESS: MEMGOFF@ZEECON.COM

PLACE OF EMPLOYMENT: RETIRED

POSITION AND TITLE: —

CURRENT BOARD: CIP EX-OFFICIO MEMBER (USED TO BE VOTING MEMBER)

YEARS OF SERVICE: 8 YR. - CIP (2 YR. - EX OFF.)

Resident of the Marble Falls Corporate City Limits?  Yes  No If yes, how long? 9 YR.

Qualified Voter?  Yes  No Voter Registration Number: 106061528 ✓

Voted in the last city election?  Yes  No

Are you in arrears on any City of Marble Falls taxes or other liabilities due the City of Marble Falls?  Yes  No  
(Arrears is defined to mean that payment has not been received within ninety (90) days from due date.)

- 1) Please list your accomplishments and contributions made as a board or commission member and detail your role in these accomplishments:

SEE ATTACHED SHEET

2) What are your goals and objectives for the board or commission in the coming year?

SEE ATTACHED SHEET

3) What improvements do you think need to be made to the board or commission on which you serve?

SEE ATTACHED SHEET

PLEASE PROVIDE ALL INFORMATION REQUESTED. INCOMPLETE QUESTIONNAIRES WILL NOT BE CONSIDERED FOR BOARD/COMMISSION REAPPOINTMENTS.

DISCLAIMER AND SIGNATURE: I hereby request consideration for reappointment to a board or commission of the City of Marble Falls, Texas. I certify that my answers above are true and complete. I understand that the information contained in this application may be considered, among other criteria, qualifications and/or information, by the City Council in its evaluation for the position being sought. I further understand that should I be reappointed to any City of Marble Falls Board or Commission, I serve at the pleasure of the City Council and may be removed from said position at any time and for any reason or no reason at all, with or without notice. I also understand that should I be reappointed to a City of Marble Falls Board or Commission, I must be responsible for a creditable record of attendance and performance. If this questionnaire leads to my reappointment to a position on a City of Marble Falls Board or Commission, I understand that false or misleading information in my questionnaire may result in my removal from the position

I also acknowledge that this information may be made available to the public.

Mary Ellen Goff  
Applicant Signature

12/1/15  
Date

**CITY USE ONLY**

Board/Commission Reappointed to: \_\_\_\_\_

Date Reappointed: \_\_\_\_\_

Number of Terms Served: \_\_\_\_\_

RETURN COMPLETED QUESTIONNAIRE TO:  
City Secretary's Office  
City of Marble Falls  
800 Third Street, Marble Falls, Texas 78654  
Phone: (830) 693-3615 • Fax: (830) 693-6737

---

# Mary Ellen Goff

---

505 Boulder Creek Dr.  
Marble Falls, TX 78654  
(830) 798-8781

December 9, 2015

**SUBJECT: CIP Committee Questionnaire for Committee Appointment as  
EX-OFFICIO MEMBER**

**QUESTION 1: My accomplishments and contributions:**

During Marble Falls' growth over the years, several of my ideas and suggestions to the Committee have lead to improvements and have helped advance expansion while, at the same time, protecting our Central Texas heritage and diminishing possible negative impact. During my appointment, I have never missed a meeting because I believe the work that the CIP oversees is extremely important to proper growth. I want to continue my contributions to the Committee in my role as EX-OFFICIO MEMBER

**QUESTION 2: Goals and Objectives:**

I realize that some of the following topics fall under the jurisdiction of other committees, but because the CIP considers financing and/or finding funding for these projects, it should:

- 2.1 Continue the planning for revamp of Main Street, including wider sidewalks, benches, greenery, lighting, signage, parking, etc.
- 2.2 Continue to research the needs for extension of the tourist train to Burnet to continue on to Marble Falls. We need the tourists. We got it here once, we can get it here again. It can be done!
- 2.3 Progress on the 281 "greeting" arch inviting and directing tourists into the downtown Historic District.
- 2.4 Continue overseeing the needs for development of the planned hotel on the lake front property.
- 2.5 Clear and clean beds and banks of creeks running through our city (such as the dip on Mission Hills). The city does this for areas on the lettered streets north and west of downtown. The city should do this for all areas especially those that are seen by citizens, and tourists in particular.
- 2.6 Begin development of the park off Mormon Mill Road as our next park priority for our citizens.
- 2.7 Investigate the existing rules to allow for better upkeep of Marble Falls' cemetery and make appropriate recommendations.
- 2.8 Look into bus service to take citizens into Bee Caves/Austin directly to shopping, airport, etc. and return, especially to and from ABIA for those citizens who need to fly out arrive back OR have family or friends arriving/departing and who do not want to or cannot deal with Austin traffic.
- 2.9 Help financially for additional activities that will attract citizens and draw tourists to Marble Falls.
- 2.10 Erect sirens to alert people of oncoming weather events (tornadoes, floods, etc.). Not everyone is at home to answer the phone for an alert.

**QUESTION 3: Suggestions**

- 3.1 I suggest expansion of the Committee membership with additional citizens. More input, more ideas, more interest.
- 3.2 I suggest that one of the CIP members be selected as Liaison to our local newspapers. His/her duties would include writing a press release after each meeting to inform the public of the planning and progress of the Committee. Citizens need to know what their government is accomplishing in their name.



**CITY BOARD OR COMMISSION REAPPOINTMENT QUESTIONNAIRE**

NAME: TONY PLUMLEE \_\_\_\_\_ DATE: \_\_\_\_\_

ADDRESS: 400 SHERMAN AVE., MARBLE FALLS, TEXAS 78654 (This application will expire 2 years after this date)

HOME PHONE: ( ) N/A CELL PHONE: (512) 715-2510

E-MAIL ADDRESS: TPLUMLEE@WILLIS-ENGINEERING.COM

PLACE OF EMPLOYMENT: WILLIS ENVIRONMENTAL ENGINEERING, INC.

POSITION AND TITLE: OWNER

CURRENT BOARD: CIP

YEARS OF SERVICE: 4

Resident of the Marble Falls Corporate City Limits?  Yes  No If yes, how long? 28

Qualified Voter?  Yes  No Voter Registration Number: 1001995418 ✓

Voted in the last city election?  Yes  No

Are you in arrears on any City of Marble Falls taxes or other liabilities due the City of Marble Falls?  Yes  No  
(Arrears is defined to mean that payment has not been received within ninety (90) days from due date.)

1) Please list your accomplishments and contributions made as a board or commission member and detail your role in these accomplishments:

CIP COMMITTEE 2015

CIP COMMITTEE 2014

CITY OF MARBLE FALLS COMPREHENSIVE PLANNING COMMISSION- 12 MONTHS

2) What are your goals and objectives for the board or commission in the coming year?

To assist the city staff and management in making sound decisions on Capital Expenditures  
And make those decisions in a positive way to benefit the safety, health and well being of Marble  
Falls.

3) What improvements do you think need to be made to the board or commission on which you serve?

I believe that we have a sound and diverse group of individuals which express their view points  
from all prospective. I would have an alternate person so established such that if someone could not make  
the committee that they could fill in.

PLEASE PROVIDE ALL INFORMATION REQUESTED. INCOMPLETE QUESTIONNAIRES WILL NOT BE  
CONSIDERED FOR BOARD/COMMISSION REAPPOINTMENTS.

DISCLAIMER AND SIGNATURE: I hereby request consideration for reappointment to a board or commission of the City of Marble  
Falls, Texas. I certify that my answers above are true and complete. I understand that the information contained in this application may be  
considered, among other criteria, qualifications and/or information, by the City Council in its evaluation for the position being sought. I  
further understand that should I be reappointed to any City of Marble Falls Board or Commission, I serve at the pleasure of the City Council  
and may be removed from said position at any time and for any reason or no reason at all, with or without notice. I also understand that  
should I be reappointed to a City of Marble Falls Board or Commission, I must be responsible for a creditable record of attendance and  
performance. If this questionnaire leads to my reappointment to a position on a City of Marble Falls Board or Commission, I understand  
that false or misleading information in my questionnaire may result in my removal from the position

I also acknowledge that this information may be made available to the public.

Jay Blumber  
Applicant Signature

11/25/15  
Date



Board/Commission Reappointed to: \_\_\_\_\_  
Number of Terms Served: \_\_\_\_\_

Date Reappointed: \_\_\_\_\_

**RETURN COMPLETED QUESTIONNAIRE TO:  
City Secretary's Office  
City of Marble Falls  
800 Third Street, Marble Falls, Texas 78654  
Phone: (830) 693-3615 • Fax: (830) 693-6737**



RECEIVED  
DEC 31 2015  
City of Marble Falls  
City Secretary's Office

CITY BOARD OR COMMISSION REAPPOINTMENT QUESTIONNAIRE

NAME: BRIAN SHIRLEY DATE: 12/31/15

ADDRESS: 102 CEDAR RIDGE DR.  
MARBLE FALLS, TX 78054 (This application will expire 2 years after this date)

HOME PHONE: (512) 525-0324 CELL PHONE: (512) 525-0324

E-MAIL ADDRESS: bkshirley@zeelon.com

PLACE OF EMPLOYMENT: SELF-EMPLOYED, 3GEO  
POSITION AND TITLE: PRESIDENT

CURRENT BOARD: CIP, COMP. PLAN. COMM.  
YEARS OF SERVICE: 6 YRS + 6 YRS COUNCIL

Resident of the Marble Falls Corporate City Limits?  Yes  No If yes, how long? \_\_\_\_\_

Qualified Voter?  Yes  No Voter Registration Number: 1002002840 ✓  
Voted in the last city election?  Yes  No

Are you in arrears on any City of Marble Falls taxes or other liabilities due the City of Marble Falls?  Yes  No  
(Arrears is defined to mean that payment has not been received within ninety (90) days from due date.)

1) Please list your accomplishments and contributions made as a board or commission member and detail your role in these accomplishments:

- City Council Member - 3 terms (2003-2009)
- EDC Board Member - 1 term (2009-2011)
- Chair, Comp. Plan Comm. 2009
- Vice chair, Downtown Master Plan Comm. (2010-2011)
- Chair CIP Comm. (2009-2015) Member 2015 - Developed 10 yr. approach
- Chair Comp. Plan Comm. 2015

2) What are your goals and objectives for the board or commission in the coming year?

*Continue checking & prioritizing CIP projects. Make certain the CIP projects fit in objectives from Comp. Plan, Downtown Master Plan and Parks Master Plan. Review Storm Drainage master plan and consider flood mitigation projects.*

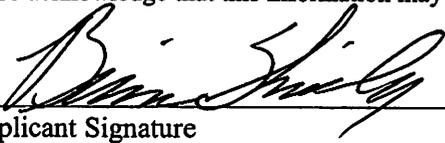
3) What improvements do you think need to be made to the board or commission on which you serve?

*Any improvements necessary to comply with CIP Comm. ordinance.*

PLEASE PROVIDE ALL INFORMATION REQUESTED. INCOMPLETE QUESTIONNAIRES WILL NOT BE CONSIDERED FOR BOARD/COMMISSION REAPPOINTMENTS.

**DISCLAIMER AND SIGNATURE:** I hereby request consideration for reappointment to a board or commission of the City of Marble Falls, Texas. I certify that my answers above are true and complete. I understand that the information contained in this application may be considered, among other criteria, qualifications and/or information, by the City Council in its evaluation for the position being sought. I further understand that should I be reappointed to any City of Marble Falls Board or Commission, I serve at the pleasure of the City Council and may be removed from said position at any time and for any reason or no reason at all, with or without notice. I also understand that should I be reappointed to a City of Marble Falls Board or Commission, I must be responsible for a creditable record of attendance and performance. If this questionnaire leads to my reappointment to a position on a City of Marble Falls Board or Commission, I understand that false or misleading information in my questionnaire may result in my removal from the position

I also acknowledge that this information may be made available to the public.

  
Applicant Signature

12/31/15  
Date

**CITY USE ONLY**

Board/Commission Reappointed to: \_\_\_\_\_  
Number of Terms Served: \_\_\_\_\_

Date Reappointed: \_\_\_\_\_

RETURN COMPLETED QUESTIONNAIRE TO:  
City Secretary's Office  
City of Marble Falls  
800 Third Street, Marble Falls, Texas 78654  
Phone: (830) 693-3615 • Fax: (830) 693-6737



**CAPITAL IMPROVEMENT PLAN COMMITTEE**  
**(Meets Quarterly)**

**Christian Fletcher 203 E. Oak Ridge <a href="mailto:cfletcher@marblefallseconomy.com">cfletcher@marblefallseconomy.com</a>	EDC Secretary	830/798-7075 (O) 830/613-1462 (M)
**Celia Merrill 806 Amy Circle <a href="mailto:celiamerrill@msn.com">celiamerrill@msn.com</a>	Chamber	830/385-2601 (R)
*Reed Norman (Council term expires May 2016) 1007 Ridge Point Drive <a href="mailto:rnorman@ci.marble-falls.tx.us">rnorman@ci.marble-falls.tx.us</a>	Councilmember	830/693-2678 (R) 830/385-5665 (M)
* Sharon Pittard 3406 Mormon Mill Road <a href="mailto:tshirt40@yahoo.com">tshirt40@yahoo.com</a>	Citizen	512/755-3433 (M) 830/798-8650 (R)
*Tony Plumlee 400 Sherman Drive <a href="mailto:tplumlee@willis-engineering.com">tplumlee@willis-engineering.com</a>	Citizen	830/693-3566 (O) 830/693-4179 (R)
**Steve Reitz or designee (P&Z term expires Jan. 2017) 1103 Arbor Lane <a href="mailto:steve@stevereit.com">steve@stevereit.com</a>	P&Z Chair ***Chair	830/693-7553 (O) 512/755-0212 (M) 830/693-74253 (R)
*Brian Shirley 102 Cedar Ridge Drive <a href="mailto:bshirley@zeecon.com">bshirley@zeecon.com</a>	Citizen ***Vice-Chair	512/525-0324 (M)
*Mary Ellen Goff 505 Boulder Drive <a href="mailto:memgoff@zeecon.com">memgoff@zeecon.com</a>	Ex-Officio	830/798-8781 (R)

**CITY STAFF SUPPORT:**

Mike Hodge, City Manager  
Eric Belaj, City Engineer  
Margie Cardenas, Director of Finance  
Perry Malkemus, Public Works Director

\*Term Expires January 2016  
\*\*Term Expires January 2017  
\*\*\*Term (officer) Expires January 2016

**February 16, 2016**

**7. REGULAR AGENDA**

(e) Discussion and Action on appointments to the Hotel Motel Tax Advisory Committee. ***Christina McDonald, City Secretary***

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Background information is attached as follows:

[Cover Memo and Supporting Documentation](#)



**Council Agenda Item Cover Memo**  
**February 16, 2016**

**Agenda Item No.:** 7(e)  
**Presenter:** Christina McDonald, City Secretary  
**Department:** Administration  
**Legal Review:**  N/A

**AGENDA CAPTION**

Discussion and Action on appointments to the Hotel Motel Tax Advisory Committee.

**BACKGROUND INFORMATION**

The terms of members Brenda Morris and David Rhodes have expired.

Brenda Morris does not wish to be considered for reappointment. David Rhodes has filed his reappointment questionnaire. Staff also has an application on file from Darlene Oostermeyer. Ms. Oostermeyer was considered for appointment to the HOT Committee in January 2014, however was not appointed. She is still interested in serving on the Committee. She does currently serve on the Planning and Zoning Commission.

[View reappointment questionnaire and application.](#)

Paki Patel does no longer wishes to serve. Attached is an [application](#) from Linda Sullivan (Live Oak Lodging) who wishes to serve as the Hotel/Motel Association representative

Please note that Patti Zinsmeyer has replaced Bill Rives as the Chamber Director.

[View HOT Member Roster.](#)

RECEIVED

DEC 16 2013

City of Marble Falls  
City Secretary's Office



APPLICATION FOR APPOINTMENT TO A CITY BOARD OR COMMISSION

NAME: DARLENE DOSTERMEYER DATE: 12/16/13

ADDRESS: 3000 CEDAR TRAIL RD  
MARBLE FALLS (This application will expire 2 years after this date)

HOME PHONE: (830) 693-7025 CELL PHONE: ( ) \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

PLACE OF EMPLOYMENT: RETIRED  
POSITION AND TITLE: \_\_\_\_\_

BOARD OR COMMISSION APPLYING FOR: HOTEL MOTEL TAX ADV COMM

If applying for the Planning & Zoning Commission you must indicate if you own property within the City Limits:  
 Yes  No

Resident of the Marble Falls Corporate City Limits?  Yes  No If yes, how long? 10 yrs - this time  
If no and applying for the Marble Falls Economic Development Corporation Board applicant must be a resident of Burnet County and reside within 10 miles of the corporate boundary of the city.

Qualified Voter?  Yes  No Voter Registration Number: 1010040847 ✓  
Voted in the last city election?  Yes  No

Are you in arrears on any City of Marble Falls taxes or other liabilities due the City of Marble Falls?  Yes  No  
(Arrears is defined to mean that payment has not been received within ninety (90) days from due date.)

List current and past service on any boards or commissions. (Please include dates of service): \_\_\_\_\_  
P&Z Commissioner  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

State why you wish to serve: Interested in transparency  
and understand this committee, need's new members.

What qualifications or talents would you bring to a City Board or Commission? \_\_\_\_\_

- A) Retired and have the time to devote
- B) Interested citizen who wants to be involved

What are your top three goals and objectives for the board or commission you are applying for? \_\_\_\_\_

Unknown at this time; just interested in serving.

If a position on the board or commission to which you are applying is not available at this time, please indicate if you would be willing to serve on any of the following boards or commissions:

- Cemetery Board – (Meets as needed)  Yes  No
- Capital Improvement Plan Committee – (Meets as needed)  Yes  No
- Construction Advisory and Appeals Board – (Meets as needed)  Yes  No

Please check all that apply:

- Architect (AIA)/Engineer (PE)
- Commercial Building Contractor
- Residential Building Contractor
- Master Electrical Contractor licensed by the State
- HVAC Contractor licensed by the State
- Master Plumber licensed by the State
- Citizen (Must have no financial interest in the building construction industry, real estate development, sales or management of a utility company, except as he or she may have as an owner or occupant of a dwelling)
- Commercial Business Owner

- Economic Development Corporation - (Meets 1<sup>st</sup> Wednesday of month @ noon)  Yes  No
- Ethics Review Commission – (Meets as needed)  Yes  No *4/29/14*
- Hotel Motel Tax Advisory Committee - (Meets as needed)  Yes  No
- Planning & Zoning Commission - (Meets 1<sup>st</sup> Thursday of month @ 6:00 pm)  Yes  No
- Parks & Recreation Commission - (Meets 1<sup>st</sup> Monday of month @ noon)  Yes  No

PLEASE PROVIDE ALL INFORMATION REQUESTED. INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED FOR BOARD/COMMISSION APPOINTMENTS.

**DISCLAIMER AND SIGNATURE:** I hereby request consideration for appointment to a board or commission of the City of Marble Falls, Texas. I certify that my answers above are true and complete. I understand that the information contained in this application may be considered, among other criteria, qualifications and/or information, by the City Council in its evaluation for the position being sought. I further understand that should I be appointed to any City of Marble Falls Board or Commission, I serve at the pleasure of the City Council and may be removed from said position at any time and for any reason or no reason at all, with or without notice. I also understand that should I be appointed to a City of Marble Falls Board or Commission, I must be responsible for a creditable record of attendance and performance. If this application leads to my appointment to a position on a City of Marble Falls Board or Commission, I understand that false or misleading information in my application may result in my removal from the position

I also acknowledge that this information may be made available to the public and the application will be maintained in the City's active files for two years from the date of application. I understand that should I not be appointed to a City of Marble Falls Board or Commission, this application and any other records obtained, collected or otherwise prepared regarding this application shall be maintained in accordance with the Texas Public Information Act and the City of Marble Falls' document retention schedule.

*[Handwritten Signature]*  
Applicant Signature

12/16/13  
Date

OFFICE USE ONLY: (Applications will be kept on file for a period of two years in the City Secretary's office.)

Date application received: 12-16-13

Date of first contact: \_\_\_\_\_

Still interested?  Yes  No

Date of second contact: \_\_\_\_\_

Still interested?  Yes  No

*1-7-14 Considered for appt. Not appt.*  
*11-23-15 Still interested.*

**RETURN COMPLETED APPLICATION TO:  
City Secretary's Office  
City of Marble Falls  
800 Third Street, Marble Falls, Texas 78654  
Phone: (830) 693-3615 • Fax: (830) 693-6737**



**CITY BOARD OR COMMISSION REAPPOINTMENT QUESTIONNAIRE**

NAME: David Rhodes \_\_\_\_\_ DATE: 25NOV15 \_\_\_\_\_

ADDRESS: 609 Via Viejo \_\_\_\_\_ (This application will expire 2 years after this date)  
Marble Falls, TX \_\_\_\_\_

HOME PHONE: ( 830 ) 693-8905 \_\_\_\_\_ CELL PHONE: ( 512 ) 541-6953 \_\_\_\_\_

E-MAIL ADDRESS: drhodes@nctv.com \_\_\_\_\_

PLACE OF EMPLOYMENT: Tech Development GE Aviation \_\_\_\_\_  
POSITION AND TITLE: North American Sales Manager \_\_\_\_\_

CURRENT BOARD: Parks Commission \_\_\_\_\_

YEARS OF SERVICE: \_\_\_\_\_

Resident of the Marble Falls Corporate City Limits? XYes  No If yes, how long? 20 Years \_\_\_\_\_

Qualified Voter?

xYes  No

Voter Registration Number: 1002005549 \_\_\_\_\_

Voted in the last city election?

xYes  No

Are you in arrears on any City of Marble Falls taxes or other liabilities due the City of Marble Falls?  Yes  No  
(Arrears is defined to mean that payment has not been received within ninety (90) days from due date.)

- 1) Please list your accomplishments and contributions made as a board or commission member and detail your role in these accomplishments:

2) What are your goals and objectives for the board or commission in the coming year?

Continue the efforts set in place for quantifiable activities and to further expand on the combined efforts of the City of Marble Falls, the EDC and the Chamber

3) What improvements do you think need to be made to the board or commission on which you serve?

Re-statement of the goals of the H.O.T. for a foundational understanding of why the commission was put together originally. Building on that, take a closer look as to the role and influence of commissioners not directly related to the city.

PLEASE PROVIDE ALL INFORMATION REQUESTED. INCOMPLETE QUESTIONNAIRES WILL NOT BE CONSIDERED FOR BOARD/COMMISSION REAPPOINTMENTS.

DISCLAIMER AND SIGNATURE: I hereby request consideration for reappointment to a board or commission of the City of Marble Falls, Texas. I certify that my answers above are true and complete. I understand that the information contained in this application may be considered, among other criteria, qualifications and/or information, by the City Council in its evaluation for the position being sought. I further understand that should I be reappointed to any City of Marble Falls Board or Commission, I serve at the pleasure of the City Council and may be removed from said position at any time and for any reason or no reason at all, with or without notice. I also understand that should I be reappointed to a City of Marble Falls Board or Commission, I must be responsible for a creditable record of attendance and performance. If this questionnaire leads to my reappointment to a position on a City of Marble Falls Board or Commission, I understand that false or misleading information in my questionnaire may result in my removal from the position

I also acknowledge that this information may be made available to the public.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

.....  
**CITY USE ONLY:**

Board/Commission Reappointed to: \_\_\_\_\_

Date Reappointed: \_\_\_\_\_

Number of Terms Served: \_\_\_\_\_

**RETURN COMPLETED QUESTIONNAIRE TO:**  
**City Secretary's Office**  
**City of Marble Falls**  
**800 Third Street, Marble Falls, Texas 78654**  
**Phone: (830) 693-3615 • Fax: (830) 693-6737**



## HOTEL MOTEL TAX ADVISORY COMMITTEE

(Meets Quarterly)

CITY MANAGER - CHAIR

MIKE HODGE

[mhodge@ci.marble-falls.tx.us](mailto:mhodge@ci.marble-falls.tx.us)

830-798-7051

PRESIDENT HOTEL/MOTEL ASSOC. - VICE-CHAIR

\*PAKI PATEL

[paki-austin@swbell.net](mailto:paki-austin@swbell.net)

LA Quinta

512-791-8332

501 FM 2147

COUNCILMEMBER (term expires May 2015) - SECRETARY

\*\*RYAN NASH

[rnash@ci.marble-falls.tx.us](mailto:rnash@ci.marble-falls.tx.us)

304 East Sixth Street

512-755-4000

CHAMBER DIRECTOR

\*\*PATTI ZINSMEYER

[patti@marblefalls.org](mailto:patti@marblefalls.org)

916 Second Street

830-693-2815

EDC DIRECTOR

\*\*CHRISTIAN FLETCHER

[cfletcher@marblefallseconomy.com](mailto:cfletcher@marblefallseconomy.com)

830-798-7075

CITIZEN

\*BRENDA MORRIS

[bmorris@nctv.com](mailto:bmorris@nctv.com)

909 Third Street

512-755-3906

CITIZEN

\*DAVID RHODES

[drhodes@nctv.com](mailto:drhodes@nctv.com)

403 Woodland Park Drive

830-693-8905

STAFF SUPPORT:

MARGIE CARDENAS

[mcardenas@ci.marble-falls.tx.us](mailto:mcardenas@ci.marble-falls.tx.us)

Finance Director

830-798-7056

\*Term expires January 2016

\*\*Term expires January 2017



APPLICATION FOR APPOINTMENT TO A CITY BOARD OR COMMISSION

NAME: Linda Crommley Sullivan DATE: Feb. 2, 2016  
ADDRESS: 112 Dawn E PO Box 8124  
Horseshoe Bay Tx 78657 (This application will expire 2 years after this date)  
HOME PHONE: (325) 201-6988 CELL PHONE: (830) 220-3180  
E-MAIL ADDRESS: groupmgr@liveoaklodging.com  
PLACE OF EMPLOYMENT: Live Oak Lodging  
POSITION AND TITLE: Group Sales Manager  
BOARD OR COMMISSION APPLYING FOR: Hotel/Motel Tax Advisory Committee

If applying for the Planning & Zoning Commission please indicate if you own real property within the City Limits:  Yes  No

If applying for the TIRZ Board please indicate if you own real property within the TIRZ:  Yes  No  
or indicate if you are you an employee or agent of a person who owns real property in the TIRZ?  Yes  No  
(If yes please attached letter from property owner designating you as the employee or agent.)

Resident of the Marble Falls Corporate City Limits?  Yes  No If yes, how long? \_\_\_\_\_  
If no and applying for the Marble Falls Economic Development Corporation Board applicant must be a resident of Burnet County and reside within 10 miles of the corporate boundary of the city.

Qualified Voter?  Yes  No Voter Registration Number: \_\_\_\_\_  
Voted in the last city election?  Yes  No

Are you in arrears on any City of Marble Falls taxes or other liabilities due the City of Marble Falls?  Yes  No  
(Arrears is defined to mean that payment has not been received within ninety (90) days from due date.)

Have you ever been convicted, plead guilty, plead no contest to, or received deferred adjudication for a felony?  
 Yes  No

List current and past service on any boards or commissions. (Please include dates of service): I have been on HOT Task Force Committee in Blanco for 4 years. I brought the Texas Hotel + Lodging to Blanco 4 times to educate the City + Community in regards to HOT funds and the importance of putting

heads in beds 2011-2015 Have been on LBJ Ranch Barbeque on the Pedernales committee 2013-2015

State why you wish to serve: I understand the hotel motel tax and the laws that govern them. How this benefits the entire community & the importance of Tourism to make a community thrive & grow.

What qualifications or talents would you bring to a City Board or Commission?

Knowledge of the HOT Laws  
A strong relationship with the Texas Hotel & Lodging Association

What are your top three goals and objectives for the board or commission you are applying for?

1. Creative ideas on how to bring groups & Events to Marble Falls and the Community
2. Understanding & Implementing the HOT Rules & Laws
3. Fairness for those applying for the funds

If a position on the board or commission to which you are applying is not available at this time, please indicate if you would be willing to serve on any of the following boards or commissions:

- Cemetery Board – (Part of Parks & Recreation Commission)  Yes  No
- Capital Improvement Plan Committee – (Meets quarterly)  Yes  No
- Construction Advisory and Appeals Board – (Meets as needed)  Yes  No

Please check all that apply:

- Architect (AIA)/Engineer (PE)
- Commercial Building Contractor
- Residential Building Contractor
- Master Electrical Contractor licensed by the State
- HVAC Contractor licensed by the State
- Master Plumber licensed by the State
- Citizen (Must have no financial interest in the building construction industry, real estate development, sales or management or a utility company, except as he or she may have as an owner or occupant of a dwelling)
- Commercial Business Owner

- Economic Development Corporation - (Meets 1<sup>st</sup> Wednesday of month @ noon)  Yes  No
- Ethics Review Commission – (Meets as needed)  Yes  No
- Hotel Motel Tax Advisory Committee - (Meets quarterly)  Yes  No
- Planning & Zoning Commission - (Meets 1<sup>st</sup> Thursday of month @ 6:00 pm)  Yes  No
- Parks & Recreation Commission - (Meets 1<sup>st</sup> Monday of month @ noon)  Yes  No
- Tax Increment Reinvestment Zone (TIRZ) Board - (Meets as needed)  Yes  No

PLEASE PROVIDE ALL INFORMATION REQUESTED. INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED FOR BOARD/COMMISSION APPOINTMENTS.

**DISCLAIMER AND SIGNATURE:** I hereby request consideration for appointment to a board or commission of the City of Marble Falls, Texas. I certify that my answers above are true and complete. I understand that the information contained in this application may be considered, among other criteria, qualifications and/or information, by the City Council in its evaluation for the position being sought. I further understand that should I be appointed to any City of Marble Falls Board or Commission, I serve at the pleasure of the City Council and may be removed from said position at any time and for any reason or no reason at all, with or without notice. I also understand that should I be appointed to a City of Marble Falls Board or Commission, I must be responsible for a creditable record of attendance and performance. If this application leads to my appointment to a position on a City of Marble Falls Board or Commission, I understand that false or misleading information in my application may result in my removal from the position.

I also acknowledge that this information may be made available to the public and the application will be maintained in the City's active files for two years from the date of application. I understand that should I not be appointed to a City of Marble Falls Board or Commission, this application and any other records obtained, collected or otherwise prepared regarding this application shall be maintained in accordance with the Texas Public Information Act and the City of Marble Falls' document retention schedule.

Yank C. Sullivan  
Applicant Signature

February 4<sup>th</sup> 2016  
Date

**February 16, 2016**

**7. REGULAR AGENDA**

- (f) Discussion and Action on appointments to Places 2, 3, 4 and 6 of the Parks and Recreation Commission. ***Christina McDonald, City Secretary***
- 

Background information is attached as follows:

[Cover Memo and Supporting Documentation](#)



**Council Agenda Item Cover Memo**  
**February 16, 2016**

**Agenda Item No.:** 7(f)  
**Presenter:** Christina McDonald, City Secretary  
**Department:** Administration  
**Legal Review:**  N/A

**AGENDA CAPTION**

Discussion and Action on appointments to Places 2, 3, 4 and 6 of the Parks and Recreation Commission.

**BACKGROUND INFORMATION**

The terms of commissioners Steve Manley (Place 2), Charles Watkins (Place 4) and Leta Stevenson-Smith (Place 6) have expired.

Charles Watkins and Leta Stevenson-Smith have filed [reappointment questionnaires](#) for Council's consideration. Ms. Stevenson-Smith has served since 2003 and Mr. Watkins since 2014.

Steve Manley does not wish to be considered for reappointment.

Josh Parker (Place 3) recently [resigned](#) from the Commission.

If Council reappointments current commissioners Watkins and Stevenson-Smith, the commission will still have two vacancies (Place 2 and Place 3).

Staff has two [applications](#) on files for consideration: Ann Berg and Steve Hurst.

Please note that the Place 3 appointment vacated by Josh Parker will serve an unexpired term or until January 2017.

[View Parks & Recreation Commission Member Roster.](#)



RECEIVED  
DEC 22 2014  
City of Marble Falls  
City Secretary's Office

CITY BOARD OR COMMISSION REAPPOINTMENT QUESTIONNAIRE

NAME: ANN B BERG DATE: 12-15-14

ADDRESS: 1610 NORTHWOOD MARBLE FALLS TX 78654 (This application will expire 2 years after this date)

HOME PHONE: (512) 699 9077 CELL PHONE: (no home)

E-MAIL ADDRESS: annieberg53@gmail.com

PLACE OF EMPLOYMENT: Element 7 Concrete  
POSITION AND TITLE: Office Manager

CURRENT BOARD: Parks + REC  
YEARS OF SERVICE: less than 1 YEAR

Resident of the Marble Falls Corporate City Limits?  Yes  No If yes, how long?

Qualified Voter?  Yes  No Voter Registration Number: 1180840831

Voted in the last city election?  Yes  No

Are you in arrears on any City of Marble Falls taxes or other liabilities due the City of Marble Falls?  Yes  No  
(Arrears is defined to mean that payment has not been received within ninety (90) days from due date.)

1) Please list your accomplishments and contributions made as a board or commission member and detail your role in these accomplishments:

2) What are your goals and objectives for the board or commission in the coming year?

To play as an active a part as possible  
- enjoy seeing progress within the  
Parks System - looking forward to  
seeing the Dog Park develop.

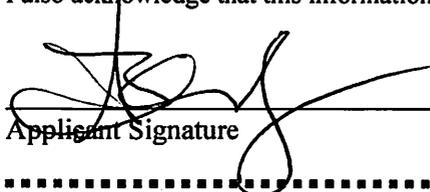
3) What improvements do you think need to be made to the board or commission on which you serve?

None that I can see

PLEASE PROVIDE ALL INFORMATION REQUESTED. INCOMPLETE QUESTIONNAIRES WILL NOT BE CONSIDERED FOR BOARD/COMMISSION REAPPOINTMENTS.

**DISCLAIMER AND SIGNATURE:** I hereby request consideration for reappointment to a board or commission of the City of Marble Falls, Texas. I certify that my answers above are true and complete. I understand that the information contained in this application may be considered, among other criteria, qualifications and/or information, by the City Council in its evaluation for the position being sought. I further understand that should I be reappointed to any City of Marble Falls Board or Commission, I serve at the pleasure of the City Council and may be removed from said position at any time and for any reason or no reason at all, with or without notice. I also understand that should I be reappointed to a City of Marble Falls Board or Commission, I must be responsible for a creditable record of attendance and performance. If this questionnaire leads to my reappointment to a position on a City of Marble Falls Board or Commission, I understand that false or misleading information in my questionnaire may result in my removal from the position

I also acknowledge that this information may be made available to the public.

  
Applicant Signature

12-15-14  
Date

CITY USE ONLY:

Board/Commission Reappointed to: 12/15 Council did not appoint Date Reappointed: \_\_\_\_\_  
Number of Terms Served: \_\_\_\_\_

RETURN COMPLETED QUESTIONNAIRE TO:  
City Secretary's Office  
City of Marble Falls

11-23-15  
*Interested*

**800 Third Street, Marble Falls, Texas 78654**  
**Phone: (830) 693-3615 • Fax: (830) 693-6737**

RECEIVED

JAN 21 2016

City of Marble Falls  
City Secretary's Office



**APPLICATION FOR APPOINTMENT TO A CITY BOARD OR COMMISSION**

NAME: Steve Hurst DATE: Jan. 20, 2016  
ADDRESS: 610 Via Viejo (This application will expire 2 years after this date)  
Marble Falls, TX 78654  
HOME PHONE: ( 830 ) 798-2302 CELL PHONE: ( 512 ) 755-2761  
E-MAIL ADDRESS: steve@hurstlawllc.com

PLACE OF EMPLOYMENT: The Hurst Law Firm, PLLC  
POSITION AND TITLE: managing member / attorney

BOARD OR COMMISSION APPLYING FOR: Parks & Recreation

If applying for the Planning & Zoning Commission please indicate if you own real property within the City Limits:  
 Yes  No

If applying for the TIRZ Board please indicate if you own real property within the TIRZ:  Yes  No  
or indicate if you are you an employee or agent of a person who owns real property in the TIRZ?  Yes  No  
(If yes please attached letter from property owner designating you as the employee or agent.)

Resident of the Marble Falls Corporate City Limits?  Yes  No If yes, how long? ten (10) years  
If no and applying for the Marble Falls Economic Development Corporation Board applicant must be a resident of Burnet County and reside within 10 miles of the corporate boundary of the city.

Qualified Voter?  Yes  No Voter Registration Number: 1014573628 ✓  
Voted in the last city election?  Yes  No

Are you in arrears on any City of Marble Falls taxes or other liabilities due the City of Marble Falls?  Yes  No  
(Arrears is defined to mean that payment has not been received within ninety (90) days from due date.)

Have you ever been convicted, plead guilty, plead no contest to, or received deferred adjudication for a felony?  
 Yes  No

List current and past service on any boards or commissions. (Please include dates of service):  
Marble Falls Noon Rotary Club, Board of Directors, 2014 to present  
Rotary Club of Marble Falls Foundation, inc.; 2015 to present  
La Ventana Commercial Owners Association, Inc., Board of Directors

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La Ventana Property Property Owners Association, Inc., Board of Directors

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The Ranch at Delaware Creek Property Owners Association, Inc., Board of Directors

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State why you wish to serve: I would like to serve the Marble Falls community utilizing my real estate knowledge and experience, including but not limited to my real estate development, to facilitate the planning, maintenance, preservation and enhancement of the City parks and to assist in the search for corporate, state and federal grants to help fund the costs of park planning, maintenance, preservation and enhancement.

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What qualifications or talents would you bring to a City Board or Commission? \_\_\_\_\_

Thirty five (35) years as a licensed Texas attorney;

Twenty eight (28) years of real estate planning and development experience;

Attorney, manager and/or owner in residential and mixed use developments through Travis, Williamson,

Burnet and Llano counties;

former owner and founder of a title company in Travis & Williamson counties;

former Assistance Travis County Attorney

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What are your top three goals and objectives for the board or commission you are applying for? \_\_\_\_\_

park master planning; park enhancement & preservation; and park funding

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If a position on the board or commission to which you are applying is not available at this time, please indicate if you would be willing to serve on any of the following boards or commissions:

- Cemetery Board – (Part of Parks & Recreation Commission)  Yes  No  
Capital Improvement Plan Committee – (Meets quarterly)  Yes  No  
Construction Advisory and Appeals Board – (Meets as needed)  Yes  No

Please check all that apply:

- Architect (AIA)/Engineer (PE)  
 Commercial Building Contractor  
 Residential Building Contractor  
 Master Electrical Contractor licensed by the State  
 HVAC Contractor licensed by the State  
 Master Plumber licensed by the State  
 Citizen (Must have no financial interest in the building construction industry, real estate development, sales or management or a utility company, except as he or she may have as an owner or occupant of a dwelling)  
 Commercial Business Owner

- Economic Development Corporation - (Meets 1<sup>st</sup> Wednesday of month @ noon)  Yes  No  
Ethics Review Commission – (Meets as needed)  Yes  No  
Hotel Motel Tax Advisory Committee - (Meets quarterly)  Yes  No  
Planning & Zoning Commission - (Meets 1<sup>st</sup> Thursday of month @ 6:00 pm)  Yes  No  
Parks & Recreation Commission - (Meets 1<sup>st</sup> Monday of month @ noon)  Yes  No  
Tax Increment Reinvestment Zone (TIRZ) Board - (Meets as needed)  Yes  No

PLEASE PROVIDE ALL INFORMATION REQUESTED. INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED FOR BOARD/COMMISSION APPOINTMENTS.

DISCLAIMER AND SIGNATURE: I hereby request consideration for appointment to a board or commission of the City of Marble Falls, Texas. I certify that my answers above are true and complete. I understand that the information contained in this application may be considered, among other criteria, qualifications and/or information, by the City Council in its evaluation for the position being sought. I further understand that should I be appointed to any City of Marble Falls Board or Commission, I serve at the pleasure of the City Council and may be removed from said position at any time and for any reason or no reason at all, with or without notice. I also understand that should I be appointed to a City of Marble Falls Board or Commission, I must be responsible for a creditable record of attendance and performance. If this application leads to my appointment to a position on a City of Marble Falls Board or Commission, I understand that false or misleading information in my application may result in my removal from the position

I also acknowledge that this information may be made available to the public and the application will be maintained in the City's active files for two years from the date of application. I understand that should I not be appointed to a City of Marble Falls Board or Commission, this application and any other records obtained, collected or otherwise prepared regarding this application shall be maintained in accordance with the Texas Public Information Act and the City of Marble Falls' document retention schedule.

  
\_\_\_\_\_  
Applicant Signature

1-20-16  
\_\_\_\_\_  
Date

**OFFICE USE ONLY: (Applications will be kept on file for a period of two years in the City Secretary's office.)**

Date application received: 1-21-16

Date of first contact: \_\_\_\_\_

Still interested?  Yes  No

Date of second contact: \_\_\_\_\_

Still interested?  Yes  No

Date of appointment: \_\_\_\_\_

**RETURN COMPLETED APPLICATION TO:**

**City Secretary's Office**

**City of Marble Falls**

**800 Third Street, Marble Falls, Texas 78654**

**Phone: (830) 693-3615 • Fax: (830) 693-6737**



RECEIVED  
DEC 08 2015  
City of Marble Falls  
City Secretary's Office

CITY BOARD OR COMMISSION REAPPOINTMENT QUESTIONNAIRE

NAME: CHARLES E WATKINS

DATE: 12-08-2015

ADDRESS: 511 PANTERA CIRCLE  
MARBLE FALLS TX 78654

(This application will expire 2 years after this date)

HOME PHONE: ( ) CELL PHONE: ( 830 ) 201 - 4006

E-MAIL ADDRESS: charleswatkins@austin.rr.com

PLACE OF EMPLOYMENT: retired

POSITION AND TITLE:

CURRENT BOARD: Parks and Recreation

YEARS OF SERVICE: 2014-2015

Resident of the Marble Falls Corporate City Limits?  Yes  No If yes, how long? 3 years

Qualified Voter?  Yes  No Voter Registration Number: 1158717544 ✓

Voted in the last city election?  Yes  No

Are you in arrears on any City of Marble Falls taxes or other liabilities due the City of Marble Falls?  Yes  No  
(Arrears is defined to mean that payment has not been received within ninety (90) days from due date.)

1) Please list your accomplishments and contributions made as a board or commission member and detail your role in these accomplishments:

- Attended all scheduled meetings and workshops
- Took part in 'Spring Fling' and other events sponsored by the Commission
- Presented research notes on parks as a way of drawing businesses
- Presented research notes on park development impact on property values
- Presented plan for a Historical Cemetery Guide (in progress)
- Investigated possibility of a lighted labyrinth for Walkway of Lights
- Presented proposal for Native Plant Gardens (being implemented elsewhere)
- Reviewed application to Lone Star Legacy program, searched for support materials
- Researched viability of naming 'Ruff' park (trademark issue)
- Represented Parks Commission in Comprehensive Plan Advisory Committee





CITY BOARD OR COMMISSION REAPPOINTMENT QUESTIONNAIRE

NAME: Peta Jewington-Smith

DATE: Dec. 7, 15

ADDRESS: 2105 1/4 St.  
Marble Falls Tx. 78654

(This application will expire 2 years after this date)

HOME PHONE: ( ) \_\_\_\_\_ CELL PHONE: (830) 613-9661

E-MAIL ADDRESS: Peta36@yahoo.com

PLACE OF EMPLOYMENT: Student  
POSITION AND TITLE: \_\_\_\_\_

CURRENT BOARD: Parks & Rec.  
YEARS OF SERVICE: 15 years

Resident of the Marble Falls Corporate City Limits?  Yes  No If yes, how long? 22+

Qualified Voter?  Yes  No  
Voted in the last city election?  Yes  No  
Voter Registration Number: 1001997368

Are you in arrears on any City of Marble Falls taxes or other liabilities due the City of Marble Falls?  Yes  No  
(Arrears is defined to mean that payment has not been received within ninety (90) days from due date.)

1) Please list your accomplishments and contributions made as a board or commission member and detail your role in these accomplishments:

Park Trails / Westside Park / Skate Park  
Spring Break

2) What are your goals and objectives for the board or commission in the coming year?

To see The westside Park develop more,  
figure out where things are planning to be removed.  
More work to develop parks, (Pocket Park)

3) What improvements do you think need to be made to the board or commission on which you serve?

More . . . .

PLEASE PROVIDE ALL INFORMATION REQUESTED. INCOMPLETE QUESTIONNAIRES WILL NOT BE CONSIDERED FOR BOARD/COMMISSION REAPPOINTMENTS.

DISCLAIMER AND SIGNATURE: I hereby request consideration for reappointment to a board or commission of the City of Marble Falls, Texas. I certify that my answers above are true and complete. I understand that the information contained in this application may be considered, among other criteria, qualifications and/or information, by the City Council in its evaluation for the position being sought. I further understand that should I be reappointed to any City of Marble Falls Board or Commission, I serve at the pleasure of the City Council and may be removed from said position at any time and for any reason or no reason at all, with or without notice. I also understand that should I be reappointed to a City of Marble Falls Board or Commission, I must be responsible for a creditable record of attendance and performance. If this questionnaire leads to my reappointment to a position on a City of Marble Falls Board or Commission, I understand that false or misleading information in my questionnaire may result in my removal from the position

I also acknowledge that this information may be made available to the public.

*[Handwritten Signature]*

Applicant Signature

*[Handwritten Date]*

Date

.....  
CITY USE ONLY:

Board/Commission Reappointed to: \_\_\_\_\_

Date Reappointed: \_\_\_\_\_

Number of Terms Served: \_\_\_\_\_

RETURN COMPLETED QUESTIONNAIRE TO:  
City Secretary's Office  
City of Marble Falls  
800 Third Street, Marble Falls, Texas 78654  
Phone: (830) 693-3615 • Fax: (830) 693-6737

2-1-16

Re: Parks & Rec. Commission - Place 3

I hereby ~~resign~~ resign Place 3 as of today's  
date.



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FEB 01 2016  
City of Marble Falls  
City Secretary's Office



## **PARKS & RECREATION COMMISSION MEMBERS**

(Meets 1<sup>st</sup> Mondays at noon)

### **PLACE 1**

(Term Expires 1-1-2017)

KENDRA LEWIS

203 Villa Vista Way

512/460-9776 (M)

klewis1@ci.marble-falls.tx.us

### **PLACE 2**

(Term Expires 1-1-2016)

STEVE MANLEY

1806 Lacy Lane

214/435-7413 (M)

smanley2@ci.marble-falls.tx.us

### **PLACE 3**

(Term Expires 1-1-2017)

VACANT

### **PLACE 4**

(Term Expires 1-1-2016)

CHARLES WATKINS

511 Pantera Circle

830/201-4006 (R)

cwatkins4@ci.marble-falls.tx.us

### **PLACE 5**

(Term Expires 1-1-2017)

MARK McCARY

1108 Live Oak

979/574-6672 (M)

VICE CHAIR

mmccary5@ci.marble-falls.tx.us

### **PLACE 6**

(Term Expires 1-1-2016)

LETA STEVENSON-SMITH

2105 11<sup>th</sup> St.

830/798-2531 (R)

lsmith6@ci.marble-falls.tx.us

### **PLACE 7**

(Term Expires 1-1-2017)

DAVID RHODES

609 Via Viejo

512/541-6953 (M)

CHAIR

drhodes7@ci.marble-falls.tx.us

### **CEMETERY BOARD MEMBER**

JANE KNAPIK

1005 Louise Street

830/693-9102 (M)

jknapik@ci.marble-falls.tx.us

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#### STAFF SUPPORT:

Robert Moss, Director

830/798-6251

Monique Breaux, Administrative Assistant

830/798-6250

**February 16, 2016**

**7. REGULAR AGENDA**

(g) Discussion and Action on appointments to Places 2, 4 and 6 of the Planning and Zoning Commission. ***Christina McDonald, City Secretary***

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Background information is attached as follows:

[Cover Memo and Supporting Documentation](#)



**Council Agenda Item Cover Memo**  
**February 16, 2016**

**Agenda Item No.:** 7(g)  
**Presenter:** Christina McDonald, City Secretary  
**Department:** Administration  
**Legal Review:**  N/A

**AGENDA CAPTION**

Discussion and Action on appointments to Places 2, 4 and 6 of the Planning and Zoning Commission.

**BACKGROUND INFORMATION**

The terms of commissioners Darlene Oostermeyer (Place 2), Jason Coleman (Place 4) and Thomas Barr (Place 6) have expired. Ms. Oostermeyer has served since 2006, Mr. Coleman since 2013 and Mr. Barr since 2004.

[Reappointment questionnaires](#) from all three commissioners have been submitted for Council's consideration.

Staff has one [application](#) on file for consideration, Thomas Martin.

[View Commission Member Roster.](#)

RECEIVED

FEB 03 2016

City of Marble Falls  
City Secretary's Office



APPLICATION FOR APPOINTMENT TO A CITY BOARD OR COMMISSION

NAME: Thomas E. Martin DATE: 2/2/16  
ADDRESS: 900 Canyon oak circle  
Marble Falls TX 78654 (This application will expire 2 years after this date)  
HOME PHONE: (830) 613-4407 CELL PHONE: (830) 220-1880  
E-MAIL ADDRESS: temartin45@gmail.com

PLACE OF EMPLOYMENT: Retired  
POSITION AND TITLE: \_\_\_\_\_

BOARD OR COMMISSION APPLYING FOR: Planning and Zoning Commission

If applying for the Planning & Zoning Commission please indicate if you own real property within the City Limits:  
 Yes  No

If applying for the TIRZ Board please indicate if you own real property within the TIRZ:  Yes  No  
or indicate if you are you an employee or agent of a person who owns real property in the TIRZ?  Yes  No  
(If yes please attached letter from property owner designating you as the employee or agent.)

Resident of the Marble Falls Corporate City Limits?  Yes  No If yes, how long? 4yr. 3mo.  
If no and applying for the Marble Falls Economic Development Corporation Board applicant must be a resident of  
Burnet County and reside within 10 miles of the corporate boundary of the city.

Qualified Voter?  Yes  No Voter Registration Number: 1180776771 ✓  
Voted in the last city election?  Yes  No ?

Are you in arrears on any City of Marble Falls taxes or other liabilities due the City of Marble Falls?  Yes  No  
(Arrears is defined to mean that payment has not been received within ninety (90) days from due date.)

Have you ever been convicted, plead guilty, plead no contest to, or received deferred adjudication for a felony?  
 Yes  No

List current and past service on any boards or commissions. (Please include dates of service):  
See attached

If a position on the board or commission to which you are applying is not available at this time, please indicate if you would be willing to serve on any of the following boards or commissions:

- Cemetery Board – (Part of Parks & Recreation Commission)  Yes  No
- Capital Improvement Plan Committee – (Meets quarterly)  Yes  No
- Construction Advisory and Appeals Board – (Meets as needed)  Yes  No

Please check all that apply:

- Architect (AIA)/Engineer (PE)
- Commercial Building Contractor
- Residential Building Contractor
- Master Electrical Contractor licensed by the State
- HVAC Contractor licensed by the State
- Master Plumber licensed by the State
- Citizen (Must have no financial interest in the building construction industry, real estate development, sales or management or a utility company, except as he or she may have as an owner or occupant of a dwelling)
- Commercial Business Owner

- Economic Development Corporation - (Meets 1<sup>st</sup> Wednesday of month @ noon)  Yes  No
- Ethics Review Commission – (Meets as needed)  Yes  No
- Hotel Motel Tax Advisory Committee - (Meets quarterly)  Yes  No
- Planning & Zoning Commission - (Meets 1<sup>st</sup> Thursday of month @ 6:00 pm)  Yes  No
- Parks & Recreation Commission - (Meets 1<sup>st</sup> Monday of month @ noon)  Yes  No
- Tax Increment Reinvestment Zone (TIRZ) Board - (Meets as needed)  Yes  No

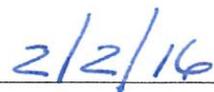
PLEASE PROVIDE ALL INFORMATION REQUESTED. INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED FOR BOARD/COMMISSION APPOINTMENTS.

DISCLAIMER AND SIGNATURE: I hereby request consideration for appointment to a board or commission of the City of Marble Falls, Texas. I certify that my answers above are true and complete. I understand that the information contained in this application may be considered, among other criteria, qualifications and/or information, by the City Council in its evaluation for the position being sought. I further understand that should I be appointed to any City of Marble Falls Board or Commission, I serve at the pleasure of the City Council and may be removed from said position at any time and for any reason or no reason at all, with or without notice. I also understand that should I be appointed to a City of Marble Falls Board or Commission, I must be responsible for a creditable record of attendance and performance. If this application leads to my appointment to a position on a City of Marble Falls Board or Commission, I understand that false or misleading information in my application may result in my removal from the position

I also acknowledge that this information may be made available to the public and the application will be maintained in the City's active files for two years from the date of application. I understand that should I not be appointed to a City of Marble Falls Board or Commission, this application and any other records obtained, collected or otherwise prepared regarding this application shall be maintained in accordance with the Texas Public Information Act and the City of Marble Falls' document retention schedule.



Applicant Signature



Date

**Thomas E. Martin**  
**Commission Application Supplement**

**List current and past service on an boards or commissions:**

Far West Texas Water Planning Group (Region E) (Texas Water Development Board) 1998-2000

Joint Advisory Committee for the Improvement of Air Quality Ciudad Juarez/El Paso/ Dona Ana County (appointed by the U.S. EPA) ~1996-2000.

Tacoma/Pierce County [Washington] Chamber of Commerce Board of Directors- 2001- 2002

**State why you wish to serve:**

I am interested in common sense management of Marble Falls' growth, especially in relation to new construction and zoning. I am retired and was widowed in the past year and thus have the time to do so. My wife and I retired and moved here from Tacoma, Washington in 2011 and enjoyed this city from the start. I have an interest in planning and zoning and was directly involved in the development of a 98 acre waterfront site in Tacoma and I found I enjoyed that very much.

**What qualifications or talents would you bring to a City Board or Commission?**

I have a professional degree as a metallurgical engineer from the Colorado School of Mines. I worked in the non-ferrous metal production for ASARCO Incorporated for 33 years with half of that time managing environmental affairs in Texas and Washington. My experience included obtaining a major air permit for the modernization of the copper smelter in El Paso. This effort required working with various public stakeholders as well as political subdivisions and state and local elected officials. I worked for the city-owned Tacoma Power in the last 8½ years of my career. I managed the implementation of the renewed Federal license for the Cowlitz River Project, the utility's largest hydroelectric project. During that time the utility spent over \$60 million dollars complying with the terms of that license. Both of these jobs required meeting with, working with, and negotiating with various government agencies and public stakeholder groups. The projects also required compliance the Federal Endangered Species Act. I was on the board of directors and the president of a homeowners association for a maintained community in University Place, Washington for six years.

**What are your top three goals and objectives for the board or commission you are applying for?**

- 1) Harmony in design, development and growth of Marble Falls
- 2) Making sure individual political self-interests are not used to guide planning and zoning
- 3) Make Marble Falls an attractive place for builders and developers to do business in a fiscally sound manner.



**CITY BOARD OR COMMISSION REAPPOINTMENT QUESTIONNAIRE**

NAME: Jason Coleman DATE: 12-10-2015

ADDRESS: 300 E Oak Ridge Drive (This application will expire 2 years after this date)  
Marble Falls, TX 78654

HOME PHONE: (830) 598-1207 CELL PHONE: (830) 385-6184

E-MAIL ADDRESS: Jason@ColemanTeamRealty.com

PLACE OF EMPLOYMENT: Coleman Team Realty  
POSITION AND TITLE: Broker/Owner

CURRENT BOARD: Planning & Zoning  
YEARS OF SERVICE: 2?

Resident of the Marble Falls Corporate City Limits?  Yes  No If yes, how long? 5yrs

Qualified Voter?  Yes  No Voter Registration Number: 1019915484 ✓

Voted in the last city election?  Yes  No

Are you in arrears on any City of Marble Falls taxes or other liabilities due the City of Marble Falls?  Yes  No  
(Arrears is defined to mean that payment has not been received within ninety (90) days from due date.)

1) Please list your accomplishments and contributions made as a board or commission member and detail your role in these accomplishments:

Attendance to most meetings and actively engaging the process.  
Review agenda and items to be reviewed.  
Make comments and suggestions on how to proceed.

2) What are your goals and objectives for the board or commission in the coming year?

To continue to do #1 above.

3) What improvements do you think need to be made to the board or commission on which you serve?

None.

PLEASE PROVIDE ALL INFORMATION REQUESTED. INCOMPLETE QUESTIONNAIRES WILL NOT BE CONSIDERED FOR BOARD/COMMISSION REAPPOINTMENTS.

**DISCLAIMER AND SIGNATURE:** I hereby request consideration for reappointment to a board or commission of the City of Marble Falls, Texas. I certify that my answers above are true and complete. I understand that the information contained in this application may be considered, among other criteria, qualifications and/or information, by the City Council in its evaluation for the position being sought. I further understand that should I be reappointed to any City of Marble Falls Board or Commission, I serve at the pleasure of the City Council and may be removed from said position at any time and for any reason or no reason at all, with or without notice. I also understand that should I be reappointed to a City of Marble Falls Board or Commission, I must be responsible for a creditable record of attendance and performance. If this questionnaire leads to my reappointment to a position on a City of Marble Falls Board or Commission, I understand that false or misleading information in my questionnaire may result in my removal from the position

I also acknowledge that this information may be made available to the public.

Jason Colman  
Applicant Signature

12-10-2015  
Date

**CITY USE ONLY:**  
Board/Commission Reappointed to: \_\_\_\_\_ Date Reappointed: \_\_\_\_\_  
Number of Terms Served: \_\_\_\_\_

**RETURN COMPLETED QUESTIONNAIRE TO:**  
City Secretary's Office  
City of Marble Falls  
800 Third Street, Marble Falls, Texas 78654  
Phone: (830) 693-3615 • Fax: (830) 693-6737



**CITY BOARD OR COMMISSION REAPPOINTMENT QUESTIONNAIRE**

NAME: *Dorlene Oostermeyer*

DATE: *12/3/15*

ADDRESS: *3000 Cedar Trail Rd.  
Marble Falls, TX*

(This application will expire 2 years after this date)

HOME PHONE: ( *820* ) *693.7025*

CELL PHONE: ( *512* ) *470-0813*

E-MAIL *dfo@netv.com*

ADDRESS:

PLACE OF EMPLOYMENT: *Retired, Land Manager*

POSITION AND TITLE:

CURRENT

BOARD: *P&Z*

YEARS OF SERVICE: *Since 2006*

Resident of the Marble Falls Corporate City Limits?  Yes  No If yes, how long? *12+ years*

Qualified

Voter?

Yes

No

Voter

Registration

Number:

Voted in the last city election?

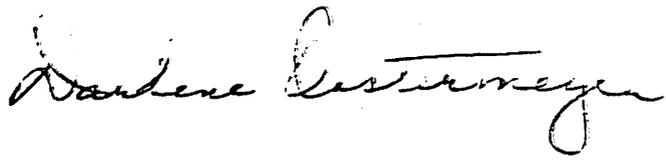
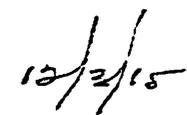
Yes  No

*1019940847*

PLEASE PROVIDE ALL INFORMATION REQUESTED. INCOMPLETE QUESTIONNAIRES WILL NOT BE CONSIDERED FOR BOARD/COMMISSION REAPPOINTMENTS.

**DISCLAIMER AND SIGNATURE:** I hereby request consideration for reappointment to a board or commission of the City of Marble Falls, Texas. I certify that my answers above are true and complete. I understand that the information contained in this application may be considered, among other criteria, qualifications and/or information, by the City Council in its evaluation for the position being sought. I further understand that should I be reappointed to any City of Marble Falls Board or Commission, I serve at the pleasure of the City Council and may be removed from said position at any time and for any reason or no reason at all, with or without notice. I also understand that should I be reappointed to a City of Marble Falls Board or Commission, I must be responsible for a creditable record of attendance and performance. If this questionnaire leads to my reappointment to a position on a City of Marble Falls Board or Commission, I understand that false or misleading information in my questionnaire may result in my removal from the position.

I also acknowledge that this information may be made available to the public.

Applicant Signature  Date 

**CITY USE ONLY:**

Board/Commission Reappointed to: Date Reappointed:

Number of Terms Served:

**RETURN COMPLETED QUESTIONNAIRE TO:**  
City Secretary's Office  
City of Marble Falls  
800 Third Street, Marble Falls, Texas 78654  
Phone: (830) 693-3815 • Fax: (830) 693-6737

City of Marble Falls Board and Commission Reappointment Questionnaire - Page 1 of 2

Are you in arrears on any City of Marble Falls taxes or other liabilities due the City of Marble Falls? Yes/No  
(Arrears is defined to mean that payment has not been received within ninety (90) days from due date.)

1) Please list your accomplishments and contributions made as a board or commission member and detail your role in these accomplishments:

- Sign Ordinance Update
- Landscape Ordinance (Plant List)
- S+W Hospital PDD
- Vela del Lago - Final Plat
- Viejo Villas - Final Plan
- St. John's Cath. Church CUP
- Camp Plan Steering Comm.
- Zoning Text Amend - Land Use Regs/Attachments
- Sign Variance - Grand Bank
- Sign Variance - Discount Tire
- Gregg Ranch PDD
- Live Oak PDD
- Arbor House PDD
- CUPs
  - alladin Self St.
  - Homestead @ MH
  - Leather Hollow
- Free Ordinance workshops

2) What are your goals and objectives for the board or commission in the coming year?

- To fairly and equitably evaluate each case
- To use past P&Z work as a guidance in my review.
- To constantly remember, and remind fellow commissioners, that we live in a small town, and not try to be another "Austin".
- To keep water issues at the forefront of my consciousness when reviewing major land uses.
- To continue providing a balanced view of the Commission

3) What improvements do you think need to be made to the board or commission on which you serve?

We need a ~~broader~~ <sup>broader</sup> and more diverse board with representatives from the west side of town.



RECEIVED

JAN 13 2016

City of Marble Falls  
City Secretary's Office

CITY BOARD OR COMMISSION REAPPOINTMENT QUESTIONNAIRE

NAME: Thomas E Barr

DATE: 1/13/16

ADDRESS: 3101 MORMON MILL RD  
MARBLE FALLS, TX 78654

(This application will expire 2 years after this date)

HOME PHONE: (830) 693-2722 CELL PHONE: (830) 385-3403

E-MAIL ADDRESS: TEBARR01@yahoo.com

PLACE OF EMPLOYMENT: MEISD Retired  
POSITION AND TITLE: \_\_\_\_\_

CURRENT BOARD: Place 6 City Planning  
YEARS OF SERVICE: 12

Resident of the Marble Falls Corporate City Limits?  Yes  No If yes, how long? 2/0 yrs

Qualified Voter?  Yes  No Voter Registration Number: 1002004666 ✓  
Voted in the last city election?  Yes  No

Are you in arrears on any City of Marble Falls taxes or other liabilities due the City of Marble Falls?  Yes  No  
(Arrears is defined to mean that payment has not been received within ninety (90) days from due date.)

1) Please list your accomplishments and contributions made as a board or commission member and detail your role in these accomplishments:

Active member of City Planning. work with  
Comprehensive Plans. Make Recommendations To City Council  
on matters relating to Comprehensive Plan, & Zoning.

2) What are your goals and objectives for the board or commission in the coming year?

STILL WOULD LIKE TO SEE A REAL PHYSICAL ROAD COMPLETED AROUND THE N/E SIDE OF MARBLE FALLS CONNECTING 281 TO 1431 TO RELIEVE TRAFFIC IN THE CENTER OF TOWN.

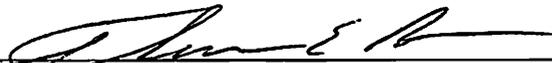
3) What improvements do you think need to be made to the board or commission on which you serve?

I FEEL ALL THE MEMBERS SERVING ARE DOING A FINE JOB AND WORK WELL TOGETHER.

PLEASE PROVIDE ALL INFORMATION REQUESTED. INCOMPLETE QUESTIONNAIRES WILL NOT BE CONSIDERED FOR BOARD/COMMISSION REAPPOINTMENTS.

**DISCLAIMER AND SIGNATURE:** I hereby request consideration for reappointment to a board or commission of the City of Marble Falls, Texas. I certify that my answers above are true and complete. I understand that the information contained in this application may be considered, among other criteria, qualifications and/or information, by the City Council in its evaluation for the position being sought. I further understand that should I be reappointed to any City of Marble Falls Board or Commission, I serve at the pleasure of the City Council and may be removed from said position at any time and for any reason or no reason at all, with or without notice. I also understand that should I be reappointed to a City of Marble Falls Board or Commission, I must be responsible for a creditable record of attendance and performance. If this questionnaire leads to my reappointment to a position on a City of Marble Falls Board or Commission, I understand that false or misleading information in my questionnaire may result in my removal from the position

I also acknowledge that this information may be made available to the public.

  
Applicant Signature

1/13/16  
Date

.....  
CITY USE ONLY:

Board/Commission Reappointed to: \_\_\_\_\_

Date Reappointed: \_\_\_\_\_

Number of Terms Served: \_\_\_\_\_

**RETURN COMPLETED QUESTIONNAIRE TO:**  
City Secretary's Office  
City of Marble Falls  
800 Third Street, Marble Falls, Texas 78654  
Phone: (830) 693-3615 • Fax: (830) 693-6737



## PLANNING & ZONING COMMISSION MEMBERS

(Meets 1<sup>st</sup> Thursdays at 6:00 pm)

### PLACE 1

(Term Expires 1-1-2017)

FRED ZAGST VICE CHAIRMAN	405 E. Oakridge (wife Kay)	830/693-1054 (R) 512/755-2557 (M)
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### PLACE 2

(Term Expires 1-1-2016)

DARLENE OOSTERMEYER	3000 Cedar Trail Rd. (husband Thomas)	830/693-7025 (R)
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### PLACE 3

(Term Expires 1-1-2017)

STEVE REITZ CHAIRMAN	1103 Arbor Lane (wife Sharlene)	830/693-7423 (R) 512/755-0212 (M)
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### PLACE 4

(Term Expires 1-1-2016)

JASON COLEMAN	300 E. Oak Ridge (wife Leslie)	830/598-1207 (R) 830/385-6184 (M)
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### PLACE 5

(Term Expires 1-1-2017)

GREG MILLS	1010 Laurel Oak Circle (wife Penny)	830/693-6255 (R) 830/6132-9150 (M)
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### PLACE 6

(Term Expires 1-1-2016)

THOMAS BARR	3101 Mormon Mill Rd. (wife Marilyn)	830/693-2722 (R) 830/693-6497 (O)
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### PLACE 7

(Term Expires 1-1-2017)

WILLIAM D. HADDOCK	1109 Loma lane (wife Mary Ann)	830/693-8533 (R) 214/770-6632 (M)
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### CITY STAFF SUPPORT:

Caleb Kraenzel, Director of Development Services	830/798-7080
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Scarlet Contreras, Planning Technician	830/798-7086
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801 Fourth Street • Marble Falls, TX 78654 • Phone: (830) 798-7095 • Fax: (830) 798-8558

**February 16, 2016**

**7. REGULAR AGENDA**

- (h) Discussion regarding feeding wildlife in the city limits. ***Chief of Police Mark Whitacre, Lieutenant Steve Eckstein and Sergeant Tom Dillard***

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Background information is attached as follows:

[Cover Memo and Supporting Documentation](#)



**Council Agenda Item Cover Memo**  
**February 16, 2016**

**Agenda Item No.:** 7(h)  
**Presenter:** Mark N. Whitacre, Chief of Police  
Steve Eckstein, Lieutenant  
Tom Dillard, Sergeant  
Justin Boucher, Patrol Officer  
**Department:** Police Department  
**Legal Review:** N/A

**AGENDA CAPTION**

Discussion regarding feeding wildlife in the city limits.

**BACKGROUND INFORMATION**

On December 1, 2015, at the conclusion of the Marble Falls City Council meeting, Mayor Pro Tem, Jane Marie Hurst, requested to have the feeding of wildlife (deer) added to a future city council agenda as a discussion item.

Chief Mark N. Whitacre, Lt. Steve Eckstein, Sgt. Tom Dillard and Patrol Officer Justin Boucher will be present to discuss said topic and receive council direction for same.

**February 16, 2016**

**7. REGULAR AGENDA**

- (i) Discussion regarding Unmanned Aerial Systems (Drones). *Chief of Police Mark Whitacre and Captain Glenn Hanson*

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Background information is attached as follows:

[Cover Memo and Supporting Documentation](#)



**Council Agenda Item Cover Memo**  
**February 16, 2016**

**Agenda Item No.:** 7(i)  
**Presenter:** Mark N. Whitacre, Chief of Police  
Glenn Hanson, Captain  
**Department:** Police Department  
**Legal Review:** N/A

**AGENDA CAPTION**

Discussion with City Council regarding Unmanned Aerial Systems (Drones).

**BACKGROUND INFORMATION**

On December 1, 2015, at the conclusion of the Marble Falls City Council meeting, Councilman Reed Norman, requested to have the item of unmanned aerial systems (drones) added to a future city council meeting as a discussion item.

Chief Mark N. Whitacre and Captain Glenn Hanson will be present to discuss unmanned aerial systems and receive council direction for same.