



NOTICE OF MEETING
GOVERNING BODY OF MARBLE FALLS, TEXAS
Tuesday, May 14, 2019 – Noon

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

Notice is hereby given that on the 14th day of May 2019 the Marble Falls City Council will meet in regular session at Noon in the City Hall Council Chambers located at 800 3rd 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**
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 April 16, 2019 regular meeting. *Christina McDonald, City Secretary*
7. **REGULAR AGENDA.** *Council will individually consider and possibly take action on any or all of the following items:*
 - (a) Administration of Oaths of Office. *Christina McDonald, City Secretary*

(b) Discussion and Action on the election of a Mayor Pro-Tem to serve for a term of one year according to Section 3.05 of the City Charter. *Christina McDonald, City Secretary*

8. CITY MANAGER'S REPORT

9. EXECUTIVE SESSION

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 1st day of May, 2019 at 8:00 am 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

May 14, 2019

6. CONSENT AGENDA

- (a) Approval of the minutes of the April 16, 2019 regular meeting. *Christina McDonald, City Secretary*
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STATE OF TEXAS
COUNTY OF BURNET
CITY OF MARBLE FALLS

On this the 16th day of April 2019 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
Richard Westerman Mayor Pro-Tem (arrived during Citizen Comments)
William (Dee) Haddock Councilmember
Craig Magerkurth Councilmember
Celia Merrill Councilmember
Dave Rhodes Councilmember

ABSENT: None

STAFF: Mike Hodge City Manager
Caleb Kraenzel Assistant City Manager
Christina McDonald City Secretary
Patty Akers City Attorney
Glenn Hanson Assistant Chief of Police
Angel Alvarado Human Resources Director
Erin Burks Downtown Coordinator
James Kennedy Public Works Director
Jay Everett Assistant Public Works Director
Christian Fletcher EDC Executive Director
Mike Ingalsbe Building Official
Scarlet Moreno Planner

VISITORS: Reed Norman (Councilmember elect Place 6), Connie Swinney (Picayune), Jared Fields (The Highlander), Robert and Shereen Hirining, Rene Rosales (P&Z Commissioner), Alice Rudenstein, Susanne March (Hill Country Cats Board of Directors), Amanda Rose (MF Public Library Director), Bill Gaylord (MF Public Library), Linell Lane, Carole Freeman, Debbie Kizer, Susanne March, Chris DeBremaecha, Alice Rudenstein, Jane Schiedler, Robin Biggerstaff, Ann Rosales, Runalo Martin, Ron Pennert and Cynthia Cosper (Hill Country Cat Control)

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT.** Mayor Packer called the meeting to order at 6:00 pm.
2. **INVOCATION.** Councilmember Haddock gave the invocation.

3. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.

Councilmember Magerkurth led the pledges.

4. UPDATES, PRESENTATIONS AND RECOGNITIONS

- **Proclamation** – Mayor Packer proclaimed the week of May 5-11, 2019 Public Service Recognition Week. Angel Alvarado, Human Resource Director accepted the proclamation.
- **Update from the Marble Falls Public Library.** Amanda Rose, Director provided the update.

5. CITIZEN COMMENTS. Representatives Alice Rudenstein, Jane Scheidler and Debbie Kizer from Hill Country Cat Control, a volunteer-based nonprofit organization dedicated to humanely reducing the feral cat population in Burnet and Llano counties through the proven practice of trap/neuter/vaccinate and return spoke regarding the City's animal control officer's practices in the city and not being allowed to provide their services in the city. The representatives asked to be able to continue their services in the city until Council has had time to review the scientific information provided to Council by representative Jane Scheidler. Mayor Packer stated that staff will contact the organization to discuss their concerns.

6. CONSENT AGENDA.

(a) Approval of the minutes of the April 2, 2019 regular meeting.

(b) Approval of the cancellation of the May 7, 2019 regular City Council Meeting.

(c) Approval of the Impact Fee Advisory Committee's Semiannual Report for the period ending March 2019.

(d) Approval of the purchase of a 1986 GMC Cab and Chassis with Water Tank from Burnet County in the amount of \$8,650.00.

(e) Approval of an agreement to convey utility and access agreements to the City of Marble Falls for the extension of utility service to 112 and 114 Los Escondidos, City of Marble Falls, Burnet County, Texas and approval to the form of easements for .094 acre and a 0.090 utility, roadway and temporary construction easements and authorizing the Mayor execute.

Councilmember Haddock made a motion to approve the consent agenda. Councilmember Merrill seconded the motion. The motion carried by a unanimous vote (6-0).

7. REGULAR AGENDA.

(a) Discussion and Action on the Second Reading of Ordinance 2019-O-04A amending the 2018/19 Budget of the General Fund, Proprietary Fund, Economic Development

Corporation Fund, Special Revenue Funds and the Capital Project Funds. Mike Hodge, City Manager addressed Council. Councilmember Rhodes made a motion to act favorably on Ordinance 2019-O-04A. Councilmember Haddock seconded the motion. The ordinance was approved by a vote of 6-0.

(b) Discussion and Action on the Second Reading of Resolution 2019-R-04A approving a project of the Marble Falls Economic Development Corporation to enhance community development initiatives through the arts. Christian Fletcher, EDC Executive Director addressed Council. Councilmember Merrill made a motion to act favorably on Resolution R-04A. Mayor Pro-Tem Westerman seconded the motion. The resolution was approved by a vote of 5-1, with Councilmember Rhodes being opposed.

(c) Discussion and Action on the Second Reading of Resolution 2019-R-04B approving a workforce development project of the Marble Falls Economic Development Corporation. Christian Fletcher, EDC Executive Director addressed Council. Councilmember Merrill made a motion to act favorably on Resolution R-04B. Mayor Pro-Tem Westerman seconded the motion. The resolution was approved by a vote of 6-0.

(d) Discuss and consider action to accept conveyance of Lots 7, 8 and 11R Dodson Mallory Addition, Marble Falls, Texas from the Marble Falls Economic Development Corporation to the City of Marble Falls. Mike Hodge, City Manager addressed Council. Councilmember Rhodes made a motion to accept the conveyance. Mayor Pro-Tem Westerman seconded the motion. The motion carried by a vote of 6-0.

8. CITY MANAGER'S REPORT. Assistant City Manager Caleb Kraenzel gave an update on the Roper and Gregg Ranch Public Improvement Districts and the Flatrock Development. City Manager Mike Hodge provided an update on the TxDOT US Hwy. 281 access management project.

9. EXECUTIVE SESSION

CLOSE OPEN SESSION AND CONVENE EXECUTIVE SESSION pursuant to §551.07 (*Private Consultation between the Council and its Attorney*), §551.072 (*Deliberation regarding the Purchase, Exchange, Lease or Value of Real Property*), and pursuant to §551.087 (*Deliberation Regarding Economic Development Negotiations*) of the Open Meetings Act. *Tex. Gov't Code*, Council will meet in Executive Session to discuss the following:

- Park Land Acquisition
- Legislative Update

6:47 pm Council convened to Executive Session

7:32 pm Council returned to Open Session

10. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ITEMS DISCUSSED IN EXECUTIVE SESSION. Councilmember Merrill made a motion to direct staff to

prepare a letter regarding the proposed legislation which could prove detrimental to Home Rule Cities. Councilmember Haddock seconded the motion. The motion carried by a vote of 5-0.

11. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS. It was noted that the May 7 regular meeting has been cancelled and a special meeting and strategic planning retreat will be held at noon on May 14, 2019.

12. ADJOURNMENT. There being no further business to discuss, Councilmember Magerkurth made a motion to adjourn. The motion was seconded by Councilmember Haddock and the meeting was adjourned at 7:35 pm.

John Packer, Mayor

ATTEST:

**Christina McDonald, TRMC
City Secretary**

May 14, 2019

7. REGULAR AGENDA

(a) Administration of Oaths of Office. *Christina McDonald, City Secretary*



**Council Agenda Item Cover Memo
May 14, 2019**

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

AGENDA CAPTION

Administration of Oaths of Office.

BACKGROUND INFORMATION

City Secretary Christina McDonald will administer the Oaths of Office to Mayor John Packer and Councilmembers Dave Rhodes (Place 2), Celia Merrill (Place 4), and Reed Norman (Place 6).

May 14, 2019

7. REGULAR AGENDA

- (b) Discussion and Action on the election of a Mayor Pro-Tem to serve for a term of one year according to Section 3.05 of the City Charter. *Christina McDonald, City Secretary*
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**Council Agenda Item Cover Memo
May 14, 2019**

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

AGENDA CAPTION

Discussion and Action on the election of a Mayor Pro-Tem to serve for a term of one year according to Section 3.05 of the City Charter.

BACKGROUND INFORMATION

Section 3.05 of the City Charter states that the Council shall elect a Mayor Pro-Tem after each regular City Election. The Mayor Pro-Tem acts as the Mayor during the disability or absence of the Mayor.