

**STATE OF TEXAS
COUNTY OF BURNET
CITY OF MARBLE FALLS**

On this the 2nd day of March 2021 the City Council convened in regular session at 6:00 pm at the Lakeside Pavilion located at 307 Buena Vista Drive, Marble Falls with notice of meeting giving time, place, date, and subject having been posted as described in Chapter 551 of the Texas Government Code.

<u>PRESENT:</u>	John Packer	Mayor
	Richard Westerman	Mayor Pro-Tem
	Craig Magerkurth	Councilmember
	Celia Merrill	Councilmember
	Reed Norman	Councilmember
	Dave Rhodes	Councilmember
	Rene Rosales	Councilmember

ABSENT: None

<u>STAFF:</u>	Mike Hodge	City Manager
	Caleb Kraenzel	Assistant City Manager
	Christina McDonald	City Secretary
	Patty Akers	City Attorney
	James Kennedy	Director of Public Works
	Jay Everett	Assistant Director of Public Works
	Glenn Hanson	Assistant Chief of Police
	Christian Fletcher	EDC Executive Director
	Kacey Paul	City Engineer
	Russell Sander	Fire Chief
	Winston Duke	Interim Director of Finance
	Lacey Dingman	Director of Parks and Recreation

VISITORS: Connie Swinney (The Highlander), Brigid Cooley (Daily Trib), Susan Patton (LCRA), Angela Verduzco, CPA (Patillo, Brown and Hill)

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT.** Mayor Packer called the meeting to order at 6:00 pm and announced the presence of a quorum.
2. **INVOCATION.** Councilmember Merrill gave the invocation.

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

Mayor Pro-Tem Westerman led the pledges.

4. **UPDATES, PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS.** City Manager Mike Hodge provided an update on the first quarter FY 2020/2021 City financials.

5. **CITIZEN COMMENTS.** There were no citizen comments.

6. **CONSENT AGENDA.**

(a) Approval of the minutes of the February 22, 2021 special meeting and the February 23, 2021 regular meeting.

(b) Approval of Resolution 2021-R-03A approving the pursuit of the Marble Falls Downtown Sidewalk and Drainage Improvement Project to the 2021 Transportation Alternatives Program through Texas Department of Transportation.

Councilmember Merrill made a motion to approve the consent agenda. Mayor Pro-Tem Westerman seconded the motion. The consent agenda was approved by a vote of 7-0.

7. **REGULAR AGENDA.**

(a) Public Hearing, Discussion, and Action on Ordinance 2021-O-03C regarding the annexation into the City Limit of 300 acres of land, more or less, out of the August Hoffman Survey No. 1078, Abstract No. 1034, the Joseph Harrell Survey No. 533, Abstract No. 451, the Guadalupe Flores Survey No. 7, Abstract No. 304, and the C. & M. RR. Co. Survey No. 1, Abstract No. 1122, Burnet County, Texas, located east of US Highway 281, west along County Road 401, north of State Highway 71, and south of east Farm to Market Road 2147. Caleb Kraenzel, Assistant City Manager addressed Council. Mr. Kraenzel stated that the developers requested postponement until the March 16 Council Meeting. No action was taken.

(b) Presentation, Discussion and Action on the acceptance of the FY 2019/20 Comprehensive Annual Financial Audit. Mike Hodge, City Manager introduced Angela Verduzco, C.P.A. from the firm of Pattillo, Brown and Hill who presented the audit. Councilmember Merrill made a motion to accept the audit as presented. Councilmember Rosales seconded the motion. The motion carried by a vote of 7-0.

(c) Continue Public Hearing and Discussion and Action on Ordinance 2021-O-02B making a finding of special benefit to the Thunder Rock Public Improvement District; providing for the method of assessment of special assessments against the property in the District; approving assessment rolls for the District; levying special assessments against property in the District; providing for payment of the special assessments; providing for penalties and interest on delinquent special assessments; establishing a lien on

property within the District; approving a service and assessment plan; providing for related matter in accordance with Chapter 372, Texas Local Government Code; providing and effective date; and providing for severability. Caleb Kraenzel, Assistant City Manager addressed Council. Mr. Kraenzel requested that Council continue the public hearing until the March 16 Council Meeting. Mayor Pro-Tem Westerman made a motion to continue the public hearing until the March 16 City Council Meeting. The motion was seconded by Councilmember Magerkurth and carried by a unanimous vote (7-0).

Mayor Packer opened items 7(d) and 7(e)

- (d) Discussion and Action on the proposed project approaches and agreeing to enter into a Project Agreement with Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) for the Avenue N Bridge Upgrade at Backbone Creek, which was a result of the October 2018 flood event.** Kacey Paul, City Engineer addressed Council. There was some discussion regarding the City of Meadowlakes participation in the project. City Manager Mike Hodge stated city staff will be meeting with the Meadowlakes City Council at a special meeting on March 8. Mayor Pro-Tem Westerman made a motion to approve the proposed project approaches and the agreement with FEMA. Councilmember Merrill seconded by motion. The motion carried by a vote of 6-1, with Councilmember Magerkurth voting in opposition.
- (e) Discussion and Action on the proposed project approaches and agreeing to enter into a Project Agreement with Texas Water Development Board (TWDB) Flood Infrastructure Fund (FIF) grant program, which includes a grant and 0% interest loan to cover the local match associated with the HMGP Avenue N Bridge Upgrade at Backbone Creek.** Kacey Paul, City Engineer addressed Council. Mayor Pro-Tem Westerman made a motion to approve the proposed project approaches and the agreement TWDB. Councilmember Rosales seconded by motion. The motion carried by a vote of 6-1, with Councilmember Magerkurth voting in opposition.
- (f) Discussion and Action on a Professional Services Agreement with Langford Community Management Services, Inc, for grant management services associated with the Avenue N Bridge Upgrade with funding from FEMA Hazard Mitigation Grant Program (HMGP).** Kacey Paul, City Engineer addressed Council. Mayor Pro-Tem Westerman made a motion to approve the professional services agreement with Langford Community Managements Services. Councilmember Rhodes seconded by motion. The motion carried by a vote of 7-0.
- (g) Discussion and Action on a Professional Services Agreement with Langford Community Management Services, Inc. for grant management services associated with the Avenue N Bridge Upgrade funding from TWDB Flood Infrastructure Fund (FIF) grant.** Kacey Paul, City Engineer addressed Council. Councilmember Merrill made a motion to approve the professional services agreement with Langford Community Managements Services. Councilmember Rosales seconded by motion. The motion carried by a vote of 7-0.

- (h) Discussion and Action on Resolution 2021-R-03D expressing intent to finance expenditures to be incurred by the City for project costs associated with the Hazardous Mitigation Grant Program (HMGP) and Texas Water Development Board Flood Infrastructure Fund (TWDB FIF) Grant Program, including engineering design, permitting, and construction for the Avenue N Bridge Upgrade at Backbone Creek and authorize the City Manager to execute related documents. Kacey Paul, City Engineer addressed Council. After some discussion, Councilmember Merrill made a motion continue action on Resolution 2021-R-03D until the March 16 City Council Meeting. Mayor Pro-Tem Westerman seconded by motion. The motion carried by a vote of 7-0.
- (i) Discussion regarding the additional grant award received from National Resource Conservation Service (NRCS) for the EWPP Bank Stabilization Project, bringing the overall award total to \$4,535,841.69. Kacey Paul, City Engineer addressed Council. No action was taken.
- (j) Discussion and Action on Contract Amendment No 5 for the EWPP Contract with Miller Gray to conduct the archeological investigation at Site 5, required by Texas Historical Commission (THC), and National Resource Conservation Service (NRCS) and authorize the City Manager to execute the contract amendment. Kacey Paul, City Engineer addressed Council. Mayor Pro-Tem Westerman made a motion to approve Contract Amendment No. 5 with Miller Gray. Councilmember Merrill seconded by motion. The motion carried by a vote of 7-0.
- (k) Discussion and Action on Contract Amendment No 6 for the EWPP Contract with Miller Gray to include engineering, environmental, geotechnical analysis and contractor negotiations for proposed changes and construction oversight associated with Change Order 2 and authorize the City Manager to execute the contract amendment. Kacey Paul, City Engineer addressed Council. Mayor Pro-Tem Westerman made a motion to approve Contract Amendment No. 6 with Miller Gray. Councilmember Merrill seconded by motion. The motion carried by a vote of 7-0.
- (l) Discussion and Action on an amendment to the Professional Services Agreement with Langford Community Management Services, Inc. for grant management services associated with the NRCS EWP Grant and authorize the City Manager to execute the amendment. Kacey Paul, City Engineer addressed Council. Councilmember Merrill made a motion to approve the professional services agreement with Langford Community Management Services. Mayor Pro-Tem Westerman seconded by motion. The motion carried by a vote of 5-2, with Councilmember Rhodes and Rosales voting in opposition of the motion.

8. CITY MANAGER'S REPORT. City Manager Mike Hodge did not provide a report.

7:40 pm Council convened to Executive Session

9. EXECUTIVE SESSION

CLOSE OPEN SESSION AND CONVENE EXECUTIVE SESSION Consultation between the Council and its Attorney) and Pursuant to §551.074 (Deliberation Regarding the Appointment, Employment, Employment Evaluation, Reassignment, Duties, discipline or Dismissal of a Public Officer or Employee or to Hear a Complaint or Charge Against an Officer or Employee)) of the Open Meetings Act. Tex. Gov't Code, Council will meet in Executive Session to discuss the following:

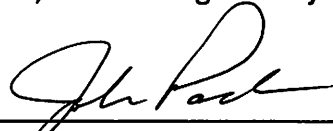
- Consultation with City Attorney regarding Hamilton Creek Ranchettes petition to appeal outside city water rates
- City Attorney Patty Akers Annual Evaluation

8:47 pm Council returned to Open Session

10. RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ITEMS DISCUSSED IN EXECUTIVE SESSION. No action was taken.


11. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS. The draft agenda for the March 16 regular meeting was reviewed.

12. ADJOURNMENT. There being no further business to discuss, the meeting was adjourned at 8:50 pm.



John Packer, Mayor

ATTEST:


Christina McDonald, TRMC
City Secretary