

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

On this the 21<sup>st</sup> day of April 2020 the City Council convened in regular session at 6:00 pm by telephone conference in accordance with the Order of the Office of the Governor issued March 16, 2020, in response to COVID-19, 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
William (Dee) Haddock	Councilmember
Craig Magerkurth	Councilmember
Celia Merrill	Councilmember
Reed Norman	Councilmember
Dave Rhodes	Councilmember

**ABSENT:** None

**STAFF:**

Mike Hodge	City Manager
Caleb Kraenzel	Assistant City Manager
Christina McDonald	City Secretary
Christian Fletcher	Executive Director
Baron Sauls	Director of Finance
Valerie Kreger	Director of Development Services
Russell Sander	Fire Chief
Mark Whitacre	Police Chief
Patty Akers	City Attorney
Angel Alvarado	Human Resources Coordinator
James Kennedy	Public Works Director
Jay Everett	Assistant Public Works Director
Kacey Paul	City Engineer
Lacey Dingman	Directors of Parks and Recreation
Erin Burks	Downtown Coordinator

**VISITORS:** Susan Patton (LCRA), Connie Swinney (The Highlander), Rene Rosales (Councilmember Elect Place 3), John Davenport, Dale Gray, Phil Reynolds, Travis Wilson

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 by roll call.

2. **INVOCATION.** Councilmember Rhodes gave the invocation.

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

Councilmember Magerkurth led the pledges.

**4. UPDATES, PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS.** There were no updates, presentations, proclamation or recognitions.

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

**6. CONSENT AGENDA.**

**(a) Approval of the minutes of the April 7, 2020 regular meeting.**

Councilmember Rhodes requested that item 6(b) be moved from the consent agenda to the regular agenda for discussion.

Councilmember Haddock made a motion to approve item 6(a) of the consent agenda. The motion was seconded by Councilmember Merrill and carried by a vote of 7-0.

**7. REGULAR AGENDA.**

**Approval of Resolution 2020-R-04B continuing the Disaster Declaration previously issued on March 19, 2020 by Mayor John Packer and extended to April 21, 2020 on March 26, 2020 by the City Council, until May 19, 2020 at 11:59 pm Central Standard Time in response to the spread of COVID-19.** Mayor Packer opened up the agenda item for discussion. Councilmember Rhodes stated he was not in favor of continuing the disaster declaration and that the City of Marble Falls needs to move forward in opening the City and removing the stay in place order. Mayor Packer and Chief Sander responded with an explanation that the extension of the disaster declaration simply allows the City access to federal funding if needed.

Councilmember Rhodes made a motion to approve Resolution 2020-R-04B extending the Disaster Declaration in response to the spread of COVID-19 until May 19, 2020. Mayor Pro-Tem Westerman seconded the motion. The motion carried by a vote of 6-1, with Councilmember Norman voting opposed.

**(a) Discussion and Action on the approval of a Construction Improvement Agreement for 7 Fall Marbles, City of Marble Falls, Burnet County, Texas.** Valerie Kreger, Director of Development Services addressed Council. Councilmember Rhodes made a motion to approve the Construction Improvement Agreement as presented. Mayor Pro-Tem Westerman seconded the motion. The motion carried by a vote of 7-0.

**(b) Discussion and Action regarding the Parks and Recreation Program, maintenance and Lakeside 1a Project Budget Adjustments.** Lacey Dingman, Director of Parks and Recreation gave the presentation and addressed Council. After much discussion Councilmember Merrill made a motion to move forward with the project as presented

(delay Lakeside Pavilion HVAC upgrade, purchase barge for fireworks display and proceed with the fireworks event, and approve Lakeside Pavilion Phase 1a finish out items, and expenses and change orders), while using the remaining balance of the pavilion tax note and a portion of the funds for the preliminary City Hall design and encouraging staff to continue to look for options for additional outside funding from donations and cost savings measures. Mayor Pro-Tem Westerman seconded the motion. The motion carried by the following vote (4-3):

YEAS: Mayor Packer, Mayor Pro-Tem Westerman and Councilmembers Merrill and Haddock


NAYS: Councilmembers Norman, Rhodes and Magerkurth

- (c) **Discussion and Action on the proposed project approaches and agreeing to enter into a Project Agreement with U.S. Department of Agriculture (USDA) Natural Resources Conservancy Service (NRCS) Emergency Watershed Protection (EWP) Program, which has awarded the City of Marble Falls a total of \$2,284,607.47 for design and construction of five sites that sustained damage from the October 2018 flood event.** Kacey Paul, City Engineer addressed Council and provided a presentation. Councilmember Haddock made a motion to approve the Project Agreement. Mayor Pro-Tem Westerman seconded the motion. The motion carried by a unanimous vote (7-0).
- (d) **Discussion and Action regarding a contract for engineering services with Miller Gray, Inc., for engineering design, permitting, and bid phase services for all five sites identified in the Emergency Watershed Protection (EWP) Program Grant.** Kacey Paul, City Engineer addressed Council. Mayor Pro-Tem Westerman made a motion to approve the contract for engineering services with Miller Gray, Inc. Councilmember Norman seconded the motion. The motion carried by a vote of 7-0.
- (e) **Discussion and Action on Resolution 2020-R-04D expressing intent to finance expenditures to be incurred by the City for project costs associated with the Emergency Watershed Protection (EWP) Program, including engineering design, permitting, and construction for the five identified sites.** Kacey Paul, City Engineer addressed Council. Councilmember Rhodes made a motion to act favorably on Resolution 2020-R-04D. Councilmember Norman seconded the motion. The motion carried by a unanimous vote (7-0).
8. **CITY MANAGER'S REPORT.** City Manager Mike Hodge provided an update on the City's response to the COVID-19 Pandemic. Mr. Hodge stated that city staff is working on a plan to reopen City offices. Mr. Hodge also gave an update on TxDOT's sidewalk construction on Highway 281 between Third Street and Broadway.
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.** No action was taken.,

**11. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS.** Mr. Hodge, City Manager, stated that the next regular meeting is scheduled for May 5 and that the meeting is tentatively scheduled to be held at 4:00 pm at the Lakeside Pavilion followed by a retreat.


**12. ADJOURNMENT.** There being no further business to discuss, Councilmember Norman made a motion to adjourn. The motion was seconded by Councilmember Rhodes. The meeting was adjourned at 8:29 pm.



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John Packer, Mayor

**ATTEST:**



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Christina McDonald, TRMC  
City Secretary