

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

**On this the 5<sup>th</sup> day of September 2023, the City Council convened in regular session at 6:00 pm in the City Hall Council Chambers located at 800 Third Street, 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.**

<b><u>PRESENT:</u></b>	Dave Rhodes	Mayor
	William (Dee) Haddock	Mayor Pro-Tem
	Lauren Haltom	Councilmember
	Craig Magerkurth	Councilmember
	Griff Morris	Councilmember
	Bryan Walker	Councilmember
<b><u>ABSENT:</u></b>	Karlee Cauble	Councilmember
<b><u>STAFF:</u></b>	Caleb Kraenzel	Deputy City Manager
	Russell Sander	Assistant City Manager
	Josh Brockman-Weber	City Attorney
	Hanna Kadow	Developments Services Planning Technician
	Lacey Dingman	Director of Parks and Recreation
	Jeff Prato	City Engineer
	Erin Burks	Downtown and Marketing Manager
	Christian Fletcher	EDC Executive Director
	Glenn Hanson	Police Chief
	Jay Everett	Assistant Director of Public Works
	Kim Foutz	Director of Development Services
	Scarlet Moreno	Assistant Director of Development Services
	Kristen Jones	Planner
	Jeremy Qualls	Building Official
	Tommy Crane	Fire Chief
	Coy Guenter	Assistant Fire Chief
	Jeff Lazenby	Director of Finance
	James Kennedy	Director of Public Works
	Angel Alvarado	Director of Human Resources
	Chris Pounds	Building Inspector
	Cheryl Pounds Building	Municipal Judge
	Elina Ellis	Code Enforcement Supervisor
	Trisha Ratliff	Assistant Police Chief

**VISITORS:** Nathan Bush (Daily Trib), Damien Ortiz, Veronica Ortiz, Robert Linder, Richard Westerman, Terry Evans, Jay Brow, John Arthur Martinez, Maegen Fox Kuykendall, Josh Robles,

Michele Maitland, Rick Hendrix, Todd Fox, Amanda Richardson, Colt Richardson, Dane Mount, Barb Ackelberry, Cindy Keschinger, Sam Shorter (Miller Gray), Dale Gray (Miller Gray), David Waldo, Danny Miller, Russ Rober

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT.** Mayor Rhodes called the meeting to order at 6:00 pm.
2. **INVOCATION.** Mayor Rhodes gave the invocation.
3. **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.** Mayor Rhodes led the pledges.
4. **UPDATES, PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS**
  - **Recognition of Employee of the Quarter.** Mayor Dave Rhodes recognized Chris Pounds, Building Inspector.
  - **Proclamation.** Mayor Rhodes proclaimed September National Service Dog Month.
5. **CITIZEN COMMENTS.** There were no citizen comments.
6. **CONSENT AGENDA.**

(a) Approval of the minutes of the August 15, 2023 regular meeting.

(b) Approval of the allocation of FY 2022/2023 Hotel Occupancy Tax Local Assistance funding in the amount of \$27,500 for Fiesta Jam 2023.

(c) Approval of the allocation of FY 2023/2024 Hotel Occupancy Tax Local Assistance funding in the amount of \$4,000 for the U.S. Jr. Steer Wrestling Championships.

(d) Approval of the extension of a Pro-Rata Reimbursement Agreement for Sanitary Sewer Improvements by and between the City of Marble Falls, Texas and Nash Series LLC, 1431 Eastside Series; and providing a termination date.

Mayor Pro-Tem Haddock made a motion to approve the consent agenda. Councilmember Morris seconded the motion. The consent agenda was approved by a vote of 5-0 as Councilmember Haltom recused herself.

7. **REGULAR AGENDA.**

(a) **Public Hearing, Discussion and First Reading of Ordinance 2023-O-09A, adopting a budget for the City of Marble Falls and the Marble Falls Economic Development Corporation for Fiscal Year 2023/2024.** Jeff Lazenby, Director of Finance presented the proposed budget. Mayor Rhodes opened the public hearing. There being no comments, Mayor Rhodes closed the public hearing. No action was taken.

- (b) Discussion and Action on setting the proposed tax rate for FY 2023/2024 and setting a date for a public hearing.** Jeff Lazenby, Director of Finance presented the agenda item stating that staff's recommendation is to set the proposed tax rate to \$0.5400 and the public hearing for September 19. Mayor Rhodes called for a roll call vote setting the proposed FY 2023/2024 tax rate to \$0.5400 and a public hearing for September 19.

Mayor Pro-Tem Haddock - AYE  
Councilmember Morris - AYE  
Councilmember Haltom - AYE  
Councilmember Walker – AYE  
Councilmember Magerkurth – AYE  
Mayor Dave Rhodes - AYE

- (c) Public Hearing, Discussion and First Reading of Ordinance 2023-O-09C, amending the code of ordinances of the City of Marble Falls, Texas; Appendix C – Master Fee Schedule, Fire Inspection Fees, Building Permit Fees, Water and Wastewater Rates, and Credit Card Convenience Fees.** Jeff Lazenby, Director of Finance presented the proposed amendments to Council. Mayor Rhodes opened the public hearing. There being no further discussion, Mayor Rhodes closed the public hearing. No action was taken.
- (d) Public Hearing, Discussion, and Action on Ordinance 2023-O-09D regarding a street abandonment of an approximately 0.18-acre tract of right of way on an unimproved portion of Third Street, between Blocks 199 and 210, City of Marble Falls Original Township, Burnet County, Texas, located on the East side of Avenue Q between municipally addressed 215 Avenue Q and 301 Avenue Q, Marble Falls, TX.** Kim Foutz, Director of Development Services addressed Council. Mayor Rhodes opened the Public Hearing. Veronica Ortiz addressed Council regarding the unkemptness of the property, loitering, thievery and the appraisal amount. Council discussed the appraisal amount. There being no further discussion, Mayor Rhodes closed the public hearing. Mayor Pro-Tem Haddock made a motion to continue the public hearing until the September 19 Council Meeting. The motion was seconded by Councilmember Morris and carried by a vote of 6-0.
- (e) Discussion and Action on the approval of a Preliminary Plat of Roper West 38 Marble Falls being, a total of 38.469 acres out of the C&M RR Co Survey, Abstract No. 1270, City of Marble Falls, Burnet County, Texas.** Kim Foutz, Director of Development Services presented the agenda item. Mayor Pro-Tem Haddock made a motion to approve the preliminary plat as presented. Councilmember Morris seconded the motion. The motion carried by a unanimous vote (6-0).
- (f) Discussion and Action on the award and execution of a construction agreement with Associated Construction Partners, Ltd. in an amount not to exceed \$4,476,000.00 to perform all work required for the construction of the Raw Water Intake Mitigation Project and authorize the City Manager to execute the agreement.** Jeff Prato, City Engineer

addressed Council followed by Sam Shorter (Miller Gray). Councilmember Magerkurth made a motion to award the construction agreement to Associated Construction Partners, Ltd. In the amount not to exceed \$4,476,000 and authorize the City Manager to execute the agreement. Councilmember Morris seconded the motion. The motion carried by a vote of 6-1, with Councilmember Walker voting opposed.

**(g) Discussion and Possible Action on amendments to the Purchase and Sale Agreement between the City of Marble Falls, Flatrock Ranch, LP, Travis Lakeside, Inc. and Penta Capstone Developments, LP.** Caleb Kraenzel, Deputy City Manager addressed Council. Capstone residents David Waldo and Cindy Kessinger also addressed Council. Council convened to Executive Session. After returning to Open Session no action was taken.

**8. CITY MANAGER’S REPORT.** Deputy City Manager Caleb Kraenzel and Downtown and Marketing Manager Erin Burkes provided an update on the Visit Marble Falls Campaign.

**9. EXECUTIVE SESSION**

**CLOSE OPEN SESSION AND CONVENE EXECUTIVE SESSION Pursuant to §551.071 (Private Consultation between the Council and its Attorney), and pursuant to §551.072 (Deliberation Regarding the Purchase, Exchange, Lease or Value of Real Property), of the Open Meetings Act. Tex. Gov’t Code, Council will meet in Executive Session to discuss the following:**

- **Consultation with the City Attorney regarding the Capstone Water System and possible amendments to the Purchase and Sale Agreement between the City of Marble Falls, Flatrock Ranch, LP, Travis Lakeside, Inc. and Penta Capstone Developments, LP.**

**8:14 pm Council convened to Executive Session**

**8:26 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 September 19 regular meeting was reviewed.

**12. ADJOURNMENT.** There being no further business to discuss Mayor Pro Tem Haddock made a motion to adjourn. The motion was seconded by Councilmember Morris. The meeting was adjourned at 8:30 pm.



**Dave Rhodes, Mayor**

ATTEST:

Christina McDonald

Christina McDonald, TRMC  
City Secretary