



**AGENDA
CITY OF JOHNSON CITY, TEXAS
CITY COUNCIL**

The City of Johnson City City Council will meet for a Regular Meeting on Tuesday, November 2, 2021 at 6:00 p.m. in the City Hall Council Chamber, 303 E. Pecan Drive, Johnson City, Texas 78636. This is an open meeting, subject to the open meeting laws of the State of Texas.

SUPPLEMENTAL NOTICE OF PARTICIPATION BY TELEPHONE CONFERENCE

The City of Johnson City utilizes Zoom Technologies:

Join Zoom Meeting

<https://us02web.zoom.us/j/82259099802?pwd=K2owb2pLZjJjRnBtNWZqdTJtVFJvdz09>

Meeting ID: 822 5909 9802

Passcode: h4F6kh

Dial by your location: +1 346 248 7799 US (Houston)

Meeting ID: 822 5909 9802

Passcode: 051222

1. Call to order.
 - Invocation.
 - Pledge of Allegiance.

OPEN SESSION:

2. Citizens to be heard. The City Council may not discuss any presented issue, nor may any action be taken on any issue at this time (Attorney General Opinion JC-0169). Speakers should provide comments at the podium, and they should provide their name and address prior to speaking. Comments are limited to three (3) minutes, and this time is not transferable. Each person may only speak once. No profanity or threats will be tolerated.

REPORTS:

3. Proclamations, Presentations, and/or Reports.
 - a) Presentation – Kelly Jenkins, Endeavors.
Presentation on the Rapid Rehousing / Homelessness Prevention Assistance Program funded through the Coronavirus Aid, Relief, and Economic Security Act, also known as the CARES Act.

REPORTS Cont.:

- b) Presentation – Rene Vasquez, Cooper-Southwest Outdoor Advertising.
Presentation on a Commercial Electronic Variable Message Sign / Digital Billboard within the City of Johnson City and an associated media promotion dedicated to City events and other public communications.
- c) Report – Chief Administrative Officer / City Secretary Rick Schroder.
Provide progress update to City Council on work performed / objectives achieved since prior City Council meeting.
- d) Report – Public Works Director Brent Sultemeier.
Provide progress update to City Council on work performed / objectives achieved since prior City Council meeting.
- e) Report – Police Chief Ross Allen.
Provide progress update to City Council on work performed / objectives achieved since prior City Council meeting.
- f) Report – Court Clerk Patricia Mikla and Municipal Court Judge Tom Walston.
Provide progress update to City Council on work performed / objectives achieved since prior City Council meeting.
- g) Report – Johnson City Chamber of Commerce and Visitor’s Center.
Provide progress update to City Council on work performed / objectives achieved since prior City Council meeting.

CONSENT AGENDA (ITEM NOS. 4 - 9):

All Consent Agenda items listed below are considered routine by City Staff and are intended to be enacted by one motion. There will be no separate discussion of these items, unless a Councilmember requests it, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

- 4. Approval of the minutes of the Regular Meeting of the City Council dated October 5, 2021. (Staff)
- 5. Approval of a Fiscal Year Ending (FYE) 2021 Budget Amendment increasing total General Fund revenues and expenditures by \$70,908.00 each to balance the FYE 2021 General Fund Budget. (Staff)
- 6. Approval of a directive to City Staff ordering that any invoice received after October 31, 2021 be paid from FYE 2022 Municipal Budget(s). (Staff)
- 7. Approval of the FYE 2022 Revenue and Expenditure, Check Register, and Posted Transaction Reports dated October 31, 2021. (Staff)
- 8. Approval of the following License Agreements granting permission of ingress and egress over and on licensed properties for access to metal billboard signs located on licensors’ dominant estate properties, and inscribed “*Johnson City Home Town of Lyndon B. Johnson*”, hereinafter “Welcome Signs”, for the installation, construction, operation, use,

CONSENT AGENDA Cont.:

maintenance, repair, modification, upgrade, monitoring, inspecting, replacement, and removal, if necessary, of the Welcome Signs by the City of Johnson City:

- License Agreement between TX-290-1031, LLC and the City of Johnson City for the tract of land described as a portion of that Parcel ABS A0262, Survey 167 Z.J. Hemphill, Acres 44.31; and
 - License Agreement between River Campground, LLC and the City of Johnson City for the tract of land located at 1039 N. U.S. Highway 281 and described as part of ABS A0561, Survey 41, J. Shackelford, Acres 45.18. (Staff)
9. Approval of a Resolution of the City Council of the City of Johnson City, Texas supporting the adoption and approval of the Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet approving the allocation of any and all opioid settlement funds within the State of Texas. (Staff)

ITEMS FOR INDIVIDUAL CONSIDERATION:

10. Discussion of and action on a Resolution of the City Council of the City of Johnson City, Texas accepting the resignation of Councilmember Clayton Young effective October 5, 2021, and authorizing, pursuant to Texas Constitution Article XVI, Sec. 17 *Service of Public Officer Pending Qualification of Successor* (the "Holdover Provision"), Councilmember Clayton Young to continue to serve on the City of Johnson City City Council until a successor is elected during the May 2022 General Election. (Mayor Stell)
11. Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas amending Municipal Code of Ordinances Chapter 12 *Traffic and Vehicles*, Article 12.02 *Traffic Control Devices* by adding a "No Parking Zone" location on S. Ave. G at its intersection with U.S. Hwy. 290 (Main St.); authorizing the Chief Administrative Officer to implement the provisions of this Ordinance; providing for severability; repealing any other Code provisions, ordinances, or parts of ordinances, and other provisions in conflict herewith; incorporating recitals; and adopting an effective date. (Applicant / Staff)
12. Discussion of and action on the extension of an approved Conditional Use Permit and Encroachment License and Agreement for Reck'em Right Brewing Co. for the placement and operation of a food / barbeque trailer on City right-of-way located at 102 S. Ave. G, Johnson City, Texas 78636. (Applicant)
13. Discussion of and action on a Hotel Occupancy Tax (HOT) Grant application from Lights Spectacular Hill Country Style in the amount of Five Thousand Dollars and No Cents (\$5,000.00) for event promotion and security, and providing grant funds in advance of event commencement. (Applicant)

ITEMS FOR INDIVIDUAL CONSIDERATION Cont.:

14. Discussion of and action on a FYE 2022 Outside Agency Funding Application from the Blanco County Child Protection and Family Advocacy Board in the amount of Four Thousand Dollars and No Cents (\$4,000.00). (Applicant)
15. Discussion of and direction on an Exclusive Franchise Agreement for the Collection, Hauling, and Disposal of Municipal Solid Waste and Construction and Demolition Waste dated June 1, 2002 between the City of Johnson City and IESI TX Corporation, now Waste Connections, including, but not limited to, the following:
 - Pursuant to Section 12 *Term of Agreement*, the provision of written notice of intent to terminate the Agreement at least 180 days prior to the Agreement expiration date of May 31, 2022. Notice must be provided by December 1, 2021.;
 - The issuance of a Request for Proposal for the collection, hauling, and disposal of municipal solid waste and construction and demolition waste; and/or
 - The renegotiation and approval of an agreement for the disposal of municipal solid waste and construction and demolition waste between the City and Waste Connections. (Staff)
16. Discussion of and action on the appointment of James Whitfill to the Planning and Zoning Commission. (Councilmember Babb)
17. Discussion of and action on the certification of a petition received from Tim Hatch for annexation of 675 Old River Crossing Road, more particularly described as 22.40 acres, being situated in the Jack Shackelford Survey No. 41, Abstract No. 561, Blanco County, Texas, and directing City Staff to commence annexation proceedings of the subject parcel. (Staff)
18. Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas amending and replacing Chapter 1 *General Provisions* of the City Code of Ordinances; repealing Articles 1.09, 1.10, 1.11, and 1.12 of the Code; and providing for an effective date. (Staff)
19. Discussion of and action on an Ordinance of the City Council of the City of Johnson City, Texas amending and revising the City Code of Ordinances by repealing Article 1.12 *Event Permit* and amending Article 4.03 *Peddlers, Solicitors, Public Vendors, and Special Events*; and providing for an effective date. (Staff)
20. Discussion of and action on a Resolution of the City Council of the City of Johnson City, Texas approving a Financing Agreement between Government Capital Corporation and the City for the purpose of modernizing and repairing the City's existing SCADA system and purchasing related equipment in the amount of One Hundred Eight-Five Thousand, Five Hundred Dollars and No Cents (\$185,500.00) for a term of four (4) or five (5) years. (Staff)

ITEMS FOR INDIVIDUAL CONSIDERATION Cont.:

21. Discussion of and action on the City of Johnson City Personnel Policies and Procedures Manual. (Staff)

Adjourn into Closed Session.

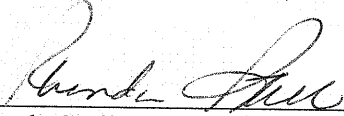
CLOSED SESSION:

22. The City Council will convene into Closed Session in accordance with Government Code:
- §551.074 *Personnel Matters* to deliberate a performance evaluation of Chief Administrative Officer Rick Schroder (Mayor Stell); and
 - §551.071 *Consultation with Attorney* and §551.072 *Deliberation Regarding Real Property* to receive legal advice and deliberate residential and commercial appraisals and the associated sale of 406 W. Main St., Johnson City, Texas 78636 (Staff); and
 - §551.071 *Consultation with Attorney* and §551.074 *Personnel Matters* regarding legal issues concerning the Municipal Police Department Policy relating to administration of the Department, and officer conduct. (Councilmember Babb).

Adjourn into Open Session.

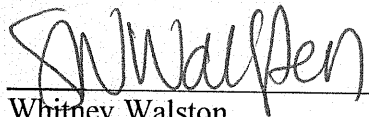
23. Discussion of and action on matters discussed in Closed Session. (Staff)

Adjourn meeting.



Rhonda Stell
Mayor

I certify that this Agenda was posted on October 29, 2021 on or before 5:00 p.m.



Whitney Walston
City Secretary

NOTE: It is possible that a quorum of other Municipal advisory and governmental bodies may attend the above stated meeting. No action will be taken by the other Municipal advisory and governmental bodies at the above stated meeting, other than the body specifically referred to in the above notice.

The City Council reserves the right to adjourn into Closed Session at any time during this meeting to discuss any of the exceptions to the requirement that a meeting be open to the public, in accordance with Texas Government Code, Chapter 551 *Open Meetings*,

Subchapter D *Exceptions to Requirement that Meetings be Open.* No action may be taken in Closed Session.

Pursuant to Texas Penal Code § 30.06 *Trespass by License Holder with a Concealed Handgun*, a person licensed under Texas Government Code, Chapter 411 *Department of Public Safety of the State of Texas*, Subchapter H *License to Carry a Handgun* may not enter City Hall with a concealed handgun.

Pursuant to Texas Penal Code § 30.07 *Trespass by License Holder with an Openly Carried Handgun*, a person licensed under Texas Government Code, Chapter 411 *Department of Public Safety of the State of Texas*, Subchapter H *License to Carry a Handgun* may not enter City Hall with a handgun that is carried openly.