



CITY OF KEMPNER

**REGULAR MEETING AGENDA TUESDAY,
November 14, 2023, AT 6:00 PM**

Notice is hereby given:

**THE CITY COUNCIL WILL CONVENE IN A REGULAR MEETING IN COUNCIL
CHAMBERS, LOCATED AT 12288 E. HWY 190, KEMPNER TX. 76539.**

1. CALL TO ORDER, INVOCATION, AND PLEDGES TO FLAGS

2. NON-ACTION ITEMS

Citizen Comments: Any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.

This is an opportunity for members of the public to suggest the addition of topics for the discussion or to address topics of interest, with the presentation limited to three (3) minutes. All speakers will conduct themselves in an orderly and lawful manner. No profane or threatening language will be tolerated. All speakers will be recognized prior to speaking and will announce their name for the minutes' purpose.

Reports

- City Manager - Presented by the City Manager or designee.
- Police Chief's Report- Presented by the Police Chief or designee.
- Mayor's Report – Presented by the Mayor or designee.
- Fire Chiefs Report- Presented by the Chief or designee.

Presentation:

Presentation by County Engineer regarding proposed interlocal agreement between the City of Kempner and Lampasas County relating to certain activities within the extra-territorial jurisdictional limits of the City of Kempner

Upcoming Events:

Christmas in the Park- December 9, 2023.

3. CONSENT AGENDA

(All items on the Consent agenda are considered routine and may be approved by a single motion. The items listed below need not be approved independently, however any of the items may be removed and considered in an independent motion upon request of any member of the City Council)

A. Approval of meeting minutes from the meeting held on October 24, 2023.

- B. Approval of Financials for the month of October 2023.

4. Action Items

The Council will discuss, and MAY take action on the following:

- A. Approval of the Quarterly Investment Report for the third quarter.
- B. Approval of Resolution No. 2023-11-14-001, A RESOLUTION FOR THE CITY OF KEMPNER, TEXAS, FOR BODY ARMOR
- C. Approval of Resolution No. 2023-11-14-002, A RESOLUTION FOR THE CITY OF KEMPNER, TEXAS, FOR PORTABLE HANDHELD RADIOS
- D. Approval of Resolution No. 2023-11-14-003, A RESOLUTION FOR THE CITY OF KEMPNER, TEXAS, FOR AXON FLEET 3 CAMERA SYSTEM
- E. Approval of Resolution No. 2023-11-14-004, A RESOLUTION FOR THE CITY OF KEMPNER, TEXAS, FOR IISC-LPR
- F. Approval of Resolution No. 2023-11-14-005, A RESOLUTION FOR THE CITY OF KEMPNER, TEXAS, RECOGNIZING THE IMPORTANCE OF MUNICIPAL COURTS, THE RULE OF LAW, AND THE FAIR AND IMPARTIAL ADMINISTRATION OF JUSTICE.

5. NON-ACTION ITEMS

- A. Staff Comments
- B. Mayor/Council Comments
- C. Next Regularly Scheduled Meeting – Tuesday, December 12, 2023.

6. ADJOURNMENT

All items on the agenda are for discussion and/or action. The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code 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,) and 551.086 (Economic Development).

The City of Kempner is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the City Secretary at (512)932-2180 at least 48 hours in advance.

Agenda Posted by Friday, November 10, 2023, on or before 5:00 pm.

Posted by: Hayleigh Talasek, City Secretary



CITY OF KEMPNER

**REGULAR MEETING MINUTES TUESDAY,
November 14, 2023, AT 6:00 PM**

Notice is hereby given:

THE CITY COUNCIL CONVENED IN A REGULAR CALLED MEETING IN COUNCIL CHAMBERS, LOCATED AT 12288 E. HWY 190, KEMPNER TX 76539.

1. CALL TO ORDER, INVOCATION, AND PLEDGES TO FLAGS

The meeting started at 6:00 PM. The quorum consisted of David Richardson (Place 1), Tom Combs (Place 2), Rob Green (Place 3), Debbie Hernandez (Place 5), and Mayor Wilkerson. Dan Long (Place 4) was not present and provided prior notice to the city of the absence. David Richardson led the invocation.

2. NON-ACTION ITEMS

Citizen Comments. Any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.

None

Reports

- City Manager Report - Presented by City Manager- See attached.
- Fire Chiefs Report- Presented by Chief Connie Green – See attached.
- Police Chief Report – Presented by Chief Heriberto Rodriguez – See attached.
- Mayor’s Report- Presented by the Mayor

Presentation by County Engineer regarding proposed interlocal agreement between the City of Kempner and Lampasas County relating to certain activities within the extra-territorial jurisdictional limits of the City of Kempner

Joe England, Lampasas County engineer, addressed the council regarding the City of Kempner entering an interlocal agreement with the County of Lampasas. Mr. England advised that several years ago HB 1445 ruled that a city and a county could no longer regulate an ETJ at the same time, leaving 4 options for a city to consider:

- The city maintains control and there is no county involvement.

- The county assumes control and the city is not involved.
- The ETJ is split, and certain areas are under city control, while another area is under county control.
- Put into place one set of rules and regulations and a place for review and to collect fees for the ETJ. Basically, a one stop shop.

He went on to explain that if a city wanted to maintain control of their ETJ, there were 4 things for the city to consider. Does the city have:

- A clear policy from the local governing body.
- Based on the policy, consistent rules, regulations, and ordinances
- Ban width, personnel to process plats and construction plans.
- Do those personnel have the experience of knowing the rules that are adopted and the ability to successfully review the plat and construction plans and know if they meet the requirements of the policy.

If the City finds it is lacking in any of these categories, they should consider entering into an interlocal agreement with the county, who has the policies and the personnel already in place and would have responsibility of ensuring all policies were up to date with all new legislation being passed. Mr. England also stated that if the city decided to enter into an agreement, that agreement can be amended as needed and can be terminated for any reason with a 45-day notice. Mayor Wilkerson inquired if the city were to decide to enter into an agreement for the county to oversee Kempner's ETJ, would the city still have liability in any issues that may arise with a decision the county made based on that agreement. Mr. England stated he was not clear on who would be liable in the case of a dispute but advised that the city or county attorney would be a resource to have these concerns addressed.

The mayor stated he felt the city's intention was to enter into an agreement with the county and he would get in contact with the county attorney and our city attorney to go over a potential agreement. Once this was done, he would place this item on a future agenda for the council to consider.

Upcoming Events:

Christmas in the Park- December 9, 2023.

3. CONSENT AGENDA

(All items on the Consent agenda are considered routine and may be approved by a single motion. The items listed below need not be approved independently, however any of the items may be removed and considered in an independent motion upon request of any member of the City Council)

- Approval of meeting minutes from the meeting held on October 24, 2023.
- Approval of Financials for the month of October 2023.

Rob Green (Place 3) made the following motion: to approve the consent agenda.

Seconded by: Tom Combs (Place 2)

Motion passed by all present.