



**SPECIAL CALLED MEETING  
OF THE LLANO CITY COUNCIL  
CITY HALL  
301 WEST MAIN  
LLANO, TEXAS  
MONDAY  
May 10, 2021  
5:30 P.M.**

## **AGENDA**

This notice is posted pursuant to the Texas Open Meetings Act. Notice is hereby given that a Special Called City Council Meeting of the City of Llano, will be held on Monday, May 10, 2021 at 5:30PM in the City Council Chambers of City Hall at 301 W Main St., Llano, TX 78643, at which time the following subjects will be discussed:

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE/PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG**

### **INVOCATION**

### **PUBLIC COMMENTS CONCERNING MATTERS NOT ON THE AGENDA**

(Visitors shall be limited to no more than (3) three minutes to address the Council or at the discretion of the Mayor

In accordance with Section 551.042 of the Texas Government Code, an inquiry made at a meeting shall be conducted as follows:

(a.) If at a meeting of a governmental body, a member of the public or the governmental body inquires about a subject for which notice has not been given as required by this subchapter, the notice provisions of this subchapter do not apply to:

1. A statement of a specific information given in response to the inquiry.
2. A recitation of existing policy in a response to the inquiry.

(b.) Any deliberation of or a decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

### **PROCLAMATION- 2<sup>ND</sup> AMMENDMENT SANCTUARY CITY**

### **CONSENT AGENDA ITEMS**

1. Approval of the minutes from the May 3, 2021 Regular Called Meeting.

### **REGULAR AGENDA ITEMS**

1. Discussion and possible action on the approval of Resolution No. R-2021-08 canvassing the returns and declaring the results of the General Election held on May 1, 2021.
2. Swearing in of newly elected council members.
3. Discussion and possible action on the selection of Mayor Pro-Tem for the term ending May 2022.

## J. ADJOURNMENT

*EXECUTIVE SESSION: Under Chapter 551 of the Texas Government Code, the Council may recess into a closed meeting (an executive session) to deliberate any item on this agenda if the Mayor announces the item will be deliberated in executive session and identifies the section or sections of Chapter 551 that authorize meeting in executive session. A final action, decision, or vote on a matter deliberated in executive session will be made only after the Council reconvenes in an open meeting.*

Although a quorum of the members of other Boards or Commissions, may or may not be in attendance, this notice is being posted to meet the requirements of the Texas Open Meetings Act and subsequent opinions of the Texas Attorney General's Office. I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Llano, was posted on the bulletin board in front of Llano City Hall, 301 W Main St., Llano, Texas by 5:30pm on Thursday, May 6, 2021, which is always readily accessible to the public. Said notice remained posted continuously for at least seventy-two (72) hours preceding the scheduled time of said Meeting.

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Erica Berry, TRMC, City Secretary

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Date Posted



**REGULAR CALLED MEETING  
OF THE LLANO CITY COUNCIL  
CITY HALL  
301 WEST MAIN  
LLANO, TEXAS  
MONDAY  
May 3, 2021  
5:30 P.M.**

## **MINUTES**

**CALL TO ORDER-5:36PM, All members present.**

**PLEDGE OF ALLEGIANCE/PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG**

"Honor the Texas Flag; I pledge allegiance to Thee, Texas, one state, under God, one and indivisible."

**INVOCATION-Led by Pastor Ervin Light**

**RECOGNITION OF EMPLOYEES-      Kristy Ratliff-20 years  
   Sam Christopher-5 years  
   Blake Schulze- 5 years**

**PROCLAMATION- Family Heritage Month**

**PRESENTATION-Llano River Railroad**

**PUBLIC COMMENTS CONCERNING MATTERS NOT ON THE AGENDA**

(Visitors shall be limited to no more than (3) three minutes to address the Council or at the discretion of the Mayor

In accordance with Section 551.042 of the Texas Government Code, an inquiry made at a meeting shall be conducted as follows:

(a.) If at a meeting of a governmental body, a member of the public or the governmental body inquiries about a subject for which notice has not been given as required by this subchapter, the notice provisions of this subchapter do not apply to:

1. A statement of a specific information given in response to the inquiry.
2. A recitation of existing policy in a response to the inquiry.

(b.) Any deliberation of or a decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

**CONSENT AGENDA ITEMS**

1. Approval of the regular called meeting minutes from April 19, 2021 meeting of the Llano City Council.

**Motion made by Alderwoman Almond, with a second by Alderwoman Gilliland, to approve the minutes from the April 19, 2021 City Council meeting. All in favor, none opposed. Motion carried.**

## **PUBLIC HEARINGS-Opened 6pm**

1. The City of Llano City Council will receive written and/or oral comments regarding a request to consider closing, abandoning, vacating, and conveying Fargo St. This street is bordered by East Houston to the South, and East Leon to the North. The physical location of this property is between LI & F BLK 95 LTS1-2 & 15-16 and LI & F Blk 94 LTS 7-10.

2. The City of Llano City Council will receive written and/or oral comments regarding a request to consider closing, abandoning, vacating, and conveying an alley. This alley is bordered by W. Haynie to the South, Lauderdale to the East, Mine to the West and Luckenbach Street to the North. The physical location of this property is between Moore Addition BLK 29 LTS 1-2 & PT of LT 3 land acct (MH only acct 26931), Moore Addition BLK 29 PT of LT 11 & all of LT 12, and Central Park BLK 8 LT 10.

**Closed 6:07pm**

## **REGULAR AGENDA**

1. Discussion and possible action regarding a request to close, abandon, vacate, and convey Fargo St, which is bordered by East Houston to the South, and East Leon to the North. The physical location of this property is between LI & F BLK 95 LTS1-2 & 15-16 and LI & F Blk 94 LTS 7-10, authorizing the Mayor to sign an ordinance to that effect.

**Motion made by Alderwoman Almond, with a second by Alderman Sawyer, to approve the request to close, abandon, vacate, and convey Fargo St, which is bordered by East Houston to the South, and East Leon to the North and authorizing the Mayor to sign an ordinance. All in favor, none opposed. Motion carried.**

2. Discussion and possible action regarding a request to close, abandon, vacate, and convey an alley is bordered by W. Haynie to the South, Lauderdale to the East, Mine to the West and Luckenbach Street to the North. The physical location of this property is between Moore Addition BLK 29 LTS 1-2 & PT of LT 3 land acct (MH only acct 26931), Moore Addition BLK 29 PT of LT 11 & all of LT 12, and Central Park BLK 8 LT 10, authorizing the Mayor to sign an ordinance to that effect.

**Motion made by Alderman Sawyer, with a second by Alderman Decker, to approve the request to close, abandon, vacate, and convey an alley is bordered by W. Haynie to the South, Lauderdale to the East, Mine to the West and Luckenbach Street to the North and authorizing the Mayor to sign an ordinance. All in favor, none opposed. Motion carried.**

3. Discussion and possible action regarding the approval of a quitclaim deed concerning alleged City Property located at E Grayson St.

**Motion made by Alderman Decker, with a second by Alderwoman Tudyk to approve a quitclaim deed concerning alleged City Property located at E Grayson St. All in favor, none opposed. Motion carried.**

4. Discussion and possible action regarding the March 2021 Financial Report, as presented.

**Motion made by Alderwoman Tudyk, with a second by Alderwoman Almond, to approve the March 2021 Financial Report. All in favor, none opposed. Motion carried.**

5. Discussion and possible action on awarding a depository banking contract.  
**Motion made by Alderwoman Almond, with a second by Alderwoman Gilliland, to award the depository banking contract to Bancorp South. All in favor, none opposed. Motion carried.**

6. Discussion and possible action regarding the sale of City owned property in the form of a used firetruck, authorizing the Mayor or Interim City Manager to obtain Fair Market Value.  
**Motion made by Alderwoman Tudyk, with a second by Alderwoman Almond, to sell the firetruck to Tow VFD for \$25,000.00 and apply that amount to the new firetruck. All in favor, none opposed. Motion carried.**

7. Discussion and possible action regarding an Interlocal Agreement with Llano ISD for the use of the old Police Station located in Robinson Park.  
**Motion made by Alderwoman Tudyk, with a second by Alderman Decker, to approve an Interlocal Agreement with Llano ISD for the use of the old Police Station located in Robinson Park. All in favor, none opposed. Motion carried.**

#### **EXECUTIVE SESSION-CLOSED-5:54pm**

**Pursuant to Texas Government Code §551.074, Personnel, the City Council will recess and meet in closed session to deliberate the appointment, employment, duties, compensation, and benefits of the Municipal Judge.**

*Gail Lang, Mayor*

#### **EXECUTIVE SESSION-OPEN-5:59pm**

**Discussion and possible action regarding the appointment, employment, duties, compensation, and benefits of the Municipal Judge.**

*Gail Lang, Mayor*

#### **ADJOURNMENT-6:29pm**

*EXECUTIVE SESSION: Under Chapter 551 of the Texas Government Code, the Council may recess into a closed meeting (an executive session) to deliberate any item on this agenda if the Mayor announces the item will be deliberated in executive session and identifies the section or sections of Chapter 551 that authorize meeting in executive session. A final action, decision, or vote on a matter deliberated in executive session will be made only after the Council reconvenes in an open meeting.*

Although a quorum of the members of other Boards or Commissions, may or may not be in attendance, this notice is being posted to meet the requirements of the Texas Open Meetings Act and subsequent opinions of the Texas Attorney General's Office. I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Llano, was posted on the bulletin board in front of Llano City Hall, 301 W Main St., Llano, Texas by 5:30pm on Thursday, April 29, 2021, which is always readily accessible to the public. Said notice remained posted continuously for at least seventy-two (72) hours preceding the scheduled time of said Meeting.

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Erica Berry, TRMC, City Secretary

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Gail Lang, Mayor

# Proclamation

## Declaring City of Llano, a Second Amendment Sanctuary

Whereas, the Constitution of the United States is the supreme law of our nation.

The Second Amendment to the Constitution states “A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed”; and

Whereas, the Texas Constitution, Article 1 Section 23 states “Every citizen shall have the right to keep and bear arms in the lawful defense of himself or the State”. Due to the dual sovereignty of the Constitution, the Federal government has no authority to enforce unconstitutional federal laws; and

Whereas, the last protectors of the U.S. Constitution are the City of Llano Police Department and “We the People of the United States of America” and our ability to fulfill that role successfully rests on our Second Amendment rights. We, the People of City of Llano, Texas, through this proclamation hereby declare our rights, our freedom and our liberty as guaranteed by the Constitution of the United States of America; and

Whereas, it is the desire of the City Council to declare its support of the Second Amendment to the United States Constitution and the Texas Constitution protecting citizens’ inalienable and individual right to keep and bear arms. The members of the City Council took an oath to support and defend the Constitution of the United States, the Constitution of the State of Texas, and the laws of the State of Texas insofar, as they are constitutional; and

Whereas, nothing in this resolution is intended to alter or abrogate previously enacted weapons or body armor restrictions imposed on convicted felons and/or persons adjudicated to be mentally incompetent,

including without limitation restrictions contained in the Texas Penal Code Chapter 46, et. seq.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of Llano, by the authority granted to the City Council by the laws of the State of Texas and the people of City of Llano, Texas to stand and defend their rights and liberties, which are guaranteed by the United States and Texas Constitutions, we hereby declare:

### City of Llano is a Second Amendment “Sanctuary City”

BE IT FURTHER RESOLVED that this City Council affirms its support for the Chief of Police of the City of Llano, Texas in the exercise of his/her sound discretion and affirms its resolve to support the decisions by our Chief to uphold the laws of the State of Texas and to uphold the Constitution of the United States.

BE IT FURTHER RESOLVED that this City Council will not authorize or appropriate government funds, resources, employees, agencies, contractors, buildings, detention centers or offices for the purpose of enforcing law that have been found to unconstitutionally infringe on the rights of citizens in the City of Llano in the State of Texas to keep and bear arms.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2021

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Gail Lang, Mayor, City of Llano







# City Council Agenda Item Report

## May 10, 2021

### Regular Agenda Item

Contact – Erica Berry, City Secretary, 325-247-4158 x 207  
[eberry@cityofllano.com](mailto:eberry@cityofllano.com)

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**SUBJECT: Discuss and consider action on the approval of Resolution No. R-2021-08 canvassing the returns and declaring the results of the General Election held on May 1, 2021.**

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#### 1. BACKGROUND/HISTORY

Council took action ordering and calling for a general election for the City of Llano on May 01, 2021 for the purpose of electing one (1) Mayor, two (2) Councilmembers, and authorized contracting with Llano County Elections Administrator for Election Services. As per Chapter 9, Section 9.42 of the Texas Municipal Election Law Manual, the canvassing is the official tabulation of the election results. In a City Election, there is only one canvass, made by the City Council [EC §67.002], and the local canvass is also the final canvass. For purposes of canvassing a City Election, only two members of the City Council are needed to constitute a quorum [EC §57.004 (a)].

#### 2. FINDINGS/CURRENT ACTIVITY

For elections held on a May uniform election date, the canvassing of the votes should not be made later than the 11<sup>th</sup> day after an election day, but it may be made as early as the third day after election day, provided there are no unprocessed provisional ballots and no unreturned out-of-country ballots, then the canvass may be made. The City Council serving as the canvassing authority for City Elections, prepares the tabulations stating the total number of votes received in each precinct and the sum of the precinct totals for each candidate.

#### 3. FINANCIAL IMPACT

Due to the City of Llano sharing the costs of conducting the elections with Llano ISD, the financial impact is estimated to be around \$5,000

**4. ACTION OPTIONS/RECOMMENDATION**

Staff asks Council's approval of this Resolution No. R-2021-08 canvassing the returns and declaring the results of the City's General Elections held on May 1, 2021 for the office of one (1) Mayor, and two (2) Councilmembers.

**CERTIFICATE FOR RESOLUTION R-2021-08**

**THE STATE OF TEXAS           §**  
**COUNTY OF LLANO            §**  
**CITY OF LLANO               §**

I, the undersigned City Secretary of the City of Llano, Texas, hereby certify as follows:

1. The City Council of said City convened at SPECIAL MEETING ON THE 10<sup>TH</sup> DAY OF MAY 2021, at the regular meeting place thereof, and the roll was called of the duly constituted officers and members of said City Council, to-wit:

- Gail Lang, Mayor
- Kelli Tudyk, Alderwoman
- Kara Gilliland, Alderwoman
- Laura Almond, Alderwoman
- Larry Sawyer, Alderman
- JR Decker, Alderman

and all of said persons were present, except for the following: \_\_\_\_\_; thus, constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

**RESOLUTION CANVASSING ELECTION RETURNS OF THE SPECIAL ELECTION**

was duly introduced for consideration of said City Council. It was then duly moved and seconded that said Resolution be passed; and, after due discussion, said motion, carrying with it the passage of said Resolution, prevailed and carried by the following vote:

AYES:    \_           NOES:    \_           ABSTENTIONS:  \_

2. A true, full and correct copy of the aforesaid Resolution passed at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said Resolution has been duly recorded in the official minutes of said City Council; the above and foregoing paragraph is a true, full and correct excerpt from said minutes of said meeting pertaining to the passage of said Resolution; the persons named in the above and foregoing paragraph, at the time of said meeting and the passage of said Resolution, were the duly chosen, qualified and acting officers and members of said City Council as indicated therein; each of said officers and members was duly and sufficiently notified officially and personally in advance, of the time, place and purpose of the aforesaid meeting and that said Resolution would be introduced and considered for passage at said meeting, and each of said officers and members consented in advance to the holding of said meeting for such purpose; and said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Tex. Gov't Code Ann., Ch. 551.

SIGNED AND SEALED this May 10, 2021.

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City Secretary, City of Llano, Texas

[CITY SEAL]



In the name and by the authority of

# The State of Texas

THIS IS TO CERTIFY,

May 10, 2021

**GAIL LANG**

was duly appointed

**MAYOR**

In testimony whereof, I have hereunto signed my name and caused the Seal of Texas to be

affixed at the City of Llano, this the 10<sup>th</sup> day May, 2021.

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**Signature of Presiding Officer of  
Canvassing Authority**

In the name and by the authority of

# The State of Texas

## OATH OF OFFICE

I, Gail Lang, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of MAYOR of the State of Texas, and the City of Llano will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

\_\_\_\_\_  
Affiant

SWORN TO and subscribed before me by affiant on this 10<sup>th</sup> day of  
MAY, 2021.

\_\_\_\_\_  
Signature of Person Administering Oath

Erica Berry  
Printed Name

CITY SECRETARY  
Title



In the name and by the authority of

# The State of Texas

THIS IS TO CERTIFY,

May 10, 2021

KARA

GILLILAND

was duly appointed

ALDERWOMAN

In testimony whereof, I have hereunto signed my name and caused the Seal of Texas to be

affixed at the City of Llano,  
this the 10<sup>th</sup> day May, 2021.

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Signature of Presiding Officer of  
Canvassing Authority

In the name and by the authority of

# The State of Texas

## OATH OF OFFICE

I, Kara Gilliland, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of ALDERWOMAN of the State of Texas, and the City of Llano will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

\_\_\_\_\_  
Affiant

SWORN TO and subscribed before me by affiant on this 10th day of MAY, 2021.

\_\_\_\_\_  
Signature of Person Administering Oath

Gail Lang  
Printed Name

Mayor  
Title





In the name and by the authority of

# The State of Texas

THIS IS TO CERTIFY,

May 10, 2021

LARRY

SAWYER

was duly appointed

ALDERMAN

In testimony whereof, I have hereunto signed my name and caused the Seal of Texas to be

affixed at the City of Llano,  
this the 10<sup>th</sup> day May, 2021.

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Signature of Presiding Officer of  
Canvassing Authority

In the name and by the authority of

# The State of Texas

## OATH OF OFFICE

I, Larry Sawyer, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Alderman of the State of Texas, and the City of Llano will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

\_\_\_\_\_  
Affiant – Larry Sawyer

SWORN TO and subscribed before me by affiant on this 10th day of  
May, 2021.

\_\_\_\_\_  
Signature of Person Administering Oath

Gail Lang  
Printed Name

Mayor  
Title