

KERRVILLE CITY COUNCIL AGENDA
WORKSHOP, TUESDAY, FEBRUARY 21, 2017, 8:15 A.M.
OR IMMEDIATELY FOLLOWING THE 8:00 A.M. MEETING
CITY HALL UPSTAIRS CONFERENCE ROOM
701 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

1. **REVIEW COMMUNITY SURVEY AND UPDATE OF NOVEMBER 15, 2016 WORK SESSION**
2. **REVIEW OF CITY BOARDS AND COMMISSIONS AND DIRECTION TO STAFF**
3. **REVIEW OF COUNCIL PROCEDURAL RULES FOR MEETINGS**

ADJOURNMENT.

The facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-257-8000 for further information.

I do hereby certify that this notice of meeting was posted on the bulletin board at the City hall of the City of Kerrville, Texas, and said notice was posted on the following date and time: February 17, 2017 at 9:00 a.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Brenda Craig
City Secretary, City of Kerrville, Texas

**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Presentation of results from the 2016 Kerrville citizen survey.

FOR AGENDA OF: February 21, 2017 **DATE SUBMITTED:** February 15, 2017

SUBMITTED BY: Kaitlin Berry **CLEARANCES:** Don Davis
Public Information Officer Interim City Manager

EXHIBITS:

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER:

Expenditure Required:	Current Balance in Account:	Amount Budgeted:	Account Number:
\$0	\$0	\$0	

PAYMENT TO BE MADE TO:

REVIEWED BY THE DIRECTOR OF FINANCE:

SUMMARY STATEMENT

On August 23, 2016, the Kerrville City Council directed staff to move forward with a community wide survey of citizens to be conducted by the National Research Center. In November and December of 2016, the National Research Center mailed the National Citizen Survey to 1,800 randomly selected households within the City of Kerrville. One individual from the household was asked to respond to the survey questions and return the survey to The National Research Center.

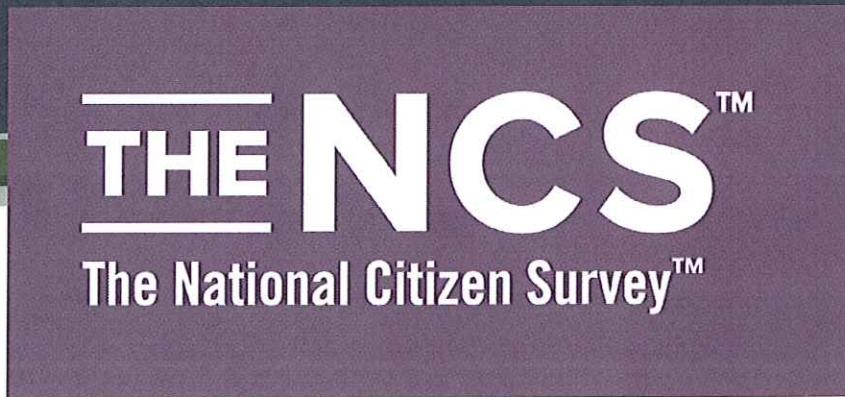
The City of Kerrville received 513 responses which is a return rate of 29 percent with a 4% margin of error. In order to get an accurate return rate, the number of surveys mailed to empty apartments or vacant homes was subtracted from the initial value of 1,800. The NRC expects a return rate of 25-40 percent and a margin of error less than 5% for a statistically valid sample. The City of Kerrville's results fall well within that range and can be considered a highly reliable sample of citizen satisfaction.

Towards the end of data collection, the City also made available a web-based survey to all its residents through a link on the City's website. Visitors to the site were able to complete the survey from December 8th to December 22nd, 2016, and 33 surveys were received.

A full report of results from the mailed survey is attached. A separate report with the results from the web-based opt-in survey is also attached.

RECOMMENDED ACTION

Report only. No Council action required.



Kerrville, TX

Community Livability Report

2016



2955 Valmont Road Suite 300
Boulder, Colorado 80301
n-r-c.com • 303-444-7863

ICMA
Leaders at the Core of Better Communities

777 North Capitol Street NE Suite 500
Washington, DC 20002
icma.org • 800-745-8780

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Charter Members



The National Citizen Survey™
© 2001-2017 National Research Center, Inc.

The NCS™ is presented by NRC in collaboration with ICMA.

NRC is a charter member of the AAPOR Transparency Initiative, providing clear disclosure of our sound and ethical survey research practices.

About

The National Citizen Survey™ (The NCS) report is about the “livability” of Kerrville. The phrase “livable community” is used here to evoke a place that is not simply habitable, but that is desirable. It is not only where people do live, but where they want to live.

Great communities are partnerships of the government, private sector, community-based organizations and residents, all geographically connected. The NCS captures residents' opinions within the three pillars of a community (Community Characteristics, Governance and Participation) across eight central facets of community (Safety, Mobility, Natural Environment, Built Environment, Economy, Recreation and Wellness, Education and Enrichment and Community Engagement).

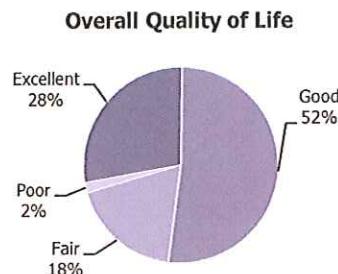
The Community Livability Report provides the opinions of a representative sample of 513 residents of the City of Kerrville. The margin of error around any reported percentage is 4% for the entire sample. The full description of methods used to garner these opinions can be found in the *Technical Appendices* provided under separate cover.



Quality of Life in Kerrville

A vast majority of respondents gave excellent or good ratings to the overall quality of life in Kerrville. This rating was similar to quality of life ratings reported in other jurisdictions nationwide (see Appendix B of the *Technical Appendices* provided under separate cover).

Shown below are the eight facets of community. The color of each community facet summarizes how residents rated it across the three sections of the survey that represent the pillars of a community – Community Characteristics, Governance and Participation. When most ratings across the three pillars were higher than the benchmark, the color for that facet is the darkest shade; when most ratings were lower than the benchmark, the color is the lightest shade. A mix of ratings (higher and lower than the benchmark) results in a color between the extremes.



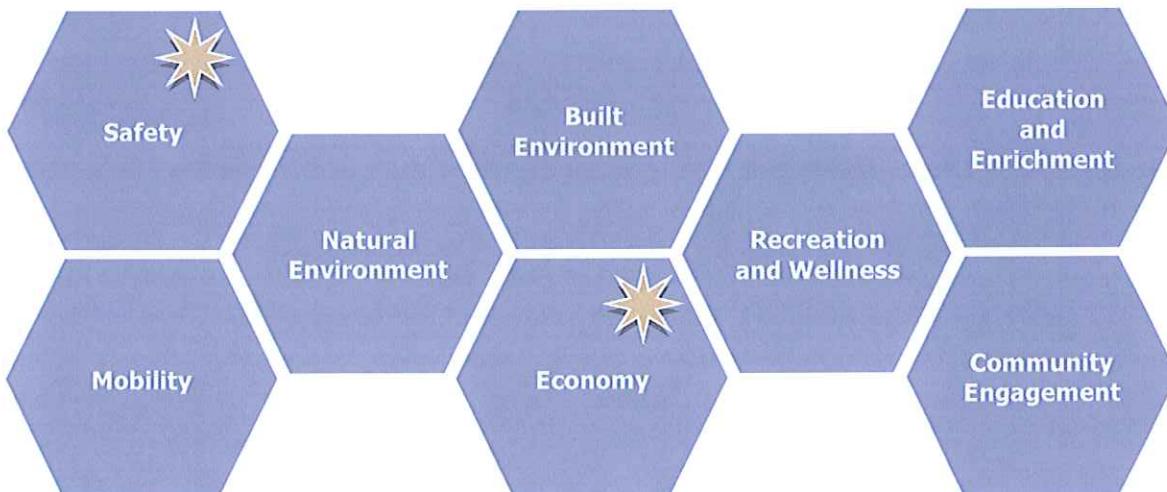
In addition to a summary of ratings, the image below includes one or more stars to indicate which community facets were the most important focus areas for the community. Residents identified Safety and Economy as priorities for the Kerrville community in the coming two years. Ratings for all facets were positive and similar to other communities. This overview of the key aspects of community quality provides a quick summary of where residents see exceptionally strong performance and where performance offers the greatest opportunity for improvement. Linking quality to importance offers community members and leaders a view into the characteristics of the community that matter most and that seem to be working best.

Details that support these findings are contained in the remainder of this Livability Report, starting with the ratings for Community Characteristics, Governance and Participation and ending with results for Kerrville's unique questions.

Legend

- Higher than national benchmark
- Similar to national benchmark
- Lower than national benchmark

- Most important



Community Characteristics

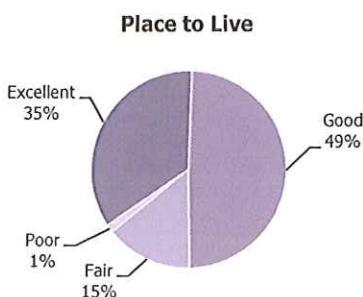
What makes a community livable, attractive and a place where people want to be?

Overall quality of community life represents the natural ambience, services and amenities that make for an attractive community. How residents rate their overall quality of life is an indicator of the overall health of a community. In the case of Kerrville, 84% rated the City as an excellent or good place to live. Respondents' ratings of Kerrville as a place to live were similar to ratings in other communities across the nation.

In addition to rating the City as a place to live, respondents rated several aspects of community quality including Kerrville as a place to raise children and to retire, their neighborhood as a place to live, the overall image or reputation of Kerrville and its overall appearance. About 7 in 10 survey participants awarded high marks to the City as a place to raise children and to the overall image and appearance of Kerrville, while about 8 in 10 favorably rated their neighborhood as a place to live; these ratings were all strong and similar to the national benchmark comparisons. A vast majority of respondents (83%) gave an excellent or good rating to Kerrville as a place to retire, which was higher than ratings seen in comparison communities.

Delving deeper into Community Characteristics, survey respondents rated over 40 features of the community within the eight facets of Community Livability. Within the facet of Safety, 85% of residents favorably rated the overall feeling of safety in Kerrville, while about 9 in 10 gave high marks to the feeling of safety in their neighborhood. Ratings in the facet of Mobility ranged from a low of 21% excellent or good for ease of travel by public transportation to a high of 85% excellent or good for the overall ease of travel in Kerrville. Aspects of Mobility tended to be similar to the national benchmark comparisons; however, ratings for ease of travel by bicycle and ease of travel by public transportation were lower in Kerrville than in other communities nationwide. At least three-quarters of respondents gave excellent or good ratings to all aspects of Natural Environment, including the quality of the overall natural environment in Kerrville and the cleanliness of the City. While nearly 6 in 10 respondents awarded high marks to the overall built environment, only about one-third of residents or less favorably rated new development in Kerrville, the availability of affordable quality housing and the variety of

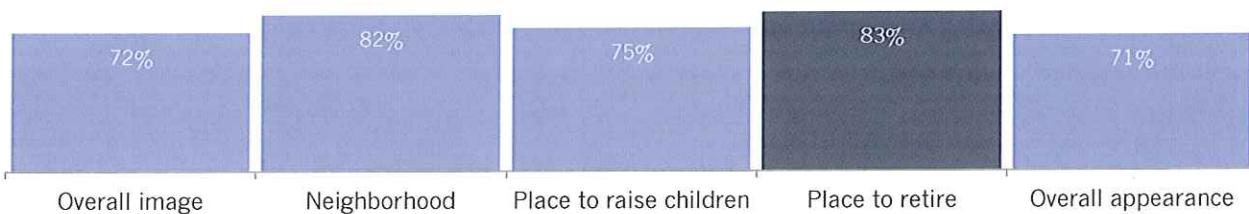
housing options; ratings for these three aspects were lower than ratings seen elsewhere. About half of respondents or more gave high marks that were similar to the benchmark to the overall economic health of Kerrville, the quality of business and service establishments in the City, the City as a place to visit and Kerrville as a place to work. About one-quarter of participants favorably rated the vibrancy of Kerrville's downtown/commercial area and shopping opportunities; ratings for both of these aspects were lower than ratings seen elsewhere. All aspects of Recreation and Wellness, Education and Enrichment and Community Engagement received excellent or good ratings from at least 4 in 10 respondents, and were similar to the national benchmark comparisons.



Percent rating positively (e.g., excellent/good)

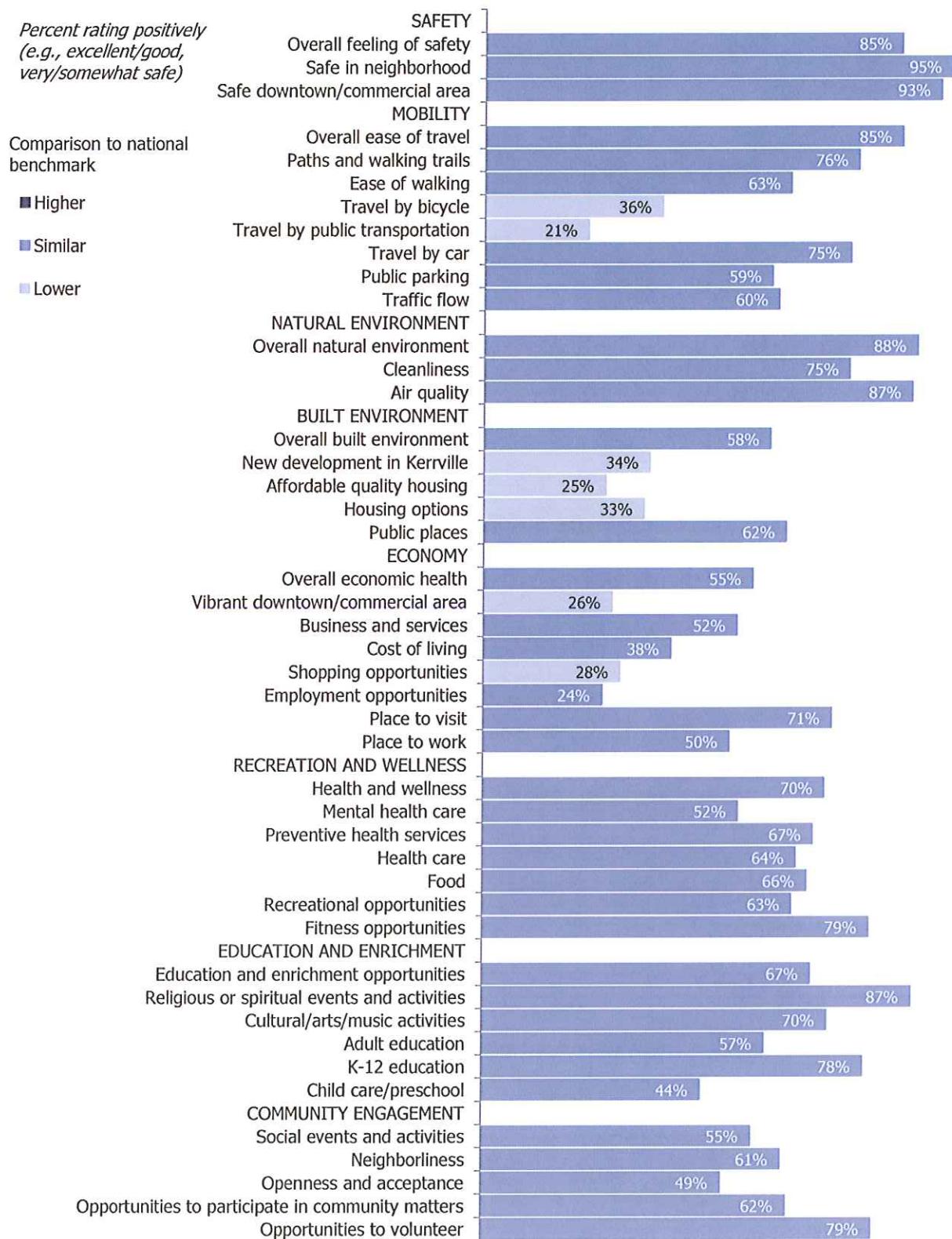
Comparison to national benchmark

■ Higher ■ Similar ■ Lower



The National Citizen Survey™

Figure 1: Aspects of Community Characteristics



Governance

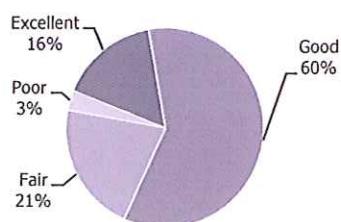
How well does the government of Kerrville meet the needs and expectations of its residents?

The overall quality of the services provided by Kerrville as well as the manner in which these services are provided are a key component of how residents rate their quality of life. About three-quarters of respondents gave high marks to the quality of services provided by the City of Kerrville, while about 4 in 10 gave positive ratings to the quality of services provided by the Federal Government. Ratings for both of these measures were similar to the national benchmark comparisons.

Survey respondents also rated various aspects of Kerrville's leadership and governance. Ratings for aspects of Kerrville's leadership and governance tended to be similar to ratings seen in comparisons communities. About three-quarters of respondents awarded high marks to the customer service provided by Kerrville employees, and more than 2 in 5 positively rated the value of services for taxes paid, the overall direction Kerrville is taking, the job the City does at welcoming citizen involvement and being honest.

Respondents evaluated over 30 individual services and amenities available in Kerrville. Ratings for Kerrville services and amenities tended to be similar to the national benchmark comparisons; however, there were a few noteworthy exceptions. Within the facet of Mobility, participants gave ratings that were lower than those seen in comparison communities to street repair, street cleaning and bus or transit services. Ratings for storm drainage were also lower than the benchmark. All other Kerrville services received ratings that were strong and similar to ratings seen in other communities nationwide. Top-rated Kerrville services included police, fire, ambulance/EMS, fire prevention, power utility, utility billing and City parks; about 8 in 10 or more respondents positively rated all of these services.

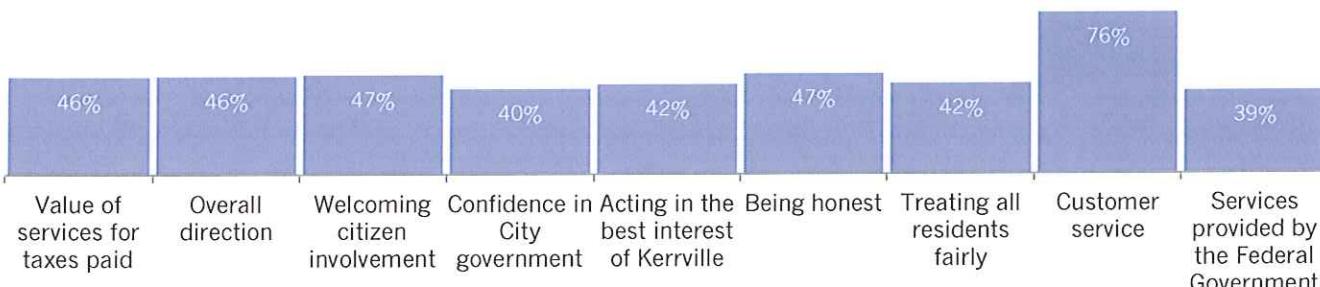
Overall Quality of City Services



Percent rating positively (e.g., excellent/good)

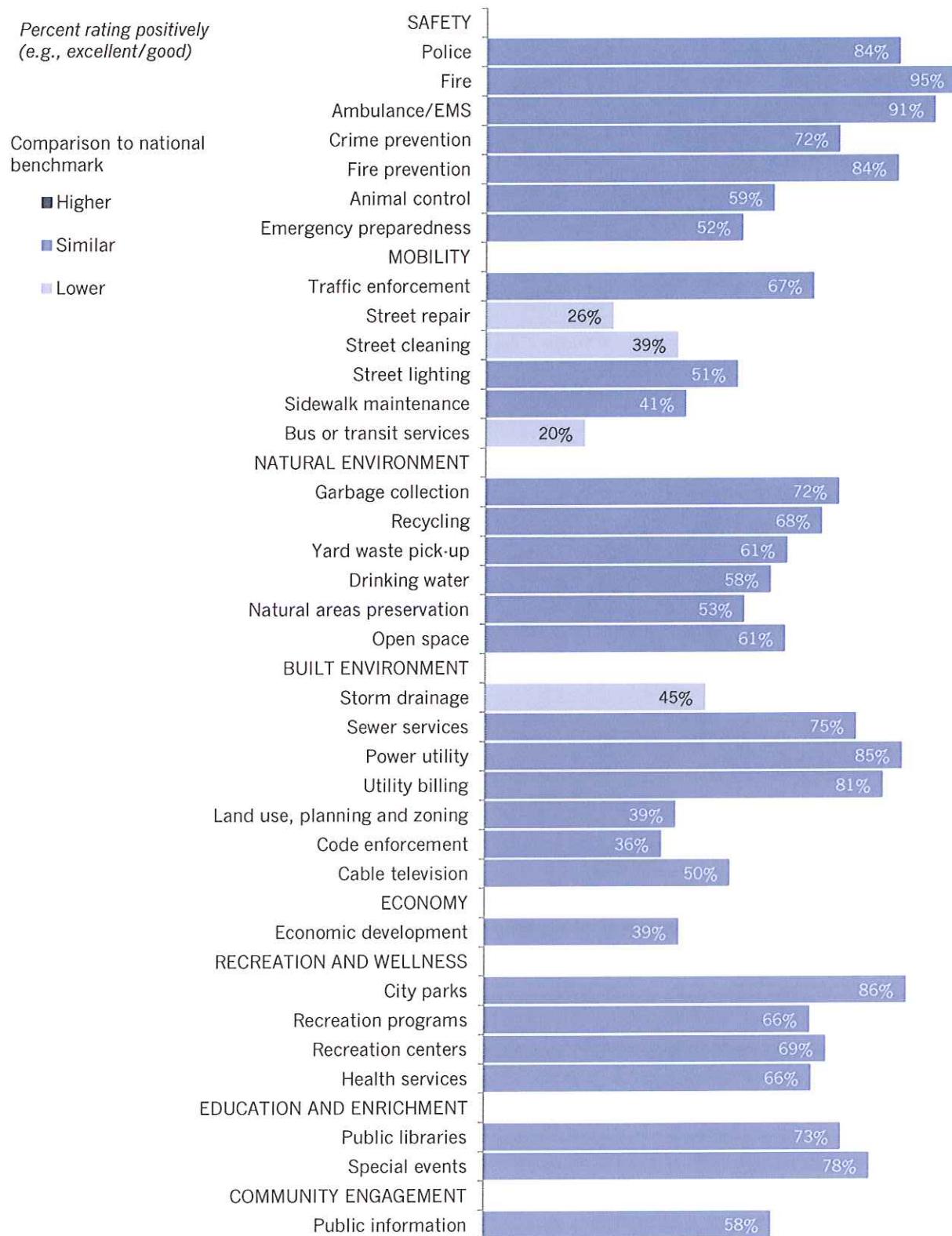
Comparison to national benchmark

■ Higher ■ Similar ■ Lower



The National Citizen Survey™

Figure 2: Aspects of Governance



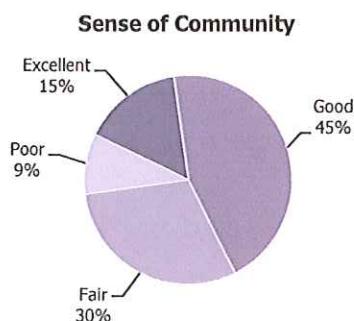
Participation

Are the residents of Kerrville connected to the community and each other?

An engaged community harnesses its most valuable resource, its residents. The connections and trust among residents, government, businesses and other organizations help to create a sense of community, a shared sense of membership, belonging and history. A majority of residents (60%) gave an excellent or good rating to the sense of community in Kerrville. This is similar to sense of community ratings reported in other jurisdictions across the nation. About 8 in 10 respondents would recommend living in Kerrville to someone who asked and planned to remain in Kerrville for the coming five years; both of these levels were similar to the national benchmark. About 4 in 10 residents indicated that they had contacted a City of Kerrville employee for help or information in the 12 months prior to the survey.

The survey included over 30 activities and behaviors for which respondents indicated how often they participated in or performed each, if at all. Within the facet of Safety, about 8 in 10 residents had not reported a crime and about 9 in 10 were not the victim of a crime in the 12 months prior to the survey. Levels of participation in Mobility tended to be somewhat lower. About 4 in 10 residents had walked or biked instead of driving, and 5% had used public transportation instead of driving; these levels were both lower than the national benchmark comparisons. Participation rates in the facets of Natural Environment, Built Environment and Recreation and Wellness were strong and similar to rates seen in other communities nationwide. Almost all respondents (96%) had purchased goods or services in Kerrville, and about half reported working in Kerrville; the proportion of respondents who reported working in Kerrville was higher than the benchmark. Within the facet of Education and

Enrichment, about two-thirds of residents had participated in religious or spiritual activities (a rate that was higher than the national comparison), while about half had used Kerrville public libraries or their services (a rate that was lower than the benchmark). Kerrville residents reported a higher level of volunteering than residents of other communities across the country.



*Percent rating positively
(e.g., very/somewhat likely,
yes)*

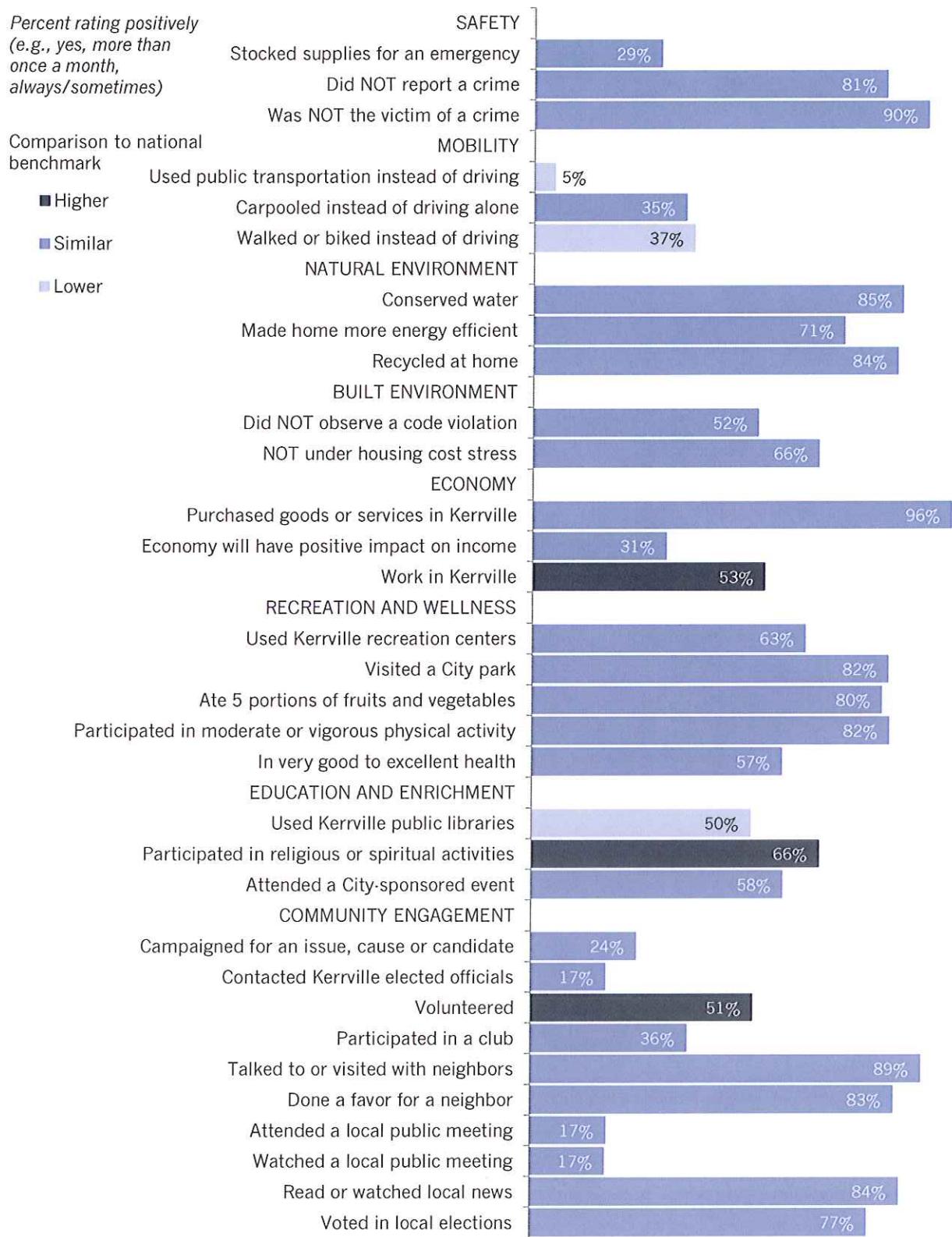
Comparison to national
benchmark

■ Higher ■ Similar ■ Lower



The National Citizen Survey™

Figure 3: Aspects of Participation

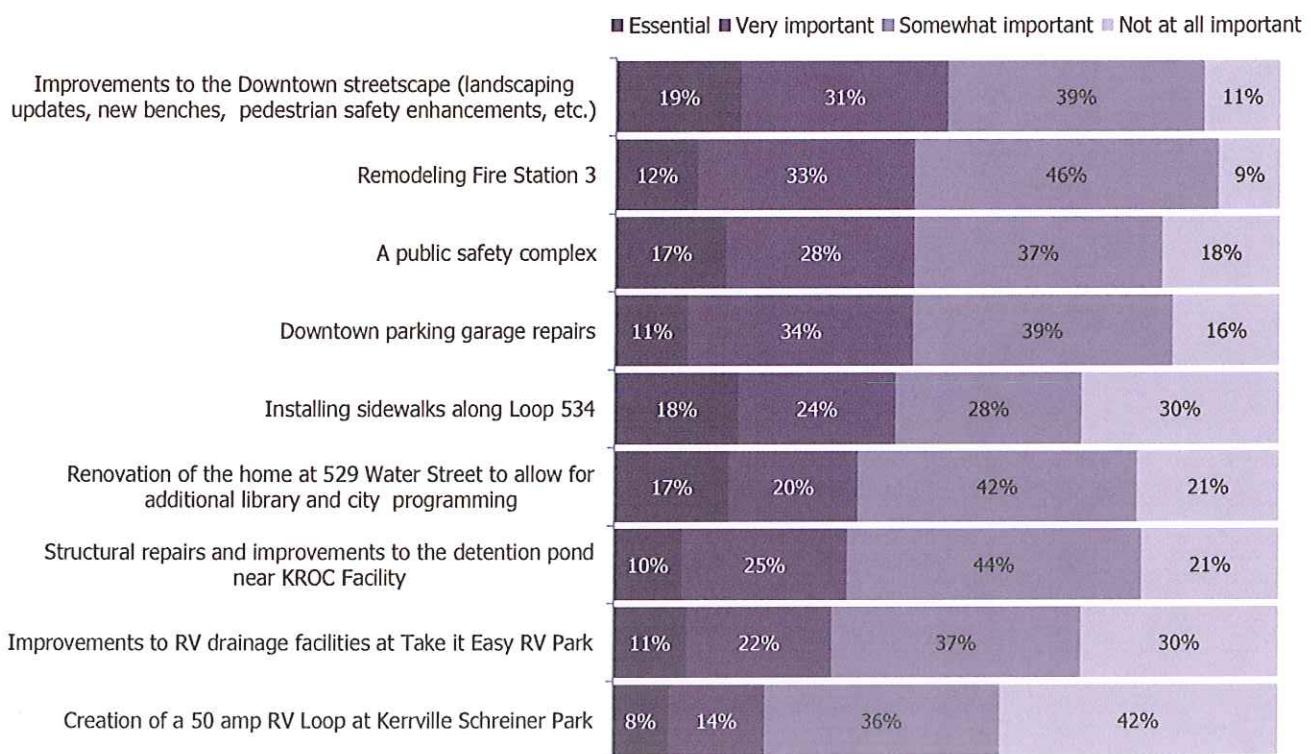


Special Topics

The City of Kerrville included six questions of special interest on The NCS. The first special interest question asked residents to rate how important it should be for the City of Kerrville to invest resources into various capital projects over the next five years. About half of respondents indicated that it would be essential or very important for the City to invest resources in improvements to the Downtown streetscape. Remodeling Fire Station 3, a public safety complex, Downtown parking garage repairs and installing sidewalks along Loop 534 were seen as essential or very important by about 4 in 10 residents.

Figure 4: Importance of Investment of Resources in City Capitol Projects

Please rate how important, if at all, you think it is for the City of Kerrville to invest resources in each of the following capital projects over the next five years:

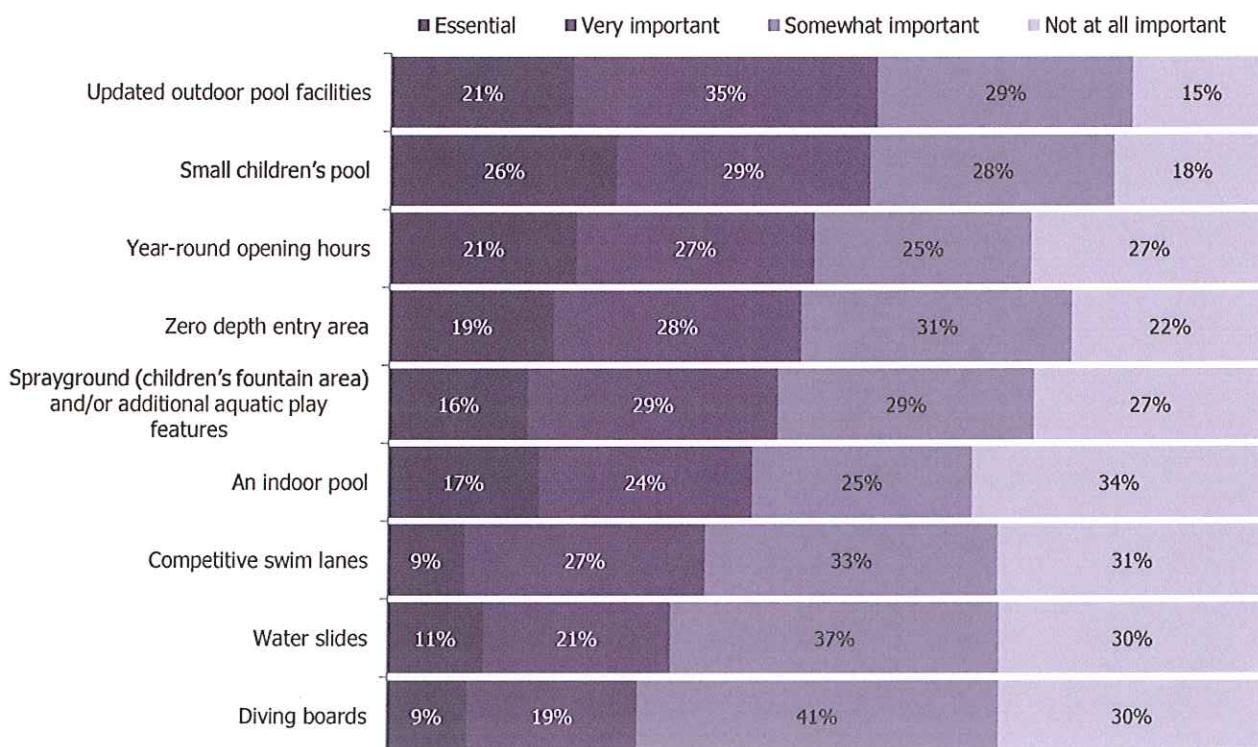


The National Citizen Survey™

Respondents were next asked to rate the importance of including various new features during the expansion and renovation of the City's Olympic Pool. A majority of respondents indicated that updated outdoor pool facilities and a small children's pool were essential or very important features. All other features were seen as essential or very important by less than half of respondents.

Figure 5: Importance of Potential City Pool Renovations

The City is considering renovating and expanding the Olympic Pool. Please indicate how important, if at all, you think it should be for the City to include the following features in the existing aquatic facility:

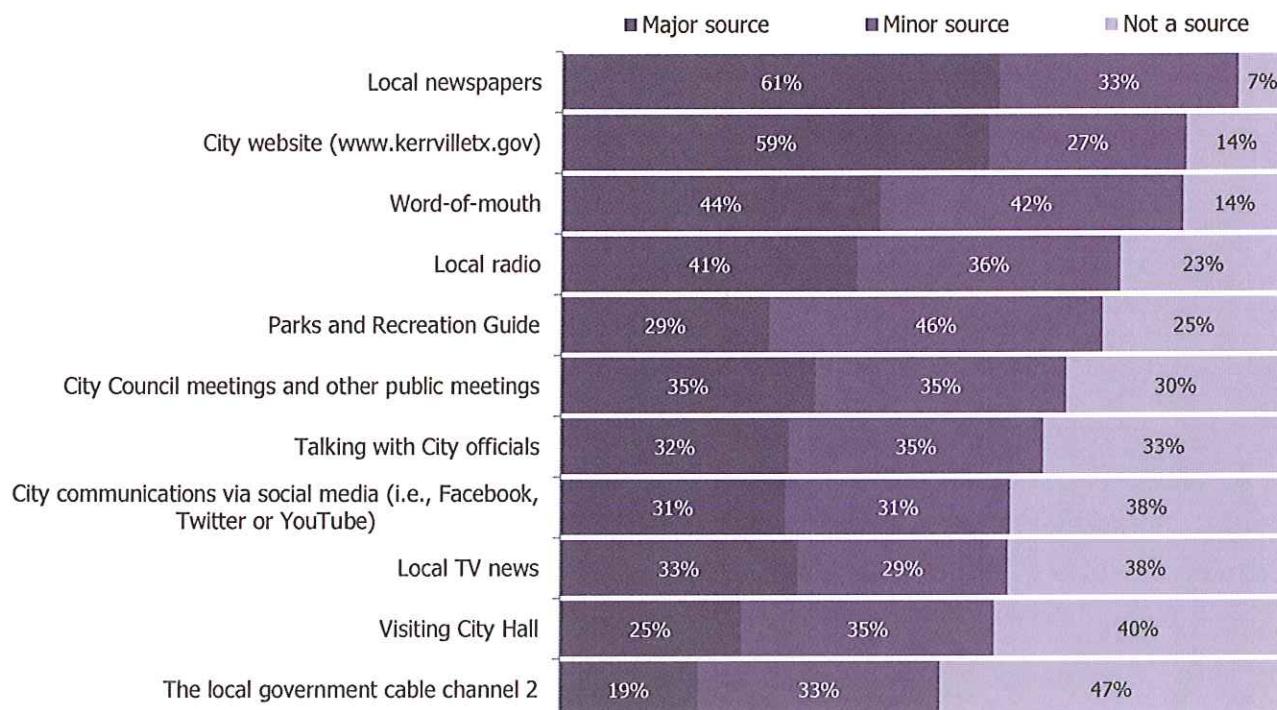


The National Citizen Survey™

The third special interest question asked respondents about sources they used to obtain information about the City and its activities, events and services. About 9 in 10 respondents indicated that local newspapers were major or minor sources of City information. Slightly fewer respondents indicated the City website, word-of-mouth and local radio were sources of information about the City.

Figure 6: Sources of City Information

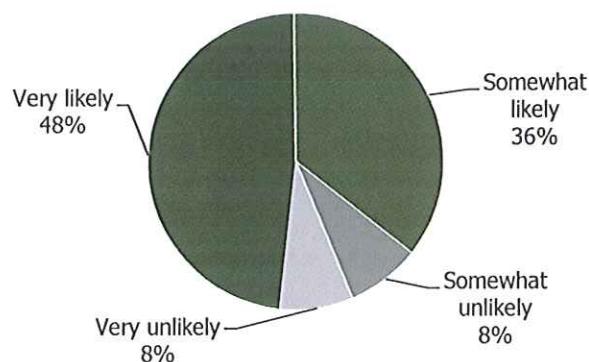
Please indicate how much of a source, if at all, you consider each of the following to be for obtaining information about the City government and its activities, events and services:



The next special interest question asked residents how likely or unlikely they would be to read a monthly City newsletter. Most participants (84%) indicated that they would be at least somewhat likely to read the City's proposed newsletter.

Figure 7: Likelihood of Reading City Newsletter

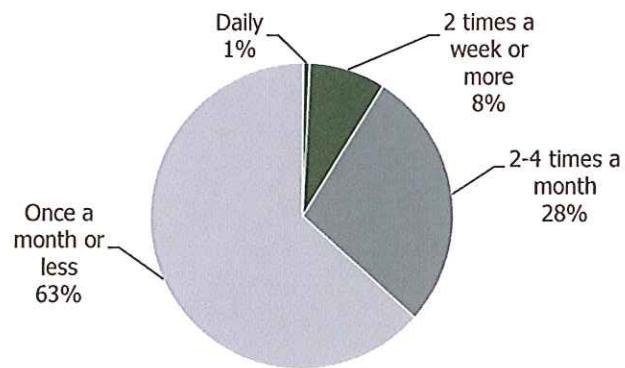
How likely or unlikely would you be to read a monthly City Newsletter if it were available to you?



The National Citizen Survey™

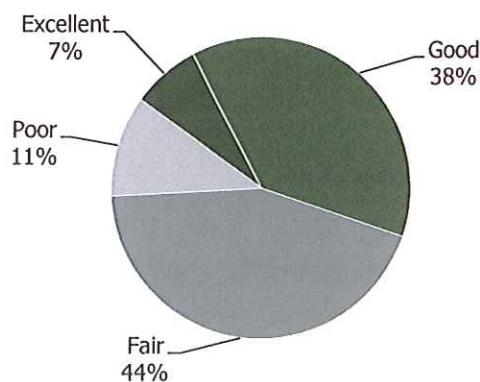
Survey participants were next asked to indicate how often, if at all, they visited the City Website. About 4 in 10 residents reported using the Website more than once per month.

Figure 8: Frequency of City Website Use
About how often, if at all, do you visit the City Website?



The final special interest question asked residents to evaluate the ease of finding information on the City website. Forty-five percent of respondents gave a positive rating to the ease of finding information on the City website.

Figure 9: Ease of Finding Information on City Website
How would you rate the ease of finding information on the City Website?



Conclusions

Kerrville residents enjoy a high quality of life.

About 8 in 10 survey respondents gave positive ratings to the overall quality of life in Kerrville, the City as a place to live, their neighborhoods as a place to live and the City as a place to retire. Ratings for the City as a place to retire were higher in Kerrville than in other communities nationwide. About 4 in 5 respondents would recommend Kerrville to someone who asked, and a similar proportion planned to remain in Kerrville for the next five years. Additionally, about 6 in 10 residents gave an excellent or good rating to the sense of community in Kerrville.

The Economy is a top priority for residents.

Residents indicated that Economy was an important issue for the community to address in the next two years, and ratings within this facet varied across the three pillars of community livability. About half of respondents or more gave high marks to the overall economic health of Kerrville, the quality of business and service establishments in the City and Kerrville as a place to work, while about 7 in 10 positively rated the City as a place to visit; these ratings were all strong and similar to other communities. However, about one-quarter of participants gave favorable ratings that were lower than ratings seen in comparison communities to the vibrancy of Kerrville's downtown/commercial area and shopping opportunities. Almost all respondents had purchased goods or services in Kerrville, and about half reported working in Kerrville; the proportion of respondents who reported working in Kerrville was higher than levels seen elsewhere.

Safety is an important and positive feature of the community.

Respondents also indicated that Safety was an important area for the community to focus on in the coming two years, and ratings within this facet were generally positive and similar to those given in other communities. About 9 in 10 respondents reported feeling safe in their neighborhoods, and 8 in 10 positively rated the overall feeling of safety in the City. At least 8 in 10 participants gave high marks to police, fire, ambulance/EMS and fire prevention services; ratings for all Safety-related services were similar to ratings seen in other communities nationwide. Additionally, about 4 in 5 participants had not reported a crime and about 9 in 10 had not been the victim of a crime in the 12 months prior to the survey. When asked about the importance of investing City resources in various capital projects over the next five years, about 2 in 5 residents indicated that remodeling Fire Station 3 and investing in a public safety complex were essential or very important capital projects.

Mobility may be a potential area for improvement.

Ratings in the facet of Mobility tended to be similar to or lower than ratings seen in comparison communities. Most residents (85%) gave excellent or good ratings to the overall ease of travel in Kerrville, and about three-quarters positively rated the availability of paths and walking trails and the ease of travel by car; these ratings were strong and similar to ratings seen in other communities. However, participants gave ratings that were lower than the national comparisons to the ease of travel by bicycle and ease of travel by public transportation. Ratings for Mobility-related services varied: while about 4 in 10 or more participants gave high marks to traffic enforcement, street lighting and sidewalk maintenance (which were similar to ratings seen elsewhere), ratings for street repair, street cleaning and bus or transit services were lower in Kerrville than in other communities across the country. The proportion of respondents who had carpooled instead of driving alone was similar to the national benchmark comparison; however, levels of Kerrville residents who had walked or biked instead of driving and used public transportation instead of driving were lower than rates seen in comparison communities.

**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Update of November 15, 2016 work session

FOR AGENDA OF: February 21, 2017 **DATE SUBMITTED:** February 14, 2017

SUBMITTED BY: Don Davis **CLEARANCES:**
Interim City Manager

EXHIBITS: None



AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER:

Expenditure Required:	Current Balance in Account:	Amount Budgeted:	Account Number:
\$	\$	\$	

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DEPARTMENT:

SUMMARY STATEMENT

At the November 15, 2016 work session council established the following priorities:

1. Comprehensive Plan
2. Annexation Plan
3. Economic Development Plan
4. Public Safety Building Plan
5. Arcadia Theater
6. Marketing/Branding/PR.

Within the comprehensive plan, council discussed two phases: Phase 1 would consist of creating a vision for the City of Kerrville; and Phase 2 would be a more detailed plan including land use, thoroughfares, zoning, etc.

Even though the comprehensive plan was council's top priority, I recommend that it be delayed until a city manager and a city planner are hired; these are two key positions that need to be involved in the process. This recommendation would delay the comprehensive plan process by 4-5 months.

As to Phase 1 of the planning process – the vision – I believe the community survey represents a good start, and Ms. Berry is going to present the results of the survey at the work session. After her presentation, we will ask you to again assign priorities based on the survey findings. This should give the city a start to formulating a vision for the community.

RECOMMENDED ACTION

Assign priorities.

**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Review and Discussion of City Boards and Commissions and Direction to staff

FOR AGENDA OF: February 21, 2017 **DATE SUBMITTED:** February 17, 2017

SUBMITTED BY: Brenda Craig
City Secretary

CLEARANCES: Don Davis
Interim City Manager

EXHIBITS: Chart of City Boards and Commissions

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER:

Expenditure Required:	Current Balance in Account: \$	Amount Budgeted: \$	Account Number:
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PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DEPARTMENT:

SUMMARY STATEMENT

Staff would like to review the attached chart of city boards and commissions with City Council and discuss staff recommendations as stated.

RECOMMENDED ACTION

Direct staff on implementation of any changes, which generally will require amendments to previous resolutions and ordinances.

BOARD	LEGALLY REQUIRED	COUNCIL'S ROLE	NUMBER OF MEETINGS	BOARD PURPOSE	STAFF RECOMMENDATION
Audit Committee	No	2 Members	1	Review audit and ask questions of auditors prior to presenting to full council	Eliminate board
Beautification Advisory Board Res. 40-2012	No	1 Ex-Officio	12	<ul style="list-style-type: none"> -Evaluate community on beautification matters and report issues to council -Educate public and increase awareness of beautification -Coordinate community beautification efforts -Implement beautification recognition program -Establish goals/objectives for community beautification -Report committee matters to council twice a year 	Eliminate board or more clearly define objectives and priorities
Board of Adjustments and Appeals Ord. 2010-15 Ord. 2010-26	No	**None	AC* (0 in 2016)	<ul style="list-style-type: none"> -Hear appeals of decisions and interpretations of the building official and fire code official and consider variances to standard building codes -Recommend amendments to standardized building codes -Hear appeals, issue orders, and fulfill other duties 	Keep board; meets when called upon
City of Kerrville, Texas Economic Improvement Corporation Res. 1995-112; Res. 1999-184; Res. 032-2009	Yes	1-3 Members	12	Accomplish public purposes of the city permitted by Section 4B of the Act	Required board
Food Service Advisory Board Ord. 1989-30; Ord. 1994-11	No	1 Liaison	3	Hear appeals and make recommendations to health official for variances from provisions of the code; make recommendations to council regarding food service program; and provide assistance to health official concerning interpretations of the code	Eliminate board
Golf Course Advisory Board Res. 37-2009; Res. 30-2012	No	1 Liaison	6	Advise council and staff on matters related to the operation of the golf course	Eliminate board or reduce meetings to quarterly or semi-annually or special meetings as called

Kerrville Public Utility Board Ord. 1987-45; Res. 1987-106	No	1 Member	12	To take, have and exercise exclusive possession and control of the system, and all additions thereto, and to collect, and enforce the collection of all funds and revenues that may be or become owing or that may arise out of the operation of the system, and to disburse the same. To fix all rates for all services to be furnished by the system, with the power to alter the same at any time or times, subject to approval of the city council of the city of Kerrville. To employ and pay the compensation of a general manager of the system, and attorneys, engineers and other professional or technical aids as may be necessary. To do any and all things necessary in reference to the installing and maintaining of a complete system of records and accounts pertaining to the system and to make monies available for the payment of revenue bonds.	Keep board
Library Advisory Board Code of Ordinances Chapter 66-Art. II—Sections 66- 31 through 66- 34; Ord. 2010-05; Ord. 2011-16 Res. 045-2006 amended bylaws	No	1 Ex-Officio	12	Make recommendations to council on matters pertaining to the library	Keep board; reduce meetings to quarterly or special meetings as called

Mayor's Youth Advisory Council Voted on by City Council on Nov. 10, 2015	No	1 Ex-Officio	12	<ul style="list-style-type: none"> -Provide input to council on community issues -Provide overview of opportunities through public service -Empower youth to become active members in community -Develop youth leaders and roles in local government -Make a difference in the lives of youth -Provide youthful perspectives focused on volunteerism, community service, and provide feedback to the mayor 	Need to more clearly define objectives and provide clear priorities
Municipal Court Review	No	2 Members	2	<ul style="list-style-type: none"> Review, discuss, develop and implement ways, means and methods to improve and make efficient the operations of the municipal court 	<ul style="list-style-type: none"> Eliminate board; Council has very little authority due to separation of power doctrine
Parks and Recreation Advisory Board Ord. 1984-37; Ord. 1987-24	No	1 Liaison	12	<ul style="list-style-type: none"> Assist city staff in procedural matters and make recommendations to council pertaining to the city's parks and recreation system; receive updates from staff; provide input on projects and master plans regarding park improvement projects; and be involved with department programming 	<ul style="list-style-type: none"> Keep board; reduce meetings to quarterly or special meetings as called
Planning and Zoning Commission Ord. 1979-37, Ord. 1987-24; 2008-24; rules & Regs amended by Res. 180-201; amended by Res. 052-2003 and Res.007-2006	Yes	**1 Liaison	23	<ul style="list-style-type: none"> -Formulate and recommend to council for adoption a comprehensive plan for orderly growth and development -Review comp plan annually and recommend changes -Formulate a zoning ordinance to carry out the goals of the comprehensive plan -Approve/disapprove plans, plats, or replats -Establish original zoning of annexed areas; or consider change of zoning district -Consider variances to subdivision and sign regulations -Recommend changes to subdivision regulations, sign regulations, and any ordinance assigned for review 	<ul style="list-style-type: none"> Required board <i>Alternate members - 2?</i>
Recovery Community Res. 26-2016	No	2 Members	4+	<ul style="list-style-type: none"> To enhance opportunities for the recovery community to become integrated into the fabric of Kerrville; consider and identify strategies and techniques for reducing barriers for the recovery community; and identify and advocate goals and ideas for positive relationships by and among the recovery community 	Evaluate providing "sunset" provisions

Zoning Board of Adjustment Ord. 1997-07	Yes	**None	AC* (6 in 2016)	<p>-Hear and decide an appeal alleging an error in decision or determination made by city official on interpretation or enforcement regarding zoning code or land use regulations</p> <p>-Grant variances from height, yard, area, coverage, floor-to-area, and buffering regulations and required number of parking and loading spaces prescribed by zoning code, which, because of special conditions, enforcement would result in unnecessary hardship</p>	Required board <i>Appeals Board</i> ?
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*AC At the Call of board or staff.

**City Council should not serve on quasi-judicial boards.

**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Review of Council Procedural Rules for Meetings

FOR AGENDA OF: February 21, 2017 **DATE SUBMITTED:** February 16, 2017

SUBMITTED BY: Brenda Craig
City Secretary

CLEARANCES: Don Davis
Interim City Manager

EXHIBITS: Council Procedural Rules for Meetings

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER:

Expenditure Required:	Current Balance in Account: \$	Amount Budgeted: \$	Account Number:
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PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DEPARTMENT:

SUMMARY STATEMENT

Staff would like to review possible changes to the Council Procedural Rules for Meetings as redlined on the attached document and as follows:

Rule 3.3. Agenda Deadline. Staff recommends changing the deadline to submit items for the agenda from 5:00 p.m. Wednesday preceding the meeting to Monday, the eighth day preceding the meeting. This deadline would enable staff to more adequately review the request and information being presented to council and to prepare a recommendation.

Rule 4.5. Order of Consideration of Agenda. Staff recommends the order be changed to allow public comments and council discussion prior to the making of a motion and second, which is more in agreement with our current order of business. As it is written, following staff presentation, a motion must be made and seconded prior to any council discussion or public comments; the original intent was if there is no motion, the item is closed. This places council in the awkward position of making a motion on an item that they may or may not agree with before an item can be discussed.

Rule 7.3. Informal Requests. Remove reference to other city employee present.

Staff also recommends changing the words "council member" to one word "councilmember" to be consistent with the City Charter.

In addition to the above suggested changes, Council has recently discussed other items that may be considered at this time:

- Review meeting procedures.
- Adding a Rule 7.5, Individual City Councilmember Requests for Information or Assistance.
- Rule 4.9, Presiding Officer's Right to Speak Last.
- Rule 5.2, Manner of Addressing Council. There has been some concern expressed about speakers being required to give their address.
- Rule 5.5, Matters Not On the Agenda. There has been discussion about moving the Visitors/Citizens Forum after scheduled business items.
- Whether to apply term limits to all boards, in particular, the Building Board.
- Other items as council may desire.

RECOMMENDED ACTION

Direct staff on implementation of any changes.

PROCEDURAL RULES FOR MEETINGS

KERRVILLE CITY COUNCIL

Section 1. General Provisions

Rule 1.1 Scope of Rules; Intent. These rules ~~shall~~ govern the conduct of the Council and shall be interpreted to ensure fair and open deliberations and decision-making. The rules are intended to promote and maintain courtesy, civility, and collegiality during meetings.

Rule 1.2 Technical Parliamentary Forms Abolished. Except as specifically required by these rules, the Council shall not use any formal points of parliamentary order, personal privilege, parliamentary inquiry, or other technical forms.

Rule 1.2. Rulings; Matters Not Covered. Rulings on procedure are governed by the presiding officer or by a majority of Council, which would prevail. Section 3.02 of the City Charter provides the following basis for this:

The Mayor shall preside at meetings of the Council and shall exercise such other powers and perform such other duties as are or may be conferred and imposed upon him by this Charter and the ordinances of the City.

Any matter or order or procedure not covered by these rules shall be deferred to the presiding officer or legal counsel as appropriate.

Rule 1.4 Interpretation. These rules are intended to supplement and shall be interpreted to conform to the statutes of the State of Texas and the Charter and ordinances of the City of Kerrville. ~~In general, these rules shall be interpreted to conform to the statutes of the State of Texas and the Charter and ordinances of the City of Kerrville.~~ In general, these rules shall be interpreted to allow the majority to prevail but preserve the right of the minority to be heard.

Rule 1.5. Authority to Change and Adopt Rules of Procedure. Adoption and/or modification of rules governing City Council meetings is addressed in Section 3.04 of the Charter which provides the following with respect to rules of procedure:

...The Council shall determine its own rules and order of business and keep a journal of its proceedings. It shall have power to compel the attendance of absent members, may punish its members for disorderly behavior, and by vote of not less than a majority of all its members, expel from a meeting a member for disorderly conduct for the violation of its rules; but no member shall be expelled from a meeting unless notified of the charge against him and given an opportunity to be heard in his own defense.

Section 2. Time and Place of Meeting

Rule 2.1. Regular Meetings. Scheduling regular meetings is governed by Section 3/01 of the Charter and Section 2-31 of Article II of the Code of Ordinances. Section 2-31 of Article II of the Code of Ordinances provides:

City Council will hold its regular meetings on the second and fourth Tuesdays of each month, beginning at 6:00 p.m. The council may, by majority vote at a regular meeting, change the days or times of meetings as circumstances may necessitate.

Rule 2.2. Special Meetings. Calling special meetings is governed by Section 3.01 of the Charter, which provides:

Special meetings shall be called by the City Secretary upon request of the Mayor, the City Manager, or a majority of the members of the Council.

A request for special meeting shall be filed with the City Secretary or City Manager in written/electronic format unless made at a regular meeting at which a quorum of Council Members are present. The City Manager and all Council Members shall be notified of all special meetings.

Rule 2.3. Quorum, Majority Voting. Quorum and majority voting are governed by Section 3.05 of the Charter, which provides:

A majority of all the members of the Council shall constitute a quorum to do business, but a less number may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. The affirmative vote of a majority of all the members of the Council shall be necessary to adopt any ordinance, resolution, or order; except that a vote to adjourn, or an action regarding the attendance of absent members, may be adopted by a majority of the members present.

Section 3. Agenda

Rule 3.1. Preparation of Agenda; Agenda Requests. The City Secretary shall prepare, post, and distribute notices of meetings and the assembled agenda packages. The City Manager is responsible for assembling the agenda package for each meeting. The City Manager must place a subject on the agenda if the subject is requested by the Mayor or a Council Member. Other persons may request that the City Manager place an item on the agenda pursuant to Rule 3.3.

Rule 3.2. Consent Agenda. In preparing an agenda the City Secretary may separately designate items as "Consent Agenda" which may be acted upon by the Council under Rule 6.6. The "Consent Agenda" shall consist of routine items, which in the City Secretary's determination can be appropriately considered as a group, without separate discussion, at the Council meeting. Any item listed on the consent agenda may be removed by a member of Council or upon a request by staff or a member of the public.

Rule 3.3. Agenda Deadline. Any person wishing to have a matter heard at a City Council meeting shall make a written request, including via email, to the City Manager or City Secretary. Such request shall contain a short summary statement of the proposed presentation. Such request should be made before 5:00 p.m. Monday, of the sixteenth day preceding such meeting. As long as the City Council meetings continue to be on Tuesday, then such request should be made before 5:00 p.m. on Monday of the prior week, the preceding Wednesday. Once a request has been placed on an agenda, the item, or an item concerning a similar subject matter, may not be placed on an agenda for a period of 1 year, unless the item was postponed to a future meeting or a Council Member makes a written request for placement.

Rule 3.4. Requests to Include or Exclude Items. Each request to include or exclude an agenda item shall be forwarded to all members of the Council at the time the request is submitted to the City Secretary. When a Council Member will be absent from a meeting, the Council Member may request that an item not be included and such request shall not be unreasonably denied.

Rule 3.5. Council Action to Defer, Continue or Not Act. A Council Member wishing to withdraw, defer, or continue an item may make a motion to that effect. Such a motion shall be considered before any other action on that item.

Rule 4. Conduct of Meetings

Rule 4.1. Roll Call. Before proceeding with the business of the Council, the City Secretary shall make note of Members present, and enter those names in the minutes. The presiding officer shall determine the presence of a quorum as required by law and these rules.

Rule 4.2. Call to Order. The presiding officer shall call the meeting to order.

Rule 4.3. Presiding Officer. The Mayor, or in the Mayor's absence or inability to perform, the Mayor Pro Tem, shall be the presiding officer at all Council meetings. The presiding officer retains all rights and privileges of a Member of Council. If both the Mayor and Mayor Pro Tem are absent or unable to perform, the most senior Council Member present shall preside. In the event two or more Members equally possess the greatest seniority then the eldest person among them shall preside.

Rule 4.4. Control of Discussion. The presiding officer shall control discussion of the Council on each Agenda item to assure full participation in accordance with these rules, the City Charter and the Code of Ordinances. The presiding officer will preserve order and decorum, preventing the impugning of any member's motives or other personal comment not relevant to the orderly conduct of business. The presiding officer shall request that all speakers keep comments brief and relevant to the question before the Council. All persons present in the meeting room should eschew abusive, rude or inappropriate conduct. See Chapter 38 and Section 42.05 of the Texas Penal Code regarding the "hindering" or "disrupting" of official proceedings.

Rule 4.5. Order of Consideration of Agenda. Except as otherwise provided in these rules, each Agenda item shall be considered in the numerical order as presented in the meeting agenda. Each Agenda item shall be introduced by the presiding officer. To introduce an item, it shall be sufficient to identify the item by the number assigned to it on the agenda. However, as provided in Section 3.06(a) of the City Charter:

Ordinances and resolutions shall be introduced only in written form.

After a measure is introduced, the standard procedure for consideration will be as follows:

- (1) Reading of the measure by the presiding officer (or other person designated by the presiding officer). Reading ordinances or resolutions by caption or summary is allowed if the full text is available as prescribed by the Charter. (Note: Section 3.06(a) of the Charter requires additional steps for ordinances: "No ordinance shall be passed until it has been read and voted upon in at least two regular meetings, except an emergency measure. The final reading of each ordinance shall be in full unless a written or printed copy thereof shall have been furnished to each member of the Council prior to such reading.")
- (2) The City Manager or other person may present a staff statement or presentation with questions from City Council.
- (3) Motion and second.
- (4) Public Comments.
- (5) Discussion.
- (5) Motion and second.
- (6) Vote.
- (7) If a majority of Council votes against a motion, the Council Member making the original motion may amend that motion for reconsideration. In addition, any Council member may make an alternate motion for consideration related to that agenda item.

In the absence of the objections of the presiding officer or a majority of Council, which would prevail, the Council may vary the standard procedure (for example, by discussing a measure before a motion is made).

Informal voting by voice or a show of hands shall be used at the discretion of the presiding officer, unless a Council Member requests a roll call vote or a roll call vote is otherwise required by state law. On a roll call vote, the moving member votes first, the seconding member votes second, the remaining members vote in alphabetical order and the presiding officer votes last (unless the presiding officer has moved or seconded the motion). In case of a tie, the motion fails.

Rule 4.6. Discussion. A Council Member shall speak only after being recognized by the presiding officer. A Council Member recognized for a specific purpose shall limit remarks to that purpose. A Council Member, after being recognized shall not be interrupted except by the presiding officer to enforce these rules. Anyone speaking shall be recognized by the presiding officer.

Rule 4.7. Presiding Officer's Right to Enter into Discussion. The Mayor (or other presiding officer) as a Member of the Council May enter into any discussion.

Rule 4.8. Limit on Remarks. Each Council Member shall limit his or her remarks to a reasonable length.

Rule 4.9. Presiding Officer's Right to Speak Last. The presiding officer has the right to speak last on any item.

Rule 4.10. Call for Vote. At the conclusion (or closure) of debate or discussion, the presiding officer shall call for a vote, provided however, a majority of the Council present may require a vote at any time.

Section 5. Citizen Participation

Rule 5.1. Public Participation. Comments and suggestions by the public are highly valued and encouraged during those parts of a meeting designated for public participation. Speakers should register in advance and should limit their presentations to four minutes each. Speakers should direct all remarks and questions to the Council, who may refer them for investigation, response or other action. The "Texas Open Meetings Act" requires the City to post a notice, in advance, listing every topic or subject to be considered by the Council. This law may prevent the Council from considering a subject raised by a member of the public. In this case, the presiding officer may refer the matter, and the Council may direct that the matter be placed on the agenda for an upcoming meeting.

Rule 5.2. Manner of Addressing Council. A person desiring to address the Council shall step to the lectern or other alternate arrangement and state his or her name and address for the record before proceeding with comments. All comments from the public should be directed to the Council.

Rule 5.3. Total Time Limits. Those members of the public speaking on items both on the agenda and not on the agenda are limited to four minutes of speaking time. A person may speak only once on any agenda item. However Applicants, or those persons having placed an item on the agenda seeking a specific answer from the Council, will be allowed ten minutes of total speaking time. Time limitations of this rule may be extended by the consensus of Council or pursuant to majority vote. ~~consent of a majority of the Council.~~

Rule 5.4. Remarks to be Germane/Non-redundant. Public comments must be kept relevant to the subject before the Council. The presiding officer shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, overly redundant or slanderous remarks may be barred by the presiding officer from further comment before the Council during the meeting.

Rule 5.5. Matters not on the Agenda. Under the Visitor/Citizens Forum item on the agenda, the first ten completed requests to speak under this item will be the maximum number of people that will be allowed to speak on items not specifically mentioned on the agenda. The maximum number of people allowed to speak may be increased by consensus of ~~consent of the~~ ~~City Council~~ pursuant to majority vote. ~~present.~~ Discussion of matters not on the agenda is prohibited by the Texas Open Meetings Act. Council may provide specific factual information in response to the inquiry, recite existing policy, or propose the placement of the issue on an upcoming meeting agenda.

Section 6. Council Action

Rule 6.1. Motion Required. All action requiring a vote shall be moved by a Member of the Council. Each motion will require a second by another Member of the Council to be considered. A motion must be voted on or withdrawn before another motion for that same agenda item can be considered. Any Member of the Council can make an amendment to a motion. With a second, the amended motion is then voted on.

Rule 6.2. Motion to Reconsider. Except in case of a tie vote, a motion to reconsider must be made by a Council Member who was on the prevailing side in the original action or by a Council Member absent at the time of the original action. The motion must be made at ~~the -a~~ meeting when the subject is on the agenda. See Rule 3.1.

Rule 6.3. Recording names of Moving Members. The City Secretary shall record the name of the Council Member making each motion and corresponding second to the motion.

Rule 6.4. Separate Consideration. Except as otherwise required by these rules, each agenda item shall be voted upon separately and each separate vote shall be recorded by the City Secretary.

Rule 6.5. Action or Consent Agenda. Except as herein provided, the "Consent Agenda" shall be considered as a group without separate discussion on each item. When the Consent Agenda is introduced, each Council Member has the right to remove any item, in which case the item is handled under Rule 4.5. After items are removed, the presiding officer shall ask the Members to indicate their votes on the remaining Consent Agenda items. The City Secretary shall record the votes on each item separately.

Rule 6.6. Consideration Out of Order. With the ~~consensus of Council, or pursuant to majority vote, consent of a majority of the Council~~, any agenda item may be considered out of order, at the request of any Council Member.

Rule 6.7. Council Appointments. The Council may consider and make appointments to City boards and commissions by either of the following procedures:

- By direct motion. The Council Member shall state the name of the person and the board to which they are being appointed. The motion will require a second, and a majority vote of the Council shall be required for appointment.
- By nomination process. The mayor shall open the floor for nominations, whereupon Council Members may put the names of appointees forward. The names submitted shall be debated. When the debate ends, the City Secretary shall call the roll of the Council Members, and each member shall cast their vote from those persons nominated. The nominee receiving the highest number of votes shall be appointed. If more than one appointee is to be selected, then each member shall have as many votes as there are slots to be filled; however, a member shall not cast more than one vote for a single candidate. A majority of the members voting shall be required for appointment.

In accordance with Section 3.01 of the City Charter, all meetings of all boards, commissions and committees of the Council shall be open to the public and as provided by state law. The requirements of the Texas Open Meetings Act shall apply to all elected or appointed authorities, boards, commissions, Council, or other bodies of the City that are composed of a quorum of members of a particular body. However, the law's requirements shall not apply to a meeting solely among the City's professional staff.

Section 7. Miscellaneous

Rule 7.1. Voting Required. Section 3.05 of the Charter requires Council Members to vote, as follows:

No member may be excused from voting except when such member has a conflict of interest as defined by law.

Any Council Member prohibited from voting by personal interest shall announce at the commencement of consideration of the matter and shall not enter into discussion or debate on any such matter. In that case, the member shall file with the City Secretary a written statement (electronic communications are considered acceptable) of the reason for abstaining. Any Council Member refusing to vote – and not excused from voting – shall be considered in violation of the City Charter and will be recorded in the minutes as voting in the affirmative and may be held to further repercussions as deemed appropriate by the City Council.

Rule 7.2. Suspension of Rules. These rules or any part hereof may be suspended for a specific purpose, or any single meeting, ~~consensus by consent of a majority~~ of the Council ~~Members present pursuant to majority vote~~. This does not apply to those rules directly mentioned in the City Charter or other sections of the Code of Ordinances.

Rule 7.3. Informal Requests. A Member of the Council, before or during the consideration of any matter, or in the course of a hearing, may request and receive information, explanations or the opinions of the City Manager ~~or, City Attorney, City Secretary, or any City employee present, all subject to Rule 4.10.~~

Rule 7.4. Council Liaisons. A Member of the Council serving as an ex-officio member of a City board and/or commission will act to relay Council actions concerning board and/or commission items and to report back to Council. Council Liaisons should also abide by the rules and procedures for meetings of the board and/or commission meeting they are attending. Ex-officio members will be appointed by Council with consideration given to applicable expertise.