

KERRVILLE CITY COUNCIL AGENDA
REGULAR COUNCIL MEETING, JANUARY 23, 2018, 6:00 PM
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

INVOCATION: OFFERED BY GEORGE BAROODY, MAYOR PRO TEM.

PLEDGE OF ALLEGIANCE TO THE FLAG

1. ANNOUNCEMENTS OF COMMUNITY INTEREST:

Announcement of items of community interest, including expressions of thanks, congratulations, or condolences; information regarding holiday schedules; honorary recognitions of city officials, employees, or other citizens; reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city officials or employees; and announcements involving imminent threats to the public health and safety of the city. No action will be taken.

2. VISITORS/CITIZENS FORUM:

Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must fill out the speaker request form and give it to the City Secretary. City Council may not discuss or take any action on an item but may place the issue on a future agenda. The number of speakers will be limited to the first ten speakers and each speaker is limited to four minutes.

3. PRESENTATIONS:

3.A Recognition of Josh Medovich and Tyler Stefek, Schreiner University students, for their contribution to the Upper Guadalupe River Authority's storm drain marking program in the City of Kerrville.

[AB_UGRA_recognition_1-23.docx](#)

3.B Cow Chip Toss Champ Award to Councilmember Warren Ferguson.

[AB Cow Chip Toss.docx](#)

3.C Briefing on electronic agenda and meeting system

[Agenda Bill](#)

[2018-01-23_Granicus_Presentation_Public.pdf](#)

1

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: and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Brenda Craig
City Secretary, City of Kerrville, Texas

4. CONSENT AGENDA:

These items are considered routine and can be approved in one motion unless a Councilmember asks for separate consideration of an item. It is recommended that the City Council approve the following items which will grant the Mayor or City Manager the authority to take all actions necessary for each approval:

- 4.A Approval of minutes for the regular city council meeting held December 12, 2017.
[2017 1212.docx](#)
- 4.B Budget/Economic Update Ending December 31, 2017.
[AB financial update 1-23.docx](#)
[Council 12-31-17.xlsx](#)

END OF CONSENT AGENDA

5. ORDINANCES, FIRST READING:

- 5.A Ordinance No. 2018-05, Amending Chapter 6 "Advertising", Article II "Signs" of the City of Kerrville Code of Ordinances, to add pole banner signs as an authorized sign and providing regulations therefor; containing a savings and severability clause; providing for penalties not to exceed \$2,000.00; ordering publication; providing an effective date; and providing other matters related to the subject.

[AB Ord 2018-05.docx](#)

[Example.pdf](#)

[Ordinance No. 2018-05.pdf](#)

6. CONSIDERATION AND POSSIBLE ACTION:

- 6.A Authorize the purchase of a Sutphen Monarch Pumper from Cullen Emergency Vehicles through Buyboard at a price not to exceed \$554,221.

[AB - 2018_Sutphen_Monarch_Pumper.docx](#)

[Sutphen quote.pdf](#)

- 6.B Authorization to submit a funding application to the City of Kerrville, Texas Economic Improvement Corporation for an aquatics feasibility study for the Olympic Pool.

[AB - Authorization to submit a funding request to EIC for Aquatics Feasibility Study](#)

[1.23.2018.docx](#)

[Letters of support from KISD and SU.pdf](#)

[EIC Application for Aquatics Feasibility Study \(1.16.2018\).pdf](#)

2

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Brenda Craig
City Secretary, City of Kerrville, Texas

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6.C Amendment to Contract Agreement with Hewitt Engineering, Inc. for design of the Sports Complex Reuse Pond and Pump Station project.

[Agenda_Bill_Design_Amendment_-_Hewitt_Engineering.docx](#)
[Hewitt, First Amendment.pdf](#)

7. BOARD APPOINTMENTS

7.A Appointments to Kerrville/Kerr County Joint Airport Board.
[AB Airport Board Appointments.pdf](#)

8. ITEMS FOR FUTURE AGENDAS

9. EXECUTIVE SESSION:

City Council may, as permitted by law, adjourn into executive session at any time to discuss any matter listed above including if they meet the qualifications in Sections 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding gifts), 551.074 (personnel/officers), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Texas Government Code.

10. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY

ADJOURNMENT.

3

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Brenda Craig
City Secretary, City of Kerrville, Texas



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

SUBJECT: Recognition of Josh Medovich and Tyler Stefek, Schreiner University students, for their contribution to the Upper Guadalupe River Authority's storm drain marking program in the City of Kerrville.

AGENDA DATE OF: 1/23/2018

DATE SUBMITTED: 1/12/2018

SUBMITTED BY: Tara Bushnoe, UGRA

EXHIBITS: None.

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

PAYMENT TO BE MADE TO: N/A

SUMMARY STATEMENT:

Tara Bushnoe, UGRA Natural Resources Coordinator, will describe the UGRA storm drain marking program in Kerrville and recognize Josh Medovich and Tyler Stefek, Schreiner University students, who helped execute the program. The markers were recently placed on curbs adjacent to storm drains throughout Kerrville to raise awareness about protecting the Guadalupe River from storm water run off.

RECOMMENDED ACTION:

Recognize Josh Medovich and Tyler Stefek.



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

SUBJECT: Cow Chip Toss Champ Award to Councilmember Warren Ferguson.

AGENDA DATE OF: 1/23/2018

DATE SUBMITTED: 1/18/2018

SUBMITTED BY: Brenda Craig, City Secretary

EXHIBITS: None.

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

PAYMENT TO BE MADE TO: N/A

SUMMARY STATEMENT:

The Cowboy Breakfast kicked off the 74th annual Hill Country District Junior Livestock Show on January 12. Kerrville City Councilmember Warren Ferguson received the Cow Chip Toss Champ Award.

RECOMMENDED ACTION:

Recognize Councilmember Ferguson for receiving this prestigious award.



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

SUBJECT: Briefing on electronic agenda and meeting system

AGENDA DATE OF: 1/23/2018

DATE SUBMITTED: 1/11/2018

SUBMITTED BY: Charvy Tork

EXHIBITS: Granicus presentation

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

PAYMENT TO BE MADE TO: N/A

SUMMARY STATEMENT:

The City of Kerrville has recently implemented an electronic agenda and meeting system. One of the benefits of utilizing the system is it will serve as a public portal that will allow our citizens to download the agenda and use various links for easier access to information. After a meeting has concluded, our citizens will have access to an indexed video that provides jump points to specific areas of the agenda. Furthermore, our citizens will be able to search the archives via keywords to research key decisions and gain knowledge of various topics and interests throughout our community. Our goal is to enhance our digital services to better engage our citizens and increase government transparency.

RECOMMENDED ACTION:

For information only.

ELECTRONIC AGENDA SYSTEM

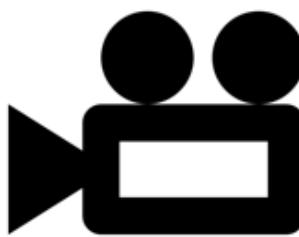
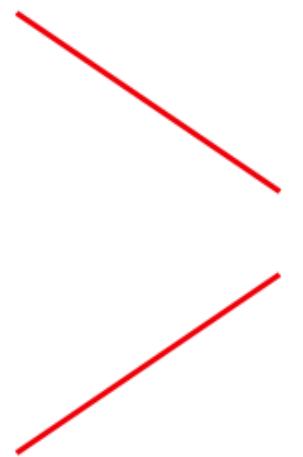
A SOLUTION FOR CITIZEN ENGAGEMENT



WHAT ARE THE BENEFITS?

- Increased transparency
- Modernized and streamlined council meetings
- Ability to gauge community interests via reports

HOW DOES IT WORK?

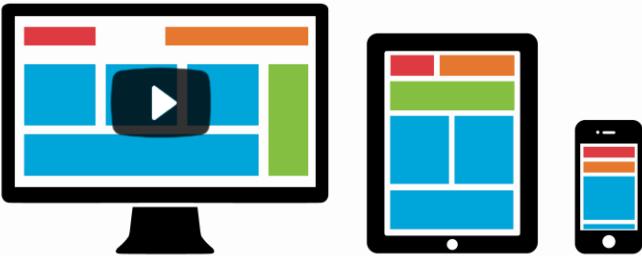


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MEETING



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Upcoming Events

Name	Date	Agenda	Event	Agenda Packet
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Currently there are no Upcoming Events

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Available Archives

City Council

2018

2017

Name	Date	Duration	Agenda	Minutes	Video	Agenda Packet
City Council	Jan 9, 2018 - 06:00 PM	01h 00m	Agenda	Video	Agenda Packet	

- Simple library of public meetings
- Archived video is indexed
 - Searchable
 - Skip to topic
- Public record
 - Linked to agenda

CITY COUNCIL VIDEO ARCHIVE PORTAL

City Council Video Archive

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City Council	Jan 9, 2018 - 06:00 PM	01h 00m	Agenda	Video	Agenda Packet	

<https://www.kerrvilletx.gov/1566/City-Council-Video-Archive>

VIDEO FRAME WITH AGENDA

 City Of
Kerrville, Texas

AGENDA ITEM
9.B) Appointments to the Planning and Zoning Commission. (This item is eligible for discussion in executive session under Section 551.074.)



City Council

Index Share Embed

2) VISITORS/CITIZENS FORUM:

- 3) PRESENTATIONS
- 3.A) Resolutions of Commendation to James Wilson and Paul Stafford for serving on the Economic Improvement Corporation.
- 3.B) Resolution of Commendation to Matthew Miller for service on the Library Advisory Board.
- 4) CONSENT AGENDA:
- 4.F) Resolution No. 04-2018, amending the City of Kerrville Fee Schedule by revising fees charged by the Kerrville Fire Department EMS and formally establishing that the Kerrville Little League may use the Kerrville Sports Complex for its 2018 season witho
- 4.I) Reject all bids submitted on December 19, 2017, for the construction of the Kerrville Sports Complex Irrigation Pond and Pump Station.
- 5.A) Ordinance No. 2018-04, amending to the City's "Zoning Code" to revise the definition of "home occupation" and to adopt regulations related to that use. (ITEM HAS BEEN RESCHEDULED TO JANUARY 23, 2018.)
- 6.A) Ordinance No.2018-01 amending Chapter 10, "Alcoholic Beverages" of the Code of Ordinances of the City of Kerrville, Texas; by amending Section 10-3 "Licensing Requirements; Fees"; by reducing the applicable fee for a brewer's permit and brewpub licens
- 6.B) Ordinance No. 2018-02, amending the City's "Zoning Code" to designate the Central Business District, the Gateway District, and the Guadalupe River District as "Design Districts" in accordance with Senate Bill 1004; containing a savings and s
- 6.C) Ordinance No. 2018-03 amending Chapter 66, "Library," of the Code of Ordinances of the City of Kerrville, Texas; by amending Article II "Library Advisory Board" to change the composition of the Library Advisory Board to allow Kerr County to make an ap
- 7) ITEMS FOR FUTURE AGENDAS
- 8.A) Project update.
- 9.A) Appointments to the Library Advisory Board.
- 9.B) Appointments to the Planning and Zoning Commission. (This item is eligible for discussion in executive session under Section 551.074.)
- 9.C) Appointments to the Economic Improvement Corporation. (This item is eligible for discussion in executive session under Section 551.074.)

Agenda

KERRVILLE CITY COUNCIL AGENDA
REGULAR COUNCIL MEETING, JANUARY 9, 2018, 6:00 PM
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

INVOCATION OFFERED BY VINCENT VOELKEL, COUNCILMEMBER PLACE ONE.

PLEDGE OF ALLEGIANCE TO THE FLAG

1. ANNOUNCEMENTS OF COMMUNITY INTEREST:
Announcement of items of community interest, including expressions of thanks, congratulations, or condolences; information regarding holiday schedules; honorary recognitions of city officials, employees, or other citizens; reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city officials or employees; and announcements involving imminent threats to the public health and safety of the city. No action will be taken

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3. PRESENTATIONS
3.A Resolutions of Commendation to James Wilson and Paul Stafford for serving on the Economic Improvement Corporation.
[Agenda Bill 3A.pdf](#)

3.B Resolution of Commendation to Matthew Miller for service on the Library Advisory Board.
[Agenda Bill 3B.pdf](#)

4. CONSENT AGENDA:
These items are considered routine and can be approved in one motion unless a Councilmember asks for separate consideration of an item. It is recommended that the City Council approve the following items which will grant the Mayor or City

1 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.

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Brenda Craig
City Secretary, City of Kerrville, Texas

MOTIONS AND VOTES CLEARLY RECORDED

AGENDA ITEM

9.B) Appointments to the Planning and Zoning Commission. (This item is eligible for discussion in executive session under Section 551.074.)

MOTION IN PROGRESS

Appoint persons to the Planning and Zoning Commission with terms to expire January 1, 2020.
Barnett, Jones, Sigerman.

Moved by : Place 4 - C. Warren Ferguson

Seconded by : Place 2 - George Baroody

City Council

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AGENDA ITEM

9.B) Appointments to the Planning and Zoning Commission. (This item is eligible for discussion in ex...

Motion Passes

Yes **5** No **0** Abstain **0**

Mayor Bonnie White
Place 2 - George Baroody
Place 1 - Vincent Voelkel

 Place 3 - Mary Ellen Summerlin 
 Place 4 - C. Warren Ferguson 

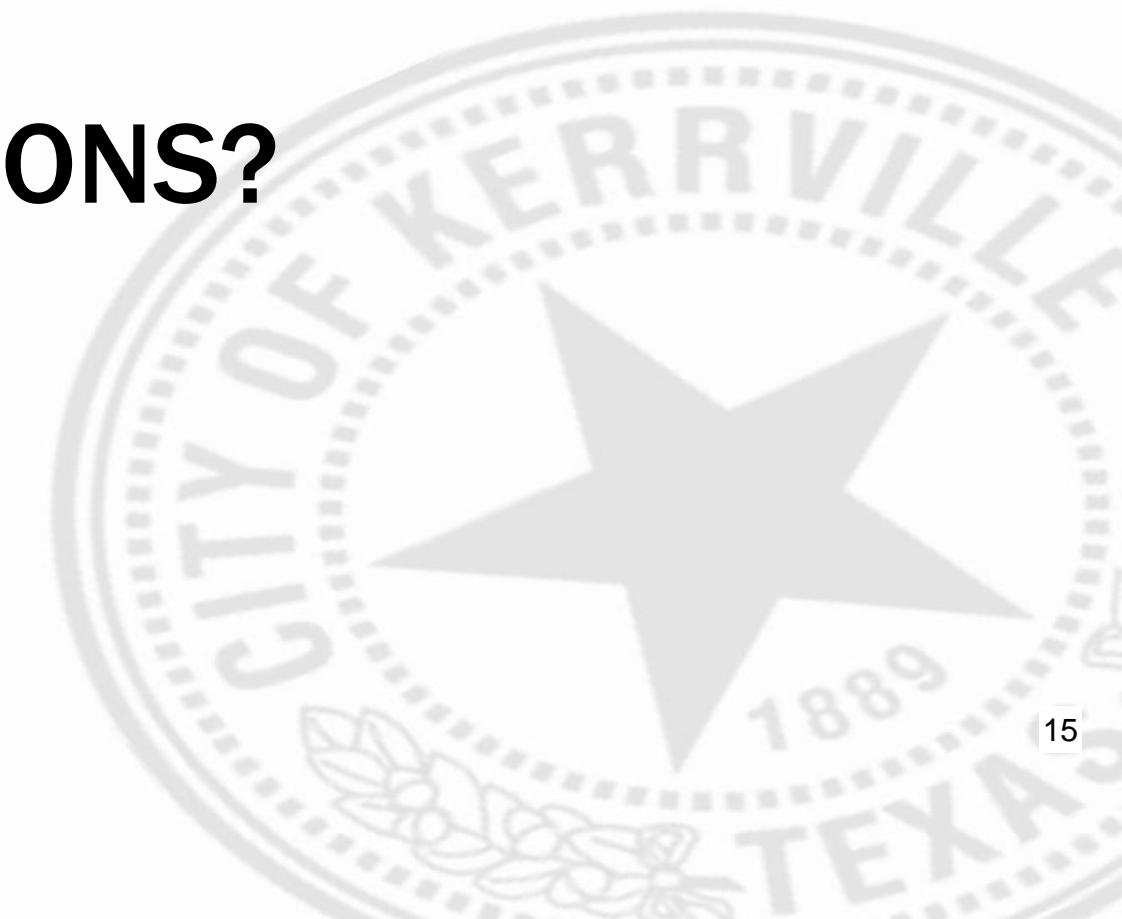

City Council

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KEY FEATURES OF THE NEW VIDEO PLATFORM

- Rich video experience
- Access that fits any schedule
- Easy to identify clips of interest via search and indexing
- Better understanding of issues and policy-maker stances and votes

QUESTIONS?



This meeting is recorded and can be viewed on the city's website at
www.kerrilletx.gov.

CITY COUNCIL MINUTES
REGULAR MEETING

KERRVILLE, TEXAS
DECEMBER 12, 2017

On December 12, 2017, the Kerrville City Council meeting was called to order at 6:00 p.m. by Mayor Bonnie White in the city hall council chambers at 701 Main Street. The invocation was offered by Councilmember Warren Ferguson, followed by the Pledge of Allegiance led by Charlie McIlvain.

COUNCILMEMBERS PRESENT:

Bonnie White	Mayor
George Baroody	Mayor Pro Tem
Vincent C. Voelkel	Councilmember
Mary Ellen Summerlin	Councilmember
C. Warren Ferguson	Councilmember

COUNCILMEMBER ABSENT: None

CITY STAFF PRESENT:

Mark McDaniel	City Manager
Mike Hayes	City Attorney
E.A. Hoppe	Deputy City Manager
Brenda Craig	City Secretary
Sandra Yarbrough	Director of Finance
Kim Meismier	Director of General Operations
David Knight	Police Chief
Stuart Cunyus	Public Information Officer
Drew Paxton	Executive Director of Development Services
Sabine Kuenzel	Chief Planning Officer
Dannie Smith	Fire Chief
Guillermo Garcia	Executive Director of Strategic Initiatives

VISITORS PRESENT: List on file in city secretary's office for the required retention period.

1. **ANNOUNCEMENTS OF COMMUNITY INTEREST:** were given.

2. **VISITORS/CITIZENS FORUM:**

2A. Charlie McIlvain encouraged attendance at the Hill Country District Junior Livestock Show Cowboy Breakfast to be held January 12, 2018, 6:00 a.m. at the Youth Event Center.

3. **PRESENTATION:**

3.A Update on the final terms of the General Obligation Refunding Bonds, Series 2017 and presentation of the transaction summary.

Ann Burger Entrekin, First Southwest/Hilltop Securities, stated that Standard & Poor's affirmed the city's AA rating. She gave the refunding transaction results noting a net savings of \$1,070,773.

Mr. McDaniel noted as a result of restructuring the debt, the city would have capacity to proceed to finance several major projects, in particular, the Legion lift station and the trihalomethane problem.

4. CONSENT AGENDA:

Mr. Voelkel removed Item 4C from the consent agenda.

Mr. Baroody moved to approve consent agenda items 4A, 4B, and 4D; Ms. Summerlin seconded the motion, and the motion passed 5-0:

4A. Approve minutes of the following city council meetings: regular meeting held September 26, 2017; workshop held October 17, 2017; special meeting held October 20, 2017; and regular meeting held October 24, 2017.

4.B Execution of a Joint Election Agreement with Kerr County for conducting the City of Kerrville General Election to be held on May 5, 2018.

4.D Budget and Economic Update ending October 31, 2017.

END OF CONSENT AGENDA

4.C Resolution No. 47-2017 authorizing the abandonment and release of a recreation easement previously conveyed to the City of Kerrville, Texas, and located on the property with an address of 245 Guadalupe Street; and ordering recording.

Mr. Hoppe noted the easement on adjacent property had been rerouted closer to the river, necessitating the abandonment of the existing easement and acquisition of a new easement on the subject tract in order to connect the two segments of the river trail.

Ms. Summerlin moved for approval of Resolution No. 47-2017; Mr. Ferguson seconded the motion and it passed 5-0.

5. PUBLIC HEARINGS AND RESOLUTIONS:

5.A Resolution No. 43-2017, granting a conditional use permit (CUP) for an approximate 0.91 acre tract of land situated in the John C. Sheffield Survey No. 121, Abstract No. 291; located south of and adjacent to State Highway 27 (Junction Highway); and otherwise known as 1327 Junction Highway; said property located within the Guadalupe River Zoning District (GR); by permitting said property to be used for Retail Trade I as that term is defined within the City's Zoning Code; and making said permit subject to certain conditions and restrictions.

Mr. Paxton noted current zoning would allow an auto parts store less than 3,000 sq. ft. in the Guadalupe River District; however, the applicant, O'Reilly's, requested a CUP to increase the store size to almost 8,000 sq. ft. The Planning and Zoning Commission (PZC) recommended approval of the CUP with four conditions: 1) Phase 1 environmental assessment, 2) building elevations; 3) dumpster screening to match building; and 4) prohibit auto repair in the parking lot. Mr. Paxton noted the property was not in the regulated flood way of the river; however, the footprint of the building would have to be out of the floodplain. He noted that the city had abandoned several old flood easements acquired from UGRA on a case by case basis.

Mr. Hayes noted that when UGRA built the dam several years ago they had to purchase property for flood indentations on those properties, and subsequent city councils had vacated the property easements on a case by case basis when requested. After the construction of the dam and lake, FEMA maps and floodplain restrictions took over the need for the flood easements.

Ms. Kuenzel identified properties adjacent to the subject property and noted all were in the Guadalupe River District and adjacent property to the west was zoned PD.

Mayor White opened the public hearing at 6:29 p.m. and the following persons spoke:

1. Tim Guillot, engineer with Esterly, Schneider and Associates Architects, representing O'Reilly's Auto Parts Store, noted they received approval from PZC with conditions, and they had no issues with those conditions. O'Reilly's had already provided all of the additional information requested, including the Phase I environmental assessment. The Phase I was to determine if the site had any existing hazardous conditions; it did not have anything to do with the future use of the property. The O'Reilly's project would be substantially similar and consistent with surrounding development.

Council asked Mr. Guillot if he knew that a CUP would be required for the subject property. Mr. Guillot replied yes, the zoning was made clear; however, a CUP was a viable option, thus they proceeded. A 3,000 sq. ft. building would not allow O'Reilly's to hold enough product to make the store sustainable.

2. Bruce Stracke noted the #1 complaint he receives from residents is that buildings have their backs to the river. He asked that the city at least require buildings to be perpendicular to the river.
3. Jim Leavell discussed a survey he did based on the question, "Was an auto parts store at this location consistent with their vision for the river." The results of the survey were: 181 votes, 163 no and 18 yes.
4. Fred Henneke, attorney for the adjacent property owners, was concerned that a tract of land on the river could be developed without a phase I environmental assessment and noted that fill had been placed in the area of the property closer to the highway. His client had requested an environmental assessment, and O'Reilly Auto Parts provided a clean report. The applicant proposed to build an 8,000 sq. ft. structure on less than one acre, of which 2/3 was not developable due to floodplain issues; this was a lot of construction for one location.

No one else spoke, and Mayor White closed the public hearing at 6:43 p.m. Council also discussed the following points:

- One of the city's goals was to preserve and protect the river.
- O'Reilly's knew about the zoning classification so the city was not changing the rules.

Mr. Baroody moved to deny Resolution No. 43-2017; Mr. Ferguson seconded the motion and it passed 5-0.

5.B Resolution No. 46-2017, for a conditional use permit to convert an office complex into a three-plex multi-family housing unit in accordance with Chapter I, "the City of Kerrville Zoning Code" Article 11-1-10 (Residential Zoning Districts) for an approximate 0.23 acre tract. Legal description Oak Hill 1 Subdivision, Lot 4-pt & 5, Block 1, located at 714 Clay Street North; on the northeast side of Barnett Street North, between Barnett Street North and Myrta Street North.

Mr. Paxton noted the applicant requested a CUP to convert an existing office building to multi-family housing. He discussed uses allowed by right and conditional uses. He presented a site plan and noted 8 parking spaces and 1 handicap parking space. PZC recommended approval.

Jeremy Itz, applicant, noted the property was commercial, but had been vacant for several years so he proposed converting the property to multi-family residential. Each unit would be about 660 sq. ft.; the driveway was narrow and would be one-way.

Mr. McDaniel noted the property use exceeded the parking requirement.

Mayor White opened the public hearing at 6:52 p.m.; no one spoke, and Mayor White closed the public hearing at 6:52 p.m.

Mr. Ferguson moved for approval of Resolution No. 46-2017; Ms. Summerlin seconded the motion and it passed 5-0.

6. PUBLIC HEARING AND ORDINANCE, FIRST READING:

6.A Ordinance No. 2018-02, amending the City's "Zoning Code" to designate the Central Business District, the Gateway District, and the Guadalupe River District as "Design Districts" in accordance with Senate Bill 1004; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); and ordering publication.

Mr. Paxton proposed amendments that would add language for "design districts" to protect corridors. He noted that Senate Bill 1004 allowed cities to adopt development standards in designated design districts in order to regulate telecommunication network nodes and poles. The next step would be completion and adoption of the design manual. PZC recommended approval of the ordinance.

Mayor White declared the public hearing open at 7:00 p.m.; no one spoke, and Mayor White closed the public hearing at 7:00 p.m.

Ms. Summerlin moved to approve Ordinance No. 2018-02 on first reading; Mr. Voelkel seconded the motion and it passed 5-0.

7. ORDINANCES, FIRST READING:

7.A Ordinance No. 2018-01 amending Chapter 10, "Alcoholic Beverages" of the Code of Ordinances of the City of Kerrville, Texas; by amending Section 10-3 "Licensing Requirements; Fees"; by reducing the applicable fee for a brewpub license; containing a

cumulative clause; containing a savings and severability clause; providing for an effective date; ordering publication; and providing other matters relating to the subject. Mr. McDaniel noted the city's current ordinance stated that the maximum the city could charge was half of what the state charged; under the current fee schedule, that would be \$500 for two years for a Brew Pub License and \$1,500 for two years for a Brewer's Permit license. He proposed to amend the fee to be equal to restaurants, \$150.

Ms. Summerlin moved to approve Ordinance No. 2018-01; Mr. Ferguson seconded the motion and it passed 5-0.

7.B Ordinance No. 2018-03 amending Chapter 66, "Library," of the Code of Ordinances of the City of Kerrville, Texas; by amending Article II "Library Advisory Board" to change the composition of the Library Advisory Board to allow Kerr County to make an appointment; containing a cumulative clause; containing a savings and severability clause; and providing other matters relating to this subject.

Mr. McDaniel noted the amendments were consistent with the new interlocal agreement with Kerr County. The ordinance would designate a position on the library advisory board for a representative from Kerr County Commissioners' Court.

Mr. Ferguson moved for approval of Ordinance No. 2018-03 on first reading; Ms. Summerlin seconded the motion and it passed 5-0.

8. ORDINANCE, SECOND AND FINAL READING:

8.A Ordinance No. 2017-21, annexing an approximate 7.95 acre tract of land into the City of Kerrville, Texas, said property generally located south of and adjacent to State Highway 27 East and west of Colvin Ranch Road East; said property being out of the F. Rodriguez Survey No. 72, Abstract No. 280, being located adjacent to the corporate limits of the City of Kerrville, Texas, and more commonly known as 5263 Highway 27 East; further describing the property to be annexed; adopting a service plan for the property annexed; and establishing the zoning for the property annexed.

Mr. Voelkel filed a conflict of interest and recused himself from the meeting at 7:06 p.m.

Mr. McDaniel noted no changes since first reading.

Mr. Ferguson moved for approval of Ordinance No. 2017-21 on second and final reading; Ms. Summerlin seconded the motion and it passed 4-0-1 with Councilmembers Ferguson, Summerlin, Baroody, and White voting in favor of the motion; no one voted against the motion; and Mr. Voelkel abstained.

9. CONSIDERATION AND POSSIBLE ACTION:

9.A Reappointment of Municipal Court Judges M. Patrick Maguire and Mark Prislovsky for two year terms to expire December 31, 2019.

Mayor White moved to defer this item to executive session; Ms. Summerlin seconded the motion and it passed 5-0.

9.B Administrative Services Contract between the City of Kerrville, Texas and the City of Kerrville, Texas Economic Improvement Corporation in the amount of \$83,300.

Mr. Hoppe noted that EIC compensated the city \$100,000 for services provided throughout the year. The City and EIC approved a 60 day interim contract for \$16,700. The proposed contract would authorize payment of the remaining balance of \$83,300, and amend the contract to clarify EIC's ability to hire outside legal counsel if needed.

Council noted it was a unanimous vote of EIC to budget for special legal services; however, it did not obligate EIC to use the money for outside legal counsel. Council also discussed situations whereby a conflict might exist between Council and EIC.

Mr. Hayes confirmed that the contract had always stated it was possible for EIC to hire outside counsel.

The following person spoke:

1. Robert Naman, EIC member, stated he saw no harm and did not object to the change, but he felt it was unnecessary. Ultimately, the Council can deny any project approved by EIC. According to the state comptroller, it was very rare that an EIC would sue a city.

Ms. Summerlin moved for adoption of the contract; Mr. Ferguson seconded the motion and it passed 5-0.

9.C Review and possible action concerning Economic Improvement Corporation board appointments.

Mr. Baroody stated EIC was accountable to the council and he expected board members not to antagonize or disparage city council from the dais. Since early September James Wilson had made escalating and discouraging remarks during EIC meetings to the effect that the city did not know how to do economic development and had made belittling and disparaging comments about the authorizing unit. Also, at an EIC meeting, during discussions about the administrative services contract, Mr. Wilson had stated publicly that he anticipated conflict with the city council. He confirmed that Mr. Wilson was attending EIC meetings so there was not an attendance issue.

Ms. Summerlin questioned if council was contemplating making it a qualification that board members must agree with the majority of council and why Mr. Wilson should be removed now when his term was up in June. She opined that such action could put all board members at risk of being replaced if they disagreed with a councilmember. She did not hear any remarks by Mr. Wilson in the EIC recordings that was disparaging or antagonizing toward council or threatened a lawsuit; anticipating conflict did not mean a lawsuit. She noted that Mr. Baroody had stated that he thought the open meetings act had been violated and that it was grounds for action by the district attorney.

Mr. Baroody stated his comments were intended to be cautionary and to protect EIC.

Mayor White stated she was disappointed at the perceived hostility at EIC meetings. It was over the line when a board member threatened a lawsuit, which precipitated a

change to the administrative services contract and a budget revision. To state over and over, that a conflict with the governing body was anticipated, was not a good working relationship. Replacing one position might put an end to the hostility.

Mr. Baroody moved to remove and replace James Wilson from EIC, and not for the reasons stated; and open it up for applications to be submitted as quickly as possible, and preferably replace him before the next EIC meeting. Mr. Voelkel seconded the motion and it passed 3-2 with Councilmembers Baroody, Voelkel, and White voting in favor of the motion and Councilmembers Summerlin and Ferguson voting against the motion.

11. BOARD APPOINTMENTS

11.A Appointments to the Food Service Advisory Board.

Mr. Ferguson moved to reappoint Gary Aamodt and Ruben Molina, and to appoint Martino Ortega with term to expire December 1, 2019. Mr. Voelkel seconded the motion and it passed 5-0.

11.B Appointments to the Planning and Zoning Commission

Mr. Ferguson moved to defer appointment to the first meeting in January; Mr. Baroody seconded the motion and it passed 5-0.

12. ITEMS FOR FUTURE AGENDAS

- January 9, 2018 meeting: appointment to the Economic Improvement Corporation; accept applications through Wednesday, January 3.

13. EXECUTIVE SESSION:

Mr. Baroody moved for the city council to go into executive closed session under Section 551.074 (personnel/officers) of Chapter 551 of the Texas Government Code; Mr. Voelkel seconded the motion and it passed 5-0 to discuss the following matters:

13.A Section 551.074:

Reappointment of Municipal Court Judges M. Patrick Maguire and Mark Prislovsky for two year terms to expire December 31, 2019.

13.D Section 551.074:

Conduct performance review of City Manager Mark McDaniel.

At 7:43 p.m. the regular meeting recessed. Council went into executive closed session at 7:51 p.m. At 8:22 p.m. the executive closed session recessed and council returned to open session at 8:23 p.m. No action was taken in executive session.

14. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY

Ms. Summerlin moved to: 1) Reappoint Municipal Court Judges Mark Prislovsky and M. Patrick Maguire on terms as discussed, and to authorize personnel action forms; and 2) Authorize a personnel action form for City Manager Mark McDaniel. Mr. Ferguson seconded the motion and it passed 5-0.

ADJOURNMENT. The meeting adjourned at 8:25 p.m.

APPROVED: _____

ATTEST:

Bonnie White, Mayor

Brenda Craig City Secretary



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

SUBJECT: Budget/Economic Update Ending December 31, 2017

AGENDA DATE OF: 1/23/2018

DATE SUBMITTED: 1/12/2018

SUBMITTED BY: Sandra Yarbrough

EXHIBITS: Budget and Economic Report

Expenditure Required:	Current Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

SUMMARY STATEMENT:

General Fund revenues received as of December 31, 2017 are \$7,772,129 or 28.96% of budget with expenses at \$6,868,548 or 25.59% of budget. Property tax collections were 47.80% of budget and 73.60% over same period in prior year. Sales tax collections are at 25.09% of budget and .49% over same period in prior year. Sales tax received in December was for retail sales in October 2017 collected and reported by local businesses.

Water and Sewer Fund revenues received as of December 31, 2017 are \$3,022,336 or 24.64% of budget with expense at \$3,168,580 or 25.99% of budget. Water sales are 25.56% of budget and 4.08% over same period in prior year. Sewer service is 23.79% of budget and 2.36% less than same period in prior year. Residential accounts are in the winter averaging period to determine recalculation of sewer billing to begin in April.

Hotel Motel Fund revenue received as of December 31, 2017 was \$295,523 or 24.52% of budget with expenses at \$272,050 or 23.15% of budget. December occupancy tax collected were collected locally in November from persons visiting the Kerrville area. October and November collections reflected the occupancy tax exemption granted by Governor Abbott to the hurricane evacuees.

Community Investment Plan active projects are shown with some nearing completion. The project budget amount, invoice paid during current month, project to date expense, and remaining budget balance are shown. This report reflects financial activity only and does not reflect percentage or status of project completion.

Permits issued for new residential location since October 2017 were 18. Value of new and remodel commercial permits issued in December was \$6,365,835. Commercial permits issued for new locations and major improvements are an estimated value of

\$16,466,464 for fiscal year-to-date. Property values or increase in property value for new construction will be reflected on the property tax roll in the tax year following completion of construction or improvements.

Real estate transaction remain steady with a moderate inventory available.

Unemployment at national, state, and local levels has remained at a low percentage for several months.

Active water accounts billed in December served 10,993 residential units, 1,589 commercial units, and 521 irrigation meters.

Active sewer accounts billed in December served 10,679 residential units and 1,297 commercial units.

Active residential garbage accounts billed in December served 8,139 units. Residential unit complexes with 4 or more units contract dumpster service directly from a provider.

RECOMMENDED ACTION:

Information only; no action required.

Budget and Economic Update

Month ending December 31, 2017

	Current Month	Y-T-D Total	Budget @ 25.0%	Prior Year To-Date	% change vs prior year
General Fund					
Total Revenues	\$ 4,214,318	\$ 7,772,129	28.96%	\$ 6,610,574	17.57%
Property tax	\$ 3,247,082	\$ 4,299,399	47.80%	\$ 2,476,625	73.60%
Sales tax	\$ 504,156	\$ 1,616,532	25.09%	\$ 1,608,715	0.49%
Total Expenditures	\$ 2,974,127	\$ 6,868,548	25.59%	\$ 6,095,515	12.68%
Water and Sewer Fund					
Total Revenues	\$ 937,454	\$ 3,022,336	24.64%	\$ 2,937,276	2.90%
Water Sales	\$ 426,748	\$ 1,469,967	25.56%	\$ 1,412,279	4.08%
Sewer Service	\$ 437,399	\$ 1,321,065	23.79%	\$ 1,352,970	-2.36%
Total Expenditures	\$ 992,223	\$ 3,168,580	25.99%	\$ 2,894,691	9.46%
Hotel/Motel Fund					
Total Revenues	\$ 97,472	\$ 295,523	24.52%	\$ 297,981	-0.83%
Total Expenditures	\$ 25,000	\$ 272,050	23.15%	\$ 258,950	5.06%

Community Investment Plan	Project Budget	Current Month	P-T-D Expense	Project Budget Balance
Kerrville Sports Complex	\$ 10,500,000	\$ 199,821	\$ 10,271,364	\$ 228,636
Landfill Permitting	\$ 757,597	\$ 36,484	\$ 465,797	\$ 291,800
Legion Lift Station	\$ 750,000	\$ 20,552.00	\$ 136,107	\$ 613,893
Oxidation Ditch WWTP	\$ 1,487,745	\$ -	\$ 41,792	\$ 1,445,953
Rehab Clarifier Water Treatment	\$ 683,750	\$ -	\$ 28,961	\$ 654,789
Reuse System	\$ 23,003,000	\$ 593,882	\$ 12,451,430	\$ 10,551,570
River Trail	\$ 6,000,000	\$ 4,799	\$ 5,251,653	\$ 748,347
Sports Complex Field House	\$ 2,196,000	\$ 1,978	\$ 1,740,163	\$ 455,837
TTHM/Tank Repaint	\$ 1,764,100	\$ 20,772	\$ 1,038,062	\$ 726,038

Development Activities:		Housing - December (Source: Kerrville Board of Realtors)	
<u>Residential</u>	<u>Commercial</u>		
Oct 7	\$ 8,883,507	451 active residential listings; 73 residential sales December 2017	
Nov 6	\$ 1,217,122	\$ 23,725,824 total residential sales dollars December 2017	
Dec		\$ 205,891,083 total residential sales dollars Y-T-D 2017	
Jan			
Feb		Unemployment - November (Source: Texas Workforce Commission)	
Mar		<u>2017</u>	<u>2016</u>
Apr		National	3.9%
May		Texas	4.4%
June		Local	4.5%
July			
Aug			
Sept			
YTD	13	Utility Accounts Billed - November:	
		Water - Residential units - 10,993; Commercial units - 1,589; Irrigation - 521	
		Sewer- Residential units - 10,679; Commercial units - 1,297	
		Garbage - Curbside - residential only - 8,139	



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

SUBJECT: Ordinance No. 2018-05, Amending Chapter 6 "Advertising", Article II "Signs" of the City of Kerrville Code of Ordinances, to add pole banner signs as an authorized sign and providing regulations therefor; containing a savings and severability clause; providing for penalties not to exceed \$2,000.00; ordering publication; providing an effective date; and providing other matters related to the subject.

AGENDA DATE OF: 1/23/2018

DATE SUBMITTED: 1/17/2018

SUBMITTED BY: Sabine Kuenzel

EXHIBITS: Ordinance No. 2018-05; and picture example.

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

PAYMENT TO BE MADE TO: N/A

SUMMARY STATEMENT:

Council discussed amending the sign code to permit similar pole banners, but deferred action in order to allow additional time for research and discussion. Council requested Planning and Zoning Commission input. On December 21, 2017, the Commission reviewed the draft amendment and requested edits that have now been incorporated into the current draft. On January 18, 2018, the planning and zoning commission reviewed the attached ordinance and recommended approval by unanimous vote.

RECOMMENDED ACTION:

Approve Ordinance No. 2018-05 on first reading.



**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2018-05**

**AN ORDINANCE AMENDING CHAPTER 6 “ADVERTISING”,
ARTICLE II “SIGNS” OF THE CITY OF KERRVILLE CODE OF
ORDINANCES, TO ADD POLE BANNER SIGNS AS AN
AUTHORIZED SIGN AND PROVIDING REGULATIONS
THEREFOR; CONTAINING A SAVINGS AND SEVERABILITY
CLAUSE; PROVIDING FOR PENALTIES NOT TO EXCEED
\$2,000.00; ORDERING PUBLICATION; PROVIDING AN
EFFECTIVE DATE; AND PROVIDING OTHER MATTERS
RELATED TO THE SUBJECT**

WHEREAS, the City Council of the City of Kerrville, Texas (“City Council”) seeks to provide for the orderly development and use of property within the corporate limits of the City of Kerrville, Texas (“City”) and its extraterritorial jurisdiction (“ETJ”); and

WHEREAS, toward that end, City Council, pursuant to Ordinance No. 2012-05, as approved on July 3, 2012, adopted a new Sign Code, as codified in Article II of Chapter 6 of the City’s Code of Ordinances; and

WHEREAS, Ordinance No. 2012-05 established regulations governing the location, size, design, installation, and maintenance of signs located within the City and its ETJ; and

WHEREAS, the Sign Code is being revised to authorize the use of a pole banner sign, as defined, and providing regulations therefor; and

WHEREAS, City Council, after considering among other things, the character of the various areas of the City and the suitability of particular uses in each area; and with a view to conserving the value of property, maintaining safety, and the public health, and encouraging the most appropriate use of land throughout the City, finds it to be in the best interest of the health, safety, morals, and general welfare of the City of Kerrville, Texas, to amend the Sign Code with as provided herein;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:**

SECTION ONE. Chapter 6 “Advertising”, Article II “Signs”, of the Code of Ordinances of the City of Kerrville, Texas, is amended by amending Section 6-35 by adding the language that is underlined (added) to add the definition of “pole banner” sign under subsection (2) *Types of Signs*, as follows:

“Sec. 6-35. Definitions.

Pole banner: A banner sign that is mounted to a private light pole with an operational light.”

SECTION TWO. Chapter 6 “Advertising”, Article II “Signs”, of the Code of Ordinances of the City of Kerrville, Texas, is amended by amending Section 6-36 by adding the language that is underlined (added) as follows:

“Sec. 6-36. Exempt signs.

(19) A pole banner but subject to the following: limited to not more than one (1) per pole and one (1) per each one (1.0) acre. Where a property is less than one (1.0) acre, a pole banner is allowed but each additional banner must correlate to at least one (1.0) full acre, to begin at two (2.0) acres. No matter the size, no property may use more than fifteen (15) pole banners, unless a variance is granted in accordance with this article. In addition, each pole banner must be: 1) made of a material designed to withstand the weather for at least 30 days; 2) mounted or secured to a pole that is anchored within concrete and within a durably constructed bracket of metal or similar material that secures the banner along both the top and bottom; 3) not greater than 12 square feet in area; 4) mounted with a minimum height of seven feet (7.0') from the bottom of the banner and a maximum height of thirty feet (30.0'); and 5) remain in a condition that is not ripped, torn, or faded.”

SECTION THREE. The City Secretary is authorized and directed to send this Ordinance to the publisher of the City’s Code of Ordinances. The publisher is authorized to amend said Code per this Ordinance, to correct any typographical errors, and to index, format, number, and letter the paragraphs to the existing Code, as appropriate.

SECTION FOUR. The provisions of this Ordinance are cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are expressly repealed to the extent of any such inconsistency or conflict.

SECTION FIVE. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. The Council of the City of Kerrville, Texas, declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any

Ord. No. 2018-05

one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION SIX. The penalty for violation of this Ordinance shall be in accordance with the general penalty provisions contained in Section 1-8, or its successor section, of the Code of Ordinances of the City of Kerrville, Texas, which provides for a fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00).

SECTION SEVEN. Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City's Charter, the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by law as an alternative method of publication.

SECTION EIGHT. This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07b. of the City Charter.

PASSED AND APPROVED ON FIRST READING, this the _____ day of _____, A.D., 2018.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the _____ day of _____, A.D., 2018.

Bonnie White, Mayor

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

ATTEST:

Brenda G. Craig, City Secretary



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

SUBJECT: Authorize the purchase of a Sutphen Monarch Pumper from Cullen Emergency Vehicles through Buyboard, a Local Government Purchasing Cooperative at a price not to exceed \$554,221.

AGENDA DATE OF: 1/23/2018

DATE SUBMITTED: 1/12/2018

SUBMITTED BY: Dannie Smith, Fire Chief

EXHIBITS: Cullen Emergency Vehicles Quote

Expenditure Required:	Current Balance in Account:	Amount Budgeted:	Account Number:
\$554,221	\$875,809	\$650,000	18-1800-5200

PAYMENT TO BE MADE TO: Cullen Emergency Vehicles

SUMMARY STATEMENT:

The National Fire Protection Association (NFPA) recommends a life span for front-line fire apparatuses of 15 years. After their front line service they recommend moving these units to a reserve status for an additional 5 years. The NFPA recommends a total life span of 20 years for fire apparatus. The City of Kerrville has followed NFPA's recommendation in our vehicle replacement policy.

The fire department's current reserve Engine #5, is a 1997 KME which has reached the 20 year service life. The fire department seeks to replace this unit with a 2018 Sutphen Monarch 1,500 GPM Pumper. Sutphen is the manufacturer of our recently purchased 100 foot Aerial Platform, and our previous 1990 Aerial Platform. Garage Superintendent Dale Meier has said: "Sutphen is one of the most reliable and easiest units to work on in our fire department fleet."

The new unit is available for purchase through BuyBoard, a Local Government Purchasing Cooperative. By purchasing through BuyBoard, the city obtains a low bid price and ensures compliance with state purchasing laws. The cost of the unit is \$554,221.00. The new unit will be delivered approximately 10 – 12 months after the order is placed with Sutphen. The funding was approved for this purchase in the FY18 budget.

RECOMMENDED ACTION:

Purchase a 2018 Sutphen Monarch Pumper as presented.

Cullen Emergency Vehicles



7190 E. FM1518 N., Schertz TX 78154

866-925-1903

January 8, 2018

City of Kerrville, Fire Department
Fire Chief Dannie Smith
87 Coronado
Kerrville, TX 78028

Chief Smith,

Cullen Emergency Vehicles, on behalf of Sutphen Corporation, Columbus OH is pleased to provide a proposal to the City of Kerrville Fire Department for the following equipment:

One (1) 2018 Model Year, Sutphen Custom Chassis, Monarch 1,500gpm Aluminum Body pumper as specified and equipped as attached with Texas Buy Board Fees.

Purchase Amount \$554,221.00

A handwritten signature in black ink that reads "Terry M. Cullen".

Terry M. Cullen

FOB: City of Kerrville Fire Department, Texas
Proposal Valid for 30 Days
Delivery: 10-11 months



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

SUBJECT: Authorization to submit a funding application to the City of Kerrville, Texas Economic Improvement Corporation for an aquatics feasibility study for the Olympic Pool.

AGENDA DATE OF: 1/23/2018

DATE SUBMITTED: 1/16/2018

SUBMITTED BY: Ashlea Boyle
Director of Parks and Recreation

EXHIBITS: Letters of Support from KISD and Schreiner University
EIC Funding Application

Expenditure Required:	Current Balance in Account:	Amount Budgeted:	Account Number:
Not to exceed \$100,000	\$100,000	\$100,000	70-7000-5100 Project # B68 70-16004

PAYMENT TO BE MADE TO: N/A

SUMMARY STATEMENT:

As discussed in previous meetings and workshops, the Economic Improvement Corporation (EIC) has programmed dollars into their budget to fund a feasibility study for the Olympic Pool. This allocation in the EIC's budget was included in the FY16 budget that was adopted by City Council. These funds are still allocated as an EIC project.

The Olympic Pool was built in 1970 and has not seen significant improvements since. Most of the original infrastructure is still in place and the facility is beginning to show its age. At a minimum, the mechanical equipment and filtration system needs to be addressed in addition to evaluating pool leaks. The facility is outdated and should be evaluated for basic needs as well as feature recommendations based on current trends in aquatics (slides, interactive toys, etc.) and the specific needs of the Kerrville community. Preliminary discussions have been held with KISD and Schreiner University. Both organizations have expressed interest in a year-round competitive aquatics facility. This would require updates in addition to heating the pool. The feasibility study could provide improvement options for a year-round competitive pool, recreational improvements, or a combination of both.

If funded, the feasibility study could include, but not be limited to the following:

- evaluation of the condition of the existing complex in its entirety including applicable local, state, and federal code;
- needs assessment including public / stakeholder input;

- recommended improvements / enhancements and conceptual planning of the entire facility;
- necessary research to appropriately evaluate the viability of such improvements; local work force to support an extended season / year-round facility; and;
- cost analysis for construction and operation.

Staff is requesting authorization to submit a funding application to the EIC in an amount not to exceed \$100,000 for this study. As a reminder, for City-sponsored Public Infrastructure and Quality of Life projects, authorization from the City Council is required in order for an application to be made to the EIC. The EIC then reviews the Funding Application and provides direction to staff with regard to developing a Funding Agreement. The Funding Agreement is then brought back to EIC for a Public Hearing and decision. Finally, the City Council votes on the Funding Agreement.

RECOMMENDED ACTION:

Authorize staff to submit funding application.



Mark J. Foust, Ed.D.
Superintendent

Phone: (830) 257-2200 ext. 1011
Fax: (830) 257-2249

1009 Barnett Street
Kerrville, TX 78028

May 1, 2017

City of Kerrville
ATTN: E.A. Hoppe
Deputy City Manager
701 Main Street
Kerrville, TX 78028

Dear Mr. Hoppe,

On behalf of Kerrville ISD I would like to confirm our interest in exploring the feasibility of developing long term swimming opportunities that would benefit our students, Schreiner University students, and our community. An important step to building a relationship between KISD, Schreiner University, and the City of Kerrville in relation to a swimming program, is determining the potential interest and cost of starting such programs. Data and information related to these questions will be vital in determining our next steps in this joint venture.

Thank you for your willingness to partner with our district in this opportunity to improve the quality of life and educational experiences of our students and our community.

Sincerely,

Mark J. Foust, Ed.D.
Superintendent

Schreiner University

LEARNING BY HEARTSM

OFFICE OF THE
VICE PRESIDENT FOR
ADMINISTRATION
AND FINANCE

2100 MEMORIAL BLVD.
KERRVILLE, TEXAS 78028-5697
830.792.7355

May 8, 2017

E. A. Hoppe
Deputy City Manager
701 Main Street
Kerrville, TX 78028

Dear Mr. Hoppe,

E.A.

Pursuant to our discussions, this letter communicates Schreiner University's interest in exploring the feasibility of a project that would enable the university to join with KISD and the City of Kerrville in providing enhanced opportunities for swimming programs that would be of mutual interest and benefit.

We understand that the compilation of data related to costs and potential utilization will be necessary to inform decisions by all parties going forward. We appreciate the interest and willingness of the City and KISD to collaborate with us in our continued efforts to enhance our community and the quality of life afforded its citizens.

Best regards,



Bill Muse

APPLICATION FOR 4B SALES TAX FUNDS

CITY OF KERRVILLE ECONOMIC IMPROVEMENT CORPORATION

Both the Economic Improvement Corporation Board of Directors (EIC) and the Kerrville City Council must approve all expenditures of 4B funding. Before a project may be considered and awarded any funds, the attached application must be completed and submitted to:

Kerr Economic Development Corporation
1700 Sidney Baker, Ste. 100
Kerrville, TX 78028
(830) 896-1157

All actions of the EIC are subject to the Development Corporation Act of 1979, article 5190.6 Vernon's Civil Statutes, Section 4B (now codified in Chapters 501, 502, and 505 of the Texas Local Government Code). The EIC is a legal entity with statutory authority to spend economic development sales tax dollars. The Corporation is city-chartered and governed by a Council-appointed board of directors. The EIC is a 4B Corporation and may fund "projects" focused on the creation of "primary jobs" and / or to provide an economic benefit to the City of Kerrville, as well as "Quality of Life" projects. Application approvals are subject to funding availability.

APPLICATION SECTION 1 - DEFINITIONS

Business Incentives - Economic incentives for a Primary Employer to induce the creation or retention of primary jobs and Capital Investment that may include, but not limited to job, land, facilities, equipment and infrastructure grants or reimbursements of new facilities or modernizations of current facilities to be determined by the EIC and the City Council.

Capital Investment - The increase in the assessed value of an eligible property as a result of 'expansion' or 'modernization' of an 'existing facility' or construction of a 'new facility'.

City - City of Kerrville, Texas

Clawback - That provision in a Funding Agreement, which states how and to what extent any incentive payments from public funds must be repaid if the stated Performance Standards are not met.

Current Payroll - The company's total expenditure for all employees for the month immediately preceding this application multiplied by 12.

Deferred Maintenance - Improvements necessary for continued operations which do not improve productivity or are preformed to meet regulatory obligations.

Economic Life - The number of years a property improvement or manufacturing / processing equipment is expected to be in service in a facility.

EIC - Kerrville Economic Improvement Corporation

Employee Benefit - Incentives offered to employees and paid for by the employer such as health care coverage, vacation, etc. If an employee pays 30% of the cost, or more, it should not be considered a "benefit" for purposes of this application.

Facility - Property Improvements completed or in the process of construction which together compromise an integral whole, as well as new fixed machinery and equipment. Includes an existing building purchased for expansion or relocation

Full Time Job - The employment of a person for a minimum of 35 hours per week and offering that person all those benefits adopted by company policy for Full Time Employees. Major stockholders or immediate family members should not be included in this number when considering "New Full-Time Jobs Created."

Funding Agreement - A written contract designed to protect the interest of local taxpayers by putting a businesses' job creation or capital investment commitments in writing and by linking the payment of any financial incentive to the business fulfilling its written commitments (i.e. clawbacks).

Hourly Wage - The gross amount paid to the employee for each hour worked not including the Employer's portion of FICA or FWH. Benefits should not be included in this figure, but should be listed separately under the compensation per employee section of the application.

KEDC - The Kerr Economic Development Corporation

Modernization - The replacement and upgrading of existing facilities which increase the productive input or output, updates the technology or substantially lowers the unit cost of the operation, and extends the economic life of the facilities. Modernization may result in from the construction, alteration or installation of buildings, structures, fixed machinery or equipment. It shall not be for the purpose of reconditioning, refurbishing, repairing or the completion of deferred maintenance.

New Facility - Property previously undeveloped which is placed into service by means other than in conjunction with an expansion or modernization.

Owner - The owner of a facility or program subject to business incentives. If the facility is constructed on a leased property, the owner shall be the party which owns the property subject to the business incentive. A lessee or other interested third party may, at the discretion of the City, be required to join in the execution of the Agreement but shall not be obligated to assure performance of the party receiving the Business Incentive.

Part-Time Job - A person working less than 35 hours per week. Major stockholders or immediate family members should not be included in this category when completing the application under New Part-Time Jobs Created.

Public Capital Project - Improvements owned and maintained by the City of Kerrville included in the Capital Improvement Plan and funded by the capital budget.

Payoff Period - The amount of time in years that it will take the EIC and the City to recover the costs of business incentives from additional revenues it will receive from the facility.

Primary Employer - A business in which at least 51% of its goods and / or services are sold to customers that are located outside Kerr County, Texas and / or are in one of the following three digit NAICS codes: 31-33 Manufacturing, 42 Wholesale Trade, 48-49 Transportation and Warehousing, 52 Finance and Insurance, 54 Professional and Technical, or 55 Management of Companies (as defined by Texas Legislature HB 2912, 2003 Regular Session); or is a supplier who supplies at least 70% of its non-retail goods and/or services to local primary employer(s) that are located outside of Kerr County, Texas.

Submittal Date: ____/____/____

ORGANIZATION

Applicant Name

Address	City	State	Zip
---------	------	-------	-----

Phone	Alt. Phone	Fax
-------	------------	-----

Website

PROJECT CONTACT

Contact Person Name	Title
---------------------	-------

Address	City	State	Zip
---------	------	-------	-----

Phone	Alt. Phone	Fax
-------	------------	-----

Email Address

Amount of Funding Requested: \$_____

Please include a cover letter and supplemental information as deemed appropriate that:

- clearly states the mission statement of the organization(s),
- what the requested funding shall be used for,
- pertinent financial information (costs, revenues, percentage of funding request of total budget and financial history), and
- other information, as requested.

Continue to Section III

Business Development Projects

Submittal Date: ____/____/____

ORGANIZATION

Applicant Name

Website

PROJECT CONTACT

Address City State Zip

Email Address

Type of Business Structure: Corporation Partnership Sole Proprietorship

Current Employment: Permanent Full-Time Permanent Part-Time

Average Production Wage

Full-Time Employees receive the following benefits:

Financial Information: Five Years Annual Financials Attached _____
Include: Statement of profit and loss; Balance sheet; Cash Flow Statement; IRS reporting forms, Pro forma

Annual Sales for Corporation / Company \$ _____

This Facility \$ _____

Local Sales Tax paid Annually \$ _____

Current Payroll \$ _____

Has the Company ever filed for bankruptcy protection under Chapter 7 or Chapter 11 of the Bankruptcy Statutes? No () Yes () Details:

SECTION III - PROJECT INFORMATION

This application is for a:

Business Development ()

- Expansion of Existing Facility () or
- New Construction ()
- Other ()

Capital Improvements for Public Infrastructure

- Utilities ()
- Roadways ()
- Other ()

Quality of Life

- Community Event ()
- Project ()

The proposed improvements are to be located within the following taxing district(s): City of Kerrville () Kerr County () Kerrville ISD () Ingram ISD () Center Point ISD ()

SECTION IV - PROJECT DESCRIPTION

Please attach a statement on company letterhead and signed by an officer of the company (1) fully explaining the nature and scope of the project; (2) describing the proposed site and existing improvements, if any; (3) describing all proposed

improvements; and (4) providing a list of eligible improvements; (5) provide a list of major, fixed equipment along with manufacturer specifications and cost quote from the manufacturer.

Should this project be approved, the Economic Improvement Corporation may require performance criteria as a part of the funding agreement, in addition to this application. The funding agreement is between the Economic Improvement Corporation and the City of Kerrville. Said funding agreement will outline project costs, timelines, other information may be necessary to carry out the project in an efficient manner.

SECTION V – ECONOMIC IMPACT INFORMATION

Part A - Project Investment in Improvements

Total	\$ _____
Sq. Footage of New Building (s)	_____
Size of Parking	_____
Other	_____

Part B - Project Investment in Fixed Equipment

(New)\$ _____
Manufacturer of Equipment _____
Anticipated Useful Life of Equipment _____
Purchase Price \$ _____ Installation Cost \$ _____
Anticipated Delivery time from Date of Order _____

Part C - Permanent Employment Estimates- (do not include owners, stockholders or their dependents)

Anticipated Number of New Full-Time Employees as a result of this project _____
Anticipated Number within 12 months of Completion of this project _____
Anticipated Number within 24 months of Completion of this project _____
Typical Job Descriptions or Job Titles _____ _____ _____

Anticipated starting salaries of these employees: (avg.) \$ _____/hour

Part D - Permanent Part-Time Employment Estimates- (do not include owners, stockholders or their dependents)

Anticipated Number of New Part-Time Employees as a result of this project _____

Anticipated Number within 12 months of Completion of this project _____

Anticipated Number within 24 months of Completion of this project _____

Typical Job Descriptions or Job Titles of these employees: _____

Anticipated starting salaries of these employees: (avg.) \$ _____ / hour

Part E - Payroll Impact

Within 12 months of Project Completion _____ Within 24 months of Project

Completion _____

\$ _____

FTE X Avg. Wage X 40 hrs X 52 wks

\$ _____

PTE X Avg. Wage X 20 hrs X 52 wks

SECTION VI - OTHER ASSISTANCE

Has the Company applied for any State or Federal assistance on this project?

No () Yes ()

Describe:

To the best of my knowledge, the above information is an accurate description of the proposed project details.

Printed name

Date

Title

Signature



Aquatics Feasibility Study Scope of Work

This project will consist of a feasibility study for the City's Olympic Pool located at 601 Olympic Drive in Kerrville, Texas to be funded through the City of Kerrville, Texas Economic Improvement Corporation.

The Olympic Pool was built in 1970 and has not seen significant improvements since. Most of the original infrastructure is still in place and the facility is beginning to show its age. At a minimum, the mechanical equipment and filtration system needs to be addressed in addition to evaluating pool leaks. The facility is outdated and would be evaluated for basic needs and updates as well as feature and improvement recommendations based on current trends in aquatics (slides, interactive toys, etc.) and the specific needs of the Kerrville community. Preliminary discussions have been held with KISD and Schreiner University. Both organizations have expressed interest in a year-round competitive aquatics facility. Schreiner University indicated a willingness to consider providing financial support in some capacity. KISD is also willing to consider some use related fees. This would require updates in addition to heating the pool. The feasibility study could provide improvement options for a year-round competitive pool, recreational improvements, or a combination of both.

If funded, the City intends to hire a consulting firm that will complete the feasibility study process. This process will engage various aquatics-related community stakeholders such as KISD and Schreiner University. The study will culminate in an RFQ process to be utilized for project design, and ultimately the public bidding process for construction.

If funded, the feasibility study could include, but not be limited to the following:

- evaluation of the condition of the existing complex in its entirety including applicable local, state, and federal code;
- needs assessment including public / stakeholder input;
- recommended improvements / enhancements and conceptual planning of the entire facility;
- necessary research to appropriately evaluate the viability of such improvements;
- local work force to support an extended season / year-round facility; and
- cost analysis for construction and operation.



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

SUBJECT: Amendment to Professional Services Agreement with Hewitt Engineering, Inc. for design of the Sports Complex Reuse Pond and Pump Station project.

AGENDA DATE OF: 1/23/2018

DATE SUBMITTED: 1/12/2018

SUBMITTED BY: Kyle Burow

EXHIBITS: Sports Complex Reuse Pond_ Amendment for Hewitt Engineering

Expenditure Required:	Current Balance in Account:	Amount Budgeted:	Account Number:
\$14,950.00	\$10,530,785.98	\$500,000.00	U08

PAYMENT TO BE MADE TO: Hewitt Engineering, Inc.

SUMMARY STATEMENT:

In June 2017, the City of Kerrville contracted Hewitt Engineering, Inc. to design the new Sports Complex Reuse Pond and Pump Station for an amount not exceed \$52,200.00. The project was advertised and bids were received on December 19, 2017 with two bids being received. Both bids exceeded the City's project budget for construction and City Council rejected the bids in the January 9, 2018 regular meeting.

City staff met with Hewitt Engineering to propose options to lower the cost of the project to meet the City's project budget. The necessary tasks for the redesign will require approximately 60 hours of engineering and technician work which include a reduction in the size of the pump station and its components while maintaining the capacity of the proposed reuse pond. Hewitt Engineering, Inc. has proposed to perform the redesign services for a lump sum of \$14,950.00. The proposed amendment will bring the total design contract amount to an amount not to exceed \$67,150.00.

Once awarded, the project will re-advertise no later than February 2nd to accept bids by February 16th. The construction contract would be scheduled to be presented to City Council for authorization to proceed in the February 27th City Council meeting. Once awarded, the project would be anticipated to be complete in June 2018.

RECOMMENDED ACTION:

Authorize approval of amendment to Contract Agreement with Hewitt Engineering, Inc.

**FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT
BETWEEN HEWITT ENGINEERING, INC., AND THE CITY OF KERRVILLE, FOR
KERRVILLE SPORTS COMPLEX REUSE POND AND PUMP STATION DESIGN**

This **First Amendment to the Professional Services Agreement between Hewitt Engineering, Inc. (“Consultant”), and the City of Kerrville (“City”),** for the design of the reuse pond and pump station at the Kerrville Sports Complex (“Project”) is entered into the ____ day of January, 2018 (“Amendment”). The Amendment amends the agreement (“Agreement”) previously entered into between the parties for the Project and is made in accordance with Section XV.A. of the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby amend the Agreement as follows:

SECTION ONE. Section I. of the Agreement is amended by attaching a revised scope of services as an addendum to **Exhibit A**. This new scope of services provides additional engineering services to be performed by Consultant.

SECTION TWO. Section IV. of the Agreement is amended by adding the language that is underlined (added) and deleting the language that is bracketed and stricken ([deleted]) as follows:

IV. PAYMENT.

CITY shall compensate CONSULTANT for the Services in the amount and manner described and set forth in the Payment Schedule, attached hereto and incorporated herein as **Exhibit A**. The amount will not exceed \$67,150.00 [52,200.00], which includes an amount for additional engineering services, as provided in the addendum to **Exhibit A**, as attached.”

SECTION THREE. Except as expressly amended herein, all other terms and conditions of the Agreement remain unchanged and the Agreement remains in full force and effect.

IN WITNESS WHEREOF, the parties have entered into this Amendment effective the day and year written above.

OWNER
THE CITY OF KERRVILLE

BY: _____
NAME/TITLE: Mark L. McDaniel,
City Manager

CONSULTANT
HEWITT ENGINEERING, INC.

BY: _____
NAME/TITLE: John M. Hewitt, P.E., CFM

ATTEST:

Brenda G. Craig, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

ADDENDUM TO EXHIBIT A

Hewitt Engineering, Inc.
Diamond
Consulting Engineering Services

January 17, 2018

Mr. Kyle Burow, P.E., CFM
Director of Engineering
City of Kerrville
701 Main Street
Kerrville, TX 78028

Re: Kerrville Sports Center-Reuse Pond and Pump Station Design
Updated Additional Engineering Fee Proposal

Dear Kyle,

Listed below is a proposal to provide additional engineering services to prepare the bid documents for the proposed changes to the Kerrville Sports Center Reuse Pump Station Building located next to the Kerrville Youth Sports Complex soccer fields. As you know, the original Pump Station building was planned to be 10' x 20'. The revised building was 20' x 30' and included vehicle and chemical storage and electrical service to be used by City staff for the soccer fields and additional space for the fertigation equipment. In addition, City staff requested that a maintenance road and box culvert over the creek crossing be provided from the soccer fields to the Pump Station building. The scope of services included the following tasks:

1. Construction drawings consisting of floor plans, interior elevations, specifications, and details
2. Electric design including power and lighting
3. Fertigation equipment
4. Box culvert design over the creek crossing for the maintenance access road to the site
5. Paving, grading and drainage plans for the maintenance access road to the site
6. Coordinate with City Staff and Subconsultants

The final result of these tasks were additional signed and sealed original drawings and technical specifications included as part of the Kerrville Sports Center Reuse Pond and Pump Station set for the purpose of providing bid documents to potential contractors.

We propose to perform the tasks described above including all expenses for a lump sum amount of \$3,500. Attachment "A" provides a detailed man hour estimate of the fees associated with each of the individual design and coordination tasks.

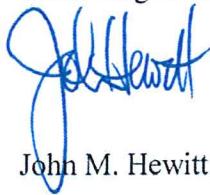
Additionally, we met with you, Stuart Barron and Malcolm Matthews on December 30, 2017 to discuss revising the project plans and specifications to reduce the overall construction cost of the project. Based on the results of that meeting, this proposal has been updated to include revising the construction plans to eliminate the pump station and storage building, pumps, piping, 1-inch water service line and meter, maintenance road to the soccer fields and concrete box culvert,

asphalt parking, entrance gate, chain link fencing and associated details. The updated proposal also includes time associated with rebidding the project including the PreBid Meeting and preparation of any addendums. We propose to perform these additional tasks which includes updated electrical modifications by MEP Engineering for a fee of \$3,850 and all expenses for a lump sum amount of \$11,450. The total additional engineering fees including the previously submitted amount of \$3,500 would be \$14,950. Attachment "A" provides a detailed man hour estimate of the fees associated with each of the individual design and coordination tasks.

If this proposal is acceptable, please complete the Approved In Form document listed below and return one copy for my files. Please feel free to contact me at 830-315-8800 or by email at jmhewitt@hewitt-inc.com if you have any questions or require additional information.

Sincerely,

HEWITT ENGINEERING INC.
Texas Registered Engineering Firm F-10739



John M. Hewitt, P.E., CFM

Attachment

Approved In Form

Kyle Burow, P.E., CFM, Director of Engineering, City of Kerrville

ATTACHMENT "A"

CITY OF KERRVILLE
KERRVILLE SPORTS CENTER REUSE POND & PUMP STATION
PUMP STATION BUILDING CHANGES
ADDITIONAL ENGINEERING FEE SUMMARY

Task	Additional Design Phase	Total Labor Cost	Engineer Hrs	CADD Hrs
1	Coordination & Meetings w/City Staff and Subconsultants	\$280	2	
2	Expansion of Pump Station Building from 10' x 20' to 20' x 30'. Additional Design of interior and exterior components including interior walls, roll up doors, louvers (PS Sheets)	\$1,380	6	6
3	Additional Electrical Design for Fertigation Equipment and receptacles, lights in Storage portion of Building (EL Sheets)	\$460	2	2
4	Design of 12' wide Maintenance Road and addition of plan and profile views of road onto plans sheets (SL, P and DT Sheets)	\$460	2	2
5	Peak Flow Determination, Sizing and design of box culvert and addition of Box Culvert on plans (P and DT Sheets)	\$920	4	4
8	Expenses (Reproduction, Postage and Mileage)	\$0		
	ADDITIONAL DESIGN SUBTOTAL	\$3,500	16	14

KERRVILLE SPORTS CENTER REUSE POND & PUMP STATION
REVISE PLANS AND SPECS
ADDITIONAL ENGINEERING FEE SUMMARY

Task	Additional Rebid Design Fee	Total Labor Cost	Engineer Hrs	CADD Hrs
1	Revise Pond and Pump Station Layout and Update Plan Sheets (11 Sheets)	\$2,820	6	22
2	Revise Construction Plan Details Sheets (9 DT Sheets)	\$1,640	4	12
3	Coordinate with Contractors/Pump and Controls Manufacturers/Elec. Subconsultant/City Staff	\$840	6	
4	Revise and Update Pump Front End and Technical Specifications including Bid Tab, Summary of Work, Section 15142-Package Pump Station	\$1,120	8	
5	Bid Phase Services	\$560	4	
6	Expenses (Reproduction, Postage and Mileage)	\$620		
7	MEP Engineering Inc Subconsultant Fee	\$3,850		
	ADDITIONAL REBID DESIGN FEE SUBTOTAL	\$11,450	28	34
	ADDITIONAL DESIGN FEE SUBTOTAL (FROM ABOVE)	\$3,500		
	TOTAL	\$14,950		



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

SUBJECT: Appointments to the Kerrville-Kerr County Joint Airport Board

AGENDA DATE OF: 1/23/2018

DATE SUBMITTED: 1/12/2018

SUBMITTED BY: Brenda Craig, City Secretary

EXHIBITS: Board Sheet
Letter of Resignation, Kirk Griffin
Letter from the Airport Manager

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

PAYMENT TO BE MADE TO: N/A

SUMMARY STATEMENT:

The city council may consider two appointments to the Kerrville-Kerr County Joint Airport Board for the positions of Place 5 and Place 1 currently held by Kirk Griffin and Corey Walters, which will expire June 1, 2018.

Attached is Kirk Griffin's letter of resignation, effective November 15, 2017. The attached letter from Bruce McKenzie, Airport Manager, states that the Airport Board selected Jim Mans to fill Mr. Griffin's position, Place 5, with term to begin January 2018. In addition, the Airport Board selected Scott Bolton to fill the Place 1 position effective June 1, 2018, upon the completion of Corey Walters' term.

In accordance with the interlocal agreement, the Airport Board recommends persons to the county and city for consideration of appointment. In the event a candidate recommended by the board is not appointed by either party, the board shall recommend an alternate candidate. In the event the second candidate is not appointed by either party, the board shall select another candidate who will be automatically appointed to the board without approval of the parties.

These two appointments are scheduled to be discussed by the Kerr County Commissioners' Court on January 22, 2018.

RECOMMENDED ACTION:

Appoint persons to the Airport Board.

KERRVILLE-KERR COUNTY JOINT AIRPORT BOARD

	<u>Telephone</u>	<u>Orig. Appt.</u>	<u>Re-Appt. Date</u>	<u>Exp. Date</u>
WALTERS, ROGER "COREY"	257-6300 (O) President (PL 1) 257-1314 (H) 222 Sidney Baker South, Ste. 305 E-mail cw717@ktx.com	10-27-09	05-24-16	06-01-18
GRiffin, Kirk (PL 5)	830-459-3431 (C) 109 Canyon Dr. W. P.O. Box 741 Hunt, TX 78024 E-mail agbq81@yahoo.com	11-13-12	05-24-16	06-01-18
MOSIER, MARK (PL 2)	830-938-7300(C) 634 Lower Turtle Creek Rd. Kerrville, TX 78028 E-mail drmm@iowatelecom.net	02-28-17	07-11-17	06-01-19
LIVERMORE, ED (PL 4)	895-2820 (H) 3004 Pinnacle Club Ct. #2 E-mail elivermo@ktc.com	08-23-11	07-11-17	06-01-19
WOOD, WILLIAM "BILL"(PL 3)	896-7742 (H) 3004 Pinnacle Club Dr. #4 329-2891 (C) E-mail bill@satx.rr.com	08-28-12	05-24-16	06-01-18

Airport Board Staff:

Bruce McKenzie 896-9399 (O)
 Airport Manager 329-3764 (C)
 E-mail bruce.mckenzie@kerrvilleairport.com

Qualifications: It is deemed desirable that all board members possess and will contribute a balance of expertise in business, financial, aviation, or management training and experience.

Powers and Duties: The board may exercise on behalf of the city and county any power possessed by either and those specifically provided by the code, including the power to lease property and facilities, and to buy and sell goods as an incident to the operation of the airport. However, the board is not authorized to impose a property tax, sell bonds, or otherwise enter into other debt instruments, dispose of airport property, or exercise the power of eminent domain without the prior written consent of the city and county. The board, following the prior written consent of the city and county, has the authority to apply for and to execute grant funding agreements. The board may improve, equip, maintain, operate, manage, regulate, protect, and police the airport. The board may realign, alter, acquire, abandon, or close a portion of a roadway or alleyway without a showing of paramount importance if the portions to be realigned, altered, acquired, abandoned, or closed are in the geographical

boundaries of the airport at the time of or after the realignment, alteration, acquisition, abandonment, or closing. The board shall have the responsibility and be in charge of the property, improvements, and other assets of the airport and shall be in charge of the disbursement of airport funds for airport purposes. The board shall also cause records to be kept of any and all revenues and disbursements. The board shall establish a fund to be maintained for the purpose of depositing all. This fund shall be kept and managed by the board and shall be established at a bank with a branch in Kerr County. Federal, state, or other contributions or loans and the revenue obtained from the operation of the airport shall be deposited to the credit of the joint fund. The board shall have an audit of the financial affairs of the board and its operation of the airport conducted each year by an independent accountant and shall furnish the audit to the city and county no later than December 1 of each year. The board shall ensure that all records regarding the operation of the airport are maintained, retained, and made available for public review in accordance with the Texas Public Information Act. All records shall be maintained at the airport. The board shall hire and employ an airport manager ("manager") and such other employees as are necessary for the operation of the airport. The board, through its manager and any other employees, shall be responsible for the day-to-day management of the airport. Toward that end, the board is authorized to enter into service contracts with other public or private entities. The board may adopt resolutions, rules, and orders for the operation of the airport. The board may lease airport property and may adopt fees and rental rates with respect to the use of airport services or use of airport property. Such fees and rates should be, to the extent possible, included within the board budget. The city and county acknowledge that the airport property is within the city's limits and is subject to the city's regulations. However, the board shall monitor and consider appropriate zoning for the airport and the immediately surrounding areas whose use may impact airport operations. The board shall adopt policies and procedures for the purchase of goods and services and for the accounting of the airport's finances, each in accordance with state law.

The board may insure itself, its contractors and subcontractors against liability arising from the operation of the airport for damages to the person or property of others, workers' compensation, and officers' and employees' liability. The board shall comply with the code and other state laws and local laws in all respects.

Number of Members:

Five members: 1) The Board shall recommend persons to the County and City for consideration of appointment. The Board shall submit the names of such persons to each Party at least 60 days prior to the end of the particular place's term. In the event that a candidate recommended by the Board is not appointed by either Party, the Board shall recommend an alternative candidate. In the event that this second candidate is not appointed by either Party, the Board shall select another candidate who will be automatically appointed to the Board without the approval of the parties. 2) It is deemed desirable that all Board members possess and will contribute a balance of expertise in business, financial, aviation, or management training and experience. Appointments shall be made on or before June 1 of each year. 3) Replacement of members shall be made on or before June 1 of each year. 3) Replacement of members shall be in the same manner and under the same qualification as described above with such replacement being appointed to fulfill only that portion of the remaining term. 4) Any Board member may be removed by a

majority vote of each Party, for any reason. In addition, the Board may recommend to the County and City that a Board member be removed. 5) Board members shall be eligible for reappointment, but Board members are prohibited from serving more than 3 consecutive, 2-year terms. Only reappointments made after October 1, 2011 shall count toward this limitation.

Term of Office: Each board member shall be appointed for a two year term and shall continue to Serve in this capacity until their successor is appointed and is duly qualified. Upon the death of any member or should any member resign or for any reason become unable to serve, a replacement shall be appointed in the same manner as provided to fill the vacancy for the unexpired term. The terms of those board members who are serving in Place 1, 3 or 5 shall expire on June 1, 2010. The terms for those board members appointed to Places 2 and 4 shall expire on June 1, 2011. Board members shall be eligible for reappointment.

Meeting Time & Place: Third Monday of each month, 8:30 a.m. at Airport Terminal Building, Louis Schreiner Field Airport, 1877 Airport Loop Road, Kerrville, Texas. All such meetings of the board shall be held in accordance with the Texas Open Meetings Act.

Established by: Interlocal Agreement between the City of Kerrville, Texas and Kerr County, Texas. Ordinance No. 2004-21 (replaced in its entirety); amended by Resolution No. 069-2008 (joint management)
Code of Ordinances: Chapter 22 - Article II - Section 22-31 through 22-33

Revised: May 25, 2017



Kirk L. Griffin
General Manager

November 15, 2017

Corey Walters
President
KERV Board of Directors

Corey –

I have had the pleasure of serving on the KERV Board of Directors for the past 5 years, the learning experience has been phenomenal and the friendships priceless. However, because of personal considerations, I must tender my resignation as of today (November 15, 2017). Thanks to you and the other members.

Sincerely –

A handwritten signature in black ink, appearing to read 'Kirk L. Griffin'.

Kirk L. Griffin

Cc: Bruce McKenzie



Kerrville/Kerr County Airport
Bruce McKenzie, Airport Manager
1877 Airport Loop
Kerrville, TX 78028
bruce.mckenzie@kerrvilleairport.com

January 2, 2018

Kerrville City Council
City of Kerrville
701 Main Street
Kerrville, TX 78028

Dear Council,

At the December 22, 2017 Joint Airport Board Meeting, the members selected Jim Mans to fill the position vacated by Kirk Griffin. His term will begin in January. The Board also selected Scott Bolton to fill the vacancy that will be open with the expiration of Corey Walters's term on June 1, 2018. It is the recommendation of the Airport Board that the Kerrville City Council accepts and approves their appointments.

Pursuant to the Interlocal Agreement, which became effective August 22, 2016, this letter is to inform the City of Kerrville of the intentions of the Board members.

Thank you,

Bruce McKenzie
Airport Manager
Kerrville/Kerr County Airport