



**KERRVILLE CITY COUNCIL AGENDA
REGULAR COUNCIL MEETING, MAY 28, 2019, 6:00 PM
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS**



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.

CALL TO ORDER:

Mayor Bill Blackburn

INVOCATION:

Offered by Councilmember Delayne Sigerman

PLEDGE OF ALLEGIANCE TO THE FLAG:

Led by Councilmember Delayne Sigerman

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. Proclamation recognizing May 2019 as Building Safety Month.

Attachments:

[20190528_Proclamation_Building Safety Month May 2019.pdf](#)

3.B. Certificate of Recognition to Julian Zamudio, Turtle Creek Landscapes.

Attachments:

[20190528_Recognition_Julian Zamudio.pdf](#)

3.C. Present Certificate of Recognition to the Kerrville Public Utility Board for winning the National Competition to expand solar access.

Attachments:

[20190528_Recognition_KPUB National Solar Competition.pdf](#)

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 hereby certify that this agenda was posted as notice of the meeting on the bulletin board at the City Hall of the City of Kerrville, Texas, and on the City's website on the following date and time: May 24, 2019 at 4:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Shelley McElhannon

Shelley McElhannon, 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. Minutes for the Election Canvass meeting held May 14, 2019 at 5:00 p.m.

Attachments:

[20190528_Minutes_Canvass Election Council Meeting on 5-14-19.pdf](#)

- 4.B. Minutes for the Regular City Council meeting held May 14, 2019 at 6:00 p.m.

Attachments:

[20190528_Minutes_Regular Council Meeting 5-14-19.pdf](#)

- 4.C. Minutes for the City Council Workshop held May 21, 2019.

Attachments:

[20190528_Minutes_Council Workshop 5-21-19.pdf](#)

END OF CONSENT AGENDA

5 PUBLIC HEARINGS AND RESOLUTIONS:

- 5.A. Resolution 03-2019. A Resolution granting a Conditional Use Permit for an Approximate 1.166 Acres, being a portion of Lot 1, Block 1 of the H.E.B. Addition, Lots 300-302 and a portion of Lots 348-349, Block 48 of the Schreiner 2nd Addition, both Subdivisions within the City of Kerrville, Kerr County, Texas; and more commonly known as the property located at 300 Main Street (State Hwy. 27); said property is located within the Central Business District "CBD"; by permitting said property to be used for gasoline station (fuel sales) with car wash and convenience store; and making said permit subject to certain conditions and restrictions contained herein.

Attachments:

[20190528_Resolution_03-2019_CUP HEB 300 Main.pdf](#)

[20190528_ConceptPlan_2018-095_CUPHEB.pdf](#)

[20190528_LocationMap_2018-095_CUPHEB.pdf](#)

[20190528_MetesBounds_2018-095_HEBCUP.pdf](#)

- 5.B. Resolution No. 13-2019 Granting a Conditional Use Permit for an approximate 0.89 acre property; consisting of Lots 369 through 373 and a portion of Lot 374, Block 52, of the Schreiner 2nd Addition, subdivision within the City of Kerrville, Kerr County, Texas; and more commonly known as 400, 408, 412, and 416 Jefferson Street; said property is located within the Central Business District "CBD" by permitting said property to be used for a stand alone parking lot; and making said permit subject to certain conditions and restrictions contained herein.

Attachments:

[20190528_Resolution_13-2019 CUP HEB Stand Alone Parking Lot.pdf](#)

[20190528_2019-011_LocationMap.pdf](#)

[20190528_2019-011_ConceptPlan.pdf](#)

[20190528_2019-011_MetesBounds.pdf](#)

[20190528_2019-011_TreePresPlan.pdf](#)

6 ORDINANCES, FIRST READING:

- 6.A. Ordinance No. 2019-10. An Ordinance amending the 2019 Fiscal Year Budget to account for the transfer of excess funds, the receipt of additional revenue, and to make other amendments as provided herein.

Attachments:

[20190528_Ordinance_2019-10 Amending 2019 FY Budget.pdf](#)

[20190528_Ordinance_Attachment A.pdf](#)

- 6.B. Ordinance No. 2019-12 amending in its entirety Chapter 10, "Alcoholic Beverages" of the Code of Ordinances of the City of Kerrville, Texas; regarding the City's authority over the sale of alcoholic beverages, to include the process for the City's imposition and collection of fees, to prohibit sales within areas zoned for residential use, to prohibit sales within three hundred feet of churches, public hospitals, schools, and child-care facilities, and to adopt a variance process applicable to such distance requirement; containing a savings and severability clause; providing for an effective date; ordering publication; and providing other matters relating to the subject.

Attachments:

[20190528_Ordinance_2019-12 Amending Chapter 10 Code of Ordinances - Alcoholic Beverages.pdf](#)

7 ORDINANCES, SECOND READING:

- 7.A. Ordinance No. 2019-09, an ordinance annexing a portion of an approximate 35.05 acre tract of land out of the S. Wallace Survey No. 113, Abstract No. 347, and into the corporate limits of the City of Kerrville, Texas; said tract being located within Kerr County, Texas, and the Extraterritorial Jurisdiction of the City of Kerrville, Texas; and generally located adjacent to Loop 534 (Veterans Highway); further describing the property to be annexed; adopting a service plan for the property annexed; and establishing the zoning both for the property annexed and the entire tract.

Attachments:

[20190514_Ordinance_2019-09 Annexing Loop 534 - KISD Peterson MS.pdf](#)

[20190514_LocationMap_2019-007 - Zoning - PetersonMS.pdf](#)

[20190528_Report_Traffic Impact Analysis sent by Dr Mark Foust.pdf](#)

8 CONSIDERATION AND POSSIBLE ACTION:

- 8.A. Discussion and possible action to consider Resolution No. 14-2019 authorizing the waiver of the park fees for the Juneteenth 2019 Event, to be held on June 19, 2019 at the City's Carver Park. This item is requested and initiated by citizen Laresa Anderson.

Attachments:

[20190528_Citizen Request_Waiver of Carver Park fees.pdf](#)

[20190528_Resolution_14-2019 Waiver of Carver Park Fee for Juneteenth Event 6-19-19.pdf](#)

- 8.B. Discussion and approval of the Kerrville-Kerr County Joint Airport Board Budget FY2019-2020. This item is requested and initiated by Mary Rohrer, Airport Manager.

Attachments:

[20190528_Agenda Bill_Airport FY 2019-2020 Budget - Mary Rohrer.pdf](#)

[20190528_Airport Budget_MissionVisionValuesInitiatives.pdf](#)

[20190528_Report_Airport Board Approved Budget FY2019-2020.pdf](#)

[20190528_Airport Budget_Capital Projects Budget.pdf](#)

9 INFORMATION & DISCUSSION:

9.A. Financial update for the month ended April 30, 2019.

Attachments:

[20190528_Presentation_April 2019 financial presentation.pdf](#)

[20190528_Presentation_April 2019 financial summary.pdf](#)

9.B. Monthly Community Improvement Project (CIP) Report.

Attachments:

[20190528_Report_Monthly Community Project Status Report 5-24-19.pdf](#)

9.C. Progress Report Regarding Development Services Improvements.

Attachments:

[2019-5-23_Development Services Improvements.pdf](#)

10 BOARD APPOINTMENTS:

10.A. Appointments to the Economic Improvement Corporation. (This item is eligible for Executive Session, Section 551.074: PERSONNEL MATTERS.)

Attachments:

[20190528_Board Sheet_Economic Improvement Corporation.pdf](#)

11 ITEMS FOR FUTURE AGENDAS:

City Council may suggest items or topics for future agendas.

12 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.

12A. Section 551.074: PERSONNEL MATTERS; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. Appointments to the Economic Improvement Corporation.

Attachments:

[20190528_Board Sheet_Economic Improvement Corporation.pdf](#)

12.B. Sec. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations.

13 ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY:

ADJOURNMENT.



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

SUBJECT: Proclamation recognizing May 2019 as Building Safety Month.

AGENDA DATE OF: May 28, 2019

DATE SUBMITTED: May 21, 2019

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20190528_Proclamation_Building Safety Month May 2019.pdf](#)

| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
|----------------------------------|---|-------------------------|------------------------|
| \$0 | \$0 | \$0 | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
|-----------------------------|-----|
| Kerrville 2050 Item? | No |
| Key Priority Area | N/A |
| Guiding Principle | N/A |
| Action Item | N/A |

SUMMARY STATEMENT:

The City of Kerrville recognizing the month of May 2019 as Building Safety Month.

RECOMMENDED ACTION:

Present Proclamation.

PROCLAMATION

WHEREAS, *The City of Kerrville recognizes that a component of the City's growth and strength depends on the safety and economic value of homes, buildings, and infrastructure that serve our citizens; and*

WHEREAS, *The International Code Council and Texas are part of a diverse partnership involved in structure and building design, construction, sales, and inspections. Each year, the International Code Council and Texas dedicate the month of May as "Building Safety Month" to heighten awareness for resilient structures for Texans to live, work and play in; and*

WHEREAS, *Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety—our local code officials—who assure us of safe, efficient and livable buildings that are essential to America's prosperity, and;*

WHEREAS, *"No Code. No Confidence" is the theme for Building Safety Month 2019 and encourages all Americans to raise awareness of the importance of safe and resilient construction; fire prevention; disaster mitigation, and new technologies in the construction industry. Building Safety Month 2019 encourages appropriate steps everyone can take to ensure the safety of our built environment, and recognizes that the implementation of safety codes by local and state agencies has saved lives and protected homes and businesses; and*

WHEREAS, *Building Safety Month reminds the public about the critical role of our local code officials – who promote safe, efficient and livable buildings that are essential to keep America great. These guardians work year-round ensuring the safe construction of buildings, and protecting us where we live, learn, work, worship and play; and*

WHEREAS, *Codes used by professional inspectors address not only structural soundness, but also electricity, plumbing, accessibility, fire safety and energy efficiency. Sensible codes, well-trained professionals and efficient enforcement systems are essential in creating and maintaining safe environments for individuals, families, and businesses; and*

WHEREAS, *Each year, in observance of Building Safety Month, Americans are asked to consider the commitment to improve building safety and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property;*

NOW, THEREFORE, *I, the Mayor of the City of Kerrville, Texas, do hereby proclaim the month of May 2019, as*

BUILDING SAFETY MONTH

in the city of Kerrville, and encourage citizens to learn about the importance of building codes and high safety standards in minimizing risks wherever possible and creating a safe environment in our homes and our communities.

IN WITNESS WHEREOF, *I have Hereunto set my hand and caused the Seal of the City of Kerrville to be affixed hereto, the 28 day of May, 2019.*

Bill Blackburn, Mayor





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

SUBJECT: Certificate of Recognition to Julian Zamudio, Turtle Creek Landscapes.

AGENDA DATE OF: May 28, 2019

DATE SUBMITTED: May 07, 2019

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20190528_Recognition_Julian Zamudio.pdf](#)

| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
|----------------------------------|---|-------------------------|------------------------|
| \$0 | \$0 | \$0 | N/A |

PAYMENT TO BE MADE TO: N/A

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| Kerrville 2050 Item? | No |
| Key Priority Area | N/A |
| Guiding Principle | N/A |
| Action Item | N/A |

SUMMARY STATEMENT:

Recognition of appreciation to contractor.

RECOMMENDED ACTION:

Present Certificate of Recognition.

Certificate of Recognition

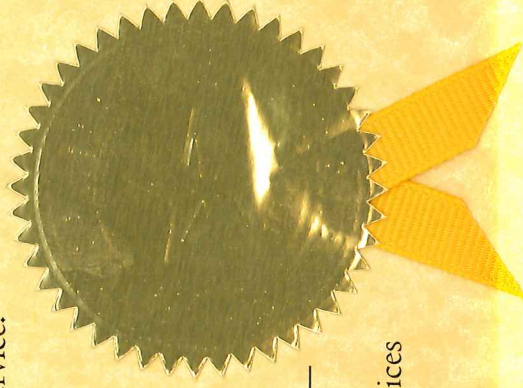
Is hereby presented to

Julian Zamudio

This Certificate of Recognition is being presented to Julian, who owns and operates a landscaping business, Turtle Creek Landscapes, in Kerrville. Julian has been a regular contractor for Code Compliance projects over the past several years, helping to remediate code compliance issues. On more than one occasion, Julian has gone above and beyond his contract work with the City of Kerrville.

Code Compliance utilizes private companies through a bidding process for compliance efforts when property owners are unwilling or unable to remedy the issue themselves. While finishing up one large cleanup effort, Julian installed new flower beds and plants in the back yard for the homeowner, at his own expense. More recently, he went out and helped clean up some trash and debris from a home, whose owner was unable to do the work, at no charge to the homeowner.

Due to these kind and generous actions, the City of Kerrville and Kerrville Code Compliance Department commend this citizen for his selfless community service.



Hereunto set my hand and caused the
Seal of the City of Kerrville to be
affixed hereto the 28th day of May,
2019.

Trina Sanchez,
Assistant Director of Development Services

Bill Blackburn, Mayor



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

SUBJECT: Present Certificate of Recognition to the Kerrville Public Utility Board for winning the National Competition to expand solar access.

AGENDA DATE OF: May 28, 2019

DATE SUBMITTED: May 21, 2019

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20190528_Recognition_KPUB National Solar Competition.pdf](#)

| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
|----------------------------------|---|-------------------------|------------------------|
| \$0 | \$0 | \$0 | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
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| Kerrville 2050 Item? | No |
| Key Priority Area | N/A |
| Guiding Principle | N/A |
| Action Item | N/A |

SUMMARY STATEMENT:

The City of Kerrville presents a Certificate of Recognition to the Kerrville Public Utility Board.

RECOMMENDED ACTION:

Present Certificate of Recognition.

Certificate of Recognition

Is hereby presented to

Kerrville Public Utility Board

This Certificate of Recognition is being presented to Kerrville Public Utility Board for winning the national competition to expand solar access. KPUB won the best low-to-moderate income (LMI) program in the U.S. Department of Energy's Solar in Your Community Challenge, a \$5 million prize competition from the U.S. Department of Energy Solar Technologies Office that aims to expand solar electricity access.

The KPUB led Kerrville Area Solar Partner's team in winning \$100,000 and national recognition for their community solar systems that can serve low and moderate income households and the hosting nonprofit and provide competitively priced solar energy to these customers.

Over the past two years, they developed a program that enabled low-and-moderate-income households in the KPUB service area to go solar. Through a novel approach partnering with local nonprofits, KPUB is installing community solar projects which will total 3.72 MW AC. Distributing the output from these solar arrays to the nonprofits and the LMI households is in keeping with KPUB's mission to be a "provider of reliable, high-quality utility services at the lowest responsible price."

The City of Kerrville congratulates KPUB and all of their work in strengthening the future of Kerrville.



Hereunto set my hand and caused the
Seal of the City of Kerrville to be affixed
hereto the 28th day of May, 2019.

Bill Blackburn, Mayor



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

SUBJECT: Minutes for the Election Canvass meeting held May 14, 2019 at 5:00 p.m.

AGENDA DATE OF: May 28, 2019

DATE SUBMITTED: Apr 17, 2019

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20190528_Minutes_Canvass Election Council Meeting on 5-14-19.pdf](#)

| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
|----------------------------------|---|-------------------------|------------------------|
| \$0 | \$0 | \$0 | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
|-----------------------------|-----|
| Kerrville 2050 Item? | No |
| Key Priority Area | N/A |
| Guiding Principle | N/A |
| Action Item | N/A |

SUMMARY STATEMENT:

Minutes for the Election Canvass meeting held on May 14, 2019 at 5:00 p.m., at the Kerrville City Hall Council Chambers, 701 Main Street.

RECOMMENDED ACTION:

Approve the minutes as presented.

CITY COUNCIL MINUTES
OF A SPECIAL MEETING

KERRVILLE, TEXAS
MAY 14, 2019

On May 14, 2019, 5:00 p.m. the Kerrville City Council special meeting was called to order by Mayor Bill Blackburn in the City Hall Council Chambers, 701 Main Street. The invocation was offered by Pastor David Payne, First United Methodist Church, followed by the Pledge of Allegiance to the Flag led by Mark McDaniel.

COUNCILMEMBERS PRESENT:

| | |
|------------------|---------------|
| Bill Blackburn | Mayor |
| Delayne Sigerman | Mayor Pro Tem |
| Vincent Voelkel | Councilmember |
| George Barody | Councilmember |
| Judy Eychner | Councilmember |

COUNCILMEMBER ABSENT:

None

CITY CORE STAFF PRESENT:

| | |
|--------------------|-----------------------------------|
| Mark McDaniel | City Manager |
| Mike Hayes | City Attorney |
| EA Hoppe | Deputy City Manager |
| Shelley McElhannon | City Secretary |
| Stuart Cunyus | Public Information Officer |
| Amy Dozier | Director of Finance |
| Guillermo Garcia | Executive Director for Innovation |
| David Knight | Police Chief |
| Kim Meismer | Director of General Operations |
| Sherry Mosier | Manager of Strategic Initiatives |
| Drew Paxton | Director of Development Services |
| Dannie Smith | Fire Chief |

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

1. STATEMENTS BY OUTGOING CITY COUNCILMEMBERS

Statements were given by Councilmember Vincent Voelkel and Councilmember George Barody.

2. COMMENDATIONS TO OUTGOING CITY COUNCILMEMBERS

Commendations were presented to Councilmember Voelkel and Councilmember Barody.

3. RESOLUTION NO. 12-2019 CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE MAY 4, 2019, CITY GENERAL ELECTION

Councilmember Barody moved to approve Resolution No. 12-2019, and Councilmember Voelkel seconded. The motion passed 5-0.

4. **OATHS OF OFFICE GIVEN BY STEPHEN B. ABLES, PRESIDING JUDGE OF THE SIXTH ADMINISTRATIVE JUDICIAL REGION**

Judge Ables issued the oaths of office to the following newly-elected councilmembers:

- Councilmember Place Two: Kim Clarkson
- Councilmember Place One: Gary Cochrane

5. **CERTIFICATES OF ELECTION SIGNED AND ISSUED BY MAYOR BILL BLACKBURN:**

Certificates of election were signed and issued by Mayor Bill Blackburn:

- Councilmember Place One: Gary Cochrane
- Councilmember Place Two: Kim Clarkson

6. **STATEMENTS BY NEWLY-ELECTED COUNCILMEMBERS**

Statements were made by newly-elected councilmembers:

- Councilmember Place One: Gary Cochrane
- Councilmember Place Two: Kim Clarkson

7. **EXECUTIVE SESSION:** None.

Adjournment: The meeting adjourned at 5:31 p.m.

APPROVED: _____

ATTEST:

Bill Blackburn, Mayor

Shelley McElhannon, City Secretary



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

SUBJECT: Minutes for the Regular City Council meeting held May 14, 2019 at 6:00 p.m.

AGENDA DATE OF: May 28, 2019

DATE SUBMITTED: Apr 17, 2019

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20190528_Minutes_Regular Council Meeting 5-14-19.pdf](#)

| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
|----------------------------------|---|-------------------------|------------------------|
| \$0 | \$0 | \$0 | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
|-----------------------------|-----|
| Kerrville 2050 Item? | No |
| Key Priority Area | N/A |
| Guiding Principle | N/A |
| Action Item | N/A |

SUMMARY STATEMENT:

Minutes for the City Council meeting held on May 14, 2019 at 6:00 p.m., at the Kerrville City Hall Council Chambers, 701 Main Street.

RECOMMENDED ACTION:

Approve the minutes as presented.

CITY COUNCIL MINUTES
REGULAR MEETING

KERRVILLE, TEXAS
MAY 14, 2019

On May 14, 2019, at 6:00 p.m. the meeting was called to order by Mayor Bill Blackburn in the City Hall Council Chambers at 701 Main Street. The invocation was offered by Councilmember Judy Eychner, followed by the Pledge of Allegiance led by Councilmember Eychner.

COUNCILMEMBERS PRESENT:

| | |
|------------------|---------------|
| Bill Blackburn | Mayor |
| Delayne Sigerman | Mayor Pro Tem |
| Gary Cochran | Councilmember |
| Kim Clarkson | Councilmember |
| Judy Eychner | Councilmember |

COUNCILMEMBER ABSENT: None

CITY EXECUTIVE STAFF PRESENT:

| | |
|--------------------|--|
| Mark McDaniel | City Manager |
| E.A. Hoppe | Deputy City Manager |
| Mike Hayes | City Attorney |
| Shelley McElhannon | City Secretary |
| Stuart Cunyus | Public Information Officer |
| Amy Dozier | Director of Finance |
| Guillermo Garcia | Director of Innovation |
| David Knight | Chief of Police |
| Kim Meisner | Executive Director for General Operations |
| Drew Paxton | Executive Director of Development Services |
| Dannie Smith | Fire Chief |

VISITORS PRESENT: On file in City Secretary's Office for required retention period.

1. ANNOUNCEMENTS OF COMMUNITY INTEREST:

Items of Interest to the Community were presented by Stuart Cunyus and Councilmember Eychner.

2. VISITORS FORUM:

The following persons spoke:

- Jeremy Walther
- Susan Deininger
- Dale Trees
- Sandra Garcia

3. PRESENTATIONS:

3A. Mayor Blackburn presented a Proclamation to Student Team Member Colton McVee, Schreiner University Director of Programming Cindy Buckner, and Team Coach Robert Davis, proclaiming May 14, 2019 as Schreiner University National Champion Shotgun Team Day in Kerrville, Texas.

3B. Mayor Blackburn presented Police Chief David Knight a Proclamation designating May 12-18, 2019 as National Police Memorial Week in Kerrville, Texas.

3C. Mayor Blackburn presented representatives from the Kerrville State Hospital, the Kerrville State Hospital Volunteer Services Council, and the National Alliance of Mental Illness, a Proclamation designating May 2019 as Mental Health month in Kerrville, Texas.

3D. Mayor Blackburn presented Lora Walters a Proclamation proclaiming May 2019 as Williams Syndrome Awareness month in Kerrville, Texas.

3E. Mayor Blackburn presented a Certificate of Recognition to Tivy High School Art teacher Marty Garcia congratulating the Tivy Art Class for bringing art to downtown Kerrville, Texas.

3F. Mayor Blackburn presented Resolution of Commendations to Kindal Brown, Catharine Buchanan, Kayla Buck, Blake Coe, Kisara Dang, Daphne Dozier, Roman Garcia, Grace Guerriero, Maria Hall, Emily Holekamp, Molly Murphy, Gazelle Schreiner, Ileana Scoccia, Jessica Tran, and Kirk Watson, for their service on the Kerrville Youth Advisory Committee.

7. INFORMATION & DISCUSSION:

Mayor Blackburn shifted the Information and Discussion agenda item forward.

7A. Presentation from the Kerrville Youth Advisory Committee.

Members from the Kerrville Youth Advisory Committee summarized Committee activities, presented information, and responded to questions.

4. CONSENT AGENDA:

Councilmember Delayne Sigerman moved to approve items on the Consent Agenda. Councilmember Eychner seconded, and the motion passed 5-0.

4A. Minutes for the regular City Council meeting held April 09, 2019.

4B. Minutes for the regular City Council meeting held April 23, 2019.

END OF CONSENT AGENDA:

5. PUBLIC HEARING AND ORDINANCES, FIRST READING:

5A. Ordinance No. 2019-09, an ordinance annexing a portion of an approximate 35.05 acre tract of land out of the S. Wallace Survey No. 113, Abstract No. 347, and into the corporate limits of the City of Kerrville, Texas; said tract being located within Kerr County, Texas, and the Extraterritorial Jurisdiction of the City of Kerrville, Texas; and generally located adjacent to Loop 534 (Veterans Highway); further describing the property to be annexed; adopting a service plan for the property annexed; and establishing the zoning both for the property annexed and the entire tract.

Mayor Blackburn opened the public hearing at 7:05 p.m.

Drew Paxton presented information, and Drew Paxton, E.A. Hoppe, and Mark McDaniel responded to questions.

Mayor Blackburn closed the public hearing at 7:11 p.m.

Councilmember Eychner moved to approve Ordinance No. 2019-09 first reading as presented. Councilmember Gary Cochrane seconded, and the motion passed 4-1, with Councilmember Cochrane, Councilmember Kim Clarkson, Councilmember Eychner, and Councilmember Sigerman voting in favor and Mayor Blackburn voting against.

6. ORDINANCES, SECOND READING:

6A. Ordinance No. 2019-08 amending the City's "Zoning Code" by changing the zoning district for a portion of a 10.06 acre tract out of the Thornton F. Hollis Survey No. 143, Abstract No. 181, within the City of Kerrville, Kerr County, Texas, and more commonly known as 100 Concho Drive; by removing the area from an R-1 Residential Zoning District and placing it within the Guadalupe River Zoning District; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000); ordering publication; and providing other matters relating to the subject. (File No. 2019-019).

Drew Paxton presented information and responded to questions.

Councilmember Eychner moved to pass Ordinance No. 2019-08 on second reading as presented. Councilmember Sigerman seconded, and the motion passed 5-0.

6B. Ordinance No. 2019-07 amending the City's "Zoning Code" by changing the zoning district for an approximate 4.09 acres, consisting of two tracts out of the Patrick Fleming Survey No. 666, Abstract No. 145, within the City of Kerrville, Kerr County, Texas; and more commonly known as the property located at 2011 Easy Street; by removing the property from the Gateway District and placing it within the 23-N Zoning District; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000); ordering publication; and providing other matters relating to the subject. (File No. 2019-006).

Drew Paxton presented information and responded to questions.

Councilmember Sigerman moved to approve Ordinance No. 2019-07. Councilmember Cochrane seconded, and the motion passed 5-0.

7. INFORMATION & DISCUSSION:

Information and Discussion was presented before Agenda Item 4, (see above).

8. BOARD APPOINTMENTS:

8A. Appointment of Mayor Pro Tem.

Councilmember Sigerman moved to appoint Councilmember Eychner as Mayor Pro Tem. Councilmember Clarkson seconded, and the motion passed 5-0.

8B. Appointment of Councilmember to the Airport Planning Committee.

Councilmember Eychner moved to appoint Councilmember Cochrane to the Airport Planning Committee. Councilmember Sigerman seconded, and the motion passed 5-0.

9. ITEMS FOR FUTURE AGENDAS:

- Lora Walters with Williams Syndrome
- Tax Appraisal Workshop with the Appraisal District

10. EXECUTIVE SESSION:

None.

11. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY:

None.

12. ADJOURNMENT.

The meeting was adjourned at 7:23 p.m.

Bill Blackburn, Mayor

ATTEST: _____
Shelley McElhannon, City Secretary

APPROVED: _____



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

SUBJECT: Minutes for the City Council Workshop held May 21, 2019.

AGENDA DATE OF: May 28, 2019

DATE SUBMITTED: Apr 17, 2019

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20190528_Minutes_Council Workshop 5-21-19.pdf](#)

| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
|----------------------------------|---|-------------------------|------------------------|
| \$0 | \$0 | \$0 | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
|-----------------------------|-----|
| Kerrville 2050 Item? | No |
| Key Priority Area | N/A |
| Guiding Principle | N/A |
| Action Item | N/A |

SUMMARY STATEMENT:

Minutes for the City Council Workshop held on May 21, 2019, at the Kerrville City Hall Council Chambers, 701 Main Street.

RECOMMENDED ACTION:

Approve the minutes as presented.

CITY COUNCIL MINUTES
WORKSHOP

KERRVILLE, TEXAS
MAY 21, 2019

On May 21, 2019, the Kerrville City Council workshop was called to order at 12:07 p.m. by Mayor Bill Blackburn in the City Hall Upstairs Conference Room at 701 Main Street.

COUNCILMEMBERS PRESENT:

| | |
|------------------|---------------|
| Bill Blackburn | Mayor |
| Judy Eychner | Mayor Pro Tem |
| Gary Cochrane | Councilmember |
| Kim Clarkson | Councilmember |
| Delayne Sigerman | Councilmember |

COUNCILMEMBER ABSENT:

None

CITY STAFF PRESENT:

| | |
|--------------------|--------------------------|
| Mark McDaniel | City Manager |
| E.A. Hoppe | Deputy City Manager |
| Mike Hayes | City Attorney |
| Shelley McElhannon | City Secretary |
| Stuart Barron | Director of Public Works |

VISITORS PRESENT:

| | |
|---------------|--|
| Bonnie Arnold | Hill Country Community Journal |
| Cory Shockley | Project Principal, HDR Engineering |
| Zach Stein | Water Resource Engineer, HDR Engineering |
| Sarah Thorton | Attorney, Lloyd Gosselink |

1. 2019 KERRVILLE LONG RANGE WATER SUPPLY PLAN – INTRODUCTION

Mark McDaniel introduced the agenda item.

2. EXECUTIVE SESSION: 2019 KERRVILLE LONG RANGE WATER SUPPLY PLAN

Councilmember Judy Eychner moved to go into executive session under Section 551.071 (consultation with attorney) and 551.072 (deliberation regarding real property) of Chapter 551, Texas Government Code. The motion was seconded by Councilmember Gary Cochrane, and passed 5-0.

At 12:10 p.m. the workshop recessed, and Council went into closed executive session. At 2:06 p.m. the executive session closed, and Council returned to open session.

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

No action was taken in executive session.

ADJOURNMENT. The meeting adjourned at 2:06 p.m.

APPROVED:

Bill Blackburn, Mayor

APPROVED: _____

ATTEST:

Shelley McElhannon, City Secretary



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

SUBJECT: Resolution 03-2019. A Resolution granting a Conditional Use Permit for an Approximate 1.166 Acres, being a portion of Lot 1, Block 1 of the H.E.B. Addition, Lots 300-302 and a portion of Lots 348-349, Block 48 of the Schreiner 2nd Addition, both Subdivisions within the City of Kerrville, Kerr County, Texas; and more commonly known as the property located at 300 Main Street (State Hwy. 27); said property is located within the Central Business District "CBD"; by permitting said property to be used for gasoline station (fuel sales) with car wash and convenience store; and making said permit subject to certain conditions and restrictions contained herein.

AGENDA DATE OF: May 28, 2019 **DATE SUBMITTED:** May 20, 2019

SUBMITTED BY: Rebecca Pacini

EXHIBITS: [20190528_Resolution_03-2019_CUP HEB 300 Main.pdf](#)
[20190528_ConceptPlan_2018-095_CUPHEB.pdf](#)
[20190528_LocationMap_2018-095_CUPHEB.pdf](#)
[20190528_MetesBounds_2018-095_HEBCUP.pdf](#)

| | | | |
|----------------------------------|---|-------------------------|------------------------|
| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
| \$0 | \$0 | \$0 | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
|-----------------------------|---------------------------------------|
| Kerrville 2050 Item? | Yes |
| Key Priority Area | D - Downtown Revitalization |
| Guiding Principle | D9. Other (Plug in where appropriate) |
| Action Item | N/A |

SUMMARY STATEMENT:

Public hearing, consideration, and action to adopt a resolution to allow a Conditional Use Permit for Gasoline Station (Fuel Sales) with Car Wash and Convenience Store on approximately 1.166 acres of land consisting of all of Lots 300, 301, 302, 348, and 349, Block 48, of the Schreiner 2nd Addition, and a portion of Lot 1, Block 1, of the H.E.B. Addition, and more commonly known as 212, 220, and 300 Main Street and 217 Jefferson Street. (File No. 2018-095)

Staff Analysis.

Consistency with the Kerrville 2050 Comprehensive Plan: The request is consistent with the Kerrville 2050 Comprehensive Plan. The subject property is located within Strategic Catalyst Area 1 which comprises the downtown core and central business district. "There should be a strong focus on redevelopment and catalyzing a renewed public interest in the area."

Adjacent Zoning and Land Uses

Subject Property

Current Zoning: Central Business District "CBD"

Existing Land Uses: Gas Station, parking lot, and barber shop

Direction: Northwest

Current Zoning: 11-C

Existing Land Uses: Vacant retail structures and Retail

Direction: Northeast

Current Zoning: 11-C

Existing Land Uses: Single Family Detached Dwellings, Professional Office, Parking Lot, and Personal Services

Direction: Southeast

Current Zoning: Central Business District "CBD"

Existing Land Uses: Grocery store and parking lot

Direction: Southwest

Current Zoning: 11-C

Existing Land Uses: Vehicle Sales/Services New and Used

The uses which are permitted as a matter of right or permitted upon issuance of a conditional use permit in the CBD zoning districts are indicated by the letters "P" and "C," respectively, in the following table:

CBD DISTRICT PERMITTED & CONDITIONAL USE TABLE

Printing P

Quick Printing P

New Car Dealers C

Used Car Dealers C

Automotive Parts, Accessories, and Tire Stores (Retail Only) P

Furniture and Home Furnishings Stores P

Electronics and Appliance Stores P

Nursery, Garden Stores P

Hardware Stores P

Food and Beverage Stores P

Health and Personal Care Stores P

Gasoline Stations (w/Dev. Stnds.) C

Gasoline Stations with Convenience Stores (w/Dev. Stnds.) C

Clothing and Clothing Accessories Stores P

Jewelry , Luggage and Leather Goods Store P

Sporting Goods, Hobby, Book, and Music Stores P

General Merchandise Stores P

Miscellaneous Store Retailers P

Used Merchandise Stores (w/o Drop-off) P

Non-store Retailers C

Scenic and Sightseeing Transportation P

Postal Service P

Couriers and Messengers (Retail and Drop- off Only) P

Publishing Industries (except Internet) C

Motion Picture and Sound Recording Industries P

Motion Picture Theaters (except Drive-Ins) P

Broadcasting (except Internet) - (w/o towers) P

Telecommunications (w/o towers) P

Data Processing, Hosting and Related Services P

Other Information Services P

Monetary Authorities-Central Bank P

Credit Intermediation and Related Activities P

All Other Non-depository Credit Intermediation (Pawnshops) P

Securities, Commodity Contracts, and Other Financial Investments and Related Activities P

Insurance Carriers and Related Activities P

Agencies, Brokerages, and Other Insurance Related Activities P

Funds, Trusts, and Other Financial Vehicles P

Real Estate P

Lessors of Nonresidential Buildings (except Mini-warehouses) P

Passenger Car Rental and Leasing C

Consumer Electronics and Appliances Rental P

Formal Wear and Costume Rental P

Video Tape and Disc Rental P

Other Consumer Goods Rental P

General Rental Centers C

Office Machinery and Equipment Rental and Leasing P

Professional, Scientific, and Technical Services P

Other Specialized Design Services P

Veterinary Services (w/o kennels) C

Management of Companies and Enterprises P

Administrative and Support Services P

Business Service Center P

Elementary and Secondary Schools P

Junior Colleges P

Colleges, Universities and Professional Schools P

Business Schools and Computer and Management Training P

Technical and Trade Schools (Classroom Only) P

Other Schools and Instruction (Classroom Only) P

Educational Support Services P

Ambulatory Health Care Services P

Offices of Physicians P

Offices of Dentists P

Offices of Other Health Practitioners P

Outpatient Care Centers P

Other Outpatient Care Centers P

Medical and Diagnostic Laboratories P

Home Health Care Services P

Other Ambulatory Health Care Services (except air ambulance) P

All Other Ambulatory Health Care Services P

Hospitals C

General Medical and Surgical Hospitals C

Psychiatric and Substance Abuse Hospitals C

Specialty (except Psychiatric and Substance Abuse) Hospitals C

Nursing Care Facilities P

Residential Mental Retardation, Mental Health and Substance Abuse Facilities C

Community Care Facilities for the Elderly (w/o Nursing Care) P

Other Residential Care Facilities P

Social Assistance (Office only) P

Individual and Family Services P

Community Food and Housing, and Emergency and Other Relief Services P

Vocational Rehabilitation Services P

Child Day Care Services (Includes Adult) P

Performing Arts, Spectator Sports, and Related Industries (except spectator sports) P

Performing Arts Companies P

Spectator Sports C

Promoters of Performing Arts, Sports, and Similar Events P

Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures P

Independent Artists, Writers, and Performers P

Museums, Historical Sites, and Similar Institutions (w/o Zoos) P

Amusement, Gambling, and Recreation Industries C

Hotel/Motel P

Bed-and-Breakfast Inns P

Food Services and Drinking Places P

Limited - Services Eating Places (w/Dev. Stnds.) P

Mobile Food Services P

Automotive Repair and Maintenance C

Automotive Oil Change and Lubrication Shops C

Car Washes C

Electronic and Precision Equipment Repair and Maintenance (Minor) P

Personal and Household Goods - Repair and Maintenance P

Personal Care Services P

Death Care Services P

Coin-Operated Laundries and Drycleaners P

Other Personal Services P

Pet Care Services (except veterinary/kennels) P

Parking Lots and Garages (by fee)P

Religious, Grant-making, Civic, Professional, and Similar Organizations P

Religious Organizations P

Grant-making and Giving Services P

Social Advocacy Organizations P

Civic and Social Organizations P

Business, Professional, Labor, Political, and Similar Organizations P

Private Households P

Executive, Legislative, and Other General Government Support P

Justice, Public Order, and Safety Activities P

Administration of Human Resource Programs P

Administration of Environmental Quality Programs P

Administration Housing Programs, Urban Planning, Community Development P

Administration of Economic Programs P

Space Research and Technology C

National Security and International Affairs C

Single FamilyP

Duplex P

Multi-Family P

Upper Story Residential (Loft Apartments) P

Accessory Uses & Structures P

Parking Structure C

Parking Lot, Stand Alone C

Thoroughfare Plan: Main Street is designated as a Primary or Principal Arterial. Principal arterials typically serve as the highest traffic volume corridors, prioritizing longer-distance trips and providing connectivity between surrounding communities and major activity centers within Kerrville. A typical principal arterial is a four-lane divided roadway with a raised median, which can accommodate turning traffic at intersections and regulates access to the adjacent development. In rural and constrained areas or where there is a high volume of left-turning vehicles, the roadway may be undivided with a center turn lane at intersections. Hays Street, Jefferson Street, and Francisco Lemos, are not designated on the Thoroughfare Plan.

Planning and Zoning Commission held a public hearing on January 1, 2019, and recommended approval of the Conditional Use Permit as presented with a vote of 5-0 in favor.

The City Council public hearing was originally scheduled on February 12, 2019. It was postponed at the request of the applicant.

RECOMMENDED ACTION:

Planning and Zoning Commission recommend approval of Resolution No. 03-2019 as presented.

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 03-2019**

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR AN APPROXIMATE 1.166 ACRES, BEING A PORTION OF LOT 1, BLOCK 1 OF THE H.E.B. ADDITION, LOTS 300-302 AND A PORTION OF LOTS 348-349, BLOCK 48 OF THE SCHREINER 2ND ADDITION, BOTH SUBDIVISIONS WITHIN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS; AND MORE COMMONLY KNOWN AS THE PROPERTY LOCATED AT 300 MAIN STREET (STATE HWY. 27); SAID PROPERTY IS LOCATED WITHIN THE CENTRAL BUSINESS DISTRICT "CBD"; BY PERMITTING SAID PROPERTY TO BE USED FOR GASOLINE STATION (FUEL SALES) WITH CAR WASH AND CONVENIENCE STORE; AND MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN

WHEREAS, the City Planning and Zoning Commission and the City Council of the City of Kerrville, Texas, in compliance with the City Charter and state law with reference to the granting of conditional use permits under Title 11, Chapter I of the Zoning Code of the City of Kerrville, Texas, and the official zoning map adopted thereby; having given the requisite notices by United States mail, publication, and otherwise; and after holding due public hearings and affording a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, City Council, finds that the health, safety, and general welfare will be best served by the granting of a Conditional Use Permit, subject to the special conditions and restrictions set out hereinafter on the property described in Section One hereof;

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

SECTION ONE. A Conditional Use Permit is granted to permit the property described below to be developed and used for gasoline station (fuel sales) with car wash and convenience store, pursuant to Article 11-1-13 of the Zoning Code of the City of Kerrville, Texas ("Zoning Code"), and such use is subject to the provisions of this Resolution and other applicable City ordinances and regulations:

Being 1.166 acres situated in the city of Kerrville, Kerr County, Texas, being all of Lots 300-302 and a portion of Lots 348-349, Block 48 of the Chas Schreiner 2nd Addition to the City of Kerrville, a Subdivision recorded in Volume K, Page 1 of the Deed Records of Kerr County Texas; also being a portion of an closed alley by City of Kerrville Ordinance No. 92-34, recorded in Volume 670,

Page 480; being also a portion of Lot 1, Block 1 of the H.E.B. Addition, a Subdivision recorded in Volume 6, Page 120 of the Deed Records of Kerr County Texas, said property being more particularly described and depicted as Exhibit A, as attached;

And hereafter referred to as "the Property."

SECTION TWO. In addition to the development and use regulations currently applicable to the Property, development and use of the Property is subject to the following additional conditions:

- A. **Development Site Plan:** The development and use of the Property must conform to the submission and approval of a development site plan, which must be consistent with the concept plan submitted as part of the Conditional Use Permit, and attached as **Exhibit B**.
- B. **Platting:** An administratively complete application for a subdivision plat of the Property must be submitted to the City for approval before the issuance of any building permit.
- C. **Other Zoning Regulations:** The regulations set forth in this Resolution are in addition to those set forth in the Zoning Code, as amended. In the event of any irreconcilable conflict between this Resolution and the regulations set forth in the Zoning Code, as amended, the provisions of this Resolution will prevail.

SECTION THREE. This Resolution and the Conditional Use Permit granted herein is subject to termination in accordance with Article 11-I-13 of the Zoning Code.

PASSED AND APPROVED ON this the ____ day of _____, A.D., 2019.

ATTEST:

Bill Blackburn, Mayor

Shelley McElhannon, City Secretary

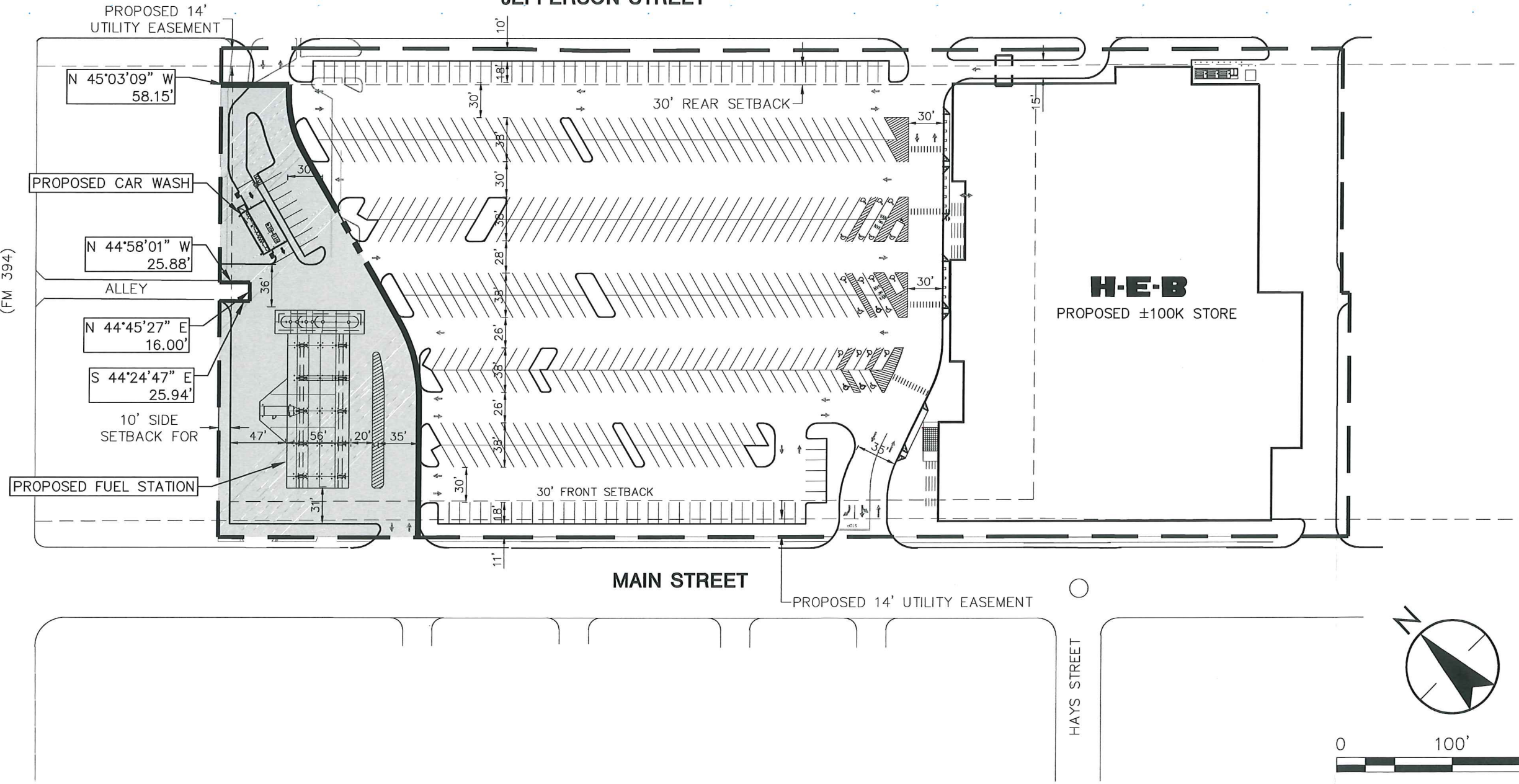
APPROVED AS TO FORM:



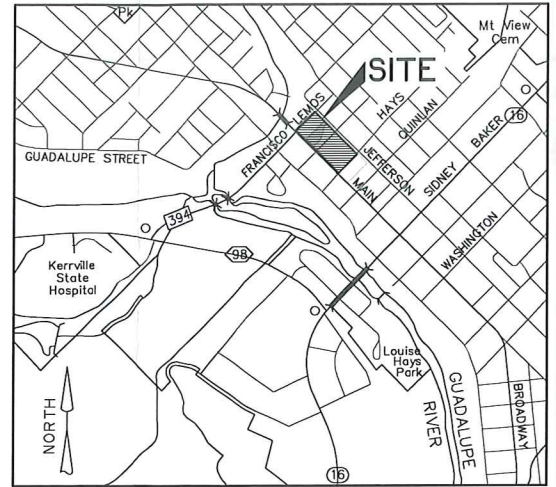
Michael C. Hayes, City Attorney

V:\2223\setfiles\222310812\civil\drawing\exhibits\2018-11-30 CUP Exhibit\222310812EXH10_CUP.dwg
2018/11/30 11:17 AM by: Corvington, Brian

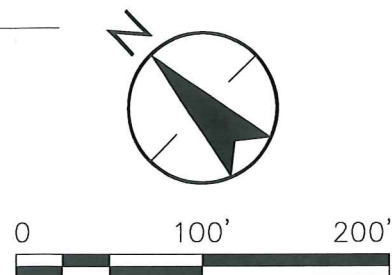
FRANCISCO LEMOS STREET
(FM 394)



CUP AREA

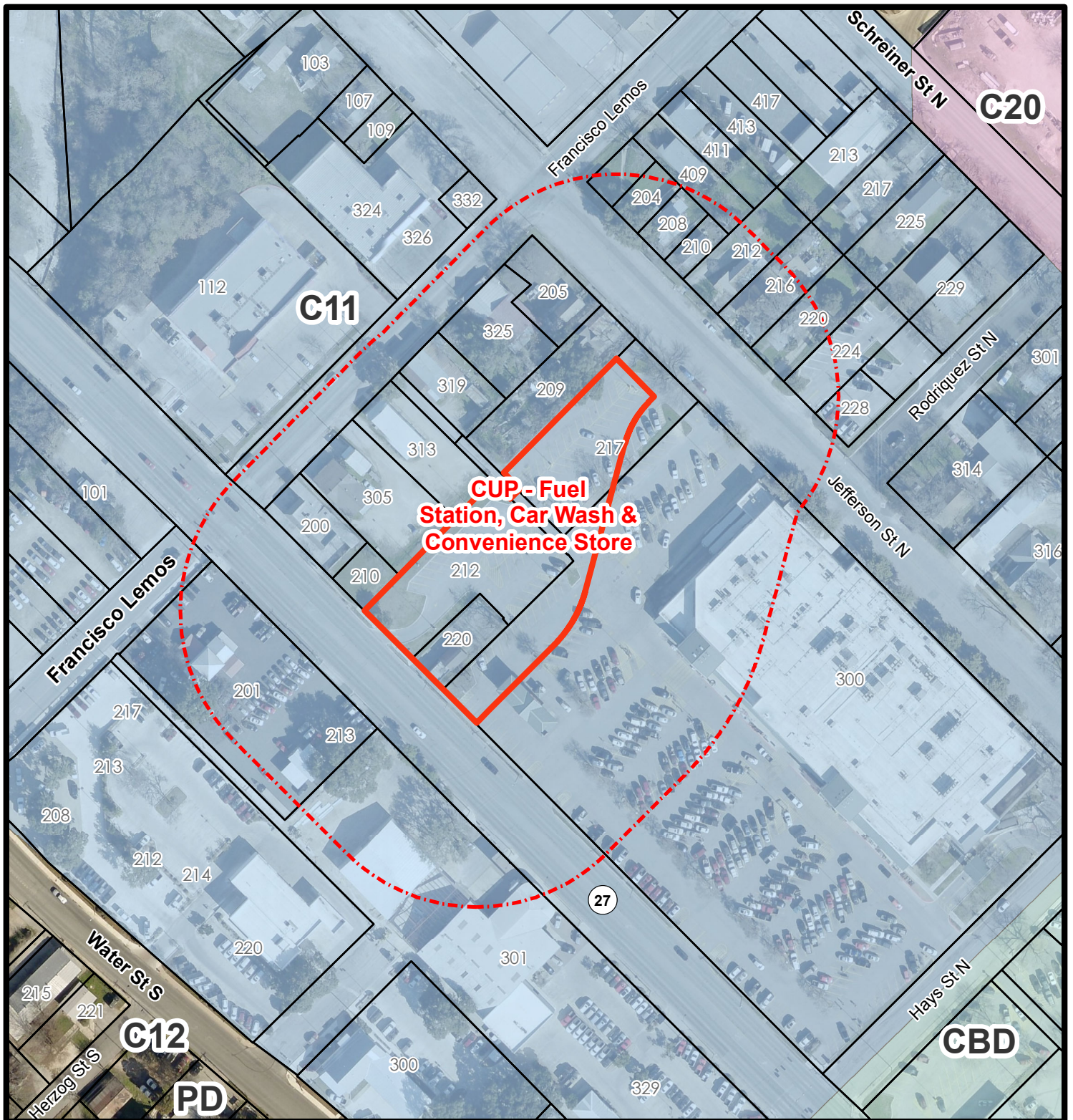


VICINITY MAP
KERRVILLE, TEXAS
N.T.S.



KERRVILLE #1

CONDITIONAL USE PERMIT EXHIBIT
11-30-2018



Location Map

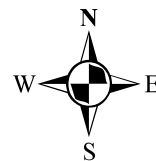
Case # 2018-095

Location:

**212, 220, & 300 Main Street
and 217 Jefferson Street**

Legend

200' Notification Area - - - - -
 Subject Properties —————
 Current Zoning **TEXT**
 Requested Zoning **(TEXT)**



0 65 130 260
 Scale In Feet



1.166 Acres
(50,769 Sq. Ft.)
2223-10812 CA .dwg

Fn. No. 2223-10812-CA
November 28, 2018
Job No. 2223-10812

FIELDNOTE DESCRIPTION

Being 1.166 acres situated in the city of Kerrville, Kerr County, Texas, being all of Lots 300-302 and a portion of Lots 348-349, Block 48 of the Chas Schreiner 2nd Addition to the City of Kerrville, a Subdivision recorded in Volume K, Page 1 of the Deed Records of Kerr County Texas; also being a portion of an closed alley by ordinance No. 92-34 recorded in Volume 670, Page 480; being also a portion of Lot 1, Block 1 of the H.E.B. Addition, a Subdivision recorded in Volume 6, Page 120 of the Deed Records of Kerr County Texas; This 1.166 acres being more particularly described by Metes and Bounds with all bearings being referenced to the Texas State Plane Coordinate System, South Central Zone, North American Datum of 1983;

Commencing, at a found 1/2 inch iron rod in the south intersection corner of Jefferson St. (80' R.O.W.) and Francisco Lemos St. (60' R.O.W.), being also the north corner of said Block 48 of the Chas Schreiner 2nd Addition;

Thence, S 44° 54' 39" E, with the southwesterly right-of-way line of Jefferson St., 150.00 feet, to the northwest corner of said Lot 349;

Thence, leaving the southwesterly right-of-way line of Jefferson St., S 44° 56' 52" W, 31.39 feet, for the **Point for the Beginning** of herein described tract;

Thence, S 45° 03' 09" E, 58.15 feet, to a point;

Thence, S 44° 58' 13" W, 8.37 feet, to a point for curvature;

Thence, along the arc of curve to the left with a central angle of 30° 00' 00", a radius of 100.00 feet, and a chord which bears S 29° 58' 13" W, 51.76 feet for a total arc distance of 52.36 feet to a point;

Thence, S 14° 58' 13" W, 165.87 feet, to a point for curvature;

Thence, along the arc of curve to the right with a central angle of 30° 00' 00", a radius of 130.00 feet, and a chord which bears S 29° 58' 13" W, 67.29 feet for a total arc distance of 68.07 feet to a point;

Thence, S 44° 58' 13" W, 99.77 feet, to a point;

Thence, S 44° 58' 31" W, 19.83 feet, to a point being on the northerly Right-Of-Way line of Main St (80' R.O.W.) for the most southerly corner of herein described tract;

Thence, along the northerly R.O.W. of Main St, N 45° 01' 29" W, 171.74 feet, to a point being the most westerly corner of herein described tract;

Thence, leaving the northerly Right-Of-Way line of Main St, N 44° 56' 50" E, 202.01 feet, to a point being on the southerly Right-Of-Way line of a 16' Alley;

Thence, along the southerly Right-Of-Way line of a 16' Alley, S 44° 24' 47" E, 25.94 feet, to a point;

Thence, N 44° 45' 27" E, 16.00 feet, to a point;

Thence, along the northerly Right-Of-Way line of a 16' Alley, N 44° 58' 01" W, 25.88 feet, to a point;

Thence, N 44° 56' 52" E, 168.82 feet, to the **Point of Beginning**, containing 1.166 acres (50,769 square feet) of land, more or less.

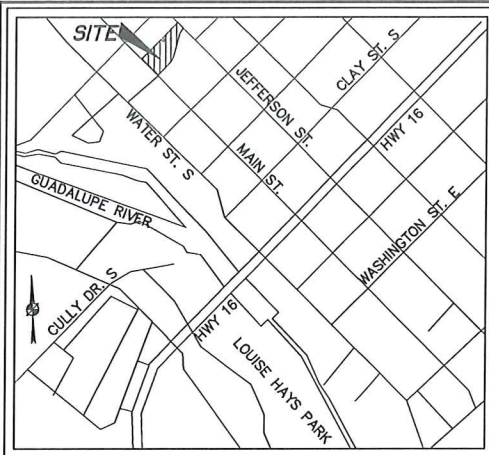


Alberto Jonathan Perez
Registered Professional Land Surveyor
Texas Registration Number 6572
Stantec Consulting Services, Inc.
70 NE Loop 410, Suite 1100
San Antonio, Texas 78216
210/525-9090
TBPLS Firm No.: 10194228

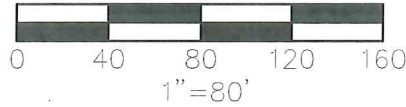
11/29/2018

DATE





VICINITY MAP
N.T.S.
KERR COUNTY, TEXAS



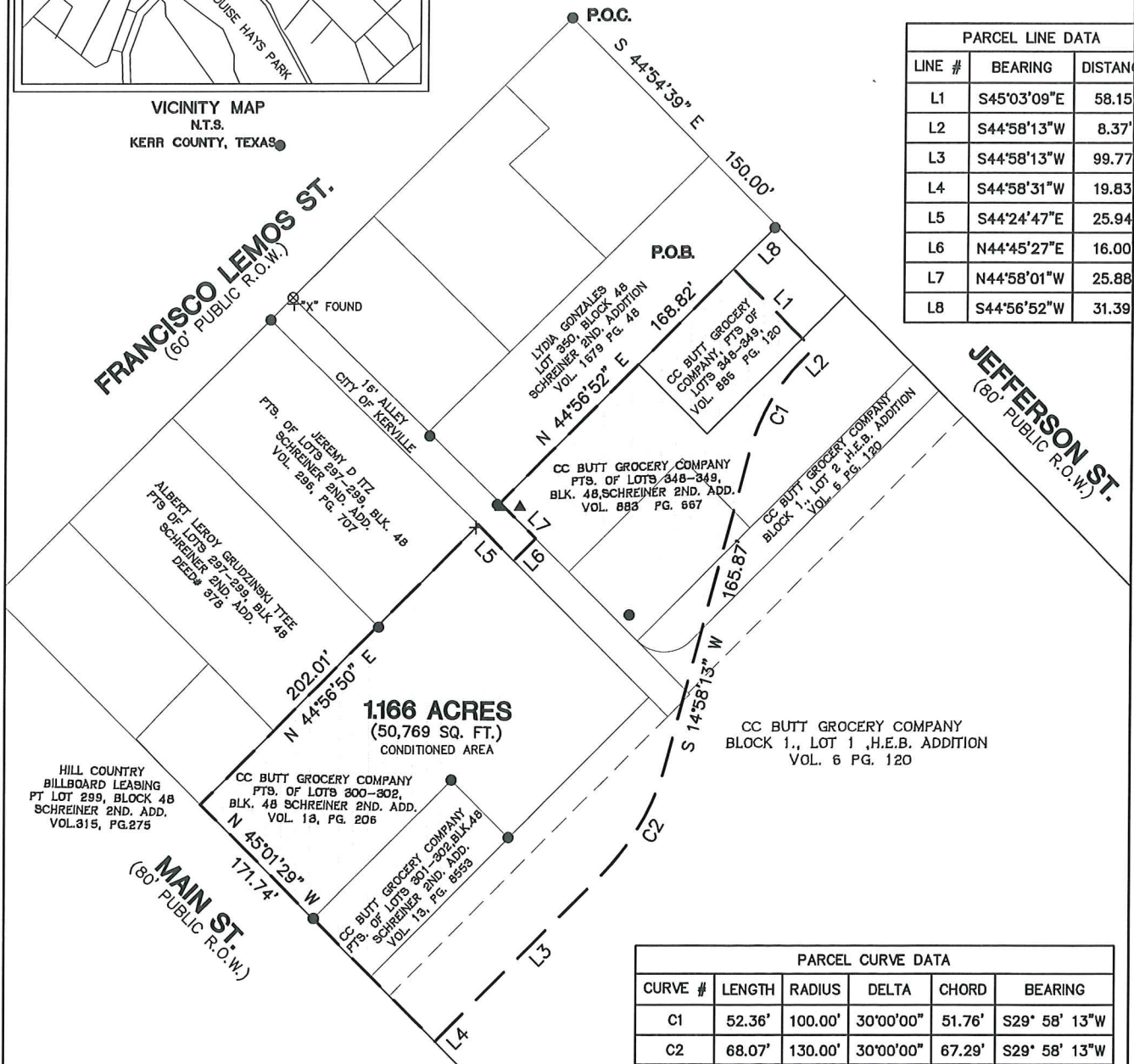
LEGEND

- 1/2" IRON ROD FOUND
- ▲ PK NAIL FOUND
- 1" IRON BAR FOUND
- P.O.B. POINT OF BEGINNING

BEARING BASIS

BEARINGS ARE BASED ON NORTH AMERICAN DATUM, 1983, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, ESTABLISHED FROM GPS OBSERVATIONS UTILIZING THE WDS COOPERATIVE NETWORK.

| PARCEL LINE DATA | | |
|------------------|-------------|----------|
| LINE # | BEARING | DISTANCE |
| L1 | S45°03'09"E | 58.15 |
| L2 | S44°58'13"W | 8.37' |
| L3 | S44°58'13"W | 99.77 |
| L4 | S44°58'31"W | 19.83 |
| L5 | S44°24'47"E | 25.94 |
| L6 | N44°45'27"E | 16.00 |
| L7 | N44°58'01"W | 25.88 |
| L8 | S44°56'52"W | 31.39 |



| PARCEL CURVE DATA | | | | | |
|-------------------|--------|---------|-----------|--------|---------------|
| CURVE # | LENGTH | RADIUS | DELTA | CHORD | BEARING |
| C1 | 52.36' | 100.00' | 30°00'00" | 51.76' | S29° 58' 13"W |
| C2 | 68.07' | 130.00' | 30°00'00" | 67.29' | S29° 58' 13"W |



Stantec

70 NE Loop 410, Suite 1100
San Antonio, TX 78216
Tel. (210) 525-9090 Fax (210) 525-0529
TBPE # F-6324 TBPLS # F-10194228
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SKETCH TO ACCOMPANY DESCRIPTION OF

1.166 ACRES SITUATED IN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS, BEING ALL OF LOTS 300-302 AND A PORTION OF LOTS 348-349, BLOCK 48 OF THE CHAS SCHREINER 2ND ADDITION TO THE CITY OF KERRVILLE, A SUBDIVISION OF KERR COUNTY TEXAS RECORDED IN VOLUME K, PAGE 1 OF THE DEED RECORDS OF KERR COUNTY TEXAS; ALSO BEING A PORTION OF AN CLOSED ALLEY BY ORDINANCE NO. 92-34 RECORDED IN VOLUME 670, PAGE 480; BEING ALSO A PORTION OF LOT 1, BLOCK 1 OF THE H.E.B. ADDITION, A SUBDIVISION OF KERR COUNTY TEXAS, RECORDED IN VOLUME 6, PAGE 120 OF THE DEED RECORDS OF KERR COUNTY TEXAS;

CONDITIONED AREA

SHEET 3 OF 3

DATE: 11/29/2018

SCALE: 1"= 80'

DRAWN BY: STAFF

FILE: 2223-10812 EX 1.dwg

PROJECT No.: 2223-10812



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

SUBJECT: Resolution No. 13-2019 Granting a Conditional Use Permit for an approximate 0.89 acre property; consisting of Lots 369 through 373 and a portion of Lot 374, Block 52, of the Schreiner 2nd Addition, subdivision within the City of Kerrville, Kerr County, Texas; and more commonly known as 400, 408, 412, and 416 Jefferson Street; said property is located within the Central Business District "CBD" by permitting said property to be used for a stand alone parking lot; and making said permit subject to certain conditions and restrictions contained herein.

AGENDA DATE OF: May 28, 2019 **DATE SUBMITTED:** May 20, 2019

SUBMITTED BY: Rebecca Pacini

EXHIBITS: [20190528_Resolution_13-2019 CUP HEB Stand Alone Parking Lot.pdf](#)
[20190528_2019-011_LocationMap.pdf](#)
[20190528_2019-011_ConceptPlan.pdf](#)
[20190528_2019-011_MetesBounds.pdf](#)
[20190528_2019-011_TreePresPlan.pdf](#)

| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
|----------------------------------|---|-------------------------|------------------------|
| \$0 | \$0 | \$0 | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
|-----------------------------|-----|
| Kerrville 2050 Item? | No |
| Key Priority Area | N/A |
| Guiding Principle | N/A |
| Action Item | N/A |

SUMMARY STATEMENT:

Public hearing, consideration, and action to adopt a resolution to allow a Conditional Use Permit for a Stand-Alone Parking Lot on approximately 0.89 acres of land consisting of all of Lots 369, 370, 371, 372, 373, and portion of Lot 374, Block 52, of the Schreiner 2nd Addition; and more commonly known as 400, 408, 412, and 416 Jefferson Street. (File No. 2019-011)

STAFF ANALYSIS

Consistency with the Kerrville 2050 Comprehensive Plan: The property and surrounding area are located within Strategic Catalyst Area 1. This area comprises the downtown core and central business district. The plan states, "There should be a strong focus on redevelopment and catalyzing a renewed public interest in the area."

ADJACENT ZONING AND LAND USES

Subject Property

Current Zoning: Central Business District (CBD)

Existing Land Uses: Former auto repair & parking

Direction: North

Current Zoning: Central District 19 (C-19)

Existing Land Uses: Building construction specialists & showroom

Direction: East

Current Zoning: Central Business District (CBD)

Existing Land Uses: Custom manufacturing, personal services, & retail

Direction: South

Current Zoning: Central Business District (CBD)

Existing Land Uses: Parking stand-alone, single family residential, and business services

Direction: West

Current Zoning: Central District 11

Existing Land Uses: Professional office

The uses which are permitted as a matter of right or permitted upon issuance of a conditional use permit in the CBD zoning district are indicated by the letters "P" and "C," respectively, in the following table:

CBD DISTRICT PERMITTED & CONDITIONAL USE TABLE

Parking Lot, Stand Alone C

Printing P

Quick Printing P

New Car Dealers C

Used Car Dealers C

Automotive Parts, Accessories, and Tire Stores (Retail Only) P

Furniture and Home Furnishings Stores P

Electronics and Appliance Stores P

Nursery, Garden Stores P

Hardware Stores P

Food and Beverage Stores P

Health and Personal Care Stores P

Gasoline Stations (w/Dev. Stnds.) C

Gasoline Stations with Convenience Stores (w/Dev. Stnds.) C

Clothing and Clothing Accessories Stores P

Jewelry , Luggage and Leather Goods Store P

Sporting Goods, Hobby, Book, and Music Stores P

General Merchandise Stores P

Miscellaneous Store Retailers P

Used Merchandise Stores (w/o Drop-off) P

Non-store Retailers C

Scenic and Sightseeing Transportation P

Postal Service P

Couriers and Messengers (Retail and Drop- off Only) P

Publishing Industries (except Internet) C

Motion Picture and Sound Recording Industries P

Motion Picture Theaters (except Drive-Ins) P

Broadcasting (except Internet) - (w/o towers) P

Telecommunications (w/o towers) P

Data Processing, Hosting and Related Services P

Other Information Services P

Monetary Authorities-Central Bank P

Credit Intermediation and Related Activities P

All Other Non-depository Credit Intermediation (Pawnshops) P

Securities, Commodity Contracts, and Other Financial Investments & Related Activities P

Insurance Carriers and Related Activities P

Agencies, Brokerages, and Other Insurance Related Activities P

Funds, Trusts, and Other Financial Vehicles P

Real Estate P

Lessors of Nonresidential Buildings (except Mini-warehouses) P

Passenger Car Rental and Leasing C

Consumer Electronics and Appliances Rental P

Formal Wear and Costume Rental P

Video Tape and Disc Rental P

Other Consumer Goods Rental P

General Rental Centers C

Office Machinery and Equipment Rental and Leasing P

Professional, Scientific, and Technical Services P

Other Specialized Design Services P

Veterinary Services (w/o kennels) C

Management of Companies and Enterprises P

Administrative and Support Services P

Business Service Center P

Elementary and Secondary Schools P

Junior Colleges P

Colleges, Universities and Professional Schools P

Business Schools and Computer and Management Training P

Technical and Trade Schools (Classroom Only) P

Other Schools and Instruction (Classroom Only) P

Educational Support Services P

Ambulatory Health Care Services P

Offices of Physicians P

Offices of Dentists P

Offices of Other Health Practitioners P

Outpatient Care Centers P

Other Outpatient Care Centers P

Medical and Diagnostic Laboratories P

Home Health Care Services P

Other Ambulatory Health Care Services (except air ambulance) P

All Other Ambulatory Health Care Services P

Hospitals C

General Medical and Surgical Hospitals C

Psychiatric and Substance Abuse Hospitals C

Specialty (except Psychiatric and Substance Abuse) Hospitals C

Nursing Care Facilities P

Residential Mental Retardation, Mental Health & Substance Abuse Facilities C

Community Care Facilities for the Elderly (w/o Nursing Care) P

Other Residential Care Facilities P

Social Assistance (Office only) P

Individual and Family Services P

Community Food and Housing, and Emergency and Other Relief Services P

Vocational Rehabilitation Services P

Child Day Care Services (Includes Adult) P

Performing Arts, Spectator Sports, and Related Industries (except spectator sports) P

Performing Arts Companies P

Spectator Sports C

Promoters of Performing Arts, Sports, and Similar Events P

Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures P

Independent Artists, Writers, and Performers P

Museums, Historical Sites, and Similar Institutions (w/o Zoos) P

Amusement, Gambling, and Recreation Industries C

Hotel/Motel P

Bed-and-Breakfast Inns P

Food Services and Drinking Places P

Limited - Services Eating Places (w/Dev. Stnds.) P

Mobile Food Services P

Automotive Repair and Maintenance C

Automotive Oil Change and Lubrication Shops C

Car Washes C

Electronic and Precision Equipment Repair and Maintenance (Minor) P

Personal and Household Goods - Repair and Maintenance P

Personal Care Services P

Death Care Services P

Coin-Operated Laundries and Drycleaners P

Other Personal Services P

Pet Care Services (except veterinary/kennels) P

Parking Lots and Garages (by fee)P

Religious, Grant-making, Civic, Professional, and Similar Organizations P

Religious Organizations P

Grant-making and Giving Services P

Social Advocacy Organizations P

Civic and Social Organizations P

Business, Professional, Labor, Political, and Similar Organizations P

Private Households P

Executive, Legislative, and Other General Government Support P

Justice, Public Order, and Safety Activities P

Administration of Human Resource Programs P

Administration of Environmental Quality Programs P

Administration of Housing Programs, Urban Planning, and Community Development P

Administration of Economic Programs P

Space Research and Technology C

National Security and International Affairs C

Single Family P

Duplex P

Multi-Family P

Upper Story Residential (Loft Apartments) P

Accessory Uses & Structures P

Parking Structure C

THOROUGHFARE PLAN: Jefferson Street and Hays Street are not designated on the Thoroughfare Plan.

TRAFFIC IMPACT: To be determined

PARKING: To be determined

The Planning and Zoning Commission public hearing was originally scheduled on March 21, 2019. It was postponed at the request of the applicant. Planning and Zoning Commission held a public hearing on May 2, 2019, and recommended approval of the Conditional Use Permit with an amendment to preserve a Post Oak, noted as 4288 in the Tree Preservation Plan, with a vote of 5-0 in favor.

RECOMMENDED ACTION:

Planning and Zoning Commission recommend approval of Resolution No. 13-2019 as presented.

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 13-2019**

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR AN APPROXIMATE 0.89 ACRE PROPERTY; CONSISTING OF LOTS 369 THROUGH 373 AND A PORTION OF LOT 374, BLOCK 52, OF THE SCHREINER 2ND ADDITION, A SUBDIVISION WITHIN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS; AND MORE COMMONLY KNOWN AS 400, 408, 412, AND 416 JEFFERSON STREET; SAID PROPERTY IS LOCATED WITHIN CENTRAL BUSINESS (CBD) ZONING DISTRICT; BY PERMITTING SAID PROPERTY TO BE USED FOR A STAND ALONE PARKING LOT; AND MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN

WHEREAS, the City Planning and Zoning Commission and the City Council of the City of Kerrville, Texas, in compliance with the City Charter and state law with reference to the granting of conditional use permits under Title 11, Chapter I of the Zoning Code of the City of Kerrville, Texas, and the official zoning map adopted thereby; having given the requisite notices by United States mail, publication, and otherwise; and after holding due public hearings and affording a full and fair hearing to all of the property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, City Council, finds that the health, safety, and general welfare will be best served by the granting of a Conditional Use Permit, subject to the special conditions and restrictions set out hereinafter on the property described in Section One hereof;

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

SECTION ONE. A Conditional Use Permit is granted to permit the property described below to be developed and used for a stand alone parking plot, pursuant to Article 11-1-13 of the Zoning Code of the City of Kerrville, Texas ("Zoning Code"), and such use is subject to the provisions of this Resolution and other applicable City ordinances and regulations:

Being a 0.8938 acre tract located within the City of Kerrville, Kerr County, Texas. Being Lots 369, 370, 371, 372, and 373 and the northwesterly seven feet (7.0') of Lot 374, Block 52, Chas. Schreiner's 2nd Addition, a subdivision of Kerr County, Texas, according to the plat of said subdivision recorded in Volume S, Page 147, deed records of Kerr County, Texas; said 0.8938 acres being more particularly described in Exhibit A, attached hereto and made a part hereof for all purposes.

Hereafter referred to as "the Property."

SECTION TWO. In addition to the development and use regulations currently applicable to the Property, development and use of the Property is subject to the following additional conditions:

- A. **Concept Plan:** The development and use of the Property must conform to the concept plan, attached as **Exhibit B**.
- B. **Pedestrian Accommodations:** A five-foot (5') sidewalk shall be installed abutting the Property along Jefferson Street and Hays Street, which ties into a high-visibility crosswalk across Jefferson at the intersection of Hays and Jefferson.
- C. **Exterior Lighting:** All exterior lighting fixtures must employ a permanent cutoff angle of ninety degrees or less and be positioned so as not to emit light above the horizontal plane of the fixture.
- D. **Landscaping:** The parking area must be screened from view of the public right-of-way along Hays and Jefferson Streets to a minimum height of three feet (3.0') by dense native vegetation and/or a fence/wall. Landscaped screening may not interfere with the clear vision area located at intersections and driveways. Planted screens are encouraged to utilize native plant species that vary in height and density.
- E. **Tree Preservation:** One-half of all healthy or non-diseased and native non-invasive existing trees must be preserved unless removal is necessary to provide utilities or pedestrian or vehicular access driveways, but not parking. The post oak tree located on the southwest corner of the Property must be preserved.
- F. **Other Zoning Regulations:** The regulations set forth in this Resolution are in addition to those set forth in the Zoning Code, as amended or superseded. In the event of any irreconcilable conflict between this Resolution and the regulations set forth in the Zoning Code, as amended or superseded, the provisions of this Resolution will prevail.

SECTION THREE. This Resolution and the Conditional Use Permit granted herein is subject to termination in accordance with Article 11-I-13 of the Zoning Code.

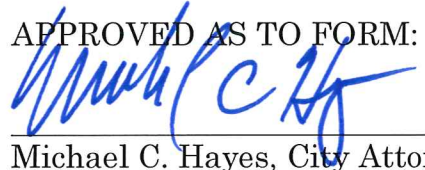
PASSED AND APPROVED ON this the ____ day of _____, A.D., 2019.

ATTEST:

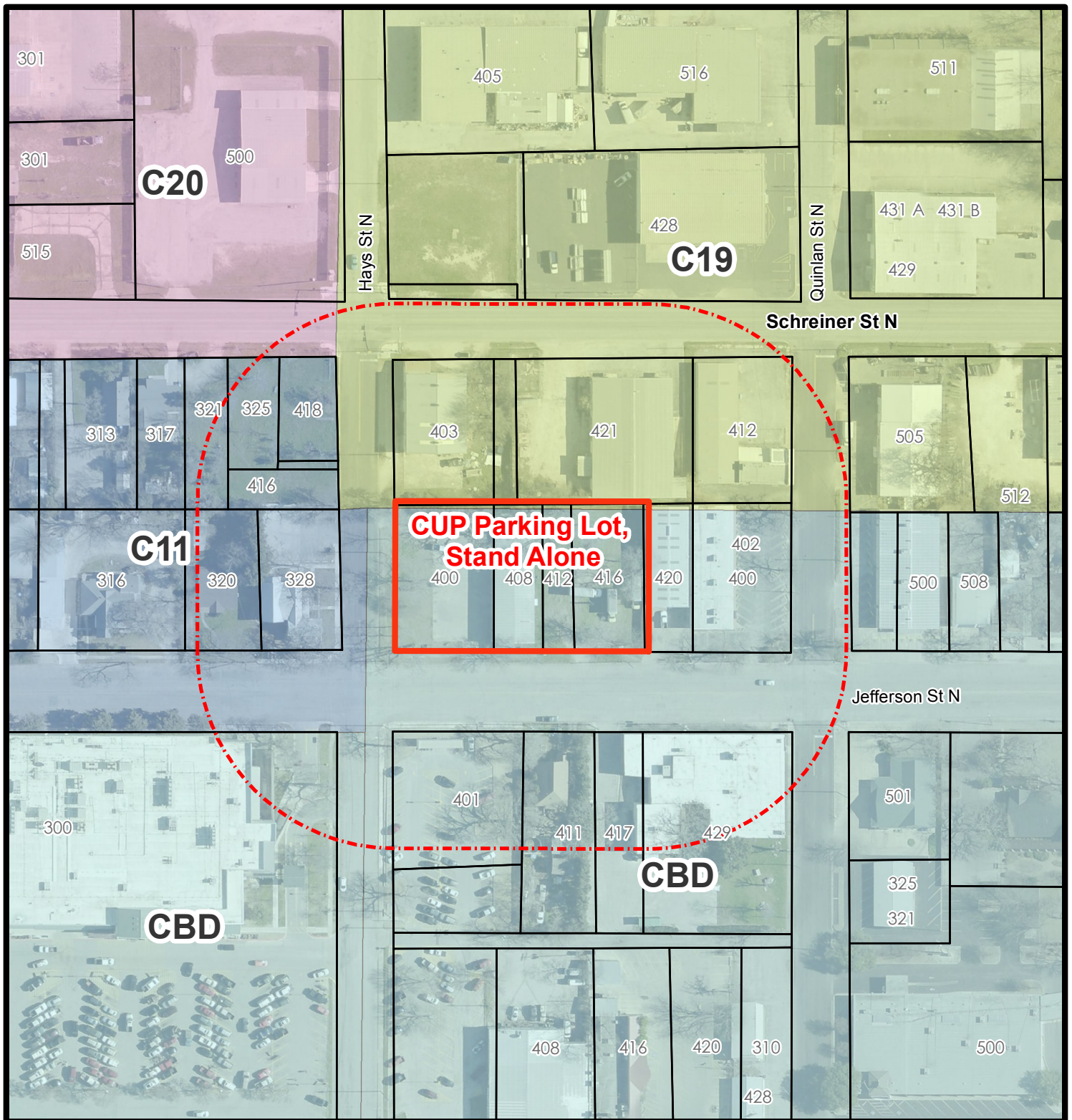
Bill Blackburn, Mayor

Shelley McElhannon, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney



Location Map

Case # 2019-011

Location:

400, 408, 412, & 416 Jefferson

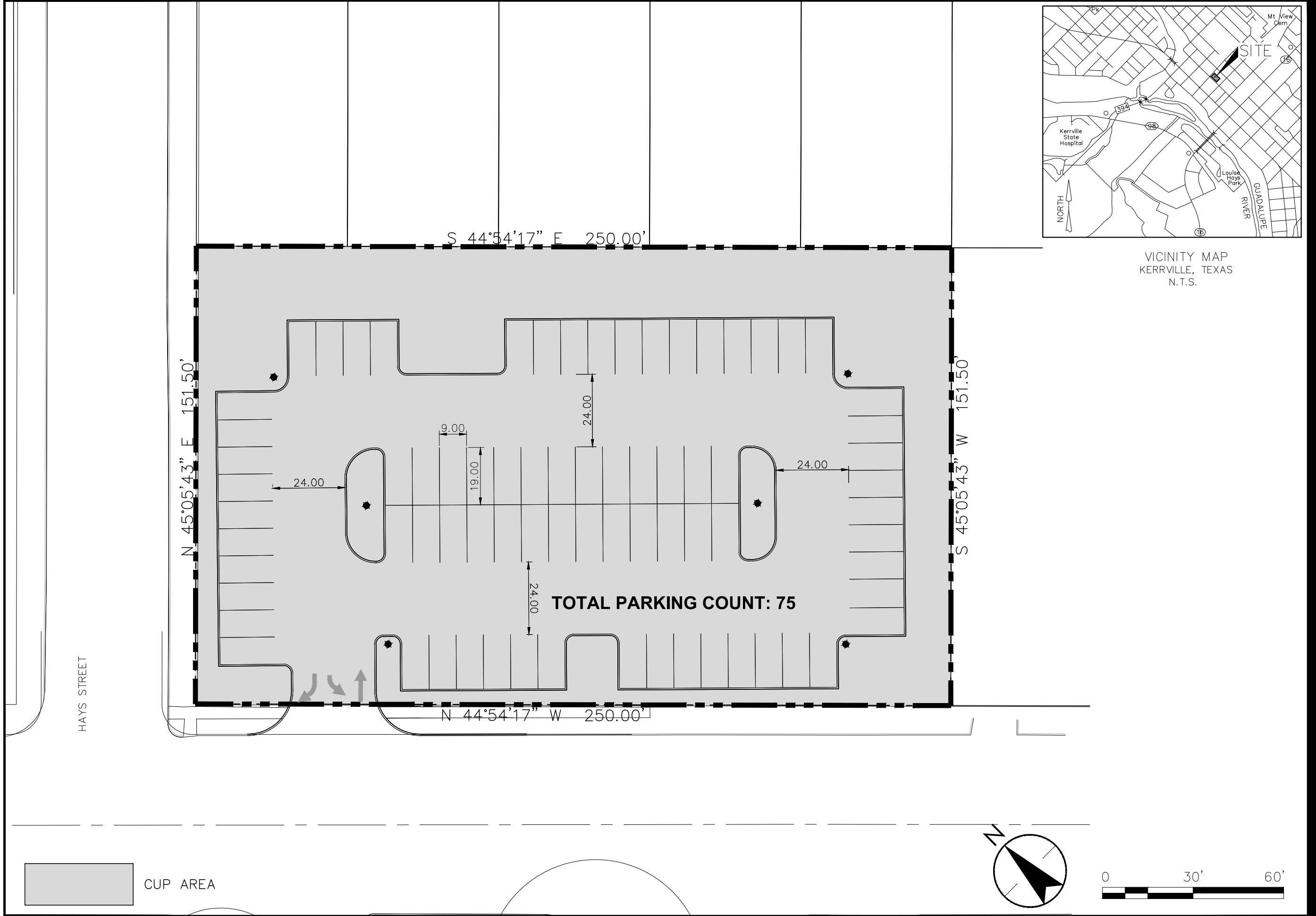
Legend

200' Notification Area - - - - -
 Subject Properties ———
 Current Zoning **TEXT**
 Requested Zoning **(TEXT)**



0 62.5 125 250
 Scale In Feet

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2019/04/25 4:02 PM By: Covington, Bianca



KERRVILLE #1

CONDITIONAL USE PERMIT EXHIBIT

4/25/2019



70 NE Loop 410 Suite 1100
San Antonio, Texas 78216
TBPE#6324 TBPLS#10194228
www.stantec.com



0.8938 ACRES
(38,936 SQ. FT.)
2220-11574 ti_r2dwg

FN NO. 2223-11574-FN
February 26, 2019
JOB NO. 222011574.905

FIELD NOTE DESCRIPTION

Of a 0.8938-acre tract located in the city of Kerrville, Kerr county, Texas. Being Lots 369, 370, lot 371, lots 372 and 373 and the northwesterly 7 ft. of Lot 374, Block 52, Chas. Schreiner's 2nd Addition, a subdivision of Kerr County, Texas, according to the plat of said subdivision recorded in Volume S, Page 147, deed records of Kerr County, Texas; said 0.8938 acres being more particularly described as follows, with all bearings being referenced to the North American Datum of 1983, Texas coordinate system, south central zone, using a combined scale factor of 1.00013;

Beginning, at a found 1/2-inch iron rod in the east intersection corner of Jefferson St. and Hays St. being the most westerly corner of Lot 369, Block 52 of said Chas. Schreiner's 2nd Addition Subdivision, being also the most westerly corner of herein described tract of land;

Thence, along the southeasterly right-of-way line of Hays St., N 45° 05' 43" E, a distance of 151.50 feet to a calculated point from which a found pk nail bears s 45°05'43" a distance of 0.23 feet;

Thence, S 44° 54' 17" E, a distance of 257.00 feet to a set PK Nail, being also the most easterly corner of herein described tract ;

Thence, S 45° 05' 43" W, a distance of 151.50 feet to a set PK Nail in the north R.O.W. line of Jefferson St., being the most southerly corner of herein described tract ;

Thence, along the northerly R.O.W. line of Jefferson St. n 44° 54' 17" w, a distance of 257.00 feet to the **Point of Beginning**, containing an area of 0.8938 acres (38,936 sq. ft.) of land, more or less.

A handwritten signature in blue ink, appearing to read "Alberto J. Perez", written over a horizontal line.

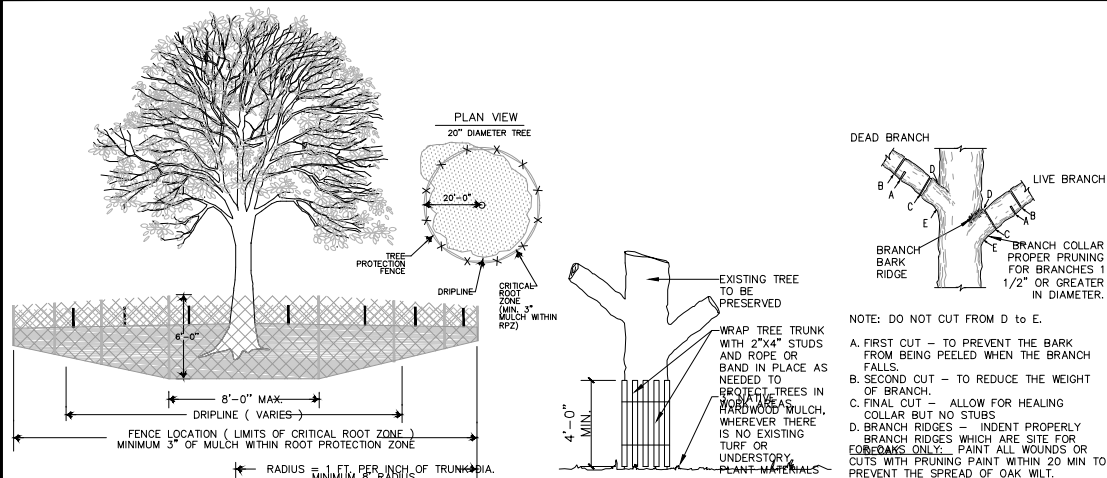
Alberto Jonathan Perez
Registered Professional Land Surveyor
Texas Registration Number 6572
Stantec Consulting Services, Inc.
70 NE Loop 410, Suite 1100
San Antonio, Texas 78216
210/525-9090
TBPLS Firm No.: 10194228

2-26-2019

DATE

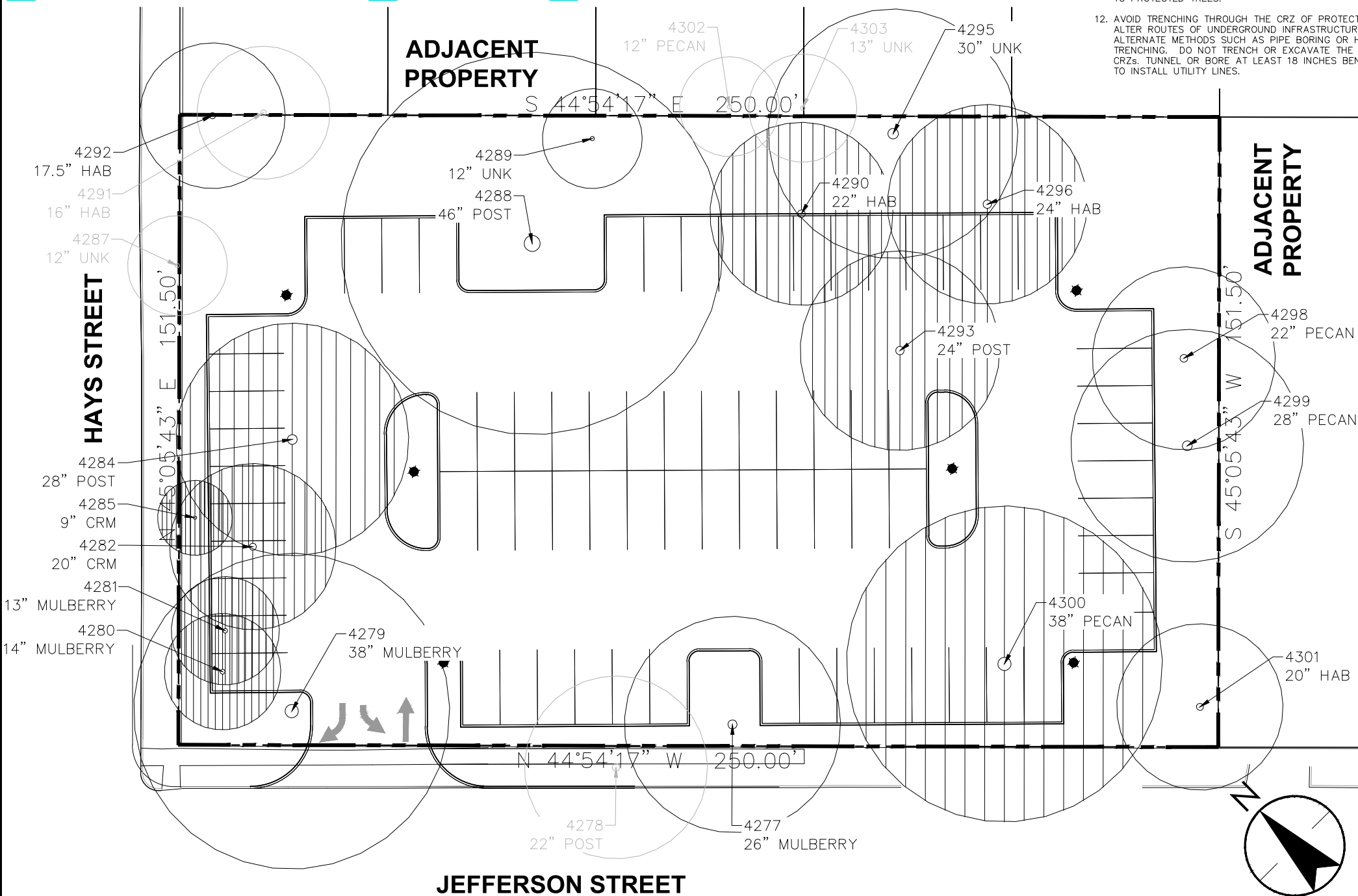
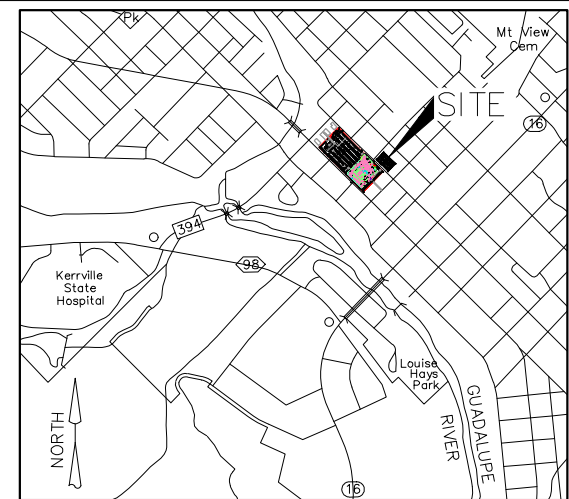


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2019/04/09 12:47 PM By: kufac.Chance

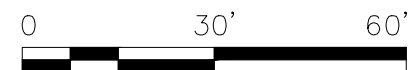


TREE PROTECTION NOTES

1. A ROOT PROTECTION ZONE WILL BE ESTABLISHED AROUND EACH TREE OR ANY VEGETATION TO BE PRESERVED TO MEET THE LANDSCAPE OR TREE PRESERVATION ORDINANCES. THE ROOT PROTECTION ZONE SHALL BE AN AREA DEFINED BY THE RADIUS EXTENDING OUTWARD FROM THE TRUNK OF THE TREE A DISTANCE OF ONE (1) LINEAR FOOT FOR EACH INCH DIAMETER INCH AT BREAST HEIGHT (4.5') OF THE TREE. A 10-INCH DIAMETER TREE WILL HAVE A 10 FOOT RADIUS ROOT PROTECTION ZONE.
2. NO WORK SHALL BEGIN WHERE TREE PROTECTION FENCING HAS NOT BEEN COMPLETED AND APPROVED. TREE PROTECTION FENCING SHALL BE INSTALLED, MAINTAINED AND REPAIRED BY THE CONTRACTOR DURING CONSTRUCTION. THE FENCING WILL BE A MINIMUM OF 4' HEIGHT.
3. ALL ROOTS LARGER THAN ONE-INCH IN DIAMETER ARE TO BE CUT CLEANLY AND OAK WOUNDS PAINTED WITHIN 30 MINUTES.
4. EXPOSED ROOTS SHALL BE COVERED AT THE END OF THE WORK DAY USING TECHNIQUES SUCH AS COVERING WITH SOIL, MULCH OR WET BURLAP.
5. NO EQUIPMENT, VEHICLES OR MATERIALS SHALL BE OPERATED OR STORED WITHIN THE ROOT PROTECTION ZONE. NO CLEAN-OUT AREAS WILL BE CONSTRUCTED SO THAT THE MATERIAL WILL BE IN OR MIGRATE TO THE ROOT PROTECTION ZONE.
6. NO GRADE CHANGE MORE THAN 3" IS ALLOWED WITHIN THE ROOT PROTECTION ZONE.
7. ROOTS OR BRANCHES IN CONFLICT WITH CONSTRUCTION SHALL BE CUT CLEANLY ACCORDING TO PROPER PRUNING METHODS. ALL OAK WOUNDS SHALL BE PAINTED WITHIN 20 MINUTES TO PREVENT OAK WILT INFECTION.
8. ANY TREE REMOVAL SHALL BE APPROVED BY THE CITY ARBORIST (207-8053).
9. TREES WHICH ARE DAMAGED OR LOST DUE TO THE CONTRACTOR'S NEGLIGENCE DURING CONSTRUCTION SHALL BE MITIGATED.
10. TREES MUST BE MAINTAINED IN GOOD HEALTH THROUGHOUT THE CONSTRUCTION PROCESS. MAINTENANCE MAY INCLUDE WATERING THE ROOT PROTECTION ZONE AND OR WASHING FOLIAGE.
11. NO WIRES, NAILS OR OTHER MATERIALS MAY BE ATTACHED TO PROTECTED TREES.
12. AVOID TRENCHING THROUGH THE CRZ OF PROTECTED TREES. ALTER ROUTES OF UNDERGROUND INFRASTRUCTURE OR USE ALTERNATE METHODS SUCH AS PIPE BORING OR HAND TRENCHING. DO NOT TRENCH OR EXCAVATE THE SOIL WITHIN CRZs. TUNNEL OR BORE AT LEAST 18 INCHES BENEATH CRZs TO INSTALL UTILITY LINES.



| EXISTING TREE INVENTORY TABLE | | | | |
|-------------------------------|---------------------|--------------|----------|----------|
| Tag # | Species | Caliper Inch | Action | Comments |
| 4277 | Paper Leaf Mulberry | 26 | Preserve | Invasive |
| 4279 | Paper Leaf Mulberry | 38 | Preserve | Invasive |
| 4280 | Paper Leaf Mulberry | 14 | Remove | Invasive |
| 4281 | Paper Leaf Mulberry | 13 | Remove | Invasive |
| 4282 | Crape Myrtle | 20 | Remove | |
| 4284 | Post Oak | 28 | Remove | |
| 4285 | Crape Myrtle | 9 | Remove | |
| 4288 | Post Oak | 46 | Preserve | |
| 4289 | Unknown | 12 | Preserve | |
| 4290 | Hackberry | 22 | Remove | |
| 4292 | Hackberry | 17.5 | Preserve | |
| 4293 | Post Oak | 24 | Remove | |
| 4295 | Unknown | 30 | Preserve | |
| 4296 | Hackberry | 24 | Remove | |
| 4298 | Pecan | 22 | Preserve | |
| 4299 | Pecan | 28 | Preserve | |
| 4300 | Pecan | 38 | Remove | |
| 4301 | Hackberry | 20 | Preserve | |



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TBPE#6324 TBPLS#10194228
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**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Ordinance No. 2019-10. An Ordinance amending the 2019 Fiscal Year Budget to account for the transfer of excess funds, the receipt of additional revenue, and to make other amendments as provided herein.

AGENDA DATE OF: May 28, 2019 **DATE SUBMITTED:** May 21, 2019

SUBMITTED BY: Amy Dozier

EXHIBITS: [20190528_Ordinance_2019-10 Amending 2019 FY Budget.pdf](#)
[20190528_Ordinance_Attachment A.pdf](#)

| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
|----------------------------------|---|-------------------------|------------------------|
| N/A | N/A | \$0 | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
|-----------------------------|-----|
| Kerrville 2050 Item? | No |
| Key Priority Area | N/A |
| Guiding Principle | N/A |
| Action Item | N/A |

SUMMARY STATEMENT:

During the year, events occur that require amending the originally adopted budget. Transfers between expenditure line items with a \$0 net impact to the fund can be approved by the City Manager. Amendments that increase overall revenue or expenditures require approval from the City Council in the form of an ordinance that requires two readings and two votes.

The attached mid-year budget amendment provides detail on all of the requested amendments. A summary of those amendments is as follows:

1. Transfer of excess fund balance based on audited FY2018 financial statements including \$200,000 to the General Asset Replacement Fund, \$200,000 to the General Capital Projects Fund, and \$100,000 to the Water Asset Replacement Fund. In

accordance with our financial policy, excess fund balance can be appropriated for capital items. The City's General Fund unassigned fund balance will be at 30% of operating expenditures, still exceeding our target of 25%, following the transfer. The transfers will be used as cash financing for capital projects and capital asset replacement purchases that Council will approve as part of the FY2020 budget process. In addition, Council will separately approve any individual purchases or contracts over \$50,000.

2. An amendment to account for the receipt of \$102,000 from HEB for the Hays St. right of way. The proceeds will be received by the General Fund and transferred to the General Capital Projects fund to be used as cash financing for capital projects that Council will approve as part of the FY2020 budget process.

3. An amendment to account for the receipt and related expenditures for \$35,000 in grants received for recycling receptacles and household hazardous waste collection.

4. An amendment authorizing the \$20,000 purchase of an undercover police vehicle using the accumulated fund balance in the Police Special Revenue Fund. As of 9/30/18, the available fund balance that can only be used for Police related purchases was \$60,978.

5. An amendment related to our banking agreement with Wells Fargo. Our contract contains a provision that allows us the option of receiving interest and paying fees or letting the activities net with no cash implication. With rising interest rates this year, we switched to the option that pays interest and charges fees. This option is resulting in net revenue of approximately \$2,000 per month. The budget was prepared using the no cash option. The amendment authorizes \$31,500 in banking fees offset by interest revenue.

6. An amendment to record the receipt of \$27,853 in Fire and EMS grants and donations. The revenue will be used to pay for tools, equipment and overtime related to the revenue.

7. An amendment to record \$14,610 in additional donations to the Library Memorial Fund. The amendment authorizes the donations to be used for purchasing items for the library including books, magazine racks and technology items.

8. An amendment authorizing \$14,838.26 in additional interest expense in the Water Debt Service Fund. The final amortization schedule for the Texas Water Development Board (TWDB) debt was not received until December 2018 and it was slightly different than the estimated amounts. The additional expense will be paid for using interest revenue in the fund that has been better than budget. Council approved issuance of the debt in 2018.

9. An amendment with no cash implication, but that is required for proper accounting and financial statement reporting purposes. The TWDB debt is structured differently than other debt. Rather than receiving the proceeds when the loan closes, the funds were put into an escrow account. The City receives distributions from the escrow account as project expenditures are incurred for the Legion Lift and TTHM projects. We anticipated these funds would go directly to the Water Capital Projects Fund. However, for financial statement reporting purposes, the funds must come to the Water Fund first and then be

transferred to the Capital Projects Fund. The amendment is for the total amount of escrow distributions expected for both projects in FY2019.

RECOMMENDED ACTION:

Approve Ordinance 2019-10 on first reading.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2019-10**

**AN ORDINANCE AMENDING THE 2019 FISCAL YEAR BUDGET
TO ACCOUNT FOR THE TRANSFER OF EXCESS FUNDS, THE
RECEIPT OF ADDITIONAL REVENUE, AND TO MAKE OTHER
AMENDMENTS AS PROVIDED HEREIN**

WHEREAS, Ordinance No. 2018-17, as approved upon second reading on September 11, 2018, adopted the Fiscal Year 2019 Budget for the City of Kerrville, Texas; and

WHEREAS, the City Council finds that amending the City's Fiscal Year 2018 Budget is in the best interest of the citizens of the City of Kerrville;

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

In accordance with Section 8.07 of the City Charter, the Official Budget for Fiscal Year 2018 is amended as set forth in **Attachment A**.

**PASSED AND APPROVED ON FIRST READING, this the ____ day of
_____, A.D., 2019.**


**PASSED AND APPROVED ON SECOND AND FINAL READING, this
the ____ day of _____, A.D., 2019.**

Bill Blackburn, Mayor

ATTEST:

Shelley McElhannon, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

Attachment A
City of Kerrville
FY2019 Mid-Year Budget Amendment

| Fund | Account # | Account Name | Debit | Credit |
|---------------------------|--------------|--------------------------------------|------------|------------|
| 1. General Fund | 01-0100-9018 | Transfer Out - Gen Asset Replacement | 200,000.00 | |
| General Asset Replacement | 18-7001 | Transfer In - General Fund | | 200,000.00 |
| General Fund | 01-0100-9070 | Transfer Out - Gen Capital Projects | 200,000.00 | |
| General Capital Projects | 70-7001 | Transfer In - General Fund | | 200,000.00 |

Note:

This amendment authorizes the transfer of \$400,000 in excess fund balance based on audited FY2018 financial statements to fund the following:

- a. Future asset replacement purchases - these purchases will be approved as part of the annual budget process and any individual purchase > \$50,000 will be approved by Council.
- b. FY2020 Capital Projects - including the remaining portion of the Drainage Master Plan project. Any contracts >\$50,000 will be individually approved by Council.

| | | | | |
|-------------------------|--------------|--|------------|------------|
| 2. Water Fund | 02-0200-9019 | Transfer Out - Water Asset Replacement | 100,000.00 | |
| Water Asset Replacement | 19-7002 | Transfer In - Water Fund | | 100,000.00 |

Note:

This amendment authorizes the transfer of \$100,000 in excess fund balance based on audited FY2018 financial statements to fund the following:

- a. Future asset replacement purchases - these purchases will be approved as part of the annual budget process and any individual purchase > \$50,000 will be approved by Council.

| | | | | |
|---------------------------|--------------|-------------------------------------|------------|------------|
| 3. General Fund | 01-0100-9070 | Transfer Out - Gen Capital Projects | 102,000.00 | |
| General Fund | 01-6901 | Asset Disposal Proceeds | | 102,000.00 |
| General Asset Replacement | 70-7001 | Transfer In - General Fund | | 102,000.00 |

Note:

This amendment accounts for a payment from HEB for the Hays St. right of way agreement. The proceeds will be transferred to the General Capital Projects fund to be used as cash financing for capital projects that Council will approve as part of the FY2020 budget process.

Attachment A
City of Kerrville
FY2019 Mid-Year Budget Amendment

| Fund | Account # | Account Name | Debit | Credit |
|---------------|--------------|---------------------|-----------|-----------|
| 4. Grant Fund | 85-8562-1100 | Tools and Equipment | 10,000.00 | |
| Grant Fund | 85-6782 | Grant - Recycle | | 10,000.00 |
| Grant Fund | 85-8562-3140 | Recycling Services | 25,000.00 | |
| Grant Fund | 85-6782 | Grant - Recycle | | 25,000.00 |

Note:

This amendment records the receipt and related expenditure in the Grant Fund for two grants received from AACOG: \$10,000 for recycling receptacles and \$25,000 for the Household Hazardous Waste Event held in November.

| | | | | |
|--------------------------------|--------------|----------|-----------|--|
| 5. Police Special Revenue Fund | 13-1303-5200 | Vehicles | 20,000.00 | |
|--------------------------------|--------------|----------|-----------|--|

Note:

This amendment authorizes the purchase of an undercover police vehicle using accumulated fund balance in the Police Special Revenue Fund. As of 9/30/18, available fund balance that can only be used for Police related purchases was \$60,978.

| | | | | |
|-----------------|--------------|------------------|-----------|-----------|
| 6. General Fund | 01-0106-3114 | Banking Fees | 31,500.00 | |
| General Fund | 01-6970 | Interest Revenue | | 31,500.00 |

Note:

Our banking agreement with Wells Fargo contains a provision that allows us the option of receiving interest and paying fees or letting the activities net with no cash implication. With rising interest rates this year, we switched to the option that pays interest and charges fees. This option is resulting in net revenue of at least \$2,000 per month. The budget was prepared using the no cash option. This amendment authorizes the additional banking fees and shows offsetting revenue.

| | | | | |
|-----------------|--------------|------------------------|-----------|-----------|
| 7. General Fund | 01-0130-1100 | Tools & Equipment | 10,250.00 | |
| General Fund | 01-0130-1110 | Technology Equipment | 3,343.00 | |
| General Fund | 01-6730 | EMS - Grants/Donations | | 13,593.00 |

Note:

This amendment records a grant from the Trauma Care System Fund (EMS) that was used to fund the purchase of an AirTraq device and technology equipment.

Attachment A
City of Kerrville
FY2019 Mid-Year Budget Amendment

| Fund | Account # | Account Name | Debit | Credit |
|-----------------|--------------|-------------------------|-----------|-----------|
| 8. General Fund | 01-0121-0001 | Overtime | 14,260.31 | |
| General Fund | 01-6721 | Fire - Grants/Donations | | 14,260.31 |

Note:

This amendment records grants received from STRAC related to emergency deployments. The grants are used to offset department overtime incurred because of the deployment.

| | | | | |
|--------------------------|--------------|---------------------------------|----------|----------|
| 9. Library Memorial Fund | 15-6799 | Miscellaneous Donation | | 9,710.00 |
| Library Memorial Fund | 15-1500-5700 | Books and Records | 6,050.00 | |
| Library Memorial Fund | 15-1500-2300 | Software Maintenance Agreements | 3,660.00 | |
| Library Memorial Fund | 15-6702 | Friends of the Library Donation | | 4,850.00 |
| Library Memorial Fund | 15-1500-1100 | Tools and Equipment | 4,500.00 | |
| Library Memorial Fund | 15-1500-1110 | Technology Equipment | 350.00 | |

Note:

This amendment records donations received by the Library Memorial Fund and offsetting expenditures for books, magazine storage bins, a basement Wi-Fi access point and a subscription to a service called Deep Freeze to manage, update and secure public access computers.

| | | | | |
|------------------------|--------------|-----------------------------|-----------|-----------|
| 10. Water Debt Service | 53-5300-4119 | 2018B TWDB Interest Expense | 14,438.26 | |
| Water Debt Service | 53-6970 | Interest Revenue | | 14,438.26 |

Note:

The actual debt amortization schedule on the Water Fund's Texas Water Development Fund debt was slightly different than estimated during the FY2019 budget process, resulting in \$14,438.26 more in debt service in FY2019. No additional debt service transfer from the Water Fund is required, because better than budgeted interest revenue in the debt service fund will offset the interest expense.

| | | | | |
|-----------------------------|--------------|---------------------------------------|--------------|--------------|
| 11. Water Fund | 02-0200-9071 | Transfer Out - Water Capital Projects | 8,000,000.00 | |
| Water Capital Projects Fund | 71-7002 | Transfer In - Water Fund | | 8,000,000.00 |

Attachment A
City of Kerrville
FY2019 Mid-Year Budget Amendment

| Fund | Account # | Account Name | Debit | Credit |
|------|-----------|--------------|-------|--------|
|------|-----------|--------------|-------|--------|

Note:

This amendment is to show an accounting treatment requested by our auditors. The loans from TWDB were funded to an escrow account at the closing date. The City receives distributions from the escrow account as project expenditures are incurred for the Legion Lift and TTHM projects. We anticipated that these distribution would go directly to the Capital Projects Fund. However, for financial statement reporting purposes, the funds must come to the Water Fund first and then be transferred to the Capital Projects Fund. This amendment is for the total amount of escrow distributions expected for both projects in FY2019.



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

SUBJECT: Ordinance No. 2019-12 amending in its entirety Chapter 10, "Alcoholic Beverages" of the Code of Ordinances of the City of Kerrville, Texas; regarding the City's authority over the sale of alcoholic beverages, to include the process for the City's imposition and collection of fees, to prohibit sales within areas zoned for residential use, to prohibit sales within three hundred feet of churches, public hospitals, schools, and child-care facilities, and to adopt a variance process applicable to such distance requirement; containing a savings and severability clause; providing for an effective date; ordering publication; and providing other matters relating to the subject.

AGENDA DATE OF: May 28, 2019

DATE SUBMITTED: May 21, 2019

SUBMITTED BY: Rebecca Pacini

EXHIBITS: [20190528_Ordinance_2019-12 Amending Chapter 10 Code of Ordinances - Alcoholic Beverages.pdf](#)

| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
|----------------------------------|---|-------------------------|------------------------|
| \$0 | N/A | N/A | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
|-----------------------------|-----|
| Kerrville 2050 Item? | No |
| Key Priority Area | N/A |
| Guiding Principle | N/A |
| Action Item | N/A |

SUMMARY STATEMENT:

Since at least 1933, the City of Kerrville has regulated various aspects of the sale of alcoholic beverages. The City has enacted regulations prohibiting the sale of alcoholic beverages within 300 feet of any church or school. The distance requirement creates an undue hardship in some special districts such as the Downtown Core and the Central Business District. As certain areas are identified as catalytic areas in the Kerrville 2050 Comprehensive Plan, it is in the public interest to amend Chapter 10, "Alcoholic Beverages", to clarify the City's authority over the sale of alcoholic beverages, to include

the process for the City's imposition and collection of fees, the prohibition of sales within areas zoned for residential use, and the prohibition of sales within 300 feet of churches, public hospitals, schools, and child-care facilities, and to adopt a variance process to such distance requirement.

RECOMMENDED ACTION:

Approval of Ordinance No. 2019-12 as presented.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2019-12**

AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 10 “ALCOHOLIC BEVERAGES” OF THE CODE OF ORDINANCES OF THE CITY OF KERRVILLE, TEXAS; REGARDING THE CITY’S AUTHORITY OVER THE SALE OF ALCOHOLIC BEVERAGES, TO INCLUDE THE PROCESS FOR THE CITY’S IMPOSITION AND COLLECTION OF FEES, TO PROHIBIT SALES WITHIN AREAS ZONED FOR RESIDENTIAL USE, TO PROHIBIT SALES WITHIN THREE HUNDRED FEET OF CHURCHES, PUBLIC HOSPITALS, SCHOOLS, AND CHILD-CARE FACILITIES, AND TO ADOPT A VARIANCE PROCESS APPLICABLE TO SUCH DISTANCE REQUIREMENT; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; ORDERING PUBLICATION; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT

WHEREAS, the Texas Legislature narrowly circumscribes a home-rule city’s authority to regulate alcoholic beverages; and

WHEREAS, the City, pursuant to the authority granted by the state, has regulated various aspects of the sale of alcoholic beverages since at least 1933, such regulations found within Chapter 10 “Alcoholic Beverages” of the City’s Code of Ordinances (“Chapter 10”); and

WHEREAS, pursuant to the authority found within Section 109.33 of the Texas Alcoholic Beverage Code, the City, per Section 10-6 of its Code of Ordinances, previously enacted regulations prohibiting the sale of alcoholic beverages within 300 feet of any church or school; and

WHEREAS, Section 109.33, Texas Alcoholic Beverage Code, also authorizes a city to allow a variance to this distance requirement under certain conditions, which to date, the City has not adopted; and

WHEREAS, the City’s Comprehensive Plan (*Kerrville 2050*) encourages the development of compact, pedestrian-scaled, mixed-use neighborhoods and commercial districts to create a livable and sustainable community; and

WHEREAS, City staff believes requiring a three hundred foot distance near churches, schools, or public hospitals located within the City’s downtown area and other mixed-use areas would create an inefficient use of the land

under the Comprehensive Plan and create an undue hardship on businesses within these districts; and

WHEREAS, it is advisable to amend Chapter 10 to provide the distance regulations contained therein as it relates to churches, public or private schools, or public hospitals are not applicable to specified districts; and

WHEREAS, while reviewing Chapter 10 with respect to making this change, City staff found other language that should be amended to clarify the City's authority over the sale of alcoholic beverages within the City; and

WHEREAS, the City Council of the City of Kerrville, Texas, finds it to be in the public interest to amend Chapter 10, by amending it in its entirety to clarify the City's authority over the sale of alcoholic beverages, to include the process for the City's imposition and collection of fees, to prohibit sales within areas zoned for residential use, to prohibit sales within 300 feet of churches, public hospitals, schools, and child-care facilities, and to adopt a variance process applicable to such distance requirement;

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

SECTION ONE. Chapter 10 "Alcoholic Beverages," of the Code of Ordinances of the City of Kerrville, Texas, is amended by repealing it and replacing it in its entirety with new language that is underlined (added) as follows:

"Sec. 10-1. – Local fee; certificate.

(a) There is levied and assessed and shall be collected by the City a fee from every person pursuing or engaging in any business within the City for which a permit or license is required by the Texas Alcoholic Beverage Code (the "Code"). Such fee shall be in an amount equal to one-half of the state fee charged for such permit or license as such fee now exists or shall from time to time be established or modified pursuant to the Code, except for a brewer's permit, brewpub license, or license issued for a similar business, in which case the City shall charge the fee applicable for an on-premises retailer. The City adopts those exemptions from the permit and license fee requirement as are provided in the Code.

(b) Upon payment to the City Secretary of the applicable fee prescribed in this section and presentation to the City Secretary of a permit or license

duly issued by the state to the applicant or person paying such fee, the City Secretary shall, in the name of the City, issue and deliver to such applicant or person a certificate to engage in the business within the City of the character described in and authorized by the permit or license from the state held by such applicant or person. The certificate so issued in the name of the City will authorize the conduct of such business upon the premises described in the permit or license from the state and remain in force only so long as such permit or license from the state remains in force. The holder of the state permit or license shall publicly display the certificate from the City on the premises together with the state permit or license.

(c) A certificate issued by the City under the terms of this chapter shall be issued in conjunction with the permit or license issued and/or renewed by the Texas Alcoholic Beverage Commission (TABC) or every two years from the date issued. No part of the City fee may be refunded if a permit or license issued by the state is terminated before its expiration date.

Sec. 10-2. – Sale of beer and wine prohibited in residential areas.

Pursuant to the authority granted by the Texas Alcoholic and Beverage Code, the sale of beer and wine within residentially zoned areas within the City is prohibited, which is in accordance with the Zoning Code of the City, as may be amended.

Sec. 10-3. – Sales limited near church, school, hospital, or child-care facility.

(a) Church and public hospital.

- (1) The sale of alcoholic beverages within 300 feet of a church or public hospital is prohibited.
- (2) The measurement of the distance between the place of business where alcoholic beverages are sold and a church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections.

(b) Public and private schools.

- (1) The sale of alcoholic beverages within 300 feet of a public or private school is prohibited.

- (2) The measurement of the distance between the place of business where alcoholic beverages are sold and a public or private school shall be in a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections.
- (c) Child-care facility.
- (1) The sale of alcoholic beverages within 300 feet of a “day-care center” or a “child-care facility” as those terms are defined by Section 42.002 of the Texas Human Resources Code, is prohibited.
- (2) The measurement of the distance between the place of business where alcoholic beverages are sold and a day-care center or child-care facility shall be in a direct line from the property line of the day-care center or child-care facility to the property line of the place of business, and in a direct line across intersections.
- (d) Responsibility for measurements. The City Manager or designee is responsible for the measurement of distances under this section.
- (e) Exceptions. The above regulations prohibiting the sale of alcoholic beverages within specified distances from churches, public hospitals, public and private schools, and child-care facilities are subject to any and all conditions and exceptions established in the Texas Alcoholic Beverage Code.
- (f) Notices. Every applicant for an original alcoholic beverage permit or license for a location with a door by which the public may enter the place of business of the applicant that is within 1,000 feet of the nearest property line of a public or private school, measured along street lines and directly across intersections, shall give written notice of the application to the official of the public or private school before filing the application with the Texas Alcoholic Beverage Commission and the City. A copy of the notice must be submitted to the Commission and the City with the application. This section does not apply to a permit or license covering a location where minors are prohibited from entering the premises under Section 109.53, Texas Alcoholic Beverage Code.
- (g) Variances to distance requirement. A property owner may apply to City Council for a variance from the distance limitations provided by

this section. The property owner must file a request for variance on a form provided by the City, pay the applicable fee, and specify the grounds supporting the variance as specified below. Upon submission of an administratively complete application, the City Manager or designee shall then place the variance application on a meeting agenda. City Council may allow a variance to this section if it determines that the enforcement of the regulation in a particular circumstance:

- (1) is not in the best interests of the public;
 - (2) constitutes waste or inefficient use of land or other resources;
 - (3) creates an undue hardship on the applicant for a permit or license;
 - (4) does not serve its intended purpose;
 - (5) is not effective or necessary; or
 - (6) for any other reason the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.
- (h) Public hearing. City Council may not grant a variance under this section except after a public hearing for which notice has been given not less than ten days prior to the hearing date both in the official City newspaper and by regular United States mail to property owners within 200 feet of the place of the business requesting a variance. The City shall send the notice to all such owners at the address indicated on the last approved City tax roll. The notice area for a variance request shall be measured in a direct line from the property line of the place of business.
- (i) Refiling. When City Council denies an application or when the applicant has withdrawn a request after the giving of public notice, the City will not accept a new application for a variance for a period of 12 months from the date of a denial or withdrawal unless the variance is denied without prejudice.

(j) Fee. City Council may establish a reasonable fee for the administrative costs with processing a variance under this section, which such fee shall then be specified within the City's Fee Schedule.

(k) Variance within Districts. Notwithstanding any other provision in this section, a variance is hereby granted to allow the sale of alcoholic beverages within 300 feet of a church or school at any premise covered by a permit or license for the sale of alcoholic beverages by the holder of a food and beverage certificate if the premises is located within the Central Business or Down Core Zoning Districts, or successor districts, or mixed use districts, as defined by the City's Zoning Code, as may be amended.

Sec. 10-4. – Selling of alcoholic beverages restricted to certain hours.

(a) Any person, firm, or corporation authorized to offer for sale alcoholic beverages within the City may do so only during the hours authorized under Chapter 105, Texas Alcoholic Beverage Code.

(b) Pursuant to Section 105.03, Texas Alcoholic Beverage Code, extended hours for the sale of mixed beverages are adopted, so that the holder of a mixed beverages late hours permit may sell and offer for sale mixed beverages between midnight and 2:00 a.m. on any day.

(c) Pursuant to Section 105.05, Texas Alcoholic Beverage Code, extended hours for the sale of beer are adopted, so that the holder of a retail dealer's on-premises late hours license may sell, offer for sale, and deliver beer between midnight and 2:00 a.m. on any day.

Sec. 10-5. – Penalty for selling alcoholic beverages in violation of chapter.

A person, firm, or corporation subject to this chapter who sells an alcoholic beverage without having paid the fee herein levied; or, violates, disobeys, omits, neglects or refuses to comply with any other part of this chapter commits a misdemeanor punishable by a fine of not less than \$10.00 nor more than \$200.00. In addition, the City Secretary shall report any such failure to pay the fee to the Texas Alcoholic Beverage Commission."

SECTION TWO. The City Secretary is authorized and directed to submit this amendment to the publisher of the City's Code of Ordinances and the publisher is

authorized to amend said Code to reflect the amendment adopted herein and to correct typographical errors and to index, format, and number and letter paragraphs to the existing Code as appropriate.

SECTION THREE. The provisions of this Ordinance are to be 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 hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. 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 hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

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

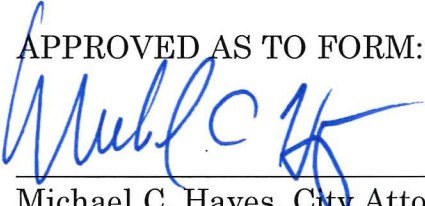
PASSED AND APPROVED ON FIRST READING, this the ____ day of _____, A.D., 2019.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the ____ day of _____, A.D., 2019.

Bill Blackburn, Mayor

APPROVED AS TO FORM:

ATTEST:



Michael C. Hayes, City Attorney

Shelley McElhannon, City Secretary



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

SUBJECT: Ordinance No. 2019-09, an ordinance annexing a portion of an approximate 35.05 acre tract of land out of the S. Wallace Survey No. 113, Abstract No. 347, and into the corporate limits of the City of Kerrville, Texas; said tract being located within Kerr County, Texas, and the Extraterritorial Jurisdiction of the City of Kerrville, Texas; and generally located adjacent to Loop 534 (Veterans Highway); further describing the property to be annexed; adopting a service plan for the property annexed; and establishing the zoning both for the property annexed and the entire tract.

AGENDA DATE OF: May 28, 2019 **DATE SUBMITTED:** Apr 09, 2019

SUBMITTED BY: Rebecca Pacini

EXHIBITS: [20190514_Ordinance_2019-09 Annexing Loop 534 - KISD Peterson MS.pdf](#)
[20190514_LocationMap_2019-007 - Zoning - PetersonMS.pdf](#)
[20190528_Report_Traffic Impact Analysis sent by Dr Mark Foust.pdf](#)

| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
|----------------------------------|---|-------------------------|------------------------|
| N/A | N/A | N/A | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
|-----------------------------|--|
| Kerrville 2050 Item? | Yes |
| Key Priority Area | F - Public Facilities and Services |
| Guiding Principle | F9. Recognize public services and facilities as potential catalysts for growth and redevelopment that can promote economic development and cultural enrichment |
| Action Item | F9.3 - Target public investment for facilities and infrastructure toward areas where mixed-use and redevelopment is desired |

SUMMARY STATEMENT:

Public hearing and consideration of an ordinance for the City of Kerrville to annex into its incorporated limits with a zoning classification of Public & Institutional District ("PI") a portion of an approximately 35.05 acre tract of land out of the S. Wallace Survey No. 114, Abstract No. 348, and the S. Wallace Survey No. 113, Abstract No. 347; said portion of the

tract located within Kerr County, Texas, and the Extraterritorial Jurisdiction of the City of Kerrville, Texas; consisting of the Property generally located adjacent to State Highway Loop 534. The portion of the tract that is located within the City of Kerrville is currently zoned both E-25 and Residential Cluster ("RC") Zoning Districts, said zoning which is proposed to be amended to Public & Institutional District ("PI"). (File No. 2019-007)

STAFF ANALYSIS

Consistency with the Kerrville 2050 Comprehensive Plan: The property is located in Strategic Catalyst Area 8 which is characterized by Loop 534 and anchored by Tivy High School. Allowable place types include community commercial uses closer to the loop and surrounding residential uses.

ADJACENT ZONING AND LAND USES

Subject Property

Current Zoning: Outside City Limits, East District 25 (E-25), & Residential Cluster (RC)

Existing Land Uses: Vacant

Direction: North

Current Zoning: East District 25 (E-25) & Residential Cluster (RC)

Existing Land Uses: Vacant

Direction: East

Current Zoning: East District 26 (E-26)

Existing Land Uses: Vacant & Tivy High School

Direction: South

Current Zoning: Outside City Limits & Residential Cluster (RC)

Existing Land Uses: Vacant

Direction: West

Current Zoning: Outside City Limits

Existing Land Uses: Vacant

The uses which are permitted as a matter of right or permitted upon issuance of a conditional use permit in the E-25 and RC zoning district are indicated by the letters "P" and "C," respectively, in the following table:

E-25 DISTRICT PERMITTED & CONDITIONAL USE TABLE

Building Construction, Specialist P
 Business Services I P
 Business Services II P
 Cocktail Lounge P
 Dwelling, Multiple Family P
 Education, Secondary and College C
 Education, Primary P
 Funeral Services P
 Institutional and Public Use Facilities P
 Manufacturing, Custom P
 Manufacturing and Industrial, Limited C
 Personal Services I P
 Personal Services II P
 Personal Services, Limited P
 Professional Offices P
 Restaurant, General P
 Restaurant, Limited P
 Retail Trade - I P
 Retail Trade - Limited P
 Tourist/Visitor & Recreation Service P
 Vehicle Sales/Service New C

RC DISTRICT PERMITTED & CONDITIONAL USE TABLE

Bed and Breakfast C
 Dwelling, Single Family, Detached P
 Dwelling, Single Family with Apartment C
 Dwelling, RC District Uses (with plat) P
 Education, Primary C

The uses which are permitted as a matter of right or permitted upon issuance of a conditional use permit in the PI zoning district are indicated by the letters "P" and "C," respectively, in the following table:

PI DISTRICT PERMITTED & CONDITIONAL USE TABLE

Bed and Breakfast P

Dwelling, Multiple Family C

Education, Secondary and College P

Education, Primary P

Institutional and Public Use Facilities P

Personal Services I C

Professional Offices C

Tourist/Visitor & Recreation Service P

THOROUGHFARE PLAN: State Highway Loop 534 is designated as a Primary or Principal Arterial. Principal arterials typically serve as the highest traffic volume corridors, prioritizing longer-distance trips and providing connectivity between surrounding communities and major activity centers within Kerrville. A typical principal arterial is a four-lane divided roadway with a raised median, which can accommodate turning traffic at intersections and regulates access to the adjacent development. In rural and constrained areas or where there is a high volume of left-turning vehicles, the roadway may be undivided with a center turn lane at intersections.

Two Collectors are proposed along the southern border and through this property, one of which is the future extension of Olympic Drive. Collectors provide the necessary connectivity through and between residential neighborhoods and support circulation in nonresidential activity centers. A typical collector in Kerrville is a two-lane divided roadway with a center turn lane; however, in constrained areas, a two-lane undivided roadway may be appropriate so that a portion of the right-of-way could be used for pedestrian space or on-street parking.

TRAFFIC IMPACT: Preliminary feedback report attached. Additional analysis occurring before June 6, 2019 P&Z plat review.

PARKING: To be determined

ANNEXATION SCHEDULE

January 14, 2019 - Petition received

February 12, 2019 - City Council approved Resolution 06-2019 as presented in a vote of 5-0 in favor

March 21, 2019 - Planning and Zoning Commission held a public hearing, and recommended approval as presented in a vote of 5-0 in favor

April 16, 2019 - City Council held first public hearing

April 23, 2019 - City Council held second public hearing

May 14, 2019 - City Council held a public hearing and first reading of Ordinance 2019-09, and recommended approval as presented in a vote of 4-1 in favor

May 28, 2019 - City Council second reading of Ordinance 2019-09

RECOMMENDED ACTION:

Planning and Zoning Commission recommend approval of Ordinance No. 2019-09 on second reading.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2019-09**

AN ORDINANCE ANNEXING A PORTION OF AN APPROXIMATE 35.05 ACRE TRACT OF LAND OUT OF THE S. WALLACE SURVEY NO. 113, ABSTRACT NO. 347, INTO THE CORPORATE LIMITS OF THE CITY OF KERRVILLE, TEXAS; SAID TRACT BEING LOCATED WITHIN KERR COUNTY, TEXAS, AND THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF KERRVILLE, TEXAS; AND GENERALLY LOCATED ADJACENT TO LOOP 534 (VETERANS HIGHWAY); FURTHER DESCRIBING THE PROPERTY TO BE ANNEXED; ADOPTING A SERVICE PLAN FOR THE PROPERTY ANNEXED; AND ESTABLISHING THE ZONING BOTH FOR THE PROPERTY ANNEXED AND THE ENTIRE TRACT

WHEREAS, pursuant to Texas Local Government Code Section 43.028, the owner of the property described in Section One, below, previously petitioned the City to annex the property into the corporate limits of the City of Kerrville, Texas; and

WHEREAS, having provided all required public notices, held all required public hearings at which persons with an interest in the matter were provided an opportunity to be heard, the City Council of the City of Kerrville, Texas, finds it to be in the public interest to approve an ordinance annexing the subject property, adopt a service plan as required by state law, and establish zoning regulations for the property;

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

SECTION ONE. The property described and depicted in **Exhibit A** is annexed and incorporated into the corporate limits of the City of Kerrville, Texas, for all legal purposes.

SECTION TWO. The petition for annexation concerning the property described in Section One, above, is attached as **Exhibit B** and incorporated herein by reference.

SECTION THREE. The service plan regarding the provision of public services, as set forth in **Exhibit C**, attached hereto and incorporated herein by reference, is hereby adopted for the property described in Section One, above, as required by Section 43.056, Texas Local Government Code.

SECTION FOUR. Upon the adoption of this Ordinance, the property described in Section One, above, will be zoned as a Public and Institutional Zoning District ("PI"). In addition, the portions of the property that are currently within the City and that are zoned either Residential Cluster ("RC") or E-25 are rezoned into a Public and Institutional Zoning District ("PI").

SECTION FIVE. The provisions of this Ordinance are to be cumulative of all 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 hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION SIX. 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, hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION SEVEN. The penalty for violation of this Ordinance shall be in accordance with the general penalty provisions contained in Article 1-1-7 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 EIGHT. In accordance with Section 3.07 of the City Charter and Texas Local Government Code §52.013(a), 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 the law as an alternative method of publication.

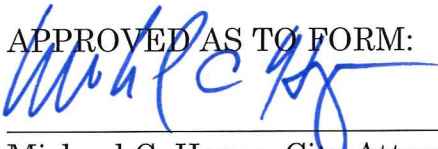
SECTION NINE. In accordance with Section 43.028(d) of the Texas Local Government Code, the City Secretary is directed to file a certified copy of this Ordinance together with a copy of the petition requesting annexation with the Kerr County Clerk.

PASSED AND APPROVED ON FIRST READING, this the ____
day of _____ A.D., 2019.

PASSED AND APPROVED ON SECOND READING, this the
____ day of _____ A.D., 2019.

Bill Blackburn, Mayor

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

ATTEST:

Shelley McElhannon, City Secretary

MDS

LAND SURVEYING COMPANY, INC.

Boundary ♦ Topographic ♦ Construction

729 Sidney Baker Street, Suite "B"

Kerrville, Texas 78028

Phone: 830-816-1818

Email: mdsinc@gvte.com Firm no. 10019600

FIELD NOTES FOR A 35.05 ACRE TRACT

BEING A 35.05 ACRE TRACT OF LAND LOCATED IN THE S. WALLACE SURVEY NO. 114, ABSTRACT NO. 348, AND THE S. WALLACE SURVEY NO. 113, ABSTRACT NO. 347, KERR COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN TRACT RECORDED IN VOLUME 71, PAGE 573, DEED RECORDS OF KERR COUNTY, TEXAS. SAID 35.05 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

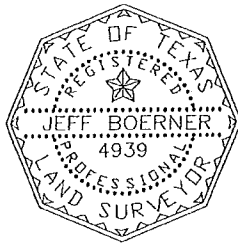
BEGINNING at a ½" rebar found in the west right-of-way line of State Loop 534, at the southeast corner of the herein described tract, said point being the northeast corner of a called 3.07 acre dedication to the City of Kerrville, recorded in Volume 1077, Page 339, Official Public Records of Kerr County, Texas;

- (1) **Thence**, departing the west right-of-way line of State Loop 534, with the north line of the called 3.07 acre dedication, the south boundary line of the herein described tract, the following 2 (two) courses and distances:
 - a. **N 86° 22' 46" W, 1338.00'** to a ½" rebar found for the point of curvature of a curve to the left;
 - b. with the arc of said curve to the left, with a radius of 640.49', a central angle of 08° 58' 57", an arc length of 100.41', and a chord which bears **S 89° 07' 46" W, a distance of 100.31'** to a ½" with "MDS" cap set for southwest corner;
- (2) **Thence**, departing the north line of the called 3.07 acre dedication, with the west, northwest, and north boundary lines of the herein described tract, the following 3 (three) courses and distances:
 - a. **N 03° 37' 14" E, 697.79'** to a ½" rebar with "MDS" cap set for angle;
 - b. **N 48° 37' 14" E, 855.68'** to a ½" rebar with "MDS" cap set for corner;
 - c. **S 62° 48' 15" E, 881.82'** to a ½" rebar with "MDS" cap set for northeast corner in the west right-of-way line of State Loop 534;

(3) Thence, with the west right-of-way line of State Loop 534, the east boundary line of the herein described tract, the following 2 (two) courses and distances:

- a. S 10° 17' 01" E, 103.08' to a TxDOT, Type 1, concrete marker found for angle;
- b. S 03° 37' 27" W, 842.25' to the **PLACE OF BEGINNING** and containing **35.05 acres** of land, more or less.

Note: This description is based on an on the ground survey performed in June of 2018. The basis of bearings was derived from the Texas State Plane Coordinate System, South Central Zone. A survey plat with same date accompanies this description.



A handwritten signature in black ink, appearing to read "Jeff Boerner", written over a horizontal line.

Jeff Boerner RPLS # 4939

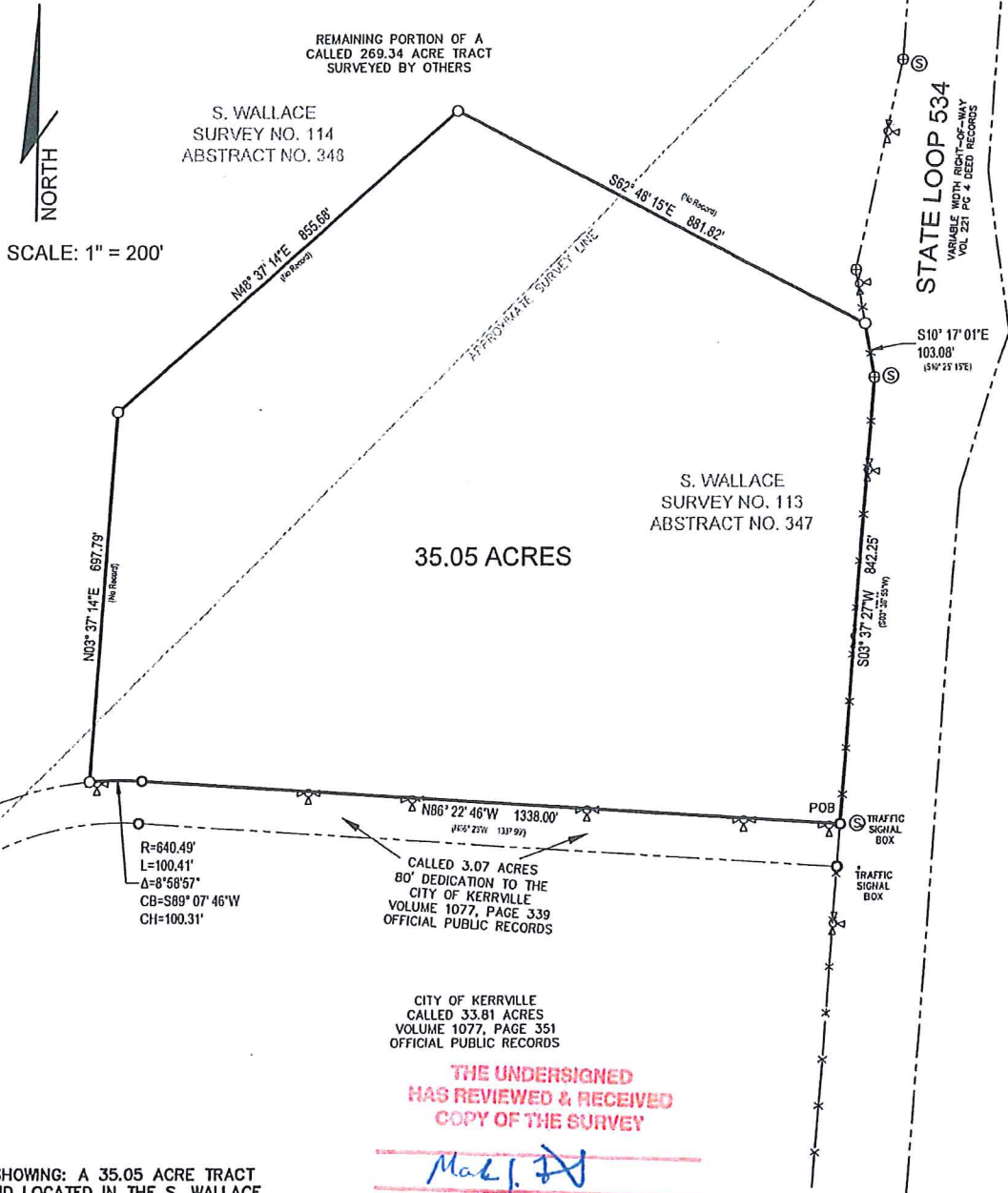
Date: 01-14-2019 Job No. 18-135-00

NOTES

1. BASIS OF BEARING WAS ESTABLISHED FROM TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, HAD 83 (12).
2. FIELD SURVEY COMPLETED 06-26-2018.
3. ONLY APPARENT UTILITIES WERE LOCATED AND NO ATTEMPT HAS BEEN MADE AS A PART OF THIS BOUNDARY SURVEY TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY UTILITY OR MUNICIPAL / PUBLIC SERVICE FACILITY. FOR INFORMATION REGARDING THESE UTILITIES OR FACILITIES, PLEASE CONTACT THE APPROPRIATE AGENCIES.
4. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF THE MAKING OF THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND USE REGULATIONS; AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
5. A FIELD NOTE DESCRIPTION WITH SAME DATE ACCOMPANIES THIS SURVEY.

LEGEND

- ⊙ SANITARY SEWER MANHOLE
- X- WIRE FENCE
- ⊕ FND TXDOT TYPE 1 CONCRETE MARKER
- 1/2" REBAR FOUND
- 1/2" REBAR SET WITH "MDS" CAP
- POB POINT OF BEGINNING
- ⊕ FIRE HYDRANT
- () RECORD INFORMATION



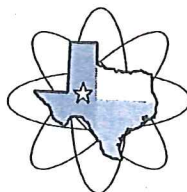
PLAT SHOWING: A 35.05 ACRE TRACT OF LAND LOCATED IN THE S. WALLACE SURVEY NO. 114, ABSTRACT NO. 348, AND THE S. WALLACE SURVEY NO. 113, ABSTRACT NO. 347, KERR COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN TRACT RECORDED IN VOLUME 71, PAGE 573, DEED RECORDS OF KERR COUNTY, TEXAS.

M.D.S. LAND SURVEYING CO., INC.
8 SPENCER ROAD
BOERNE, TEXAS 78006
PHONE: (830) 816-1818
EMAIL: mdsinc@gvtc.com

CITY OF KERRVILLE
CALLED 33.81 ACRES
VOLUME 1077, PAGE 351
OFFICIAL PUBLIC RECORDS

THE UNDERSIGNED
HAS REVIEWED & RECEIVED
COPY OF THE SURVEY

DATE: 1/25/19



STATE OF TEXAS
COUNTY OF KERR (ALL)

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION, THIS 14th DAY OF JANUARY, 2019, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS OF BUILDINGS ON ADJOINING PROPERTY AND THAT ALL BUILDINGS ARE WHOLLY LOCATED ON THIS PROPERTY EXCEPT AS SHOWN ABOVE.

JEFF BOERNER
REGISTERED PROFESSIONAL LAND SURVEYOR
4939
TEXAS REGISTRATION NO. JOB #: 18-135-00

EXHIBIT "A"

PETITION REQUESTING ANNEXATION TO THE CORPORATE LIMITS OF THE CITY OF KERRVILLE, TEXAS, OF TEXAS ACRES OUT OF THE No. 114, 113 Survey, Abstract Number 348, 347, KERR COUNTY TEXAS

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF KERRVILLE, TEXAS:

Kerrville Independent School District is the sole owner of an approximately 35.05 acre tract of land located adjacent to the incorporated limits of the City of Kerrville which is out of the Survey No. 114, 113 Abstract No. 348, 347 Kerr County, Texas, and is more particularly described as follows:

SEE EXHIBIT "A".

In accordance with Texas Local Government Code §43.028, Dr. Mark J. Foust hereby respectfully requests and petitions that the above-described property be annexed into the incorporated limits of the City of Kerrville, Texas.

SUBMITTED THIS 25 day of January 2019

By: Mark J. Foust
Legally authorized signature

ACKNOWLEDGEMENT

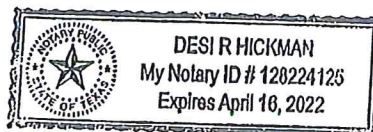
THE STATE OF TEXAS §
 §
COUNTY OF KERR §

This instrument was acknowledged before me on the 25 day of January, 2019 by Desi R. Hickman for and on behalf of Kerrville ISD.

Desi R. Hickman
NOTARY PUBLIC, STATE OF TEXAS

Printed Name: Desi R. Hickman

My Commission Expires: April 16, 2022



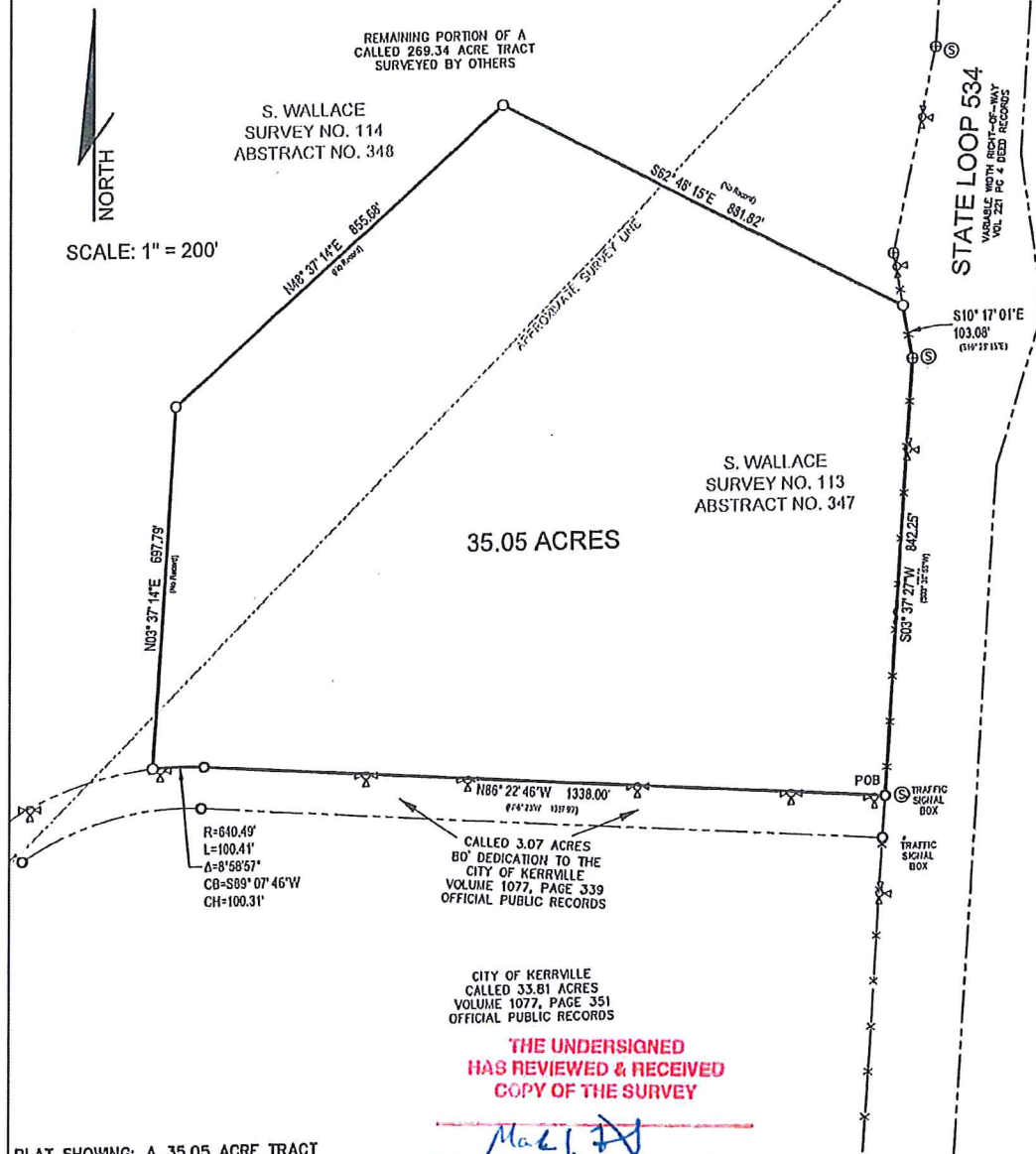
RESOLUTION 062019

NOTES

1. BASIS OF BEARING WAS ESTABLISHED FROM TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, HAD 83 (10).
2. FIELD SURVEY COMPLETED 06-26-2018.
3. ONLY APPARENT UTILITIES WERE LOCATED AND NO ATTEMPT HAS BEEN MADE AS A PART OF THIS BOUNDARY SURVEY TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CIRCUMFERENCE, CAPACITY, OR LOCATION OF ANY UTILITY OR MUNICIPAL / PUBLIC SERVICE FACILITY. FOR INFORMATION REGARDING THESE UTILITIES OR FACILITIES, PLEASE CONTACT THE APPROPRIATE AGENCIES.
4. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAN, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF THE MAKING OF THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAID OUT REGULATIONS; AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
5. A FIELD NOTE DESCRIPTION WITH SAME DATE ACCOMPANIES THIS SURVEY.

LEGEND

- ⊙ SANITARY SEWER MANHOLE
- X- WIRE FENCE
- ⊙ FND TXDOT TYPE 1 CONCRETE MARKER
- 1/2" REBAR FOUND
- 1/2" REBAR SET WITH "MDS" CAP
- POB POINT OF BEGINNING
- ⊙ FIRE HYDRANT
- () RECORD INFORMATION



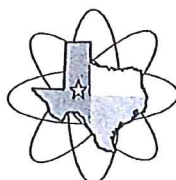
PLAT SHOWING: A 35.05 ACRE TRACT OF LAND LOCATED IN THE S. WALLACE SURVEY NO. 114, ABSTRACT NO. 348, AND THE S. WALLACE SURVEY NO. 113, ABSTRACT NO. 347, KERR COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN TRACT RECORDED IN VOLUME 71, PAGE 573, DEED RECORDS OF KERR COUNTY, TEXAS.

M.D.S. LAND SURVEYING CO., INC.
8 SPENCER ROAD
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PHONE: (830) 816-1818
EMAIL: mdsinc@gvltc.com

CITY OF KERRVILLE
CALLED 33.81 ACRES
VOLUME 1077, PAGE 351
OFFICIAL PUBLIC RECORDS

THE UNDERSIGNED
HAS REVIEWED & RECEIVED
COPY OF THE SURVEY

DATE: 1/25/19



STATE OF TEXAS
COUNTY OF KENDALL

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUNDS, UNDER MY SUPERVISION, THIS 14th DAY OF JANUARY, 2019, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS OF BUILDINGS ON ADJOINING PROPERTY AND THAT ALL BUILDINGS ARE WHOLLY LOCATED ON THIS PROPERTY EXCEPT AS SHOWN ABOVE.

JEFF BOERNER
REGISTERED PROFESSIONAL LAND SURVEYOR
4939
TEXAS REGISTRATION NO. J00 # 10-135-00

RESOLUTION 06-2019

MDS

LAND SURVEYING COMPANY, INC.

Boundary • Topographic • Construction

729 Sidney Baker Street, Suite "B"

Kerrville, Texas 78028

Phone: 830-816-1818

Email: mdsinc@gvfc.com Firm no. 10019600

FIELD NOTES FOR A 35.05 ACRE TRACT

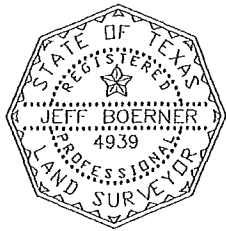
BEING A 35.05 ACRE TRACT OF LAND LOCATED IN THE S. WALLACE SURVEY NO. 114, ABSTRACT NO. 348, AND THE S. WALLACE SURVEY NO. 113, ABSTRACT NO. 347, KERR COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN TRACT RECORDED IN VOLUME 71, PAGE 573, DEED RECORDS OF KERR COUNTY, TEXAS. SAID 35.05 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" rebar found in the west right-of-way line of State Loop 534, at the southeast corner of the herein described tract, said point being the northeast corner of a called 3.07 acre dedication to the City of Kerrville, recorded in Volume 1077, Page 339, Official Public Records of Kerr County, Texas;

- (1) Thence, departing the west right-of-way line of State Loop 534, with the north line of the called 3.07 acre dedication, the south boundary line of the herein described tract, the following 2 (two) courses and distances:
 - a. N 86° 22' 46" W, 1338.00' to a ½" rebar found for the point of curvature of a curve to the left;
 - b. with the arc of said curve to the left, with a radius of 640.49', a central angle of 08° 58' 57", an arc length of 100.41', and a chord which bears S 89° 07' 46" W, a distance of 100.31' to a ½" with "MDS" cap set for southwest corner;
- (2) Thence, departing the north line of the called 3.07 acre dedication, with the west, northwest, and north boundary lines of the herein described tract, the following 3 (three) courses and distances:
 - a. N 03° 37' 14" E, 697.79' to a ½" rebar with "MDS" cap set for angle;
 - b. N 48° 37' 14" E, 855.68' to a ½" rebar with "MDS" cap set for corner;
 - c. S 62° 48' 15" E, 881.82' to a ½" rebar with "MDS" cap set for northeast corner in the west right-of-way line of State Loop 534;

- (3) Thence, with the west right-of-way line of State Loop 534, the east boundary line of the herein described tract, the following 2 (two) courses and distances:
- a. S 10° 17' 01" E, 103.08' to a TxDOT, Type 1, concrete marker found for angle;
 - b. S 03° 37' 27" W, 842.25' to the **PLACE OF BEGINNING** and containing **35.05** acres of land, more or less.

Note: This description is based on an on the ground survey performed in June of 2018. The basis of bearings was derived from the Texas State Plane Coordinate System, South Central Zone. A survey plat with same date accompanies this description.



A handwritten signature in black ink, appearing to read "Jeff Boerner", written over a horizontal line.

Jeff Boerner RPLS # 4939
Date: 01-14-2019 Job No. 18-135-00

EXHIBIT C

ANNEXATION SERVICE PLAN

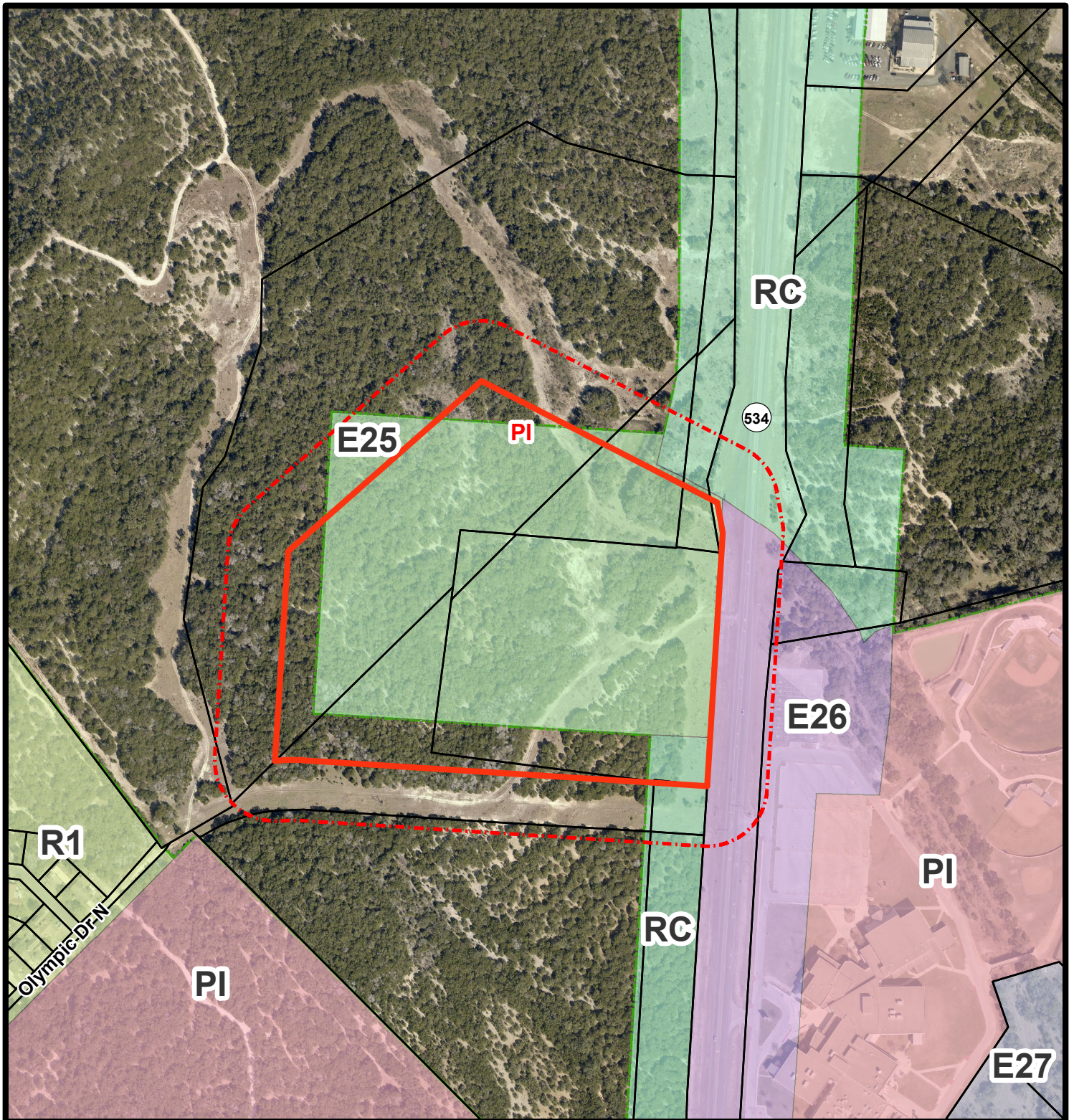
- I. INTRODUCTION:** This service plan for the extension of municipal services to the area to be annexed was developed in accordance with state law. Municipal facilities and services to the annexed area described above will be provided or made available on behalf of the City of Kerrville, Texas ("City") at the levels and schedule specified below.
- II. UNIFORM LEVEL OF SERVICES:** The City shall provide services by any of the methods by which it extends the services to any other area of the municipality, based upon differing characteristics of topography, land use, and population density, which may be considered a sufficient basis for providing differing levels of service.
- III. SPECIFIC FINDINGS:** City Council finds and determines that this Service Plan, as provided below, will provide full municipal services to the annexation area both adequate to serve the annexation area and commensurate with the levels of services provided in other parts of the City with the same or similar topography, land use, and population density, and it will not provide a lower level of service in the annexation area than were in existence at the time immediately preceding the effective date of annexation.

| SERVICE | DETAILS OF SERVICE PROVIDED | TIMETABLE |
|---|--|---|
| Code Enforcement | The provisions of Code Enforcement services, including the application and enforcement of building, electrical, plumbing, and other related code requirements adopted by the City of Kerrville shall be made immediately to the area upon annexation. The preparation of a zoning plan shall serve as a basis for the zoning of land following annexation. The adoption of the zoning plan shall be in accordance with the procedures of the City of Kerrville's Zoning Ordinance. | Immediately following annexation, zoning to be concurrent with annexation |
| Fire Protection and Emergency Medical Services (EMS) | Fire protection and emergency medical services will be provided to the annexation area. The City will serve the annexation area from existing fire stations closest to the area of annexation. Emergency dispatch assignment of Fire Services resources to the annexation area would be the same as currently provided in areas of similar land use and population within the City. | Immediately following annexation |

| SERVICE | DETAILS OF SERVICE PROVIDED | TIMETABLE |
|--|---|-----------------------------------|
| Fire Prevention | The services of the City of Kerrville Fire Marshall shall be provided to the area. | Immediately following annexation. |
| Library | Residents of the area, if any, will continue to be entitled to utilize all City of Kerrville Library facilities. | Immediately following annexation. |
| Parks and Recreation Facilities | The City will maintain any park and recreation facilities located within the annexation area on the effective date of annexation on the same basis and at the same level as similar facilities are maintained throughout the City. | Immediately following annexation |
| Police Protection | Police Services will provide protection and law enforcement services to the annexation area. The level of service will be at the same level as currently provided in areas of similar land use and population within the City. These services include the following: 1) regular patrol of the area, 2) handling of complaints and incidents, 3) traffic enforcement, and 4) special units, such as criminal investigations, narcotics, crime prevention, neighborhood services, and special weapons and tactics. | Immediately following annexation |
| Maintenance of Existing Roads & Streets | <p>The City's Public Works Department will maintain existing roads and streets, drainage, and regulatory signs on the effective date of annexation. The same basis and level of services currently provided throughout the City will be adhered to as follows:</p> <ol style="list-style-type: none"> 1. Emergency maintenance of streets to include repair of hazardous potholes, ice and snow monitoring of major thoroughfares necessary for traffic flow. 2. Routine maintenance of public streets and rights-of-way performed within the City. 3. Street sweeping services may occur based upon need and funding. | Immediately following annexation |

| SERVICE | DETAILS OF SERVICE PROVIDED | TIMETABLE |
|-------------------------------|---|----------------------------------|
| | <p>4. Installation and maintenance of traffic signs, street markings, and other traffic control devices as the need is established by appropriate study and traffic standards. Private streets, including ingress/egress easements, access easements, common areas, common driveways and anything else which has not been specifically dedicated and accepted as public right-of- way, will not be maintained by the City. Public streets will be included in the City's preventive maintenance program. Preventive maintenance projects are prioritized and scheduled based on a variety of factors, including surface condition, transversibility, age, traffic volume, density of dwellings per block, adjacent street conditions and available funding. Any necessary rehabilitation or reconstruction will be considered on a citywide priority basis.</p> | |
| Solid Waste Collection | Solid Waste collection to the annexation area will be provided on the same basis and at the same level as provided throughout the City, in accordance with applicable law. | Immediately following annexation |
| Traffic Engineering | Traffic control devices and street markers shall be installed where deemed necessary by the city street department, except as provided by the Texas Department of Transportation. | Immediately following annexation |
| Water Service | The City will provide for the maintenance of City-owned public water lines within the annexation area provided that the area is within the City's Certificate of Convenience and Necessity area as determined by the Texas Commission on Environmental Quality (TCEQ) beginning on the effective date of the annexation. Water service is provided at the same level as currently provided in areas of similar topography, land use, and population within the City. The City's policy that water extensions are the responsibility of the developer of property will be applied in this area. | As the property develops |

| SERVICE | DETAILS OF SERVICE PROVIDED | TIMETABLE |
|--|--|----------------------------------|
| Wastewater Service | The City will provide for the maintenance of sanitary sewer lines within the annexation area provided that the area is within the City's Certificate of Convenience and Necessity area as determined by the Texas Commission on Environmental Quality (TCEQ) beginning on the effective date of the annexation. Sanitary sewer service is provided at the same level as currently provided in areas of similar topography, land use, and population within the City. The City's policy that sanitary sewer extensions are the responsibility of the developer of property will be applied to this area. Maintenance of all parts of the sewer system will begin as those parts are put into service. The sewer system will be maintained with the same frequency and level of effort as comparable parts of the system in other parts of the City. | As the property develops |
| Provision for Other City Services | Other City services that may be provided by the City such as planning, inspection, code enforcement, animal control, library, parks and recreation, municipal court, and general administration will be made available on the same basis and at the same level as provided throughout the City. | Immediately following annexation |



Location Map

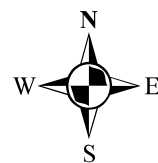
Case # 2019-007

Location:
State Hwy Loop 534

Legend

200' Notification Area
Subject Properties
Current Zoning
Requested Zoning
Municipal Boundary

TEXT
(TEXT)



0 205 410 820

Scale In Feet



1009 Barnett Street
Kerrville, Texas 78028
(830) 257-2200 voice
(830) 257-2249 fax

Mark J. Foust, Ed.D.
Superintendent

To: Mark McDaniel
City Manager, City of Kerrville

Fr: Dr. Mark Foust
Superintendent, Kerrville ISD

Re: Traffic Impact Analysis Summary of Hal Peterson Middle School
At Loop 534

Date: May 23, 2019

Mr. McDaniel:

I would like to share with you excerpts and a synthesis of the initial technical report we commissioned traffic engineers, AC Group, LLC to perform for the proposed site for Hal Peterson Middle School at the intersection of Loop 534 and the proposed Olympic Drive. The report contains the traffic survey data requested for the intersection of Singing Winds at Olympic Drive and Loop 534 at Tivy High School and the proposed Olympic Drive extension. The Average Daily Traffic (ADT) data was collected on March 20, 2019 over a 24-hour period and the Turning Movement Count (TMC) data was collected during the morning (7:00am-9:00am) and evening (4:00pm-6:00pm) peaks.

The traffic study reported approximately 400 cars per hour traveling on Loop 534 at both AM and PM peak times. This is all traffic and not exclusively Tivy High School traffic; however, the number is consistent with a pattern of 900 students that drive, carpool, or are transported by a family member to and from Tivy High School. Approximately 500 of the 1400 Tivy students are transported each day by school bus. Additional traffic in the area will be expected with the proposed Hal Peterson Middle School.

The following excerpt of the Traffic Impact Analysis summary provided projections of the increased traffic at Loop 534 and Olympic Drive. The traffic assumptions are based upon the core design capacity of 1,200 students to eventually be housed at the new campus; however, the building will be occupied by approximately 800 students when the school opens in 2021. The projections shared are based on future maximum capacity of the school (1,200). This is the most conservative approach to consider future traffic patterns:

"In line with bus usage at the existing Peterson Middle School it is anticipated that fifty percent of the students will utilize busses and fifty percent will be dropped off by parents. The traffic is expected to arrive from Southbound Loop 534 (one third), Northbound Loop 534 (one third), and Olympic Drive (one third). The traffic assumptions are based on a 1,200 student build out with traffic split between the driveways as follows:

Entrance on Olympic Drive: all Olympic Dr. traffic and one half of northbound Loop 534 traffic.

Entrance on Loop 534: all southbound Loop 534 traffic and one half of northbound Loop 534 traffic.

Equal Opportunity Employer

Based on Trip Generation Rates contained in the 10th Edition of the ITE Traffic Generation Manual, the school is projected to be as follows:

AM Peak Hour: 376 Entering

320 Exiting

PM Peak Hour: 100 Entering

104 Exiting

Using the driveway allocation described above the peak hour trips per driveway will be:

| | Olympic | | Loop 534 Driveway | |
|----------|---|------------------------------------|-------------------|-------------------------------------|
| AM Peak: | 188 Entering | (125 left turn) | 188 Entering | (125 right turn) |
| | 160 Exiting | (106 right turn) (54 left turn) | 160 Exiting | (106 left turn*) (54 right turn) |
| | (*) some of this traffic may continue through school to Olympic Drive to utilize signalized intersection. | | | |
| PM Peak: | 50 Entering | (33 left turn) | 50 Entering | (33 right turn) |
| | 52 Exiting | (33 right turn) (17 left turn) | 50 Exiting | (33 left turn) (17 right turn) |

There is also the likelihood that there will be additional through traffic from Tivy High School on Olympic Drive. Our estimate suggests one third (of the non-bus riders) or approximately 300 students would either drive, carpool or be transported by their parents and use Olympic Drive. This is a district estimate and not supported by data from the TIA.

To address congestion and additional traffic on the through street of Olympic Drive to Singing Winds and on Loop 534 it will be necessary to stagger the start and close of school between Tivy, Hal Peterson, and Tom Daniels. The exact order and the times of the staggered starts has not yet been determined, but is a certainty.

Efforts to increase safety and mitigate traffic on Olympic Drive can be accomplished with the signal-controlled intersection at Loop 534, an additional stop sign and cross walk at approximately half the length of the full Olympic Drive, and the addition of a 3 way stop at the Singing Winds intersection. At this time the TIA does not project the amount of thru traffic on Olympic from residents. I look forward to new data on additional traffic impacts from non-school related residents that the traffic engineer is gathering the week of May 27, 2019. Please let me know if you have any questions regarding the data we currently have and have shared with the City of Kerrville. Thank you for your partnership with KISD on this vital project for our City and our School District.

Sincerely,

Mark J. Foust

Mark J. Foust
Superintendent, Kerrville ISD



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

SUBJECT: Discussion and possible action to consider Resolution No. 14-2019 authorizing the waiver of the park fees for the Juneteenth 2019 Event, to be held on June 19, 2019 at the City's Carver Park. This item is requested and initiated by citizen Laresa Anderson.

AGENDA DATE OF: May 28, 2019 **DATE SUBMITTED:** May 17, 2019

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20190528_Citizen Request_Waiver of Carver Park fees.pdf](#)
[20190528_Resolution_14-2019 Waiver of Carver Park Fee for Juneteenth Event 6-19-19.pdf](#)

| | | | |
|----------------------------------|---|-------------------------|------------------------|
| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
| \$0 | \$0 | \$0 | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
|-----------------------------|-----|
| Kerrville 2050 Item? | No |
| Key Priority Area | N/A |
| Guiding Principle | N/A |
| Action Item | N/A |

SUMMARY STATEMENT:

The Dream Team is requesting the park fees \$295.00, be waived for the Community Cultural Event in the Historic Carver Park located at 820 Webster Avenue in Kerrville, Texas, for the Juneteenth 2019 Event being held on June 19, 2019. This request is initiated by citizen Laresa Anderson, see attachment.

RECOMMENDED ACTION:

This item requires City Council to authorize.

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

SUBJECT OF REQUEST: Waiver of Park Fees for Juneteenth 2019 event

AGENDA DATE: May 28, 2019

DATE SUBMITTED: May 14, 2019

REQUESTED/SUBMITTED BY:

ORGANIZATION REPRESENTING: The Dream

MAILING ADDRESS:

Team

PHONE: 830 777-7148

EMAIL ADDRESS: andersonlarena@yahoo.com

EXHIBITS/INFORMATION:

APPROVED FOR SUBMITTAL BY CITY MANAGER:

[Signature]

WILL THIS ITEM REQUIRE CITY COUNCIL TO AUTHORIZE THE
EXPENDITURE OF CITY FUNDS? YES: ☒ NO: ☐

IF YES, STATE AMOUNT REQUESTED: \$295⁰⁰

DESCRIPTION OF REQUEST

Dream Team is requesting that the park fees be
Waived for the Community Cultural Event
in the historical Carver park located
at 820 Webster Ave. in Kerrville TX.

Juneteenth 2019 June 19, 2019

RECOMMENDED COUNCIL ACTION

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 14-2019**

**A RESOLUTION AUTHORIZING THE WAIVER OF THE PARK
FEE FOR THE JUNETEENTH 2019 EVENT, TO BE HELD ON
JUNE 19, 2019, AT THE CITY'S CARVER PARK**

WHEREAS, the Dream Team is an organization that plans to hold a Juneteenth 2019 event at the City's Carver Park, 820 Webster Avenue, on June 19, 2019; and

WHEREAS, this organization is requesting that the City waive its park fee for this event; and

WHEREAS, City Council determines that waiving the applicable City fee is in the public interest;

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

SECTION ONE. The above findings are found to be true and correct.

SECTION TWO. City Council authorizes the waiver of the park fee for the organizers of the Juneteenth 2019 event, to be held at the City's Carver Park on June 19, 2019.

**PASSED AND APPROVED ON this the _____ day of _____ A.D.,
2019.**

Bill Blackburn, Mayor

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

ATTEST:

Shelley McElhannon, City Secretary



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

SUBJECT: Discussion and approval of the Kerrville-Kerr County Joint Airport Board Budget FY2019-2020. This item is requested and initiated by Mary Rohrer, Airport Manager.

AGENDA DATE OF: May 28, 2019

DATE SUBMITTED: May 17, 2019

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20190528_Agenda Bill_Airport FY 2019-2020 Budget - Mary Rohrer.pdf](#)
[20190528_Airport Budget_MissionVisionValuesIntiatives.pdf](#)
[20190528_Report_Airport Board Approved Budget FY2019-2020.pdf](#)
[20190528_Airport Budget_Capital Projects Budget.pdf](#)

| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
|----------------------------------|---|-------------------------|------------------------|
| \$0 | \$0 | \$0 | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
|-----------------------------|-----|
| Kerrville 2050 Item? | No |
| Key Priority Area | N/A |
| Guiding Principle | N/A |
| Action Item | N/A |

SUMMARY STATEMENT:

The Kerrville-Kerr County Joint Airport Board to present the FY2019-2020 Airport Operations budget for approval and the Airport Capital Projects Budget for consideration. Presented by Mary Rohrer, Airport Manager.

RECOMMENDED ACTION:

Mary Rohrer, Airport Manager, requests City Council approval of the FY2019-2020 Airport Operations Budget, and consideration of the Airport Capital Projects Budget. (See attached Agenda Bill.)



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

SUBJECT: Approval of the Joint Airport Board Budget

AGENDA DATE OF: 5/28/2019

DATE SUBMITTED: 5/16/2019

SUBMITTED BY: Mary Rohrer, Airport Manager

EXHIBITS: Copy of the Board Approved Airport Operation Budget

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

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?

Yes: ☐

No: ☐

Key Priority Area N/A

Guiding Principle N/A

Action Item N/A

SUMMARY STATEMENT:

The Kerrville – Kerr County Joint Airport Board to present the FY 2019-2020 Airport Operations budget for approval and the Airport Capital Projects Budget for consideration.

RECOMMENDED ACTION:

This item is for discussion and possible action. The Joint Airport Board would like to respectfully request approval of the FY 2019-2020 Airport Operations Budget and consideration of the Airport Capital Projects Budget.



MISSION STATEMENT

Provide aviation facilities and services for Kerrville -Hill County area by managing airport infrastructure for a safe, efficient, and convenient aviation gateway.

VALUES

- Safety and Security
- Excellence in all we do
- Innovation
- Integrity in all dealings
- Accountability
-

VISION STATEMENT

To provide premier services and airport facilities through operational excellence and innovation while promoting commercial and economic development.

STRATEGIC INITIATIVES

The strategic initiatives for the next five years are as follows:

- A. Emphasis on economic development for Airport and the Community
- B. Actively address airport improvements, infrastructure and related financing
- C. Improvement in service levels for stakeholders and prospective customers
- D. Promotion of the airport and marketing of brand

KERRVILLE KERR COUNTY AIRPORT GOALS

A. Economic Development Goals

1. Build and maintain relationships with economic development entities
2. Focus on high potential business development at the airport
3. Identify properties suitable for development

B. Infrastructure and Financing Goals

1. Increase number of hangars available for lease
2. Increase amount of Class A space
3. Develop access to finance infrastructure improvements
4. Substantially improve appearance of airport

C. Service Level Improvement Goals

1. Improve service to existing customers
2. Increase sales to entities not currently using the airport

D. Promotion of Airport Goals

1. Develop a program to actively market the airport to prospective customers and influencers
2. Through increased communications and outreach, provide a positive image of airport
3. Develop and maintain good relationships with internal stakeholders

KERRVILLE-KERR COUNTY JOINT AIRPORT BOARD

APPROVED BUDGET FOR FY 2019-2020

WITH BUDGET COMPARISION 2010-2018

Approved 3/27/2019

Version L

| | | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 |
|--|----------------------------------|----------------|----------------|----------------|----------------|----------------|-----------------|
| | | Actual | Actual | Actual | Actual | Budget | Proposed Budget |
| Revenues | | | | | | | |
| 47-AIRPORT | | | | | | | |
| INTERGOVERNMENTAL REVENUE | | | | | | | |
| 47-300-602 | KERR COUNTY | 47,478 | 35000 | 21735 | 0 | 0 | 0 |
| 47-300-603 | KERRVILLE | 47,479 | 35000 | 21735 | 0 | 0 | 0 |
| 47-300-604 | GRANTS | | 0 | | | | |
| TOTAL INTERGOVERNMENTAL REVENUE | | 94,957 | 70,000 | 43,470 | 0 | 0 | 0 |
| LEASE/RENTAL INCOME | | | | | | | |
| 47-325-301 | AIRPORT LAND LEASES | 122,204 | 129,139 | 154,842 | 154,473 | 154,174 | 161,301 |
| 47-325-601 | BRINKMAN HANGAR LEASES | 63,354 | 64,208 | 68,481 | 69,469 | 65,448 | 92,687 |
| 47-325-602 | TERMINAL LEASES | 15,316 | 14,865 | 15,883 | 12,787 | 12,588 | 12,833 |
| 47-325-603 | T-HANGAR LEASES | 98,926 | 98,697 | 109,470 | 117,851 | 116,400 | 118,200 |
| 47-325-604 | VEHICLE RENTAL SURCHARGE | 3,112 | 3,971 | 3,814 | 3,447 | 3,537 | 3,576 |
| 47-325-605 | T-HANGAR STORAGE FACILITY LEASES | 605 | 3,015 | 2,520 | 2,520 | 2,520 | 2,520 |
| 47-325-625 | PARKING LOT LEASES | 3,219 | 5,725 | 3,900 | 4,675 | 4,500 | 4500 |
| TOTAL LEASE/RENTAL INCOME | | 306,736 | 319,619 | 358,910 | 365,222 | 359,167 | 395,617 |
| REIMBURSEMENT | | | | | | | |
| 47-350-601 | FUEL FLOW FEES | 30,604 | 31,382 | 37,600 | 33,438 | 32,634 | 33,000 |
| 47-350-602 | OTHER | | | 0 | | | |
| TOTAL REIMBURSEMENT | | 30,604 | 31,382 | 37,600 | 33,438 | 32,634 | 33,000 |
| INTEREST INCOME | | | | | | | |
| 47-380-601 | INTEREST INCOME | 18 | 23 | 100 | 329 | | |
| TOTAL INTEREST INCOME | | 18 | 23 | 100 | 329 | 0 | 0 |
| TRANSFER IN | | | | | | | |
| 47-390-610 | TRANSFER IN | 0 | 0 | 0 | 0 | | |
| TOTAL TRANSFER IN | | 0 | 0 | 0 | | | 0 |
| *** TOTAL REVENUES *** | | 432,313 | 421,025 | 440,080 | 398,989 | 391,801 | 428,617 |

KERRVILLE-KERR COUNTY JOINT AIRPORT BOARD

BUDGET FOR FY 2019-2020
WITH BUDGET COMPARISION 2010-2018

| Expenses | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 |
|--|----------------|----------------|----------------|----------------|----------------|-----------------|
| | Actual | Actual | Actual | Actual | Budget | Proposed Budget |
| SALARIES & BENEFITS | | | | | | |
| 47-700-101 AIRPORT MANAGER | 84,543 | 84,589 | 87,538 | 98546 | 80000 | 87550 |
| 47-700-102 OFFICE PERSONNEL PART TIME | 26,478 | 25,683 | 25,269 | 26630 | 30930 | 31858 |
| 47-700-104 AIRPORT MAINTENANCE STAFF | 42,590 | 33,123 | 35,265 | 36000 | 36000 | 38007 |
| 47-700-205 OVERTIME | 0 | 0 | 0 | | | |
| 47-700-201 FICA | 11,668 | 10,930 | 11,230 | 12738.24 | 11240 | 12042 |
| 47-700-202 GROUP INSURANCE | 12,198 | 15,501 | 14,888 | 14348.44 | 26880 | 18468 |
| 47-700-203 RETIREMENT | 18,241 | 16,711 | 17,993 | 20982 | 19578 | 20181 |
| 47-700-204 WORKMAN'S COMP | 2,269 | 2,022 | 2,123 | 1497 | 3465 | 1244 |
| 47-700-206 BASIC INSURANCE | 0 | 0 | 250 | 117.04 | 250 | 128 |
| TOTAL SALARIES & BENEFITS | 197,987 | 188,559 | 194,556 | 210,859 | 208,342 | 209,478 |
| AIRPORT | | | | | | |
| 47-800-008 PROFESSIONAL DEVELOPMENT | 3,499 | 3,113 | 4,343 | 6700 | 5000 | 6000 |
| 47-800-101 OFFICE SUPPLIES | 1,406 | 1,145 | 1,396 | 1471 | 1500 | 1500 |
| 47-800-102 SMALL TOOLS AND EQUIPMENT | 3,000 | 2,881 | 2,996 | 2851 | 2000 | 2000 |
| 47-800-103 CHEMICAL AND MEDICAL SUPPLIES | 0 | 0 | 268 | 0 | 1000 | 1000 |
| 47-800-104 FUEL AND OIL SUPPLIES | 2,400 | 2,306 | 3,380 | 2141 | 3000 | 4000 |
| 47-800-105 BRINKMAN JANITORIAL SERVICES | | | | | | 5000 |
| 47-800-106 JANITORIAL SUPPLIES | 1,212 | 1,269 | 1,340 | 1605 | 1800 | 1800 |
| 47-800-107 POSTAGE | 191 | 40 | 138 | 133 | 250 | 200 |
| 47-800-108 UPS/FED-EX | 0 | 0 | 0 | | | |
| 47-800-109 COMPUTER SOFTWARE | 220 | 500 | 221 | 0 | 250 | |
| 47-800-110 SOD, SEED, PLANTING/LANDSCAPING | 0 | 2,996 | 0 | 96 | 500 | 3250 |
| 47-800-112 WEARING APPAREL | 1,780 | 1,325 | 848 | 1024 | 1000 | 1000 |
| 47-800-201 MOWING CONTRACT | 37,500 | 30,000 | 30,000 | 30,000 | 37500 | 37500 |

KERRVILLE-KERR COUNTY JOINT AIRPORT BOARD

BUDGET FOR FY 2019-2020

WITH BUDGET COMPARISION 2010-2018

| Expenses | | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 |
|----------------------|----------------------------------|----------------|----------------|----------------|----------------|----------------|--|
| | | Actual | Actual | Actual | Actual | Budget | Proposed Budget |
| 47-800-202 | BUILDINGS AND STRUCTURES | 14,957 | 24,942 | 17,500 | 12911 | 17500 | 18,000 |
| 47-800-203 | VEHICLE MAINTENANCE | 1,520 | 1,868 | 2,448 | 2000 | 2000 | 2,500 |
| 47-800-204 | OFFICE EQUIPMENT | 0 | 975 | 1,000 | 0 | 1000 | 1000 |
| 47-800-205 | INSTRUMENTS AND APPARATUS | 3,600 | 4,341 | 4,798 | 4284 | 3000 | 5000 |
| 47-800-207 | TRAFFICE CONTROL DEVICES | 0 | 0 | 0 | 0 | 0 | |
| 47-800-210 | REPAIRS - GENERAL | 1,407 | 627 | 1,500 | 453 | 1500 | 1500 |
| 47-800-302 | PROPERTY INSURANCE (County) | 5,009 | 6,653 | 9,021 | 9126 | 9169 | 9200 |
| 47-800-303 | LIABILITY INSURANCE (City) | 644 | 934 | 631 | 761 | 745 | 750 |
| 47-800-305 | EQUIPMENT RENTAL | 2,625 | 2,478 | 2,515 | 2323 | 2700 | 2700 |
| 47-800-306 | ADVERTISING | 567 | 575 | 415 | 521 | 600 | 600 |
| 47-800-307 | MARKETING | 0 | 0 | 0 | | 1500 | 5000 |
| 47-800-310 | MANAGEMENT CONTRACT | | | | | | |
| 47-800-311 | LEGAL SERVICES | 4,551 | 3,661 | 5,348 | 5690 | 6600 | 8000 |
| 47-800-312 | PROFESSIONAL SERVICES | 9,341 | 10,507 | 8,600 | 10376 | 13500 | 15000 |
| 47-800-401 | PHONE SERVICE - Cell Phones Only | 1,083 | 694 | 982 | 1386 | 1600 | 1300 |
| 47-800-404 | WATER & SEWER | 882 | 813 | 1,211 | 1565 | 1250 | 2139 |
| 47-800-405 | INTERNET PROVIDER | 0 | 0 | 0 | 0 | 0 | |
| 47-800-406 | LIGHT AND POWER | 20,048 | 15,826 | 17,544 | 18181 | 18100 | 18400 |
| 47-800-503 | DUES AND SUBSCRIPTIONS | 350 | 638 | 638 | 738 | 750 | 1200 |
| 47-800-505 | OTHER CHARGES | | 0 | 0 | 0 | 0 | |
| 47-800-508 | RESERVE FOR CAPITAL | 12,120 | 10,500 | 16,865 | 12287 | 15000 | 15000 |
| 47-800-509 | RESERVE FOR COMMITTED CAPITAL | | 0 | 0 | | 1145.42 | |
| 47-800-512 | CONTINGENCY II | 6,309 | 11,823 | 2,406 | 1511 | 12500 | 30800 |
| 47-800-901 | TRANSFER OUT - GENERAL | | 0 | 0 | | | (Funds to implement Strategic Planning Action Steps: airport improvements, web site, external communications, and contingency) |
| 47-800-902 | TRANSFER OUT - MAINTENANCE | | 0 | 0 | | | |
| 47-800-903 | TRANSFER OUT - ROAD & BR | | 0 | 0 | | | |
| TOTAL AIRPORT | | 136,220 | 143,428 | 138,352 | 130,133 | 163,959 | 201,339 |

KERRVILLE-KERR COUNTY JOINT AIRPORT BOARD

BUDGET FOR FY 2019-2020

WITH BUDGET COMPARISION 2010-2018

| Expenses | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 |
|--|----------------|----------------|----------------|----------------|----------------|-----------------|
| | Actual | Actual | Actual | Actual | Budget | Proposed Budget |
| TERMINAL | | | | | | |
| 47-801-101 SUPPLIES | | 0 | 0 | | | |
| 47-801-300 PHONE SERVICES - Term phones & Fire A | 0 | 0 | 0 | 529.64 | 1000 | 1000 |
| 47-801-301 LIGHT & POWER | 9,945 | 8,694 | 8,694 | 8092 | 9000 | 9000 |
| 47-801-302 PROPANE GAS | 3,809 | 2,604 | 2,604 | 2673 | 4500 | 4000 |
| 47-801-303 WATER & SEWER | 3,464 | 1,997 | 1,997 | 3767 | 2500 | 3800 |
| TOTAL 01-TERMINAL | 17,219 | 13,295 | 13,295 | 15,061 | 17,000 | 17,800 |
| | | | | | | |
| *** TOTAL EXPENSES *** | 351,426 | 345,283 | 346,203 | 356,054 | 389,301 | 428,617 |
| | | | | | | |
| REVENUE OVER/(UNDER) EXPENDITURES | 80,888 | 75,742 | 93,877 | 42,936 | 2,500 | (0) |
| | | | | | | |
| M&O EXPENDITURES | 80,917 | 131,971 | 245,217 | 356,054 | 389,301 | 428,617 |

KERRVILLE-KERR COUNTY JOINT AIRPORT BOARD
BUDGET FOR FY 2019-2020
WITH BUDGET COMPARISION 2010-2018

| Revenues | 2015 Actual | 2016 Actual | 2017 Actual | 2018 Actual | 2019 Budget | 2020 Proposed Budget |
|---|----------------|----------------|----------------|----------------|----------------|----------------------------|
| 48 - AIRPORT CAPITAL | | | | | | |
| Reimbursement | | | | | | |
| CAPITAL GRANTS - TXDOT | | 0 | 0 | 0 | 0 | |
| 48-350-100 REIMBURSEMENT FM TX DOT | | 0 | 0 | 50,000 | 50,000 | 50,000 |
| TOTAL Reimbursement | 0 | 0 | 0 | 50,000 | 50,000 | 50,000 |
| Intergovernmental | | | | | | |
| 48-351-100 KERR COUNTY RAMP GRANT M | 25,000 | 25,000 | 25,000 | 25,000 | 25,000 | 25,000 |
| 48-351-101 CITY OF KVILLE RAMP GRANT | 25,000 | 25,000 | 25,000 | 25,000 | 25,000 | 25,000 |
| 48-351-102 KERR COUNTY PROJECT MATCH | | 0 | 0 | 0 | 0 | 33,000 |
| 48-351-103 CTY OF KERRVILLE PROJECT MATCH | | 0 | 0 | 0 | 0 | 33,000 |
| TOTAL Intergovernmental | 0 | 50,000 | 50,000 | 50,000 | 50,000 | 116,000 |
| Interest | | | | | | |
| 48-360-100 INTEREST EARNINGS | | 0 | 0 | 0 | | |
| TOTAL Transfers In | 0 | 0 | 0 | 0 | 0 | 0 |
| Transfers In | | | | | | |
| 48-500-100 TRANSFER IN - GENERAL | | 0 | 0 | 0 | 0 | |
| 48-500-110 TRANSFER IN - AIRPORT | | 0 | 0 | 0 | 0 | |
| 48-500-115 TRANSFER IN | | 0 | 0 | 0 | 0 | |
| TOTAL Transfers In | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL REVENUES | 0 | 50,000 | 100,000 | 100,000 | 100,000 | 166,000 |

0

WITH BUDGET COMPARISION 2010-2018

| Expenses | | | | | | | 2020 | | |
|-----------------------------------|------------------------------|----------------|----------------|----------------|----------------|----------------|--------------------|---|--|
| | | 2015 Actual | 2016 Actual | 2017 Actual | 2018 Actual | 2019 Budget | Proposed Budget | | |
| | | | | | | | | | |
| CAPITAL OUTLAY | | | | | | | | | |
| 800-201 | LAND MAINTENANCE | | | 0 | 0 | 0 | | | |
| 800-202 | BUILDING & STRUCTURE MAINT | | | 0 | 0 | 0 | | | |
| 800-405 | OTHER CHARGES | | | 0 | 0 | 0 | | | |
| 48-600-101 | LAND | | | 0 | 0 | 0 | | | |
| 48-600-102 | BUILDINGS AND STRUCTURES | | | 0 | 0 | 0 | | | |
| 800-507 | STREET IMPROVEMENTS | | | 0 | 0 | 0 | | | |
| 48-600-103 | WATER SYSTEM IMPROVEMENTS | | | 0 | 0 | 0 | | | |
| 800-500 | CAPITAL OUTLAY | | | 0 | 0 | 0 | | | |
| 48-600-104 | GRANT MATCH | 99,828 | 100,000 | 28,755 | 100,000 | 100,000 | 100000 | | |
| 48-600-105 | DRAINAGE IMPROVEMENTS | | | 0 | 0 | 0 | | | |
| 48-600-106 | GRANT MATCH T-HANGAR 2019 | | | 0 | 0 | 0 | 66,000 | (TXDOT required Grant Match for T Hanger project) | |
| 48-600-107 | TXDOT REIMBURSE 2000-2001 | | | 0 | 0 | 0 | | | |
| 48-600-108 | RELOCATE 12/30 PARALLEL | | | 0 | 0 | 0 | | | |
| 48-600-109 | ENGINEERING SVCS/DESIGN | | | 0 | 0 | 0 | | | |
| 48-600-110 | MASTER PLAN | | | 0 | 0 | 0 | | | |
| 48-600-111 | SURVEYING | | | 0 | 0 | 0 | | | |
| 48-600-112 | CONTRACT SERVICES | | | 0 | 0 | 0 | | | |
| 48-600-113 | INSTRUMENTS AND APPARATUS | | | 0 | 0 | 0 | | | |
| 48-600-114 | REHAB AIRPORT RUNWAY | | | 0 | 0 | 0 | | | |
| 48-600-115 | SITE PREP FUTURE HANGAR | | | 0 | 0 | 0 | | | |
| 800-519 | GRANT MATCH LIGHTING IMPROVE | | | 0 | 0 | 0 | | | |
| 800-520 | TXDOT REIMBURSEMENT LIGHTING | | | 0 | 0 | 0 | | | |
| 800-948 | TRANSFER OUT | | | 0 | 0 | 0 | | | |
| TOTAL CAPITAL OUTLAY | | 4,920 | 95,080 | 100,080 | 100,000 | 100,000 | 166,000 | | |
| TOTAL EXPENDITURES | | 4,920 | 95,080 | 100,000 | 100,000 | 100,000 | 100,000 | | |
| REVENUE OVER/(UNDER) EXPENDITURES | | (4,920) | (45,080) | - | | | | | |

CAPITAL PROJECTS BUDGET

1. Build 10 T hangars and site work in accordance with TxDOT requirements and standards

12,000 sf

| | |
|-------------------------|--------------|
| T Hangars and Site work | \$ 900,000 |
| TxDOT grant | \$ (600,000) |
| Capital Required | \$ 300,000 |

*\$66,000- TxDOT Grant Match in Operations Budget
Line Item 48-600-106

2. Build three Box Hangars

12,000 sf

| | |
|------------------------------|------------|
| Site Costs around box hangar | \$ 200,000 |
| 3 Box Hangars | \$ 550,000 |
| Capital Required | \$ 750,000 |

3. Improve Horseshoe - Remove existing interiors, install new exterior walls and door, rework access drive and paving

8000 sf

| | |
|------------------|------------|
| Demo | \$ 100,000 |
| Site Costs | \$ 200,000 |
| Hangar | \$ 250,000 |
| Capital Required | \$ 550,000 |

BUDGET \$ 1,600,000



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

SUBJECT: Financial update for the month ended April 30, 2019.

AGENDA DATE OF: May 28, 2019

DATE SUBMITTED: May 21, 2019

SUBMITTED BY: Amy Dozier

EXHIBITS: [20190528_Presentation_April 2019 financial presentation.pdf](#)
[20190528_Presentation_April 2019 financial summary.pdf](#)

| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
|----------------------------------|---|-------------------------|------------------------|
| \$0 | \$0 | \$0 | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
|-----------------------------|-----|
| Kerrville 2050 Item? | No |
| Key Priority Area | N/A |
| Guiding Principle | N/A |
| Action Item | N/A |

SUMMARY STATEMENT:

GENERAL FUND:

Year to date through April 30, 2019, the General Fund has recorded revenue of \$19.2 million compared to expense of \$14.6 million. It is normal for revenue to be higher than expenditures at this time of year because most property taxes are due by January 31st. Items to note for April include:

1. Strong sales tax performance continues. Year to date, sales tax is up 7.0% over 2018 and is 4.7% better than budget, led by increases in retail, food service, manufacturing and construction. However, April's numbers are inflated because 2 large tax payers prepaid sales tax that the City would normally receive in May. May's revenue will be lower because of this.

WATER FUND:

Year to date through April 30, 2019, the Water Fund received revenues of \$6.3 million compared to expenditures of \$7.1 million. Notable activity includes:

1. Water and reuse sales are lower than budget and FY2018 due to record rainfall amounts in October 2018 followed by continuing higher than average rainfall. Year to date rainfall amounts in FY2019 are 19" higher than the same period in FY2018. Year to date consumption is down 14%. Water sales are very volatile and highly weather dependent. We are hoping to make up some of the lost revenue in the dryer summer months, but may be facing a shortfall for the year.
2. Sewer sales are lower than budget. Residential sewer averaging for the next 12 months was set in April. Average residential consumption gallons were 4% lower during the averaging period in FY2019 compared to FY2018. This seems to be related to decreased residential irrigation during the sewer averaging period due to rain. We are currently projecting a \$225K sewer revenue shortfall for the year due to decreased sewer averaging combined with lower commercial sewer revenue related to reduced consumption.
3. Water expenditures are lower than FY2018 because \$272 thousand was transferred to the Capital Projects Fund for the Legion Lift Station project in October 2017. This transfer did not recur in FY2019. In addition, expenditures are better than budget due to lower than anticipated chemical and maintenance costs.

DEVELOPMENT SERVICES FUND:

Year to date through April 30, 2019, the Development Services Fund received revenues of \$679 thousand compared to expenditures of \$819 thousand. Revenue includes transfers in from the General Fund and Water Fund of \$413 thousand and permit and fee revenue of \$266 thousand. FY2019 expenditures include a transfer of \$379 thousand to a project fund for the code rewrite and Development Services software projects. The Development Services Fund was broken out of the General Fund in FY2019. For presentation and comparison purposes, FY2018 financial information is shown in the Development Services Fund rather than the General Fund.

GOLF FUND:

Year to date through April 30, 2019, the Golf Fund received revenues of \$449 thousand compared to expenditures of \$513 thousand. FY2019 revenue is lower than budget and FY2018 primarily due to record rainfall in October and bad weather days.

HOTEL OCCUPANCY FUND:

Year to date through April 30, 2019, the Hotel Occupancy Fund received revenues of \$753 thousand compared to expenditures of \$606 thousand.

RECOMMENDED ACTION:

Information only; no action required.



Financial update for the month ended April 30, 2019

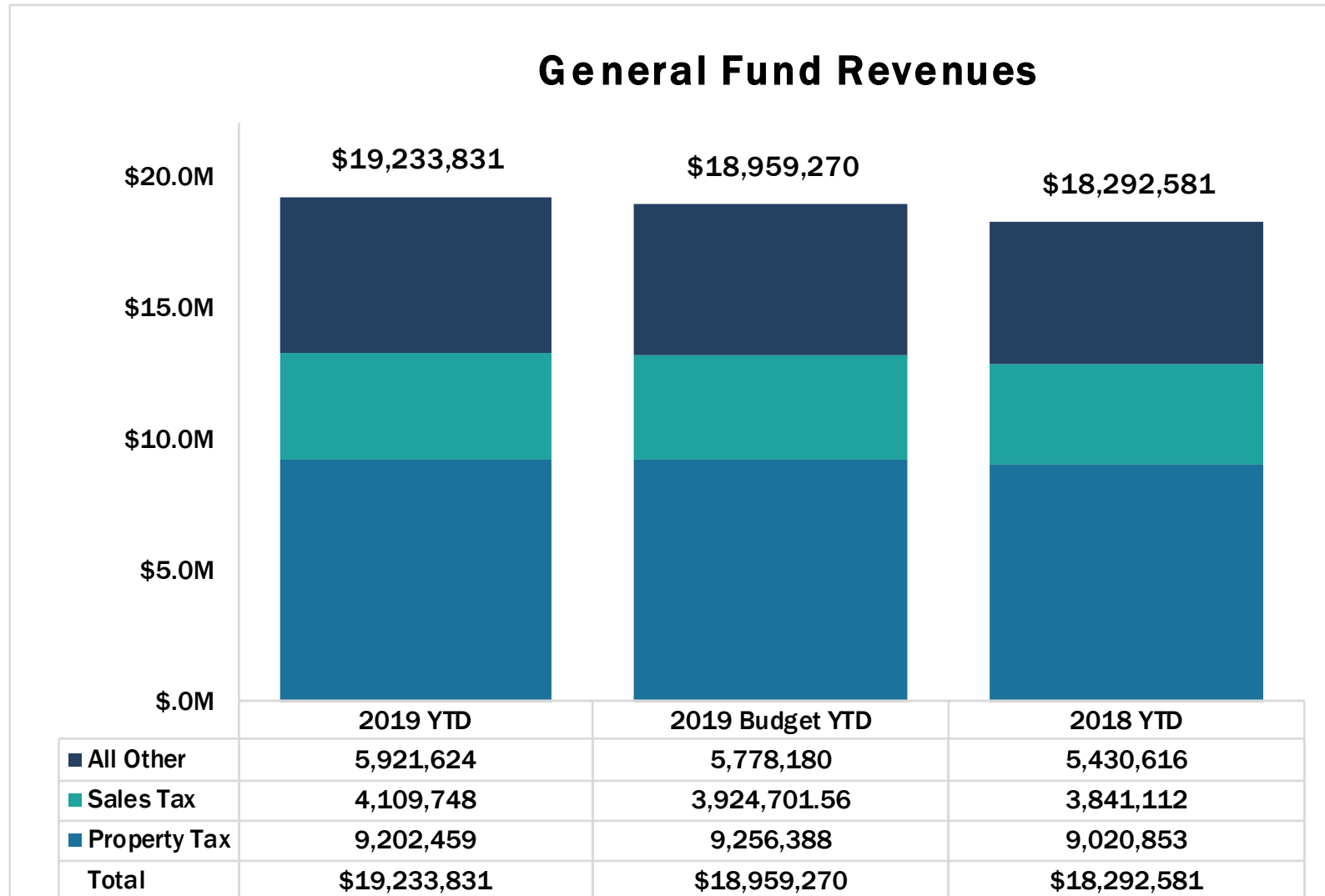
**City Council Meeting
May 28, 2019**



General Fund Summary

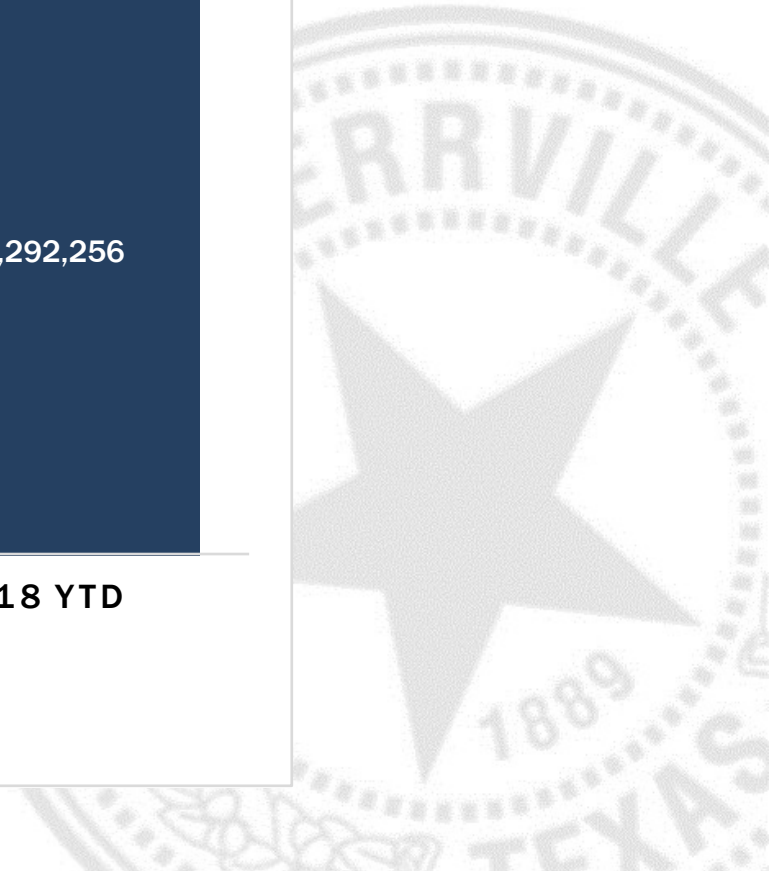
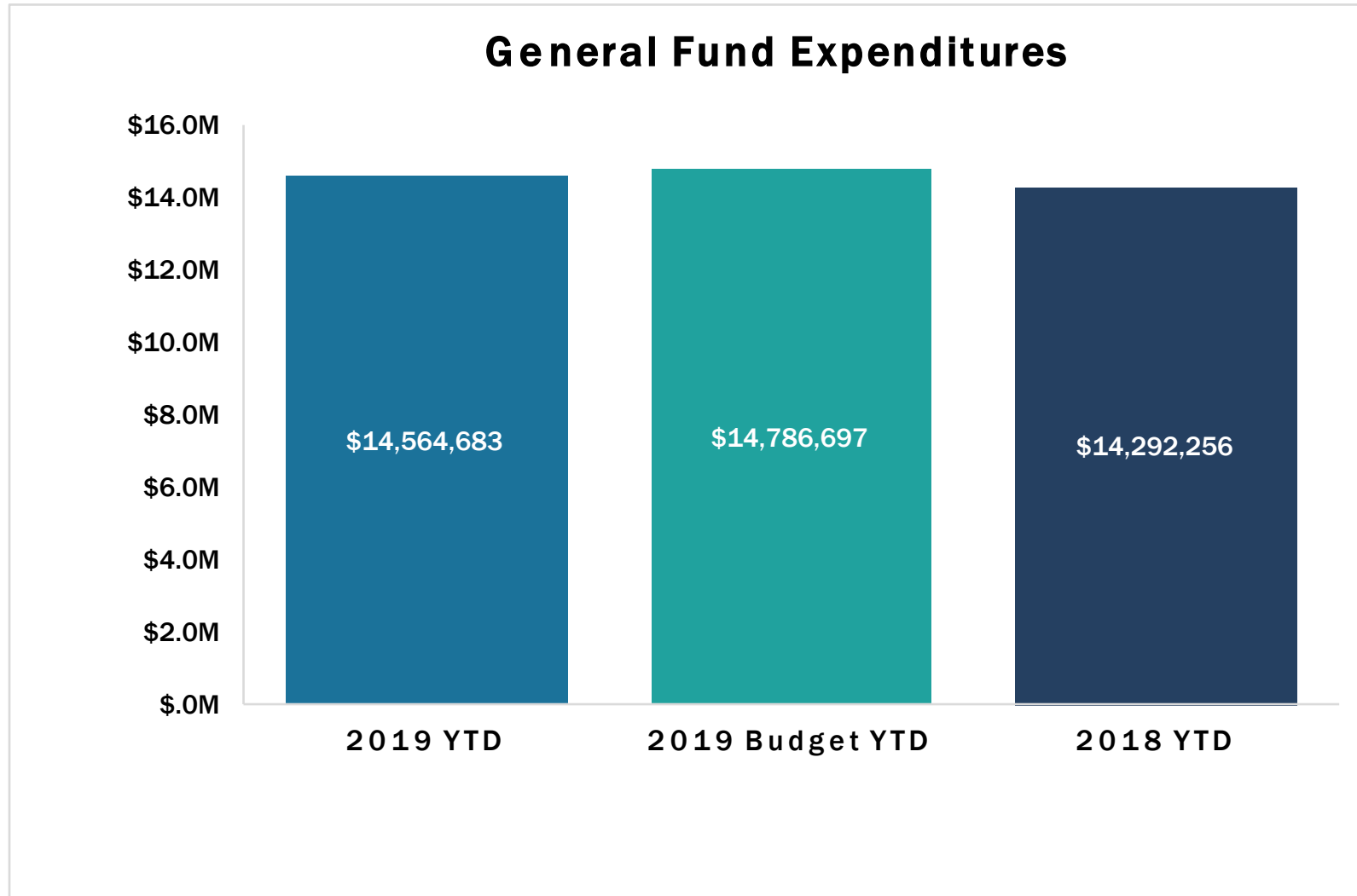
| Fund | Total FY2019 Budget | Year to Date FY2019 Budget | Year to Date FY2019 Actual | Better / (Worse) than Budget | Year to Date FY2018 Actual | Change from FY2018 |
|---------------------|------------------------------------|---|---|---|---|-----------------------------------|
| General Fund | | | | | | |
| Revenues | | | | | | |
| Property Tax | \$ 9,628,930 | \$ 9,256,388 | \$ 9,202,459 | \$ (53,929) | \$ 9,020,853 | \$ 181,606 |
| Sales Tax | 7,049,268 | 3,924,702 | 4,109,748 | 185,047 | 3,841,112 | 268,637 |
| Other Revenue | 10,525,312 | 5,778,180 | 5,921,624 | 143,443 | 5,430,616 | 491,007 |
| Total Revenue | 27,203,510 | 18,959,270 | 19,233,831 | 274,561 | 18,292,581 | 941,250 |
| Expenditures | 27,203,510 | 14,786,697 | 14,564,683 | 222,013 | 14,292,256 | 272,428 |
| Net | - | 4,172,573 | 4,669,147 | 496,574 | 4,000,325 | 668,822 |

General Fund Revenues





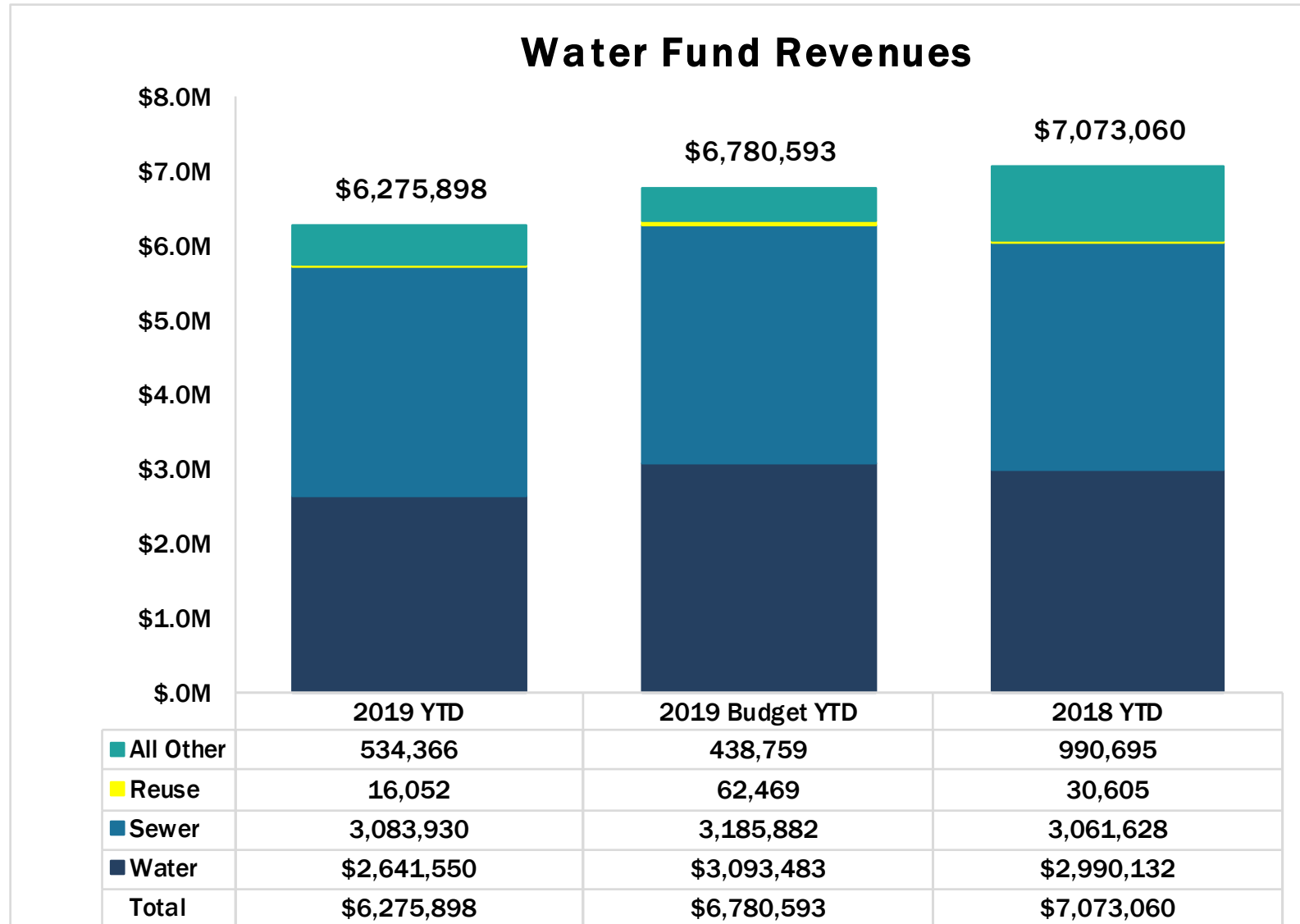
General Fund Expenditures



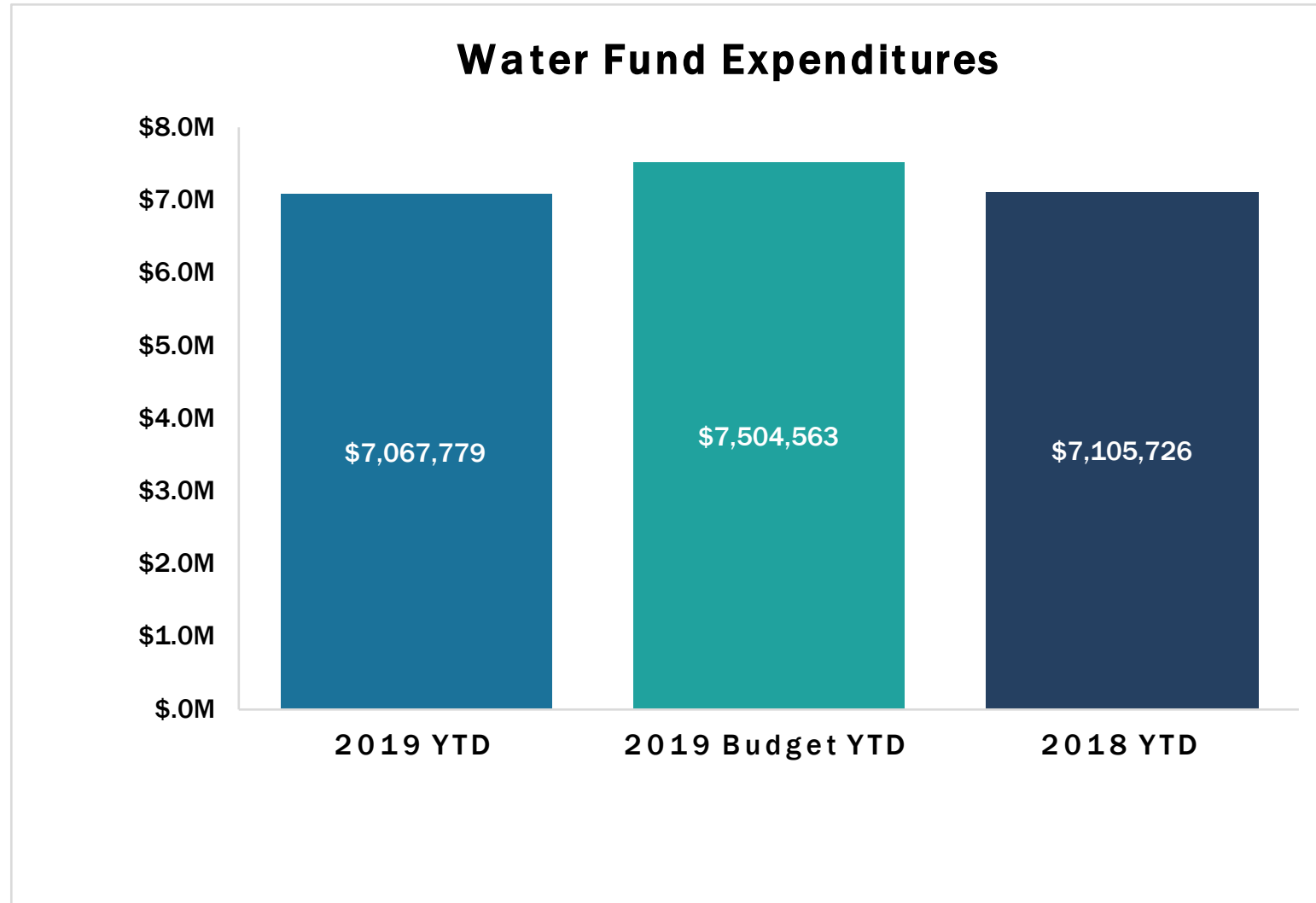
Water Fund Summary

| Fund | Total FY2019 Budget | Year to Date FY2019 Budget | Year to Date FY2019 Actual | Better / (Worse) than Budget | Year to Date FY2018 Actual | Change from FY2018 |
|-------------------|---------------------------|----------------------------------|----------------------------------|------------------------------------|----------------------------------|--------------------------|
| Water Fund | | | | | | |
| Revenues | | | | | | |
| Water Sales | 6,072,434 | 3,093,483 | 2,641,550 | (451,933) | 2,990,132 | (348,583) |
| Sewer Sales | 5,559,473 | 3,185,882 | 3,083,930 | (101,952) | 3,061,628 | 22,303 |
| Reuse Sales | 122,625 | 62,469 | 16,052 | (46,417) | 30,605 | (14,553) |
| Other Revenue | 776,200 | 438,759 | 534,366 | 95,607 | 990,695 | (456,329) |
| Total Revenue | 12,530,732 | 6,780,593 | 6,275,898 | (504,695) | 7,073,060 | (797,162) |
| Expenditures | 12,530,732 | 7,504,563 | 7,067,779 | 436,785 | 7,105,726 | (37,948) |
| Net | - | (723,970) | (791,881) | (67,910) | (32,666) | (759,214) |

Water Fund Revenues



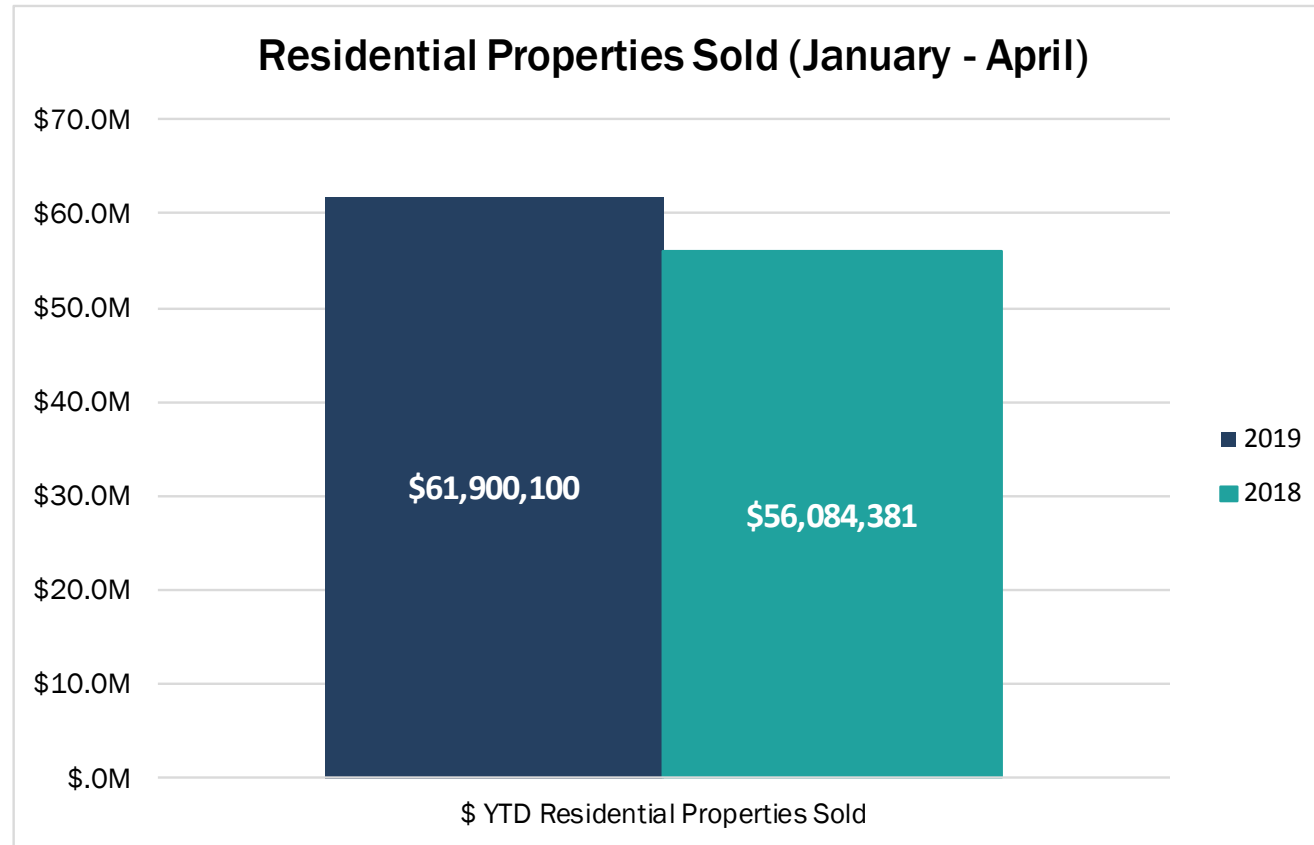
Water Fund Expenditures



Other Funds Summary

| Fund | Total FY2019 Budget | Year to Date FY2019 Budget | Year to Date FY2019 Actual | Better / (Worse) than Budget | Year to Date FY2018 Actual | Change from FY2018 |
|----------------------------------|------------------------------------|---|---|---|---|-----------------------------------|
| Development Services Fund | | | | | | |
| Revenues | | | | | | |
| Permits & Fees | 510,000 | 297,500 | 265,988 | (31,512) | 357,826 | (91,838) |
| Transfer In | 708,688 | 413,401 | 413,401 | - | - | 413,401 |
| Total Revenue | 1,218,688 | 710,901 | 679,389 | (31,512) | 357,826 | 321,563 |
| Expenditures | 1,218,688 | 798,844 | 819,003 | (20,159) | 405,698 | 413,304 |
| Net | - | (87,943) | (139,613) | (51,671) | (47,872) | (91,741) |
| Golf Fund | | | | | | |
| Revenues | 1,015,947 | 530,159 | 448,888 | (81,271) | 487,988 | (39,100) |
| Expenditures | 1,015,947 | 546,724 | 512,724 | 34,001 | 506,007 | 6,717 |
| Net | - | (16,566) | (63,836) | (47,271) | (18,019) | (45,817) |
| Hotel Occupancy Tax Fund | | | | | | |
| Revenues | 1,329,750 | 663,193 | 752,962 | 89,769 | 672,648 | 80,314 |
| Expenditures | 1,329,750 | 663,512 | 606,061 | 57,451 | 535,800 | 70,261 |
| Net | \$ - | \$ (319) | \$ 146,901 | \$ 147,220 | \$ 136,848 | \$ 10,052 |

Real Estate Update



Kerrville Real Estate Metrics - April 2019

| | 2019 | 2018 | % Change |
|------------------------------------|--------------|--------------|----------|
| Active Residential Listings | 441 | 451 | -2.2% |
| # Residential Properties Sold | 56 | 51 | 9.8% |
| \$ Residential Properties Sold | \$16,491,900 | \$19,385,099 | -14.9% |
| \$ YTD Residential Properties Sold | \$61,900,100 | \$56,084,381 | 10.4% |

City of Kerrville
Financial Summary
For the Month Ended April 30, 2019

| Fund | Total FY2019 Budget | Year to Date FY2019 Budget | Year to Date FY2019 Actual | Better / (Worse) than Budget | Year to Date FY2018 Actual | Change from FY2018 | Variance Explanation |
|----------------------------------|------------------------------------|---|---|---|---|-----------------------------------|---------------------------------|
| General Fund | | | | | | | |
| Revenues | | | | | | | |
| Property Tax | \$ 9,628,930 | \$ 9,256,388 | \$ 9,202,459 | \$ (53,929) | \$ 9,020,853 | \$ 181,606 | |
| Sales Tax | 7,049,268 | 3,924,702 | 4,109,748 | 185,047 | 3,841,112 | 268,637 | note A |
| Other Revenue | 10,525,312 | 5,778,180 | 5,921,624 | 143,443 | 5,430,616 | 491,007 | |
| Total Revenue | 27,203,510 | 18,959,270 | 19,233,831 | 274,561 | 18,292,581 | 941,250 | |
| Expenditures | 27,203,510 | 14,786,697 | 14,564,683 | 222,013 | 14,292,256 | 272,428 | |
| Net | - | 4,172,573 | 4,669,147 | 496,574 | 4,000,325 | 668,822 | |
| Water Fund | | | | | | | |
| Revenues | | | | | | | |
| Water Sales | 6,072,434 | 3,093,483 | 2,641,550 | (451,933) | 2,990,132 | (348,583) | note B |
| Sewer Sales | 5,559,473 | 3,185,882 | 3,083,930 | (101,952) | 3,061,628 | 22,303 | note C |
| Reuse Sales | 122,625 | 62,469 | 16,052 | (46,417) | 30,605 | (14,553) | note B |
| Other Revenue | 776,200 | 438,759 | 534,366 | 95,607 | 990,695 | (456,329) | note D |
| Total Revenue | 12,530,732 | 6,780,593 | 6,275,898 | (504,695) | 7,073,060 | (797,162) | |
| Expenditures | 12,530,732 | 7,504,563 | 7,067,779 | 436,785 | 7,105,726 | (37,948) | note E |
| Net | - | (723,970) | (791,881) | (67,910) | (32,666) | (759,214) | |
| Development Services Fund | | | | | | | |
| Revenues | | | | | | | note F |
| Permits & Fees | 510,000 | 297,500 | 265,988 | (31,512) | 357,826 | (91,838) | |
| Transfer In | 708,688 | 413,401 | 413,401 | - | - | 413,401 | |
| Total Revenue | 1,218,688 | 710,901 | 679,389 | (31,512) | 357,826 | 321,563 | |
| Expenditures | 1,218,688 | 798,844 | 819,003 | (20,159) | 405,698 | 413,304 | note G |
| Net | - | (87,943) | (139,613) | (51,671) | (47,872) | (91,741) | |
| Golf Fund | | | | | | | |
| Revenues | 1,015,947 | 530,159 | 448,888 | (81,271) | 487,988 | (39,100) | note H |
| Expenditures | 1,015,947 | 546,724 | 512,724 | 34,001 | 506,007 | 6,717 | |
| Net | - | (16,566) | (63,836) | (47,271) | (18,019) | (45,817) | |

**City of Kerrville
Financial Summary
For the Month Ended April 30, 2019**

| Fund | Total FY2019 Budget | Year to Date FY2019 Budget | Year to Date FY2019 Actual | Better / (Worse) than Budget | Year to Date FY2018 Actual | Change from FY2018 | Variance Explanation |
|---------------------------------|---------------------------|----------------------------------|----------------------------------|------------------------------------|----------------------------------|--------------------------|-------------------------|
| Hotel Occupancy Tax Fund | | | | | | | |
| Revenues | 1,329,750 | 663,193 | 752,962 | 89,769 | 672,648 | 80,314 | note I |
| Expenditures | 1,329,750 | 663,512 | 606,061 | 57,451 | 535,800 | 70,261 | |
| Net | \$ - | \$ (319) | \$ 146,901 | \$ 147,220 | \$ 136,848 | \$ 10,052 | |

Notes:

- A. Sales Tax** - Strong sales tax performance continues. Year to date, sales tax is up 7.0% over 2018 and is 4.7% better than budget, led by increases in retail, food service, manufacturing and construction. However, April's numbers are inflated because 2 large tax payers prepaid sales tax that the City would normally receive in May. May's revenue will be lower because of this.
- B. Water Sales** - Water (including reuse) sales are lower than budget and FY2018 due to record rainfall amounts in October 2018 followed by continuing higher than average rainfall. YTD rainfall amounts in FY2019 are 19" higher than the same period in FY2018. YTD water consumption is down 14%. Water sales are very volatile and highly weather dependent. We are hoping to make up some of the lost revenue in the dryer summer months, but may be facing a shortfall for the year.
- C. Sewer Sales** - Residential sewer averaging for the next 12 months was set in April. Average residential consumption gallons were 4% lower during the averaging period in FY2019 compared to FY2018. This seems to be related to decreased residential irrigation during the sewer averaging period due to rain. We are currently projecting a \$225K sewer revenue shortfall for the year due to decreased sewer averaging combined with lower commercial sewer revenue related to reduced consumption.
- D. Water Fund Other Revenue** - FY2019 revenue is lower than FY2018 revenue because FY2018 includes a one-time \$415K transfer related to the December 2017 debt refinancing and a \$62K transfer from the asset replacement fund to reclass asset purchases for financial reporting purposes.
- E. Water Expenditures** - FY2019 expenditures are lower than FY2018 because \$272K was transferred to the Capital Projects Fund for the Legion Lift Station project in October 2017. FY2019 expenditures better than budget due to lower than anticipated chemical and maintenance costs.
- F. Development Services Fund** - The Development Services Fund was broken out of the General Fund in FY2019. For presentation purposes, FY2018 information is shown in the Development Services Fund.
- G. Development Services Fund Expenditures** - FY2019 includes a transfer of \$379K to a projects fund for the code rewrite and Development Services software projects.
- H. Golf Fund Revenue** - FY2019 revenue is lower than budget and FY2018 revenue due to record rainfall in October and bad weather days in the winter.
- I. Occupancy Tax** - Occupancy tax revenue continues to show strong growth. Excluding the audit payment received from Yogi Bear, occupancy tax is up almost 7% compared to FY2018.



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

SUBJECT: Monthly Community Improvement Project (CIP) Report.

AGENDA DATE OF: May 28, 2019

DATE SUBMITTED: May 17, 2019

SUBMITTED BY: Kyle Burow

EXHIBITS: [20190528_Report_Monthly Community Project Status Report 5-24-19.pdf](#)

| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
|----------------------------------|---|-------------------------|------------------------|
| \$0 | \$0 | \$0 | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
|-----------------------------|-----|
| Kerrville 2050 Item? | No |
| Key Priority Area | N/A |
| Guiding Principle | N/A |
| Action Item | N/A |

SUMMARY STATEMENT:

This item will be presented monthly to provide updates on the City's Community Improvement Projects.

RECOMMENDED ACTION:

Information only. No action required.

Monthly CIP Project Status Report

| Project Name | Description | Design | | Construction | | Comments |
|--|--|-------------------------------------|-----------------|----------------------|-------------------------------------|----------------|
| | | Firm | Contract Amount | Estimated Completion | Contractor | Budget Amount |
| 1. 2019 Slurry Seal Project | Year 4 Slurry Seal Streets | 65 Engineering | \$5,500.00 | Complete | Intermountain Slurry Seal, Inc. | \$170,182.75 |
| 2. Parking Garage Maintenance/Repairs | Maintenance and cosmetic repairs necessary to prolong the life of the existing garage structure. | M&S Engineering | \$36,000.00 | Complete | SCS | \$695,531.72 |
| 3. Parking Garage Enhancements/ Water Street Streetscape | Address physical and functional necessities of the amenities surrounding the parking garage structure along Sidney Baker and Water Street | Peter Lewis Architects | \$24,400.00 | Summer 2019 | TBD | TBD |
| 4. A.C. Schreiner House (529 Water Street) | Examine concepts for interior of building for future renovation | Scott Schellhaase | \$35,000.00 | 2018 | TBD | TBD |
| 5. Reuse Distribution Mains | ~30,000 LF of distribution lines from pump station to Comanche Trace, Riverhill, Schreiner Univ., & Sports Complex | Freese & Nichols | \$926,500.00 | Complete | Qro Mex Construction | \$6,000,000.00 |
| 6. Aerial Pipe Bridge Removal | Removal of flood damaged utility bridge and lines near low water crossing adjacent to Loop 534 | N/A | N/A | N/A | J3 Company | \$285,900.00 |
| 7. Tennis Center Improvements | Improve ADA access, resurface existing courts, address drainage, parking, lighting, and landscaping issues, & evaluate existing facilities | Schrickel, Rollins, and Associates | \$161,500.00 | Summer 2018 | JK Bernhard | \$1,453,939.00 |
| 8. River Trail Extension to Schreiner University | Approximately 1+ mile trail extension from G Street to Schreiner University and adjacent neighborhood | Hewitt Engineering | \$102,980.00 | Jun-2019 | TBD | TBD |
| 9. Aquatics Center Feasibility Study | Assessment of the Olympic Pool complex to include public/stakeholder meetings and recommendations for enhancement | Marmont/Mok | \$85,000.00 | May-2019 | N/A | N/A |
| 10. Public Safety Complex Feasibility Study | Analyze options for building size, location, and use with budgets | Brinkley Sargent Wighton Architects | \$99,260.00 | May-2019 | N/A | N/A |
| 11. Legion Lift Station and Force Main | 8.5 MGD lift station, ~4,000 LF of force main, and ~1,000 LF of gravity main | Freese & Nichols | \$734,000.00 | Nov-2018 | Keystone Construction | \$5,493,663.00 |
| 12. WTP Clarifier Rehab | Replace hardware in existing clarifier | Freese & Nichols | \$132,600.00 | Complete | Keystone Construction | \$796,000.00 |
| 13. WTP THM Control Facility | Alternative solutions to meet TCEQ and EPA compliance followed by design of chosen distribution process | Freese & Nichols | \$312,000.00 | Oct-2018 | Dowtech Specialty Contractors, Inc. | \$4,100,000.00 |
| 14. Request for Proposals for public/private workforce housing project at Loop 534 | City issued RFP for development of City owned property on Loop 534 for a mixed use development to include workforce/attainable housing. | TBD | TBD | TBD | N/A | N/A |
| 15. Long Range Water Supply Plan | Planning for 100 years of future water sources for City of Kerrville | Lloyd Gosselink | \$99,700.00 | Spring 2019 | N/A | N/A |
| 16. Landfill Permitting, Phase 3 | Prepare application for major amendment to TCEQ permit for municipal landfill for expansion | LNV | \$500,000.00 | Feb-2019 | N/A | N/A |
| 17. Schreiner/Clay Roundabout | Concept plan to construct roundabout at the intersection of Schreiner Street and Clay Street | 65 Engineering | \$28,175.00 | Dec-2018 | TBD | TBD |
| 18. Hotel /Conference Center | Legislative effort with 2019 State Legislature for tax reimbursement | | | May-2019 | | |
| 19. Drainage Master Plan | Assessment of 12 known drainage areas, provide prioritization list, and review drainage policy and criteria | LNV, Inc. | \$204,346.00 | Jun-2019 | N/A | N/A |
| 20. Strategic Housing Plan | | TBD | TBD | TBD | | |
| 21. KUTS - Clay Street South | Kerrville Urban Trail System (KUTS) pilot trail project to improve walkability along Clay Street from Schreiner Street to Water Street | OIA | Partnership | Summer 2019 | | |
| 22. Pavement Management Plan Update | Update City's pavement rehabilitation and maintenance plan | 65 Engineering | \$107,750.00 | Jul-2019 | N/A | N/A |



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

SUBJECT: Progress Report Regarding Development Services Improvements.

AGENDA DATE OF: May 28, 2019

DATE SUBMITTED: May 22, 2019

SUBMITTED BY: Guillermo Garcia

EXHIBITS: [2019-5-23_Development Services Improvments.pdf](#)

| | | | |
|----------------------------------|---|-------------------------|------------------------|
| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
| \$0 | N/A | \$0 | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
|-----------------------------|--|
| Kerrville 2050 Item? | Yes |
| Key Priority Area | F - Public Facilities and Services |
| Guiding Principle | F1. Commit to maintaining high-quality, cost-effective public services and facilities consistent with anticipated growth and ensure cost-effective use and maintenance of these assets |
| Action Item | F1.7 - Continue to evaluate Development Services processes and enhance the consistency and timeliness of services |

SUMMARY STATEMENT:

This presentation seeks to provide City Council with an update of the continuous improvement efforts within Development Services. The three services within Development Services will be impacted as we continually improve our people, process, and codes. The three services within Development Services are Building Services, Code Compliance, and Planning. These Services have multiple processes that are used to provide a service or product to the citizens of Kerrville. This presentation will provide a summary of the continuous improvement efforts of the Development Services team to improve the departments services and processes.

RECOMMENDED ACTION:

No Action



Development Services

Process Improvements



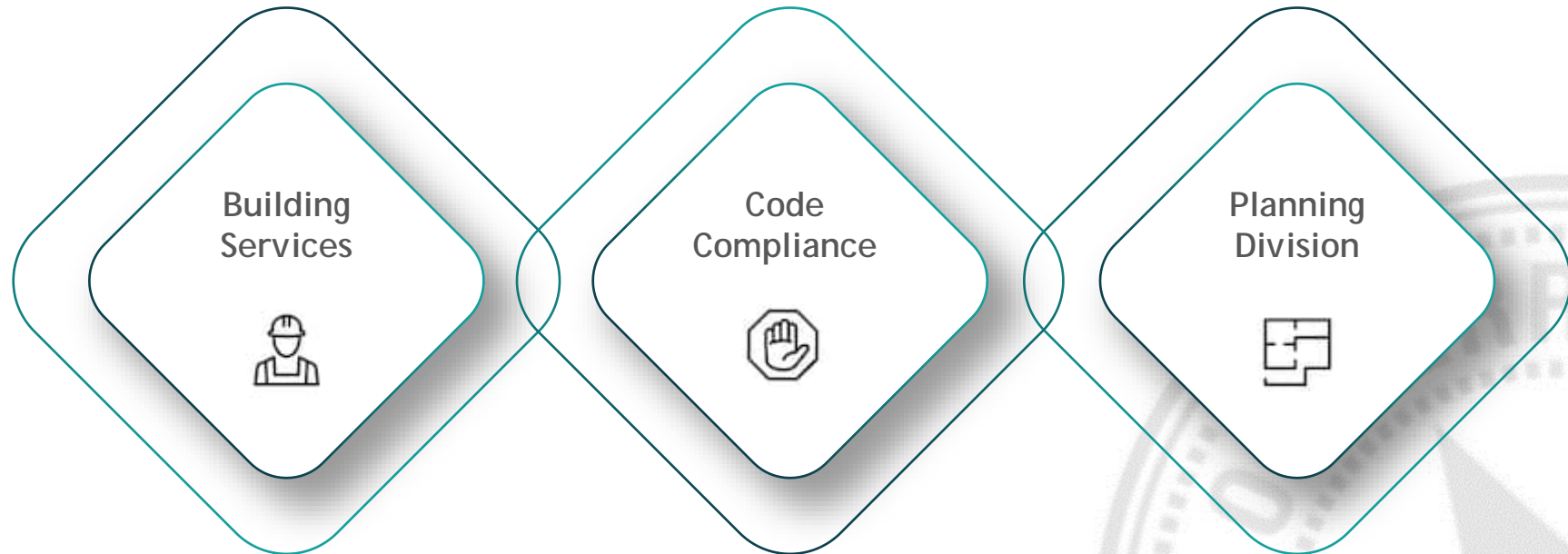


Development Services Purpose

To continually ensure the quality of life in the City of Kerrville through consistent enforcement of codes and ordinances using innovative regulation and customer education, as well as through a proactive consultation process with customers and users.



Development Services Systems



Building Services continually ensures the quality of life in the City of Kerrville through consistent enforcement of codes and ordinance using innovative regulation and customer education, as well as through a proactive consultation process with customers and users

The goal of the Code Compliance Division is to improve the aesthetics of the City, and ensure the health, safety and welfare of our citizens. Code Enforcement goal is to achieve voluntary compliance rather than impose civil or criminal penalties

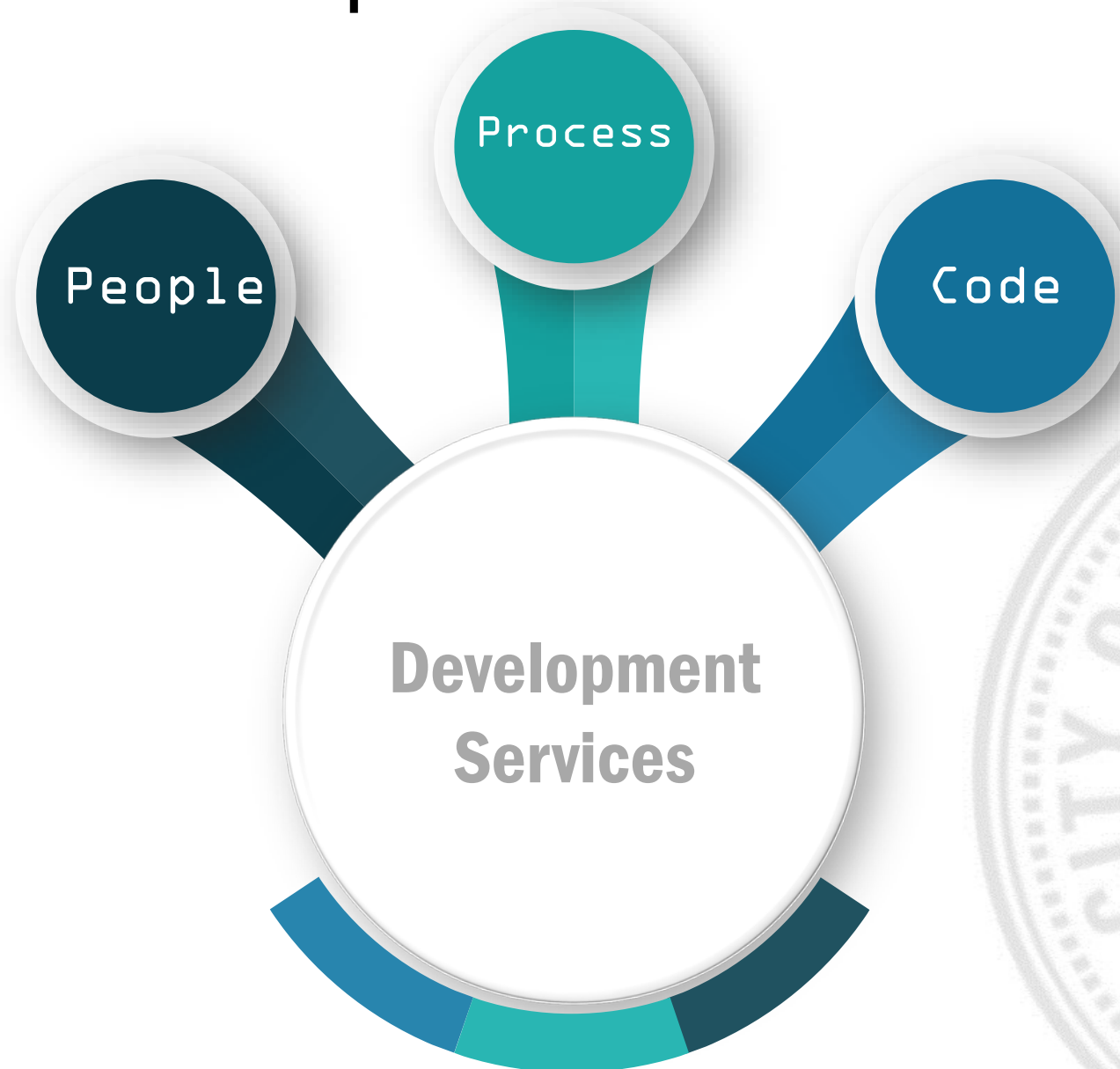
Planning is a function of the City of Kerrville to ensure public health, safety, and welfare. Through a partnership with developers and property owners, the Planning Division is committed to ensuring the quality of life in Kerrville through the regulation of development



Continuous Improvement



Continuous Improvement



Stakeholders

In Spring of last year, gathered members of the development community to discuss opportunities for improvement. Used the Kano Model to capture the voice of the customer.

| Table of Results | | | | | | | | | | | | |
|---|--|------------|------|------|-------------|---------|--------------|----------------------------------|---------------------|------------|-----------------------------|-----------------|
| Customer Attributes (Needs or Features) | | Excitement | More | Must | Indifferent | Reverse | Questionable | Total Responses (E, P, B, and I) | Best Classification | GB Project | Development Services Review | Software Update |
| 4 | Schedule inspections the next day prior to 4 pm | 5 | 2 | 2 | 1 | | | 10 | Excitement | x | | x |
| 7 | Inspector to provide digital feedback | 5 | 4 | | | | | 9 | Excitement | x | x | x |
| 12 | Inspectors provide solutions to constructions | 4 | 3 | | 1 | 1 | | 8 | Excitement | | | |
| 13 | Conduct all plan review in house | 6 | 2 | | 1 | | | 9 | Excitement | | x | |
| 19 | Limit waiting time for DRC | 5 | 2 | 2 | | | | 9 | Excitement | | x | |
| 20 | All staff members are prepared before DRC | 3 | 3 | 3 | | | | 9 | Excitement | | x | |
| 2 | Detailed check list for permits | 3 | 3 | 1 | 1 | 2 | | 8 | More | x | | x |
| 5 | High level customer service at all levels | | 8 | 2 | | | | 10 | More | | x | |
| 6 | Inspector provide on-site inspection approvals | 3 | 5 | 1 | | | | 9 | More | x | | |
| 8 | One point of contact throughout process | 1 | 6 | 1 | 1 | | | 9 | More | x | x | x |
| 9 | Provide the ability to submit digital plans via internet | 3 | 4 | 2 | | | | 9 | More | x | | x |
| 16 | Re-wrtie or make clear the rules, codes, and ordinances | 1 | 5 | 3 | | | | 9 | More | | x | |
| 17 | Fast track program for plan review and inspection | 2 | 5 | | 1 | 1 | | 8 | More | x | | x |
| 1 | Consistency among staff | 1 | 3 | 5 | 1 | | | 10 | Must | | x | |
| 10 | Improve communications between departments | | 2 | 7 | | | | 9 | Must | x | x | x |
| 11 | Provide timelines of the process | | 2 | 7 | | | | 9 | Must | x | | |
| 14 | Eliminate the 10 day restart for minor/major changes | 2 | 2 | 4 | | | 1 | 8 | Must | x | | |
| 15 | Provide more detailed comprehensive review | 2 | 2 | 4 | 1 | | | 9 | Must | | x | |
| 18 | All decision makers attend DRC | 2 | 3 | 4 | | | | 9 | Must | | | |
| 3 | Allow structure Engineer to inspect designs | | 2 | 2 | 6 | | | 10 | Indifferent | | | |

People

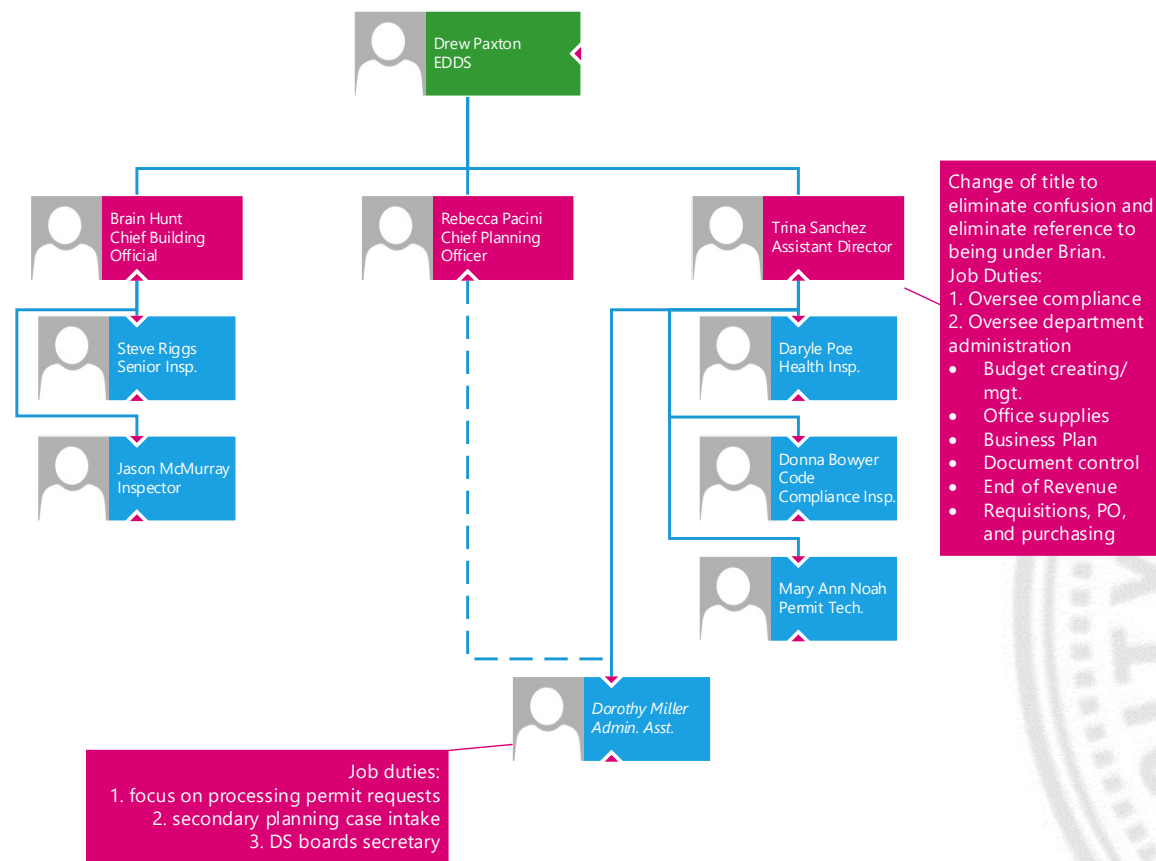
```
graph TD; DP[Drew Paxton  
EDDS] --> BH[Brain Hunt  
Chief Building  
Official]; DP --> RP[Rebecca Paxton  
Chief Planning  
Officer]; DP --> TS[Trina Sanchez  
Assistant of  
Building Services]; BH --> SR[Steve Riggs  
Senior Insp.]; SR --> JM[Jason McDaniel  
Inspector]; TS --> DPoe[Daryle Poe  
Health Insp.]; DPoe --> DB[Donna Bowyer  
Code  
Compliance Insp.]; DB --> MAP[Mary Ann  
Permit Tech.]; MAP --> DM[Dorothy Miller  
Admin. Asst.];
```

The organizational chart for the Building Department is structured as follows:

- Drew Paxton, EDDS** (Director) is at the top, marked with a yellow starburst.
- Reporting to the Director are three main branches:
 - Brain Hunt, Chief Building Official** (marked with a yellow starburst).
 - Reports to Brain Hunt: **Steve Riggs, Senior Insp.**
 - Reports to Steve Riggs: **Jason McDaniel, Inspector** (marked with a yellow starburst).
 - Rebecca Paxton, Chief Planning Officer** (marked with a yellow starburst).
 - Trina Sanchez, Assistant of Building Services**.
 - Reports to Trina Sanchez: **Daryle Poe, Health Insp.**
 - Reports to Daryle Poe: **Donna Bowyer, Code Compliance Insp.**
 - Reports to Donna Bowyer: **Mary Ann, Permit Tech.** (marked with a yellow starburst).
 - Reports to Mary Ann: **Dorothy Miller, Admin. Asst.**

Organizational Chart

Updated job descriptions and responsibilities:



Workplace Organization

5S methodology that results in a workplace that is:

- Clean
- Uncluttered
- Safe
- Well organized to help reduce waste and optimize productivity



Workplace Organization

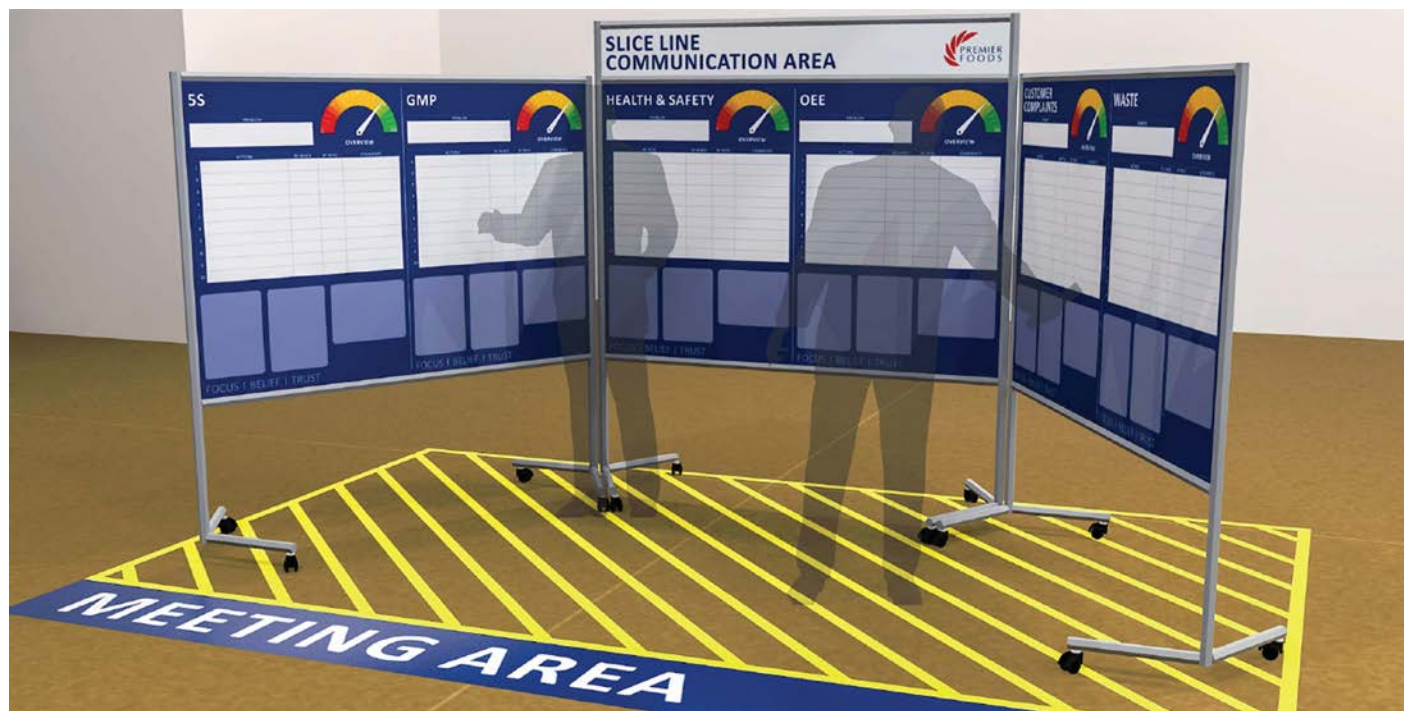
Visual Management methodology to communicate expectations, performance, and standards in a way that:

- Shares information
- Shares standards
- Builds standards
- Warn about abnormalities
- Stop abnormalities once they occur
- To prevent abnormalities



Workplace Organization

This is pending implementation due to finalization of construction
Example:

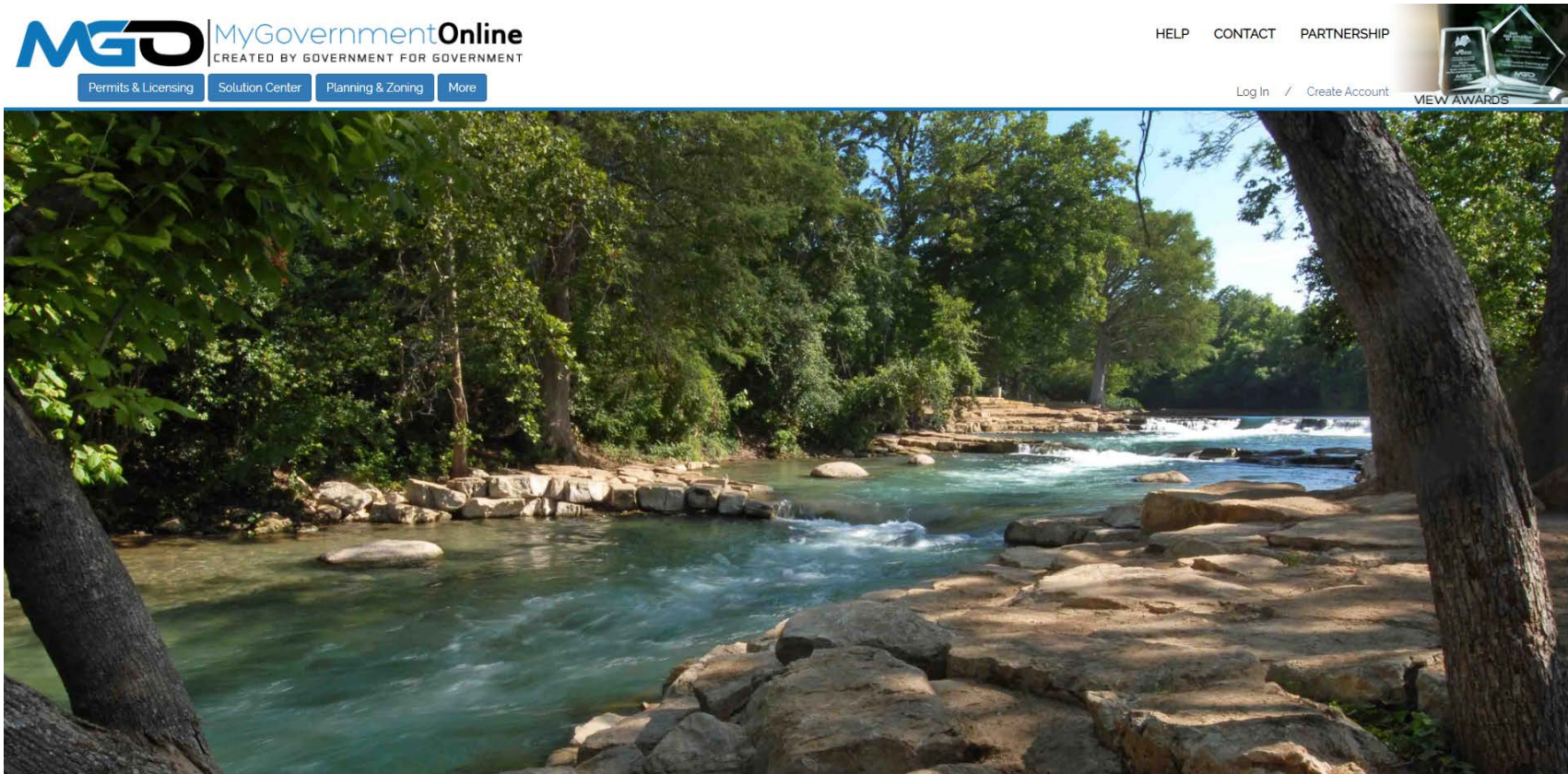




My Government Online

Process

New software:





My Government Online

Process

My Government Online:

- Permitting/Inspections
- Planning
- Code/Health Enforcement





My Government Online

Process



[MY ACCOUNT](#)

[HELP](#)

[CONTACT](#)

[PARTNERSHIP](#)

[Permits & Licensing](#)

[Solution Center](#)

[Planning & Zoning](#)

[More](#)

Signed In As Martin Greenwell / [Log Out](#)



Apply Online

Jurisdiction and Request Type *

Some jurisdictions do not accept online applications.
If your jurisdiction or jurisdiction's department is not listed please contact that jurisdiction directly for their application procedure.

Country: * State: *

Jurisdiction: *

Project Type: *


[Next](#)












My Government Online

Process

My Permits 

| ProjectID | Jurisdiction | Project # | Address | Issued | Request Inspection | |
|-----------------------------|------------------|------------|--|------------|-------------------------|---|
| View Permit | Pflugerville | 13-105 | 16908 Bridgetarmer Pflugerville TX 78759 | 07-17-2013 | Request |  |
| View Permit | Georgetown | 2013-12334 | 201 SAN GABRIEL VILLAGE BLVD GEORGETOWN TX 78626 | 05-31-2013 | Request |  |
| View Permit | Georgetown | 2013-12721 | 1217 HAVEN LN., #101 GEORGETOWN TX 78626 | 04-17-2013 | Request |  |
| View Permit | Cedar Park | 2012-7101 | 12342 FM 620 N AUSTIN TX 78750 | 12-26-2012 | Request |  |
| View Permit | Cedar Park | 2012-7256 | 625 WILLIAMS WAY CEDAR PARK TX 78613 | 12-14-2012 | Request |  |
| View Permit | Georgetown | 2012-10872 | 2205 WOLF RANCH PKWY GEORGETOWN TX 78626 | 12-03-2012 | Request |  |
| View Permit | East Baton Rouge | 17605 | 4600 SHERWOOD COMMON BLVD STE 101 BATON ROUGE LA 70816 | 11-16-2012 | Request |  |



My Government Online

Process

Inspections 


[Request Inspection](#)

Current

| Status | Scheduled Date | Inspection Type | Inspector Name | Inspector Phone |
|--------|----------------|---------------------|----------------|-----------------|
| New | 09/20/2013 | Building Inspection | Not Assigned | (111) 222-3333 |

Page 1 of 1 1 - 1 of 1 items

History

| Status | Inspection Date | Inspection Type | Inspector Name | Inspector Phone | |
|--------|-----------------|------------------------------|----------------|-----------------|--|
| Failed | 09/12/2013 | Plumbing Rough-in Inspection | Dennis Sing | (562) 429-9092 |  |

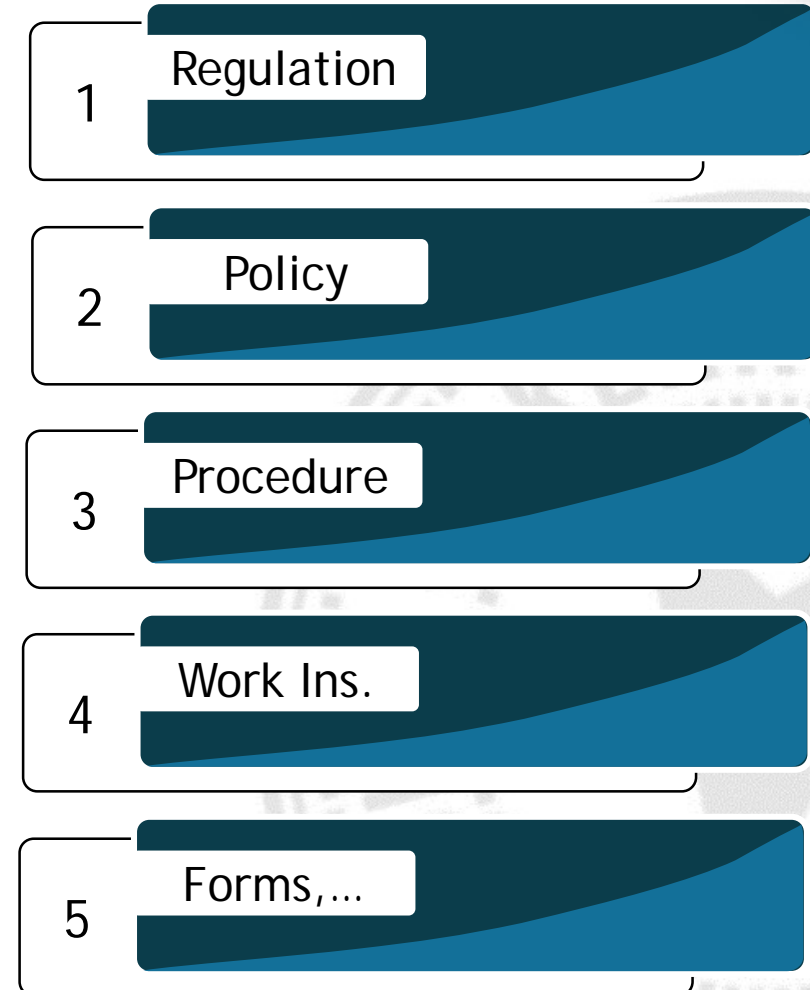
Page 1 of 1 1 - 1 of 1 items



Standardization

The sequence of job elements has been efficiently organized to be consistently followed.

ISO-9001 elements are used to establish standardization of work.





Building Services

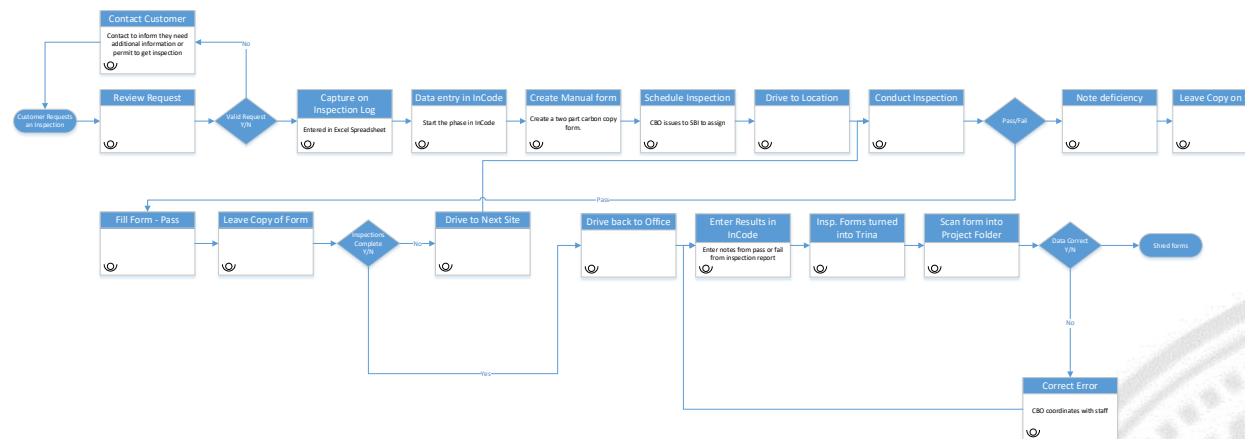




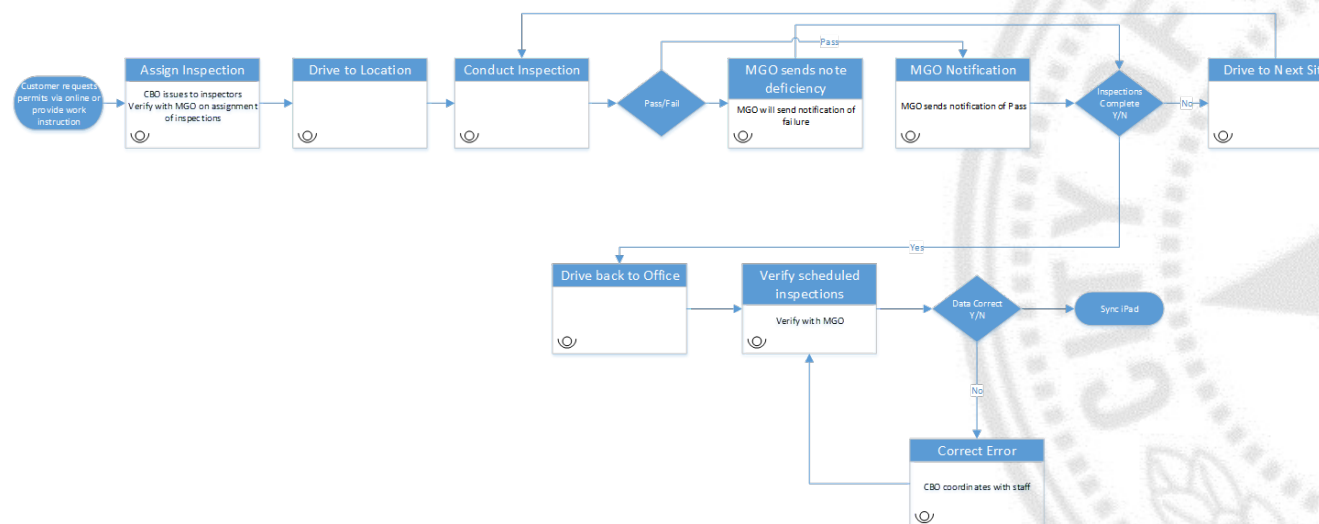
Inspection Process



Old Process
18 steps



New Process
10 steps



Inspection Process

Inspection Process:

- Created written Procedure to communicate expectations and requirements.
- Supporting forms and work instructions created as well.



Inspection Procedure

DVS-PRO-003.BDS

Development Services

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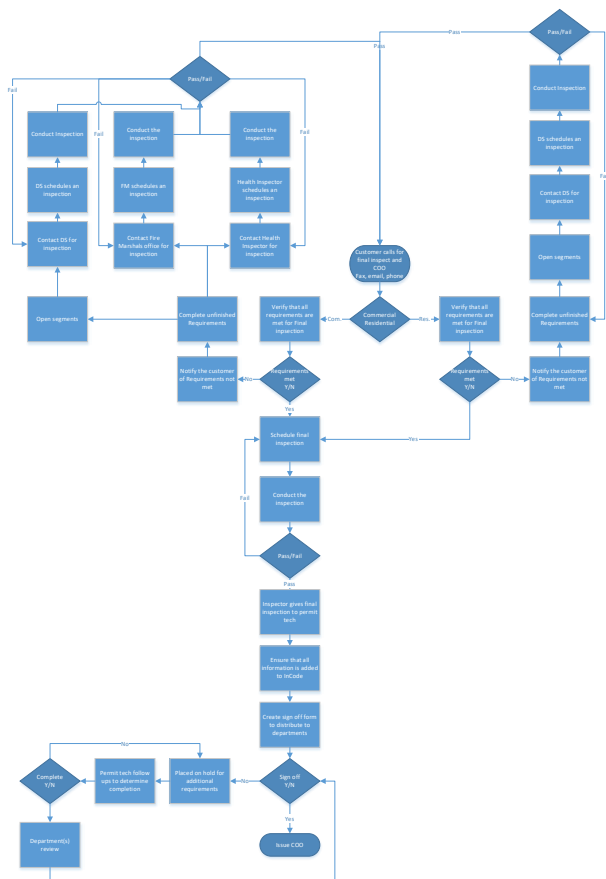
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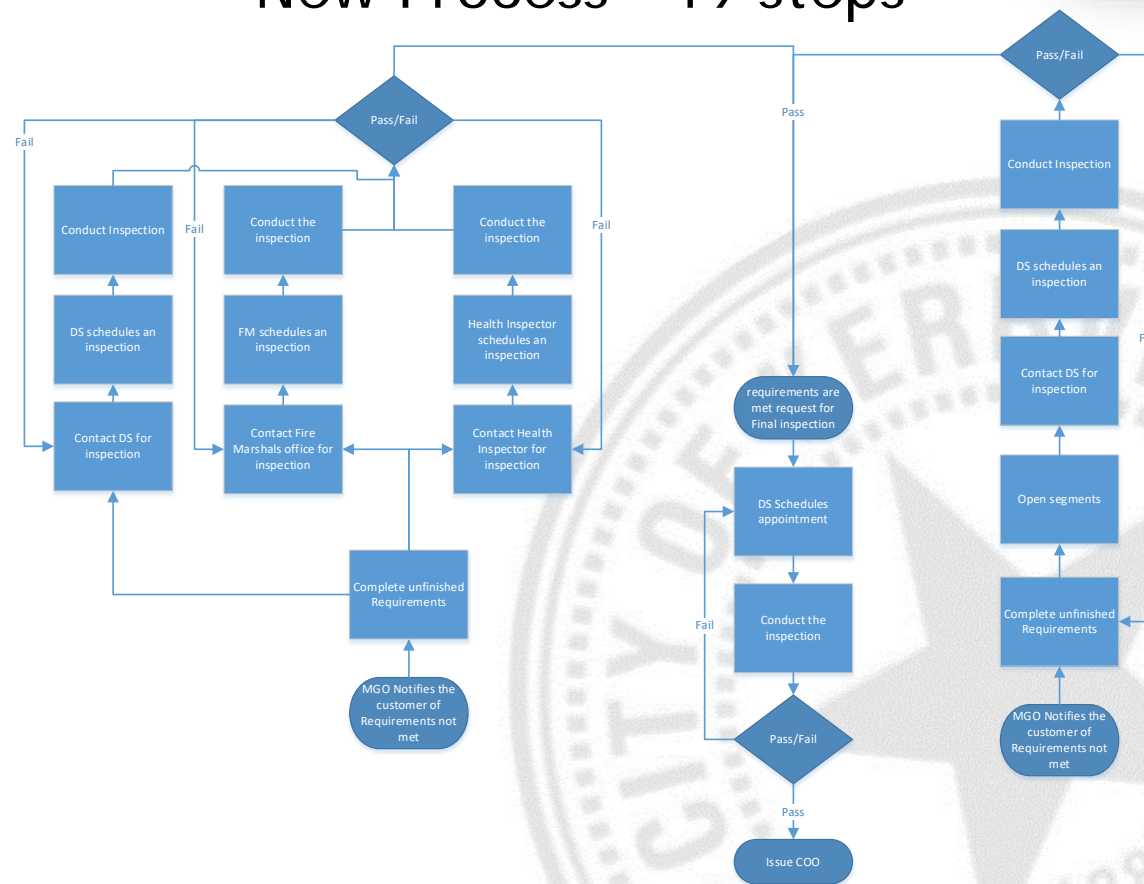
Certificate of Occupancy

Process

Old Process - 31 steps



New Process - 19 steps



Certificate of Occupancy:

- Created written Procedure to communicate expectations and requirements.
- Supporting forms and work instructions created as well.



Planning Division

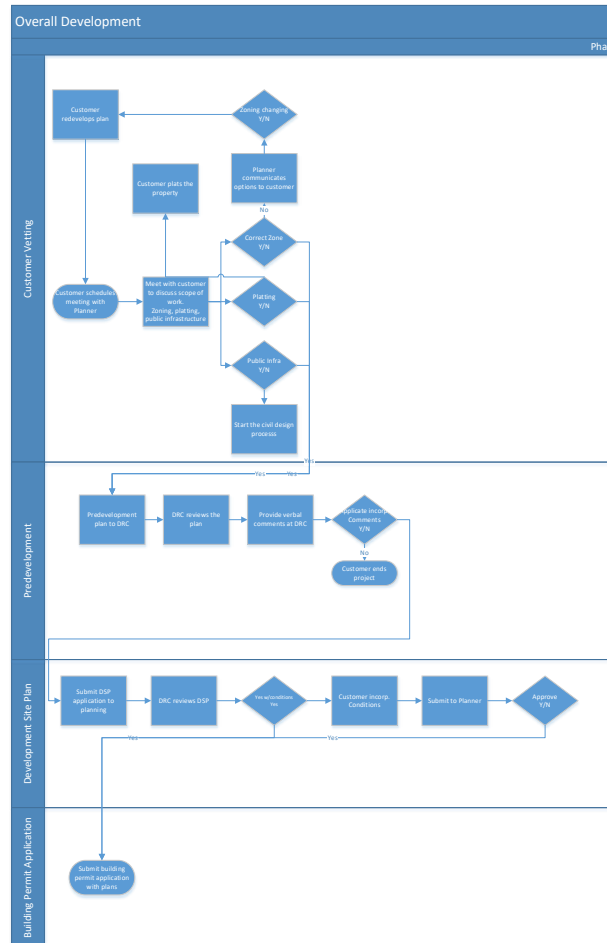




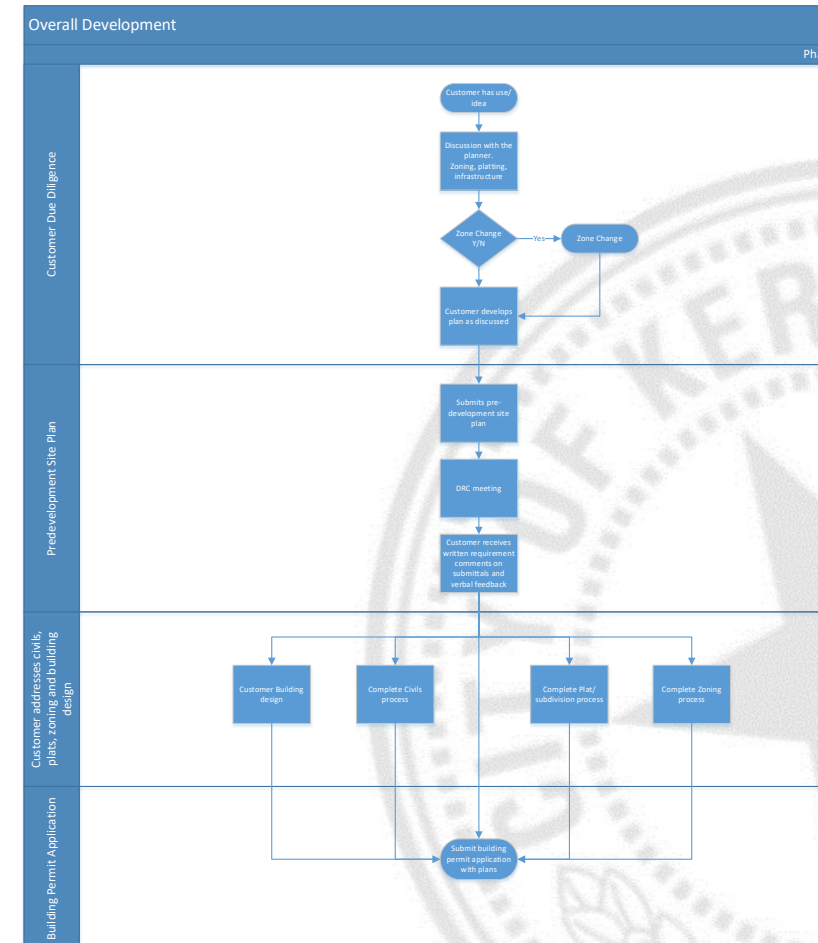
Overall Development:

Process

Old Process - 15 steps



New Process - 12 steps



Overall Development:

- Created written Procedure to communicate expectations and requirements.
- Supporting forms and work instructions created as well.



Overall Development Process

DVS-PRO-006.ADM.docx

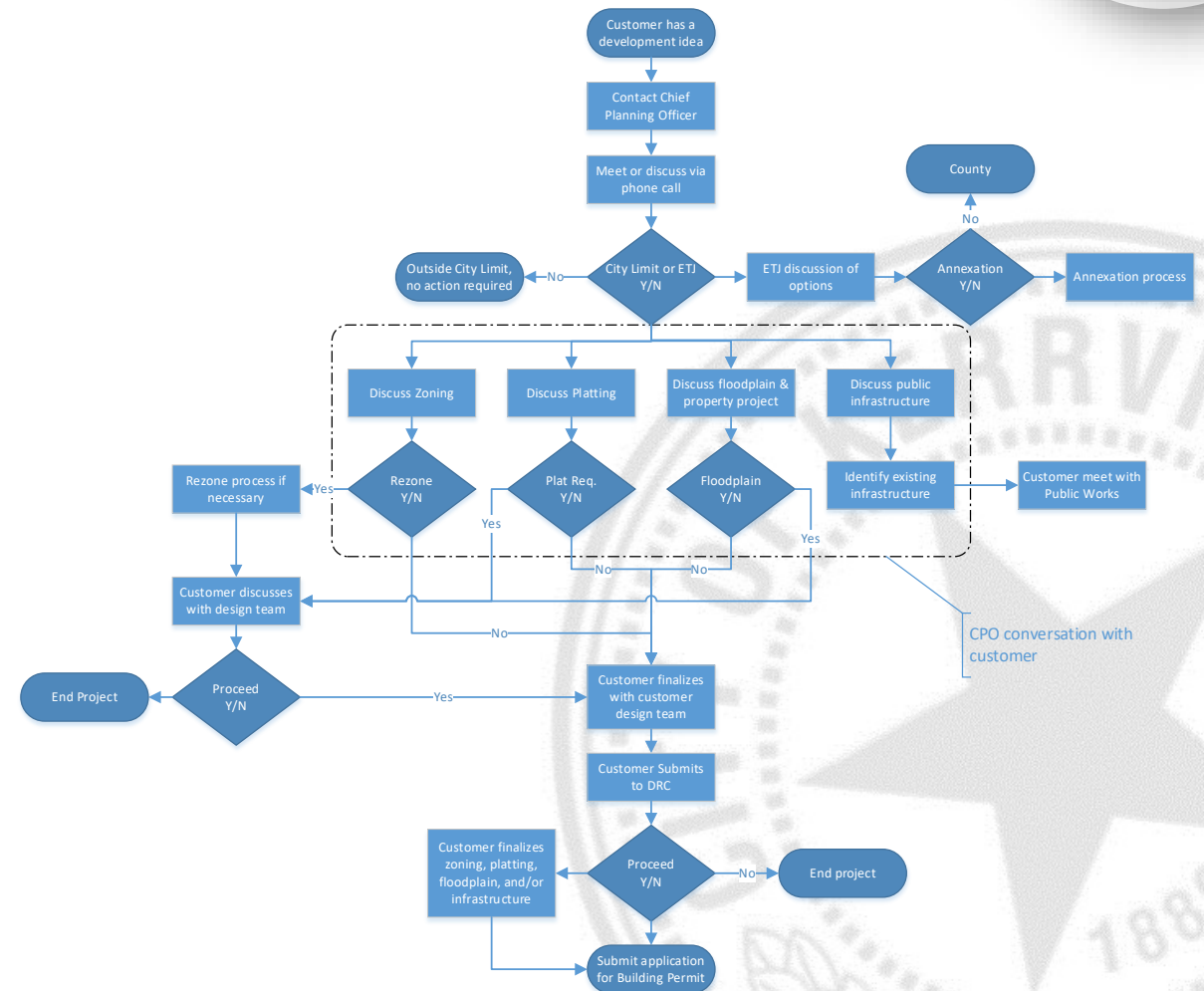
Development Services

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Predevelopment Process

The predevelopment process was loosely developed. Instead of mapping the current process team felt an entirely new approach was needed.



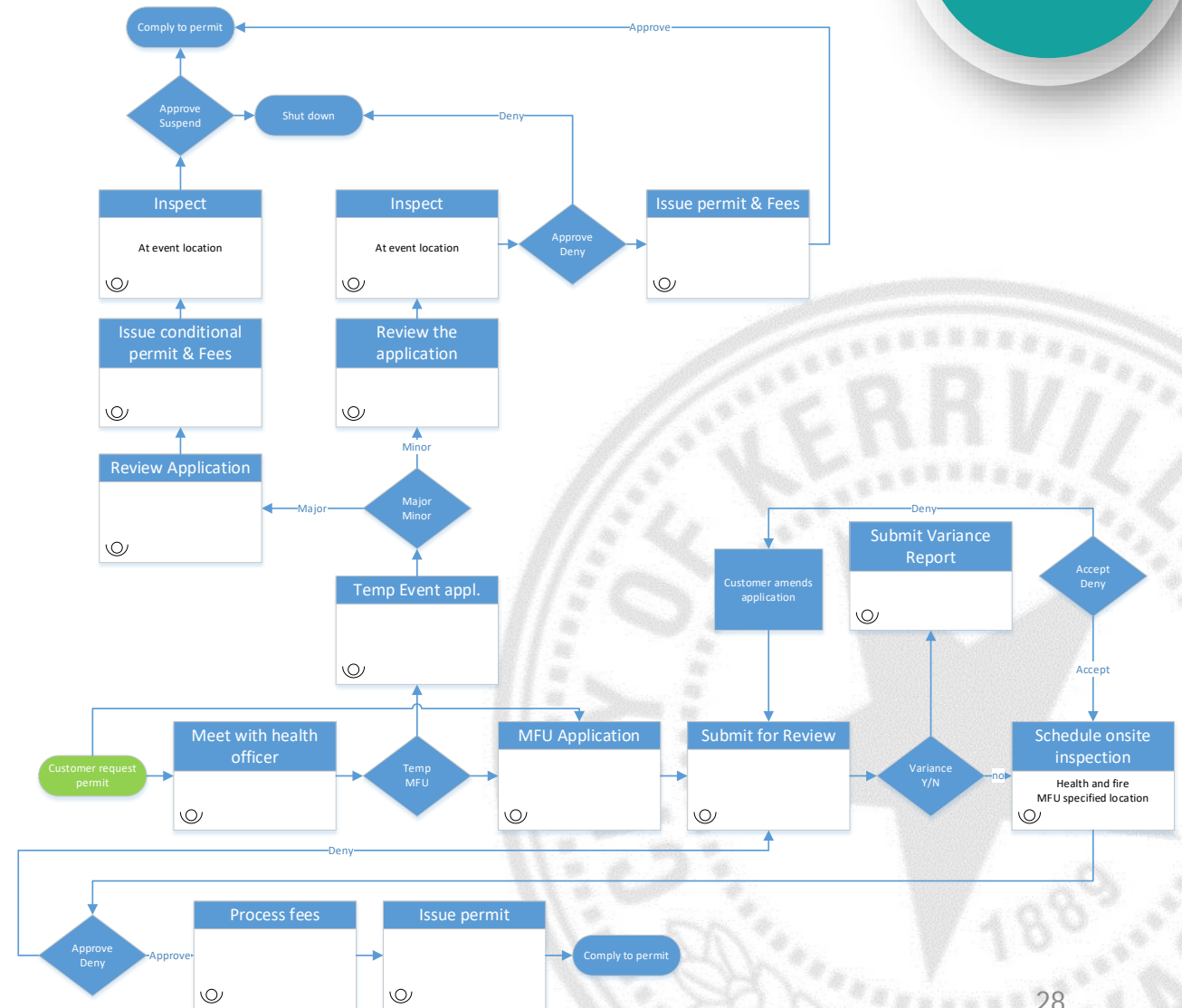


Code Enforcement



Mobile Food Unit

New process for the compliance of mobile food unit vendors.



Mobile Food Unit

- Created written Procedure to communicate expectations and requirements.
- Supporting forms and work instructions created as well.



Mobile Food Unit & Temp. Est. Permit Procedure

DVS-PRO-004.CCS

Development Services

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Junk Vehicles

Process

1st step in addressing the junk vehicles process it was necessary to address the junk vehicles ordinance.

Staff is benchmarking other cities that could result in an Ordinance change in the future.

Sec. 8.03.011 - Junk vehicles

Junk vehicles (as defined in the Abandoned Motor Vehicles Act, V.T.C.A., Transportation Code, section 683.071) which are located in any place where they are visible from a public right-of-way are detrimental to the safety and general welfare of the general public, tending to reduce the value of private property, to invite vandalism, to create fire hazards, and to constitute an attractive nuisance creating a hazard to the health and safety of minors, and are detrimental to the economic welfare of the city by producing urban blight which is adverse to the maintenance and continuing development of the city, and such vehicles are therefore declared to be a public nuisance. To effectively deal with the nuisance of said junk vehicles, the city hereby adopts the following procedures for abatement and removal of junk vehicles or parts of a junk vehicle and said procedures shall be followed by the city police department officers or the code enforcement officers when dealing with the nuisance created by junk vehicles:

- (1) For a nuisance on private property, there will be not less than ten days' notice stating the nature of the public nuisance on private property, that it must be removed and abated within ten days, and that a request for a hearing must be made before expiration of the ten-day period. The notice must be mailed, by certified mail with a five-day return requested, to the last known registered owner of the motor vehicle and all lienholders of record and to the owner or occupant of the private premises on which the public nuisance exists. If the notice is returned undelivered by the United States post office, official action to abate the nuisance shall be continued to date not less than ten days after the date of the return.
- (2) For a nuisance on public property, there will be not less than ten days' notice, stating the nature of the public nuisance on public property or on a public right-of-way, that the nuisance must be removed and abated within ten days, and that a request for a hearing must be made before expiration of the ten-day period. The notice must be mailed, by certified mail with a five-day return requested, to the last known registered owner of the motor vehicle and all lienholders of record and to the owner or occupant of the public premises or to the owner or occupant of the premises adjacent to the public right-of-way on which the public nuisance exists. If the notice is returned undelivered by the United States post office, official action to abate the nuisance shall be continued to a date not less than ten days after the date of the return.
- (3) Any vehicle removed under these procedures is hereby prohibited from being reconstructed or made operable after it has been removed.
- (4) A public hearing must be held before the removal of the junk vehicle or junk vehicle part(s) as a public nuisance is ordered. The hearing shall be held before the judge of the municipal court of the city. If a hearing is requested by the owner or occupant of the public or private premises or by the owner or occupant of the premises adjacent to the public right-of-way on which the vehicle is located or by the last known registered owner of the motor vehicle or a lienholder of record, the hearing will occur no earlier than the 11th day after service of the notice to abate the nuisance. An order requiring the removal of the junk vehicle parts must include a description of the vehicle and the correct identification number and license number of the vehicle if the information is available at the site.
- (5) Notice must be given to the state department of transportation no later than the fifth day after the date of removal. The notice must identify the vehicle or vehicle part.
- (6) These procedures do not apply to a vehicle or vehicle part that is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property, a vehicle or vehicle part that is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer or junkyard, or an unlicensed operable or inoperable antique or special interest vehicle stored by a collector on the collector's property, if the vehicle and the outdoor storage area are maintained in a manner so that they do not constitute a health hazard and are screened from ordinary public view by means of a fence, rapidly growing trees, shrubbery, or other appropriate means.
- (7) The removal of a vehicle ordered removed by the municipal court judge will be by the wrecking company with which the city contracts.
- (8) If the nuisance is not removed and abated and a hearing is not requested within the ten-day period provided by subsections (1) and (2) above, then a complaint concerning the public nuisance will be filed in the municipal court of the city.
- (9) Relocation of a junked vehicle that is a public nuisance to another location within the city after the commencement of a proceeding for the abatement and removal of the vehicle shall have no legal effect if the vehicle constitutes a nuisance at the new location.

(1996 Code, sec. 8.311; Ordinance adopted 1-18-00; Ordinance adopted 11-28-06)

State Law reference— Junked vehicles, V.T.C.A., Transportation Code, sec. 683.071 et seq. |

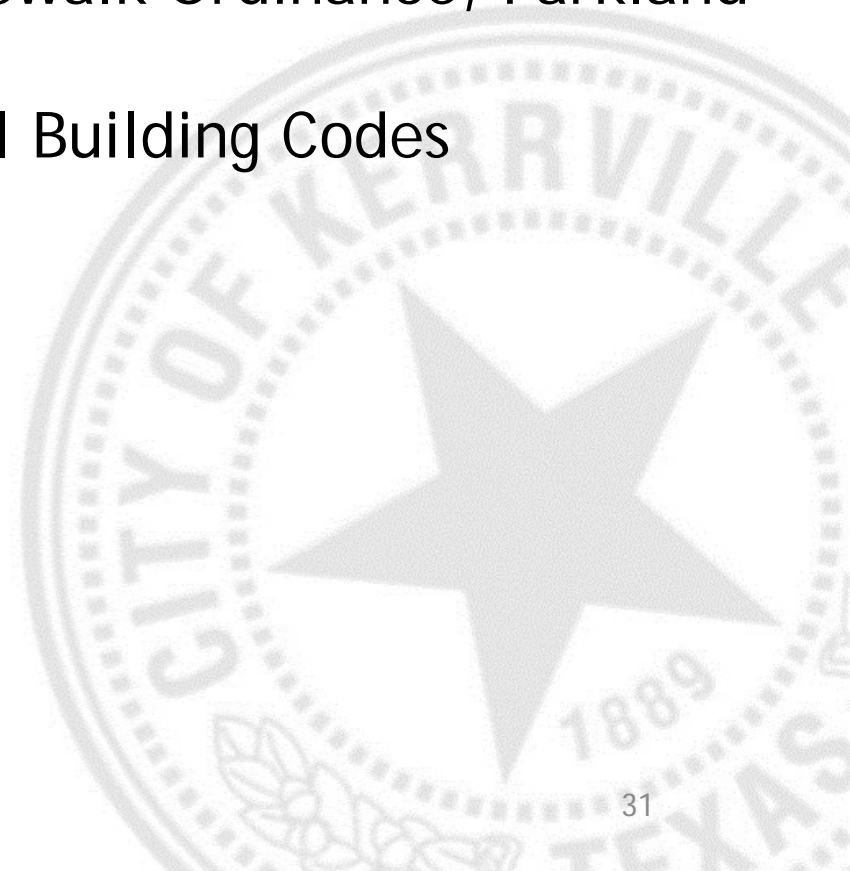


Code



Codes that are being evaluated and updated:

- Zoning Code and Sign Code
- Zoning Overlays, Subdivision Ordinance, Sidewalk Ordinance, Parkland Dedication Ordinance
- Building Code Adoption of 2018 International Building Codes



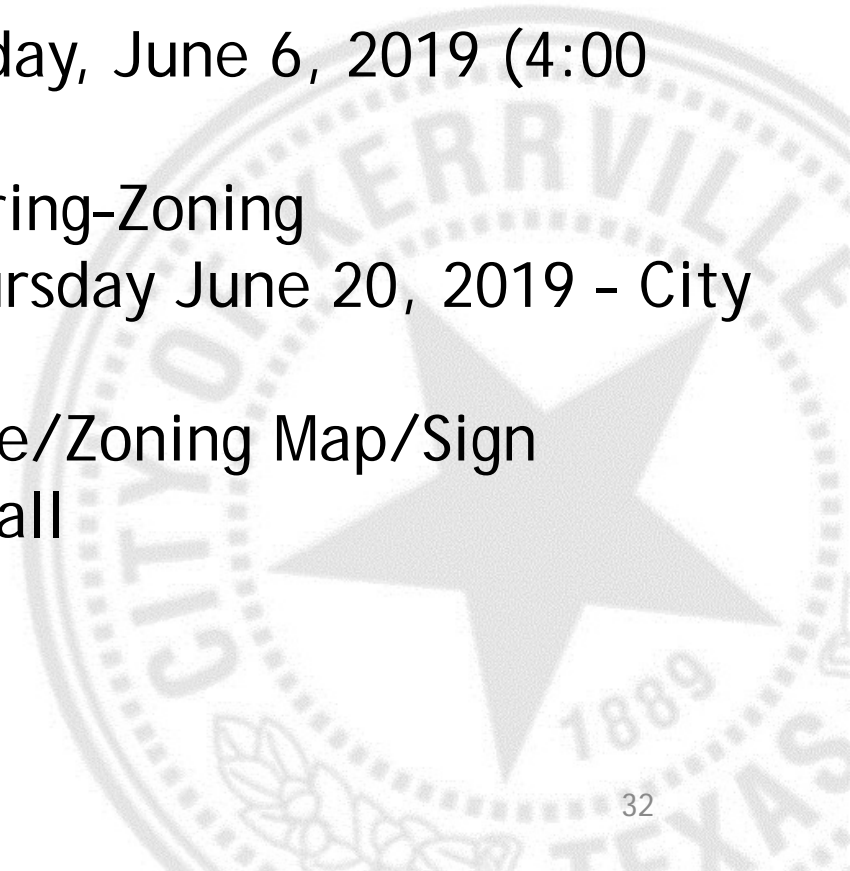


Code

Code

Zoning Code and Sign Code:

- Community Open House -Thursday May 16, 2019, 5:00 PM - 7:00 PM - Dietert Center (Completed)
- Code Review Committee Meeting #6 - Thursday, June 6, 2019 (4:00 pm) - City Hall
- Planning and Zoning Commission Public Hearing-Zoning
- Ordinance/Zoning Map/Sign Ordinance - Thursday June 20, 2019 - City Hall
- City Council Public Hearing-Zoning Ordinance/Zoning Map/Sign Ordinance - Thursday June 27, 2019 - City Hall



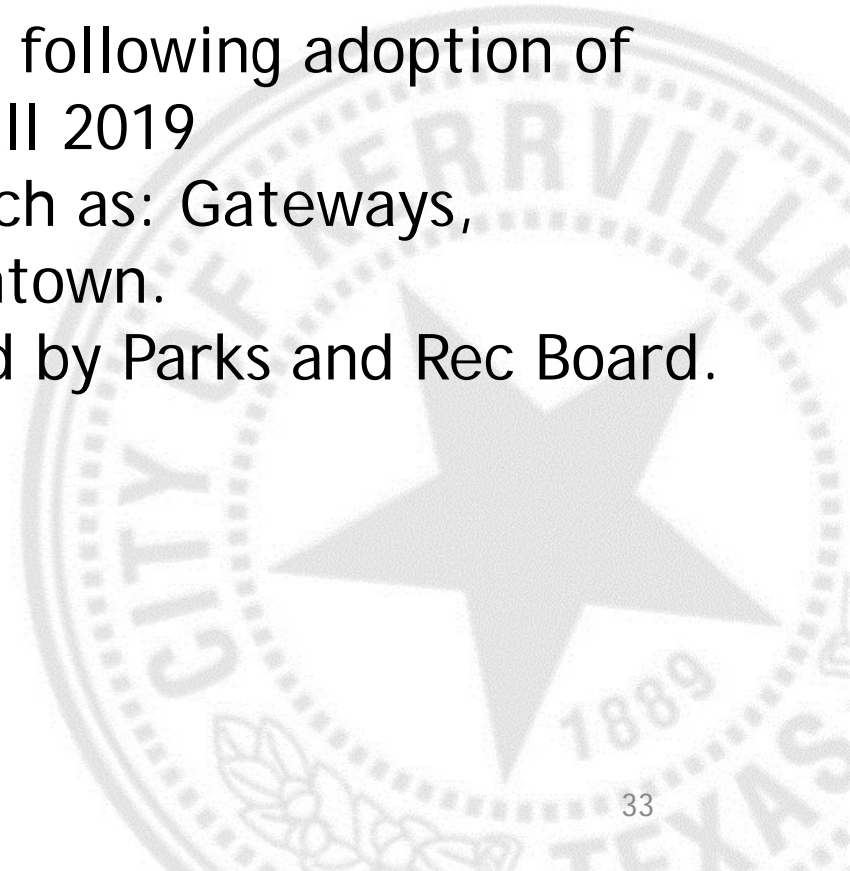


Code

Code

Zoning Overlays, Subdivision Ordinance, Sidewalk Ordinance, Parkland Dedication Ordinance:

- Next Phase for the Code Review Committee, following adoption of Zoning Code and Sign Code, Late summer-Fall 2019
- Zoning Overlays for special areas of town such as: Gateways, Guadalupe River Corridor, Airport, and Downtown.
- Parkland Dedication draft has been reviewed by Parks and Rec Board.





Code

Code

Building Code Adoption of 2018 International Building Codes:

- Building Board of Adjustment and Appeals (pending)
- Public Open House early June
- City Council 1st Reading June 25th
- City Council 2nd Reading July 9th
- Effective October 1, 2019





Next Steps

- Incorporate new software changes to updated procedures
- Ensure quality assurance for recent improvements
- Continue with updating the following processes:
 - Dangerous Building ID Process
 - Contractor Registration Process
 - Site Plan Review Process
 - Long Range Planning
 - Food Inspection Process
 - Hotel/Motel Inspection processes....





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

SUBJECT: Appointments to the Economic Improvement Corporation. (This item is eligible for Executive Session, Section 551.074: PERSONNEL MATTERS.)

AGENDA DATE OF: May 28, 2019 **DATE SUBMITTED:** May 23, 2019

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20190528_Board Sheet_Economic Improvement Corporation.pdf](#)

| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
|----------------------------------|---|-------------------------|------------------------|
| \$0 | \$0 | \$0 | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
|-----------------------------|-----|
| Kerrville 2050 Item? | No |
| Key Priority Area | N/A |
| Guiding Principle | N/A |
| Action Item | N/A |

SUMMARY STATEMENT:

Three Economic Improvement Corporation members will term on June 1, 2019. These three vacancies require appointment or eligible reappointment. Applications received: Danny Almond, Beck Gipson, Joe Herring, Charles Lacy, Kent McKinney, Kenneth O'Neal, Gregory Richards, Aaron Yates.

Council representative will term on June 1, 2019. Current Council representative Councilmember Delayne Sigerman is eligible for reappointment.

RECOMMENDED ACTION:

Appoint members to the Economic Improvement Corporation. Appoint Council representative to the Economic Improvement Corporation.

ECONOMIC IMPROVEMENT CORPORATION

| | <u>Orig. Appt.</u> | <u>Re-Appt. Date</u> | <u>Exp. Date</u> |
|-----------------------------|------------------------|--------------------------|----------------------|
| EARLY, KENNETH President | 05-24-16 | 05-22-18 | 06-01-20 |
| BARNETT, DON | 05-22-18 | | 06-01-20 |
| COOPER, GARY | 5-23-17 | | 06-01-19 |
| McKINNEY, KENT | 01-09-18 | | 06-01-19 |
| MEGEE, MARGARET | 05-22-18 | | 06-01-20 |
| NAMAN, ROBERT | 05-23-17 | | 06-01-19 |
| SIGERMAN, DELAYNE | 05-22-18 | | 06-01-19 |

CITY STAFF:

E.A. Hoppe
Deputy City Manager

258-1106 (O)

Cheryl Brown
Secretary

258-1118 (O)

Amy Dozier
Treasurer

258-1120 (O)

Qualifications: Resident of the city and at least three directors must be persons who are not employees, officers or members of the governing body of the city.

Purpose: Benefiting and accomplishing public purposes of the city permitted by Section 4B of the Act including, but not limited to, the promotion and development of industrial and manufacturing enterprises to promote and encourage employment and the public welfare, and financing the acquisition, construction and/or equipping, and/or the maintenance and operating costs of any "Project" (as defined in Section 4B of the Act).

Term of Office: Two years; maximum of two consecutive terms

Quorum: Majority

Number of Members: Seven

Meeting Time & Place: Third Monday, 4:00 p.m., City Hall Council Chambers

Established by: Resolution No. 1995-112, amended by Resolution Nos. 1999-184; 032-2009

Revised: May 23, 2018



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

SUBJECT: Section 551.074: PERSONNEL MATTERS; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Appointments to the Economic Improvement Corporation.

AGENDA DATE OF: May 28, 2019

DATE SUBMITTED: Mar 04, 2019

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20190528_Board Sheet_Economic Improvement Corporation.pdf](#)

| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
|----------------------------------|---|-------------------------|------------------------|
| \$0 | \$0 | \$0 | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
|-----------------------------|-----|
| Kerrville 2050 Item? | No |
| Key Priority Area | N/A |
| Guiding Principle | N/A |
| Action Item | N/A |

SUMMARY STATEMENT:

Three regular Economic Improvement Corporation members will term on June 1, 2019. These three vacancies require appointment or eligible reappointment. Applications received: Danny Almond, Beck Gipson, Joe Herring, Charles Lacy, Kent McKinney, Kenneth O'Neal, Gregory Richards, Aaron Yates.

Council representative will term on June 1, 2019. Current Council representative Councilmember Delayne Sigerman is eligible for reappointment.

RECOMMENDED ACTION:

Appoint members to the Economic Improvement Corporation. Appoint Council representative to the Economic Improvement Corporation.

ECONOMIC IMPROVEMENT CORPORATION

| | <u>Orig. Appt.</u> | <u>Re-Appt. Date</u> | <u>Exp. Date</u> |
|-----------------------------|------------------------|--------------------------|----------------------|
| EARLY, KENNETH President | 05-24-16 | 05-22-18 | 06-01-20 |
| BARNETT, DON | 05-22-18 | | 06-01-20 |
| COOPER, GARY | 5-23-17 | | 06-01-19 |
| McKINNEY, KENT | 01-09-18 | | 06-01-19 |
| MEGEE, MARGARET | 05-22-18 | | 06-01-20 |
| NAMAN, ROBERT | 05-23-17 | | 06-01-19 |
| SIGERMAN, DELAYNE | 05-22-18 | | 06-01-19 |

CITY STAFF:

E.A. Hoppe
Deputy City Manager

258-1106 (O)

Cheryl Brown
Secretary

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Amy Dozier
Treasurer

258-1120 (O)

Qualifications: Resident of the city and at least three directors must be persons who are not employees, officers or members of the governing body of the city.

Purpose: Benefiting and accomplishing public purposes of the city permitted by Section 4B of the Act including, but not limited to, the promotion and development of industrial and manufacturing enterprises to promote and encourage employment and the public welfare, and financing the acquisition, construction and/or equipping, and/or the maintenance and operating costs of any "Project" (as defined in Section 4B of the Act).

Term of Office: Two years; maximum of two consecutive terms

Quorum: Majority

Number of Members: Seven

Meeting Time & Place: Third Monday, 4:00 p.m., City Hall Council Chambers

Established by: Resolution No. 1995-112, amended by Resolution Nos. 1999-184; 032-2009

Revised: May 23, 2018



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

SUBJECT: Sec. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations.

AGENDA DATE OF: May 28, 2019

DATE SUBMITTED: May 17, 2019

SUBMITTED BY: Shelley McElhannon

EXHIBITS:

| Expenditure Required: | Remaining Budget Balance in Account: | Amount Budgeted: | Account Number: |
|----------------------------------|---|-------------------------|------------------------|
| \$0 | \$0 | \$0 | N/A |

PAYMENT TO BE MADE TO: N/A

| | |
|-----------------------------|-----|
| Kerrville 2050 Item? | No |
| Key Priority Area | N/A |
| Guiding Principle | N/A |
| Action Item | N/A |

SUMMARY STATEMENT:

RECOMMENDED ACTION:

Review Economic Development Projects Update.