

**AGENDA FOR THE REGULAR MEETING OF THE**

**KERRVILLE CITY COUNCIL**

**TUESDAY, JULY 23, 2019, 6:00 P.M.**

**KERRVILLE CITY HALL, COUNCIL CHAMBERS**

**701 MAIN STREET, KERRVILLE, TEXAS**



**KERRVILLE CITY COUNCIL AGENDA  
REGULAR COUNCIL MEETING, JULY 23, 2019, 6:00 PM  
CITY HALL COUNCIL CHAMBERS  
701 MAIN STREET, KERRVILLE, TEXAS**



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

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**CALL TO ORDER:**

*Mayor Bill Blackburn*

**INVOCATION:**

*Offered by Councilmember Eychner*

**PLEDGE OF ALLEGIANCE TO THE FLAG:**

*Led by Councilmember Eychner*

**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. Present Proclamation honoring Army Corporal Billy Joe Butler

Attachments:

[20190723\\_Proclamation\\_Billy Joe Butler Day.pdf](#)

3.B. Present Proclamation observing the National Day of the Cowboy

Attachments:

[20190723\\_Proclamation\\_National Day of the Cowboy.pdf](#)

**4 CONSENT AGENDA:**

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

4.A. Resolution No. 21-2019 authorizing the use of internal combustion engines on Nimitz Lake upstream of the City's impoundment dam for the Kerrville Triathlon and the safety of competitors

Attachments:

[20190723\\_Resolution\\_21-2019 Authorizing Use of Internal Combustion Engines on Nimitz Lake for Kerrville Triathlon.pdf](#)

[Kerrville Triathlon 2019 - General Information.pdf](#)

[Kerrville Triathlon Course Maps 2019.pdf](#)

- 4.B. Resolution No. 24-2019 authorizing the transfer of the ownership of funds from the City of Kerrville to the City of Kerrville Employee Benefits Trust to pay for employee related group benefits for Fiscal Year 2020

Attachments:

[20190723\\_Resolution\\_24-2019 Employee Benefits Trust EBT for FY2020.pdf](#)



- 4.C. Resolution No. 25-2019 authorizing the City Manager, the designated representative of the City of Kerrville, Texas, to execute an agreement with the Texas Water Development Board for funding in the amount of \$500,000 (Clean Water Revolving Fund)

Attachments:

[20190723\\_Resolution\\_25-2019 Texas Water Development Board funding from Clean Water Revolving Fund \\$500,000.pdf](#)



- 4.D. Resolution No. 26-2019 authorizing the City Manager, the designated representative of the City of Kerrville, Texas, to execute an agreement with the Texas Water Development Board for funding in the amount of \$500,000 (Drinking Water Revolving Fund)

Attachments:

[20190723\\_Resolution\\_26-2019 Texas Water Development Board funding from Drinking Water Revolving Fund \\$500,000.pdf](#)

- 4.E. Mutual Aid Agreement with the City of Ingram for the participation of the Ingram Police Department in the Multi-Jurisdictional Special Operations Unit (SOU)

Attachments:

[20190723\\_Agreement\\_Multi-Jurisdictional Special Operations Unit KPD.pdf](#)

- 4.F. Monthly Community Improvement Project (CIP) Report

Attachments:

[20190723\\_Report\\_Monthly Community Project Status Report.pdf](#)



- 4.G. Progress Report regarding Development Services Improvements

Attachments:

[2019-7-18\\_Report\\_DS Improvement Summary.pdf](#)

- 4.H. Minutes for the City Council workshop held July 09, 2019

Attachments:

[20190723\\_Minutes\\_Workshop 4pm 7-09-19.pdf](#)

- 4.I. Minutes for the City Council meeting held July 09, 2019

Attachments:

[20190723\\_Minutes\\_Regular meeting 6pm 7-09-19.pdf](#)

- 4.J. Minutes for the City Council workshop held July 16, 2019

Attachments:

[20190723\\_Minutes\\_Workshop 7-16-19.pdf](#)

**END OF CONSENT AGENDA**

**5 ORDINANCES, FIRST READING:**

- 5.A. Ordinance No. 2019-16 ordering a special election to be held on November 5, 2019, for the purpose of submitting propositions to voters for proposed amendments to the City Charter; establishing early voting locations and polling places for this election; making provisions for the conduct of the election; and providing for public review

Attachments:

[20190723\\_Ordinance\\_2019-16 City Charter amendments Election.pdf](#)

**6     CONSIDERATION AND POSSIBLE ACTION:**

- 6.A. Resolution No. 27-2019 approving an amendment to the Kerrville River Trail Master Plan  
Attachments:  
[20190723\\_Resolution\\_27-2019 Amendment to Kerrville River Trail Master Plan.pdf](#)  
[River Trail Master Plan Updated 2019.pdf](#)

- 6.B. Construction contract with Intermountain Slurry Seal, Inc. for the 2019 Slurry Seal project in an amount of \$313,308.55  
Attachments:  
[20190723\\_Bid\\_2019 Summer Slurry Seal Received Bids.pdf](#)  
[20190723-Bid\\_2019 Summer Slurry Recommendation Letter.pdf](#)

**7     INFORMATION & DISCUSSION:**

- 7.A. Financial update for the month ended June 30, 2019  
Attachments:  
[20190723\\_Presentation\\_June 2019 financial presentation.pdf](#)  
[20190723\\_Presentation\\_June 2019 financial summary.pdf](#)

**8     ITEMS FOR FUTURE AGENDAS:**

*City Council may suggest items or topics for future agendas.*

**9     EXECUTIVE SESSION:**

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

**10    ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY:**

**ADJOURNMENT.**





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

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**SUBJECT:** Present Proclamation honoring Army Corporal Billy Joe Butler

**AGENDA DATE OF:** July 23, 2019

**DATE SUBMITTED:** Jul 12, 2019

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20190723\\_Proclamation\\_Billy Joe Butler Day.pdf](#)

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	\$0	\$0	N/A

**PAYMENT TO BE MADE TO:** N/A

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<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

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**SUMMARY STATEMENT:**

Recognize Billy Joe Butler for his dedication and service to our community and the United States of America.

**RECOMMENDED ACTION:**

Present Proclamation.



# PROCLAMATION

**WHEREAS,** *Billy Joe Butler was a citizen of the great city of Kerroville; and*

**WHEREAS,** *At the age of nineteen, Billy Joe Butler served in the Army as a member of Company C, 2<sup>nd</sup> Engineer Combat Battalion, 2<sup>nd</sup> Infantry Division, engaged in combat operations against the enemy near Kujang, North Korea; and*

**WHEREAS,** *On November 28, 1950, his unit's defensive positions were attacked and he was captured by the Chinese People's Volunteer Force; and*

**WHEREAS,** *Following the Korean war, returning American prisoners reported that Butler died in January 1951, at the prisoner of war camp in Pukchin-Tarigol, North Korea. On March 15, 1954, the United States Army declared Butler deceased as of January 27, 1951; and*

**WHEREAS,** *On July 27, 2018, North Korea turned over 55 boxes, purported to contain the remains of American service members killed during the Korean War; and*

**WHEREAS,** *After DNA analysis, the United States Prisoner of War/Missing In Action Accounting Agency announced that Army Corporal Billy Joe Butler of Kerroville, Texas was accounted for April 29, 2019; and*

**WHEREAS,** *Billy Joe Butler's funeral services will take place on Friday, July 26, 2019 at 10:00 a.m. at the Kerroville Funeral Home, with internment following at the Nichols Cemetery with full military honors; and*

**WHEREAS,** *It is with sincere appreciation that the City of Kerroville recognizes Billy Joe Butler for his dedication and service to our community and the United States of America.*

**NOW, THEREFORE,** *I, Bill Blackburn, Mayor of the City of Kerroville, Texas, do hereby proclaim July 26, 2019, as*

## **"CORPORAL BILLY JOE BUTLER DAY"**

*in the city of Kerroville, and ask all citizens to join me in honoring Billy Joe Butler.*

**IN WITNESS WHEREOF,** *I have hereunto set my hand and caused the Seal of the City of Kerroville to be affixed hereto, the 23 day of July, 2019.*

\_\_\_\_\_  
Bill Blackburn Mayor







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

---

**SUBJECT:** Present Proclamation observing the National Day of the Cowboy

**AGENDA DATE OF:** July 23, 2019

**DATE SUBMITTED:** Jul 12, 2019

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20190723\\_Proclamation\\_National Day of the Cowboy.pdf](#)

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	\$0	\$0	\$0

**PAYMENT TO BE MADE TO:** \$0

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<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

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**SUMMARY STATEMENT:**

Honor the National Day of the Cowboy, and the Museum of Western Art in Kerrville.

**RECOMMENDED ACTION:**

Present Proclamation.



# PROCLAMATION

**WHEREAS,** *National Day of the Cowboy is celebrated annually on the fourth Saturday in July to honor Americas' cowboy culture and pioneer heritage; and*

**WHEREAS,** *The era of the cowboy began after the Civil War in the heart of Texas. Cattle were herded long before this time, but in Texas they grew wild and unchecked; and*

**WHEREAS,** *As the country expanded, the demand for beef in the northern territories and states increased. With nearly 5 million head of cattle, cowboys moved the herds on long drives to where the profits were; and*

**WHEREAS,** *The draw of riches and adventure mixed with tales of violence and a backdrop of the Great Plains gave way to the mythological image of the cowboy; and*

**WHEREAS,** *Currently, 14 states including Texas have passed into law The National Day of the Cowboy, and on Saturday, July 27<sup>th</sup>, The Museum of Western Art will offer the public a free day of western-themed activities geared for all ages.*

**NOW, THEREFORE, I, Bill Blackburn, Mayor of the City of Kerrville, Texas,**  
*do hereby proclaim Saturday, July 27, 2019, as*

## **“NATIONAL DAY OF THE COWBOY”**

*in the city of Kerrville, and ask and encourage all citizens to join me in celebrating the history and heritage of the Cowboy, at the Museum of Western Art on this day.*

**IN WITNESS WHEREOF,** *I have hereunto set my hand and caused the Seal of the City of Kerrville to be affixed hereto, the 23 day of July, 2019.*

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*Bill Blackburn Mayor*







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

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**SUBJECT:** Resolution No. 21-2019 authorizing the use of internal combustion engines on Nimitz Lake upstream of the City's impoundment dam for the Kerrville Triathlon and the safety of competitors

**AGENDA DATE OF:** July 23, 2019      **DATE SUBMITTED:** Jun 27, 2019

**SUBMITTED BY:** Ashlea Boyle

**EXHIBITS:** [20190723\\_Resolution\\_21-2019 Authorizing Use of Internal Combustion Engines on Nimitz Lake for Kerrville Triathlon.pdf](#)  
[Kerrville Triathlon 2019 - General Information.pdf](#)  
[Kerrville Triathlon Course Maps 2019.pdf](#)

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	N/A	N/A	N/A

**PAYMENT TO BE MADE TO:** N/A

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<b>Kerrville 2050 Item?</b>	Yes
<b>Key Priority Area</b>	P - Parks / Open Space / River Corridor
<b>Guiding Principle</b>	P8. Provide recreational opportunities for people of all ages and abilities, both residents and tourists
<b>Action Item</b>	P8.5 - Facilitate or expand more City activities around the river, especially during cooler times of the year

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**SUMMARY STATEMENT:**

The 9th Annual Kerrville Triathlon Festival produced by High Five Events of Austin, Texas will be held September 28-29, 2019. The event will again consist of a sprint, quarter, and half ironman distance triathlons. The swimming portion of the triathlon will be in the Guadalupe River with the start and finish on the grounds of the former Family Sports Center at the northern end of Guadalupe Street. This will require use of watercraft equipped with internal combustion engines for course preparation (placement of buoys) as well as the monitoring and potential rescue of distressed swimmers.

Chapter 118 Article II Water Impoundment of the Kerrville Code of Ordinances Section

118-34 (4) allows the operation of watercraft equipped with an internal combustion engine when it is engaged in an activity that has been authorized by resolution of the city council.

**RECOMMENDED ACTION:**

Approve Resolution No. 21-2019 as presented.

**CITY OF KERRVILLE, TEXAS  
RESOLUTION NO. 21-2019**

**A RESOLUTION AUTHORIZING THE USE OF INTERNAL  
COMBUSTION ENGINES ON NIMITZ LAKE UPSTREAM OF THE  
CITY'S IMPOUNDMENT DAM FOR THE KERRVILLE TRIATHLON  
AND THE SAFETY OF COMPETITORS**

**WHEREAS**, Chapter 118 of the City Code of Ordinances (the "Code") regulates and prohibits certain activities on Nimitz Lake, the lake upstream of the City's impoundment dam (the "Lake"); and

**WHEREAS**, one of the prohibited activities is the operation of internal combustion engines on the Lake; and

**WHEREAS**, under the Code, City Council may authorize an exception to this prohibition by adopting a resolution authorizing an activity which requires the use of an internal combustion engine on the Lake; and

**WHEREAS**, the organizer of a triathlon to be held in Kerrville and who would like to use the Lake for the swimming portion of its competition, is seeking an exception to the prohibition against combustible engines so that the organizer may use boats with combustion engines to ensure the safety of competitors; and

**WHEREAS**, pursuant to this request and to promote and expand the recreational uses of the Lake, City Council hereby finds that a public purpose exists to authorize the use of internal combustion engines on the Lake;

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

**SECTION ONE.** City Council authorizes the use of internal combustion engines on the Lake, such authority subject to the following terms:

- a. the authority is granted to High Five Events, LLC, of Austin Texas, their agents, or representatives and no other person or group;
- b. the authority is valid from September 18, 2019, through September 29, 2019; and
- c. authority is limited to no greater than five (5) boats with such engines.

**SECTION TWO.** This Resolution and the authority granted hereby shall automatically expire and be revoked on September 30, 2019.

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

\_\_\_\_\_  
Bill Blackburn, Mayor

ATTEST:

\_\_\_\_\_  
Shelley McElhannon, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Michael C. Hayes, City Attorney



*September 27-29, 2019*

## General Event Information

### Schedule

The Kerrville Triathlon Festival consists of three different triathlon events, a kids fun run, and a two-day health and fitness expo. The festival schedule and event lineup is as follows:

#### **Friday, September 27**

3 PM to 7 PM Expo & Athlete Packet Pickup at the Inn of the Hills

#### **Saturday, September 28**

7:30 AM Debra Zapata Sprint Distance Triathlon starts at Kerrville Bowling Center  
(500 meter Swim, 14 mile Bike, 3.1 mile Run)

10:30 AM Debra Zapata Sprint Distance Triathlon ends at Louise Hays Park

11:00 AM Kids Fun Run at Louise Hays Park

12 PM to 5 PM Expo & Athlete Packet Pickup at the Inn of the Hills

#### **Sunday, September 29**

7:30 AM Half Distance Triathlon starts at Kerrville Bowling Center  
(1.2 mile Swim, 56 mile Bike, 13.1 mile Run)

8:30 AM Quarter Distance Triathlon starts at Kerrville Bowling Center  
(1000 meter Swim, 29 mile Bike, 6.55 mile Run)

4:30 PM Triathlons end at Louise Hays Park

### Course & Venues

The Kerrville Triathlon utilizes two outdoor venues because it is a split-transition event. The first transition area (T1) is located on the grounds of the former Kerrville Bowling Center, at the intersection of Junction Hwy and Guadalupe St. The swim takes place in the Guadalupe river. Athletes start the bicycle portion of the event from T1.

The bike course utilizes a loop through downtown Kerrville and then proceeds towards Center Point and southeastern Kerr county before returning downtown. The bicycle course finishes at Louise Hays Park. Louise Hays Park serves as the second venue for the event, hosting the second transition area (T2) and



the finish line. The run course starts at T2 in Louise Hays Park and uses the Kerrville River Trail between the Francisco Lemos St. bridge and Legion Crossing Rd at Kerrville-Schriener Park.

## Attendance

2019 will be the 9th edition of the event. Approximately 1500 participants are expected over the two days of the event.

## Park Use

### Louise Hays Park

- Thursday, Sept. 26, 7 AM to 5 PM: Triathlon set up. Vehicle access restricted. Most parts of the park will remain open to pedestrians.
- Friday, Sept. 27, 7 AM to 8 PM: Triathlon set up. Vehicle access restricted.
- Saturday, Sept. 28, 5 AM to 1 PM: Park closed for triathlon.
- Sunday, Sept. 29, 5 AM to 6 PM: Park closed for triathlon
- Monday, Sept. 30. Final clean up. Park open.

## Street Closures

### Saturday, Sept. 28

- Guadalupe St. closed at Junction Hwy 5 AM to 9 AM
- Water St. closed between Sidney Baker St and Hwy 27 5 AM to 10 AM
- La Casa Dr. closed northbound 5 AM to 10:30 AM
- Park Ln. closed westbound 5 AM to 10:30 AM

### Sunday, Sept. 29

- Guadalupe St. closed at Junction Hwy 5 AM to 9:30 AM
- Water St. closed between Sidney Baker St and Hwy 27 5 AM to 11:30 AM
- La Casa Dr. closed northbound 5 AM to 3 PM
- Park Ln. closed westbound 5 AM to 3 PM

## Organizer

The Kerrville Triathlon is organized by High Five Events, based in Austin, TX.

### Race Director

Dan Carroll

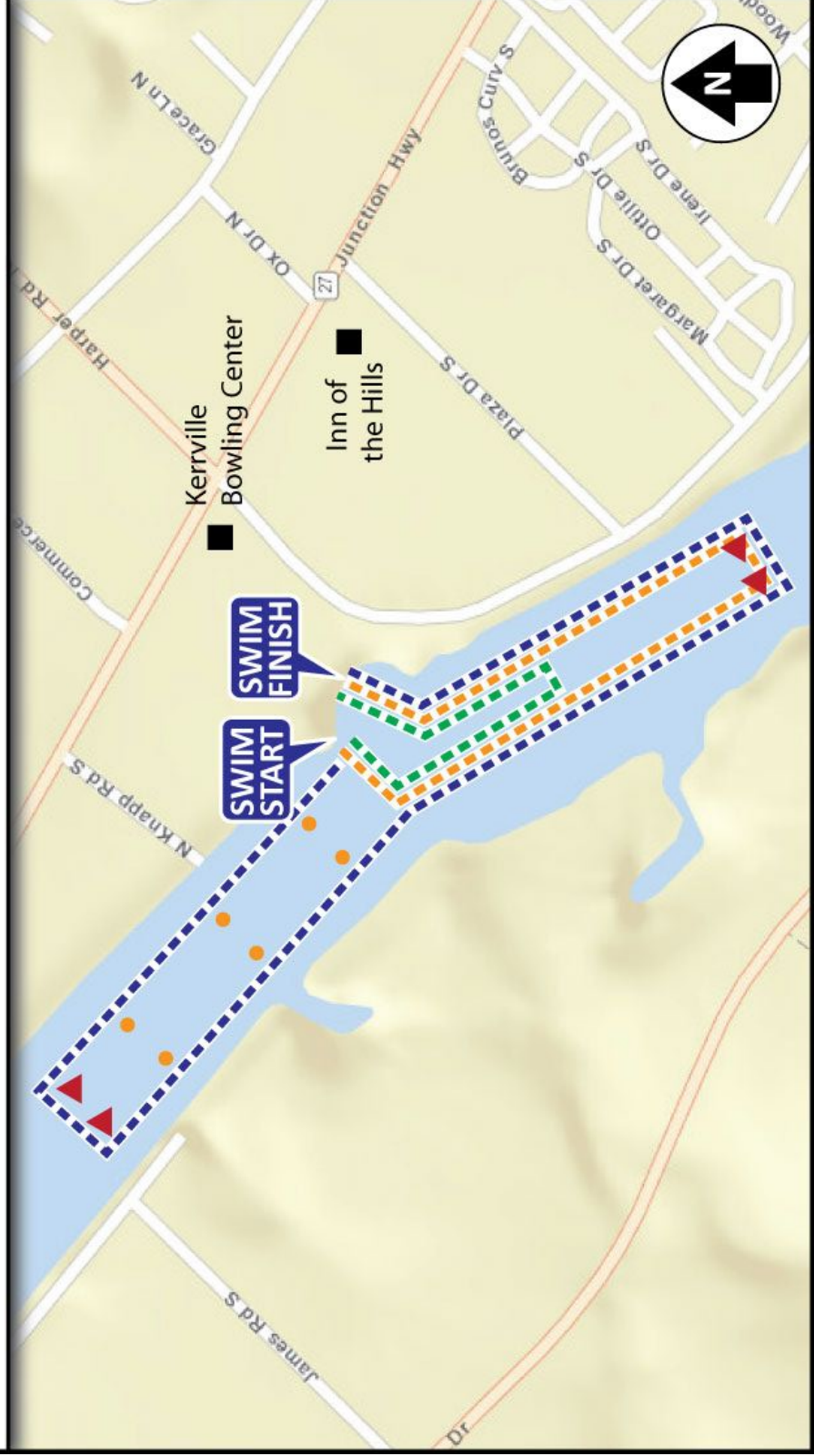
[dan@highfiveevents.com](mailto:dan@highfiveevents.com)

512-917-3579



# SWIM COURSE

- 1.2 miles
- Quarter 1000 m
- Sprint 500 m





# BIKE COURSE

## Half & Quarter

- Right turn onto Guadalupe St.
- Right turn onto Water St.
- Right turn onto Hwy 27
- Right turn onto FM 1350
- Right turn onto Hwy 480
- Left turn onto Skyline Dr
- Right turn onto Center Point River Rd.
- Right turn onto Sutherland Ln.
- U-turn on Sutherland Ln.
- Right turn onto Center Point River Rd.
- Right turn onto Wharton Rd.
- Right turn onto Hwy 173
- Right turn onto Hwy 16
- Left turn onto Park Ln.
- (Start 2<sup>nd</sup> Loop of Half)

## Sprint

- Right turn onto Guadalupe St.
- Right turn onto Water St.
- Right turn onto Hwy 27
- Right turn onto Riverside Dr.
- Right turn onto Hwy 534
- Right turn onto Hwy 173
- Right turn onto Hwy 16
- Right turn onto La Casa Dr.
- Left turn onto Park Ln.
- (Start 2<sup>nd</sup> Loop)

or

Straight to Finish in Louise Hays Park

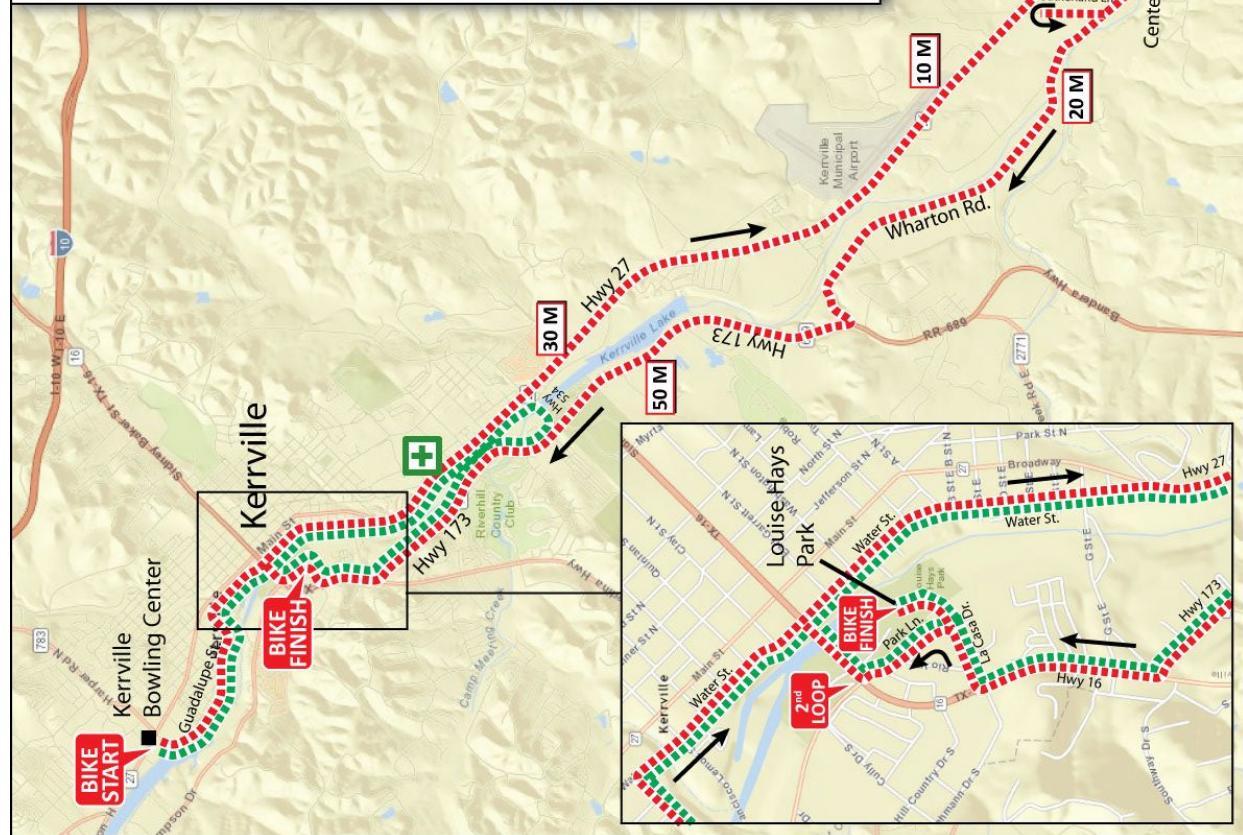
Sprint Distance = 2 loops (15 miles)

## Aid Stations

- Half @ miles 17, 29, 43
- Quarter @ mile 17
- Sprint = None

Quarter Distance = 1 loop (29 miles)

Half Distance = 2 loops (56 miles)

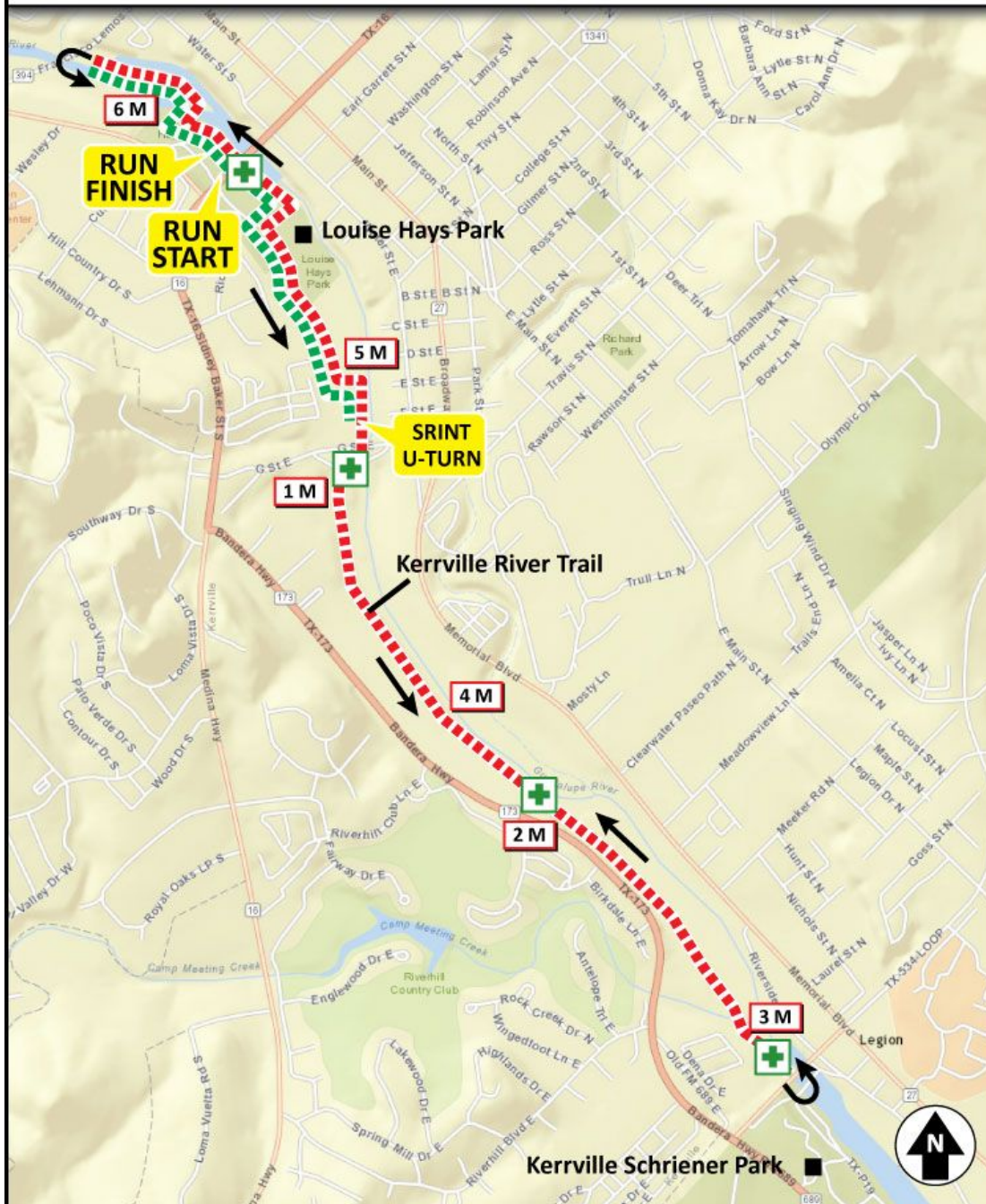






# RUN COURSE

- **Half**  
13.1 miles (2 Loops)
- **Quarter**  
6.55 miles (1 Loop)
- **Sprint**  
3.1 miles
- + **Aid Station**





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

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**SUBJECT:** Resolution No. 24-2019 authorizing the transfer of the ownership of funds from the City of Kerrville to the City of Kerrville Employee Benefits Trust to pay for employee related group benefits for Fiscal Year 2020

**AGENDA DATE OF:** July 23, 2019      **DATE SUBMITTED:** Jul 18, 2019

**SUBMITTED BY:** Kim Meisner

**EXHIBITS:** [20190723\\_Resolution\\_24-2019 Employee Benefits Trust EBT for FY2020.pdf](#)

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$7,400.00	N/A	N/A	N/A

**PAYMENT TO BE MADE TO:** Various

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<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

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**SUMMARY STATEMENT:**

Due to action taken by the Trustees of the Employee Benefit Trust to approve the Fiscal Year 2020 employee benefit plans, Council will need to consider approval of the resolution authorizing the transfer of funds from the City of Kerrville to the City of Kerrville Employee Benefit Trust to pay for the employee benefits for Fiscal Year 2020.

**RECOMMENDED ACTION:**

Approve Resolution No. 24-2019, approving transfer of funds in an amount not to exceed \$7,400 per employee.

**CITY OF KERRVILLE, TEXAS  
RESOLUTION NO. 24-2019**

**A RESOLUTION AUTHORIZING THE TRANSFER OF THE  
OWNERSHIP OF FUNDS FROM THE CITY OF KERRVILLE TO THE  
CITY OF KERRVILLE EMPLOYEE BENEFITS TRUST TO PAY FOR  
EMPLOYEE RELATED GROUP BENEFITS FOR FISCAL YEAR 2020**

**WHEREAS**, in 2008, pursuant to Resolution 61-2008, City Council created an Employee Benefits Trust (the "Trust") for the administration of employee benefits pursuant to Chapter 222, Texas Insurance Code ("Chapter 222"); and

**WHEREAS**, Chapter 222, as amended, provides for the creation of single purpose, nonprofit trust established for the payment of premiums or revenues on group health, accident, injury, or life insurance benefits of employees of a municipality; and

**WHEREAS**, the creation of the Trust allows the City to provide the best possible insurance benefits to its employees at the most reasonable prices; and

**WHEREAS**, City Council finds it in the public interest to transfer the ownership of the City's fund where gross premiums and revenue are maintained for the various City-offered employee group benefits, including health and dental insurance, life insurance, and disability benefits, to the Trust;

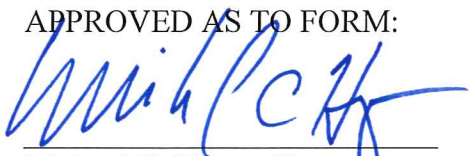
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:**

City Council authorizes the transfer of the ownership of the City of Kerrville Internal Service Fund to the City of Kerrville Employee Benefits Trust for fiscal year 2020.

**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:** Resolution No. 25-2019 authorizing the City Manager, the designated representative of the City of Kerrville, Texas, to execute an agreement with the Texas Water Development Board for funding in the amount of \$500,000 (Clean Water Revolving Fund)

**AGENDA DATE OF:** July 23, 2019

**DATE SUBMITTED:** Jul 17, 2019

**SUBMITTED BY:** Amy Dozier

**EXHIBITS:** [20190723\\_Resolution\\_25-2019 Texas Water Development Board funding from Clean Water Revolving Fund \\$500,000.pdf](#)

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	\$0	\$0	N/A

**PAYMENT TO BE MADE TO:** N/A

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<b>Kerrville 2050 Item?</b>	Yes
<b>Key Priority Area</b>	W - Water / Waste-Water / Drainage
<b>Guiding Principle</b>	W1. Develop and maintain long-range water plans that prioritize infrastructure needs and identify funding sources.
<b>Action Item</b>	W1.2 - Determine short- and long-range timelines for increasing water supply (i.e., the amount to be added per period in accordance with the master plan)

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**SUMMARY STATEMENT:**

On June 24, 2018, the Texas Water Development Board approved \$500,000 in disaster recovery funding through the State's Clean Water Revolving Fund. This award will be used to remove and relocate reuse infrastructure that was damaged during flooding on the Guadalupe River near Loop 534 in October 2018. The funding assistance is in the form of a loan forgiveness program. This resolution authorizes the City Manager to sign the loan forgiveness documents in order to receive the disaster recovery funds.

Steps already completed in the process are as follows:

1. 1/14/19 - Invitation to apply for funding issued by TWDB after reviewing the City's initial project information form.
2. 2/26/19 - Council passed Resolution 07-2019 authorizing the filing of an application for financial assistance from TWDB's Clean Water State Revolving Fund.
3. 3/15/19 - Completed application filed with TWDB.
4. 6/24/19 - TWDB awards \$500,000 in funding assistance from the Clean Water State Revolving Fund.

Next steps in the process are as follows:

1. City Attorney will finalize Principal Forgiveness Agreement with TWDB.
2. Final project budget and timeline will be submitted to TWDB.
3. Escrow account for funding will be opened.
4. All documents will be signed and disaster recovery assistance will be funded to escrow account on September 11, 2019.
5. City will submit outlay requests to TWDB for expenditure reimbursement as expenditures occur. First draw request for debris removal expense already incurred will be submitted at closing on September 11, 2019.

**RECOMMENDED ACTION:**

Approve Resolution No. 25-2019.



**CITY OF KERRVILLE, TEXAS  
RESOLUTION NO. 25-2019**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, TEXAS, AUTHORIZING THE CITY MANAGER, THE DESIGNATED REPRESENTATIVE OF THE CITY OF KERRVILLE, TEXAS, TO EXECUTE AN AGREEMENT WITH THE TEXAS WATER DEVELOPMENT BOARD FOR FUNDING IN THE AMOUNT OF \$500,000 (CLEAN WATER REVOLVING FUND)**

WHEREAS, the Texas Water Development Board made a commitment to provide financial assistance in the form of a grant in the amount of \$500,000.00 to the City of Kerrville, Texas, to finance a water system project upon execution of a principal forgiveness agreement;

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

**SECTION ONE. Approval of Agreement.** The agreement setting out the terms and conditions of the financial assistance between the Texas Water Development Board and the City of Kerrville, Texas ("City") is approved and the City's Designated Representative is the City Manager, and is authorized to execute the agreement on behalf of the City.

**SECTION TWO. Effective Date.** This Resolution shall become effectively immediately after its adoption.

**PASSED AND APPROVED ON 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**

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**SUBJECT:** Resolution No. 26-2019 authorizing the City Manager, the designated representative of the City of Kerrville, Texas, to execute an agreement with the Texas Water Development Board for funding in the amount of \$500,000 (Drinking Water Revolving Fund)

**AGENDA DATE OF:** July 23, 2019      **DATE SUBMITTED:** Jul 17, 2019

**SUBMITTED BY:** Amy Dozier

**EXHIBITS:** [20190723\\_Resolution\\_26-2019 Texas Water Development Board funding from Drinking Water Revolving Fund \\$500,000.pdf](#)

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	\$0	\$0	N/A

**PAYMENT TO BE MADE TO:** N/A

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<b>Kerrville 2050 Item?</b>	Yes
<b>Key Priority Area</b>	W - Water / Waste-Water / Drainage
<b>Guiding Principle</b>	W1. Develop and maintain long-range water plans that prioritize infrastructure needs and identify funding sources.
<b>Action Item</b>	W1.2 - Determine short- and long-range timelines for increasing water supply (i.e., the amount to be added per period in accordance with the master plan)

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**SUMMARY STATEMENT:**

On June 24, 2018, the Texas Water Development Board approved \$500,000 in disaster recovery funding through the State's Drinking Water Revolving Fund. This award will be used to remove and relocate water infrastructure that was damaged during flooding on the Guadalupe River near Loop 534 in October 2018. The funding assistance is in the form of a loan forgiveness program. This resolution authorizes the City Manager to sign the loan forgiveness documents in order to receive the disaster recovery funds.

Steps already completed in the process are as follows:

1. 1/14/19 - Invitation to apply for funding issued by TWDB after reviewing the City's initial project information form.
2. 2/26/19 - Council passed Resolution 08-2019 authorizing the filing of an application for financial assistance from TWDB's Drinking Water State Revolving Fund.
3. 3/15/19 - Completed application filed with TWDB.
4. 6/24/19 - TWDB awards \$500,000 in funding assistance from the Drinking Water State Revolving Fund.

Next steps in the process are as follows:

1. City Attorney will finalize Principal Forgiveness Agreement with TWDB.
2. Final project budget and timeline will be submitted to TWDB.
3. Escrow account for funding will be opened.
4. All documents will be signed and disaster recovery assistance will be funded to escrow account on September 11, 2019.
5. City will submit outlay requests to TWDB for expenditure reimbursement as expenditures occur. First draw request for debris removal expense already incurred will be submitted at closing on September 11, 2019.

**RECOMMENDED ACTION:**

Approve Resolution No 26-2019.

**CITY OF KERRVILLE, TEXAS  
RESOLUTION NO. 26-2019**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, TEXAS, AUTHORIZING THE CITY MANAGER, THE DESIGNATED REPRESENTATIVE OF THE CITY OF KERRVILLE, TEXAS, TO EXECUTE AN AGREEMENT WITH THE TEXAS WATER DEVELOPMENT BOARD FOR FUNDING IN THE AMOUNT OF \$500,000 (DRINKING WATER REVOLVING FUND)**

WHEREAS, the Texas Water Development Board made a commitment to provide financial assistance in the form of a grant in the amount of \$500,000.00 to the City of Kerrville, Texas, to finance a water system project upon execution of a principal forgiveness agreement;

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

**SECTION ONE. Approval of Agreement.** The agreement setting out the terms and conditions of the financial assistance between the Texas Water Development Board and the City of Kerrville, Texas ("City") is approved and the City's Designated Representative is the City Manager, and is authorized to execute the agreement on behalf of the City.

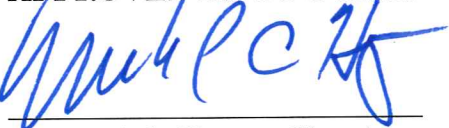
**SECTION TWO. Effective Date.** This Resolution shall become effectively immediately after its adoption.

**PASSED AND APPROVED ON 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:** Mutual Aid Agreement with the City of Ingram for the participation of the Ingram Police Department in the Multi-Jurisdictional Special Operations Unit (SOU)

**AGENDA DATE OF:** July 23, 2019

**DATE SUBMITTED:** Jul 17, 2019

**SUBMITTED BY:** David Knight

**EXHIBITS:** [20190723\\_Agreement\\_Multi-Jurisdictional Special Operations Unit KPD.pdf](#)

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	\$0	\$0	N/A

**PAYMENT TO BE MADE TO:** N/A

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<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

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**SUMMARY STATEMENT:**

The purpose of the Mutual Aid Agreement is to allow the City of Ingram Police Department to participate in the multi-jurisdictional Special Operations Unit (SOU) already in existence comprised of members of the Kerrville Police Department and Kerr County Sheriff's Office. SOU is a team of highly trained officers from participating agencies that provide specialized law enforcement assistance to resolve crisis and high-risk situations, special weapons and tactics support to handle barricaded persons, snipers, hostage situations and similar emergency situations.

**RECOMMENDED ACTION:**

The Chief of Police recommends that City Council authorize the Mayor to sign the Mutual Aid Agreement.

## **MUTUAL AID AGREEMENT FOR MULTI-JURISDICTIONAL SPECIAL OPERATIONS UNIT**

WHEREAS, the joint exercise and deployment of law enforcement powers and authority is specifically authorized by TEXAS GOVERNMENT CODE §791.001, et seq., commonly titled the Interlocal Cooperation Act; and

WHEREAS, the temporary exchange of law enforcement officers by and between different agencies for the purpose of mutual assistance is to be encouraged as it promotes more effective response to particular situations, efficiency, the exchange of ideas, cooperation among law enforcement agencies, effective utilization of specialized skills, and is desirable to achieve the purposes set forth below; and

WHEREAS, Texas state law empowers law enforcement officers to exercise their power outside of their normal jurisdictions when a request for assistance is forthcoming from another law enforcement agency; and

WHEREAS, the governing bodies of the undersigned municipalities hereinafter denominated as "Party" or "Parties," have determined that it is in the public interest and of mutual advantage to enter into an agreement for the provision of specific inter-agency law enforcement services;

NOW THEREFORE, pursuant to the above considerations, and the covenants and mutual benefits herein expressed, the Parties hereby agree as follows:

### **I. PURPOSE**

It is the intent of the Parties to secure through the mechanisms hereby created, a multi-jurisdictional Special Operations Unit that will lead to:

- a. More efficient utilization of law enforcement services and resources;
- b. An enhanced degree of cooperation between law enforcement agencies within the participating communities;
- c. More timely and effective response to calls for specialized law enforcement assistance; and
- d. Adequate manpower levels of highly trained law enforcement officers to resolve crisis and high-risk situations.

### **II. PARTIES**

This Agreement is executed by and between the City of Kerrville, Texas, and the City of Ingram, Texas; however, it is anticipated and acknowledged that other agencies may participate in this Agreement through the execution of similar agreements.

### **III. TERM**

This Agreement will take effect between and among the Parties upon the date of execution by their respective governing bodies and shall automatically renew on a yearly basis. However, any Party may terminate its participation in this Agreement upon thirty days written notice to the other Party. Notice shall be given at the following addresses:

City Manager  
City of Kerrville  
City Hall  
701 Main Street  
Kerrville, Texas 78028  
(830) 257-8000

City Manager  
City of Ingram  
230 Hwy. 39  
Ingram, TX 78025

### **IV. DEFINITIONS**

- A. "Special Operations" as used herein shall mean any or all of the following special tasks or duties that are assigned to a peace officer or group of peace officers in addition to routine police duties:
  - 1. Combating specific crime problems that are likely to be resolved by the commitment of additional forces;
  - 2. Additional support for patrol elements and routine patrol activities when the need arises;
  - 3. Primary or supplemental manpower for riot situations and crowd control;
  - 4. Provision of special weapons and tactics support to handle barricaded persons, snipers, hostage situations and similar emergency situations;
  - 5. Provision of security for individuals such as visiting dignitaries.
- B. "Special Operations Unit" as used herein shall mean a designated peace officer or group of peace officers within the Parties' police departments who are trained in and equipped to perform "Special Operations," as that term is defined herein.

### **V. CONDITIONS**

- A. This Agreement shall be performed by those law enforcement officers of each Party who are specially trained for Special Operations.
- B. The City of Kerrville Police Department, through its command personnel, where responding, shall take command of the Special Operations conducted under this

Agreement by supervising all law enforcement personnel in their performance of this Agreement.

- C. Pursuant to the terms of this Agreement, the Special Operations Unit made up of law enforcement personnel from the Parties, may, upon request, operate in any other jurisdictional area within the State of Texas in conjunction with any other law enforcement agency requesting assistance, in addition to the geographic areas covered by the signatories hereto.
- D. The Chiefs of Police of each Party shall adopt develop and adopt policies concerning implementation, command administration and financing of this Special Operations Unit, subject to the such approval of the governing bodies of each Party as may be necessary.
- E. Each Party paying for the performance of governmental functions or services pursuant to this Agreement must make those payments from current revenues available to the paying party.

## **VI. RIGHTS AND DUTIES**

This Agreement is strictly voluntary in nature and places no Party operating under it under any obligation to request or to respond to a request for special operations services that it does not desire to have or that it is unable or unwilling to honor. However, each Party should make every reasonable accommodation possible to fulfill the intent and terms of this Agreement.

**(SIGNATURE PAGE TO FOLLOW)**



PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

City of Kerrville:

City of Ingram:

\_\_\_\_\_  
Bill Blackburn, Mayor

\_\_\_\_\_  
Brandon Rowan, Mayor

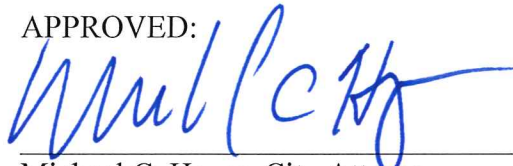
ATTEST:

ATTEST:

\_\_\_\_\_  
Shelley McElhannon, City Secretary

\_\_\_\_\_  
Stephanie Breckenridge, City Secretary

APPROVED:



\_\_\_\_\_  
Michael C. Hayes, City Attorney

APPROVED:

\_\_\_\_\_  
City Attorney's Office  
Denton, Navarro, Rocha, Bernal & Zech,  
PC



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

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**SUBJECT:** Monthly Community Improvement Project (CIP) Report

**AGENDA DATE OF:** July 23, 2019

**DATE SUBMITTED:** Jul 12, 2019

**SUBMITTED BY:** Kyle Burow

**EXHIBITS:** [20190723\\_Report\\_Monthly Community Project Status Report.pdf](#)

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	\$0	\$0	N/A

**PAYMENT TO BE MADE TO:** N/A

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<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

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**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	Estimated Completion	
1	2019 Slurry Seal Project	Year 4 Slurry Seal Streets	6S Engineering	\$5,500.00	Complete	Intermountain Slurry Seal, Inc.	\$170,182.75	Sep-2019	Construction contract awarded 4/09 for Year 4 slurry seal streets. Construction to be completed by September 30, 2019.
2	2019 Summer Slurry Seal Project	Year 5 Slurry Seal Streets	6S Engineering	\$3,550.00	Complete	Intermountain Slurry Seal, Inc.	\$313,308.55	Sep-2019	Construction contract to CC on 7/23 for award for Year 5 slurry seal streets. Construction to be completed by September 30, 2019.
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	TBD	EIC funded design. EIC funding agreement awarded at CC meeting on April 9, 2019. Design contract executed and preliminary design commenced. Anticipate bid advertisement early August.
4	A.C. Schreiner House (529 Water Street)	Develop public-private partnership for repurposing and use of the building and grounds.	Scott Schellhase	\$25,000.00	2018	TBD	TBD	TBD	MOU executed with prospective tenant. Next step is execution of design contract for concepts of facility/grounds and estimate of construction/renovation costs.
5	Guadalupe River Utility Crossing	Installation of utility line work for crossing river near Loop 534	TBD	TBD	TBD	TBD	TBD	TBD	Approval for initial \$1 million granted by TWDB in June. City seeking reimbursement by end of 2019. Forensic study of damage engaged. RFQ for engineering anticipated to be issued within next month.
6	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	Dec-2019	Total project budget of \$1.75 million. Phase 1 construction commenced early March 2019.
7	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	TBD	EIC funding agreement approved in Jan. 2019. Design complete. City acquiring easements from property owners and permits from state agencies. Project bids received 7/16 with anticipated CC award 8/13/19.
8	Aquatics Center Feasibility Study	Assessment of the Olympic Pool complex to include public/stakeholder meetings and recommendations for enhancement	MarmonMok	\$85,000.00	May-2019	N/A	N/A	N/A	Second community input meeting held 11/29. Consultant further developing cost estimates and phasing plans after investigation of existing shell.
9	Public Safety Complex Feasibility Study	Analyze options for building size, location, and use with budgets	Brinkley Sargent Wiginton Architects	\$99,260.00	May-2019	N/A	N/A	N/A	Consultant has completed needs assessment and conceptual layouts, in addition to site assessments and phasing options. Exploration of options underway.
10	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	Early 2020	Funding application approved by Texas Water Development Board. Contract awarded early Jan. 19. Construction began March 2019.
11	WTP Clarifier Rehab	Replace hardware in existing clarifier	Freese & Nichols	\$132,600.00	Complete	Keystone Construction	\$796,000.00	Aug-2019	Clarifier equipment purchase contract awarded 7/24. General installation contract awarded at 11/13 meeting. Demolition of clarifier equipment complete. Installation commenced to be complete early August
12	WTP THM Control Facility	Alternative solutions to meet TCEQ and EPA compliance followed by design of chosen disinfection process	Freese & Nichols	\$312,000.00	Oct-2018	Dowtech Specialty Contractors, Inc.	\$4,100,000.00	Early 2020	Funding approved by Texas Water Development Board. Construction commenced in April.
13	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	N/A	RFP will be reissued after bid award for Olympic Drive extension.
14	Long Range Water Supply Plan	Planning for 100 years of future water sources for City of Kerrville	Lloyd Gosselink	\$99,700.00	Complete	N/A	N/A	N/A	City Council workshop held 5/21. Community presentation anticipated late July. Scheduling meeting with partners to discuss findings and recommendations. CC workshop presentation 7/23.
15	Landfill Permitting, Phase 3	Prepare application for major amendment to TCEQ permit for municipal landfill for expansion	LNV	\$500,000.00	Sep-2019	N/A	N/A	N/A	Application deemed administratively complete by TCEQ. TCEQ has completed technical review. Currently in permit review phase. Anticipate permit approval by end of 2019.
16	Schreiner/Clay Roundabout	Concept plan to construct roundabout at the intersection of Schreiner Street and Clay Street	6S Engineering	\$28,175.00	Dec-2018	TBD	TBD	TBD	Design evaluation complete. Survey work completed. Easements/ROW acquired. Funding not identified.
17	Hotel /Conference Center	Legislative effort with 2019 State Legislature for tax reimbursement			Jun-2019				Legislative bill signed into law by Governor 6/16/19. Next step is to examine feasibility in greater detail, then issue RFP for public private partnership.
18	Drainage Master Plan	Assessment of 12 known drainage areas, provide prioritization list, and review drainage policy and criteria	LNV, Inc.	\$204,348.00	Jul-2019	N/A	N/A	N/A	Draft analysis complete with review of sites and data for known problem areas. Initial presentation to CC in workshop made on 6/25. CC has initiated sale of COs to fund top two priorities.
19	Strategic Housing Plan	Examine state of housing market, gaps, and impediments to housing, and strategies to address obstacles.	Community Development Strategies	\$24,250.00	Aug-2019				Mayor's Workforce Housing Taskforce met June 19th to initiate the development of a Strategic Housing Plan and conduct community interviews. Data gathering still underway. Next meeting anticipated mid-summer.
20	KUTS - Clay Street South	Kerrville Urban Trail System (KUTS) pilot trail project to improve walkability along Clay Street from Schreiner Street to Water Street	OLA	Partnership	Summer 2019				The City has partnered with the KUTS group to coordinate the placemaking efforts along the Clay St. South corridor. Preliminary concept drawings have been developed. Elements of these concepts are being incorporated into the Downtown Parking Garage design as well as the Schreiner/Clay Roundabout design. Presentation to CC anticipated in July.
21	Pavement Management Plan Update	Update City's pavement rehabilitation and maintenance plan	6S Engineering	\$107,750.00	Jul-2019	N/A	N/A	N/A	Street data acquisition complete. Preliminary draft report complete. Initial presentation to CC made on 6/25. CC has initiated sale of Cos for street reconstruction projects TDB.
22	Olympic Drive Extension	Extension of roadway and utilities from existing Olympic Drive to Loop 534	CEC	\$156,000.00	Sep-2019	TBD	TBD	TBD	Contract executed in May. Preliminary design has commenced. Project anticipated to begin advertisement September 2019.
23	Hill Country Drive Reconstruction	Reconstruction of ~250-ft of Hill Country Drive near SH 16 to assist with drainage and roadway issues	6S Engineering	\$24,580.00	May-2019	ACE Co.	\$162,292.15	Oct-2019	Design completed. Construction contract awarded by CC on 6/25. Construction anticipated to commence early August.
24	Clock Tower Elevator	Enclosure of existing elevator shaft serving Peterson Plaza Clock Tower and Parking Garage	Beaty Palmer Architects	\$48,025.00	Aug-2019	TBD	TBD	TBD	Contract executed in May. Preliminary design has commenced.
25	Boating Center	Examine feasibility of boating center on Nimitz Lake	Kimley Horn	\$19,500 (Privately funded)	TBD	TBD	TBD	TBD	Contracted executed. Kickoff meeting held 7/8 with consultant.
26	Sidney Baker Bridge Enhancements	Pedestrian, lighting, and aesthetic improvements to SH 16 bridge crossing Guadalupe River	TBD	TBD	TBD	TBD	TBD	TBD	Scope being developed.
27	Arcadia Renovations	\$2.3 million renovation of Arcadia Theater by 4th on the River Group	TBD	TBD	TBD	TBD	TBD	TBD	Construction anticipated to begin Fall 2019.



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

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**SUBJECT:** Progress Report regarding Development Services Improvements

**AGENDA DATE OF:** July 23, 2019

**DATE SUBMITTED:** Jul 16, 2019

**SUBMITTED BY:** Guillermo Garcia

**EXHIBITS:** [2019-7-18\\_Report\\_DS Improvement Summary.pdf](#)

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	N/A	\$0	N/A

**PAYMENT TO BE MADE TO:** N/A

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<b>Kerrville 2050 Item?</b>	Yes
<b>Key Priority Area</b>	F - Public Facilities and Services
<b>Guiding Principle</b>	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
<b>Action Item</b>	F1.7 - Continue to evaluate Development Services processes and enhance the consistency and timeliness of services

---

**SUMMARY STATEMENT:**

This memo seeks to provide City Council with an on going 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. This memo will provide a summary of the continuous improvement efforts that the team members have engaged in.

**RECOMMENDED ACTION:**

No Action.



# City of Kerrville

## Development Service Update

### 2019

*“STEP Up and Make A Difference”*



# Executive Summary

This update seeks to provide City Council with an ongoing 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.



## Development Services

Development Services purpose is to continually ensure the quality of life in the City of Kerrville through consistent enforcement of codes and ordinances using innovative regulations and customer education, as well as through a proactive consultation process with customers.

Development Services consists of three major divisions:

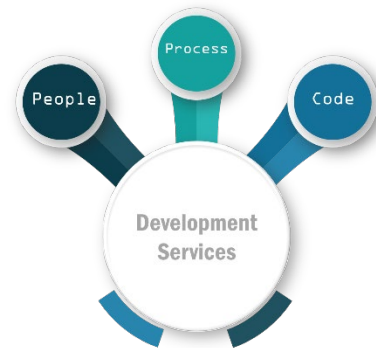
- **Building Services Division** continually ensures the quality of life in the City of Kerrville through consistent enforcement of codes and ordinance using innovative regulation and customer education, as well as through a proactive consultation process with customers and users.
- **Code Compliance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

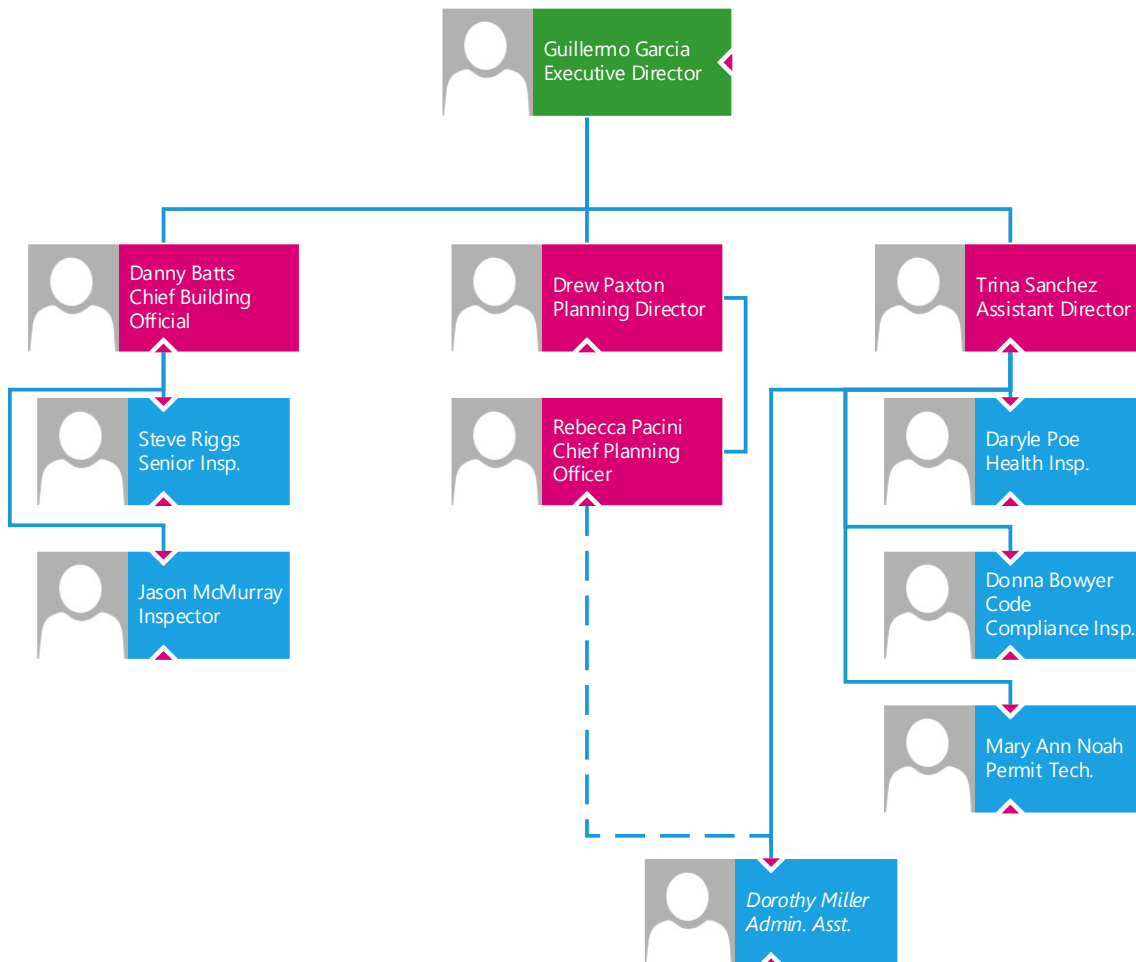
Development Services has been challenged by the community, City Council, and City Management to improve the overall processes of the department.

To achieve improvement within Development Services it is vital that we address our workforce (people), processes, and City Codes.

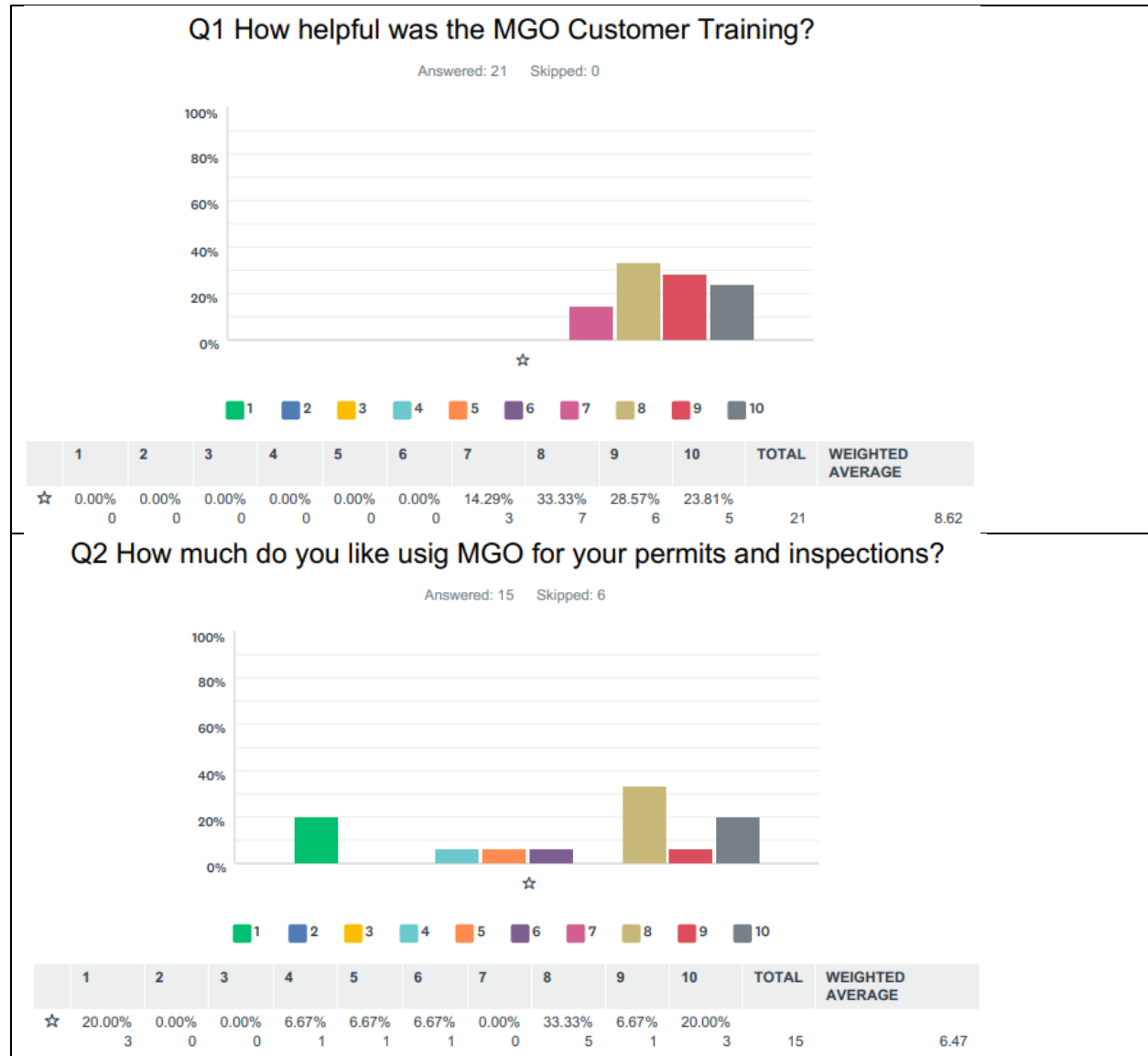


## People

In early June, the City Manager made an announcement that re-organized the reporting structure of the department. During the month of June, we also saw the resignation of Brian Hunt as our Chief Building Official. We were fortunate that we were able to have Danny Batts rejoin our team as the Chief Building Official. The following is a representation of the new organization structure for the department.



Development Services continues to work finalizing the deployment of MyGovernmentOnline permitting module. During the month of June, we worked with the vendor to address several items that will improve the overall functionality of the software to meet our customer needs. On 6/6/19, we also hosted a webinar that walked customers through how to use the customer portal. The following are the results of the survey taken after the training:





### Q3 What was missing from this MGO Customer Training?

Answered: 14 Skipped: 7

#	RESPONSES	DATE
1	System not completely set up so left some questions.	7/9/2019 3:32 PM
2	Just a picture of the instructor.	7/9/2019 3:31 PM
3	N/A	7/9/2019 3:31 PM
4	Sounds like there are a few things still to come.	7/9/2019 3:31 PM
5	All good.	7/9/2019 3:29 PM
6	Being able to have hand outs.	7/9/2019 3:29 PM
7	Don't know enough to know what is missing.	7/9/2019 3:28 PM
8	The first part of the training.	7/9/2019 3:27 PM
9	Refreshments	7/9/2019 3:26 PM
10	Having tabs up that are not functional yet.	7/9/2019 3:25 PM
11	Handouts, such as PowerPoint slides notes/security features reviewed.	7/9/2019 3:24 PM
12	Can't think of anything, this training seemed to be a general overview.	7/9/2019 3:21 PM
13	Nothing	7/9/2019 3:20 PM
14	Nothing	7/9/2019 3:18 PM

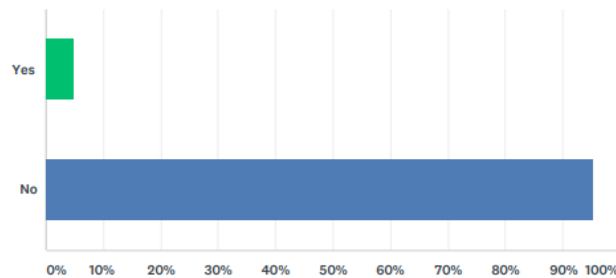
### Q4 What was most helpful from this MGO Customer Training

Answered: 17 Skipped: 4

#	RESPONSES	DATE
1	Seeing the actual screens.	7/9/2019 3:32 PM
2	How this should speed up and clarify the process. Think it will speed up the success of permitting and inspections.	7/9/2019 3:31 PM
3	System easily explained - clearly & succinctly	7/9/2019 3:31 PM
4	Seeing it done, ... reiterating the step-by-step online process.	7/9/2019 3:31 PM
5	All good.	7/9/2019 3:29 PM
6	Going through the basics and knowing there is telephone help.	7/9/2019 3:29 PM
7	After the training, talking with Brian.	7/9/2019 3:28 PM
8	Already in use - so not sure I learned any more than I already knew.	7/9/2019 3:27 PM
9	Very!	7/9/2019 3:27 PM
10	Going through the process.	7/9/2019 3:26 PM
11	All of it.	7/9/2019 3:26 PM
12	Going through the tabs	7/9/2019 3:25 PM
13	Familiarity of interface.	7/9/2019 3:24 PM
14	It was helpful	7/9/2019 3:22 PM
15	The live viewing on the screen.	7/9/2019 3:21 PM
16	All good.	7/9/2019 3:20 PM
17	How to use the new system	7/9/2019 3:18 PM

### Q5 Have you or any of your employees used the customer kiosk in the lobby at Development Services?

Answered: 21 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	4.76%	1
No	95.24%	20
TOTAL		21

Development Services has scheduled two additional training events that will allow customers to learn more about the system. The first training will be on 7/24/19 and the second will be on 8/19/19 if necessary.

We are in the process of developing a survey that will capture the overall satisfaction in the use of the MyGovernmentOnline software. It is our hope to use this information to further improve our processes and give our vendor feedback for them to improve their software overtime.

## Process

### Building Services Division

#### 1. In Progress

- a. Inspection Process procedure is being rewritten to incorporate the use of MyGovernmentOnline and developing the work instructions that will be necessary to ensure the overall standardization of the process.

Task Name	Duration	Start	Finish	Resource Name	% Complete
▲ Inspection Process	11 days	Mon 3/4/19	Mon 3/18/19		18%
Update Procedure	1 day	Fri 7/12/19	Fri 7/12/19		75%
Update Work Instructions	5 days	Mon 7/15/19	Fri 7/19/19		25%
Conduct training for Procedure	5 days	Mon 7/22/19	Fri 7/26/19		0%

- b. BBAA Appeals Process was reviewed by the team and found that a process did not exist. The team worked to develop a new process. The procedure is in the final process of being edited and modified to ensure it meets all necessary requirements.

Task Name	Duration	Start	Finish	Resource Name	% Complete
▲ BBA Appeals Process	15 days	Mon 4/15/19	Fri 5/3/19		30%
Review procedure	4 days	Tue 7/2/19	Fri 7/5/19		75%
Finalize Procedure	5 days	Mon 7/8/19	Fri 7/12/19		0%
Conduct Training	1 day	Mon 7/15/19	Mon 7/15/19		0%

### Code Compliance Division

#### 1. Completed

- a. Reduce Hours Worked per Case is a Lean Six Sigma project that has been completed by Donna Bowyer. The improvements have resulted in a reduction in the number of hours that staff was taking per case. Previously, the hours per case was averaging 4.5 hours and is now averaging 1.5 hours per case.
- b. Mobile Food Unit Permit/Inspection Process is a process that was created as a new process. We worked as a team to develop the new process and develop the

procedures that would allow permitting of mobile food units.

Task Name	Duration	Start	Finish	Resource Name	% Complete
Mobile Food Unit Permit/Inspection Process	93 days	Wed 3/6/19	Fri 7/12/19		100%
Create Procedure	11 days	Wed 3/6/19	Wed 3/20/19		100%
Conduct Training	5 days	Mon 7/8/19	Fri 7/12/19		100%

## 2. In Progress

- Junk vehicle process is still pending review by the City Attorney. We will be working to develop the procedure based on the recommendations of the City Attorney.
- Court Case Management will be new LSS project that will be assigned to Donna Bowyer.

## Planning Division

### 1. In Progress

- The overall development process is in the final stages of being completed. The procedure is currently being edited for completion.

Task Name	Duration	Start	Finish	Resource Name	% Complete
Overall Development Process	44 days	Tue 3/5/19	Fri 5/3/19		31%
Review Procedure	5 days	Mon 7/8/19	Fri 7/12/19		100%
Finalize Procedure	3 days	Mon 7/15/19	Wed 7/17/19		50%
Create Forms	12 days	Tue 7/2/19	Wed 7/17/19		0%
Conduct Training	1 day	Fri 7/19/19	Fri 7/19/19		0%

- The predevelopment process is in the final stages of being completed. The procedure is currently being edited for completion.

Task Name	Duration	Start	Finish	Resource Name	% Complete
Predevelopment Process	14 days	Tue 7/2/19	Fri 7/19/19	GG, DP, I	31%
Review Procedure	5 days	Mon 7/8/19	Fri 7/12/19		100%
Finalize Procedure	3 days	Mon 7/15/19	Wed 7/17/19		50%
Create Forms	12 days?	Tue 7/2/19	Wed 7/17/19		0%
Conduct Training	1 day	Fri 7/19/19	Fri 7/19/19		0%

## Code

### 1. Building Codes

- The building codes were presented to the Building Board Adjustments and Appeals on 5/30/2019 and were unanimously approved. Staff held an open house to present and answer questions from the development and construction community on 7/12/19. During the meeting we had approximately 17 individuals attend. First reading of the Adoption of the 2018 Building Codes will be at City Council Regular Meeting on 8/13/2019.

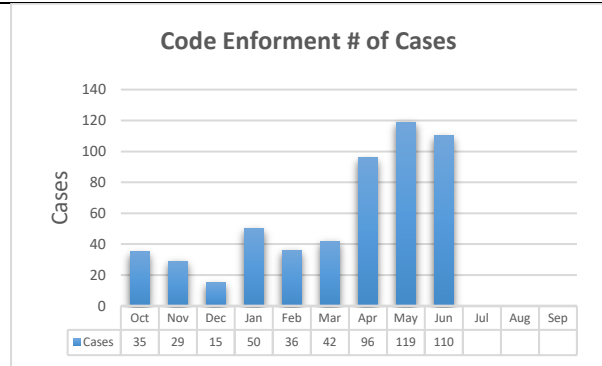
### 2. Zoning Codes

- b. The Zoning Code has been presented to the Planning & Zoning Commission and will be presented for the second time on 7/18/19. The First Reading for the Adoption of the Zoning Code will be at City Council Regular Meeting on 8/13/19.
  - c. The proposed code is the result of a significant input process including:
    - i. Diagnostic meetings with staff
    - ii. Periodic coordination calls
    - iii. Stakeholder interviews (October 2018)
    - iv. Six meetings with the Code Review Committee
    - v. Joint City Council and Planning and Zoning Commission meeting
    - vi. Community Open House in May of 2019
    - vii. Two P&Z public hearings, June and July 2019
  - d. Overall the proposed zoning code is more representative of the community's vision as illustrated by the Kerrville 2050 Comprehensive Plan. The code should more adequately accommodate the future development and reinvestment of property in Kerrville. The proposed code has resulted in a 65% reduction in the number of zoning districts in an effort to simplify the code and make it more user-friendly, it reduced the number of uses that require a Conditional Use Permit, and has made the code easier to navigate and require less interpretation.
2. Pending Code updates:
- a. Sign Code
  - b. Subdivision Ordinance
    - i. Sidewalk ordinance
    - ii. Parkland dedication ordinance
  - c. Development Standards and Guidelines
    - i. Landscape and Tree Preservation Ordinance
    - ii. Dark Sky Guidelines/Standards
    - iii. Parking Design Standards
  - d. Zoning Overlays
    - i. Airport
    - ii. Downtown
    - iii. River Corridor



# Performance

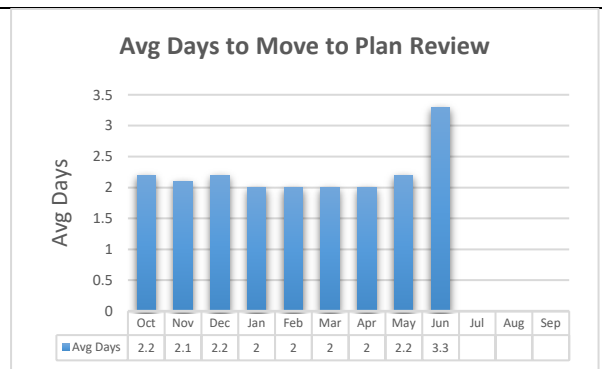
## Operational Performance



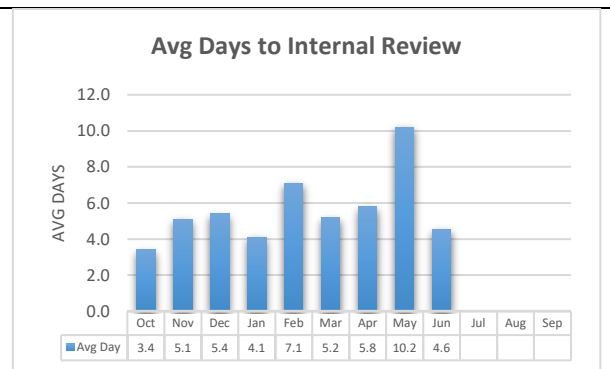
The data collected represents the number of cases per month for code enforcement. This is a combination of reactive and proactive cases. The overall trend has been increasing since January. In April, we experienced a major increase due to the implementation of improvements from a Lean Six Sigma project. This project changed the overall process flow and eliminated a number of non-valued added steps from the process.



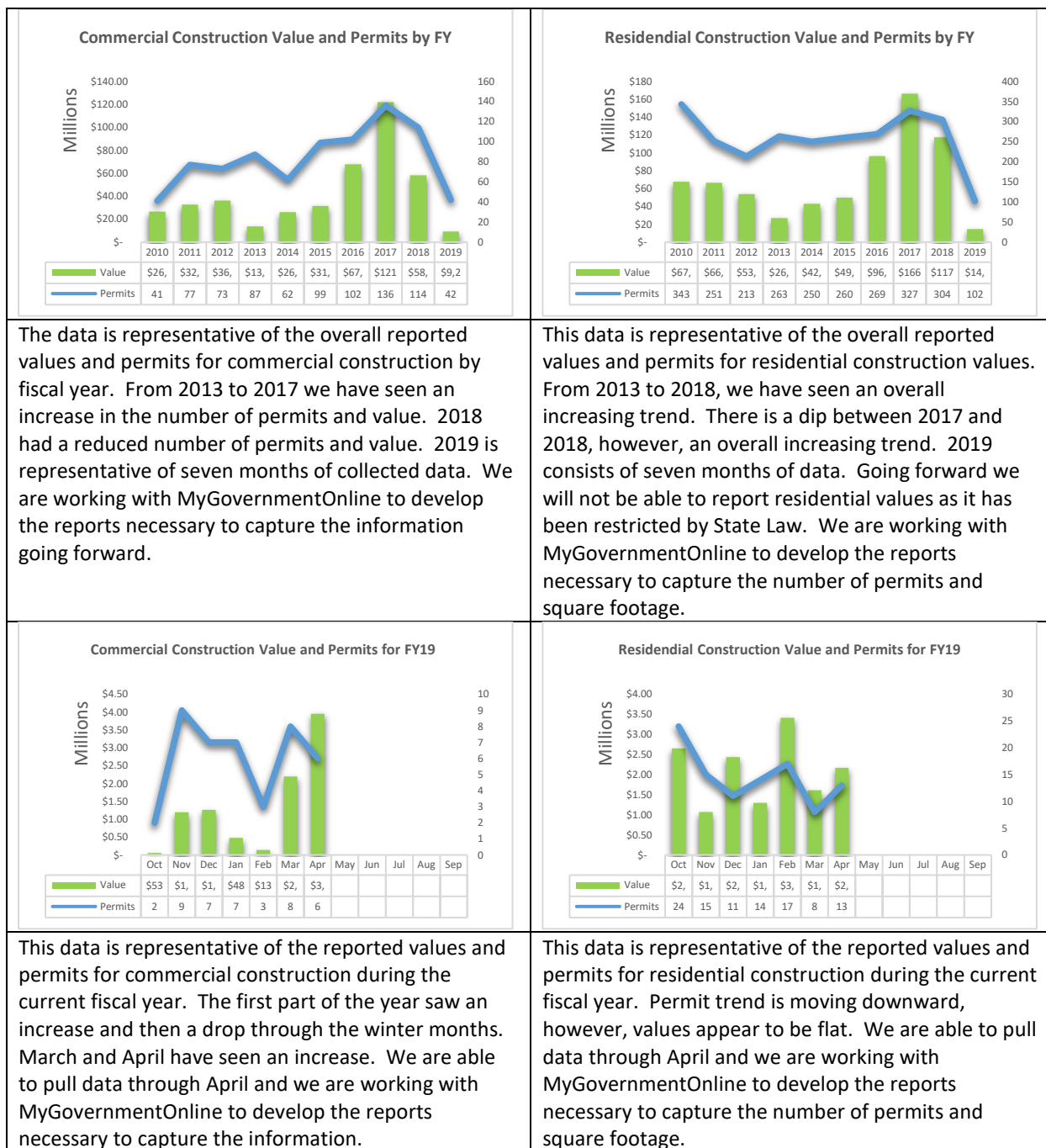
The data is representative of the average time that it takes to complete a plan review and communicate back to the customer. Trending appears to increase since October. Prior to May, we have been averaging 6.1 days to respond to the customer. This was a result of a Lean Six Sigma project led by Trina Sanchez. In the month of May, we had an increase as this is when we began the implementation of MyGovernmentOnline software. We continue to improve our processes by getting familiar with the new software.



The data is representative of the average days that it takes to process the application to submit for review. In June, the average days increased to 3.3 days. This is due to using MGO and the interaction with the customer. We found a glitch in the system that prevented the customer from receiving notice that their fees were ready for payment. We have implemented a new process step that allows to email the customer directly rather than using the previous module. Customers have communicated that they are now receiving notification. This change occurred in late June.



The data represents the average time that it takes to complete the plan reviews internally. With the implementation of MyGovernmentOnline, there has been a learning curve as seen in May. June appears to fall back in line with previous data points. We will continue to improve as we become more familiar with the new software.





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

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**SUBJECT:** Minutes for the City Council workshop held July 09, 2019

**AGENDA DATE OF:** July 23, 2019

**DATE SUBMITTED:** Jul 12, 2019

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20190723\\_Minutes\\_Workshop 4pm 7-09-19.pdf](#)

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	\$0	\$0	N/A

**PAYMENT TO BE MADE TO:** N/A

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<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

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**SUMMARY STATEMENT:**

Minutes for the City Council workshop held on July 09, 2019 at 4:00 p.m.

**RECOMMENDED ACTION:**

Approve minutes as presented.

CITY COUNCIL MINUTES  
WORKSHOP

KERRVILLE, TEXAS  
JULY 09, 2019

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
Judy Eychner	Mayor Pro Tem
Gary Cochrane	Councilmember Place 1
Kim Clarkson	Councilmember Place 2
Delayne Sigerman	Councilmember Place 4

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 Cunyus	Public Information Officer
Amy Dozier	Chief Financial Officer
Guillermo Garcia	Executive Director for Innovation
David Knight	Chief of Police
Kim Meismer	Executive Director for General Operations
Sherry Mosier	Manager for Strategic Initiatives
Dannie Smith	Fire Chief
Charvy Tork	Director of Information Technology

VISITORS PRESENT: List on file in City Secretary's Office for the required retention period.

**1. CALL TO ORDER**

On July 09, 2019 at 4:00 p.m., the Kerrville City Council Workshop was called to order by Mayor Bill Blackburn in the City Hall Council Chambers at 701 Main Street.

**2. INFORMATION AND DISCUSSION**

2.A. Homeless Population in Kerrville.

Councilmember Delayne Sigerman presented information on the Kerrville Homeless Population. Councilmember Sigerman identified key areas of need and suggested creating a 'Citizen Interest Group', which would provide the Kerrville homeless population information on community resources.

2.B. Presentation of results from the 2019 National Citizen Survey.

Stuart Cunyus introduced the agenda item.

Speaker Damema Mann, with the National Research Center, presented key findings and results from Kerrville's *2019 National Community Survey*. Ms. Mann responded to questions and summarized opportunities, strengths, and weaknesses.



**3. ADJOURNMENT**

The meeting adjourned at 4:48 p.m.

APPROVED:

\_\_\_\_\_  
Bill Blackburn, Mayor

ATTEST:

\_\_\_\_\_  
Shelley McElhannon, City Secretary

APPROVED: \_\_\_\_\_



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

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**SUBJECT:** Minutes for the City Council meeting held July 09, 2019

**AGENDA DATE OF:** July 23, 2019

**DATE SUBMITTED:** Jul 12, 2019

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20190723\\_Minutes\\_Regular meeting 6pm 7-09-19.pdf](#)

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	\$0	\$0	N/A

**PAYMENT TO BE MADE TO:** N/A

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<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

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**SUMMARY STATEMENT:**

Minutes for the City Council meeting held on July 09, 2019 at 6:00 p.m.

**RECOMMENDED ACTION:**

Approve minutes as presented.

CITY COUNCIL MINUTES  
REGULAR MEETING

KERRVILLE, TEXAS  
JULY 09, 2019

On July 09, 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 Mayor Blackburn, followed by the Pledge of Allegiance led by Mayor Blackburn.

**COUNCILMEMBERS PRESENT:**

Bill Blackburn	Mayor
Judy Eychner	Mayor Pro Tem
Kim Clarkson	Councilmember
Gary Cochrane	Councilmember
Delayne Sigerman	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	Executive Director of Innovation
David Knight	Chief of Police
Kim Meisner	Executive Director for General Operation
Sherry Mosier	Manager of Strategic Initiatives
Drew Paxton	Planning Director
Dannie Smith	Fire Chief
Charvy Tork	Director of Information Technology

**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, Councilmember Judy Eychner, Councilmember Delayne Sigerman, Councilmember Kim Clarkson, and Mayor Blackburn.

**2. VISITORS FORUM:**

The following persons spoke:

- Martha Hix
- Marie Brown

**3. PRESENTATIONS:**

3A. Mayor Blackburn presented a Resolution of Commendation to Ed Livermore for his service on the Kerrville-Kerr County Joint Airport Board.

**4. CONSENT AGENDA:**

Item 4A. was read into the minutes by Shelley McElhannon.

Councilmember Sigerman moved to approve the Consent Agenda as presented. Councilmember Eychner seconded, and the motion passed 5-0.

4A. ORDINANCE, SECOND READING: Ordinance No. 2019-14. An ordinance creating a "Planned Development District" for R-3 (Multifamily), Retail Trade II, Professional Office, Restaurant (General), and Custom Manufacturing on an approximately 58.74 acres, consisting of land out of the Joseph S. Anderson Survey No. 141, Abstract No. 2, and the J.S. Sayder Survey No. 142, Abstract No 290, within the City of Kerrville, Kerr County, Texas; and generally locate north of the intersection of Thompson Drive (Highway 98) and James Road; adopting a concept plan and conditions related to the development of said district; containing a cumulative clause; containing a savings and severability clause; establishing a penalty or fine not to exceed \$2,000 for each day of violation of any provision hereof; ordering publication; and providing other matters relating to the subject.

4B. Resolution No. 22-2019. A resolution creating a Town-Gown Compact between the City of Kerrville and Schreiner University.

4C. Minutes for the City Council workshop held June 25, 2019.

4D. Minutes for the City Council regular meeting held June 25, 2019.

**END OF CONSENT AGENDA**

**5. CONSIDERATION AND POSSIBLE ACTION:**

5A. Resolution No. 20-2019. A resolution amending the City of Kerrville Fee Schedule by adopting a fee to be charged with respect to an application for a variance to the distance limitations per chapter 10 of the City Code; and revising the existing fees applicable to residential building permits.

Amy Dozier introduced the resolution. Guillermo Garcia presented information and fee revisions. Guillermo Garcia and Drew Paxton responded to questions.

Councilmember Eychner moved to approve Resolution No. 20-2019 as presented. Councilmember Gary Cochrane seconded, and the motion passed 5-0.

5B. Resolution No. 23-2019. A resolution authorizing the publication of intention to issue certificates of obligation to finance street and drainage improvements in the City.

Amy Dozier introduced Ann Berger Entrekin, the City's Financial Advisor with Hilltop Securities, and presented information. Amy Dozier, E.A. Hoppe, and Mark McDaniel responded to questions.

The following persons spoke:

Michael Bond

Peggy McKay

Councilmember Eychner moved to approve resolution as presented. Councilmember Sigerman seconded, and the motion passed 5-0.



**6. ITEMS FOR FUTURE AGENDAS:**

- Tree Ordinance (Mayor Blackburn)

**7. EXECUTIVE SESSION:**

None.

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

None.

**ADJOURNMENT.**

The meeting was adjourned at 6:48 p.m.

\_\_\_\_\_  
Bill Blackburn, Mayor

ATTEST: \_\_\_\_\_  
Shelley McElhannon, City Secretary

APPROVED: \_\_\_\_\_



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

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**SUBJECT:** Minutes for the City Council workshop held July 16, 2019

**AGENDA DATE OF:** July 23, 2019

**DATE SUBMITTED:** Jul 12, 2019

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20190723\\_Minutes\\_Workshop 7-16-19.pdf](#)

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	\$0	\$0	N/A

**PAYMENT TO BE MADE TO:** N/A

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<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

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**SUMMARY STATEMENT:**

Minutes for the City Council workshop held on July 16, 2019 at 10:00 a.m.

**RECOMMENDED ACTION:**

Approve minutes as presented.

CITY COUNCIL MINUTES  
WORKSHOP

KERRVILLE, TEXAS  
JULY 16, 2019

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
Judy Eychner	Mayor Pro Tem
Gary Cochrane	Councilmember Place 1
Kim Clarkson	Councilmember Place 2

COUNCILMEMBER ABSENT:

Delayne Sigerman	Councilmember Place 4
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CITY STAFF PRESENT:

Mark McDaniel	City Manager
E.A. Hoppe	Deputy City Manager
Mike Hayes	City Attorney
Shelley McElhannon	City Secretary
David Barrera	Assistant Director of Public Works
Laura Bechtel	Library Director
Ashlea Boyle	Director of Parks and Recreation
Kyle Burow	Director of Engineering
Randy Cawthon	Golf Course Maintenance Coordinator
Amy Dozier	Chief Financial Officer
Kesha Franchina	Utility Billing Manager
Guillermo Garcia	Executive Director for Innovation
Scott Loveland	Assistant Director of Public Works
Yesenia Luna	Municipal Court Coordinator
Scott McDonough	General Manager Golf
Kim Meismer	Executive Director for General Operations
Sherry Mosier	Manager for Strategic Initiatives
Julie Smith	Assistant Director of Finance

VISITORS PRESENT: List on file in City Secretary's Office for the required retention period.

**1. CALL TO ORDER**

On July 16, 2019 at 10:00 a.m., the Kerrville City Council Workshop was called to order by Mayor Bill Blackburn in the City Hall Council Chambers at 701 Main Street.

**2. DISCUSSION AND DIRECTION TO STAFF REGARDING THE DRAFT  
FISCAL YEAR 2020 BUDGET**

Mark McDaniel introduced the agenda item.

Amy Dozier, E.A. Hoppe, and Mark McDaniel provided information and responded to questions regarding the following topics:

2A. Water Fund

2B. Water Capital Project Fund

2C. Water Debt Service Fund  
2D. Water Asset Replacement Fund  
2E. Hotel Occupancy Fund  
2F. Golf Fund  
2G. Other Funds

A consultant with New Gen Strategies and Solutions, Chris Ekrut, responded to questions regarding Water and Wastewater (sewer) rates comparisons, funds, and services. Discussion followed.

**RECESS:**

Mayor Blackburn called a recess at 11:33 a.m.

**RECONVEN:**

Mayor Blackburn reconvened at 11:39 a.m.

Councilmember Gary Cochrane departed the workshop at 11:56 a.m.

**3. DISCUSSION AND POSSIBLE ACTION**

3A. Charter Review Commission Report.

Charter Review Commission members present: Brenda Craig, John Harrison, Peggy McKay, and Michele Yanez.

Charter Review Commission Chair John Harrison introduced and summarized the Charter Review Commission Report. Mr. Harrison advised Council of forty-three separate proposals, and highlighted seven significant issues from the forty-three:

- Issue 3 – Add section 2.02e to address the issue of nepotism. (Draft page 6)
- Issue 5 – Add section 2.03b to address the issue of term limits. (Draft page 6)
- Issue 6 – Add section 2.03c to address the issue of a councilmember running for Mayor, then losing and serving alongside the person that defeated them. (Draft page 7)
- Issue 8 – Amend section 2.05 to change compensation amount and method for Councilmembers and Mayor. (Draft page 8)
- Issue 25 – Amend section 7.01. City Attorney Qualifications. (Draft page 17)
- Issue 32 – Amend section 9.02 to require Municipal Court Judge to be licensed attorney. (Draft page 27)
- Issue 37 – Amend section 13.02 to remove requirement for 3 ordinance readings. (Draft page 27)

Charter Review Commission members and Mike Hayes responded to questions. Discussion followed, and next steps were outlined.

**4. ADJOURNMENT**

The meeting adjourned at 12:08 p.m.



APPROVED:

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Bill Blackburn, Mayor

ATTEST:

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Shelley McElhannon, City Secretary

APPROVED: \_\_\_\_\_



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

**SUBJECT:** Ordinance No. 2019-16 ordering a special election to be held on November 5, 2019, for the purpose of submitting propositions to voters for proposed amendments to the City Charter; establishing early voting locations and polling places for this election; making provisions for the conduct of the election; and providing for public review

**AGENDA DATE OF:** July 23, 2019

**DATE SUBMITTED:** Jul 18, 2019

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20190723\\_Ordinance\\_2019-16 City Charter amendments Election.pdf](#)

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	\$0	\$0	N/A

**PAYMENT TO BE MADE TO:** N/A

<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

**SUMMARY STATEMENT:**

Last year, City Council established a Charter Review Commission ("CRC") in accordance with Section 14.07 of the Kerrville City Charter ("Charter"). Thereafter, Council appointed members to the CRC and charged it with reviewing the Charter. The CRC completed its review of the Charter and submitted its 'Report of the 2019 Kerrville Charter Review Commission' ("Report") at a Council meeting held on July 16, 2019. Council expressed a desire to move forward with calling a special election at the next uniform election date, which occurs on November 5, 2019, for the purpose of allowing City voters to vote on the proposed amendments.

**RECOMMENDED ACTION:**

Consideration of the first reading of an ordinance, which will order a special election for a vote on amendments to the Charter.

**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2019-16**

**AN ORDINANCE ORDERING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 5, 2019, FOR THE PURPOSE OF SUBMITTING PROPOSITIONS TO VOTERS FOR PROPOSED AMENDMENTS TO THE CITY CHARTER; ESTABLISHING EARLY VOTING LOCATIONS AND POLLING PLACES FOR THIS ELECTION; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION; AND PROVIDING FOR PUBLIC REVIEW**

**WHEREAS**, Section 14.07 of the Charter of the City of Kerrville, Texas ("Charter"), requires City Council to appoint a Charter Review Commission ("CRC") every five years for the purpose of reviewing the Charter; and

**WHEREAS**, in November 2018, City Council created the CRC and then in January 2019, appointed persons to the CRC and charged it with reviewing and proposing amendments to the Charter; and

**WHEREAS**, the CRC held a series of meetings, all of which were open to the public and that included a public hearing; and

**WHEREAS**, the CRC prepared and presented its written report to Council in a public meeting, said report titled *Report of the 2019 Kerrville Charter Review Commission* ("Report"), which specified proposed Charter amendments to City Council; and

**WHEREAS**, Council reviewed the Report, listened to a presentation from the Chair of the CRC, and engaged CRC members in a discussion of the proposed amendments and the rationale for such amendments; and

**WHEREAS**, after considering the Report, Council now believes that Kerrville voters, in accordance with Section 9.004 of the Texas Local Government Code, should vote on the amendments as specified by the Report, in the form of propositions, at the next uniform election date to be held on November 5, 2019; and

**WHEREAS**, during the time leading up to the November 5, 2019, election, Council believes it necessary to make the amendments available for public review on the City's website, in the office of the City Secretary, and at the Butt-Holdsworth Memorial Library; and

**WHEREAS**, City Council finds it in the public interest to order a special election, to be held in conjunction with next uniform election date on November 5, 2019, for a vote of the electors as to proposed amendments to the Charter;

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

**SECTION ONE.** City Council accepts the *Report of the 2019 Kerrville Charter Review Commission*.

**SECTION TWO.** Council orders that a special election be held by the City of Kerrville, Texas ("City") on November 5, 2019. At this special election, ballot propositions will be submitted to the qualified voters of the City for proposed amendments to the Charter, in accordance with applicable provisions of the City Charter and State law.

**SECTION THREE.** The following measures, with blue, underlined language being additions (added) to the Charter and strike-through language being deletions (~~deleted~~) from the Charter, shall be submitted to the qualified voters of the City at the special election in the form of the propositions as provided for in Section Four, below, and in accordance with Section 9.004 of the Texas Local Government Code, Section 14.06 of the Charter, and other applicable laws:

**Measure A**

**Section 1.07. - Sale of Liquor Prohibited**

The City may regulate or otherwise prohibit the sale of liquor in all or part of the residential areas of the City as authorized by this charter provision and State law.

**Measure B**

**Section 2.02. - Qualifications for Councilmembers.**

Each member of the City Council, in addition to having other qualifications required by law:

- a. Shall be a qualified voter of the State of Texas;
- b. Shall be at least eighteen (18) years of age;
- c. Shall be a resident of the City for at least twelve (12) consecutive months preceding the election day; provided, however, that any person who shall have been a resident for a period of not less than twelve (12) consecutive months immediately preceding the election of any territory not formerly within the corporate limits of the City, but which is annexed under the provision of this charter, shall be eligible for said office; ...

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**Section 2.03. - Term of Office.**

- a) The members of the City Council shall hold their offices for a term of two years and until their successors have been elected and duly qualified in accordance with this Charter. Five Councilmembers will be elected at large, two in one year for Places One and Two, and the following year, three will be elected for Places Three, Four, and Mayor, respectively.
- 

**Section 3.01. - Canvass of Election; Meetings of the Council, Boards, and Commissions; Compliance with Open Meetings Act.**

Following each municipal election, the Council shall meet at the usual place for holding its meetings, canvass the election in accordance with state law, and the newly elected members shall assume the duties of office without party or partisan mark or designation. Council shall meet at such times as may be prescribed by ordinance or resolution, but not less frequently than once each month. Special meetings shall be called by the City Secretary upon request of the Mayor, the City Manager, or a majority of the members of the Council. Any such notice shall state the subject or subjects that shall be considered. All meetings of the Council shall be open to the public, and the rules of the Council shall provide that the citizens of the City shall have a reasonable opportunity to be heard at any such meetings in regard to any matter considered; but the Council may by a majority vote of all the members authorize a closed meeting. Council and its boards, commissions, and committees shall comply fully with the provisions of the Texas Open Meeting ~~Law~~ Act as amended.

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**Sections 4.01 - 4.08**

**~~Section 4.01. - Municipal Elections.~~**

~~The regular election for members of City Council shall be held as provided by state law, or as provided by ordinance adopted in accordance with state law. The Council may, in accordance with state law, order special elections.~~

**~~Section 4.02. - Elections.~~**

~~The City shall conduct all elections in accordance with state law.~~



#### ~~Section 4.03. — Application for Candidacy.~~

~~Any person who lawfully qualifies and is a registered voter, may file an application for election for a Place on the City Council. The name of such candidate and Place for which he is filing will be affixed by the City Secretary at the time of issuance of an application form. Such application shall include a petition signed by not less than 100 qualified and registered voters of the City. The application and the signatures thereon as well as the affidavits of the circulators shall meet the requirements of state law. All papers comprising an application shall be assembled and filed with the City Secretary in accordance with state law. Signatures are not required where the application includes a filing fee of \$100.00. The City Secretary shall review the petition as required by state law and if the petition is found to be insufficient, the City Secretary shall return it immediately to the person who filed it, with a written statement certifying why the petition is found to be "insufficient." Within the time authorized by state law such a petition may be amended and filed again as a new petition, or a different petition may be filed for the same candidate. If the application complies with this section and state law, the City Secretary shall place such name on the ballot. Application forms shall be obtained from the City Secretary, as they are promulgated by the Texas Secretary of State.~~

#### ~~Section 4.04. — Places.~~

~~There shall be five places: One, Two, Three, Four, and Mayor.~~

#### ~~Section 4.05. — Ballots.~~

~~The names of candidates shall be placed on the ballot in accordance with state law.~~

#### ~~Section 4.06. — Election of Councilmembers by Plurality.~~

~~At the regular municipal election, the voters shall vote for one candidate for each place listed on the ballot. The candidate for each place listed on the ballot who shall have received the greatest number of votes for that place cast in such election shall be declared elected; and in case of a tie vote, by lot.~~

#### ~~Section 4.07. — Laws Governing City Elections.~~

~~All City elections shall be governed, except as otherwise provided by the Charter, by the laws of the State of Texas governing general and municipal elections, so far as same may be applicable thereto; and in event there should be any failure of the general laws of this Charter to provide for some feature of the City elections, then the City Council shall have the power to provide for such deficiency, and no informalities in conducting a City election shall invalidate the same, if it be conducted fairly and~~



~~in substantial compliance with the general laws, where applicable, and the Charter and ordinances of the City.~~

#### ~~Section 4.08. - Canvassing Elections.~~

~~The City shall conduct an election canvass following a general or special election in accordance with state law.~~

#### Section 4.01. - Municipal Elections.

All City elections shall be governed, except as otherwise provided by the Charter, by the laws of the State of Texas.

#### Section 4.02. - Election of Councilmembers by Plurality, places.

There will be five places: One, Two, Three, Four, and Mayor. At the regular municipal election, the voters may vote for one candidate for each place listed on the ballot. The candidate for each place listed on the ballot who receives the greatest number of votes for that place cast in such election shall be declared elected; and in case of a tie vote, by lot.

#### Section 4.03. - Application for Candidacy.

Any person, who lawfully qualifies and is a registered voter, may file an application for election for a Place on the City Council. The name of such candidate and Place for which he is filing will be affixed by the City Secretary at the time of issuance of an application form. Such application must include a petition signed by not less than 100 qualified and registered voters of the City. The application and the signatures thereon as well as the affidavits of the circulators must meet the requirements of state law. All papers comprising an application must be assembled and filed with the City Secretary in accordance with state law. Signatures are not required where the application includes a filing fee of \$100.00. The City Secretary shall review the petition as required by state law and if the petition is found to be insufficient, the City Secretary shall immediately notify the person who filed it, with a written statement certifying why the petition is found to be "insufficient." Within the time authorized by state law such a petition may be amended and filed again as a new petition, or a different petition may be filed for the same candidate. If the application complies with this section and state law, the City Secretary shall place such name on the ballot. Application and petition forms must be obtained from the City Secretary, as they are promulgated by the Texas Secretary of State.

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#### **Section 5.04. - Petitions for Recall.**

... The petition must contain the number of valid signatures of qualified voters totaling the greater of (a) five percent (5%) of the registered voters entitled to vote at the last City election; or (b) thirty-five percent (35%) of the number of persons who voted in the most recent City election, ~~but in no case fewer than the signatures from three hundred (300) qualified voters registered to vote in the City.~~ Each signer of such recall petition shall personally sign their name thereto and shall write after their name their place of residence, giving the name of the street and the number, and shall also write thereon the day, the month, and the year their signature was affixed.

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#### **Section 5.11. - Initiative; Petition; Procedure.**

- a. ... Said petition must contain the number of valid signatures totaling the greater of (a) five percent (5%) of the registered voters entitled to vote at the last City election; or (b) thirty-five percent (35%) of the number of persons who voted in the most recent City election, ~~but in no case fewer than the signatures from three hundred (300) qualified voters registered to vote in the City.~~ Each copy of the petition shall have attached to it a copy of the full text of the proposed ordinance. The petition, its form and content, shall be the same as for recalls as provided in Section 5.05 above. The certification of the City Secretary, and any amendment to the petition and its presentation to City Council shall be the same as for recalls as provided in Section 5.06 above.
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#### **Section 5.12. - Referendum; Petition; Procedure; Effect Prior to Election.**

- a. ... Said petition must contain the number of valid signatures totaling the greater of (a) five percent (5%) of the registered voters entitled to vote at the last City election; or (b) thirty-five percent (35%) of the number of persons who voted in the most recent City election, ~~but in no case fewer than the signatures from three hundred (300) qualified voters registered to vote in the City.~~ The petition, its form and content, shall be the same as for recalls as provided in Section 5.05 above. The certification of the City Secretary, any amendment to the petition and its presentation to City Council shall be the same as for recalls as provided in Section 5.06 above.
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## Section 5.12. - Referendum; Petition; Procedure; Effect Prior to Election.

- a. ...Council shall either repeal the referred ordinance or submit the referred ordinance to the qualified voters of the City at the next uniform election date as authorized by law ~~within thirty (30) days after the date the petition was finally determined sufficient.~~

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## Section 7.01 City Attorney; Qualifications

- a. ~~The City Council shall appoint a City Attorney from recommendations of the City Manager, or by any member of the City Council. The City Attorney shall receive for his services such compensation as may be determined by the City Council. The City Attorney shall be in charge of all legal questions as may arise within the City, or by members of the City Council. The City Attorney shall be a qualified attorney who is duly licensed to practice law in the State of Texas. The City Attorney shall be the chief legal advisor of and attorney for the City and all departments and officers thereof in matters relating to their official powers and duties. It shall be the City Attorney's duty either personally or by such assistants as the City Attorney may delegate, to perform all services incident to the legal matters of the City. The City Attorney will attend such City Council meetings as needed when requested; to give advice in writing when so requested by the Council or City Manager, or by a department head when needed to clarify positions or actions. The City Attorney will act as legal counsel, or defend or prosecute as the case may be, all offenses against the law as defined by ordinances, or other laws of the City or state, as may be required. The City Attorney will review all contracts, bonds and other instruments in writing in which the City is concerned, and endorse on each his approval of the form and correctness thereof, and perform such other duties of a legal nature as maybe determined by the City Council. In addition to the duties imposed upon the City Attorney by this Charter or required of the City Attorney by ordinance or resolution of the City Council, the City Attorney shall perform any duties imposed upon the legal officers of the Municipal Court when or if needed. The City Attorney shall have authority to appoint one or more assistants, subject to approval of the City Council. The performance of the City Attorney and assistants shall be reviewed annually by the City Council, and their reappointment or dismissal shall be made at that time. The City Attorney and his assistants, may be removed at any time by majority vote of the City Council.~~ The City Council shall appoint a licensed attorney of the State of Texas to be the City Attorney. The City Attorney shall review all contracts and other instruments in writing in which City Council is concerned, endorse approval of the form and correctness of such, and perform other duties of a legal nature as maybe



determined by City Council. The City Attorney shall receive for services such compensation as may be fixed by City Council for regular and special duties and shall hold office at the pleasure of Council. The City Attorney, or such other assistant attorneys selected by the City Attorney with the approval of City Council, shall represent the City in all legal matters, to include prosecution within municipal court. ~~Notwithstanding the above provisions, the~~

- b. The City Council or the City Attorney, following written notice to Council, may engage special legal counsel to represent the City of Kerrville in any specific matter or for the performance of any specifically delineated duties otherwise to be performed by the City Attorney at any time it deems necessary and appropriate.
- c. At least annually, City Council shall review the performance of the City Attorney.

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#### **Section ~~10.01~~3.08. - Creation of Boards, Commissions, and Committees.**

- a. The City Council may create, ~~and~~ provide for, and dissolve such Boards, Commissions, and/or Committees as the City Council may deem appropriate or necessary ~~to accomplish and further any lawful purpose for the advancement of the interest, welfare, health, morals, comfort, safety, and convenience of the City or its inhabitants. In establishing any such Board, Commission, or Committee, the Council shall determine the qualifications as necessary.~~

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#### **Section 13.~~07~~06. - Extensions.**

All extensions of public utilities within the City limits shall become a part of the aggregate property of the public utility, shall be operated as such, and shall be subject to all obligations and reserved rights contained in this Charter and in any original grant hereafter made. The right to use and maintain any extension shall terminate with the original grant and shall be terminable as provided in Section ~~16.04~~13.03. In case of an extension of a public utility operated under a franchise hereafter granted, such right shall be terminable at the same time and under the same conditions as the original grant.

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## **Section 14.09. Meaning of Words and Designations.**

All words and designations used in this Charter are to be taken and construed in the sense in which they are understood in common language, taking into consideration the context and subject matter relative to which they are employed. The gender of the wording throughout this Charter shall always be interpreted to mean either sex. All singular words shall include the plural and all plural words shall include the singular. All references to the state law or laws of the State of Texas, however expressed in this Charter, shall mean "as presently enacted or as may be amended or superseded". The use of the word "City" in this Charter shall mean the City of Kerrville, Texas, and the use of the word "Charter" shall mean this Home Rule Charter.

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## **Section 5.02. - Commencement of Petition; Petitioners' Committee; Affidavit.**

Any three (3) qualified voters of the City may commence recall, initiative, or referendum proceedings by filing with the City Secretary an affidavit stating they will constitute the petitioners committee and be responsible for preparing and circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent and naming the Councilmember(s) to be recalled or setting out in full the proposed initiative ordinance or citing the ordinances sought to be reconsidered.

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## **Section 2.01. - The City Council.**

Except as otherwise provided in this Charter, all powers of the City shall be vested in a Council of five (5) members, to be known as the Kerrville City Council. The members of the Council shall be elected from the City of Kerrville at large in a manner prescribed elsewhere in this Charter without party or partisan mark or designation. The Mayor is a member of the Council and may be referred to in this Charter as a "Councilmember."

### **Measure C**

## **Section 2.02. - Qualifications for Councilmembers.**

- e. At the time that a candidate's application for a place on the ballot is submitted, or thereafter, such candidate shall not be related within the second degree of affinity or third degree of consanguinity to anyone employed by the City and who holds an executive position with the City, which is defined as the head of



any department or division within the City. The City Manager shall indicate such positions within his or her budget.

#### **Measure D**

##### **Section 2.03. - Term of Office.**

b. No Councilmember may serve more than three (3) full terms in succession.

#### **Measure E**

##### **Section 2.03. - Term of Office.**

c. Any Councilmember, upon filing an application to run for mayor, shall have automatically resigned his or her office effective on the day following the canvass for such election.

#### **Measure F**

##### **Section 2.04. - Vacancies.**

Vacancies in the City Council, including a vacancy resulting from a recall election, shall be filled by the Council for the remainder of the unexpired term. The Council shall appoint a qualified elector to fill a vacancy within ~~thirty (30)~~ forty-five (45) days after such vacancy occurs, as determined by state law. For purposes of this section and the Charter, a “qualified elector” or “qualified voter” means a “registered voter” in accordance with state law.

#### **Measure G**

##### **Section 2.05. - Compensation for Councilmembers.**

Councilmembers ~~shall serve without an established salary; however, they will be~~ for Places One, Two, Three, and Four are authorized to receive ~~the sum of \$25.00 \$200.00 for each Council meeting in which they attend to offset the “out-of-pocket” expenses incurred~~ each month. The Mayor is authorized to receive \$400.00 each month. The expense fees are not to be construed as being a salary, but an authorized allowance for each regular meeting. Councilmembers may be reimbursed for other reasonable expenses directly associated with their service to the City, subject to controls established by the Council. Councilmembers are not authorized to receive any other benefit.

## Measure H

### **Section 3.02. - Mayor and Mayor Pro Tem.**

Following the canvass of a regular election, the Council shall choose one of its members (other than the Mayor) as Mayor Pro Tem. The Mayor shall preside at meetings of the Council and shall exercise such other powers and perform such other duties as are or may be conferred and imposed upon him or her by this Charter and the ordinances of the City. He or she shall be recognized as the head of the City government for all ceremonial purposes, by the courts for serving civil processes, and by the Governor for purposes of military law. In time of public danger or emergency, the Mayor is authorized to act in accordance with federal and state law and City policy. If a vacancy occurs in the Office of Mayor, the Council shall appoint a successor Mayor for the remaining term, in accordance with Section 2.04. If the Mayor is absent or ~~[disabled]~~ incapacitated such that he or she is unable to perform the duties of office, the Mayor Pro Tem shall act as Mayor for the duration of the period of such absence or disability. If the Mayor Pro Tem is also absent or disabled, then the Council shall elect a Presiding Officer to act in the place of the Mayor Pro Tem.

## Measure I

### **Section 3.07. - Publication of Penal Ordinances.**

- ~~a. A penal ordinance is one wherein certain acts or omissions are defined as a crime, and a punishment provided therefor. A general ordinance, the violation of which is a misdemeanor as under any other ordinance, is not a penal ordinance.~~

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### **Section 5.06. - Recall; Petition; Procedure.**

- b. *Amendment.* ~~A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners committee files a notice of intention to amend it with the City Secretary within five (5) days after receiving the copy of the certificate and files a supplementary petition upon additional papers within ten (10) days after receiving the copy of such certificate. Such supplementary petition shall comply with the requirements of Section 4.05, and within five (5) days after it is filed, the Secretary shall complete a certificate as to the sufficiency of the petition as amended and send a copy of such certificate to the petitioners committee by certified mail or by hand delivery to a committee member as in the case of an original petition. If the City Secretary finds a petition insufficient for lack of the required number~~



of valid signatures, the petitioner may file one supplementary petition by the deadline in accordance with state law and Sections 5.04 and 5.05. The City Secretary shall notify the petitioner as to the sufficiency of the petition not later than the fifth regular business day after the date of its receipt.

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#### **Section 5.12. - Referendum; Petition; Procedure; Effect Prior to Election.**

- b. Pending the holding of such election, the ordinance shall be suspended from taking effect and shall not later take effect unless a majority of the qualified voters voting thereon at such election shall vote in favor thereof. ~~Unless otherwise provided by law, any~~ Any election for a referendum under this Charter shall be held in accordance with state law on the first authorized uniform election date ~~that occurs after the seventieth (70th) day~~ after the decision by the City Council.

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#### ~~**Section 9.03. - Municipal Court Clerk.**~~

~~There shall be a clerk or clerks of said Court who shall be appointed and who may be removed by the City Manager. The said Clerk shall have authority to administer oaths and affirmations.~~

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### ~~**ARTICLE XI. - TAXATION**~~

#### ~~**Section 11.01. - Power to Tax.**~~

~~The City Council shall have the power, not inconsistent with state laws, as amended from time to time, to levy, assess and collect taxes upon taxable properties, real, personal tangible, and intangible; and to levy, assess and collect occupation, sales, and other taxes.~~

#### ~~**Section 11.02. - Property Subject to Tax.**~~

~~The City Council through the passing of such ordinances as may be required, formulate the procedures for assessing and collecting all authorized taxes.~~

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### ~~Section 13.01. — Powers of the City.~~

~~In addition to the City's power to buy, own, construct, maintain, and operate utilities and to manufacture and distribute electricity, gas, or anything else that may be needed or used by the public (see powers made part of this Charter in Section 1.02), the City shall have such further powers as may now or hereafter be granted under the Constitution and of the State of Texas.~~

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### Section 14.01. - Publicity of Records.

All records of the City, except those protected by executive sessions, or state and federal statutes, shall be open to inspection by any person during the regular posted office hours of the City Hall and in accordance with the Texas Public Information Act.

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### ~~Section 14.06. — Amending the Charter.~~

~~Amendments to this Charter may be framed and submitted to the voters of the City in any manner provided by state law.~~

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### Section 5.01. - General Authority.

- b. *Initiative.* The qualified voters of the City shall have power to propose ordinances to the City Council. Such power shall not extend to the budget, ~~or any~~ capital program, ~~or relating to~~ appropriation of money, ~~issuing~~ issuance of bonds, setting of utility rates, ~~and~~ levy of taxes, ~~or annexations~~, salaries of City officers or employees, or any other ordinance not subject to referendum as provided by state ~~statute or case~~ law.
- c. *Referendum.* The qualified voters of the City shall have power to require reconsideration by the City Council of any adopted ordinance. Such power shall not extend to the budget, ~~or any~~ capital program, ~~or relating~~ relate to the appropriation of money, ~~issuing~~ issuance of bonds, setting of utility rates, ~~and~~ levy of taxes, ~~or annexations~~, salaries of City officers or employees, or any other ordinance not subject to referendum as provided by state ~~statute or case~~ law.



## Measure J

### **Section 5.10. - Result of Recall Election.**

- b. Where a vacancy(s) occurs due to a recall election, the remaining Councilmembers, including where the remaining Councilmembers number two or less, shall appoint a qualified elector(s) for the recalled place(s), which such person(s) may serve only through the ~~canvassing of the next municipal election remainder of the unexpired term~~. ~~The appointed person(s) may choose to become a candidate at such election but in any case, the person elected at the election will only serve through the remainder term, if applicable.~~

## Measure K

### **Section 5.12. - Referendum; Petition; Procedure; Effect Prior to Election.**

- a. Qualified voters of the City may require that any ordinance, with the exception of ordinances dealing with any budget or any capital program, or relating to appropriation of money, issuing of bonds, setting of utility rates and levy of taxes or salaries of City officers or employees, or any other ordinance not subject to referendum as provided by state statute or case law, passed by the City Council be submitted to the voters of the City for approval or disapproval, by submitting a petition for this purpose within ~~[ten]~~ thirty ~~([10])~~30 days after the date the ordinance sought to be reconsidered was adopted.

## Measure L

### **Section 6.01. - City Manager.**

The Council shall appoint an officer whose title shall be City Manager and who shall be chief executive and the head of the administrative branch of the City government. By written notice to City Council ~~letter filed with the City Secretary~~, the City Manager shall designate ~~,subject to approval of the Council,~~ a qualified city executive administrative officer to exercise the powers and perform the duties of city manager during periods of his or her temporary absence or disability. The Council may annul such designation at any time and appoint another ~~officer for the~~ city executive to serve until the City Manager ~~shall~~ returns ~~from his absence or until his disability shall cease~~ to perform his or her duties. ...

## Measure M

### **Section 6.01. - City Manager.**

...The City Council shall annually review the performance of the City Manager,  
and ~~The~~ the City Manager shall receive such compensation as may be fixed by the  
City Council

## Measure N

### **Section 7.01 City Attorney; Qualifications**

d. City Council may not remove a City Attorney who has been in the service of  
the City for more than one year prior to a regular City election within sixty  
(60) days subsequent to such election except by a four-fifths vote of the  
members of City Council.

## Measure O

### **Section 8.01. - Development and Submission of City Budget and Budget Message.**

a. *Development.* The City Manager shall prepare each year a budget to cover all  
proposed expenditures of the government of the City for the succeeding year.  
Such budget shall be carefully itemized so as to make as clear a comparison as  
practicable between expenditures included in the proposed budget and actual  
expenditures for the same or similar purposes for the preceding year. The  
budget shall also show as definitely as possible each of the various projects for  
which appropriations are set up in the budget and the estimated amount of  
money carried in the budget for each of these projects. The budget shall also  
contain ~~a complete financial statement of the City showing all outstanding  
obligations of the City, the cash on hand to the credit of each and every fund,~~  
~~the~~ funds received from all sources during the previous year, the funds  
available from all sources during the ensuing year, the estimated revenue  
available to cover the proposed budget, and the estimated rate of tax which  
will be required.

b. *Accounting Practices.* The City Manager shall prepare and present the budget  
according to budget award guidelines currently established by the Government  
Finance Officers Association, or its successor organization.

c. *Submission.* On or before the 31st day of July of each year, the City Manager  
shall submit to the City Council and City Secretary a budget for the ensuing  
fiscal year and an accompanying budget message. The full text of the proposed



budget and message shall be made available for public review in the office of the City Secretary, at the City's library, and prominently linked on the City's website.

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### **~~Section 8.03. Budget Message.~~**

~~The City Manager's budget message shall explain the budget both in fiscal terms and in terms of the work programs, linking those programs to organizational goals and community priorities. It shall outline the proposed financial policies of the City for the ensuing fiscal year and the impact of those policies on future years. It shall describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the City's debt position, including factors affecting the ability to raise resources through debt issues, and include such other material as the City Manager deems desirable.~~

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### **Section 8.043. - City Council Action on Budget.**

- b. *Amendment Before Adoption.* After the public hearing, the City Council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for an estimated cash deficit, ~~provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.~~
- 

### **Section 8.043. - City Council Action on Budget.**

- d. *"Publish" defined.* As used in this section and this article, the term "publish" refers to making the information available on the City's website and otherwise complying with state law ~~means to print in the contemporary means of information sharing, which includes, a newspaper of general circulation which is published in the City, and on the City's website.~~ In addition, the budget shall be made available in the office of the City Secretary and in the City's library.
-

## Section 8.045. - Budget.

The budget shall provide a complete financial plan of all City funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the City Manager deems desirable ~~or the City Council may require~~ for effective management and an understanding of the relationship between the budget and the City's strategic goals. The budget shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy; ~~and~~ all proposed expenditures, ~~including the amount of salary or compensation of officers and employees~~ and debt service for the ensuing fiscal year; and shall be so arranged as to show comparative figures for ~~actual and estimated~~ income and expenditures of the current and ~~fiscal year and actual income~~ preceding ~~expenditures of the~~ fiscal year. It shall indicate in separate sections:

- a. ~~The~~ Proposed revenues and goals ~~and~~ expenditures for current operations during the ensuing fiscal year; for each city fund detailed for each fund; by department or by other organization unit, and program, purpose or activity, method of financing such expenditures, and methods to measure outcomes and performance related to the goals;
- b. Proposed goals and performance measures for each operational department; and
- c. ~~b~~ Proposed long term financial planning in the form of a five year forecast of revenues and expenditures for the General and Water Funds and at least five years of capital project expenditures and associated financing sources; longer term goals and capital expenditures during the ensuing fiscal year, detailed for each fund by department or by other organization unit when practicable, the proposed method of financing each such capital expenditure, and methods to measure outcomes and performances related to goals; and
- e. ~~The proposed goals, anticipated income and expense, profit and loss for the ensuing year for each utility or other enterprise fund or internal service fund operated by the City, and methods to measure outcomes and performance related to the goals. For any fund, the total proposed expenditures shall not exceed the total of estimated income plus carried forward fund balance exclusive of reserves.~~

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## Section 8.067 - Amendments After Adoption.

- d. *Transfer of Appropriations.* ~~At any time during the fiscal year, the City Council may by ordinance transfer part of all the unencumbered appropriation balance from one department, fund, or organizational unit to the appropriation for other departments or organizational units or a new appropriation.~~ The ~~manager~~ City Manager may transfer appropriated funds among line items within a ~~department fund, or organizational unit and shall report such transfers to the Council in writing in a timely manner~~ as long as the transfer results in a \$0.00 net impact to the fund.

### Measure P

## Section 9.02. - Municipal Court Judge.

The Municipal Judge, whether one or more, shall preside over the Municipal Court. He or she shall be appointed by the City Council and must be a qualified attorney who is duly licensed to practice law within the State of Texas. The Judge shall be appointed for a term not to exceed two (2) years, and shall hold office at the pleasure of the City Council. If for any reason the Judge shall temporarily fail to act, the Mayor or Mayor Pro Tem of the City is hereby authorized to appoint a replacement who shall act in the place of the Judge and who shall have all of the powers and discharge all of the duties of said office. During either twelve (12) month period beginning at the date of appointment, more than two (2) consecutive or six (6) total absences over and above prior approved vacation and sick leave, shall be cause for automatic removal from office by the City Council. The Judge, or anyone acting in his place, shall receive such compensation as may be determined by the City Council.

### Measure Q

## Section ~~10.01~~3.08. - Creation of Boards, Commissions, and Committees.

- b. Irrespective of the City Council's authority, the Mayor is authorized, on his or her own initiative and without Council action, to create and make appointments to an ad hoc committee(s).

### Measure R

## Section 13.~~02~~01. - Franchises—Powers of the City Council.

The City Council shall have power by ordinance to grant, amend, renew, and extend all franchises, and to regulate all public utilities of every character within the City of Kerrville, and for such purposes is granted full power. ~~All ordinances granting, amending, renewing, or extending franchises for public utilities, shall be~~

~~read at three (3) separate regular meetings of the City Council, and shall not be finally passed until thirty (30) days after the first reading; and no such ordinance shall take effect until sixty (60) days after final passage, unless otherwise provided by state law; and pending such time, the ordinance shall be published by caption (not full text) as prescribed by state law once each week for four (4) consecutive weeks in the official newspaper published in the City of Kerrville, and the expense of such publication shall be borne by the proponent of the franchise.~~ No public utility franchise shall be transferred except upon the approval of the City Council expressed by ordinance; and copies of all transfers and mortgages or other documents affecting the title or use of public utilities shall be filed with the City Manager within ten (10) days after the execution thereof. Such franchise shall not be transferred indirectly through the acquisition of the capital stock of the grantee company by another corporation, except through the approval by City Council and the filing of all documents relating to the purchase of such stock, including the corporation affiliations of the purchasing company.

### Measure S

#### ~~Section 14.03.—Official Bonds.~~

~~The Director of Finance, and such other officers or employees as the Council may by general ordinance require so to do, shall give bond in such amount and with such surety as may be approved by the Council. The premiums on such bonds may be paid by the City.~~

**SECTION FOUR.** The ballots for the City election must comply with the Texas Election Code and shall have the measures described in Section Three, above, stated as propositions as follows:

**Measure A shall be placed on the ballot in the form of the following Proposition:**

#### **PROPOSITION A**

Amendment to the City Charter authorizing the prohibition of the sale of liquor in all or parts of residential areas of the City.

FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

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**Measure B shall be placed on the ballot in the form of the following Proposition:**

PROPOSITION B

Amendments to the City Charter to provide clarity as to meaning and intent and eliminating inconsistencies.

FOR\_\_\_\_\_ AGAINST\_\_\_\_\_

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**Measure C shall be placed on the ballot in the form of the following Proposition:**

PROPOSITION C

Amendment to the City Charter creating a qualification for City Council prohibiting the candidate from being related within the second degree of affinity or third degree of consanguinity to anyone employed in an executive position with the City.

FOR\_\_\_\_\_ AGAINST\_\_\_\_\_

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**Measure D shall be placed on the ballot in the form of the following Proposition:**

PROPOSITION D

Amendment to the City Charter prohibiting a councilmember from serving in office for more than three full successive terms.

FOR\_\_\_\_\_ AGAINST\_\_\_\_\_

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**Measure E shall be placed on the ballot in the form of the following Proposition:**

PROPOSITION E

Amendment to the City Charter requiring any councilmember, upon filing an application to run for mayor, to automatically resign his or her office effective the day following the canvass for such election.

FOR\_\_\_\_\_ AGAINST\_\_\_\_\_

**Measure F shall be placed on the ballot in the form of the following Proposition:**

**PROPOSITION F**

Amendment to the City Charter requiring City Council to fill a vacancy within forty-five (45) days after such vacancy occurs.

FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

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**Measure G shall be placed on the ballot in the form of the following Proposition:**

**PROPOSITION G**

Amendments to the City Charter prohibiting councilmembers and the mayor from receiving any benefit other than reimbursement for reasonable expenses and a monthly payment in the amount of \$200.00 for councilmembers and \$400.00 for the mayor respectively.

FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

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**Measure H shall be placed on the ballot in the form of the following Proposition:**

**PROPOSITION H**

Amendment to the City Charter providing that when the Mayor is incapacitated such that he or she is unable to perform the duties of office that the Mayor Pro Tem shall act as Mayor for the duration the disability.

FOR \_\_\_\_\_ AGAINST \_\_\_\_\_

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**Measure I shall be placed on the ballot in the form of the following Proposition:**

**PROPOSITION I**



Amendments to the City Charter revising and deleting provisions which are redundant of or inconsistent with State law.

FOR\_\_\_\_\_ AGAINST\_\_\_\_\_

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**Measure J shall be placed on the ballot in the form of the following Proposition:**

PROPOSITION J

Amendments to the City Charter providing that when a vacancy is filled by appointment the appointee serves only through the remainder of the unexpired term

FOR\_\_\_\_\_ AGAINST\_\_\_\_\_

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**Measure K shall be placed on the ballot in the form of the following Proposition:**

PROPOSITION K

Amendments to the City Charter increasing the time for submitting a petition for referendum on an ordinance from within ten days of the adoption of the ordinance to within thirty days of the adoption of the ordinance.

FOR\_\_\_\_\_ AGAINST\_\_\_\_\_

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**Measure L shall be placed on the ballot in the form of the following Proposition:**

PROPOSITION L

Amendments to the City Charter requiring the city manager to designate a qualified City executive to perform the duties of city manager by written notice to the City Council.

FOR\_\_\_\_\_ AGAINST\_\_\_\_\_

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**Measure M shall be placed on the ballot in the form of the following Proposition:**

**PROPOSITION M**

Amendment to the City Charter requiring the City Council to annually review the performance of the City Manager.

FOR\_\_\_\_\_ AGAINST\_\_\_\_\_

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**Measure N shall be placed on the ballot in the form of the following Proposition:**

**PROPOSITION N**

Amendment to the City Charter providing that, within sixty (60) days of any regular election, a vote to remove a City Attorney who has been in the service of the City for more than one year requires a four-fifths vote of the members of City Council.

FOR\_\_\_\_\_ AGAINST\_\_\_\_\_

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**Measure O shall be placed on the ballot in the form of the following Proposition:**

**PROPOSITION O**

Amendment to the City Charter simplifying the budget process and requiring compliance with state law and the industry standards and best practices prescribed by the Government Finance Officers Association.

FOR\_\_\_\_\_ AGAINST\_\_\_\_\_

----

**Measure P shall be placed on the ballot in the form of the following Proposition:**

**PROPOSITION P**

Amendment to the City Charter requiring the municipal court judge to be a qualified attorney licensed to practice law in the State of Texas.

FOR\_\_\_\_\_ AGAINST\_\_\_\_\_  
----

**Measure Q shall be placed on the ballot in the form of the following Proposition:**

**PROPOSITION Q**

Amendment to the City Charter authorizing the Mayor, on his or her own initiative and without Council action, to create and make appointments to ad hoc committees.

FOR\_\_\_\_\_ AGAINST\_\_\_\_\_  
----

**Measure R shall be placed on the ballot in the form of the following Proposition:**

**PROPOSITION R**

Amendment to the City Charter revising the approval process for ordinances granting, renewing, or extending franchises to be consistent with the process of adopting all other ordinances of the City.

FOR\_\_\_\_\_ AGAINST\_\_\_\_\_  
----

**Measure S shall be placed on the ballot in the form of the following Proposition:**

**PROPOSITION S**

Amendment to the City Charter deleting the requirement that the Director of Finance and other various officers of the City give a bond to the City.

FOR\_\_\_\_\_ AGAINST\_\_\_\_\_  
----

**SECTION FIVE.** The method of voting will be by the Hart Voting System, which is an electronic touch screen voting system.

**SECTION SIX.** The municipal polling place for such election will be the Kathleen C. Cailloux City Center of the Performing Arts, 910 Main Street, Kerrville, Texas 78028.

**SECTION SEVEN.** On election day, Tuesday November 5, 2019, the polls shall remain open from 7:00 AM to 7:00 PM. Early voting shall also be conducted at the Kathleen C. Cailloux City Center of the Performing Arts, 910 Main Street, Kerrville, Texas, 78028 as follows: October 21 and October 22, 2019, from 7:00 AM to 7:00 PM; October 23, October 24, and October 25, 2019, from 8:00 AM to 6:00 PM; and October 28 through November 1, 2019, inclusive, from 7:30 AM to 6:00 PM.

**SECTION EIGHT.** In order to afford the public with the opportunity to review the proposed Charter amendments, the City Secretary shall be responsible for placing the proposed amendments on the City's website and making copies of the amendments available for public review in the office of the City Secretary and at the Butt-Holdsworth Memorial Library.

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

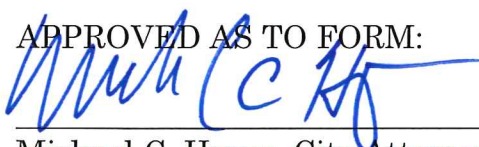
**PASSED AND APPROVED ON SECOND AND FINAL READING, this the \_\_\_\_ day of \_\_\_\_\_, A.D. 2019.**

\_\_\_\_\_  
Bill Blackburn, Mayor

ATTEST:

\_\_\_\_\_  
Shelley McElhannon, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Michael C. Hayes, City Attorney



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

---

**SUBJECT:** Resolution No. 27-2019 approving an amendment to the Kerrville River Trail Master Plan

**AGENDA DATE OF:** July 23, 2019

**DATE SUBMITTED:** Jul 17, 2019

**SUBMITTED BY:** Ashlea Boyle

**EXHIBITS:** [20190723\\_Resolution\\_27-2019 Amendment to Kerrville River Trail Master Plan.pdf](#)  
[River Trail Master Plan Updated 2019.pdf](#)

---

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	N/A	N/A	N/A

**PAYMENT TO BE MADE TO:** N/A

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<b>Kerrville 2050 Item?</b>	Yes
<b>Key Priority Area</b>	P - Parks / Open Space / River Corridor
<b>Guiding Principle</b>	P6. Focus on connecting businesses, neighborhoods, major destinations and other amenities with parks, open spaces and the River corridor
<b>Action Item</b>	P6.5 - Continue developing a vision/plan and identify funding options to extend the River Trail

---

**SUMMARY STATEMENT:**

In October 2018, the Kerrville City Council adopted a resolution approving an updated master plan for the Kerrville River Trail. Since then, another potential segment has been identified and staff recommends adding it to the plan. This addition would be a downtown segment and would connect from the G. Street trailhead, along downtown to the Riverside Nature Center area of the trail (exact route to be determined). The Parks and Recreation Advisory Board unanimously approved this amendment on June 6, 2019. The proposed addition is attached and identified in blue on the map.

**RECOMMENDED ACTION:**

Approve resolution.

**CITY OF KERRVILLE, TEXAS  
RESOLUTION NO. 27-2019**

**A RESOLUTION APPROVING AN AMENDMENT TO  
THE KERRVILLE RIVER TRAIL MASTER PLAN**

**WHEREAS**, the City owns and maintains a number of parks and recreational areas which are intended to be used by and to benefit the public; and

**WHEREAS**, in September 2008, City Council adopted Resolution 74-2008, which approved the *Kerrville Parks, Recreation, and Open Spaces Master Plan*, which included the *Kerrville River Trail Master Plan*; and

**WHEREAS**, in 2011, City Council approved funding for the construction of a six mile river trail to be created and maintained by the City as part of the City's parks; and

**WHEREAS**, in 2018, City Council adopted Resolution 43-2018, which approved an updated *Kerrville River Trail Master Plan*; and

**WHEREAS**, the Kerrville River Trail currently consists of approximately 5 miles of concrete trail; and

**WHEREAS**, the City, pursuant to a partnership with Schreiner University and funding from the Economic Improvement Corporation, is working to design and construct an additional one mile extension of the river trail, which will link the intersection of G Street and Water Street to Schreiner University, said extension referred to as the "Schreiner University Extension"; and

**WHEREAS**, City staff recently updated the *Kerrville River Trail Master Plan* by amending it to include a downtown segment, which will link the Schreiner University Extension to and through the downtown area and connecting it to the Riverside Nature Center; and

**WHEREAS**, the City's Parks and Recreation Advisory Board reviewed and approved the update to the *Kerrville River Trail Master Plan* and recommends its adoption to City Council; and

**WHEREAS**, City Council finds it to be in the public interest to adopt the *Kerrville River Trail Master Plan*, as amended;

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

**SECTION ONE.** City Council adopts the document titled the *Kerrville River Trail Master Plan*, which is attached as **Exhibit A**, and amends the existing plan.

**SECTION TWO.** City Council hereby repeals Resolution No. 43-2018.



PASSED AND APPROVED ON this the \_\_\_\_ day of \_\_\_\_\_,  
A.D., 2019.

\_\_\_\_\_  
Bill Blackburn, Mayor

APPROVED AS TO FORM:

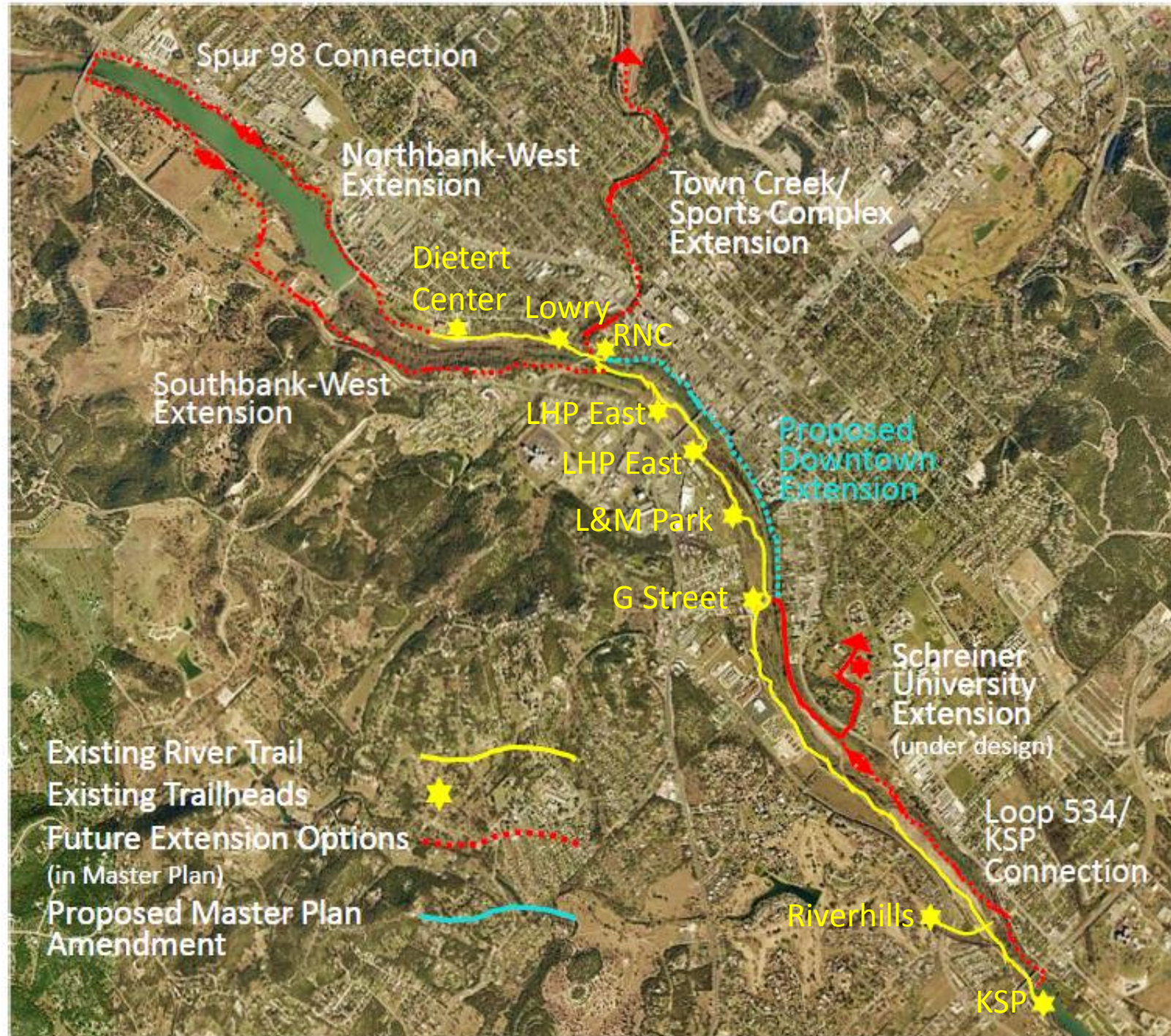
ATTEST:

  
\_\_\_\_\_  
Michael C. Hayes, City Attorney

\_\_\_\_\_  
Shelley McElhannon, City Secretary



# Kerrville River Trail Master Plan







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

---

**SUBJECT:** Construction contract with Intermountain Slurry Seal, Inc. for the 2019 Slurry Seal project in an amount of \$313,308.55

**AGENDA DATE OF:** July 23, 2019

**DATE SUBMITTED:** Jul 12, 2019

**SUBMITTED BY:** Kyle Burow

**EXHIBITS:** [20190723\\_Bid\\_2019 Summer Slurry Seal Received Bids.pdf](#)  
[20190723-Bid\\_2019 Summer Slurry Recommendation Letter.pdf](#)

---

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$313,308.55	\$1,285,175.57	\$1,625,723.10	01-0161-2420

**PAYMENT TO BE MADE TO:** Intermountain Slurry Seal, Inc.

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<b>Kerrville 2050 Item?</b>	Yes
<b>Key Priority Area</b>	M - Mobility / Transportation
<b>Guiding Principle</b>	M4. Place a high priority on the maintenance of existing streets
<b>Action Item</b>	M4.2 - Continue implementing the plan for street repairs, including a timeline and funding, based on the road conditions data collection and evaluation completed in 2016

---

**SUMMARY STATEMENT:**

As part of the City of Kerrville's adopted Street Maintenance Plan, the City consulted 6S Engineering, Inc. to assist the Streets Division in the Pavement Management Plan by developing construction specifications for the 2019 Summer Slurry Seal project. The budget was increased for FY2019 to \$1.625 million to allocated used for crack seal, slurry seal, overlay, and reconstruction of the City's street network. In an effort to continue assisting the ongoing maintenance efforts of the Management Plan, the scope of the project is to accelerate the Year 5 slurry seal component of the plan comprising of approximately 8.7 lane miles of roadway. The combination of the 2019 Summer Slurry Seal project and the previously awarded 2019 Slurry Seal project will result in almost 15 lane miles of roadway enhanced by slurry seal for FY2019.

The project was placed for advertisement, the bid opening was held July 12, 2019. One

bid was received from Intermountain Slurry Seal, Inc. with a unit price of \$3.55/SY equaling the unit price from this year's earlier awarded contract for Year 4 components received in March 2019. Additionally, this is a lower unit cost when compared to an average unit price of \$3.90/SY from the 2018 slurry seal bids received. Staff, along with 6S Engineering, evaluated the contractor and recommend awarding the base and alternate bids for a total construction contract amount of \$313,308.55 to Intermountain Slurry Seal, Inc.

**RECOMMENDED ACTION:**

Authorize the City Manager to execute a construction contract with Intermountain Slurry Seal, Inc.

**Project Name : 2019 Summer Slurry Seal**

**Engineering Number: PW#19-013**

**Bid Opening: July 12, 2019**

[illegible]





ENGINEERING, INC  
TBPE F-18435

July 15, 2019

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

Reference: 2019 Summer Slurry Seal Project- Bid Recommendation

Dear Mr. Burow:

6S Engineering, Inc. has reviewed the bid proposal for the above referenced project. There was one (1) bidder for the project. It is recommended that Intermountain Slurry Seal, Inc. be awarded the contract for the Base Bid amount of \$236,737.55 and alternate bid of \$76,571.00 for a total bid amount of \$313,308.55. If there are any questions or concerns, please do not hesitate to contact us.

Sincerely,

A handwritten signature in blue ink that reads "Jess W. Swaim".

Jess Swaim, P.E.  
Vice President



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

---

**SUBJECT:** Financial update for the month ended June 30, 2019

**AGENDA DATE OF:** July 23, 2019

**DATE SUBMITTED:** Jul 17, 2019

**SUBMITTED BY:** Amy Dozier

**EXHIBITS:** [20190723\\_Presentation\\_June 2019 financial presentation.pdf](#)  
[20190723\\_Presentation\\_June 2019 financial summary.pdf](#)

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	\$0	\$0	N/A

**PAYMENT TO BE MADE TO:** N/A

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<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

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**SUMMARY STATEMENT:**

**GENERAL FUND:**

Year to date through June 30, 2019, the General Fund has received revenue of \$22.5 million compared to expense of \$19.8 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 June include:

1. Strong sales tax performance continues. Year to date, sales tax is up 5.0% over 2018 and is 2.8% better than budget, led by increases in retail, food service, manufacturing and construction.

**WATER FUND:**

Year to date through June 30, 2019, the Water Fund received revenues of \$8.2 million compared to expenditures of \$9.0 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 are 3.3 times the same period in FY2018. Year to date water consumption is down 17%. We are expecting water sales to end the year significantly below budget.

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 better than budget due to lower than anticipated chemical and maintenance costs. In addition, staffing vacancies in Water Distribution have created salary savings.

#### DEVELOPMENT SERVICES FUND:

Year to date through June 30, 2019, the Development Services Fund received revenues of \$874 thousand compared to expenditures of \$977 thousand. Revenue includes transfers in from the General Fund and Water Fund of \$532 thousand and permit and fee revenue of \$342 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 June 30, 2019, the Golf Fund received revenues of \$627 thousand compared to expenditures of \$689 thousand. FY2019 revenue is lower than budget and FY2018 primarily due to record rainfall in October and continuing bad weather days.

#### HOTEL OCCUPANCY FUND:

Year to date through June 30, 2019, the Hotel Occupancy Fund received revenues of \$1.0 million compared to expenditures of \$898 thousand.

#### **RECOMMENDED ACTION:**

Information only; no action required.



# ***Financial update for the month ended June 30, 2019***

**City Council Meeting  
July 23, 2019**

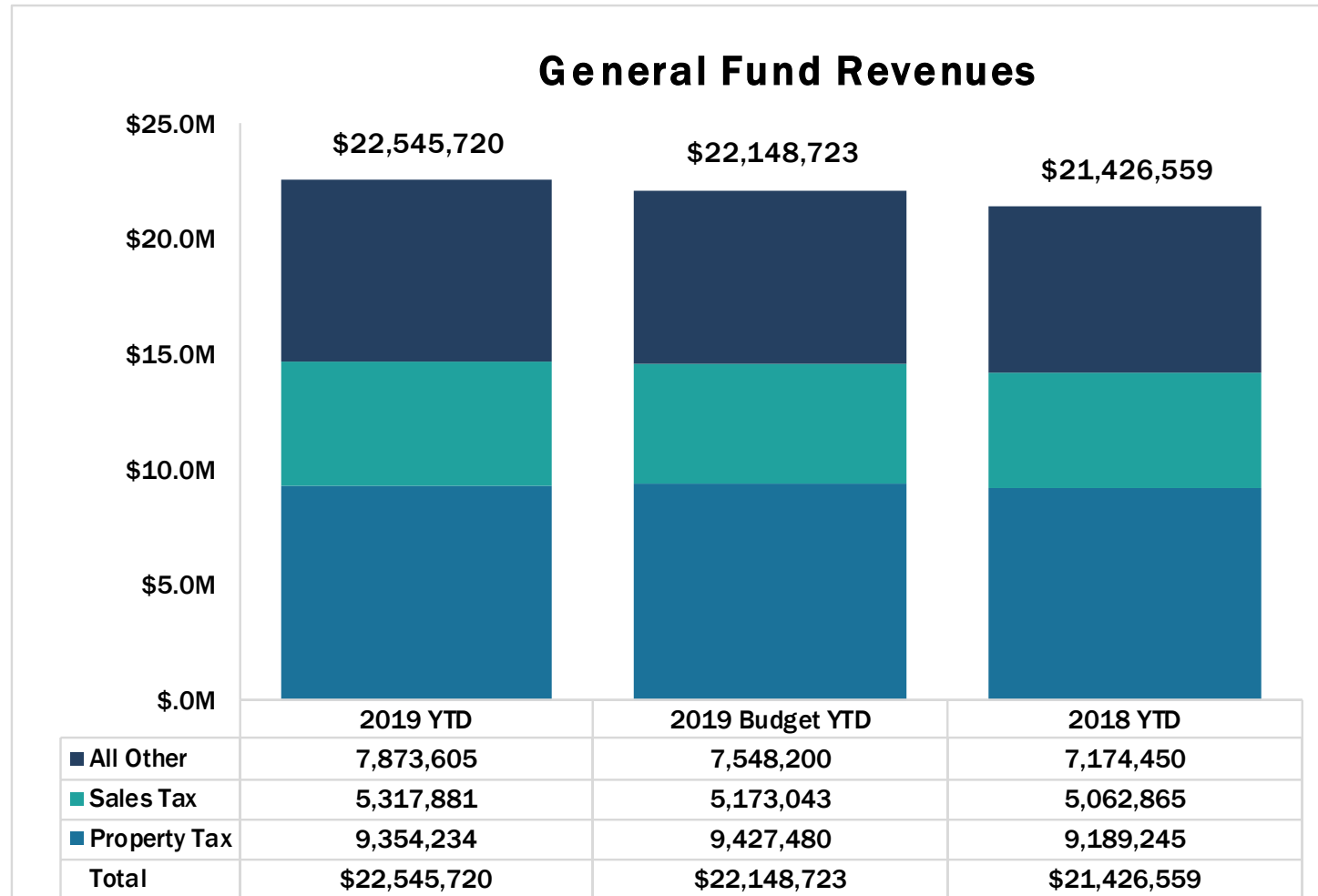




# General Fund Summary

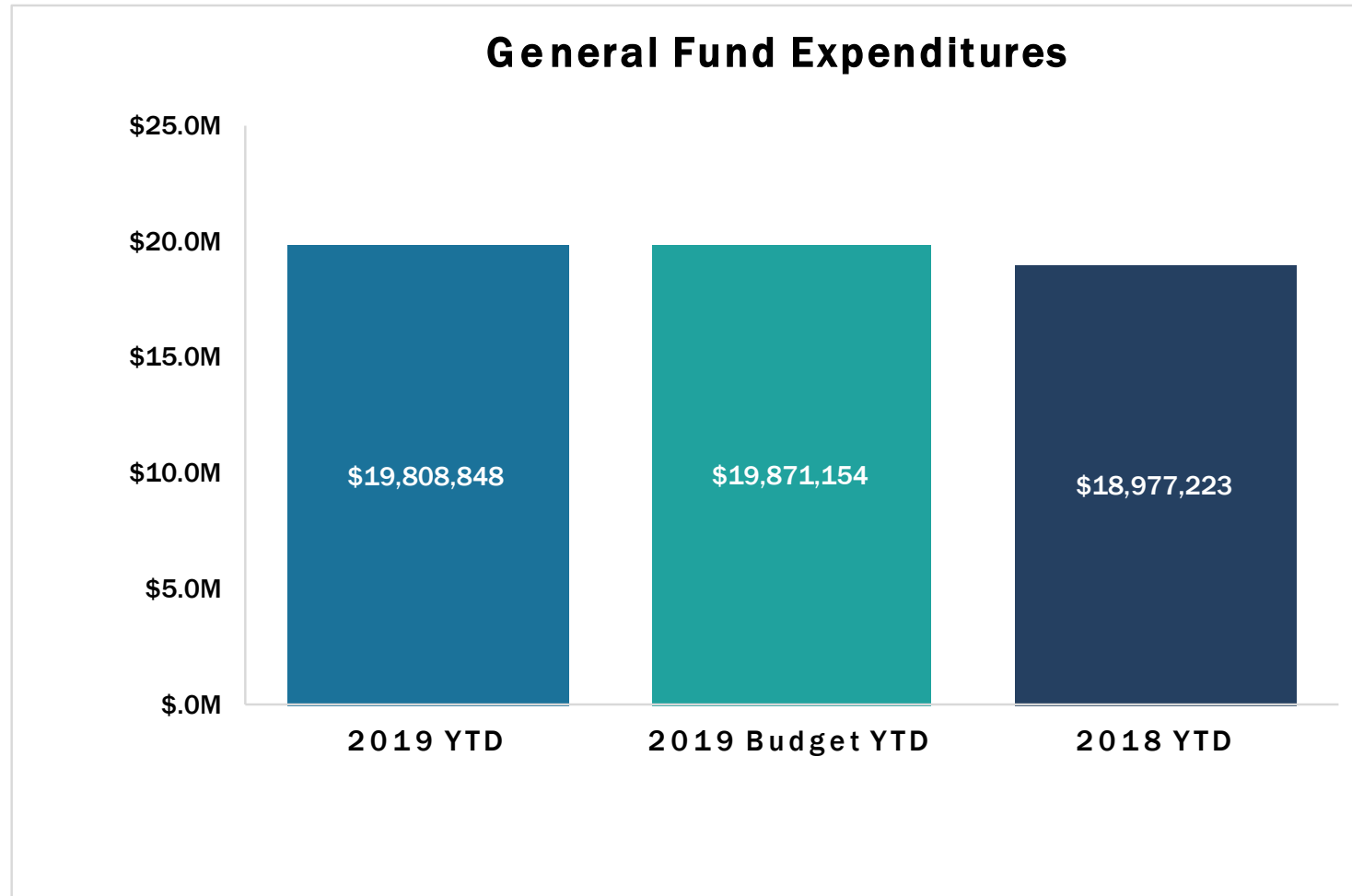
<b>Fund</b>	<b>Total FY2019 Budget</b>	<b>Year to Date FY2019 Budget</b>	<b>Year to Date FY2019 Actual</b>	<b>Better / (Worse) than Budget</b>	<b>Year to Date FY2018 Actual</b>	<b>Change from FY2018</b>
<b>General Fund</b>						
Revenues						
Property Tax	\$ 9,553,070	\$ 9,427,480	\$ 9,354,234	\$ (73,246)	\$ 9,189,245	\$ 164,990
Sales Tax	7,049,268	5,173,043	5,317,881	144,839	5,062,865	255,016
Other Revenue	10,601,172	7,548,200	7,873,605	325,405	7,174,450	699,155
Total Revenue	27,203,510	22,148,723	22,545,720	396,998	21,426,559	1,119,161
Expenditures	27,203,510	19,871,154	19,808,848	62,306	18,977,223	831,626
Net	-	2,277,568	2,736,872	459,304	2,449,337	287,536

# General Fund Revenues





# General Fund Expenditures

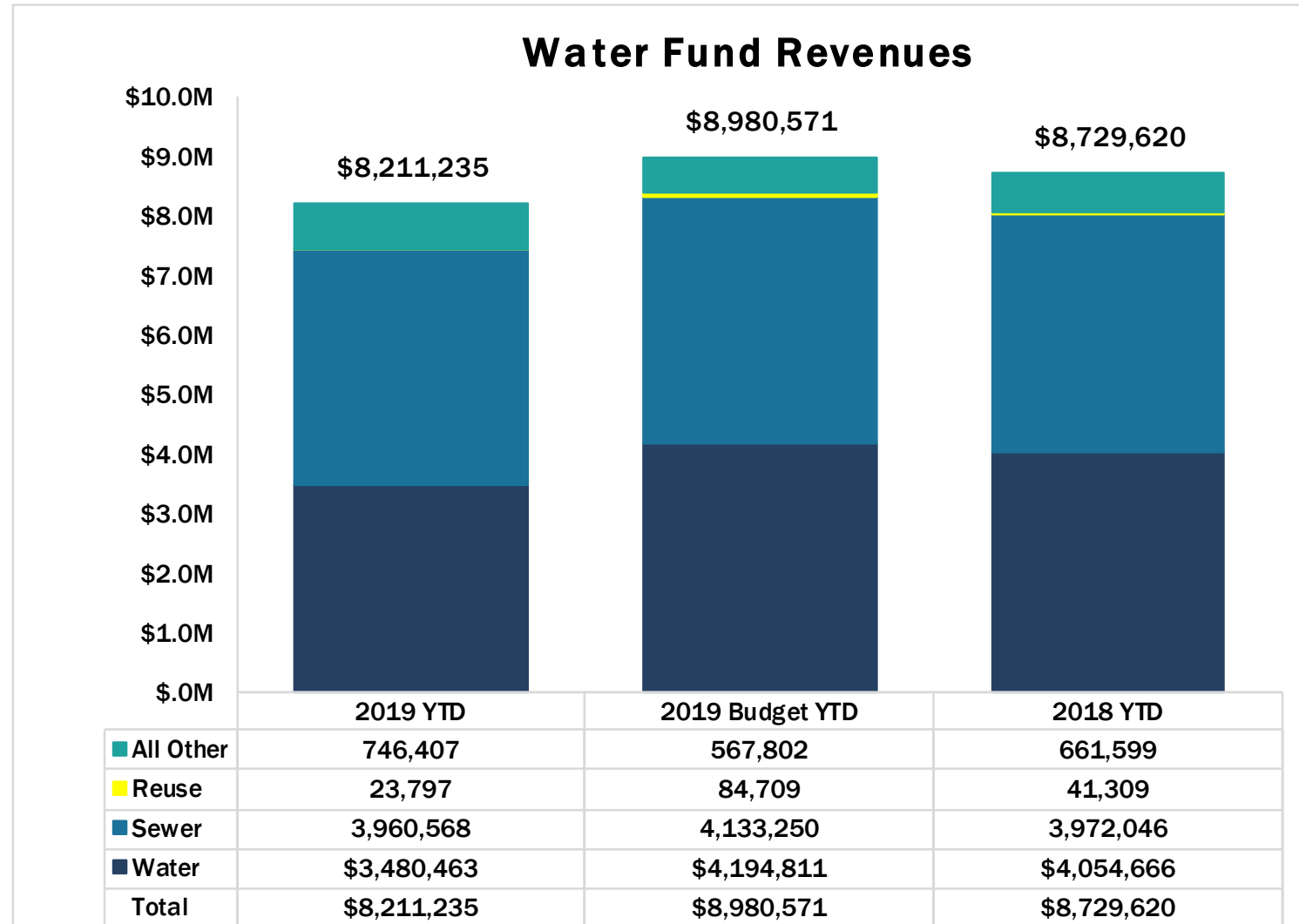


# Water Fund Summary

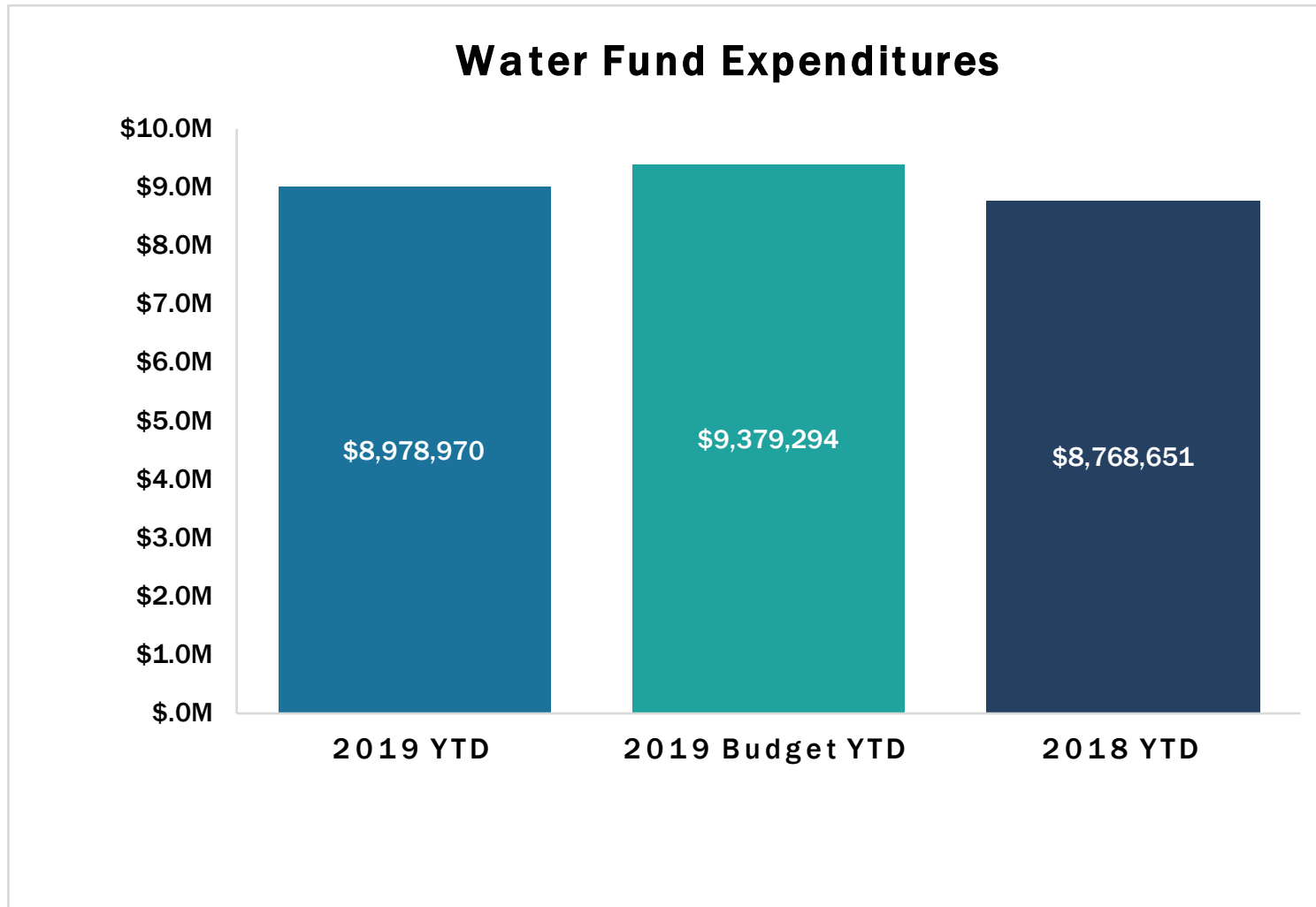
<b>Fund</b>	<b>Total FY2019 Budget</b>	<b>Year to Date FY2019 Budget</b>	<b>Year to Date FY2019 Actual</b>	<b>Better / (Worse) than Budget</b>	<b>Year to Date FY2018 Actual</b>	<b>Change from FY2018</b>
<b>Water Fund (Operating - excludes debt related revenue and expenditures)</b>						
Revenues						
Water Sales	6,072,434	4,194,811	3,480,463	(714,348)	4,054,666	(574,203)
Sewer Sales	5,559,473	4,133,250	3,960,568	(172,682)	3,972,046	(11,478)
Reuse Sales	122,625	84,709	23,797	(60,912)	41,309	(17,511)
Other Revenue	776,200	567,802	746,407	178,606	661,599	84,808
Total Revenue	12,530,732	8,980,571	8,211,235	(769,336)	8,729,620	(518,384)
Expenditures	12,530,732	9,379,294	8,978,970	400,324	8,768,651	210,319
Net	-	(398,723)	(767,734)	(369,012)	(39,031)	(728,703)



# Water Fund Revenues



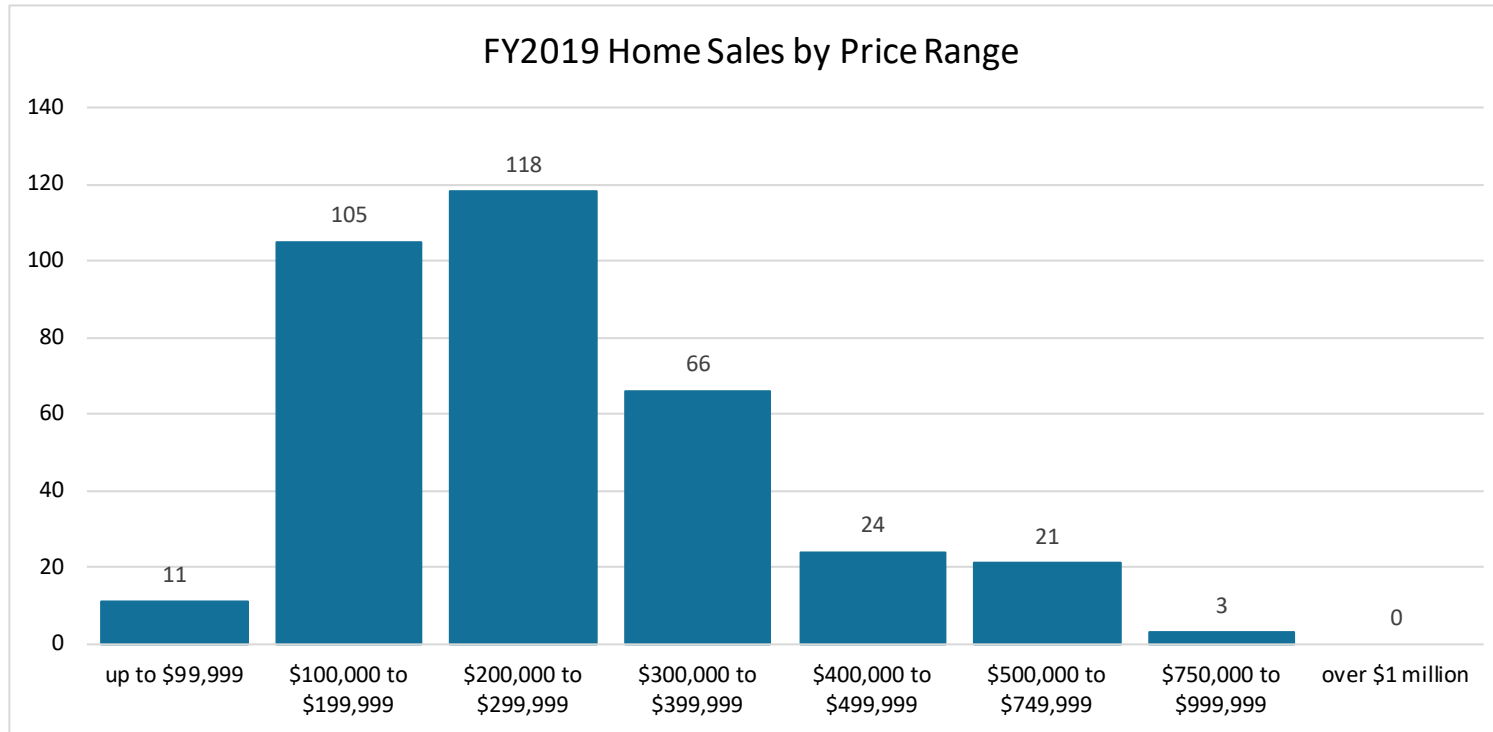
# Water Fund Expenditures



# Other Funds Summary

<b>Fund</b>	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
<b>Development Services Fund</b>						
Revenues						
Permits & Fees	510,000	382,500	342,008	(40,492)	431,436	(89,428)
Transfer In	708,688	531,516	531,516	-	-	531,516
Total Revenue	1,218,688	914,016	873,523	(40,492)	431,436	442,087
Expenditures	1,218,688	1,008,766	977,162	31,604	526,824	450,338
Net	-	(94,750)	(103,639)	(8,889)	(95,388)	(8,251)
<b>Golf Fund</b>						
Revenues	1,015,947	727,218	627,285	(99,933)	669,372	(42,087)
Expenditures	1,015,947	727,458	688,981	38,477	673,280	15,701
Net	-	(240)	(61,696)	(61,456)	(3,908)	(57,788)
<b>Hotel Occupancy Tax Fund</b>						
Revenues	1,329,750	935,660	1,024,642	88,982	949,001	75,642
Expenditures	1,329,750	945,032	898,041	46,991	793,207	104,834
Net	\$ -	\$ (9,372)	\$ 126,601	\$ 135,973	\$ 155,794	\$ (29,192)

# Real Estate Update



	YTD FY2018	YTD FY2019	Change
Median Price:	\$ 233,000	\$ 242,500	4.1%
Average Price:	\$ 261,642	\$ 272,877	4.3%
Total Homesites Sold:	362	348	(14)
Average Days on Market:	103	90	(13)
Total Volume Sold:	\$ 94,576,214	\$ 94,961,246	0.4%

- Activity declined in the month of June
- Total homes sold decreased from 41 to 34 compared to June 2018
- Dollar volume sold decreased 19% from \$12.4M to \$10.1M

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

<b>Fund</b>	<b>Total FY2019 Budget</b>	<b>Year to Date FY2019 Budget</b>	<b>Year to Date FY2019 Actual</b>	<b>Better / (Worse) than Budget</b>	<b>Year to Date FY2018 Actual</b>	<b>Change from FY2018</b>	<b>Variance Explanation</b>
<b>General Fund</b>							
Revenues							
Property Tax	\$ 9,553,070	\$ 9,427,480	\$ 9,354,234	\$ (73,246)	\$ 9,189,245	\$ 164,990	
Sales Tax	7,049,268	5,173,043	5,317,881	144,839	5,062,865	255,016	note A
Other Revenue	10,601,172	7,548,200	7,873,605	325,405	7,174,450	699,155	
Total Revenue	27,203,510	22,148,723	22,545,720	396,998	21,426,559	1,119,161	
Expenditures	27,203,510	19,871,154	19,808,848	62,306	18,977,223	831,626	
Net	-	2,277,568	2,736,872	459,304	2,449,337	287,536	
<b>Water Fund (Operating - excludes debt related revenue and expenditures)</b>							
Revenues							
Water Sales	6,072,434	4,194,811	3,480,463	(714,348)	4,054,666	(574,203)	note B
Sewer Sales	5,559,473	4,133,250	3,960,568	(172,682)	3,972,046	(11,478)	note C
Reuse Sales	122,625	84,709	23,797	(60,912)	41,309	(17,511)	note B
Other Revenue	776,200	567,802	746,407	178,606	661,599	84,808	note D
Total Revenue	12,530,732	8,980,571	8,211,235	(769,336)	8,729,620	(518,384)	
Expenditures	12,530,732	9,379,294	8,978,970	400,324	8,768,651	210,319	note E
Net	-	(398,723)	(767,734)	(369,012)	(39,031)	(728,703)	
<b>Development Services Fund</b>							
Revenues							note F
Permits & Fees	510,000	382,500	342,008	(40,492)	431,436	(89,428)	
Transfer In	708,688	531,516	531,516	-	-	531,516	
Total Revenue	1,218,688	914,016	873,523	(40,492)	431,436	442,087	
Expenditures	1,218,688	1,008,766	977,162	31,604	526,824	450,338	note G
Net	-	(94,750)	(103,639)	(8,889)	(95,388)	(8,251)	
<b>Golf Fund</b>							
Revenues	1,015,947	727,218	627,285	(99,933)	669,372	(42,087)	note H
Expenditures	1,015,947	727,458	688,981	38,477	673,280	15,701	
Net	-	(240)	(61,696)	(61,456)	(3,908)	(57,788)	



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

<b>Fund</b>	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
<b>Hotel Occupancy Tax Fund</b>							
Revenues	1,329,750	935,660	1,024,642	88,982	949,001	75,642	
Expenditures	1,329,750	945,032	898,041	46,991	793,207	104,834	
Net	\$ -	\$ (9,372)	\$ 126,601	\$ 135,973	\$ 155,794	\$ (29,192)	

**Notes:**

- A. Sales Tax** - Strong sales tax performance continues. Year to date, sales tax is up 5.0% over 2018 and is 2.8% better than budget, led by increases in retail, food service, manufacturing and construction.
- 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 through June are 3.3 times the same period in FY2018. YTD water consumption is down 17%. We are expecting water revenue to end the year significantly below budget.
- 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 better than budget primarily due to higher than budget interest revenue.
- E. Water Expenditures** - FY2019 expenditures are better than budget due to lower than anticipated chemical and maintenance costs. In addition, staffing vacancies in Water Distribution have created salary savings.
- 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 continuing bad weather days.