

# **AGENDA FOR THE KERRVILLE CITY COUNCIL MEETING**

**TUESDAY, JUNE 9, 2020, 6:00 P.M.**

**KERRVILLE CITY HALL, COUNCIL CHAMBERS**

**701 MAIN STREET, KERRVILLE, TEXAS**

## **The Community Vision**

*Kerrville will be a vibrant, welcoming and inclusive community that:*

- *Respects and protects the natural environment that surrounds it;*
- *Seeks to attract economic growth and development;*
- *Provides opportunities for prosperity, personal enrichment and intellectual growth for people of all ages; and*
- *Does so while preserving the small-town charm, heritage, arts and culture of the community.*



Kerrville2050



**KERRVILLE CITY COUNCIL MEETING AGENDA**  
**JUNE 9, 2020 6:00 PM**  
**CITY HALL, COUNCIL CHAMBERS**  
**701 MAIN STREET, KERRVILLE, TEXAS**



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***Council Meeting Procedures during the Disaster Declaration***

COVID-19 (Coronavirus) provides a unique concern in that gathering members of the public, City Council, and City staff within a physical setting constitutes a public health risk. On March 16, 2020, the Texas Governor suspended certain requirements of the Open Meetings Act to permit open meetings to occur in a fully virtual setting (e.g., telephonic or videoconference meeting).

In an effort to avoid and mitigate health risks, and limited occupancy levels in Council Chambers, City Council will convene in a virtual forum and attendance will be limited to only those persons essential to holding the meeting. No member of the public will be admitted into City Hall during this time.

Citizens can provide public comment on specific agenda items through Zoom. Zoom telephone numbers are toll free: **1-877-853-5247** or **1-888-788-0099**. The Meeting ID is **946 0797 4075#**. (You must enter the pound sign (#) after the Meeting ID.) \*See Citizen Participation Guidelines. Remember that a speaker must call in by 5:45 p.m., June 9, 2020 and register with the Zoom moderator, and each speaker is limited to four minutes.

A person may also submit written comments on specific agenda items, to include public hearings, and comments will be read into the meeting record. Comments must include a name, address, and a reference to the relevant item. Comments that do not include such information will not be read. Comments must be received by 5:45 p.m., June 9, 2020. Comments may be:

- a. dropped off at the City Hall Utility Payments Drop-Box; or
- b. emailed to [shelley.mcelhannon@kerrvilletx.gov](mailto:shelley.mcelhannon@kerrvilletx.gov).

Citizens may view and hear the City Council meetings on Spectrum Channel 2 or by live-streaming via the City's website ([www.kerrvilletx.gov](http://www.kerrvilletx.gov)). City Council meetings are recorded and the recordings are posted on the City's website.

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**CALL TO ORDER:**

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

Led by Mayor Bill Blackburn

**1 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:

- 1.A. Minutes for the City Council meeting held May 26, 2020.

Attachments:

[20200609\\_Minutes\\_Regular meeting 5-26-20 6pm.pdf](#)

## **END OF CONSENT AGENDA**

### **2 CONSIDERATION AND POSSIBLE ACTION:**

- 2.A. The purchase of sport field flood lights for the Kerrville Sports Complex through Musco Sports Lighting, LLC via the Texas BuyBoard, in an amount not to exceed \$268,700.

Attachments:

[20200623\\_Buyboard Quote\\_KSC Lights.pdf](#)

[2020-23 Grant Contract Cailloux Foundation for Kerrville Sports Complex \\$500,000.pdf](#)

### **3 INFORMATION & DISCUSSION:**

- 3.A. Briefing on storm events that occurred during the week of May 24th, 2020.
- 3.B. Briefing on the City's ongoing preparedness and response to COVID-19 (Coronavirus).

### **4 BOARD APPOINTMENTS:**

- 4.A. Appointment to the Economic Improvement Corporation. (This item is eligible for Executive Session per §551.074).

Attachments:

[20200609\\_Board Appt\\_EIC Roster 5-26-20.pdf](#)

- 4.B. Appoint members to the Tax Increment Reinvestment Zone Board of Directors. (This item is eligible for Executive Session per §551.074).

Attachments:

[20200225\\_Ordinance 2020-04\\_TIRZ Board of Directors.pdf](#)

- 4.C. Appointments to the Zoning Board of Adjustment. (This item is eligible for Executive Session per §551.074).

Attachments:

[20200128\\_Board Appointments\\_Zoning Board of Adjustment 2 vacancies.pdf](#)

### **5 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.*

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

### **ADJOURN.**



## ALTERNATIVE CITIZEN/PUBLIC PARTICIPATION GUIDELINES (Due to COVID-19 Pandemic Disaster Declaration)



***Despite the necessity to restrict public access to Kerrville City Council meetings/workshops in the interest of public health during the COVID-19 pandemic, citizens and visitors are welcome to participate in Kerrville City Council meetings and workshops in several alternative ways as outlined below.***

### **Instructions for callers:**

Dial one of the following numbers:

877 853 5247 (Toll Free) or

888 788 0099 (Toll Free)

If you cannot get through on one of the numbers due to network congestion, call the other number.

When your call is answered you will hear “**Welcome to Zoom, enter your Meeting ID followed by pound.**” Enter in the Meeting ID followed by the pound sign (#). The Meeting ID is found on the Meeting Agenda or Workshop Agenda.

If the Zoom moderator has not started the meeting yet, you will hear “*The meeting has not started yet, please hold or call back later.*”

Once you have called into the meeting, your microphone will be placed on mute and your call will be placed in the call queue. At this point, you will hear silence on the phone. Do not hang up. The moderator will unmute your microphone as he/she is going down the list. Once the meeting has started, you will be able to listen to proceedings even if your microphone is muted.

The moderator will begin accepting calls one hour prior to the scheduled meeting. The deadline to place your call in order to participate in speaking on a specific item is 15 minutes before the scheduled Council meeting starts. You will be queued to speak. Any calls made after the deadline will not be answered, and microphones will be kept muted.

### **Instructions for written comments:**

Written comments will be accepted for any agenda items. Written comments will be read into record, and can be provided in two different ways:

**OPTION 1 by hard copy** – Comments may be dropped off at the City Hall Utility Payments Drop-Box on the north side of City Hall at least 15 minutes before the scheduled Council meeting starts. You are required to provide your first and last name, address, and identify the item you wish to comment on.

**OPTION 2 by email** - Comments can be emailed to [shelley.mcelhannon@kerrvilletx.gov](mailto:shelley.mcelhannon@kerrvilletx.gov) and must be received at least 15 minutes before the scheduled Council meeting starts. You are required to provide your first and last name, address, and identify the item you wish to comment on. In addition, anyone may email Councilmembers via their City email addresses as specified on the City’s website.

For either option, provide **all required information** in order for your comments to be accepted. Thank you for your participation!



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

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**SUBJECT:** Minutes for the City Council meeting held May 26, 2020.

**AGENDA DATE OF:** June 9, 2020

**DATE SUBMITTED:** May 12, 2020

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20200609\\_Minutes\\_Regular meeting 5-26-20 6pm.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 May 26, 2020 at 6:00 p.m.

**RECOMMENDED ACTION:**

Approve minutes as presented.

**CITY COUNCIL MINUTES  
REGULAR MEETING**

**KERRVILLE, TEXAS  
MAY 26, 2020**

On May 26, 2020, at 6:00 p.m. the meeting was called to order by Mayor Bill Blackburn in the City Hall Council Chambers at 701 Main Street. The invocation was offered by Councilmember Kim Clarkson, followed by the Pledge of Allegiance led by Councilmember Clarkson.

**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	Amy Dozier	Chief Financial Officer
E.A. Hoppe	Deputy City Manager	Drew Paxton	Chief Planning Officer
Mike Hayes	City Attorney	Dannie Smith	Fire Chief
Shelley McElhannon	City Secretary		

**RECESSED:** The meeting was recessed at 6:01 p.m. after technical difficulties were reported by the public. Information Technology tested and ensured telephone interaction with the Zoom meeting. Mayor Blackburn provided citizens the telephone numbers to call into the Zoom meeting and paused the meeting for five minutes in order for citizens to engage with the Zoom meeting.

**RECONVENED:** The meeting resumed at 6:06 p.m.

**VISITORS PRESENT:** No citizens were present physically at the City Council meeting due to the COVID-19 pandemic restrictions and the Governor's Disaster Declaration on March 16, 2020; public participation was engaged through telephone and by email.

**1. CONSENT AGENDA:**

Councilmember Delayne Sigerman pulled item 1A.

Councilmember Judy Eychner moved to approve item 1B as presented. Councilmember Clarkson seconded, and the motion passed 5-0.

1B. Minutes for the City Council regular meeting held May 12, 2020.

**END OF CONSENT AGENDA**

1A. Service agreement with Hill Country Telephone Co-Op (HCTC) in the amount of \$212,000.

Councilmember Sigerman praised staff for providing savings with the new contract and made a motion to approve item 1A as presented. Councilmember Eychner seconded, and the motion passed 5-0.

## **2A. RESOLUTIONS:**

2A. Resolution No. 11-2020. A Resolution authorizing the City Manager as the City's designated representative, to execute a Principal Forgiveness Agreement with the Texas Water Development Board for funding in the amount of \$500,000 (Clean Water Revolving Fund).

The resolution caption was read into record by Shelley McElhannon.

Amy Dozier presented information, and Amy Dozier and E.A. Hoppe responded to questions by City Council.

Councilmember Gary Cochrane made a motion to approve Resolution No. 11-2020, and Councilmember Eychner seconded. The motion passed 5-0.

## **3A. ORDINANCES, SECOND READING:**

3A. Ordinance No. 2020-09. Second reading. An Ordinance amending Ordinance No. 2003-26, which created a Planned Development District for Retail Trade I and Building Construction-Specialist Development for a tract of land located at 3001 Memorial Boulevard (State Highway 27); by amending the site plan for the property.

The Ordinance caption was read into record by Shelley McElhannon.

Councilmember Eychner made a motion to approve Ordinance No. 2020-09 second reading, and Councilmember Cochrane seconded. The motion passed 5-0.

3B. Ordinance No. 2020-10. Second reading. An Ordinance repealing Ordinance No. 2009-08, which created a Planned Development District for a tract of land generally located at the southwest corner of Memorial Boulevard (State Highway 27) and Loop 534 (Veterans Hwy) intersection by rezoning the property as a General Commercial District (C-3).

The Ordinance caption was read into record by Shelley McElhannon.

Councilmember Sigerman made a motion to approve Ordinance No. 2020-10 second reading, and Councilmember Clarkson seconded. The motion passed 5-0.

3C. Ordinance No. 2020-11. Second reading. An Ordinance rezoning the property located at 1104 Lois Street from a Single-family Residential Zoning District (R-1) to a Residential Transition Zoning District (RT).

The Ordinance caption was read into record by Shelley McElhannon.

Councilmember Eychner made a motion to approve Ordinance No. 2020-11 second reading, and Councilmember Sigerman seconded. The motion passed 5-0.

3D. Ordinance No. 2020-12. Second reading. An Ordinance repealing Ordinance No. 2006-04, which created a Planned Development District for a tract located between Meeker Road and Beech Street, and rezoning the property as a Medium Density Residential District (R-2).

The Ordinance caption was read into record by Shelley McElhannon.

Councilmember Cochrane made a motion to approve Ordinance No. 2020-12 second reading and Councilmember Clarkson seconded. The motion passed 5-0.

#### **4. CONSIDERATION AND POSSIBLE ACTION:**

4A. Briefing and possible action as to the City's ongoing preparedness and response to COVID-19 (Coronavirus).

Chief Smith and Mark McDaniel presented information and responded to questions. Councilmember Eychner and Councilmember Sigerman provided updates on community services.

#### **5. INFORMATION & DISCUSSION:**

5A. Financial update for the month ended April 30, 2020.

Amy Dozier presented information and responded to questions.

#### **6. BOARD APPOINTMENTS:**

6.A. Appointment of new Joint Airport Board Place #3 member.

The Airport Board nominated Stephen Schmerbeck as the Place #3 member. Councilmember Eychner moved to approve Stephen Schmerbeck as the Place #3 board member on the Airport Board. Councilmember Cochrane seconded, and the motion passed 5-0.

6.B. Appointments to the Food Service Advisory Board.

Three vacancies exists on the Food Service Advisory Board. Councilmember Sigerman moved to reappointment Marino Ortega, appoint Shonna Ebert as a new member, and appoint Marcus Willis as a new member. Councilmember Cochrane seconded, and the motion passed 5-0.

6.C. Appointments to the Parks and Recreation Advisory Board.

Three vacancies exists on the Parks and Recreation Advisory Board. Councilmember Eychner moved to reappoint Lynda Ables, reappoint Celeste Hamman, and reappoint Matt Thurlow. Councilmember Sigerman seconded, and the motion passed 5-0.

Councilmember Cochrane made a motion for City Council to adjourn into closed executive session under 551.072 (deliberation regarding real property) and 551.087 (deliberation regarding economic development negotiations), Chapter 551 of the Texas Government Code, and Councilmember Eychner seconded. The motion passed 5-0.

City Council convened into closed executive session at 7:10 p.m.

#### **7. EXECUTIVE SESSION:**

7.A. Sky Master business development project.

7.B. EIC Property: 300 Peterson Farm Road.

City Council reconvened in open session at 7:35 p.m.



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

Mayor Blackburn reported no action taken during Executive Session.

**ADJOURN.** The meeting adjourned at 7:35 p.m.

APPROVED BY COUNCIL: \_\_\_\_\_

APPROVED:

ATTEST:

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

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



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

**SUBJECT:** The purchase of sport field flood lights for the Kerrville Sports Complex through Musco Sports Lighting, LLC via the Texas BuyBoard, in an amount not to exceed \$268,700.

**AGENDA DATE OF:** June 9, 2020

**DATE SUBMITTED:** May 13, 2020

**SUBMITTED BY:** Ashlea Boyle

**EXHIBITS:** [20200623\\_Buyboard Quote\\_KSC Lights.pdf](#)  
[2020-23 Grant Contract Cailloux Foundation for Kerrville Sports Complex \\$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>
\$268,700	N/A	N/A	N/A

**PAYMENT TO BE MADE TO:** Musco Sports Lighting, LLC

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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>	P5. Focus on enhancing/investing in existing parks, their purpose or repurpose and improving accessibility before acquiring land for new parks
<b>Action Item</b>	N/A

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**SUMMARY STATEMENT:**

In 2020, the City of Kerrville received a generous \$500,000 grant from The Cailloux Foundation specific to capital improvement support for the Kerrville Sports Complex. The grant is split between two payments, \$300,000 in FY 2020 restricted for softball field lighting; and \$200,000 in 2021 for other capital improvement needs. The lower softball pod does not currently have sports field flood lights. The addition of these lights will allow for increased opportunities for evening tournaments and activity, and will add greater flexibility to tournament scheduling and general field play at the Sports Complex overall.

The attached quote was procured from Musco Sports Lighting through the Texas BuyBoard purchasing cooperative, contract number 592-19 in the amount of \$268,700. The proposed lights are consistent and compatible with the existing sports field lighting

infrastructure at the Kerrville Sports Complex, including light hoods and dark sky compliance. The lights will be purchased entirely via the grant funding already received.

This improvement is consistent with Kerrville 2050's guiding principle of focusing on enhancing and investing in existing parks. The grant commitment includes a provision that the sports field lights will be purchased and installed in FY 2020, and the product has an ordering lead time in addition to accounting for installation. The balance of the grant funding is not dedicated to a specific capital improvement at the Sports Complex, but several features are being explored for purchase and installation in FY 2021 possibly including bull pen improvements, additional scoreboards, and playground features. Staff recommends approval of this purchase as presented.

**RECOMMENDED ACTION:**

Authorize purchase of sports field lights for the Kerrville Sports Complex as presented.

Date: April 6, 2020  
To: City of Kerrville

Project: Kerrville Sports Complex Phase 2  
Kerrville, TX  
Ref: 193733

## BuyBoard

Master Project: 196290, Contract Number: 592-19, Expiration: 09/30/2020  
Commodity: Parks and Recreation Equipment and Field Lighting Products and Installation

All purchase orders should note the following:  
BuyBoard purchase – Contract Number: 592-19

### Quotation Price – Materials Delivered to Job Site and Installation

<b>LED: Ball Fields 9, 10 &amp; 11 – 205' x 205' x 205' .....</b>	<b>\$ 303,000</b>
<b>HID: Ball Fields 9, 10 &amp; 11 – 205' x 205' x 205' .....</b>	<b>\$ 268,700</b>

Sales tax and bonding of the equipment are not included.  
Pricing furnished is effective for 90 days unless otherwise noted and is considered confidential.

### Light-Structure System with Total Light Control – TLC for LED™ technology

#### Guaranteed Lighting Performance

- Guaranteed light levels of 50fc Infield / 30fc Outfield and uniformity of 2:1 Infield / 2.5:1 Outfield
- BallTracker™ technology – targeted light, optimizing visibility of the ball in play with no glare in the players typical line-of-sight

#### System Description [Light-Structure System]

- (10) Pre-cast concrete bases with integrated lightning grounding
- (10) Galvanized steel poles
- Factory wired and tested remote electrical component enclosures
- Pole length, factory assembled wire harnesses
- Factory wired poletop luminaire assemblies
- Factory aimed and assembled luminaires, including BallTracker™ luminaires
- UL Listed assemblies

#### Control Systems and Services

- Control-Link® Control and Monitoring system to provide remote on/off and dimming (high/medium/low) control and performance monitoring with 24/7 customer support

#### Operation and Warranty Services

- Reduction of energy and maintenance costs by 40% to 85% over typical 1500W metal halide equipment
- Product assurance and warranty program that covers materials and onsite labor, eliminating 100% of your maintenance costs for 25 years
- Support from Musco's Lighting Services Team – over 170 Musco employees dedicated to operating and maintaining your lighting system



### ***Light-Structure System with Green Generation Lighting® metal halide technology***

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#### **Guaranteed Lighting Performance**

- Guaranteed light levels of 50fc Infield / 30fc Outfield and uniformity of 2:1 Infield / 2.5:1 Outfield

#### **System Description** [Light-Structure System]

- (10) Pre-cast concrete bases with integrated lightning grounding
- (10) Galvanized steel poles
- Factory wired and tested remote electrical component enclosures
- Pole length, factory assembled wire harnesses
- Factory wired poletop luminaire assemblies
- Factory aimed and assembled luminaires
- UL Listed assemblies

#### **Control Systems and Services**

- Control-Link® Control and Monitoring system to provide remote on/off control and performance monitoring with 24/7 customer support

#### **Operation and Warranty Services**

- Reduction of energy and maintenance costs by 40% to 85% over typical 1500W metal halide equipment
- Product assurance and warranty program that covers materials and onsite labor, eliminating 100% of your maintenance costs for 10 years
- Support from Musco's Lighting Services Team – over 170 Musco employees dedicated to operating and maintaining your lighting system

### ***Installation Services Provided***

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[See attached scope of work starting on page 4 of Quote]

### ***Payment Terms***

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Musco's Credit Department will provide payment details.

Email or fax a copy of the Purchase Order to Musco Sports Lighting, LLC:

Musco Sports Lighting, LLC  
Attn: Amanda Hudnut  
Fax: 800-374-6402  
Email: musco.contracts@musco.com

**All purchase orders should note the following:**

**BuyBoard purchase – Contract Number: 592-19**

### ***Delivery Timing***

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Approximately 6 weeks for delivery of materials to the job site from the time of order, submittal approval, and confirmation of order details including voltage, phase, and pole locations.

Due to the built-in custom light control per luminaire, pole locations need to be confirmed prior to production. Changes to pole locations after the product is sent to production could result in additional charges.



### Notes

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Quote is based on:

- Shipment of entire project together to one location.
- 480 Volt, 3 Phase electrical system requirement and to be confirmed prior to production
- Structural code and wind speed = 2015 IBC, 115 mi/h, Exposure C, Importance Factor 1.
- Owner is responsible for getting electrical power to the site, coordination with the utility, and any power company fees.
- Standard soil conditions – rock, bottomless, wet or unsuitable soil may require additional engineering, special installation methods and additional cost.
- Confirmation of pole locations prior to production.

Thank you for considering Musco for your lighting needs. Please contact me with any questions or if you need additional details.

Tim Oordt  
Senior Sales Representative  
Musco Sports Lighting, LLC  
Phone: 512-658-6884  
E-mail: [tim.oordt@musco.com](mailto:tim.oordt@musco.com)



## Kerrville Sports Complex Phase 2 Kerrville, TX Turnkey Scope of Work

### Customer Responsibilities:

1. Complete access to the site for construction using standard 2-wheel drive rubber tire equipment.
2. Locate existing underground utilities not covered by your local utilities. (i.e. water lines, electrical lines, irrigation systems and sprinkler heads). Musco or Subcontractor will not be responsible for repairs to unmarked utilities.
3. Locate and mark field reference points per Musco supplied layout. (i.e. home plate, center of FB field)
4. Customer to pay for extra costs associated with foundation excavation in non-standard soils (rock, caliche, high water table, collapsing holes, etc.). Standard soils are defined as soils that can be excavated using standard earth auguring equipment.
5. Customer responsible for any necessary power company fees and requirements.
6. Customer responsible for all permitting fees (payment). Contractor will obtain the required permitting.
7. Customer to provide area on site for disposal of spoils from foundation excavation and dumpsters.
8. Provide sealed Electrical Plans. (If required)

### Musco Responsibilities:

1. Provide required foundations, poles, electrical enclosures, fixtures, pole harnesses and control cabinets.
2. Provide layout of pole locations and aiming diagram.
3. Provide Project Management as required.
4. Provide stamped foundation designs based on 2500psf soils.
5. Assist our installing subcontractor and assure our responsibilities are satisfied.

### Musco Subcontractor Responsibilities General:

1. Provide labor, equipment and materials to off load equipment at jobsite per scheduled delivery.
2. Provide storage containers for material, (including electrical components enclosures), as needed.
3. Provide necessary waste disposal and daily clean up.
4. Provide adequate security to protect Musco delivered products from theft, vandalism or damage during the installation.
5. Obtain any required permitting.
6. Confirm the existing underground utilities and irrigation systems have been located and are clearly marked in order to avoid damage from construction equipment. Repair any such damage during construction.
7. One hour comprehensive burn of all lights on each zone.
8. Keep all heavy equipment off playing fields when possible. Repair damage to grounds which exceeds that which would be expected. Indentations caused by heavy equipment traveling over dry ground would be an example of expected damage. Ruts and sod damage caused by equipment traveling over wet grounds would be an example of damage requiring repair.
9. Provide startup and aiming as required to provide complete and operating sports lighting system.
10. Installation to commence upon delivery and proceed without interruption until complete. Musco to be immediately notified of any breaks in schedule or delays.

### Musco Subcontractor Responsibilities – Foundations, Poles and Fixtures:

1. Mark and confirm pole locations per the aiming drawing provided. If there are any issues, immediately notify your Musco Project Manager.
2. Provide labor, materials and equipment to install (10) LSS foundations as specified on Layout and per the stamped foundation drawings, if applicable.
3. Remove spoils to owner designated location at jobsite.
4. Provide labor, materials and equipment to assemble Musco TLC-LED fixtures, electrical enclosures, poles and pole harnesses.
5. Provide labor, equipment and materials to erect (10) dressed LSS Poles and aim utilizing the pole alignment beam.

### Musco Subcontractor Responsibilities – Electrical:

1. Provide labor, materials and equipment to install a new 400 amp electrical service panels as required.
2. Provide labor, materials and equipment to install all underground conduit, wiring, pull boxes etc. and terminate wiring as required.
3. Provide as built drawings on completion of installation, **(if required)**.

### Musco Subcontractor Responsibilities – Control System:

1. Provide labor, equipment and materials to install (1) Lighting Contactor Cabinet(s) and terminate all necessary wiring.
2. Provide a dedicated 120v 20amp controls circuit or a stepdown transformer for 120v control circuit if not available.
3. Provide a dedicated 20amp breaker connected to all available phases for powerline communication.
4. Check all Zones to make sure they work in both auto and manual mode.
5. Contractor will commission Control Link by contacting Control Link Central at (877-347-3319).



**THE CAILLOUX FOUNDATION  
GRANT CONTRACT**

GRANTEE: City of Kerrville  
TAX ID NUMBER: 74-6001490  
GRANT NUMBER: 2020025

DATE: April 2, 2020  
AMOUNT: \$500,000.00

PURPOSE: Capital support for improvements to municipal sports complex in Kerrville, TX.

**TERMS AND CONDITIONS:**

The Board of Directors of The Cailloux Foundation has authorized a grant to the City of Kerrville for \$500,000, subject to the Grantee's acceptance of the terms and conditions set forth below.

Grantee agrees that this grant is for the specific purpose(s) of capital improvements at the City of Kerrville Sports Complex as stated in the application to the Foundation. The amount of \$300,000 to be paid in 2020 shall be restricted to softball field lighting. The amount of \$200,000 to be paid in 2021 shall be restricted to capital needs.

Monies received under this agreement should be expended for no other purpose(s) without the express, written approval of The Cailloux Foundation. If for any reason the organization is unable to expend any portion of the grant funds as agreed upon in the contract, contact The Cailloux Foundation immediately.

Grantee agrees that any earnings accruing from these grant funds should be credited to the support of the activity being funded and added to the balance of that account.

Grantee specifically agrees that no part of the funds received from this grant will be used to carry on propaganda, influence legislation, influence the outcome of any specific public election, or carry on, directly or indirectly, any voter registration drive.

Grantee agrees to immediately notify The Cailloux Foundation, in writing, if (i) the Grantee's federal tax exempt status is revoked or altered; (ii) Grantee has reasonable grounds to believe that its tax-exempt status may be revoked or altered; or, (iii) Grantee has reason to believe that these grant monies cannot be or continue to be expended for the specified purpose(s). If Grantee loses its tax-exempt status before all funds under this grant are dispensed, this grant contract will be considered null and void and all obligations of The Cailloux Foundation hereunder will terminate.

Grantee will cooperate with The Cailloux Foundation in supplying additional information or in complying with any procedures which might be required by any governmental agency for The Cailloux Foundation to establish the fact that it has observed all requirements of the law with respect to this grant.

CONTRACT 2020-23



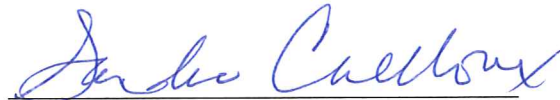
Grantee agrees to provide a progress report for the first grant installment by December 31, 2020 and a final evaluation report within 30 days after all grant funds are expended prior to December 31, 2021. The Cailloux Foundation will provide the grantee with a link to complete these reports online. For this grant, the final report should include a complete list of expenditures. Failure to supply the reports will seriously affect any future grants from the Foundation. Any evaluation pertaining to an active grant must be submitted prior to a new letter of inquiry to the Foundation. Each Cailloux Foundation grant is considered individually and no grant should be construed as a precedent for subsequent gifts.

This grant is conditional upon Grantee's acceptance of the terms and conditions set forth herein and in the accompanying letter of notification of award. The signature on this document of the person(s) authorized to make legal contracts for Grantee will represent Grantee's acceptance of this award and agreement to comply with the stated terms and conditions of this grant.

The undersigned officials of the City of Kerrville have carefully read this contract and agree to the terms and conditions stated herein.

**The Cailloux Foundation**

**City of Kerrville**



Sandra Cailloux, Executive Director



Bill Blackburn, Mayor

4-1-2020  
Date

4/9/20  
Date



Mark McDaniel, City Manager

4/3/20  
Date

CONTRACT 2020-23



RECEIVED

APR 03 2020

BY: \_\_\_\_\_

P.O. Box 291276 • Kerrville, Texas 78029-1276  
Phone (830) 895-5222 • Fax (830) 895-5212

April 1, 2020

Mr. E.A. Hoppe, Deputy City Manager  
City of Kerrville  
701 Main St.  
Kerrville, TX 78028

Dear Mr. Hoppe,

We are pleased to inform you that a multi-year grant in the amount of \$500,000 has been awarded to the City of Kerrville restricted to the Kerrville Sports Complex.

Enclosed are two copies of the grant contract that have been signed on behalf of The Cailloux Foundation, which should be signed by the indicated representatives of the City of Kerrville. Please retain one contract for your records and return the other to the Foundation. After we have received the signed contract we will release the first installment of the grant payment.

Please refer to grant number 2020025 in all communications related to this grant. Our Board of Directors welcomes recognition of this grant. If you plan to publicly acknowledge the grant, please let us know what will be said or written and where it will appear several days in advance. We reserve the right to edit grant recognition verbiage. Thank you for the opportunity to assist your organization. Please do not hesitate to call if you have any questions.

Sincerely,

Kenneth Cailloux  
Chairman of the Board

Enclosure



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

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**SUBJECT:** Briefing on storm events that occurred during the week of May 24th, 2020.

**AGENDA DATE OF:** June 9, 2020

**DATE SUBMITTED:** Jun 04, 2020

**SUBMITTED BY:** Kayla McInturff

**EXHIBITS:**

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

Brief presentation by Deputy City Manager E.A. Hoppe and Director of General Operations Kim Meismer regarding storm events that occurred during the week of May 24th, 2020, damages that occurred to City property, and the clean up efforts of City staff across the community.

**RECOMMENDED ACTION:**

No action required.



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

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**SUBJECT:** Briefing on the City's ongoing preparedness and response to COVID-19 (Coronavirus).

**AGENDA DATE OF:** June 9, 2020

**DATE SUBMITTED:** May 19, 2020

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:**

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

Brief presentation by the City Manager and others regarding on-going response to changing conditions and situations.

**RECOMMENDED ACTION:**

Actions for the preparedness and response to COVID-19 (Coronavirus) circumstances.



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

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**SUBJECT:** Appointment to the Economic Improvement Corporation. (This item is eligible for Executive Session per §551.074).

**AGENDA DATE OF:** June 9, 2020

**DATE SUBMITTED:** May 20, 2020

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20200609\\_Board Appt\\_EIC Roster 5-26-20.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:** 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:**

Three vacancies exist due to terms expiring June 2020.

Members Don Barnett and Margaret Megee are eligible for reappointment.

Three applications have been received: Don Barnett (reappointment) Margaret Megee (reappointment) Kelly Hagemeyer.

**RECOMMENDED ACTION:**

Appoint members.

# ECONOMIC IMPROVEMENT CORPORATION

Name	Term	Start date	End date
Danny Almond	1	28-May-19	1-Jun-21
Kent McKinney	1	9-Jan-18	1-Jun-21
Gregory Richards	1	28-May-19	1-Jun-21
Aaron Yates	1	28-May-19	1-Jun-21
Vacancy			
Vacancy			
Vacancy			

The purpose of the Economic Improvement Corporation is to improve economic prosperity in the City of Kerrville.

Member size: 7

Term limits: 2 terms

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

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

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



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

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**SUBJECT:** Appoint members to the Tax Increment Reinvestment Zone Board of Directors. (This item is eligible for Executive Session per §551.074).

**AGENDA DATE OF:** June 9, 2020

**DATE SUBMITTED:** Dec 04, 2019

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20200225\\_Ordinance 2020-04\\_TIRZ Board of Directors.pdf](#)

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
N/A	N/A	N/A	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 TIRZ Board of Directors will be advisory to the City Council.

Five members require appointment, and one Chair and Vice-Chair appointed from the membership.

Five applications received: Kenneth Early, John Harrison, Pat Murray, Bruce Stracke, and Mindy Wendele.

**RECOMMENDED ACTION:**

Appoint five members to the TIRZ Board of Directors. Appoint the Chair and Vice-Chair.



**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2020-04**

**AN ORDINANCE AMENDING ORDINANCE NO. 2018-19 WHICH CREATED TAX INCREMENT REINVESTMENT ZONE NUMBER ONE, CITY OF KERRVILLE, TEXAS, BY AMENDING THE COMPOSITION OF THE BOARD OF DIRECTORS FOR THE ZONE; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING OTHER MATTERS RELATING TO THIS SUBJECT**

**WHEREAS**, City Council, pursuant to Chapter 311 of the Texas Tax Code as amended (known as the Tax Increment Financing Act and herein referred to as the "Act") and its adoption of Ordinance No. 2018-19, previously designated a geographic area within the City as a tax increment reinvestment zone ("TIRZ"); and

**WHEREAS**, Ordinance No. 2018-19 designated the TIRZ as "Reinvestment Zone Number One, City of Kerrville, Texas" hereinafter referred to as the "Zone"; and

**WHEREAS**, Ordinance No. 2018-19 also created a board of directors ("Board") for the Zone, the Board generally consisting of five (5) members comprised of Councilmembers from Places 1 through 4 and the Mayor, with the Mayor designated as the Chair of the Board; and

**WHEREAS**, City Council now believes it beneficial to amend Ordinance No. 2018-19 to change the possible composition of the Board; and

**WHEREAS**, City Council finds it to be in the public interest to amend Ordinance No. 2018-19 as provided herein;

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

**SECTION ONE.** Section Four of Ordinance No. 2018-19 is amended by adding the language that is underlined (added) and deleting the language that is bracketed and stricken (~~[deleted]~~) as follows:

**"SECTION FOUR. BOARD OF DIRECTORS.** A board of directors for the Zone ("Board") is hereby created. The Board shall consist of five (5) members ~~[comprised of Councilmembers from Places 1 through 4 and the Mayor]~~ appointed by City Council, where such members may include one or more Councilmembers. ~~[The Mayor~~



~~shall serve as chair of the Board and the Board may elect a vice chair and such other officers as the Board sees fit]~~ At the time of its appointments and at any other time, City Council shall designate the Chair and Vice Chair of the Board from among its appointments. The terms of the members are staggered, such that Council will appoint 3 members to terms expiring September 30 of one year. Council will then appoint the remaining 2 members to terms expiring September 30 of the following year. During the early history of the Board and where an appointment is made to fill an unexpired term and, based upon a goal of maintaining staggered terms, Council may appoint a person to a term that is less than two years. However, no appointee shall serve a term longer than two years. All members shall serve until their successors are appointed and qualified, but regardless, each term will exist as a two-year term beginning October 1 and terminating September 30, two years thereafter. Additionally, each taxing unit that levies taxes within the Zone and chooses to contribute all or part of the tax increment produced by the unit into the tax increment fund may appoint one member of the Board. The number of directors on the Board shall be increased by one for each taxing unit that appoints a director to the Board; provided, that the maximum number of directors shall not exceed fifteen (15). The Board shall make recommendations to City Council concerning the administration, management, and operation of the Zone. The Board shall prepare and adopt a project plan and a reinvestment zone financing plan for the Zone and submit such plans to City Council for its approval. The Board shall perform all duties imposed upon it by Chapter 311 of the Texas Tax Code and all other applicable laws. Notwithstanding anything to the contrary herein, the Board, pursuant to Section 311.010 of the Act, is not authorized to (i) issue bonds; (ii) impose taxes or fees; (iii) exercise the power of eminent domain, or (iv) give final approval to the Zone's project plan and financing plan. (For purposes of clarification, City Council is not authorizing the Board to initiate any zoning changes, authorize any changes in land use or modify the procedure to obtain the same, all of which must continue to comply with the ordinances, codes and procedures of the City of Kerrville.)"

**SECTION TWO.** The provisions of this Ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts

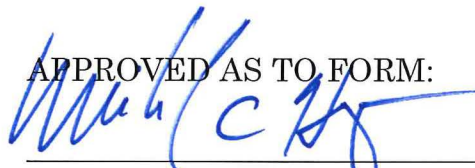
of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

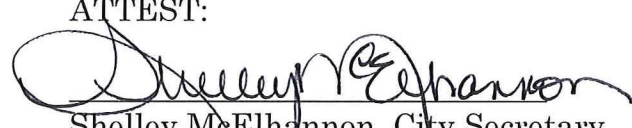
**SECTION THREE.** If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. The Council of the City of Kerrville, Texas hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

**PASSED AND APPROVED ON FIRST READING, this the 14 day of January, A.D., 2020.**

**PASSED AND APPROVED ON SECOND AND FINAL READING, this the 28 day of January, A.D., 2020.**

  
\_\_\_\_\_  
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**

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**SUBJECT:** Appointments to the Zoning Board of Adjustment. (This item is eligible for Executive Session per §551.074).

**AGENDA DATE OF:** June 9, 2020

**DATE SUBMITTED:** Jan 06, 2020

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20200128\\_Board Appointments\\_Zoning Board of Adjustment 2 vacancies.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:**

Two vacancies exist. Four applications received: Mike Asmus, Sam Ligon (reappointment), Bill Morgan, and Jim Sandy.

**RECOMMENDED ACTION:**

Appoint members to the Zoning Board of Adjustment.





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

ZONING BOARD OF ADJUSTMENT		
Meetings to take place at the call of the chairperson		
NAME	EXP	TERM#
Robert Irvin	09/30/20	1
Pablo Brinkman	09/30/20	1
Paul Zohlen	09/30/20	1
Vacant	09/30/19	
Vacant	09/30/19	
Alternate: Katherine Marlow	09/30/20	0
Alternate: Ernest Garza	09/30/20	0

City Staff: Drew Paxton, Planning Director

Qualifications: The board shall be composed of five members all of whom shall be residents and qualified voters of the city of Kerrville.

Alternate Members: Two alternate members will be appointed who shall be qualified voters of the city to serve concurrent terms as the regular members. The alternate members will serve on the board in place of an absent member when requested to do so by the chairperson of the board so that all cases to be heard by the board shall always be heard by a minimum of four members

Powers and Duties: 1. The board shall hear and decide an appeal that alleges an error in any order, decision, or determination made by an administrative official of the city in the interpretation or enforcement of Chapter 211 of the Texas Local Government Code, as amended, or the zoning code. 2. The board shall grant, upon written request, variances from the height, yard, area, coverage, floor-to-area, and buffering regulations and required number of parking and loading spaces prescribed by the zoning code, which variances are not contrary to the public interest, and which, because of special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.

Term of Office: 3 Consecutive full terms without having at least one full year off between terms.

Number of Members: Five with two alternates Quorum: Three

Meeting Time and Place: At the call of the chairperson and at such other times as the members of the board shall determine.

Established By: Ord 1997-07

\* Appointed as alternate

\*\*Appointed as full member