

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

**TUESDAY, OCTOBER 26, 2021, 6:00 P.M.**

**ARCADIA THEATER**

**717 WATER STREET, KERRVILLE, TEXAS**

## **The Community Vision**

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

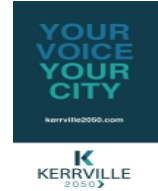
- *Respects and protects the natural environment that surrounds it;*
- *Seeks to attract economic growth and development;*
- *Provides opportunities for prosperity, personal enrichment and intellectual growth for people of all ages; and*
- *Does so while preserving the small-town charm, heritage, arts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



Kerrville2050



**CITY COUNCIL AGENDA**  
**OCTOBER 26, 2021, 6:00 PM**  
**ARCADIA THEATER**  
**717 WATER STREET, KERRVILLE, TEXAS**



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***Council Meeting Procedures, City Council and City Staff Safety Measures, and  
Citizen Participation Guidelines***

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. Taking this into account and due to the recent increase of Coronavirus positive cases in Kerr County, standard safety protocols will be observed by City Council, City staff, and citizens/visitors attending the meeting. Masks are voluntary and highly encouraged. Six-foot distance seating will be observed and visitor seating will be designated.

Citizens may view and hear 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.

Citizens wishing to speak during a meeting shall submit a completed "speaker request form" to the City Secretary before the item is introduced, but are encouraged to submit the form before the meetings begin. Each speaker is limited to four minutes.

Written comments will be accepted for any agenda items. Comments must include a person's first and last name, address, and identify the item for comment. Written comments may be emailed to [shelley.mcelhannon@kerrvilletx.gov](mailto:shelley.mcelhannon@kerrvilletx.gov) and must be received by 3:00 pm the afternoon of the Council meeting. In addition, anyone may email Councilmembers via City email addresses specified on the City's website.

Thank you for your participation!

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**CALL TO ORDER:**

*Mayor Bill Blackburn.*

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

*Led by Councilmember Judy 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 PRESENTATIONS:**





- 2.A. Proclamation recognizing October 2021 as Fire Prevention month.
- 2.B. Certificate of Recognition to the Public Works Streets Division on receiving the 2021 Texas Asphalt Paving Association "Quality Asphalt Pavement Award".

**3 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. The speaker request form must be submitted to the City Secretary before the item is called or read into record. City Council may not discuss or take any action on an item but may place the issue on a future agenda. Each speaker is limited to four minutes.*

#### **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:*

-  KERRVILLE 2050 4.A. Resolution No. 44-2021. A Resolution amending Resolution No. 28-2019, which recreated the Kerrville Main Street Advisory Board; by revising the membership qualifications to authorize property or business owners within the Main Street area to submit the name of a representative for membership to the Board.  
Attachment:  
[20211026\\_Resolution\\_44-2021 amending membership Kerrville Main Street.pdf](#)
-  KERRVILLE 2050 4.B. Resolution No. 49-2021. A Resolution authorizing the filing of an application with the Alamo Area Council of Governments (AACOG) for a 2022/2023 Solid Waste Pass-Through Grant.  
Attachment:  
[20211026\\_Resolution\\_49-2021 AACOG Solid Waste Pass Through Grant 2022-2023.pdf](#)
-  KERRVILLE 2050 4.C. Subscription License and Maintenance Agreement between the City and Tyler Technologies, Inc. in the amount of \$108,771.00 over three years, to support the Police Department's computer aided dispatch and records management systems.
- 4.D. Memorandum of Understanding for the "Handle with Care Program" between the Kerrville Police Department and Kerrville Independent School District.  
Attachment:  
[20211026\\_MOU with KISD\\_Handle with Care.pdf](#)
-  KERRVILLE 2050 4.E. Amendment to Economic Development Incentive Agreement between Kerrville's 4th on the River (dba Arcadia Live!) and the City of Kerrville, Texas, Economic Improvement Corporation.  
Attachment:  
[20211026\\_Amendment\\_EIC Agreement\\_4th on the River.pdf](#)
- 4.F. Minutes for the City Council workshop held October 12, 2021.  
Attachment:  
[20211026\\_Minutes\\_CC workshop 10-12-21 4pm.pdf](#)
- 4.G. Minutes for the City Council meeting held October 12, 2021.  
Attachment:  
[20211026\\_Minutes\\_CC meeting 10-12-21 6pm.pdf](#)
- 4.H. Minutes for the City Council special-called meeting held October 14, 2021.  
Attachment:  
[20211026\\_Minutes\\_CC special-called 10-14-21 9am.pdf](#)

#### **END OF CONSENT AGENDA.**

-  KERRVILLE 2050 **5 PUBLIC HEARINGS:**
- 5.A. Public Hearing for Knapp Force Main and Interceptor Improvements Project Environmental Information Document (EID) as required by the Texas Water Development Board Funding Application.

#### **6 ORDINANCES, SECOND READING:**

- 6.A. Ordinance No. 2021-27, second reading. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas, such Chapter more commonly known as the City's Zoning Code; by changing the zoning of a .71 acre property currently addressed as 1478 State Highway 173 (Bandera Hwy): consisting of part of Lot 1 of the Overlook Hill Subdivision; within the City of Kerrville, Kerr County, Texas; from a neighborhood Commercial Zoning District (C-1) to a Single Family Residential Zoning District (R-1); and providing other matters relating to the subject.  
Attachment:  
[20211026\\_Ordinance 2021-27 Zone change 1428 State Hwy 173 second reading.pdf](#)

-  **7** **CONSIDERATION AND POSSIBLE ACTION:**  
KERRVILLE 7.A. Street Maintenance Program update, and Professional Services Agreement with 6S Engineering, Inc. for the 2022 Fiscal Year Street Maintenance projects in the amount of \$89,000.00.
-  KERRVILLE 7.B. Construction Agreement with M&C Fonseca Construction Co., Inc. for the Take-It-Easy RV Drainage project in an amount of \$1,768,775.00.  
Attachments:  
[20211026\\_Bid\\_Take-It-Easy RV Drainage Bid Results.pdf](#)  
[20211026\\_Letter\\_Hewitt Engineering Recommendation of Award - M&C Fonseca.pdf](#)
-  KERRVILLE 7.C. Public Safety Facility update, and Resolution No. 48-2021. A Resolution creating a Public Safety Facility Bond Committee and appointing its members for the purpose of analyzing the feasibility of developing a Public Safety Facility and financing such through the issuance of General Obligation Bonds.  
Attachment:  
[20211026\\_Resolution\\_48-2021 Public Safety Facility Bond Committee.pdf](#)
-  KERRVILLE 7.D. Professional Services Agreement with Randall Scott Architects in regards to facilitation of a citizen Public Safety Facility Bond Committee, and feasibility analysis of a potential Public Safety Complex.

**8** **INFORMATION & DISCUSSION:**

- 8.A. Financial Report.  
Attachment:  
[10262021\\_Financial Report.pdf](#)
- 8.B. City's ongoing preparedness and response to COVID-19 (Coronavirus), and review of Declaration of local state of disaster due to a public health emergency, March 20, 2020.

-  **9** **BOARD APPOINTMENTS:**  
KERRVILLE 9.A. Appointment to the Main Street Advisory Board.  
Attachment:  
[20211026\\_Roster\\_Main Street.pdf](#)

**10** **EXECUTIVE SESSION:**

*City Council may, as permitted by law, adjourn into executive session at any time to discuss any matter listed above 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.*

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

**12** **ITEMS FOR FUTURE AGENDAS:**

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

**ADJOURN.**





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

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**SUBJECT:** Proclamation recognizing October 2021 as Fire Prevention month.

**AGENDA DATE OF:** October 26, 2021      **DATE SUBMITTED:** Oct 14, 2021

**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:**

Recognizing October 2021 as Fire Prevention month in the City of Kerrville.

**RECOMMENDED ACTION:**

Present proclamation.



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

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**SUBJECT:** Certificate of Recognition to the Public Works Streets Division on receiving the 2021 Texas Asphalt Paving Association "Quality Asphalt Pavement Award".

**AGENDA DATE OF:** October 26, 2021      **DATE SUBMITTED:** Oct 14, 2021

**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:**

The Public Works Streets Division achieved this honor from the Texas Asphalt Paving Association (TXAPA) for outstanding work done on Third Street, from Travis Street to Tivy Street. City staff nominated this project to the TXAPA, which received nominations from Cities throughout the State of Texas. Paving professionals evaluate and rate asphalt projects based on production, placement, and quality assurance. Streets Division Managers Joel Meyners and Brandon Kelly exemplify great leadership, and their staff performs at levels that guarantee excellence. The Streets Division is a valued asset to the Kerrville community, and receiving this TXAPA achievement has earned this recognition.

**RECOMMENDED ACTION:**

Present certificate of recognition.



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

**SUBJECT:** Resolution No. 44-2021. A Resolution amending Resolution No. 28-2019, which recreated the Kerrville Main Street Advisory Board; by revising the membership qualifications to authorize property or business owners within the Main Street area to submit the name of a representative for membership to the Board.

**AGENDA DATE OF:** October 26, 2021      **DATE SUBMITTED:** Oct 14, 2021

**SUBMITTED BY:** Megan Folkerts

**EXHIBITS:** [20211026\\_Resolution\\_44-2021 amending membership Kerrville Main Street.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>	Yes
<b>Key Priority Area</b>	D - Downtown Revitalization
<b>Guiding Principle</b>	D6. Promote preservation and reinvestment in single-family and historic components in the areas around and near Downtown
<b>Action Item</b>	D3.1 - Create a public-private advocacy group or partnership of the City and Downtown property owners/tenants

**SUMMARY STATEMENT:**

The Main Street Advisory Board during its first official meeting on November 20, 2019 recommended the following language be included within their proposed By-Laws under Article IV, Section 2 as follows: "Members must own Property or a Business within the Main Street District." City Council requested an amendment to allow for Downtown business/property owners to endorse a high level member of their staff to represent their organization and voice within the Main Street Advisory Board. We believe this will increase communication and collaboration amongst the downtown organizations to encourage a unified effort in preservation and revitalization, as identified in Kerrville 2050, for the betterment of Kerrville's Downtown.

**RECOMMENDED ACTION:**

Approve Resolution No. 44-2021.

**CITY OF KERRVILLE, TEXAS  
RESOLUTION NO. 44-2021**

**A RESOLUTION AMENDING RESOLUTION NO. 28-2019, WHICH RECREATED THE KERRVILLE MAIN STREET ADVISORY BOARD; BY REVISING THE MEMBERSHIP QUALIFICATIONS TO AUTHORIZE PROPERTY OR BUSINESS OWNERS WITHIN THE MAIN STREET AREA TO SUBMIT THE NAME OF A REPRESENTATIVE FOR MEMBERSHIP TO THE BOARD**

**WHEREAS**, City Council, by its adoption of Resolution No. 28-2019, recreated the Kerrville Main Street Advisory Board ("Board"); and

**WHEREAS**, City Council appoints members to the Board, and each member must currently be a property or business owner within the Main Street area; and

**WHEREAS**, after a recent discussion concerning appointments to this Board, City Council expressed interest in revising Resolution No. 28-2019 to authorize such property and business owners to nominate a representative, a person associated with their property or business, to serve on the Board; and

**WHEREAS**, City Council now wishes to amend Resolution No. 28-2019 to authorize property or business owners to submit the name of a representative for Council's consideration and appointment to the Board; and

**WHEREAS**, City Council believes it to be in the public interest to revise the membership qualification for the Board as provided below;

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

**SECTION ONE.** City Council amends Section One of Resolution No. 28-2019, to revise the qualifications necessary for consideration of appointment to the Board, such language indicated by underline (added) as follows:

**"SECTION ONE.** City Council hereby creates the Kerrville Main Street Advisory Board of the City of Kerrville, Texas ("Board"), which shall consist of seven (7) members at-large. In addition, a member of the Historic Downtown Business Alliance (HDBA) and a board of director of the Tax Increment Reinvestment Zone Number One, City of Kerrville (TIRZ No. 1), each to be appointed by their respective boards, shall be ex officio members of the Board, without voting privileges, and shall act in an advisory capacity to the Board. Members must be

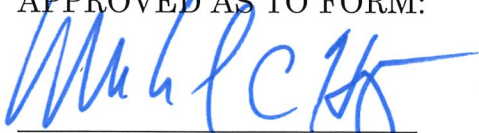
property or business owners within the designated Main Street boundaries, also known as Reinvestment Zone Number One, City of Kerrville, Texas, which is more specifically described in **Exhibit A** of this Resolution, and must reside within Kerr County. In addition, a property or business owner may submit the name of a representative to be considered for appointment to the Board. However, such representative must be associated with the respective property or business, which sufficiency shall be solely determined by Council. For example, the representative may be a tenant of the owner or a manager of the business. Where such relationship ceases to exist, any such representative appointed to the Board shall have immediately resigned his or her position on the Board. Each member shall be a voting member and is subject to a two-year term; provided, however, that at the Board's initial meeting to recreate the Board, the members shall draw lots to establish the duration of the initial terms, with three members serving an initial term of one year and the remaining four members serving a full, two-year term. The expiration date of all terms shall be August 31 of each year. The initial one-year terms would therefore expire August 31, 2020; and the terms of the remaining four members to expire August 31, 2021."

**SECTION TWO.** Other than the amendment described above, Resolution No. 28-2019 remains in full force and effect.

**PASSED AND APPROVED ON this the \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2021.**

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

APPROVED AS TO FORM:



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

ATTEST:

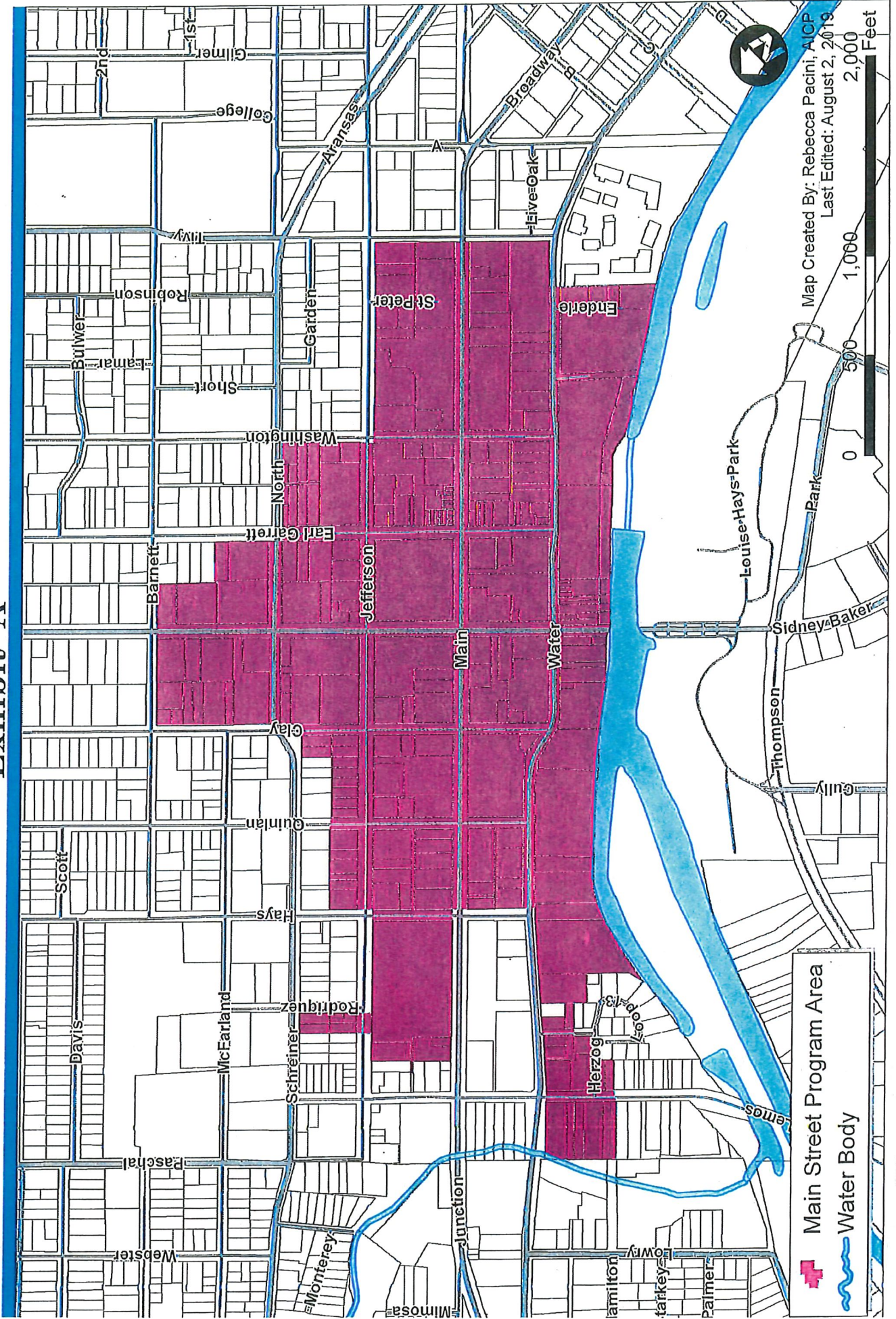
\_\_\_\_\_  
Shelley McElhannon, City Secretary





# Proposed Main Street Program Area

## Exhibit "A"







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

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**SUBJECT:** Resolution No. 49-2021. A Resolution authorizing the filing of an application with the Alamo Area Council of Governments (AACOG) for a 2022/2023 Solid Waste Pass-Through Grant.

**AGENDA DATE OF:** October 26, 2021      **DATE SUBMITTED:** Oct 15, 2021

**SUBMITTED BY:** David Barrera

**EXHIBITS:** [20211026\\_Resolution\\_49-2021 AACOG Solid Waste Pass Through Grant 2022-2023.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>	Yes
<b>Key Priority Area</b>	F - Public Facilities and Services
<b>Guiding Principle</b>	F4. Support responsible long-range waste management policies and practices
<b>Action Item</b>	F8.2 - Encourage the public to get involved in clean-up efforts in their areas

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**SUMMARY STATEMENT:**

The Public Works Department, Solid Waste Division would like to apply for a reimbursable grant through AACOG. AACOG funds programs that support its goals for waste reduction by awarding grants. If awarded, the funds would be used to host a Household Hazardous Waste collection event. In addition, other programs may be funded that pertain to illegal dumping and clean up events.

AACOG allocates funds from solid waste fees paid to the Texas Commission on Environmental Quality. Currently, applications are being accepted for Fiscal Years 2022 and 2023.

**RECOMMENDED ACTION:**

Approve Resolution No. 49-2021.

**CITY OF KERRVILLE, TEXAS  
RESOLUTION NO. 49-2021**

**A RESOLUTION AUTHORIZING THE FILING OF AN  
APPLICATION WITH THE ALAMO AREA COUNCIL OF  
GOVERNMENTS FOR A 2022/2023 SOLID WASTE PASS  
THROUGH GRANT**

**WHEREAS**, the Alamo Area Council of Governments ("AACOG") is directed by the Texas Commission on Environmental Quality to administer solid waste grant funds for implementation of AACOG's adopted regional solid waste management plan; and

**WHEREAS**, the City of Kerrville is qualified to apply for grant funds; and

**WHEREAS**, the City Council of the City of Kerrville, Texas, finds it to be in the public interest to authorize the filing of a grant application with AACOG that if awarded will be utilized by the City to purchase equipment and/or services to help improve the City's solid waste management service;

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

**SECTION ONE.** The City Council of the City of Kerrville, Texas, authorizes the City Manager, or designee, to request grant funding under the Alamo Area Council of Governments 2022/2023 Solid Waste Pass Through Grant and act on behalf of the City in all matters related to the grant application.

**SECTION TWO.** If the grant is awarded, City will comply with the grant requirements of AACOG, the Texas Commission on Environmental Quality and the State of Texas; the grant funds and any grant-funded equipment will be used only for those purposes specified under the grant; and, the activities will comply with and support the adopted regional and local solid waste management plans adopted for the City's geographical area in which the activities will be performed.

**PASSED AND APPROVED ON this the \_\_\_\_ day of \_\_\_\_\_, A.D., 2021.**

ATTEST:

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

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

APPROVED AS TO FORM:

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



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

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**SUBJECT:** Subscription License and Maintenance Agreement between the City and Tyler Technologies, Inc. in the amount of \$108,771.00 over three years, to support the Police Department's computer aided dispatch and records management systems.

**AGENDA DATE OF:** October 26, 2021      **DATE SUBMITTED:** Oct 08, 2021

**SUBMITTED BY:** Chris McCall

**EXHIBITS:**

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$36,257 annually for 3 years-- Total Contract \$108,771	\$97,141	\$46.091	01-0113-2300

**PAYMENT TO BE MADE TO:** Tyler Technology

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<b>Kerrville 2050 Item?</b>	Yes
<b>Key Priority Area</b>	F - Public Facilities and Services
<b>Guiding Principle</b>	F2. Place the highest priority on public safety (police, fire, EMS).
<b>Action Item</b>	

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**SUMMARY STATEMENT:**

A contract with Tyler Technologies to continue to provide support and licensing for the Kerrville Police Department's Computer Aided Dispatch and Records Management Systems. This agreement comes at a cost of \$36,257 annually for a period of three years. The total cost of the term of the contract will be \$108,771. This will continue to allow KPD to operate the existing Tyler CAD/RMS system in use and provides technical support and updating for the system over the contract period. A full copy of the draft contract is available for viewing in the City Secretary Office.

**RECOMMENDED ACTION:**

Authorize the City Manager to finalize and execute the 3 year contract with Tyler Technologies.



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

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**SUBJECT:** Memorandum of Understanding for the "Handle with Care Program" between the Kerrville Police Department and Kerrville Independent School District.

**AGENDA DATE OF:** October 26, 2021      **DATE SUBMITTED:** Oct 08, 2021

**SUBMITTED BY:** Chris McCall

**EXHIBITS:** [20211026\\_MOU with KISD\\_Handle with Care.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>	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 is a memorandum of understanding between the Kerrville Police Department and the KISD that encourages the notification of the schools when a child may have been encountered during an extraordinary or traumatic event outside of the school day. The Handle With Care program entails KPD officers notifying KISD through a confidential notification when a KISD's student(s) may experience a traumatic event that requires police involvement in the community. The school's trained staff would then provide the appropriate care to the student at the school following the incident.

**RECOMMENDED ACTION:**

Recommend approval of an MOU between the KPD and KISD for the "Handle with Care Program".

MEMORANDUM OF UNDERSTANDING  
Between the Kerrville Police Department and  
Kerrville Independent School District

This Memorandum of Understanding (the “Agreement”) is entered into by and between the Kerrville Independent School District (“KISD”) and the Kerrville Police Department (“KPS”), the City of Kerrville’s municipal police agency. KISD and KPD may be referred to collectively as the “Parties.”

I. Statement of Purpose

- 1.1. KISD is committed to providing every student the best education and instruction it can provide, which includes eliminating barriers to their successful education.
- 1.2. KISD has students who are experiencing extraordinary and traumatic events outside of the school day that involve the justice system and policing.
- 1.3. In order to participate in the Handle With Care program the KISD will partner with KPD through this Memorandum of Understanding.
- 1.4. The best interests of KISD’s trauma-affected students will be served by the mutual support of KISD and KPD as described herein.
- 1.5. The Handle With Care program entails KPD officers notifying KISD through a confidential notification when a KISD’s student(s) may experience a traumatic event that requires police involvement in the community. The school’s trained staff would then provide the appropriate care to the student at the school following the incident.
- 1.6. A traumatic event shall be construed broadly and by way of example and not by way of limitation, shall mean and include any event where a child is a victim or witness, experiences or is involved in, or is questioned relative to, any of the following: the abuse of a family member, loved one, or pet; abuse or neglect; child custody, visitation or support or other domestic relations controversy where there is law enforcement intervention; community violence; the commission of a crime; loss of a family member or friend; an overdose; the arrest of a family member; homelessness; mental illness and/or substance abuse by a parent or caregiver; incarceration of a parent or family member; or similar acts or experiences. Should a law enforcement officer be uncertain as to whether an event is a traumatic event, judgment should be exercised in favor of labeling it traumatic.

## II. KISD Obligations

KISD agrees to provide the following if the purposes identified above continue to be met and the appropriate controls continue to be implemented.

- 2.1 KISD shall utilize current staff members and resources to operate and facilitate information distribution.
- 2.2 KISD will be responsible for distributing the KPD notifications to KISD school campus principals and the designated point(s) of contact.
- 2.3 KISD, within its discretion, shall identify and provide to identified students who are exhibiting behaviors that are not consistent with their normal manner additional supports – such as postponing a test, accepting a missed assignment, or allowing the student to rest if they are having a hard time focusing – without addressing the incident with the child.

## III. KPD Obligations

KPD agrees to provide the following provided that the purposes identified above continue to be met and the appropriate controls continue to be implemented.

- 3.1 KPD shall serve as the point of contact for notifications delivered to KISD.
- 3.2 KPD will send KISD notification emails to [@kerrvilleisd.net](mailto:@kerrvilleisd.net) with the “Handle with Care” in the subject line and the following data
  - a. Student name
  - b. Student age
  - c. Student grade
  - d. Student school name

No other information shall be provided regarding the subject or result of the traumatic event.

## IV. Terms and Termination

- 4.1 This Agreement shall become effective upon execution by the Parties and will remain in effect through the 2021-2022 school year unless extension or earlier termination shall occur pursuant to the terms of this Agreement. This Agreement may be renewed by mutual consent of the Parties for up to two (2) successive one (1) year terms (each, a “Renewal Term”). Any Renewal Term(s) shall be in writing, and signed by the Parties.



- 4.2 KPD and KISD understand and mutually agree that this Agreement may be terminated by either party upon giving thirty (30) days' written notice to the other party. Notice is said to be given when the written notice is received by the other party.

V. Amendment

- 5.1 No amendment, modification, or alteration of the terms of this Agreement shall be binding unless the same be in writing, dated subsequent to the date hereof, and duly executed and mutually agreed to by the Parties.
- 5.2 Additional law enforcement or fire agencies may become parties to this Agreement with the agreement of KISD.

VI. Indemnity

- 6.1 KPD and KISD acknowledge that they are governmental entities and that neither party indemnifies the other party. KPD and KISD agree and acknowledge that each entity is not an agent of the other entity and that each entity is responsible for its own acts, forbearance, negligence and deeds, and those of its agents or employees in conjunction with the performance of work covered under this Agreement. KPD and KISD agree that each entity shall be responsible for any liability or damages of its personnel. The Parties agree, however, to notify the other party if they are provided notice of a lawsuit or potential lawsuit related in any manner to this Agreement between the Parties.
- 6.2 NOTWITHSTANDING ANYTHING TO THE CONTRARY IN THIS AGREEMENT, THE PARTIES ACKNOWLEDGE, STIPULATE, AND AGREE THAT NOTHING IN THIS AGREEMENT SHALL BE CONSTRUED AS A WAIVER OF ANY DEFENSE AVAILABLE TO THE PARTIES, INCLUDING, BUT NOT LIMITED TO, ANY STATUTORY OR GOVERNMENTAL IMMUNITY AVAILABLE TO THE PARTIES UNDER APPLICABLE LAW.

## VII. Notices

- 7.1 For purposes of this Agreement, all official communications and notices between the Parties shall be deemed sufficient if in writing and delivered in person and/or mailed, postage prepaid, or faxed to the addresses set forth below on attached signature pages:

**KISD**

Attn: Wade Ivy  
Kerrville Ind. School Dist.  
1009 Barnett St  
Kerrville, TX 78028  
Phone: (830) 257-2200  
Facsimile: (830) 257-2249

**KPD**

Attn: School Resource Officer Supervisor  
Kerrville Police Department  
429 Sidney Baker  
Kerrville, Texas 78028  
Phone: (830) 258-8181  
Facsimile: (830) 792-2702

## VIII. Miscellaneous Terms

- 8.1 Full Agreement. This Agreement constitutes the final and entire agreement between the Parties hereto and contains all of the terms and conditions agreed upon. No other agreements, oral or otherwise, regarding the subject matter of the Agreement shall be deemed to exist or to bind the Parties hereto unless same be in writing, dated subsequent to the date hereof, and duly executed by the Parties.
- 8.2 Authority. The signers of this Agreement, by placing their respective signatures below, represent and warrant that they have full authority to execute this Agreement on behalf of the Respective party each represents.
- 8.3 Severability. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions thereof and this Agreement shall be construed as if such invalid, illegal or unenforceable provisions had never been contained herein. The Parties further agree that in lieu of each clause or provision of this Agreement that is invalid, illegal, or unenforceable, there be added as a part of the Agreement a clause or provision as similar in terms to be invalid, illegal or unenforceable clause or provision as may be possible, legal, valid and enforceable.
- 8.4 Captions. The captions contained in this Agreement are for convenience of reference only, and in no way limit or enlarge the terms or conditions of this Agreement.

8.5 Law of State to Govern. The validity, enforceability and interpretation of any provision of this Agreement will be determined and governed by the substantive and procedural laws of the State of Texas. The Parties further agree that any action or proceeding brought to enforce the terms and conditions of this Agreement shall be maintained in Kerr County, Texas.

8.6 Defense and Immunity: Notwithstanding any expressed or implied statement elsewhere in this Memorandum, each party hereto fully retains all defenses, immunities, and affirmative defenses accorded to it now or in the future by state or federal constitution, statute, administrative regulation, equity, or common law.

Executed on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Kerrville ISD

City of Kerrville

\_\_\_\_\_  
Wade Ivy  
Asst. Superintendent, Admin.  
and Human Resources

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

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
William Tatsch, Assistant City Attorney



**TO BE CONSIDERED BY  
ECONOMIC IMPROVEMENT CORPORATION  
CITY OF KERRVILLE, TEXAS**



**SUBJECT:** Amendment to Economic Development Incentive Agreement between Kerrville's 4th on the River (dba Arcadia Live!) and the City of Kerrville, Texas, Economic Improvement Corporation.

**AGENDA DATE OF:** October 26, 2021      **DATE SUBMITTED:** Oct 19, 2021

**SUBMITTED BY:** EA Hoppe

**EXHIBITS:** [20211026\\_Amendment\\_EIC Agreement\\_4th on the River.pdf](#)

<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

<b>Kerrville 2050 Item?</b>	Yes
<b>Key Priority Area</b>	D - Downtown Revitalization
<b>Guiding Principle</b>	D1. Create a "living room" for the community and a "front door" for visitors—a full-service destination that attracts anchor uses and increased residential and mixed-use development.
<b>Action Item</b>	D1.6 - Support new anchors in the Downtown, such as the A. C. Schreiner Mansion or the Arcadia, to increase public and visitor traffic

**SUMMARY STATEMENT:**

The Arcadia Theater located in Downtown Kerrville along Water Street was acquired by the non-profit entity, Kerrville 4th on the River. The non-profit conducted a renovation of the facility in order to utilize the building for live music and other performances. These performances have a catalyzing effect for Downtown Kerrville and its merchants by increasing patron foot traffic in the area. The scale and quality of the performances have an effect of drawing patrons from outside the local market, enhancing local tourism industry and hotel occupancy rates.

Supporting the conversion of the Arcadia Theater to a live music event venue was

identified as a specific Action Item in the Kerrville 2050 Comprehensive Plan under the Downtown Revitalization Guiding Principal of creating a "living room" for the community and a "front door" for visitors - a full service destination that attracts anchor uses.

On June 25, 2019, City Council approved the Economic Development Incentive Agreement between Kerrville's 4th on the River, Inc. (KFOR) and the City of Kerrville, Texas, Economic Improvement Corporation (EIC).

Due to a number of factors, the renovation of the facility exceeded the original cost estimates presented to the EIC. As such, the EIC finds that it will be in the public interest to amend the Agreement, and provide KFOR an "Additional Grant" not to exceed Four Hundred Thousand and No/100 Dollars (\$400,000.00).

**RECOMMENDED ACTION:**

The Economic Improvement Corporation finds that it will be in the public interest to amend the Agreement, and provide KFOR an "Additional Grant" not to exceed Four Hundred Thousand and No/100 Dollars (\$400,000.00), and recommends approval of Agreement as presented.

**AMENDMENT TO ECONOMIC DEVELOPMENT  
INCENTIVE AGREEMENT BETWEEN  
KERRVILLE'S 4TH ON THE RIVER AND THE CITY  
OF KERRVILLE, TEXAS, ECONOMIC  
IMPROVEMENT CORPORATION**

This Amendment to Economic Development Incentive Agreement ("Amendment") is entered into as of the Effective Date by and between Arcadia Live, Inc., a Texas non-profit corporation, dba **KERRVILLE'S 4TH ON THE RIVER** ("KFOR"), and the **CITY OF KERRVILLE, TEXAS, ECONOMIC IMPROVEMENT CORPORATION** ("EIC"), a Type B Economic Development Corporation established pursuant to Chapters 501, 502, and 505 of the Texas Local Government Code, as amended (*i.e.*, the Development Corporation Act and hereafter referred to as "the Act"), each acting by and through their duly authorized officers. KFOR and EIC are sometimes collectively referred to herein as "Parties" and individually as "Party".

**WITNESSETH:**

**WHEREAS**, the Parties entered into an Economic Development Incentive Agreement dated July 2, 2019 (the "Agreement") related to the Arcadia Theater in downtown Kerrville ("Arcadia"); and

**WHEREAS**, over the past several years, KFOR has remodeled the Arcadia and now operates it as a successful venue for live music performances, other forms of entertainment, and public events; and

**WHEREAS**, KFOR now seeks additional funding from the EIC to assist with the reduction of debt incurred during remodeling as a result of unexpected cost overruns related to unknown theater conditions and delays from the COVID-19 pandemic; and

**WHEREAS**, EIC has determined that such a grant complies with the Act and is in keeping with the mission of EIC and *City of Kerrville Economic Improvement Corporation 4B Sales Tax Funding Request Guidelines and Procedures* in that it will enhance the "quality of life" within the community; and

**WHEREAS**, on October 25, 2021, in a meeting that was open to the public in accordance with the Texas Open Meetings Act, EIC held a hearing related to the proposed expenditure of 4B Revenues for the purposes provided above;

**WHEREAS**, EIC finds that it will be in the public interest to amend the Agreement to provide an additional grant of 4B Revenues (as defined in the Agreement) to KFOR; and



**NOW THEREFORE**, for and in consideration of the recitals set forth above and the promises made herein, KFOR and EIC agree that the Agreement is amended as follows:

1. The capitalized terms in this Amendment have the meaning set forth in the Agreement unless the context clearly indicates otherwise.

2. “*Additional Grant*” is added as a definition under Article I of the Agreement and means an amount not to exceed Four Hundred Thousand and No/100 Dollars (\$400,000.00) paid by EIC to KFOR in installments as provided in this Amendment.

3. Article II of the Agreement is amended to extend its term so that it terminates on the earlier of:

- (a) December 31, 2024;
- (b) when terminated by mutual agreement of the Parties;
- (c) when terminated pursuant to Articles VIII or IX (of the Agreement); or
- (d) at KFOR’s sole and absolute discretion, upon KFOR’s return of both the Grant and Additional Grant, or the portion of each that it has received, to EIC.

4. Article III of the Agreement is amended whereby EIC shall provide, subject to the conditions specified herein, KFOR with an amount up to and not to exceed the Additional Grant. EIC shall administer the Additional Grant to KFOR in two payments. An initial payment of \$200,000.00 is payable to KFOR within sixty (60) days of the Kerrville City Council’s approval of this Amendment. Thereafter, KFOR may seek an additional, one-time payment of up to \$200,000.00 if it provides EIC with appropriate evidence, to be reviewed and approved by EIC in its sole discretion, that KFOR possesses or controls matching funds (received on or after October 25, 2021, along with evidence of proof of such) in an amount up to \$200,000.00. After its approval of the matching funds, EIC shall match the requested funds from KFOR dollar-for-dollar up to \$200,000.00. The matching funds from KFOR may not include any funds received from memberships, performance sponsorships, or general operational revenues of KFOR. KFOR may make its one-time request for additional funds on or after January 1, 2022, and must include the submission of the evidence specified above. Thereafter, the EIC shall have thirty (30) days to respond to KFOR. KFOR must submit its request for matching funds on or before December 31, 2022.

5. Section IV of the Agreement is amended by adding a new section 4.10 as follows:

**“4.10 Additional Consideration.**

(a) KFOR shall publicly acknowledge the partnership and financial contributions of the EIC and City of Kerrville in all written materials, displays, and announcements wherever KFOR is acknowledging similar contributions. This obligation shall extend beyond the termination of this Agreement.

(b) KFOR shall take commercially reasonable efforts to increase the number of ‘national scale’ shows and events that draw at least 300 attendees.”

6. The obligation of EIC to provide the Additional Grant and the right of KFOR to retain the Additional Grant without an obligation to repay all or any portion of the Additional Grant to EIC shall be conditioned upon continued compliance with, and satisfaction of, each of the terms and conditions of the Agreement and this Amendment.

7. Section 4.6, subsection (b) of the Agreement is amended by adding the table below:

<i><b>Operational Year</b></i>	<i><b>Minimum Events</b></i>	<i><b>Minimum Attendees</b></i>
<b>4th (8/1/22-7/31/23)</b>	<b>48</b>	<b>10,000</b>
<b>5th (8/1/23-7/31/24)</b>	<b>60</b>	<b>15,000</b>

8. Except as amended herein, the provisions of the Agreement remain in full force and effect. Should a conflict exist between the terms amended herein and the Agreement, the terms provided herein shall control.

**SIGNED AND AGREED** ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

**ARCADIA LIVE, INC.**  
**dba Kerrville 4<sup>th</sup> on the River**

By: \_\_\_\_\_  
Larry Howard, President

**CITY OF KERRVILLE, TEXAS ECONOMIC IMPROVEMENT  
CORPORATION**

**By:** \_\_\_\_\_  
Greg Richards, President

**Attest:**

**By:** \_\_\_\_\_  
Kesha Franchina, Recording Secretary

**Approved As To Form:**

**By:** \_\_\_\_\_  
Michael C. Hayes, Attorney for EIC



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

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**SUBJECT:** Minutes for the City Council workshop held October 12, 2021.

**AGENDA DATE OF:** October 26, 2021      **DATE SUBMITTED:** Oct 15, 2021

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20211026\\_Minutes\\_CC workshop 10-12-21 4pm.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 October 12, 2021 at 4:00 p.m. at the Arcadia Theater.

**RECOMMENDED ACTION:**

Approve minutes as presented.

**CITY COUNCIL WORKSHOP MINUTES  
ARCADIA LIVE!, 717 WATER STREET**

**OCTOBER 12, 2021 4:00 PM  
KERRVILLE, TEXAS**

**CALL TO ORDER:** On October 12, 2021 at 4:00 p.m., the City Council workshop was called to order by Mayor Bill Blackburn at the Arcadia Live!, 717 Water Street.

**COUNCILMEMBERS PRESENT:**

Bill Blackburn, Mayor  
Kim Clarkson, Mayor Pro Tem, Councilmember Place 2  
Roman Garcia, Councilmember Place 1  
Judy Eychner, Councilmember Place 3  
Brenda Hughes, Councilmember Place 4

**COUNCILMEMBER ABSENT:** None

**CITY STAFF PRESENT:**

E.A. Hoppe, City Manager	Megan Folkerts, Senior Management Analyst
Mike Hayes, City Attorney	Kim Meismer, Exec Dir General Operations
Shelley McElhannon, City Secretary	

**VISITORS PRESENT:** A list of the citizen speakers present during the meeting is on file in the City Secretary's Office for the required retention period.

**1. PUBLIC COMMENT:**

The following person spoke:

- Delayne Sigerman

**2. INFORMATION AND DISCUSSION:**

2A. Mayor's Public Health Task Force recommendations.

Megan Folkerts, Councilmember Brenda Hughes, and Mayor Blackburn provided information, and Megan Folkerts, Councilmember Hughes, Mayor Blackburn, and E.A. Hoppe responded to questions.

Councilmember Roman Garcia made a motion that the City Council adjourn into closed executive session under 551.074 (personnel/officer), and Councilmember Judy Eychner seconded. The motion passed 5-0.

Mayor Blackburn recessed the meeting at 4:59 p.m., and reconvened in closed executive session in the Arcadia Live! upstairs conference room.

**3. EXECUTIVE SESSION:**

3A. City Attorney annual evaluation (551.074).

The closed executive session adjourned, and Council returned to open session at 6:02 p.m. No action was taken during executive session.

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

Councilmember Hughes moved to authorize the Mayor to execute a personnel action form based on the Council's discussion in regard to the evaluation of the City Attorney Mike Hayes, seconded by Councilmember Eychner. The motion passed 5-0.

**ADJOURN.** The workshop adjourned at 6:03 p.m.

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

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

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





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

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**SUBJECT:** Minutes for the City Council meeting held October 12, 2021.

**AGENDA DATE OF:** October 26, 2021      **DATE SUBMITTED:** Oct 15, 2021

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20211026\\_Minutes\\_CC meeting 10-12-21 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 October 12, 2021 at 6:00 p.m. at the Arcadia Theater.

**RECOMMENDED ACTION:**

Approve minutes as presented.

**CITY COUNCIL MINUTES  
REGULAR MEETING**

**KERRVILLE, TEXAS  
OCTOBER 12, 2021 6:00 PM**

On October 12, 2021 at 6:03 p.m., the City Council meeting was called to order by Mayor Bill Blackburn at the Arcadia Live! Theater, 717 Water Street. Mayor Blackburn provided the invocation and led the Pledge of Allegiance.

**COUNCILMEMBERS PRESENT:**

Bill Blackburn	Mayor
Kim Clarkson	Mayor Pro Tem, Councilmember Place 2
Roman Garcia	Councilmember Place 1
Judy Eychner	Councilmember Place 3
Brenda Hughes	Councilmember Place 4

**COUNCILMEMBER ABSENT:** None

**CITY EXECUTIVE STAFF:**

E.A. Hoppe, City Manager	Stuart Cunyus, Public Info Officer
Mike Hayes, City Attorney	Eric Maloney, Fire Chief
Shelley McElhannon, City Secretary	Kim Meismer, Exec Director General Ops
Stuart Barron, Director of Public Works	Drew Paxton, Chief Planner
Julie Behrens, Chief Financial Officer	William Tatsch, Assistant City Attorney

**VISITORS PRESENT:** A list of the citizen speakers present during the meeting is on file in the City Secretary's Office for the required retention period.

Mayor Blackburn reviewed meeting protocols.

**1. ANNOUNCEMENTS OF COMMUNITY INTEREST:** Items of interest to the community were presented by Stuart Cunyus, Mayor Blackburn, Councilmember Judy Eychner, Councilmember Roman Garcia, and Councilmember Brenda Hughes.

**2. PRESENTATIONS:**

2A. Kerrville Kindness award to Stanley Brunsman for donation to the Scott Schreiner Municipal Golf Course.

Mayor Blackburn presented the Kerrville Kindness award to Stanley Brunsman, who accepted, along with City representatives Parks and Recreation Director Ashlea Boyle, Sports Complex Manager Shane Heffernan, and Golf Course Superintendent Randy Cawthon.

2B. Proclamation recognizing the 75th Anniversary of the Knipling-Bushland U.S. Livestock Insects Research Laboratory (USDA) Kerrville, Texas, in October 2021.

Mayor Blackburn presented a proclamation to the USDA Lab recognizing October 2021 at the 75<sup>th</sup> Anniversary, which was accepted by Kim Lohmeyer.

**3. VISITORS FORUM:**

The following persons spoke:

- Tim Gee
- Leon Miller
- Humberto Garcia
- Robert Ward

- Linda Werlein
- William Rector
- Maggie Megee
- Greg Martin
- Kathleen Brinkman
- Nikki Canes
- John Harrison
- Glen Andrew

Mayor Blackburn and Councilmember Garcia provided comments.

#### **4. CONSENT AGENDA:**

Councilmember Eychner made a motion to accept the consent agenda as presented, and Councilmember Hughes seconded. The motion passed 5-0.

4A. Purchase of one (1) Type 1 Ambulance from Mac Haik Dodge Chrysler Jeep, through the BuyBoard Purchasing Cooperative, at a price not to exceed \$238,750.

4B. Resolution No. 47-2021. A Resolution canceling the regular meetings of the City Council scheduled for November 23, 2021 and December 28, 2021.

4C. Minutes for the City Council workshop held September 28, 2021.

4D. Minutes for the City Council meeting held September 28, 2021.

#### **END OF CONSENT AGENDA.**

#### **5. ORDINANCES, FIRST READING:**

5A. Ordinance No. 2021-27. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas, such Chapter more commonly known as the City's Zoning Code; by changing the zoning of a .71 acre property currently addressed as 1478 State Highway 173 (Bandera Hwy): consisting of part of Lot 1 of the Overlook Hill Subdivision; within the City of Kerrville, Kerr County, Texas; from a neighborhood Commercial Zoning District (C-1) to a Single Family Residential Zoning District (R-1); and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2021-27 caption into record.

Drew Paxton presented information and responded to questions.

Mayor Blackburn opened the public hearing at 6:55 p.m.

No one spoke.

Mayor Blackburn closed the public hearing at 6:55 p.m.

Councilmember Kim Clarkson moved to adopt Ordinance No. 2021-27 on first reading, and Councilmember Eychner seconded. The motion passed 5-0.

#### **6. ORDINANCES, SECOND READING:**

6A. Ordinance No. 2021-26, second reading. An Ordinance amending Chapter 2, "Administration", Article IV "Boards and Commissions", Section 2-91 "Senior Services Advisory Committee" of the Code of Ordinances of the City of Kerrville, Texas; by decreasing the membership of this committee to 9 members; and providing other matters relating to this subject.

Shelley McElhannon read Ordinance No. 2021-26 caption into record.

Councilmember Hughes made a motion to adopt Ordinance No. 2021-26 on second reading, seconded by Councilmember Eychner. The motion was passed 5-0.

**7. CONSIDERATION AND POSSIBLE ACTION:**

7A. Master Project Agreement with Core & Main LP to provide Neptune materials and installation for phase II of the AMI project, not to exceed \$275,000.

Shelley McElhannon read item 7A caption into record.

Julie Behrens provided information, and Julie Behrens and E.A. Hoppe responded to questions.

Councilmember Hughes moved to authorize the City Manager to finalize and execute an agreement with Core & Main, seconded by Councilmember Eychner. This motion was approved 5-0.

7B. Resolution No. 45-2021. A Resolution authorizing the submission of an application for the Hazard Mitigation Grant Program (HMGP) DR-4586 to the Texas Division of Emergency Management; and authorizing the Mayor and City Manager to act as the City's Executive Officers and authorized representatives in all matters pertaining to the City's participation in this program. (The grant will be used for installation of emergency power generators at various City facilities.)

Shelley McElhannon read Resolution No. 45-2021 caption into record.

Stuart Barron provided information, and Stuart Barron and E.A. Hoppe responded to questions.

Councilmember Eychner made a motion to adopt Resolution No. 45-2021, seconded by Councilmember Clarkson. The motion was passed 5-0.

7C. Resolution No. 46-2021. A Resolution authorizing participation with the State of Texas, through the Office of the Attorney General, in the Texas Opioid Settlement; approving the Texas Term Sheet; and authorizing the City Manager to execute all necessary documents in connection with the settlement on behalf of the City.

Shelley McElhannon read Resolution No. 46-2021 caption into record.

William Tatsch provided information, and William Tatsch and E.A. Hoppe and responded to questions.

Councilmember Garcia made a motion to adopt Resolution No. 46-2021, seconded by Councilmember Hughes. The motion was passed 5-0.

**8. ITEMS FOR FUTURE AGENDAS:**

- Playhouse 2000 update by Councilmember Hughes. This topic is scheduled for the 10/26/21 Council workshop.
- Resolution to form a Public Safety Complex Committee, and define the scope of the Committee at the 10/26/21 Council meeting, motioned by Councilmember Clarkson, seconded by Councilmember Garcia. The motion passed 5-0.
- Perform two year evaluation on Municipal Judges at the 11/09/21 Council meeting, motioned by Councilmember Eychner, and appointment recommendations at the 12/14/21 Council meeting, seconded by Councilmember Garcia. The motion passed 5-0.
- City Council procedural rules for meetings – submit suggestions in writing at the 11/09/21 Council meeting, motioned by Councilmember Eychner, seconded by Councilmember Garcia. The suggestions will be submitted for the agenda packet. The motion passed 5-0.

- Dark Sky resolution at the 1/11/22 Council meeting, motioned by Councilmember Garcia, seconded by Councilmember Hughes. The motion passed 5-0.
- Waive the Tranquility Island reservation fees for the Christian Womens Job Corp to sing Christmas Caroles, by Councilmember Garcia. Mayor Blackburn will personally pay the \$200 reservation fee for the Christian Womens Job Corp.
- Follow-up responses by staff for citizen information on the Brinks development requested by Councilmember Garcia.

9. **EXECUTIVE SESSION:** None

10. **ACTION, IF ANY, ON ITEMS DISCUSSED IN EXECUTIVE SESSION:** N/A

**ADJOURN.** The meeting adjourned at 7:48 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:** Minutes for the City Council special-called meeting held October 14, 2021.

**AGENDA DATE OF:** October 26, 2021      **DATE SUBMITTED:** Oct 15, 2021

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20211026\\_Minutes\\_CC special-called 10-14-21 9am.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 special-called meeting held October 14, 2021 at 9:00 a.m. at City Hall Council Chambers.

**RECOMMENDED ACTION:**

Approve minutes as presented.

**CITY COUNCIL SPECIAL-CALLED MINUTES  
CITY HALL COUNCIL CHAMBERS**

**OCTOBER 14, 2021 9:00 AM  
KERRVILLE, TEXAS**

**CALL TO ORDER:** On October 14, 2021 at 9:00 a.m., the City Council special-called meeting was called to order by Mayor Bill Blackburn at the City Hall Council Chambers, 701 Main Street.

**COUNCILMEMBERS PRESENT:**

Bill Blackburn, Mayor  
Kim Clarkson, Mayor Pro Tem, Councilmember Place 2 (joined meeting at 9:05 a.m.)  
Roman Garcia, Councilmember Place 1  
Judy Eychner, Councilmember Place 3  
Brenda Hughes, Councilmember Place 4

**COUNCILMEMBER ABSENT:**

Kim Clarkson, Mayor Pro Tem, Councilmember Place 2 (joined meeting at 9:05 a.m.)

**CITY STAFF PRESENT:**

E.A. Hoppe, City Manager  
Mike Hayes, City Attorney  
Shelley McElhannon, City Secretary  
Kim Meisner, Exec Dir General Operations

**VISITORS PRESENT:**

No citizens or visitors were present.

**1. PUBLIC COMMENT:**

No citizens or visitors spoke.

Councilmember Brenda Hughes made a motion that the City Council adjourn into closed executive session under 551.074 (personnel/officer), and Councilmember Judy Eychner seconded. The motion passed 4-0.

Mayor Blackburn recessed the meeting at 9:00 a.m., and reconvened in closed executive session.

Councilmember Kim Clarkson joined meeting at 9:05 a.m., and commenced seat on the bench in Executive Session.

**2. EXECUTIVE SESSION:**

2A. City Manager annual evaluation (551.074).

The closed executive session adjourned, and Council returned to open session at 10:08 a.m. No action was taken during executive session.

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

Councilmember Clarkson moved to authorize the Mayor to execute a personnel action form for the City Manager based on the discussions held by the City Council during Executive Session today, seconded by Councilmember Eychner. The motion passed 5-0.

**ADJOURN.** The special-called meeting adjourned at 10:09 a.m.

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

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

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





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

---

**SUBJECT:** Public Hearing for Knapp Force Main and Interceptor Improvements Project Environmental Information Document (EID) as required by the Texas Water Development Board Funding Application.

**AGENDA DATE OF:** October 26, 2021     **DATE SUBMITTED:** Oct 12, 2021

**SUBMITTED BY:** Kyle Burow

**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>	Yes
<b>Key Priority Area</b>	W - Water / Waste-Water / Drainage
<b>Guiding Principle</b>	W5. Update and maintain the City's long-range plan for wastewater management, addressing and prioritizing infrastructure needs and identifying funding sources
<b>Action Item</b>	W5.2 - Enhance KLS basin capacity and improve service reliability

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**SUMMARY STATEMENT:**

As part of the environmental review for the Knapp Force Main and Interceptor Improvements Project, TWDB requires the City to host a public meeting to discuss the Environmental Information Document (EID), which has been posted at City Hall for public viewing.

**RECOMMENDED ACTION:**

Conduct Public Hearing as required. No action by City Council necessary.



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

---

**SUBJECT:** Ordinance No. 2021-27, second reading. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas, such Chapter more commonly known as the City's Zoning Code; by changing the zoning of a .71 acre property currently addressed as 1478 State Highway 173 (Bandera Hwy): consisting of part of Lot 1 of the Overlook Hill Subdivision; within the City of Kerrville, Kerr County, Texas; from a neighborhood Commercial Zoning District (C-1) to a Single Family Residential Zoning District (R-1); and providing other matters relating to the subject.

**AGENDA DATE OF:** October 26, 2021      **DATE SUBMITTED:** Oct 01, 2021

**SUBMITTED BY:** Drew Paxton

**EXHIBITS:** [20211026\\_Ordinance 2021-27 Zone change 1428 State Hwy 173 second reading.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:**

Proposal

Public hearing, consideration, and action to recommend an ordinance to change the zoning from C-1 Neighborhood Commercial District to R-1 Single Family Residential District on a portion of Lot 1 Overlook Hill Subdivision, and generally located at 1478 Bandera Highway.

The applicant is proposing a future commercial development accessible only from Bandera Hwy. This is a portion of the recently rezoned commercial area that will not be used for any commercial development. The applicant is proposing to rezone this portion of

Lot 1 back to R-1 and replat it as part of his residential lot behind the property.

#### Procedural Requirements

12 letters were mailed on 7/19/2021 to adjacent property owners. The public notice was published in the Kerrville Daily Times on 8/12/2021. At the time of drafting this Agenda Bill, no comments have been received.

#### Staff Analysis and Recommendation

##### Adjacent Zoning and Land Uses:

##### Subject Property

Current Zoning: C-1 Neighborhood Commercial District

Existing Land Uses: Vacant Land

Direction: North

Current Zoning: C-3 General Commercial

Existing Land Uses: Movie Theater

Direction: East

Current Zoning: R-3 Multifamily Residential

Existing Land Uses: Assisted Living and Retirement Communities

Direction: South and West

Current Zoning: R-1 Single Family Residential

Existing Land Uses: Single Family Homes

##### Consistency with the Kerrville 2050 Comprehensive Plan:

The subject property and land directly adjacent to the south and west are designated Neighborhood Residential (NR) in the Kerrville 2050 Comprehensive Plan. Neighborhood Residential designates single-family detached homes as the primary land use. This zoning change request is consistent with the Comprehensive Plan.

##### Thoroughfare Plan:

The subject property is located on Bandera Hwy, a primary arterial. This portion of the lot will be accessed from the residential property on Overlook Drive.

##### Traffic Impact:

No traffic impact is anticipated.

##### Parking:

No parking need is anticipated for this vacant portion of the lot.

Recommendation:

Based on the consistency with the Kerrville 2050 Plan, staff recommends the rezoning request from C-1 to R-1.

On September 2nd, the Planning and Zoning Commission recommended the case for approval with a unanimous vote.

On October 12, 2021, the City Council approved Ordinance No. 2021-27 on first reading.

**RECOMMENDED ACTION:**

Approve Ordinance No. 2021-27, on second reading.

**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2021-27**

**AN ORDINANCE AMENDING CHAPTER 60 OF THE CODE OF ORDINANCES, CITY OF KERRVILLE, TEXAS, SUCH CHAPTER MORE COMMONLY KNOWN AS THE CITY'S ZONING CODE; BY CHANGING THE ZONING OF A .71 ACRE PROPERTY CURRENTLY ADDRESSED AS 1478 STATE HIGHWAY 173 (BANDERA HWY); CONSISTING OF PART OF LOT 1 OF THE OVERLOOK HILL SUBDIVISION; WITHIN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS; FROM A NEIGHBORHOOD COMMERCIAL ZONING DISTRICT (C-1) TO A SINGLE FAMILY RESIDENTIAL ZONING DISTRICT (R-1); AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT**

**WHEREAS**, pursuant to Texas Local Government Code Sections 211.006 and 211.007, notice has been given to all parties in interest and citizens by publication in the official newspaper for the City of Kerrville, Texas ("City"), and otherwise, of a hearing held before the City Council on October 12, 2021, which considered a report of the City's Planning and Zoning Commission regarding its recommendations on this Ordinance, the adoption of which will result in the change of a zoning district for a portion of the property currently addressed as 1478 State Highway 173 and comprising approximately 0.71 acres; such change to result in the removal of the property from a Neighborhood Commercial Zoning District (C-1) to placement within a Single Family Residential Zoning District (R-1); and

**WHEREAS**, on October 12, 2021, City Council held a public hearing on the zoning change referenced above pursuant to the published notice and has considered the application, comments, reports, and recommendations of the Planning and Zoning Commission and staff, public testimony, and other relevant support materials;

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

**SECTION ONE.** The Zoning Code for the City of Kerrville, Texas, Chapter 60 of the Code of Ordinances of the City of Kerrville, Texas, and the *Official Zoning Map* are hereby amended to designate the following described property zoned as within a Single Family Residential Zoning District (R-1):

Legal Description: Being a 0.71 parcel out of Lot 1, Overlook Hill, a Commercial Subdivision, according to the plat filed as Document No. 21-00708 of the Kerr County real property records; and within the City of Kerrville, Kerr County, Texas; said property more specifically described and depicted at Exhibit A, attached hereto and made a part hereof for all purposes, and hereafter referred to as the "Property."

Address: 1478 State Highway 173

**SECTION TWO.** The City Manager or designee is authorized and directed to amend the City's *Official Zoning Map* to reflect the change in districts adopted herein and to take other actions contemplated by and in accordance with the City's Zoning Code.

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

**SECTION FOUR.** The terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance is declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

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

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

October PASSED AND APPROVED ON FIRST READING, this the 12 day of OCTOBER, A.D., 2021.

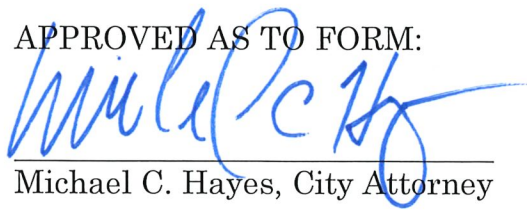
PASSED AND APPROVED ON SECOND AND FINAL READING, this the \_\_\_\_ of \_\_\_\_\_, A.D., 2021.

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

ATTEST:

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

APPROVED AS TO FORM:

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

**FIELD NOTE DESCRIPTION OF A 0.71 ACRE PARCEL  
TO BE REZONED AS "R-1"  
BEING PART OF LOT 1 OVERLOOK HILL  
A COMMERCIAL SUBDIVISION WITHIN THE  
CITY OF KERRVILLE RECORDED IN  
FILE NO. 21-00708, KERR COUNTY, TEXAS**

Being a 0.71 acre parcel out of Lot 1 Overlook Hill, a Commercial Subdivision out of the William C. Francis Survey No. 146, Abstract No. 137 according to the Plat filed in Document No. 21-00708, Official Public Records of Kerr County, Texas; more particularly described by its metes and bounds as follows:

*(NOTE: The following courses are based on an RTK/GNSS survey conducted on the ground, N.A.D.83 datum, Texas State Plane Coordinates, South Central Zone reduced to horizontal ground distances expressed in U.S. Survey feet. Where record or deed courses differ from the surveyed values, the record value is shown in parenthesis)*

**BEGINNING** at a 5/8 inch diameter steel rod with cap stamped "WES RPLS 5907" found in the common line of Lot 15, Block 2 Highpoint at Riverhill Subdivision recorded in Volume 6, Page 174 Plat Records of Kerr County, Texas marking the southwest corner of Lot 2 Overlook Hill identical to the east corner of the herein described tract, from which a 1/2 inch diameter steel rod found for the northeast corner of said Lot 15 bears N49°59'53"E, 120.00 feet, located by Texas State Plane Coordinates at North 13,920,974.541 feet and East 1,924,900.810 feet;

**THENCE** southwesterly uphill between said Lot 15 and the herein described tract, S49°59'53"E, 86.43 feet to a Mag Nail found being the northwest corner of said Lot 15 and an angle point for Lot 26 Highpoint at Riverhill Subdivision recorded in Volume 6, Page 30 Plat Records of Kerr County, Texas identical to the southernmost corner of the herein described tract;

**THENCE** northwesterly along the easterly line of Lots 26 and 27 Highpoint at Riverhill Subdivision N26°14'32"W, 164.73 feet *(N26°20'15"W, 164.51 feet)* to a 5/8 inch diameter steel rod found for an angle point in the easterly line of said Lot 27 and the westerly line of there herein described tract;

**THENCE** westerly along said Lot 27 and the herein described tract N47°09'13"W, 67.72 feet *(N47°00'15"W, 67.77 feet)* to a 1/2 inch diameter steel rod found marking an angle point in the common line of Lot 27 and the herein described tract;

**THENCE** westerly along said Lot 27 and the herein described tract N57°21'22"W, 188.95 feet *(N57°23'15"W, 188.92 feet)* to a 1/2 inch diameter steel rod found for the northernmost corner of said Lot 27 and an angle point for a 8.77 acre tract recorded in File No. 11-05616 Official Public Records of Kerr County, Texas identical to the westernmost corner of the herein described tract;



TBPLS FIRM NO. 10194410  
PHONE: 830.217.7100  
[WWW.WELLBORNENGINEERING.COM](http://WWW.WELLBORNENGINEERING.COM)

631 WATER STREET  
KERRVILLE, TX 78028



**THENCE** northeasterly along the southern line of said 8.77 acre tract N49°52'54"E, 57.22 feet (N49°57'45"E 57.19 feet) marking a reentrant corner of the herein described tract;

**THENCE** northwesterly between said 8.77 acre tract and the herein described tract, N40°01'05"W, 32.37 feet (N40°03'43"W, 32.51 feet) to a 5/8 inch diameter steel rod with a plastic cap stamped "WES RPLS 5907" found for an angle point in the said common line;

**THENCE** northeasterly along the common line of said 8.77 acre tract and the herein described tract N49°58'55"E, 54.87 feet to a point marking the northern most point of the herein described tract, from which a 1/2 inch diameter steel rod found for the southeast corner of said 8.77 acre tract bears N49°58'55"E, 120.00 feet;

**THENCE** southeasterly with and along the slope of a hill, S39°59'44"W, 220.00 feet passing a 5/8 inch diameter steel rod with a plastic cap stamped "WES RPLS 5907" found marking the northwest corner of said Lot 2 Overlook Hill, in total 440.04 feet to the **Point of Beginning** the whole of which contains 0.71 acres more or less.

Based upon a survey conducted on the ground  
Under my direction and supervision October 29, 2020



Dated: 09/02/2021

R. Scott McClintock, Sr.  
Registered Professional Land Surveyor  
State of Texas  
Registration No. 5907



**WELLBORN**  
ENGINEERING &  
SURVEYING

TBPLS FIRM NO. 10194410  
PHONE: 830.217.7100  
[WWW.WELLBORNEENGINEERING.COM](http://WWW.WELLBORNEENGINEERING.COM)

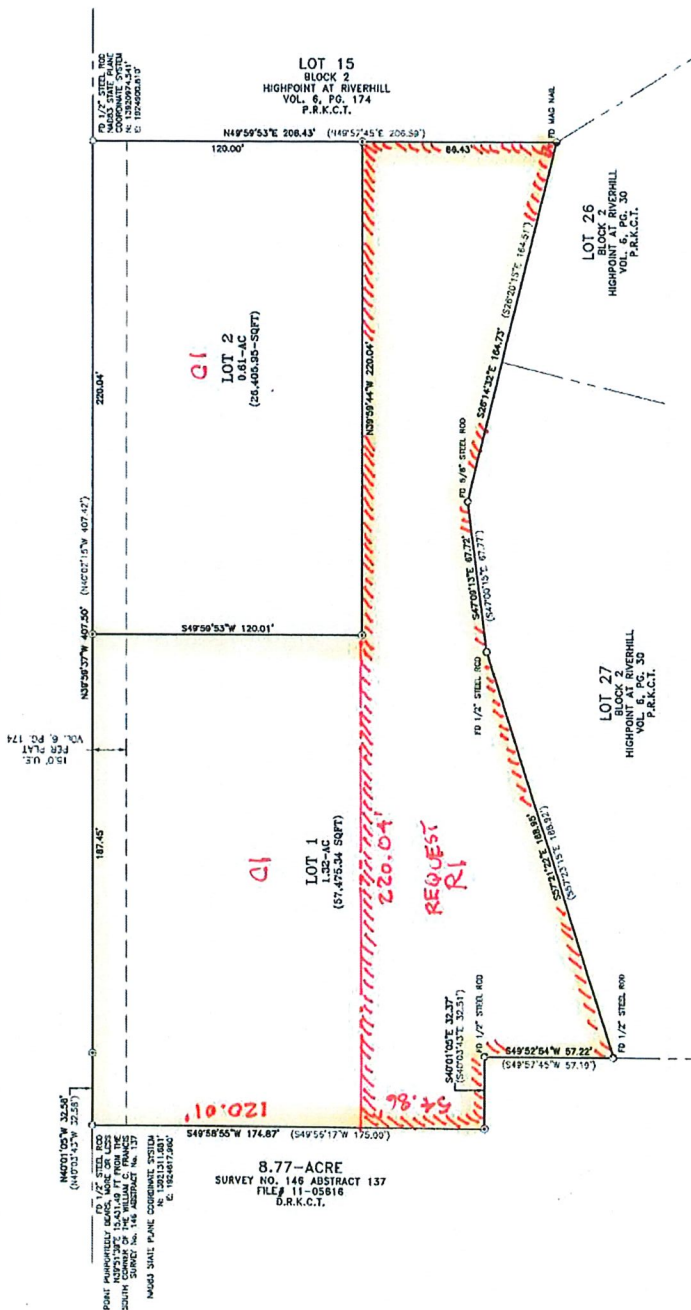
631 WATER STREET  
KERRVILLE, TX 78028

\* SURVEYORS' NOTES \*

1. THE BASIS OF BEARING FOR THIS SURVEY IS GRID NORTH, 34° 33' 33" N, 100° 00' 00" W, 1983 NAD, TEXAS STATE PLANE COORDINATES SOUTH CENTRAL ZONE REDUCED TO HORIZONTAL GROUND DISTANCES EXPRESSED IN U.S. SURVEY FEET.
2. THIS SURVEY MEETS OR EXCEEDS TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS MINIMUM STANDARDS.
3. WHERE SURVEYED OR COMPUTED COURSES DIFFER FROM PREVIOUS RECORDS, THE COURSE IS EXPRESSED IN PARANTHESIS (L, 1880.61' (1880.60')).
4. THIS PROPERTY LIES COMPLETELY WITHIN THE CITY OF KERRVILLE CITY LIMITS.
5. THE FULLY DEVELOPED, CONCENTRATED STORM WATER DRAINAGE SYSTEM FOR THE THUNDERBOLT (100) YEAR FREQUENCY STORM IS CONTAINED WITHIN THE DRAINAGE EASEMENTS SHOWN AND/OR PUBLIC RIGHTS-OF-WAY DEDICATED BY THIS PLAT.
6. THE CURRENT ZONING FOR THESE PARCELS IS "C1".
7. NEIGHBORHOOD COMMERCIAL DISTRICT.
8. BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY OF KERRVILLE ZONING CODE.
9. BY GRAPHIC IDENTIFICATION THESE PARCELS APPEAR TO BE LOCATED IN FLOOD "ZONE X NON-SHADED" AN AREA OF MINIMAL FLOOD HAZARD, REFERENCE FIRM PANEL 4828500470F EFFECTIVE DATE 3/3/2011.

8.77-ACRE  
SURVEY NO. 146 ABSTRACT 137  
FILE# 11-05616  
D.R.K.C.T.

STATE HIGHWAY 173  
BANDERA HIGHWAY  
125' WIDE R.O.W.



LEGEND  
● SOUND SURVEY  
● SET 3/4\"

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR KERRVILLE, TEXAS, AND THAT THE SAME HAVE BEEN RECORDED IN THE OFFICE OF THE COUNTY CLERK AND THAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY CLERK.

DATED THIS 15th DAY OF January, 2021.  
PATRICIA PATTON, PLANNING DIRECTOR  
CITY OF KERRVILLE

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON IS EXISTING IN AN ACCEPTABLE MANNER ACCORDING TO THE CITY OF KERRVILLE STANDARD SPECIFICATIONS.

DATED THIS 15th DAY OF January, 2021.  
PATRICIA PATTON, P.E., CITY ENGINEER  
CITY OF KERRVILLE

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT MEETS THE CITY MASTER GRID AND THAT THE SAME HAVE BEEN RECORDED IN THE OFFICE OF THE CITY OF KERRVILLE PLANNING DIRECTOR.

DATED THIS 15th DAY OF January, 2021.  
PATRICIA PATTON, PLANNING DIRECTOR  
CITY OF KERRVILLE

STATE OF TEXAS  
COUNTY OF KERR  
I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAT OF SUBDIVISION AND DECREE ALL NOTES  
DATED THIS 15th DAY OF January, 2021.  
PATRICIA PATTON

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING, AND WHOSE NAME HE OR SHE HAS PLACED THEREON, AND THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS HEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE AND  
DATED THIS 15th DAY OF January, 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

\* SURVEYORS' CERTIFICATE \*

I, R. SCOTT MCCLINTOCK, SR., DO HEREBY CERTIFY THAT I MADE AN ACTUAL AND ACCURATE SURVEY ON THE GROUND OF THE HEREIN SHOWN LOTS AND THAT THE SAME HAVE BEEN RECORDED IN THE OFFICE OF THE COUNTY CLERK AND THAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY CLERK.

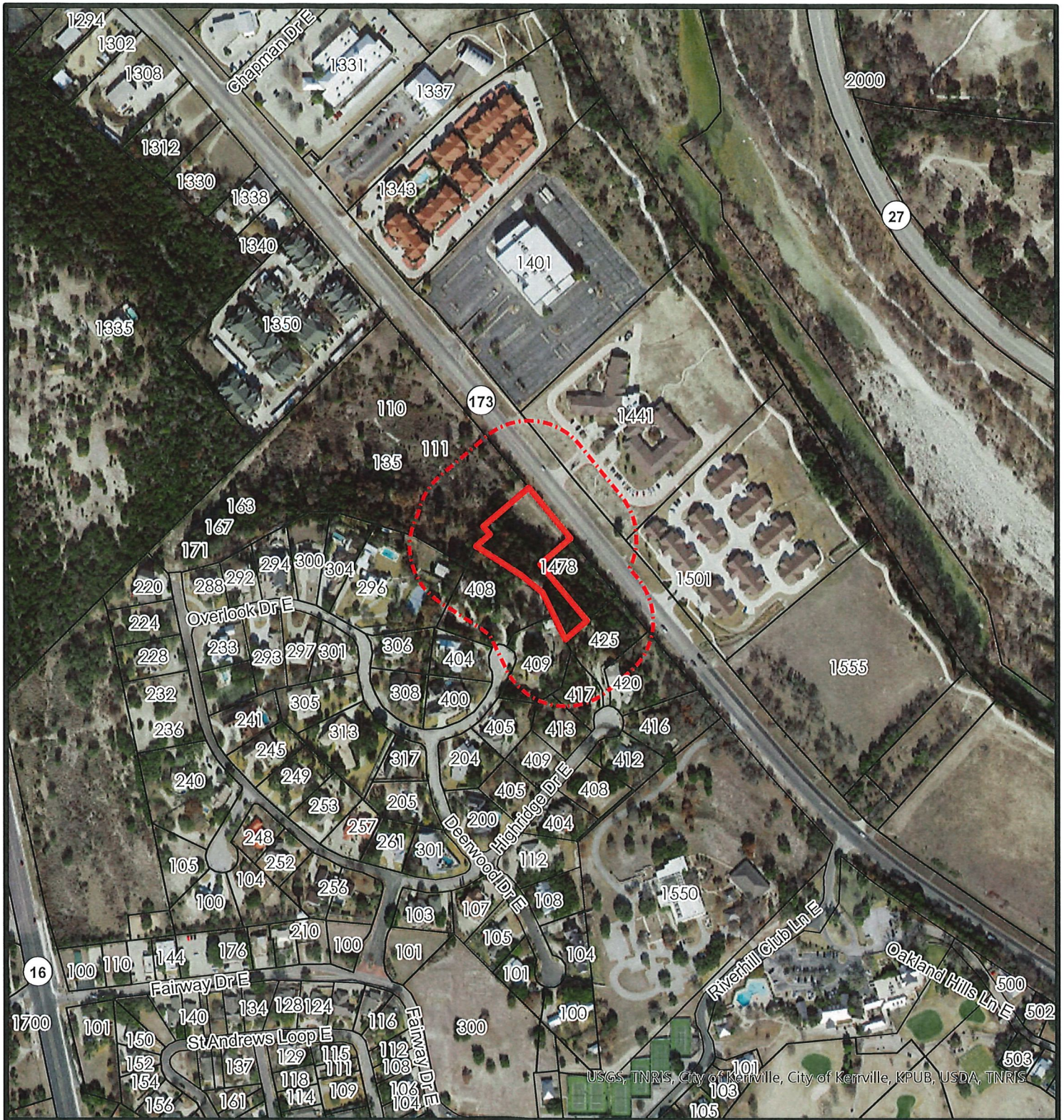
DATED THIS 15th DAY OF January, 2021.  
R. SCOTT MCCLINTOCK, SR., R.P.L.S.  
REGISTRATION NO. 2007

I, R. SCOTT MCCLINTOCK, SR., DO HEREBY CERTIFY THAT I MADE AN ACTUAL AND ACCURATE SURVEY ON THE GROUND OF THE HEREIN SHOWN LOTS AND THAT THE SAME HAVE BEEN RECORDED IN THE OFFICE OF THE COUNTY CLERK AND THAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY CLERK.

DATED THIS 15th DAY OF January, 2021.  
R. SCOTT MCCLINTOCK, SR., R.P.L.S.  
REGISTRATION NO. 2007







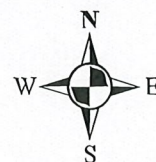
## Location Map

Case # PZ-2021-19

Location:  
Overlook Hill Lot 1

### Legend

200' Notification Area  
Subject Properties



0 150 300 600

Scale In Feet





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

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**SUBJECT:** Street Maintenance Program update, and Professional Services Agreement with 6S Engineering, Inc. for the 2022 Fiscal Year Street Maintenance projects in the amount of \$89,000.00.

**AGENDA DATE OF:** October 26, 2021     **DATE SUBMITTED:** Oct 12, 2021

**SUBMITTED BY:** Kyle Burow

**EXHIBITS:**

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$89,000.00	\$2,050,000.00	\$2,050,000.00	01-0161-2420

**PAYMENT TO BE MADE TO:** 6S Engineering, 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

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**SUMMARY STATEMENT:**

As part of the adopted FY2019 budget, 6S Engineering, Inc. was hired to update the Pavement Master Plan and reassess the current street conditions and maintenance practices. The 6S Engineering, Inc. team evaluated the current street condition assessment gathered for each street segment to analyze the deterioration estimates based on the effectiveness of the current street repair methods and degradation of street segments compared to the initial report, combined multiple street segments to minimize construction costs, and reevaluated the prioritization of streets. The prioritization of all streets were based on PCI, Ride Condition Index (RCI), and Roadway Classification (i.e. Collector, Residential). Upon completion of the analysis, 6S Engineering, Inc. developed a 10-year maintenance plan to assist with future budgeting and maintenance methods to be adopted by City Council. The maintenance plan was adopted and is nearing completion for the second year of street maintenance through the 2021 paving season. To continue

the progression of street maintenance, staff met with 6S Engineering, Inc. to discuss project scope to develop construction specifications for the FY2022 Street Maintenance projects. The scope of this project is to prepare bid documents for crack seal, base repair patching, and slurry seal on the roads identified for the Year 3 crack seal and slurry seal maintenance method of the updated Pavement Management Plan. The scope of the project includes performing near-term level up and asphalt repairs followed by crack seal on the roadways to prepare the roads for the slurry seal project.

Staff will provide an overall status update of the Street Maintenance Program.

A full copy of the draft contract is available for viewing in the City Secretary Office.

**RECOMMENDED ACTION:**

Authorize the City Manager to finalize and execute the professional services agreement.



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

**SUBJECT:** Construction Agreement with M&C Fonseca Construction Co., Inc. for the Take-It-Easy RV Drainage project in an amount of \$1,768,775.00.

**AGENDA DATE OF:** October 26, 2021 **DATE SUBMITTED:** Oct 14, 2021

**SUBMITTED BY:** Kyle Burow

**EXHIBITS:** [20211026\\_Bid\\_Take-It-Easy RV Drainage Bid Results.pdf](#)  
[20211026\\_Letter\\_Hewitt Engineering Recommendation of Award - M&C Fonseca.pdf](#)

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$1,768,775.00	\$1,848,242.03	\$2,000,000.00	Project #: 70-19010

**PAYMENT TO BE MADE TO:** M&C Fonseca Construction Co., Inc.

<b>Kerrville 2050 Item?</b>	Yes
<b>Key Priority Area</b>	W - Water / Waste-Water / Drainage
<b>Guiding Principle</b>	W7. Develop and maintain a long-range plan for stormwater/drainage management, addressing and prioritizing infrastructure needs and identifying funding sources
<b>Action Item</b>	W7.4 - As a part of the drainage plan, focus on regional versus single-site detention

**SUMMARY STATEMENT:**

In 2018, City Council contemplated the development of a citywide drainage master plan and additional topics including review of drainage design standards, FEMA Flood Maps, maintenance of urban ditches, flooded streets, streams, and waterways. City Council was also presented with the effect of using streets as the community's primary means of stormwater drainage, and the consequential effects on the street pavement condition. It was determined at the meeting that the City should develop a citywide stormwater drainage master plan to help address the top rated drainage issues around the community. In addition, during the Kerrville 2050 Comprehensive Planning process, the citizens of Kerrville requested the City take a more holistic approach to providing development guidance for stormwater management, as well as a means to better enforce the design criteria for the benefit of the overall community. The direction from the Kerrville

2050 plan was to create a master plan to both update current development/drainage standards for future community growth, as well as outline strategies to address existing problematic stormwater areas. Council directed staff to incorporate a program to address specific drainage projects already known by City staff and the community, as well as future project planning.

In January 2019, the City hired LNV Engineering to evaluate the drainage improvement needs for the 13 problem areas identified, with proposed solutions for each area. In June 2019, a draft of the stormwater master plan presented an initial prioritization of the 13 problematic drainage areas based off of weighted criteria, recommend changes to drainage facility construction standards and development codes, identify funding opportunities, and provide a road map for future implementation. In August 2019, City Council authorized the issuance of \$10.5 million in Certificates of Obligation for street and drainage improvements based on the two highest-ranking identified projects.

In 2014, the City hired Hewitt Engineering Inc. to perform a topographic survey and conduct a preliminary engineering analysis for drainage channel adjacent to the Take-It-Easy RV Park. The analysis included verification of contributing watershed, peak flow determination during various storm events, and evaluation of several solutions for future improvements. With this level of prior service and exploration regarding the identified project area, the City staff hired Hewitt Engineering Inc. to perform the necessary design and engineering services to develop construction bid documents, assist in the bid process, and assist in the construction management of the Take-It-Easy RV channel and Lois Street drainage projects identified as priority projects ranked #1 and #2 in the Stormwater Master Plan.

The project design was completed and placed for advertisement for the Take-It-Easy RV drainage channel design with the Lois Street drainage project on hold pending modifications to the existing culverts to be done by TxDOT. The Take-It-Easy RV drainage project bid opening was held online and five bids were received, with M&C Fonseca Construction Co., Inc. as the apparent low bid. Staff evaluated the contractor based on prior experience on City of Kerrville projects and recommend awarding the base bid for a total contract amount of \$1,768,775.00 to M&C Fonseca Construction Co., Inc.

**RECOMMENDED ACTION:**

Authorize the City Manager to finalize and execute a construction contract.

**APPARENT LOW BIDDERS****Take it Easy RV Park Drainage Improvements**

Bid Summary	
Engineers Estimate	\$1,900,000
Total Bids	5
AMLT \$	\$381,070.00
AMLT %	21.54%
Average Bid	\$2,158,827.92

	Bidder	BASE BID
1	M & C FONSECA CONSTRUCTION CO.INC <i>Submitted: 10/19/2021 12:21:01 PM</i>	\$1,768,775.00
2	Allen Keller Co <i>Submitted: 10/19/2021 12:13:07 PM</i>	\$2,149,845.00
3	Austin Engineering Company Inc <i>Submitted: 10/19/2021 1:31:22 PM</i>	\$2,159,210.00
4	J3 <i>Submitted: 10/19/2021 2:30:20 PM</i>	\$2,336,590.00
5	JK Bernhard Construction <i>Submitted: 10/19/2021 1:54:24 PM</i>	\$2,379,719.58

*Bids opened at: 10/19/2021 3:00:46 PM*





Hewitt Engineering, Inc.

Consulting Engineering Services

October 20, 2021

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

**Re: Take it Easy RV Park Drainage Improvements Project PW No. 19-025  
Bid Tabulation**

Dear Kyle,

Sealed bids were received at 3:00 p.m. on October 19, 2021 for the City of Kerrville Take it Easy RV Park Drainage Improvements Project. Five bids were received for the project. The low bid for the project was submitted by M & C Fonseca Construction, Inc. for \$1,768,775.00. The engineer's estimate for this project was \$1,900,000. The bids ranged from \$1,768,775.00 to \$2,379,719.58.

The scope of work for the project includes site work including clearing and grading within the existing channel and installation of bank stabilization/channel improvements. The project will begin at the inlet structure at the existing corrugated metal pipe culvert located immediately upstream of Guadalupe Street and extend northeast to just downstream of Junction Highway (SH 27).

M & C Fonseca Construction, Inc. has successfully completed several projects for the City of Kerrville as a prime contractor. Based on a review and tabulation of the proposals and previous performance by M & C Fonseca Construction, Inc. on City projects, I recommend award of the contract to M & C Fonseca Construction, Inc. on the basis of their lowest qualified bid of \$1,768,775.00.

Please feel free to call me at 830-315-8800 or by email at [jmhewitt@hewitt-inc.com](mailto:jmhewitt@hewitt-inc.com) if you have any questions or require additional information.

**HEWITT ENGINEERING INC.**

Texas Registered Engineering Firm F-10739

John M. Hewitt, P.E., CFM



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

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**SUBJECT:** Public Safety Facility update, and Resolution No. 48-2021. A Resolution creating a Public Safety Facility Bond Committee and appointing its members for the purpose of analyzing the feasibility of developing a Public Safety Facility and financing such through the issuance of General Obligation Bonds.

**AGENDA DATE OF:** October 26, 2021      **DATE SUBMITTED:** Oct 14, 2021

**SUBMITTED BY:** Councilmember Kim Clarkson  
E.A. Hoppe

**EXHIBITS:** [20211026\\_Resolution\\_48-2021 Public Safety Facility Bond Committee.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>	Yes
<b>Key Priority Area</b>	F - Public Facilities and Services
<b>Guiding Principle</b>	F2. Place the highest priority on public safety (police, fire, EMS).
<b>Action Item</b>	F2.4 - Consider bond funding for a new public safety building/complex

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**SUMMARY STATEMENT:**

The City Council provided direction to City Staff at their October 12th meeting to develop a process for the City Council to appoint a group of citizens to review and evaluate the space and facility needs of the City of Kerrville's Public Safety departments (Police, Fire/EMS, Emergency Management, and Municipal Court), and provide a recommendation on the funding of any facilities needed to adequately serve these functions in the future. The City Council expressed a desire for staff to present this process (via Resolution) to the Council as quickly as possible at a future meeting date so that the citizen group can be assembled and engaged in the review process with adequate time to meet the Council's February 18th, 2022 deadline to place a GO Bond Referendum item on the May 2022 election ballot, if desired. Subsequently, staff has developed Resolution No. 48-2021 towards this end. Approval of the Resolution will set the charge

for the Committee and will also provide Council the opportunity to make the appointments of committee members at the October 26th meeting, should they choose to do so.

The Committee shall serve in an advisory capacity and report directly to City Council. Recommendations should reflect a City-wide community perspective.

**RECOMMENDED ACTION:**

Approve Resolution No. 48-2021, and appoint members to the Public Safety Facility Bond Committee.

**CITY OF KERRVILLE, TEXAS  
RESOLUTION NO. 48-2021**

**A RESOLUTION CREATING A PUBLIC SAFETY  
FACILITY BOND COMMITTEE AND APPOINTING ITS  
MEMBERS FOR THE PURPOSE OF ANALYZING THE  
FEASIBILITY OF DEVELOPING A PUBLIC SAFETY  
FACILITY AND FINANCING SUCH THROUGH THE  
ISSUANCE OF GENERAL OBLIGATION BONDS**

**WHEREAS**, the City of Kerrville is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, City Council desires to establish and appoint a Public Safety Facility Bond Committee to study facility and space needs of its Police and Fire Departments, including Emergency Management Operations, Emergency Medical Services ("EMS"), and the City's Municipal Court, and to consider the development and construction of a Public Safety Facility to accommodate all three services, make recommendations to City Council regarding such topics, and to evaluate whether to finance the same through the issuance of bonds approved at a future bond election; and

**WHEREAS**, it is the intent of the City Council that the appointment of a Citizens' Bond Committee will attain the goals referenced above and will provide the City Council with valuable citizen input related thereto;

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

**SECTION ONE.** The City Council hereby creates the Public Safety Facility Bond Committee ("Committee") as an ad hoc board of the City. Council charges the Committee as follows:

- A. The Committee will work with City staff and consultants to study the development of a Public Safety Facility to accommodate and serve the City's Police and Fire Departments, emergency management operations, EMS, and its Municipal Court.
- B. The Committee has the authority to recommend to City Council an election regarding the issuance of bonds to meet the needs for such a Public Safety Facility.
- C. The Committee has the authority to recommend no bond election.
- D. The Committee has the authority to make recommendations as to which needs should be financed, thus determining the relative size of the bond issuance.

E. The Committee has the authority to make other recommendations as appropriate to its purpose.

**SECTION TWO.** Each Councilmember may appoint two members to the Committee for a total of 10 Committee members. The Mayor shall appoint a chair from among the members of the Committee. All members shall serve without compensation, must reside within the City limits, and each Council-appointed Committee member serves at the pleasure of the Council and may be removed or replaced at the discretion of Council. The following individuals are appointed to serve as members of the Committee:

**Mayor:** \_\_\_\_\_

\_\_\_\_\_

**Councilmember, Place 1:** \_\_\_\_\_

\_\_\_\_\_

**Councilmember, Place 2:** \_\_\_\_\_

\_\_\_\_\_

**Councilmember, Place 3:** \_\_\_\_\_

\_\_\_\_\_

**Councilmember, Place 4:** \_\_\_\_\_

\_\_\_\_\_

**CHAIR:** \_\_\_\_\_

**SECTION THREE.** The Committee shall serve in an advisory capacity and report directly to City Council. Recommendations should reflect a City-wide, community perspective. The Committee should discuss and evaluate the specific needs of the City's Police and Fire Departments, to include Emergency Management Operations and EMS, and the City's Municipal Court, and current buildings housing each operation; however, City Council retains final authority for calling a bond election and making the final determination regarding the proposed development and the exact wording, timing, and scope of any recommendations that are presented to voters at an election.

**SECTION FOUR.** Should City Council call an election, all Committee members are charged with developing and carrying out an informational strategy for the successful passage of a bond election. In conformance with law, upon calling an election to consider the possible issuance of Bonds, no public funds may be utilized to promote the successful passage of the bond election. The Committee will be further charged with organizing and raising private funds for all costs associated with advertising and promoting a position on the bond matter before the voters.

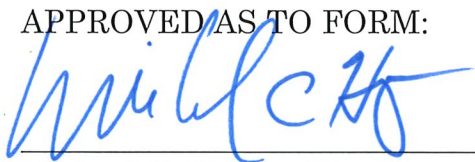
**SECTION FIVE.** The Committee shall become operational immediately, with meetings to occur as frequently as the Committee decides. The Committee shall issue its final report to City Council on or before January 15, 2022, or sooner as may be determined by City Council.

**SECTION SIX.** This Resolution shall take effect immediately.

**PASSED AND APPROVED ON this the \_\_\_\_ day of \_\_\_\_\_ A.D., 2021.**

\_\_\_\_\_  
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:** Professional Services Agreement with Randall Scott Architects in regards to facilitation of a citizen Public Safety Facility Bond Committee, and feasibility analysis of a potential Public Safety Complex.

**AGENDA DATE OF:** October 26, 2021      **DATE SUBMITTED:** Oct 21, 2021

**SUBMITTED BY:** EA Hoppe

**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>	Yes
<b>Key Priority Area</b>	F - Public Facilities and Services
<b>Guiding Principle</b>	F2. Place the highest priority on public safety (police, fire, EMS).
<b>Action Item</b>	F2.1 - Devote the necessary resources (funding, equipment) to ensure quality fire, police and EMS services

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**SUMMARY STATEMENT:**

The City Council provided direction to City Staff at their October 12th meeting to develop a process for the City Council to appoint a group of citizens to review and evaluate the space and facility needs of the City of Kerrville's Public Safety departments (Police, Fire/EMS, Emergency Management, and Municipal Court), and provide a recommendation on the funding of any facilities needed to adequately serve these functions in the future. The City Council expressed a desire assemble and engage this Committee in the review process as quickly as possible to provide adequate time to meet the Council's February 18th, 2022 deadline to place a GO Bond Referendum item on the May 2022 election ballot, if desired.

Staff intends to utilize the service of Randall Scott Architects to help facilitate the review process anticipated of this Committee and provide their professional expertise in designing and building modern, multi-departmental public safety facilities.

**RECOMMENDED ACTION:**

Authorize the City Manager to finalize and execute a Professional Services Agreement.





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

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**SUBJECT:** Financial Report.

**AGENDA DATE OF:** October 26, 2021      **DATE SUBMITTED:** Oct 15, 2021

**SUBMITTED BY:** Julie Behrens

**EXHIBITS:** [10262021\\_Financial 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>
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:**

Financial report.

**RECOMMENDED ACTION:**

No action.



# ***Financial Update***

**Council Meeting  
October 26, 2021**





# Summary

- Year-end close process began 10/1/2021 and will continue through the first week of November.
- Numbers in presentation are still estimated at this time.
- Some numbers will be affected by year-end accrual processes, especially on the revenue side.
- Good news stories throughout! Given continued affects of the pandemic and unexpected winter storm Uri, staff managed budgets responsibly and revenues continued strong throughout FY2021.
- Received FEMA award letter for winter storm Uri for \$106K, which is 75% reimbursement of the \$141K of eligible expenses.
- Multiple other grant opportunities are being explored for items to mitigate future emergencies.



# General Fund Summary

## General Fund Revenues FY2021 Year-End Estimates

- **Property Tax: (includes current year, prior year, and penalty & interest)**  
**Budget: \$10,234,372**  
**Estimate: \$10,312,528**  
**Estimated Better than Budget: \$78,156 – more payments were received from prior year taxes & penalty & interest than budgeted**
- **Sales Tax currently**  
**Budget: \$7,353,281**  
**Estimate: \$8,901,357**  
**Estimated Better Than Budget: \$1,548,076**
  - **September sales tax (July sales) up 13.5%**
  - **October sales tax (Aug sales) up 17.8%**
  - **Increase driven by retail, food service, manufacturing, and wholesale trade**

# General Fund Summary

## Overview of Revenues

	Current	FY2021	FY2021
	FY2021 Budget	Estimate	Estimate Better or Worse than Budget
<b>General Fund Expenses</b>			
Taxes			
Property Tax	\$ 10,234,372	\$10,312,528	\$ 78,156
Sales Tax	7,353,281	8,901,357	1,548,076
Franchise Fees	1,933,550	2,116,437	182,887
<b>Total Taxes</b>	<b>\$ 19,521,203</b>	<b>\$21,330,323</b>	<b>\$ 1,809,120</b>
Permits & Fees	24,195	22,492	(1,703)
Inter-Governmental	1,461,057	1,536,329	75,272
Service Revenue	3,569,038	3,559,929	(9,109)
Recreation	674,430	812,147	137,717
Fines & Forfeitures	485,500	377,349	(108,151)
Grants & Donations	29,500	92,019	62,519
Interest & Misc.	245,970	270,297	24,327
Transfers-In	2,387,357	2,387,357	(0)
<b>Total General Fund Revenue:</b>	<b>\$ 28,398,250</b>	<b>\$30,388,243</b>	<b>\$ 1,989,992</b>



# General Fund Summary

## Overview of Expenses

General Fund Expenses	Current	FY2021	FY2021
	FY2021 Budget	Estimate	Estimate Better or Worse than Budget
Personnel	\$ 20,783,202	20,559,499	223,703
Supplies	1,535,737	1,462,315	73,422
Maintenance	3,271,728	2,497,900	773,828
Services	2,331,535	2,252,842	78,693
Other	460,192	280,698	179,494
Capital Outlay	152,210	165,033	(12,823)
Transfers-Out	328,647	328,647	-
<b>Total General Fund Expenses</b>	<b>\$ 28,863,251</b>	<b>27,546,934</b>	<b>1,316,317</b>

### Notables:

**Better than budget in majority of categories**

**Personnel due to vacancies primarily in Police & Fire**

**Paving is included in the Maintenance category**

**Better than budget due to timing of completion of projects, rain and material delays**

# Water Fund Summary

\*Cash Basis\*

## Water Fund Revenues FY2021 Year-End Estimates

- **Water Sales:**

**Budget: \$6,315,482**

**Estimate: \$6,045,755**

**Estimated Worse than Budget: \$269,727**

- Through April, water revenues were trending ahead of budget
- Rainfall, especially during July & August (typical heavy irrigation months) had a significant effect
- July & August 2021 rainfall 4" more than same period 2020

- **Sewer Sales**

**Budget: \$5,758,854**

**Estimate: \$5,996,880**

**Estimated Better Than Budget: \$238,026**

- Sewer sales are more stable due to residential sewer averaging (less weather dependent)
- Commercial sewer sales based on actual water consumption

- **Total Water Fund Revenue: \$80K better than budget due to**

- Better than budget in Sewer, Waste Disposal, & Water Taps

# Water Fund Summary

## Overview of Revenues

Water Fund	Current FY2021 Budget	FY2021 Estimate	FY2021 Estimate Better or Worse than Budget
Revenues			
Water Sales	\$ 6,315,482	\$ 6,045,755	\$ (269,727)
Sewer Sales	5,758,854	5,996,880	238,026
Reuse Sales	145,495	142,949	(2,546)
Waste Disposal Fees	394,000	449,124	55,124
Other	448,838	496,781	47,943
<b>Total Revenues</b>	<b>\$ 13,062,669</b>	<b>\$13,131,489</b>	<b>\$ 68,820</b>

### Notes:

- Revenues shown by category, in line with budget book
- Year-end 'true-up' of accrual estimates for water & sewer completed Nov. 1



# Water Fund Summary

## Overview of Expenses

Water Fund	Current FY2021 Budget	FY2021 Estimate	FY2021 Estimate Better or Worse than Budget
Expenses			
Personnel	\$ 3,476,132	3,456,654	19,478
Supplies	794,974	695,822	99,152
Maintenance	934,986	735,499	199,487
Services	1,095,604	978,819	116,785
Other	355,125	355,125	-
Capital Outlay	153,340	168,958	(15,618)
Transfers-Out	6,426,508	6,426,508	0
<b>Total WF Expenses</b>	<b>\$ 13,236,669</b>	<b>\$12,817,385</b>	<b>\$ 419,284</b>

### Notes:

- **Expenses shown by category, in line with budget book**
- **Service category includes water, electric, natural gas**

# Golf Fund Overview

Golf Fund	Current FY2021 Budget	FY2021 Estimate	FY2021 Estimate Better or Worse than Budget
Recreation Revenue	866,705	1,038,971	172,266
Misc Revenue	1,000	20,668	19,668
Transfer In	80,000	80,000	-
<b>Total Revenue</b>	<b>\$ 947,705</b>	<b>\$ 1,139,639</b>	<b>\$ 191,934</b>
Expenditures	952,859	951,548	-
<b>Net</b>	<b>\$ (5,154)</b>	<b>\$ 188,091</b>	<b>\$ 191,934</b>

## Notes:

**Golf has continued to show growth throughout the year**

- **Two large tournaments & one high school tournament**
- **Schools are practicing again**
- **New software company has wide reach for increased marketing**
- **COVID restrictions could be driving people to the course for outdoor activity (especially in early months of the fiscal year)**

# Development Services Fund Overview

Development Services Fund	Current FY2021 Budget	FY2021 Estimate	FY2021 Estimate Better or Worse than Budget
Revenues			
Permits & Fees	\$ 613,830	488,839	(124,991)
Transfer In	272,260	272,260	-
Total Revenue	886,090	761,099	(124,991)
Expenditures	1,018,747	1,012,763	(5,984)
Net	\$ (132,657)	\$ (251,663)	\$ (130,975)

## Notes:

- **Development Service Fund revenues difficult to predict – timing of upcoming projects is the largest determining factor**
- **Expecting net loss of \$131K for FY2021**
- **Healthy fund balance of \$330K can assume the deficit**
- **Multiple large development projects in the works that will likely hit in early FY2022**

# HOT Fund Summary

Hotel Occupancy Tax Fund	Current FY2021 Budget	FY2021 Estimate	FY2021 Estimate Better or Worse than Budget
Revenues	\$ 1,281,685	1,601,628	\$ 319,943
Expenses	1,281,685	1,237,738	43,947
<b>Net</b>	<b>\$ -</b>	<b>\$ 363,890</b>	<b>\$ 363,890</b>

## Notes:

- **FY2021 revenues: \$320K better than budget**
- **FY2021 expenses: \$44K better than budget**





# Year End Process

- **9/30/2021- Fiscal Year 2021 ended**
- **10/1/2021 - Finance began year-end close processes, which will continue through the first week of November**
- **11/15/2021-11/19/2021 - Audit field work (Interim audit documents were completed in August and early September)**
- **November Council Meeting -Year-end financial report presented**
- **November - Final budget book presented**
- **December or January Council Meeting - Budget Amendment will be presented to Council**
  - **Council will give direction regarding transfer of FY2021 Year End funds**
- **February 2022 - Comprehensive Annual Financial Report will be presented to Council by the City's audit firm, BKD**
- **February 2022 – new budget process begins!**



# **Questions or Comments?**





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

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**SUBJECT:** City's ongoing preparedness and response to COVID-19 (Coronavirus), and review of Declaration of local state of disaster due to a public health emergency, March 20, 2020.

**AGENDA DATE OF:** October 26, 2021      **DATE SUBMITTED:** Oct 01, 2021

**SUBMITTED BY:** Eric Maloney

**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:**

This is a regular briefing on the responsiveness to changing conditions and situations related to Covid 19, as well as the opportunity to review the Disaster Declaration.

**RECOMMENDED ACTION:**

Report provided.



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

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**SUBJECT:** Appointment to the Main Street Advisory Board.

**AGENDA DATE OF:** October 26, 2021      **DATE SUBMITTED:** Oct 14, 2021

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20211026\\_Roster\\_Main Street.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>	D - Downtown Revitalization
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

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**SUMMARY STATEMENT:**

Two vacancies will exist November 2021.

Three applications have been received: Michael Kelliher, Lanza Teague, and Marvin Willis.

**RECOMMENDED ACTION:**

Appoint members.



## MAIN STREET

Name	Status	Term	Start date		End date	Position
Diana Howard	Active	1	25-Aug-20		24-Sep-22	Ex Officio
Katherine Howard	Active	1	18-Nov-20		24-Sep-22	
J Clint Morris	Active	2	24-Sep-19	25-Sep-21	25-Sep-23	Vice Chair
Lyndia Rector	Active	2	24-Sep-19	25-Sep-21	25-Sep-23	
William Rector	Active	1	18-Nov-20		24-Sep-22	Ex Officio
Sue Schulse	Active	1	1-Oct-21		30-Sep-23	
Melissa Southern	Active	2	24-Sep-19	25-Sep-21	25-Sep-23	
Vacancy		1	9-Nov-21		24-Sep-22	
Vacancy		1	9-Nov-21		24-Sep-22	

**Description:** The Main Street Advisory Board serves in an advisory capacity to the Mayor and City Council and assists other City Boards and Commissions and City Staff to further goals and objectives of the City, including goals and objectives of the Kerrville 2050 Comprehensive Plan and other long-range plans adopted by the City; provides for the achievement of the Texas Main Street Program goals and criteria for the preservation and revitalization of the historic downtown in order to provide the necessary image for the downtown area and serves as a unifying factor to encourage area merchants and building owners to reinvest in downtown; creates positive change for downtown to ensure the success of the Main Street Program by identifying and mobilizing resources, building volunteer support, developing new leadership, and maintaining clear focus on the needs and opportunities for the downtown area.

**Qualifications:** Members must be property or business owners within the designated Main Street boundaries, also known as Reinvestment Zone Number One, and must reside within Kerr County.

**Powers and Duties:** The Main Street Advisory Board serves in an advisory capacity to the Mayor and City Council and assists other City Boards and Commissions and City Staff to further goals and objectives of the City, including goals and objectives of the Kerrville 2050 Comprehensive Plan and other long-range plans adopted by the City; provides for the achievement of the Texas Main Street Program goals and criteria for the preservation and revitalization of the historic downtown in order to provide the necessary image for the downtown area and serves as a unifying factor to encourage area merchants and building owners to reinvest in downtown; creates positive change for downtown to ensure the success of the Main Street Program by identifying and mobilizing resources, building volunteer support, developing new leadership, and maintaining clear focus on the needs and opportunities for the downtown area.

7 members

2 years - 2 terms

Staff: Megan Folkerts

Resolution No. 1994-133; 12-2014; 28-2019, 36-2019.