



**ECONOMIC IMPROVEMENT CORPORATION AGENDA**  
**SEPTEMBER 19, 2022, 4:00 PM**  
**Kerrville City Hall Council Chambers**  
**701 Main Street, Kerrville, Texas**

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

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**1 CALL TO ORDER:**

**2 INVOCATION:**

**3 VISITORS / CITIZENS FORUM:**

*Any citizen with business not scheduled on the agenda may speak to the Economic Improvement Corporation. No deliberation or action can be taken on these items because the Open Meetings Act requires an item be posted on an agenda 72 hours before the meeting. Visitors are asked to limit their presentation to three minutes.*

**4 APPROVAL OF MINUTES:**

- 4.A. Minutes from the regular Economic Improvement Corporation (EIC) meeting held on August 15, 2022.

Attachments:

[EIC Minutes 8-15-2022.pdf](#)

**5 MONTHLY REPORTS:**

- 5.A. Kerr Economic Development Corporation (KEDC) update.

Attachments:

[KEDC Summary to EIC Sept. 2022.pdf](#)

- 5.B. Kerrville Economic Improvement Corporation (EIC) project status update including the following:

- Tranquility Island Electrical Infrastructure
- KERV Airport Improvements
- Killdeer Mountain Manufacturing
- Peterson Medical Center Campus Infrastructure Improvements.

Attachments:

[EIC Project Update 2022-08-03.pdf](#)

- 5.C. Monthly Financial Report.

Attachments:

[August 2022 financial presentation.pdf](#)

**6 CONSIDERATION AND POSSIBLE ACTION:**

- 6.A. Recommend calling a public hearing for October 17, 2022 to discuss the funding application to the City of Kerrville, Texas Economic Improvement Corporation for Phase 1 of the Downtown River Trail extension, from the Tranquility Island Bridge to the Scenic Downtown Overlook, along with environmental permitting for all phases of the Downtown River Trail to the G Street bridge.

Attachments:

[20220913\\_EIC application\\_downtown RiverTrail improvements.pdf](#)

[20220919\\_EIC\\_Downtown River Trail Map.pdf](#)

- 6.B. Recommend calling a public hearing for October 17, 2022 to discuss the funding application to the City of Kerrville, Texas Economic Improvement Corporation for a downtown infrastructure and beautification project along Clay Street from Main Street to Water Street and on Water Street from Clay Street to Sidney Baker.

Attachments:

[20220913\\_EIC application\\_downtown infrastructure underground utilities.pdf](#)

[20220919\\_Kerrville Parking Center - Budget.pdf](#)

- 6.C. Recommend calling a public hearing for October 17, 2022 to discuss the funding application to the City of Kerrville, Texas Economic Improvement Corporation for a Fitness Court at Louise Hays Park.

Attachments:

[20220913\\_Presentation\\_Fitness Court.pdf](#)

- 6.D. Review and consideration of Contract No. 2019-84 "EIC Funding Agreement - Airport Infrastructure Improvements" to include an amendment to decrease the overall amount and extend the contract.

Attachments:

[2019-84 EIC Project Funding Agreement - Airport Infrastructure Improvements 11-12-19.pdf](#)

- 6.E. Discussion to reschedule the Economic Improvement Corporation (EIC) FY23 November - February meetings as they fall near or on a holiday.

**7 EXECUTIVE SESSION:**

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

**8 POSSIBLE ACTION FOR ITEMS DISCUSSED IN EXECUTIVE SESSION:**

**9 ITEMS FOR FUTURE AGENDAS:**

**10 ADJOURN.**

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

I hereby certify that this agenda was posted as notice of the meeting on the bulletin board at the City Hall of the City of Kerrville, Texas, and on the City's website on the following date and time: 9/16/2022 at 3:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Kesha Franchina

Kesha Franchina, Deputy City Secretary, City of Kerrville, Texas

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



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**SUBJECT:** Minutes from the regular Economic Improvement Corporation (EIC) meeting held on August 15, 2022.

**AGENDA DATE OF:** September 19, 2022

**DATE SUBMITTED:** Aug 17, 2022

**SUBMITTED BY:** Kesha Franchina

**EXHIBITS:** [EIC Minutes 8-15-2022.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:**

Minutes from the regular Economic Improvement Corporation (EIC) meeting held on August 15, 2022.

**RECOMMENDED ACTION:**

Approve minutes from the regular Economic Improvement Corporation (EIC) meeting held on August 15, 2022.

**CITY OF KERRVILLE, TEXAS ECONOMIC IMPROVEMENT CORPORATION (EIC)  
REGULAR MEETING – August 15, 2022**

On Monday, August 15, 2022, at 4:00 p.m., the regular meeting of the City of Kerrville, Texas Economic Improvement Corporation, was called to order by President Gregory Richards, in the Council Chambers at City Hall, 701 Main Street, Kerrville, Texas.

**MEMBERS PRESENT:**

Gregory Richards, President  
Danny Almond, Vice President  
John Anderson  
Gregg Appel  
Kyle Bond  
Gary Cochrane

**MEMBERS ABSENT:**

Kim Clarkson, Councilmember Place 2

**CHIEF EXECUTIVE STAFF PRESENT:**

Michael Hornes, Assistant City Manager  
Kim Meismer, Assistant City Manager  
Mike Hayes, City Attorney  
Kesha Franchina, Deputy City Secretary  
Trina Rodriguez, Assistant Director of Finance

**VISITORS PRESENT:** No citizen speakers registered to speak during the Visitors/Citizens forum item 3.

**1     CALL TO ORDER:** President Richards called the meeting to order at 4:00 p.m.

**2     INVOCATION:** Gary Cochrane led the invocation.

**3     VISITORS / CITIZENS FORUM:** None.

*Any citizen with business not scheduled on the agenda may speak to the Economic Improvement Corporation. No deliberation or action can be taken on these items because the Open Meetings Act requires an item be posted on an agenda 72 hours before the meeting. Visitors are asked to limit their presentation to three minutes.*

**4     APPROVAL OF MINUTES:**

4.A. Minutes from the regular Economic Improvement Corporation (EIC) meeting held on July 18, 2022.

Gary Cochrane motioned to approve the minutes, and Kyle Bond seconded. The motion passed 6-0.

**5     MONTHLY REPORTS:**

5.A. Kerr Economic Development Corporation (KEDC) update.

Theresa Metcalf presented the KEDC update, and responded to questions.



5.B. Kerrville Economic Improvement Corporation (EIC) project status update.

Michael Hornes presented the EIC project status update, and responded to questions.

5.C. Monthly Financial Report.

Trina Rodriguez presented the Monthly Financial Report, and responded to questions.

**6 CONSIDERATION AND POSSIBLE ACTION:**

6.A. Administrative Services contract between City of Kerrville and City of Kerrville Texas Economic Improvement Corporation.

Michael Hornes presented the Administrative Services contract between City of Kerrville and City of Kerrville Texas Economic Improvement Corporation, and responded to questions.

Vice President Danny Almond motioned to approve the Administrative Services contract, and Kyle Bond seconded. The motion passed 6-0.

6.B. Economic Development Grant Agreement between Kerr Economic Development Corporation and the City of Kerrville Texas Economic Improvement Corporation.

Michael Hornes presented the Economic Development Grant Agreement between Kerr Economic Development Corporation and the City of Kerrville Texas Economic Improvement Corporation, and responded to questions.

Gary Cochrane motioned to approve the Economic Development Grant Agreement between Kerr Economic Development Corporation and the City of Kerrville Texas Economic Improvement Corporation, and Kyle Bond seconded. The motion passed 6-0.

6.C. Discuss the Economic Improvement Corporation (EIC) calendar for Fiscal Year 2023.

Michael Hornes presented the FY2023 Calendar, noting holidays and possibility of rescheduling or canceling meetings for November, December, January, and February. President Richards requested Kesha Franchina to send proposed dates for the FY2023 to members to inquire into conflicts.

Gregg Appel motioned to go into executive session under (551.071, 551.072, 551.087). Kyle Bond seconded and the motioned passed 6-0. President Richards adjourned into closed executive session at 4:29 p.m.

**7 EXECUTIVE SESSION:**

7.A. Workforce Housing development projects (551.071, 551.072, 551.087).

President Richards adjourned the closed executive session, and the meeting returned to open session at 4:39 p.m. No action was taken.

**8 POSSIBLE ACTION FOR ITEMS DISCUSSED IN EXECUTIVE SESSION:** None.

**9 ITEMS FOR FUTURE AGENDAS:** None.

**10   ADJOURN.** President Richards adjourned the meeting at 4:39 p.m.

Minutes Approved: \_\_\_\_\_

President Gregory Richards: \_\_\_\_\_

Attest: Kesha Franchina, Deputy City Secretary: \_\_\_\_\_



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



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**SUBJECT:** Kerr Economic Development Corporation (KEDC) update.

**AGENDA DATE OF:** September 19,  
2022

**DATE SUBMITTED:** Aug 17, 2022

**SUBMITTED BY:** Gil Salinas

**EXHIBITS:** [KEDC Summary to EIC Sept. 2022.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>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

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**SUMMARY STATEMENT:**

Kerr Economic Development Corporation (KEDC) June 2022 update.

**RECOMMENDED ACTION:**

Information only; no action required.



**MONTHLY REPORT TO ECONOMIC IMPROVEMENTS CORP.**  
**September 19, 2022**

*NOTE – The KEDC is currently at the International Economic Development Council's Annual Conference in Oklahoma City where it is accepting some marketing awards. The KEDC is also a speaker at the national conference.*

**EMPLOYMENT TRENDS:** The unemployment rate is at 3.5 percent for June, which is down from 3.7 percent in July. This year the lowest it's been is 3.0 percent in April. The rate will drop the closer we get into the holiday season.

**GOV. SMALL BUSINESS SERIES:** The Governor's marketing team has started promoting the Small Business Series which will be at Schreiner University in Kerrville on October 27. They expect to draw about 250 businesses and entrepreneurs from the Hill Country as well as Austin and San Antonio. The KEDC is working with them on lining up a series of speakers and highlighting local businesses.

**BUSINESS & INNOVATION FORUM:** Following the Small Business Series, the KEDC will host its 2<sup>nd</sup> Annual Business & Innovation Forum at Schreiner with three scheduled speakers and will wrap up with a networking mixer at the Trailhead Beer Garden. The KEDC is also currently working on a special motivational speaker, which will be announced in early October.



**AWARDS:** The KEDC was recognized by the Southern Economic Development Council for its work on marketing and workforce-related programs at the annual conference in San Antonio last month. This week, the KEDC will also be recognized by the International Economic Development Council for its Top 40 Magazine in the 'Best in Class' marketing category.

**LEGISLATIVE:** Staff was at the State Capitol earlier this month meeting with members of the Governor's Economic Development team pertaining to Kerrville projects, possible incentive programs and the upcoming Governor's Small Business Series in Kerrville.

**STRATEGIC PLAN:** TIP Strategies Consulting firm continues working with the KEDC staff and board on the 3 Year Economic Development Strategic Plan. The plan will be complete by December and will be scheduling a presentation to the respective stakeholder boards in January.

**KMM EVENT:** The KEDC and City Manager's Office is working on a Groundbreaking Ceremony for October 18 at what will be their new facility at the Airport Commerce Park on SH27. More on this as we firm up the speakers and special guests in the agenda.



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



**SUBJECT:** Kerrville Economic Improvement Corporation (EIC) project status update including the following:

- Tranquility Island Electrical Infrastructure
- KERV Airport Improvements
- Killdeer Mountain Manufacturing
- Peterson Medical Center Campus Infrastructure Improvements.

**AGENDA DATE OF:** September 19, 2022      **DATE SUBMITTED:** Aug 17, 2022

**SUBMITTED BY:** Michael Hornes

**EXHIBITS:** [EIC Project Update 2022-08-03.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>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

**SUMMARY STATEMENT:**

Kerrville Economic Improvement Corporation (EIC) project status update including the following:

- Tranquility Island Electrical Infrastructure
- KERV Airport Improvements
- Killdeer Mountain Manufacturing
- Peterson Medical Center Campus Infrastructure Improvements.

**RECOMMENDED ACTION:**

**Information only; no action.**

Monthly EIC Project Status Report

	Project Name	Description	Estimated Design Completion	Estimated Construction Completion	Comments
1	Tranquility Island Electrical Infrastructure	Partnership with City and Kerrville Christmas Lighting Corporation to help further enhance seasonal and Christmas lighting on Tranquility Island	Complete	Phase 1 Complete	Phase 1 construction complete. Final project closeout coordination and documents review in progress. Phase 2 pending easement approval from General Land Office for Guadalupe River crossing. Private funding to continue based on engineer's projected cost.
2	KERV Airport Improvements	Partnership with KERV, TxDOT, City and County to build T-Hangars, Box Hangars, and other building improvements	TBD	TBD	Partnership Agreement approved Fall 2019. KERV working with TxDOT for Row hangar design effort. KERV has completed demolition of the "Horseshoe Building." Box Hangar site work pending TxDOT Row hangar project.
3	Killdeer Mountain Manufacturing	Renovation of 40,000 sq ft building on 8.2 acres in Airport Commerce Park for 400+ employee Tier-1 aerospace manufacturer	Private	2022	Land and existing building shell have been conveyed to KMM. Annexation and Zoning have been completed. Building permit issued 11/26/2021. Construction in progress.
4	Peterson Medical Center Campus Infrastructure Improvements	Campus improvements including extension of public utilities and roadway	Private	2022	Partnerhsip Agreement approved Jaunary 2022. Design in progress with construction anticipated to be completed by end of 2022.



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



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**SUBJECT:** Monthly Financial Report.

**AGENDA DATE OF:** September 19,  
2022

**DATE SUBMITTED:** Aug 17, 2022

**SUBMITTED BY:** Trina Rodriguez

**EXHIBITS:** [August 2022 financial presentation.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:**

Monthly financial report for the month ending August 31, 2022 will be presented by staff.

**RECOMMENDED ACTION:**

Information only; no action.



# **Financial update for the month ended August 31, 2022**

**Economic Improvement Corporation Meeting  
September 19, 2022**





Economic Improvement Corporation

Statement of Activities

Month Ended August 31, 2022

**Revenues**

Sales and Use Tax

Interest Income

**Total Revenues**

Annual Budget	Current Period	YTD Actual	YTD Budget Estimate	Better/Worse YTD Estimate
\$ 4,223,000	\$ 452,674	\$ 4,404,748	\$ 3,780,663	\$ 624,086
9,665	9,235	28,489	9,181	19,308
4,232,665	461,909	4,433,237	3,789,843	643,394

**Expenditures**

Administrative

Supplies and Miscellaneous

Professional Services

Administrative Services Fee

Kerr Economic Development Corp.

**Total Administrative**

Debt Service

Debt Service - Series 2019 Ref (River Trail)

Debt Service - Series 2020 Ref (River Trail)

Debt Service - Series 2015 (KSC)

**Total Debt Service**

Investment Purchases

Projects

Airport Projects

Arcadia Live

Sid Peterson Memorial Hospital

**Total Projects**

**Total Expenditures**

Annual Budget	Current Period	YTD Actual	YTD Budget Estimate	Better/Worse YTD Estimate
500	120	233	233	-
10,000	694	694	694	-
195,000	16,250	178,750	178,750	-
312,500	-	312,500	312,500	-
518,000	17,064	492,177	492,177	-
251,019	20,918	230,101	230,101	-
233,000	19,417	213,583	213,583	-
605,350	50,446	554,904	554,904	-
1,089,369	90,781	998,588	998,588	-
-	-	990,748	990,748	-
342,233	-	-	-	-
400,000 *	-	400,000	400,000	-
800,000 *	-	-	-	-
1,542,233	-	400,000	400,000	-
3,149,602	107,844	2,881,513	2,881,513	-

**Change in Net Position**

\$ 1,083,063	\$ 354,065	\$ 1,551,724
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Economic Improvement Corporation

Cash Flow Forecast

As of August 31, 2022

	FY2022 Actual	FY2022 Estimate	FY2023 Projection			
	Oct 2021 to August 2022	Sep 2022	Oct 2022 to Dec 2022	Jan 2023 to Mar 2023	Apr 2023 to Jun 2023	Jul 2023 to Sep 2023
<b>Beginning Cash Balance</b>	\$ 2,738,631	\$ 4,285,069	\$ 4,684,152	\$ 5,339,303	\$ 6,248,172	\$ 7,092,969
<b>Revenue</b>						
Sales Tax	4,404,748	498,413	1,192,707	1,304,191	1,240,120	1,525,252
Interest Income	28,489	9,225	8,123	6,750	6,750	6,750
Investment Maturity	-	-	1,000,000	-	-	-
<b>Total Revenue</b>	4,433,237	507,638	2,200,829	1,310,941	1,246,870	1,532,002
<b>Expenditures</b>						
Administrative						
Supplies and Miscellaneous	233	-	163	163	163	163
Professional Services	694	-	2,500	2,500	2,500	2,500
Administrative Services	178,750	16,250	50,000	50,000	50,000	50,000
KEDC	312,500	-	78,125	78,125	78,125	78,125
Total Administrative	492,177	16,250	130,788	130,788	130,788	130,788
Debt Service	998,588	90,781	271,285	271,285	271,285	271,285
Projects						
Airport Projects	-	-	342,233	-	-	-
Sid Peterson Memorial Hospital	-	-	800,000	-	-	-
Arcadia Live	400,000	-	-	-	-	-
Total Projects	400,000	-	1,142,233	-	-	-
Investment Purchase	990,748	-	-	-	-	-
<b>Total Expenditures</b>	2,881,513	107,031	1,544,306	402,073	402,073	402,073
Interest Receivable	6,354	1,525	1,373	-	-	-
<b>Ending Cash Balance</b>	\$ 4,285,069	\$ 4,684,152	\$ 5,339,303	\$ 6,248,172	\$ 7,092,969	\$ 8,222,898

# Financial Analysis

Sales Tax Revenue Analysis - FY2022					
Month	Actual FY2021	Budget FY2022	Actual FY2022	FY2021 vs. FY2022	Budget vs. Actual
October	\$ 311,718	\$ 314,315	\$ 365,850	17.37%	16.40%
November	376,028	\$ 333,762	420,172	11.74%	25.89%
December	320,874	\$ 322,250	333,189	3.84%	3.39%
January	334,661	\$ 315,729	421,736	26.02%	33.58%
February	433,414	\$ 423,682	474,948	9.58%	12.10%
March	321,565	\$ 301,635	366,033	13.83%	21.35%
April	262,388	\$ 286,993	314,340	19.80%	9.53%
May	440,837	\$ 369,148	444,108	0.74%	20.31%
June	369,003	\$ 351,519	406,782	10.24%	15.72%
July	370,485	\$ 364,821	404,917	9.29%	10.99%
August	431,388	\$ 396,807	452,674	4.93%	14.08%
September	390,132	\$ 365,021	396,373	1.60%	8.59%

Cash Analysis as of August 31, 2022		
Type	Placement	Amount
Pool	EIC TexPool	\$ 4,285,069
ST Investments	Credit Suisse NY CP-2254EBKT7	\$ 995,833
	<b>Total Cash and Investments</b>	<b>\$ 5,280,902</b>

Project Analysis as of August 31, 2022			
Project Description	EIC Commitment	Disbursed Funding	Remaining Funding
<b>Committed Projects:</b>			
Airport Projects	375,000	32,767	342,233
Sid Peterson Memorial Hospital	1,600,000	-	1,600,000
<b>Committed Project Total</b>	<b>\$ 1,975,000</b>	<b>\$ 32,767</b>	<b>\$ 1,942,233</b>



# Questions?





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

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**SUBJECT:** Recommend calling a public hearing for October 17, 2022 to discuss the funding application to the City of Kerrville, Texas Economic Improvement Corporation for Phase 1 of the Downtown River Trail extension, from the Tranquility Island Bridge to the Scenic Downtown Overlook, along with environmental permitting for all phases of the Downtown River Trail to the G Street bridge.

**AGENDA DATE OF:** September 19, 2022      **DATE SUBMITTED:** Sep 15, 2022

**SUBMITTED BY:** Ashlea Boyle

**EXHIBITS:** [20220913\\_EIC application\\_downtown RiverTrail improvements.pdf](#)  
[20220919\\_EIC\\_Downtown River Trail Map.pdf](#)

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$1,030,000	N/A	N/A	

**PAYMENT TO BE MADE TO:** To be determined

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

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**SUMMARY STATEMENT:**

At its meeting of September 13, 2022 the Kerrville City Council authorized staff to present a quality of life project funding application in the amount of \$1,030,000 to the EIC for Phase 1 of the Downtown River Trail extension, from the Tranquility Island Bridge to the Scenic Downtown Overlook, along with environmental permitting for all phases of the Downtown River Trail to the G Street Bridge.

In FY2021, the EIC funded a conceptual study for the extension of the Downtown River Trail

along the north side of the Guadalupe River from the Tranquility Island Bridge to G Street. In May of 2021 , Hewitt Engineering presented the finalized concept study report. From the introduction of that study, "The purpose of this concept study is to evaluate alternative trail alignments and identify environmental and constructability issues associated with an extension of the second phase of the River Trail."

The proposal recommended this Downtown River Trail project be separated into two phases. Initial cost estimates for Phase 1, which include Trail Segment 1 (Tranquility Island Bridge to Sidney Baker Bridge) and Trail Segment 2 (Sidney Baker Bridge to the Downtown Scenic Overlook), was \$800,538, based on early 2021 cost estimates. Current construction estimates, which are attached to this agenda, show this phase now estimated at \$995,280 with an additional \$25-30,000 for environmental permitting, for a total of \$1,025,280.

Extending the Kerrville River Trail is consistent with several community plans such as the K2050 Comprehensive Plan, the Parks and Recreation Master Plan, the Parks and Recreation Department's goal to encourage the Kerrville community to "get outdoors, be active, and play", and the River Trail Master Plan.

If approved, staff will schedule a public hearing and present a funding agreement at the October 17th EIC meeting. Once approved by the EIC, it will then be considered by the City Council for final approval authority.

**RECOMMENDED ACTION:**

Consideration and approval of the funding request as presented.

# River Trail Downtown Improvements-Sections 1 and 2

## Preliminary Engineer's Estimate

August 2022

Item No.	Description	Quantity	Unit	UNIT COST	TOTAL COST
1	<b>Mobilization and Demobilization</b> as necessary for the Contract Documents (5%)	1	LS	\$40,000.00	\$40,000.00
2	<b>Brush Clearing/Pruning</b> , along new trail alignment, complete in place as specified and indicated in the plans.	1	LS	\$45,000.00	\$45,000.00
3	<b>Earthwork for Site</b> , to include all rough grading and fine grading for entire site including any importing or removal of excess fill as needed, topsoil placement, complete in place as specified and indicated in the plans.	1	LS	\$90,000.00	\$90,000.00
4	<b>10' Wide Concrete Trail w/30" Toedown</b> , to include all trail paving, complete in place as specified and indicated in the plans	1400	LF	\$240.00	\$336,000.00
5	<b>Elevated Concrete Trail</b> , including excavation, concrete headwalls, concrete paving on top of culverts, and all necessary construction as detailed in drawings and specifications, complete in place as specified and indicated in the plans	100	LF	\$450.00	\$45,000.00
6	<b>Limestone Block Retaining Walls</b> , complete in place as specified and indicated on plans.	60	EA	\$350.00	\$21,000.00
7	<b>Rock Rip Rap</b> as required, complete in place as specified and indicated in the plans.	55	CY	\$380.00	\$20,900.00
8	<b>Turf Reinforcement Mat with Seed</b> , to include erosion control mat and Rye grass seed including fine grading, raking, fertilization, and temporary irrigation as necessary to cover disturbed areas, complete in place as specified and indicated in the plans.	400	SY	\$32.00	\$12,800.00
9	<b>Seeding</b> , includes fine grading, raking, fertilization, and temporary irrigation as necessary to cover disturbed areas, complete in place as specified and indicated in the plans.	1	LS	\$22,300.00	\$22,300.00
10	<b>Bridge over Clay Street Drainage Outfall (Box Culverts)</b>	1	LS	\$42,000.00	\$42,000.00
11	<b>SWPPP</b> , design and provide Storm Water Pollution Prevention Plan, as required for construction of Trail Improvements project, complete as specified and indicated on plans.	1	LS	\$40,000.00	\$40,000.00
ESTIMATED CONSTRUCTION COST					\$715,000.00
20% CONTINGENCY					\$143,000.00
<b>TOTAL ESTIMATED CONSTRUCTION COST</b>					<b>\$858,000.00</b>
10% ENGINEERING DESIGN FEE					\$85,800.00
3% CONSTRUCTION PHASE SERVICES AND TESTING FEE					\$25,740.00
3% ADDITIONAL SERVICES FEE (SURVEY/GEOTECH)					\$25,740.00
<b>TOTAL ESTIMATED SECTION 1 COST</b>					<b>\$995,280.00</b>





**Hewitt Engineering Inc.**  
 Consulting Engineering Services  
 716 Barnett Street • Kerrville, Texas 78028 • 830.315.8800  
 TBPE Registration No. F-10739 • www.hewitt-inc.com

## DOWNTOWN RIVER TRAIL SEGMENT MAP

EXHIBIT 1







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



**SUBJECT:** Recommend calling a public hearing for October 17, 2022 to discuss the funding application to the City of Kerrville, Texas Economic Improvement Corporation for a downtown infrastructure and beautification project along Clay Street from Main Street to Water Street and on Water Street from Clay Street to Sidney Baker.

**AGENDA DATE OF:** September 19, 2022

**DATE SUBMITTED:** Sep 12, 2022

**SUBMITTED BY:** Megan Folkerts

**EXHIBITS:** [20220913\\_EIC application\\_downtown infrastructure underground utilities.pdf](#)  
[20220919\\_Kerrville Parking Center - Budget.pdf](#)

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$400,000	N/A	N/A	N/A

**PAYMENT TO BE MADE TO:** To be determined

<b>Kerrville 2050 Item?</b>	Yes
<b>Key Priority Area</b>	D - Downtown Revitalization
<b>Guiding Principle</b>	D4. Encourage and program Downtown public events and create more gathering places that promote and enhance Downtown as an arts, culture and music center
<b>Action Item</b>	D4.6 - Enhance the access, functionality and safety of the Downtown parking garage

**SUMMARY STATEMENT:**

The City was successful in leveraging Downtown Community Development Block Grant funds to help fund infrastructure and mobility improvements at the intersection of Clay Street and Water Street. In light of this upcoming activity, KPUB has been investigating the possibility of converting the existing overhead utility lines in the area to underground service, enhancing the aesthetic of downtown, upgrading the electrical service for future demand (HHHC), and complimenting the other improvements. KPUB has developed

estimates of the cost to do this work which are summarized in the attached funding request letter to EIC. This project will remove the overhead electric and telecommunications utilities starting on Clay Street starting approximately 60 feet South of Main Street and along Water Street from Sidney Baker to the A.C. Schreiner House.

As outlined in the letter, KPUB is asking that EIC fund half of the cost of this underground utility conversion. The total cost of the project is \$450,575. KPUB's request is that EIC pay for \$225,287.

In conjunction with burying the underground power lines, a beautification project along the Water street section of the City's Downtown parking garage is also planned, as much of the vegetation in the right-of-way will not survive the construction. The work will also include hardscape improvements for parking garage safety. Preliminary cost estimates for this project are between \$130,000-180,000.

Staff recommends a total funding request to EIC of \$400,000, which will fund the upgraded electrical utility infrastructure and the landscape and beautification efforts for the Downtown Parking Garage along Water Street.

**RECOMMENDED ACTION:**

Authorize staff to call a public hearing on October 17, 2022 to discuss the funding application to the City of Kerrville, Texas Economic Improvement Corporation for a downtown infrastructure and beautification project.



**KERRVILLE  
PUBLIC  
UTILITY  
BOARD**

August 9, 2022

Kerrville EIC Board Members  
Mr. E.A. Hoppe  
701 Main Street  
Kerrville, TX 78028

Re: Funding Request for Clay and Water Street Underground Utility Conversion

In light of the activity being planned in the area of the Clay and Water Street intersection, KPUB has been investigating the possibility of converting the existing overhead utility lines in the area to underground.

KPUB has developed estimates of the cost to do this work which are summarized below. There are two costs provided with the variance being related to how much we are allowed to shut down the intersection for our work. If we are able to completely close the intersection for the duration of the civil work in the intersection, the work will be completed more quickly and at lower cost.

Activity	With Intersection Closure	With Partial Road Closures
Civil Construction Work	\$ 173,500	\$ 205,500
Material cost	\$ 141,506	\$ 141,506
KPUB Labor	\$ 50,000	\$ 50,000
HCTC Material and Labor	\$ 4,800	\$ 4,800
Windstream Material and Labor	\$ 8,500	\$ 8,500
Spectrum Material and Labor	\$ 8,813	\$ 8,813
Customer Service Entrance Conversions	\$ 10,000	\$ 10,000
Contingency	\$ 19,856	\$ 21,456
	\$ 416,975	\$ 450,575

This project will remove the overhead electric and telecommunications utilities starting on Clay Street starting approximately 60 feet South of Main Street and along Water Street from Sidney Baker to the A.C. Schreiner Mansion.

It would make sense to do this project in coordination with the other projects in this area if there is an interest in beautification for the area. The project will also help address providing service to the remodeled A.C. Schreiner Mansion as the existing service will not have the capacity required.

The KPUB Board has directed me to seek outside funding for 50% of the cost of this project. Factors considered in seeking outside funding include:

- KPUB line extension policy is based on overhead service as standard cost and customers are required to fund additional costs when underground is requested.
- Approximately 40% of KPUB's ratepayers are located outside of the Kerrville City limits and outside funding will help alleviate outside concerns.
- It is not appropriate for KPUB to fund the cost of conversion of telecommunications utilities (HCTC, Windstream, and Spectrum).
- It is not appropriate for KPUB to fund the cost of conversion of customer service entrance equipment.

Funding from the Kerrville EIC in an amount not to exceed \$225,287, or half of the total project expenses, whichever is less, will allow us to move forward with this project.

Please let me know if you need additional information.

Thanks,

A handwritten signature in black ink, appearing to read 'Mike Wittler', with a stylized flourish at the end.

Mike Wittler, P.E.



2546 Goat Creek RD.  
Kerrville, TX 78028  
Office@JKBernhard.com

Office: 830-895-1498  
Fax: 830-895-1499  
www.JKBernhard.com

## PRELIM BUDGET

September 1, 2022

To: Kyle Burow

### **City of Kerrville - Parking Center** 3054 Junction Hwy. Ingram, TX 78025

#### Description

- Budget costs for the masonry and landscaping upgrades on the Parking Center only on South elevation facing Water Street. Scopes of work include:

• Demo existing plants and irrigation lines	\$	7,800.00
• Pour concrete footers for masonry veneer and planter walls	\$	5,460.00
• Limestone masonry veneer installed on face of pre-cast spandrel beams	\$	11,960.00
• Install CMU and masonry at planter walls	\$	-
• New iron fence railing, approx 150', black painted finish	\$	21,775.00
• Install new drip irrigation lines at beds and planters	\$	13,000.00
• Grass sod at landscape beds, price could vary if plants or shrubs requested	\$	26,000.00
• Install approx 3 mountain laurels at each planter box	\$	-
• Prepare beds and planters with new soil and planting mix	\$	-
• Power wash existing sidewalk	\$	1,950.00
• General Conditions - Supervision, insurances, performance bond, portable toilet rental, and equipment	\$	44,665.00

#### Exclusions

- Electrical repairs or upgrades to lighting poles
- Poured concrete curbing between sidewalk and beds
- Underground utilities or demo for new upgrading of utilities
- ADA ramps, handrails, or rework of crosswalk on Water Street
- Awning structure
- Any work on other street sides of the Parking Center

#### Notes:

- Budgeted per discussion. See attached plan with notes.

<b>Total</b>	<b>\$</b>	<b>132,610.00</b>
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Thank you for the opportunity to bid this project. If you have any questions, feel free to call.



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

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**SUBJECT:** Recommend calling a public hearing for October 17, 2022 to discuss the funding application to the City of Kerrville, Texas Economic Improvement Corporation for a Fitness Court at Louise Hays Park.

**AGENDA DATE OF:** September 19, 2022      **DATE SUBMITTED:** Sep 12, 2022

**SUBMITTED BY:** Ashlea Boyle

**EXHIBITS:** [20220913\\_Presentation\\_Fitness Court.pdf](#)

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$100,000	\$0	\$0	

**PAYMENT TO BE MADE TO:** To be determined

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<b>Kerrville 2050 Item?</b>	Yes
<b>Key Priority Area</b>	P - Parks / Open Space / River Corridor
<b>Guiding Principle</b>	P5. Focus on enhancing/investing in existing parks, their purpose or repurpose and improving accessibility before acquiring land for new parks
<b>Action Item</b>	P5.1 - Plan for more recreational amenities along the river

---

**SUMMARY STATEMENT:**

At its meeting of September 13, 2022, the Kerrville City Council authorized staff to submit an application to the EIC in an amount not to exceed \$100,000 for a fitness court quality of life project in Louise Hays Park.

Texas-based health insurance provider Blue Cross and Blue Shield of Texas (BCBSTX) and National Fitness Campaign (NFC) have launched a statewide sponsorship to expand free access to high-quality workouts by bringing outdoor Fitness Courts® to cities across Texas. This initiative was created to fight obesity and improve the quality of life for communities.

Fitness Courts® throughout Texas will be constructed in easily accessible public spaces with the goal of building 20 new Fitness Courts® in the next eighteen months. NFC's

award-winning initiative is planning to welcome its 500th Healthy Community in 2022.

The City of Kerrville was 1 of 20 Texas cities recently awarded a \$50,000 grant from BCBSTX to help fund the Fitness Court. In addition to the BCBS Grant application, staff also approached H-E-B, who generously offered to donate an additional \$10,000 towards the project. The total cost of the project is estimated to cost \$187,350.

After the BCBS grant and HEB donation, there is a \$127,350 gap in funding. Staff is recommending using \$27,350 from the Parks and Recreation Department Parkland Dedication fund and requesting that the Economic Improvement Corporation (EIC) fund the remaining \$100,000.

At the same time staff was applying for these grants, a private citizen approached the Parks and Recreation Department indicating they were interested in donating up to \$25,000 towards the creation of a fitness court. We are hopeful that an agreement can be reached to obtain this generous donation, which could reduce the funding request to EIC to \$75,000. However, until that donation is confirmed, staff recommends an EIC funding request of \$100,000.

The Fitness Court is consistent with several community plans such as the K2050 Comprehensive Plan, the Parks and Recreation Master Plan, the Parks and Recreation Department's goal to encourage the Kerrville community to "get outdoors, be active, and play", and Peterson Regional Medical Center's community health and fitness goals pursuant to the Community Health Needs Assessment.

If approved, staff will schedule a public hearing and present a funding agreement at the October 17th EIC meeting. Once approved by the EIC, it will then be considered by the City Council for final approval authority.

**RECOMMENDED ACTION:**

Authorize staff to call a public hearing for October 17, 2022 to discuss the funding application to the City of Kerrville, Texas Economic Improvement Corporation for a Fitness Court at Louise Hays Park.





## NATIONAL FITNESS CAMPAIGN

2022 Blue Cross and Blue Shield of Texas Statewide Campaign Briefing



BlueCross BlueShield  
of Texas



### WHO WE ARE

National Fitness Campaign is a San Francisco based wellness consulting firm.



### WHAT WE DO

NFC develops partnerships with cities, schools and sponsors to build healthy communities.





**FITNESS COURT®**

FUNCTIONAL TRAINING SYSTEM  
THOUSANDS OF EXERCISES

SCIENTIFICALLY DESIGNED

### 7 MOVEMENT FULL BODY WORKOUTS



CORE



SQUAT



PUSH



LUNGE



PULL

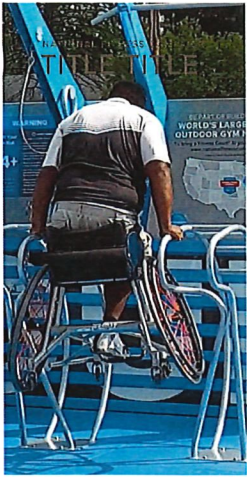


AGILITY



BEND





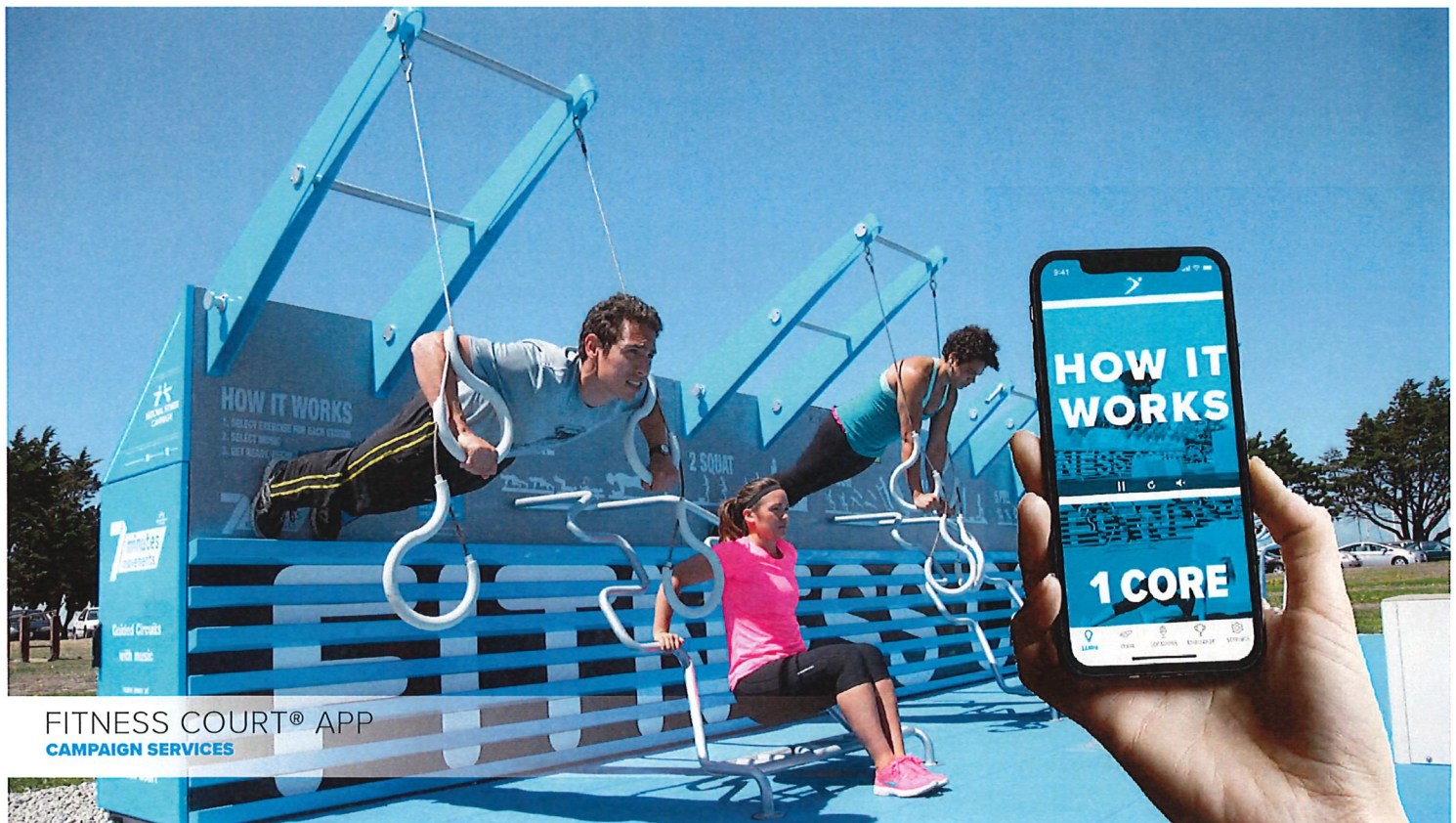
 **FITNESS COURT®**



**ADULTS OF ALL AGES AND ABILITY**

**I am glad to see movements to improve balance.**

*- Carol Claybaker, Senior Resident of Janesville, WI*



**FITNESS COURT® APP**  
**CAMPAIGN SERVICES**



NATIONAL FITNESS CAMPAIGN

## FITNESS COURT® PUBLIC ART

Each Fitness Court® is a one-of-a-kind work of art.



FEATURED ARTIST : 2021 - KEITH HARING



LOCAL ARTIST

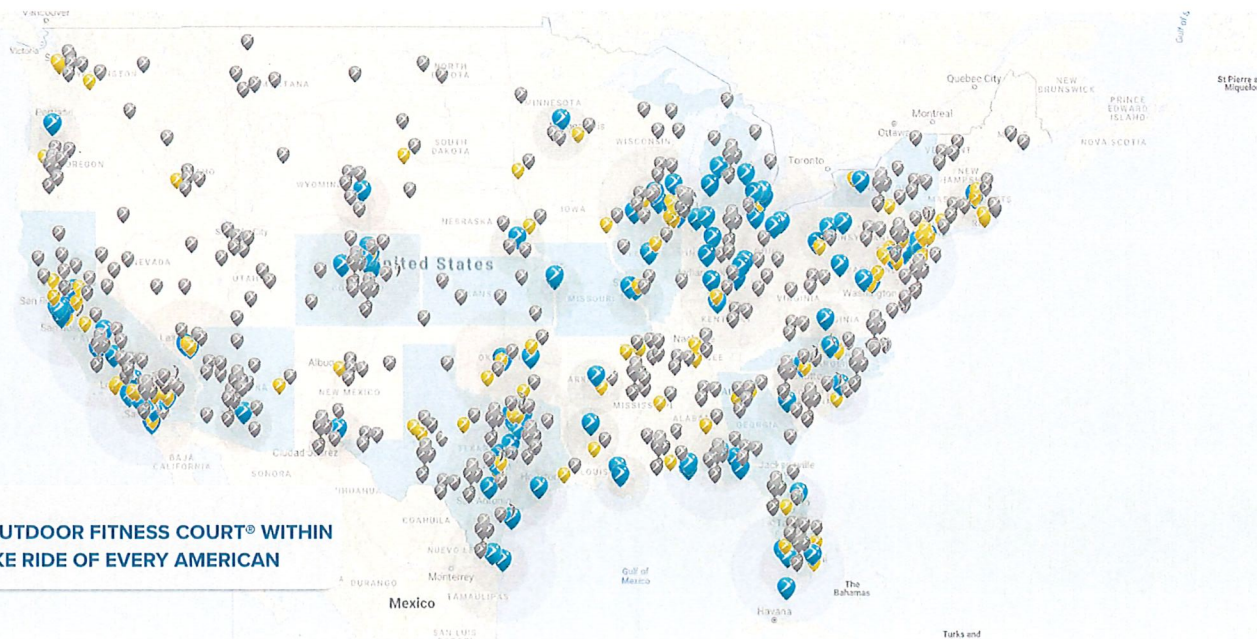


CUSTOM COMMUNITY DESIGNS

NATIONAL FITNESS CAMPAIGN

## NFC 2022 NATIONWIDE STATUS

**10,000+ Fitness Courts® coming to America by 2030**





# 2022 TEXAS STATEWIDE CAMPAIGN



**PRESENTED BY BLUE CROSS AND BLUE SHIELD OF TEXAS**

LIMITED FUNDING FOR UP TO 20 COMMUNITIES IN 2022

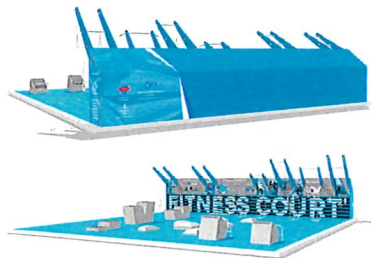


**BlueCross BlueShield  
of Texas**

NATIONAL FITNESS CAMPAIGN  
**TEXAS STATE SPONSOR**



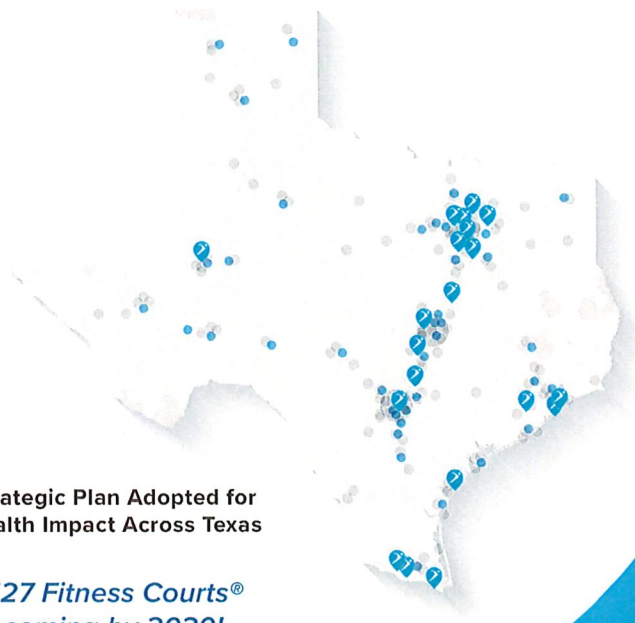
**BlueCross BlueShield  
of Texas**



**\$1,000,000 in Funding  
Now Available for  
Qualified Site Partners**

**Strategic Plan Adopted for  
Health Impact Across Texas**

**527 Fitness Courts®  
coming by 2030!**





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



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**SUBJECT:** Review and consideration of Contract No. 2019-84 "EIC Funding Agreement - Airport Infrastructure Improvements" to include an amendment to decrease the overall amount and extend the contract.

**AGENDA DATE OF:** September 19, 2022      **DATE SUBMITTED:** Sep 08, 2022

**SUBMITTED BY:** Michael Hornes

**EXHIBITS:** [2019-84 EIC Project Funding Agreement - Airport Infrastructure Improvements 11-12-19.pdf](#)

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<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
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**PAYMENT TO BE MADE TO:**

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<b>Kerrville 2050 Item?</b>	Yes
<b>Key Priority Area</b>	E - Economic Development
<b>Guiding Principle</b>	E4. Balance, broaden and diversify the City's tax base, shifting the tax burden away from residential property owners
<b>Action Item</b>	E4.3 - Promote additional hangar space at the Airport to increase property tax revenues from personal property taxes

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**SUMMARY STATEMENT:**

The funding agreement for airport infrastructure improvements between the Kerrville-Kerr County Airport (KERV) is set to expire on November 12th of this year. Mary Rohrer, the airport Executive Director, discuss amendment requests to the contract and give a status update on both projects listed within the funding agreement.

There were two projects envisioned in the agreement, at the time. These two projects were envisioned to enhance a grant from TXDoT to build 10 'T-hangers' at the airport. The Box Hanger site work project, funded at \$100,000 and the Horseshoe building project,

funded at \$275,000. Each project required a matching contribution from Kerr County, and the County agreed to do so. The Box Hanger site work project would add to the work being done to construct the T-Hangers and promote new or expanded efforts to create more jobs and/or increase personal property tax in the area.

The agreement was signed just a few months prior to the start of the COVID-19 pandemic. That coupled with the scarcity of materials and inflationary pressures put on goods and services and TXDoT's shifting airport planning efforts statewide have all played a part in delaying all projects at the airport.

The TXDoT grant to construct the T-Hangers is finally in the works and the airport is requesting an extension to the Box Hanger "site work" portion of the project. The airport is not requesting an extension of the Horseshoe Building renovations at this time.

**RECOMMENDED ACTION:**

Approve Amendment to Contract No. 2019-84 "EIC Funding Agreement - Airport Infrastructure Improvements" to include an amendment to decrease the overall amount and extend the contract.

**PROJECT FUNDING AGREEMENT BETWEEN THE CITY OF KERRVILLE, TEXAS, ECONOMIC IMPROVEMENT CORPORATION AND THE CITY OF KERRVILLE, TEXAS, FOR SITE, BUILDING, AND INFRASTRUCTURE IMPROVEMENTS FOR BUSINESS ENTERPRISES AT THE KERRVILLE-KERR COUNTY AIRPORT**

**THIS PROJECT FUNDING AGREEMENT** (the "Agreement") is entered into this 12 day of NOVEMBER, 2019 (the "Effective Date"), by and between the City of Kerrville, Texas Economic Improvement Corporation ("Corporation"), 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, hereafter referred to as "the Act"), acting by and through its President; and the City of Kerrville, Texas ("City"), a Texas home-rule municipality, acting by and through its City Manager. EIC and City are sometimes collectively referred to herein as "Parties" and individually as "Party".

**WITNESSETH:**

**WHEREAS**, EIC was formed to administer the sales and use tax approved by the citizens of Kerrville, Texas, in May 1995 and collected for "projects" as defined by the Act, including:

*a) land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements that are: (1) for the creation or retention of primary jobs, as that term is defined by the Act; and (2) found by the EIC to be required or suitable for the development, retention, or expansion of manufacturing and industrial facilities; research and development facilities; transportation facilities, including airports, hangars, maintenance and repair facilities, cargo facilities, related infrastructure located on or adjacent to an airport; distribution centers; small warehouse facilities capable of serving as decentralized storage and distribution centers; or, regional or national corporate headquarters facilities; b) expenditures that are found by the EIC to be required or suitable for infrastructure necessary to promote or develop new or expanded business enterprises, limited to: streets and roads, water and sewer utilities, electric utilities, or gas utilities, drainage, site improvements, and related; and telecommunications and internet improvements; and c) land, buildings, equipment, facilities, and improvements found by*

*the EIC to promote or develop new or expanded business enterprises that create or retain primary jobs, including: (1) a project to provide streets and roads, drainage and related improvements, demolition of existing structures, general municipally owned improvements, and any improvements or facilities related to a project described by this subdivision; and (2) any other project that the EIC in its discretion determines promotes or develops new or expanded business enterprises that create or retain primary jobs; as provided by Sections 501.101, 501.103, and 505.155 of the Act; and*

**WHEREAS**, the Kerrville/Kerr County Joint Airport Board ("JAB") proposes to make several infrastructure enhancements at the Kerrville-Kerr County Airport ("Airport") to better leverage its long-term business viability for the community; and

**WHEREAS**, the JAB, pursuant to grant funding provided by the Texas Department of Transportation and local funding from both the City of Kerrville, Texas, and Kerr County, Texas, intends to construct ten (10) "T-hangars" at the Airport; and

**WHEREAS**, while that construction is ongoing, the JAB believes it to be advantageous to conduct additional work and enhancements at the Airport with the intent of attracting and increasing activities stemming from business enterprises, including the possibility of creating or increasing "primary jobs", as that term is defined by the Act; and

**WHEREAS**, the JAB proposes to: build site infrastructure for the eventual construction of three "box hangars"; improve the "Horseshoe Building", to include removing existing exterior and interior walls; and to complete the shell of this building and install exterior walls and doors upon the identification of a specific tenant(s) for the building; all of which work is collectively referred to herein as the "Project"; and

**WHEREAS**, the Project will support and reinforce the goals of the Kerrville Comprehensive Plan ("Kerrville 2050") to include balancing, broadening, and diversifying the City's tax base, shifting the tax burden away from residential property owners; and promoting additional hangar space at the Airport in an effort to increase property tax revenues from personal property taxes; and

**WHEREAS**, the EIC finds that the Project as described generally above constitutes a "project" as defined by the Act; and

**WHEREAS**, the EIC finds that the Project is required or suitable for infrastructure necessary to promote or develop new or expanded business enterprises and that the Project is required or suitable for the development, retention, or expansion



of such activities and purposes to include manufacturing and industrial facilities, research and development facilities, transportation facilities, including airports, hangars, maintenance and repair facilities, cargo facilities, related infrastructure located on or adjacent to an airport; and

**WHEREAS**, finding that providing funds to contribute toward the planning, development, and construction of the Project is required or suitable for infrastructure necessary to promote or develop new or expanded business enterprises and other projects defined by the Act, EIC has determined that this Agreement 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; and

**WHEREAS**, the EIC finds that it will be in the public interest to enter into this Agreement with City to provide sales tax revenues collected pursuant to the Act ("4B Revenues") to City for costs related to the Project; and

**WHEREAS**, on October 28, 2019, in a meeting that was open to the public in accordance with the Texas Open Meetings Act, the EIC held a public hearing pursuant to Section 501.072 of the Act related to the proposed expenditure of 4B Revenues for the Project;

**NOW THEREFORE**, for and in consideration of the recitals set forth above and the promises made herein, the EIC and City agree as follows:

1. **"Project" Defined:** When used in this Agreement, the term "Project" means the summary and cost itemization submitted to the City by the JAB, which is attached as **Exhibit A**. The City will manage the funding from the EIC pursuant to the authority granted by this Agreement. The City will pay the JAB directly following the JAB's requests for payment from the City and documentation from the JAB that JAB has incurred, or contractually obligated itself to incur costs relevant to the Project and within the categories and up to the estimated costs described in **Exhibit A**. City will ensure that the JAB does not substantively alter the description of the Project in any respect without the prior approval of the EIC.
2. **Agreement to Fund Portion of Project:** Upon evidence that Kerr County has authorized the payment of equal matching funds to the Project, the EIC shall provide City up to and not to exceed \$375,000.00 in 4B Revenues for the Project, where said amount is divided between the categories and estimated costs specified in **Exhibit A**. City is authorized to transfer this funding over into the appropriate City project account and to make payments for the herein described purposes directly from funds allocated for the Project. Prior to the City's payment of any costs to the JAB related to "Phase 2" of the "Horseshoe Building" portion

of the Project, the City must have received evidence from the JAB as to a tenant relationship that the JAB has entered into with a business enterprise, for purposes including the creation or retention of primary jobs, as those terms are used as part of authorized projects pursuant to the Act.

3. **Eligible Costs:** Payments made by City from 4B Revenues as authorized by Section 2, above, are limited to the payment of "costs" as defined in the Act.
4. **Project Timeline/Termination:** The City estimates that construction activities for the Project will begin on or before October 2020. This Agreement shall terminate as of the date the City provides all of the Project funding authorized pursuant to this Agreement or the expiration of thirty-six (36) months from the Effective Date.
5. **Severability:** The provisions of this Agreement are severable, and if for any reason a provision of this Agreement is determined to be invalid by a court having competent jurisdiction over the subject matter of the invalid provision, the invalidity shall not affect other provisions that can be given effect without the invalid provision. Further, in lieu of such illegal, invalid, or unenforceable provision, there will be added automatically as a part of this Agreement, a provision as similar in its terms to such illegal, invalid, or unenforceable provision as may be possible and be legal, valid, and enforceable.
6. **Amendment:** This Agreement may be amended only by written amendment signed by the Parties.
7. **Notices:** All notices given with respect to this Agreement must be in writing and will be deemed to have been properly given for all purposes (i) if sent by a nationally recognized overnight carrier for next business day delivery, on the first business day following deposit of such notice with such carrier unless such carrier confirms such notice was not delivered, then on the day such carrier actually delivers such notice, or (ii) if personally delivered, on the actual date of delivery, or (iii) if sent by certified U.S. Mail, return receipt requested postage prepaid, on the fifth business day following the date of mailing, or (iv) if sent by facsimile, then on the actual date of delivery (as evidenced by a facsimile confirmation) provided that a copy of the facsimile and confirmation is also sent by regular U.S. Mail, addressed as follows:

**For EIC**

President

City of Kerrville, Texas, Economic Improvement Corporation

City Hall, 701 Main Street

Kerrville, Texas 78028

Facsimile: (830) 792-3850

**For City**

City Manager, City of Kerrville

City Hall, 701 Main Street

Kerrville, Texas 78028

Facsimile: (830) 792-3850

8. **Applicable Law:** This Agreement is governed by and construed in accordance with the laws of the State of Texas. The Agreement is entered into and fully performable within Kerr County, Texas. Accordingly, venue for any cause of action arising pursuant to this Agreement is proper only in Kerr County, Texas.
9. **Interpretation:** Each Party has had the opportunity to be represented by counsel of its choice in negotiating this Agreement. This Agreement will therefore be deemed to have been negotiated and prepared at the joint request, direction, and construction of the Parties, at arm's length, with the advice and participation of counsel, and will be interpreted in accordance with its terms without favor to any Party.
10. **No Joint Venture:** Nothing contained in this Agreement is intended by the Parties to create a partnership or joint venture between any or all of the Parties.
11. **Parties in Interest:** Nothing in this Agreement shall entitle any Party other than EIC or City to any claim, cause of action, remedy, or right of any term of this Agreement.
12. **Survival of Terms:** All rights, duties, liabilities, and obligations accrued prior to termination will survive termination.
13. **Entire Agreement:** This Agreement represents the entire agreement of the Parties with respect to the subject matter hereof.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement in the year and as of the date indicated.

CITY OF KERRVILLE, TEXAS

CITY OF KERRVILLE, TEXAS ECONOMIC  
IMPROVEMENT CORPORATION

By:   
Mark McDaniel, City Manager

By:   
Kenneth Early, President


ATTEST:

ATTEST:

  
Shelley McElhannon, City Secretary

  
Kayla McInturff, Secretary for the EIC

APPROVED AS TO FORM:

  
Michael C. Hayes, City Attorney

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TO: E.A. Hoppe, Deputy City Manager  
FROM: KERRYVILLE-KERRY COUNTY JOINT AIRPORT BOARD  
RE: FY 2020 Capital Request to Economic Improvement Corporation  
DATE: August 30, 2019

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Listed below are the airport's funding requests to be considered by the Economic Improvement Corporation:

1. Build site infrastructure for future box hangars \$100,000
2. Improve Horseshoe Building and Site  
Phase 1- Remove existing exterior walls and interiors, adjacent sheds, interiors and general clean up. Rework access drive and paving. \$150,000  
Phase 2- Once a tenant/user is identified; fund costs to complete building shell; install exterior metal walls and hangar door. \$125,000

TOTAL REQUEST: \$375,000

CONTRACT 2019-84



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



**SUBJECT:** Discussion to reschedule the Economic Improvement Corporation (EIC) FY23 November - February meetings as they fall near or on a holiday.

**AGENDA DATE OF:** September 19, 2022      **DATE SUBMITTED:** Sep 01, 2022

**SUBMITTED BY:** Michael Hornes

**EXHIBITS:**

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

**SUMMARY STATEMENT:**

Discuss canceling or rescheduling the Economic Improvement Corporation (EIC) FY23 November - February meetings as they fall on or near a holiday.

Reschedule the November 21, 2022 regular meeting to November 14, 2022 due to the Thanksgiving Holiday.

Reschedule the December 19, 2022 regular meeting to December 12, 2022 due to the Christmas Holiday,

Cancel or reschedule the January 16, 2023 regular meeting to January 9, 2023 due to the Martin Luther King Holiday.

Cancel or reschedule the February 20, 2023 regular meeting to February 13, 2023 due to the President's Day Holiday.

**RECOMMENDED ACTION:**

Cancel or reschedule the Economic Improvement Corporation (EIC) FY23 November -February meetings as they fall on or near a holiday.