



**CITY COUNCIL MEETING AGENDA**  
**DECEMBER 13, 2022, 6:00 PM**  
**CITY HALL COUNCIL CHAMBERS**  
**701 MAIN STREET, KERRVILLE, TEXAS**



**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, standard safety protocols will be observed by City Council, City staff, and citizens/visitors attending the meeting. Masks are voluntary and highly encouraged. 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.

Thank you for your participation!

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**CALL TO ORDER:** By Mayor Judy Eychner

**INVOCATION AND PLEDGE OF ALLEGIANCE:** Led by Mayor 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 Kerrville Kindness award recognizing the Citizen Police Academy Alumni and Volunteers, and the Blue Santa program.

2.B Proclamation recognizing the "Christmas in Kerrville" poem author.

2.C Texas American Planning Association Award to the City in recognition of the City's implementation of its Kerrville 2050 Comprehensive Plan.

**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:*

4.A Resolution No. 80-2022. A Resolution ordering that a General Election be held on May 6, 2023, for the election of two Councilmembers for Place 1 and Place 2; providing details relating to the holding of such election; authorizing the Mayor to enter into an agreement with the Kerr County Elections Officer for the holding of the election; and providing other matters related to the subject.

[Attachment: 20221213\\_Reso 80-2022 General Election 5-06-23.pdf](#)

4.B Resolution No. 81-2022. A Resolution establishing the City's intent to become certified as a Dark Sky Community.

[Attachments: 20221213\\_Reso 81-2022 Intent Certified Dark Sky Community.pdf](#)

[20221213\\_Letter of Support HCA Reso 81-2022.pdf](#)

4.C Grant Funding Purchase of VirTra Training Simulator and Equipment.

[Attachments: 20221213\\_VirTra V100 US Service Plan and Warranty Provisions.pdf](#)  
[20221213\\_Service Agreement VirTra Training 120822.pdf](#)

4.D Approval of Zoning Board of Adjustment Rules of Procedure.

[Attachments: 20221213\\_ZBA Rules of Procedure.pdf](#)

4.E Contract with Recon Infosec for Managed Detection and Response (MDR) services through the TIPS purchasing contract, for the amount of \$60,486 per year.

[Attachments: 20221213\\_Contract Recon Info Sec cybersecurity system 112922.pdf](#)

4.F Construction Agreement with Alsay Incorporated for the Water Well No 9 (H Street) Improvement Project in an amount of \$294,000.

[Attachments: 20221213\\_Letter Recommendation H Street Well.pdf](#)  
[20221213\\_Bid Summary H Street Well.pdf](#)

4.G Amendment to Lease Agreement for 715 Water Street with Kerrville's Fourth on the River (Arcadia Live).

[Attachment: 20221213\\_Contract Office Lease Fourth on the River Inc.pdf](#)

4.H City Council meeting minutes, November 08, 2022.

[Attachment: 20221213\\_Minutes CC meeting 11-08-22 6pm.pdf](#)

**END OF CONSENT AGENDA.**

**5 PUBLIC HEARINGS AND RESOLUTIONS:**

5.A Resolution No. 82-2022. A Resolution granting a Conditional Use Permit to authorize an Independent Living Facility for Seniors on property generally located adjacent to Memorial Boulevard (SH 27) and between its intersection with Meeker Road and Laurel Street; comprising an approximate 0.53 acres and more commonly known as 2916 Memorial Boulevard; said property is located within a Light Commercial Zoning District (C-2); and making said permit subject to certain conditions and restrictions.

[Attachment: 20221213\\_Reso 82-2022 CUP 2916 Memorial Boulevard.pdf](#)

5.B Resolution No. 83-2022. A Resolution granting a Conditional Use Permit to authorize a Short Term Rental on the property consisting of Lot H, Block 5, Pueblo Hills Addition; and more commonly known as 1916 Leslie; said property is located within a Medium Density Residential Zoning District (R-2); and making said permit subject to conditions and restrictions.

[Attachments: 20221213\\_Reso 83-2022 CUP 1916 Leslie.pdf](#)  
[20221213\\_Letters opposed - Anderson Bierschwale Schwethelm 1916 Leslie.pdf](#)

5.C Resolution No. 84-2022. A Resolution granting a Conditional Use Permit for a Short Term Rental on the property consisting of Lot F, Block 5, Pueblo Hills Addition; and more commonly known as 1924 Leslie; said property is located within a Medium Density Residential Zoning District (R-2); and making said permit subject to conditions and restrictions.

[Attachment: 20221213\\_Reso 84-2022 CUP 1924 Leslie.pdf](#)  
[20221213\\_Letters opposed\\_Anderson Bierschwale Fields Hines Ivy Schwethelm 1924 Leslie.pdf](#)

5.D Resolution No. 85-2022. A Resolution granting a Conditional Use Permit to authorize a Short-Term Rental Unit on the property consisting of Lot 14, Block 2, Galleria Estates Addition; and more commonly known as 811 Lloyd; said property is located within a Single-Family Residential Zoning District (R-1); and making said permit subject to conditions and restrictions.

[Attachments: 20221213\\_Reso 85-2022 CUP 811 Lloyd.pdf](#)  
[20221213\\_Letter in favor - Schwartzkopf - 811 Lloyd.pdf](#)

5.E Resolution No. 86-2022. A Resolution granting a Conditional Use Permit to authorize a Short-Term Rental Unit on the property consisting of Lots 4, 5, & 6, Block 8 Hillcrest Addition; and more commonly known as 1001 Prescott; said property is located within a Single-Family Residential Zoning District (R-1); and making said permit subject to conditions and restrictions.

[Attachments: 20221213\\_Reso 86-2022 CUP 1001 Prescott.pdf](#)

- 5.F Resolution No. 87-2022. A Resolution granting a Conditional Use Permit to authorize a Short-Term Rental Unit on the property consisting of Lot 3, Block 1, Jenkins Addition; and more commonly known as 3410 Riverside; said property is located within a Single-Family Residential Zoning District (R-1); and making said permit subject to conditions and restrictions.  
[Attachments: 20221213\\_Reso 87-2022 CUP 3410 Riverside.pdf](#)  
[20221213\\_Letter in favor - Andrus - 3410 Riverside.pdf](#)  
[20221213\\_Letter opposed - Arredondo - 3410 Riverside.pdf](#)

**6 PUBLIC HEARING AND ORDINANCES, FIRST READING:**

- 6.A Ordinance No. 2023-01. An Ordinance annexing a track of land into the corporate limits of the City of Kerrville, Texas; such property making up approximately 4.45 acres and generally located adjacent to and South of Kerrville Schreiner Park; more commonly known as 2511 State Highway 173 (Bandera Highway); such property more specifically described in this ordinance and being located within the Extraterritorial Jurisdiction of and adjacent to the City Limits; adopting a Service Agreement; establishing the Zoning for the annexed property as a Mixed Use (MU) Zoning District; and providing other matters relating to this subject.  
[Attachments: 20221213\\_Ord 2023-01 2511 State Hwy 173 Zoning.pdf](#)  
[20221213\\_Petition annexation.pdf](#)

- 6.B Ordinance No. 2023-02. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas; by changing the Zoning of an approximate 0.63 acre property known as 226 and 228 W. Main; from a Planned Development Zoning District (PDD) to a Light Commercial Zoning District (C-2); and providing other matters relating to the subject.  
[Attachment: 20221213\\_Ord 2023-02 Zone Change 226 and 228 W Main.pdf](#)

**7 ORDINANCES, SECOND READING:**

- 7.A Ordinance No. 2022-32, second reading. An Ordinance annexing a tract of land into the corporate limits of the City of Kerrville, Texas; such property making up approximately 11.93 acres and generally located south of the intersection of State Highway 27 and Colvin Ranch Rd.; more commonly known as 5269 State Highway 27; such property more specifically described in this Ordinance and being located within the extraterritorial jurisdiction of and adjacent to the City Limits; adopting a service agreement; establishing the zoning for the annexed property as an Industrial and Manufacturing (IM) Zoning District; and providing other matters relating to this subject.  
[Attachments: 20221213\\_Ord 2022-32 Annex Zone 5269 State Hwy 27 second reading.pdf](#)  
[20221213\\_Ingram\\_Subdivision\\_Waiver withdrawal\\_120922.pdf](#)

- 7.B Ordinance No. 2022-30, second reading. An Ordinance creating a new Chapter 80 "Short-Term Rental Units"; requiring permitting for Short-Term Rental Units; containing a cumulative clause; containing a savings and severability clause; providing for penalties not to exceed \$2,000.00; ordering publication; providing an effective date; and providing an effective date; and providing other matters related to the subject.  
[Attachment: 20221213\\_Ord 2022-30 Creating new chapter 80 STR.pdf](#)

- 7.C Ordinance No. 2022-33, second reading. An Ordinance amending Chapter 102 "Traffic and Vehicles," Section 102-1 "Definitions" of the Code of Ordinances of the City of Kerrville, Texas by revising the definitions of "Excessive or Unusual Noise" and "Noisemakers" in their entirety; containing a savings and severability clause; providing an effective date; ordering publication; and providing other matters relating to this subject.  
[Attachment: 20221213\\_Ord 2022-33 Excessive or Unusual Noise -vehicles second reading.pdf](#)

**8 CONSIDERATION AND POSSIBLE ACTION:**

- 8.A Construction Agreement with D&D Contractors, Inc. for the Westminster Street Reconstruction project in the amount of \$1,846,158.40.  
[Attachments: 20221213\\_Bid summary revised Westminster.pdf](#)  
[20221213\\_Westminster BID Recommendation.pdf](#)

- 8.B Authorization to negotiate a Design-Build contract for the Heart of the Hills Heritage Center.

- 8.C Project funding agreement between the City of Kerrville, Texas, Economic Improvement Corporation and the City of Kerrville, Texas; for the development and construction of an extension to the City's River Trail from the Tranquility Island bridge to the scenic downtown overlook (pavilion).

[Attachment: 20221213 EIC Funding Agreement River Trail ext - map estimate.pdf](#)

- 8.D Funding application to the City of Kerrville, Texas, Economic Improvement Corporation, for the creation of a concept feasibility study for extensions of the Kerrville River Trail around Nimitz Lake in the amount of \$182,800.

[Attachment: 20221213\\_River Trail West Concept Proposal.pdf](#)

- 8.E Resolution No. 88-2022. A Resolution amending The City of Kerrville Fee Schedule by adopting fees to be charged for each initial application and renewal application for Short-Term Rental Units.

[Attachment: 20221213\\_Reso 88-2022 Amending COK Fee Schedule STR.pdf](#)

## **9 INFORMATION & DISCUSSION:**

- 9.A Fiscal Year 2022 -Year End Financial Report, and FY2023 Financial Report 10-31-2022.

[Attachment: 20221213\\_Presentation financial.pdf](#)

## **10 BOARD APPOINTMENTS:**

- 10.A Appointment to the Food Service Advisory Board.

- 10.B Appointment(s) to the Library Advisory Board.

- 10.C Appointment(s) to the Parks & Recreation Advisory Board.

- 10.D Appointment(s) to the Recovery Community Coalition.

- 10.E Appointment(s) to the Planning & Zoning Commission. (Item eligible for Executive Session 551.074).

- 11 **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. City Council also reserves the right to meet in executive session on the following issue(s):*

- 11.A Appointment(s) to the Planning & Zoning Commission. (551.074)

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

- 13 **ITEMS FOR FUTURE AGENDAS:** *City Council may suggest items or topics for future agendas.*

## **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: December 09, 2022 at 5:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

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