

CITY COUNCIL MINUTES
REGULAR MEETING

KERRVILLE, TEXAS
JANUARY 8, 2013

On January 8, 2013, the Kerrville City Council meeting was called to order at 6:00 p.m. by Mayor Pratt in the city hall council chambers at 701 Main Street. The invocation was offered by Captain Bobby Jackson, with the Salvation Army, followed by the Pledge of Allegiance led by Keith Ellis, of the Military Officers Association of America.

COUNCILMEMBERS PRESENT:

Jack Pratt	Mayor
Stacie Keeble	Mayor Pro Tem
Gene Allen	Councilmember
Carson Conklin	Councilmember
Justin MacDonald	Councilmember

COUNCILMEMBER ABSENT: None

CITY EXECUTIVE STAFF PRESENT:

Todd Parton	City Manager
Mike Hayes	City Attorney
Kristine Ondrias	Assistant City Manager
Brenda G. Craig	City Secretary
Charvy Tork	Director of Information Technology Systems
Mike Erwin	Director of Finance
Robert Ojeda	Fire Chief
John Young	Police Chief
Kim Meismer	Director of General Operations
Jason Lutz	City Planner
Heather Stebbins	Assistant City Attorney
Charlie Hastings	Director of Public Works
Laura Bechtel	Library Director

VISITORS PRESENT: List on file in city secretary's office for the required retention period.

1. **VISITORS/CITIZENS FORUM** The following persons spoke:
 - 1A. Gary Noller discussed a new organization, Hill Country Veterans Alliance, and offered assistance with any issues that involved veterans.

2. **CONSENT AGENDA:**

Item 2C was removed from the consent agenda.

Ms. Keeble requested item 2D be removed from the consent agenda.

Mr. Conklin moved for approval of items 2A, 2B, and 2E; Mr. MacDonald seconded the motion and it passed 5-0:

- 2A. Approval of minutes of the regular meeting held on October 9, 2012.

2B. Authorize amendment to the existing agreement with Freese and Nichols, Inc. for the Birkdale lift station and force mains capital improvement project and increase the contract by \$18,917.00 to provide additional construction administration services required as a result of the city dividing the construction portions of the overall project into two separate construction contracts.

2E. Resolution No. 01-2013 providing Jim Boyle of Herrera & Boyle, PLLC with the authority to act on behalf of the city in connection with the settlement, if any, of the Aqua Texas rate proceeding for the southwest region which is pending before the Texas Commission of Environmental Quality and the State Office of Administrative Hearings.

END OF CONSENT AGENDA

2C. Authorize amendment to the existing agreement with Freese and Nichols, Inc. (FNI) to provide professional engineering design and construction administration services for the Jefferson lift station force and gravity main – Phase 1, the amendment will include a credit to the original scope of work for the FNI agreement to provide an alignment study in an amount of \$8,965.00.

This item was deferred to the January 22 meeting.

2D. Resolution No. 02-2013 amending City of Kerrville fee schedule by revising fees charged for various services and uses provided or offered by the city.

Ms. Keeble noted the fee schedule proposed a fee for county patrons to use the city's library services; however, she continued to hope that county commissioners would decide to fund the library. She opined that library services should be funded by tax dollars and people should not have to pay to use the library. She noted that Commissioner Moser placed the matter of library funding on the county's January 14 agenda, and she encouraged the public to attend that meeting.

Mr. Parton noted the proposed fee schedule included fees for library services and were necessary to help recoup some of the \$200,000 shortfall that had originally been committed by the county to help fund annual operations of the library. He noted the FY13 budget for library operations was funded at \$671,000, which included \$644,000 in city ad valorem tax and general fund revenue. He cited library patron levels at 49% city residents and 48% county residents. The fee schedule would establish a range of options: \$35 annual for book check out, \$35 annual for access to computers and on-line systems, \$65 annual for full service membership, or \$8 monthly fee for visitors. Library patrons were notified in December that their card would be terminated and they had the opportunity to resubmit an application based on these fees; fees would go into effect on February 1, 2013. Patrons could still use the library without charge, the membership requirements only applied to computer use and check out of items.

Mr. Conklin moved to approve the fee schedule; Mr. MacDonald seconded the motion.

The following persons spoke:

1. David McElvain noted he visited a lot of libraries and asked if there was a fee for tourists to use the library. Mr. Parton noted that anyone could use the library without charge, and the fee schedule specified an \$8 monthly fee in anticipation of tourists or short term visitors.
2. James Price stated that many veterans who used the library and computers did not have the income to be able to pay any type of fee.

The motion passed 4-1 with members: Conklin, MacDonald, Allen, and Pratt voting in favor of the motion; and Councilmember Keeble voting against the motion.

3. ORDINANCES, FIRST READING:

3A. An ordinance amending Chapter 30 “businesses,” of the City’s Code of Ordinances by adopting a new Article I “Group Homes and Boarding Home Facilities”; establishing the registration, permitting, and inspection of Group Homes and Boarding Home Facilities; 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 other matters related to the subject. Mayor Pratt read the ordinance by title only.

Mr. Hayes presented a draft ordinance based on council’s previous discussion and using ordinances from other cities as a model. The ordinance divided group homes into two categories: 1) group home facilities licensed and registered by the state and which cities were preempted from regulating, i.e. convalescent, nursing homes, and assisted living; and 2) boarding home facilities not licensed by the state and which the state has ruled that home rule cities can regulate and require a license and permit. Group homes licensed by the state would be required to register with the city in order that the city could enforce the half mile spacing rule. He noted that enforcement of any ordinance requires resources; therefore, if adopted, the council should establish fees to recoup those costs.

Mr. Hayes reviewed the requirements for Division 3 boarding home facilities and noted such facilities would have to apply for a permit and pay the fees as per the process outlined in the ordinance. He discussed several specific points in the ordinance: 1) provided that if staff denied a permit, the applicant may appeal to city council; 2) provided that homes which pull a permit at the time the ordinance is adopted could be grandfathered; 3) established a half mile spacing requirement for new boarding homes, but allowed a variance for existing homes; 4) established a process for suspension of permit and revocation of permit through the enforcement process, also created an appeals process; 5) facilities would be required to post their permit at the front of their facility; 6) addressed standards, structures and maintenance requirements, including compliance with zoning and building codes and federal and state laws, safety codes, and accessibility regulations to ensure health, safety and minimize hazards; 7) prohibited the use of mobile homes as a boarding home facility; 8) established emergency precautions, violations, enforcement and penalties; 9) required that a facility may not have more than six occupants residing on premise; 10) limited the number of vehicles to the number of

bedrooms; and 11) established regulations for kitchens and accessibility for all residents. Mr. Hayes stated that the ordinance complied with the Federal Fair Housing Act and the Americans with Disabilities Act and, to his knowledge, any issues that had been determined to be unlawful were not included in the ordinance; however, current lawsuits were hard to monitor.

Council also discussed the following:

- If a facility is grandfathered and the license is revoked for violations or for non-responsiveness, then the grandfathering should be eliminated.
- If a license is revoked at any particular location, that facility should not be allowed to get another license.
- Questioned why the section regarding reasonable accommodations referred to the Fair Housing Act and the Americans with Disabilities Act. Mr. Hayes noted that recovering addicts were considered disabled under federal law; therefore, the city's ordinance would have to meet ADA requirements.
- Questioned zoning districts where boarding home facilities would be allowed. Ms. Stebbins noted that under the ordinance, boarding home facilities would be restricted to multi-family residential and residential transition districts; also, the half mile spacing would apply.
- Whether to exclude sorority houses; it was noted that sorority houses were generally operated and monitored by the university or institution.
- Residential homes had certain size water and sewer lines designed for a certain number of people and when that number was exceeded, there was a need to increase the size of the lines.

The following persons spoke:

1. Cody Leicht noted he operated a sober living home and some regulations might be acceptable, but he questioned: 1) the amount of the annual fee as the additional cost would be passed on to tenants as part of their rent; 2) occupancy by square footage, he had been operating for years with more than six people per house and questioned if there would be a process to request a variance; 3) proposed ordinance was discriminatory by not allowing group homes in R-1 single family residential zones.

Council discussed amounts ranging from \$1,000-\$3,500; the fee would be based on the cost of inspections and permitting. Such facilities were operating as a business from a financial standpoint. The current zoning ordinance and regulations did not allow group homes in R-1; however, the ordinance was not enforced, and often times the city did not know where group homes were located.

2. Robert Duncan noted he operated several group houses and he would not be able to operate with only six persons per home. He questioned whether the permit fee would be based on per operation, per house, or per bed basis. It was not fair that a small house would pay the same as a large house. The spacing requirement was not bad; most would already comply to the half mile rule; however, sometimes homes were located in close proximity of meeting facilities

and most tenants did not have transportation. He questioned if every business would have to meet ADA requirements, noting that many houses were not ADA compliant and bringing houses up to code would be a very substantial cost.

3. David McElvain questioned where the restriction to a maximum of six people came from—was that a state requirement? Ms. Stebbins noted it was borrowed from state law Chapter 123 of the Human Resources Code which applied to disabled people; that law stated there may be six people living in a house, and that was the number that the state imposed. She noted that it also limited the number of cars.

4. Nikki Saurage stated that a larger home should be allowed to have more than six tenants and suggested that occupancy limits be based on square footage. She noted that she lived in Kerrville, not San Antonio, Dallas, or El Paso from which the proposed ordinance had been modeled. Kerrville was surrounded by treatment centers. She questioned how group homes were different from the battered women's facility and felt they were being singled out for licensing.

Council noted that sober living homes were not being singled out; the ordinance specified two types of homes based on use, those licensed by the state and those not licensed by the state. The number of occupants in a home could be a safety factor. Occupancy could be based on square footage of bedroom space; consideration should also be given to the number of bathrooms and the size and accessibility to common areas. Parking was also an issue at some locations.

5. Gracie McCutcheon questioned the meaning of grandfathered. Mayor Pratt explained that grandfathering allowed things to continue as is until sold or until loss of license or permit. Ms. McCutcheon questioned zoning restrictions for single family residential neighborhoods and opined that single family residential areas were not appropriate locations for group housing and were not designed to accommodate this type of program.

6. Marion Watson stated the city was proposing a fee for a city license that was higher than the Department of State Health Services required for a license to operate a drug and alcohol treatment facility; the state licensing fee was \$1,500 for the original license to serve up to 45 clients, and \$250 renewal every two years, and inspections every other year.

The consensus of the council was to change the ordinance to include: 1) grandfather clause; 2) half mile spacing provision; 3) fee based on per bed basis instead of per property; and 4) staff recommend a fee that would allow the city to recoup the cost of inspections and that the city not incur any additional expense. Council instructed staff to make the proposed changes and reschedule the ordinance for first reading on February 26.

Staff noted the fee would be based on the type of program and number of inspections; also, the number of inspections may increase annually based on

complaints received. The consensus of the council was to conduct building and fire inspections and issue the original permit; thereafter, annual renewal of permit with minimum of one building and fire inspection.

4A. Request from the Kerrfest Committee for city sponsorship for the 3rd Annual Kerrfest event.

Ms. Boyle noted the Kerrfest committee requested the city provide in kind services, i.e. police and fire/EMS services for the 3rd Annual Kerrfest event to be held on May 17-18.

Denny Foster, representing the Kerrfest Committee, described activities for the third Kerrfest event to be held May 17 and 18.

Council requested Kerrfest provide a gate count of paid admittance after the event.

Mr. Allen moved to approve Kerrfest's request as presented. Mr. Conklin seconded the motion and it passed 5-0.

3B. An ordinance amending Chapter 66, "Library," of the Code of Ordinances of the City of Kerrville, Texas; by amending Article II "Library Advisory Board" to change the composition and qualifications of the Library Advisory Board; containing a cumulative clause; containing a savings and severability clause; and providing other matters relating to this subject. Mayor Pratt read the ordinance by title only.

Ms. Bechtel noted that since the county would not participate any funding toward the operation of the library, and due to the addition of electronic devices to the library services, the library board voted to amend the library regulations: 1) All members appointed to the library board shall be residents of the city and be an active card holder in good standing; 2) Remove the county commissioner ex-officio position; and 3) Add new section for electronic devices, violation of lending privileges, and failure to return books.

The consensus of the council was to amend the ordinance to allow any active cardholder, regardless of residency, to be eligible to serve on the library advisory board, noting that county residents who purchased library membership cards would be eligible to serve on the board.

Mr. MacDonald moved for approval of the ordinance on first reading as amended by deleting the city residency requirement for eligibility to serve on the library advisory board and requiring all members to be active library cardholders; Mr. Conklin seconded the motion and it passed 5-0.

3C. An ordinance amending Chapter 102 "Traffic and Vehicles," Article II "Administration; Enforcement" of the Code of Ordinances of the City of Kerrville, Texas by amending Sections 102-35 and 102-36 to increase the penalty for parking violations; adopting a new Section 102-37 to establish presumptions

applicable to the adjudication of parking citations; containing a cumulative clause; containing a savings and severability clause; providing for an effective date; ordering publication; and providing other matters related thereto. Mayor Pratt read the ordinance by title only.

Mr. Parton noted the ordinance would increase the fine for parking violations from \$5 to \$25; council previously discussed setting the fine at \$50; however, a higher fine might discourage visitors in downtown; the goal was to create vehicle turnover. The Main Street Advisory Board and the Downtown Business Alliance supported the increase and were preparing a long term parking strategy and a marketing plan to encourage people to use the parking facility. Council previously discussed increasing the parking time limit from 2 hours to 3 hours, and that will be discussed in the overall parking strategy to be presented at a future meeting; any changes could be done through signage and would not require an ordinance.

Mr. MacDonald moved for approval of the ordinance on first reading as presented; Ms. Keeble seconded the motion and it passed 5-0.

4. CONSIDERATION AND POSSIBLE ACTION:

4A. Request from the Kerrfest Committee for city sponsorship for the 3rd Annual Kerrfest event. Item was heard earlier in the meeting following 3A.

4B. Resolution No. 03-2013 supporting the application of Communities for Veterans to construct low income rental housing pursuant to the low income housing tax credit program administered by the Texas Department of Housing and Community Affairs.

Craig Taylor, representing Communities for Veterans, described the proposed facility to be located at the Veterans Administration Hospital as a 49 unit facility for veterans identified by the VA as disabled. Residents of the facility also would be eligible for services at the VA, and if the Kerrville VA could not provide the needed services, the VA would provide transportation to the San Antonio VA. All clients would have absolute access and reasonable accommodations to living units, and a full service commercial kitchen would be installed. The project would serve veterans only with first priority given to veterans with service related disabilities.

Mr. Taylor requested the following from the city:

1. A resolution of support pursuant to an application to the Texas Department of Housing and Community Affairs for low income housing tax credits. He noted that the resolution as written stated occupancy would be limited "to military veterans who have received active duty honorable discharges;" that definition would inhibit their ability to serve many veterans. He proposed "VA designated disability."
2. Local government contribution (calculated at 15% of the population times the number of units, which equated to \$200,000). He provided information about a foundation willing to make a \$200,000 contribution, but the city would have to make the application, and if awarded, agree to accept the funding and provide that funding to the project. The project was competing with other developers and

a firm commitment was necessary to acquire points; however, as written, the resolution did not make that commitment.

Council consensus was not to provide a firm commitment of \$200,000 without assurance that the grant would be received; council was willing to make a commitment contingent upon receiving a grant for \$200,000.

Mr. Taylor noted the deadline for submission of the application to TDHCA, including the city's resolution, was March 1. He offered to work with city staff to make application to the foundation, but the foundation would not make the formal award of funding before March 1. He offered to arrange a conversation between city staff and a representative of the foundation for assurance that the city would be awarded the grant prior to March 1. He stated that he received a \$400,000 grant from that foundation for a veteran's project in Georgia. He would not ask the city to commit funds it did not have, and if he did not receive the award from TDHCA, he would not accept the grant funding.

Mr. Parton noted he had confirmed with the state that the grant would qualify as the local contribution; if council authorized staff to make application for the grant, staff would proceed to do so.

Council also discussed the following:

- Amend project to take care of veterans with service connected disabilities first; however, if a disabled veteran died, the spouse or adult care giver would not be required to move.
- Resolution include requirement that occupancy be limited to veterans "with service connected disability."
- Having a veterans housing facility on the grounds of the VA hospital, as well as having more patients who utilize VA medical and psychiatry services, may help justify keeping the VA here and available for all veterans.

The application mentioned a phase 2, fully assisted care facility for veterans, and questioned the timing and funding for phase 2 since tax credits would not be available for such a project. Mr. Taylor stated it was a facility he would like to have, and he committed to the VA to build a second phase; however, financing and time schedule had not been completed. He noted that currently the VA did not provide skilled nursing and health care; however, those types of services could be provided by VA personnel through a contractual arrangement. He noted that assisted living would require a different cost structure and most who qualified would be in a lower income level; he would attempt to find a way to off-set the cost.

Council noted that Mr. Taylor had nine similar facilities and questioned how many were currently in operation, and if any member of the development team had been involved in projects in the past that had been foreclosed on by the lender or been replaced as general partner by the investors or syndicators? Mr. Taylor noted currently nine projects had been awarded throughout country, but none

were complete or in operation at this time; and no one with any equity stake had been involved; however, one employee had been involved.

1. James Price noted he worked with non-profits to assist veterans. Many veterans whom the VA approved as disabled did not have to prove that their disability happened in combat and questioned why the city would require the statement "with service connected disability". Council requested the statement in order to take care of disabled veterans with a service connected disability first.
2. Gary Noller noted that veterans comprised about 13% of the population in the Kerrville area, almost double the rest of the country and he attributed that to the VA facility. A veteran's housing project in conjunction with the VA would make it better for veterans because vets liked to be around vets. This facility would benefit veterans and the community, and help keep the VA in Kerrville.
3. David McElvain discussed service versus non-service disability and relaxing the income levels if needed to fill vacancies. Council noted that under the tax credit program that Mr. Taylor was applying, the income limits were already set and could not be changed.

Council noted that the resolution of support as currently drafted, without the funding commitment, would allow Mr. Taylor's application to receive up to 7 points, and could still compete without local funding. The city could move forward to apply for the grant, and if it was received, then council could pass a resolution that included a firm commitment for funding, which would then allow the application to receive up to 13 points.

Mr. MacDonald moved to adopt the resolution, as amended: Item C Section 1 to include: "sink with disposal"; Section 1 paragraph A to include: "with service connected disability;" and amend 1B to provide a local financial match of up to \$200,000. Mr. Conklin seconded the motion.

Mayor Pratt requested the motion be amended to read that primary consideration be given to those with service connected disabilities, and when exhausted, consideration would be given to disabled veterans. Mr. MacDonald and Mr. Conklin approved the amendment. The motion passed 5-0.

The consensus of the council was to instruct staff to make application to the foundation for a grant to fund the local contribution for the project.

4C. Approval of pavement management system projects for FY13.

Mr. Hastings noted the pavement management system was based on the Asphalt Institute Pavement Rating System to determine street rehabilitation needs. He presented a list of target streets for repair this year, and if approved by city council, he will forward the list to franchise and utility companies and allow them 90 days to relocate buried utilities and resolve any conflicts before finalizing the construction list. Regarding recent complaints, Mr. Hastings noted the Comanche Trace area was scheduled for crack sealing in March, and Fairview Drive was on the list for rehabilitation.

Mr. Allen moved to accept the list of projects for FY13 as presented. Ms. Keeble seconded the motion and it passed 5-0.

4D. Authorize request for proposals process for the sale of the former city hall at 800 Junction Highway. Matter was deferred to executive session.

4E. Authorize revisions to the city of Ingram wholesale wastewater agreement by modifying the Ingram wastewater service area to include approximately 10 acres west of Goat Creek Cutoff Road.

Mr. Hastings noted the city of Kerrville entered into a 40 year interlocal agreement for wholesale wastewater services with the city of Ingram in 2005 that allowed for a maximum of 425,000 gallons per day; Ingram currently had 300 connections for a peak daily flow of about 28,000 gpd. Ingram planned to add another 270 connections through 2014, doubling their volume. In addition, Ingram received requests for service from customers outside of their service area. Ingram notified Kerrville of their desire to expand their wastewater service area to include 10 lots/10acres west of Goat Creek Cutoff Road on Junction Highway. Mr. Hastings recommended council authorize the city manager to negotiate revisions to the agreement by increasing the service area as depicted in Exhibit B of the proposed agreement.

Mr. Conklin moved to authorize the city manager to execute revisions to the City of Ingram wholesale wastewater agreement by modifying the Ingram wastewater service area to include approximately ten acres west of Goat Creek Cutoff Road as depicted in Exhibit B of the agreement. The motion was seconded by Mr. Allen and passed 5-0.

4F. Possible designation of potential threatened or endangered species that could implicate the City of Kerrville's interests.

Mr. Hayes noted that groups had asked the United States Fish and Wildlife Department to add several species to their pending list of potential threatened or endangered species, including three types of mussels alleged to live in the Guadalupe River in the Kerrville area. The listing process may not occur until 2017. Mr. Hayes noted additional regulations could potentially impact the city, for example, the water treatment plant, the city's water rights, and city projects near the river, such as in Louise Hays Park. He requested city council consider hiring a consultant to make a preliminary assessment of the area and perform a limited scope of study.

Council suggested staff also contact Upper Guadalupe River Authority and Kerr County.

Council deferred further discussion to executive session.

5. INFORMATION AND DISCUSSION

5A. Staff update on the status of the zoning ordinance rewrite.

John Mosty, ZOIC chairman, noted an agenda had been posted and a quorum of ZOIC was presented; he called the meeting or order at 8:40 p.m.

Mr. Mosty reviewed a summary of the tasks completed by ZOIC, noting:

- 42 commercial and miscellaneous districts were reduced to 8.
- The gateway district was deleted. Mr. Lutz noted the current ordinance required businesses over 3,000 sq. ft. to apply for a conditional use permit; under the proposed change, as long as the use was listed in the land use matrix, it would be approved by right and not have to seek a CUP.
- The river district was deleted and included in other districts that were more restrictive.
- The central business district had already been adopted by council.
- Land uses for all commercial districts had been finalized based on North American Industry Classification System.
- Setbacks and screening requirements for districts had been finalized.

Mr. Mosty recommended continuing with the following steps:

- Drafts of each of the commercial sections of the proposed zoning code be approved by ZOIC.
- Residential sections in the process of being reviewed, modified, and rewritten based on ZOIC's recommendations for land uses, lot frontages, lot areas, setbacks, and density.
- Drafts of the residential sections be presented to ZOIC for review and modifications.
- Staff continue to update GIS zoning layer in order to begin the process of public notifications. Some areas to be rezoned will require changes to the comprehensive plan.
- Hold public workshops to present the proposed changes to the public.

Council also discussed the following:

- Special development regulations had been created for certain identified areas including the area along the river.
- As property is annexed in the future, the planning and zoning commission and the city council will assign zoning categories.

Mr. Mosty adjourned the ZOIC meeting at 8:55 p.m.

5B. Water resources report.

Mr. Hastings noted that the Kerrville area was moving from severe drought to extreme drought. November to date only 0.64 rainfall was received; riverflow was at 25-30% of normal flow since July 2012 and the city was not able to store water in the ASR; ASR was at 700 MG. He cautioned that the city may have to go into stage 2 in May or June, and maybe stage 3 in the summer.

5C. Budget/Economic Update.

Mr. Erwin noted the audit was nearing completion and should be presented to

council in February. In advance of issuing the \$10 million debt at the next meeting, he had a phone conversation with Standard and Poor's on January 4; he anticipated the city's bond rating might improve from AA- to AA.

Mr. Erwin noted a slight sales tax decrease in November; revenue exceeded expenditures in the water and sewer fund; general fund expenditures exceeded revenue slightly in November, but \$1.997 million was received in property tax in December.

6. BOARD APPOINTMENTS:

6A. Appointment to the Kerr Emergency 9-1-1 Network. Mr. MacDonald moved to appoint Paul A. Huchton with term to expire September 1, 2014. Mr. Allen seconded the motion and it passed 5-0.

6B. Appointments to the zoning board of adjustments. Deferred to executive session.

6C. Appointment to the Charter Review Commission. Ms. Keeble moved to appoint Glenn Andrew; Mr. Allen seconded the motion and it passed 5-0.

7. ITEMS FOR FUTURE AGENDAS

- Interview team for board appointment process include council liaison member of that board.

8. ANNOUNCEMENTS OF COMMUNITY INTEREST:

- Appreciated the library director and staff for a job well done the last several months in carrying forward the charge given by the council in implementing fees.

9. EXECUTIVE SESSION:

Ms. Keeble moved for the city council to go into executive closed session under Sections 551.071, 551.072, and 551.074 of the Texas Government Code; the motion was seconded by Mr. Allen and passed 5-0 to discuss the following matters:

Section 551.074:

- Appointments to the zoning board of adjustments

Sections 551.071 and 551.072:

- Discuss the purchase, exchange, lease, sale, or value of real property, the public discussion of which would not be in the best interests of the city's bargaining position with third parties, regarding property interests related to the following public works projects:

- Jefferson Street lift station
- G Street sewer project
- River trail.

- Authorize request for proposals for former city hall at 800 Junction Highway.

Section 551.071:

- Possible designation of potential threatened or endangered species that could implicate the City of Kerrville's interests.

At 9:05 p.m. the regular meeting recessed and council went into executive closed session at 9:10 p.m. At 10:22 p.m. the executive closed session recessed and council returned to open session at 10:25 p.m. The mayor announced that no action had been taken in executive session.

10. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION

4D. Authorize request for proposals process for the sale of the former city hall at 800 Junction Highway.

Mr. Allen moved to direct staff to put out an RFP for the sale of city property at 800 Junction Highway and offering the flexibility as discussed in executive session; the motion was seconded by Mr. Conklin and passed 5-0.

4F. Possible designation of potential threatened or endangered species that could implicate the City of Kerrville's interests.

Mr. Allen moved to authorize staff to employ a consultant to study designation of potential threatened and endangered species; the motion was seconded by Mr. Conklin and passed 5-0.

6B. Appointments to the zoning board of adjustments. Ms. Keeble moved to reappoint Paul Zolen and Robert Irvin to regular member positions, and to appoint Judy Eychner and Robert White to alternate member positions; all with terms to expire September 30, 2014; further, to move Bob Waller from alternate member position to regular member position. Mr. MacDonald seconded the motion and it passed 5-0.

ADJOURNMENT. The meeting adjourned at 10:29 p.m.

APPROVED: _____

Jack Pratt, Jr., Mayor

ATTEST:

Brenda G. Craig, City Secretary