

KERRVILLE CITY COUNCIL AGENDA
REGULAR MEETING, TUESDAY, OCTOBER 8, 2013, 6:00 P.M.
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

INVOCATION offered by Pastor Noah F. Diggs, with the Mt. Olive Baptist Church.

PLEDGE OF ALLEGIANCE TO THE FLAG: led by Fire Chief Robert Ojeda.

Those in attendance may stand if they wish.

1. 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. City Council may not discuss or take any action on an item but may place the issue on a future agenda. The number of speakers will be limited to the first ten speakers and each speaker is limited to four minutes.

2. CONSENT AGENDA:

These items are considered routine and can be approved in one motion unless a city councilmember asks for separate consideration of an item. It is recommended that City Council approve the following items which will grant the Mayor or City Manager the authority to take all actions necessary for each approval:

2A. Minutes of the city council regular meeting held September 24, 2013. (staff)

2B. Resolution No. 40-2013 adopting an ethics policy for elected and appointed officials – City of Kerrville, Texas; providing a purpose, goals, standards of conduct, implementation, compliance and enforcement; and a statement of commitment. (staff)

2C. Resolution No. 41-2013 authorizing the closure of a portion of Memorial Highway (Hwy 27) during certain hours and dates from 2013-17 for the Kerrville Main Street annual holiday lighted parade and authorizing the mayor to execute an agreement for the temporary closure of state right-of-way with the Texas Department of Transportation. (staff)

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 830-258-1117 for further information.

I do hereby certify that this notice of meeting was posted on the bulletin board at the city hall of the city of Kerrville, Texas, and said notice was posted on the following date and time, October 4, 2013 at 11:45 a.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

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Deputy City Secretary, City of Kerrville, Texas

2D. Resolution No. 38-2013 authorizing the waiver for Baptist Child and Family Services of permitting fees associated with the construction of their transition center for youth; said waiver to remain in effect through October 8, 2014. (staff)

2E. Resolution No. 37-2013 authorizing the waiver for Hill Country Home Opportunity Council, Inc. of various fees associated with the construction of homes; said waiver to remain in effect through September 30, 2014, or the construction of ten homes, whichever occurs first. (staff)

2F. Resolution No. 36-2013 authorizing the waiver for Habitat for Humanity Kerr County Affiliate, Inc. of various fees associated with the construction of homes; said waiver to remain in effect through September 30, 2014, or the construction of nine homes, whichever occurs first. (staff)

2G. Purchase of a new Type I ambulance from Dallas Dodge Chrysler Jeep at a price not to exceed \$156,800. (staff)

2H. Purchase of four new vehicles for the police department at a price not to exceed \$127,636. (staff)

END OF CONSENT AGENDA

3. ORDINANCE, SECOND AND FINAL READING:

3A. Ordinance No. 2013-19 amending various sections of the Code of Ordinances of the City of Kerrville, Texas, to delete and remove fees for various services and amenities provided or offered by the City as said fees are established by the city's fee schedule, which is adopted by resolution of the City Council; containing a savings and severability clause; providing for an effective date; and providing other matters relating to the subject. (staff)

4. ORDINANCES, FIRST READING:

4A. Ordinance No. 2013-20, approving a negotiated resolution between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the company's 2013 annual rate review mechanism filing in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; requiring the company to reimburse cities'

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reasonable ratemaking expenses; repealing conflicting resolutions or ordinances; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; providing a most favored nations clause; and requiring deliver of this ordinance to the company and the steering committee's legal counsel. (staff)

5. CONSIDERATION AND POSSIBLE ACTION:

5A. Resolution No. 45-2013 approving/disapproving KCAD budget amendment for Fiscal Year 2012. (Coates)

5B. Appeals by the applicant/operator for reasonable accommodations in accordance with the Ordinance No. 2013-06 group home and boarding home facilities at the following addresses:

1. 615 East Lane
2. 1612 First Street.

5C. Resolution No. 47-2013 adopting an automatic bill pay program for the city's water/wastewater utility service. (staff)

6. ITEMS FOR FUTURE AGENDAS

7. 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.

8. EXECUTIVE SESSION:

City Council may, as permitted by law, adjourn into executive session at any time to discuss any matter listed above including if they meet the qualifications in Sections 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding gifts), 551.074 (personnel 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:

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Pursuant to Section 551.071:

- Appeals by the applicant/operator for reasonable accommodations in accordance with the Ordinance No. 2013-06 group home and boarding home facilities at the following addresses:

1. 615 East Lane
2. 1612 First Street.

Pursuant to 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 projects:

- Jefferson lift station
- River Trail.

Section 551.074:

- Annual review of city manager.

9. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION

10. ADJOURNMENT.

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