

**KERRVILLE CITY COUNCIL AGENDA**  
**REGULAR MEETING, TUESDAY, DECEMBER 8, 2015, 6:00 P.M.**  
**CITY HALL COUNCIL CHAMBERS**  
**701 MAIN STREET, KERRVILLE, TEXAS**

**CALL TO ORDER**

**INVOCATION:** by Kristin Mudry, the Welcome Lady from Kerr County Hospitality Ministry.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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. PRESENTATIONS:**

2A. Employee recognitions for 30 years of service in the Kerrville Fire Department: J. Mitchell Ray and Mickey Smart. (staff)

**3. 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 City Council approve the following items which will grant the Mayor or City Manager the authority to take all actions necessary for each approval:

3A. Construction contract with Swat Construction, Inc. for the Bear Creek Road at Guadalupe River culvert grate replacement project in the amount of \$55,900.00 and authorization for the city manager to execute additional change orders which may not exceed a total contract value of \$69,875.00. (staff)

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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 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: December 4, 2015 at 12:30 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

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Brenda Craig  
City Secretary, City of Kerrville, Texas

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3B. Economic development grant agreement between Playhouse 2000, Inc. and the City of Kerrville, Texas Economic Improvement Corporation, in the amount of \$108,500.00 to be used: 1) replacement of all stage curtains in The Cailloux Theater; 2) replacement of portable seating in the VK Garage Theater; and 3) repairs and maintenance to the theater's Steinway Concert Grand Piano. (staff)

3C. Reimbursement of parade permit fees in the amount of \$100 paid by the veterans parade committee for the 2015 Veteran's Day Parade. (Councilmember White)

3D. Authorize execution of a contract with Kerr County for conducting the May 7, 2016 City of Kerrville General Election. (staff)

**END OF CONSENT AGENDA**

**4. PUBLIC HEARINGS AND RESOLUTIONS:**

4A. Resolution No. 37-2015, granting a conditional use permit for an approximate 2.95 acre tract of land out of the Sam Wallace Survey No. 112, Abstract No. 360 and the Sam Wallace Survey No. 113, Abstract No. 347, within the City of Kerrville, Kerr County, Texas, and otherwise known as 3370 Loop 534 (Veterans Highway); said tract is located within the 27-E zoning district; by permitting said property to be used for a manufactured home or manufactured housing; and making said permit subject to certain conditions and restrictions contained herein. (staff)

4B. Resolution No. 38-2015, granting a conditional use permit for an approximate .35 acre tract out of the P.R. Oliver Survey No. 122, Abstract No. 265, within the City of Kerrville, Kerr County, Texas, and otherwise known as 1612 Goat Creek Road (FM 1338); said tract located within the 6-W zoning district; by permitting said property to be used for building construction, specialist purposes; and making said permit subject to certain conditions and restrictions contained herein. (staff)

**5. ORDINANCE, SECOND READING:**

5A. Ordinance No. 2015-24 amending Ordinance No. 2006-01, which granted Atmos Energy Corporation a franchise to furnish, transport, and supply gas to the general public within the City of Kerrville, Kerr County, Texas, by extending the term of the franchise ordinance for an additional ninety (90) days through the end of March 29, 2016. (staff)

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**6. CONSIDERATION AND POSSIBLE ACTION:**

6A. Wiedenfeld Water Works application to amend Certificate of Convenience and Necessity (CCN) for water service on the southeast corner of Hwy. 27 and Hwy. 480, also known as 5881 Hwy. 27, Center Point, Texas. (staff)

6B. Commercial lease between City of Kerrville, Texas, and BTP Baseball Ventures, LLC, a franchise of D-BAT for the development and management of an indoor and outdoor baseball and softball athletic facility (Holdsworth Athletics Facility), 398 Holdsworth Drive. (staff)

6C. Direction to city staff on returning surplus funds from fiscal year 2015 to the Kerrville taxpayers or options to apply these funds directly to outstanding debt. (Councilmember Stork)

6D. Establish a policy for accepting board and committee applications. (Councilmember Fine)

6E. Direction to city staff on the City of Kerrville Fiscal Year 2017 budget. (staff)

**7. INFORMATION AND DISCUSSION:**

7A. Report from city staff regarding the disruptions of AT&T phone service. (staff)

7B. Budget and economic update. (staff)

**8. APPOINTMENTS TO CITY BOARDS AND COMMISSIONS:**

8A. Reuse Water ad hoc Advisory Committee. (Mayor Pratt and Councilmember Allen)

**9. ITEMS FOR FUTURE AGENDA**

**10. 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.

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## **11. 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:

### 11A. Section 551.074:

- Annual review of municipal court judges.

### 11B. Section 551.071:

- Amber Wood Frye vs Parks and Recreation Department, City of Kerrville, in the Justice Court, Precinct Four, Kerr County, Case No. 152677.

### 11C. 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:

- River trail.

## **12. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION**

## **13. ADJOURNMENT.**

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