

CITY COUNCIL MINUTES  
REGULAR MEETING

KERRVILLE, TEXAS  
June 12, 2018

On June 12, 2018, the Kerrville City Council meeting was called to order at 6:00 p.m. by Mayor Bill Blackburn in the city hall council chambers at 701 Main Street. The invocation was offered by Jim McKnight, followed by the Pledge of Allegiance led by Girl Scout Troop 672, leader Marquetta Pitts, and Girl Scouts: Hailey Barton, Kelsey Pitts, and Kayla Clendeining.

**COUNCILMEMBERS PRESENT:**

Bill Blackburn	Mayor
George Baroody	Mayor Pro Tem
Vincent Voelkel	Councilmember
Judy Eychner	Councilmember
Delayne Sigerman	Councilmember

**COUNCILMEMBERS ABSENT:** None.

**CITY CORE STAFF PRESENT:**

Mark McDaniel	City Manager
Mike Hayes	City Attorney
Brenda Craig	City Secretary
E.A. Hoppe	Deputy City Manager
Cheryl Brown	Deputy City Secretary
Amy Dozier	Director of Finance
Kim Meisner	Director of General Operations
David Knight	Police Chief
Stuart Cunyus	Public Information Officer
Dannie Smith	Fire Chief
Guillermo Garcia	Executive Director of Strategic Initiatives
Drew Paxton	Director of Development Services
Kyle Burow	Director of Engineering
Ashlea Boyle	Director of Parks and Recreation

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

1. **ANNOUNCEMENTS OF COMMUNITY INTEREST:** were given.

2. **VISITORS/CITIZENS FORUM:**

2A. Robert Russell, representing the Hill Country Amateur Radio Club, invited councilmembers to the Field Day event on June 23 and 24.

3. **CONSENT AGENDA:**

Mr. Baroody removed Items 3A, 3B, and 3C from the consent agenda.

Mr. Baroody moved for approval of consent agenda Items 3D-3I; Ms. Eychner seconded the motion and it passed 5-0:

3D. Agreement between the City of Kerrville, Texas, and Kerrville Festival of the Arts, Inc. for use of hotel occupancy tax funds.

3E. Agreement between the City of Kerrville, Texas and Kerrville's Fourth on the River, Inc. for use of hotel occupancy tax funds.

3F. License agreement for special event, Kerrville's Fourth on the River.

3G. Agreement between the City of Kerrville, Texas, and High Five Events, LLC for use of hotel occupancy tax funds.

3H. Resolution 19-2018 authorizing the use of internal combustion engines on Nimitz Lake upstream of the city's impoundment dam for the Kerrville Triathlon and the safety of competitors.

3I. Resolution No. 17-2018 to approve the Water Utility Tariff Change Proposed by Aqua Texas for Retail Utility Service within the corporate limits of the City of Kerrville, Texas.

### **END OF CONSENT AGENDA**

3A. Approve minutes of the city council regular meeting held May 8, 2018, the canvass meeting held May 15, 2018, and the special meeting held May 18, 2018.

Mr. Baroody questioned why the May 18, 2018 meeting was titled special meeting rather than special event. Ms. Craig noted the official swearing in of Councilmember Eychner was held at that time.

3B. Resolution No. 18-2018, amending the composition of the Recovery Community Coalition.

Mr. Baroody asked if council was agreeable to leaving the number of members at 15 or reducing it to 13 since councilmembers were not being appointed to RCC. Ms. Sigerman noted that council had discussed filling the two positions with citizens and not councilmembers.

3C. Agreement between City of Kerrville, Texas and the Association of Property Owners of Riverhill to allow association to install and maintain landscaping within city right-of-way; and for the city to contribute funds toward the initial costs.

Mr. Baroody questioned the city designating \$2,500 for this project.

Mr. McDaniel noted the city was in the process of removing the center structures from the three traffic circles on Riverhill Boulevard at a cost of \$2,500. The HOA requested to be allowed to landscape the traffic circles, and the city support those efforts up to the \$2,500 that would have been spent to remove the structures.

Mr. Baroody moved to approve Items 3A, 3B, and 3C; Mr. Voelkel seconded the motion.

A citizen requested to speak to Item 3C. Mr. Baroody amended the motion to approve only Items 3A and 3B. Mr. Voelkel agreed to the amendment, and the motion passed 5-0.

The following person requested to speak:

1. Peggy McKay stated that a traffic engineer recommended removing the three traffic circles and filling the centers with concrete. Landscaping would present a hazard because of the deer. She opined that stop signs would be a safer alternative. The property owners association did not poll members and did not represent all owners. She requested council not approve this request.

Ms. Eychner moved to approve Item 3C; Ms. Sigerman seconded the motion and it passed 5-0.

#### **4. PUBLIC HEARING AND ORDINANCES, FIRST READING:**

4A. Public hearing and first reading of Ordinance No. 2018-13, adopting "Kerrville 2050" as the Comprehensive Plan for the City of Kerrville, Texas; the plan is adopted pursuant to Chapter 213 of the Texas Local Government Code and will guide the growth and development of the city; defining the relationship of the plan to the city's development regulations; containing a cumulative clause; containing a savings and severability clause; replacing Ordinance No. 2002-14 and all other ordinances or parts of ordinances that amended it; and providing for other matters related to the subject  
Mayor Blackburn read the ordinance by title.

Mr. Paxton noted the proposed ordinance would replace the previous comprehensive plan adopted by Ordinance No. 2002-14 and updated in 2008, and the Planning and Zoning Commission (PZC) and the 2050 Comprehensive Plan Steering Committee recommended approval.

Mark Bowers, project manager with Kimley Horn, and Monica Heid, with Prologue Planning, gave a presentation of the plan, noting the following:

- Addressed issues and requirements that will affect the community's ability to plan for and achieve its vision for 2050.
- Tool to assist in making informed capital improvements planning.
- Coordinate and guide establishment of development regulations, specifically zoning and subdivision ordinances.
- Basis for review of zoning and development applications.
- Discussed the public input, open houses, surveys, and public meetings held by the steering committee and seven subcommittees.
- Established community priorities and vision statement.
- The comprehensive plan was NOT a zoning ordinance, a future land use plan map, nor a zoning map. It addressed the use of public and private land in the future.
- The future land use plan designation on a property did not rezone a property nor did it require any owner to do anything specific with their property at this time.
- Legally nonconforming activities could continue the same as before the plan was adopted. As long as the use on the property was either conforming or grandfathered in, the use could continue as long as all other applicable codes were observed. However, if the owner decided to do something different with a nonconforming property, the comprehensive plan and future land use plan would give direction as to what could

happen when change occurred. Modifying a building could trigger a zoning ordinance issue, but it would not be a comp plan issue.

- Discussed various chapters of the plan: land use; economic development; housing; community & neighborhood character/placemaking; mobility and transportation; water, wastewater and drainage; public facilities and services; parks, open space, and river corridor; downtown revitalization; and implementation.

- The master thoroughfare plan would indicate generally, not exactly, where streets should be located, what type of street should be built to accommodate the type of development anticipated in the land use plan, and how to accommodate pedestrians and non-motorized transportation.

- The subdivision ordinance had a process whereby the city could obtain necessary right of way as part of the subdivision approval process.

- The land use plan and the thoroughfare plan work together to achieve the community's vision.

- The thoroughfare plan did not specify a time frame for when transportation improvements would be made, such as when development occurs.

- Reviewed existing thoroughfare connectivity issues and opportunities, street types and cross sections, street design elements, and multi-modal (pedestrian and bicycle) connectivity.

- Develop and maintain long-range water, wastewater, and stormwater drainage plans.

The Planning and Zoning Commission (PZC) held a public hearing on June 7, 2018, and voted unanimously to recommend the Kerrville 2050 plan to city council for adoption, with slight edits to the document:

- Various capitalization, punctuation and non-substantive wording changes.

- Add explanation as to references made to a future 2 mile ETJ (extraterritorial jurisdiction) rather than the current 1 mile ETJ.

- Add a graph for public input timeline.

- Edit, "Entertainment/Mixed Use" section.

- Edit Page 157, "Mobility".

- Implementation matrix: add a legend; some cells were inadvertently left blank; and change some references from "standards" to "guidelines or standards".

Mr. Baroody questioned why at the subcommittee level a subject had to have a unanimous vote for an item to be put in the plan, but it did not require a unanimous vote of the steering committee, noting a one person minority could rule the decision of the subcommittee, but a one person minority could be over ruled by the majority of the steering committee. Mr. McDaniel noted the resolution that created the committee was adopted by council. The steering committee level was polling not voting; the plan developed addressed the things identified by the committee.

Mayor Blackburn noted the comprehensive plan was initiated, and the committees were established, by former Mayor Bonnie White.

Mayor Blackburn declared the public hearing open at 7:15 p.m. and the following persons spoke:

1. Bob Waller, chairman of the steering committee and the PZC, stated he was disappointed that some people were using fear tactics and taking things out of context to create anxiety and stir up trouble by using the word “gentrification,” converting an aging neighborhood into a more affluent one by remodeling housing. The word was being used as displacement and was not in the spirit of the document. The comprehensive plan was a goal to move the community forward in a positive planned way in the next 30 years. Public input was encouraged on numerous occasions and there was plenty of access to the meetings since the plan started nine months ago.
2. Jana Colgate noted a section in the plan discussed ways to respect and protect the natural environment; the river and Hwy. 27 East should be protected. The plan had the potential designation of commercial/industrial in the Hwy 27 East area between Kerrville and Center Point and this was already a heavily industrialized area. She asked that the future land use plan look at ways to protect the river and Hwy. 27.
3. Carolyn Lipscomb noted the area being developed on Hwy. 27 East was out of the control of the city.
4. Bill Rector, downtown building owner and president of Historic Downtown Business Association, stated there was strong support for the plan. He noted that participation had been significant, with 515 people participating in developing the plan. He supported the plan, in particular the revitalization of downtown.
5. Tom Moser, Kerr County Commissioner, complimented the city on the openness of the process and community participation. The committee listened to the community and changes were made to reflect the community and citizens’ actions. The thoroughfare plan was only an example. He opined that the plan was an extremely good plan. The county would like to have had more control over development along the Hwy. 27 East corridor; however, state law would not allow for local control. Regarding the airport budget passed at the last council meeting, the airport operation used to require \$400,000 subsidy from the city and county; this year’s airport budget subsidy was \$0.
6. Glenn Andrew noted the plan process was extremely open and transparent to the public and there was great opportunity for participation. The plan was well organized and executed. He supported the plan.
7. Walter Koenig, President and CEO of the Chamber of Commerce and member of the steering committee, noted the plan was a 9 month process and had much community participation. The steering committee members were appointed by the prior city council. The plan was good for local businesses and the community. The plan did not prescribe to a gentrification process that would remove poor and elderly people from their homes because they could not afford maintenance of their property. The plan specifically discouraged displacement through gentrification. The plan was not a resurrection of the UDC of the past. It did not establish any rules and regulations that put limits on personal property rights. It did not define any rules or regulations at all; modification of codes and regulations should be done through elected officials. The plan would move

Kerrville forward, and there had been unprecedented transparency and community involvement. The Kerrville Area Chamber of Commerce voted unanimously to support the adoption of the Kerrville 2050 comprehensive plan.

8. Ruben Exum stated that gentrification and displacement may not be the intent of the plan, but in the future the plan might be interpreted differently and result in unintended consequences. This had sparked fear and concern among residents. Minimum property standards through code enforcement may make it difficult for longtime property owners to remain in their homes. He requested council amend the language so it would not have unintentional consequences in the future. An increase in property value can result in persons no longer being able to afford to live at their property, and moving may be their only option.

9. Michael Green said he was at Monday night's meeting at Doyle School Community Center and some language in the plan was of great concern. He feared that people might be pushed away from the property they owned. What would happen if people could not pay their property taxes; where would they go? The community's culture and history would be lost. In the future someone might say the people no longer own their property, and it can be taken away to become part of downtown. Why do they have to suffer to make the plan work?

10. Reverend David Shuler stated that a community land trust could be a viable option for the Kerrville North community; this would address taxation issues and protect the property for 99 years, and it is renewable every 99 years. He asked if there were provisions in the plan for affordable housing.

11. Sabina Richerson said she lived in an area in Austin that went through gentrification and rent was raised. Assistance was needed to help minorities make improvements. Where is the funding to help their community so they can follow the 2050 plan? It was not fair for the elderly to lose their property.

No one else spoke and Mayor Blackburn closed the public hearing at 7:44 p.m.

Mayor Blackburn stated he understood the concerns of the Doyle area residents given the picture that had been painted the last few days; however, the plan was about strengthening all neighborhoods. Gentrification may be a threat, but it was not because of Kerrville 2050 comprehensive plan. He noted his experiences and projects he was associated with in the Doyle area for the past 17 years. If he thought the intent of this plan was to hurt this part of town, he would vote against it, but he did not believe that. He and the city manager would be meeting with residents to talk about these issues and to assure people that their homes and neighborhood were safe

Mr. Baroody stated that studies show that the type of plan proposed, over time, would lead to gentrification. He opined that implementation of the action items in this plan could result in some displacement. The plan stated that neighborhoods near downtown were falling into disrepair and needed to be addressed; also, that Kerrville would try to

minimize the displacement of citizens. He talked with the residents in the Kerrville North community to make them aware of the plan. He did not suggest that the intent of the plan was gentrification; however, there could be unintended consequences. He opined that property maintenance through code enforcement would lead to gentrification and generally happened in low income areas, and if owners accept assistance to improve their home, the value of the home and property taxes would increase.

Mr. Bowers stated that the plan did not support gentrification, and the committee was not trying to create gentrification. Code enforcement was a property maintenance issue and the intent was to have quality housing for people to live in; it did not cause gentrification. Deteriorated housing should be addressed and that can become an opportunity for citizens to provide assistance to improve homes so housing is not lost. The key to maintaining neighborhoods is to keep housing stock in a livable condition or replace it. The intent of this plan was to not create gentrification, but allow the city to determine methods and techniques that could be implemented and keep the issue from becoming a bigger problem. There were options to solve the issue of rising property taxes that would allow persons to maintain ownership of their home. If owners do not address the issue of maintenance, it could result in deteriorated housing and become a life safety issue, or deteriorate to such a condition that the house is no longer livable, thus creating a neighborhood that is much more likely to lead to gentrification. The city should consider each neighborhood and address its issues independently after the plan is adopted and the city moves forward with implementation of plan.

Mr. McDaniel noted if a homeowner was over 65, their taxes would not increase, even with improvements, because of the tax freeze. Currently, the city did not have minimum property standards beyond what was in the building code. Discussion of a property maintenance code had been discussed for several years.

Mr. Baroody stated that when a property's value increased, the next generation, which was not over 65, may not be able to afford the taxes on the increased property value, and this could cause them to move. Also, as the value of rental property increases, landlords will pass the increased property tax on to renters. This would cause people to look for other affordable housing. Affordable housing was lacking in Kerrville, which the plan did not address, and the city should not implement the plan until alternatives were available. He requested that the detrimental sections be removed at this time until they could be vetted out and then put back into the plan.

Council also discussed the following:

- If council would have had this input earlier during the public input process, it could have been discussed and worked out. It was not the intent to instill fear in citizens.
- Implementation of the plan is designed to protect the community and the citizens' property.

Mayor Blackburn moved to adopt the Kerrville 2050 Plan with the understanding that he and the city manager would meet with residents in the Doyle area, and get

recommendations from Mr. Baroody; further, to include the proposed edits recommended by PZC and dated June 11.

Mr. Voelkel stated that some people opined that the 2050 plan resembled the Unified Development Code (UDC), and he proposed to incentivize and encourage and not enforce penalties by removing/amending sections:

- Use of code enforcement for stabilizing and improving existing neighborhoods not as a means to redevelop and enforce current minimal property standards.
- C4.4 implement a landscape ordinance that provides credit for preserving existing desirable trees.
- C4.10 Evaluate adoption of architectural guidelines to address building orientation and scale, design features and building materials.
- C5.1 Enforce current minimum property standards for house structure; maintain and increase proactive code enforcement.
- C5.7 Consider establishing commercial corridor and overlay districts or gateway corridors to include desired signage, architectural, and urban design standards.
- D1.1 Proactive code enforcement in downtown.
- D2.9 create architectural standards and guidelines that promote a certain character such as the use of stone building material.
- H2.1 enforce current minimum property standards for home/structure maintenance and increase proactive code enforcement.
- P1.7 develop a tree preservation ordinance.
- P2.1 and P4.6 Implement a landscape ordinance that provides credit for preserving existing desirable trees.

Mayor Blackburn included in the motion to adopt the Kerrville 2050 plan as is, to include the edits recommended by PZC dated June 11, and that the items brought up by Mr. Voelkel also be considered as the 2050 plan moved toward final adoption on July 26.

Mr. Baroody suggested the 20 items be considered to determine if they will produce unintended results before the plan is voted on on July 26. Mayor Blackburn stated this would be part of the process moving forward.

The motion was seconded by Ms. Eychner and passed 3 -2 with Councilmembers Blackburn, Eychner, and Sigerman voting in favor of the motion and Councilmembers Baroody and Voelkel voting against the motion.

## **5. ORDINANCES, FIRST READING:**

5A. Ordinance No. 2018-12 amending Chapter 102 "Traffic and Vehicles," by adding a new Article XIII "Escort of Oversize Loads" to the Code of Ordinances of the City of Kerrville, Texas; the new Article XIII addresses the service provided by the City's Police Department to escort oversize vehicles through the city; establishing a procedure for requesting and providing such service; requiring a fee; containing a cumulative clause; containing a savings and severability clause; providing a penalty; and providing other matters relating to the subject.



Police Chief Knight recommended adopting the proposed ordinance that would add “escort of oversized loads” as a service provided by the department. It would provide a procedure for requesting services and a fee to reimburse the city for expenses incurred as a result of providing escort services for oversized commercial vehicles moving large cargo through the city. He noted that the number of escorts for oversized loads had increased to an average of 500 per year resulting in increased manpower and staffing, and resulted in lessened police service delivery and response to citizenry. The notification process for all oversized vehicles routed through Kerrville would be managed by the Texas Department of Transportation.

Mr. Baroody moved for approval of Ordinance No. 2018-12 on first reading; Ms. Eychner seconded the motion and it passed 5-0.

**6. CONSIDERATION AND POSSIBLE ACTION:**

6A. Authorize staff to negotiate a professional services agreement for a public safety complex feasibility study.

Mr. Burow noted that requests for qualifications were solicited from design groups to develop a public safety complex feasibility study for the police department, municipal court, and possibly fire administration offices. The police department was housed at 429 Sidney Baker, the municipal court was located at 301 McFarland; and the fire admin offices were located at 87 Coronado in a privately-owned building leased to the city. He reviewed the items that would be addressed in the study and noted the study may also provide options for facility location. Mr. Burow requested authorization to negotiate an agreement.

Mr. Voelkel moved to authorize negotiation of a professional services agreement. Mr. Baroody seconded the motion and it passed 5-0.

6B. Approve funding agreement between the City of Kerrville and the Kerrville Economic Improvement Corporation for \$2 million in funding assistance for the up sizing of the Legion lift station for economic development purposes.

Mr. Hoppe noted the expansion to the Legion lift station was a key component to providing wastewater service to a major corridor of the city for economic development to occur. The EIC approved the funding agreement in the amount of \$2 million; the city was in the process of applying to the Texas Water Development board for a loan for the remainder of the \$10 million project.

Mr. McDaniel noted the interest rate on the TWDB loan would be 1-2% below market. There were some fees associated with the loan; however, there would still be significant savings to the city.

Mr. Baroody moved to approve the funding agreement; Mr. Voelkel seconded the motion and it passed 5-0.

6C. Authorize the execution of a construction contract with Structural Concrete Systems, (SCS) LLC for the Parking Garage Maintenance and Repairs project in an amount of \$615,668.70 and potentially including Alternate #1 at an amount of \$79,863.02.

Mr. Burow gave an assessment of the condition of the parking garage and identified several key maintenance items. Staff evaluated the bids received and recommended awarding the base bid (maintenance items) and Alternate #2 (power washing) for a total amount of \$615,668.70.

Mr. Hoppe noted that all of the items identified were deferred maintenance; none was a safety hazard.

Mr. Burow noted that parking in the middle sections of the garage was narrow, and M&S Engineering also presented a plan to alter the striping to angle parking in the middle sections to eliminate multiple conflict points as a result of the clockwise traffic pattern, particularly the entrance and exit points on the first floor were in conflict with traffic ramp and this would eliminate stacking of vehicles on Clay and Water streets.

Council questioned if there were any restrictions on the property that would prohibit the city from making these improvements. Mr. Burow noted these were maintenance items only and were allowed in the deed; however, any structural improvement projects would have to be approved.

Mr. Baroody moved to authorize execution of a construction contract for the base bid and alternate 2. Ms. Eychner seconded the motion and it passed 5-0.

6D. Authorize the execution of a construction contract with Lambda Construction I, Ltd. for the WWTP Oxidation Ditch Bid Package #1: Aerator Baffles and Supports Improvements project in an amount of \$195,000.00.

Mr. Burow noted the 2012 Wastewater Master Plan identified the oxidation ditch as a high risk with the second highest criticality rating due to it being the main treatment component without redundancy in the system. The oxidation ditch had been in continuous service since the plant was built in 1974 and some of the baffle supports have concrete deterioration. Package 1 consisted of improvements to the aerator baffles and supports; Package 2, which staff planned to bid in late summer, would consist of dredging the oxidation ditch to remove accumulated solids from the bottom.

Mr. Barron noted the oxidation ditch was the only treatment unit that had never been out of service at the plant. Staff would shut down only one roter at a time to allow the plant to continue operating while maintenance occurred.

Ms. Eychner moved to authorize execution of a construction contract with Lambda Construction I, Ltd. for the oxidation ditch at a cost of \$195,000. Mr. Baroody seconded the motion and it passed 5-0.

6E. Confirmation of project scope for the H-E-B Tennis Center Improvement Project.

Ms. Eychner moved to reschedule this item to the June 26 meeting. Ms. Sigerman seconded the motion and it passed 5-0.

6F. Authorization to purchase soccer field lighting for the Kerrville Sports Complex from Musco Sports Lighting, LLC through the Texas BuyBoard in the amount of \$70,400.

Ms. Boyle noted the parks and recreation advisory board approved the project that would provide two sports lights for the soccer fields. She noted that the lights on the old field had been removed and some had been repurposed.

Ms. Sigerman moved to approve the purchase of soccer field lighting for the Kerrville Sports Complex from Musco Sports Lighting, LLC through the Texas BuyBoard in the amount of \$70,400. Ms. Eychner seconded the motion.

Mr. Baroody requested council have the opportunity to discuss and give input on the remaining items on the list of projects, and to include the price of scoreboards, for the sports complex. Staff will schedule discussion of the remaining items on the list for a future meeting.

The motion passed 5-0.

6G. Changes to the boards and commissions application forms and establish public notification process.

Ms. Eychner moved to discuss this item in executive session. Mr. Hayes noted the subject was not eligible for executive session; Ms. Eychner withdrew her motion.

Mr. Voelkel discussed: merging the two applications into one application form; establishing a public notification policy and a cutoff date for accepting applications for consideration at council meetings.

Mr. Baroody requested council also discuss amending several items in the procedural rules.

Ms. Eychner moved to appoint Mr. Voelkel and Ms. Sigerman to review and make recommendation at a future council meeting on: the board and commission application forms, establish a public notification process, and establish an interview process. The motion was seconded by Ms. Sigerman and passed 5-0.

6H. Presentation regarding the formation of a contemplated Tax Increment Reinvestment Zone (TIRZ) for Downtown Kerrville.

Mr. Voelkel recused himself and left the meeting at 9:03.

David Pettit noted the concept and purpose of a TIRZ was to stimulate growth and incentivize economic development by allowing taxing agencies to redirect ad valorem taxes received from incremental value increases on properties located within a reinvestment zone. The tax dollars generated would go into a special account to fund

improvements within that zone. A TIRZ developed under Chapter 311, would not have any impact on the city's general fund. He recommended moving forward to establish a TIRZ: create an ordinance, establish articles of incorporation, set up a board of directors, develop the finance plan and project plan, and establish the zone boundaries.

Mayor Blackburn moved to set a workshop and proceed to create the documents to establish a TIRZ for the downtown area. Ms. Sigerman seconded the motion and it passed 4-0-1 with Councilmembers Blackburn, Sigerman, Baroody, and Eychner voting in favor of the motion; no one voted against the motion; and Mr. Voelkel abstained.

Mr. Voelkel returned to the meeting at 9:41 p.m.

6I. Authorization to approve Development Agreement between the City of Kerrville, Texas, and Medina River Estates, LLC for an approximate 225.86 acre tract generally located south of Riverhills and adjacent to Highway 16 S.

Mr. Paxton noted the developer requested a waiver of sewer and sidewalk requirements as part of the development agreement. The planning and zoning commission discussed the request and recommended further negotiations with the developer. This matter was deferred to executive session.

## **7. BOARD APPOINTMENTS**

7A. Appointments to the Zoning Board of Adjustment. Deferred to executive session.

7B. Appointments to the Building Board of Adjustment and Appeals. Deferred to executive session.

7C. Appointments to the Planning & Zoning Commission. Deferred to executive session.

## **8. CITY MANAGER'S REPORT**

Mr. McDaniel provided the capital project status report.

## **9. ITEMS FOR FUTURE AGENDAS**

- Review ethics policy and rules and procedures and board application processes.
- Modify member structure for the economic improvement corporation to allow each councilmember to appoint one member to the EIC for more accountability.

## **10. EXECUTIVE SESSION:**

Mr. Baroody moved for the city council to go into executive closed session under Section 551.071 (consultation with attorney), Section 551.072 (deliberation regarding real property), and Section 551.074 (personnel/officers) of Chapter 551 of the Texas Government Code; the motion was seconded by Mr. Voelkel and passed 5-0 to discuss the following matters:

Sections 551.071 and 551.072:

6I. Authorization to approve Development Agreement between the City of Kerrville, Texas, and Medina river Estates, LLC for an approximate 225.86 acre tract generally located south of Riverhills and adjacent to Highway 16 S.

11A. Development Agreement between the City of Kerrville, Texas, and Medina River Estates, LLC for an approximate 225.86 acre tract generally located south of Riverhills and adjacent to Highway 16 S.

Section 551.074:

- 7A. Appointments to the Zoning Board of Adjustment.
- 7B. Appointments to the Building Board of Adjustment and Appeals.
- 7C. Appointments to the Planning & Zoning Commission.

At 9:45 p.m. the regular meeting recessed. Council went into executive closed session at 9:50 p.m. At 10:25 p.m. the executive closed session recessed and council returned to open session at 10:26 p.m. No action was taken in executive session.

**10. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY:**

7A. Appointments to the Zoning Board of Adjustment.

Mr. Voelkel moved to appoint Robert Irvin and Pablo Brinkman both with terms to expire September 30, 2018. Mr. Baroody seconded the motion and it passed 5-0.

7B. Appointments to the Building Board of Adjustment and Appeals.

Ms. Eychner moved to appoint Cristina Holcomb to the contractor regular member position; and Armando De La Mora to the master electrician alternate member position, both with terms to expire August 31, 2019. Mr. Voelkel seconded the motion and it passed 5-0.

7C. Appointments to the Planning & Zoning Commission.

Mr. Baroody moved to appoint David Jones to the regular member position with term to expire January 1, 2020, and to appoint William Morgan and Tricia Byrom to the alternate member positions. Mr. Voelkel seconded the motion and it passed 5-0.

**ADJOURNMENT:** The meeting adjourned at 10:31 p.m.

APPROVED: 08/14/2018

ATTEST:

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Bill Blackburn, Mayor

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Brenda G. Craig, City Secretary