

**KERRVILLE CITY COUNCIL AGENDA**  
**REGULAR MEETING, TUESDAY, APRIL 26, 2011, 6:00 P.M.**  
**CITY HALL COUNCIL CHAMBERS**  
**800 JUNCTION HIGHWAY, KERRVILLE, TEXAS**

**CALL TO ORDER**

**INVOCATION** offered by Reverend Patty Edwards of the Unity Church of the Hill Country.

**PLEDGE OF ALLEGIANCE TO THE FLAG** led by Matthew C. Garces, Jr., awarded Eagle Scout on April 2, with Boy Scout Troop 60.

**1. VISITORS/CITIZENS FORUM:**

Any citizen with business not scheduled on the agenda may speak to the Council. Prior to speaking, each speaker must fill out the speaker request form and give it to the City Secretary. 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. Recognize Mary Pierce for receiving payroll professional certification from the American Payroll Association. (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 council approve the following items which will grant the Mayor or City Manager the authority to execute all documents necessary for each transaction:

3A. Approval of the minutes of the special council informational meeting held March 25, and the regular city council meeting held April 12, 2011. (staff)

3B. Authorize the city manager to execute a construction contract with Central Texas Water Maintenance in the amount of \$250,871.00 for the construction of the high service pumps at Riverhill Booster Station and contingency change orders in an amount not to exceed \$51,810.67. (staff)

3C. Authorize the city manager to execute an agreement with James Avery Craftsman for the pretreatment of wastewater prior to connection to the city's wastewater system. (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: April 21, 2011 at 3:00 pm and remained posted continuously for at least 72 hours proceeding the scheduled time of the meeting.

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Deputy City Secretary, City of Kerrville, Texas

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3D. Authorize the city manager to execute a contract with Blue Source to provide brokerage services to market carbon credits for the harvesting and use of gas produced at the city landfill. (staff)

3E. Authorize the city manager to enter into an agreement for the disposal of the building at 433 Water Street. (staff)

**END OF CONSENT AGENDA**

**4. PUBLIC HEARINGS AND RESOLUTIONS:**

4A. A resolution granting a conditional use permit for a portion of an approximate 0.70 acre parcel of land out of the J.A. Tivy Addition, a subdivision within the city of Kerrville, Texas, otherwise known as 1612 Water Street; said property is located within zoning district C-17; by permitting said property to expand the area in which it has a non-conforming use pursuant to the addition of new building; and making said permit subject to certain conditions and restrictions contained herein. (staff)

4B. A resolution granting a conditional use permit for an approximate .35 acre parcel of land, making up parts of lots 10, 11, and 12, block 16, and out of the J.A. Tivy Addition, a subdivision within the city of Kerrville, Kerr County, Texas, otherwise known as 1421 Broadway, and located within the C-17 zoning district; by permitting said property to be used for business services II purposes (refrigeration/air conditioning service and repair); and making said permit subject to certain conditions and restrictions. (staff)

4C. A resolution granting a conditional use permit for an approximate twelve thousand square feet of retail space, part of lot 1A, block 1, and out of the Country Club Plaza-Unit 1 subdivision, within the city of Kerrville, Kerr County, Texas, otherwise known as 1305 Sidney Baker Street (State Highway 16), and located within the Gateway (GTW) zoning district; by permitting said property to be used for retail trade I purposes (alcoholic beverage sales for off-premise consumption); and making said permit subject to certain conditions and restrictions. (staff)

**5. PUBLIC HEARING AND ORDINANCE, FIRST READING:**

5A. An ordinance amending the city's "zoning code" to revise article 11-I-6 "zoning districts-central city" by creating a new zoning district, the central business district, which will include and rezone parts of current zoning districts C-11, C-12, residential transition, and all of zoning district C-18; providing for use regulations within the new district; and making other amendments to the zoning code to account for the new district; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars(\$2,000.00); and ordering publication. (staff)

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**6. ORDINANCES, FIRST READING:**

6A. An ordinance annexing multiple tracts of land along with and including adjacent and intervening public right-of-way; said area totaling approximately 278.4 acres and located adjacent to the corporate limits of the city of Kerrville, Texas, when considered as a whole; and being generally located beginning northeast of the intersection of Morris Road and Town Creek Road, continuing in a northerly direction across and including Interstate 10 as it passes between the existing city limits, then continuing north and terminating at the James Avery Craftsman Campus, located on the corner of Harper Road (RR 783) and Avery Road; specifically describing the area to be annexed; adopting a service plan for the area annexed; and establishing the zoning for the area annexed. (staff)

6B. An ordinance annexing an approximate 43.72 acre tract of land, being all of a revision of Hartshorn Country Sites, a subdivision of record found at volume 7, page 148, plat records of Kerr County, Texas, and all of the James Avery Craftsman subdivision, a subdivision of record found at volume 7, page 149, plat records of Kerr County, Texas, and those portions of Avery Road North and Lessie Lane, public roads located within and between the two subdivisions; and said property lying adjacent to the corporate limits of the city of Kerrville, Texas, within the city's extraterritorial jurisdiction, and generally located at and east of the intersection of Harper Road (RR 783) and Avery Road North; providing a legal description of the tract to be annexed; adopting a service plan for the tract annexed; establishing the zoning for the area annexed by creating a "planned development district" for said area; making said district subject to certain conditions and restrictions; containing a cumulative clause; containing a savings and severability clause; establishing a penalty or fine not to exceed two thousand dollars (\$2,000.00); ordering publication; and providing other matters relating to the subject. (staff)

**7. ORDINANCE, FIRST AND ONLY READING:**

7A. Ordinance authorizing the issuance, sale and delivery of approximately \$6,305,000 in aggregate principal amount of "City of Kerrville, Texas Combination Tax and Revenue Certificates of Obligation, series 2011"; securing the payment thereof by authorizing the levy of an annual ad valorem tax and a pledge of certain surplus revenues of the city's waterworks and sewer system; and approving and authorizing the execution of a paying agent/registrar agreement, a purchase contract, an official statement and all other instruments and procedures related thereto. (staff)

**8. CONSIDERATION AND POSSIBLE ACTION:**

8A. Waiver to subdivision ordinance requirement for sidewalks on access streets serving Hill Country Home Opportunity subdivision on Pinto Trail. (staff)

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8B. Presentation and acceptance of the FY10 Comprehensive Annual Financial Report (CAFR). (Staff)

8C. Request to change hours of operation at the library during renovation. (staff)

8D. Interlocal agreements between Kerr County and the City of Kerrville for joint operations. (Staff)

8E. Renaming of the Kerrville water impoundment to Sunset Lake. (Staff)

8F. Approve prioritized list of roadway projects in Kerr County for final submission to the Alamo Regional Rural Planning Organization. (Staff)

8G. Update regarding Lower Colorado River Authority Transmission Services Corporation (LCRA-TSC) application for the proposed McCamey D to Kendall to Gillespie CREZ project PUC Docket No. 38354; City of Kerrville, Kerrville Public Utility Board, and City of Junction v. PUC, Cause No. D-1-GV-000324, in the 98<sup>th</sup> District Court of Travis County. (Staff)

9. **INFORMATION AND DISCUSSION:**

9A. Economic update. (staff)

10. **ITEMS FOR FUTURE AGENDA**

11. **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.

12. **EXECUTIVE SESSION:**

The city council reserves the right to adjourn into executive session at any time to discuss any of the matters listed as permitted by law 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 matter:

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Section 551.071:

- LCRA Transmission Services Corporation proposed McCamey D to Kendall to Gillespie 345-kV CREZ Transmission Line in Schleicher, Sutton, Menard, Kimble, Mason, Gillespie, Kerr, and Kendall Counties, Texas. Public Utility Commission of Texas (PUC) Docket No. 38354; City of Kerrville, Kerrville Public Utility Board, and City of Junction v. PUC, Cause No. D-1-GV-000324, in the 98<sup>th</sup> District Court of Travis County.

**13. ACTION ON ITEM DISCUSSED IN EXECUTIVE SESSION**

**14. ADJOURNMENT.**

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