

CITY COUNCIL MINUTES
REGULAR MEETING

KERRVILLE, TEXAS
OCTOBER 25, 2011

On October 25, 2011, the Kerrville City Council meeting was called to order by Mayor Wampler at 6:00 p.m. in the city hall council chambers, 800 Junction Highway. The invocation was offered by Fern Lancaster, First Assembly of God Church, followed by the Pledge of Allegiance led by Chase Hall and Ben McCright, Boy Scouts of America Troop 111, Notre Dame Catholic Church.

COUNCILMEMBERS PRESENT:

David Wampler	Mayor
Carson Conklin	Councilmember
T. Scott Gross	Councilmember
Stacie Keeble	Councilmember

COUNCILMEMBER ABSENT:

Gene Allen	Mayor Pro Tem
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CITY EXECUTIVE STAFF PRESENT:

Todd Parton	City Manager
Mike Hayes	City Attorney
Teri Kinsey	Deputy City Secretary
Kristine Ondrias	Assistant City Manager
Travis Cochran	Director of Information Technology
Mike Erwin	Director of Finance
Charlie Hastings	Director of Public Works
Mindy Wendele	Director of Business Programs
Kevin Coleman	Director of Development Services
Robert Ojeda	Fire Chief
John Young	Police Chief

VISITORS PRESENT: List is on file in city secretary's office.

1. **VISITORS/CITIZENS FORUM:** Nobody spoke

2. **RECOGNITIONS AND COMMENDATIONS:**

2A. Resolution of commendation was presented to Carolyn Lipscomb for serving on the zoning board of adjustment.

3. **CONSENT AGENDA:**

Mr. Conklin moved for approval of items 3A – 3C; Ms. Keeble seconded the motion and it passed 4-0:

3A. Approval of the minutes of the regular city council meeting held October 11, 2011.

3B. Resolution No. 042-2011 authorizing the submission of documentation of eminent domain authority in Texas to the Texas Comptroller; such documentation

will detail the city's legal authority to exercise eminent domain in compliance with Senate Bill 18.

3C. Submission of a grant application to the Cailloux Foundation for street equipment.

END OF CONSENT AGENDA

4. ORDINANCE, FIRST READING:

4A. An ordinance abandoning, vacating, and closing two public right-of-ways consisting of Rodriguez Street as it extends between Water Street and Main Street (State Highway 27) and the alley which intersects with Rodriguez Street and extends between Francisco Lemos Street and Hays Street; said right-of-ways comprise 0.719 acre, more or less, and are out of Blocks 46 and 47 Schreiner's Addition, within the City of Kerrville, Kerr County, Texas; making a finding that neither the street nor the alley is required for present or future public use; providing for the terms and conditions of abandonment, vacation, and closure; and authorizing the city manager to take all necessary actions to effectuate the abandonment, vacation, and closure. Mayor Wampler read the ordinance by title.

Ms. Keeble moved for approval of the ordinance on first reading; Mr. Gross seconded the motion and it passed 4-0.

5. CONSIDERATION AND POSSIBLE ACTION:

5A. Discussion of the INTERLOCAL AGREEMENT FOR THE CONTINUED EXISTENCE OF A JOINT AIRPORT BOARD TO PROVIDE MANAGEMENT OF KERRVILLE/KERR COUNTY AIRPORT and the airport budget.

Mr. Conklin attended the first airport planning committee meeting, at that time they reviewed the airport's master plan and how it was being implemented, arranged future quarterly meetings, and discussed the direction of the airport and what the current issues. The Joint Airport Board agreed to include line items to fit the budget amounts, as per the interlocal agreement and then have the governing entities approve that budget. Mayor Wampler added that there were no projects related to the airport that are included in the city's capital improvement projects list but future improvements will be needed and should start being discussed, including the sustainability of the Mooney facility.

5B. Settlement agreement regarding complaint of Cecil R. Atkission and City of Kerrville against Lower Colorado River Authority Transmission Services Corporation, Public Utility Commission of Texas (PUC), Docket No. 39516.

Mr. Hayes stated he would present this matter at the November 8th meeting.

6. INFORMATION AND DISCUSSION:

6A. Presentation by Kerrville Public Utility Board General Manager Tracy McCuan regarding KPUB's recent decisions on LCRA and CPS Energy.

Mr. McCuan announced that CPS Energy of San Antonio would be Kerrville Public Utility Board's (KPUB) new primary power supplier as of June 25, 2016.

The Lower Colorado River Authority (LCRA) would continue to supply 16% of KPUB's annual energy requirements and the supply source for the remaining 16% was undetermined. Beginning in 2017, 10% of KPUB's power will come from renewable sources and will increase each year until 2023. Mr. McCuan summarized the past agreement with LCRA and why KPUB chose not to renew their agreement with LCRA and gave a brief timeline of the actions leading up to their decision. The new agreement with CPS Energy would be for 7½ years with a possible 3 year extension and would not be a full requirements contract. Mr. McCuan also outlined the following:

- General provisions
- Forecasted energy supply requirements
- Renewable energy
- Remaining base load components.

6B. Kerrville Triathlon event update.

Ms. Wendele reported that the triathlon was a success and presented an overview of participant turnout, results, and testimonials. The dates for the 2012 Triathlon will be September 28 – 30.

6C. Water resources report.

Mr. Hastings reported the river flow was down 18% of normal flow. Groundwater was 40 ft. low; aquifer storage and recovery had used about 200M gallons this year, an all-time high. Stored water was at about 800M gallons down to 600M. The city has contacted the state water master's office to see about banking water during the winter months. He also stated that a televised public service announcement was prepared by Mayor Wampler.

6D. Budget and economic update.

Mr. Erwin reported city sales tax dropped 3.9%. Financial institutions nationwide were predicting slow recession recovery and that the recession would continue in 2012. As of September 30, 2011, general fund revenue was at \$20.2 million and expenditures at \$19.5 million; water/sewer fund revenue at \$9.8 million, and expenditures at \$8.5 million.

7. BOARD APPOINTMENTS:

7A. Golf course advisory board. Mr. Conklin moved to appoint Rusty Hendrickson to fill an unexpired term to end July 1, 2012, due to a resignation. Ms. Keeble seconded the motion and it passed 4-0.

8. ITEMS FOR FUTURE AGENDAS

- Watering times to accommodate day light savings time.

9. ANNOUNCEMENTS OF COMMUNITY INTEREST:

- Hill Country Pumpkin Run on Saturday, October 29th, 7:30 am at the KROC Center.
- Harvest Fest at the KROC on October 29th, beginning at 10:00 am.

- Partners in Ministry hosting Sean Elliot at Inn of the Hills on November 8th, from 6pm – 8pm.

10. EXECUTIVE SESSION:

Mr. Gross moved for the city council to go into executive closed session under Sections 551.071 (consultation with attorney), and 551.087 (deliberation regarding economic development negotiations) of the Texas Government Code; the motion was seconded by Mr. Conklin and passed 4-0 to discuss the following items:

- Section 551.071:

Cause No. SA11CA0116 - FB; Louis V. Doss and Carolyn Doss, individually and d/b/a Mulligan's Pub v. Chief John M. Young, et al.; in the United States District Court for the Western District of Texas, San Antonio Division.

- Section 551.071 and 551.087:

Discuss or deliberate regarding commercial or financial information that the City Council has received from a business prospect that the Council seeks to have locate, stay, or expand in the City and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to such business prospect.

At 7:04 p.m. the regular meeting recessed and council went into executive closed session at 7:14 p.m. At 8:20 p.m. the executive closed session recessed and council returned to open session at 8:21 p.m. Mayor Wampler announced that no action had been taken in executive session.

11. ACTION ON ITEM DISCUSSED IN EXECUTIVE SESSION: None.

12. ADJOURNMENT. The meeting adjourned at 8:22 p.m.

APPROVED: _____

David Wampler, Mayor

ATTEST:

Teri Kinsey, Deputy City Secretary