

**KERRVILLE CITY COUNCIL AGENDA**  
**REGULAR MEETING, TUESDAY, SEPTEMBER 14, 2010, 6:00 P.M.**  
**CITY HALL COUNCIL CHAMBERS**  
**800 JUNCTION HIGHWAY, KERRVILLE, TEXAS**

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE TO THE FLAG** led by Sam Swindell, Military Officers Association of America.

**1. VISITOR/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. PRESENTATION:**

2A. Presentation from the XI Omicron Chapter of the Beta Sigma Phi Sorority for the purchase of new Christmas decorations for the City of Kerrville. (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 city council meetings held on August 17, August 24, and September 2, 2010. (Staff)

3B. Authorize a contract with Relmco, Inc. for the Oak Hollow drainage project in the amount of \$459,687.40. (Staff)

3C. Authorize a professional service agreement with LNV, Inc. for engineering design services for Phase 2 and 3 of the wastewater inflow and infiltration rehabilitation/ replacement project in the amount of \$118,488.00. (Staff)

3D. Authorize the extension of the Maxey Energy contract for fuel and card service for FY11. (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: September 10, 2010 at 4:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Brenda Craig  
City Secretary, City of Kerrville, Texas

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3E. Authorize acceptance of a grant in the amount of \$98,600 for the purchase of a firefighting apparatus (brush truck) to be purchased through Buyboard Purchasing Cooperative. (Staff)

3F. Authorize the transfer of five (5) surplus Panasonic CF25 laptop computers to the Ingram City Marshal. (Staff)

**END OF CONSENT AGENDA**

**4. FISCAL YEAR 2011 BUDGET PUBLIC HEARINGS AND ORDINANCES, FIRST READING:**

4A. Public hearing for ad valorem tax rate for tax year 2010/fiscal year 2011. (Staff)

4B. An ordinance levying an ad valorem tax for the use and the support of the municipal government for the City of Kerrville, Texas, for the fiscal year 2011; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid. (Staff)

4C. Public hearing for fiscal year 2011 budget. (Staff)

4D. An ordinance adopting the annual budget for the fiscal year 2011; providing appropriations for each department and fund; containing a cumulative clause; and containing a savings and severability clause. (Staff)

**5. ORDINANCES, FIRST READING:**

5A. An ordinance amending the budget for fiscal year 2010 to accept and allocate remaining funds from the fiscal year 2009 budget. (Staff)

5B. An ordinance approving a negotiated resolution between the Atmos Cities Steering Committee ("ACSC or "Steering Committee") and Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or Company") regarding the company's third rate review mechanism ("RRM") filing in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; requiring the company to reimburse cities' reasonable ratemaking expenses; 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; approving Atmos Mid-Tex's proof of revenues; extending the RRM process for two cycles and adopting a new RRM tariff; ratifying the settlement agreement, including cost recovery for a steel service line replacement program; adopting a savings clause; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; declaring an effective date; and requiring delivery of this ordinance to the company and the steering committee's legal counsel. (Staff)

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**6. CONSIDERATION AND POSSIBLE ACTION:**

6A. Zoning Ordinance Input Committee's review of the city's zoning ordinance. (Staff)

**7. INFORMATION AND DISCUSSION:**

7A. Update regarding Lower Colorado River Authority TSC's application for the McCamey D to Kendall to Gillespie CREZ project (PUC Docket No. 38354). (Staff)

7B. Kerrville budget/economic update. (Staff)

**8. BOARD APPOINTMENTS:**

8A. Appointments to the building board of adjustment and appeals. (Staff)

**9. ITEMS FOR FUTURE AGENDAS:**

**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.

**11. 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 matters:

Section 551.071:

- Contemplated litigation involving a claim against C & C Groundwater Services.
- Settlement agreement between the United States of America, the City of Kerrville, Texas, and Playhouse 2000 with respect to the Cailloux Theater and City Center for the Performing Arts under the Americans with Disabilities Act.

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Section 551.071, 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 (715 Water Street).
- Discuss the purchase, exchange, lease, sale, or value of real property for use as a city facility, the public discussion of which would not be in the best interests of the city's bargaining position with third parties.

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

**13. ADJOURNMENT**

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