



KERRVILLE CITY COUNCIL AGENDA
REGULAR COUNCIL MEETING, JULY 9, 2019, 6:00 PM
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS



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.

CALL TO ORDER:

Mayor Bill Blackburn

INVOCATION:

Offered by Mayor Bill Blackburn

PLEDGE OF ALLEGIANCE TO THE FLAG:

Led by Mayor Bill Blackburn

1 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.

2 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.

3 PRESENTATIONS:

3.A. Present commendation to Ed Livermore, for serving as a member on the Kerrville-Kerr County Joint Airport Board

Attachments:

[20190709_Commendation_Ed Livermore Airport Board.pdf](#)

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

4.A. Ordinance No. 2019-14. The second reading of Ordinance No. 2019-14 creating a "Planned Development District" for R-3 (Multifamily), Retail Trade II, Professional Office, Restaurant (General), and Custom Manufacturing on an approximately 58.74 acres, consisting of land out of the Joseph S. Anderson Survey No. 141, Abstract No. 2, and the J. S. Sayder Survey No. 142, Abstract No. 290, within the City of Kerrville, Kerr County, Texas; and generally located north of the intersection of Thompson Dr (Highway 98) and James Rd.; adopting a concept plan and conditions related to the development of said district; containing a cumulative clause; containing a savings and severability clause; establishing a penalty or fine not to exceed \$2,000 for each day of violation of any provision hereof; ordering publication; and providing other matters relating to the subject

Attachments:

- [20190625_Ordinance_2019-14 Planned Development District - Thompson Drive.pdf](#)
- [20190611_2019-021_LocationMap.pdf](#)
- [20190611_2019-021_ConceptPlan.pdf](#)
- [20190611_2019-021_MetesBounds.pdf](#)



4.B. Approval of Resolution No. 22-2019 creating a Town-Gown Compact between the City of Kerrville and Schreiner University

Attachments:

- [20190709_Resolution_22-2019 Town and Gown - Schreiner U.pdf](#)

4.C. Minutes for the City Council Workshop held June 25, 2019

Attachments:

- [20190709_Minutes_City Council workshop 6-25-19.pdf](#)

4.D. Minutes for the regular City Council meeting held June 25, 2019

Attachments:

- [20190709_Minutes_City Council regular meeting 6-25-19.pdf](#)

END OF CONSENT AGENDA

5 CONSIDERATION AND POSSIBLE ACTION:

5.A. Resolution No. 20-2019. A resolution amending the City of Kerrville Fee Schedule by adopting a fee to be charged with respect to an application for a variance to the distance limitations per chapter 10 of the City Code; and revising the existing fees applicable to residential building permits

Attachments:

- [20190625_Resolution_20-2019 Amending Fee Schedule Residential Building Permits.pdf](#)

- [20190709_Resolution_Exhibit A.pdf](#)

- [20190709_Resolution_Presentation.pdf](#)

5.B. Resolution No. 23-2019. A resolution authorizing the publication of intention to issue certificates of obligation to finance street and drainage improvements in the City

Attachments:

- [20190709_Resolution_23-2019 Certificates of Obligation to finance Street-Drainage improvements.pdf](#)

- [20190709_Resolution_Presentation.pdf](#)

6 ITEMS FOR FUTURE AGENDAS:

City Council may suggest items or topics for future agendas.

7 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/officers), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Texas Government Code.

8 ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY:

ADJOURNMENT



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Present commendation to Ed Livermore, for serving as a member on the Kerrville-Kerr County Joint Airport Board

AGENDA DATE OF: July 9, 2019 **DATE SUBMITTED:** Jun 28, 2019

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20190709_Commendation_Ed Livermore Airport Board.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
\$0	\$0	\$0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item? No

Key Priority Area N/A

Guiding Principle N/A

Action Item N/A

SUMMARY STATEMENT:

Recognize past member E. Livermore for serving on the Kerrville-Kerr County Airport Board.

RECOMMENDED ACTION:

Present Commendation.



CITY OF KERRVILLE, TEXAS
Shelley McElhannon, City Secretary
701 Main Street
Kerrville, Texas 78028
(830) 258-1117
e-mail: shelley.mcelhannon@kerrilletx.gov

RESOLUTION OF COMMENDATION

WHEREAS, ED LIVERMORE has served as a member of the Kerrville-Kerr County Joint Airport Board from 2011 to 2019; and

WHEREAS, ED LIVERMORE has served faithfully and dutifully on said board;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

That **ED LIVERMORE** be recognized for outstanding service as a member of the Kerrville-Kerr County Joint Airport Board, and that on behalf of the citizens of Kerrville, as well as for ourselves individually, we wish to express our sincere appreciation for contributions to the city, the airport, and the community.

PASSED AND APPROVED, this the _____ day of _____, 2019.

ATTEST:

Shelley McElhannon
City Secretary

Bill Blackburn, Mayor

Judy Eychner, Mayor Pro Tem

Gary Cochrane, Councilmember

Kim Clarkson, Councilmember

Delayne Sigerman, Councilmember





**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Ordinance No. 2019-14. The second reading of Ordinance No. 2019-14 creating a "Planned Development District" for R-3 (Multifamily), Retail Trade II, Professional Office, Restaurant (General), and Custom Manufacturing on an approximately 58.74 acres, consisting of land out of the Joseph S. Anderson Survey No. 141, Abstract No. 2, and the J. S. Sayder Survey No. 142, Abstract No. 290, within the City of Kerrville, Kerr County, Texas; and generally located north of the intersection of Thompson Dr (Highway 98) and James Rd.; adopting a concept plan and conditions related to the development of said district; containing a cumulative clause; containing a savings and severability clause; establishing a penalty or fine not to exceed \$2,000 for each day of violation of any provision hereof; ordering publication; and providing other matters relating to the subject

AGENDA DATE OF: July 9, 2019 **DATE SUBMITTED:** May 31, 2019

SUBMITTED BY: Drew Paxton

EXHIBITS: [20190625_Ordinance_2019-14 Planned Development District - Thompson Drive.pdf](#)
[20190611_2019-021_LocationMap.pdf](#)
[20190611_2019-021_ConceptPlan.pdf](#)
[20190611_2019-021_MetesBounds.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	\$0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	Yes
Key Priority Area	L - Land Use
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

PROPOSAL

Second reading and action to adopt Ordinance No. 2019-14 to change the zoning from

District 7-W to Planned Development District (PDD) on approximately 58.74 acres of land out of the Joseph S. Anderson Survey No. 141, Abstract No. 2, and the J. S. Sayder Survey No. 142, Abstract No. 290, within the City of Kerrville, Kerr County, Texas; and generally located north of the intersection of Thompson Drive (Highway 98) and James Road. (File No. 2019-021).

STAFF ANALYSIS

CONSISTENCY WITH THE KERRVILLE 2050 COMPREHENSIVE PLAN: The property is located in Strategic Catalyst Area 3. The vision for this area is one that facilitates the creation of mixed-use, waterfront developments along its key corridor, Thompson Drive. Development should be oriented towards the River and engaged with adjacent businesses and structures. Entertainment/Mixed-Use and some Transitional Residential place types are appropriate around the lake.

ADJACENT ZONING AND LAND USES

Subject Property

Current Zoning: West District 7 (7-W)

Existing Land Uses: Single-family residential and vacant

Direction: Northwest

Current Zoning: Not applicable, outside of the City limits

Existing Land Uses: Single-family residential

Direction: Northeast

Current Zoning: Guadalupe River District (GR)

Existing Land Uses: Home improvement store

Direction: Southeast

Current Zoning: West District 7 (7-W)

Existing Land Uses: Agricultural

Direction: Southwest

Current Zoning: Not applicable, outside of the City limits

Existing Land Uses: Single-family residential

The uses which are permitted as a matter of right or permitted upon issuance of a conditional use permit in the 7-W zoning district are indicated by the letters "P" and "C," respectively, in the following table:

7-W DISTRICT PERMITTED & CONDITIONAL USE TABLE

Agricultural - General C
Bed and Breakfast P
Dwelling, Multiple Family P
Dwelling, RC District Uses (with plat) P
Education, Secondary and College C
Education, Primary C
Institutional and Public Use Facilities C
Life Care Development P
Manufacturing, Custom P
Personal Services I C
Personal Services, Limited C
Restaurant, General C
Restaurant, Limited C
Retail Trade - Limited C
Tourist/Visitor & Recreation Service C

The change in zoning is being sought in order to establish a Planned Development District with the following uses as defined in the Zoning Code, Art. 11-I-3:

THE LANDING PLANNED DEVELOPMENT DISTRICT USE TABLE

Custom Manufacturing

Greenbelt

Private Park

Professional Office

Public Park

“R-3” Multifamily Residential

Restaurant, General

Retail Trade II

THOROUGHFARE PLAN: Thompson Drive (Highway 98) is designated a Secondary Arterial. Secondary arterials primarily serve local trips of moderate length, support

circulation and access in localized areas with higher traffic volumes, and connect to the principal arterials. Kerrville's standard cross section for a secondary arterial is a four-lane undivided roadway. In higher activity areas, the City may consider an alternate design with two through lanes and a center two-way left-turn lane. This also provides the option of allocating right-of-way width for other uses such as bike lanes, pedestrian facilities, and/or on-street parking. The current cross-section of Thompson Drive is a four lane divided roadway with a center turn lane and medians.

TRAFFIC IMPACT: To be determined

PARKING: To be determined

Planning and Zoning Commission held a public hearing on May 2, 2019, and recommended approval with the amendment to restrict the height on Lots 13, 14, and 15 to no more than two stories in a vote of 5-0 in favor.

City Council held a public hearing and first reading on June 25, 2019. The Ordinance was approved and passed on first reading in a vote of 5-0 in favor.

RECOMMENDED ACTION:

Planning and Zoning Commission recommend approval of Ordinance No. 2019-14 as presented.

CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2019-14

AN ORDINANCE CREATING A “PLANNED DEVELOPMENT DISTRICT” FOR R-3 (MULTIFAMILY), RETAIL TRADE I, RETAIL TRADE II, PROFESSIONAL OFFICE, RESTAURANT (GENERAL), AND CUSTOM MANUFACTURING ON AN APPROXIMATELY 58.74 ACRE TRACT OF LAND OUT OF THE JOSEPH S. ANDERSON SURVEY NO. 141, ABSTRACT NO. 2 AND THE J.S. SAYDER SURVEY NO. 142, ABSTRACT NO. 290; WITHIN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS; AND MORE GENERALLY LOCATED NORTH OF THE INTERSECTION OF THOMPSON DRIVE (SPUR 98); ADOPTING A CONCEPT PLAN AND CONDITIONS RELATED TO THE DEVELOPMENT OF SAID DISTRICT; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; ESTABLISHING A PENALTY OR FINE NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; ORDERING PUBLICATION; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT

WHEREAS, the Planning and Zoning Commission of the City of Kerrville, Texas and the governing body of the City of Kerrville, in compliance with the laws of the State of Texas and the ordinances of the City Kerrville, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Zoning Ordinance and Zoning Map should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

SECTION ONE. The property described in **Exhibit A** (the “Property”) is removed from Zoning District 7-W and placed within a newly created Planned Development District (“PDD”) for development and use as provided herein.

SECTION TWO. The Property may be developed and used but only in accordance with the following conditions:

A. Permitted Uses: The following uses are permitted within the Planned Development District subject to the conditions provided herein and the applicable regulations for each use as provided within the Zoning Code: R-3 (multifamily), Retail Trade I, Retail Trade II, Professional Office, Restaurant (General), and Custom Manufacturing. All uses of the Property

shall be permitted only in the location shown on the Concept Plan, attached as **Exhibit B**. Should a desired alteration or change in use represent a substantial departure from this approved plan, then such may be allowed only after resubmittal of the amended plan to the City, and the same approval process applicable to amendments to zoning ordinances.

- B. Prohibited Uses:** Any use not specifically allowed in Section A is expressly prohibited, to include Fuel Sales.
- C. Concept Plan:** The development and use of the Property shall be substantially in accordance with the Concept Plan attached as **Exhibit B**, hereafter referred to as the “Concept Plan”. Minor modifications to streets, number and alignment of buildings, building areas and footprints, open spaces, and pedestrian access shown on the Concept Plan may be made at the time of Site Plan approval, as specified in Section D, below, so long as the general alignment of streets, building areas, and lot layouts are substantially maintained and the location and boundaries of the lots are not altered.
- D. Development Site Plan:** Prior to the City’s acceptance of any civil construction or building plans, a Development Site Plan shall be submitted pursuant to City regulations.
- E. Floodplain Improvements and Maintenance:** A portion of the floodplain area is to be dedicated to the City at the time of final plat. Prior to approval of a final plat for any portion of the Property, the owner and/or developer of the property must enter into an agreement(s) with the City setting for the terms and conditions relating to the responsibility for:
 - 1. Development and maintenance standards for the flood plain and all improvements located within the floodplain;
 - 2. Trail and trailhead improvements; and
 - 3. Land acquisition necessary to complete recreational trail.
- F. Density:** As applied to the development of R-3 (multifamily) uses, the number of units per lot and the number of units per acre are limited to the specific amounts specified on the Concept Plan.

G. Setbacks and Height: With the exception of Lots 13-15 and structures located thereon limited to two stories, the Property shall be developed with the minimum setbacks from the Property lines and limited to a maximum height of sixty feet (60.0'), both of which are as specified on the Concept Plan.

H. Lot Coverage: The maximum building gross floor areas will comply with the square footage specified on the Concept Plan.

I. Open Spaces: All landscaped open spaces within the Property, such as the "green belt" specified on the Concept Plan and Lot 902, as specified on the "final plat", shall be maintained and managed by a Property Owners Association (POA).

J. Parking: The design, number of parking spaces, and aisle dimensions shall comply with the City regulations in effect at the time individual building permits are submitted to the City unless as specified on the Concept Plan. All required parking spaces shall be constructed of asphalt or concrete and shall be marked and kept available for residents, customers, and employees.

K. Parking Lot Lighting: All outside pole lights shall be of a "shoe box" design and shall be located, shielded, and aimed in such a manner so as not to allow light to directly fall on adjacent roadways and/or properties.

L. Parking Lot and Travel Lane Surface: The vehicle and pedestrian traveling lanes and storage areas shall be asphalt, concrete, or such other surface in order to prevent mud, dirt, or other loose materials from being removed from the property and tracked onto the public rights-of-way by vehicles traveling from the property.

M. Sidewalks: The construction of sidewalks shall be required and constructed in accordance with City regulations in effect at the time building permits are submitted. A sidewalk will not be required on James Road.

N. Signage: The design, installation, location, and maintenance of signs shall comply with City sign regulations existing at the time of permitting for the sign.

O. Landscaping Regulations: Landscaping shall be installed in accordance with the following:

1. Planting materials planted on the Property shall be from the list of recommended plants set forth in the most recent edition of *Recommended Plants for the Kerrville Area* published by the City at the time of planting.
2. All landscaping shall be maintained in a healthy, growing condition.

P. Screening: Screening shall be required in accordance with City regulations in effect at the time individual building permits are submitted to the City.

Q. Trash and Other Solid Waste: Solid waste collection bins and dumpsters shall be equipped with lids and screened with a gate with an opaque screen on one side and material finished to look substantially like the adjacent building(s) on the remaining three sides.

R. Outdoor Storage and Display: The outdoor storage of any materials, supplies, inventory, and/or equipment, whether in cargo containers or similar containers or buildings, is prohibited except on a temporary basis for construction-related purposes.

S. Platting: The development of this property shall be subject to the City's Subdivision Regulations.

SECTION THREE. The City Manager or designee is authorized and directed to amend the City's official zoning map to reflect the change in districts adopted herein and to take other actions contemplated by and in accordance with Section 11-I-4(c) of the City's Zoning Code.

SECTION FOUR. The provisions of this Ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided however, to the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City of Kerrville governing the use and development of the Property and which are not expressly amended by this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION FIVE. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. City Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION SIX. The penalty for violation of this Ordinance shall be in accordance with the general penalty provisions contained in Section 1-7, Chapter 1 of the Code of Ordinances of the City of Kerrville, Texas, which provides for a fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00).

SECTION SEVEN. In accordance with Section 3.07 of the City Charter and Texas Local Government Code §52.013(a), the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

SECTION EIGHT. This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07b. of the City Charter.

PASSED AND APPROVED ON FIRST READING, this the ____ day of _____, A.D., 2019.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the ____ day of _____, A.D., 2019.

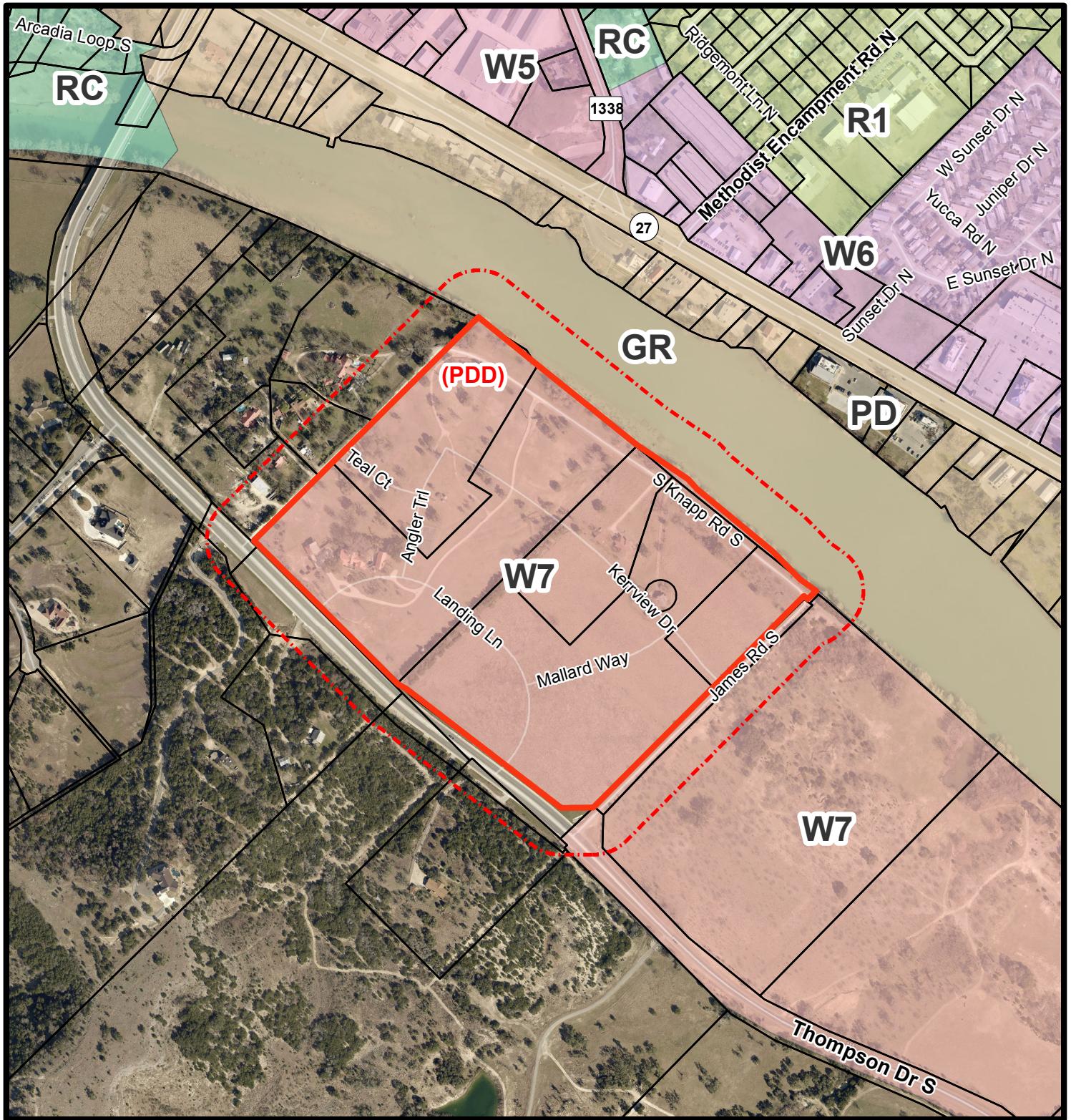
Bill Blackburn, Mayor

APPROVED AS TO FORM:

ATTEST:

Michael C. Hayes, City Attorney

Shelley McElhannon, City Secretary



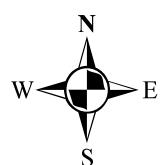
Location Map

Case # 2019-021

Location:
Thompson Dr

Legend
200' Notification Area
Subject Properties
Current Zoning
Requested Zoning

TEXT
(TEXT)



0 200 400 800

Scale In Feet

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only approximate relative locations.

MATKIN HOOVER

ENGINEERING & SURVEYING

8 SPENCER ROAD, SUITE 100, BOERNE, TEXAS 78006
PHONE: 830-249-0600 FAX: 830-249-0099
TEXAS REGISTERED SURVEYING FIRM F-10024000

FIELD NOTES FOR A 58.74 ACRE TRACT OF LAND

A 58.74 ACRE TRACT OF LAND OUT OF THE JOSEPH S. ANDERSON SURVEY NO. 141, ABSTRACT NO. 2, AND THE J. S. SAYDER SURVEY NO. 142, ABSTRACT NO. 290, KERR COUNTY, TEXAS, AND BEING A PORTION OF THE CALLED 27.52 ACRE TRACT RECORDED IN DOCUMENT NO. 18-01649, OFFICIAL PUBLIC RECORDS OF KERR COUNTY, TEXAS, ALL OF THE CALLED 21.16 ACRE TRACT DESIGNATED AS "TRACT ONE", ALL OF THE CALLED 6.03 ACRE TRACT DESIGNATED AS "TRACT TWO", RECORDED IN DOCUMENT NO. 12-00573, OFFICIAL PUBLIC RECORDS OF KERR COUNTY, TEXAS, AND ALL OF THE CALLED 4.01 ACRE TRACT RECORDED IN DOCUMENT NO. 12-00575, OFFICIAL PUBLIC RECORDS OF KERR COUNTY, TEXAS. SAID 59.09 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning at a point in the northeast right-of-way line of State Spur No. 98 (Thompson Drive), the southwest boundary line of the called 27.52 acre tract, said point bears S 45°04'05" E, a distance of 12.30' from a $\frac{1}{2}$ " iron rod with red plastic cap stamped "Cude" found at the west corner of the called 27.52 acre tract, the south corner of Lot 1, Block 1, Thistle Hill House Subdivision No. 1, recorded in Volume 6, Page 186, Plat Records of Kerr County, Texas;

(1) Thence, departing the northeast right-of-way line of State Spur No. 98 (Thompson Drive), over and across the called 27.52 acre tract the following three (3) courses and distances:

- a. **N 45° 06' 40" E, a distance of 380.08'** to a point for angle;
- b. **N 45° 06' 47" E, a distance of 336.45'** to a point for angle;
- c. **N 45° 06' 23" E, a distance of 627.25'** to a point for corner in the northeast boundary line of the called 27.52 acre tract, the southwest boundary line of Upper Guadalupe River Authority (UGRA) and recorded in Volume 218, Page 849, Deed Records, Kerr County, Texas, said point being near the 1622' contour line of the Guadalupe River (Kerrville Lake), said point bears S 51° 01' 14" E, a distance of 10.95' from a calculated point in the southeast boundary line of a called 7.85 acre tract of land recorded in Document No. 12-8067, Official Public Records of Kerr County, Texas, the north corner of the called 27.52 acre tract and the west corner of the called 0.5 acre tract;

(2) Thence, along the meanders of the 1622' contour line, the northeast boundary line of the called 27.52 acre tract, the called 6.03 acre tract, the called 21.16 acre tract, and the called

4.01 acre tract, the southwest meander line of the Guadalupe River (Kerrville Lake), the following courses and distances:

- a. **S 51° 01' 14" E, 330.07'** to a point for angle;
- b. **S 51° 14' 22" E, 535.10'** to a point for angle;
- c. **S 56° 26' 37" E, 261.88'** to a point for angle;
- d. **S 40° 47' 22" E, 57.54'** to a point for angle;
- e. **S 50° 32' 38" E, 342.61'** to a point for angle;
- f. **S 50° 32' 38" E, 72.99'** to a point for angle;
- g. **S 44° 36' 51" E, 165.42'** to a point for angle;
- h. **S 54° 03' 44" E, 84.53'** to a point for corner at the east corner of the called 4.01 acre tract;

(3) **Thence, S 46° 39' 46" W**, along the southeast boundary line of the called 4.01 acre tract, **a distance of 51.20'** to a cotton spindle set for corner in the centerline of Knapp Road at the east corner of a 20' wide strip (portion of James Road) which is part of a called 5.98 acre tract recorded in Volume 212, Page 558, Deed Records of Kerr County, Texas;

(4) **Thence, N 45° 04' 29" W**, along a southwest boundary line of the called 4.01 acre tract, the centerline of Knapp Road, the northeast line of the 20' wide strip (portion of James Road), **a distance of 20.00'** to a cotton spindle found for interior corner at an interior corner of the called 4.01 acre tract and at the north corner of the 20' wide strip (portion of James Road), in the northwest line of James Road;

(5) **Thence, S 44° 55' 31" W**, along the northwest line of the 20' wide strip (portion of James Road), the northwest line of James Road, the southeast boundary line of the called 4.01 acre tract, **a distance of 539.81'** to a $\frac{1}{2}$ " iron rod found for angle at the south corner of the called 4.01 acre tract, the east corner of the called 21.16 acre tract;

(6) **Thence**, continuing along the northwest line of the 20' wide strip (portion of James Road), the northwest line of James Road, the southeast boundary line of the called 21.16 acre tract, the following courses and distances:

- a. **S 44° 54' 29" W, 725.61'** to a Texas Department of Transportation (TxDot) Type 1 concrete marker found for angle;

b. **S 46° 17' 03" W, 4.81'** to a $\frac{1}{2}$ " iron rod found for angle at the east end of a cutback line at the intersection of the northwest line of the 20' wide strip (portion of James Road), the northwest line of James Road, with the northeast right-of-way line of State Spur No. 98;

(7) Thence, S 89° 56' 21" W, along said cutback line, **a distance of 135.09'** to a $\frac{1}{2}$ " iron rod found for angle;

(8) Thence, along the northeast right-of-way line of State Spur No. 98, the following courses and distances:

a. **N 52° 27' 24" W, 828.91'** to a $\frac{1}{2}$ " iron rod found for angle;

b. **N 61° 11' 52" W, 38.67'** to a TxDot Type 2 concrete marker found for angle;

c. **N 45° 04' 50" W**, at 21.53' pass the surveyed south corner of the called 27.52 acre tract, **a total distance of 865.17'** to the **POINT OF BEGINNING** and containing **58.74 acres** of land, more or less.

Note: This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Approval of Resolution No. 22-2019 creating a Town-Gown Compact between the City of Kerrville and Schreiner University

AGENDA DATE OF: July 9, 2019 **DATE SUBMITTED:** Jun 20, 2019

SUBMITTED BY: Kim Meismer

EXHIBITS: [20190709_Resolution_22-2019 Town and Gown - Schreiner U.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
N/A	N/A	N/A	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	Yes
Key Priority Area	E - Economic Development
Guiding Principle	E9. Foster/leverage higher education and entrepreneurship as community assets
Action Item	E9.2 - Develop a formal program of collaboration between City leadership, administrators at KISD and Schreiner University to advance growth and economic development opportunities

SUMMARY STATEMENT:

Kerrville is well known as a center for tourism, arts and culture, medical, recreation, hunting, higher education, camps, and other industries and through implementation of Kerrville 2050, the City maintains a reputation for supporting growth with a focus on the Guadalupe River, natural beauty, and maintaining its small town charm. Kerrville 2050 includes an action item to develop a formal program of collaboration between City leadership and the University to advance growth and economic development opportunities.

The Town-Gown Compact characterizes a commitment and on-going relationship among well-meaning and mutually interested parties to work together to uphold the values of cooperation and civic responsibility and to strengthen the educational, cultural, and economic fabric of the community by:

1. Establishing and maintaining an active Town/Gown Task Force, including members representing the interests of the City and the University.
2. Collaborating to implement mutually beneficial activities identified by the Town/Gown Task Force, and approved by governing bodies of the City and University.
3. Issuing an annual Town/Gown Task Force Report indicating collaborative activity and progress.
4. Holding at least one joint meeting of City and University leaders per year to discuss common challenges and opportunities.

RECOMMENDED ACTION:

Approve resolution as presented.

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 22-2019**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COMPACT WITH SCHREINER UNIVERSITY AS A WAY TO CHARACTERIZE A COMMITMENT AND ESTABLISH AN ON-GOING RELATIONSHIP BETWEEN THE CITY AND SCHREINER UNIVERSITY TO WORK TOGETHER TOWARD UPHOLDING VALUES OF COOPERATION AND CIVIL RESPONSIBILITY AND TO STRENGTHEN THE EDUCATIONAL, CULTURAL, AND ECONOMIC FABRIC OF THE COMMUNITY

WHEREAS, Schreiner University began in Kerrville in 1923 and continues to represent an important and significant institution within this community; and

WHEREAS, the City and Schreiner University have jointly worked over the years to support each other's missions; and

WHEREAS, representatives from both the City and Schreiner University recently met in an effort to share their interests and specify ways that they could work together to further their mutual interests; and

WHEREAS, City Council finds it in the public interest to ratify the Mayor's action in entering into the Town-Gown Compact with Schreiner University;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

The City Council ratifies the Town-Gown Compact that is attached as **Exhibit A** and authorizes the Mayor to appoint members to the Town-Gown Task Force.

PASSED AND APPROVED ON this the _____ day of _____, A.D., 2019.

Bill Blackburn, Mayor

Michael C. Hayes
APPROVED AS TO FORM:

Michael C. Hayes, City Attorney

ATTEST:

Shelley McElhannon, City Secretary



**City of Kerrville - Schreiner University
Town-Gown Compact**

Exhibit A

WHEREAS, the Schreiner University has been located on 231 acres of land in Kerrville since 1923; and has evolved into a diverse, and fiercely independent university with more than 1,400 students, including approximately 806 who live on campus and 192 who are Kerrville residents; and with more than 160 faculty and staff members, including 84 who are residents of Kerrville; and with more than 15,687 living alumni, including 1,946 who are Kerrville residents and an additional 565 that live in Kerr County; and

WHEREAS, the University generates more than \$65 million of economic impact for the region, delivers more than 2,197 hours of student service, 130 Children's Books collected and handed out at the annual community Halloween festival, 40,000 meals packaged with Rise Against Hunger in partnership with Rotary Clubs of Kerrville, 2,278 Letters to Santa (Macy's donates \$1 for each letter to the Make a Wish Foundation), and values its half century relationship with the City of Kerrville; and

WHEREAS, the City of Kerrville, adopted the Council/Manager form of government in 1928 and operates under a home rule charter originally adopted in 1942 with an estimated current population of 23, 862, is governed by a five-member City Council composed of a Mayor and four Councilpersons elected by place and voted on by the entire City; and

WHEREAS, Kerrville is well known as a center for tourism, arts and culture, medical, recreation, hunting, higher education, camps, and other industries; and

WHEREAS, through implementation of Kerrville 2050 the City maintains a reputation for supporting growth with a focus on the Guadalupe River, natural beauty, and maintaining its small town charm; and

WHEREAS, the University and the City seek to engage in a compact, which represents the mutual interests and association between the City of Kerrville and Schreiner University; therefore

BE IT RESOLVED that the University and the City, hereby agree to this compact which characterizes a commitment and on-going relationship among well-meaning and mutually interested parties to work together to uphold the values of cooperation and civic responsibility and to strengthen the educational, cultural, and economic fabric of the community by:

1. Establishing and maintaining an active Town/Gown Task Force, including members representing the interests of the City and the University.
2. Collaborating to implement mutually beneficial activities identified by the Town/Gown Task Force, and approved by governing bodies of the City and University.
3. Issuing an annual Town/Gown Task Force Report indicating collaborative activity and progress.
4. Holding at least one joint meeting of City and University leaders per year to discuss common challenges and opportunities.

For the City of Kerrville

Bill Blackburn
Mayor

Date: _____

For Schreiner University

Charlie McCormick, Ph.D.
President

Date: _____



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Minutes for the City Council Workshop held June 25, 2019

AGENDA DATE OF: July 9, 2019 **DATE SUBMITTED:** Jun 28, 2019

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20190709_Minutes_City Council workshop 6-25-19.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
\$0	\$0	\$0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Minutes for the City Council Workshop held on June 25, 2019 at 4:00 p.m.

RECOMMENDED ACTION:

Approve minutes as presented.

CITY COUNCIL MINUTES
WORKSHOP

KERRVILLE, TEXAS
JUNE 25, 2019

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
Judy Eychner	Mayor Pro Tem
Gary Cochrane	Councilmember Place 1
Kim Clarkson	Councilmember Place 2
Delayne Sigerman	Councilmember Place 4

COUNCILMEMBER ABSENT: None

CITY STAFF PRESENT:

Mark McDaniel	City Manager
E.A. Hoppe	Deputy City Manager
Mike Hayes	City Attorney
Shelley McElhannon	City Secretary
Stuart Barron	Director of Public Works
David Barrera	Assistant Director of Public Works
Kyle Burow	Director of Engineering
Stuart Cunyus	Public Information Officer
Amy Dozier	Chief Financial Officer
Guillermo Garcia	Executive Director for Innovation
David Knight	Chief of Police
Sherry Mozier	Manager for Strategic Initiatives
Dannie Smith	Fire Chief
Charvy Tork	Director of Information Technology

VISITORS PRESENT: List on file in City Secretary's Office for the required retention period.

1. CALL TO ORDER

On June 25, 2019 at 4:00 p.m., the Kerrville City Council Workshop was called to order by Mayor Bill Blackburn in the City Hall Council Chambers at 701 Main Street.

2. INFORMATION AND DISCUSSION

2.A. Stormwater Master Plan.

Mark McDaniel introduced the agenda item.

E.A. Hoppe addressed the development of a citywide drainage master plan.

Stuart Barron reviewed the PowerPoint presentation and presented information.

LNV Engineering consultant A.B. Salinas identified thirteen problem areas.

Stuart Barron, E.A. Hoppe, and A.B. Salinas responded to questions.

Mark McDaniel summarized the dialogue, and recommended next steps to consider.

2.B. Pavement Management System update.

E.A. Hoppe addressed the Pavement Management System. Stuart Barron provided history regarding City streets, maintenance, and pavement life cycles, and explained the former 2016 and new 2019 “Fugro” reports. Stuart Barron and E.A. Hoppe responded to questions, and recommended options to consider. Mark McDaniel summarized the need for both capital and maintenance funding.

3. ADJOURNMENT

The meeting adjourned at 5:00 p.m.

APPROVED:

Bill Blackburn, Mayor

ATTEST:

Shelley McElhannon, City Secretary

APPROVED: _____



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Minutes for the regular City Council meeting held June 25, 2019

AGENDA DATE OF: July 9, 2019 **DATE SUBMITTED:** Jun 10, 2019

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20190709_Minutes_City Council regular meeting 6-25-19.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
\$0	\$0	\$0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Minutes for the regular City Council meeting held June 25, 2019.

RECOMMENDED ACTION:

Approve minutes as presented.

CITY COUNCIL MINUTES
REGULAR MEETING

KERRVILLE, TEXAS
JUNE 25, 2019

On June 25, 2019, at 6:00 p.m. the meeting was called to order by Mayor Bill Blackburn in the City Hall Council Chambers at 701 Main Street. The invocation was offered by Councilmember Kim Clarkson, followed by the Pledge of Allegiance led by Councilmember Clarkson.

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
Judy Eychner	Mayor Pro Tem
Kim Clarkson	Councilmember
Gary Cochrane	Councilmember
Delayne Sigerman	Councilmember

COUNCILMEMBER ABSENT: None

CITY EXECUTIVE STAFF PRESENT:

Mark McDaniel	City Manager
E.A. Hoppe	Deputy City Manager
Mike Hayes	City Attorney
Shelley McElhannon	City Secretary
Stuart Barron	Director of Public Works
Ashlea Boyle	Director of Parks & Recreation
Kyle Burow	Director of Engineering
Stuart Cunyus	Public Information Officer
Amy Dozier	Director of Finance
Guillermo Garcia	Executive Director of Innovation
David Knight	Chief of Police
Sherry Mozier	Manager of Strategic Initiatives
Drew Paxton	Planning Director
Dannie Smith	Fire Chief
Charvy Tork	Director of Information Technology

VISITORS PRESENT: On file in City Secretary's Office for required retention period.

1. ANNOUNCEMENTS OF COMMUNITY INTEREST:

Items of Interest to the Community were presented by Stuart Cunyus and Councilmember Judy Eychner.

2. VISITORS FORUM:

The following persons spoke:

- Susan Deininger
- Laresa Anderson

3. PRESENTATIONS:

3A. Mayor Blackburn presented a Resolution of Commendation to Danny Almond for his service on the Zoning Board of Adjustment.

4. CONSENT AGENDA:

Items 4A. and 4B. were read into the minutes by Shelley McElhannon. Councilmember Clarkson requested to pull item 4B from the Consent Agenda.

Councilmember Eychner moved to approve Items 4A, 4C, 4D, 4E, 4F, 4G, and 4H as presented. Councilmember Gary Cochrane seconded, and the motion passed 5-0.

4A. ORDINANCE, SECOND READING: Ordinance No. 2019-15. An ordinance amending Chapter 102 "Traffic and Vehicles", by adding a new section 102-119 "Operation prohibited within city limits; Exception", to the Code of Ordinances of the City of Kerrville, Texas; the new section 102-119 to prohibit through truck traffic on specified streets, roadways, or highways within the City and providing an exception; containing a cumulative clause; containing a savings and severability clause; providing a penalty; and providing other matters related to the subject.

4C. Resolution No. 15-2019. A resolution supporting the Kerrville Area Performing Arts Council's (KAPAC) application for Kerrville to be recognized as a certified "Music Friendly Community" through the Texas Governor's Office.

4D. Resolution No. 16-2019. A resolution authorizing the waiver of fees regarding Public Safety staffing and other applicable fees for the Kerrville Chalk Festival scheduled to be held October 12-13, 2019 in Peterson Plaza.

4E. Resolution No. 17-2019. A resolution extending the term of the Charter Review Commission through November 5, 2019.

4F. Monthly Community Improvement Project (CIP) Report.

4G. Minutes for the Regular City Council meeting held June 11, 2019.

4H. Minutes for the City Council Workshop held June 18, 2019.

END OF CONSENT AGENDA:

4B. ORDINANCE, SECOND READING: Ordinance No. 2019-12. An ordinance amending in its entirety Chapter 10 "Alcoholic Beverages" of the Code of Ordinances of the City of Kerrville, Texas; regarding the City's authority over the sale of alcoholic beverages, to include the process for the City's imposition and collection of fees, to prohibit sales within areas zoned for residential use, to prohibit sales within three hundred feet of churches, public hospitals, schools, and child-care facilities, and to adopt a variance process applicable to such distance requirement; containing a savings and severability clause; providing for an effective date; ordering publication, and providing other matters relating to the subject.

Councilmember Clarkson opened the discussion, and Mike Hayes addressed the concerns which were raised during the hearing and first reading of the ordinance on June 11, 2019. Councilmember Clarkson provided some clarification regarding the effect of the ordinance.

Councilmember Delayne Sigerman moved to approve Ordinance No. 2019-12 on the second reading. Councilmember Cochrane seconded, and the motion passed 5-0.

5. PUBLIC HEARING AND ORDINANCE, FIRST READING:

5A. Ordinance No. 2019-14. An ordinance creating a "Planned Development District" for R-3 (Multifamily), Retail Trade II, Professional Office, Restaurant (General), and Custom Manufacturing on an approximately 58.74 acres, consisting of land out of the Joseph S. Anderson Survey No. 141, Abstract No. 2, and the J. S. Sayder Survey No. 142, Abstract No. 290, within the City of Kerrville, Kerr County, Texas; and generally located north of the intersection of Thompson Drive (Highway 98) and James Road; adopting a concept plan and conditions related to the development of said district; containing a cumulative clause; containing a savings and severability clause; establishing a penalty or fine not to exceed \$2,000 for each day of violation of any provision hereof; ordering publication; and providing other matters relating to the subject.

Mayor Blackburn opened the public hearing at 6:20 p.m.

Drew Paxton presented the ordinance and responded to questions.

The following persons spoke:

Justin MacDonald

Peggy McKay

Bruce Stracke

Susan Deininger

George Baroody

Laresa Anderson

Councilmember Eychner moved to approve Ordinance No. 2019-14 as presented. Councilmember Cochrane seconded, and the motion passed 5-0.

Mayor Blackburn closed the public hearing at 6:38 p.m.

6. CONSIDERATION AND POSSIBLE ACTION:

6A. Economic Development Incentive Agreement between Kerrville's 4th on the River, Inc. and the City of Kerrville, Texas, Economic Improvement Corporation.

6B. Economic Incentive Agreement between the Kerrville 4th on the River and the City of Kerrville, TX utilizing Hotel Occupancy Tax Funds for the renovation of the Arcadia.

E.A. Hoppe presented both Item 6A: the Economic Development Incentive Agreement and Item 6B: the Economic Incentive Agreement. Anne Overby, with the Arcadia Theater, recapped improvements, renovations, and projects regarding the Arcadia Theater. E.A. Hoppe, Anne Overby, and Larry Howard, Arcadia Theater Board member, responded to questions.

The following persons spoke:

Peggy McKay – waived her right to speak when called upon

William Rector

Linda Bullard
Bruce Stracke
Marty Lenard

Councilmember Cochrane made a motion to authorize the City Manager to execute 6A and 6B, the Economic Development Incentive Agreement and the Economic Incentive Agreement with Kerrville 4th on the River. Councilmember Sigerman seconded, and the motion passed 5-0.

6C. Construction contract with ACE Co. for the Hill Country Drive Reconstruction project in the amount of \$162,291.15.

E.A. Hoppe presented information, and E.A. Hoppe and Kyle Burow responded to questions.

Councilmember Eychner moved to approve the contract for reconstruction of Hill Country Drive as presented. Councilmember Cochrane seconded, and the motion passed 5-0.

6D. Resolution No. 20-2019. A resolution amending the City of Kerrville Fee Schedule by adopting a fee to be charged with respect to an application for a variance to the distance limitations per Chapter 10 of the City Code; and revising the existing fees applicable to residential building permits.

This item was pulled from the agenda by staff.

7. INFORMATION AND DISCUSSION:

7A. Financial update for the month ended May 31, 2019.

Amy Dozier presented information, and Amy Dozier and Bruce Stracke responded to questions.

8. BOARD APPOINTMENTS:

8A. Appointment to the Planning and Zoning Commission for the alternate position.

This item was taken into executive session.

9. ITEMS FOR FUTURE AGENDAS:

This item was not called. The City Council went directly into executive session pursuant to the next agenda item.

10. EXECUTIVE SESSION:

Councilmember Sigerman moved to go into executive session under Section 551.074 of the Texas Government Code. Councilmember Cochrane seconded, and the motion passed 5-0.

Mayor Blackburn recessed the open session at 7:27 p.m., and Council convened in closed executive session at 7:28 p.m.

At 7:45 p.m. the Council reconvened in open session.

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

Councilmember Eychner moved to appoint Timothy Welsh as an alternate position to the Planning and Zoning Commission. Councilmember Sigerman seconded, and the passed 5-0.

9. ADJOURNMENT.

The meeting was adjourned at 7:46 p.m.

Bill Blackburn, Mayor

ATTEST: _____
Shelley McElhannon, City Secretary

APPROVED: _____



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Resolution No. 20-2019. A resolution amending the City of Kerrville Fee Schedule by adopting a fee to be charged with respect to an application for a variance to the distance limitations per chapter 10 of the City Code; and revising the existing fees applicable to residential building permits

AGENDA DATE OF: July 9, 2019 **DATE SUBMITTED:** Jul 02, 2019

SUBMITTED BY: Amy Dozier

EXHIBITS: [20190625_Resolution_20-2019 Amending Fee Schedule Residential Building Permits.pdf](#)
[20190709_Resolution_Exhibit A.pdf](#)
[20190709_Resolution_Presentation.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
\$0	\$0	\$0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Adjustments to the Fee Schedule are being proposed due to the following: 1. House Bill 852 was recently signed into law by Governor Abbott. The law prohibits cities from using the value of a dwelling or the cost of any construction as a basis for building permit fees. The law is effective immediately. The City's fee structure previously used valuation to determine permit fees. Going forward, staff proposes basing the permit fee on square footage rather than value. We expect this fee structure change to be revenue neutral and fees generated will not be in excess of costs required to issue the permit. 2. Ordinance No. 2019-12 amends the Alcoholic Beverage chapter (Chapter 10) of the City's Code of Ordinances. The ordinance includes the adoption of a variance process related to the distance requirement of establishments selling alcohol from churches, public hospitals,

schools and child-care facilities. The ordinance references a fee for the variance request, but the City's current fee structure does not contain that fee. Staff proposes a fee of \$150 for this variance request, which is the same amount currently charged for a zoning variance request.

RECOMMENDED ACTION:

Approve Resolution No. 20-2019 as presented.

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 20-2019**

A RESOLUTION AMENDING THE CITY OF KERRVILLE FEE SCHEDULE BY ADOPTING A FEE TO BE CHARGED WITH RESPECT TO AN APPLICATION FOR A VARIANCE TO THE DISTANCE LIMITATIONS PER CHAPTER 10 OF THE CITY CODE; AND REVISING THE EXISTING FEES APPLICABLE TO RESIDENTIAL BUILDING PERMITS

WHEREAS, the City Council of the City of Kerrville adopted a Fee Schedule by Resolution No. 91-138 on September 24, 1991, and has amended said document on a number of occasions; and

WHEREAS, as part of the City's amendments to Chapter 10 "Alcoholic Beverages" of the City's Code of Ordinances, which in part, adopted a variance process applicable to distance limitations imposed on specified sellers of alcoholic beverages, the Development Services Department recommends amending the City's Fee Schedule to adopt a fee to be charged with respect to an application for said variance; and

WHEREAS, in order to comply with a new state law (House Bill 852), the Development Services Department also recommend revising existing fees applicable to residential building permits, as required in connection with the construction or improvement of a residential dwelling; and

WHEREAS, City Council has determined it is in the public interest of the citizens of Kerrville to establish and revise such fees as provided herein;

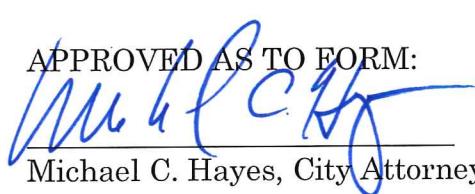
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

City Council amends the Fee Schedule of the City of Kerrville, Texas, as set forth in **Exhibit A**, and attached and incorporated herein by reference, such changes to be effective immediately.

PASSED AND APPROVED ON this the _____ day of _____ A.D., 2019.

Bill Blackburn, Mayor

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

ATTEST:

Shelley McElhannon, City Secretary

**City of Kerrville
Fee Schedule Change**

Current			Proposed		
BUILDING PERMITS (single family):			BUILDING PERMITS (single and two family residential):		
Basic Permit (value up to \$1,000) plus	\$25.00	per permit	Minimum charge	\$25.00	per square foot (all floor area under roof)
\$1,001 - \$50,000	\$5.00	per \$1,000	New construction	\$0.36	per square foot (all floor area under roof)
\$50,001 - \$100,000	\$4.00	per \$1,000	Addition	\$0.36	per square foot (all floor area under roof)
\$100,001 - \$500,000	\$3.00	per \$1,000	Alteration	\$0.21	per square foot (all floor area under roof)
\$500,001 and up	\$2.00	per \$1,000	Fire Repair	\$0.21	per square foot (all floor area under roof)
			Storage Buildings > 200 sq feet	\$0.21	per square foot (all floor area under roof)
			Building permit extension	50% of original permit fee	
ALCOHOLIC BEVERAGE DISTANCE VARIANCE REQUEST:					
<u>none</u>				\$150.00	per request



Building Permit Fees

**City Council
June 25, 2019**





Building Permit Fees

- **HB 852 – Building Permit Fees may NOT be based on value or cost of construction**
- **Current Building Permit Fees are based on self reported value or cost of construction**
- **Proposed change to \$0.36 per square foot**
- **Change is expected to be revenue neutral**
- **Fees do not exceed actual cost of service**
- **Proposed fee structure is simple and objective**

Proposed Changes

Current		
BUILDING PERMITS (single family):		
Basic Permit (value up to \$1,000) plus	\$25.00	per permit
\$1,001 - \$50,000	\$5.00	per \$1,000
\$50,001 - \$100,000	\$4.00	per \$1,000
\$100,001 - \$500,000	\$3.00	per \$1,000
\$500,001 and up	\$2.00	per \$1,000

Proposed		
BUILDING PERMITS (single and two family residential):		
Minimum charge	\$25.00	
New construction	\$0.36	per square foot (all floor area under roof)
Addition	\$0.36	per square foot (all floor area under roof)
Alteration	\$0.21	per square foot (all floor area under roof)
Fire Repair	\$0.21	per square foot (all floor area under roof)
Storage Buildings > 200 sq feet	\$0.21	per square foot (all floor area under roof)
Building permit extension	50% of original permit fee	

Impact Analysis

Rate Comparison (based on actual permits issued in FY2018):

				Increase/
	Current Fee	Proposed Fee	(Decrease)	
Total Revenue	\$ 63,813	\$ 64,811	\$ 998	
Average Permit	\$ 899	\$ 923	\$ 24	
Average Permit (1,000 - 2,000 sq ft)	\$ 654	\$ 585	\$ (69)	
Average Permit (2,000 - 3,000 sq ft)	\$ 881	\$ 897	\$ 17	
Average Permit (> 3,000 sq ft)	\$ 1,280	\$ 1,415	\$ 135	
	Current price per sq ft	Proposed price per sq ft	Increase/ (Decrease)	
Average Permit (up to 2,000 sq ft)	\$ 0.40	\$ 0.36	\$ (0.04)	
Average Permit (2,000 - 3,000 sq ft)	\$ 0.35	\$ 0.36	\$ 0.01	
Average Permit (> 3,000 sq ft)	\$ 0.33	\$ 0.36	\$ 0.03	

Specific Permit Examples:

	Square Feet	Value	Current Fee	Proposed Fee	Increase/ (Decrease)
1.	1,500	\$ 170,000	\$ 680	\$ 540	\$ (140)
2.	1,977	\$ 200,000	\$ 770	\$ 712	\$ (58)
3.	2,100	\$ 225,000	\$ 845	\$ 756	\$ (89)
4.	2,526	\$ 290,490	\$ 1,043	\$ 909	\$ (134)
5.	2,850	\$ 275,000	\$ 995	\$ 1,026	\$ 31
6.	2,900	\$ 375,000	\$ 1,115	\$ 1,044	\$ (71)
7.	3,200	\$ 260,000	\$ 950	\$ 1,152	\$ 202
8.	3,340	\$ 250,000	\$ 920	\$ 1,202	\$ 282
9.	3,859	\$ 279,000	\$ 1,007	\$ 1,389	\$ 382
10	4,022	\$ 400,000	\$ 1,370	\$ 1,448	\$ 78

- **Average permit fees:**
 - Small decrease for small homes
 - Basically flat for homes between 2,000 to 3,000 square feet
 - Small increase for large homes
- **Self reported valuations were very subjective**

Recommendation

- **New fee structure accomplishes the following:**
 - ✓ **Compliance with State law**
 - ✓ **Does not exceed cost of service**
 - ✓ **Simple and objective**
- **Rates are lower and structure much less complicated than comparison cities**
- **Development Services will complete more thorough cycle time cost analysis and may propose further changes for FY2020**



**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Resolution No. 23-2019. A resolution authorizing the publication of intention to issue certificates of obligation to finance street and drainage improvements in the City

AGENDA DATE OF: July 9, 2019 **DATE SUBMITTED:** Jul 02, 2019

SUBMITTED BY: Amy Dozier

EXHIBITS: [20190709_Resolution_23-2019 Certificates of Obligation to finance Street-Drainage improvements.pdf](#)
[20190709_Resolution_Presentation.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
\$0	\$0	\$0	N/A

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	Yes
Key Priority Area	M - Mobility / Transportation
Guiding Principle	M4. Place a high priority on the maintenance of existing streets
Action Item	M4.2 - Continue implementing the plan for street repairs, including a timeline and funding, based on the road conditions data collection and evaluation completed in 2016

SUMMARY STATEMENT:

Street and drainage maintenance is a priority in Kerrville 2050. This resolution relates to funding that priority by authorizing the City to publish a notice of intent to issue certificates of obligation not to exceed \$10.5 million.

In FY2019, the City has completely paid off 2 loans (SIB loan and firetruck loan). In addition, the repayment schedule for the remaining General Fund debt issuance (Series 2017 Refinancing) ladders off in FY2020. This creates the capacity to issue up to \$10.5 million in General Fund debt with no impact to the debt portion of the tax rate. A recent citizen survey showed that 94% of respondents support issuing debt for streets and 86% support issuing debt for drainage if the debt will not increase the tax rate.

This resolution only authorizes the publication of a notice of intent. It does not authorize issuing debt. In order to issue debt, City Council must approve and authorize a bond purchase agreement via an ordinance. This ordinance will be brought to Council for consideration on August 27, 2019.

RECOMMENDED ACTION:

Approve Resolution xx-2019 as presented.

CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 23-2019

**A RESOLUTION AUTHORIZING PUBLICATION OF
NOTICE OF INTENTION TO ISSUE CERTIFICATES OF
OBLIGATION TO FINANCE STREET AND DRAINAGE
IMPROVEMENTS IN THE CITY**

WHEREAS, the City Council of the **CITY OF KERRVILLE, TEXAS** (the “*City*”) hereby determines that it is necessary and desirable to construct street and drainage improvements at various locations in the City (the “*Projects*”); and

WHEREAS, City Council intends to finance the Projects from proceeds derived from the sale of one or more series of “*Combination Tax and Revenue Certificates of Obligation*” issued by the City pursuant to Sections 271.041 - 271.064, Texas Local Government Code, as amended; and

WHEREAS, pursuant to Section 271.049, Texas Local Government Code, City Council deems it advisable to give notice of intention to issue certificates of obligation in an amount not to exceed an aggregate of **\$10,500,000** for the purpose of paying, in whole or in part, the Projects, to pay all or a portion of the legal, fiscal, and engineering fees in connection with the Projects; and to pay the costs of issuance related to the certificates of obligation; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public and public notice of the time, place, and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code;

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:**

SECTION ONE. APPROVAL OF NOTICE OF INTENTION. Attached hereto is a form of the “*Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation*,” the form and substance of which is hereby adopted and approved.

**SECTION TWO. AUTHORIZATION TO PUBLISH NOTICE OF
INTENTION.** The City Secretary shall cause said notice to be published in substantially the form attached hereto in a newspaper, as defined by Subchapter C, Chapter 2051, Government Code, that is of general circulation

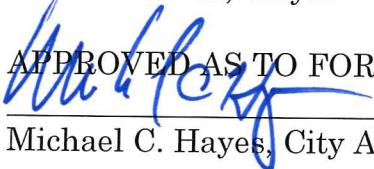
in the area of the City, on the same day in each of two consecutive weeks, the date of the first publication thereof to be at least 31 days before the date tentatively set for the passage of the ordinance authorizing the issuance of such certificates of obligation as shown in said notice. The City Manager and City Secretary are each authorized to complete information in and make changes to said Notice as necessary prior to its publication.

SECTION THREE. INCORPORATION OF RECITALS. City Council hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and City Council hereby incorporates such recitals as a part of this Resolution.

SECTION FOUR. EFFECTIVE DATE. This Resolution shall become effective immediately upon passage.

PASSED AND APPROVED ON this the _____ day of _____, A.D., 2019.

Bill Blackburn, Mayor



APPROVED AS TO FORM:

Michael C. Hayes, City Attorney

ATTEST:

Shelley McElhannon,
City Secretary

T:Legal\FINANCE\Reso\Notice of Intention 070319

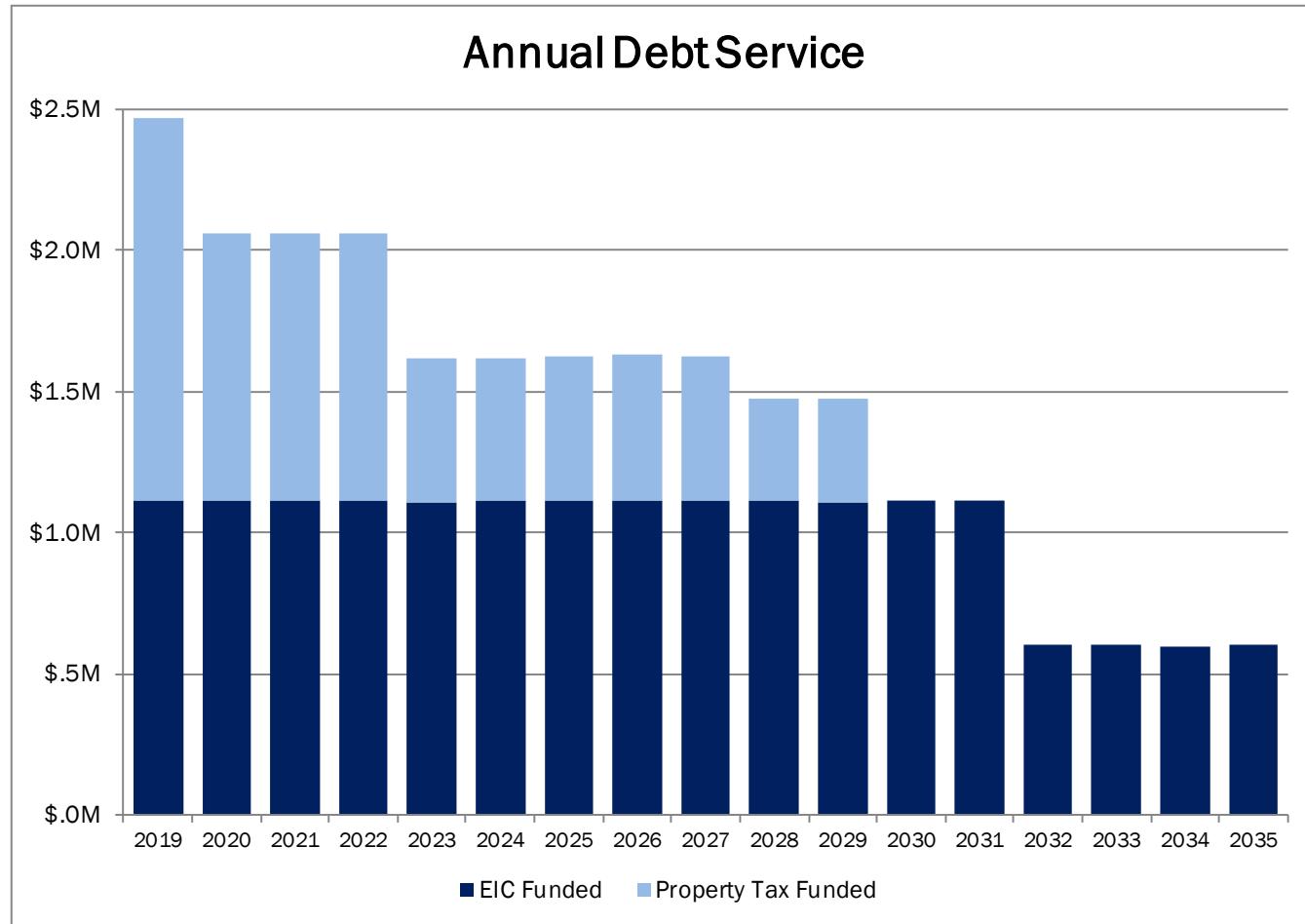


Authorization for Street and Drainage Funding

**City Council Meeting
July 9, 2019**

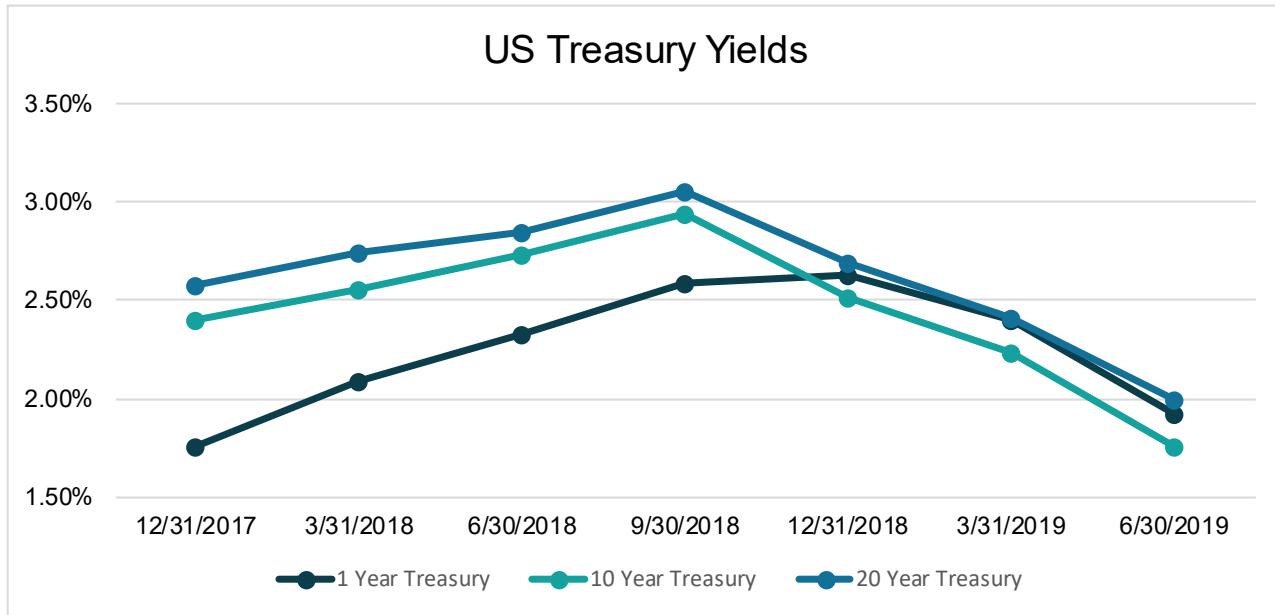


General Fund Debt Service



- **SIB and firetruck loans paid off in FY2019**
- **2017 Refunding is the only outstanding issuance**
- **Additional debt service capacity with existing rate**

Interest Rate Environment

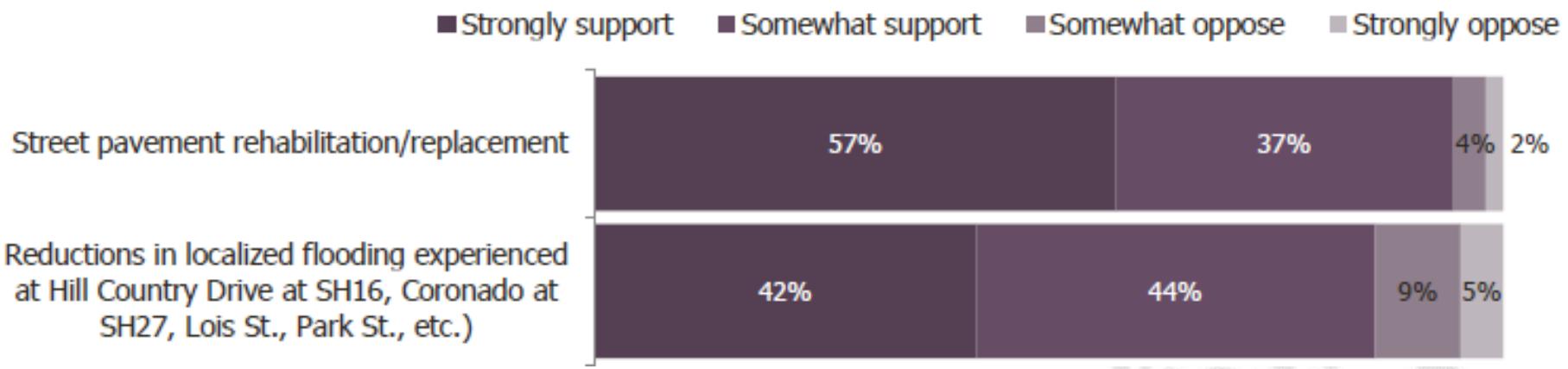


- **Favorable interest rate environment**
- **Anticipated 0.25% Fed rate cut at end of July**
- **Additional Federal Reserve rate cut possible in 2019**

Citizen Survey

Figure 5: Support for Funding of Capital Projects

To what extent would you support or oppose funding the following capital projects through the issuance of debt (such as a bond), without a related property tax rate increase?

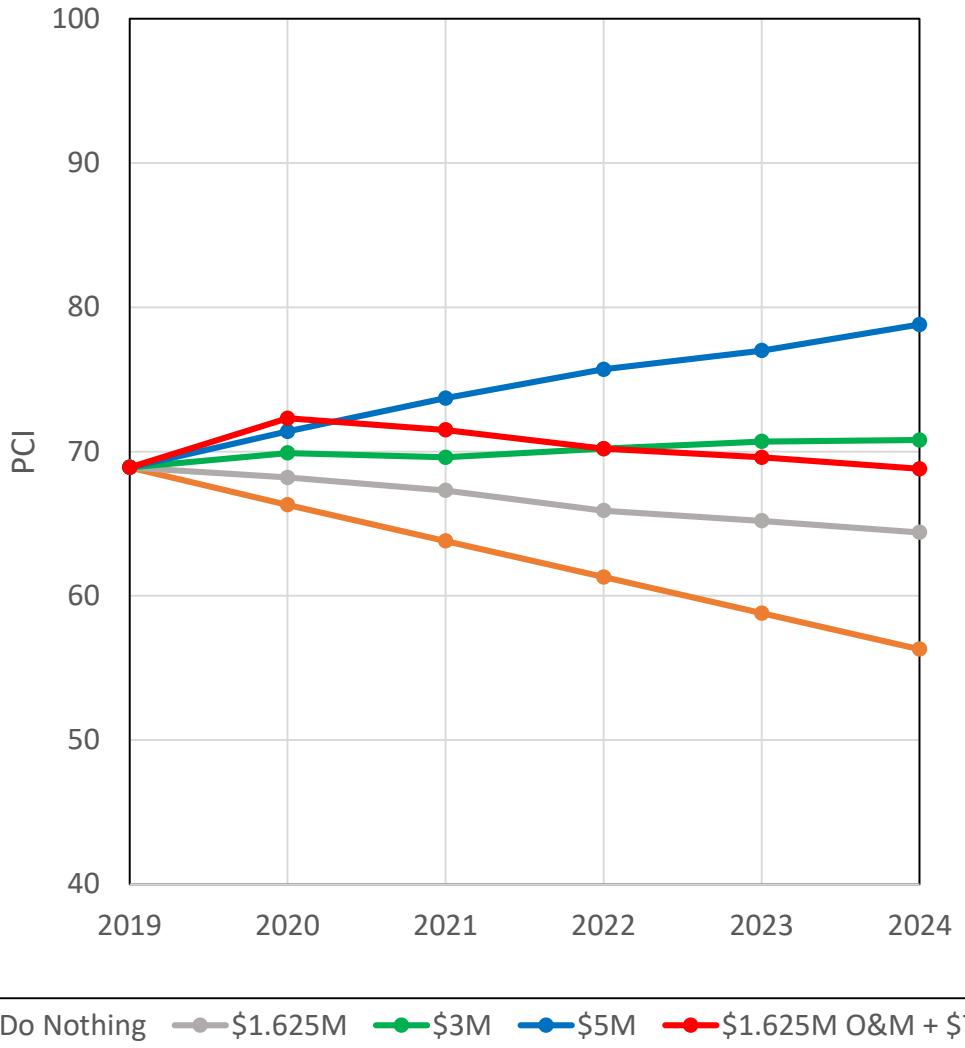


- **Streets and drainage are top priorities based on Citizen Survey**
- **94% support issuing debt for streets**
- **86% support issuing debt for drainage**

Proposed Funding

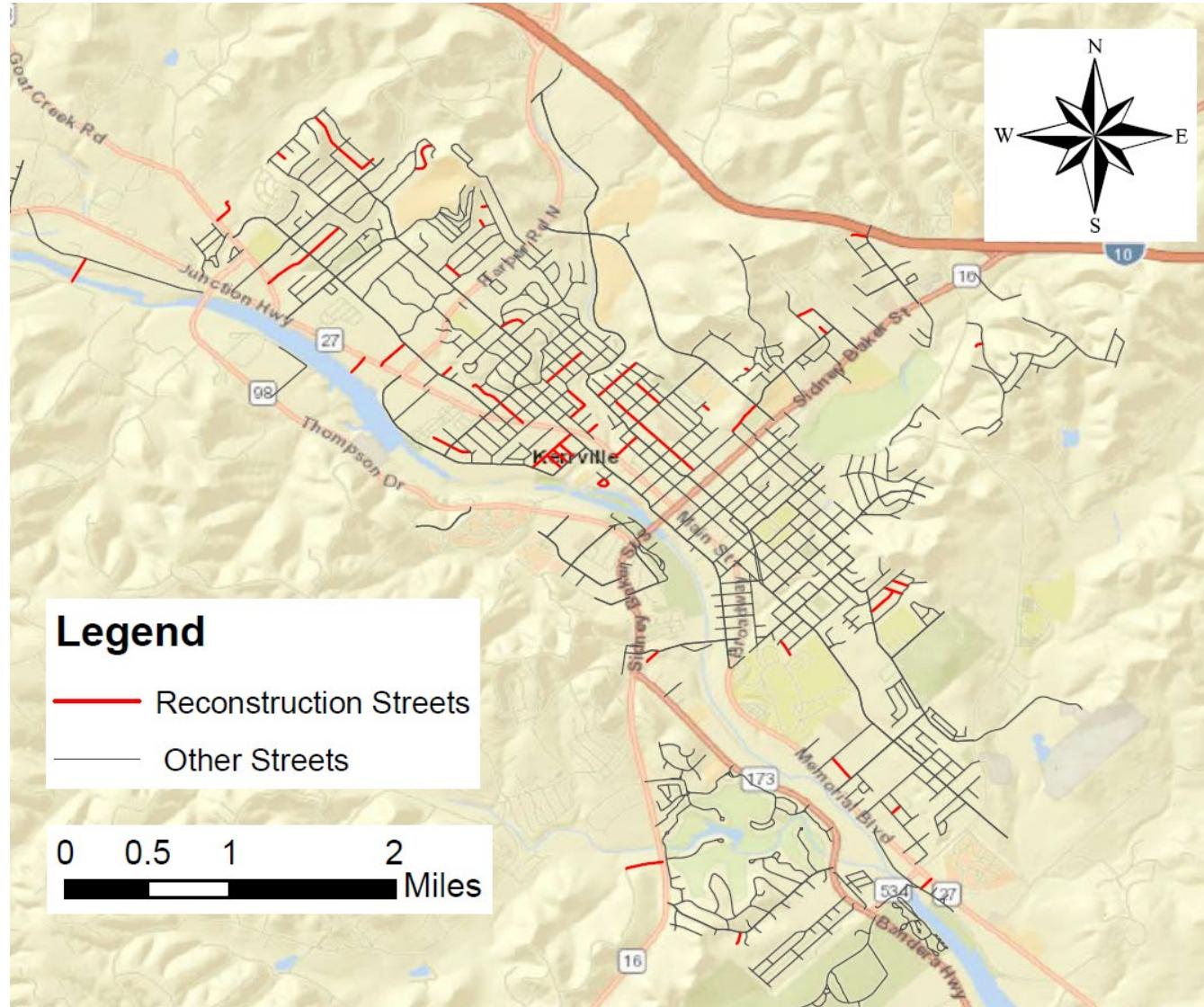
- **Up to \$10.5 million in Certificates of Obligation**
- **Debt portion of tax rate remains unchanged at \$0.735**
- **Approximately \$8 million for full depth street reconstruction prioritized by pavement plan**
- **Approximately \$2 million for top 2 prioritized drainage projects**
- **Repayment over 20 years**

Street Needs



- **Per Pavement Master Plan, \$7.5M in debt funding + \$1.625M annually will keep our pavement condition index close to the target of 70**
- **Potential for \$130K more if Street Use Fee increased from 3% to 4% for Water Fund**

Proposed Reconstruction



Drainage Needs

Ranking	ID	Project name	Ranking Value	Estimated Project Cost (\$2019)
1	I	Take It Easy Drain Channel	795	\$1,166,379
2	J	Lois St. (Woodlawn to Ox Dr.)	742	\$757,400
3	F	Hill Country at SH16	677	\$3,093,838
4	G	Kroc Center Detention Pond	644	\$7,856,675
	H	Clay St. (Schreiner to SH27)		
5	L	Jack Dr.	600	\$844,402

- **Debt would fund Project #1 and #2 from prioritized Drainage Master Plan**



Proposed Calendar – Key Dates

- June 25** **Resolution authorizing Notice of Intent**
- July 17** **Notice published**
- July 24** **Notice published**
- Aug 13** **Resolution for Proposed Tax Rate (no change to debt rate if new debt issued)**
- Aug 27** **Competitive Bids Due**
Approve & Authorize Bond Purchase Agreement
- Sept 19** **Closing Date**



Questions?

