

AGENDA FOR THE KERRVILLE CITY COUNCIL MEETING

TUESDAY, April 26, 2022, 6:00 P.M.

CITY HALL COUNCIL CHAMBERS
AND/OR UPSTAIRS CONFERENCE ROOM

701 MAIN STREET, KERRVILLE, TEXAS

The Community Vision

Kerrville will be a vibrant, welcoming and inclusive community that:

- *Respects and protects the natural environment that surrounds it;*
- *Seeks to attract economic growth and development;*
- *Provides opportunities for prosperity, personal enrichment and intellectual growth for people of all ages; and*
- *Does so while preserving the small-town charm, heritage, arts and culture of the community.*



Kerrville2050



CITY COUNCIL MEETING AGENDA

APRIL 26, 2022, 6:00 PM

CITY HALL COUNCIL CHAMBERS

AND UPSTAIRS CONFERENCE ROOM

701 MAIN STREET, KERRVILLE, TEXAS



Council Meeting Procedures, City Council and City Staff Safety Measures, and Citizen Participation Guidelines

COVID-19 (Coronavirus) provides a unique concern in that gathering members of the public, City Council, and City staff within a physical setting constitutes a public health risk. Taking this into account, standard safety protocols will be observed by City Council, City staff, and citizens/visitors attending the meeting. Masks are voluntary and highly encouraged. Visitor seating will be designated.

Citizens may view and hear City Council meetings on Spectrum Channel 2 or by live-streaming via the City's website (www.kerrvilletx.gov). City Council meetings are recorded and the recordings are posted on the City's website.

Citizens wishing to speak during a meeting shall submit a completed "speaker request form" to the City Secretary before the item is introduced, but are encouraged to submit the form before the meetings begin. Each speaker is limited to four minutes.

Thank you for your participation!

CALL TO ORDER: Call to Order by Mayor Bill Blackburn.

INVOCATION AND PLEDGE OF ALLEGIANCE: Led by Councilmember Judy Eychner.

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 PRESENTATIONS:

- 2.A. Kerrville Fire Department Person of the Year Awards for Officer, Firefighter, and EMS.
- 2.B. Kerrville Kindness Award presented to Albert Vasquez.
- 2.C. Commendation for outgoing Board member of the Planning and Zoning Commission.

3 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. The speaker request form must be submitted to the City Secretary before the item is called or read into record. City Council may not discuss or take any action on an item but may place the issue on a future agenda. Each speaker is limited to four minutes.

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. City Council workshop minutes held April 12, 2022.

Attachment:

20220426_Minutes Council workshop 4-12-22 4pm.pdf

4.B. City Council meeting minutes held April 12, 2022.

Attachment:

[*20220426_Minutes Council meeting 4-12-22 6pm.pdf*](#)

4.C. City Council workshop minutes held April 19, 2022.

Attachment:

[*20220426_Minutes Council workshop 4-19-22 10am.pdf*](#)

END OF CONSENT AGENDA.

5 INFORMATION & DISCUSSION:

5.A. Kerr Economic Development Corporation (KEDC) quarterly update.

5.B. Financial Report for month-ended March 31, 2022.

Attachment:

[*20220426_Presentation Financial Update March 31 2022.pdf*](#)

6 ORDINANCES, SECOND READING:

6.A. Ordinance No. 2022-16, second reading. An ordinance amending Chapter 60, Code of Ordinances, City of Kerrville, Texas; Chapter 60 more commonly known as the City's Zoning Code; by changing the zoning of a property known as 601 Roy Street, which is out of the Cage Survey No. 116, Abstract No. 106, and within the City of Kerrville, Kerr County, Texas; from a Single-Family Residential Zoning District (R-1) to a Light Commercial Zoning District (C-2); and providing other matters relating to the subject.

Attachment:

[*20220426_Ord 2022-16 Zone change 601 Roy second reading.pdf*](#)

6.B. Ordinance No. 2022-18, second reading. An Ordinance annexing a tract of land into the Corporate Limits of the City of Kerrville, Texas; such property consisting of an approximate .40 acre tract; part of Lot 8, Block 1, of the L.A. Schreiner Valley Subdivision; and more commonly known as 318 Mae Drive; such property more specifically described in this Ordinance and being located within the Extraterritorial Jurisdiction of and adjacent to the City Limits; adopting a service agreement; establishing the zoning for the annexed property as being within a Medium Density Residential Zoning District (R-2); and providing other matters relating to this subject.

Attachment:

[*20220426_Ord 2022-18 Annex 318 Mae Drive second reading.pdf*](#)

6.C. Ordinance No. 2022-19, second reading. An Ordinance deleting Article II "Joint Airport Board" of Chapter 22, "Aviation", of the Code of Ordinances of the City of Kerrville, Texas, as it is unnecessary to the continued existence and operation of such board; containing a cumulative clause; containing a savings and severability clause; and providing other matters relating to this subject.

Attachment:

[*20220426_Ord 2022-19 Joint Airport Board amendment second reading.pdf*](#)

6.D. Ordinance No. 2022-17, second reading. An Ordinance amending Chapter 60, Code of Ordinances, City of Kerrville, Texas; Chapter 60 more commonly known as the City's Zoning Code; by changing the zoning of a property generally located northeast of the intersection of Loop 534 (Veterans Highway) and Landfill Road N., comprising of 17.803 acres out of the Samuel L. Wallace Survey No. 112, Abstract No. 360; and within the City of Kerrville, Kerr County, Texas; from a Light Commercial Zoning District (C-2) to a General Commercial Zoning District (C-3); and providing other matters relating to the subject.

Attachment:

[*20220426_Ord 2022-17 Zone change Loop 534 second reading.pdf*](#)

7 PUBLIC HEARINGS AND RESOLUTIONS:

7.A. Resolution No. 18-2022. A Resolution granting a Conditional Use Permit to authorize an Automobile Service and Repair, Major, as that use is defined within the Zoning Code (Chapter 60, Code of Ordinances) of the City of Kerrville, Texas; on property generally located northeast of the intersection of State Loop 534 and Landfill Road N; and comprising an approximate 3 acre tract of land out of the Sam L. Wallace No. 112, Abstract No. 360; said property is located within a General Commercial Zoning District (C-3); and making said permit subject to certain condition and restrictions.

Attachment:

[20220426_Reso 18-2022 CUP Loop 534 Auto Shop.pdf](#)

8 CONSIDERATION AND POSSIBLE ACTION:

8.A. Resolution No. 19-2022. A Resolution adopting the updated Kerrville Parks Recreation and Open Spaces Master Plan.

Attachment:

[20220426_Reso 19-2022 Parks-Recreation Master Plan.pdf](#)

8.B. Resolution No. 20-2022. A Resolution authorizing the acceptance of grant funding from the Office of the Governor - Criminal Justice Division and its body worn camera program for funding to purchase body cameras and accessories for the Kerrville Police Department.

Attachment:

[20220426_Reso 20-2022 KPD Body Cam grant.pdf](#)

[20220426_Statement of Grant Award KPD.pdf](#)

[20220426_Letter_Congratulatory from Governor.pdf](#)

8.C. Donation of a work of art to the City of Kerrville, Texas, and related agreement. (This item is eligible for Executive Session 551.071, 551.073.)

9 APPOINTMENT(S):

9.A. Appointment of a Municipal Court Judge. (This item is eligible for Executive Session 551.074)

10 EXECUTIVE SESSION: *City Council may, as permitted by law, adjourn into executive session at any time to discuss any matter listed above 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. City Council also reserves the right to meet in executive session on the following issues:*

10.A. Donation of a work of art to the City of Kerrville, Texas, and related agreement. (551.071, 551.073)

10.B. Appointment of a Municipal Court Judge. (551.074)

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

12 ITEMS FOR FUTURE AGENDAS: *City Council may suggest items or topics for future agendas.*

ADJOURN.



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

SUBJECT: Kerrville Fire Department Person of the Year Awards for Officer, Firefighter, and EMS.

AGENDA DATE OF: April 26, 2022 **DATE SUBMITTED:** Apr 01, 2022

SUBMITTED BY: Eric Maloney

EXHIBITS:

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

SUMMARY STATEMENT:

Recognize the Kerrville Fire Department 2022 Persons of the Year: Officer of the Year, Battalion Chief Mark Logue; Firefighter of the Year, Masen Lindner; EMS Person of the Year, Travis Huser.

RECOMMENDED ACTION:

Chief Maloney will present the commendations. No Council action required.



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

SUBJECT: Kerrville Kindness Award presented to Albert Vasquez.

AGENDA DATE OF: April 26, 2022 **DATE SUBMITTED:** Apr 14, 2022

SUBMITTED BY: Councilmember Judy Eychner

EXHIBITS:

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

SUMMARY STATEMENT:

A citizen or entity who has impacted the City of Kerrville in a positive way. Recipient: Albert Vasquez. Nominated by Councilmember Judy Eychner.

RECOMMENDED ACTION:

Present award.



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

SUBJECT: Commendation for outgoing Board member of the Planning and Zoning Commission.

AGENDA DATE OF: April 26, 2022 **DATE SUBMITTED:** Apr 14, 2022

SUBMITTED BY: Shelley McElhannon

EXHIBITS:

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

SUMMARY STATEMENT:

Commendation presented to T. David Jones - Planning & Zoning Commission.

RECOMMENDED ACTION:

Present commendation.



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

SUBJECT: City Council workshop minutes held April 12, 2022.

AGENDA DATE OF: April 26, 2022 **DATE SUBMITTED:** Apr 14, 2022

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20220426_Minutes Council workshop 4-12-22 4pm.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?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

City Council workshop minutes held April 12, 2022 at 4:00 p.m., in the City Hall Council Chambers and Upstairs Conference Room.

RECOMMENDED ACTION:

Approve minutes as presented.

**CITY COUNCIL WORKSHOP MINUTES
CITY HALL COUNCIL CHAMBERS AND
701 MAIN STREET, KERRVILLE, TEXAS**

APRIL 12, 2022 4:00 PM

CALL TO ORDER: On April 12, 2022 at 4:00 p.m., the City Council workshop was called to order by Mayor Bill Blackburn at the City Hall Council Chambers, 701 Main Street.

COUNCILMEMBERS PRESENT:

Bill Blackburn, Mayor
Kim Clarkson, Mayor Pro Tem, Councilmember Place 2
Roman Garcia, Councilmember Place 1
Judy Eychner, Councilmember Place 3
Brenda Hughes, Councilmember Place 4

COUNCILMEMBER ABSENT: None

CITY STAFF PRESENT:

E.A. Hoppe, City Manager Mike Hayes, City Attorney
Michael Hornes, Asst City Manager Shelley McElhannon, City Secretary
Kim Meismer, Asst City Manager

VISITORS PRESENT: None

1. PUBLIC COMMENT: None

Councilmember Roman Garcia made a motion City Council enter executive session under 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.074 (officers/personnel), and 551.087 (deliberation regarding economic development negotiations), seconded by Councilmember Judy Eychner. The motion passed 5-0.

Mayor Blackburn recessed the workshop at 4:00 p.m. and convened closed executive session in the upstairs conference room.

2. EXECUTIVE SESSION:

- 2A. Review of Municipal Court Judge applications (551.074).
- 2B. Workforce Housing development projects (551.071, 551.072, 551.087).

The closed executive session adjourned, and Council returned to open session at 6:00 p.m. No action was taken during executive session.

3. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION IF ANY: N/A

ADJOURN. The workshop adjourned at 6:00 p.m.

APPROVED BY COUNCIL: _____ ATTEST: _____

Bill Blackburn, Mayor

Shelley McElhannon, City Secretary



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

SUBJECT: City Council meeting minutes held April 12, 2022.

AGENDA DATE OF: April 26, 2022 **DATE SUBMITTED:** Apr 14, 2022

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20220426_Minutes Council meeting 4-12-22 6pm.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?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

City Council meeting minutes held April 12, 2022 at 6:00 p.m., in the City Hall Council Chambers.

RECOMMENDED ACTION:

Approve minutes as presented.

**CITY COUNCIL MINUTES
REGULAR MEETING**

**KERRVILLE, TEXAS
APRIL 12, 2022 6:00 PM**

On April 12, 2022 at 6:00 p.m., Mayor Bill Blackburn in City Hall Council Chambers, 701 Main Street, called the Kerrville City Council meeting to order. Mayor Blackburn provided the invocation and led the Pledge of Allegiance.

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
Kim Clarkson	Mayor Pro Tem, Councilmember Place 2
Roman Garcia	Councilmember Place 1
Judy Eychner	Councilmember Place 3
Brenda Hughes	Councilmember Place 4

COUNCILMEMBER ABSENT: None

CITY EXECUTIVE STAFF:

E.A. Hoppe, City Manager	Ashlea Boyle, Director Parks & Recreation
Mike Hayes, City Attorney	Kyle Burow, Director of Engineering
Michael Hornes, Assistant City Manager	Stuart Cunyus, Public Info Officer
Kim Meismer, Assistant City Manager	Guillermo Garcia, Exec Director Innovation
Shelley McElhannon, City Secretary	Mary Krebs, Lieutenant Police Department
Stuart Barron, Exec Dir Public Works/Eng	Drew Paxton, Chief Planner
Julie Behrens, Director of Finance	Charvy Tork, Director IT

VISITORS PRESENT: A list of the citizen speakers present during the meeting is on file in the City Secretary's Office for the required retention period.

Mary Rohrer, Airport Manager

1. ANNOUNCEMENTS OF COMMUNITY INTEREST: Stuart Cunyus provided announcements and items of community interest.

2. PRESENTATIONS:

2A. Proclamation: Alexander Alan Hill.

Mayor Blackburn presented a proclamation commemorating the life and honoring the service of the late Alexander Alan Hill. Family members accepting the proclamation included spouse Shirley Hill, son James Hill, daughters Delanie Hill, Elizabeth Hill, Sarah Hill Kocurek, son-in-law Kristopher Kocurek, and granddaughters Emilie Kocurek and Kimberlie Kocurek.

3. VISITORS FORUM:

The following person(s) spoke:

- Eric Hill
- George Baroody
- Bruce Stracke
- Alicia Napper

4. CONSENT AGENDA:

Councilmember Roman Garcia pulled item 4D. Councilmember Garcia made a motion to approve items 4A, 4B, 4C, 4E, and 4F, seconded by Councilmember Brenda Hughes. The motion passed 5-0.

4A. Production agreement between the City of Kerrville and TSE Entertainment, LLC for the Kerrville River Festival event in the amount of \$67,000.00.

4B. Five year lease agreement with Key Government Finance through the Texas DIR purchasing contract, for the purchase of network switches for the City's network infrastructure in the amount of \$276,664.59.

4C. Construction Agreement with Hayden Paving, Inc. for the 2022 Street Maintenance Project in the amount of \$265,348.00.

4E. Minutes for the City Council workshop held March 22, 2022.

4F. Minutes for the City Council meeting held March 22, 2022.

END OF CONSENT AGENDA.

4D. Consent for the Joint Airport Board of the Kerrville-Kerr County Airport to seek grant funding from the Texas Department of Transportation with respect to TxDOT's Airport Rescue Plan grant.

Julie Behrens provided information and responded to questions.

Councilmember Garcia made a motion to authorize the Joint Airport Board to apply for the TxDOT grant and authorize the Airport Manager to act as the authorized official in said funding, seconded by Councilmember Judy Eychner. The motion passed 5-0.

5 BOARD APPOINTMENTS:

5A. Board appointment to the Kerrville-Kerr County Joint Airport Board.

Shelley McElhannon read Item 5A into record.

Steve Schmerber introduced Bob Hamm.

Councilmember Eychner recommended appointing Robert E. Hamm Jr. to the Airport Board, seconded by Councilmember Garcia. The motion passed 5-0.

6 ORDINANCES, FIRST READING:

6A. Ordinance No. 2022-19. An Ordinance deleting Article II "Joint Airport Board" of Chapter 22, "Aviation", of the Code of Ordinances of the City of Kerrville, Texas, as it is unnecessary to the continued existence and operation of such board; containing a cumulative clause; containing a savings and severability clause; and providing other matters relating to this subject.

Shelley McElhannon read Ordinance No. 2022-19 caption into record.

Mike Hayes provided information and responded to questions.

Councilmember Hughes made a motion to approved Ordinance No. 2022-19, seconded by Councilmember Kim Clarkson. The motion passed 5-0.

7 PUBLIC HEARING AND RESOLUTIONS:

7A. Resolution No. 16-2022. A resolution granting a Conditional Use Permit to authorize a short-term rental unit on the property addressed as 713 Harper Road N. (RR 783) and out of the Fosgate Survey No. 120, Abstract No. 138; said property is located within the Single-Family Residential Zoning District (R-1); and making said permit subject to conditions and restrictions.

Shelley McElhannon read Resolution No. 16-2022 caption into record.

Drew Paxton provided information and responded to questions.

Mayor Blackburn requested public hearing speakers at 6:30 p.m.

No person spoke.

Councilmember Eychner made a motion to approve Resolution No. 16-2022, seconded by Councilmember Hughes. The motion passed 5-0.

7B. Resolution No. 17-2022. A Resolution granting a Conditional Use Permit to authorize a dwelling, single-family detached with accessory dwelling unit on the property consisting of Lot 9-R, The Heights of Kerrville Addition, a subdivision within the City of Kerrville, Texas; known as 167 Paramount View; said property is located within an Residential Estate Zoning District (RE); and making said permit subject to certain conditions and restrictions contained herein.

Shelley McElhannon read Resolution No. 17-2022 caption into record.

Drew Paxton provided information and responded to questions.

No public hearing speakers presented comments.

Councilmember Eychner made a motion to approve Resolution No. 17-2022, seconded by Councilmember Hughes. The motion passed 5-0.

8 PUBLIC HEARING AND ORDINANCES, FIRST READING:

8A. Ordinance No. 2022-16. An Ordinance amending Chapter 60, Code of Ordinances, City of Kerrville, Texas; Chapter 60 more commonly known as the City's Zoning Code; by changing the zoning of a property known as 601 Roy Street, which is out of the Cage Survey No. 116, Abstract No. 106, and within the City of Kerrville, Kerr County, Texas; from a Single-Family Residential Zoning District (R-1) to a Light Commercial Zoning District (C-2); and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2022-16 caption into record.

Drew Paxton provided information and responded to questions.

Mayor Blackburn opened the public hearing at 6:35 p.m.

The following person(s) spoke:

- Adrian Blunt

Mayor Blackburn closed the public hearing at 6:36 p.m.

Councilmember Hughes made a motion to approve Ordinance No. 2022-16 on first reading, seconded by Councilmember Eychner. The motion passed 5-0.

8B. Ordinance No. 2022-17. An Ordinance amending Chapter 60, Code of Ordinances, City of Kerrville, Texas; Chapter 60 more commonly known as the City's Zoning Code; by

changing the zoning of a property generally located northeast of the intersection of Loop 534 (Veterans Highway) and Landfill Road N., comprising of 17.803 acres out of the Samuel L. Wallace Survey No. 112, Abstract No. 360; and within the City of Kerrville, Kerr County, Texas; from a Light Commercial Zoning District (C-2) to a General Commercial Zoning District (C-3); and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2022-17 caption into record.
Drew Paxton provided information and responded to questions.
Mayor Blackburn requested public hearing speakers at 6:39 p.m.
No person spoke.

Councilmember Eychner made a motion to approve Ordinance No. 2022-17 on first reading, seconded by Councilmember Garcia. The motion passed 5-0.

8C. Ordinance No. 2022-18. An Ordinance annexing a tract of land into the Corporate Limits of the City of Kerrville, Texas; such property consisting of an approximate .40 acre tract; part of Lot 8, Block 1, of the L.A. Schreiner Valley Subdivision; and more commonly known as 318 Mae Drive; such property more specifically described in this Ordinance and being located within the Extraterritorial Jurisdiction of and adjacent to the City Limits; adopting a service agreement; establishing the zoning for the annexed property as being within a Medium Density Residential Zoning District (R-2); and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2022-18 caption into record.
Drew Paxton provided information and responded to questions.
Mayor Blackburn requested public hearing speakers at 6:42 p.m.
No person spoke.

Councilmember Eychner made a motion to approve Ordinance No. 2022-18 on first reading, seconded by Councilmember Hughes. The motion passed 5-0.

9 ORDINANCES, SECOND READING:

9A. Ordinance No. 2022-13, second reading. An Ordinance amending Chapter 50 "Fire Prevention and Protection" of the Code of Ordinances of the City of Kerrville, Texas, by adding a new section 50-5, to adopt the National Fire Protection Association (NFPA) 1194, *Standard for Recreational Vehicle Parks and Campgrounds*; adopting local amendments to said code; amending the City's Fire Code as to fire apparatus access roads; providing for a penalty for violation of any provision hereof; and providing other matters related to the subject.

Shelley McElhannon read Ordinance No. 2022-13 caption into record.

Councilmember Hughes made a motion to approve Ordinance No. 2022-13 on second reading, seconded by Councilmember Eychner. The motion passed 5-0.

9B. Ordinance No. 2022-15, second reading. An Ordinance amending Chapter 82 of the Code of Ordinances, City of Kerrville, Texas, such Chapter more commonly known as the City's Subdivision Code; by amending Section 82-53(Q) of said Code to change requirements for points of access into residential subdivisions and aligning this Section with changes to the Fire Code; and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2022-15 caption into record.

Councilmember Garcia made a motion to approve Ordinance No. 2022-15, seconded by Councilmember Hughes. The motion passed 5-0.

10 BOARD APPOINTMENTS:

10A. Appointments to the Main Street Advisory Board.

Shelley McElhannon read item caption into record.

Councilmember Garcia made a motion to appoint Meredith Tilley Crook and Mary Gay Wagner, seconded by Councilmember Eychner. The motion passed 5-0.

10B. Appointments to the Planning and Zoning Commission.

Shelley McElhannon read item caption into record.

Councilmember Hughes made a motion to appoint Tabor McMillan to Planning and Zoning, seconded by Councilmember Clarkson.

11 EXECUTIVE SESSION: N/A

12 ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY: N/A

13 ITEMS FOR FUTURE AGENDAS:

Councilmember Clarkson requested to discuss procedures during Executive Sessions in handling of material, devices, and all related matters, i.e. Policies and Procedures for Executive Sessions, seconded by Councilmember Eychner. The motion passed 4-1 with Mayor Blackburn, Councilmember Clarkson, Councilmember Eychner, and Councilmember Hughes voting in favor, and Councilmember Garcia opposed.

ADJOURN. The meeting adjourned at 6:49 p.m.

APPROVED BY COUNCIL: _____

APPROVED:

ATTEST:

Bill Blackburn, Mayor

Shelley McElhannon, City Secretary



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

SUBJECT: City Council workshop minutes held April 19, 2022.

AGENDA DATE OF: April 26, 2022 **DATE SUBMITTED:** Apr 14, 2022

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20220426_Minutes Council workshop 4-19-22 10am.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?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

City Council workshop minutes held April 19, 2022 at 10:00 a.m., Butt-Holdsworth Memorial Library downstairs meeting room.

RECOMMENDED ACTION:

Approve minutes as presented.

CITY COUNCIL MINUTES**APRIL 19, 2022 10:00 A.M.****WORKSHOP, BUTT-HOLDSWORTH MEMORIAL LIBRARY KERRVILLE, TEXAS**

CALL TO ORDER: On April 19, 2022, at 10:01 a.m., Mayor Bill Blackburn called to order the Kerrville City Council workshop at the Butt-Holdsworth Memorial Library downstairs meeting room, 505 Water Street.

COUNCILMEMBERS PRESENT:

Bill Blackburn	Mayor
Kim Clarkson	Mayor Pro Tem, Councilmember Place 2
Roman Garcia	Councilmember Place 1
Judy Eychner	Councilmember Place 3
Brenda Hughes	Councilmember Place 4

COUNCILMEMBER ABSENT: None**CITY STAFF:**

E.A. Hoppe	City Manager	Ashlea Boyle, Director Parks and Recreation
Mike Hayes	City Attorney	Stuart Cunyus, Public Information Officer
Mike Hornes	Asst City Manager	Rosa Ledesma, Park & Recreation Specialist
Kim Meismer	Asst City Manager	Shelley McElhannon City Secretary

PARKS AND RECREATION ADVISORY BOARD:

David Bartels, member	Wayne Uecker, member
Dr. Charles Hueber, Vice Chair	Karen Yanez, member
Cabe Johnson, member	

PARKS AND RECREATION ADVISORY BOARD ABSENT:

Morgan Bond, member	Lisa Nye-Salladin, member
Nicholas Cantrell, member	Erik Silvius, member

CITIZENS PRESENT:

Louis Amstoy
Celeste Hamman, former chair Parks & Recreation Advisory Board
Malcolm Matthews, former Director Parks & Recreation, current Consultant
Jeremy Walther

1. PUBLIC COMMENTS: No citizens requested to speak.**2. INFORMATION, DISCUSSION, AND POSSIBLE ACTION:**

2.A. Review of the draft City of Kerrville Parks and Recreation Master Plan.

E.A. Hoppe introduced item and presented historical information. Ashlea Boyle presented information and Ashlea Boyle and E.A. Hoppe responded to questions. City Council provided comments.

Councilmember Roman Garcia made a motion that the City Council adjourn into closed executive session under 551.071 (consultation with attorney), 551.073 (deliberation

regarding gifts), and 551.074 (officers/personnel) and Councilmember Kim Clarkson seconded. The motion passed 5-0.

Mayor Blackburn recessed the workshop at 10:45 a.m. and convened closed executive session.

3. EXECUTIVE SESSION:

- 3A. Review of Municipal Judge applications (551.074).
- 3B. Donation of Artwork to the City, and related agreement (551.071, 551.073).

Mayor Blackburn departed bench at 11:36 a.m. and exited the meeting. Mayor Pro Tem Clarkson sat as presiding officer. Closed executive session adjourned at 11:50 a.m. No action was taken during executive session.

4. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION IF ANY: N/A

ADJOURN. The meeting was adjourned at 11:50 a.m.

APPROVED BY COUNCIL: _____

APPROVED: _____ ATTEST: _____

Bill Blackburn, Mayor

Shelley McElhannon, City Secretary



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

SUBJECT: Kerr Economic Development Corporation (KEDC) quarterly update.

AGENDA DATE OF: April 26, 2022 **DATE SUBMITTED:** Apr 20, 2022

SUBMITTED BY: Gil Salinas

EXHIBITS:

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

SUMMARY STATEMENT:

Report by Gil Salinas and Teresa Metcalf.

RECOMMENDED ACTION:

Report, information, data, statistics.



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

SUBJECT: Financial Report for month-ended March 31, 2022.

AGENDA DATE OF: April 26, 2022 **DATE SUBMITTED:** Apr 04, 2022

SUBMITTED BY: Julie Behrens

EXHIBITS: [20220426_Presentation Financial Update March 31 2022.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?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

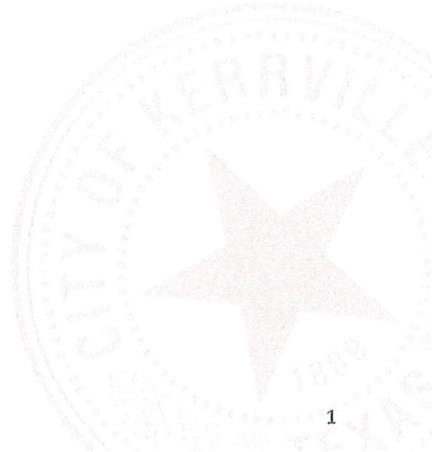
SUMMARY STATEMENT:

RECOMMENDED ACTION:

No action by City Council. Report only.

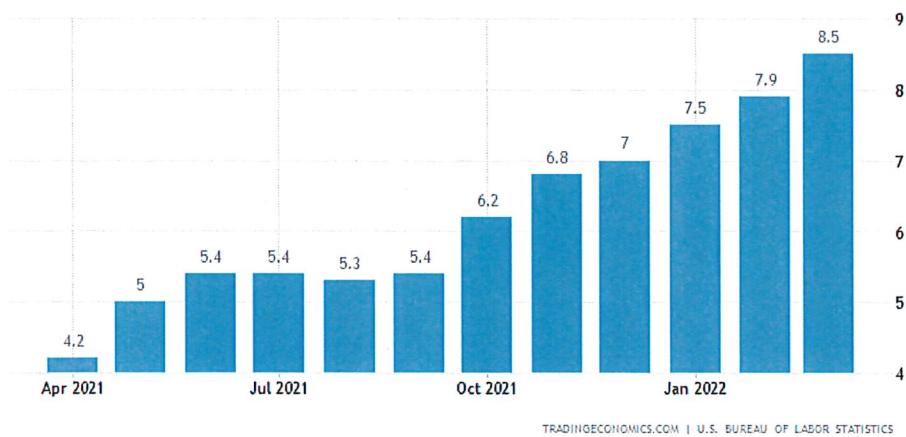
Financial Update

City Council Meeting
April 26, 2022



1

Inflation Comparison



Notes:

- Inflation rate in the US hit 8.5% in March 2022, the highest since December of 1981

2

General Fund Summary

General Fund Revenues as of March 31, 2022

Property Tax: (includes current year, prior year, and penalty & interest)

Budget: \$10,720,382

Current Collections: \$10,234,950

- **As of March 31, 2022 property tax revenues are 95% collected**
 - **Budget 98% collection**
- **Sales Tax:**

Budget: \$9,339,787

Current Collections: \$4,763,395

- **Maintaining average increase of 14% over FY2021 through March 2022**
 - **Categories with highest increases: Retail, Wholesale Trade, Manufacturing, Food Service**
 - **Single rate payors also continue to grow**
- **April sales tax has been received**
 - **19% increase over April 2021 (February sales)**

3

General Fund Summary

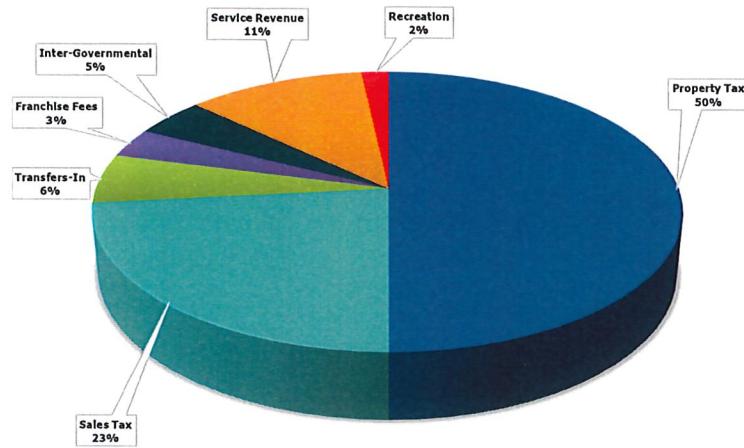
Overview of Revenues as of March 31, 2022

General Fund	Y-T-D FY2022		Y-T-D FY2022 Actual	Better or Worse than YTD Budget	Y-T-D FY2021 Actual	Change from YTD FY2021
	FY2022 Budget	Budget Estimate				
Taxes						
Property Tax	\$ 10,720,382	\$10,063,706	\$10,234,950	\$ 171,244	\$ 9,648,838	\$ 586,112
Sales Tax	9,339,787	4,448,424	4,763,395	314,972	4,196,919	566,476
Franchise Fees	1,959,200	700,081	705,875	5,794	684,843	21,032
Total Taxes	\$ 22,019,369	\$15,212,210	\$15,704,220	\$ 492,009	\$14,530,600	\$ 1,173,620
Permits & Fees	40,495	21,689	14,235	(7,454)	10,703	3,532
Inter-Governmental	1,489,052	797,513	926,002	128,489	757,892	168,110
Service Revenue	3,997,854	2,141,189	2,323,960	182,771	1,786,355	537,605
Recreation	656,975	351,866	359,967	8,101	296,998	62,969
Fines & Forfeitures	476,550	255,233	185,516	(69,716)	125,485	60,031
Grants & Donations	29,500	15,800	22,996	7,196	10,717	12,279
Interest & Misc.	223,961	119,950	117,156	(2,794)	147,570	(30,414)
Transfers-In	2,276,116	1,160,558	1,160,558	-	867,963	292,595
Total General Fund Revenue:	\$ 31,209,872	\$20,134,502	\$20,814,610	\$ 738,602	18,534,284	\$ 2,280,326

- **Recreation revenue better than budget and last year**
 - **KSP was fully booked for Easter weekend**
- **Services better than budget due to EMS revenues**
- **Intergovernmental better than budget due to timing of KISD reimbursement for resource officers**

General Fund Summary

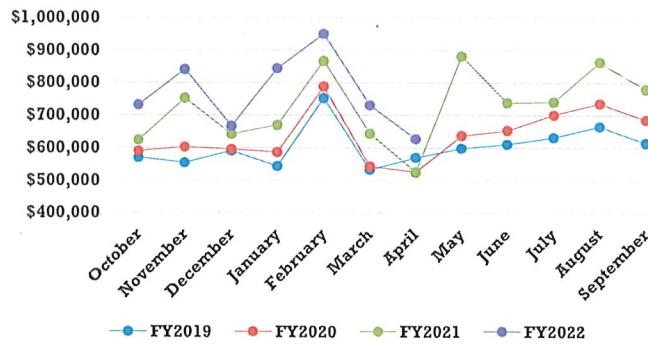
Revenues By Category



- Property Tax is budgeted as 35% of overall FY2022 revenues
- Sales Tax is budgeted as 28% of overall FY2022 revenues
- Property tax is 95% collected while sales tax is 57% collected to-date

General Fund Summary

Sales Tax Trends



- Trend lines are very consistent
- April did show decline due to February winter storm, but not as drastically as April 2021
- This data is being used to project FY22 estimates and FY23 revenue budget

General Fund Summary

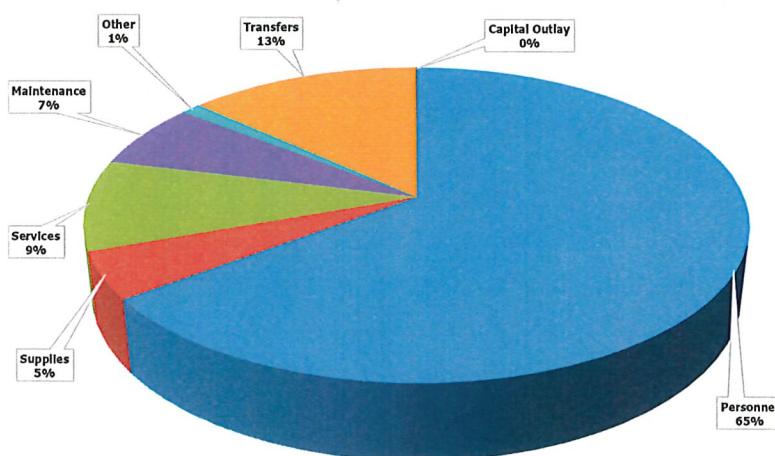
Overview of Expenses as of March 31, 2022

General Fund	FY2022 Budget	Y-T-D FY2022 Estimate	Y-T-D FY2022 Actual	Better or Worse than YTD Budget		Y-T-D FY2021 Actual	Change from YTD FY2021
Expenses							
Personnel	\$ 21,504,043	\$10,339,732	\$10,186,968	\$ 152,764	\$ 9,770,438	\$ 416,530	
Supplies	1,476,757	631,931	751,222	(119,291)	565,266	185,956	
Maintenance	3,627,633	1,626,948	1,056,665	570,283	1,359,227	(302,562)	
Services	2,489,581	1,296,705	1,459,332	(162,626)	1,303,535	155,797	
Other	569,258	201,628	184,442	17,186	143,004	41,437	
Capital Outlay	67,600	31,272	6,868	24,404	12,441	(5,573)	
Transfers-Out	750,000	2,099,114	2,099,114	-	164,324	1,934,791	
Total General Fund Expenses	\$ 30,484,871	\$16,227,330	\$15,744,611	\$ 482,719	\$13,318,236	\$ 2,426,376	

- Better than budget: personnel and maintenance categories
- Supplies – higher than estimated year-to-date budget
 - Gas in this fund \$40K higher than last year-to-date
 - Increase in other supplies due to inflation and timing of purchases
- Overall expenses better than ESTIMATED FY2022 budget-to-date
- Change in transfer out compared to FY2021 due to the \$1.4M transfers out approved in the recent budget amendment

General Fund Summary

Expenses By Category



- Personnel is budgeted at 70.5% of overall general fund expenses
- Supplies budgeted at 4.8%
- Services budgeted at 8.2%

Water Fund Summary

Water Fund Revenues

Water Sales:

Budget: \$6,665,813

Current Sales: \$2,872,404 (through March billing – February consumption)

Currently behind FY2022 ESTIMATED budget-to-date and behind last year:

- March FY2022 revenues \$98K better than March FY2021
- April FY2022 (not included in ytd totals) \$71K better than April FY2021

• Sewer Sales:

Budget: \$5,992,747

Current Sales : \$3,056,359

Currently ahead of FY2022 ESTIMATED budget-to-date and ahead of last year:

- Residential sewer averaging reflected on April bills
- Residential sewer averages dropped compared to FY2021 averages

Water Fund Summary

Overview of Revenues as of March 31, 2022

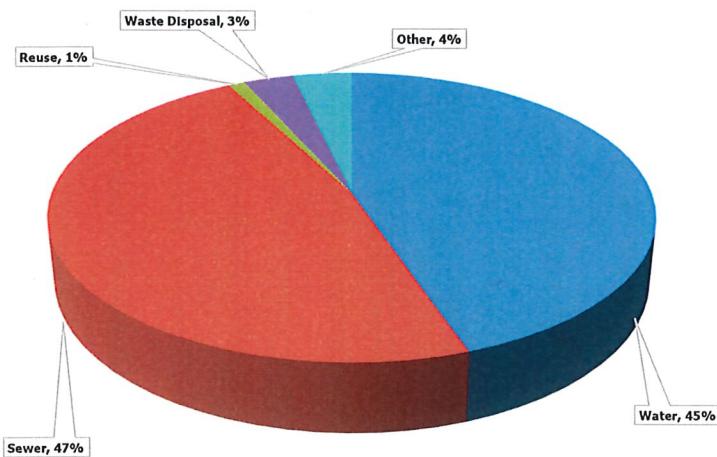
Water Fund	Year to Date		Y-T-D FY2022 Actual	Better or Worse than YTD Budget	Y-T-D FY2021 Actual	Change from YTD FY2021
	Current FY2022 Budget	FY2022 Budget				
Revenues						
Water Sales	\$ 6,665,813	\$ 2,902,295	\$ 2,872,404	\$ (29,891)	\$ 2,916,726	\$ (44,322)
Sewer Sales	5,992,747	2,936,446	3,056,359	119,913	2,931,060	125,299
Reuse Sales	155,021	60,424	65,917	5,493	86,352	(20,435)
Waste Disposal Fees	450,000	209,454	198,163	(11,291)	219,894	(21,731)
Other	442,180	225,512	237,522	12,010	245,178	(7,656)
Total Revenues	\$ 13,705,761	\$ 6,334,131	\$ 6,430,365	\$ 96,234	4,619,940	31,155

Notes:

- Water sales slightly behind YTD budget estimate and still behind last year but seeing increases with dry conditions
- Total fund revenues have made up some ground and are running ahead of YTD budget estimate and ahead of last year

Water Fund Summary

Revenues By Category



- Water Revenues are budgeted at 49.8% of total Water Fund Revenues
- Sewer Revenues are budgeted at 43.7% of total Water Fund Revenues

Water Fund Summary

Overview of Expenses as of March 31, 2022

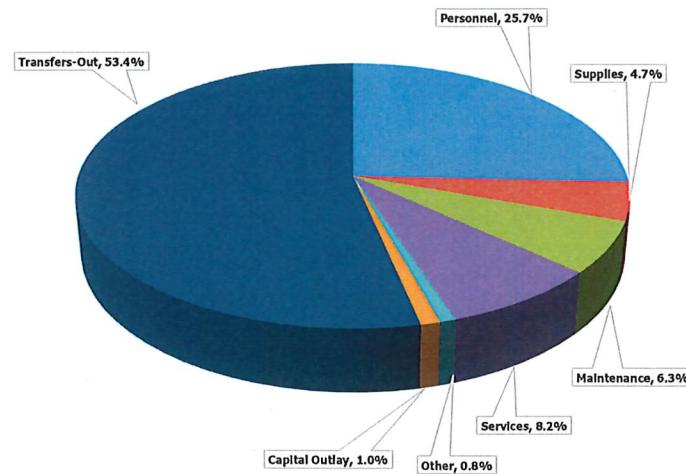
Water Fund	Year to Date		Y-T-D FY2022 Actual	Better or Worse than YTD Budget	Y-T-D FY2021 Actual	Change from YTD FY2021
	Current FY2022 Budget	FY2022 Budget				
Expenses						
Personnel	\$ 3,655,737	\$ 1,864,426	\$ 1,694,701	\$ 169,725	\$ 1,722,343	\$ (27,642)
Supplies	824,367	420,427	312,350	108,077	289,643	22,707
Maintenance	972,357	495,902	413,555	82,347	294,222	119,333
Services	1,088,446	555,108	539,039	16,068	548,031	(8,992)
Other	314,371	160,329	53,395	106,934	197,830	(144,435)
Capital Outlay	125,200	63,852	65,309	(1,457)	96,630	(31,321)
Transfers-Out	6,847,233	3,523,914	3,523,914	-	3,477,966	45,948
Total WF Expenses	\$ 13,827,711	\$ 7,083,958	\$ 6,602,263	\$ 481,695	6,626,666	(24,403)

Notes:

- Better than budget in most categories
 - Large portion of supplies & maintenance is driven by the amount of water produced
 - Supply shortages also contributing factor
- Capital Outlay:
 - Anything new to the water system (meters, taps, lines)
 - Uptick in sale of new meters, which will increase capital outlay expense

Water Fund Summary

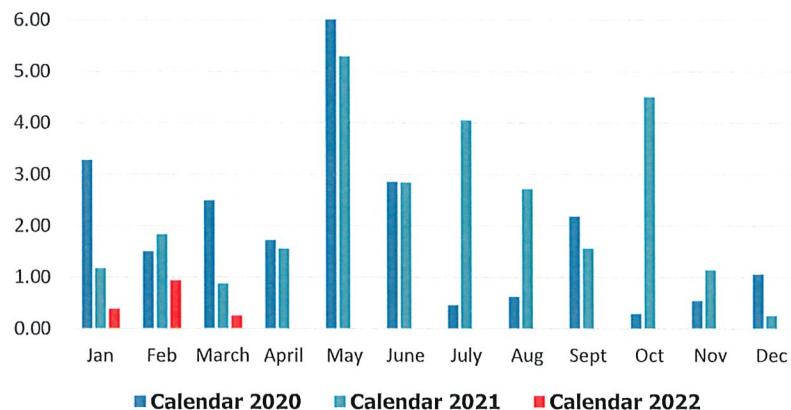
Expenses By Category



- Transfer % is higher than budgeted % due to timing of transfers and the recent budget amendment
- All other categories are closely aligned with budget

Water Fund Summary

Rainfall Totals in Inches



Source: ars.usda.gov

Golf Fund Overview

Overview as of March 31, 2022

Golf Fund	Year to Date		Y-T-D FY2022 Actual	Better or Worse than YTD Budget	Y-T-D FY2021 Actual	Change from YTD FY2021
	Current FY2022 Budget	FY2022 Budget				
Revenues	\$ 1,015,083	\$ 458,165	\$ 489,891	\$ 31,726	\$ 456,972	\$ 32,919
Expenses	1,057,517	511,265	379,600	131,665	431,509	(51,909)
Net	\$ (42,434)	\$ (53,100)	\$ 110,292	\$ 99,939	\$ (25,463)	\$ (84,829)

Notes:

- Golf continues to show growth with revenues ahead of FY2021**
- Region IV High School 3A Boys & Girls tournament being held at our course this month (180 golfers)**
- Supply chain issues making expenses better than budget**

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Development Services Fund

Overview as of March 31, 2022

Development Services Fund	Year to Date		Y-T-D FY2022 Actual	Better or Worse than YTD Budget	Y-T-D FY2021 Actual	Change from YTD FY2021
	Current FY2022 Budget	FY2022 Budget				
Revenues						
Permits & Fees	\$ 888,973	\$ 407,446	\$ 335,214	\$ (72,232)	\$ 233,053	\$ 102,161
Transfer In	147,895	\$ 73,948	73,948	-	136,130	(62,183)
Total Revenue	\$ 1,036,868	\$ 481,393	\$ 409,162	\$ (72,232)	\$ 369,183	\$ 39,978
Expenditures	1,061,068	530,534	464,443	66,091	462,882	(1,561)
Net	\$ (24,200)	\$ (49,140)	\$ (55,281)	\$ (6,140)	\$ (93,698)	\$ 38,417

Notes:

- Revenues from Permits & Fees behind estimated budget-to-date but ahead of last year with kickoff of new projects**
- Expenses better than estimated budget-to-date**

16

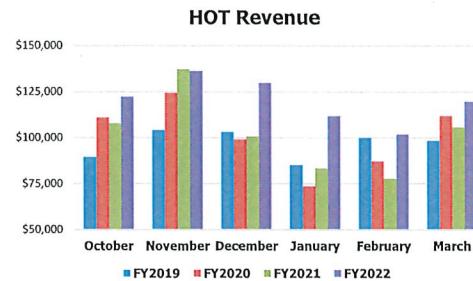
HOT Fund Summary

Overview as of March 31, 2022

Hotel Occupancy Tax Fund	Current		Year to Date	Y-T-D	Better or	Y-T-D	Change
	FY2022	Budget	FY2022	FY2022	Worse than	FY2021	from
Revenues	\$ 1,555,258	\$ 677,943	\$ 725,148	\$ 47,205	\$ 613,477	\$ 111,671	
Expenses	1,605,258	674,208	639,100	35,109	526,388	112,712	
Net	\$ (50,000)	\$ 3,735	\$ 86,048	\$ 12,096	\$ 87,089	\$ (1,041)	

Notes:

- **March revenues = February stays**
- **18% YTD ahead of FY2021**
- **March KSC tournaments: 2**
 - **Tournament teams: 80**

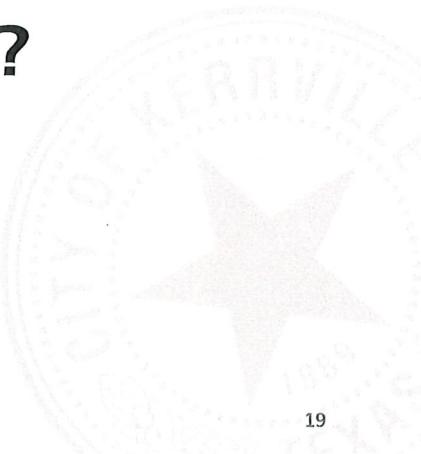


Finance Calendar

- April – Receive preliminary property tax roll from Kerr County Appraisal District (KCAD)
- May – Departments meet with budget committee (Finance Director, Assistant Finance Director, City Manager, & Assistant City Managers)
- **June 16th – Council budget workshop**
- **July 19th – Council budget workshop**
- July 26th (+/-) – Receive certified property tax roll from KCAD
- July 31st – File FY2023 proposed budget with City Secretary
- August 9th – Presentation of FY2023 Official Proposed Budget
 - Resolution to set proposed tax rate for FY2023
- Mid-August – Begin preliminary audit work
- August 23rd – Public Hearing / First Reading – Budget & tax rate
- September 13th – Budget & tax rate – Second Reading
- October 1st – FY2023 begins



Council Questions or Comments?





**TO BE CONSIDERED BY THE
PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**



SUBJECT: Ordinance No. 2022-16, second reading. An ordinance amending Chapter 60, Code of Ordinances, City of Kerrville, Texas; Chapter 60 more commonly known as the City's Zoning Code; by changing the zoning of a property known as 601 Roy Street, which is out of the Cage Survey No. 116, Abstract No. 106, and within the City of Kerrville, Kerr County, Texas; from a Single-Family Residential Zoning District (R-1) to a Light Commercial Zoning District (C-2); and providing other matters relating to the subject.

AGENDA DATE OF: April 26, 2022 **DATE** Apr 14, 2022
SUBMITTED:

SUBMITTED BY: Drew Paxton

EXHIBITS: [20220426_Ord 2022-16 Zone change 601 Roy second reading.pdf](#)

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

SUMMARY STATEMENT:

Proposal: An ordinance to change the zoning from R-1 Single Family Residential District to C-2 Light Commercial District on 1.05 acres of land out of the Cage Survey 116, Abstract 106 Kerr County Texas; and more commonly known as 601 Roy St N, Kerrville, TX 78028.

Procedural Requirements: The City, in accordance with state law, mailed 14 letters on 2/17/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 2/10/2022.

Staff Analysis and Recommendation: Consistency with the Kerrville 2050 Comprehensive Plan: The property and surrounding area are designated as Neighborhood Residential and immediately adjacent is the Strategic Catalyst Area 7, identified as the commercial corridor along Sidney Baker Street.

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: R-2 Single Family District

Existing Land Uses: vacant

Direction: North, South, and East

Current Zoning: C-2 and C-3

Existing Land Uses: commercial

Direction: West

Current Zoning: R-3

Existing Land Uses: Multi-family apartments

Thoroughfare Plan: The property has existing access along a local street near an arterial.

Traffic Impact: To be determined

Parking: To be determined

Recommendation: Based on the current land uses and zoning of adjacent properties, staff supports the request to change the zoning.

On March 3rd, the Planning and Zoning Commission recommended approval with a unanimous vote.

On April 12th, the City Council unanimously approved Ordinance No. 2022-16 on first reading.

RECOMMENDED ACTION:

Approve the Ordinance No. 2022-16, on second reading.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2022-16**

AN ORDINANCE AMENDING CHAPTER 60, CODE OF ORDINANCES, CITY OF KERRVILLE, TEXAS; CHAPTER 60 MORE COMMONLY KNOWN AS THE CITY'S ZONING CODE; BY CHANGING THE ZONING OF A PROPERTY KNOWN AS 601 ROY STREET, WHICH IS OUT OF THE CAGE SURVEY NO. 116, ABSTRACT NO. 106, AND WITHIN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS; FROM A SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT (R-1) TO A LIGHT COMMERCIAL ZONING DISTRICT (C-2); AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT

WHEREAS, pursuant to Texas Local Government Code Sections 211.006 and 211.007, notice has been given to all parties in interest and citizens by publication in the official newspaper for the City of Kerrville, Texas ("City"), and otherwise, of a hearing held before the City Council on April 12, 2022, which considered a report of the City's Planning and Zoning Commission regarding its recommendations on this Ordinance, the adoption of which will result in the change of a zoning district for the property located at 601 Roy Street; such change to result in the removal of the property from a Single-Family Residential Zoning District (R-1) to placement within a Light Commercial Zoning District (C-2); and

WHEREAS, on April 12, 2022, City Council held a public hearing on the zoning change referenced above pursuant to the published notice and has considered the application, comments, reports, and recommendations of the Planning and Zoning Commission and staff, public testimony, and other relevant support materials;

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

SECTION ONE. The Zoning Code, Chapter 60 of the Code of Ordinances of the City of Kerrville, Texas, and the *Official Zoning Map* are hereby amended to designate the following described property zoned as within a Light Commercial Zoning District (C-2):

Legal Description: Being a certain tract of land out of the Cage Survey No. 116, Abstract No. 106, and within the City of Kerrville, Kerr County, Texas; said tract depicted at Exhibit A, attached hereto and made a part hereof for all purposes.

Address: 601 Roy Street, Kerrville, TX 78028.

SECTION TWO. 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 the City's Zoning Code.

SECTION THREE. The provisions of this Ordinance are cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. The terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance is declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION FIVE. Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City's Charter, 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 SIX. This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07 of the City Charter.

PASSED AND APPROVED ON FIRST READING, this the 12 day of April, A.D., 2022.

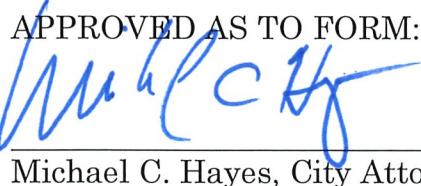
PASSED AND APPROVED ON SECOND AND FINAL READING, this the _____ of _____, A.D., 2022.

ATTEST:

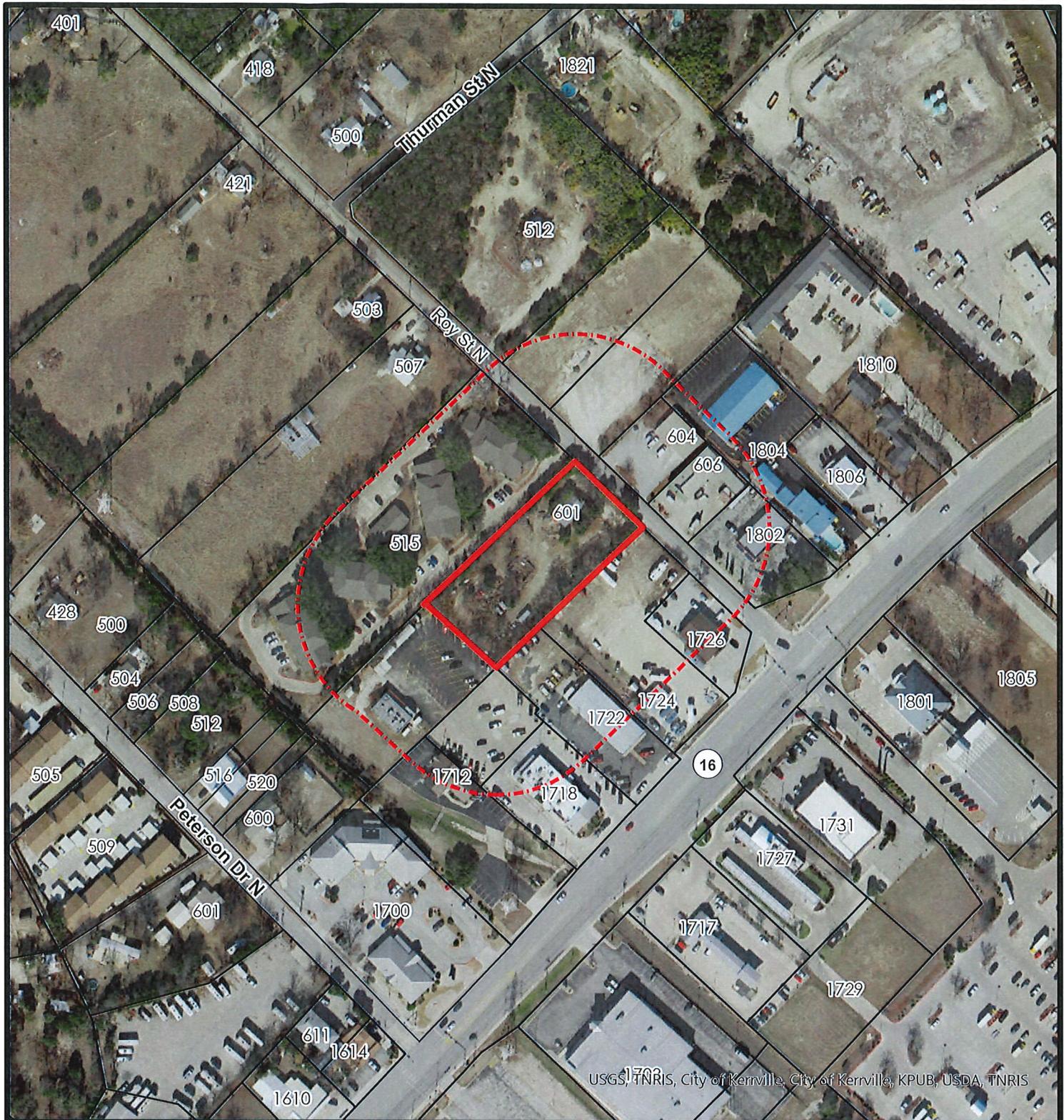
Bill Blackburn, Mayor

Shelley McElhannon, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney



Location Map

Case # PZ-2022-3

Location:
601 Roy Street

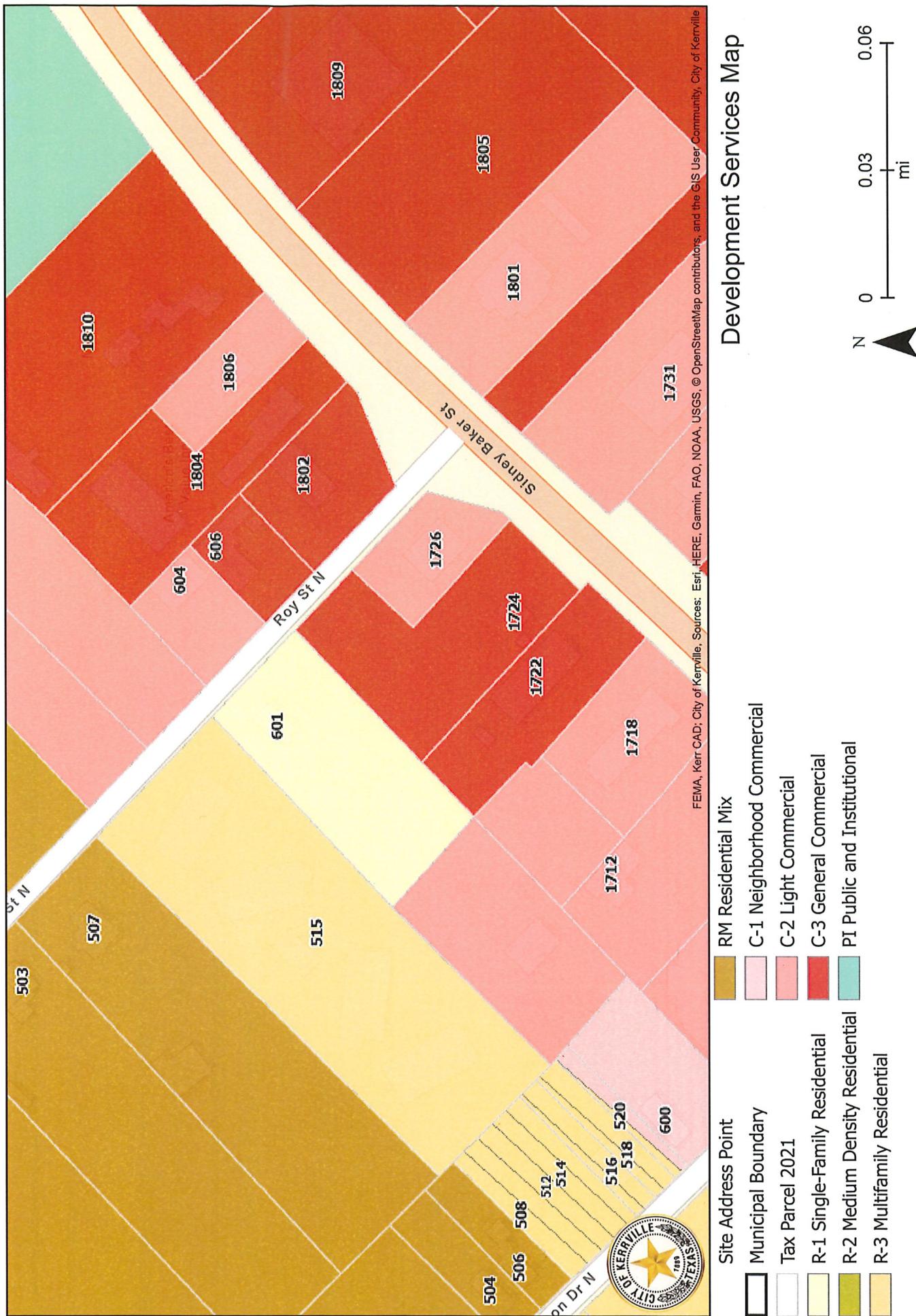
Legend

200' Notification Area
Subject Properties



0 75 150 300

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.



**TO BE CONSIDERED BY THE
PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**



SUBJECT: Ordinance No. 2022-18, second reading. An Ordinance annexing a tract of land into the Corporate Limits of the City of Kerrville, Texas; such property consisting of an approximate .40 acre tract; part of Lot 8, Block 1, of the L.A. Schreiner Valley Subdivision; and more commonly known as 318 Mae Drive; such property more specifically described in this Ordinance and being located within the Extraterritorial Jurisdiction of and adjacent to the City Limits; adopting a service agreement; establishing the zoning for the annexed property as being within a Medium Density Residential Zoning District (R-2); and providing other matters relating to this subject.

AGENDA DATE OF: April 26, 2022 **DATE** Apr 14, 2022
SUBMITTED:

SUBMITTED BY: Drew Paxton

EXHIBITS: [20220426_Ord 2022-18 Annex 318 Mae Drive second reading.pdf](#)

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

SUMMARY STATEMENT:

Proposal: An ordinance to annex into the City of Kerrville's incorporated limits with a zoning classification of R-2 Medium Density Residential District the following parcels: part of Lot 8, Block 1, Valley View; and more commonly known as 318 Mae Drive N, Kerrville, TX 78028.

This property has already been connected to city sewer to mitigate the emergency need for service. The owner agreed to request annexation as a condition of services.

Procedural Requirements: The City, in accordance with state law, mailed 13 letters on 12/21/2021 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 12/16/2021.

Staff Analysis and Recommendation: Consistency with the Kerrville 2050 Comprehensive Plan: The property and surrounding area are designated Neighborhood residential, which includes the primary land use of single family homes. The adjacent properties are zoned

R-2.

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: N/A

Existing Land Uses: single family residential

Direction: North

Current Zoning: N/A (Kerr County)

Existing Land Uses: single family residential

Direction: South, East, and West

Current Zoning: R-2

Existing Land Uses: Single family residential

Thoroughfare Plan: The property has access to a local residential street.

Traffic Impact: No additional impact is anticipated.

Parking: Existing parking to remain, no additional impact anticipated.

Recommendation: Based on the consistency with the Kerrville 2050 Plan and the adjacent properties, staff recommends approval of the ordinance for annexation and recommends the R-2 zoning classification.

On March 3rd, the Planning and Zoning Commission recommended approval with a unanimous vote.

On April 12th, the City Council unanimously approved Ordinance No. 2022-18 on first reading.

RECOMMENDED ACTION:

Approve the Ordinance No. 2022-18, on second reading.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2022-18**

AN ORDINANCE ANNEXING A TRACT OF LAND INTO THE CORPORATE LIMITS OF THE CITY OF KERRVILLE, TEXAS; SUCH PROPERTY CONSISTING OF AN APPROXIMATE 0.40 ACRE TRACT; PART OF LOT 8, BLOCK 1, OF THE L.A. SCHREINER VALLEY SUBDIVISION; AND MORE COMMONLY KNOWN AS 318 MAE DRIVE; SUCH PROPERTY MORE SPECIFICALLY DESCRIBED IN THIS ORDINANCE AND BEING LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF AND ADJACENT TO THE CITY LIMITS; ADOPTING A SERVICE AGREEMENT; ESTABLISHING THE ZONING FOR THE ANNEXED PROPERTY AS BEING WITHIN A MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT (R-2); AND PROVIDING OTHER MATTERS RELATING TO THIS SUBJECT

WHEREAS, the owner of land has requested annexation by the City of Kerrville, Texas (“City”), pursuant to Local Government Code Section 43.0671; and

WHEREAS, the land to be annexed makes up a total of approximately 0.40 acres, as more specifically described below (the “Property”); and

WHEREAS, the Property lies within the extraterritorial jurisdiction of the City and adjacent to the City’s limits; and

WHEREAS, in conjunction with the approval of this Ordinance, City Council also approves a service agreement for the Property in accordance with Section 43.0672 of the Texas Local Government Code; and

WHEREAS, Section 60-37 of the City’s Zoning Code creates procedures for initial zoning of newly annexed areas; and

WHEREAS, having provided all required public notices, held all required public hearings at which persons with an interest in the matter were provided an opportunity to be heard, and complying with other requirements in Section 43.0673 of the Texas Local Government Code, City Council finds it to be in the public interest to adopt this Ordinance annexing the Property into the City’s limits, to approve a service agreement as required by state law, and to establish zoning regulations for the Property;

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

SECTION ONE. FINDINGS. City Council finds and declares the facts and recitations contained in the preamble of this Ordinance true and correct.

SECTION TWO. ANNEXATION. The property described and depicted in **Exhibit A** (the “Property”) is annexed and incorporated into the corporate limits of the City of Kerrville, Texas, for all legal purposes.

SECTION THREE. AMENDMENT TO CITY BOUNDARY. City Council authorizes and directs the City Manager, or designee, to amend the City’s official boundary map in accordance with the annexation taken in Section Two.

SECTION FOUR. PETITION FOR ANNEXATION. The petition for annexation concerning the Property is attached as **Exhibit B** and incorporated herein by reference, said petition, which triggered the process specified in Subchapter C-3, Chapter 43, Texas Local Government Code, authorizing the annexation of the Property.

SECTION FIVE. AGREEMENT REGARDING SERVICES. Pursuant to Section 43.0672 of the Texas Local Government Code, the City has negotiated and hereby enters into a Services Agreement (the “Agreement”) with the owner of land for the provision of services in the area. The Agreement (without exhibits) is attached to this Ordinance as **Exhibit C** and by this reference is incorporated into it. Upon annexation of the Property, the City shall provide the Property with the municipal services set forth in the Agreement pursuant to the schedule set forth therein, such services making up the City’s full municipal services. The City shall have no obligation to provide services to the Property not listed in the Agreement.

SECTION SIX. ZONING. Upon the adoption of this Ordinance, and in accordance with Section 60-37 of the City’s Zoning Code, the Property will be zoned as a Median Density Residential Zoning District (R-2), which will authorize such property to be used in ways consistent with those land uses specified in that district.

SECTION SEVEN. CUMULATIVE CLAUSE. The provisions of this Ordinance are to be cumulative of all Ordinances or parts of Ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION EIGHT. SEVERABILITY CLAUSE. 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 NINE. PENALTY. The penalty for violation of this Ordinance shall be in accordance with the general penalty provisions contained in Article 1-1-7 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 TEN. PUBLICATION OF ORDINANCE. 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 ELEVEN. POST ANNEXATION ACTIONS. The City Manager, or designee, shall provide a certified copy of this Ordinance to the Texas Secretary of State, Kerr County, and Kerr Central Appraisal District and any other entity as may be required.

PASSED AND APPROVED ON FIRST READING, this the 12
day of April A.D., 2022.

PASSED AND APPROVED ON SECOND READING, this the
____ day of _____ A.D., 2022.

Bill Blackburn, Mayor

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "Michael C. Hayes".

Michael C. Hayes, City Attorney

ATTEST:

Shelley McElhannon, City Secretary

EXHIBIT A

Being a 0.40 acre tract or parcel of land situated in Kerrville, Kerr County, Texas; being out of the west portion of Lot No. 8, Block 1, of the L. A. Schreiner Valley View Subdivision, as recorded in Volume 45, Page 75, Deed Records of Kerr County, Texas; being situated in Original Survey No. 653, W. H. Crawford, Abstract No. 123, Kerr County, Texas; being that same property having been conveyed from Margaret Rittiman to Clarence Dean Huddleston and wife, Viola M. Huddleston by a Warranty Deed With Vendor's Lien executed the 6th day of February, 1978, recorded in Volume 205, Page 42, Deed Records of Kerr County, Texas; and being more particularly described by metes and bounds as follows:

BEGINNING at the southwest corner of the herein described tract, a 2-inch dia. galv. pipe fence corner post found in the east line of Mae Drive, a forty (40) foot wide public roadway; said point marking the southwest corner of said Lot 8 and the northwest corner of Lot No. 9, Block 1, having been replatted per Volume 7, Page 47, Plat Records of Kerr County, Texas;

THENCE, with the occupied east right of way line of said Mae Drive, along or near a chainlink fence; N 04°36'18" E, 113.05 feet (record deed: N 02°42' E, 112.72') to a 2-inch dia. galv. pipe fence corner post and N 03°43'44" E, 61.69 feet to a 2-inch dia. galv. pipe fence corner post marking the northwest corner of the herein described tract, the southwest corner of Lot 5, Block 1 in the name of Ronald Lee Lackey, recorded in Volume 1143, Page 399, Real Property Records of Kerr County, Texas;

THENCE, along or near a chainlink fence, with the common line of Lot 8 and Lot 5, Block 1, the south boundary of said Lackey tract; N 81°47'28" E, 75.47 feet (record deed: N 79°44' E, 75.53') to a 1/2" rebar rod found marking the most northerly northeast corner of the herein described tract, the northwest corner of the remainder portion of Lot 8 in the name of Margaret K. Rittiman, recorded in Volume 867, Page 527, Real Property Records;

THENCE, through the interior of Lot No. 8, with the west boundary of said Rittiman tract, along or near a chainlink fence, the following calls:

S 08°12'31" E, 62.62 feet (record deed: S 09°53' E, 62.43') to a 2-inch dia. galv. pipe fence corner post;

N 83°14'00" E, 11.02 feet (record deed: N 81°12' E, 10.79') to 2-inch dia. galv. pipe fence corner post;

S 02°56'48" E, 31.79 feet (record deed: S 05°18' E, 31.90') to a 1/2" rebar rod found;

S 04°22'39" E, 27.49 feet (record deed: S 05°48' E, 27.38') to a 2-inch dia. galv. pipe fence corner post; and

S 02°59'00" E, 60.78 feet (record deed: S 05°04' E, 61.01') to a 2-inch dia. galv. pipe fence corner post found marking the southeast corner of the herein described tract; said point being in the north boundary of said replat of Lot 9, Block 1;

THENCE, along or near a chainlink fence, with the common line of Lot 8 and Lot 9, Block 1; S 87°45'22" W, 114.66 feet (record deed: S 86°00' W, 114.76') to the **POINT OF BEGINNING**, containing 0.40 acre of land within these metes and bounds, a companion document to a plat of survey dated January 7, 2003.

This conveyance is made and accepted SUBJECT TO all restrictions, reservations, easements, rights-of-way, covenants and conditions, if any, affecting the above described property that are valid, existing and properly of record and/or on the ground.

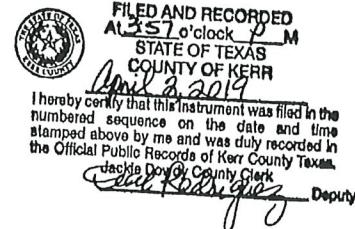


EXHIBIT "A"
Page 2 of 2



Location Map

Case # PZ-2022-6

Location:
318 Mae Drive

Legend

200' Notification Area
Subject Properties



0 50 100 200

Scale In Feet

EXHIBIT B

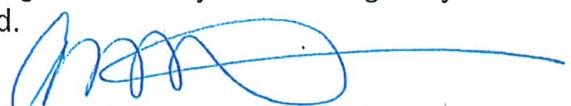
PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

TO THE MAYOR OF THE GOVERNING BODY OF KERRVILLE, TEXAS:

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby [if applicable: waive the requirement to be offered a development agreement pursuant to Section 43.016, and] petition your honorable Body to extend the present city limits so as to include as part of the City of Kerrville, Texas, the following described territory, to wit:

VALLEY VIEW BLOCK 1 LOT 8 PT (see attached)

We certify that the above described tract of land is contiguous and adjacent to the City of Kerrville, Texas, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: 

Signed: 

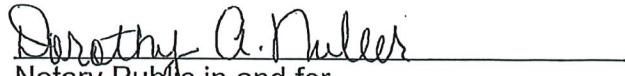
Signed: 

THE STATE OF TEXAS

COUNTY OF KERR

BEFORE ME, the undersigned authority, on this day personally appeared Amy Williams, Jesus Munoz, III, and Jezebel Munoz, known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 17th day of January, 2022,


Dorothy A. Miller
Notary Public in and for
Kerr County, Texas.

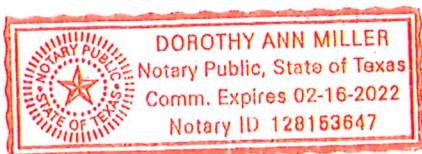


EXHIBIT C

SERVICES AGREEMENT

This Services Agreement (the "Agreement") is entered into between the **CITY OF KERRVILLE, TX**, a Texas Home-Rule Municipal Corporation (the "City") and _____ (the "Owner(s)"). The City and the Owner are collectively referred to as the Parties.

WHEREAS, pursuant to a lawfully submitted petition for annexation from Owner, City intends to institute annexation proceedings for a tract(s) of land described more fully hereinafter (referred to herein as the "Subject Property"); and,

WHEREAS, *Section 43.0672 of the Tex. Loc. Gov't Code* requires a written agreement for the provision of services in the area first be entered into between City and Owner of the Subject Property; and,

WHEREAS, City and Owner agree each will benefit from the City's development restrictions and zoning requirements, as well as other municipal services provided by City which are good and valuable consideration for the Owner to request annexation and for the Parties to enter into this Agreement for City to provide the listed services upon annexation and in accordance with this Agreement; and,

WHEREAS, it is found that the statutory requirements have been satisfied and City is authorized by *Chapter 43, Tex. Loc. Gov't. Code*, to annex the Subject Property into the City;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties hereto agree as follows:

Section 1. Property Description. The legal description of the Subject Property is as set forth in **Exhibit A**, attached hereto and incorporated herein.

Section 2. Services. City will provide the services listed and specified in **Exhibit B**, attached hereto and incorporated herein, for the Subject Property on the effective date of annexation of the Subject Property.

Section 3. Owner's Obligations. Owner shall not file for approval a subdivision plat, site plan, or related development document with City for the Subject Property or portion thereof; or construct, or allow to be constructed, any building or structure on the Subject Property or portion thereof until City has approved and adopted the ordinance annexing such property.

Section 4. Term. The term of this Agreement (the "Term") is ten (10) years from the Effective Date.

Section 5. Vested Rights Claims. This Agreement is not a permit for the purposes of Chapter 245, Texas Local Government Code.

Section 6. Authorization. All parties and officers signing this Agreement warrant to be duly authorized to execute this Agreement.

Section 7. Covenant Running with the Land. This Agreement shall run with the Subject Property, and this Agreement may be recorded in the Official Public Records of Kerr County, Texas. Owner and City acknowledge and agree that this Agreement is binding upon City and Owner and their respective successors, executors, heirs, and assigns, as applicable, for the term of this Agreement.

Section 8. Severability. If any provision of this Agreement is held by a court of competent and final jurisdiction to be invalid or unenforceable for any reason, then the remainder of the Agreement shall be deemed to be valid and enforceable as if the invalid portion had not been included.

Section 9. Amendment and Modifications. This Agreement may be amended or modified only in a written instrument that is executed by both City and Owner after it has been authorized by the City Council.

Section 10. Gender, Number, and Headings. Words of any gender used in this Agreement shall be held and construed to include any other gender, and words in the singular number shall be held to include the plural, unless the context otherwise requires. The headings and section numbers are for convenience only and shall not be considered in interpreting or construing this Agreement.

Section 11. Governmental Immunity; Defenses. Nothing in this Agreement shall be deemed to waive, modify, or amend any legal defense available at law or in equity to either City or Owner, including governmental immunity, nor to create any legal rights or claims on behalf of any third party.

Section 12. Enforcement; Waiver. This Agreement may be enforced by Owner or the City by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter.

Section 13. Effect of Future Laws. No subsequent change in the law regarding annexation shall affect the enforceability of this Agreement.

Section 14. Venue and Applicable Law. Venue for this Agreement shall be in Kerr County, Texas. This Agreement shall be construed under and in accordance with the laws of the State of Texas.

Section 15. Counterparts. This Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and same instrument.

Section 16. Effective Date. This Agreement shall be in full force and effect as of the date of approval of this Agreement by the City Council, from and after its execution by the parties.

Section 17. Sections to Survive Termination. This Agreement shall survive its termination to the extent necessary for the implementation of the provisions related to water service to the Subject Property by the City.

EXECUTED this _____ day of _____, 2022

OWNER(s) (Entity Name)

(printed name).

,,
(title)

STATE OF TEXAS
COUNTY OF KERR

This instrument was acknowledged before me on the _____ day of
_____, 2022, by _____, the _____, of

Notary Public, State of Texas

CITY OF KERRVILLE, TX

E.A. Hoppe, City Manager

This instrument was acknowledged before me on the _____ day of _____, 2022, by E.A. Hoppe, City Manager, City of Kerrville, Texas.

Notary Public, State of Texas

Upon Recording, Return to:
City of Kerrville, Texas
City Secretary
City Hall, 701 Main Street
Kerrville, Texas 78028

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

EXHIBIT B
ANNEXATION SERVICE PLAN

- I. INTRODUCTION:** This Service Plan for the extension of municipal services to the area to be annexed was developed in accordance with state law. Municipal facilities and services to the annexed area will be provided or made available on behalf of the City of Kerrville, Texas (“City”) at the levels and schedule specified below.
- II. UNIFORM LEVEL OF SERVICES:** The City shall provide services by any of the methods by which it extends the services to any other area of the municipality, based upon differing characteristics of topography, land use, and population density, which may be considered a sufficient basis for providing differing levels of service.
- III. SPECIFIC FINDINGS:** City Council finds and determines that this Service Plan, as provided below, will provide full municipal services to the annexed area both adequate to serve the annexed area and commensurate with the levels of services provided in other parts of the City with the same or similar topography, land use, and population density, and it will not provide a lower level of service in the annexed area than were in existence at the time immediately preceding the effective date of annexation.

SERVICE	DETAILS OF SERVICE PROVIDED	TIMETABLE
Code Enforcement	The provisions of Code Enforcement services, including the application and enforcement of building, electrical, plumbing, and other related code requirements adopted by the City shall be made immediately to the area upon annexation. The adoption of zoning plan shall be in accordance with the procedures of the City's Zoning Code.	Immediately following annexation, zoning to be concurrent with annexation
Fire Protection and Emergency Medical Services (EMS)	Fire protection and emergency medical services will be provided to the annexed area. The City will serve the annexed area from existing fire stations closest to the area of annexation. Emergency dispatch assignment of Fire Services resources to the annexed area would be the same as currently provided in areas of similar land use and population within the City.	Immediately following annexation

SERVICE	DETAILS OF SERVICE PROVIDED	TIMETABLE
Fire Prevention	The services of the City's Fire Marshall shall be provided to the area.	Immediately following annexation.
Library	Residents of the area, if any, will continue to be entitled to utilize the City's Library facilities.	Immediately following annexation.
Parks and Recreation Facilities	The City will maintain park and recreation facilities located within the annexed area, if any, on the effective date of annexation on the same basis and at the same level as similar facilities are maintained throughout the City.	Immediately following annexation
Police Protection	Police Services will provide protection and law enforcement services to the annexed area. The level of service will be at the same level as currently provided in areas of similar land use and population within the City. These services include the following: 1) regular patrol of the area, 2) handling of complaints and incidents, 3) traffic enforcement, and 4) special units, such as criminal investigations, narcotics, crime prevention, neighborhood services, and special weapons and tactics.	Immediately following annexation
Maintenance of Existing Roads & Streets	<p>The City's Public Works Department will maintain existing roads and streets, drainage, and regulatory signs on the effective date of annexation. The same basis and level of services currently provided throughout the City will be adhered to as follows:</p> <ol style="list-style-type: none"> 1. Emergency maintenance of streets to include repair of hazardous potholes, ice and snow monitoring of major thoroughfares necessary for traffic flow. 	Immediately following annexation

SERVICE	DETAILS OF SERVICE PROVIDED	TIMETABLE
	<p>2. Routine maintenance of public streets and rights-of-way performed within the City.</p> <p>3. Street sweeping services may occur based upon need and funding.</p> <p>4. Installation and maintenance of traffic signs, street markings, and other traffic control devices as the need is established by appropriate study and traffic standards. Private streets, including ingress/egress easements, access easements, common areas, common driveways and anything else which has not been specifically dedicated and accepted as public right-of-way, will not be maintained by the City. Public streets will be included in the City's preventive maintenance program. Preventive maintenance projects are prioritized and scheduled based on a variety of factors, including surface condition, transversibility, age, traffic volume, density of dwellings per block, adjacent street conditions and available funding. Any necessary rehabilitation or reconstruction will be considered on a citywide priority basis.</p>	
Solid Waste Collection	Solid Waste collection to the annexed area will be provided on the same basis and at the same level as provided throughout the City, in accordance with applicable law.	Immediately following annexation
Traffic Engineering	Traffic control devices and street markers shall be installed where deemed necessary by the city street department, except as provided by the Texas Department of Transportation.	Immediately following annexation

SERVICE	DETAILS OF SERVICE PROVIDED	TIMETABLE
Water Service	<p>The City will provide for the maintenance of City-owned public water lines within the annexed area provided that the area is within the City's Certificate of Convenience and Necessity area as determined by the Texas Commission on Environmental Quality (TCEQ) beginning on the effective date of the annexation. Water service is provided at the same level as currently provided in areas of similar topography, land use, and population within the City. The City's policy that water extensions are the responsibility of the developer of property will be applied in this area.</p>	As the property develops
Wastewater Service	<p>The City will provide for the maintenance of sanitary sewer lines within the annexed area provided that the area is within the City's Certificate of Convenience and Necessity area as determined by the Texas Commission on Environmental Quality (TCEQ) beginning on the effective date of the annexation. Sanitary sewer service is provided at the same level as currently provided in areas of similar topography, land use, and population within the City. The City's policy that sanitary sewer extensions are the responsibility of the developer of property will be applied to this area. Maintenance of all parts of the sewer system will begin as those parts are put into service. The sewer system will be maintained with the same frequency and level of effort as comparable parts of the system in other parts of the City.</p>	As the property develops

SERVICE	DETAILS OF SERVICE PROVIDED	TIMETABLE
Provision for Other City Services	<p>Other City services that may be provided by the City such as planning, inspection, animal control, municipal court, and general administration will be made available on the same basis and at the same level as provided throughout the City.</p>	<p>Immediately following annexation</p>



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

SUBJECT: Ordinance No. 2022-19, second reading. An Ordinance deleting Article II "Joint Airport Board" of Chapter 22, "Aviation", of the Code of Ordinances of the City of Kerrville, Texas, as it is unnecessary to the continued existence and operation of such board; containing a cumulative clause; containing a savings and severability clause; and providing other matters relating to this subject.

AGENDA DATE OF: April 26, 2022 **DATE SUBMITTED:** Apr 14, 2022

SUBMITTED BY: Mike Hayes

EXHIBITS: [20220426_Ord 2022-19 Joint Airport Board amendment second reading.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?	No
Key Priority Area	N/A
Guiding Principle	N/A
Action Item	N/A

SUMMARY STATEMENT:

Ordinance No. 2022-19, if adopted, will delete Article II, Chapter 22 of the City's Code of Ordinances ("Code"). This article sets out the Airport's Joint Airport Board ("Board"). Article II isn't necessary for inclusion within the Code as the City has, and has had, an ongoing Interlocal Agreement with the County that sets out the Board. The City and County have had such an agreement in place since 2004. Because the Board is an entity of both the City and County, is created by and subject to both parties, and has changed more than once since its inception, the Agreement and Article II may conflict. As Article II is no longer necessary, the City Attorney recommends that Council delete it.

On April 12th, City Council unanimously approved Ordinance No. 2022-19 on first reading.

RECOMMENDED ACTION:

Approve Ordinance No. 2022-19, on second reading.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2022-19**

AN ORDINANCE DELETING ARTICLE II “JOINT AIRPORT BOARD” OF CHAPTER 22, “AVIATION”, OF THE CODE OF ORDINANCES OF THE CITY OF KERRVILLE, TEXAS, AS IT IS UNNECESSARY TO THE CONTINUED EXISTENCE AND OPERATION OF SUCH BOARD; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING OTHER MATTERS RELATING TO THIS SUBJECT

WHEREAS, the City of Kerrville, Texas (“City”), and Kerr County, Texas (“County”) jointly own the Kerrville/Kerr County Airport, sometimes referred to as Louis Schreiner Field (“Airport”); and

WHEREAS, for over 50 years, the City and County have jointly managed the Airport under Chapter 22 of the Texas Transportation Code, and continue to do so by virtue of the *Restated Interlocal Agreement for the Continued Existence of a Joint Airport Board to Provide Management of Kerrville/Kerr County Airport*, which was adopted by the City and County on or about May 21, 2021 (the “Agreement”); and

WHEREAS, the Agreement, like the others before it, sets out the authority, power, and duties of the Joint Airport Board (“Board”), which members are appointed by both the City and the County; and

WHEREAS, Chapter 22, Article II of the City’s Code of Ordinances, titled “Joint Airport Board” (“Article II”), provides for the creation, duties, and composition, among other attributes, of the board; and

WHEREAS, based upon the Airport’s joint ownership, the Agreement, and for clarity, efficiency, and to avoid confusion and conflict between the Agreement and Article II, the City Attorney recommends that City Council delete Article II from the Code of Ordinances, as it is unnecessary to the continued existence or operation of the Joint Airport Board; and

WHEREAS, deleting Article II will have no effect on the Agreement or the way the City and County jointly own or operate the Airport; and

WHEREAS, City Council finds it to be in the public interest to delete Article II of Chapter 22 from the City’s Code of Ordinances;

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

SECTION ONE. Article II “Joint Airport Board” of Chapter 22, “Aviation”, of the Code of Ordinances of the City of Kerrville, Texas, is deleted.

SECTION TWO. The City Secretary is authorized and directed to submit this amendment to the publisher of the City's Code of Ordinances and the publisher is authorized to amend said Code to reflect the amendment adopted herein and to correct typographical errors and to index, format, and number and letter paragraphs to the existing Code as appropriate.

SECTION THREE. 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, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. 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 one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

PASSED AND APPROVED ON FIRST READING, this the 12 day of April, A.D., 2022.

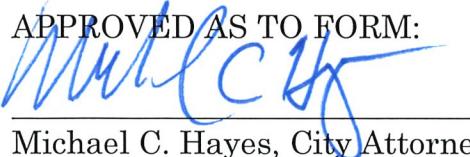
PASSED AND APPROVED ON SECOND AND FINAL READING, this the _____ day of _____, A.D., 2022.

ATTEST:

Bill Blackburn, Mayor

Shelley McElhannon, City Secretary

APPROVED AS TO FORM:


Michael C. Hayes, City Attorney



**TO BE CONSIDERED BY THE
PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**



SUBJECT: Ordinance No. 2022-17, second reading. An Ordinance amending Chapter 60, Code of Ordinances, City of Kerrville, Texas; Chapter 60 more commonly known as the City's Zoning Code; by changing the zoning of a property generally located northeast of the intersection of Loop 534 (Veterans Highway) and Landfill Road N., comprising of 17.803 acres out of the Samuel L. Wallace Survey No. 112, Abstract No. 360; and within the City of Kerrville, Kerr County, Texas; from a Light Commercial Zoning District (C-2) to a General Commercial Zoning District (C-3); and providing other matters relating to the subject.

AGENDA DATE OF: April 26, 2022

DATE

Apr 14, 2022

SUBMITTED:

SUBMITTED BY: Drew Paxton

EXHIBITS: [20220426_Ord 2022-17 Zone change Loop 534 second reading.pdf](#)

Kerrville 2050 Item? No

Key Priority Area N/A

Guiding Principle N/A

Action Item N/A

SUMMARY STATEMENT:

Proposal: An ordinance to change the zoning from C-2 Light Commercial District to C-3 General Commercial District on 17.803 acres of land out of Sam L. Wallace Survey No. 112, Abstract 360 Kerr County, Texas; and generally located at the north east corner of Loop 534 and Landfill Road.

Procedural Requirements: The City, in accordance with state law, mailed 15 letters on 2/17/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 2/10/2022.

Staff Analysis and Recommendation: Consistency with the Kerrville 2050 Comprehensive Plan: The property and surrounding area are included in the Strategic Catalyst Area 8, defined as the area around Loop 534, Tivy High School, and Hal Peterson Middle School. Appropriate land uses include community commercial. The request is consistent with the catalyst area goals and the Kerrville 2050 Plan.

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: C-2

Existing Land Uses: vacant

Direction: North

Current Zoning: R-1

Existing Land Uses: Existing single family homes

Direction: South

Current Zoning: Mixed Use and R-1 (across Loop 534)

Existing Land Uses: vacant and single family homes

Direction: East

Current Zoning: PI

Existing Land Uses: City Landfill

Direction: West

Current Zoning: C-2

Existing Land Uses: vacant

Thoroughfare Plan: The property is located along a major arterial, Loop 534

Traffic Impact: To be determined

Parking: To be determined

Recommendation: Based on the consistency with the Kerrville 2050 Plan, staff recommends the case for approval.

On March 3rd, the Planning and Zoning Commission recommended approval with a unanimous vote.

On April 12th, the City Council unanimously approved Ordinance No. 2022-17 on first reading.

RECOMMENDED ACTION:

Approve Ordinance No. 2022-17, on second reading.

CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2022-17

AN ORDINANCE AMENDING CHAPTER 60, CODE OF ORDINANCES, CITY OF KERRVILLE, TEXAS; CHAPTER 60 MORE COMMONLY KNOWN AS THE CITY'S ZONING CODE; BY CHANGING THE ZONING OF A PROPERTY GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF LOOP 534 (VETERANS HIGHWAY) AND LANDFILL ROAD N.; COMPRISING 17.803 ACRES OUT OF THE SAMUEL L. WALLACE SURVEY NO. 112, ABSTRACT NO. 360; AND WITHIN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS; FROM A LIGHT COMMERCIAL ZONING DISTRICT (C-2) TO A GENERAL COMMERCIAL ZONING DISTRICT (C-3); AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT

WHEREAS, pursuant to Texas Local Government Code Sections 211.006 and 211.007, notice has been given to all parties in interest and citizens by publication in the official newspaper for the City of Kerrville, Texas ("City"), and otherwise, of a hearing held before the City Council on April 12, 2022, which considered a report of the City's Planning and Zoning Commission regarding its recommendations on an ordinance, the adoption of which will result in the change of a zoning district for a property generally located northeast of the intersection of Loop 534 (Veterans Highway) and Landfill Road N. and comprising approximately 17.803 acres; such change to result in the removal of the property from a Light Commercial Zoning District (C-2) to placement within a General Commercial Zoning District (C-3); and

WHEREAS, on April 12, 2022, City Council held a public hearing on the zoning change referenced above pursuant to the published notice and has considered the application, comments, reports, and recommendations of the Planning and Zoning Commission and staff, public testimony, and other relevant support materials;

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

SECTION ONE. The Zoning Code, Chapter 60 of the Code of Ordinances of the City of Kerrville, Texas, and the *Official Zoning Map* are hereby amended to designate the following described property zoned as within a General Commercial Zoning District (C-3):

Legal Description: Being a certain tract of land, comprising approximately 17.803 acres out of the Samuel L. Wallace Survey No. 112, Abstract No. 360, within the City of Kerrville, Kerr County, Texas; said

tract being more particularly described and depicted at Exhibit A, attached hereto and made a part hereof for all purposes.

General Location: The property northeast of the intersection of Loop 534 (Veterans Highway) and Landfill Road N.

SECTION TWO. 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 the City's Zoning Code.

SECTION THREE. The provisions of this Ordinance are cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. The terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance is declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION FIVE. Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City's Charter, 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 SIX. This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07 of the City Charter.

PASSED AND APPROVED ON FIRST READING, this the 12 day of April, A.D., 2022.

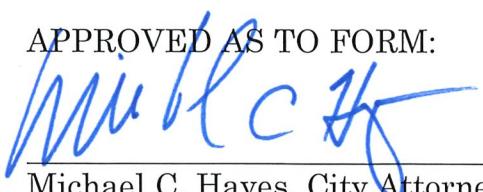
PASSED AND APPROVED ON SECOND AND FINAL READING, this the _____ of _____, A.D., 2022.

Bill Blackburn, Mayor

ATTEST:

Shelley McElhannon, City Secretary

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read "Michael C. Hayes".

Michael C. Hayes, City Attorney



Location Map

Case # PZ-2022-4

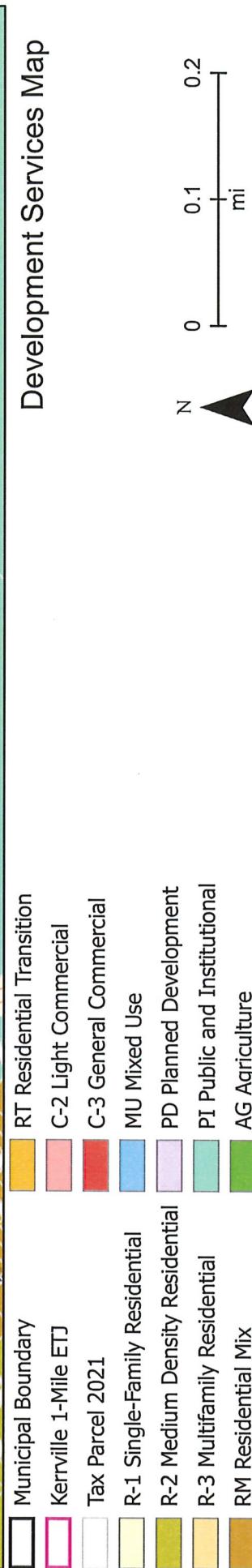
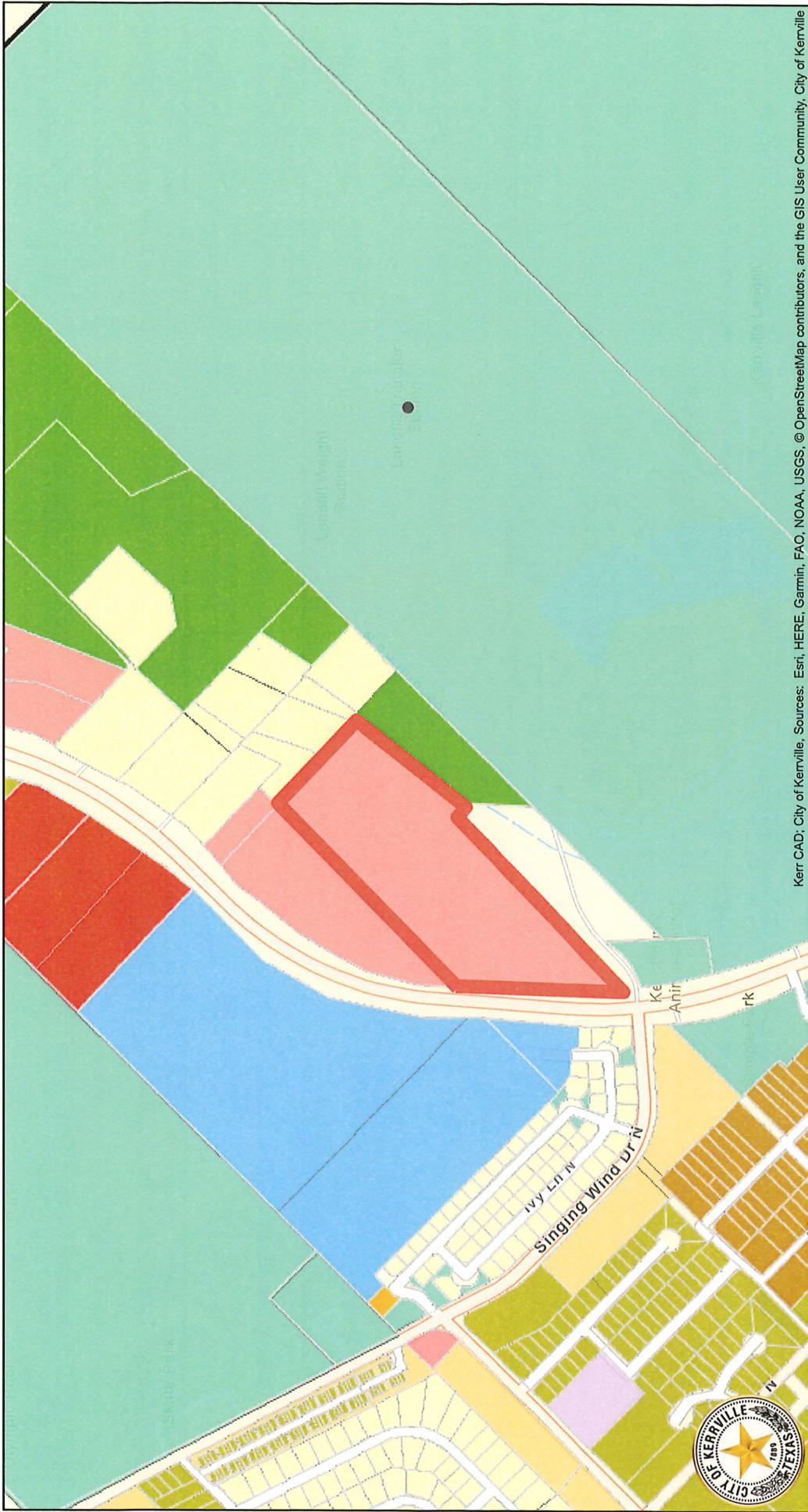
Location:
534 Industrial Park

Legend
200' Notification Area
Subject Properties



0 150 300 600

Scale In Feet





**TO BE CONSIDERED BY THE
PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**



SUBJECT: Resolution No. 18-2022. A Resolution granting a Conditional Use Permit to authorize an Automobile Service and Repair, Major, as that use is defined within the Zoning Code (Chapter 60, Code of Ordinances) of the City of Kerrville, Texas; on property generally located northeast of the intersection of State Loop 534 and Landfill Road N; and comprising an approximate 3 acre tract of land out of the Sam L. Wallace No. 112, Abstract No. 360; said property is located within a General Commercial Zoning District (C-3); and making said permit subject to certain condition and restrictions.

AGENDA DATE OF: April 26, 2022 **DATE** Apr 14, 2022
SUBMITTED:

SUBMITTED BY: Drew Paxton

EXHIBITS: [20220426_Reso 18-2022 CUP Loop 534 Auto Shop.pdf](#)

Kerrville 2050 Item? No

Key Priority Area N/A

Guiding Principle N/A

Action Item N/A

SUMMARY STATEMENT:

Proposal: A resolution to allow a Conditional Use Permit for an Automobile Service and Repair, Major on parts of future Lot 8, 534 Industrial Park subdivision, a tract of land containing approximately 3 acres out of a 17.803 acres tract of land out of Sam L. Wallace Survey No. 112, Abstract 360 Kerr County, Texas; and generally located at the north east corner of Loop 534 and Landfill Road.

Procedural Requirements: The City, in accordance with state law, mailed 10 letters on 2/17/2022 to adjacent property owners. The City published a similar notice in the Kerrville Daily Times on 12/10/2021.

Staff Analysis and Recommendation: Consistency with the Kerrville 2050 Comprehensive Plan: The property and surrounding area are included in the Strategic Catalyst Area 8, defined as the area around Loop 534, Tivy High School, and Hal Peterson Middle School. Appropriate land uses include community commercial. Based on the parallel zone change request, the CUP is consistent with the Kerrville 2050 Plan.

The Conditional Use Permit is required for this automotive shop due to the proximity of the 100 year flood plain. In the C-3 zoning district, major automotive service shops are permitted by right, however, when this use is within 500 feet of the 100 year flood plain, a CUP is required. Automotive shops are required to follow several additional requirements for the use of the property. These include:

- a. All maintenance shall be performed entirely within the bays of any maintenance facility.
- b. No outdoor storage of vehicle parts or supplies, including tires and petroleum products shall be permitted

Based on the supplemental requirements for the shop, the overall development plan, drainage plan, the development should easily mitigate any pollution concerns to the adjacent flood plain.

Adjacent Zoning and Land Uses:

Subject Property

Current Zoning: C-2

Existing Land Uses: vacant

Direction: North

Current Zoning: R-1

Existing Land Uses: Existing single family homes

Direction: South

Current Zoning: Mixed Use and R-1 (across Loop 534)

Existing Land Uses: vacant and single family homes

Direction: East

Current Zoning: PI

Existing Land Uses: City Landfill

Direction: West

Current Zoning: C-2

Existing Land Uses: vacant

Thoroughfare Plan: The property is located along a major arterial, Loop 534

Traffic Impact: To be determined

Parking: To be determined

Recommendation: Based on the consistency with the Kerrville 2050 Plan, staff recommends the CUP for approval.

RECOMMENDED ACTION:

Approve Resolution No. 18-2022.

CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 18-2022

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO AUTHORIZE AN AUTOMOBILE SERVICE AND REPAIR, MAJOR, AS THAT USE IS DEFINED WITHIN THE ZONING CODE (CHAPTER 60, CODE OF ORDINANCES) OF THE CITY OF KERRVILLE, TEXAS; ON PROPERTY GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF STATE LOOP 534 AND LANDFILL ROAD N.; AND COMPRISING AN APPROXIMATE 3 ACRE TRACT OF LAND OUT OF THE SAM L. WALLACE NO. 112, ABSTRACT NO. 360; SAID PROPERTY IS LOCATED WITHIN A GENERAL COMMERCIAL ZONING DISTRICT (C-3); AND MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS

WHEREAS, the owner of the property depicted in the location map in **Exhibit A** (the “Property”), being attached hereto and made a part hereof for all purposes, is requesting approval of a Conditional Use Permit (“CUP”) to allow the Property located within a General Commercial Zoning District (C-3) to be used for an automobile service and repair, major, as that term is defined in Section 60-17 of the City’s Code of Ordinances; and

WHEREAS, an automobile service and repair, major is normally authorized “by right” within a General Commercial Zoning District (C-3); however, where such use will be located within 500 feet of the 100-year flood plain, such use must be authorized through the granting of a CUP by City Council; and

WHEREAS, the City Planning and Zoning Commission (the “Commission”), in compliance with state law and the Zoning Code of the City of Kerrville, Texas (Chapter 60, Code of Ordinances) (“Zoning Code”), and in particular, the procedures for obtaining a CUP; having given the requisite notices by United States mail, publication, and otherwise; and after holding a public hearing and affording a full and fair hearing to all property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, has recommended that City Council grant the CUP applied for and referenced herein, subject to the special conditions and restrictions set out hereinafter and applied to the Property; and

WHEREAS, City Council, in compliance with state law and the Zoning Code, and likewise having given the requisite notices and holding a public hearing on April 26, 2022, finds that the health, safety, and general welfare will be best served by the granting of the CUP as recommended by the Commission and referenced herein on the Property;

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

SECTION ONE. A Conditional Use Permit is granted to permit the Property described as follows, and located within a General Commercial Zoning District (C-3),

to be developed and used for an automobile service and repair, major as that term is defined in and pursuant to the City's Zoning Code (Chapter 60, Article XI), and such use is subject to the provisions of this Resolution and other City ordinances and regulations:

Legal Description: Being property lying and being situated within the City of Kerrville, Kerr County, Texas, and being an approximate 3.0 acre tract out of the Sam L. Wallace Survey No. 112, Abstract No. 360; and being depicted on the location map at **Exhibit A**.

General Description: Northeast of the intersection of State Loop 534 and Landfill Road N.

SECTION TWO. In addition to the development and use regulations currently applicable to the Property, development and use of the Property is subject to the following additional conditions:

- A. **Site Plan:** The development shall be consistent with the proposed site plan for the automobile service and repair, major such site plan attached as **Exhibit B**.
- B. **Interior Maintenance Only:** All maintenance shall be performed within the interior bays of the maintenance facility.
- C. **Outdoor Storage:** The outdoor storage of vehicle parts or supplies, including tires and petroleum products, is prohibited.
- D. **Other Zoning Regulations:** The regulations set forth in this Resolution are in addition to those set forth in the Zoning Code, as may be amended or superseded. In the event of any irreconcilable conflict between this Resolution and the regulations set forth in the Zoning Code, the provisions of this Resolution will prevail.

SECTION THREE. This Resolution and CUP granted herein is subject to termination in accordance with the Zoning Code.

SECTION FOUR. City Council finds and determines that its adoption of this Resolution promotes the health, safety, and general welfare of the public and is a proper valid exercise of the City's police powers.

SECTION FIVE. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION SIX. This Resolution is effective upon adoption.

PASSED AND APPROVED ON this the _____ day of _____, A.D.,
2022.

Bill Blackburn, Mayor

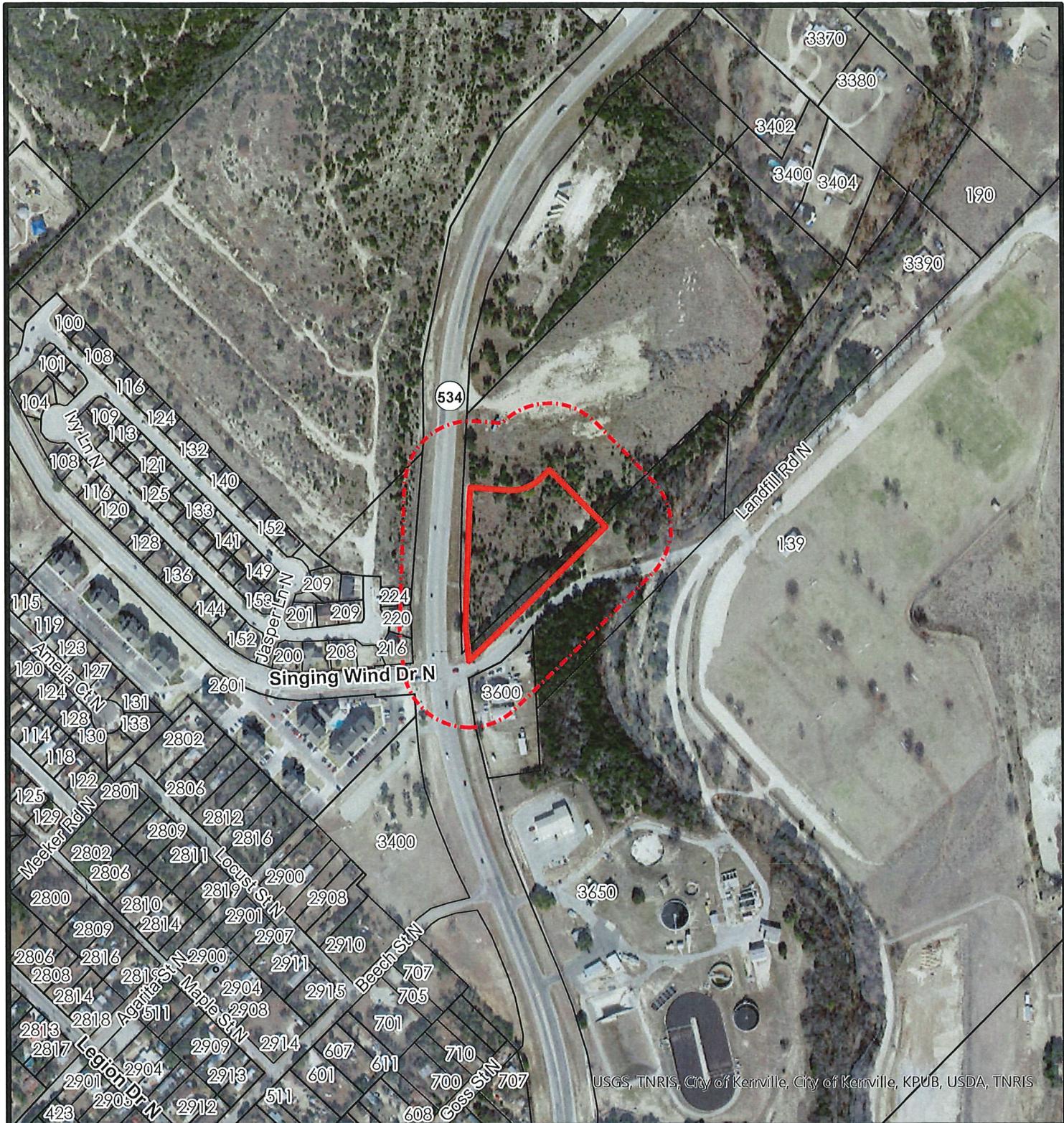
APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

ATTEST:

Shelley McElhannon, City Secretary



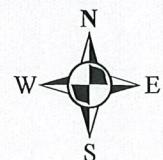
Location Map

Case # PZ-2022-5

Location:
Lot 8 of 534 Industrial Park

Legend

200' Notification Area Subject Properties

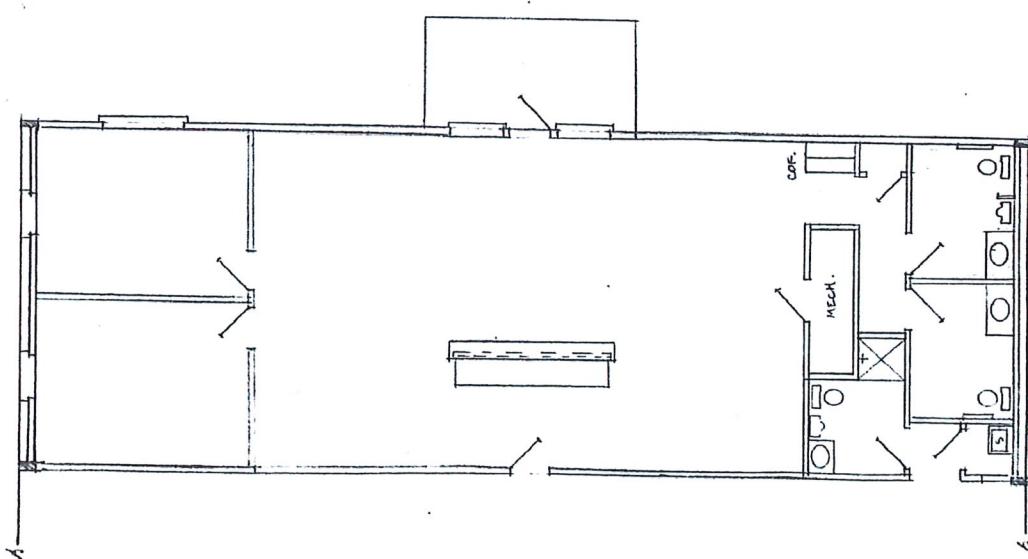
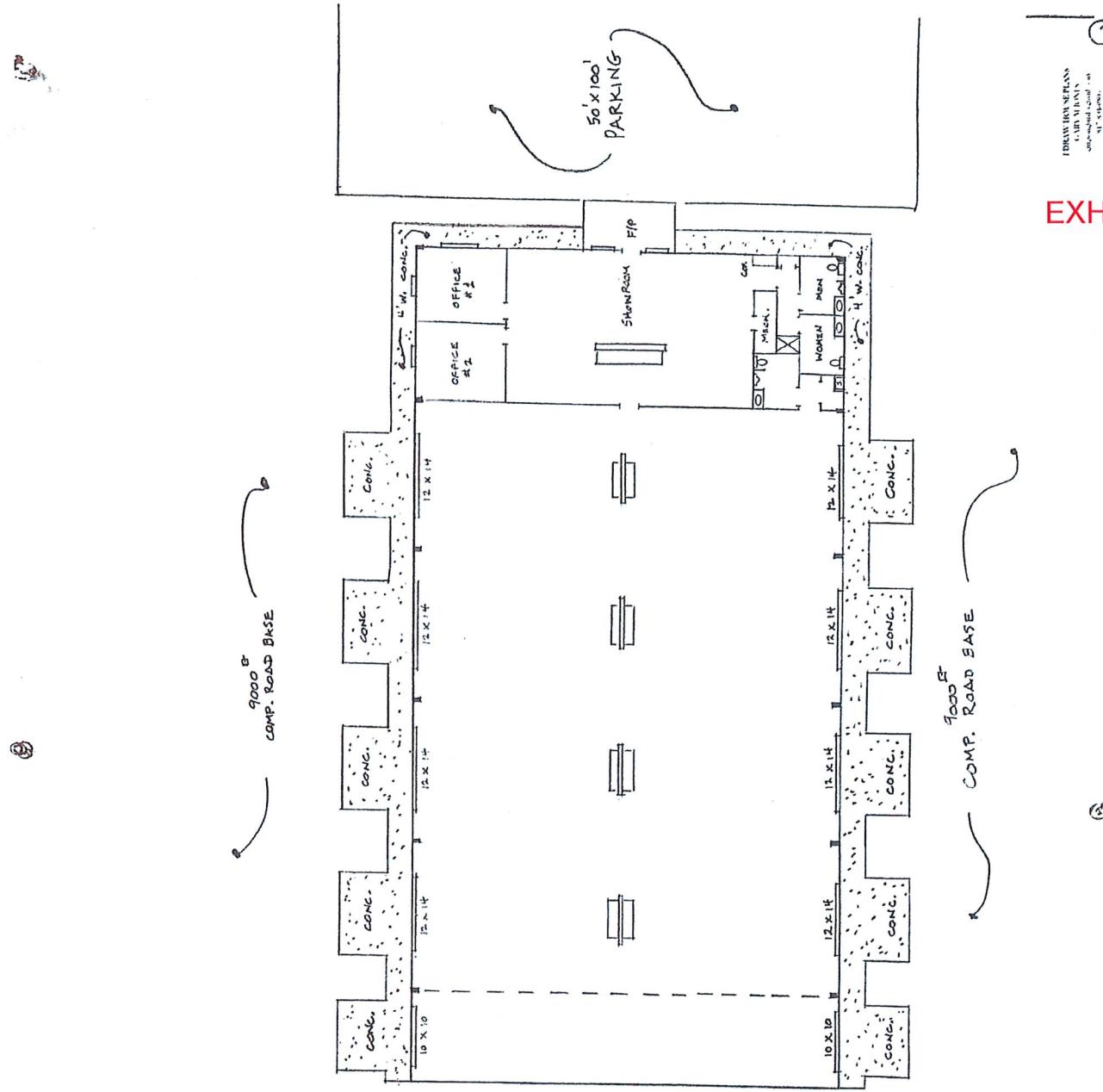


0 150 300 600

Scale In Feet

EXHIBIT B

DRAWING PLANS





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

SUBJECT: Resolution No. 19-2022. A Resolution adopting the updated Kerrville Parks Recreation and Open Spaces Master Plan.

AGENDA DATE OF: April 26, 2022 **DATE SUBMITTED:** Apr 14, 2022

SUBMITTED BY: Ashlea Boyle

EXHIBITS: [20220426_Reso 19-2022 Parks-Recreation Master Plan.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
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PAYMENT TO BE MADE TO:

Kerrville 2050 Item?	Yes
Key Priority Area	P - Parks / Open Space / River Corridor
Guiding Principle	P4. Update the Parks Master Plan, other applicable codes and ordinances and capital planning and funding priorities to support Kerrville 2050
Action Item	P4.1 - Develop a new Parks Master Plan that rethinks parks, recognizing their social, recreational, ecological and public health benefits

SUMMARY STATEMENT:

City leadership and the Parks and Recreation Advisory Board (PRAB) began updating the Parks and Recreation Master Plan in spring of 2021. The update stemmed from the age of the current plan and Kerrville 2050. The current adopted plan is from 2008. Kerrville 2050 includes both a guiding principle and specific action item in regards to the Parks Master Plan. Guiding Principal P4 - "Update the Parks Master Plan, other applicable codes and ordinances and capital planning and funding priorities to support Kerrville 2050". Action Item P4.1 - "Develop a new Parks Master Plan that rethinks parks, recognizing their social, recreational, ecological, and public health benefits".

Master plans should generally be updated every 5-8 years. The existing plan is too old to be relevant to qualify for grants. The Texas Parks and Wildlife Department (TPWD) would

not accept the City's Kerrville 2050 Comprehensive Plan as the department master plan even though there is an entire chapter dedicated to Parks, Open Space, and River Corridor, and thus work began on the update.

The goals of the update were to 1) update the plan from 2008 to coincide with Kerrville 2050; 2) update projects and current operations; 3) add public input and community engagement by incorporating community feedback; 4) incorporate PRAB and leadership input; and 5) follow guidelines of both the TPWD and the National Recreation and Park Association in order to become grant eligible.

This update process encouraged community feedback and engagement. The PRAB met several times during this process with meetings posted and open to the public pursuant to the Texas Open Meetings Act. A public input meeting seeking community input was held on December 15, 2021 at the Dietert Center with approximately 50 in attendance. Input submitted via e-mail was accepted as well for convenience for those unable to attend. An online survey was also offered in March 2022 seeking additional input. The survey was a culmination of priorities identified to date in the process and presented for additional feedback. The survey was offered on the City's website, social media platforms, e-mail blasts, and a press release issued.

The draft includes prioritized projects and parks identified by the input process. It is important to note that the master plan is primarily focused on capital projects and improvements, not operations. Parks identified in order of priority are as follows: 1) Singing Wind Park; 2) Olympic Pool; 3) Kerrville-Schreiner Park; 4) Louise Hays Park; 5) Misc. Park Items (varied among parks system); 6) River Trail / Trails; 7) Scott Schreiner Golf Course; 8) Guadalupe River / Riparian Areas / Nimitz Lake; and 9) Dog Parks. The complete draft plan is available for review in the City Secretary's office, and has also been posted electronically on the City website.

The plan approval and adoption process consists of the following:

1. Parks and Recreation Advisory Board meetings

- March 25, 2021; April 27, 2021; June 1, 2021; September 7, 2021; October 12, 2021; December 15, 2021; March 10, 2022.
- Draft unanimously approved by the board on March 10, 2022.

2. Texas Parks and Wildlife Department (TPWD)

- Draft approved on March 21, 2022.

3. Kerrville City Council

- Draft presented at a joint City Council and PRAB workshop on April 19, 2022.
- Consideration of adopting a resolution adopting the plan on April 26, 2022.

4. Texas Parks and Wildlife Department (TPWD)

- Once City Council adopts the plan by resolution, the final draft will be submitted to TPWD for final approval. TPWD will not accept it until the Council formally adopts it by resolution. The resolution is attached.

Staff recommends adopting the resolution as presented formally adopting the Parks and Recreation Master Plan 2022 Update as presented.

RECOMMENDED ACTION:

Adopt Resolution No. 19-2022.

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 19-2022**

**A RESOLUTION ADOPTING THE UPDATED KERRVILLE
PARKS RECREATION AND OPEN SPACES MASTER PLAN**

WHEREAS, the City owns and maintains a number of parks and recreational areas that are intended to be used by and to benefit the public; and

WHEREAS, in September 2008, City Council passed Resolution 74-2008, which adopted the *Kerrville Parks Recreation and Open Spaces Master Plan*; and

WHEREAS, in June 2018, City Council passed Ordinance 2018-13, which adopted the Kerrville 2050 Comprehensive Plan; and

WHEREAS, the City's Parks and Recreation Department has attempted to obtain grant funding to implement some of the projects in the *Kerrville Parks Recreation and Open Spaces Master Plan* that further the goals established in the Kerrville 2050 Comprehensive Plan; and

WHEREAS, the City's Parks and Recreation Department has been unable to receive state grant funding because, per state requirements, the *Kerrville Parks Recreation and Open Spaces Master Plan* has to be updated to more accurately address the needs and goals that currently exist following the work that has been accomplished since 2008; and

WHEREAS, staff from the City's Parks and Recreation Department recently held meetings of the Parks and Recreation Advisory Board to gather public input as to the types of improvements and priorities the City should incorporate into the *Kerrville Parks and Recreation and Open Space Master Plan* in furtherance of the Kerrville 2050 Comprehensive Plan; and

WHEREAS, following these meetings, the Parks and Recreation Advisory Board recommended that the *Kerrville Parks Recreation and Open Spaces Master Plan* be amended to remove completed projects and add new proposed projects in furtherance of the Kerrville 2050 Comprehensive Plan; and

WHEREAS, on March 10, 2022, the Parks and Recreation Advisory Board approved a proposed *Parks and Recreation Master Plan Update 2022*, which amends the *Kerrville Parks Recreation and Open Spaces Master Plan*; and

WHEREAS, the Parks and Recreation Advisory Board recommends that City Council adopt the *City of Kerrville Parks and Recreation Master Plan Update 2022*; and

WHEREAS, the City Council finds it to be in the public interest to adopt the *Parks Recreation and Open Spaces Master Plan, Update 2022*;

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

City Council adopts the document titled the *Parks and Recreation Master Plan, Update 2022*.

PASSED AND APPROVED ON this the _____ day of _____, A.D., 2022.

Bill Blackburn, Mayor

ATTEST:

Shelley McElhannon, City Secretary

APPROVED AS TO FORM:

William L. Tatsch

William L. Tatsch, Asst. City Attorney



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

SUBJECT: Resolution No. 20-2022. A Resolution authorizing the acceptance of grant funding from the Office of the Governor - Criminal Justice Division and its body worn camera program for funding to purchase body cameras and accessories for the Kerrville Police Department.

AGENDA DATE OF: April 26, 2022 **DATE SUBMITTED:** Apr 13, 2022

SUBMITTED BY: Chris McCall

EXHIBITS: [20220426_Reso 20-2022 KPD Body Cam grant.pdf](#)
[20220426_Statement of Grant Award KPD.pdf](#)
[20220426_Letter_Congratulatory from Governor.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
\$79,488.75			

PAYMENT TO BE MADE TO:

Kerrville 2050 Item?	Yes
Key Priority Area	F - Public Facilities and Services
Guiding Principle	F2. Place the highest priority on public safety (police, fire, EMS).
Action Item	F2.1 - Devote the necessary resources (funding, equipment) to ensure quality fire, police and EMS services

SUMMARY STATEMENT:

Seeking approval to accept a Body Worn Camera reimbursement grant from the Office of the Governor in the amount of \$238,466.25. This grant has a matching funds component of \$79,488.75 to be funded by the City. The total project cost for the body worn camera portion of this project will be \$317,955.00. Staff recommends that the matching component of this grant be funded using a portion of the second tranche of ARPA funds, which can be decided at a later date via budget amendment. The final rule clearly allows such funding to be used in support of public safety.

RECOMMENDED ACTION:

Approve Resolution No. 20-2022.

CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 20-2022

**A RESOLUTION AUTHORIZING THE ACCEPTANCE OF
GRANT FUNDING FROM THE OFFICE OF THE GOVERNOR-
CRIMINAL JUSTICE DIVISION AND ITS BODY-WORN
CAMERA PROGRAM FOR FUNDING TO PURCHASE BODY
CAMERAS AND ACCESSORIES FOR THE KERRVILLE POLICE
DEPARTMENT**

WHEREAS, the City, through its Police Department ("KPD"), seeks authorization from City Council to accept grant funding from the Office of the Governor-Criminal Justice Division and its Body-Worn Camera Program for funding to purchase body cameras and accessories for KPD, such funding in an amount not to exceed \$238,466.25; and

WHEREAS, City Council agrees that the City will provide applicable matching funds for the project specified above as required by the grant, such funding currently estimated at \$79,844.75; and

WHEREAS, KPD will use the grant funding for the purchase of body cameras and digital storage systems to serve as a tool in a law enforcement comprehensive problem-solving approach to enhance officer interactions with the public, build community trust, and gather important evidence for use in the prosecution of crimes; and

WHEREAS, City Council finds it to be in the public interest to authorize the City to accept grant funding from the Office of the Governor-Criminal Justice Division for the purpose expressed above;

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

SECTION ONE. City Council authorizes the acceptance of grant funding from the Office of the Governor-Criminal Justice Division for funding in an amount not to exceed \$238,466.25, for the purpose of purchasing body cameras and accessories for KPD. In addition, and pursuant to the grant, City Council authorizes the City to pay a grant cash match currently estimated in the amount of \$79,844.75.

SECTION TWO. Pursuant to the grant, the City agrees to return grant funds to the Office of the Governor, in the event of loss or misuse of any grant funds.

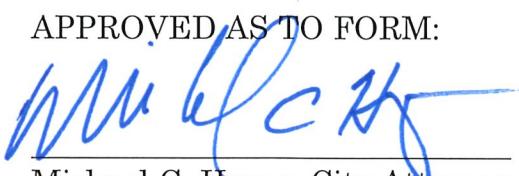
SECTION THREE. The City designates the City Manager or designee as the City's authorized official who is given the authority to reject, alter, or terminate the

grant on behalf of the City and take all other action in furtherance of the grant process.

PASSED AND APPROVED ON this the _____ day of _____ A.D.,
2022.

Bill Blackburn, Mayor

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

ATTEST:

Shelley McElhannon, City Secretary

Statement of Grant Award (SOGA)

The Statement of Grant Award is the official notice of award from the Office of the Governor (OOG). This Grant Agreement and all terms, conditions, provisions and obligations set forth herein shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and all other State of Texas agencies and any other agencies, departments, divisions, governmental entities, public corporations, and other entities which shall be successors to each of the Parties or which shall succeed to or become obligated to perform or become bound by any of the covenants, agreements or obligations hereunder of each of the Parties hereto.

The approved project narrative and budget for this award are reflected in eGrants on the 'Narrative' and 'Budget/Details' tabs. By accepting the Grant Award in eGrants, the Grantee agrees to strictly comply with the requirements and obligations of this Grant Agreement including any and all applicable federal and state statutes, regulations, policies, guidelines and requirements. In instances where conflicting requirements apply to a Grantee, the more restrictive requirement applies.

The Grant Agreement includes the Statement of Grant Award; the OOG Grantee Conditions and Responsibilities; the Grant Application in eGrants; and the other identified documents in the Grant Application and Grant Award, including but not limited to: 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Chapter 783 of the Texas Government Code, Title 34, Part 1, Chapter 20, Subchapter E, Division 4 of the Texas Administrative Code, and the Uniform Grant Management Standards (UGMS) developed by the Comptroller of Public Accounts; the state Funding Announcement or Solicitation under which the grant application was made, and for federal funding, the Funding Announcement or Solicitation under which the OOG was awarded funds; and any applicable documents referenced in the documents listed above. For grants awarded from the U.S. Department of Justice, the current applicable version of the Department of Justice Grants Financial Guide and any applicable provisions in Title 28 of the CFR apply. For grants awarded from the Federal Emergency Management Agency (FEMA), all Information Bulletins and Policies published by the FEMA Grants Program Directorate apply. The OOG reserves the right to add additional responsibilities and requirements, with or without advance notice to the Grantee.

By clicking on the 'Accept' button within the 'Accept Award' tab, the Grantee accepts the responsibility for the grant project, agrees and certifies compliance with the requirements outlined in the Grant Agreement, including all provisions incorporated herein, and agrees with the following conditions of grant funding. The grantee's funds will not be released until the grantee has satisfied the requirements of the following Condition(s) of Funding and Other Fund-Specific Requirement(s), if any, cited below:

Grant Number:	4362201	Award Amount:	\$238,466.25
Date Awarded:	3/28/2022	Grantee Cash Match:	\$79,488.75
Grant Period:	03/01/2022 - 02/28/2023	Grantee In Kind Match:	\$0.00
Liquidation Date:	05/29/2023	Grantee GPI:	\$0.00
Program Fund:	BC-Body-Worn Camera (BWC) Program	Total Project Cost:	\$317,955.00
Grantee Name:	Kerrville, City of		
Project Title:	Body-Worn Camera Project		
Grant Manager:	Adela Saenz		
Unique Entity Identifier (UEI):	FUEL CWMZPJ5		

CFDA:	N/A
Federal Awarding Agency:	N/A - State Funds
Federal Award Date:	N/A - State Funds
Federal/State Award ID Number:	2022-BC-ST-0020
Total Federal Award/State Funds Appropriated:	\$10,000,000.00
Pass Thru Entity Name:	Texas Office of the Governor – Criminal Justice Division (CJD)
Is the Award R&D:	No

**Federal/State Award
Description:**

Funds are used for the purchase of body cameras and digital storage systems to serve as a tool in a law enforcement comprehensive problem-solving approach to enhance officer interactions with the public, build community trust, and gather important evidence for use in the prosecution of crimes.



GOVERNOR GREG ABBOTT

Dear Grantee:

Congratulations on your award! To activate your agency's grant, the Authorized Official must log on to eGrants at <https://eGrants.gov.texas.gov> and go to the 'My Home' tab. In the 'Pending Applications' section, locate the application with a 'Current Status' of "Pending AO Acceptance of Award". Click on the grant number and proceed to the 'Accept Award' tab. From this tab, click on the 'Accept' button. Grants must be accepted within 45 calendar days of the date the award was issued.

Be sure to review the Grantee Conditions and Responsibilities Memo for a quick overview of general items every grantee should be aware of. You can also find more detailed information on the eGrants website including helpful resources, links, and tools needed to properly administer Public Safety Office grants. The Guide to Grants, also on the website, contains answers to questions frequently asked by grantees.

If you have any questions regarding this award, feel free to contact your grant manager, whose name is referenced in the Statement of Grant Award or you may always contact our office via the eGrants Help Desk at eGrants@gov.texas.gov.

We look forward to working with you to ensure the success of your program.

A handwritten signature in blue ink that reads "Aimee Snoddy".

Aimee Snoddy
Executive Director
Public Safety Office



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

SUBJECT: Donation of a work of art to the City of Kerrville, Texas, and related agreement. (This item is eligible for Executive Session 551.071, 551.073.)

AGENDA DATE OF: April 26, 2022 **DATE SUBMITTED:** Apr 20, 2022

SUBMITTED BY: EA Hoppe

EXHIBITS:

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	C - Community / Neighborhood Character and Place Making
Guiding Principle	C4. Promote design that is in keeping with Kerrville, its natural beauty, history, culture and diversity using art, landscaping and other aesthetic features, including “random order” (sameness that doesn’t seem forced); encourage design that promotes interaction, a sense of community and gatherings
Action Item	N/A

SUMMARY STATEMENT:

The City was approached by a representative of LDB Corporation in regard to a donation of a work of art to the City. City Council was briefed on this item during a City Council workshop Executive Session held Tuesday, March 20, 2022.

RECOMMENDED ACTION:

Authorize the City Manager to negotiate and finalize an agreement.



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

SUBJECT: Appointment of a Municipal Court Judge. (This item is eligible for Executive Session 551.074.)

AGENDA DATE OF: April 26, 2022 **DATE SUBMITTED:** Apr 19, 2022

SUBMITTED BY: Kim Meismer

EXHIBITS:

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:

RECOMMENDED ACTION:

Appoint Municipal Court Judge.