

AGENDA FOR THE KERRVILLE CITY COUNCIL MEETING

TUESDAY, JUNE 28, 2022, 6:00 P.M.

CITY HALL COUNCIL CHAMBERS

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

JUNE 28, 2022, 6:00 PM

CITY HALL COUNCIL CHAMBERS

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: *By Mayor Judy Eychner.*

INVOCATION AND PLEDGE OF ALLEGIANCE: *Led by Mayor 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. Proclamation of June as Fair Housing Month.

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. Purchase of one (1) Type 1 Ambulance from Mac Haik Dodge Chrysler Jeep, through the BuyBoard Purchasing Cooperative, at a price not to exceed \$302,887.

Attachment:

20220628_Quote_KFD ambulance chassis Buyboard.pdf

4.B. City Council workshop minutes held June 14, 2022.

Attachment:

20220628_Minutes_CC workshop 6-14-22 4pm.pdf



4.C. City Council meeting minutes held June 14, 2022.

Attachment:

[20220628_Minutes_CC meeting 6-14-22 6pm.pdf](#)

4.D. City Council workshop minutes held June 16, 2022.

Attachment:

[20220628_Minutes_CC workshop 6-16-22 10am budget.pdf](#)

END OF CONSENT AGENDA.

5. CONSIDERATION AND POSSIBLE ACTION:

5.A. Resolution No. 37-2022. A Resolution authorizing the submission of an application for the Hazard Mitigation Grant Program (HMGP) DR-4485 to the Texas Division Of Emergency Management; authorizing the Mayor and City Manager to act as the City's Executive Officers and authorized representatives in all matters pertaining to the City's participation in this program; and authorizing a local funding match. (The grant will be used for installation of emergency power generators at various City facilities.)

Attachment:

[20220628_Reso 37-2022 HMGP CoK authorized reps.pdf](#)

5.B. Resolutions regarding the Texas Downtown/Main Street Community Development Block Grant (TXCDBG) Program Application.

1.) Resolution No. 35-2022. A Resolution designating authorized signatories for contractual documents and documents for requesting funds pertaining to the Texas Community Development Block Grant Program (TXCDBG) Grant Agreement Number CDM21-0126.

2.) Resolution No. 36-2022. A Resolution adopting policies and procedures as required by the Texas Community Development Block Grant previously awarded to the City; and affirming the City's commitment to conduct a project-specific analysis and to take all appropriate action necessary to comply with program requirements.

Attachments:

[20220628_Reso 35-2022 TXCDBG authorized sigs contractual docs.pdf](#)

[20220628_Reso 36-2022 Adopting policies required by TXCDBG.pdf](#)

5.C. Professional Services Agreement with Kimley-Horn and Associates, Inc. for Texas Downtown/Main Street Community Development Block Grant Program post-award services in the amount of \$78,810.

5.D. Authorize City's purchase of an approximate 7.117 acre tract of land generally located on the southwest corner of the intersection of Clearwater Paseo Dr. and Rio Monte Dr., by authorizing the City Manager to accept the conveyance of a deed for such property and to take any other action necessary to effectuate this transaction. Said property to be developed and used as the City's Public Safety Facility.

Attachment:

[20220628_Survey revised Clearwater Paseo-Rio Monte.pdf](#)

5.E. Resolution No. 38-2022. A Resolution authorizing the City to utilize the Design-Build method for the construction of the City's Public Safety Facility; and authorizing other related actions as part of this method.

Attachment:

[20220628_Reso 38-2022 Design-Build Method for Public Safety Facility construction.pdf](#)

5.F. Professional Service Agreement with Freese and Nichols, Inc. to design the relocation of gravity sewer main at future Public Safety Facility on Rio Monte Drive in the amount of \$90,785.

6 INFORMATION & DISCUSSION:

6.A. Financial Report for month ended May 31, 2022.

Attachment:

20220628_Presentation_Finance.pdf

6.B. Presentation from the City's financial advisor as to economic conditions and timing of actions relating to the City's sale of general obligation bonds for its Public Safety Facility.

7 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 issue(s):*



7.A. Workforce Housing development projects (551.071, 551.072, 551.087)

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

9 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: Proclamation of June as Fair Housing Month.

AGENDA DATE OF: June 28, 2022 **DATE SUBMITTED:** May 06, 2022

SUBMITTED BY: Megan Folkerts

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:

Present proclamation recognizing June as Fair Housing Month. This proclamation will fulfill Fair Housing activity obligations as required by the Texas Downtown/Main Street Community Development Block Grant program, which the City is in the process of receiving funding.

RECOMMENDED ACTION:

Present proclamation.



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

SUBJECT: Purchase of one (1) Type 1 Ambulance from Mac Haik Dodge Chrysler Jeep, through the BuyBoard Purchasing Cooperative, at a price not to exceed \$302,887.

AGENDA DATE OF: June 28, 2022 **DATE SUBMITTED:** Jun 17, 2022

SUBMITTED BY: Eric Maloney

EXHIBITS: [20220628_Quote_KFD ambulance chassis Buyboard.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
\$302,887	\$827,617	\$302,887	18-1830

PAYMENT TO BE MADE TO: Mac Haik Dodge Chrysler Jeep

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:

City Staff is requesting authorization from the City Council to execute Buyboard Quote 2924 for the purchase of (1) Type I, 14' Frazer module on a Ram 4500 Diesel 4x2 Regular Cab. Buyboard contract #650-21 was awarded to Frazer Ambulance Company through their licensed dealer, Mac Haik Dodge Chrysler Jeep. By contracting through Buyboard, we will be able to purchase this unit using their bid price. Such agreements are allowable under State Law.

There is a shortage of ambulance chassis and the purchase of a chassis for 2023 is restricted to 1 (one) day in July 2022. The City's understanding is that the next available chassis order date is unknown. Thus, failure to secure a chassis next month would significantly impact the City's ability to maintain a reliable ambulance fleet.

Shortages like this requires an adaptive purchasing plan and thus the need now for

Council's authority to approve the purchase. This purchase in FY22 will allow City Staff to order a Dodge chassis this year with an anticipated delivery to the City in the latter part of the City's 2023 fiscal year (FY23). This alternative purchasing plan will continue to maintain the 7-year vehicle replacement plan.

One (1) 2023 Dodge 4500 Chassis \$302,887 .

The required funds were approved by the City Council on September 14, 2021 and are available in the FY2021/2022 Budget. The approved funds will be encumbered into the next budget year.

RECOMMENDED ACTION:

Authorize the City Manager to finalize and execute the contract.



Defining the Future of Mobile Healthcare.™

6/23/2022

Eric Maloney

Fire Chief

Kerrville Fire Department

eric.maloney@kerrvilletx.gov

Buyboard Quote # 2924

Eric Maloney, Deputy Fire Chief

Below is itemized pricing for contract Ambulance #650-21:

*Chassis Type: Type I 14' on RAM 4500 Diesel 4x2 Reg Cab	\$ 189,000.00
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Published Options

1 . 1066	Chassis // Heat Shielding // Heat Shielding	\$ 1,750.00
2 . 1086	Chassis // Suspension // LiquidSpring on Rear Axle	\$ 12,000.00
3 . 1078	Chassis // Running Boards // ArcRite Running Board w/ SureGrip	\$ 1,250.00
4 . 1065	Chassis // Grille Guard // Black Ranch Hand Grille Guard/Full Replacement with	\$ 1,500.00
5 . 1063	Chassis // Go-Light // Go-Light Mounted on Chassis Roof	\$ 1,500.00
6 . 1031	Chassis // Air Horn System // Dual 10" & 12" Air Horns	\$ 1,250.00
7 . 1011	General // All products listed in the current Stryker / Physio-Control List Price Book	\$ 30,800.00
8 . 1192	Module // PowerSource // Onan	\$ 10,000.00
9 . 1184	Module // Paint // Non White 14'	\$ 2,750.00
10 . 1128	Module // Conspicuity // Conspicuity on the Rear of the Module in a Chevron	\$ 1,750.00
11 . 1127	Module // Conspicuity // 2'x2' Conspicuity Square - Solid Color	\$ 350.00
12 . 1142	Module // Exterior // Striping and lettering // Pricing // Striping and lettering -	\$ 2,500.00
13 . 1139	Module // Electric Locks // Entry doors & I/O	\$ 1,500.00
14 . 1167	Module // Hold-Open // Gas Hold-Opens on Compartments	\$ 1,000.00
15 . 1091	Chassis // Valve Extenders // Valve Extenders	\$ 250.00
16 . 1036	Chassis // Air Horn System // Standard Compressor	\$ 750.00
17 . 1034	Chassis // Air Horn System // Operated with Momentary Switch	\$ 100.00
18 . 1013	General // All products listed in the current Whelen Automotive Distributor Price	\$ 650.00
19 . 1141	Module // Electric Locks // Hidden Switch	\$ 250.00
20 . 1136	Module // Dri-Deck // Dri-Deck	\$ 250.00
21 . 1204	Module // Shorepower // Single 30 Kussmaul	\$ 500.00
22 . 1177	Module // O2 Compartment // O2 changing wrench with retention chain & pocket	\$ 100.00
23 . 1120	Module // Compartment // Compartment w/ Divider and Shelf	\$ 250.00
24 . 1121	Module // Compartments // Flat bars on Rear Storage	\$ 250.00
25 . 1208	Module // Tint // Limo Tint on Entry Doors	\$ 350.00
26 . 1200	Module // Scene Lights // Passenger Scene on with Door	\$ 350.00
27 . 1043	Chassis // Console // Armrest	\$ 250.00
28 . 1046	Chassis // Console // Gamber Johnson Cup Holder in Front of Console	\$ 200.00
29 . 1041	Chassis // Console // 1 Large Aluminum Map Holder	\$ 250.00
30 . 1061	Chassis // Glove Box // 3 High Glove Box Holder	\$ 250.00
31 . 1069	Chassis // Map Lights // Map Light on Passenger Side	\$ 250.00
32 . 1082	Chassis // Security // Anti-theft System	\$ 750.00
33 . 1092	Chassis // Vinyl Seats // After-market Vinyl Seats in Truck Cab	\$ 1,000.00
34 . 1161	Module // Grab Rails // Yellow Grab Rails	\$ 200.00
35 . 1119	Module // Compartment // Additional Shelf	\$ 100.00
36 . 1101	Module // Action Wall // (2) Dual USB	\$ 250.00
37 . 1196	Module // Restraint // 6pt Harness (each) (includes structure)	\$ 500.00

38 . 1196	Module // Restraint // 6pt Harness (each) (includes structure)	\$ 500.00
39 . 1100	Module // Acrylic // 22 Pocket Acrylic Holder	\$ 750.00
40 . 1109	Module // Cabinets // Double Squad Bench Cabinet	\$ 750.00
41 . 1176	Module // Netting // Cargo Net at the Squad Bench	\$ 1,000.00
42 . 1182	Module // Oulet // Extra Outlets (Duplex or Quad)	\$ 200.00
43 . 1170	Module // Medical Air // Extra Single O2 outlet in ceiling	\$ 350.00
44 . 1160	Module // Grab Rails // Extra Overhead Grab Rail	\$ 250.00
45 . 1165	Module // Headknocker // Rear Wall Headknocker with Speakers and Volume	\$ 500.00
46 . 1114	Module // Captain's Chair // Captain's Chair with Child Safety	\$ 750.00

Total Published Options \$ 83,000.00

Unpublished Options

1 .	Supply Chain Surchage	\$ 15,537.00
2 .	Furnish and install 1 1/2" conduit raceway for future wiring	\$ 500.00
3 .	Install 2 bracket straps	\$ 100.00
4 .	Front base of console: 120VAC	\$ 600.00
5 .	Install "COMP OPEN" and "DOOR OPEN" warning buzzer	\$ 150.00
6 .	RAM 2023 Price Increase	\$ 9,100.00
7 .	Line interior of large map holder with ribbed rubber	\$ 50.00
8 .	Install customer provided Medvault	\$ 525.00
9 .	Furnish and install (1) power strip in Front I/O cabinet	\$ 250.00
10 .	Valor seating at CPR seat	\$ 1,750.00
11 .	Furnish and install acrylic holder above cpr seat	\$ 450.00
12 .	Install customer provided locking sharps containers and brackets	\$ 100.00
13 .	3 wide glove box in side entry head knocker	\$ 475.00
14 .	Furnish and install second O2 outlet in the ceiling raceway	\$ 500.00

Total Unpublished Options \$ 30,087.00

Base Price \$ 189,000.00

Published Options \$ 83,000.00

Unpublished Options \$ 30,087.00

Subtotal (1) \$ 302,087.00

Qty 1

Extended Total (1) \$ 302,087.00

Buyboard Fee \$ 800.00

Grand Total \$ 302,887.00

Chassis Dealer: Mac Haik Dodge Chrysler Jeep

Terms and Conditions

Please make your purchase order out to:
 Mac Haik Dodge Chrysler Jeep
 11000 North Freeway
 Houston, TX 77037

1

Please email a copy of your purchase order and this quote to David Sheehy and Amanda Villarreal with Mac Haik Dodge Chrysler Jeep at dsheehy@machaikdcj.com and avillarreal@machaikdcj.com and Kalyn Salsman at ksalsman@frazerbilt.com

2 . *Per TMVCC we are quoting this through our licensed franchise dealer, Knapp Chevrolet.*

** Chassis prices subject to change, Frazer does not determine chassis pricing or the frequency of pricing changes. Dealer sets prices and increases at their discretion. Changes in pricing are more frequent due to current supply chain issues. Frazer will notify you of any changes, if they occur.*

Thank you for the opportunity to quote this job. If you have any questions please don't hesitate to contact me.

Best Regards,

Kalyn Salsman

Regional Sales Manager
Frazer, Ltd.

O: (281) 817-6224 M: (281) 505-4142

ksalsman@frazerbilt.com



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

SUBJECT: City Council workshop minutes held June 14, 2022.

AGENDA DATE OF: June 28, 2022 **DATE SUBMITTED:** Jun 15, 2022

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20220628_Minutes_CC workshop 6-14-22 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 June 14, 2022 at 4:00 p.m., in the City Hall Council Chambers.

RECOMMENDED ACTION:

Approve minutes as presented.

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

JUNE 14, 2022 4:00 PM

CALL TO ORDER: On June 14, 2022 at 4:00 p.m., the City Council workshop was called to order by Mayor Judy Eychner at the City Hall Council Chambers, 701 Main Street.

COUNCILMEMBERS PRESENT:

Judy Eychner, Mayor
Kim Clarkson, Mayor Pro Tem, Councilmember Place 2
Roman Garcia, Councilmember Place 1
Joe Herring Jr, Councilmember Place 3
Brenda Hughes, Councilmember Place 4

COUNCILMEMBER ABSENT: None

CITY STAFF PRESENT:

E.A. Hoppe, City Manager	Stuart Barron, Exec Dir Public Works & Eng
Mike Hayes, City Attorney	Kyle Burow, Director of Engineering
Kim Meismer, Asst City Manager	Eric Maloney, Fire Chief
Shelley McElhannon, City Secretary	Chris McCall, Police Chief

VISITORS PRESENT:

Joel Kokemor, Freese and Nichols John Neu, Freese and Nichols

Shelley McElhannon read the Public Comment caption into record.

1. PUBLIC COMMENT: None

2. INFORMATION, DISCUSSION, AND POSSIBLE ACTION:

2A. Presentation regarding the allowable design and construction methods for the Public Safety Facility.

E.A. Hoppe introduced both the item and Freese and Nichols consultant John Neu. E.A. Hoppe, John Neu, Joel Kokemore, Stuart Barron, and Kyle Burow provided information and responded to questions.

Mayor Eychner requested Council consensus for the five proposed items to move forward.

- Authorization for staff to complete real estate purchase.
- Authorization for staff to finalize and execute engineering contract for relocation of wastewater line.
- Resolution to utilize/initiate Design-Build process.
- Authorization for staff to finalize and execute a contract for Owner Representation Services.
- Status update from Financial Advisor on market conditions for sale of Bonds and proposed timeline.

Council agreed and provided consensus to move forward with the five proposed items to be added to the June 28, 2022 City Council agenda.

Councilmember Kim Clarkson made a motion City Council enter executive session under 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), and 551.087 (deliberation regarding economic development negotiations), seconded by Councilmember Brenda Hughes. The motion passed 5-0.

Mayor Eychner recessed the workshop at 4:48 p.m. and convened closed executive session in the upstairs conference room.

3. EXECUTIVE SESSION:

- 3A. Workforce Housing development projects (551.071, 551.072, 551.087).
- 3B. Public Safety Facility (551.071, 551.072)

The closed executive session adjourned, and Council returned to open session at 5:50 p.m. Item 3B, the Public Safety Facility, was not discussed during executive session. No action was taken during executive session.

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

ADJOURN. The workshop adjourned at 5:50 p.m.

APPROVED BY COUNCIL: _____ ATTEST:

Judy Eychner, Mayor

Shelley McElhannon, City Secretary



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

SUBJECT: City Council meeting minutes held June 14, 2022.

AGENDA DATE OF: June 28, 2022 **DATE SUBMITTED:** Jun 15, 2022

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20220628_Minutes_CC meeting 6-14-22 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 June 14, 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
JUNE 14, 2022 6:00 PM**

On June 14, 2022 at 6:00 p.m., Mayor Judy Eychner called the Kerrville City Council meeting to order in City Hall Council Chambers, 701 Main Street. Councilmember Kim Clarkson 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	Eric Maloney, Fire Chief
Kim Meismer, Assistant City Manager	Chris McCall, Police Chief
Shelley McElhannon, City Secretary	Drew Paxton, Chief Planner

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.

Shelley McElhannon read general business protocols of conduct into record.

1. **ANNOUNCEMENTS OF COMMUNITY INTEREST:** Provided by Kim Meismer.

PRESENTATIONS:

2A. Proclamation recognizing June 2022 as the Great Outdoors Month in Kerrville, Texas.

Mayor Eychner recognized June 2022 as the Great Outdoors Month in Kerrville, Texas. Parks and Recreation Director Ashlea Boyle accepted the proclamation.

2B. Meritorious Award to Kerrville Police Department Officer Jesse Baldwin.

Chief McCall recognized Officer Jesse Baldwin for heroic and life-saving actions.

Mayor Eychner invited President of Habitat for Humanity Kerr County Brent Hunter to the podium. Brent Hunter introduced the new Executive Director Mary Campana.

3. VISITORS FORUM:

The following persons spoke:

- Howard Oakes
- Katy Kappell
- Martha Hix
- Fred Henneke

E.A. Hoppe provided clarification of information.

4. CONSENT AGENDA:

Councilmember Roman Garcia pulled item 4I. Councilmember Clarkson made a motion to approve the consent agenda items 4A through 4H, seconded by Councilmember Garcia. The motion passed 5-0.

4A. Agreement between the City of Kerrville, Texas, and Arcadia Live for use of hotel occupancy tax funds for Kerrville's Fourth on the River.

4B. Agreement between the City of Kerrville, Texas, and High Five Events, LLC, for use of hotel occupancy tax funds for the Kerrville Triathlon Festival.

4C. License Agreement between the City of Kerrville, Texas and Arcadia Live for Kerrville's Fourth on the River.

4D. License Agreement between the City of Kerrville, Texas and High Five Events for the Kerrville Triathlon Festival.

4E. Resolution No. 34-2022. A Resolution authorizing the use of internal combustion engines on Nimitz Lake upstream of the City's impoundment dam for the Kerrville Triathlon and the safety of competitors.

4F. City Council workshop minutes held May 24, 2022.

4G. City Council meeting minutes held May 24, 2022.

4H. City Council special-called meeting minutes held May 26, 2022.

END OF CONSENT AGENDA.

4I. City Council workshop minutes held June 02, 2022.

Councilmember Garcia requested to approve the minutes with a correction to the *Adjourn Time* as 3:47 p.m., seconded by Councilmember Joe Herring, Jr. The motion passed 5-0.

5 PUBLIC HEARING AND RESOLUTIONS:

5A. Resolution No. 28-2022. A Resolution granting a Conditional Use Permit to authorize a Short-Term Rental Unit on the property consisting approximately 3.015 acres, being out of the Martinez Survey No. 124, Abstract 247; and more commonly known as 1979 Arcadia Loop S, said property is located within a Medium Density Residential Zoning District (R-2); and making said permit subject to conditions and restrictions.

Shelley McElhannon read Resolution No. 28-2022 caption into record.

Drew Paxton provided information.

Applicant Trey Thrash provided information and responded to questions.

Mayor Eychner opened the public hearing at 6:31 p.m.

No person spoke.

Mayor Eychner closed the public hearing at 6:31 p.m.

Councilmember Brenda Hughes made a motion to approve Resolution No. 28-2022, seconded by Councilmember Clarkson. The motion passed 5-0.

5B. Resolution No. 29-2022. A Resolution granting a Conditional Use Permit to authorize a Short-Term Rental Unit on the property consisting of Lot 4, Block 14, Westland Addition; more commonly known as 408 Lois; said property is located within a Single-Family Residential with Accessory Dwelling Unit Zoning District (R-1A); and making said permit subject to conditions and restrictions.

Shelley McElhannon read Resolution No. 29-2022 caption into record.
Drew Paxton provided information.

Applicant Keri Wilt provided information and responded to questions.

Mayor Eychner opened the public hearing at 6:34 p.m.

No person spoke.

Mayor Eychner closed the public hearing at 6:34 p.m.

Councilmember Clarkson made a motion to approve Resolution No. 29-2022, seconded by Councilmember Hughes. The motion passed 5-0.

5C. Resolution No. 30-2022. A Resolution granting a Conditional Use Permit to authorize a Short-Term Rental Unit on the property consisting of Lot 10, Block 3, Starkey Manor 7 Addition; and more commonly known as 604 Mockingbird: said property is located within a Single-Family Residential Zoning District (R-1); and making said permit subject to conditions and restrictions.

Shelley McElhannon read Resolution No. 30-2022 caption into record.
Drew Paxton provided information and responded to questions.

Mayor Eychner opened the public hearing at 6:37 p.m.

No person spoke.

Mayor Eychner closed the public hearing at 6:37 p.m.

Councilmember Hughes made a motion to approve Resolution No. 30-2022, seconded by Councilmember Clarkson. The motion passed 5-0.

5D. Resolution No. 31-2022. A Resolution granting a Conditional Use Permit to authorize a Short-Term Rental Unit on the property comprising part of Lots 14 and 15, Block 2, Hill Crest Addition; and more commonly known as 956 Myrta; said property is located within a Single-Family Residential Zoning District (R-1); and making said permit subject to conditions and restrictions.

Shelley McElhannon read Resolution No. 31-2022 caption into record.
Drew Paxton provided information.

Omario Obeda Jr, representing the owner, provided information and responded to questions.

Mayor Eychner opened the public hearing at 6:39 p.m.

The following person(s) spoke:

- Michelle McGuinness

Mayor Eychner closed the public hearing at 6:41 p.m.

Councilmember Clarkson made a motion to approve Resolution No. 31-2022, seconded by Councilmember Hughes. The motion passed 5-0.

5E. Resolution No. 32-2022. A Resolution granting a Conditional Use Permit to authorize a Short-Term Rental Unit on the property comprising part of Lots 5 and 6, Block 7, Hill Crest Addition; and

more commonly known as 916 Prescott; said property is located within a Single-Family Residential Zoning District (R-1); and making said permit subject to conditions and restrictions.

Shelley McElhannon read Resolution No. 32-2022 caption into record.

Drew Paxton provided information.

Applicant Vincent Lightbourn provided information and responded to questions.

Mayor Eychner opened the public hearing at 6:45 p.m.

No person spoke.

Mayor Eychner closed the public hearing at 6:46 p.m.

Councilmember Hughes made a motion to approve Resolution No. 32-2022, seconded by Councilmember Herring. The motion passed 5-0.

5F. Resolution No. 33-2022. A Resolution granting a Conditional Use Permit to authorize a Short-Term Rental Unit on the property comprising part of Lot 12, Block 1, Riverhill Las Casitas Addition; and more commonly known as 220 Riverhill Club Ln #12; said property is located within a Medium Density Residential Zoning District (R-2); and making said permit subject to conditions and restrictions.

Shelley McElhannon read Resolution No. 33-2022 caption into record.

Drew Paxton provided information.

Applicant Priscilla Wallace provided information and responded to questions.

Mayor Eychner opened the public hearing at 6:50 p.m.

No person spoke.

Mayor Eychner closed the public hearing at 6:50 p.m.

Councilmember Hughes made a motion to approve Resolution No. 33-2022, seconded by Councilmember Herring. The motion passed 5-0.

6 ORDINANCES, SECOND READING:

6A. Ordinance No. 2022-20, second reading. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas; by changing the zoning of an approximate 7.08 acre property known as 1600 Junction Highway (SH 27); consisting of part of Lot 1, Block 1, of the Foxworth-Galbraith Subdivision; 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. 2022-20 caption into record.

Applicant Michael Ash provided information and responded to questions.

Councilmember Herring made a motion to approve Ordinance No. 2022-20 on second reading, seconded by Councilmember Garcia. The motion passed 5-0.

6B. Ordinance No. 2022-21, second reading. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas; by changing the zoning of a property known as 400 W. Water; consisting of Lot 8, Block 17, Section B, of the Westland Place Addition; from a Single Family Residential with Accessory Dwelling Unit Zoning District (R-1A) to a Residential Transition Zoning District (RT); and providing other matters relating to the subject.

Shelley McElhannon read Ordinance No. 2022-21 caption into record.

Applicant Gary Hatch provided information and responded to questions.

Councilmember Clarkson made a motion to approve Ordinance No. 2022-21 on second reading, seconded by Councilmember Herring. The motion passed 5-0.

7 BOARD APPOINTMENT(S):

7A. Appointments to the Economic Improvement Corporation. (This item is eligible for Executive Session 551.074).

Councilmember Clarkson made a motion to convene closed executive session under 551.074 (personnel/officers) to discuss Economic Improvement Corporation appointments, and Councilmember Garcia seconded. The motion passed 5-0. Closed Executive Session convened at 6:57 p.m.

8 EXECUTIVE SESSION:

8A. Appointments to the Economic Improvement Corporation (551.074)

The closed executive session adjourned, and City Council returned to open session at 7:10 p.m. No action was taken during executive session.

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

9A. Appointments to the Economic Improvement Corporation.

Councilmember Herring made a motion to appoint John Anderson, appoint Kyle Bond, and reappoint Gary Cochrane to the Economic Improvement Corporation as members, seconded by Councilmember Clarkson. The motion passed 5-0.

10 ITEMS FOR FUTURE AGENDAS:

- Mayor Eychner – Traffic study on Riverhill Boulevard

ADJOURN. The meeting adjourned at 7:12 p.m.

APPROVED BY COUNCIL: _____

APPROVED:

ATTEST:

Judy Eychner, Mayor

Shelley McElhannon, City Secretary



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

SUBJECT: City Council workshop minutes held June 16, 2022.

AGENDA DATE OF: June 28, 2022 **DATE SUBMITTED:** Jun 15, 2022

SUBMITTED BY: Shelley McElhannon

EXHIBITS: [20220628_Minutes_CC workshop 6-16-22 10am budget.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 budget workshop minutes held June 16, 2022 at 10:00 a.m., in the City Hall Council Chambers.

RECOMMENDED ACTION:

Approve minutes as presented.

**CITY COUNCIL MINUTES
WORKSHOP, COUNCIL CHAMBERS**

**KERRVILLE, TEXAS
JUNE 16, 2022 10:00 AM**

CALL TO ORDER: June 16, 2022 at 10:00 a.m., the Kerrville City Council workshop was called to order by Mayor Judy Eychner in the City Hall Council Chambers, 701 Main Street.

COUNCILMEMBERS PRESENT:

Judy Eychner	Mayor
Roman Garcia	Place 1
Kim Clarkson	Mayor Pro Tem, Place 2
Joe Herring Jr	Place 3
Brenda Hughes	Place 4

COUNCILMEMBER ABSENT: None

CITY STAFF PRESENT:

E.A. Hoppe	City Manager	Ashlea Boyle, Director Parks & Rec
Kim Meismer	Asst City Manager	Eric Maloney, Fire Chief
Shelley McElhannon	City Secretary	Chris McCall, Chief of Police
David Barrera	Asst Director PW	Drew Paxton, Planning Director
Stuart Barron	Exec Dir PW & Eng	Cody Scott, Finance Compliance
Julie Behrens	Director Finance	Trina Rodriguez, Asst Director Finance
Jacob Bogusch	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.

1. **PUBLIC COMMENTS:** The following person(s) spoke:

- George Baroody

2. **CONSIDERATION AND POSSIBLE ACTION:**

2.A. Fiscal Year 2023 Budget (General Fund).

E.A. Hoppe introduced the item. E.A. Hoppe, Julie Behrens, Trina Rodriguez, Chief Maloney, David Barrera, Charvy Tork, and Chief McCall presented information and responded to questions by City Council.

ADJOURN: The meeting adjourned at 12:01 p.m.

APPROVED BY COUNCIL: _____

APPROVED:

Judy Eychner, Mayor

ATTEST:

Shelley McElhannon, City Secretary



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

SUBJECT: Resolution No. 37-2022. A Resolution authorizing the submission of an application for the Hazard Mitigation Grant Program (HMGP) DR-4485 to the Texas Division Of Emergency Management; authorizing the Mayor and City Manager to act as the City's Executive Officers and authorized representatives in all matters pertaining to the City's participation in this program; and authorizing a local funding match. (The grant will be used for installation of emergency power generators at various City facilities.)

AGENDA DATE OF: June 28, 2022 **DATE SUBMITTED:** Jun 08, 2022

SUBMITTED BY: Megan Folkerts

EXHIBITS: [20220628_Reso 37-2022 HMGP CoK authorized reps.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	F - Public Facilities and Services
Guiding Principle	F1. Commit to maintaining high-quality, cost-effective public services and facilities consistent with anticipated growth and ensure cost-effective use and maintenance of these assets

Action Item

SUMMARY STATEMENT:

The DR-4485 COVID-19 Hazard Mitigation Grant Program (HMGP) is funded by Federal Emergency Management Agency (FEMA) and administered by the Texas Division of Emergency Management (TDEM). Approximately \$555 million is available to fund projects that mitigate against wind, fire, or flood events. Grants require a 10% matching contribution by the City. The deadline to apply is currently June 30, 2022. The City will be applying for electrical power generators at various critical infrastructure facilities to ensure continuous operation of utilities during power outages caused by extreme weather. The application will cover the requests initialized by Water Production, Wastewater Collections, Fire

Department, City Hall, Library, and City University not covered by the previous HMGP grant application.

RECOMMENDED ACTION:

Approve Resolution No. 37-2022 as presented.

CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 37-2022

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE HAZARD MITIGATION GRANT PROGRAM (HMGP) DR-4485 TO THE TEXAS DIVISION OF EMERGENCY MANAGEMENT; AUTHORIZING THE MAYOR AND CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICERS AND AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THIS PROGRAM; AND AUTHORIZING A LOCAL FUNDING MATCH

WHEREAS, City Council seeks to reduce or eliminate the long-term risks of loss of life, injury, damage to and loss of property, and suffering and hardship by lessening the impact of future disasters; and

WHEREAS, City Council also desires to develop a viable community, including the provision of decent housing and a suitable living environment; and

WHEREAS, City Council, based upon the program documents and staff's presentations, finds it necessary and in the best interests of the City to apply for funding under the Hazard Mitigation Grant Program (HMGP) DR-4485 through the Texas Division of Emergency Management (the "Program") as a way to mitigate these hazards; and

WHEREAS, City Council understands that an award of Program funds to the City will require a local funding match from the City and the City would also be responsible for all nonreimbursable costs and 100% of overruns, if any;

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

SECTION ONE. The City Manager, or designee, is authorized to submit an application for the Hazard Mitigation Grant Program (HMGP) with the Texas Division of Emergency Management (the "Application"), and that the Application be placed in competition for funding for the Program.

SECTION TWO. City Council directs and designates the Mayor and City Manager to act as the City's Chief Executive Officers and Authorized Representatives in all matters in connection with the Application and the City's participation in the Program.

SECTION THREE. The City agrees and will take steps to ensure that all funds will be used in accordance with all applicable federal, state, local, and HMGP requirements including procurement, environmental review, labor standards, real property acquisition, and civil rights requirements. In addition, the City is required to provide a local funding match and is thereafter responsible for all nonreimbursable costs and 100% of overruns, if any.

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

Judy Eychner, Mayor

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

ATTEST:

Shelley McElhannon, City Secretary



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

SUBJECT: Resolutions regarding the Texas Downtown/Main Street Community Development Block Grant (TXCDBG) Program Application.

- 1.) Resolution No. 35-2022. A Resolution designating authorized signatories for contractual documents and documents for requesting funds pertaining to the Texas Community Development Block Grant Program (TXCDBG) Grant Agreement Number CDM21-0126.
- 2.) Resolution No. 36-2022. A Resolution adopting policies and procedures as required by the Texas Community Development Block Grant previously awarded to the City; and affirming the City's commitment to conduct a project-specific analysis and to take all appropriate action necessary to comply with program requirements.

AGENDA DATE OF: June 28, 2022 **DATE SUBMITTED:** Apr 27, 2022

SUBMITTED BY: Megan Folkerts

EXHIBITS: [20220628_Reso 35-2022 TXCDBG authorized sigs contractual docs.pdf](#)
[20220628_Reso 36-2022 Adopting policies required by TXCDBG.pdf](#)

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

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	Yes
Key Priority Area	D - Downtown Revitalization
Guiding Principle	D5. Promote a walkable, useable, uniform and pedestrian-oriented public space linking Downtown to the surrounding neighborhoods through streetscape elements, access, connections and crossings
Action Item	D5.3 - Make Downtown more pedestrian-friendly by improving walkways, adding accessibility ramps, beautifying the area with landscaping and street trees, etc.

SUMMARY STATEMENT:

On March 23, 2021, City Council authorized a grant application for the Texas

Downtown/Main Street Community Development Block Grant Program (TXCDBG) for sidewalk reconstruction and accessibility improvements on Water Street in the downtown area. In October 2021, staff was notified that Kerrville was being selected for an award of \$350,000 for the applied improvements. In order to satisfy the post-award grant requirements set by the Texas Department of Agriculture – Office of Rural Affairs (TDA), staff is asking that you consider authorizing the following two resolutions:

- 1.) Resolution No. 35-2022. A Resolution by the City Council of Kerrville Designating Authorized Signatories for Contractual Documents and Documents for Requesting Funds Pertaining to the TXCDBG Grant Agreement Number CDM21-0126. The City of Kerrville is looking for authorization for the City Manager to execute the forms and documents required to request funds to reimburse project costs associated with the 2021 Texas Capital Fund Downtown Revitalization/Main Street Program of the TXCDBG of the TDA.
- 2.) Resolution No. 36-2022. A Resolution for the adoption of TDA required Civil Rights policies pertaining to the TXCDBG Grant Agreement Number CDM21-0126. The City of Kerrville affirms its commitment to conduct a project-specific analysis and take all appropriate action necessary to comply with program requirements outlined in the Civil Rights policies.

RECOMMENDED ACTION:

Approve Resolutions No. 35-2022 and No. 36-2022.

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 35-2022**

**A RESOLUTION DESIGNATING AUTHORIZED SIGNATORIES
FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR
REQUESTING FUNDS PERTAINING TO THE TEXAS
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
(TXCDBG) GRANT AGREEMENT NUMBER CDM21-0126**

WHEREAS, the City of Kerrville has received a 2021 Texas Community Development Block Grant award to provide sidewalks within the City's downtown ("Grant Award"); and

WHEREAS, it is necessary for City Council to appoint persons to execute contractual documents, environmental review documents, and documents requesting grant funds from the Texas Department of Agriculture; and

WHEREAS, all funds will be used in accordance with all applicable federal, state, local, and programmatic requirements including procurement, environmental review, labor standards, real property acquisition, and civil rights requirements;

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

SECTION ONE. The Mayor and City Manager are appointed to serve as the Chief Executive Officers and Authorized Representatives to execute contractual documents pursuant to the Grant Award.

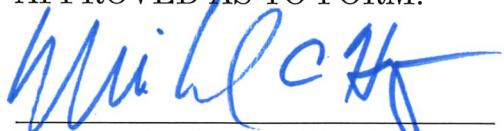
SECTION TWO. The City Manager is authorized to review and execute environmental review documents between the Texas Department of Agriculture and the City.

SECTION THREE. The Mayor, City Manager, Director of Finance, Assistant Director of Finance, and Director of Engineering are authorized to execute the Request for Payment Form documents and/or other forms required for requesting funds to reimburse project costs pursuant to the Grant Award.

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

Judy Eychner, Mayor

APPROVED AS TO FORM:

A blue ink signature of Michael C. Hayes.

Michael C. Hayes, City Attorney

ATTEST:

Shelley McElhannon, City Secretary

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 36-2022**

**A RESOLUTION ADOPTING POLICIES AND PROCEDURES AS
REQUIRED BY THE TEXAS COMMUNITY DEVELOPMENT
BLOCK GRANT PREVIOUSLY AWARDED TO THE CITY; AND
AFFIRMING THE CITY'S COMMITMENT TO CONDUCT A
PROJECT-SPECIFIC ANALYSIS AND TO TAKE ALL
APPROPRIATE ACTION NECESSARY TO COMPLY WITH
PROGRAM REQUIREMENTS**

WHEREAS, the City of Kerrville, Texas, ("City") has been awarded Texas Community Development Block Grant ("TxCDBG") funding through a TxCDBG grant from the Texas Department of Agriculture ("TDA"); and

WHEREAS, the City, in accordance with Section 109 of the Title I of the Housing and Community Development Act. (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); and for construction contracts greater than \$10,000 related to TxCDBG programs and projects, must take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the TxCDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability; and

WHEREAS, the City, in consideration for the receipt and acceptance of federal funding for the TxCDBG programs and projects, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections; and

WHEREAS, the City, in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 75, is required, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the TxCDBG project area; and

WHEREAS, the City, in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and the State's certification requirements at 24 CFR 91.325(b)(6), must adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations; and

WHEREAS, the City, in accordance with Executive Order 13166, must take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with limited English proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each TxCDBG project; and

WHEREAS, the City, in accordance with Section 504 of the Rehabilitation Act of 1973, does not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds; and

WHEREAS, the City, in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, agrees to conduct at least one activity during the contract period to affirmatively further fair housing; and

WHEREAS, the City, agrees to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts pursuant to the TxCDBG program and projects;

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

SECTION ONE. City Council, pursuant to the TxCDBG program and projects, adopts the following procedures and policies:

- a. Citizen Participation Plan and Grievance Procedures (Form A1013);
- b. Excessive Force Policy (Form A1003);
- c. Section 504 Policy and Grievance Procedures (Form A1004);
- d. Code of Conduct Policy (Form A1002), and
- e. Fair Housing Policy (Form 1015)

The above forms are attached as **Exhibit A**.

SECTION TWO. City Council affirms its commitment to conduct a project-specific analysis and take all appropriate action necessary to comply with program requirements for the following:

- a. Section 3 economic opportunity;
- b. Limited English Proficiency; and
- c. Affirmatively Further Fair Housing.

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

Judy Eychner, Mayor

APPROVED AS TO FORM:

A blue ink signature of Michael C. Hayes.

Michael C. Hayes, City Attorney

ATTEST:

Shelley McElhannon, City Secretary

EXHIBIT A

A1013

CITY OF KERRVILLE CITIZEN PARTICIPATION PLAN TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Note to Grant Recipients regarding Limited English Proficiency (LEP) requirements:

In accordance with federal law, if there is a significant number of the population who are non-English speaking residents and are affected by the TxCDBG project, such citizens should have "meaningful access" to all aspects of the TxCDBG project. To provide 'meaningful access', **Grant Recipients may need to provide interpreter services at public hearings or provide non-English written materials that are routinely provided in English.** Examples of such vital documents include Citizen Participation notices (e.g. complaint procedures, hearing notices) civil rights notices, and any other published notice that may allow an eligible person with limited English proficiency to participate in discussing proposed CDBG activities.

For more information, see LEP.gov.

COMPLAINT PROCEDURES

These complaint procedures comply with the requirements of the Texas Department of Agriculture's Texas Community Development Block Grant (TxCDBG) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). **Citizens can obtain a copy of these procedures at The City of Kerrville offices, 701 Main Street, Kerrville, TX 78028, (830) 257-8000 during regular business hours.**

Below are the formal complaint and grievance procedures regarding the services provided under the TxCDBG project.

1. A person who has a complaint or grievance about any services or activities with respect to the TxCDBG project, whether it is a proposed, ongoing, or completed TxCDBG project, **may during regular business hours submit such complaint or grievance, in writing to the Mayor, at City of Kerrville at 701 Main Street, Kerrville TX 78028, or may call (830) 257-8000.**

A copy of the complaint or grievance shall be transmitted by the Mayor to the entity that is the subject of the complaint or grievance and to The City of Kerrville

2. Attorney within five (5) working days after the date of the complaint or grievance was received.
3. **The Mayor shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to person who made the complaint or grievance within ten (10) days.**
4. If the investigation cannot be completed within ten (10) working days per 3. above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the TxCDBG for their further review and comment.
6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

09/01/2020

EXHIBIT A

TECHNICAL ASSISTANCE

When requested, **The City of Kerrville**

shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of TxCDBG funds. The City of Kerrville, based upon the specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

PUBLIC HEARING PROVISIONS

For each public hearing scheduled and conducted by The City of Kerrville, the following public hearing provisions shall be observed:

1. Public notice of all hearings must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice must include the date, time, location, and topics to be considered at the public hearing. A published newspaper article can also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
2. When a significant number of non-English speaking residents are a part of the potential service area of the TxCDBG project, **vital documents such as notices should be published in the predominant language of these non-English speaking citizens.**

Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and The City of Kerrville

3. must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing.
4. A public hearing held prior to the submission of a TxCDBG application must be held after 5:00 PM on a weekday or at a convenient time on a Saturday or Sunday.
5. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City of Kerrville

shall comply with the following citizen participation requirements for the preparation and submission of an application for a TxCDBG project:

At a minimum, The City of Kerrville

1. shall hold at least one (1) public hearing prior to submitting the application to the Texas Department of Agriculture.

The City of Kerrville

2. shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

3. The public hearing shall include a discussion with citizens as outlined in the applicable TxCDBG application manual to include, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities under the TxCDBG program, and the use of past TxCDBG contract funds, if applicable. Citizens, with particular emphasis on persons

EXHIBIT A

of low- and moderate-income who are residents of slum and blight areas, shall be encouraged to submit their views and proposals regarding community development and housing needs. Citizens shall be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.

4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City of Kerrville

must comply with the following citizen participation requirements in the event that the City of Kerrville receives funds from the TxCDBG program:

The City of Kerrville

1. shall also hold a public hearing concerning any substantial change, as determined by TxCDBG, proposed to be made in the use of TxCDBG funds from one eligible activity to another again using the preceding notice requirements.

Upon completion of the TxCDBG project, The City of Kerrville

2. shall hold a public hearing and review its program performance including the actual use of the TxCDBG funds.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, for either a public hearing concerning substantial change to the TxCDBG project or for the closeout of the TxCDBG project, publish notice in both English and Spanish, or other appropriate language and provide an interpreter at the hearing to accommodate the needs of the non-English speaking residents.

The City of Kerrville

4. shall retain documentation of the TxCDBG project, including hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

Signature

Judy Eychner, Mayor
Name, Title

Date

EXHIBIT A

09/01/2020

LA CIUDAD DE CITY OF KERRVILLE PLAN DE PARTICIPACIÓN CIUDADANA PROGRAMA DE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Nota a los receptores de subvención en relación a requisitos de Dominio Limitado del inglés:

De acuerdo con la ley federal hay un número significativo de población que son residentes y que no hablan inglés y son afectados por el proyecto TxCDBG, estos ciudadanos deben tener "acceso significativo" a todos los aspectos del proyecto TxCDBG. Para proporcionar "acceso significativo", receptores de la subvención pueden ser utilizados para proporcionar servicios de interpretación en las audiencias públicas o proporcionar materiales no escritos en inglés que se proporcionan de manera rutinaria en inglés.

Para obtener más información, consulte LEP.gov.

PROCEDIMIENTOS DE QUEJA

Estos procedimientos de queja cumplen con los requisitos del Departamento de Agricultura de Texas Community Development Block Grant (TxCDBG) y los requisitos del gobierno local de Texas se encuentran en 24 CFR §570.486 (Código de Regulaciones Federales). Los ciudadanos pueden obtener una copia de estos procedimientos en La Ciudad de dirección postal City of Kerrville, 701 Main Street, Kerrville, TX 78028, (830) 257-8000, en horario de oficina.

A continuación se presentan los procedimientos formales de quejas y quejas relativas a los servicios prestados en el marco del proyecto TxCDBG.

1. Una persona que tiene una queja o reclamación sobre cualquiera de los servicios o actividades en relación con el proyecto TxCDBG, o si se trata de una propuesta, en curso o determinado proyecto TxCDBG, pueden durante las horas regulares presentar dicha queja o reclamo, por escrito a la Mayor, a City of Kerrville, 701 Main Street, Kerrville, TX 78028, (830) 257-8000.
2. Una copia de la queja o reclamación se transmitirá por el alcalde a la entidad que es encargada de la queja o reclamación y al Abogado de La Ciudad dentro de los cinco (5) días hábiles siguientes a la fecha de la queja o día que la reclamación fue recibida.
3. El alcalde deberá cumplir una investigación de la queja o reclamación, si es posible, y dará una respuesta oportuna por escrito a la persona que hizo la denuncia o queja dentro de los diez (10) días.
4. Si la investigación no puede ser completada dentro de los diez (10) días hábiles anteriormente, la persona que hizo la queja o denuncia será notificada, por escrito, dentro de los quince (15) días cuando sea posible después de la entrega de la queja original o quejas y detallará cuando se deberá completar la investigación.
5. Si es necesario, la queja y una copia escrita de la investigación posterior se remitirán a la TxCDBG para su posterior revisión y comentarios.
6. Se proporcionará copias de los procedimientos de queja y las respuestas a las quejas, tanto en inglés y español, u otro lenguaje apropiado.

EXHIBIT A

09/01/2020

ASISTENCIA TÉCNICA

Cuando lo solicite, La Ciudad proporcionará asistencia técnica a los grupos que son representantes de las personas de bajos y moderados ingresos en el desarrollo de propuestas para el uso de los fondos TxCDBG. La Ciudad, en base a las necesidades específicas de los residentes de la comunidad en el momento de la solicitud, deberá determinar el nivel y tipo de asistencia.

DISPOSICIONES AUDIENCIA PÚBLICA

Para cada audiencia pública programada y llevada a cabo por La Ciudad, se observarán las disposiciones siguientes de audiencias públicas:

1. Aviso público de todas las audiencias deberá publicarse al menos setenta y dos (72) horas antes de la audiencia programada. El aviso público deberá publicarse en un periódico local. Cada aviso público debe incluir la fecha, hora, lugar y temas a considerar en la audiencia pública. Un artículo periodístico publicado también puede utilizarse para cumplir con este requisito, siempre y cuando cumpla con todos los requisitos de contenido y temporización. Los avisos también deben ser un lugar prominente en los edificios públicos y se distribuyen a las autoridades locales de vivienda pública y otros grupos interesados de la comunidad.
2. Cuando se tenga un número significativo de residentes que no hablan inglés serán una parte de la zona de servicio potencial del proyecto TxCDBG, documentos vitales como las comunicaciones deben ser publicados en el idioma predominante de estos ciudadanos que no hablan inglés.
3. Cada audiencia pública se llevará a cabo en un momento y lugar conveniente para los beneficiarios potenciales o reales e incluirá alojamiento para personas con discapacidad. Las personas con discapacidad deben poder asistir a las audiencias y La Ciudad debe hacer los arreglos para las personas que requieren ayudas o servicios auxiliares en caso de necesitarlo por lo menos dos días antes de la audiencia pública.
4. Una audiencia pública celebrada antes de la presentación de una solicitud TxCDBG debe hacerse después de las 5:00 pm en un día de semana o en un momento conveniente en sábado o domingo.
5. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad deberá cumplir con los siguientes requisitos de participación ciudadana para la elaboración y presentación de una solicitud para un proyecto TxCDBG:

1. Como mínimo, La Ciudad deberá tener por lo menos un (1) audiencia pública antes de presentar la solicitud al Departamento de Agricultura de Texas.
2. La Ciudad conservará la documentación de la convocatoria(s) audiencia, un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otra documentación

EXHIBIT A

relativa a la propuesta de utilizar los fondos para tres (3) años a partir de la liquidación de la subvención para el Estado. Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de Texas.

09/01/2020

3. La audiencia pública deberá incluir una discusión con los ciudadanos como se indica en el manual correspondiente de aplicación TxCDBG, pero no se limita a, el desarrollo de las necesidades de vivienda y desarrollo comunitario, la cantidad de fondos disponibles, todas las actividades elegibles bajo el programa TxCDBG y el uso de fondos últimos contratos TxCDBG, en su caso. Los ciudadanos, con especial énfasis en las personas de bajos y moderados ingresos que son residentes de las zonas de tugurios y tizón, se fomentará a presentar sus opiniones y propuestas sobre el desarrollo de la comunidad y las necesidades de vivienda. Los ciudadanos deben ser conscientes de la ubicación en la que podrán presentar sus puntos de vista y propuestas en caso de que no pueda asistir a la audiencia pública.
4. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad debe cumplir con los siguientes requisitos de participación ciudadana en el caso de que La Ciudad recibe fondos del programa TxCDBG:

1. La Ciudad celebrará una audiencia pública sobre cualquier cambio sustancial, según lo determinado por TxCDBG, se propuso que se hará con el uso de fondos TxCDBG de una actividad elegible a otro utilizando de nuevo los requisitos de notificación
2. Una vez finalizado el proyecto TxCDBG, La Ciudad celebrará una audiencia pública y revisará el desempeño del programa incluyendo el uso real de los fondos TxCDBG.
3. Cuando un número significativo de residentes que no hablan inglés se pude registrar para participar en una audiencia pública, ya sea para una audiencia pública sobre el cambio sustancial del proyecto TxCDBG o para la liquidación del proyecto TxCDBG, publicará un aviso en inglés y español u otro idioma apropiado y se proporcionara un intérprete en la audiencia para dar cabida a las necesidades de los residentes.
4. La Ciudad conservará la documentación del proyecto TxCDBG, incluyendo aviso de audiencia(s), un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otro registro concerniente al uso real de los fondos por un período de a tres (3) años a partir de la liquidación del proyecto al estado.

Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de Texas.

Firma/Signature

Judy Eychner, Mayor
Nombre, Título /Name, Title

Fecha/Date

EXHIBIT A

09/01/2020

A1003

Excessive Force Policy

In accordance with 24 CFR 91.325(b)(6), The City of Kerrville hereby adopts and will enforce the following policy with respect to the use of excessive force:

1. It is the policy of The City of Kerrville to prohibit the use of excessive force by the law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations;
2. It is also the policy of The City of Kerrville to enforce applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction; and
3. The City of Kerrville will introduce and pass a resolution adopting this policy.

As officers and representatives of City of Kerrville, we the undersigned have read and fully agree to this plan, and become a party to the full implementation of this program.

Signature

Judy Eychner, Mayor
Name, Title

Date

EXHIBIT A

09/01/2020

A1004

Section 504 Policy Against Discrimination Based on Handicap and Grievance Procedures

In accordance with 24 CFR Section 8, Nondiscrimination based on Handicap in federally assisted programs and activities of the Department of Housing and Urban Development, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Section 109 of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5309), City of Kerrville hereby adopts the following policy and grievance procedures:

1. **Discrimination prohibited.** No otherwise qualified individual with handicaps in the United States shall, solely by reason of his or her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance from the Department of Housing and Urban Development (HUD).
2. City of Kerrville does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its federally assisted programs and activities.
3. **City of Kerrville's recruitment materials or publications shall include a statement of this policy in 1. above.**
4. City of Kerrville shall take continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients that it does not discriminate on the basis of handicap in violation of 24 CFR Part 8.
5. For hearing and visually impaired individuals eligible to be served or likely to be affected by the TxCDBG program, City of Kerrville shall ensure that they are provided with the information necessary to understand and participate in the TxCDBG program.
6. **Grievances and Complaints**
 - a. Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for City of Kerrville to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
 - b. Complaints should be addressed to the Mayor, 701 Main Street, Kerrville, TX, 78028 or call (830) 257-8000, who has been designated to coordinate Section 504 compliance efforts.
 - c. A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
 - d. A complaint should be filed within thirty (30) working days after the complainant becomes aware of the alleged violation.
 - e. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by the Mayor. Informal but thorough investigations will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
 - f. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Mayor, and a copy forwarded to the complainant with fifteen (15) working days after the filing of the complaint where practicable.

EXHIBIT A

09/01/2020

- g. The Section 504 coordinator shall maintain the files and records of The City of Kerrville relating to the complaint files.
- h. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the determination/resolution as described in f. above. The request for reconsideration should be made to The City of Kerrville within ten working days after the receipt of the written determination/resolution.
- i. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the U.S. Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.
- j. These procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards and assure that The City of Kerrville complies with Section 504 and HUD regulations.

Signature

Judy Eychner, Mayor
Name, Title

Date

EXHIBIT A

09/01/2020

Code of Conduct Policy of The City of Kerrville

As a Grant Recipient of a TxCDBG contract, City of Kerrville shall avoid, neutralize or mitigate actual or potential conflicts of interest so as to prevent an unfair competitive advantage or the existence of conflicting roles that might impair the performance of the TxCDBG contract or impact the integrity of the procurement process.

For procurement of goods and services, no employee, officer, or agent of The City of Kerrville shall participate in the selection, award, or administration of a contract supported by TxCDBG funds if he or she has a real or apparent conflict of interest. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

No officer, employee, or agent of The City of Kerrville shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.

For all other cases, no employee, agent, consultant, officer, or elected or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or subrecipients which are receiving TxCDBG funds, that has any CDBG function/responsibility, or is in a position to participate in a decision-making process or gain inside information, may obtain a financial interest or benefit from the TxCDBG activity.

The conflict-of-interest restrictions and procurement requirements identified herein shall apply to a benefitting business, utility provider, or other third-party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet the National Program Objective.

Any person or entity including any benefitting business, utility provider, or other third-party entity that is receiving assistance, directly or indirectly, under a TxCDBG contract or award, or that is required to complete some or all work under the TxCDBG contract in order to meet a National Program Objective, that might potentially receive benefits from TxCDBG awards may not participate in the selection, award, or administration of a contract supported by CDBG funding.

Any alleged violations of these standards of conduct shall be referred to The City of Kerrville Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

Signature

Judy Eychner, Mayor
Name, Title

Date

EXHIBIT A

These procedures are intended to serve as guidelines for the procurement of supplies, equipment, construction services and professional services for the Texas Community Development Block Grant (TxCDBG) Program. The regulations related to conflict of interest and nepotism may be found at the Texas Government Code Chapter 573, Texas Local Government Code Chapter 171, Uniform Grant Management Standards by Texas Comptroller, 24 CFR 570.489(g) &(h), and 2 CFR 200.318

03/01/2022

EXHIBIT A

A1015

Fair Housing Policy

In accordance with Fair Housing Act, The City of Kerrville hereby adopts the following policy with respect to the Affirmatively Furthering Fair Housing:

1. City of Kerrville agrees to affirmatively further fair housing choice for all seven protected classes (race, color, religion, sex, disability, familial status, and national origin).
2. **City of Kerrville agrees to plan at least one activity during the contract term to affirmatively further fair housing.**
3. City of Kerrville will introduce and pass a resolution adopting this policy.

As officers and representatives of City of Kerrville, we the undersigned have read and fully agree to this plan and become a party to the full implementation of this program.

Signature

Judy Eychner, Mayor
Name, Title

Date



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

SUBJECT: Professional Services Agreement with Kimley-Horn and Associates, Inc. for Texas Downtown/Main Street Community Development Block Grant Program post-award services in the amount of \$78,810.

AGENDA DATE OF: June 28, 2022 **DATE SUBMITTED:** Jun 15, 2022

SUBMITTED BY: Megan Folkerts

EXHIBITS:

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
78,810		78,810	

PAYMENT TO BE MADE TO: Kimley Horn and Associates

Kerrville 2050 Item?	Yes
Key Priority Area	D - Downtown Revitalization
Guiding Principle	D5. Promote a walkable, useable, uniform and pedestrian-oriented public space linking Downtown to the surrounding neighborhoods through streetscape elements, access, connections and crossings
Action Item	D5.3 - Make Downtown more pedestrian-friendly by improving walkways, adding accessibility ramps, beautifying the area with landscaping and street trees, etc.

SUMMARY STATEMENT:

The City of Kerrville issued a Request for Qualifications for engineering services to assist the City of Kerrville in its application for funding and project implementation of a contract from the 2021 Texas Capital Fund Downtown Revitalization/Main Street Program of the Texas Downtown/Main Street Community Development Block Grant Program (TXCDBG) of the Texas Department of Agriculture – Office of Rural Affairs. Kimley Horn was selected as the pre-award engineering consultant on February 23, 2021. The City of Kerrville has been awarded the TXCDBG funding, and would like to continue its relationship with Kimley Horn through a Professional Service Agreement for post-award engineering consulting

services.

The Professional Services Agreement is located in the City Secretary Office for review.

RECOMMENDED ACTION:

Authorize the City Manager to finalize and execute the professional services agreement with Kimley-Horn and Associates, Inc.



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

SUBJECT: Authorize City's purchase of an approximate 7.117 acre tract of land generally located on the southwest corner of the intersection of Clearwater Paseo Dr. and Rio Monte Dr., by authorizing the City Manager to accept the conveyance of a deed for such property and to take any other action necessary to effectuate this transaction. Said property to be developed and used as the City's Public Safety Facility.

AGENDA DATE OF: June 28, 2022 **DATE SUBMITTED:** Jun 08, 2022

SUBMITTED BY: Michael Hornes

EXHIBITS: [20220628_Survey revised Clearwater Paseo-Rio Monte.pdf](#)

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
\$705,000			Capital Projects Fund balance to be repaid by bond proceeds

PAYMENT TO BE MADE TO: Hervey Square Limited Partnership

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:

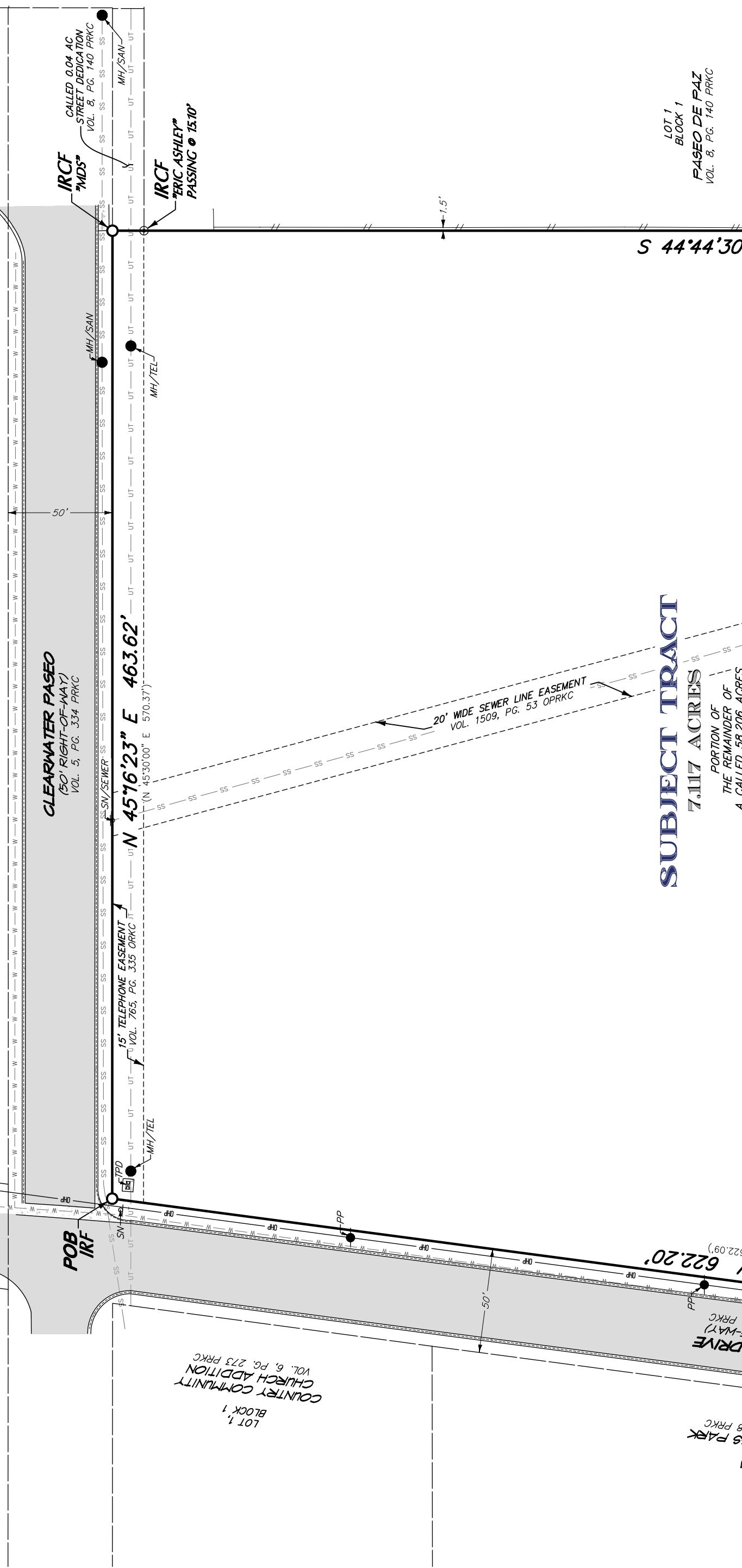
The City is currently under contract to purchase 7.1 acres of land for the new Public Safety Facility at the corner of Rio Monte Drive and Clearwater Paseo. The purchase was contingent upon the passage of the May 7th bond election, which was approved by the citizens of Kerrville. Staff has reviewed the conditions on the current site, mapped out all the relevant easements and the current survey is attached here as an exhibit.

RECOMMENDED ACTION:

Authorize the City Manager to finalize and execute a contract.

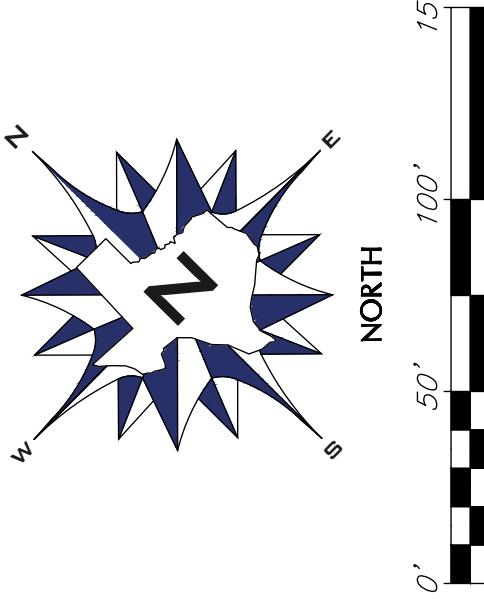
PROPERTY ADDRESS:
100 MONTE DRIVE N, KERRVILLE, TEXAS

LCRA KERRVILLE AND SERVICE CENTER
TRACT 1
VOL. 5, PG. 334 PRKC



TITLE COMMITMENT NOTES:
REFERENCE COMMITMENT FOR TITLE INSURANCE ISSUED BY STEWART TITLE GUARANTY COMPANY, GF NO. 46706, HAVING AN EFFECTIVE DATE OF MARCH 18, 2022, AND AN ISSUE DATE OF MARCH 23, 2022. NO FURTHER RESEARCH OF EASEMENTS OR ENCUMBRANCES WAS PERFORMED BY MDS LAND SURVEYING COMPANY, INC.
10(A) RIGHTS OF PARTIES IN POSSESSION (NOT A SURVEY MATTER)
10(B) EASEMENT TO TEXAS POWER & LIGHT COMPANY DATED MARCH 21, 1930, RECORDED IN VOLUME 52, PAGE 38, DEED RECORDS OF KERR COUNTY, TEXAS.
(INSUFFICIENT INFORMATION TO LOCATE)
10(C) EASEMENT TO TEXAS POWER & LIGHT COMPANY DATED AUGUST 11, 1936, RECORDED IN VOLUME 59, PAGE 434, DEED RECORDS OF KERR COUNTY, TEXAS.
(INSUFFICIENT INFORMATION TO LOCATE)

10(D) EASEMENT TO SOUTHWESTERN BELL TELEPHONE COMPANY DATED AUGUST 25, 1982, RECORDED IN VOLUME 14, PAGE 465, EASEMENT RECORDS OF KERR COUNTY, TEXAS. (INSUFFICIENT INFORMATION TO LOCATE)
10(E) EASEMENT TO THE KERRVILLE COMPANY DATED MAY 20, 1934, RECORDED IN VOLUME 765, PAGE 335, REAL PROPERTY RECORDS OF KERR COUNTY, TEXAS. (DOES AFFECT, SHOWN HEREON)
10(F) DRAINAGE AND UTILITY EASEMENT AGREEMENT BY AND BETWEEN HERVEY SQUARE LIMITED PARTNERSHIP AND KERRVILLE CLEARWATER PASO APARTMENTS, L.P., DATED MARCH 3, 2006, RECORDED IN VOLUME 1509, PAGE 61, OFFICIAL PUBLIC RECORDS OF KERR COUNTY, TEXAS. (DOES AFFECT, SHOWN HEREON)
10(H) DRAINAGE AND UTILITY EASEMENT AGREEMENT BY G. MANGER MACDONALD AND T. JUSTINE MACDONALD DATED SEPTEMBER 30, 2008, RECORDED IN VOLUME 702, PAGE 606, OFFICIAL PUBLIC RECORDS OF KERR COUNTY, TEXAS. (DOES AFFECT, SHOWN HEREON)
10(I) EASEMENTS AND ALL MATTERS AS SHOWN ON PLAT OF SURVEY DATED APRIL 15, 2022, BY JEFF BOERNER, R.P.L.S. NO. 4939. (AS SHOWN HEREON)
10(J) DRAINAGE AND UTILITY EASEMENT AGREEMENT BY AND BETWEEN HERVEY SQUARE LIMITED PARTNERSHIP AND G. MANGER MACDONALD AND T. JUSTINE MACDONALD DATED SEPTEMBER 30, 2008, RECORDED IN VOLUME 702, PAGE 606, OFFICIAL PUBLIC RECORDS OF KERR COUNTY, TEXAS. (DOES AFFECT, SHOWN HEREON)
10(K) TITLE COMPANY DOES NOT INSURE PROPERTY LYING INSIDE THE FENCELINE, BUT OUTSIDE THE PROPERTY LINE, AS SHOWN ON PLAT OF SURVEY DATED APRIL 15, 2022, BY JEFF BOERNER, R.P.L.S. NO. 4939. (AS SHOWN HEREON)
10(L) ALL LEASES, GRANTS, EXCEPTIONS, OR MINERALS, TOGETHER WITH ALL RIGHTS, PRIVILEGES, AND OTHER MINERALS RELATING THERETO, APPEARING IN THE PUBLIC RECORDS WHETHER LISTED IN SCHEDULE B OR NOT, THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVES OF MINERAL INTEREST THAT ARE NOT LISTED. (SEE GENERAL NOTE # 5)
10(M) ANY VISIBLE AND/OR APPARENT ROADWAYS OR EASEMENTS OFFER OR ACROSS THE SUBJECT PROPERTY (AS SHOWN HEREON).



GENERAL NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1933, SOUTH CENTRAL ZONE (4204).
2. DISTANCES SHOWN HEREON ARE GRID VALUES.
3. FIELD SURVEY COMPLETED 04-07-2022.
4. VISIBLE IMPROVEMENTS/UTILITIES WERE LOCATED WITH THIS SURVEY; NO SURFACE PROBING, EXCAVATION OR EXPLORATION WAS PERFORMED FOR THIS SURVEY; UNDERGROUND UTILITIES MAY EXIST WHICH ARE NOT SHOWN HEREON.
5. DETERMINATION OF THE OWNERSHIP, LOCATION, OR DEVELOPMENT OF MINERALS RELATED TO THE SUBJECT TRACT FELL OUTSIDE THE SCOPE OF THIS SURVEY; SUCH MATTERS SHOULD BE DIRECTED TO THE CLIENT OR PROSPECTIVE PURCHASER TO AN EXPERT CONSULTANT.
6. ACCORDING TO COMMUNITY PANEL NO. 0826500470F OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR KERR COUNTY, TEXAS, HAVING A MAP EFFECTIVE DATE OF MARCH 2ND, 2011; THE SUBJECT TRACT IS LOCATED WITHIN SHADDED ZONE "X" DEFINED AS AREAS OF 500-YEAR FLOOD, AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1-FOOT OR WITH AVERAGE DEPTHS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
7. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE. NO RESEARCH OF THE PUBLIC RECORDS OF KERR COUNTY, TEXAS REGARDING EASEMENTS AND ENCUMBRANCES WAS PERFORMED BY MDS LAND SURVEYING COMPANY, INC. THEREFORE EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH ARE NOT SHOWN HEREON.
8. A FIELD NOTES DESCRIPTION OF EQUAL DATE WAS CREATED IN CONJUNCTION WITH THIS EXHIBIT (SUBJECT TRACT).

PLAT SHOWING:

1. 20' WIDE SEWER LINE EASEMENT VOL. 15059, PG. 53 PRKC
2. 15' TELEPHONE EASEMENT VOL. 765, PG. 335 PRKC
3. 15' WIDE SEWER LINE EASEMENT VOL. 1702, PG. 606 PRKC
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**TO BE CONSIDERED BY THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Resolution No. 38-2022. A Resolution authorizing the City to utilize the Design-Build method for the construction of the City's Public Safety Facility; and authorizing other related actions as part of this method.

AGENDA DATE OF: June 28, 2022 **DATE SUBMITTED:** Jun 15, 2022

SUBMITTED BY: Stuart Barron

EXHIBITS: [20220628_Reso 38-2022 Design-Build Method for Public Safety Facility construction.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	F - Public Facilities and Services
Guiding Principle	F1. Commit to maintaining high-quality, cost-effective public services and facilities consistent with anticipated growth and ensure cost-effective use and maintenance of these assets
Action Item	F2.4 - Consider bond funding for a new public safety building/complex

SUMMARY STATEMENT:

At the June 14, 2022 City Council workshop, staff presented various applicable design and construction methods allowed by State law. Council directed staff to proceed with the necessary steps to utilize the Design-Build method. The Resolution outlines the Design-Build process to be utilized for the new Public Safety Facility on Rio Monte Drive North.

RECOMMENDED ACTION:

Approve Resolution No. 38-2022.

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 38-2022**

A RESOLUTION AUTHORIZING THE CITY TO UTILIZE THE DESIGN-BUILD METHOD FOR THE CONSTRUCTION OF THE CITY'S PUBLIC SAFETY FACILITY; AND AUTHORIZING OTHER RELATED ACTIONS AS PART OF THIS METHOD

WHEREAS, the City of Kerrville, Texas ("City") seeks to construct a building on property located at the corner of Clearwater Paseo and Rio Monte Drive to use as a public safety facility, which will house the City's police department, fire administration, municipal court, emergency management, and information technology department (the "Project"); and

WHEREAS, expenditures for the Project will exceed \$50,000.00; and

WHEREAS, pursuant to Local Government Code Section 252.021(a), before entering into a contract that requires an expenditure of more than \$50,000.00, the City must: (1) comply with Subchapters B and C of Chapter 252, Local Government Code ("Chapter 252") related to competitive bidding and proposals; (2) use the reverse auction procedure defined by Section 2155.062(d) of the Government Code, for purchasing; or (3) comply with a method described by Chapter 2269 of the Texas Government Code ("Chapter 2269"); and

WHEREAS, Subchapter G of Chapter 2269, "Building Using Design-Build method," describes the design-build method authorized by that subchapter as a project delivery method by which a governmental entity, such as the City, contracts with a single entity to provide both design and construction services for the construction, rehabilitation, alteration, or repair of a facility; and

WHEREAS, Section 2269.056(a) of the Government Code provides that the governing body of a governmental entity that considers a public work contract using a method authorized by Chapter 2269 other than competitive bidding must, before advertising, determine which method provides the best value for the governmental entity; and

WHEREAS, in relation to the Project specifics and requirements, City staff has considered the methods described in Chapter 2269 and reviewed the procedures described in Chapter 252; and

WHEREAS, with respect to the Project and the expenditures necessary to complete it, City staff now recommends use of the design-build method for buildings authorized by Subchapter G of Chapter 2269 as the project delivery method that provides the best value for the City;

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

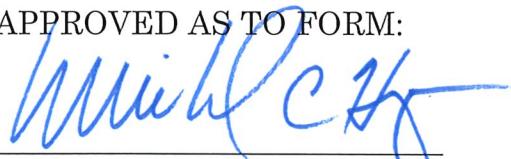
SECTION ONE. City Council finds, in accordance with Section 2269.056 of the Texas Government Code, that with respect to expenditures necessary to construct a public safety facility on property located at the corner of Clearwater Paseo and Rio Monte Drive in Kerrville, Kerr County, Texas, the design-build method described by Subchapter G of Chapter 2269 of the Texas Government Code provides the best value for the City.

SECTION TWO. Pursuant to Section 2269.053 of the Government Code, City Council delegates its authority under Chapter 2269 of the Government Code to the City Manager, or his designee, regarding an action authorized or required by this chapter.

SECTION THREE. Pursuant to Section Two above, City Council authorizes the City Manager to enter into a professional services agreement with Freese and Nichols, Inc., such entity to serve as the City's independent professional for the public work contract. This authority does not include the approval of the request for qualifications for a design-build firm or the selection of such firm.

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

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

Judy Eychner, Mayor

ATTEST:

Shelley McElhannon, City Secretary



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

SUBJECT: Professional Service Agreement with Freese and Nichols, Inc. to design the relocation of gravity sewer main at future Public Safety Facility on Rio Monte Drive in the amount of \$90,785.

AGENDA DATE OF: June 28, 2022 **DATE SUBMITTED:** Jun 15, 2022

SUBMITTED BY: Stuart Barron

EXHIBITS:

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
\$90,785			

PAYMENT TO BE MADE TO: Freese and Nichols, Inc.

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	F2.4 - Consider bond funding for a new public safety building/complex

SUMMARY STATEMENT:

The City is in the process of acquiring a piece of property on Rio Monte Drive N. The property will be the site of the City's new Public Safety Facility. Currently there is an existing 21 inch gravity sewer main crossing the property on a diagonal. This sewer line must be relocated to allow enough space for the new building. Under this contract Freese & Nichols will perform the design services to relocate the sewer main.

The Professional Services Agreement is located in the City Secretary Office for review.

RECOMMENDED ACTION:

Authorize the City Manager to finalize and execute the professional services agreement with Freese and Nichols, Inc.



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

SUBJECT: Financial Report for month ended May 31, 2022.

AGENDA DATE OF: June 28, 2022 **DATE SUBMITTED:** Jun 15, 2022

SUBMITTED BY: Julie Behrens

EXHIBITS: [20220628_Presentation_Finance.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:

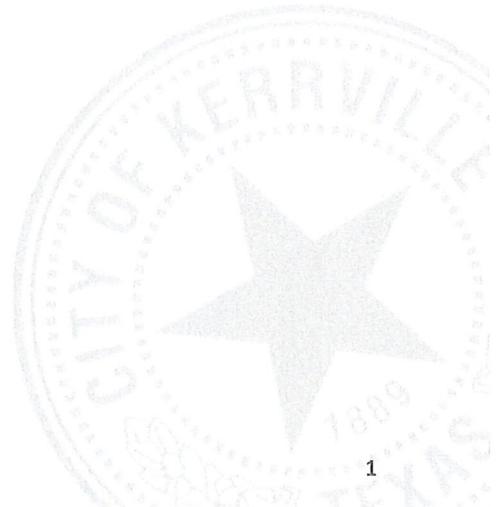
Monthly financials report, month ended May 31, 2022.

RECOMMENDED ACTION:

Report.

Financial Update

City Council Meeting
June 28, 2022



General Fund Summary

On May 7th voters approved Prop A - \$45M General Obligation Bond for expenses related to land acquisition, construction of a Public Safety Facility, and furniture, fixtures, and equipment.

Next Steps

June/July

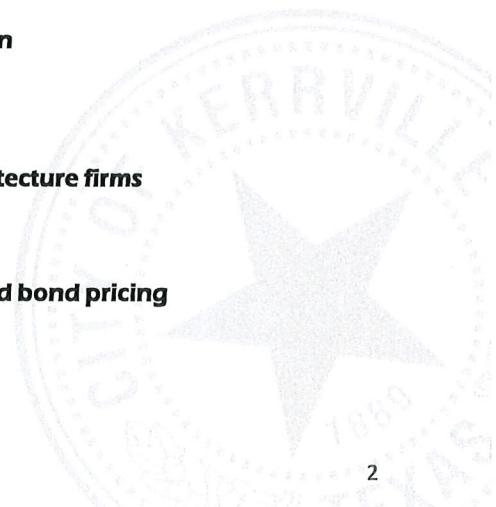
- Staff (with Hilltop Securities and bond counsel) has prepared the first draft of the Preliminary Official Statement (POS) for bond issuance
- Staff preparing documents for S & P bond rating determination
- Staff will make underwriter selection
- Complete land purchase
- Design relocation of sewer line
- Engage in process of selecting engineering, design, and architecture firms

August

- Receive bond rating from S & P
- Hilltop Securities will post POS on i-deal website for negotiated bond pricing
- Council will approve ordinance and conduct bond sale

September

- Funds will be received on or about Sept. 15th
- Reimburse City for any funds expended for project-to-date



General Fund Summary

General Fund Revenues as of May 31, 2022

Property Tax:

Budget: \$10,720,382

Current Collections: \$10,477,269

- **Includes \$183,680 from prior years' taxes**
 - **\$243K from being meeting budget**
 - **June 30th deadline for half pay property tax agreements**
 - **Expect to meet budget**

Sales Tax:

Budget: \$9,339,787

Current Collections: \$6,281,183

- **Average increase of 13% over FY2021 through April 2022**
 - **Categories with highest increases: Retail, Wholesale Trade, Manufacturing, Food Service**
 - **June sales tax has been received – 12% increase of FY2021**
 - **Estimating FY2022 year-end \$9.9M (\$600K better than amended budget)**

3

General Fund Summary

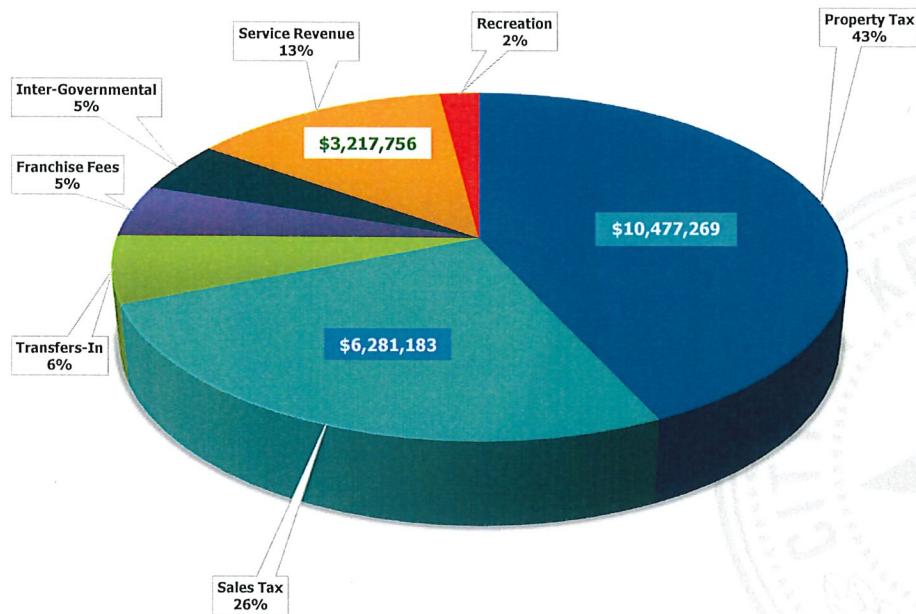
Overview of Revenues as of May 31, 2022

General Fund	FY2022 Budget	Budget Estimate	Y-T-D FY2022 Actual	Y-T-D FY2022 Actual	Better or Worse than YTD Budget	Y-T-D FY2021 Actual	Change from YTD FY2021
Taxes							
Property Tax	\$ 10,720,382	\$ 10,286,825	\$ 10,477,269	\$ 190,444	\$ 9,921,051	\$ 556,218	
Sales Tax	9,339,787	6,159,208	6,281,183	121,975	5,603,513	677,670	
Franchise Fees	1,959,200	1,175,520	1,169,634	(5,886)	1,056,587	113,047	
Total Taxes	\$ 22,019,369	\$ 17,621,553	\$ 17,928,086	\$ 306,533	\$ 16,581,151	\$ 1,346,935	
Permits & Fees	40,495	28,410	21,140	(7,270)	14,744	6,396	
Inter-Governmental	1,489,052	1,147,408	1,154,980	7,572	1,087,709	67,271	
Service Revenue	3,997,854	2,523,487	3,217,756	694,269	2,595,870	621,886	
Recreation	656,975	387,599	494,545	106,946	544,547	(50,002)	
Fines & Forfeitures	476,550	363,769	266,034	(97,735)	252,471	13,563	
Grants & Donations	29,500	22,518	24,146	1,628	50,726	(26,580)	
Interest & Misc.	223,961	170,958	178,146	7,188	207,227	(29,081)	
Transfers-In	2,276,116	1,532,411	1,532,411	-	1,664,326	(131,915)	
Total General Fund Reven	\$ 31,209,872	\$ 23,798,113	\$ 24,817,244	\$ 1,019,131	22,998,771	\$ 1,818,473	

- **Recreation revenues better than YTD estimated budget but behind last year**
- **Services better than budget due to EMS revenues**
- **Overall fund \$1M ahead of FY2022 YTD estimated budget primarily due to growth in property & sales tax, & EMS**

General Fund Summary

Revenues By Category



General Fund Summary

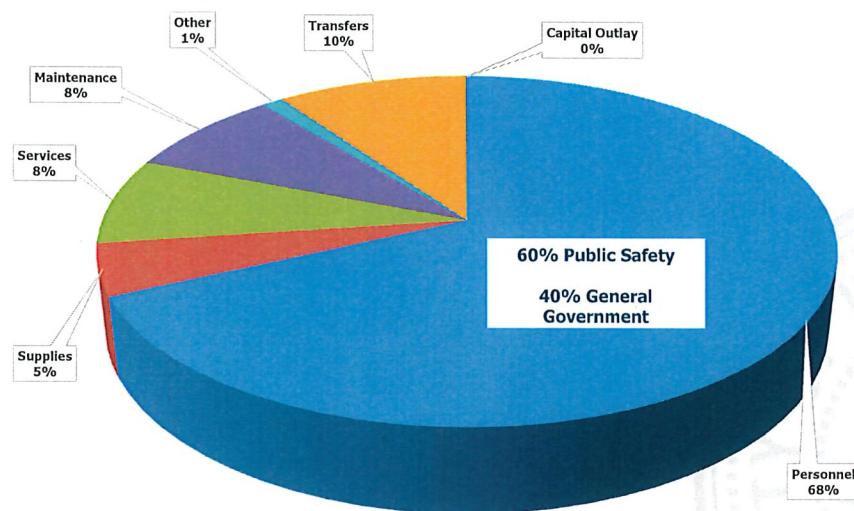
Overview of Expenses as of May 31, 2022

General Fund Expenses	FY2022 Budget	Y-T-D FY2022 Budget Estimate	Y-T-D FY2022 Actual	Better or Worse than YTD Budget	Y-T-D FY2021 Actual	Change from YTD FY2021
Personnel	\$ 22,323,798	\$ 14,733,707	\$14,695,627	\$ 38,080	\$13,622,593	\$ 1,073,033
Supplies	1,495,320	971,958	1,026,100	(54,143)	810,991	215,109
Maintenance	3,630,742	1,996,908	1,770,614	226,294	1,652,842	117,772
Services	2,447,369	1,590,790	1,719,577	(128,787)	1,561,555	158,023
Other	532,556	282,254	231,666	50,589	189,353	42,313
Capital Outlay	106,236	63,742	7,155	56,587	12,441	(5,286)
Transfers-Out	2,204,114	2,134,114	2,134,114	-	219,098	1,915,016
Total General Fund Expe	\$ 32,740,134	\$ 21,773,473	\$21,584,852	\$ 188,620	\$18,068,874	\$ 3,515,979

- Behind YTD budget estimate: Supplies and Services categories
 - Gas: \$66K higher in this fund than last year-to-date**
 - Services: Other professional services & consulting fees related to the bond process, property tax collection commission, EMS billing, & liability insurance are drivers in this category
- Better than budget in maintenance – paving is kicking off
- Better than budget in Capital Outlay – supply issues

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: \$3,958,690 (through May billing – April consumption)

- Slightly ahead of YTD budget estimate and ahead of last year

May sales –

13% better than May 2021

12 % better than April 22

May FY2021 4.43" more rainfall than May FY2022

Sewer Sales:

Budget: \$5,992,747

Current Sales : \$4,075,531

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

Water Fund Summary

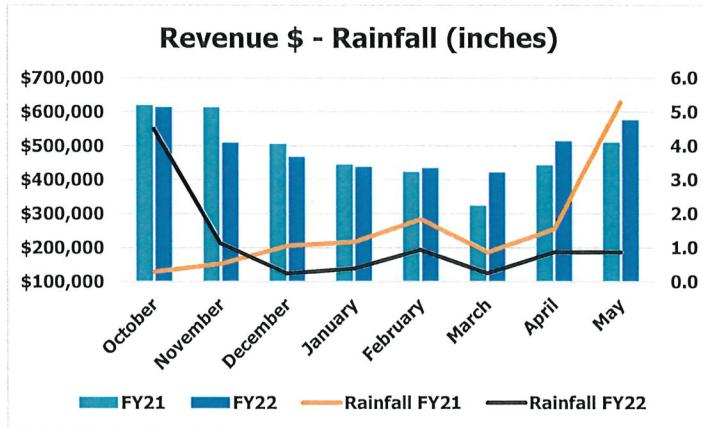
Overview of Revenues as of May 31, 2022

Water Fund	Current	Year to Date	Y-T-D FY2022 Actual	Better or Worse than YTD Budget	Y-T-D FY2021 Actual	Change from YTD FY2021
	FY2022 Budget	FY2022 Budget				
Revenues						
Water Sales	\$ 6,665,813	\$ 3,932,830	\$ 3,958,690	\$ 25,860	\$ 3,865,408	\$ 93,282
Sewer Sales	5,992,747	3,955,213	4,075,513	120,300	3,923,934	151,579
Reuse Sales	155,021	100,764	93,623	(7,141)	102,380	(8,757)
Waste Disposal Fees	450,000	292,500	270,057	(22,433)	298,989	(28,922)
Other	442,180	287,417	319,353	31,936	467,628	(148,275)
Total Revenues	\$ 13,705,761	\$ 8,568,723	\$ 8,717,246	\$ 148,523	\$ 8,658,339	58,907

Notes:

- Total fund revenues better than FY2022 estimated budget, largely due to sewer sales**
- As of now, expect to meet overall budget for water fund for FY2022**
 - Could change if water restrictions are implemented**

Water Fund Summary



Notes:

- Water revenues were down compared to FY2022 estimated budgeted until recently – indicative of dependency on rainfall**
 - Fall was very wet**
 - Spring has been dry**
 - Current consumption**
- Sewer has been more steady – less dependent on rainfall**

Source: ars.usda.gov

Water Fund Summary

Overview of Expenses as of May 31, 2022

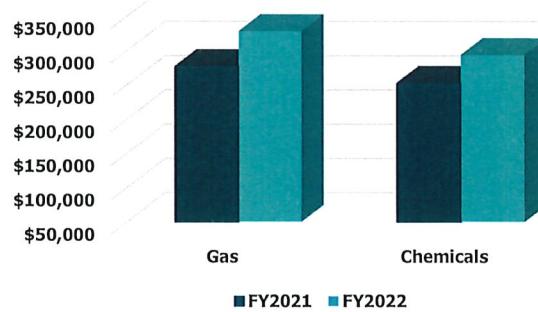
Water Fund	Current		Year to Date		Y-T-D FY2022 Actual	Better or Worse than YTD Budget	Y-T-D FY2021 Actual	Change from YTD FY2021
	FY2022 Budget	FY2022 Budget	FY2022 Actual	YTD Budget				
Expenses								
Personnel	\$ 3,655,737	\$ 2,449,344	\$ 2,397,018	\$ 52,326	\$ 2,347,775	\$ 49,243		
Supplies	824,367	552,326	450,380	101,946	382,072	68,308		
Maintenance	972,357	651,479	559,200	92,279	447,563	111,637		
Services	1,088,446	729,259	689,618	39,641	664,424	25,194		
Other	314,371	210,629	56,290	154,339	200,083	(143,793)		
Capital Outlay	125,200	83,884	75,734	8,150	117,615	(41,881)		
Transfers-Out	6,847,233	4,665,120	4,665,120	-	4,217,774	447,346		
Total WWF Expenses	\$ 13,827,711	\$ 9,342,040	\$ 8,893,360	\$ 448,680	\$ 8,377,306	\$ 516,054		

Notes:

- Overall fund better than YTD estimate
- Better than budget in most categories
 - Large portion of supplies & maintenance is driven by the amount of water produced
 - With dry weather – expect increase in chemicals and maintenance with increased water consumption
- FY2022 EARLY estimates CURRENTLY trend toward ending the year slightly ahead of expense budget, however, still 4 months of expenses pending that could vary greatly with increased water consumption and inflationary prices

Water Fund Summary

Gas - Chemical Comparison



- FY2021 compared to FY2022
- Two larger expenses affected by inflation
 - 19% increase in gas
 - 17% increase in chemicals
- Increases expected to continue into FY2023

Golf Fund Overview

Overview as of May 31, 2022

Golf Fund	Current		Year to Date		Y-T-D FY2022 Actual	Better or Worse than YTD Budget	Y-T-D FY2021 Actual	Change from YTD FY2021
	FY2022 Budget	FY2022	Budget					
Revenues	\$ 1,015,083	\$ 622,151	\$ 747,933	\$ 125,782	\$ 693,312	\$ 54,621		
Expenses	1,057,517	652,580	568,696	83,884	517,480	51,216		
Net	\$ (42,434)	\$ (30,430)	\$ 179,237	\$ 209,667	\$ 175,832	\$ 3,405		

Notes:

- Golf continues to perform well with revenues 8% ahead of FY2021**
- Supply chain issues making expenses better than budget**

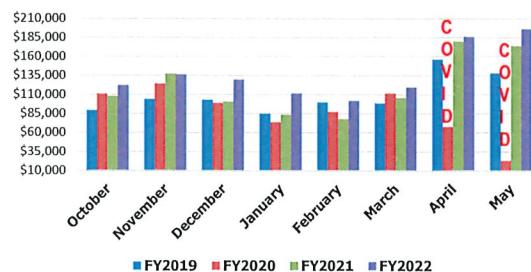
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HOT Fund Summary

Overview as of May 31, 2022

Hotel Occupancy Tax 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	Budget				
Revenues	\$ 1,555,258	\$ 1,010,918	\$ 1,116,767	\$ 105,850	\$ 967,650	149,117
Expenses	1,605,258	995,260	962,744	32,516	808,055	154,689
Net	\$ (50,000)	\$ 15,658	\$ 154,023	\$ 138,366	\$ 159,595	\$ (5,572)

HOT Revenue



Notes:

- May revenues= April stays**
- May 2022: 15% YTD ahead of FY2021**
- Expecting to end FY2022 \$260K better than budgeted revenues**

Development Services Fund

Overview as of May 31, 2022

Development Services Fund	Current		Year to Date		Y-T-D FY2022 Actual	Better or Worse than YTD Budget	Y-T-D FY2021 Actual	Change from YTD FY2021
	FY2022 Budget	FY2022	Budget					
Revenues								
Permits & Fees	\$ 888,473	\$ 592,315	\$ 460,181	\$ (132,135)	\$ 317,550	\$ 142,631		
Transfer In	147,895	\$ 98,597	98,597	-	181,507	(82,910)		
Total Revenue	\$ 1,036,368	\$ 690,912	\$ 558,777	\$ (132,135)	\$ 499,056	\$ 59,721		
Expenditures	1,061,068	707,379	665,737	41,642	645,839	(19,898)		
Net	\$ (24,700)	\$ (16,466)	\$ (106,960)	\$ (90,493)	\$ (146,783)	\$ 39,823		

Notes:

- **Revenues from Permits & Fees behind estimated budget-to-date but \$ 143K ahead of last year**
- **Expenses better than estimated budget-to-date**
- **FY2022 budgeted transfer less than FY2021**
- **Too early to estimated FY2022 year-end**

15

Finance Calendar

June/July	Work through bond issuance and credit rating process
June 16th	Council budget workshop
July 19th	Council budget workshop
July 25th	Receive certified (or estimated) property tax roll from KCAD
July 25th +/-	S & P conference call
July 31st	File FY2023 Proposed Budget
August 4th	Receive S & P rating
August 9th	Presentation of FY2023 Proposed Budget
	Resolution to set proposed tax rate for FY2023
August 15th	Post Preliminary Official Statement (POS) for negotiated bond pricing
Mid-August	Begin preliminary audit work
August 23rd	Ordinance to issue General Obligation Bonds
	Conduct bond sale
	Public hearing / first reading - budget & tax rate ordinances
September 15th	Deliver bonds to underwriters / City receive bond funds

16

Council Questions or Comments?





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

SUBJECT: Presentation from the City's financial advisor as to economic conditions and timing of actions relating to the City's sale of general obligation bonds for its Public Safety Facility.

AGENDA DATE OF: June 28, 2022 **DATE SUBMITTED:** Jun 13, 2022

SUBMITTED BY: Julie Behrens

EXHIBITS: [20220628_Presentation_HilltopSecurities market update & schedule corrected 6-29-22.pdf](#)

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

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

SUMMARY STATEMENT:

Hilltop Securities will present a market update and information relating to the impending sale of general obligation bonds for the completion of the Public Safety Facility.

RECOMMENDED ACTION:

Report. No Council action.



Contact

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San Antonio, Texas 78216
Direct: 210.308.2200

Market Update and Discussion on Upcoming General Obligation Bond Issuance



June 14, 2022

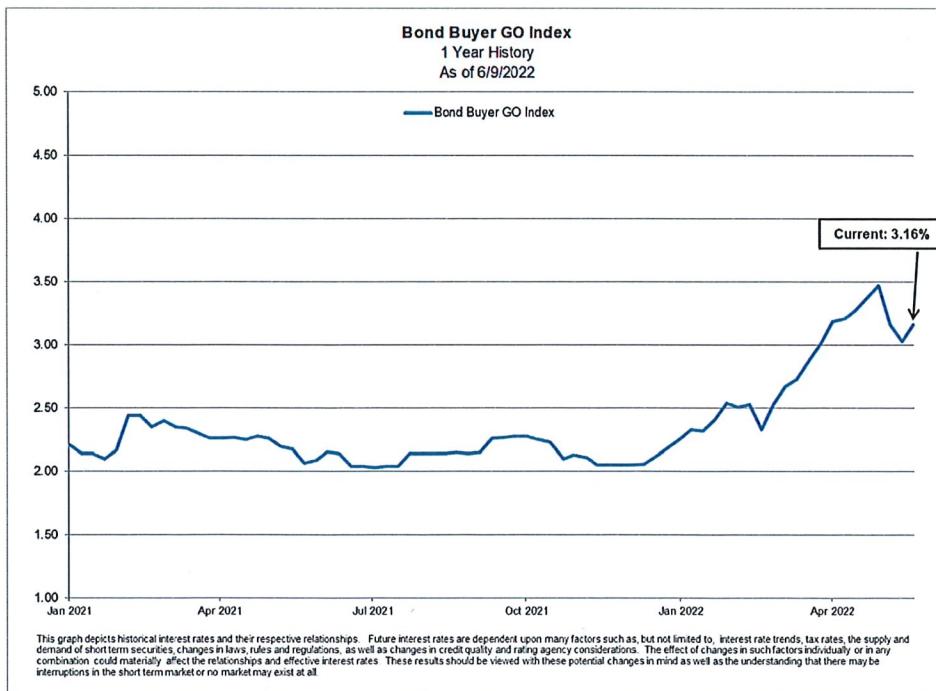
Kerrville, Texas

Market Update

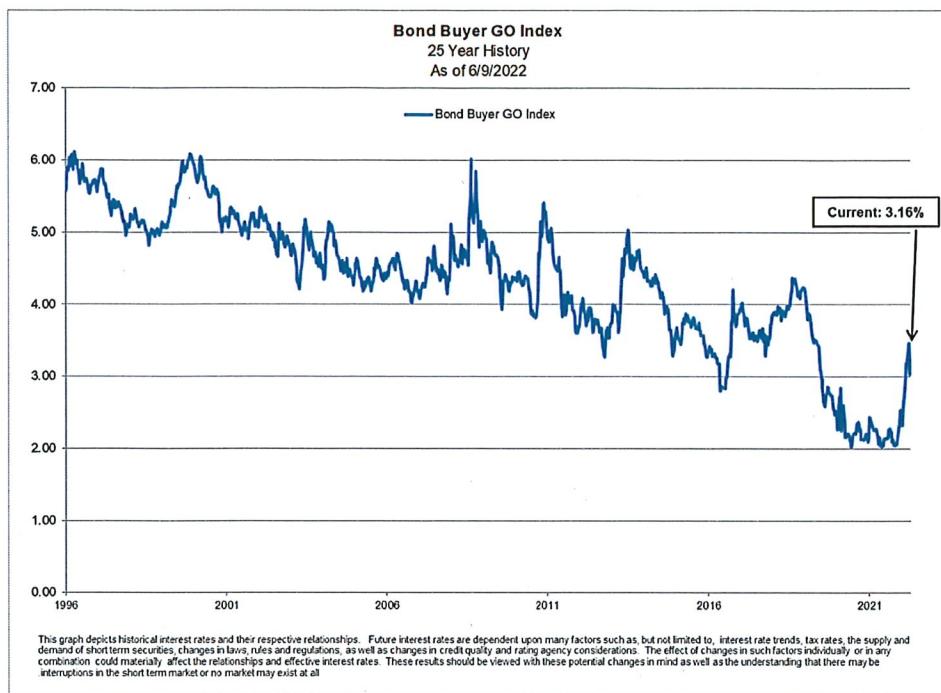


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Bond Buyer's Index of 20 Municipal Bonds

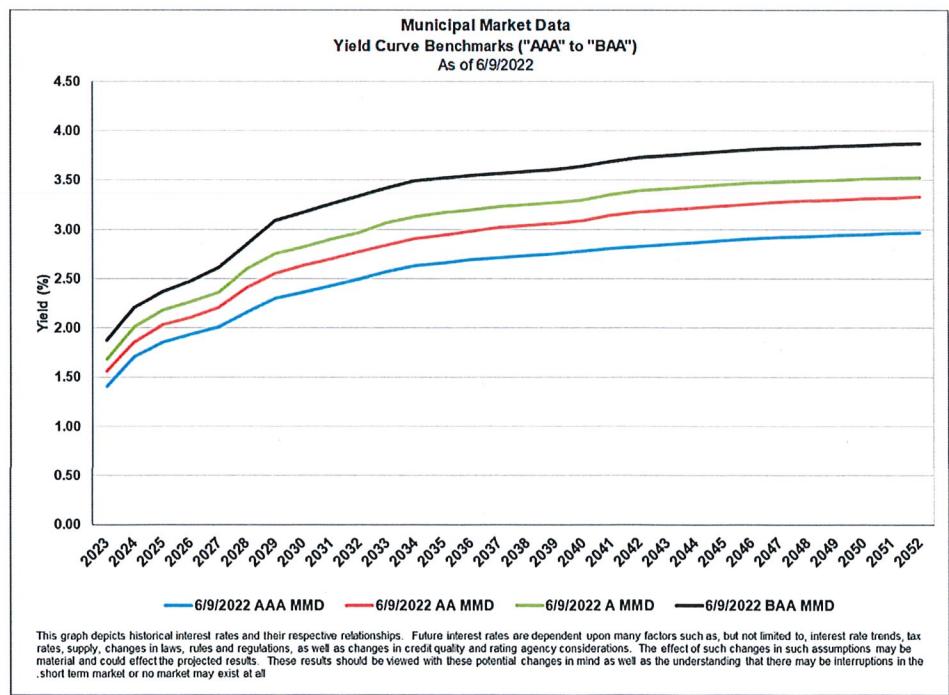


Bond Buyer's Index of 20 Municipal Bonds



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MMD Yield Curve



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Proposed Schedule of Activities



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Proposed Schedule of Activities of Events

June						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July						
S	M	T	W	T	F	S
			1	2		
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

August						
S	M	T	W	T	F	S
1	2	3	4	5	6	
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September						
S	M	T	W	T	F	S
			1	2	3	
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

- = Important Dates
- = FOMC Meetings
- = Holidays

Date	Event
Wednesday, June 1, 2022	Distribute first draft of Preliminary Official Statement ("POS") to working group for comments.
Tuesday, June 14, 2022	Regular meeting of the City Council to provide update on General Obligation Bond Issue.
Tuesday, June 21, 2022	Comments on first draft of POS due from working group.
Thursday, June 23, 2022	Distribute second draft of POS to working group for comments.
Thursday, July 14, 2022	Send POS and related documents to Rating Agency (S&P).
Monday, July 25, 2022	Taxable Assessed Values Certified by Kerr Central Appraisal District.
Monday, July 11, 2022	Comments on second draft of POS due from working group.
Wednesday, July 13, 2022	Distribute third draft of POS to working group for comments.
Week of July 25, 2022	S&P Conference Call (tbd)
Wednesday, July 27, 2022	Comments on third draft of POS due from working group.
Friday, July 29, 2022	Distribute final draft of POS with Certified Values to working group for comments.
Week of August 1, 2022	Due diligence call (tbd).
Thursday, August 4, 2022	Receive rating.
Wednesday, August 10, 2022	Comments on final draft of POS due from working group.
Monday, August 15, 2022	POS goes to i-Deal web site for posting.
Tuesday, August 23, 2022	Pricing. Regular meeting to conduct sale of General Obligation Bonds. Consider the adoption of the Ordinance Authorizing Issuance of the General Obligation Bonds.
Thursday, September 15, 2022	Closing Date; City delivers the General Obligation Bonds to Underwriter and receives funds.



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Projected Bond Issue Series Summary Statistics



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General Obligation Bond Series 2022 Summary Statistics

	Projected Series 2022 GOs ⁽¹⁾
Par Amount of Bonds	\$45,000,000
Deposit to Project Fund	\$44,500,000
True Interest Rate	4.25%
Call Date	2/15/2032
Final Maturity Date	2/15/2052
Projected Debt Service Tax Rate	No more than \$0.1411

This is the original slide in presentation 6/28/22.
The Deposit to Project Fund has been corrected on 6/29/22.

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Projected Bond Issue Summary Statistics



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General Obligation Bonds, Series 2022 – Summary Statistics

Projected Series 2022 GOs ⁽¹⁾	
Par Amount of Bonds	\$45,000,000
Deposit to Project Fund	\$44,425,000
True Interest Cost	4.25%
Call Date	2/15/2032
Final Maturity	2/15/2052
Projected Debt Service Tax Rate	No More than \$0.1411

Corrected slide by Julie Behrens, Director of Finance
6/29/22



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