

AGENDA FOR THE KERRVILLE CITY COUNCIL MEETING

TUESDAY, JUNE 13, 2023, 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 13, 2023 6:00 PM
CITY HALL, 701 MAIN STREET, KERRVILLE, TEXAS



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

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 meeting begin. Each speaker is limited to four minutes.

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

Pursuant to Section 46.03, Penal Code (places weapons prohibited), a person may not carry a firearm or other weapon on this property.

Thank you for your participation!

CALL TO ORDER: Mayor Judy Eychner

INVOCATION AND PLEDGE OF ALLEGIANCE: Councilmember Joe Herring, Jr.

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 recognizing June 2023 as Great Outdoors Month in Kerrville, Texas.

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 Resolution No. 18-2023. 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.

Attachment: [20230613_Reso 18-2023 Combusion Engines Nimitz Lake Triathlon.pdf](#)

4.B Renewal of Microsoft software subscription licenses in the amount of \$110,279.48 through SHI under a cooperative contract of the Texas Department of Information Resources (DIR) - DIR-TSO-4092.

- 4.C City Council workshop minutes, May 23, 2023.
Attachment: [20230613_Minutes CC workshop 5-23-23 4pm.pdf](#)
- 4.D City Council meeting minutes, May 23, 2023.
Attachment: [20230613_Minutes CC meeting 5-23-23 6pm.pdf](#)
- 4.E City Council meeting minutes, May 26, 2023.
Attachment: [20230613_Minutes CC retreat 5-26-23 8am.pdf](#)
- 4.F City Council meeting minutes, May 30, 2023.
Attachment: [20230613_Minutes CC meeting 5-30-23 2pm special.pdf](#)

END OF CONSENT AGENDA.

5. CONSIDERATION AND POSSIBLE ACTION:

- 5.A A.C. Schreiner House renovation and Heart of the Hills Heritage Center Project Update.
- 5.B Placement of the Visitor/Citizen forum within the order of the City Council agenda.
- 5.C City's electioneering rules and policies (Ch. 70, Art III Electioneering at Polling Locations, City's Code of Ordinances).
Attachment: [20230613_Article III Electioneering.pdf](#)

6. BOARD APPOINTMENTS:

- 6.A Appointments to the Economic Improvement Corporation. (Item eligible for Executive Session 551.074).

- 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 issues:*

- 7.A Appointments to the Economic Improvement Corporation. (551.074)
- 7.B Economic Development projects update: Project Mount Saddle, Project Wildflower, Project Windridge (551.071, 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 recognizing June 2023 as Great Outdoors Month in Kerrville, Texas.

AGENDA DATE OF: June 13, 2023

DATE SUBMITTED: April 20, 2023

SUBMITTED BY: Mayor Judy Eychner

Ashlea Boyle, Director of Parks & Recreation

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 P - Parks / Open Space / River Corridor

Guiding Principle N/A

Action Item N/A

SUMMARY STATEMENT:

Great Outdoors Month was established in 1998 by the President of the United States, originally as Great Outdoors Week. Over the years, it has grown into a month-long celebration of America's public lands and waters at the national, state, and local levels. Every June, Americans across the country are encouraged to go outdoors during Great Outdoors Month for responsible, healthy outdoor recreation.

The Kerrville Parks and Recreation Department celebrates year-round with the goal of encouraging the community to Get Outdoors, Be Active, and Play. Kerrville is blessed with outstanding outdoor recreation and leisure opportunities for our citizens and visitors to enjoy while participating in safe and healthy fun with their family and friends.

Outdoor activity promotes a healthy body, mind, and spirit and is touted by health organizations and medical professionals as a remedy to the adverse effects caused by lack of physical activity and too much screen time.

Parks and Recreation agencies encourage physical activity by providing spaces such as sports fields, hike / bike trails, lakes and rivers, swimming pools, and many other outdoor areas designed to promote active lifestyles encouraging citizens and visitors to get outdoors and live a healthy lifestyle.

RECOMMENDED ACTION:

Present proclamation.



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

SUBJECT: Resolution No. 18-2023. 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.

AGENDA DATE OF: June 13, 2023 **DATE SUBMITTED:** April 20, 2023

SUBMITTED BY: Ashlea Boyle, Director of Parks & Recreation

EXHIBITS:

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

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item?	Yes
Key Priority Area	P - Parks / Open Space / River Corridor
Guiding Principle	N/A
Action Item	P8.5 - Facilitate or expand more City activities around the river, especially during cooler times of the year

SUMMARY STATEMENT:

The 12th annual Kerrville Triathlon Festival, produced by High Five Events of Austin, Texas, will be held September 23-24, 2023. The event will again consist of a sprint, quarter, and half ironman distance triathlon. The swimming portion of the triathlon will be in the Guadalupe River on Nimitz Lake, with the start and finish at the northern end of Guadalupe Street. This will require the use of watercraft equipped with internal combustion engines for course preparation (placement of buoys) as well as monitoring and potential rescue of distressed swimmers.

Chapter 118 Article II Water Impoundment of the Kerrville Code of Ordinances Section 118-34 (4) allows the operation of watercraft equipped with an internal combustion engine when it is engaged in an activity that has been authorized by a resolution of the city council. Staff recommends adopting the attached resolution providing authorization for this purpose as presented.

RECOMMENDED ACTION:

Adopt Resolution No. 18-2023.

ATTACHMENTS:

[20230613_Reso 18-2023 Combusion Engines Nimitz Lake Triathlon.pdf](#)

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 18-2023**

**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**

WHEREAS, Chapter 118 of the City Code of Ordinances (the "Code") regulates and prohibits certain activities on Nimitz Lake, the lake upstream of the City's impoundment dam (the "Lake"); and

WHEREAS, one of the prohibited activities is the operation of internal combustion engines on the Lake; and

WHEREAS, under the Code, City Council may authorize an exception to this prohibition by adopting a resolution authorizing an activity that requires the use of an internal combustion engine on the Lake; and

WHEREAS, the organizer of a triathlon to be held in Kerrville and who would like to use the Lake for the swimming portion of its competition, is seeking an exception to the prohibition against combustible engines so that the organizer may use boats with combustion engines to ensure the safety of competitors; and

WHEREAS, pursuant to this request and to promote and expand the recreational uses of the Lake, City Council hereby finds that a public purpose exists to authorize the use of internal combustion engines on the Lake;

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

SECTION ONE. City Council authorizes the use of internal combustion engines on the Lake, such authority subject to the following terms:

- a. the authority is granted to High Five Events, LLC, of Austin Texas, their agents, or representatives and no other person or group;
- b. the authority is valid from September 15, 2023, through September 25, 2023; and
- c. authority is limited to no greater than five (5) boats with such engines.

SECTION TWO. This Resolution and the authority granted hereby shall automatically expire and be revoked on September 30, 2023.

PASSED AND APPROVED ON this the _____ day of _____, A.D., 2023.

Judy Eychner, Mayor

APPROVED AS TO FORM:

ATTEST:



William L. Tatsch, Assistant City Attorney

Shelley McElhannon, City Secretary



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

SUBJECT: Renewal of Microsoft software subscription licenses in the amount of \$110,279.48 through SHI under a cooperative contract of the Texas Department of Information Resources (DIR) - DIR-TSO-4092.

AGENDA DATE OF: June 13, 2023

DATE SUBMITTED: June 2, 2023

SUBMITTED BY: Charvy Tork

EXHIBITS:

Expenditure Required:	Remaining Budget Balance in Account:	Amount Budgeted:	Account Number:
\$110,279.48	N/A	\$110,279.48	01-0107-2300

PAYMENT TO BE MADE TO: SHI

Kerrville 2050 Item? Yes

Key Priority Area F - Public Facilities and Services

Guiding Principle N/A

Action Item F1.2 - Enhance the use of technology for work order tracking, inspections, etc.

SUMMARY STATEMENT:

The Information Technology (IT) Department is requesting to renew our Microsoft Enterprise Agreement for an additional three years. The cost for year one is \$110,279.48 and has been budgeted in FY23.

In addition to the licensing for the server / client infrastructure, we are adding a Office 365 subscription to the agreement. The City of Kerrville recognizes the need for an efficient and modern communication and productivity platform to enhance collaboration and streamline operations within our operations. The COVID-19 pandemic highlighted the importance of having tools and systems in place for an agency to be nimble and scalable. Office 365, with its cloud-based infrastructure and collaborative features, proved instrumental in enabling organizations to quickly adapt to remote work environments. Implementing Office 365 ensures that the City is prepared to handle future disruptions and allows employees to work efficiently from any location.

The implementation of Office 365, a cloud-based suite of productivity tools developed by Microsoft, offers numerous benefits that align with the City's goals of improving efficiency, data security, and communication. Some key benefits are:

- **Seamless Virtual Meetings and Collaboration:** Office 365's integrated tools like Microsoft Teams facilitate virtual meetings, video conferencing, and screen sharing.

These capabilities became critical during the pandemic when in-person meetings were limited. By leveraging Office 365, the City can continue to conduct virtual meetings, collaborate on projects, and engage with stakeholders effectively, regardless of physical distance.

- **Document Version Control and Centralized Storage:** With Office 365's cloud storage, such as OneDrive and SharePoint, we can eliminate the challenges of managing multiple versions of documents. Employees can collaborate on a single document in real-time, reducing errors and ensuring everyone has access to the latest version. This central storage also provides secure and reliable access to important files, even during disruptive events.
- **Enhanced Communication and Information Sharing:** The pandemic underscored the need for effective communication and information sharing among City departments, employees, and the public. Office 365 offers communication tools like Outlook, Teams, and SharePoint, enabling seamless communication and information dissemination. By implementing Office 365, the City can improve communication channels, streamline workflows, and enhance transparency.
- **Disaster Recovery and Business Continuity:** The pandemic served as a reminder of the importance of disaster recovery and business continuity planning. Office 365's cloud infrastructure ensures data redundancy and backups, minimizing the risk of data loss and facilitating a smooth recovery process. The City can leverage Office 365's robust backup and disaster recovery capabilities to protect critical information and ensure uninterrupted services.
- **Improved IT Support and Accessibility:** Office 365's cloud-based nature simplifies IT support, as updates and maintenance are handled by Microsoft. This frees up IT staff to focus on strategic initiatives and support users more effectively.
- **Streamlined Administrative Processes:** Office 365 offers automation and workflow capabilities, allowing the City to streamline administrative processes such as approvals, document routing, and task management. These efficiencies gained through Office 365 can enhance productivity, reduce paperwork, and improve overall operational effectiveness.

In addition, we would be able to eliminate the need to use multiple software to collaborate and instead maximize the utilization of the tools provided under the Office 365 umbrella. The cost savings from cancelling the other software will help offset the cost for Office 365. Overall, the agreement will provide licensing for all desktops, laptops, servers and users within the City of Kerrville. These are all things that are necessary for the City to be operable and be able to provide services to our community.

The Microsoft Enterprise Agreement will be purchased from SHI, under a cooperative contract of the Texas Department of Information Resources (DIR).

This is a renewal for every three-years. The last renewal was in year 2020. We do not expect any major changes to the contract language from the contract executed in 2017 and year 2020. Due to an email address error, we were delayed in starting the renewal process. Our subscription with Microsoft will end on June 16, 2023 if services are not renewed. Currently, Microsoft is finalizing the contract (on their end). The year 2020 contract is available in the City Secretary Office.

RECOMMENDED ACTION:

Authorize City Manager to finalize and execute a contract to renew the City's Microsoft licenses in an amount not to exceed \$110,279.48 for the first year. The cost for year one has been included in the IT Department budget for FY23. Future annual costs will be budgeted accordingly.



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

SUBJECT: City Council workshop minutes, May 23, 2023.

AGENDA DATE OF: June 13, 2023

DATE SUBMITTED: March 23, 2023

SUBMITTED BY: Shelley McElhannon, City Secretary

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:

City Council workshop minutes held May 23, 2023 at 4:00 p.m., City Hall.

RECOMMENDED ACTION:

Approve minutes as presented.

ATTACHMENTS:

[*20230613_Minutes CC workshop 5-23-23 4pm.pdf*](#)

**CITY COUNCIL WORKSHOP MINUTES
CITY HALL COUNCIL CHAMBERS**

**MAY 23, 2023 4:00 PM
701 MAIN STREET, KERRVILLE, TEXAS**

CALL TO ORDER: On May 23, 2023 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
Roman Garcia, Council Place 1
Joe Herring Jr, Council Place 3
Brenda Hughes, Council Place 4

COUNCILMEMBERS ABSENT:

CITY STAFF PRESENT:

E.A. Hoppe, City Manager
Mike Hayes, City Attorney
Michael Hornes, Asst City Manager
Kim Meisner, Asst City Manager
Shelley McElhannon, City Secretary
Stuart Barron, Exec Dir PW & Eng

Julie Behrens, Director of Finance
Ashlea Boyle, Director of Parks & Rec
Kyle Burow, Director of Engineering
Drew Paxton, Director of Planning
Trina Rodriguez, Asst Director Finance

VISITOR(S) 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 COMMENT:** None

2. **DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION:**

2A. Community Project Improvement update.

E.A. Hoppe introduced the item. Kyle Burow, Michael Hornes, and E.A. Hoppe provided information and responded to questions.

2B. Budget Process: Overview of building the FY2024 Citywide budget.

Julie Behrens provided information and responded to questions.

3. **EXECUTIVE SESSION:** Executive Session not called nor convened.

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

ADJOURN. The workshop adjourned at 5:10 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, May 23, 2023.

AGENDA DATE OF: June 13, 2023

DATE SUBMITTED: May 23, 2023

SUBMITTED BY: Shelley McElhannon, City Secretary

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:

City Council meeting minutes held May 23, 2023 at 6:00 p.m., City Hall.

RECOMMENDED ACTION:

Approve minutes as presented.

ATTACHMENTS:

[*20230613_Minutes CC meeting 5-23-23 6pm.pdf*](#)

**CITY COUNCIL MINUTES
REGULAR MEETING**

**KERRVILLE, TEXAS
MAY 23, 2023 6:00 PM**

On May 23, 2023 at 5:59 p.m., Mayor Judy Eychner called the Kerrville City Council meeting to order in City Hall Council Chambers, 701 Main Street. Councilmember Roman Garcia provided the invocation, and led the Pledge of Allegiance.

COUNCILMEMBERS PRESENT:

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

COUNCILMEMBER ABSENT:

None

CITY EXECUTIVE STAFF:

E.A. Hoppe, City Manager
Mike Hayes, City Attorney
Michael Hornes, Asst City Manager
Shelley McElhannon, City Secretary
Stuart Barron, Exec Dir PW & Eng
Julie Behrens, Director Finance
Ashlea Boyle, Director Parks & Rec

Stuart Cunyus, Public Information Officer
Megan Folkerts, Senior Analyst
Guillermo Garcia, Exec Director Innovation
Eric Maloney, Fire Chief
Chris McCall, Police Chief
Drew Paxton, Planning Director
Charvy Tork, Director of 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.

The Honorable Stephen B. Ables, Presiding Judge Sixth Administrative Judicial Region

1. RESOLUTION(S):

1A. Resolution No. 17-2023. A Resolution canvassing the result of a recount held for the May 6, 2023, City General Election with respect to the office of Councilmember Place Two.

Shelley McElhannon read Resolution No. 17-2023 caption into record.

Councilmember Garcia made a motion to approve Resolution No. 17-2023, seconded by Councilmember Joe Herring, Jr. The motion passed 5-0.

2. STATEMENT AND OATH OF OFFICE:

The Honorable Stephen B. Ables, Presiding Judge of the Sixth Administrative Judicial Region issued the Statement and Oath of Office to the newly-elected Councilmember Place 2 Jeff Harris.

3. CERTIFICATE OF ELECTION SIGNED AND ISSUED BY MAYOR EYCHNER, AND STATEMENT BY ELECTED COUNCILMEMBER:

The Certificate of Election was signed and issued by Mayor Eychner. Newly-elected Councilmember Harris provided statement/comments.

At 6:07 p.m., Councilmember Kim Clarkson exited City Council bench, and newly-elected Councilmember Harris joined the City Council bench.

4. ANNOUNCEMENTS OF COMMUNITY INTEREST:

Announcements of Community Interest provided by Stuart Cunyus, Councilmember Harris, Councilmember Garcia, and Mayor Eychner.

5. PRESENTATION(S):

2A. Proclamation recognizing May 21-27, 2023 as Emergency Medical Services Week in Kerrville, Texas.

Mayor Eychner presented a proclamation recognizing May 21, 2023 through May 27, 2023 as National Emergency Medical Services Week. Fire Chief Eric Maloney and Kerrville Fire Fighters received the proclamation.

2B. Proclamation recognizing the month of May as Williams Syndrome Awareness month in Kerrville, Texas.

Mayor Eychner presented a proclamation recognizing the month of May as Williams Syndrome Awareness month. The proclamation was received by Laura and Mark Walters, and Kathy with TOPS.

6. VISITORS FORUM:

The following person(s) spoke:

- Howard Hughes
- Bill Blackburn
- Martha Hix
- Jaclyn Hall
- Russell Nemky

7. CONSENT AGENDA:

Councilmember Garcia and Mayor Eychner requested to pull item 7B. Shelley McElhannon noted item 7D City Council special-called meeting minutes May 16, 2023 that the motion language will be amended to read as "*Councilmember Roman Garcia made a motion to approve Resolution No. 15-2023*". Councilmember Brenda Hughes made a motion to approve Consent items 7A, 7C, and 7D with the amendment, seconded by Councilmember Garcia. The motion passed 5-0.

7A. Resolution No. 16-2023. A Resolution approving the use of Tax Increment Funding in an amount not to exceed \$40,000 pursuant to a recommendation from the Reinvestment Zone Number One, City of Kerrville Texas; such funding to be used by the City for pedestrian crosswalks and ADA accessibility improvements at the intersection of Clay and Water Streets, including an all-way stop, pedestrian crosswalk striping, and ADA accessible curb ramps, said project within the City's Tax Increment Reinvestment Zone.

7C. City Council meeting minutes May 09, 2023.

7D. City Council special-called meeting minutes May 16, 2023. Amended motion to read as "*Councilmember Roman Garcia made a motion to approve Resolution No. 15-2023*".

END OF CONSENT AGENDA.

7B. Purchase a Pump for the Birkdale Lift Station, from Xylem Water Solutions USA, Inc. a sole source company, in an amount not to exceed \$150,524.00.

Stuart Barron provided information and responded to questions.

Councilmember Hughes made a motion to authorize the City Manager to finalize and execute this purchase, seconded by Councilmember Garcia. The motion passed 5-0.

8. INFORMATION AND DISCUSSION:

8A. Financial Report for month ended April 30, 2023.

Julie Behrens provided information and responded to questions.

9. BOARD APPOINTMENTS:

9A. Appointments to the Economic Improvement Corporation. (Item eligible for Executive Session).

Mayor Eychner advised that the board appointments to the Economic Improvement Corporation will be pushed until the June 13, 2023 City Council meeting.

10. APPOINTMENT(S):

10A. Appointment of Mayor Pro Tem. (Item eligible for Executive Session).

Councilmember Herring made a motion to appoint Councilmember Hughes as Mayor Pro Tem, seconded by Councilmember Harris. The motion passed 4-1 with Mayor Eychner, Councilmember Harris, Councilmember Herring, and Councilmember Hughes voting in favor, and Councilmember Garcia opposed.

11. EXECUTIVE SESSION: Executive Session was not convened.

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

11.B Appointment of Mayor Pro Tem. (551.074)

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

13. ITEM(S) FOR FUTURE AGENDAS:

- Councilmember Garcia – (1) Open Planning & Zoning applications. Withdrawn. (2) Begin discussion of City Manager search process. (3) Placement of Visitors/Citizens Forum at next Council meeting, seconded by Councilmember Herring. Consensus 5-0.
- Mayor Eychner scheduled a Special-Called Council Meeting for Tuesday, May 30, 2023 at 2:00 p.m. to discuss the City Manager search process.

ADJOURN. The meeting adjourned at 7:05 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 meeting minutes, May 26, 2023.

AGENDA DATE OF: June 13, 2023

DATE SUBMITTED: May 23, 2023

SUBMITTED BY: Shelley McElhannon, City Secretary

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:

City Council and Staff Retreat minutes held May 26, 2023 at 8:00 a.m.

RECOMMENDED ACTION:

Approve minutes as presented.

ATTACHMENTS:

[20230613_Minutes CC retreat 5-26-23 8am.pdf](#)

CITY COUNCIL ANNUAL RETREAT MINUTES

MAY 26, 2023 8:00 AM

RIVEN ROCK RANCH, 390 HERMANN SONS ROAD, COMFORT, TEXAS

CALL TO ORDER: On May 26, 2023 at 8:00 a.m., the City Council workshop was called to order by Mayor Judy Eychner at the Riven Rock Ranch, Comfort, Texas. Mayor Eychner provided the invocation.

COUNCILMEMBERS PRESENT:

Judy Eychner, Mayor
Roman Garcia, Councilmember Place 1
Jeff Harris, Councilmember Place 2
Joe Herring, Jr., Councilmember Place 3
Brenda Hughes, Councilmember Place 4/Mayor Pro Tem

COUNCILMEMBER ABSENT: None

CITY STAFF PRESENT:

E.A. Hoppe, City Manager	Ashlea Boyle, Director Parks & Rec
Mike Hayes, City Attorney	Stuart Cunyus, Public Info Officer
Michael Hornes, Assistant City Manager	Megan Folkerts, Senior Mgmt Analyst
Kim Meismer, Assistant City Manager	Guillermo Garcia, Exec Director Innovation
Shelley McElhannon, City Secretary	Eric Maloney, Fire Chief
Stuart Barron, Exec Dir PW & Eng	Chris McCall, Police Chief
Julie Behrens, Director of Finance	Drew Paxton, Chief Planner

SPEAKERS:

Mike Conduff, the Elim Group

VISITORS PRESENT: None.

WORKSESSION (No action will be taken): The facilitated workshop was scheduled for the City Council and senior staff to discuss and develop governance policies and skills for the City Council. The Council discussed numerous broad topics such as public safety, infrastructure, development, community services, parks and recreation, water resources, public works, finance, Council priorities, policies, and procedures and other matters related to Council's desired direction and plans for the City, as well as general issues and matters related to the current and future needs and expectations for the City. The Council provided broad consensus on the mission, values, priorities, expectations, milestones, funding options and opportunities for the City however no final decision nor vote occurred. See attached agenda.

ADJOURN. The retreat adjourned at 4:00 p.m.

APPROVED BY COUNCIL: _____ ATTEST:

Judy Eychner, Mayor

Shelley McElhannon, City Secretary



KERRVILLE CITY COUNCIL'S ANNUAL RETREAT
ON FRIDAY, MAY 26, 8:00 A.M.
RIVEN ROCK RANCH, 390 HERMANN SONS ROAD,
COMFORT, TX



CALL TO ORDER

INVOCATION

WORKSESSION (*No Action Will Be Taken*)

This meeting is a facilitated workshop for the City Council and senior staff to discuss and develop governance policies and skills for the City Council. The Council may discuss numerous broad topics such as public safety, infrastructure, development, community services, parks and recreation, water resources, public works, finance, Council priorities, policies, and procedures and other matters related to Council's desired direction and plans for the City as well as general issues and matters related to the current and future needs and expectations for the City. The Council may reach broad consensus on the mission, values, priorities, expectations, milestones, funding options and opportunities for the City but no final decision or vote will occur.

ADJOURN.



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

SUBJECT: City Council meeting minutes, May 30, 2023.

AGENDA DATE OF: June 13, 2023

DATE SUBMITTED: May 24, 2023

SUBMITTED BY: Shelley McElhannon, City Secretary

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:

City Council special-called meeting minutes held May 30, 2023 at 2:00 p.m.

RECOMMENDED ACTION:

Approve minutes as presented.

ATTACHMENTS:

[*20230613_Minutes CC meeting 5-30-23 2pm special.pdf*](#)

**CITY COUNCIL SPECIAL-CALLED MEETING MINUTES MAY 30, 2023, 2:00 PM
CITY HALL COUNCIL CHAMBERS 701 MAIN STREET, KERRVILLE, TEXAS**

CALL TO ORDER: On May 30, 2023 at 2:00 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
Roman Garcia, Council Place 1
Jeff Harris, Council Place 2
Joe Herring Jr, Council Place 3
Brenda Hughes, Mayor Pro Tem, Council Place 4

COUNCILMEMBERS ABSENT:

CITY STAFF PRESENT:

EA Hoppe, City Manager
Michael Hayes, City Attorney
Michael Hornes, Assistant City Manager
Kim Meismer, Assistant City Manager
Stuart Cunyus, Public Information Officer
Megan Folkerts, Senior Management Analyst
Kesha Franchina, Deputy City Secretary

VISITOR(S) 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 COMMENT:** None

2. **DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION:**

2A. Initiating search and selection process for City Manager; appointment of Interim City Manager.

Councilmember Brenda Hughes made a motion to convene closed Executive Session under 551.074 (deliberation regarding personnel matters), seconded by Councilmember Roman Garcia. The motion passed 5-0. The open Workshop recessed, and the closed Executive Session convened at 2:00 p.m.

3. **EXECUTIVE SESSION:**

3A. Initiating search and selection process for City Manager; appointment of Interim City Manager.

The closed Executive Session adjourned and the open Workshop convened at 3:28 p.m.

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

4A. Appointment of Interim City Manager.

Councilmember Roman Garcia made a motion to appoint Kim Meismer as Interim City Manager; and, authorize Ms. Meismer to appoint Michael Hornes as Interim Deputy City Manager; and, authorize both persons to receive pay increases to commensurate with their interim performance of additional duties; and, to be effective June 20, 2023 at 5:00 p.m. The motion was seconded by Councilmember Brenda Hughes, and passed 5-0.

ADJOURN. The special-called meeting adjourned at 3:29 p.m.

APPROVED BY COUNCIL: _____ ATTEST:

Judy Eychner, Mayor

Kesha Franchina, Deputy City Secretary



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

SUBJECT: A.C. Schreiner House renovation and Heart of the Hills Heritage Center Project Update.

AGENDA DATE OF: June 13, 2023

DATE SUBMITTED: May 16, 2023

SUBMITTED BY: Kim Meismer, Assistant City Manager

EXHIBITS:

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

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item? Yes

Key Priority Area D - Downtown Revitalization

Guiding Principle N/A

Action Item D2.7 - Consider funding a Downtown heritage center

SUMMARY STATEMENT:

City staff, the HHHC Executive Director, and Freese & Nichols representative (Owner's Rep) met with Marksmen General Contractors on May 15, 2023. Marksmen presented three options for moving forward with the renovation of the A.C. Schreiner House. Staff met with representatives from the HHHC Board to discuss the options available on May 19, 2023.

Option A - Full Use "Assembly" Building (includes elevator & assumes 2nd & 3rd floor framing can support occupancy loads required) = \$5,330,000

Option B - Exterior Restoration + 1st Floor Renovation (no elevator) + Fire Protection = \$3,550,000

Option C - Exterior Restoration + Grounds Improvements (no interior work) = \$3,250.000

With Option A or B, additional funds will need to be raised. The HHHC Board believes that Option A is the only path forward because the Heritage Center will require full use and access to all three floors of the house.

We would like to continue moving forward with the 30% design phase to include a structural evaluation that will need to be completed to determine the maximum weight load for the 2nd and 3rd floors.

Staff is seeking direction from the City Council regarding our path forward.

RECOMMENDED ACTION:

Direct the City Manager to contractually proceed with the 30% design phase and the structural assessment of the A.C. Schreiner House.



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

SUBJECT: Placement of the Visitor/Citizen forum within the order of the City Council agenda.

AGENDA DATE OF: June 13, 2023

DATE SUBMITTED: May 24, 2023

SUBMITTED BY: Mayor Judy Eychner

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

PAYMENT TO BE MADE TO: N/A

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

SUMMARY STATEMENT:

A City Council meeting is a business meeting. In order to maintain focus of City business, the Mayor has requested to review the placement of the Visitor/Citizen forum on the meeting agenda. This item provides opportunities for Council to discuss productive options for City Council meetings, and the location of the Public Comment forum to conduct a more productive and cohesive City Council business meeting.

The City Council welcomes citizen participation and comments at all City Council meetings on listed agenda items.

The Open Meetings Act does not mandate a governmental body hold a Visitor/Citizen forum during an open meeting, however the Act does entitle public comment on items listed on an open meeting agenda.

The Open Meetings Act Handbook by the State of Texas Attorney General's Office, *VIII. Open Meetings. C. Rights of the Public* states "many governmental bodies conduct "public comment," "public forum" or "open mike" sessions at which members of the public may address comments on any subject to the governmental body. Accordingly, the governmental body must give notice of a public comment session.

Section 551.007 entitles the public to speak about items on the agenda at meetings of certain governmental bodies and provides that a governmental body to which the section applies "shall allow each member of the public who desires to address the body regarding an item on an agenda . . . to address the body regarding the item at the meeting before or

during the body's consideration of the item. The new section expressly authorizes a governmental body to adopt reasonable rules regarding the public's right to address the body, "including rules that limit the total amount of time that a member of the public may address the body on a given item". The Act does not entitle the public to choose the items to be placed on the agenda for discussion at the meeting.

City of Kerrville Charter Section 3.01. *Compliance with Open Meetings Act* provides that Council meetings shall be open to the public and the rules of the Council shall provide citizens of the City to have a reasonable opportunity to be heard in regard to any matter considered, and Council shall comply fully with the provisions of the Texas Open Meeting Act.

The public always has an opportunity to provide general and community concerns, comments, and ideas to City Council by email and/or telephone, not only during a City Council meeting.

Possible elements for Council discussion:

- Order of the item in the Agenda
- Duration of speaker time
- Deadline for speaker sign up
- Total number of speakers or maximum time allowed

Research of Citizen Forums during Council meetings of surrounding Cities:

- *City of Bandera* - Citizen forum placed at beginning of agenda, Citizen forum item not to exceed 30 minutes total time - 3 minutes per speaker but will shorten if many speakers present
- *City of Boerne* - Citizen forum placed at beginning of agenda, 3 minutes per speaker
- *City of Bulverde* - Citizen forum placed after City business at end of agenda, 3 minutes per speaker
- *City of Dripping Springs* - Citizen forum placed at beginning of agenda, 2 minutes per speaker
- *City of Fredericksburg* - No Citizen forum during City Council meetings, however citizens are allowed to speak on any item listed on the meeting agenda, and email or call Council regarding concerns or suggestions on general matters
- *City of Helotes* - Citizen forum placed at beginning of agenda, 3 minutes per speaker
- *City of Ingram* - Citizen forum placed at beginning of agenda, 3 minutes per speaker
- *City of Johnson City* - Citizen forum placed at beginning of agenda, 3 minutes per speaker
- *City of Llano* - Citizen forum placed at beginning of agenda, 3 minutes per speaker
- *City of Marble Falls* - Citizen forum placed at beginning of agenda, Mayor decides speaker time

RECOMMENDED ACTION:

Direct staff on any desired amendments to the protocols for the Visitor/Citizen forum section of the Agenda.



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

SUBJECT: City's electioneering rules and policies (Ch. 70, Art III Electioneering at Polling Locations, City's Code of Ordinances).

AGENDA DATE OF: June 13, 2023

DATE SUBMITTED: June 6, 2023

SUBMITTED BY: Councilmember Brenda Hughes

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:

Councilmember Brenda Hughes requested this item be placed on the agenda for discussion. Section 61.003 of the Texas Election Code sets forth that the entity which owns or controls a public building being used as a polling place may not, at any time during the voting period, prohibit electioneering on the building's premises outside of the area, but may enact reasonable regulations concerning the time, place, and manner of electioneering.

The State of Texas, City Charter, and Kerr County electioneering rules have been reviewed. Listed below are the current City Ordinance No. 2014-02, *Article III Electioneering at Polling Locations, Sec. 70-43 Regulations and Exceptions*: (See Chapter 70, Article III attached.)

1. It is unlawful for a person to leave an electioneering sign or literature at a polling place other than during the voting period and for thirty minutes before and after the voting period.
2. It is unlawful for a person to engage in electioneering on driveways at a polling place. This restriction does not apply to areas specifically designated for such activities or to electioneering signs that are attached to vehicles that are lawfully parked at the polling place.
3. It is unlawful to attach, place, or otherwise affix an electioneering sign, literature, or material to any building, tree, shrub, pole, or other improvement at the polling place.
4. It is unlawful for a person to place an electioneering sign that is larger than eighteen (18) inches by twenty-four (24) inches within ten (10) feet of the public roadway adjacent to the polling place.
5. It is unlawful for a person to place an electioneering sign at a polling place that exceeds

thirty-six (36) square feet, exceeds eight (8) feet in height, (including any supporting poles), and which uses lights or any moving elements.

6. In addition to imposing a criminal penalty, the City Manager or designee may, without notice, remove and dispose of electioneering sign(s) located in violation of this section.

7. The authority to conduct electioneering on public property under this Article is limited to the polling place and only for the voting period, such that at the end of the voting period, all signs and vehicles must be removed.

Councilmember Hughes would like to propose the following regulations:

SIGNS:

1. No one may post political signs or literature on City of Kerrville owned or controlled property that is being used as a polling place at any time other than during the voting period of a particular election, as defined in Section 61.003(b)(2) of the Texas Election Code, and for 30 minutes before and after the voting period ends. This includes laying signs out on the property.
2. No more than ten (10) signs per candidate may be placed, held, or erected on the controlled property being used as a polling place. This includes all signs i.e. banners, ground signs, hand-held signs, magnetic signs, billboard-type signs, posters, etc.
3. No signs may be erected or placed in a public walkway, sidewalk, or thoroughfare.
4. Signs must not prohibit visibility of traffic or obstruct the view of traffic.
5. No signs can be placed any closer than 100 feet from the polling location.
6. No signs will remain on the polling location property overnight.
7. No more than four (4) signs per candidate may be carried on the controlled property being used as a polling place. Person(s) carrying signs must not impede the progress of voters, and avoid walkways and thoroughfares, and must not prohibit visibility of traffic or obstruct the view of traffic.
8. No one may post a political sign using posts that may damage subterranean water and electrical lines. For purposes of these regulations, the term "posts" shall include, but not be limited to wooden stakes, rebar, PVC posts, metal posts. Heavy gauged wire is generally used for political yard signs and is allowed.
9. No one may post a political sign on any permanent structure, including buildings, fences, gates, and trees.
10. No one may post electioneering sign(s) at a polling place that exceeds thirty-six (36) square feet, exceeds eight (8) feet in height - from the ground to the top of the sign (including any supporting poles), nor uses lights or any moving elements on controlled property being used as a polling place.
11. No one may post a sign that is larger than 18 inches by 24 inches within ten feet of the public roadway adjacent to the polling place.
12. Any political sign in violation of these regulations may be removed by City Staff and placed in temporary storage. The sign owner will be contacted and will arrange a time during normal working hours to pick up the sign(s). If the owner of the political sign fails to pick up the removed sign(s) within five (5) business days, the City will dispose of the sign(s).
13. These regulations will be in effect from the date of approval.

SOUND AMPLIFICATION DEVICE OR SOUND TRUCK:

Section 61.004 of the Texas Election Code sets forth the prohibition of using a sound amplification device to electioneer within 1,000 feet of the early voting or election day polling

place: Electioneering for or against any candidate, measure, or political party (and for the purpose of this Subsection, a person operates a vehicular loudspeaker if the person drives the vehicle, or uses the loudspeaker, or operates any sound equipment in connection with the loudspeaker).

An offense under this section is a Class C misdemeanor.

No one may disturb the peace nor play music, speak over a p.a. system, loud speakers, bull horns, or any other amplification device, within 1,000 feet of the polling location on early voting days or election day.

CAMPAIGNING:

- A candidate can have one tent, set up in the east-end Jefferson Street parking lot - along the fence line of the Cailloux property and St. Peters property.
- A candidate/representative should arrive at the polling location grounds no more than thirty minutes before polls open, and should depart the polling location by thirty minutes after polls close.
- A candidate/representative must adhere to the 100 foot rule and not cross within 100 feet of the polling location in order to campaign.
- Candidates/representatives may not accost, harass, or intimidate any citizens traveling to and from the polling locations.
- A candidate/representative must not block the sidewalk, the parking lot, or impede a person's progress.
- Citizens do have the right to file harassment and press charges.

RECOMMENDED ACTION:

Direct staff on any desired amendment to Electioneering policies.

ATTACHMENTS:

[*20230613_Article III Electioneering.pdf*](#)

ARTICLE III. ELECTIONEERING AT POLLING LOCATIONS

Sec. 70-41. Purpose.

The purpose of this article is to provide reasonable regulations for electioneering on city-owned or controlled public property when such property is used as an election polling place. These regulations are intended to mitigate safety concerns, prevent damage to public property, and ensure that such property is sufficiently available for patrons who use the facilities other than for election purposes.

(Ord. No. 2014-02, § 3, 2-25-2014)

Sec. 70-42. Definitions.

The following words, terms, and phrases, when used in this article, have the meanings ascribed to them in this section:

Electioneering means the posting, use, or distribution of political signs or literature, including the use of tents, chairs, booths, tables, or other furniture or devices to post, use, or distribute political signs or literature.

Polling place means a city-owned or controlled public property that is being used as an election polling place.

Voting period means the period each day beginning the hour the polls are open for voting and ending when the polls close or the last voter has voted, whichever is later.

(Ord. No. 2014-02, § 3, 2-25-2014)

Sec. 70-43. Regulations and exceptions.

(a) The following regulations apply to electioneering at a polling place during the voting period:

- (1) It is unlawful for a person to leave an electioneering sign or literature at a polling place other than during the voting period and for 30 minutes before and after the voting period.
- (2) It is unlawful for a person to engage in electioneering on driveways at a polling place. This restriction does not apply to areas specifically designated for such activities or to electioneering signs that are attached to vehicles that are lawfully parked at the polling place.
- (3) It is unlawful for a person to attach, place, or otherwise affix an electioneering sign, literature, or material to any building, tree, shrub, pole, or other improvement at the polling place.
- (4) It is unlawful for a person to place an electioneering sign that is larger than 18 inches by 24 inches within ten feet of the public roadway adjacent to the polling place.
- (5) It is unlawful for a person to place an electioneering sign at a polling place that exceeds 36 square feet, exceeds eight feet in height, including any supporting poles, and which uses lights or any moving elements.
- (6) In addition to imposing a criminal penalty, the city manager or designee may, without notice, remove and dispose of electioneering sign(s) located in violation of this section.

-
- (7) The authority to conduct electioneering on public property under this article is limited to the polling place and only for the voting period, such that at the end of the voting period, all signs and vehicles must be removed.
- (b) The regulations set forth in subsection (a) above do not apply to any city authorized signs, materials, or other messages on property the city owns or controls.

(Ord. No. 2014-02, § 3, 2-25-2014)



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

SUBJECT: Appointments to the Economic Improvement Corporation. (Item eligible for Executive Session 551.074).

AGENDA DATE OF: June 13, 2023

DATE SUBMITTED: May 24, 2023

SUBMITTED BY: Shelley McElhannon, City Secretary

EXHIBITS:

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

PAYMENT TO BE MADE TO: N/A

Kerrville 2050 Item? No

Key Priority Area N/A

Guiding Principle N/A

Action Item N/A

SUMMARY STATEMENT:

Four terms expire June 1, 2023.

Seven applications have been received:

Gregg Appel (eligible for reappointment), Kim Clarkson (eligible for reappointment), Beck Gipson, Steven Hall, Celeste Hamman, Katy Kappel, Gilberto Paiz.

Interview Team: Mayor Eychner and Councilmember Herring.

Staff Liaison: Michael Hornes.

RECOMMENDED ACTION:

Appoint members.