



CITY COUNCIL MEETING AGENDA
OCTOBER 10, 2023 6:00 PM
CITY HALL, 701 MAIN STREET, KERRVILLE, TEXAS



**Council Meeting Procedures, City Council and City Staff Safety,
And 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: By Mayor Judy Eychner

INVOCATION AND PLEDGE OF ALLEGIANCE: Led by 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 October 2023 as Fire Prevention Month.

2.B Proclamation recognizing Mini Mart 50th Anniversary.

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. 28-2023. A Resolution canceling the regular meetings of the City Council scheduled for November 28, 2023 and December 26, 2023.

Attachment: [20231010_Reso 28-2023 Cancel 2nd CC meeting Nov-Dec.pdf](#)

4.B Amendment to the Professional Services Agreement with Freese & Nichols, Inc. for the Public Safety Facility Design-Build Advisor Services in the amount of \$640,888.00.

Attachments: [20231010_Amendment PSA FNI PSFDesign-Build.pdf](#)
[20231010_Contract 2022-77 FNI PSFDesign-Build.pdf](#)

- 4.C Professional Services Agreement with Utility Engineering Group, PLLC for the Wastewater Lift Station Rehabilitations project in the amount of \$64,620.00.

Attachment: [20231010_PSA Utility Eng Group - Lift Stations Rehab.pdf](#)

- 4.D City Council workshop minutes, September 26, 2023.

Attachment: [20231010_Minutes CC workshop 9-16-23 4pm.pdf](#)

- 4.E City Council meeting minutes, September 26, 2023.

Attachment: [20231010_Minutes CC meeting 9-26-23 6pm.pdf](#)

END OF CONSENT AGENDA.

5. PUBLIC HEARINGS AND RESOLUTIONS:

- 5.A Resolution No. 33-2023. A Resolution granting a Conditional Use Permit to authorize an Independent Living Facility for Seniors on property generally located adjacent to Memorial Boulevard (SH 27) and between its intersection with Meeker Road and Laurel Street; comprising an approximate 0.53 acres and more commonly known as 2916 Memorial Blvd; said property is located within a Light Commercial Zoning District (C-2); and making said permit subject to certain conditions and restrictions.

Attachment: [20231010_Reso 33-2023 CUP 2916 Memorial Blvd.pdf](#)

6. PUBLIC HEARING AND ORDINANCES, FIRST READING:

- 6.A Ordinance No. 2023-29. An Ordinance annexing an approximate 214.1-acre tract of land, which includes an adjacent right-of-way existing as a portion of Olympic Drive, all of which is out of the Samuel Wallace Survey No. 114, Abstract No. 348, and Samuel Wallace Survey No. 113, Abstract No. 347, into the corporate limits of the City of Kerrville, Texas; such property being located within Kerr County, Texas, and the extraterritorial jurisdiction of the City of Kerrville, Texas; and generally located adjacent to Loop 534 and north of Olympic Drive; further describing the property to be annexed; adopting a service plan for the property annexed; and establishing the zoning both for the property annexed and a contiguous tract of land located adjacent to Loop 534, and providing other matters relating to the subject.

Attachment: [20231010_Ord 2023-29 Annex-Zone 2945 Loop 534.pdf](#)

- 6.B Ordinance No. 2023-30. An Ordinance of the City Council of the City of Kerrville, Texas, designating the Windridge Tax Increment Reinvestment Zone (TIRZ), a petition-initiated TIRZ to be named Tax Increment Reinvestment Zone Number Two, Windridge, City of Kerrville, Texas, pursuant to Chapter 311, Texas Tax Code; and generally located north of Olympic Drive and on an approximate 100.36 acre tract of undeveloped property; describing the boundaries of the Zone; creating a Board of Directors for the Zone; establishing a Tax Increment fund for the Zone; containing a findings related to the creation of the Zone; providing a date for the termination of the Zone; providing that the Zone take effect immediately upon passage of the Ordinance; providing a severability clause; and providing an effective date.

Attachment: [20231010_Ord 2023-30 Windridge TIRZ2.pdf](#)

7. ORDINANCES, FIRST READING:

- 7.A Ordinance No. 2023-27. An Ordinance amending Chapter 58, Article III of the City's Code of Ordinances, titled "Smoking in Enclosed Public Places and Places of Employment"; to clarify various sections; revise regulations in accordance with State Law, to include the definition of a "Minor"; and to change defenses to affirmative defenses; ordering publication; and providing other matters related to the subject.

Attachment: [20231010_Ord 2023-27 Smoking Ord revision.pdf](#)

8. ORDINANCES, SECOND READING:

- 8.A Ordinance No. 2023-24, second reading. An Ordinance amending in part Ordinance No. 99-18, as amended by adopting revised rate schedules for residential services, and distributed

generation rider; containing a cumulative clause; containing a severability clause; and establishing an effective date.

Attachment: [20231010_Ord 2023-24 KPUB rate schedules 2nd reading.pdf](#)

9. CONSIDERATION AND POSSIBLE ACTION:

9.A Resolution No. 32-2023. A Resolution authorizing the City Manager to contract with a Real Estate Broker for the sale of real property located at 505 Center Point Drive E, such property described as Lot 1 Oak View Estates, a Subdivision out of the Benjamin B. Peck Survey No. 51, Abstract No. 266, and consisting of approximately 17.68 acres.

Attachment: [20231010_Reso 32-2023 Real Estate Broker 505 CenterPoint.pdf](#)

9.B Resolution No. 34-2023. A Resolution nominating a candidate(s) to Kerr Central Appraisal District Board of Directors. (This item is eligible for Executive Session 551.074.)

Attachments: [20231010_Reso 34-2023 KCAD Board nominations.pdf](#)

[20231010_Requirements KCAD Board eligibility.pdf](#)

9.C Resolution No. 35-2023. A Resolution creating an Ad Hoc Animal Regulations Review Committee.

Attachment: [20231010_Reso 35-2023 Animal Reg Review Cmte.pdf](#)

10. INFORMATION & DISCUSSION:

10.A Solar Eclipse update.

11. **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):*

11.A Resolution No. 34-2023. A Resolution nominating a candidate(s) to Kerr Central Appraisal District Board of Directors. (551.074)

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

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

ADJOURN.

The facility is wheelchair accessible, and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-258-1118 for further information.

I hereby certify that this agenda was posted as notice of the meeting on the bulletin board at the City Hall of the City of Kerrville, Texas, and on the City's website on the following date and time: October 06, 2023 at 3:30 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Shelley McElhannon, City Secretary, City of Kerrville, Texas
