



**CITY COUNCIL SPECIAL-CALLED MEETING AGENDA**  
**CANVASS OF THE ELECTION**  
**MAY 14, 2024 5:00 PM**  
**CITY HALL, 701 MAIN STREET, KERRVILLE, TX**



City Council meetings are live streamed via the City's website ([www.kerrvilletx.gov](http://www.kerrvilletx.gov)), and recorded. Recordings are posted on the City's website.

*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.*

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**CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE:** *Mayor Judy Eychner*

**1. CONSENT AGENDA:**

- 1.A City Council workshop minutes April 23, 2024.  
Attachment: [20240514\\_minutes CC workshop 4-23-24 400pm.pdf](#)
- 1.B City Council meeting minutes April 23, 2024.  
Attachment: [20240514\\_minutes CC meeting 4-23-24 6pm.pdf](#)

**END OF CONSENT AGENDA.**

**2. RESOLUTIONS:**

- 2.A Resolution No. 09-2024. A Resolution canvassing the returns and declaring the results of the May 4, 2024 City General Election.  
Attachment: [20240514\\_Reso 09-2024. Canvassing General Election 5-04-24.pdf](#)
- 2.B Resolution No. 14-2024. A Resolution canvassing the returns and declaring the results of the May 4, 2024, City Special Election regarding amendments to the City Charter.  
Attachment: [20240514\\_Reso 14-2024 Canvass Charter amendments for 5-4-24.pdf](#)

**3. COMMENDATIONS TO AND STATEMENTS BY OUT-GOING COUNCILMEMBERS:**

- Mayor Judy Eychner
- Councilmember Place 1 Roman Garcia

**4. STATEMENTS AND OATHS OF OFFICE GIVEN BY THE HONORABLE M. PATRICK MAGUIRE, PRESIDING JUDGE, 198TH DISTRICT COURT:**

- Mayor Joe Herring, Jr.
- Councilmember Place 3 Kent McKinney
- Councilmember Place 4 Brenda Hughes

**5. CERTIFICATES OF ELECTION SIGNED AND ISSUED BY MAYOR JOE HERRING, JR.**

**6. STATEMENTS BY ELECTED COUNCILMEMBERS:**

- Mayor Joe Herring, Jr.
- Councilmember Place 3 Kent McKinney
- Councilmember Place 4 Brenda Hughes

**ADJOURN.**



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

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**SUBJECT:** City Council workshop minutes April 23, 2024.

**AGENDA DATE OF:** May 14, 2024

**DATE SUBMITTED:** May 7, 2024

**SUBMITTED BY:** Shelley McElhannon, City Secretary

**EXHIBITS:**

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

**PAYMENT TO BE MADE TO:** N/A

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**Kerrville 2050 Item?** No

**Key Priority Area** N/A

**Guiding Principle** N/A

**Action Item** N/A

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**SUMMARY STATEMENT:**

City Council workshop minutes April 23, 2024 4pm.

**RECOMMENDED ACTION:**

Approve minutes as presented.

**ATTACHMENTS:**

[20240514\\_minutes CC workshop 4-23-24 400pm.pdf](#)

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

**APRIL 23, 2024 4:00 PM  
701 MAIN STREET, KERRVILLE, TEXAS**

**CALL TO ORDER:** On April 23, 2024 at 4:01 p.m., the City Council workshop was called to order by Mayor Judy Eychner at 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, Council Place 4/Mayor Pro Tem

**COUNCILMEMBERS ABSENT:**

None

**CITY STAFF PRESENT:**

Dalton Rice, City Manager  
Mike Hayes, City Attorney  
Kim Meisner, Asst City Manager  
Michael Hornes, Asst City Manager  
Shelley McElhannon, City Secretary

Stuart Barron, Executive Director  
Guillermo Garcia, Executive Director  
Eric Maloney, Fire Chief  
Chris McCall, Police Chief

**VISITOR(S) PRESENT:**

Tony Battle, Byrne Construction  
Josh Holden, Byrne Construction  
Joel Kokomor, Freese & Nichols Inc

1. **PUBLIC COMMENT:** None.

2. **CONSIDERATION AND POSSIBLE ACTION:**

2A. Grants for small business façade improvements.

Councilmember Joe Herring, Jr., Michael Hornes, and Dalton Rice provided information and responded to questions.

City Council agreed to consider grants for small business façade improvements.

2B. Third amendment to the Design-Build Agreement with Thos. S. Byrne, Inc. dba Byrne Construction Services Corporation in the amount of \$39,565,559.00 for the Public Safety Facility Project.

Michael Hornes and Tony Battle provided information and responded to questions.

Shelley McElhannon read the Executive Session captions into record.

Councilmember Roman Garcia made a motion to convene Executive Session under 551.071 (consultation with attorney), seconded by Councilmember Brenda Hughes. The motion passed 5-0. At 4:32 p.m., the open workshop recessed and Council convened into closed Executive Session.

3. **EXECUTIVE SESSION:**

3A. City's ongoing discussion with Headwater Groundwater Conservation District with respect to the City's groundwater permit (551.071)

3B. Liberty in Action Network, Terri Hall, and Rachel Vickers, Plaintiffs v. City of Kerrville, Texas, Defendant, Civil Action No. 5:24-CV-00403, US court for the Western District of Texas, San Antonio Division. (551.071)

3C. Requirements pertaining to landowner petitions for release of land from the City's extraterritorial jurisdiction. (551.071).

At 6:01 p.m., the closed Executive Session adjourned and the open workshop reconvened. No action taken during Executive Session.

4. **ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION IF ANY:** None

**ADJOURN.** The workshop adjourned at 6:01 p.m.

APPROVED BY COUNCIL: \_\_\_\_\_ ATTEST:

\_\_\_\_\_  
Judy Eychner, Mayor

\_\_\_\_\_  
Shelley McElhannon, City Secretary



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

---

**SUBJECT:** City Council meeting minutes April 23, 2024.

**AGENDA DATE OF:** May 14, 2024

**DATE SUBMITTED:** May 7, 2024

**SUBMITTED BY:** Shelley McElhannon, City Secretary

**EXHIBITS:**

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

**PAYMENT TO BE MADE TO:** N/A

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**Kerrville 2050 Item?** No

**Key Priority Area** N/A

**Guiding Principle** N/A

**Action Item** N/A

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**SUMMARY STATEMENT:**

City Council meeting minutes April 23, 2024 4pm.

**RECOMMENDED ACTION:**

Approve minutes as presented.

**ATTACHMENTS:**

[20240514\\_minutes CC meeting 4-23-24 6pm.pdf](#)

**CITY COUNCIL MINUTES  
REGULAR MEETING**

**KERRVILLE, TEXAS  
APRIL 23, 2024 6:00 PM**

On April 23, 2024 at 6:01 p.m., Mayor Judy Eychner called the Kerrville City Council meeting to order in City Hall Council Chambers, 701 Main Street.

Councilmember Brenda Hughes provided the invocation and led the Pledge of Allegiance.

**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

**COUNCILMEMBER ABSENT:**

None

**CITY EXECUTIVE STAFF:**

Dalton Rice, City Manager  
Mike Hayes, City Attorney  
Michael Hornes, Asst City Manager  
Kim Meismer, Asst City Manager  
Shelley McElhannon, City Secretary  
Stuart Barron, Executive Director  
Julie Behrens, Director of Finance

Ashlea Boyle, Director of Parks & Rec  
Danielle Brigati, Director of Library  
Kyle Burow, Director Engineering  
Stuart Cunyus, Public Information Officer  
Guillermo Garcia, Executive Director  
Eric Maloney, Fire Chief  
Chris McCall, Chief of Police

**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.

Michael Ash, JES Holdings  
Joel Kokomor, Freese & Nichols Inc  
Keith Bender, Byrne Construction  
Josh Holden, Byrne Construction

**1. ANNOUNCEMENTS OF COMMUNITY INTEREST:**

Community announcements provided by Stuart Cunyus.

**2. PRESENTATION(S):**

2A. Commendation of Recognition for Lt. Mitchell Ray, employee of the Kerrville Fire Department.

Mayor Eychner and Chief Eric Maloney recognized and honored Lieutenant Mitchell Ray for 39 years of service to the citizens of Kerrville and the surrounding community.

2B. Kerrville Kindness Award: Light on the Hill Methodist Church.

Mayor Eychner presented the Kerrville Kindness Award to Light on the Hill Methodist Church for commitment to serving our first responders and efforts to keep both citizens and visitors safe during the Monday, April 8, 2024 Eclipse Event. Light on the Hill Methodist Church members received the Award.

2C. Kerrville Kindness Award: Texas Department of Transportation partnering with the City of Kerrville during the Eclipse Event April 8, 2024.

Mayor Eychner, Stuart Barron, Chief Eric Maloney, and Chief Chris McCall presented the Kerrville Kindness Award to the Texas Department of Transportation for the commitment and contribution to the Kerrville community during the Monday, April 8, 2024 Eclipse Event. Texas Department of Transportation representatives Andres Gonzalez, PE,

Kerrville Area Engineer; Dale Picha, PE, PTOE, Director of Transportation and Operations; and Roberto Mariella received the Award.

2D. Proclamation recognizing April as Fair Housing month in Kerrville, Texas.

Mayor Eychner presented a proclamation recognizing April as Fair Housing month in Kerrville, Texas, to the Kerrville Board of Realtors.

2E. Proclamation recognizing the 100 year Anniversary of Mt. Wesley.

Mayor Eychner celebrated the 100 year Anniversary of Mt. Wesley, received by Methodist Encampment residents.

2F. Recognition of the Animal Regulations Review Committee members.

Mayor Eychner presented Commendations of Recognition to the Animal Regulations Review Committee members: Reagan Givens, Karen Guerrero, Jennifer Houghton, Leslie Jones, and Amy Underwood. With a special Thank you to Mike Hayes, Kim Meismer, and Councilmember Brenda Hughes.

2G. Commendations for Kerrville Area Youth Leadership Academy (KAYLA) members.

Mayor Eychner and Megan Folkerts presented Commendations of Recognition to the Kerrville Area Leadership Academy 2024 members: Autumn Atkinson, Elyse Houdeshell, Payton Montgomery, Jonah Moreno, Una Peterson, Will Sumner, and Callie Waiser.

### **3. VISITORS FORUM:**

The following person(s) spoke:

- Delayne Sigerman
- George Baroody

### **4. CONSENT AGENDA:**

Councilmember Roman Garcia made a motion to accept the Consent Agenda items, seconded by Councilmember Jeff Harris. The motion passed 5-0.

4A. Resolution No. 13-2024. A Resolution recognizing Saturday, May 11, 2024, as World Migratory Bird Day and authorizing local efforts and the City Manager to pursue the Bird City Texas Certification for the City from the Texas Parks and Wildlife Department.

4B. Professional Services Agreement with 6S Engineering, Inc. for the 2024 Street Maintenance projects in the amount of \$98,750.00.

4C. Interlocal Agreement between the City of Kerrville and Kerr County for participation in the Local Hazard Mitigation Plan for Kerr County.

4D. Professional Services Agreement with 6S Engineering, Inc. for services regarding the improvements to Al Mooney Road and a portion of Peterson Farm Road in the amount of \$216,462.

4E. City Council workshop minutes April 09, 2024.

4F. City Council meeting minutes April 09 2024.

**END OF CONSENT AGENDA.**

**5. ORDINANCE(S), SECOND READING:**

5A. Ordinance No. 2024-08, second reading. An Ordinance amending Chapter 18 "Animals" of the Code of Ordinances, City of Kerrville, Texas by revising and replacing said Chapter in its entirety; the new Chapter includes regulations pertaining to the care, custody, and control of domesticated animals, seizure and impoundment under specific situations, required rabies vaccinations, and enforcement and penalties; repealing all Ordinances or parts of Ordinances in conflict herewith; ordering publication; providing and effective date; and providing other matters related to the subject.

Shelley McElhannon read Ordinance No. 2024-08 caption into record.

Councilmember Hughes made a motion to approve Ordinance No. 2024-08, seconded by Councilmember Herring. The motion passed 5-0.

5B. Ordinance No. 2024-09, second reading. An Ordinance amending the City's Fiscal Year 2024 Budget to account for increased revenues, a merger of City funds, a multiyear Public Works project, and a mid-year cost of living and adjustment for all City employees.

Shelley McElhannon read Ordinance No. 2024-09 caption into record.

Councilmember Herring made a motion to adopt Ordinance No. 2024-09 on second reading, seconded by Councilmember Hughes. The motion passed 5-0.

5C. Ordinance No. 2024-10, second reading. An Ordinance vacating abandoning, and closing all right, title, and interest in a segment of a public right-of-way known as Knapp Rd; this segment of Knapp Rd is located south of the Guadalupe river, consists of an approximate .744 acres, and extends across Lots 13, 902, and 903 of The Landing Subdivision, a Subdivision within the City of Kerrville, Kerr County, Texas, and recorded in the Plat in File No. 19-05337, Plat records of Kerr County, Texas; finding that said right-of-way is not required for future use as a public right-of-way; ordering recording; providing an effective date; and providing other matters related to this subject.

Shelley McElhannon read Ordinance No. 2024-10 caption into record.

Michael Hornes and Mike Hayes provided information and responded to questions.

The following person(s) spoke:

- Rob Killen
- Justin MacDonald
- George Baroody (declined to speak when called)
- Bonnie Johnson
- Justin MacDonald
- Bonnie Johnson

Councilmember Garcia made a motion to table Ordinance No. 2024-10 with the caveat that the Johnson's provide us with the information regarding their right to the easement so we can get this matter handled. Mayor Eychner called for a second, with no second forthcoming. Motion to table died for lack of second.

Councilmember Herring made a motion to adopt Ordinance No. 2024-10 on second reading, seconded by Mayor Eychner. The motion passed 4-1 with Mayor Eychner, Councilmember

Harris, Councilmember Herring, and Councilmember Hughes voting in favor, and Councilmember Garcia opposed.

**6. CONSIDERATION AND POSSIBLE ACTION:**

6A. Third Amendment to the Design-Build Agreement with Thos. S. Byrne, Inc. dba Byrne Construction Services Corporation in the amount of \$39,565,559.00 for the Public Safety Facility Project.

Shelley McElhannon read 6A caption into record.

Councilmember Hughes made a motion to authorize the City Manager to finalize the design-build agreement amendment for the Public Safety Facility Project, seconded by Councilmember Harris. The motion passed 5-0.

6B. Resolution No. 12-2024. A Resolution in support of the submission of an application to the Federal Home Loan Bank of Dallas and its Affordable Housing Program by Riverview Manor, L.P., for the new construction of affordable senior housing.

Shelley McElhannon read Resolution No. 12-2024 caption into record.

Michael Hornes provided information.

The following person(s) spoke:

- Michael Ash provided information and responded to questions.

Councilmember Harris made a motion to approve Resolution No. 12-2024 to support the Affordable Housing Program tax credits, seconded by Councilmember Hughes. The motion passed 5-0.

6C. Professional Services Agreement with Marmon Mok, LP, for project services relating to the Olympic Pool in the amount of \$683,036.

Shelley McElhannon read item 6C caption into record.

Ashlea Boyle provided information and responded to questions.

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

6D. Authorize request to the Tax Increment Reinvestment Zone No. 1 (TIRZ) for funding in an amount not to exceed \$50,000 for the City to contract for professional services to update its Kerrville 2050 Comprehensive Plan, focused on the area within this TIRZ.

Shelley McElhannon read item 6D caption into record.

Michael Hornes and Dalton Rice provided information and responded to questions.

Councilmember Hughes made a motion to authorize staff to approach the TIRZ Board to consider funding downtown plan, seconded by Councilmember Herring. The motion passed 5-0.

6E. Authorization to submit a funding application to the City of Kerrville, Texas, Economic Improvement Corporation for park improvements in the amount not to exceed \$800,000.

Shelley McElhannon read item 6E caption into record.

Ashlea Boyle provided information and responded to questions.

Councilmember Garcia made a motion to authorize staff to submit the funding application, seconded by Councilmember Harris. The motion passed 5-0.

6F. Authorization to submit a funding application to the City of Kerrville, Texas, Economic Improvement Corporation for Heart of the Hills Heritage Center in an amount not to exceed \$2,000,000.

Shelley McElhannon read item 6F caption into record.

Michael Hornes provided information and responded to questions.

The following signed up to speak:

- George Baroody (advised that citizen left the meeting before name being called)

Councilmember Herring made a motion to authorize staff to submit the funding application, seconded by Councilmember Hughes. The motion passed 5-0.

6G. Authorize utility (water and wastewater) connections to a property outside the City limits, such property located at 921 Harper Rd (State Highway FM 783).

Shelley McElhannon read item 6G caption into record.

Michael Hornes, property owner representative John Boyken, Dalton Rice, Mike Hayes, and Stuart Barron provided information and responded to questions.

Councilmember Hughes made a motion to allow utility connections outside the city limits with certain conditions, and Councilmember Garcia made a motion to table Councilmember Hughes' motion. Mayor Eychner called for a second to table the motion, with no second forthcoming.

After discussion between Council and the City Attorney, Councilmember Hughes withdrew her original motion to allow utility connections.

Mayor Eychner called to table the authorization for utilities connections, and directed staff to proceed with an agreement with the property owner and petition for annexation; and then staff to bring item back to City Council meeting May 14, 2024 for approval.

Councilmember Garcia made a motion to table this item, seconded by Councilmember Hughes. Motion to table passed 5-0.

## **7. INFORMATION & DISCUSSION:**

7A. Monthly Financial Report for month-ended March 31, 2024.

Julie Behrens provided information.

7B. City's response to the Hill Country Eclipse Event on April 8, 2024.

Chief Eric Maloney, Chief Chris McCall, Ashlea Boyle, Stuart Barron, Guillermo Garcia, Danielle Brigati, Stuart Cunyus, Julie Behrens, and Dalton Rice provided information and responded to questions.

## **8. BOARD APPOINTMENTS:**

9A. Appointment(s) to the Kerrville-Kerr County Joint Airport Board position #2.

Mayor Eychner made a motion to appoint Thomas Pogue as Airport Board member position #2, seconded by Councilmember Harris. The motion passed 5-0.

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

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

11. **ITEM(S) FOR FUTURE AGENDAS:**

- Councilmember Garcia requested to review the legal impact of the Charter amendments propositions due to the newspaper error made. Mayor Eychner called for a second, with no second. Request will not be placed on pending list.

**ADJOURN.** The meeting adjourned at 9:18 p.m.

**APPROVED BY COUNCIL:** \_\_\_\_\_

APPROVED:

ATTEST:

\_\_\_\_\_  
Judy Eychner, Mayor

\_\_\_\_\_  
Shelley McElhannon, City Secretary



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

**SUBJECT:** Resolution No. 09-2024. A Resolution canvassing the returns and declaring the results of the May 4, 2024 City General Election.

**AGENDA DATE OF:** May 14, 2024

**DATE SUBMITTED:** May 7, 2024

**SUBMITTED BY:** Shelley McElhannon, City Secretary

**EXHIBITS:**

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
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:**

Note: Attachment A is currently the "Unofficial Results" for the May 4, 2024 election, however the "Official Results" (when received) will be the actual Attachment A.

**RECOMMENDED ACTION:**

Approve Resolution No. 09-2024.

**ATTACHMENTS:**

[20240514\\_Reso 09-2024. Canvassing General Election 5-04-24.pdf](#)

**CITY OF KERRVILLE, TEXAS  
RESOLUTION NO. 09-2024**

**A RESOLUTION CANVASSING THE RETURNS AND  
DECLARING THE RESULTS OF THE MAY 4, 2024, CITY  
GENERAL ELECTION**

**WHEREAS**, the City of Kerrville, Texas, held its general election on the 1<sup>st</sup> Saturday of May 2024 (May 4, 2024), for the purpose of electing a Mayor, Councilmember Place Three, and Councilmember Place Four, each to serve a two-year term; and

**WHEREAS**, it is found and determined that said election was held in accordance with the authorized procedures; that notice of the election was duly given in the form, manner, and time required by law; and that said election was in all respects legally held and conducted in accordance with the applicable laws of the State of Texas; and

**WHEREAS**, it is necessary and legally required for the City Council to canvass the returns of this election and to declare the results;

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

**SECTION ONE.** The statements and findings provided above are adopted.

**SECTION TWO.** The cumulative results report, as submitted by the election judge and shown in **Exhibit A**, is accepted and approved.

**SECTION THREE.** From the returns duly and legally made, there were 4,551 valid legal voters and each of the candidates in the election received the following votes:

PLACE	NAME OF CANDIDATE	VOTES RECEIVED
Mayor	Roman Garcia	1,838
Mayor	Joe Herring Jr.	2,692
Councilmember – Place Three	Kent McKinney	3,006
Councilmember – Place Three	Brent Bates	1,178

Councilmember – Place Four	Barbara Dewell Ferguson	1,937
Councilmember – Place Four	Brenda Hughes	2,553

**SECTION FOUR.** The election was duly called, notice thereof given, and held in accordance with the laws of the State of Texas governing the same; that the following named people, having received the highest number of votes cast for the respective offices are declared duly elected for a term that will continue through May 2, 2026, subject to their qualifying and taking the required oath and for the length of time legally necessary to canvass and take other actions following the election:

**JOE HERRING JR., Mayor**

**KENT McKINNEY, Councilmember Place Three**

**BRENDA HUGHES, Councilmember Place Four**

**PASSED AND APPROVED ON this the \_\_\_\_ day of May A.D., 2024.**

\_\_\_\_\_  
Judy Eychner, Mayor

APPROVED AS TO FORM:



\_\_\_\_\_  
Michael C. Hayes, City Attorney

ATTEST:

\_\_\_\_\_  
Shelley McElhannon, City Secretary

## ATTACHMENT A

**Cumulative Results Report**MAY 4, 2024 CITY OF KERRVILLE  
ELECTIONRun Time 8:09 PM  
Run Date 05/04/2024**KERR COUNTY, TEXAS****GENERAL ELECTION**

5/4/2024

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**Unofficial Results**

Registered Voters

4551 of 16934 = 26.84%

Precincts Reporting

0 of 1 = 0.00%

**MAYOR - Vote for none or one**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Roman Garcia		73	29.80%	1,235	38.65%	530	48.62%	1,838	40.57%
Joe Herring Jr		172	70.20%	1,960	61.35%	560	51.38%	2,692	59.43%
Cast Votes:		245	100.00%	3,195	100.00%	1,090	100.00%	4,530	100.00%
Undervotes:		2		13		6		21	
Overvotes:		0		0		0		0	

**COUNCILMEMBER PLACE THREE - Vote for none or one**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Kent McKinney		164	73.54%	2,179	73.10%	663	67.65%	3,006	71.85%
Brent Bates		59	26.46%	802	26.90%	317	32.35%	1,178	28.15%
Cast Votes:		223	100.00%	2,981	100.00%	980	100.00%	4,184	100.00%
Undervotes:		24		226		115		365	
Overvotes:		0		1		1		2	

**COUNCILMEMBER PLACE FOUR - Vote for none or one**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Barbara Dewell Ferguson		78	33.19%	1,322	41.57%	537	49.95%	1,937	43.14%
Brenda Hughes		157	66.81%	1,858	58.43%	538	50.05%	2,553	56.86%
Cast Votes:		235	100.00%	3,180	100.00%	1,075	100.00%	4,490	100.00%
Undervotes:		12		27		21		60	
Overvotes:		0		1		0		1	

**PROPOSITION A**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		226	96.58%	2,805	91.49%	888	85.80%	3,919	90.40%
AGAINST		8	3.42%	261	8.51%	147	14.20%	416	9.60%
Cast Votes:		234	100.00%	3,066	100.00%	1,035	100.00%	4,335	100.00%
Undervotes:		12		141		60		213	
Overvotes:		1		1		1		3	

**Cumulative Results Report**MAY 4, 2024 CITY OF KERRVILLE  
ELECTIONRun Time 8:09 PM  
Run Date 05/04/2024**KERR COUNTY, TEXAS****GENERAL ELECTION**

5/4/2024

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**Unofficial Results**

Registered Voters

4551 of 16954 = 26.84%

Precincts Reporting

0 of 1 = 0.00%

**PROPOSITION B**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		227	94.98%	2,775	90.42%	883	85.07%	3,885	89.39%
AGAINST		12	5.02%	294	9.58%	155	14.93%	461	10.61%
Cast Votes:		239	100.00%	3,069	100.00%	1,038	100.00%	4,346	100.00%
Undervotes:		8		137		57		202	
Overvotes:		0		2		1		3	

**PROPOSITION C**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		177	75.00%	1,918	63.01%	577	55.80%	2,672	61.94%
AGAINST		59	25.00%	1,126	36.99%	457	44.20%	1,642	38.06%
Cast Votes:		236	100.00%	3,044	100.00%	1,034	100.00%	4,314	100.00%
Undervotes:		11		162		62		235	
Overvotes:		0		2		0		2	

**PROPOSITION D**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		128	53.33%	1,331	42.96%	343	32.45%	1,802	41.00%
AGAINST		112	46.67%	1,767	57.04%	714	67.55%	2,593	59.00%
Cast Votes:		240	100.00%	3,098	100.00%	1,057	100.00%	4,395	100.00%
Undervotes:		7		105		38		150	
Overvotes:		0		5		1		6	

**PROPOSITION E**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		192	83.84%	2,345	78.69%	751	74.14%	3,288	77.88%
AGAINST		37	16.16%	635	21.31%	262	25.86%	934	22.12%
Cast Votes:		229	100.00%	2,980	100.00%	1,013	100.00%	4,222	100.00%
Undervotes:		18		227		82		327	
Overvotes:		0		1		1		2	

**Cumulative Results Report**MAY 4, 2024 CITY OF KERRVILLE  
ELECTION

Run Time 8:09 PM

Run Date 05/04/2024

**KERR COUNTY, TEXAS****GENERAL ELECTION**

5/4/2024

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**Unofficial Results**

Registered Voters

4550 of 16934 = 26.84%

Precincts Reporting

0 of 1 = 0.00%

**PROPOSITION F**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		130	54.85%	1,532	49.82%	389	37.40%	2,051	47.13%
AGAINST		107	45.15%	1,543	50.18%	651	62.60%	2,301	52.87%
Cast Votes:		237	100.00%	3,075	100.00%	1,040	100.00%	4,352	100.00%
Undervotes:		10		132		54		196	
Overvotes:		0		1		2		3	

**PROPOSITION G**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		167	71.37%	1,837	60.59%	531	51.40%	2,535	58.97%
AGAINST		67	28.63%	1,195	39.41%	502	48.60%	1,764	41.03%
Cast Votes:		234	100.00%	3,032	100.00%	1,033	100.00%	4,299	100.00%
Undervotes:		13		171		61		245	
Overvotes:		0		5		2		7	

**PROPOSITION H**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		166	70.64%	1,899	62.74%	539	52.95%	2,604	60.84%
AGAINST		69	29.36%	1,128	37.26%	479	47.05%	1,676	39.16%
Cast Votes:		235	100.00%	3,027	100.00%	1,018	100.00%	4,280	100.00%
Undervotes:		12		179		77		268	
Overvotes:		0		2		1		3	

**PROPOSITION I**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		163	69.96%	1,882	62.40%	533	52.46%	2,578	60.45%
AGAINST		70	30.04%	1,134	37.60%	483	47.54%	1,687	39.55%
Cast Votes:		233	100.00%	3,016	100.00%	1,016	100.00%	4,265	100.00%
Undervotes:		14		191		80		285	
Overvotes:		0		1		0		1	

**Cumulative Results Report**MAY 4, 2024 CITY OF KERRVILLE  
ELECTIONRun Time: 8:09 PM  
Run Date: 05/04/2024**KERR COUNTY, TEXAS****GENERAL ELECTION**

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**Unofficial Results**Registered Voters  
4551 of 16954 = 26.84%Precincts Reporting  
0 of 1 = 0.00%**PROPOSITION J**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		132	57.39%	1,512	50.35%	379	37.19%	2,023	47.58%
AGAINST		98	42.61%	1,491	49.65%	640	62.81%	2,229	52.42%
Cast Votes:		230	100.00%	3,003	100.00%	1,019	100.00%	4,252	100.00%
Undervotes:		17		200		76		293	
Overvotes:		0		5		1		6	

\*\*\* End of report \*\*\*



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

**SUBJECT:** Resolution No. 14-2024. A Resolution canvassing the returns and declaring the results of the May 4, 2024, City Special Election regarding amendments to the City Charter.

**AGENDA DATE OF:** May 14, 2024

**DATE SUBMITTED:** April 30, 2024

**SUBMITTED BY:** Mike Hayes, City Attorney

**EXHIBITS:**

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
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:**

Note: Attachment A is currently the "Unofficial Results" for the May 4, 2024 election, however the "Official Results" (when received) will be the actual Attachment A.

**RECOMMENDED ACTION:**

Approve Resolution No. 14-2024.

**ATTACHMENTS:**

[20240514\\_Reso 14-2024 Canvass Charter amendments for 5-4-24.pdf](#)

**CITY OF KERRVILLE, TEXAS  
RESOLUTION NO. 14-2024**

**A RESOLUTION CANVASSING THE RETURNS AND  
DECLARING THE RESULTS OF THE MAY 4, 2024, CITY  
SPECIAL ELECTION REGARDING AMENDMENTS TO  
THE CITY CHARTER**

**WHEREAS**, the City held a Special Election on May 4, 2024, for the purpose of submitting to the eligible voters of the City, 10 propositions (A-J) regarding amendments to the City Charter; and

**WHEREAS**, it is found that the Special Election was held in accordance with the authorized procedures; that notice of the Special Election was duly given in the form, manner, and time required by law; and that the Special Election was in all respects legally held and conducted in accordance with the laws of the State of Texas; and

**WHEREAS**, it is necessary for the City Council to canvass the returns of the Special Election and to declare the results thereof;

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

**SECTION ONE.** The statements and findings provided above are adopted.

**SECTION TWO.** The cumulative results report, as submitted by the election judge and shown in **Exhibit A**, is approved and accepted.

**SECTION THREE.** From the returns duly and legally made, there were 4,551 valid and legal voters; and that the propositions in the Special Election received the following votes:

<b>PROPOSITION A</b>	<b>RESPONSE</b>	<b>VOTES RECEIVED</b>
Amendments to the City Charter providing clarity as to meaning and intent and eliminating inconsistencies.	For	3,919
	Against	416
<b>PROPOSITION B</b>	<b>RESPONSE</b>	<b>VOTES RECEIVED</b>
Amendments to the City Charter revising and deleting provisions which are redundant of or inconsistent with State law.	For	3,885
	Against	461
<b>PROPOSITION C</b>	<b>RESPONSE</b>	<b>VOTES RECEIVED</b>

Amendment to the City Charter creating a requirement for persons injured because of the City's action or inaction to give the City notice of their claim within 90 days of the incident.	For	2,672
	Against	1,642
<b>PROPOSITION D</b>	<b>RESPONSE</b>	<b>VOTES RECEIVED</b>
Amendments to the City Charter increasing the term of office from two to three years for each councilmember and the mayor.	For	1,802
	Against	2,593
<b>PROPOSITION E</b>	<b>RESPONSE</b>	<b>VOTES RECEIVED</b>
Amendments to the City Charter providing under what circumstances a councilmember vacates his or her office.	For	3,288
	Against	934
<b>PROPOSITION F</b>	<b>RESPONSE</b>	<b>VOTES RECEIVED</b>
Amendment to the City Charter increasing the amounts paid to councilmembers and the mayor and changing payment to be monthly rather than per meeting.	For	2,051
	Against	2,301
<b>PROPOSITION G</b>	<b>RESPONSE</b>	<b>VOTES RECEIVED</b>
Amendments to the City Charter creating gender neutrality.	For	2,535
	Against	1,764
<b>PROPOSITION H</b>	<b>RESPONSE</b>	<b>VOTES RECEIVED</b>
Amendments to the City Charter requiring the appointment and termination of the City Manager to be by a four-fifths (4/5's) vote of the entire City Council.	For	2,604
	Against	1,676
<b>PROPOSITION I</b>	<b>RESPONSE</b>	<b>VOTES RECEIVED</b>

Amendments to the City Charter requiring the appointment and termination of the City Attorney to be by a four-fifths (4/5's) vote of the entire City Council.	For	2,578
	Against	1,687
<b>PROPOSITION J</b>	<b>RESPONSE</b>	<b>VOTES RECEIVED</b>
Amendment to the City Charter increasing the time for the City Manager to submit a proposed budget to Council.	For	2,023
	Against	2,229

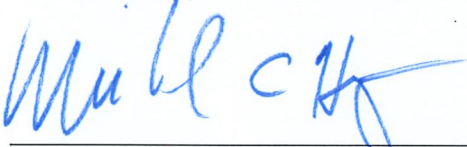
**SECTION FOUR.** A Special Election was duly called, notice given, and held in accordance with the laws of the State of Texas; the majority of the votes cast was “**For**” Propositions A, B, C, E, G, H, and I (Charter amendments); and “**Against**” Propositions D, F, and J (Charter amendments).

**PASSED AND APPROVED ON** this the \_\_\_\_ day of \_\_\_\_\_, **A.D., 2024.**

\_\_\_\_\_  
Judy Eychner, Mayor

APPROVED AS TO FORM:

ATTEST:

  
\_\_\_\_\_  
Michael C. Hayes, City Attorney

\_\_\_\_\_  
Shelley McElhannon, City Secretary

## ATTACHMENT A

## Cumulative Results Report

MAY 4, 2024 CITY OF KERRVILLE  
ELECTIONRun Time 8:09 PM  
Run Date 05/04/2024

## KERR COUNTY, TEXAS

## GENERAL ELECTION

5/4/2024

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## Unofficial Results

Registered Voters  
4551 of 16954 = 26.84%Precincts Reporting  
0 of 1 = 0.00%

## MAYOR - Vote for none or one

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Roman Garcia		73	29.80%	1,235	38.65%	530	48.62%	1,838	40.57%
Joe Herring Jr		172	70.20%	1,960	61.35%	560	51.38%	2,692	59.43%
Cast Votes:		245	100.00%	3,195	100.00%	1,090	100.00%	4,530	100.00%
Undervotes:		2		13		6		21	
Overvotes:		0		0		0		0	

## COUNCILMEMBER PLACE THREE - Vote for none or one

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Kent McKinney		164	73.54%	2,179	73.10%	663	67.65%	3,006	71.85%
Brent Bates		59	26.46%	802	26.90%	317	32.35%	1,178	28.15%
Cast Votes:		223	100.00%	2,981	100.00%	980	100.00%	4,184	100.00%
Undervotes:		24		226		115		365	
Overvotes:		0		1		1		2	

## COUNCILMEMBER PLACE FOUR - Vote for none or one

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Barbara Dewell Ferguson		78	33.19%	1,322	41.57%	537	49.95%	1,937	43.14%
Brenda Hughes		157	66.81%	1,858	58.43%	538	50.05%	2,553	56.86%
Cast Votes:		235	100.00%	3,180	100.00%	1,075	100.00%	4,490	100.00%
Undervotes:		12		27		21		60	
Overvotes:		0		1		0		1	

## PROPOSITION A

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		226	96.58%	2,805	91.49%	888	85.80%	3,919	90.40%
AGAINST		8	3.42%	261	8.51%	147	14.20%	416	9.60%
Cast Votes:		234	100.00%	3,066	100.00%	1,035	100.00%	4,335	100.00%
Undervotes:		12		141		60		213	
Overvotes:		1		1		1		3	

## Cumulative Results Report

MAY 4, 2024 CITY OF KERRVILLE  
ELECTIONRun Time 8:09 PM  
Run Date 05/04/2024

## KERR COUNTY, TEXAS

## GENERAL ELECTION

5/4/2024

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## Unofficial Results

Registered Voters  
4551 of 16934 = 26.84%Precincts Reporting  
0 of 1 = 0.00%

## PROPOSITION B

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		227	94.98%	2,775	90.42%	883	85.07%	3,885	89.39%
AGAINST		12	5.02%	294	9.58%	155	14.93%	461	10.61%
Cast Votes:		239	100.00%	3,069	100.00%	1,038	100.00%	4,346	100.00%
Undervotes:		8		137		57		202	
Overvotes:		0		2		1		3	

## PROPOSITION C

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		177	75.00%	1,918	63.01%	577	55.80%	2,672	61.94%
AGAINST		59	25.00%	1,126	36.99%	457	44.20%	1,642	38.06%
Cast Votes:		236	100.00%	3,044	100.00%	1,034	100.00%	4,314	100.00%
Undervotes:		11		162		62		235	
Overvotes:		0		2		0		2	

## PROPOSITION D

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		128	53.33%	1,331	42.96%	343	32.45%	1,802	41.00%
AGAINST		112	46.67%	1,767	57.04%	714	67.55%	2,593	59.00%
Cast Votes:		240	100.00%	3,098	100.00%	1,057	100.00%	4,395	100.00%
Undervotes:		7		105		38		150	
Overvotes:		0		5		1		6	

## PROPOSITION E

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		192	83.84%	2,345	78.69%	751	74.14%	3,288	77.88%
AGAINST		37	16.16%	635	21.31%	262	25.86%	934	22.12%
Cast Votes:		229	100.00%	2,980	100.00%	1,013	100.00%	4,222	100.00%
Undervotes:		18		227		82		327	
Overvotes:		0		1		1		2	

## Cumulative Results Report

MAY 4, 2024 CITY OF KERRVILLE  
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## KERR COUNTY, TEXAS

## GENERAL ELECTION

5/4/2024

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## Unofficial Results

Registered Voters  
4551 of 16954 = 26.84%Precincts Reporting  
0 of 1 = 0.00%

## PROPOSITION F

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		130	54.85%	1,532	49.82%	389	37.40%	2,051	47.13%
AGAINST		107	45.15%	1,543	50.18%	651	62.60%	2,301	52.87%
Cast Votes:		237	100.00%	3,075	100.00%	1,040	100.00%	4,352	100.00%
Undervotes:		10		132		54		196	
Overvotes:		0		1		2		3	

## PROPOSITION G

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		167	71.37%	1,837	60.59%	531	51.40%	2,535	58.97%
AGAINST		67	28.63%	1,195	39.41%	502	48.60%	1,764	41.03%
Cast Votes:		234	100.00%	3,032	100.00%	1,033	100.00%	4,299	100.00%
Undervotes:		13		171		61		245	
Overvotes:		0		5		2		7	

## PROPOSITION H

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		166	70.64%	1,899	62.74%	539	52.95%	2,604	60.84%
AGAINST		69	29.36%	1,128	37.26%	479	47.05%	1,676	39.16%
Cast Votes:		235	100.00%	3,027	100.00%	1,018	100.00%	4,280	100.00%
Undervotes:		12		179		77		268	
Overvotes:		0		2		1		3	

## PROPOSITION I

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		163	69.96%	1,882	62.40%	533	52.46%	2,578	60.45%
AGAINST		70	30.04%	1,134	37.60%	483	47.54%	1,687	39.55%
Cast Votes:		233	100.00%	3,016	100.00%	1,016	100.00%	4,265	100.00%
Undervotes:		14		191		80		285	
Overvotes:		0		1		0		1	

**Cumulative Results Report**MAY 4, 2024 CITY OF KERRVILLE  
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**Unofficial Results**Registered Voters  
4551 of 16954 = 26.84%  
Precincts Reporting  
0 of 1 = 0.00%**PROPOSITION J**

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
FOR		132	57.39%	1,512	50.35%	379	37.19%	2,023	47.58%
AGAINST		98	42.61%	1,491	49.65%	640	62.81%	2,229	52.42%
Cast Votes:		230	100.00%	3,003	100.00%	1,019	100.00%	4,252	100.00%
Undervotes:		17		200		76		293	
Overvotes:		0		5		1		6	

\*\*\* End of report \*\*\*