

# **AGENDA FOR THE KERRVILLE CITY COUNCIL MEETING**

**TUESDAY, AUGUST 24, 2021, 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 AGENDA**  
**AUGUST 24, 2021, 6:00 PM**  
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**701 MAIN STREET, KERRVILLE, TEXAS**



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

COVID-19 (Coronavirus) provides a unique concern in that gathering members of the public, City Council, and City staff within a physical setting constitutes a public health risk. On March 16, 2020, the Texas Governor suspended certain requirements of the Open Meetings Act to permit open meetings to occur in a fully, or partially, virtual setting (telephonic/videoconference).

Due to the recent increase of Coronavirus (Covid-19) positive cases in Kerr County, standard safety protocols will be observed by City Council, City staff, and citizens/visitors attending the workshop. Masks are voluntary and highly encouraged. Six-foot distance seating will be observed and visitor seating will be designated. Visitor overflow will be in the City Hall lobby, where social distancing will also be observed.

The Zoom platform will also be active during this meeting.

**Instructions for Zoom callers:** The Zoom moderator will open Zoom and begin accepting calls at 5:15 pm. The deadline to call in and register to participate is 5:45 pm. Calls made after the 5:45 pm deadline will not be accepted. Each caller registered to participate is limited to four minutes of speaking time. Dial the toll free number: **1-877-853-5247**. The Zoom back-up number is **1-888-788-0099**. When your call is answered you will hear "**Welcome to Zoom, enter your Meeting ID followed by pound**". Enter in the Meeting ID below followed by the pound sign (#), when prompted enter the meeting passcode.

The Meeting ID is **869 4550 6849#** Passcode is **546839**.

Once registered, a caller's microphone will be placed on mute and the call will be placed in the call queue. The caller will not hear a sound and should not hang up. Once the meeting has started, the caller will be able to listen to proceedings even though muted.

**Note:** Zoom is a third party vendor which provides the ability for remote participation. If the City is notified of any issues from the third party vendor, the City will notify citizens and provide alternatives for engagement and participation.

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

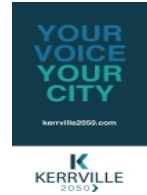
Written comments will be accepted for any agenda items. Comments must include a person's first and last name, address, and identify the item for comment. Written comments may be emailed to **[shelley.mcelhannon@kerrvilletx.gov](mailto:shelley.mcelhannon@kerrvilletx.gov)** and must be received by 4:00 p.m. the afternoon of the Council meeting. In addition, anyone may email Councilmembers via their City email addresses as specified on the City's website.

**Thank you for your participation!**

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**CITY COUNCIL AGENDA**  
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**CITY HALL COUNCIL CHAMBERS**  
**701 MAIN STREET, KERRVILLE, TEXAS**



**CALL TO ORDER:**

**INVOCATION AND PLEDGE OF ALLEGIANCE:**

*Led by Councilmember Brenda Hughes.*

**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 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.*

**3 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:*

-  3.A. Construction Agreement with Eveready Electric for the Tranquility Island "Light the Island" project in the amount of \$114,640.03.  
Attachments:  
[20210824\\_Bid\\_Light the Island.pdf](#)
-  3.B. Construction Agreement with M&C Fonseca Construction Co., Inc. for Butt-Holdsworth Memorial Library Campus Stair Replacement project, in the amount of \$369,730.00.  
Attachments:  
[20210810\\_Bid\\_BHML Stair Replacement\\_Received Bids.pdf](#)
- 3.C. Rejection of all bids for Butt-Holdsworth Memorial Library HVAC & Lighting Replacement project.  
Attachments:  
[20210824\\_Bid\\_BHML HVAC & Lighting.pdf](#)
- 3.D. Construction Agreement with Trade-Mark-Brown Inc. for the Butt-Holdsworth Memorial Library HVAC Replacement in the amount of \$283,200.00.
-  3.E. Annual Kerrville Economic Improvement Corporation budget for Fiscal Year 2022.  
Attachments:  
[20210824\\_Budget\\_EIC FY2022 Budget.pdf](#)
- 3.F. Administrative Services Contract between City of Kerrville, Texas and City of Kerrville, Texas Economic Improvement Corporation.  
Attachments:  
[20210824\\_Contract Administrative Services EIC.pdf](#)

3.G. City of Kerrville Funding Agreement with Kerr Economic Development Corporation.

Attachments:

[20210824\\_Contract\\_KEDC Funding Agreement.pdf](#)

3.H. Minutes for the City Council workshop held August 10, 2021.

Attachments:

[20210824\\_Minutes\\_City Council workshop 8-10-21 4pm.pdf](#)

3.I. Minutes for the City Council meeting held August 10, 2021.

Attachments:

[20210824\\_Minutes\\_City Council meeting 8-10-21 6pm.pdf](#)

3.J. Minutes for the City Council workshop held August 17, 2021.

Attachments:

[20210824\\_Minutes\\_Council workshop 8-17-21 10am.pdf](#)

**END OF CONSENT AGENDA.**

**4 PUBLIC HEARING AND ORDINANCES, FIRST READING:**

4.A. ORDINANCE 2021-22. AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF UP TO \$7,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF "CITY OF KERRVILLE, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021"; SECURING THE PAYMENT THEREOF BY AUTHORIZING THE LEVY OF AN ANNUAL AD VALOREM TAX AND A PLEDGE OF CERTAIN SURPLUS REVENUES OF THE CITY'S WATERWORKS AND SEWER SYSTEM; AND APPROVING AND AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AN OFFICIAL STATEMENT AND ALL OTHER INSTRUMENTS AND PROCEDURES RELATED THERETO (THE CITY HAS RECEIVED A PETITION PROTESTING THE ISSUANCE OF THE CERTIFICATES OF OBLIGATION AND IS CURRENTLY IN THE PROCESS OF CERTIFYING THE SIGNATURES THERETO. THIS ORDINANCE SHALL NOT BE APPROVED IF THE CITY SECRETARY CERTIFIES THAT THE PETITION PROTESTING THE ISSUANCE OF THE CERTIFICATES WAS PROPERTLY SIGNED BY AT LEAST FIVE PERCENT OF THE QUALIFIED ELECTORS OF THE CITY.)

Attachments:

[20210824\\_Certificates of Obligation Series 2021.pdf](#)

**5 ORDINANCE, FIRST READING:**

5.A. Ordinance No. 2021-23: An Ordinance authorizing the issuance of \$865,000 in principal amount of City of Kerrville, Texas Texas Tax Note, Series 2021; securing the payment thereof by authorizing the levy of an Annual Ad Valorem Tax; and approving and authorizing the execution of a Paying Agent/Registrar Agreement, a purchase letter, and all other instruments and procedures related thereto.

Attachments:

[20210824\\_Tax Note Ordinance.pdf](#)

**6 PUBLIC HEARING AND ORDINANCES, FIRST READING:**

6.A. Ordinance No. 2021-20. An Ordinance adopting the annual budget for the City of Kerrville, Texas, Fiscal Year 2022; providing appropriations for each city department and fund; containing a cumulative clause; and containing a savings and severability clause.

Attachments:

[20210824\\_Ordinance 2021-20 Annual Budget FY22.pdf](#)

6.B. Ordinance No. 2021-21. An Ordinance levying an Ad Valorem Tax for the use and the support of the Municipal Government for the City of Kerrville, Texas, for the Fiscal Year 2022; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when the same shall become delinquent if not paid.

Attachments:

[20210824\\_Ordinance 2021-21 Ad Valorem Tax.pdf](#)

**7 ORDINANCES, SECOND READING:**

7.A. Ordinance No. 2021-18, second reading. An Ordinance amending Chapter 60, Code of Ordinances, City of Kerrville, Texas; Chapter 60 more commonly known as the City's Zoning Code; by changing the zoning of a property known as 3210 Riverside Drive and out of the Wallace Survey No. 112, Abstract No. 360, and within the City of Kerrville, Kerr County, Texas; from a Single-Family Residential Zoning District (R-1) to a General Commercial Zoning District (C-3); providing a cumulative clause; providing for severability; providing an effective date; and ordering publication.

Attachments:

[20210824\\_Ordinance 2021-18 Zone change 3210 Riverside second reading.pdf](#)

7.B. Ordinance No. 2021-19, second reading. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas, such chapter more commonly known as the City's Zoning Code; by changing the zoning of a property known as 501 Florence; consisting of Lot 19 and part of Lot 20, Block 25, Westland Place; within the City of Kerrville, Kerr County, Texas; from a Residential Transition Zoning District (RT) to a Neighborhood Commercial Zoning District (C-1); providing a cumulative clause; providing for severability; providing an effective date; ordering publication; and providing other matters relating to the subject.

Attachments:

[20210824\\_Ordinance 2019-19 Zone change 501 Florence second reading.pdf](#)

**8 CONSIDERATION AND POSSIBLE ACTION:**

8.A. Resolution No. 38-2021. A Resolution approving negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., regarding the Company's 2021 Rate Review Mechanism Filing.

Attachments:

[20210824\\_Resolution\\_38-2021 Atmos Energy 2021 RRM.pdf](#)

8.B. City's ongoing preparedness and response to COVID-19 (Coronavirus); and Declaration of local state of disaster due to a public health emergency, Review of Declaration of local state of disaster due to a public health emergency, March 20, 2020.

Attachments:

[20200922\\_Resolution\\_16-2020 Extending Mayor's Disaster Declaration Covid-19 7-28-20.pdf](#)

**9 ITEMS FOR FUTURE AGENDAS:**

*City Council may suggest items or topics for future agendas.*

**10 EXECUTIVE SESSION:**

*City Council may, as permitted by law, adjourn into executive session at any time to discuss any matter listed above if they meet the qualifications in Sections 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding gifts), 551.074 (personnel/officers), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Texas Government Code.*

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

**ADJOURN.**

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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 830-257-8000 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: 8/20/2021 at 6:30 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Kesha Franchina

Kesha Franchina, Deputy City Secretary, City of Kerrville, Texas

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