



CITY COUNCIL MEETING AGENDA
JANUARY 24, 2023, 6:00 PM
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS



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

COVID-19 (Coronavirus) provides a unique concern in that gathering members of the public, City Council, and City staff within a physical setting constitutes a public health risk. Taking this into account, standard safety protocols will be observed by City Council, City staff, and citizens/visitors attending the meeting. Masks are voluntary and highly encouraged. Visitor seating will be designated.

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

Citizens wishing to speak during a meeting shall submit a completed "speaker request form" to the City Secretary before the item is introduced, but are encouraged to submit the form before the meetings begin. Each speaker is limited to four minutes. Thank you for your participation!

CALL TO ORDER: *By Mayor Judy Eychner*

INVOCATION AND PLEDGE OF ALLEGIANCE: *Led by 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 Resolution No. 03-2023. A Resolution expressing the City's support for the development of the Upper Guadalupe River Center.
[Attachments: 20230124 Reso 03-2023 Support Guadalupe River Center.pdf](#)
[20230124 Presentation GRC.pdf](#)



- 3.B Resolution No. 05-2023. A Resolution authorizing the acceptance of grant funding from the Office of the Governor and its SH-Bullet Resistant Shield Grant Program for funding to purchase Ballistic Shields for the Kerrville Police Department.
[Attachments: 20230124 Reso 05-2023 Accept Governor Grant -Ballistic Shields KPD.pdf](#)
[20230124 Grant Statement award OOG.pdf](#)



- 3.C Purchase of Ballistic Shields for the Kerrville Police Department in the amount of \$76,581.64.
[Attachments: 20230124 Purchase Agreement_Galls Ballistic Shields KPD.pdf](#)
[20230124_Quote -GallsTexas_buyboard.pdf](#)



- 3.D Grant Agreement with the Hal & Charlie Peterson Foundation accepting a Public Safety Equipment Grant in the amount of \$106,002.00.
[Attachment: 20230124_Agreement_Peterson Foundation KPD Grant Agreement.pdf](#)

- 3.E Project Funding Agreement between the City of Kerrville, Texas, Economic Improvement Corporation and the City of Kerrville, Texas, for a concept feasibility study for an extension of the River Trail around Nimitz Lake; and the corresponding Professional Services Agreement between Hewitt Engineering and the City of Kerrville for the study in the amount of \$182,800.
[Attachments: 20230124 Funding Agreement EIC -River Trail ext Nimitz Lake.pdf](#)
[20221213_Proposal RiverTrailWestConcept.pdf](#)
[20230124_PSA Hewitt -Concept Study River Trail ext Nimitz Lake.pdf](#)
- 3.F Amendment to Agreement Regarding Water Utility Service to Designated Areas with Aqua Texas, to be submitted to the Public Utility Commission (PUC), said agreement which will act to revise the City's certificate of convenience and necessity for water service.
[Attachments: 20230124 Aqua Texas amend 1 -Service Area CCN.pdf](#)
[20230124 Original Agreement Aqua TX CCN 083122.pdf](#)
- 3.G City Council workshop minutes, January 10, 2023.
[Attachment: 20230124 Minutes CC workshop 1-10-23 4pm.pdf](#)
- 3.H City Council meeting minutes, January 10, 2023.
[Attachment: 20230124 Minutes CC meeting 1-10-23 6pm.pdf](#)
- 3.I City Council workshop minutes, January 17, 2023.
[Attachment: 20230124 Minutes CC workshop 1-17-23 10am.pdf](#)

END OF CONSENT AGENDA.

4. PUBLIC HEARING AND ORDINANCES, FIRST READING:

- 4.A Ordinance No. 2023-06. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas; by changing the zoning for properties known as 402, 405, 406, 407, 409, 410, 411, 413, 414, and 415 W. Water; consisting of the Westland Addition; from a Single Family Residential with Accessory Dwelling Unit Zoning District (R-1A) to a Residential Transition Zoning District (RT); and providing other matters relating to the subject.
[Attachments: 20230124_Ord 2023-06 Zone to RT West Water Street.pdf](#)
[20230124_Letter opposed Pena.pdf](#)
- 4.B Ordinance No. 2023-07. An Ordinance amending Chapter 60 of the Code of Ordinances, City of Kerrville, Texas; by changing the zoning of a property known as 3800 Loop 534; consisting of Lot 1, Block 5 of the Legion Hills Phase Four Subdivision, being approximately 3.56 acres, and within the City of Kerrville, Kerr County, Texas; from a Medium Density Residential Zoning District (R2) to a Light Commercial Zoning District (C-2); and providing other matters relating to the subject.
[Attachment: 20230124 Ord 2023-07 Zoning change 3800 Loop 534.pdf](#)
- 4.C Ordinance No. 2023-08. An Ordinance annexing a tract of land into the Corporate Limits of the City of Kerrville, Texas; such property making up approximately 0.08 acres and generally located adjacent to and south of Lehmann Drive in the area that Lehmann Drive intersects with Lenard Lane; such property more specifically described in this Ordinance and being located within the extraterritorial jurisdiction of and adjacent to the City Limits; adopting a service agreement; establishing the zoning for the annexed property as a Public and Institutional (PU) Zoning District; and providing other matters relating to the subject.
[Attachment: 20230124 Ord 2023-08 Annex-zone Lehmann and Lenard.pdf](#)

5. ORDINANCES, SECOND READING:

- 5.A Ordinance No. 2023-03, second reading. An Ordinance amending Chapter 26 of the Code of Ordinances, City of Kerrville, Texas, titled "Buildings and Building Regulations"; by adding a new Article X titled "Outdoor Lighting", to create standards for outdoor lighting to minimize light pollution, glare, and light trespass caused by inappropriate or misaligned light fixtures, while improving nighttime public safety, utility, and security; providing an effective date; and providing other matters related to the subject.
[Attachment: 20230124 Ord 2023-03 Outdoor Lighting-Night Sky 2nd.pdf](#)
- 5.B Ordinance No. 2023-04, second reading. An Ordinance closing, abandoning, and vacating all right, title, and interest in a public right-of-way, consisting of an unimproved, unopened portion of West St. that exists between the properties addressed as 620 and 704 Junction Highway (SH 27); said right-

of-way out of the Westland Place Addition, a Subdivision within the City of Kerrville, Kerr County, Texas, pursuant to the plat recorded in Volume 1, Page 26 of the Plat Records of Kerr County, Texas and corresponding filed notes; and, located within the City of Kerrville, Texas; finding that said portion is not required for future use as a public street; ordering recording; providing an effective date; and providing other matters related to this subject.

[Attachment: 20230124 Ord 2023-04 Vacating portion of West St 2nd.pdf](#)

- 5.C Ordinance No. 2023-05, second reading. An Ordinance amending Ordinance No. 2022-26 and the Ad Valorem Tax for the use and support of the municipal government for the City of Kerrville, Texas, for Fiscal Year 2023.

[Attachment: 20230124 Ord 2023-05 Amend Ad Valorem Tax FY23 2nd.pdf](#)

6. CONSIDERATION AND POSSIBLE ACTION:

- 6.A Resolution No. 06-2023. A Resolution expressing official intent to reimburse certain project costs from obligations to be issued by the City of Kerrville, Texas, authorizing certain consultants to prepare documents and take actions necessary in relation to the issuance of such obligations; and authorizing other matters related thereto.

[Attachment: 20230124 Reso 06-2023 Obligation Bonds - PW infrastructure.pdf](#)

- 6.B Construction Agreement with M&C Fonseca Construction Co., Inc. for Water Street Water Main Replacement project in the amount of \$314,667.50.

[Attachment: 20230124_Water Street Waterline_bid_summary.pdf](#)

- 6.C Construction Agreement with M&C Fonseca Construction Co., Inc. for the Knapp Lift Station Force and Gravity Main project in the amount of \$4,895,585.00.

[Attachment: 20220124_Knapp LS Force and Gravity Main_Bid Summary.pdf](#)

- 6.D Professional Services Agreement with Hewitt Engineering for the River Trail Downtown Extension in the amount of \$154,500.

[Attachment: 20230124_PSA_Hewitt_River Trail Design_Downtown_Final_012023.pdf](#)

7. INFORMATION & DISCUSSION:

- 7.A Financial report for December 2022.

8. **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.*

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

10. **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: January 20, 2023 at 3:45 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
