

AGENDA FOR REGULAR MEETING

KERRVILLE CITY COUNCIL

TUESDAY, JANUARY 28, 2014, 6:00 P.M.

KERRVILLE CITY HALL COUNCIL CHAMBERS

701 MAIN STREET, KERRVILLE, TEXAS

KERRVILLE CITY COUNCIL AGENDA
REGULAR MEETING, TUESDAY, JANUARY 28, 2014, 6:00 P.M.
CITY HALL COUNCIL CHAMBERS
701 MAIN STREET, KERRVILLE, TEXAS

CALL TO ORDER

INVOCATION offered by Reverend Linda McWhorter, Interim Minister for the First Christian Church.

PLEDGE OF ALLEGIANCE TO THE FLAG: led by John Young, Kerrville Police Chief.

Those in attendance may stand if they wish.

1. 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. City Council may not discuss or take any action on an item but may place the issue on a future agenda. The number of speakers will be limited to the first ten speakers and each speaker is limited to four minutes.

2. CONSENT AGENDA:

These items are considered routine and can be approved in one motion unless a city councilmember asks for separate consideration of an item. It is recommended that City Council approve the following items which will grant the Mayor or City Manager the authority to take all actions necessary for each approval:

2A. Minutes of the city council regular meeting held January 14, 2014, and the special meeting held January 14, 2014. (staff)

END OF CONSENT AGENDA

3. ORDINANCES, SECOND AND FINAL READING:

3A. Ordinance No. 2014-01, ordering a special election to be held on May 10, 2014, for the purpose of submitting propositions to the voters for proposed amendments to the City Charter; establishing early voting locations and polling places for this election; and making provisions for the conduct of the election. (staff)

3A. UNA ORDENANZA 2014-01 QUE DECRETA UNA ELECCIÓN ESPECIAL QUE HA DE LLEVARSE A CABO EL 10 DE MAYO DEL 2014 CON EL FIN DE PRESENTAR A LOS

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 830-258-1117 for further information.

I do hereby certify that this notice of meeting was posted on the bulletin board at the city hall of the city of Kerrville, Texas, and said notice was posted on the following date and time, January 23, 2014 at 4:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Brenda Craig
City Secretary, City of Kerrville, Texas

VOTANTES LAS ENMIENDAS PROPUESTAS A LA CARTA CONSTITUCIONAL DE LA CIUDAD; ESTABLECER LOS LUGARES DE LA VOTACIÓN TEMPRANA Y LOS CENTROS ELECTORALES PARA ESTA ELECCIÓN; Y HACER LAS DISPOSICIONES NECESARIAS PARA LLEVAR A CABO ESTA ELECCIÓN.

3B. Ordinance No. 2014-03, amending the city's "Zoning Code" by adding a definition of "Boarding Home Facility" to Article 11-I-3 "Definitions and Interpretation of Words and Phrases"; and revising Article 11-I-4 to add boarding home facility as a use that is permitted within any zoning district; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); and ordering publication. (staff)

4. ORDINANCES, FIRST READING

4A. Ordinance No. 2014-02, amending Chapter 6 "Advertising", Article II "Signs", of the City's Code of Ordinances to revise Sections 6-36 and 6-40 to authorize the use of political signs on City property being used as a polling place; amending Chapter 70 "Offenses and miscellaneous provisions" to add a new Article III "Electioneering at polling places" to provide regulations regarding the time, place, and manner of the use of such signs; containing a savings and severability clause; providing for penalties not to exceed \$2,000.00; ordering publication; providing an effective date; and providing other matters related to the subject. (staff)

4B. Ordinance No. 2014-03, amending Chapter 6 "advertising", Article II "Signs", of the City's Code of Ordinances to revise the definition of a projecting sign and to revise the regulations applicable to projecting signs and roof signs; containing a savings and severability clause; providing for penalties not to exceed \$2,000.00; ordering publication; providing an effective date; and providing other matters related to the subject. (staff)

5. CONSIDERATION AND POSSIBLE ACTION:

5A. Streetscape master plan (Kerrville Central City Plan) by Peter Lewis Architect + Associates, PLLC. (staff)

5B. Request from Kerrfest committee to provide in-kind police and fire/EMS services for the 4th annual Kerrfest event. (staff)

6. INFORMATION AND DISCUSSION:

6A. Budget and economic update. (staff)

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Brenda Craig
City Secretary, City of Kerrville, Texas

7. BOARD APPOINTMENTS:

7A. Appointments to the main street advisory board. (staff)

8. ITEMS FOR FUTURE AGENDAS

9. 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.

10. EXECUTIVE SESSION:

City Council may, as permitted by law, adjourn into executive session at any time to discuss any matter listed above including 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 matters), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Texas Government Code, including the following matters:

Sections 551.071 and 551.072:

Discuss the purchase, exchange, lease, sale, or value of real property, the public discussion of which would not be in the best interests of the City's bargaining position with third parties, regarding property interests related to the following:

- Jefferson lift station
- River Trail.

11. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION

12. ADJOURNMENT.

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 830-258-1117 for further information.

I do hereby certify that this notice of meeting was posted on the bulletin board at the city hall of the city of Kerrville, Texas, and said notice was posted on the following date and time, January 23, 2014 at 4:00 p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of the meeting.

Brenda Craig
City Secretary, City of Kerrville, Texas

Agenda Item:

2A. Minutes of the city council regular meeting held January 14, 2014, and the special meeting held January 14, 2014. (staff)

CITY COUNCIL MINUTES
SPECIAL MEETING

KERRVILLE, TEXAS
JANUARY 14, 2014

On January 14, 2014, the Kerrville City Council special meeting was called to order by Mayor Pratt at 8:30 a.m. in the city hall conference room, 701 Main Street.

COUNCILMEMBERS PRESENT:

Jack Pratt	Mayor
Carson Conklin	Mayor Pro Tem
Gene Allen	Councilmember
Stacie Keeble	Councilmember
Justin MacDonald	Councilmember

COUNCILMEMBER ABSENT: None

CITY EXECUTIVE STAFF PRESENT:

Todd Parton	City Manager
Mike Hayes	City Attorney
Kristine Ondrias	Assistant City Manager
Brenda G. Craig	City Secretary
Kim Meismer	Director of General Operations
Ashlea Boyle	Main Street/Special Projects Manager
Dieter Werner	City Engineer
Stuart Barron	Interim Public Works Director
Sandra Yarbrough	Director of Finance

KERR COUNTY COMMISSIONER PRESENT:

Tom Moser

VISITORS PRESENT: List on file in city secretary's office for the required retention period.

Water Master Plan and Water Reuse Feasibility Study

Freese and Nichols Engineering, Inc. (FNI) representatives in attendance were: John New, Scott Cole, and David Sloan.

FNI explained that the city's water treatment and distribution system was a complex system due to 13 pressure planes and ten pump stations, which were necessary because of topography. The water supply and distribution system consisted of 2 water treatment plants, 7 groundwater wells, and 2 aquifer storage and recovery wells, and 207 miles of water distribution lines.

FNI identified potential growth areas and estimated population growth at 2,752 over the next 20 years. FNI used historical data to project future water demand peak hour usage at 17.17 million gallons a day; current peak hour usage is 15.29

mgd. FNI cautioned that future development in higher pressure planes could not be served by the city's existing system; also, development along system extremities may require additional pumping and storage facilities.

FNI discussed water quality issues related to TTHM (total trihalomethanes), a chlorine disinfection byproduct. FNI noted that under former TCEQ regulations, the city was required to meet an average THM level, but under new regulations the city had to meet THM levels at individual sampling sites as selected by TCEQ. The longer time that water was in the system, the greater likelihood of TTHM forming. FNI presented a water age analysis of the city's system and discussed modifications to reduce/remove TTHM from the system.

Mr. Sloan noted that some water systems add ammonia instead of chlorine to solve TTHM problems, but he did not recommend ammonia because of side effects, such as odor and taste. Mr. Parton noted that ammonia created other types of chemical formations that had to be treated; ammonia systems had higher maintenance costs, and the entire system had to be flushed twice a year, which used a lot of water.

Mr. Sloan responded to the question, was there any advantage to integrating the Spur 100 tank into the system? He stated that putting it on line would worsen THM in the system. He suggested if the Spur 100 tank was decommissioned, it could serve as storage for reuse water; if the tank is not decommissioned, it would need to be painted and that project had not been identified by TCEQ at this time. He noted that any tanks painted prior to 1985 would likely have lead in the paint and possibly on the ground around the tanks; these sites would have to be remediated and this would impact the cost. Mr. Barron noted that the Summit tank was the last tank painted and it contained lead and had to be remediated.

FNI discussed eight projects in the water distribution system capital improvements plan totaling \$4.1 million, seven projects in the water treatment plant CIP totaling \$3,376,000. Mr. Parton noted \$1 million was allocated in the 2014 budget for THM removal system at Stadium tanks and to repaint Summit tank; \$2,118,200 was estimated for the 2015-2019 CIP budget.

Ms. Ondrias noted the next step was to formalize the plan with FNI and present it to council at a future meeting for adoption. She noted that staff would combine the water CIP and wastewater CIP and bring the integrated CIP back to the council, prioritized and based on the availability of financial resources.

Landfill Master Plan

Ms. Ondrias noted that expansion of the landfill cells would be required in order for the city to continue to operate its own landfill.

Commissioner Moser asked if existing gravel pits could be used for landfill purposes. Mr. Parton noted this would likely be prohibited by TCEQ as gravel

pits were located along riverbeds and landfill operations could create environmental issues.

Mr. Parton estimated the life of the landfill, without additional permitting and expansion, at 30 years. The permitting and creation of new cells could expand operations at the landfill, and with expansion of the recycling program, could increase the life of the landfill by an additional 50 years. He estimated three years and \$400,000 for the permitting process. Ms. Ondrias stated the main benefit to permitting now would be to lock in under today's regulations. One option to increasing the life of the landfill was to layer upwards; however, she noted a deficit of 1.2 million cubic yards of dirt.

Council recognized that advancing technology could potentially offer methods for converting waste into energy, but for now it was not proven technology or cost effective.

Water Reuse Feasibility:

FNI representatives believed that reuse ponds could be constructed at the city farm; three possible sites were selected for study. Geo-tech indicated the water table was about 15 ft. below the surface.

Ms. Ondrias noted a scope amendment in the contract with FNI would be presented to council for consideration soon. Staff was looking at alternative locations to relocate the soccer fields. Dirt excavated for the ponds would be used to construct the berms for the ponds and for landfill operations.

Ms. Ondrias noted these projects would be placed on an agenda in April to get direction from the council.

ADJOURNMENT: The meeting adjourned at 9:43 a.m.

APPROVED: _____

Jack Pratt, Jr., Mayor

ATTEST:

Brenda G. Craig, City Secretary

CITY COUNCIL MINUTES
REGULAR MEETING

KERRVILLE, TEXAS
JANUARY 14, 2014

On January 14, 2014, the Kerrville City Council meeting was called to order at 6:00 p.m. by Mayor Pratt in the City Hall Council Chambers at 701 Main Street. The invocation was offered by Reverend David McMillan, Rector for St. Michael Anglican Church, followed by the Pledge of Allegiance led by First Lieutenant Brianna Jones, of the Tivy High School Air Force Junior Reserve Officer Training Corps.

COUNCILMEMBERS PRESENT:

Jack Pratt	Mayor
Carson Conklin	Mayor Pro Tem
Stacie Keeble	Councilmember
Justin MacDonald	Councilmember
Gene Allen	Councilmember

COUNCILMEMBER ABSENT: None

CITY EXECUTIVE STAFF PRESENT:

Todd Parton	City Manager
Mike Hayes	City Attorney
Brenda G. Craig	City Secretary
Sandra Yarbrough	Director of Finance
Robert Ojeda	Fire Chief
Ashlea Boyle	Special Projects Manager
Jason Lutz	City Planner
John Young	Police Chief

VISITORS PRESENT: List on file in city secretary's office for the required retention period.

1. VISITORS/CITIZENS FORUM:

1A. Jan Stutts spoke on behalf of the residents of Rio Robles regarding the use of eminent domain for a sidewalk that would cut off their exclusive private access to the river. Should the city prevail in its taking of the approximate ½ acre, they wanted to be fairly compensated for the total impairment of their property, and not just the land where the sidewalk would be located; the public would have access, but Rio Robles would have all of the liability and taxes; the compensation offered by the city would not cover the increase in their liability. There were alternatives available to the city that would not involve the taking of their property. Rio Robles granted a utility easement.

2. MOMENT OF SILENCE:

2A. Moment of silence in remembrance of the late Kerr County Judge Pat Tinley's service to the citizens of Kerr County.

3. CONSENT AGENDA:

Mr. MacDonald moved to approve consent agenda items 3A and 3B. Mr. Allen seconded the motion, and it passed 5-0:

3A. Minutes of the city council regular meeting held December 10, 2013, and the special meeting held December 23, 2013.

3B. Resolution No. 01-2014 ordering that a general election be held on May 10, 2014, for the election of a Mayor and two City Councilmembers; appointing election judges, adopting an electronic counting system; establishing a central counting station; appointing a central counting station manager; appointing a tabulation supervisor; appointing the central counting station presiding judge; and authorizing the early processing of ballots.

3B. RESOLUCIÓN 01-2014 QUE DECRETA QUE LAS ELECCIONES GENERALES SE LLEVEN A CABO EL 10 DE MAYO DEL 2014 PARA ELEGIR AL ALCALDE DE LA CIUDAD Y A DOS CONCEJALES MUNICIPALES; NOMBRAR A LOS JUECES ELECTORALES; ADOPTAR UN SISTEMA ELECTRÓNICO DE CONTEO DE VOTOS; ESTABLECER UNA ESTACIÓN CENTRAL DE CONTEO; NOMBRAR A UN ADMINISTRADOR(A) DE LA ESTACIÓN CENTRAL DE CONTEO; NOMBRAR A UN SUPERVISOR(A) DE TABULACIÓN; DESIGNAR AL JUEZ PRESIDENTE DE LA ESTACIÓN CENTRAL DE CONTEO; Y AUTORIZAR EL PROCESAMIENTO TEMPRANO DE LOS VOTOS ELECTORALES.

END OF CONSENT AGENDA

4. PUBLIC HEARING AND RESOLUTION:

4A. Resolution No. 02-2014, granting a conditional use permit (CUP) for an approximate 0.94 acre tract of land within the City of Kerrville, Kerr County, Texas, with a street address of 233 and 237 Guadalupe Street, and located within an R-1 zoning district; by permitting said property to be used for a bed and breakfast; and making said permit subject to certain conditions and restrictions.

Mr. Lutz noted the applicant requested a CUP to allow the continuance of a bed and breakfast that had been operating in two homes at this location since July 2009. The property met the requirement of two off-street parking spaces per home. The planning and zoning commission approved the request 5-0 on December 5, 2013, based on the fact that the bed and breakfast had been in operation since 2009 with no complaints, and that adjacent zoning allows bed and breakfast operations by right.

Mayor Pratt opened the public hearing at 6:09 p.m.; no one spoke, and the public hearing was closed at 6:09 p.m.

Mr. MacDonald moved to approve Resolution 02-2014 as presented; Mr. Conklin seconded the motion and it passed 5-0.

5. PUBLIC HEARING AND ORDINANCE, FIRST READING:

5A. Ordinance No. 2014-02, amending the city's "Zoning Code" by adding a definition of "Boarding Home Facility" to Article 11-I-3 "Definitions and Interpretation of Words and Phrases"; and revising Article 11-I-4 to add boarding home facility as a use that is permitted within any zoning district; containing a

cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); and ordering publication. Mayor Pratt read the ordinance by title only.

Mr. Lutz noted this ordinance would amend the zoning code to: 1) add the definition for boarding home facilities as adopted by Ordinance No. 2013-06 on April 23, 2013; and 2) allow boarding home facilities in any zoning district. These changes would bring the zoning code into conformance with Ordinance 2013-06.

Mayor Pratt opened the public hearing at 6:11 p.m.; no one spoke and the public hearing was closed at 6:11 p.m.

Mr. Allen moved for approval of Ordinance 2014-02 on first reading; Mr. MacDonald seconded the motion and it passed 5-0.

6. ORDINANCES, FIRST READING:

6A. Ordinance No. 2014-01, ordering a special election to be held on May 10, 2014, for the purpose of submitting propositions to the voters for proposed amendments to the City Charter; establishing early voting locations and polling places for this election; and making provisions for the conduct of the election.

6A. UNA ORDENANZA 2014-01 QUE DECRETA UNA ELECCIÓN ESPECIAL QUE HA DE LLEVARSE A CABO EL 10 DE MAYO DEL 2014 CON EL FIN DE PRESENTAR A LOS VOTANTES LAS ENMIENDAS PROPUESTAS A LA CARTA CONSTITUCIONAL DE LA CIUDAD; ESTABLECER LOS LUGARES DE LA VOTACIÓN TEMPRANA Y LOS CENTROS ELECTORALES PARA ESTA ELECCIÓN; Y HACER LAS DISPOSICIONES NECESARIAS PARA LLEVAR A CABO ESTA ELECCIÓN.

Mayor Pratt read the ordinance by title only.

Mr. Hayes noted the ordinance reflected the amendments to the charter as recommended by the charter review commission, with the exception of the recommendation to lower the number of signatures required on recall, referendum, and initiative petitions. The ordinance would authorize a special election to be held in conjunction with general election and set the ballot as drafted pursuant to state law. Upon approval, staff will issue public notifications and begin the election process.

Mr. Conklin moved for approval of Ordinance No. 2014-01 on first reading; Ms. Keeble seconded the motion and it passed 5-0.

7. BOARD APPOINTMENTS:

7A. Appointments to the planning and zoning commission, one term expired January 1, 2014; and one term due to expire January 1, 2015 currently held by William Morgan due to not meeting attendance requirements. This matter was deferred to executive session.

8. ITEMS FOR FUTURE AGENDAS: None.

9. ANNOUNCEMENTS OF COMMUNITY INTEREST:

- Encouraged the public's participation in the upcoming stock show and rodeo.
- Kerrville Beautification Day event, sponsored by the beautification advisory committee, was scheduled for Saturday, January 18; the public was encouraged to participate.

10. EXECUTIVE SESSION:

Mr. MacDonald moved for the city council to go into executive closed session under Sections 551.071, 551.072, and 551.074 of the Texas Government Code; motion was seconded by Mr. Allen and passed 5-0 to discuss the following matters:

Sections 551.071 and 551.072:

Discuss the purchase, exchange, lease, sale, or value of real property, the public discussion of which would not be in the best interests of the City's bargaining position with third parties, regarding property interests related to the following:

- 800 Junction Highway, former city hall property
- Jefferson lift station
- River Trail.

Section 551.074:

- Appointments to the planning and zoning commission.

At 6:17 p.m. the regular meeting recessed and council went into executive closed session at 6:19 p.m. At 6:50 p.m. the executive closed session recessed and council returned to open session at 6:50 p.m. The mayor announced that no action had been taken in executive session.

11. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION

800 Junction Highway, Former City Hall Property:

Mr. MacDonald moved to authorize the city manager to execute and enter into a letter of intent regarding the sale of 800 Junction Highway, former city hall property. Mr. Conklin seconded the motion and it passed 5-0.

7C. Appointment to the planning and zoning commission. Mr. Conklin moved to appoint R. Bruce Motheral with term to expire January 1, 2016. Mr. MacDonald seconded the motion and it passed 5-0.

ADJOURNMENT. The meeting adjourned at 6:52 p.m.

APPROVED: _____

Jack Pratt, Jr., Mayor

ATTEST:

Brenda G. Craig, City Secretary

Agenda Item:

3A. Ordinance No. 2014-01, ordering a special election to be held on May 10, 2014, for the purpose of submitting propositions to the voters for proposed amendments to the City Charter; establishing early voting locations and polling places for this election; and making provisions for the conduct of the election.
(staff)

3A. UNA ORDENANZA 2014-01 QUE DECRETA UNA ELECCIÓN ESPECIAL QUE HA DE LLEVARSE A CABO EL 10 DE MAYO DEL 2014 CON EL FIN DE PRESENTAR A LOS VOTANTES LAS ENMIENDAS PROPUESTAS A LA CARTA CONSTITUCIONAL DE LA CIUDAD; ESTABLECER LOS LUGARES DE LA VOTACIÓN TEMPRANA Y LOS CENTROS ELECTORALES PARA ESTA ELECCIÓN; Y HACER LAS DISPOSICIONES NECESARIAS PARA LLEVAR A CABO ESTA ELECCIÓN.

**BUSINESS OF THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Second reading of Ordinance No. 2014-01, ordering a Special Election to be held on May 10, 2014, regarding City Charter amendments

FOR AGENDA OF: January 28, 2014 **DATE SUBMITTED:** January 17, 2014

SUBMITTED BY: Brenda Craig
City Secretary *BC* **CLEARANCES:** Todd Parton
Mike Hayes

EXHIBITS: Ordinance No. 2014-01

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: *JP*

Expenditure Required:	Current Balance in Account:	Amount Budgeted:	Account Number:
\$	\$	\$	

PAYMENT TO BE MADE TO:

REVIEWED BY THE DIRECTOR OF FINANCE:

SUMMARY STATEMENT

The attached ordinance orders a Special Election to be held on Saturday May 10, 2014, to allow voters to vote on amendments to the City Charter.

The Special Election will be held in conjunction with, and on the same schedule as, the city's General Election.

RECOMMENDED ACTION

The city secretary recommends approval of the ordinance calling the special election on May 10, 2014. This is second reading of the ordinance and there have been no changes since approval on first reading on January 14, 2014.

**ASUNTO DEL CONCEJO MUNICIPAL
CIUDAD DE KERRVILLE, TEXAS**

ASUNTO: La ordenanza N° 2014-01 que ordena que se celebre una Elección Especial el 10 de mayo del 2014, en relación con las enmiendas de la Carta Constitucional de la ciudad.

PARA LA AGENDA DEL: 28 de enero, 2014 **FECHA DE PRESENTACIÓN:** 17 de enero, 2014

PRESENTADO POR: Brenda Craig
Secretaria de la Ciudad

AUTORIZACIONES: Todd Parton
Mike Hayes

DOCUMENTOS: Ordenanza N° 2014-01

AGENDA ENVIADA POR CORREO A:

APROBADA PARA SER PRESENTADA POR EL ADMINISTRADOR DE LA CIUDAD:

Gastos	Balance de Cuenta	Monto	Número de la
Requeridos:	Corriente:	Presupuestado:	Cuenta:
\$	\$	\$	

EL PAGO DEBE HACERSE A:

REVISADO POR EL DIRECTOR DE FINANZAS:

DECLARACIÓN RESUMEN

La ordenanza adjunta ordena una Elección Especial que se celebrará el sábado 10 de mayo del 2014 para permitir que los electores voten sobre las enmiendas de la Carta Constitucional de la Ciudad.

Esta Elección Especial se llevará a cabo conjuntamente y con el mismo horario de las Elecciones Generales de la Ciudad de Kerrville.

ACCIÓN RECOMENDADA

La secretaria de la ciudad recomienda la aprobación de la ordenanza que ordena la Elección Especial del 10 de mayo del 2014.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2014-01**

**AN ORDINANCE ORDERING A SPECIAL ELECTION TO BE HELD ON
MAY 10, 2014, FOR THE PURPOSE OF SUBMITTING PROPOSITIONS
TO THE VOTERS FOR PROPOSED AMENDMENTS TO THE CITY
CHARTER; ESTABLISHING EARLY VOTING LOCATIONS AND
POLLING PLACES FOR THIS ELECTION; AND MAKING
PROVISIONS FOR THE CONDUCT OF THE ELECTION**

WHEREAS, in December 2012, the City Council appointed persons to a Charter Review Commission (“CRC”) and charged the CRC with reviewing and proposing amendments to the Kerrville City Charter; and

WHEREAS, following a series of meetings, all of which were open to the public, the CRC presented its Report of proposed Charter amendments to City Council in a public meeting; and

WHEREAS, the Council reviewed the Report and after considering the CRC’s proposed amendments, the Council now believes that Kerrville voters, in accordance with Section 9.004 of the Texas Local Government Code, should vote on the following amendments, in the form of propositions; and

WHEREAS, during the time leading up to the May 10, 2014, election, the Council believes it necessary to make the amendments available for public review on the City’s website, in the office of the City Secretary, and at the Butt-Holdsworth Memorial Library; and

WHEREAS, the City Council of the City of Kerrville, Texas, finds it in the public interest to order a special election, to be held in conjunction with the City’s general election on May 10, 2014, for a vote of the electors as to the proposed amendments to the Kerrville City Charter;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF KERRVILLE, TEXAS:**

SECTION ONE. A special election is ordered to be held by the City of Kerrville, Texas (“City”). At this special election, ballot propositions will be submitted to the qualified voters of the City for proposed amendments to the City Charter, in accordance with applicable provisions of the City Charter and State law.

SECTION TWO. The following measures will be submitted to the qualified voters of the City at the election in the form of propositions in accordance with Section 9.004 of the Texas Local Government Code and Section 14.06 of the Kerrville City Charter and other applicable laws:

Measure No. 1

SHALL SECTION 1.03 OF THE CITY CHARTER REGARDING THE FILING OF A CLAIM AGAINST THE CITY BE DELETED:

Section 1.03. Special Provision for Damage Suits.

Before the City shall be liable to damage claim or suit for injury to one's person or property, the person who is injured or whose property is damaged or someone in his behalf shall give the City Manager or City Secretary notice in writing within thirty (30) days after the occurring of the alleged injury or damage, stating specifically in such notice when and how the injury or damage was sustained, and setting forth the extent of the injury or damage as accurately as possible. No action at law for damages shall be brought against the City for injury to one's person or property prior to the expiration of sixty (60) days after the notice hereinbefore described has been filed with the City Manager or City Secretary. After the expiration of sixty (60) days aforementioned, the complainant may then have two (2) years in which to bring an action at law. Any provisions hereof which are in conflict with the Texas Tort Claims Act shall be null and void and of no effect and the provisions of such act as it now exists, or as it may hereafter be amended, shall control.

Measure No. 2

SHALL SECTION 2.04 OF THE CITY CHARTER REGARDING VACANCIES OF CITY COUNCIL BE AMENDED TO READ AS FOLLOWS:

Section 2.04. Vacancies.

Vacancies in the City Council, including a vacancy resulting from a recall election, shall be filled by the Council for the remainder of the unexpired term. The Council shall appoint a qualified elector to fill a vacancy within thirty (30) days after such vacancy occurs. For purposes of this section and the Charter, a "qualified elector" or "qualified voter" means a "registered voter" in accordance with state law.

Measure No. 3

SHALL SECTION 3.02 OF THE CITY CHARTER REGARDING THE AUTHORITY OF THE MAYOR DURING EMERGENCIES BE AMENDED TO READ AS FOLLOWS:

Section 3.02. Mayor and Mayor Pro Tem.

Following the canvass of a regular election, the Council shall choose one of its members (other than the Mayor) as Mayor Pro Tem. The Mayor shall preside at meetings of the Council and shall exercise such other powers and perform such other duties as are or may be conferred and imposed upon him by this Charter and the ordinances of the City. He shall be recognized as the head of the City government for all ceremonial purposes, by the courts for serving civil processes, and by the Governor for purposes of military law. In time of public

danger or emergency, the Mayor is authorized to act in accordance with federal and state law and City policy. If a vacancy occurs in the Office of Mayor, the Council shall appoint a successor Mayor for the remaining term, in accordance with Section 2.04. If the Mayor is absent or disabled, the Mayor Pro Tem shall act as Mayor for the duration of the period of such absence or disability. If the Mayor Pro Tem is also absent or disabled, then the Council shall elect a Presiding Officer to act in the place of the Mayor Pro Tem.

Measure No. 4

SHALL SECTION 4.03 OF THE CITY CHARTER REGARDING THE APPLICATION FOR CANDIDACY TO CITY COUNCIL BE AMENDED TO READ AS FOLLOWS:

Section 4.03. Application for Candidacy.

Any person who lawfully qualifies, and is, a registered voter may file an application for election for a Place on the City Council. The name of such candidate and Place for which he is filing will be affixed by the City Secretary at the time of issuance of an application form. Such application shall include a petition signed by not less than 100 qualified and registered voters of the City. The application and the signatures thereon as well as the affidavits of the circulators shall meet the requirements of state law. All papers comprising an application shall be assembled and filed with the City Secretary in accordance with state law. Signatures are not required where the application includes a filing fee of \$100.00. The City Secretary shall review the petition as required by state law and if the petition is found to be insufficient, the City Secretary shall return it immediately to the person who filed it, with a written statement certifying why the petition is found to be "insufficient." Within the time authorized by state law such a petition may be amended and filed again as a new petition, or a different petition may be filed for the same candidate. If the application complies with this section and state law, the City Secretary shall place such name on the ballot. Application forms shall be obtained from the City Secretary, as they are promulgated by the Texas Secretary of State.

Measure No. 5

SHALL SECTION 4.08 OF THE CITY CHARTER REGARDING THE CANVASSING OF ELECTIONS BE AMENDED TO READ AS FOLLOWS:

Section 4.08. Canvassing Elections.

The City shall conduct an election canvass following a general or special election in accordance with state law.

Measure No. 6

SHALL SECTION 5.10 OF THE CITY CHARTER REGARDING THE RESULT OF A RECALL ELECTION BE AMENDED TO READ AS FOLLOWS:

Section 5.10. Result of Recall Election.

a. If a majority of the votes cast at a recall election are “No”, that is against the recall of the Councilmember named on the ballot, the Councilmember shall continue in office for the remainder of his/her unexpired term, subject to recall as provided herein. If a majority of the votes cast at such election are “Yes”, that is for the recall of the Councilmember named on the ballot, the Councilmember shall, regardless of any technical defects in the recall petition, be deemed removed from office upon passing of the resolution canvassing the election, and the vacancy shall be filled in accordance with Section 2.04 above.

b. Where a vacancy(s) occurs due to a recall election, the remaining Councilmembers, including where the remaining Councilmembers number two or less, shall appoint a qualified elector(s) for the recalled place(s), which such person(s) may serve only through the canvassing of the next municipal election. The appointed person(s) may choose to become a candidate at such election but in any case, the person elected at the election will only serve through the remainder term, if applicable.

c. A Councilmember who is recalled is not eligible for appointment to Council in the period between the recall vote and the next election or qualified for placement on the ballot for the immediately ensuing election.

Measure No. 7

SHALL SECTION 5.11 OF THE CITY CHARTER REGARDING RECALL RESTRICTIONS BE DELETED:

Section 5.11. Recall Restrictions.

No recall petition shall be filed against any Councilmember within six (6) months after the Councilmember’s election, within the last six (6) months of the Councilmember’s term, nor within six (6) months after an election for such Councilmember’s recall.

Measure No. 8

SHALL SECTION 8.07.d. OF THE CITY CHARTER REGARDING BUDGET AMENDMENTS BE AMENDED TO READ AS FOLLOWS:

Section 8.07. Amendments after Adoption.

d. **Transfer of Appropriations.** At any time during the fiscal year, the City Council may by ordinance transfer part or all of the unencumbered appropriation balance from one department, fund, or organizational unit to the appropriation for other departments or organizational units or a new appropriation. The manager may transfer funds among programs within a department, fund, or organizational unit and shall report such transfers to the Council in writing in a timely manner.

SECTION THREE. The ballots for the City election must comply with the Texas Election Code and must have the measures described in Section Two of this Ordinance stated as propositions as follows:

PROPOSITION NO. 1

FOR/AGAINST The amendment of the City Charter deleting Section 1.03 regarding the filing of a claim against the City.

PROPOSITION NO. 2

FOR/AGAINST The amendment of Section 2.04 of the City Charter to address vacancies, including a vacancy resulting from a recall election.

PROPOSITION NO. 3

FOR/AGAINST The amendment of Section 3.02 of the City Charter to clarify the Mayor's authority during emergencies.

PROPOSITION NO. 4

FOR/AGAINST The amendment of Section 4.03 of the City Charter to increase the number of signatures required for a candidacy petition and to waive the signature requirement where a filing fee is paid.

PROPOSITION NO. 5

FOR/AGAINST The amendment of Section 4.08 regarding the canvassing of elections to conform to state law.

PROPOSITION NO. 6

FOR/AGAINST The amendment of Section 5.10 to revise the process for a vacancy created as the result of a recall.

PROPOSITION NO. 7

FOR/AGAINST The amendment of the City Charter deleting Section 5.11 regarding time restrictions with respect to the use of recall.

PROPOSITION NO. 8

FOR/AGAINST The amendment of Section 8.07 to require that an ordinance is used for a budget amendment.

SECTION FOUR. The method of voting will be by the Hart Voting System, which is an electronic touch screen voting system.

SECTION FIVE. The municipal polling place for such election will be the Kathleen C. Cailloux City Center of the Performing Arts, 910 Main Street, Kerrville, Texas 78028.

SECTION SIX. On election day, Saturday May 10, 2014, the polls will remain open from 7:00 AM to 7:00 PM. Early voting will also be conducted at the Kathleen C. Cailloux City Center of the Performing Arts, 910 Main Street, Kerrville, Texas, 78028 as follows: April 28 and April 29, 2014, from 7:00 AM to 7:00 PM; and April 30, May 1, May 2, May 5, and May 6, 2014, from 8:00 AM to 5:00 PM.

SECTION SEVEN. Applications for ballot by mail must be addressed to: Nadene Alford, Early Voting Clerk, Kerr County Courthouse, 700 Main Street, Kerrville, Texas 78028, and must be received no later than 5:00 PM on May 1, 2014.

SECTION EIGHT. City Council will conduct the official canvass of the election at a special meeting on Tuesday, May 20, 2014, beginning at 10:00 AM in the Council Chambers, City Hall, 701 Main Street, Kerrville, Texas 78028

SECTION NINE. In order to afford the public with the opportunity to review the proposed Charter amendments, the City Secretary shall be responsible for placing the proposed amendments on the City's website and making copies of the amendments available for public review in the office of the City Secretary and at the Butt-Holdsworth Memorial Library.

PASSED AND APPROVED ON FIRST READING, this the 14th day of January, A.D. 2014.
PASSED AND APPROVED ON SECOND AND FINAL READING, this the _____ day of _____, A.D. 2014.

Jack Pratt, Jr., Mayor

ATTEST:

Brenda G. Craig, City Secretary

APPROVED AS TO FORM:
Michael C. Hayes

Michael C. Hayes, City Attorney

CIUDAD DE KERRVILLE, TEXAS
ORDENANZA N^o 2014-01

UNA ORDENANZA QUE DECRETA UNA ELECCIÓN ESPECIAL QUE HA DE LLEVARSE A CABO EL 10 DE MAYO DEL 2014 CON EL FIN DE PRESENTAR A LOS VOTANTES LAS ENMIENDAS PROPUESTAS A LA CARTA CONSTITUCIONAL DE LA CIUDAD; ESTABLECER LOS LUGARES DE LA VOTACIÓN TEMPRANA Y LOS CENTROS ELECTORALES PARA ESTA ELECCIÓN; Y HACER LAS DISPOSICIONES NECESARIAS PARA LLEVAR A CABO ESTA ELECCIÓN

POR CUANTO, en diciembre del 2012, el Concejo Municipal designó a un grupo de personas para una Comisión de Revisión de la Carta Constitucional (“CRC” por siglas en inglés) y encomendó a esta comisión revisar los estatutos y proponer enmiendas a la Carta Constitucional de la Ciudad de Kerrville; y

POR CUANTO, tras celebrarse una serie de reuniones, todas las cuales estuvieron abiertas al público, la Comisión de Revisión de la Carta Constitucional presentó su Informe de las enmiendas propuestas a la Carta Constitucional al Concejo Municipal en una reunión pública; y

POR CUANTO, el Concejo Municipal revisó el Informe y, después de haber examinado las enmiendas propuestas por la Comisión de Revisión, el Concejo Municipal considera que los electores de la ciudad de Kerrville, conforme a la Sección 9.004 del Código de Gobierno Local de Texas, deben votar sobre las siguientes enmiendas, en forma de proposiciones; y

POR CUANTO, durante el período de tiempo previo a la elección del 10 de mayo del 2014, el Concejo Municipal considera necesario hacer que las enmiendas propuestas estén a la disposición del público en el sitio web de la Ciudad, la oficina de la Secretaria de la Ciudad y la biblioteca municipal Butt-Holdsworth Memorial Library; y

POR CUANTO, el Concejo Municipal de la Ciudad de Kerrville, Texas, considera que es el interés público convocar a una elección especial, que se celebrará en conjunto con las elecciones generales de la ciudad del 10 de mayo del 2014, para que los electores voten sobre las enmiendas propuestas a la Carta Constitucional de la Ciudad de Kerrville;

POR LO TANTO, SEA ORDENADO POR EL CONCEJO MUNICIPAL DE LA CIUDAD DE KERRVILLE, TEXAS:

SECCIÓN PRIMERA. Una elección especial se ordena a ser celebrada en la Ciudad de Kerrville, Texas (“la Ciudad”). En esta elección especial se presentarán propuestas electorales a los votantes calificados de la Ciudad para las enmiendas propuestas a la Carta Constitucional de la Ciudad, de conformidad con las disposiciones aplicables de la Carta Constitucional de la Ciudad y la ley estatal.

SECCIÓN SEGUNDA. Las siguientes medidas serán presentadas a los votantes calificados de la Ciudad en la elección especial en forma de proposiciones, conforme a la Sección 9.004 del Código de Gobierno Local de Texas y la Sección 14.06 de la Carta Constitucional de la Ciudad de Kerrville y otras leyes que se aplican:

Medida N° 1

DEBERÁ ELIMINARSE LA SECCIÓN 1.03 DE LA CARTA CONSTITUCIONAL DE LA CIUDAD CON RESPECTO A LA PRESENTACIÓN DE UNA RECLAMACIÓN CONTRA LA CIUDAD:

Sección 1.03. Disposición especial para las demandas por daños.

Antes de que la Ciudad se haga responsable de una reclamación por daños o demanda por lesiones personales o daños a la propiedad, la persona que ha sido lesionada o cuya propiedad ha sufrido daños, o alguien en su nombre, deberá dar aviso por escrito al Administrador Municipal o Secretaria de la Ciudad dentro de los primeros treinta (3) días después de haber ocurrido la supuesta lesión o daño, indicando específicamente en dicha notificación cuándo y cómo la lesión o el daño ocurrió, y declarar la seriedad y alcance de la lesión o daño con la mayor precisión posible. Ninguna acción legal por daños habrá de dirigirse contra la Ciudad por los daños a personas o bienes antes de la expiración de sesenta (60) días después de que la notificación anteriormente descrita haya sido presentada ante el Administrador o Secretario de la Ciudad. Después de la expiración de los sesenta (60) días antes mencionados, el demandante tendrá entonces dos (2) años para iniciar una acción legal. Cualesquiera disposición de la misma que esté en conflicto con la Ley de Demandas por Agravios de Texas será nula y sin valor y sin efecto, y las disposiciones de dicha ley, tal y como existen ahora, o como sean enmendadas en lo sucesivo, deberá controlar las mismas.

Medida N° 2

DEBERÁ ENMENDARSE LA SECCIÓN 2.04 DE LA CARTA CONSTITUCIONAL DE LA CIUDAD CON RESPECTO A LAS VACANTES DEL CONCEJO MUNICIPAL PARA QUE LEA COMO SIGUE:

Sección 2.04. Vacantes.

Las vacantes del Concejo Municipal, incluyendo una vacante que resulta de una elección de Revocación (recall), se llenará por el Concejo por el resto del término no vencido. El Concejo designará a un elector calificado para llenar esa vacante dentro de los treinta (30) días después de ocurrir la vacante. Para efectos de esta sección y la Carta Constitucional, un “elector calificado” o “votante calificado” significa un “votante inscrito” de conformidad con la ley estatal.

Medida N° 3

DEBERÁ ENMENDARSE LA SECCIÓN 3.02 DE LA CARTA CONSTITUCIONAL DE LA CIUDAD CON RESPECTO A LA AUTORIDAD DEL ALCALDE DURANTE EMERGENCIAS PARA QUE LEA COMO SIGUE:

Sección 3.02. El Alcalde y el Alcalde Interino.

Después de que se haya realizado el escrutinio de unas elecciones ordinarias, el Concejo Municipal elegirá a unos de sus miembros (excepto, el Alcalde) como Alcalde Interino (Mayor Pro Tem). El Alcalde presidirá las reuniones del Concejo y ejercerá todas dichas facultades y realizará las demás funciones que sean o puedan ser conferidas e impuestas por esta Carta Constitucional y las ordenanzas de la Ciudad. El alcalde será reconocido como el jefe del gobierno municipal para todos los fines ceremoniales, por los tribunales para estar presente en los procesos civiles y por el Gobernador para efectos de la ley militar. En tiempos de peligro o emergencias, el Alcalde está autorizado para actuar conforme a las leyes estatales y federales y la política de la Ciudad. Si el cargo del Alcalde queda vacante, el Concejo nombrará a un alcalde sucesor por el resto del término, de conformidad con la Sección 2.04. Si el Alcalde está ausente o incapacitado, el Alcalde Interino actuará como alcalde mientras dure dicha ausencia o incapacidad. Si el Alcalde Interino se encuentra también ausente o incapacitado, entonces el Concejo elegirá a un Funcionario Presidente que actúe en lugar del Alcalde Interino.

Medida N° 4

DEBERÁ ENMENDARSE LA SECCIÓN 4.03 DE LA CARTA CONSTITUCIONAL DE LA CIUDAD CON RESPECTO A LA SOLICITUD DE UNA CANDIDATURA AL CONCEJO MUNICIPAL PARA QUE LEA COMO SIGUE:

Sección 4.03. Solicitud de Candidatura.

Cualquier persona que califique ante la ley y que sea un votante inscrito puede presentar una solicitud para la elección de un Puesto en el Concejo Municipal. El nombre de dicho candidato y el Puesto para el que solicita será añadido por la Secretaria de la Ciudad en el momento que se emita un formulario de la solicitud. Esa solicitud debe incluir una petición firmada por no menos de 100 votantes calificados e inscritos de la Ciudad. La solicitud y las firmas al respecto, así como las declaraciones juradas de los circuladores deberán cumplir con los requisitos de la ley estatal. Todos los papeles que comprenden una solicitud se deberán juntar y ser presentados a la Secretaria de la Ciudad conforme a la ley estatal. Las firmas no son necesarias cuando la solicitud incluye una cuota de \$100 al ser presentada. La Secretaria de la Ciudad revisará la petición como lo pide la ley estatal y si la petición resulta ser insuficiente, la Secretaria de la Ciudad la devolverá inmediatamente a la persona que la presentó, con una declaración por escrito en la que se certifica la razón por la cual la petición se considera “insuficiente”. Dentro del período de tiempo autorizado por la ley estatal dicha petición se podrá enmendar y presentar otra vez como una nueva petición o una petición diferente podrá ser presentada por el mismo candidato. Si la solicitud cumple con esta sección y la ley estatal, la Secretaria de la Ciudad

colocará ese nombre en la boleta electoral. Los formularios de solicitud se pueden obtener de la Secretaria de la Ciudad, según han sido promulgados por el Secretario de Estado de Texas.

Medida N° 5

DEBERÁ ENMENDARSE LA SECCIÓN 4.08 DE LA CARTA CONSTITUCIONAL DE LA CIUDAD CON RESPECTO AL ESCRUTINIO DE LAS ELECCIONES PARA QUE LEA COMO SIGUE:

Sección 4.08. Escrutinio de los Votos.

La Ciudad llevará a cabo un escrutinio de los votos después de una elección general o especial conforme a la ley estatal.

Medida N° 6

DEBERÁ ENMENDARSE LA SECCIÓN 5.10 DE LA CARTA CONSTITUCIONAL DE LA CIUDAD CON RESPECTO AL RESULTADO DE UNA ELECCIÓN DE REVOCACIÓN PARA QUE LEA COMO SIGUE:

Sección 5.10. Resultados de una Elección de Revocación (“Recall”).

a. Si la mayoría de los votos emitidos en una elección de revocación son “No”, es decir, en contra de la revocación del Concejal nombrado en la boleta electoral, el Concejal seguirá en su cargo durante el resto de su término no vencido, sujeto a la Revocación de lo dispuesto en el presente documento. Si la mayoría de los votos emitidos en dicha elección son “Sí”, es decir, que desean la revocación del Concejal nombrado en la boleta electoral, el Concejal, independientemente de cualquier defecto técnico de la petición de revocación, se considerará removido de su cargo una vez que se apruebe la resolución del escrutinio de la elección, y la vacante se llenará de acuerdo a lo estipulado en la Sección 2.04.

b. Cuando una vacante o vacantes ocurren debido a una elección de revocación, los Concejales restantes, incluyendo cuando quedan dos o menos Concejales, nombrarán a un elector (o electores) calificado para llenar el puesto o los puestos del Concejal (o Concejales) revocado, y dicha persona (o personas) servirá en ese puesto(s) hasta el escrutinio de las próximas elecciones municipales. La persona (o personas) nombrada podrá escoger convertirse en un candidato en tal elección, pero en cualquier caso, la persona electa en las elecciones servirá solamente por el término que resta, en su caso.

c. Un Concejal que sea revocado no reúne los requisitos para ser nombrado al Concejo en el período comprendido entre el voto de revocación y las próximas elecciones ni calificado para ser colocado en la boleta electoral para la elección inmediatamente posterior.

Medida N° 7

DEBERÁ ELIMINARSE LA SECCIÓN 5.11 DE LA CARTA CONSTITUCIONAL DE LA CIUDAD CON RESPECTO A LAS RESTRICCIONES DE LA REVOCACIÓN:

Sección 5.11. Restricciones de la Revocación.

Ninguna petición de revocación se podrá presentar en contra de un Concejal dentro de los primeros seis(6) meses después de haber sido electo, dentro de los últimos seis(6) meses del mandato del Concejal ni dentro de los seis(6) meses después de la elección para la revocación de ese Concejal.

Medida N° 8

DEBERÁ ENMENDARSE LA SECCIÓN 8.07.d. DE LA CARTA CONSTITUCIONAL DE LA CIUDAD PARA QUE LEA COMO SIGUE:

Sección 8.07. Enmiendas después de la Adopción.

d. **Transferencia de Apropiaciones.** En cualquier momento durante el año fiscal, el Concejo Municipal podrá, mediante ordenanza, transferir parte o todo el saldo de apropiación no comprometido de un departamento, fondo o unidad organizacional a la apropiación de otros departamentos o unidades organizacionales o una nueva apropiación. El administrador puede transferir fondos entre los programas de un departamento, fondo o unidad organizacional e informará por escrito al Concejo sobre dichas transferencias de manera oportuna.

SECCIÓN TERCERA. Las boletas electorales de la elección de la Ciudad deben cumplir con el Código de Elecciones de Texas y deben tener las medidas descritas en la Sección Segunda de esta Ordenanza como las siguientes proposiciones:

PROPOSICIÓN N° 1

A FAVOR/EN CONTRA Enmienda de la Carta Constitucional de la Ciudad que elimina la Sección 1.03 con respecto a la presentación de una reclamación contra la ciudad.

PROPOSICIÓN N° 2

A FAVOR/EN CONTRA Enmienda de la Sección 2.04 de la Carta Constitucional de la Ciudad para ocuparse de las vacantes, incluyendo una vacante que resulta de una elección de revocación (recall).

PROPOSICIÓN N° 3

A FAVOR/EN CONTRA Enmienda de la Sección 3.02 de la Carta Constitucional de la Ciudad para clarificar la autoridad del Alcalde durante las emergencias.

PROPOSITION N° 4

A FAVOR/EN CONTRA Enmienda de la Sección 4.03 de la Carta Constitucional de la Ciudad para aumentar el número de firmas necesarias para una petición de candidatura y para eximir del requisito de la firma cuando se paga una cuota al presentar la petición.

PROPOSITION N° 5

A FAVOR/EN CONTRA Enmienda de la Sección 4.08 con respecto al escrutinio de los votos electorales para que esté en conformidad con la ley estatal.

PROPOSITION N° 6

A FAVOR/EN CONTRA Enmienda de la Sección 5.10 para revisar el proceso de una vacante creada como resultado de una revocación.

PROPOSITION N° 7

A FAVOR/EN CONTRA Enmienda de la Carta Constitucional de la Ciudad para eliminar la Sección 5.11 con respecto a la utilización de una revocación.

PROPOSITION N° 8

A FAVOR/EN CONTRA Enmienda de la Sección 8.07 para requerir que se requiera una ordenanza para hacer una enmienda del presupuesto.

SECCIÓN CUARTA. El método de votación será el Sistema de Votación Hart, que es un sistema electrónico de votación con pantalla táctil.

SECCIÓN QUINTA. El centro electoral municipal para tal elección será el Centro de Bellas Artes de la Ciudad Kathleen C. Cailloux, ubicado en Main Street #910, Kerrville, Texas 78028.

SECCIÓN SEXTA. El día de las elecciones, el sábado 10 de mayo del 2014, los centros electorales estarán abiertos de 7:00 AM a 7:00 PM. La votación temprana se llevará a cabo también en el Centro de Bellas Artes de la Ciudad Kathleen C. Cailloux, ubicado en Main Street #910, Kerrville, Texas, 78028 de la siguiente manera: 28 y 29 de abril del 2014, de 7:00 AM a 7:00 PM; y el 30 de abril, el 1, 2, 5 y 6 de mayo del 2014 de 8:00 AM a 5:00 PM.

SECCIÓN SÉPTIMA. Las solicitudes de la boleta por correo deben estar dirigidas a: Nadene Alford, Oficial de Votación Temprana, Kerr County Courthouse, 700 Main Street, Kerrville, Texas 78028 y deben ser recibidas no más tardar del 1 de mayo del 2014 a las 5:00 p.m.

SECCIÓN OCTAVA. El Concejo Municipal llevará a cabo el escrutinio oficial de las elecciones en una reunión especial el martes 20 de mayo del 2014 a las 10:00 a.m. en la Cámara del Concejo en el Ayuntamiento, ubicado en Main Street #701, Kerrville, Texas 78028

SECCIÓN NOVENA. Con el fin de dar al público la oportunidad de revisar las enmiendas propuestas a la Carta Constitucional, la Secretaria de la Ciudad será responsable de colocar las enmiendas propuestas en el sitio web de la Ciudad y de que copias de las enmiendas estén a disposición del público en la oficina de la Secretaria de la Ciudad y en la biblioteca municipal Butt-Holdsworth Memorial Library.

PASADA Y APROBADA EN LA PRIMERA LECTURA, en éste el _____ día de _____, 2014 D.C.

PASADA Y APROBADA EN LA SEGUNDA Y FINAL LECTURA, en éste el _____ día de _____, 2014 D.C.

Jack Pratt, Jr., Alcalde

DOY FE:

Brenda G. Craig, Secretaria de la Ciudad

APROBADA EN FORMA:

Michael C. Hayes, Procurador de la Ciudad

Agenda Item:

3B. Ordinance No. 2014-03, amending the city's "Zoning Code" by adding a definition of "Boarding Home Facility" to Article 11-I-3 "Definitions and Interpretation of Words and Phrases"; and revising Article 11-I-4 to add boarding home facility as a use that is permitted within any zoning district; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2,000.00); and ordering publication. (staff)

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

SUBJECT: 2nd Ordinance Reading: Zoning Code Text Amendment – 2nd ordinance reading concerning proposed amendments to the City of Kerrville’s adopted zoning code by adding the definition “Boarding Home Facility” to Article 11-I-3 and revising Article 11-I-4 to add “Boarding Home Facility” as a use that is permitted within any zoning district.

FOR AGENDA OF: Jan. 28, 2014 **DATE SUBMITTED:** Jan. 17, 2014

SUBMITTED BY: Jason Lutz  **CLEARANCES:** Kristine Ondrias

EXHIBITS: Ordinance

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

Expenditure	Current Balance	Amount	Account
Required:	in Account:	Budgeted:	Number:
\$	\$	\$	

PAYMENT TO BE MADE TO:

REVIEWED BY THE DIRECTOR OF FINANCE:

SUMMARY STATEMENT

On April 23, 2013 the Kerrville City Council adopted an ordinance establishing a definition and development regulations governing the location and operation of Boarding Home Facilities located in the City of Kerrville. The ordinance created development regulations for each facility based on the zoning district a facility is permitted in. Each district requires different regulations based on the zoning classification, but these facilities are permitted in any zone. This issue was considered and reviewed by the City Council, staff, and operators of these facilities over several months.

The Boarding Home Ordinance (2013-06) amended Chapter 30 “Businesses” of the City’s Code of Ordinances and these proposed amendments to the zoning code are designed to align themselves to the adopted ordinance.

The 1st proposed amendment is to add a definition for “Boarding Home Facilities” which matches the definition found in the Boarding Home Ordinance. The following section of code will be amended to add the Boarding Home Facility definition.

Article 11-I-3 Definitions and interpretation of Words and Phrases

- a. **Definitions:** For purposes of this Chapter, the following words and phrases shall have the following meanings unless the context otherwise clearly indicates a different meaning:

Boarding Home Facility: An establishment, including a residence or dwelling, that furnishes, in one or more buildings, to persons under separate rental agreements, whether oral or written, lodging to three or more persons unrelated to the owner of the

establishment by blood or marriage, and is not listed in Section 30-12 of the Code of Ordinances.

The 2nd proposed amendment is to establish the zoning districts in which the land use "Boarding Home Facility" will be permitted. The Boarding Home Ordinance permits boarding homes in any district in the City of Kerrville. The following Section of code will be amended to permit these facilities in any zoning district.

Article 11-I-4 Zoning Districts – Generally

- f. **Uses Permitted in Any Zone:** The following uses are permitted in any zoning district of the City:

Boarding home facility, but subject to the application of other regulations adopted by the City.

The Planning & Zoning Commission approved the request, by a vote of 5-0, at their regularly scheduled meeting on Dec. 19, 2013.

The Kerrville City Council approved the amendments after a public hearing, by a vote of 5-0, at their regularly scheduled meeting on January 14, 2014.

Recommended Action

1. Approve the zoning code text amendments, on the 2nd, reading as outlined in the attached ordinance.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2013-__**

AN ORDINANCE AMENDING THE CITY'S "ZONING CODE" BY ADDING A DEFINITION OF "BOARDING HOME FACILITY" TO ARTICLE 11-I-3 "DEFINITIONS AND INTERPRETATION OF WORDS AND PHRASES"; AND REVISING ARTICLE 11-I-4 TO ADD BOARDING HOME FACILITY AS A USE THAT IS PERMITTED WITHIN ANY ZONING DISTRICT; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2000.00); AND ORDERING PUBLICATION

WHEREAS, pursuant to Texas Local Government Code Sections 211.006 and 211.007, notice has been given to all parties in interest and citizens by publication in the official newspaper and otherwise, of a hearing which was held before the City Council on January 14, 2014, which considered a report of the City of Kerrville Planning and Zoning Commission regarding its recommendations on an ordinance, the adoption of which will result in revisions to Articles 11-I-3 and 11-I-4 of the City's Zoning Code which will add regulations with respect to the use of a "board home facility" as defined; and

WHEREAS, such public hearing was held in the Council Chambers beginning at approximately 6:00 p.m. on January 14, 2014, as advertised; and

WHEREAS, after a full hearing, at which all parties in interest and citizens were given an opportunity to be heard; and after receiving and considering the recommendations of the Planning and Zoning Commission and the City staff; and after considering among other things, the character of the various areas of the City and the suitability of particular uses in each area; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City, the Council finds it to be in the best interest of the health, safety, morals, and general welfare of the City of Kerrville, Texas, to amend the City's Zoning Code to revise Articles 11-I-3 and 11-I-4 to address the use of a "boarding home facility";

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

SECTION ONE. Article 11-I-3 "Definitions and Interpretation of Words and Phrases" of the City's Zoning Code is amended by adding the language that is underlined (added), which is a definition of "boarding home facility" as follows:

"Art. 11-I-3 DEFINITIONS AND INTERPRETATION OF WORDS AND PHRASES

- (a) **Definitions:** For purposes of this Chapter, the following words and phrases shall have the following meanings unless the context otherwise clearly indicates a different meaning:

⋮

(14) Boarding Home Facility: An establishment, including a residence or dwelling, that furnishes, in one or more buildings, to persons under separate rental agreements, whether oral or written, lodging to three or more persons unrelated to the owner of the establishment by blood or marriage, and is not listed in Section 30-12 of the Code of Ordinances.

SECTION ONE. Subsection (f) of Article 11-I-4 “Zoning Districts - Generally” of the City’s Zoning Code is amended by adding the language that is underlined (added), which will authorize the use of a “boarding home facility” within any zoning district of the City as follows:

“(f) Uses Permitted in Any Zone: The following uses are permitted in any zoning district of the City:

⋮

(10) Boarding home facility, but subject to the application of other regulations adopted by the City.”

SECTION THREE. The provisions of this Ordinance are cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. The Council of the City of Kerrville, Texas, declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this Ordinance shall be in accordance with the general penalty provisions contained in Section 1-9, Chapter 1 of the Code of Ordinances of the City of Kerrville, Texas, which provides for a fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00).

SECTION SIX. Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City’s Charter, the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

SECTION SEVEN. This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07b. of the City Charter.

**PASSED AND APPROVED ON FIRST READING, this the __ day of _____,
A.D., 2013.**

**PASSED AND APPROVED ON SECOND AND FINAL READING, this the
day of _____, A.D., 2013.**

Jack Pratt, Jr., Mayor

ATTEST:

Brenda G. Craig, City Secretary

APPROVED AS TO FORM:

Michael C. Hayes, City Attorney

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2014-02**

AN ORDINANCE AMENDING THE CITY'S "ZONING CODE" BY ADDING A DEFINITION OF "BOARDING HOME FACILITY" TO ARTICLE 11-I-3 "DEFINITIONS AND INTERPRETATION OF WORDS AND PHRASES"; AND REVISING ARTICLE 11-I-4 TO ADD BOARDING HOME FACILITY AS A USE THAT IS PERMITTED WITHIN ANY ZONING DISTRICT; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2000.00); AND ORDERING PUBLICATION

WHEREAS, pursuant to Texas Local Government Code Sections 211.006 and 211.007, notice has been given to all parties in interest and citizens by publication in the official newspaper and otherwise, of a hearing which was held before the City Council on January 14, 2014, which considered a report of the City of Kerrville Planning and Zoning Commission regarding its recommendations on an ordinance, the adoption of which will result in revisions to Articles 11-I-3 and 11-I-4 of the City's Zoning Code which will add regulations with respect to the use of a "board home facility" as defined; and

WHEREAS, such public hearing was held in the Council Chambers beginning at approximately 6:00 p.m. on January 14, 2014, as advertised; and

WHEREAS, after a full hearing, at which all parties in interest and citizens were given an opportunity to be heard; and after receiving and considering the recommendations of the Planning and Zoning Commission and the City staff; and after considering among other things, the character of the various areas of the City and the suitability of particular uses in each area; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City, the Council finds it to be in the best interest of the health, safety, morals, and general welfare of the City of Kerrville, Texas, to amend the City's Zoning Code to revise Articles 11-I-3 and 11-I-4 to address the use of a "boarding home facility";

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

SECTION ONE. Article 11-I-3 "Definitions and Interpretation of Words and Phrases" of the City's Zoning Code is amended by adding the language that is underlined (added), which is a definition of "boarding home facility" as follows:

"Art. 11-I-3 DEFINITIONS AND INTERPRETATION OF WORDS AND PHRASES

- (a) **Definitions:** For purposes of this Chapter, the following words and phrases shall have the following meanings unless the context otherwise clearly indicates a different meaning:

⋮

(14) Boarding Home Facility: An establishment, including a residence or dwelling, that furnishes, in one or more buildings, to persons under separate rental agreements, whether oral or written, lodging to three or more persons unrelated to the owner of the establishment by blood or marriage, and is not listed in Section 30-12 of the Code of Ordinances.

SECTION TWO. Subsection (f) of Article 11-I-4 “Zoning Districts - Generally” of the City’s Zoning Code is amended by adding the language that is underlined (added), which will authorize the use of a “boarding home facility” within any zoning district of the City as follows:

“(f) Uses Permitted in Any Zone: The following uses are permitted in any zoning district of the City:

⋮

(10) Boarding home facility, but subject to the application of other regulations adopted by the City.”

SECTION THREE. The provisions of this Ordinance are cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are expressly repealed to the extent of any such inconsistency or conflict.

SECTION FOUR. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. The Council of the City of Kerrville, Texas, declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION FIVE. The penalty for violation of this Ordinance shall be in accordance with the general penalty provisions contained in Section 1-9, Chapter 1 of the Code of Ordinances of the City of Kerrville, Texas, which provides for a fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00).

SECTION SIX. Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City’s Charter, the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

SECTION SEVEN. This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07b. of the City Charter.

PASSED AND APPROVED ON FIRST READING, this the 14th day of January,
A.D., 2014.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the
day of _____, A.D., 2014.

Jack Pratt, Jr., Mayor

ATTEST:

Brenda G. Craig, City Secretary

APPROVED AS TO FORM:


Michael C. Hayes, City Attorney

Agenda Item:

4A. Ordinance No. 2014-02, amending Chapter 6 "Advertising", Article II "Signs", of the City's Code of Ordinances to revise Sections 6-36 and 6-40 to authorize the use of political signs on City property being used as a polling place; amending Chapter 70 "Offenses and miscellaneous provisions" to add a new Article III "Electioneering at polling places" to provide regulations regarding the time, place, and manner of the use of such signs; containing a savings and severability clause; providing for penalties not to exceed \$2,000.00; ordering publication; providing an effective date; and providing other matters related to the subject. (staff)

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

SUBJECT: An Ordinance amending Chapter 6 “Advertising”, Article II “Signs”, of the City’s Code of Ordinances to revise Sections 6-36 and 6-40 to authorize the use of political signs on City property being used as a polling place; amending Chapter 70 “Offenses and Miscellaneous Provisions” to add a new Article III “Electioneering at Polling Places” to provide regulations regarding the time, place, and manner of the use of such signs

FOR AGENDA OF: Jan. 28, 2014 **DATE SUBMITTED:** Jan. 22 2014

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

EXHIBITS: Ordinance

AGENDA SENT TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER:

Expenditure	Current Balance	Amount	Account
Required:	in Account:	Budgeted:	Number:
\$ NA	\$	\$	

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DEPARTMENT:

SUMMARY STATEMENT

During the 2013 Legislative Session, the Texas Legislature passed a bill¹ that allows electioneering on public property used as a voting location. “Electioneering” occurs where a politician or political campaigner actively takes part in the activities of an election campaign, to include the posting, use, or distribution of political signs or literature. The City has previously prohibited electioneering with respect to the placing of signs at the Cailloux Theater for the Performing Arts where City elections are held.

The City’s Sign Code² currently prohibits political signs from being used on public property; thus, the Sign Code must be amended to comply with the new law. In addition, while the new law requires cities to allow electioneering on public property used as a polling place, it also allows cities to adopt reasonable regulations to address concerns as to such use.

1 Tex. H.B. 259, 83rd Leg., R.S. (2003), and codified at Sections 61.003 and 85.036, Texas Election Code.

2 Chapter 6 “Advertising”, Article II “Signs”, of the City’s Code of Ordinances

(<http://library.municode.com/index.aspx?clientId=11078&stateId=43&stateName=Texas>)

The attached ordinance includes these amendments and also establishes what staff believes are reasonable time, place, and manner regulations for electioneering at the City's polling place. These regulations address safety concerns, the preservation of parking spaces for users of the theater, the prevention of the destruction of public property, as well as the establishment of reasonable time limits for leaving signs on public property.

RECOMMENDED ACTION

Consideration and adoption of an ordinance to amend the City's Sign Code in compliance with state law with respect to electioneering on public property and to adopt reasonable time, place, and manner regulations with respect to such activities.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2014-02**

AN ORDINANCE AMENDING CHAPTER 6 “ADVERTISING”, ARTICLE II “SIGNS”, OF THE CITY’S CODE OF ORDINANCES TO REVISE SECTIONS 6-36 AND 6-40 TO AUTHORIZE THE USE OF POLITICAL SIGNS ON CITY PROPERTY BEING USED AS A POLLING PLACE; AMENDING CHAPTER 70 “OFFENSES AND MISCELLANEOUS PROVISIONS” TO ADD A NEW ARTICLE III “ELECTIONEERING AT POLLING PLACES” TO PROVIDE REGULATIONS REGARDING THE TIME, PLACE, AND MANNER OF THE USE OF SUCH SIGNS; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR PENALTIES NOT TO EXCEED \$2,000.00; ORDERING PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT

WHEREAS, the City Council of the City of Kerrville, Texas (“City Council”) seeks to provide for the orderly development and use of property within the corporate limits of the City of Kerrville, Texas (“City”) and its extraterritorial jurisdiction (“ETJ”); and

WHEREAS, toward that end, City Council, pursuant to Ordinance No. 2012-05, adopted a new Sign Code, as codified in Article II of Chapter 6 of the City’s Code of Ordinances; and

WHEREAS, Ordinance No. 2012-05 established regulations governing the location, size, design, installation, and maintenance of signs, including political signs, located within the City and its ETJ; and

WHEREAS, on June 14, 2013, the Texas Legislature enacted House Bill 259 (“HB 259”), which modified the Texas Election Code and which requires a public entity that owns or controls a public building used as a polling place to allow electioneering on the premises subject any reasonable regulations concerning the time, place, and manner of such activities; and

WHEREAS, HB 259 defines “electioneering” to include the posting, use, or distribution of political signs or literature; and

WHEREAS, the City currently utilizes the Kathleen C. Cailloux Theater for the Performing Arts (“Theater”) as a polling place, which is also simultaneously used for other purposes and for which the City must maintain and ensure adequate and safe parking and access for all users; and

WHEREAS, because electioneering includes the posting of signs, in order to operate the Theater in a safe and effective manner and to further the general health, safety, and welfare of the community, City Council finds that electioneering signs and literature should not be present outside of the time for voting except for a limited period to put up and remove the signs and that the signs should not be attached to improvements and landscaping; and

WHEREAS, the Sign Code prohibits the placement of signs, including political signs, on public property, and therefore City Council should amend such regulations to comply with HB 259; and

WHEREAS, City staff has reviewed HB 259 and the Sign Code and has determined that it is in the best interest of the health, safety, and welfare of the citizens of the City to adopt reasonable regulations to regulate electioneering and political signs that may be placed on property owned by the City and used for elections; and

WHEREAS, City staff also believes that the size of electioneering signs should be limited and that such signs should be set back from the public roadway in order not to impact traffic safety or to increase visual clutter; and

WHEREAS, City Council finds it to be in the best interest of the health, safety, morals, and general welfare of the City of Kerrville, Texas, to amend the Sign Code with respect to the installation, use, and maintenance of political signs used on City property and to adopt regulations to address concerns that may result from electioneering on public property, including traffic safety, visual clutter, and property damage;

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

SECTION ONE. Chapter 6 “Advertising”, Article II “Signs”, of the Code of Ordinances of the City of Kerrville, Texas, is amended by amending subsection (15) of Section 6-36 by adding the language that is underlined (added) as follows:

“Sec. 6-36. Exempt signs.

⋮

- (15) A political sign which does not: exceed 36 square feet in area, exceed eight feet in height, have any lights, or use any moving elements. A political sign may only be placed on property with the consent of the property owner. No political sign may be placed in, on, or over any public right-of-way or City-owned property, except as authorized in Chapter 70, Article III.”

SECTION TWO. Chapter 6 “Advertising”, Article II “Signs”, of the Code of Ordinances of the City of Kerrville, Texas, is amended by amending subsection (3) of Section 6-40 by adding the language that is underlined (added) as follows:

“Sec. 6-40. Prohibited sign locations.

⋮

- (3) No sign or part of a sign, including mounting fixtures and supporting structures, may be located on or above any City property to include public rights-of-way, except as permitted by other provisions of this article and Chapter 70, Article III.”

SECTION THREE. Chapter 70 “Offenses and Miscellaneous Provisions” is amended by adding a new Article III “Electioneering at Polling Locations” as indicated by underlining (added) and to read in its entirety as follows:

“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.

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.

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 thirty minutes before and after the voting period.
- (2) It is unlawful for a person to engage in electioneering on driveways, parking areas, or medians within parking areas at a polling place. This restriction does not apply 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 or literature 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.

(b)The regulations set forth in (a) above do not apply to any City authorized signs, materials, or other messages on property it owns or controls.”

SECTION FOUR. The City Secretary is authorized and directed to send this Ordinance to the publisher of the City’s Code of Ordinances and the publisher is authorized to amend said Code to reflect the amendments adopted herein, to correct any typographical errors, and to index, format, number, and letter the paragraphs to the existing Code, as appropriate.

SECTION FIVE. The provisions of this Ordinance are cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are expressly repealed to the extent of any such inconsistency or conflict.

SECTION SIX. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. The Council of the City of Kerrville, Texas, declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION SEVEN. The penalty for violation of this Ordinance shall be in accordance with the general penalty provisions contained in Section 1-8, or its successor section, of the Code of Ordinances of the City of Kerrville, Texas, which provides for a fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00).

SECTION EIGHT. Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City's Charter, the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by law as an alternative method of publication.

SECTION NINE. This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07b. of the City Charter.

PASSED AND APPROVED ON FIRST READING, this the ___ day of _____, A.D., 2014.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the ___ day of _____, A.D., 2014.

Jack Pratt, Jr., Mayor

ATTEST:

Brenda G. Craig, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

Agenda Item:

4B. Ordinance No. 2014-03, amending Chapter 6 “advertising”, Article II “Signs”, of the City’s Code of Ordinances to revise the definition of a projecting sign and to revise the regulations applicable to projecting signs and roof signs; containing a savings and severability clause; providing for penalties not to exceed \$2,000.00; ordering publication; providing an effective date; and providing other matters related to the subject. (staff)

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

SUBJECT: An Ordinance amending Chapter 6 "Advertising", Article II "Signs", of the City's Code of Ordinances to revise the definition of a Projecting sign and to revise the regulations applicable to Projecting signs and Roof signs.

FOR AGENDA OF: Jan. 28, 2014

DATE SUBMITTED: Jan. 23, 2014

SUBMITTED BY: Jason Lutz

CLEARANCES: Kristine Ondrias

EXHIBITS: Ordinance

AGENDA SENT TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

Expenditure	Current Balance	Amount	Account
Required:	in Account:	Budgeted:	Number:
\$ NA	\$	\$	

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DEPARTMENT:

SUMMARY STATEMENT

The sign code currently allows projecting signs, if they are attached directly to the wall from which they project. However the code does not allow for the sign to be attached and hung via a pole or other support that is attached to the wall. The modification to the definition for projecting signs would allow the projecting sign to be attached to a pole or other structure. In addition to the support structure, a provision was added to the ordinance to allow (1) projecting sign per entry to an establishment and a minimum spacing of (10') between signs. This is similar to the regulation governing canopy signs and would allow facilities with multiple tenants to each have a projecting sign. Regulations are also proposed which require a minimum of (7') clearance between the lowest point of the sign and the ground. A projecting sign would also be subject to size limitations, as described in subsection (14), which governs awning signs, canopy signs, canopy roof signs, or projecting signs when used in combination.

The amendments for Roof Signs are to allow facilities with a flat roof or a roof with a pitch of "three on twelve" or less to utilize a roof sign. Currently the sign code does not allow a roof sign to extend above the apex of the roof. For flat roofs or roofs with a pitch of three on twelve a roof sign would not be allowed. The proposed amendments would allow these facilities to utilize a roof sign and limit them to (4') in height.

RECOMMENDED ACTION

Consideration and adoption of an ordinance to amend the City's Sign Code, to revise the definition of a Projecting sign, and to revise the regulations applicable to Projecting signs and Roof signs.

**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2014-03**

AN ORDINANCE AMENDING CHAPTER 6 “ADVERTISING”, ARTICLE II “SIGNS” OF THE CITY’S CODE OF ORDINANCES TO REVISE THE DEFINITION OF A PROJECTING SIGN AND TO REVISE THE REGULATIONS APPLICABLE TO PROJECTING SIGNS AND ROOF SIGNS; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR PENALTIES NOT TO EXCEED \$2,000.00; ORDERING PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT

WHEREAS, the City Council of the City of Kerrville, Texas (“City Council”) seeks to provide for the orderly development and use of property within the corporate limits of the City of Kerrville, Texas (“City”) and its extraterritorial jurisdiction (“ETJ”); and

WHEREAS, toward that end, City Council, pursuant to Ordinance No. 2012-05, adopted a new Sign Code, as codified in Article II of Chapter 6 of the City’s Code of Ordinances; and

WHEREAS, Ordinance No. 2012-05 established regulations governing the location, size, design, installation, and maintenance of signs located within the City and its ETJ; and

WHEREAS, City staff recommends revising the Sign Code with respect to the use of “projecting signs” and “roof signs”, as defined; and

WHEREAS, City Council, after considering among other things, the character of the various areas of the City and the suitability of particular uses in each area; and with a view to conserving the value of property, maintaining safety, and the public health, and encouraging the most appropriate use of land throughout the City, finds it to be in the best interest of the health, safety, morals, and general welfare of the City of Kerrville, Texas, to amend the Sign Code with respect to the installation, use, and maintenance of projecting and roof signs within the City and its ETJ;

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

SECTION ONE. Chapter 6 “Advertising”, Article II “Signs”, of the Code of Ordinances of the City of Kerrville, Texas, is amended by amending Section 6-35 by adding the language that is underlined (added) and deleting the language that is bracketed and stricken (~~deleted~~) as follows:

“Sec. 6-35. Definitions.

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Projecting sign: A sign, other than an awning sign or canopy sign, whose outside edge extends a distance from the face of a wall and ~~[to-which-it]~~ is attached either directly to the structure or to a supporting frame, pole, or similar device or which extends ~~[at-any~~

~~point above or~~ beyond a wall ~~[to which it is]~~ by being attached in a similar manner.”

SECTION TWO. Chapter 6 “Advertising”, Article II “Signs”, of the Code of Ordinances of the City of Kerrville, Texas, is amended by amending Section 6-39 by adding the language that is underlined (added) and deleting the language that is bracketed and stricken (~~[(deleted)]~~) to subsection (12) as follows:

“Sec. 6-39. Regulations for certain types of signs.

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(12) *Projecting signs.* A projecting sign:

a. Is limited to one per entrance to an establishment with a minimum spacing of 10 feet provided between such signs;

b. May not exceed 16 square feet in area within any residential area or 32 square feet in area within a nonresidential area;

c. May not exceed 20 feet in height;

d. May not extend either above the roof of the building or beyond the end of the wall to which it is attached by more than nine feet at the point of attachment;
~~[and]~~

e. Attached to a building on private property may not extend over any public right-of-way except a sidewalk adjacent to a building which is lawfully built up to the public right-of-way~~[-];~~

(f) May not be less than seven feet from the ground at its lowest point;

(g) Is subject to a size limitation as described in subsection (17), below.”

SECTION THREE. Chapter 6 “Advertising”, Article II “Signs”, of the Code of Ordinances of the City of Kerrville, Texas, is amended by amending Section 6-39 by adding the language that is underlined (added) and deleting the language that is bracketed and stricken (~~[(deleted)]~~) to subsection (14) as follows:

“Sec. 6-39. Regulations for certain types of signs.

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·

(14) *Roof signs.* A roof sign:

a. Is allowed but only for an establishment that chooses not to install or use a wall sign;

- b. May not exceed the height of the apex of the roof; [and]
- c. May not exceed 12 percent of the square footage of the area of the front building façade, which is limited to the width of specific space for establishments located within a commercial complex[.];
- d. placed on a flat roof or a roof with a pitch of three on twelve may not exceed four feet in height.”

SECTION FOUR. The City Secretary is authorized and directed to send this Ordinance to the publisher of the City’s Code of Ordinances and the publisher is authorized to amend said Code to reflect the new Article II of Chapter 6 as adopted herein, to correct any typographical errors, and to index, format, number, and letter the paragraphs to the existing Code, as appropriate.

SECTION FIVE. The provisions of this Ordinance are cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are expressly repealed to the extent of any such inconsistency or conflict.

SECTION SIX. If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. The Council of the City of Kerrville, Texas, declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION SEVEN. The penalty for violation of this Ordinance shall be in accordance with the general penalty provisions contained in Section 1-8, or its successor section, of the Code of Ordinances of the City of Kerrville, Texas, which provides for a fine not exceeding TWO THOUSAND DOLLARS (\$2,000.00).

SECTION EIGHT. Pursuant to Texas Local Government Code §52.013(a) and Section 3.07 of the City’s Charter, the City Secretary is hereby authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by law as an alternative method of publication.

SECTION NINE. This Ordinance shall become effective immediately upon the expiration of ten days following publication, as provided for by Section 3.07b. of the City Charter.

PASSED AND APPROVED ON FIRST READING, this the ___ day of _____, A.D., 2014.

**PASSED AND APPROVED ON SECOND AND FINAL READING, this the ___ day
of _____, A.D., 2014.**

Jack Pratt, Jr., Mayor

ATTEST:

Brenda G. Craig, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

Agenda Item:

5A. Streetscape master plan (Kerrville Central City Plan) by Peter Lewis Architect + Associates, PLLC. (staff)

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

SUBJECT: Presentation of the Streetscape Master Plan (Kerrville Central City Plan) by Peter Lewis Architect + Associates, PLLC

FOR AGENDA OF: January 28, 2014 **DATE SUBMITTED:** January 17, 2014

SUBMITTED BY: Ashlea Boyle  **CLEARANCES:** Todd Parton
Special Projects Manager City Manager

EXHIBITS: Kerrville Central City Plan

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

Expenditure Required:	Current Balance in Account:	Amount Budgeted:	Account Number:
\$	\$	\$	

PAYMENT TO BE MADE TO:

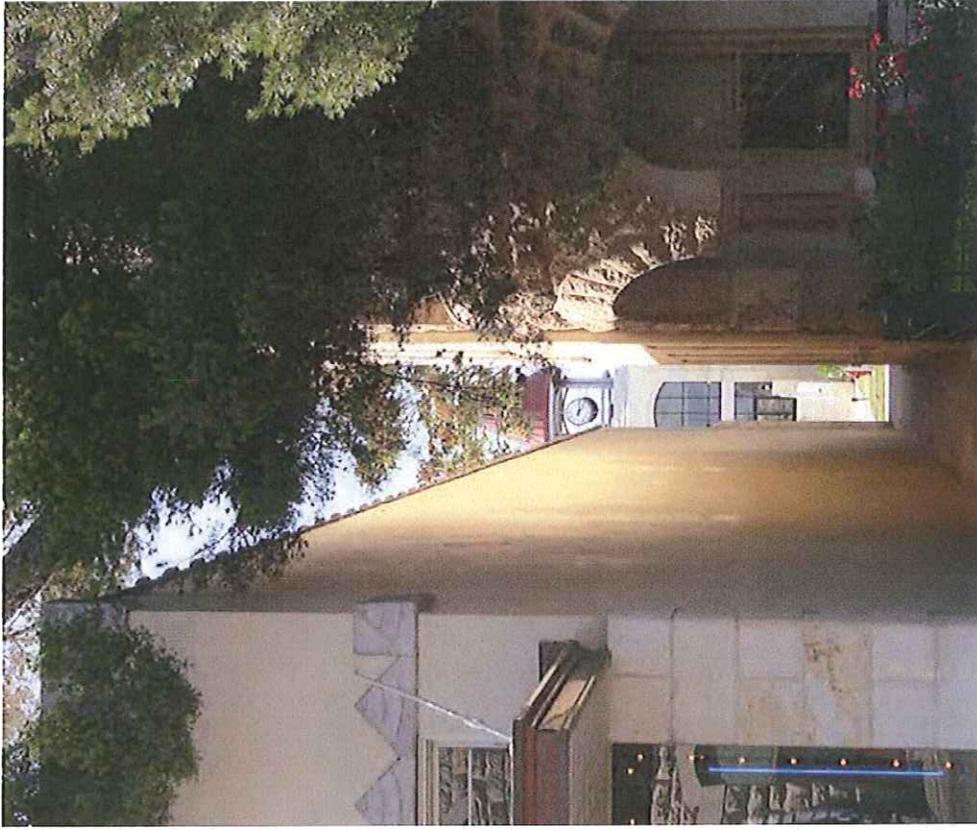
REVIEWED BY THE DIRECTOR OF FINANCE:

SUMMARY STATEMENT

At its meeting of January 22, 2013 the City Council approved a Funding Agreement between the City of Kerrville and the City of Kerrville Economic Improvement Corporation (EIC) for the design and development of a master plan for the downtown streetscape enhancement project. The City entered into a professional services agreement with Peter Lewis Architect + Associates, PLLC to complete these services. In conjunction with Peter Lewis Architect + Associates to scope the design of the Master Plan, staff incorporated the EIC, Main Street Advisory Board, Kerrville Beautification Advisory Committee, and the Historic Downtown Business Alliance. Attached is the final draft of the Kerrville Central City Plan. This project, once approved, will be phased over multiple years in which the EIC is programming into their budget.

RECOMMENDED ACTION

Staff recommends consideration, feedback, and approval of the Kerrville Central City Plan.



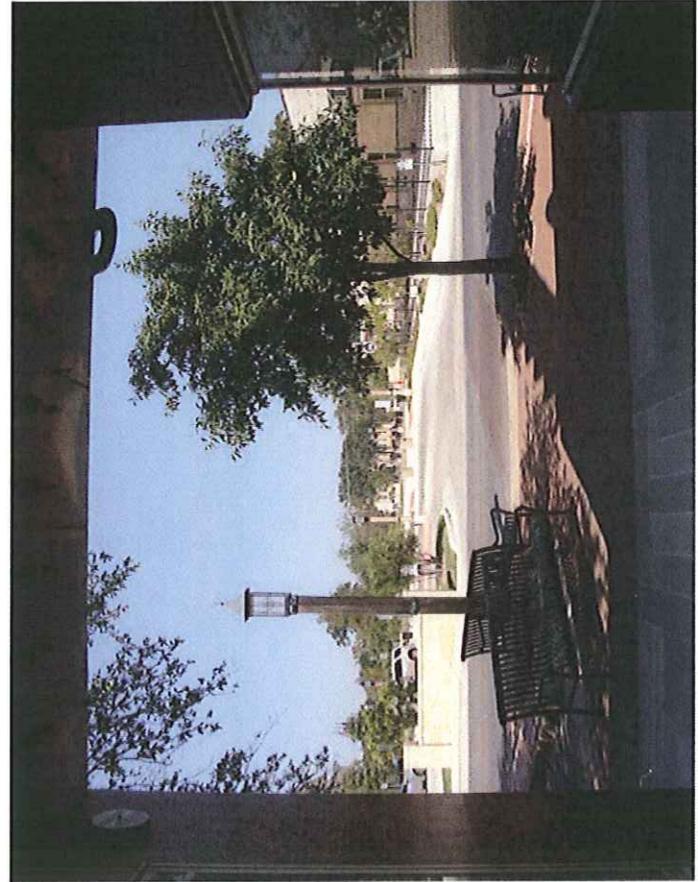
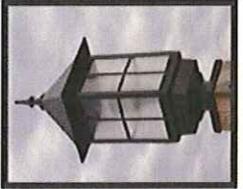
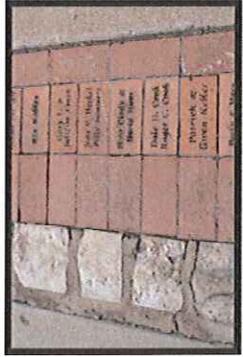
Kerrville Central City Plan

Enhancing our Community



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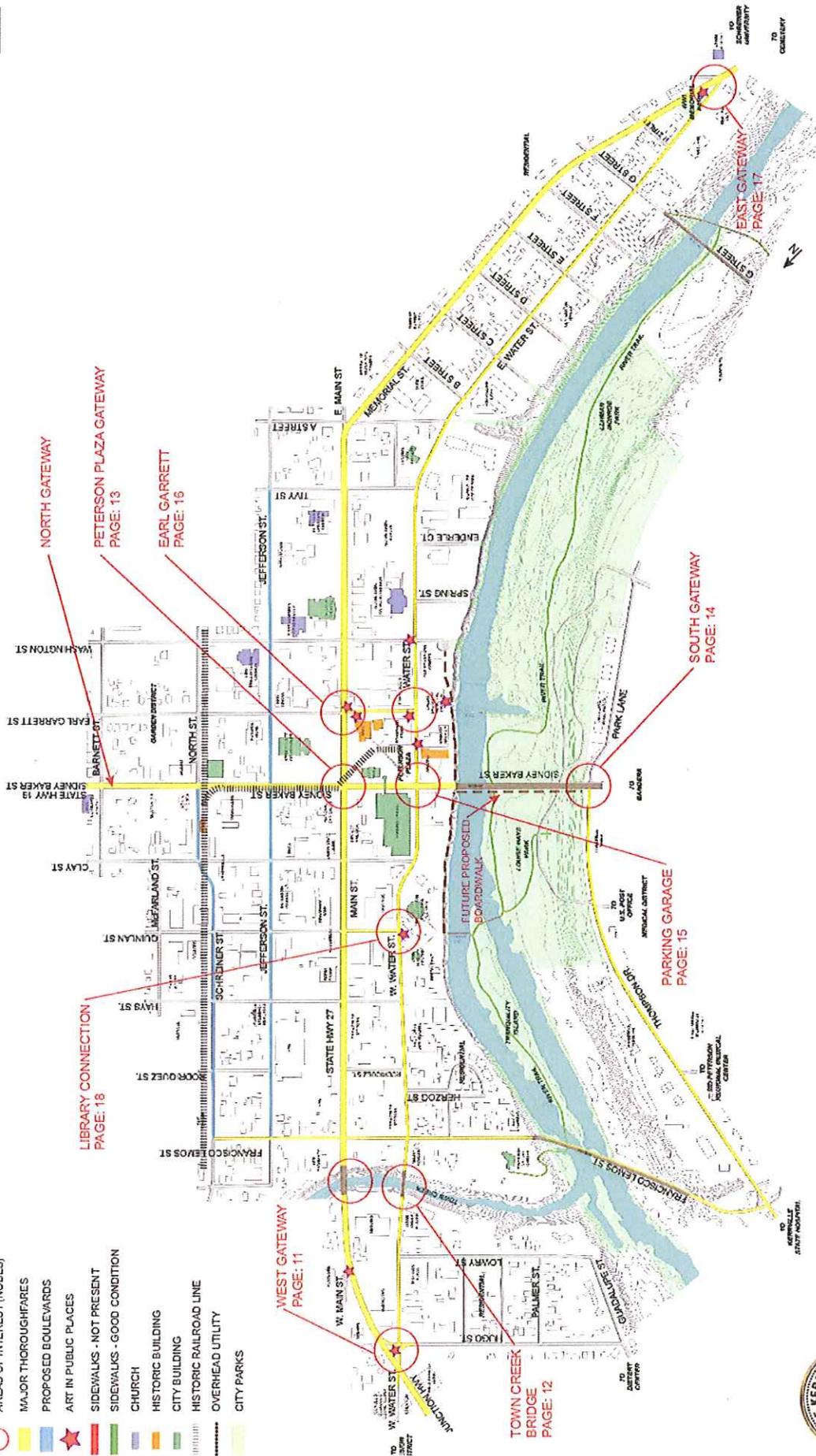
Kerrville Central City Plan

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LEGEND

-  AREAS OF INTEREST (NODES)
-  MAJOR THOROUGHFARES
-  PROPOSED BOULEVARDS
-  ART IN PUBLIC PLACES
-  SIDEWALKS - NOT PRESENT
-  SIDEWALKS - GOOD CONDITION
-  CHURCH
-  HISTORIC BUILDING
-  CITY BUILDING
-  HISTORIC RAILROAD LINE
-  OVERHEAD UTILITY
-  CITY PARKS



NORTH GATEWAY

PETERSON PLAZA GATEWAY
PAGE: 13

EARL GARRETT
PAGE: 16

LIBRARY CONNECTION
PAGE: 18

WEST GATEWAY
PAGE: 11

TOWN CREEK
BRIDGE
PAGE: 12

PARKING GARAGE
PAGE: 15

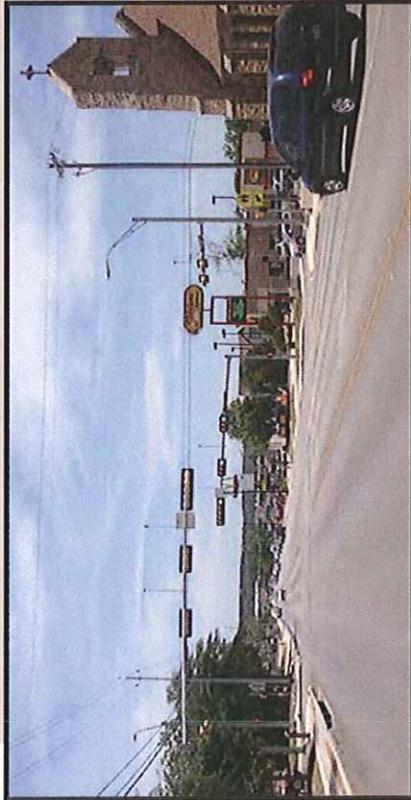
SOUTH GATEWAY
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EAST GATEWAY
PAGE: 17



Kerrville Central City Plan

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NORTH GATEWAY



EAST GATEWAY - PAGE 17
(TWO POINTS)



SOUTH GATEWAY - PAGE 14



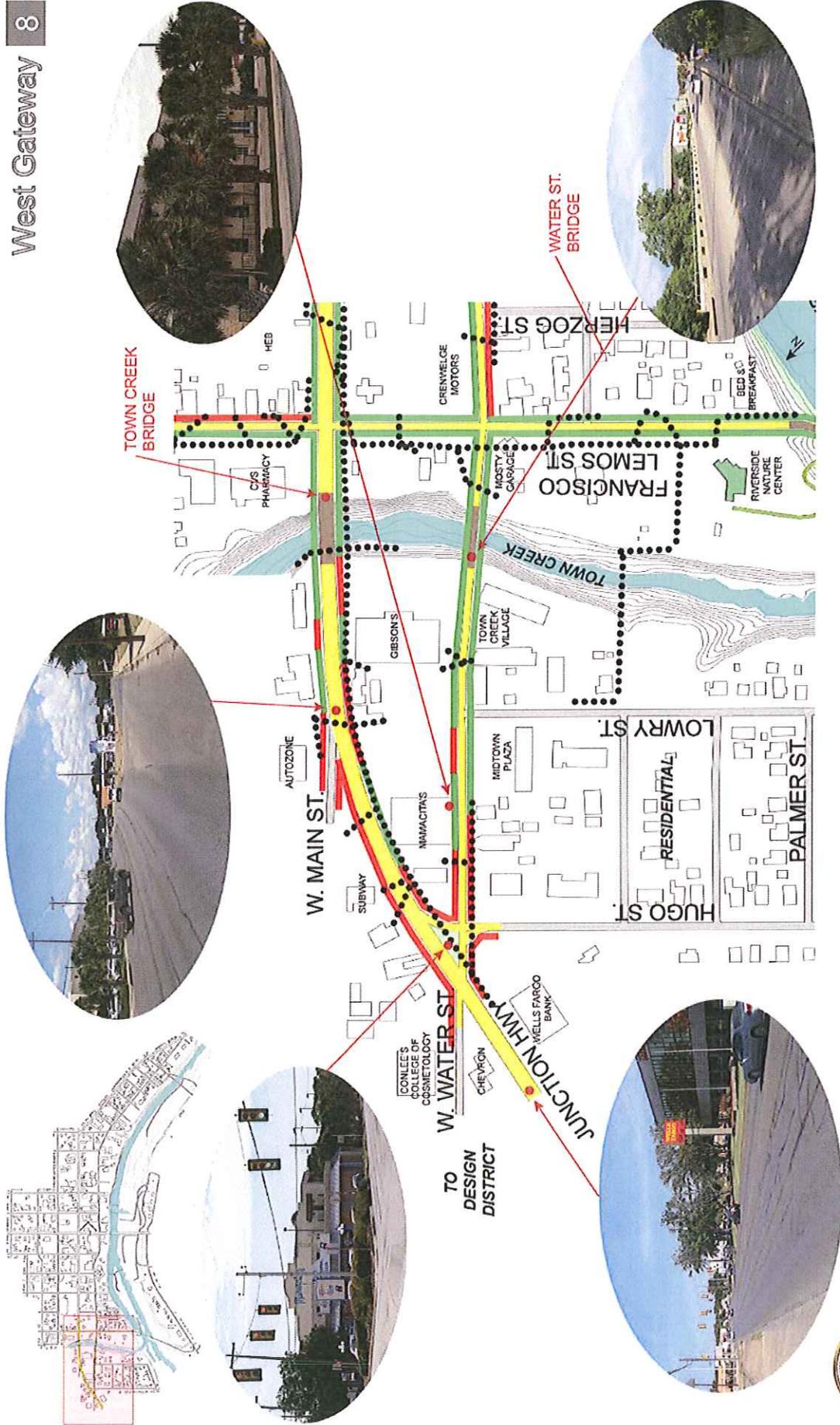
WEST GATEWAY - PAGE 11
(FIVE POINTS)



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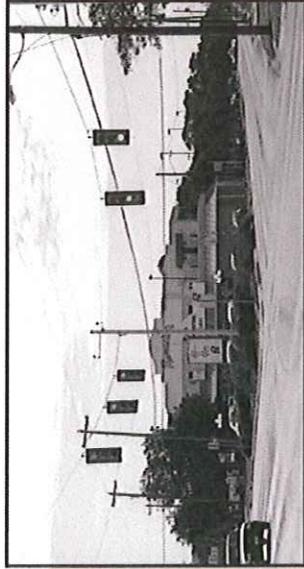


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West Gateway 11

Junction Hwy at W. Water Street



SITE FOR PUBLIC ART

SIGNAL LIGHTS ON ARMS
STREET LIGHT OPTION

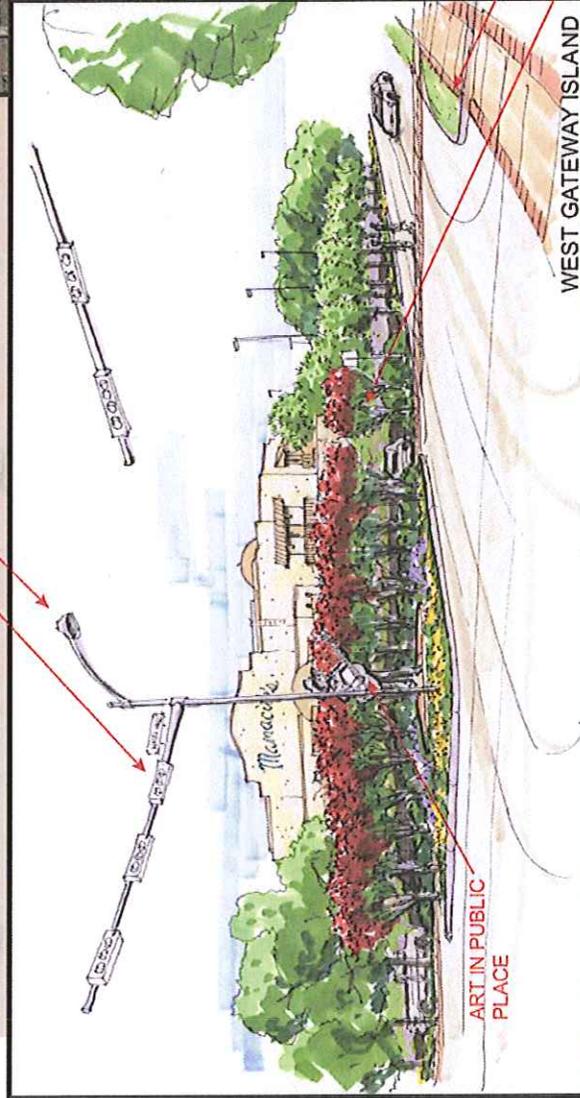
WEST GATEWAY ISLAND



BRICK PAVER CROSSWALKS

BORDER LANDSCAPE SCREENING

WEST GATEWAY ISLAND



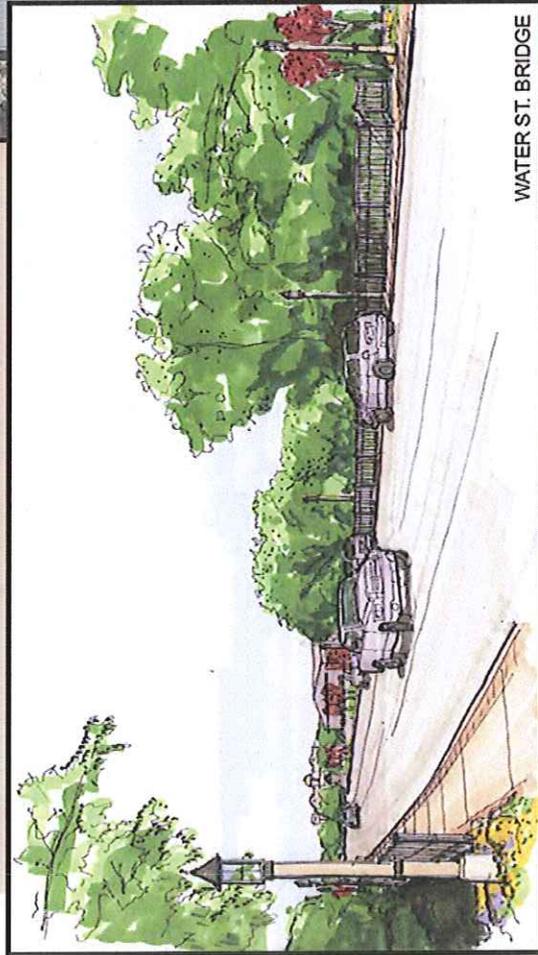
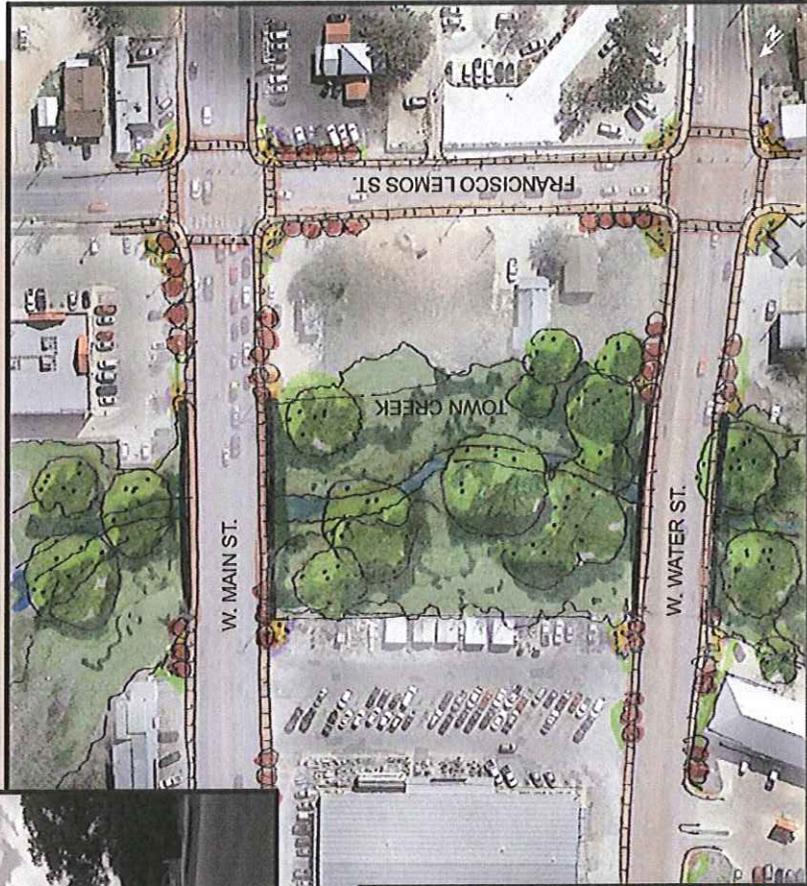
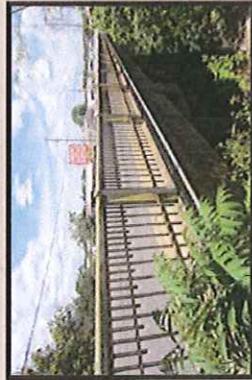
ART IN PUBLIC PLACE



Kerrville Central City Plan

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Town Creek Connection 12
Main Street at Town Creek



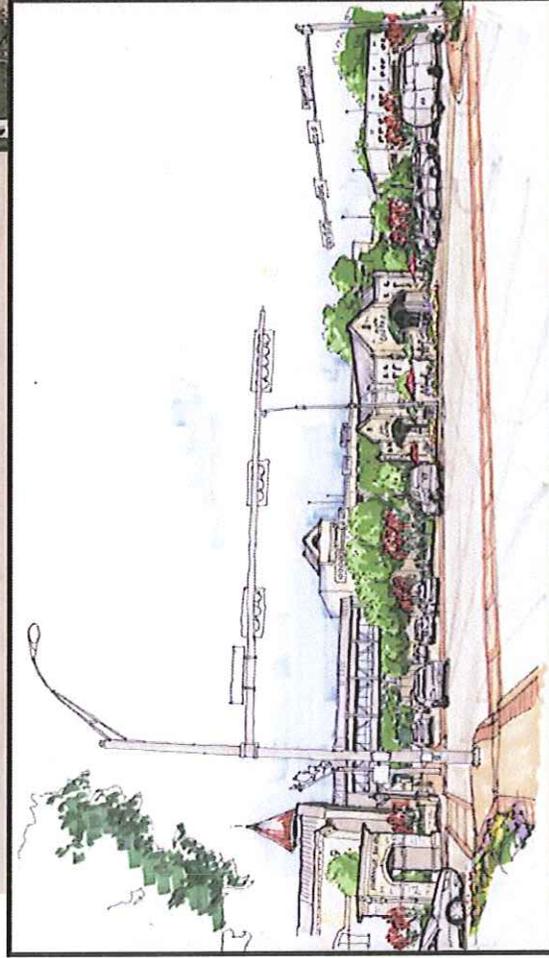
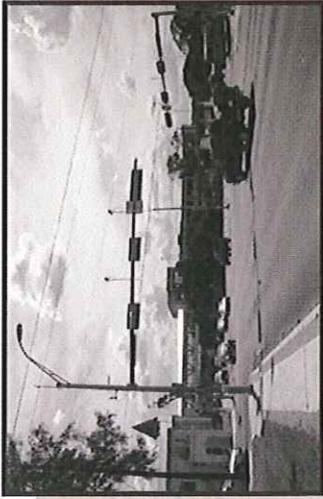
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PETER LEWIS
ARCHITECT + ASSOCIATES
2013

Sidney Baker at 13

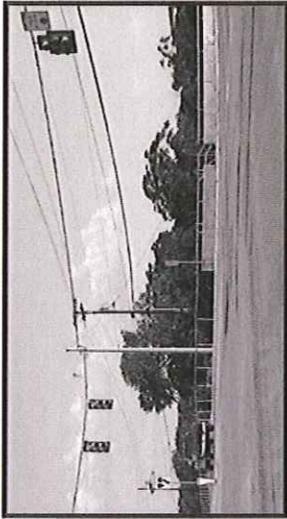
Main Street



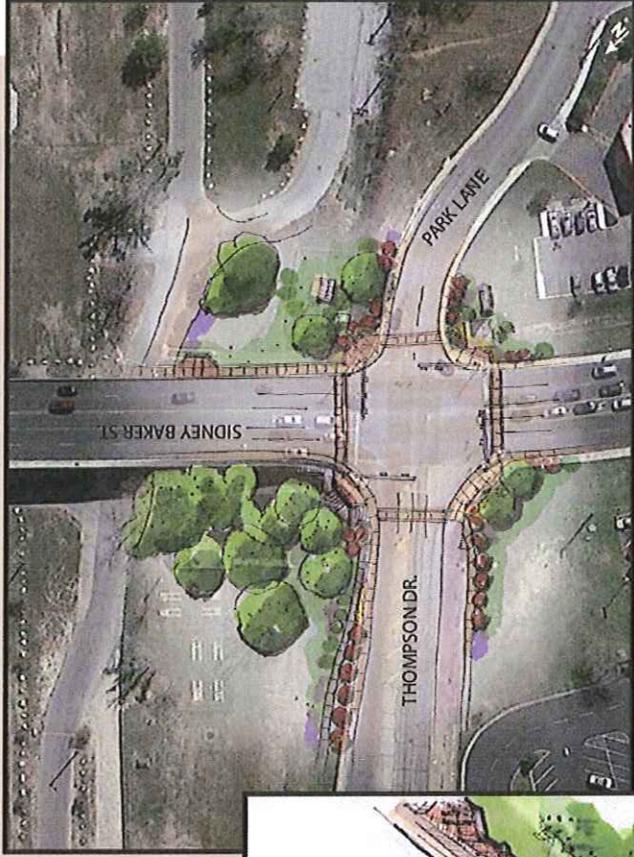
Kerrville Central City Plan

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South Gateway 14
Sidney Baker at Thompson Drive

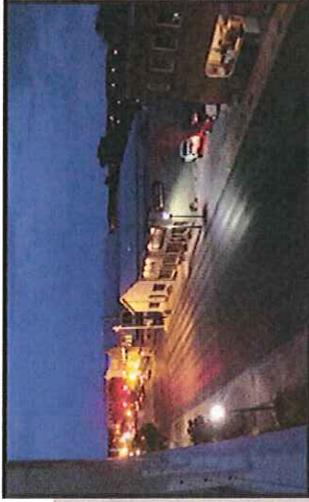


Kerrville Central City Plan
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Sidney Baker at 15

Water Street



COLORFUL SHADE AWNINGS



STRING LIGHTING TO GRAPEJUICE



EVENTS ON ROOFTOP



POTTED AND HANGING PLANTS

TRELLIS FOR CLIMBING VINES
PERMANENT WATER FEATURE

ARMED SIGNAL LIGHTS WITH LARGE STREET SIGNAGE

BRICK PAVER CROSSWALKS



Kerrville Central City Plan

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Earl Garrett at 16

Water Street



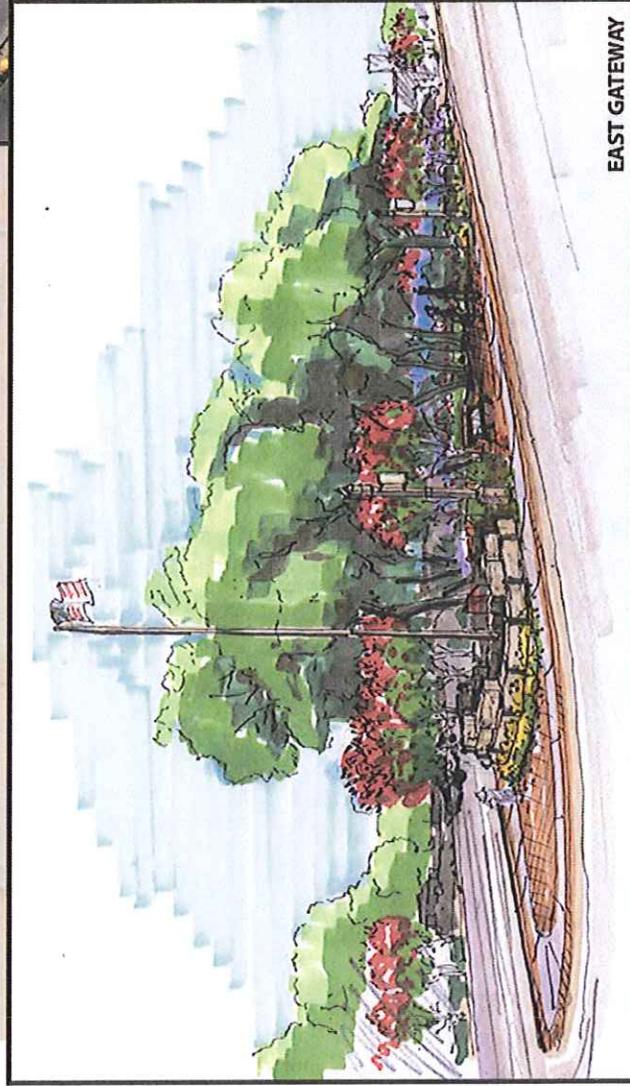
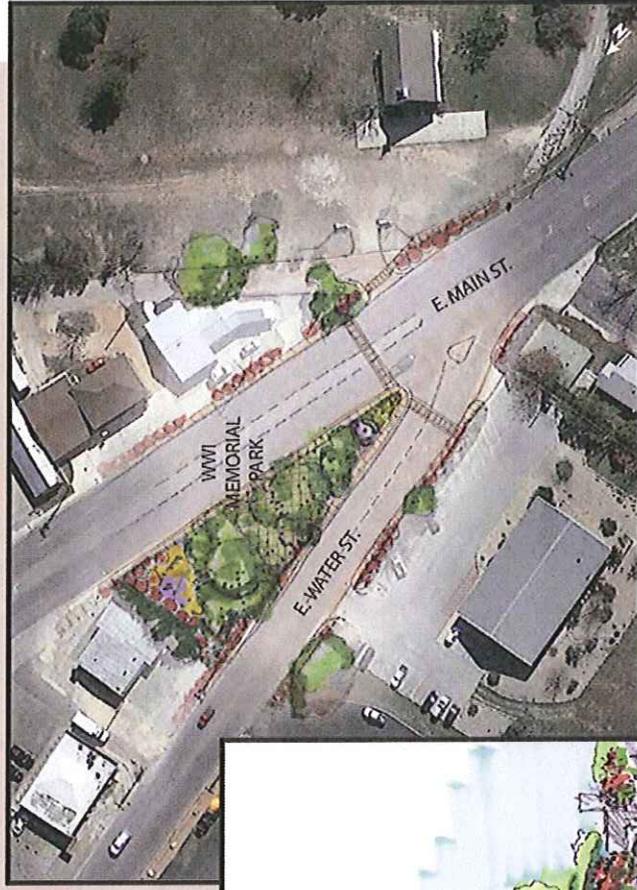
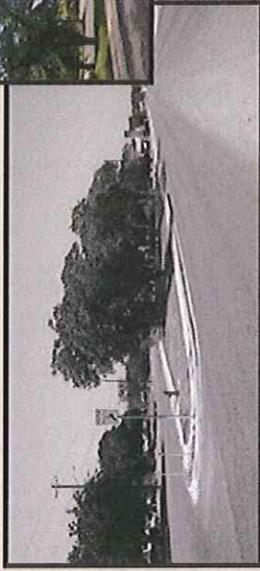
Kerrville Central City Plan
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PETER LEWIS
ARCHITECT + ASSOCIATES
2013

East Gateway 17

Memorial Hwy at Water Street



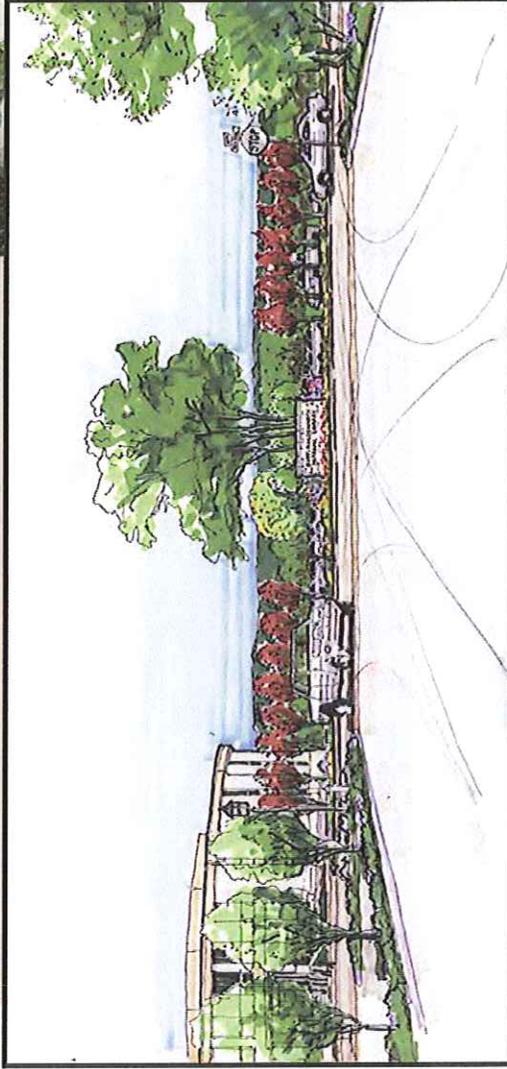
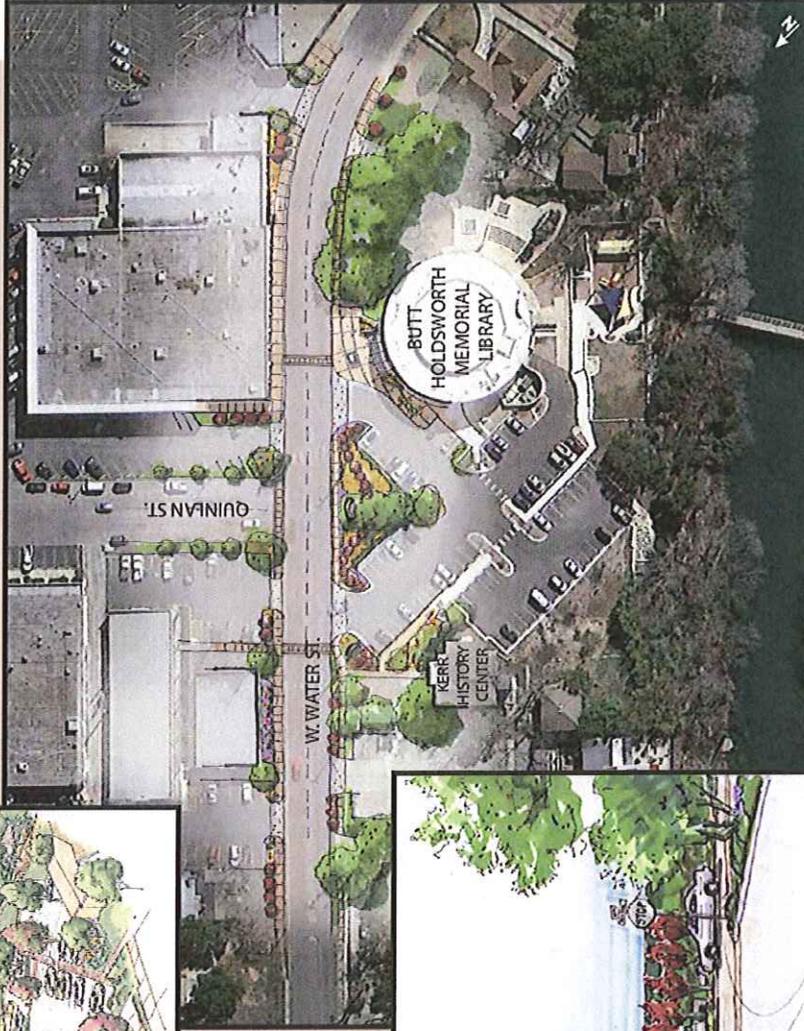
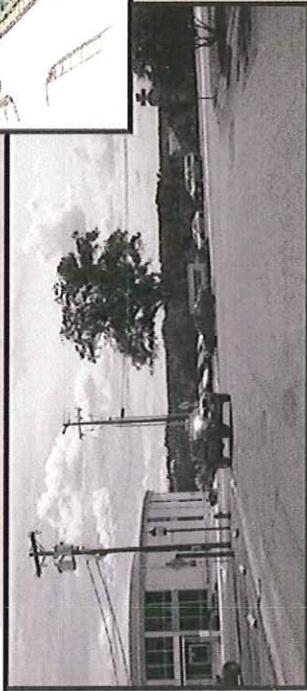
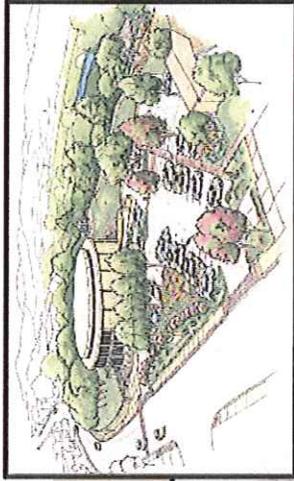
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PETER LEWIS
ARCHITECT + ASSOCIATES
2013

Quinlan Street and 18
Water Street



Kerrville Central City Plan
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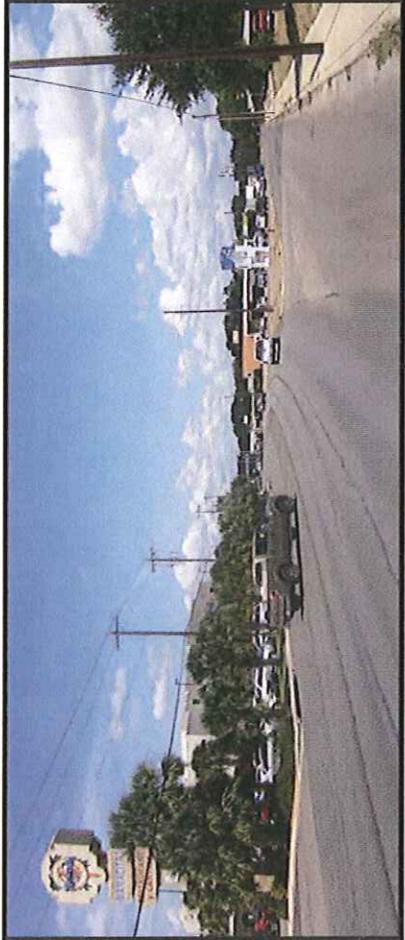
Earl Garrett at 19
Main St.



Kerrville Central City Plan
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PETER LEWIS
ARCHITECT + ASSOCIATES
2013



HEADING WEST ON MAIN STREET AT JUNCTION HWY



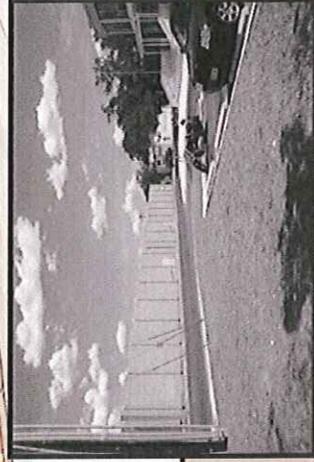
EAST MAIN ST. AND MEMORIAL ST.



INAUGURAL ART AT EARL GARRETT ST. AND MAIN ST.

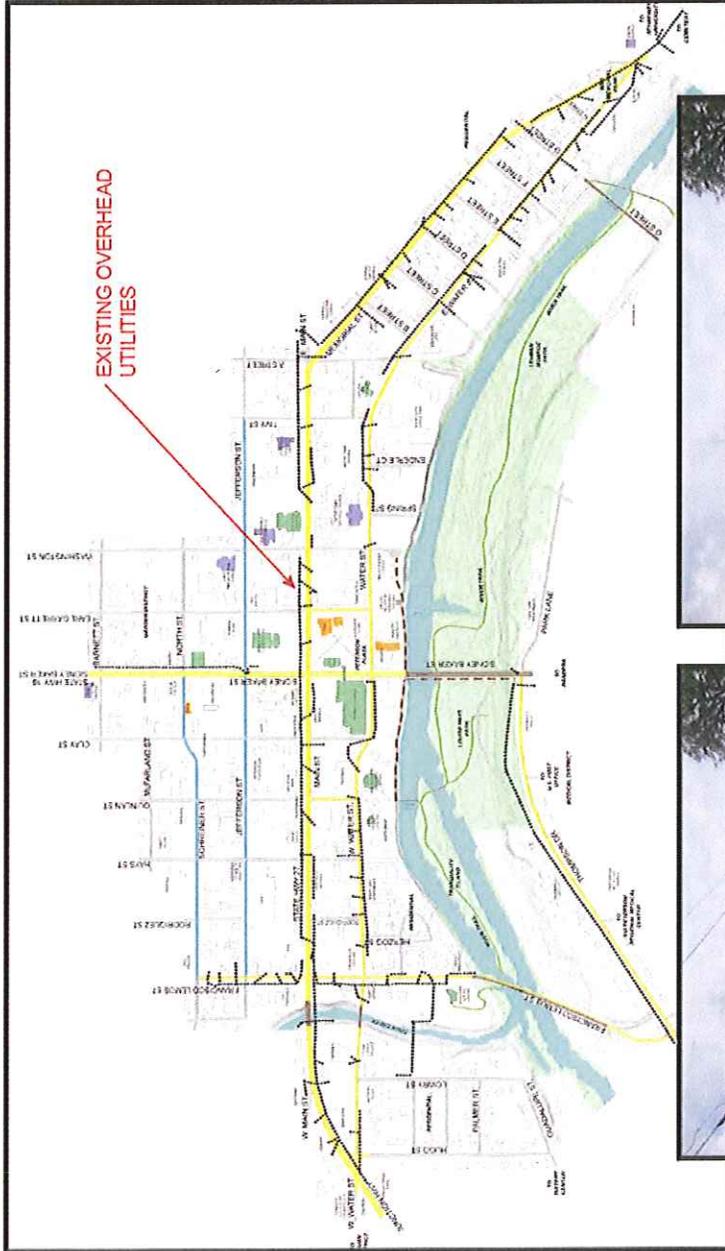


HASTINGS WALL AND LIBRARY

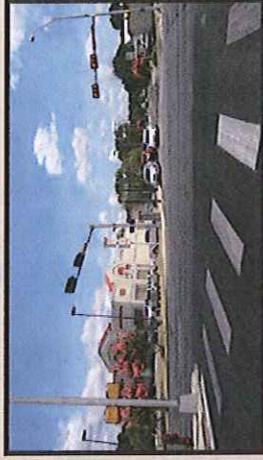


Kerrville Central City Plan

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BEFORE UTILITY REMOVAL



AFTER UTILITY REMOVAL AND WITH SIGNAL POSTS, ARMS, AND STREET LIGHT



AFTER UTILITY REMOVAL AND WITH COLOR PLANTINGS



BEFORE UTILITY REMOVAL

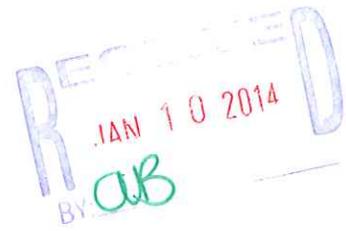


Kerrville Central City Plan

Enhancing our Community

Agenda Item:

5B. Request from Kerrfest committee to provide in-kind police and fire/EMS services for the 4th annual Kerrfest event. (staff)



January 10, 2014

Todd Parton
City of Kerrville
701 Main St.
Kerrville, TX 78028

Dear Todd,

On behalf of the Kerrfest Committee, we respectfully request the following in-kind services as a sponsorship from the City of Kerrville for the 4th Annual Kerrfest, set for May 15-18, 2014:

Kerrville Police Department

Thursday, May 15, 2014, 6:00 – 10:00 p.m.:	1 Officer + 1 marked unit (4 hours)
Friday, May 17, 2014, 6:00 p.m. – 11:00 p.m.:	3 Officers + 1 marked unit (5 hours)
Saturday, May 18, 2014, 10:00 a.m. – 6:00 p.m.:	1 Officer + 1 marked unit (8 hours)
Saturday, May 18, 2014, 12:00 – 6:00 p.m.:	1 Officer + 1 marked unit (6 hours)
Saturday, May 18, 2013, 6:00 p.m. – 1:00 a.m.:	4 Officers + 2 marked units (7 hours)
Sunday, May 19, 2013, 6:00 – 10:00 p.m.:	1 Officer + 1 marked unit (4 hours)

Kerrville Fire Department/EMS

Thursday, May 16, 2013, 7:00 p.m. – 11:00 p.m.:	Ambulance on-site
Friday, May 17, 2013, 6:00 p.m. – 11:00 p.m.:	Ambulance on-site
Saturday, May 18, 2013, 10:00 a.m. – 11:00 p.m.:	Ambulance on-site

We had approximately 3,300 attendees last year, and we look forward to growing that number this year. We appreciate the awesome support we received from the city for this event last year; your support is vital to the success of this event. We are honored to host an event with the coordination of the Kerrville Area Chamber of Commerce, Kerr County, the City of Kerrville, Kerrville Convention and Visitors Bureau, Kerr Economic Development Corporation, and a large host of local businesses. The economic impact of this event last year totaled over \$580,000.

Our request is akin to that of the 2013 event. Again, thank you for the City's past support of this event through your in-kind police and EMS services, and we respectfully ask for the same or higher level of support for the 4th Annual Kerrfest.

Sincerely,

Kristan D. Weaver
Vice-President of Operations
Kerrville Area Chamber of Commerce

Denny Foster
Chairman
Kerrfest Committee

cc: Ashlea Boyle

Agenda Item:

6A. Budget and economic update. (staff)

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

SUBJECT: Budget/Economic Update

FOR AGENDA OF: January 28, 2014 **DATE SUBMITTED:** January 17, 2014

SUBMITTED BY: Sandra Yarbrough, *SY*
Director of Finance **CLEARANCES:** Todd Parton
City Manager

EXHIBITS: Economic Update

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: *TP*

Expenditure Required:	Current Balance in Account:	Amount Budgeted:	Account Number:
\$	\$	\$	

PAYMENT TO BE MADE TO:

REVIEWED BY THE DIRECTOR OR FINANCE:

SUMMARY STATEMENT

The City of Kerrville staff will present and update Council on a monthly basis as to the status of the City's budget and current economic trends affecting the City.

RECOMMENDED ACTION

No action required information purposes only.

City of Kerrville
Month ending December 31, 2013
 (Month 3 of FY14 Budget)

	Current Month	Year To-Date	% (25.00) to Budget	Prior Year To-Date
General Fund				
Total Revenues	\$3,627,148	\$6,791,903	30.83%	\$6,028,778
Sales tax	\$428,898	\$1,380,307	25.10%	\$1,284,528
Property tax	\$2,605,876	\$3,611,512	43.12%	\$2,899,864
Total Expenditures	\$1,611,377	\$4,950,691	23.39%	\$4,934,431

Water and Sewer Fund				
Total Revenues	\$758,648	\$2,424,833	23.12%	\$2,361,607
Water Sales	\$372,815	\$1,164,040	22.87%	\$1,295,931
Sewer Service	\$328,301	\$965,066	25.26%	\$932,282
Expenditures	\$622,536	\$2,021,933	20.27%	\$2,003,183

Hotel/Motel:				
Revenues	\$68,931	\$233,556	27.15%	\$229,551
Expenditures	\$0	\$214,550	24.98%	\$206,250

Unemployment: November 2013		Consumer confidence:		
National	6.7	National	78.1	up 17.1 over December 2012
Texas	6.1	Texas	104.0	up 8.4% over December 2012
Local	4.9	(Sources: State Comptroller/WorkforceAlamo)		

Housing:

Statewide:

Building permits issued single family housing (November increased 8.4% compared to 2012)

Sales of existing single family house (November decreased .5% compared 2012)

Median sale price for existing single family was (November decreased .1% compared to 2012)

(Source: State Comptroller)

Local:

Permits Issued for New Residence

Oct - Dec 2012 - 8

Oct - Dec 2013 - 8

Agenda Item:

7A. Appointments to the main street advisory board. (staff)

**BUSINESS OF THE CITY COUNCIL
CITY OF KERRVILLE, TEXAS**

SUBJECT: Appointments to the Main Street Advisory Board

FOR AGENDA OF: January 28, 2014 **DATE SUBMITTED:** January 23, 2014

SUBMITTED BY: Brenda Craig
City Secretary *BC* **CLEARANCES:**

EXHIBITS: Board List

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER:

SUMMARY STATEMENT

Consider appointments to the following board:

Main Street Advisory Board: Four terms due to expire January 31, 2014: Stan Cobbs, David Martin, William Rector, and Caroline Wilson; and one term due to expire January 31, 2015, due to the resignation of Scott Rain.

RECOMMENDED ACTION

Consider appointments.

MAIN STREET ADVISORY BOARD

	<u>Telephone</u>	<u>Orig. Appt.</u>	<u>Re-Appt. Date</u>	<u>Exp. Date</u>
FRANKLIN, MINDI Vice Chairman 521B Wigwam Lane	830-928-9357 (H) 792-6200 (W)	07-23-13		01-31-15
BOLTON, SCOTT 1207 Virginia Dr.	792-7089 (H) 896-0098 (W) 832-978-3949 (C)	07-23-13		01-31-15
COBBS, STAN 521 Guadalupe St. #1202	895-8771 (O) 895-8771 (H) 739-2519 (C)	01-24-12		01-31-14
MARTIN, DAVID 1717 Foothills Dr.	895-1313 (O) 895-1857 (H)	05-08-12		01-31-14
RECTOR, WILLIAM 705 Water Street	257-3348 (H) 896-6622 (W) 729-2519 (C)	08-13-13		01-31-14
WILSON, CAROLINE 220 Riverhill Club Ln. #13	512-787-7964 (H)	09-11-12		01-31-14
YATES, AARON 317 Sidney Baker, #400	830-214-7635 (O) 377-9058 (H)	03-13-12	01-22-13	01-31-15
VACANT				01-31-15
VACANT				01-31-15
COUNCIL LIAISON:				
Gene Allen 2106 Vista Ridge Dr. 1221 Junction Hwy	895-5111 (O) 792-4651 (H)			
CITY STAFF:				
Ashlea Boyle Special Projects Manager	258-1153			

Powers and Duties: To encourage participation in the Main Street Revitalization Program; to establish goals and priorities for the Main Street Program; to review design appropriateness for the purpose of participation in the main street low-interest loan program and incentive grant projects; and to advise and support the main street program manager.

Term of Office: Two years with a maximum of two full successive terms (Bylaws)

Quorum: Five members

Number of Members: Nine

Absences: Any member who miss three consecutive meetings may be replaced (Bylaws)
Meeting Time & Place: Third Thursday at 12:00 p.m., 701 Main Street
Established by: Resolution No. 1994-133
Revised: January 21, 2014