

**AGENDA FOR REGULAR MEETING**

**KERRVILLE CITY COUNCIL**

**TUESDAY, JULY 21, 2015, 6:00 P.M.**

**KERRVILLE CITY HALL COUNCIL CHAMBERS**

**701 MAIN STREET, KERRVILLE, TEXAS**

**KERRVILLE CITY COUNCIL AGENDA**  
**REGULAR MEETING, TUESDAY, JULY 21, 2015, 6:00 P.M.**  
**CITY HALL COUNCIL CHAMBERS**  
**701 MAIN STREET, KERRVILLE, TEXAS**

**CALL TO ORDER**

**INVOCATION:** by Susan Liljestrand, Director of Church Relations for Schreiner University.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

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 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. Letter agreement to the project funding agreement between the Economic Improvement Corporation, Inc., City, and Playhouse 2000, Inc., for the construction of the support facility, as amended; authorizing acceptance of deed for property upon which project will be built, and authorizing construction.

2B. Construction contract with Huband-Mantor Construction, Inc. for the Cailloux Theater support facility project in the amount of \$932,099.00 and change orders which may exceed \$50,000.00 but will not exceed a total contract value of \$1,025,300.00.  
(staff)

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The facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this event. Please contact the City Secretary's Office at 830-257-8000 for further information.

I 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, July 17, 2015 at 2:00 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

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2C. City of Kerrville funding agreement with Kerr Economic Development Corporation in an amount not to exceed \$20,865.38. (staff)

**END OF CONSENT AGENDA**

**3. ORDINANCES, SECOND AND FINAL READINGS:**

3A. Ordinance No. 2015-13, amending the city's "Zoning Code" by changing the zoning district of the property located on the southeast corner of the intersection of Water Street and 'G' Street, otherwise known as 1700 Water Street, by removing the property from the 17-C district and placing it within the 19-C district; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2000.00); ordering publication; and providing other matters relating to the subject. (staff)

3B. Ordinance No. 2015-14, amending the Comprehensive Plan for the City of Kerrville, Texas, pursuant to Chapter 213 of the Texas Local Government Code; by revising the Future Land Use Plan for a property located adjacent to the northeast of Legion Drive and between its intersection with Goss Street and Loop 534 (Veterans Highway); and changing the future land use of this area from low-density residential to mixed-use. (staff)

3C. Ordinance No. 2015-15, amending the city's "Zoning Code" by changing the zoning district of a property located adjacent to and northeast of Legion Drive and between its intersection with Goss Street and Loop 534 (Veterans Highway), by removing the property from the residential mix (RM) district and placing it within the 29-E district; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2000.00); ordering publication; and providing other matters relating to the subject. (staff)

**6:15 P.M. APPROXIMATELY**

**4. CITY COUNCIL RECESS:**

THE CITY COUNCIL WILL RECESS THE REGULAR MEETING TO CONVENE A MEETING OF THE CITY OF KERRVILLE EMPLOYEE BENEFITS TRUST (see separate posted agenda).

THE KERRVILLE CITY COUNCIL WILL RECONVENE INTO REGULAR SESSION FOLLOWING THE MEETING OF THE CITY OF KERRVILLE EMPLOYEE BENEFITS TRUST.

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Brenda Craig  
City Secretary, City of Kerrville, Texas

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**5. CONSIDERATION AND POSSIBLE ACTION:**

5A. Resolution No. 18-2015, Authorizing the transfer of the ownership of funds from the City of Kerrville to the City of Kerrville Employee Benefits Trust to pay for employee related benefits for fiscal year 2016. (staff)

5B. Authorization to initiate a land study and planning layout for the city owned property located on Peterson Farm Road. (staff)

5C. Fiscal Year 2016 budget. (staff)

**6. INFORMATION AND DISCUSSION:**

6A. Budget update. (staff)

**7. ITEMS FOR FUTURE AGENDA:**

**8. 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.

**9. 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 matter:

**9.A. Section 551.073:**

Deliberation of a negotiated contract for a prospective gift or donation to the city as deliberation in an open meeting would have a detrimental effect on the City's position with a third person.

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Brenda Craig  
City Secretary, City of Kerrville, Texas

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10. ACTION ON ITEM DISCUSSED IN EXECUTIVE SESSION

11. ADJOURNMENT.

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Brenda Craig  
City Secretary, City of Kerrville, Texas

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## **Agenda Item:**

2A. Letter agreement to the project funding agreement between the Economic Improvement Corporation, Inc., City, and Playhouse 2000, Inc., for the construction of the support facility, as amended; authorizing acceptance of deed for property upon which project will be built, and authorizing construction.

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

**SUBJECT:** Letter of Agreement to the project funding agreement between the EIC, City and Playhouse 2000 for the construction of the support facility, as amended; authorizing the acceptance of the deed for property upon which the project will be built

**FOR AGENDA OF:** July 21, 2015

**DATE SUBMITTED:** July 17, 2015

**SUBMITTED BY:** Kristine Day  
Deputy City Manager

**CLEARANCES:** Todd Parton  
City Manager

**EXHIBITS:** Letter of Agreement

**AGENDA MAILED TO:**

**APPROVED FOR SUBMITTAL BY CITY MANAGER:**

<b>Expenditure</b>	<b>Current Balance</b>	<b>Amount</b>	<b>Account</b>
<b>Required:</b>	<b>in Account:</b>	<b>Budgeted:</b>	<b>Number:</b>
\$	\$	\$	

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE DIRECTOR OF FINANCE:**

**SUMMARY STATEMENT**

In 2014, the EIC agreed to fund up to \$850,000.00 for a support facility at the Cailloux Theater for Playhouse 2000. Initial construction cost estimates for the facility were \$1,150,000.00. Playhouse 2000 agreed to fundraise the remaining portions of the construction cost and to date has raised the remaining funds needed to construct the facility. This letter of agreement between the City and Playhouse 2000 will provide for the following actions:

1. Playhouse 2000 will transfer to the City the remaining funds needed for construction in the amount of \$263,473.76 by July 22, 2015. These funds will be used for costs related to construction and any unused funds will be returned to Playhouse 2000.
2. The City will provide monthly project accounting to Playhouse 2000.
3. The City will spend EIC contributed funds first and Playhouse 2000 funds last.
4. The City will provide notice of all change orders for the project prior to execution.
5. Playhouse 2000 will transfer the parcel of land to the City prior to the beginning of construction.

**RECOMMENDED ACTION**

Authorize the City Manager to execute the Letter of Agreement with Playhouse 2000.



**City of Kerrville**

701 MAIN STREET • KERRVILLE, TEXAS 78028 • 830.257.8000 • KERRVILLETX.GOV

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July 17, 2015

Mr. Jeffrey Brown  
Executive Director  
Playhouse 2000  
305 Washington Street  
Kerrville, TX 78028

**Re: Project Funding Agreement between the EIC, City, and Playhouse 2000, Inc.  
for the Construction of the Support Facility, as amended**

Dear Mr. Brown:

The City thanks Playhouse 2000, Inc. ("PH2K") for partnering with it and the City's Economic Improvement Corporation ("EIC") for the planning and construction of a support facility building (the "Project"), which will be utilized in conjunction with the Cailloux Theater and VK Garage. We remain eager to begin construction of the Project. Toward that end and following a meeting earlier this week with the Playhouse 2000 Board of Directors, the City proposes the following as a means of clarifying and where appropriate amending the above-referenced agreement:

1. PH2K will deliver a cashier's check to the City, or otherwise transfer into a City banking account, \$263,473.76 by 5:00 PM, July 22, 2015. The City will use these funds for costs resulting from construction activities, geotech services, and to establish a 10% contingency for the Project.
  2. The City will provide a written accounting report to PK2K monthly to show expenses associated with construction activities for the Project.
  3. The City will spend EIC contributed funds first and PK2K funds last and will refund any remaining PK2K funds to PH2K following the completion of the Project.
  4. The City Manager, or designee, will provide notice of all change orders for the Project, if any, to the PK2K Executive Director prior to execution.
  5. PK2K will convey the property where the Project will be constructed to the City prior to the beginning of construction, said construction is currently scheduled to occur August 17, 2015.
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Mr. Jeffrey Brown  
July 17, 2015  
Page 2

Thank you for your attention to this matter. I have enclosed two (2) copies of this letter. Please sign both letters and return one to the City, directed to my attention. Should you have any questions, please let me know.

Very truly yours,

Todd Parton  
City Manager

By \_\_\_\_\_  
Todd Parton, City Manager  
City of Kerrville

\_\_\_\_\_ Date

By \_\_\_\_\_  
Jeffrey Brown, Executive Director  
Playhouse 2000, Inc.

\_\_\_\_\_ Date

## **Agenda Item:**

2B. Construction contract with Huband-Mantor Construction, Inc. for the Cailloux Theater support facility project in the amount of \$932,099.00 and change orders which may exceed \$50,000.00 but will not exceed a total contract value of \$1,025,300.00. (staff)

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

**SUBJECT:** Authorization for the City Manager to execute a construction contract with Huband-Mantor Construction, Inc. for the Cailloux Support Facility project in the amount of \$932,099.00 and authorize the City Manager to execute change orders which may exceed \$50,000.00 but will not exceed a total contract value of \$1,025,300.00.

**FOR AGENDA OF:** July 21, 2015

**DATE SUBMITTED:** July 14, 2015

**SUBMITTED BY:** Kyle Burow, E.I.T.  
Director of Engineering

**CLEARANCES:** Kristine Day  
Deputy City Manager

**EXHIBITS:** Bid Tabulation  
Letter of Recommendation for Award

**PAYMENT TO BE MADE TO:** HMC, Inc.  
43000 IH 10 West  
Boerne, Texas 78006

**APPROVED FOR SUBMITTAL BY CITY MANAGER:** 

<b>Expenditure</b>	<b>Current Balance</b>	<b>Amount</b>	<b>Account</b>
<b>Required:</b>	<b>in Account:</b>	<b>Budgeted:</b>	<b>Number:</b>
<b>\$1,025,300.00</b>	<b>\$1,083,009.66**</b>	<b>\$1,150,000.00**</b>	<b>E66</b>

\*\* amount after funds received from Playhouse 2000

**REVIEWED BY THE FINANCE DIRECTOR:** 

**SUMMARY STATEMENT**

In July 2014, Peter Lewis Architect and Associates was hired to provide professional design services for the support facility to Playhouse 2000. The scope of the project consists of an additional parking area and a 6,000 square foot building to accommodate a scene shop, costume shop, storage, office, green room, classroom w/dance floor, and restrooms. The structure will consist of a pre-engineered metal building with masonry exterior veneer. Funding for this project consisted of \$850,000.00 from 4b funds and \$300,000.00 for funds raised by Playhouse 2000. This work was completed and the project was placed for bid in June with the bid opening on June 23, 2015. Six bids were received with the apparent low bidder being HMC, Inc. of Boerne, Texas.

Staff along with Peter Lewis Architect and Associates evaluated the contractor and recommends awarding the construction project to HMC, Inc. for a construction cost of \$932,099.00. Additionally, staff recommends authorizing the City Manager to execute change orders which may exceed \$50,000.00 but will not exceed a total contract value

of \$1,025,300.00.

**RECOMMENDED ACTION**

Authorize the City Manager to execute a construction contract with HMC, Inc. for the Cailloux Support Facility project in the amount of \$932,099.00 and authorize the City Manager to execute change orders which may exceed \$50,000.00 but will not exceed a total contract value of \$1,025,300.00.





PETER LEWIS  
ARCHITECT + ASSOCIATES

July 15, 2015

Kristine Day  
Deputy City Manager  
City of Kerrville  
701 Main Street  
Kerrville, TX 78028

RE: Cailloux Center Support Facility

Dear Kristine:

Pursuant to receipt of bids for the referenced project, on June 23, 2015 we followed due diligence to qualify the apparent low bidder, HMC, Inc. This process included, but was not limited to, conversations with the General Contractor and Subcontractors as well as consideration of the very successful and satisfying working relationship that we had with HMC, Inc. during the Central Fire Station Additions and Alterations.

We are satisfied that the bid submitted by HMC, Inc. is responsive, that they are well qualified as General Contractor for the scope of this Project and it is our recommendation that the City of Kerrville accept HMC, Inc.'s Bid and enter into negotiations for the Construction Contract.

Should you have any questions, please feel free to contact me.

Very truly yours,

Peter W. Lewis, Architect  
Principal

## **Agenda Item:**

2C. City of Kerrville funding agreement with Kerr Economic Development Corporation in an amount not to exceed \$20,865.38. (staff)



STATE OF TEXAS  
COUNTY OF KERR

§ CITY OF KERRVILLE FUNDING  
§ AGREEMENT WITH KERR ECONOMIC  
§ DEVELOPMENT CORPORATION

This Agreement entered this \_\_\_\_ day of \_\_\_\_\_, 2015, by and between the City of Kerrville, Texas, (CITY), and Kerr Economic Development Corporation (CONTRACTOR), a non-profit organization in the State of Texas.

WITNESSETH

WHEREAS, CITY desires to specifically contract with CONTRACTOR for an economic development program and it is considered to be in the best interests of both CITY and CONTRACTOR for CONTRACTOR to provide these economic development services to CITY; and

WHEREAS, CITY's intent in entering into this agreement is to accomplish a public purpose and it believes that it will receive a sufficient return for the funds it contributes;

NOW, THEREFORE, CITY and CONTRACTOR agree as follows:

1. **Services.** CONTRACTOR shall undertake a proactive economic development role on behalf of businesses identified for targeted markets for CITY as outlined in **Exhibit A**, attached hereto. Said activities, to include the retention and recruitment of businesses, shall be in accordance with the Kerrville/Kerr County Economic Development Strategic Plan 2008 as may be amended by CITY at any time, said plan which is attached hereto as **Exhibit B**. A copy of CONTRACTOR's estimated operating FY2015-16 budget for this economic development program, as approved by CONTRACTOR's Board of Directors, is attached hereto as **Exhibit C**. This budget includes all proposed sources of income and amounts as well as expenses.

2. **Payment.** CONTRACTOR shall provide CITY with a monthly expense and activity report in a form agreed to by CITY and CONTRACTOR, said form to include actual monthly expenses and services performed pursuant to the economic development program. In return for these economic development services and as a means of contributing for a portion of the costs, CITY agrees to pay CONTRACTOR the amount of \$20,865.38 for the term of this agreement, payable by CITY in full by January 1, 2016.

3. **Records.** In order to insure proper financial accountability, CITY reserves the right to require reasonable requirements regarding the segregation and handling of all funds paid by CITY to CONTRACTOR under the terms of this agreement and CONTRACTOR agrees to abide by all such requirements. At least annually, CONTRACTOR shall furnish to the City Manager a) a financial statement which CONTRACTOR shall have prepared according to generally accepted accounting principles and shall, at a minimum, encompass all aspects of the operation and provision of CONTRACTOR's services under this agreement; and b) an audit report prepared by a certified public accountant. CITY may request additional financial information it deems necessary or appropriate to assist CITY in analyzing a request for financial assistance or verifying the accuracy of any payment due CONTRACTOR or accuracy of CONTRACTOR's financial records or viability as an organization. Any duly authorized agent of CITY shall be entitled to inspect and audit all books and records of CONTRACTOR for compliance with the terms of this agreement.

4. **Independent Contractor/Indemnity.** It is acknowledged, understood, and agreed that CONTRACTOR shall be considered an independent contractor or donee for the purposes of this agreement and shall in no manner incur any expenses or liability on behalf of the CITY. CONTRACTOR further agrees to hold CITY harmless for any and all claims by third parties for any injuries, damages, or liability arising under or occasioned by CONTRACTOR in connection with this agreement, CONTRACTOR's work, or the services it provides.

5. **Notice.** Any notice required to be given under the terms of this agreement shall be effective if and when given in writing and mailed by certified mail to the addresses listed below:

**CITY:**  
City Manager  
City of Kerrville, Texas  
701 Main Street  
Kerrville, TX 78028  
(830) 258-1501

**CONTRACTOR:**  
Executive Director  
Kerr Economic Development Corporation  
1700 Sidney Baker  
Kerrville, TX 78028  
(830) 896-1157

6. **Assignment.** CONTRACTOR may not assign this agreement without the prior written consent of CITY.

7. **Termination.** Notwithstanding the agreed upon term, this agreement may be terminated upon the occurrence of any of the following, in which case CONTRACTOR shall immediately, but in no case longer than thirty (30) days, return to CITY the prorated share of CITY's payment in accordance with Section 2, above:

- a. the giving of written notice by either party to the other party at least ninety (90) days prior to the desired effective termination date;
- b. the termination of the corporate existence of CONTRACTOR;
- c. the insolvency of CONTRACTOR, the filing of a petition in bankruptcy, either by or against CONTRACTOR, an assignment by CONTRACTOR for the benefit of creditors, or if CONTRACTOR goes dormant and/or ceases operations for any reason for thirty (30) days or more;
- d. the breach by CONTRACTOR of any of the terms of this agreement and the continuation of such breach for a period of ten (10) days after written notice is given by CITY to CONTRACTOR of such breach.

8. **Term.** The term of this agreement shall be from October 1, 2015, through September 30, 2016.

9. **Open Records.** CONTRACTOR understands that receipt of payment for these services may subject all or part of CONTRACTOR's records to the Texas Public Information Act. CITY's intent is to purchase certain services and public benefits as part of an arm's length transaction.

10. Minority Representation on Board. CONTRACTOR is encouraged to obtain minority representation on its Board of Directors.

EXECUTED on the date above stated.

**CITY OF KERRVILLE, TEXAS, CITY**

**KERR ECONOMIC DEVELOPMENT CORPORATION, CONTRACTOR**

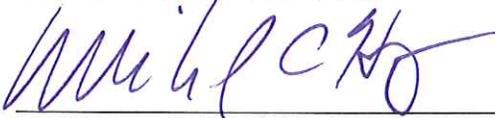
\_\_\_\_\_  
TODD PARTON  
CITY MANAGER

\_\_\_\_\_  
JONAS TITAS  
EXECUTIVE DIRECTOR

ATTEST:

\_\_\_\_\_  
BRENDA CRAIG, CITY SECRETARY

APPROVED AS TO FORM:

  
\_\_\_\_\_  
MICHAEL C. HAYES, CITY ATTORNEY

STATE OF TEXAS           §

COUNTY OF KERR         §

This instrument was acknowledged before me on \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_, on behalf of CONTRACTOR.

\_\_\_\_\_  
Notary Public in and for the State of Texas

## EXHIBIT A

### MISSION

“To Retain Existing Jobs and Create New Job Opportunities in Kerrville and Kerr County.”

### OBJECTIVES

- Leverage City/County/Municipal resources and financial positions to support job creation and retention through the efforts of highly experienced staff.
- Expand the capacity of Kerrville/Kerr County to compete with other regions by developing programs/initiatives that support the growth and development of the private sector, including Business Retention and Expansion.
- Develop and implement a comprehensive marketing/communication strategy aimed at branding and positioning the City and County as one of America’s best places to do business.
- Facilitate the development of economic development projects by structuring deals that fully leverage public investment (land, bonds, grants) with private capital, and yield a reasonable return on investment (tax base, job creation, and business creation) to local taxpayers over the long term.
- Function as the central point of communication for job development, retention and expansion progress and strategy among local municipalities, regional economic development, civic and non-profit community organizations.

### TARGET MARKETS

- Aviation
- Energy
- Light Manufacturing
- Craft Agriculture
- Hotel/Conference Center



**EXHIBIT B**  
**KEDC Strategic Planning Session Notes**  
**September 4, 2014**

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**Goals for the Next 18 months**

1. Better communicate our mission to our Stakeholders and Kerrville
2. Work on community perception of KEDC
3. Invest in materials to help promote KEDC, current website, and our achievements
4. Create elevator speech
5. Hold regular Strategic Planning Sessions to continue writing new Strategic Plan
6. Link KEDC website with the new Kerrville Alive website
7. Continue site readiness on Airport Industrial Property and potential development
8. Resolve Non-Profit status

**Individual Notes**

Topic: KEDC Organization Advancement and Leadership (Do this first)

- **Communicate our mission to Kerrville and local groups**
- **Create elevator speech (KEDC role, wins, mission, vision, strategies)**
- **Pitch elevator speech to KEDC Stakeholders**
- **Invest in materials to promote KEDC, website, and our achievements**
- **Expand KEDC presence and role**
- **Spearhead effort to get a community-wide vision of what Kerrville should look like in 10-20 yrs**
- Be recognized as primary entity that ushers new and existing business and jobs into community
- Do PowerPoint presentations at various community Boards (Rotary, SU, County, EIC, etc)
- Get on City Council, Comm. Court, KISD, KPUB agendas regularly to provide updates, wins, vision, strategies
- Hold workshops with all Stakeholders with facilitator to work through issues and get common focus
- Stakeholder support – look for 10 year commitment from current Stakeholders
- Brochure/one page handout listing KEDC's annual achievements
- Create/maintain/improve KEDC credibility

Topic: Internal Communication and Collaboration

- **Promote KEDC successes to Kerrville community**
- **Hold periodic Strategic Planning Sessions (1-2 times per year)**
- **Add KEDC link to Kerrville Alive website**
- **Improve communication within community regarding success**
- **Stakeholder newsletter, annual report**

- Hold annual meetings with Stakeholders and KEDC Board, get input
- Hold periodic strategy sessions
- Quarterly updates with Stakeholders
- Develop community-wide vision, get buy-in from Stakeholders to support 10-20 yr plan
- Market KEDC to our Board/marketing plan to sell to Stakeholders and community
- Establish relationship with all media outlets to communicate economic data on regular basis (newspaper, chamber, radio, TV, public speaking)
- Piggy back on Kerrville Alive marketing materials
- Work with like organizations to establish communication vehicle
- Define destination retail
- Figure out a way to solve issue with the local paper and Kerr County

Topic: Advancing Our Physical Infrastructure and Built Space

- **Airport: develop site plan to promote project, market property, build spec building, ask for community support for project, City/County \$ for site prep**
- **Promote available properties on website**
- **Develop list of available space/land**
- Real estate opportunities with virtual renderings
- Public/private partnership (P3) real estate investment plan
- Establish road map to growing our tourism opportunities (Conv. Center, hotel, wine/craft ag)
- Promote quality of life projects/progress to leverage into primary jobs
- West Village: develop cost estimates for spec building, collaborate with CoK for utilities, commercial zoning, Enterprise Fund Grant for infrastructure

Topic: Entrepreneurship and Innovation

- **Partner with Hill Country Telecommunications on promoting our high-speed data infrastructure**
- **Look into loan guarantee program possibilities**
- **Investigate start-up capital programs for new and small business development**
- Identify industry based on local strengths
- Work with SBDC on incubator
- Research, review maker space model – does it fit here?

Topic: Align Talent/Education

- **Better utilize Alamo College**
- **Find out what local employers need, market to Alamo College and schools**
- Partnerships with local employers and education organizations
- Work better with local education providers
- Grant writing support

**Etc.**

- Convention center – find a way to jointly fund it, govt/private \$
- Business involvement – get local leaders aboard
- Work to overcome egos that negatively impact progress
- Improve community understanding of the role of KEDC
- Develop and communicate risk proposition
- Present a clear business case for each project, post
- Primary job creation; show primary job growth on a consistent basis “measurable results”
- Internal marketing; establish viability as an organization
- New/small business toolkit and support
- Get County/City cooperation
- Refine real estate strategy
- Affordable housing
- Continue and strengthen common vision and mission within KEDC
- Identify one “bold” initiative to defend against agreed risk
- Find new Stakeholders

**Kerrville Economic Development Corporation  
2015/2016 Budget**

	FY 12/13	FY 13/14	FY 14/15	FY 15/16	Per EIC Req.
<b>Income</b>					
City of Kerrville	14,500.00	17,500.00	16,250.00	23,750.00	20,865.38
EIC	127,000.00	60,000.00	166,250.00	175,750.00	154,403.84
Kerr County	14,500.00	17,500.00	16,250.00	23,750.00	20,865.38
KPUB	14,500.00	17,500.00	16,250.00	23,750.00	20,865.38
Other Income	-	-	-	-	-
<b>Total Income</b>	<b>170,500.00</b>	<b>112,500.00</b>	<b>215,000.00</b>	<b>247,000.00</b>	<b>216,999.98</b>
<b>Expense</b>					
Business Expenses	54,550.00	42,000.00	34,000.00	34,500.00	34,500.00
Contract Services	5,000.00	2,000.00	7,500.00	5,000.00	5,000.00
Operations	32,517.00	20,139.00	18,780.00	19,850.00	19,850.00
Other Types of Expenses	2,000.00	1,100.00	900.00	900.00	900.00
Payroll Expenses	151,723.60	149,794.00	160,420.00	171,281.60	171,281.60
Travel & Meetings	23,500.00	20,000.00	20,500.00	25,000.00	25,000.00
<b>Total Expenses</b>	<b>269,290.60</b>	<b>235,033.00</b>	<b>242,100.00</b>	<b>256,531.60</b>	<b>256,531.60</b>
<b>Net Income:</b>		<b>-122,533.00</b>	<b>-27,100.00</b>	<b>-9,531.60</b>	<b>-39,531.62</b>

## **Agenda Item:**

3A. Ordinance No. 2015-13, amending the city's "Zoning Code" by changing the zoning district of the property located on the southeast corner of the intersection of Water Street and 'G' Street, otherwise known as 1700 Water Street, by removing the property from the 17-C district and placing it within the 19-C district; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2000.00); ordering publication; and providing other matters relating to the subject. (staff)

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

**SUBJECT:** Second reading of the Ordinance & Action concerning requested zoning change from a (C-17) Central City 17- District to a (C-19) Central City 19- District for an approximate .505 acres tract. Legal Description Lots 5-6 Block 13 of the Joseph A. Tivy's First Addition, located at 1700 Water Street East.

**FOR AGENDA OF:** July 21, 2015

**DATE SUBMITTED:** July 10, 2015

**SUBMITTED BY:** Trenton Robertson  
City Planner

**CLEARANCES:** Kristine Day  
Deputy City Manager

**EXHIBITS:** Location Map, P&Z Staff Report  
**AGENDA MAILED TO:**

**APPROVED FOR SUBMITTAL BY CITY MANAGER:** 

<b>Expenditure Required:</b>	<b>Current Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$	\$	\$	

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE DIRECTOR OR FINANCE:**

**SUMMARY STATEMENT**

This item is concerning second reading of the ordinance & action concerning a zoning change request from (C-17) Central City 17- District to (C-19) Central City 19-District. The applicant requested the zoning change on June 10, 2015.

A public hearing was conducted by the Planning and Zoning Commission at its regular meeting on July 2, 2015. A public hearing was conducted by the City Council at its regular meeting on July 7, 2015.

**RECOMMENDED ACTION**

Staff recommends that the Council takes action for approval.



# City of Kerrville Planning Department Report

To: Planning & Zoning Commission  
Agenda Item: 2A  
Planning File #: 2015-027  
Hearing Date: July 2, 2015  
Representative: Dite Steinruck  
Location: 1700 Water Street  
Legal Description: Lots 5-6 Block 13 of the Joseph A. Tivy's First Addition  
Total Acreage: .505

---

## Proposal

Zoning change from (C-17) Central City 17- District to (C-19) Central City 19-District

## Procedural Requirements

The application was published in The Hill Country Community Journal, an official newspaper of general circulation on June 17, 2015. Notices were sent to property owners within two hundred (200) feet of the subject property on June 19, 2015. Additionally, notice of this meeting was posted at city hall and on the city's internet website on June 26, 2015, in accordance with Section 551.043(a) of the Texas Government Code.

## Recommended Action

Staff recommends that the Commission hold the required public hearing to receive public comments and make a recommendation to the Council.

## Notices Mailed

**Owners of Property within 200 feet: 18**

## Topography

The subject property is relatively flat with little vegetation being most developed with an existing structure.

## Adjacent Zoning and Land Uses

**Direction:** North, South and West

**Current Base Zoning:** C-17

**Current Land Uses:** Bar, Paint Store, Convenient Store, Automotive Repair and Multi-Family Residential

**Adjacent Zoning and Land Uses**

**Direction:** East

**Current Base Zoning:** R-1

**Current Land Uses:** Vacant and Auto Sales

**Transportation**

**Thoroughfare:** Water Street East, G Street East, H Street East

**Existing Character:** One lane in each direction with no sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Highway 27

**Existing Character:** Two lanes in each direction with partial sidewalks

**Proposed Changes:** None known

**Parking Information:** Construction Building (General/Specialist): One (1) space for each 500 Sq. feet of indoor area/storage; one (1) space for each 1,000 sq. feet of outdoor area/storage.  
Office: One (1) space per 300 sq. feet.

**Staff Analysis and Recommendation: Approval**

**1. Consistency:**

The property's land use designation is Mixed-Use District. The requested "C-19" base zoning district is consistent with the adopted land use designation.

**2. Adverse Impacts on Neighboring Lands:**

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The surrounding properties have a mixture of different land uses, ranging from retail to auto repair.

**3. Suitability as Presently Zoned:**

Both the existing and requested base zoning districts are appropriate and suitable with the surrounding area. The proposed zoning district will not inhibit future development in the area. The proposed zoning district will continue to encourage development and revitalization in the area.

**4. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**5. Size of Tract:**

The subject property is approximately .505 acres in size, which should be able to reasonably accommodate the proposed commercial uses.

**6. Other Factors:**

None.

**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2015-13**

**AN ORDINANCE AMENDING THE CITY'S "ZONING CODE" BY CHANGING THE ZONING DISTRICT OF THE PROPERTY LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF WATER STREET AND 'G' STREET, OTHERWISE KNOWN AS 1700 WATER STREET, BY REMOVING THE PROPERTY FROM THE 17-C DISTRICT AND PLACING IT WITHIN THE 19-C DISTRICT; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2000.00); ORDERING PUBLICATION; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT**

**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 for the City of Kerrville, Texas ("City"), and otherwise, of a hearing which was held before the City Council on July 7, 2015, which considered a report of the City's Planning and Zoning Commission regarding its recommendations on an ordinance, the adoption of which will result in the change of a zoning district for the property located on the southeast corner of the intersection of Water Street and 'G' Street and otherwise known as 1700 Water Street; such change to result in the removal of the property from the 17-C Zoning District to placement of the property within the 19-C Zoning District; and

**WHEREAS**, such public hearing was held in the Council Chambers beginning at approximately 6:00 p.m. on July 7, 2015, 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 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 change the zoning district for the property described below by placing it within the 19-C Zoning District;

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

**SECTION ONE.** The zoning district for the following property located on the southeast corner of the intersection of Water Street and 'G' Street and otherwise known as 1700 Water Street, is changed from the 17-C Zoning District to the 19-C Zoning District:

**Being all of certain tracts or parcels of land containing a 0.505 acre, more or less, consisting of Lots 5 and 6, Block 13, of the Joseph A. Tivy First Addition Subdivision, a subdivision within the City of Kerrville, Texas, and being more particularly described and depicted at Exhibit A, attached hereto and made a part hereof for all purposes.**

**SECTION TWO.** The City Manager or designee is authorized and directed to amend the City’s official zoning map to reflect the change in districts adopted herein and to take other actions contemplated by and in accordance with Section 11-I-4(c) of the City’s Zoning Code.

**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 1-7, 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 17<sup>th</sup> day of July, A.D., 2015.**  
**PASSED AND APPROVED ON SECOND AND FINAL READING, this the \_\_\_\_\_ of \_\_\_\_\_, A.D., 2015.**

\_\_\_\_\_  
Jack Pratt, Jr., Mayor

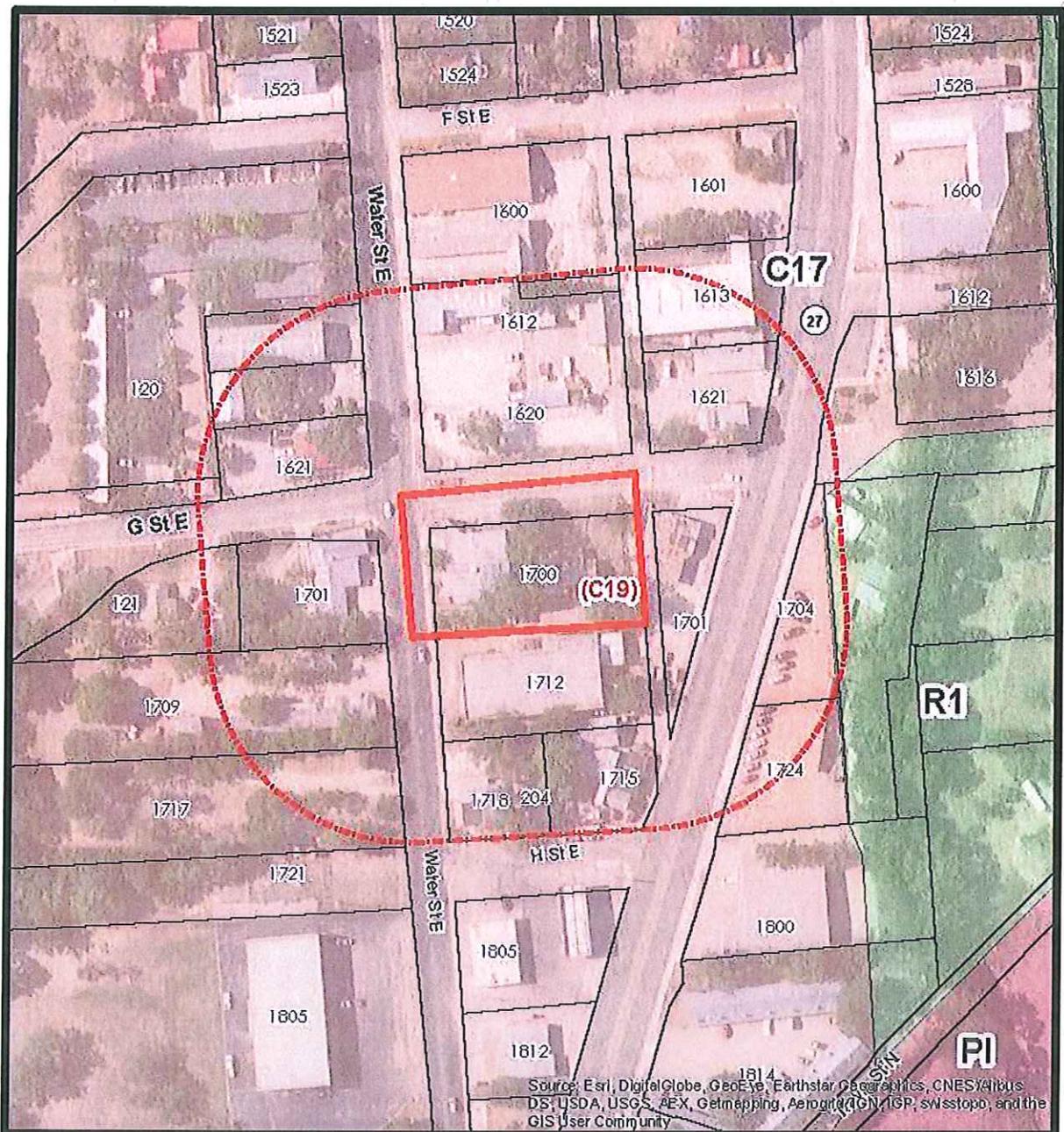
ATTEST:

\_\_\_\_\_  
Brenda G. Craig, City Secretary

APPROVED AS TO FORM:



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



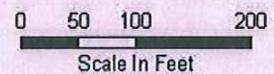
## Zoning Case Location Map

Case 2015-027

Location:  
1700 Water St

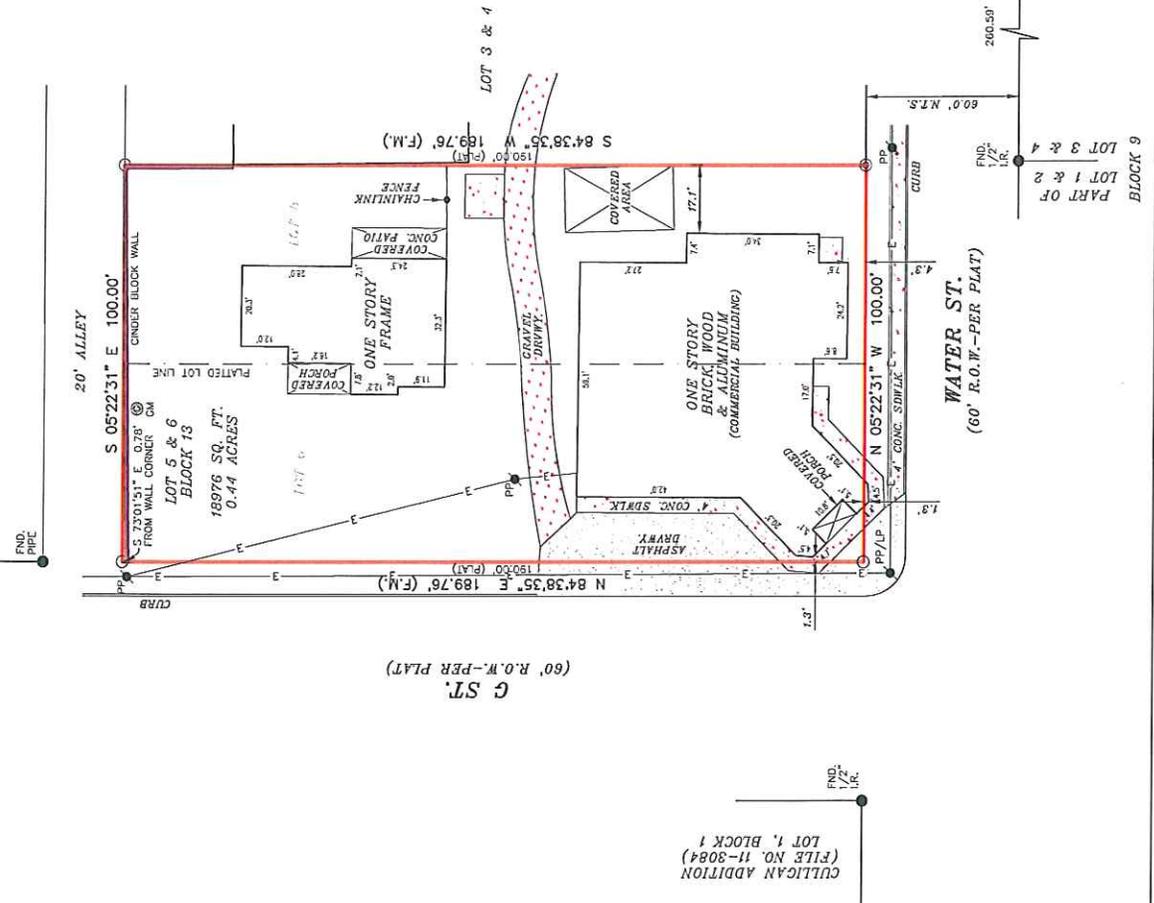
### Legend

- 200' Notification Area - - - - -
- Subject Properties ▭
- Current Zoning TEXT
- Requested Zoning (TEXT)

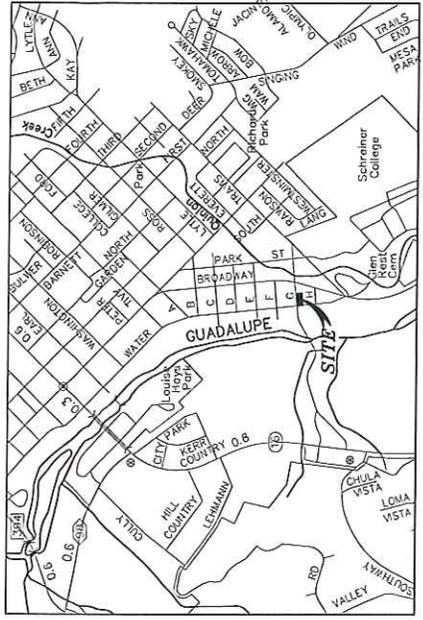


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only approximate relative locations.

PART OF LOTS 7, 8, 9 & 10



- LEGEND**  
These standard symbols will be found in the drawing.
- BOUNDARY LINE
  - PLATTED LOT LINE
  - CHAINLINK FENCE
  - OVERHEAD ELECTRIC
  - SET IRON ROD
  - POINT OF REFERENCE
  - FOUND IRON ROD
  - GAS METER
  - POWER POLE
  - CONTROL MONUMENT (PLAT)
  - RECORDED ON PLAT (F.M.)
  - FIELD MEASURED



LOCATION MAP  
N.T.S.

SURVEYOR'S NOTE:  
RECORDED PLAT UNLESS OTHERWISE NOTED.  
PARKING DECLINATION NOT FOUND AT SITE.

SURVEYOR'S NOTE:  
BASIS OF BEARING, TEXAS SOUTH CENTRAL MAG 83.  
PARKING DECLINATION NOT FOUND AT SITE.

The survey is hereby accepted with the area or boundary lines, monuments, or overlapping of improvements shown.



**FINAL "AS-BUILT" SURVEY**

JOB NO.:	1506028882	NO.:	REVISION	DATE
DATE:	02/08/15	MA/UB		
DRAWN BY:	MA/UB			
APPROVED BY:	RAJR			



Roy John Ronnefeldt, P.L.L.S.  
Registered Professional Land Surveyor  
Registration No. 3520

I, **ROY JOHN RONNEFELDT**, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to **FIDELITY ABSTRACT & TITLE CO.**

and the above map is true and correct according to the actual field survey made by me on the ground or under my supervision, of the property shown hereon or described by filed plats according to the plat, except that all easements and rights-of-way of which I have been advised are shown hereon and that, except as shown, there are no visible encroachments, no visible overlapping of improvements and no apparent encroachments, and that the same are shown hereon as of the date of the field survey. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying (Section 663.18).

Surveyor/Owner: **1700 KENDALL MASTER OF TEXAS, L.P.** (PLAT NO. 160401P)  
Legal Description of the Land: All the certain tract or part of said tract, being Lots 5 and 6, Block 13, of the 1st Addition, a subdivision of Kerr County, Texas, according to the plat of said subdivision recorded in Volume P, Pages 10-25, Deed Records of Kerr County, Texas.



SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN VOLUME P, PAGES 10-25, DEED RECORDS, KERR COUNTY, TEXAS

**AMERISURVEYORS, LLC**  
1000 West 11th Street, Suite 100  
Amarillo, Texas 79106  
Phone: (806) 342-2200 Fax: (806) 342-2800

## **Agenda Item:**

3B. Ordinance No. 2015-14, amending the Comprehensive Plan for the City of Kerrville, Texas, pursuant to Chapter 213 of the Texas Local Government Code; by revising the Future Land Use Plan for a property located adjacent to the northeast of Legion Drive and between its intersection with Goss Street and Loop 534 (Veterans Highway); and changing the future land use of this area from low-density residential to mixed-use. (staff)

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

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**SUBJECT:** Second reading of the Ordinance & Action concerning a proposed Comprehensive Plan Amendment to amend the future land use category from "Low-Density Residential" to "Mixed-Use" for an approximate 1.23 acres tract. Legal Description Lot 2 Block 1 of the Samples Properties, located on the southeast side of Goss Street North between Legion Drive North and Mesquite Street North.

**FOR AGENDA OF:** July 21, 2015

**DATE SUBMITTED:** July 10, 2015

**SUBMITTED BY:** Trenton Robertson  
City Planner

**CLEARANCES:** Kristine Day  
Deputy City Manager

**EXHIBITS:** Location Map, P&Z Staff Report  
**AGENDA MAILED TO:**

**APPROVED FOR SUBMITTAL BY CITY MANAGER:** 

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<b>Expenditure</b>	<b>Current Balance</b>	<b>Amount</b>	<b>Account</b>
<b>Required:</b>	<b>in Account:</b>	<b>Budgeted:</b>	<b>Number:</b>
<b>\$</b>	<b>\$</b>	<b>\$</b>	

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE DIRECTOR OR FINANCE:**

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**SUMMARY STATEMENT**

This item is concerning second reading of the ordinance & action concerning a comprehensive plan amendment to amend the future land use category from "Low-Density Residential" to "Mixed-Use". The applicant requested the plan amendment on June 10, 2015.

A public hearing was conducted by the Planning and Zoning Commission at its regular meeting on July 2, 2015. A public hearing was conducted by the City Council at its regular meeting on July 7, 2015.

**RECOMMENDED ACTION**

Staff recommends that the Council takes action for approval.



# City of Kerrville Planning Department Report

To: Planning & Zoning Commission  
Agenda Item: 2B  
Planning File #: 2015-029  
Hearing Date: July 2, 2015  
Representative: John Sample  
Location: Legion Drive North and Goss Street North  
Legal Description: Lot 2 Block 1 of the Samples Properties  
Total Acreage: 1.23

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## Proposal

Comprehensive Plan Amendment to amend the future land use category from "Low-Density Residential" to "Mixed-Use"

## Procedural Requirements

The application was published in The Hill Country Community Journal, an official newspaper of general circulation on June 17, 2015. Notices were sent to property owners within two hundred (200) feet of the subject property on June 19, 2015. Additionally, notice of this meeting was posted at city hall and on the city's internet website on June 26, 2015, in accordance with Section 551.043(a) of the Texas Government Code.

## Recommended Action

Staff recommends that the Commission hold the required public hearing to receive public comments and make a recommendation to City Council.

## Notices Mailed

**Owners of Property within 200 feet: 19**

## Topography

The property is relatively flat with various trees and grasses.

## Adjacent Zoning and Land Uses

**Direction: North**

**Current Base Zoning: RM**

**Current Land Uses: Single-Family Residential and Vacant**

**Direction: South**

**Current Base Zoning: E-29**

**Current Land Uses:** Single-Family Residential and Shipping Center

**Direction:** East

**Current Base Zoning:** E-29 and RM

**Current Land Uses:** Single-Family Residential, Vacant and Retail

**Direction:** West

**Current Base Zoning:** E-29 and RM

**Current Land Uses:** Single-Family Residential and Vacant

**Transportation**

**Thoroughfare:** Goss Street North and Mesquite Street North

**Existing Character:** One lane in each direction with no sidewalks

**Proposed Changes:** None known

**Thoroughfare:** Legion Drive North

**Existing Character:** One lane in each direction with partial sidewalks

**Proposed Changes:** None known

**Parking Information:** A proposed land use for the subject property has not been determined.

**Staff Analysis and Recommendation: Approval**

**1. Plan Amendment:**

The subject property is surrounded by both residential and future commercial uses. By amending the future land use designation to Mixed-Use it will create a buffer between the existing residential neighborhood to the north and west and the commercial uses (present and future) to the south and east.

**2. Adverse Impacts on Neighboring Lands:**

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this plan amendment request.

**3. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**4. Size of Tract:**

The subject property is approximately 1.23 acres in size, which should be able to reasonably accommodate the proposed commercial uses.

**5. Other Factors:**

Due to a long running map error the subject property was platted with the assumption it was zoned for commercial uses.

**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2015-14**

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF KERRVILLE, TEXAS, PURSUANT TO CHAPTER 213 OF THE TEXAS LOCAL GOVERNMENT CODE; BY REVISING THE FUTURE LAND USE PLAN FOR A PROPERTY LOCATED ADJACENT TO AND NORTHEAST OF LEGION DRIVE AND BETWEEN ITS INTERSECTION WITH GOSS STREET AND LOOP 534 (VETERANS HIGHWAY); AND CHANGING THE FUTURE LAND USE OF THIS AREA FROM LOW-DENSITY RESIDENTIAL TO MIXED-USE**

WHEREAS, City Council adopted Ordinance No. 2002-14 on July 9, 2002, which adopted the *Kerrville Comprehensive Plan—A Link To The Future* as the City’s Comprehensive Plan (Plan); and

WHEREAS, the Plan, pursuant to Section 213.002 of the Texas Local Government Code, was adopted as a planning tool for the long-range development of the City; and

WHEREAS, a Future Land Use Plan (“FLUP”) was included as part of the Plan; and

WHEREAS, Section 211.004 of the Texas Local Government Code requires zoning regulations to be adopted in accordance with the Plan; and

WHEREAS, the Plan, specifically the FLUP, as found at figure 3.2 of the Plan, must now be amended in conjunction with a pending application for a zoning change; and

WHEREAS, the City Council finds that a public hearing was held on the proposed revisions to the Plan as required by law and the Council has heard and considered any such comments; and

WHEREAS, the City Council finds it in the public interest to amend the Plan as provided herein;

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

**SECTION ONE.** The above recitals and findings are hereby found to be true and correct.

**SECTION TWO.** The *City of Kerrville Comprehensive Plan – A Link To The Future*, and specifically the FLUP, is amended by changing the future land use designation from “Low-Density Residential” to “Mixed Use” for the property, as depicted at **Exhibit A**, consisting of an approximate 1.23 acres tract of land, Lot 2, Block 1 of the Sample Properties Subdivision, a subdivision within the City of Kerrville, Texas.

**SECTION THREE.** The provisions contained herein amend and revise, as appropriate, the provisions of Ordinance No. 2002-14 and specifically the FLUP. Further, that 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 hereby 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 will not affect the validity of the remaining portions of this Ordinance. The Council of the City of Kerrville, Texas, hereby 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.

**PASSED AND APPROVED ON FIRST READING, this the 7<sup>th</sup> day of July, A.D., 2015.**

**PASSED AND APPROVED ON SECOND AND FINAL READING, this the \_\_\_ day of \_\_\_\_\_, A.D., 2015.**

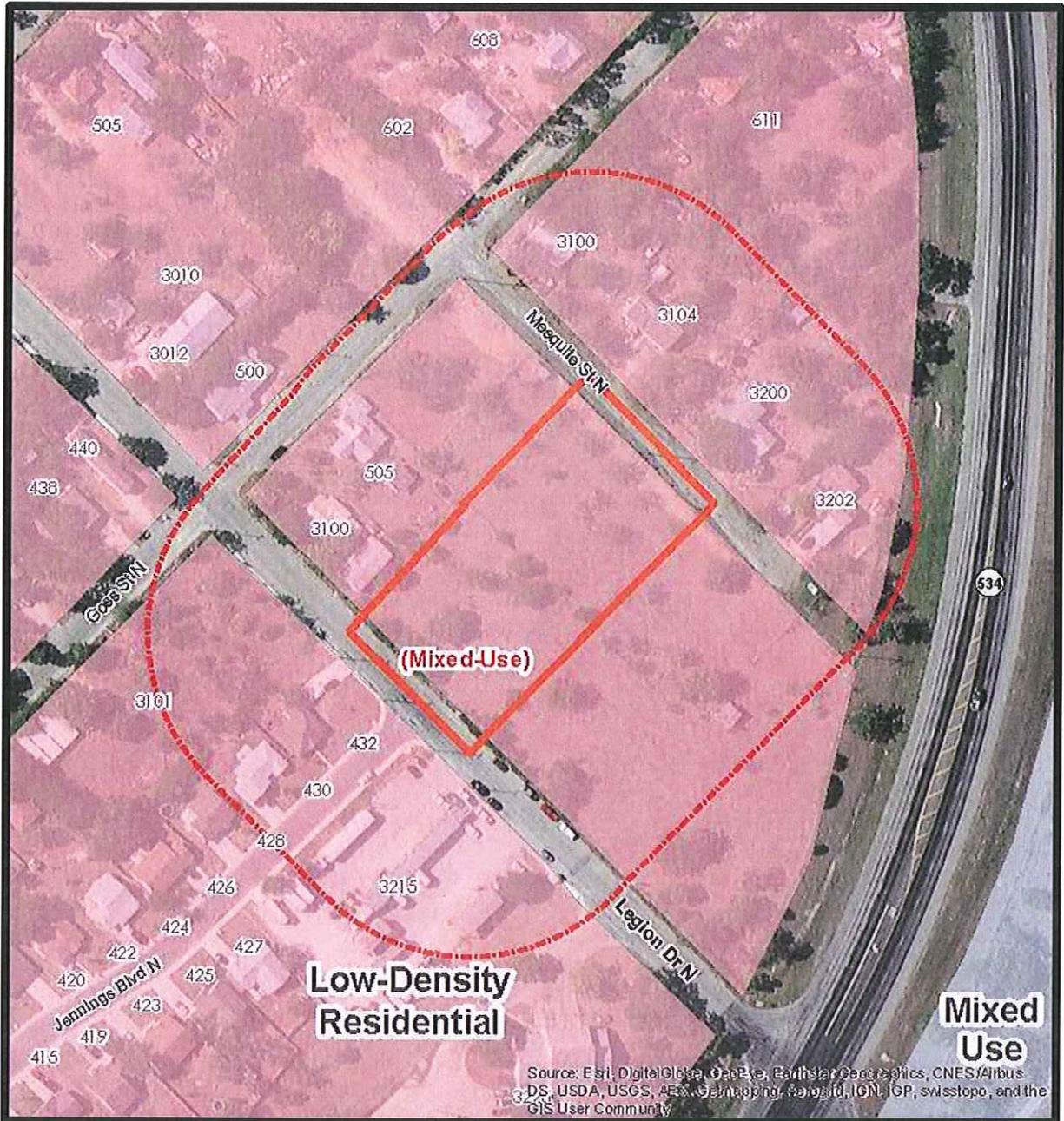
\_\_\_\_\_  
Jack Pratt, Jr., Mayor

APPROVED AS TO FORM:

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

ATTEST:

\_\_\_\_\_  
Brenda G. Craig, City Secretary



## Landuse Case Location Map

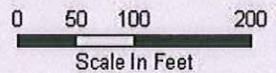
**Case 2015-029**

**Location:**

**Sample Properties Block 1  
Lot 2, 1.23 acres**

### Legend

200' Notification Area - - - - -  
 Subject Properties —————  
 Current Landuse **TEXT**  
 Requested Landuse **(TEXT)**



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only approximate relative locations.



## **Agenda Item:**

3C. Ordinance No. 2015-15, amending the city's "Zoning Code" by changing the zoning district of a property located adjacent to and northeast of Legion Drive and between its intersection with Goss Street and Loop 534 (Veterans Highway), by removing the property from the residential mix (RM) district and placing it within the 29-E district; containing a cumulative clause; containing a savings and severability clause; providing for a maximum penalty or fine of two thousand dollars (\$2000.00); ordering publication; and providing other matters relating to the subject. (staff)

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

**SUBJECT:** Second reading of the Ordinance & Action concerning a requested zoning change from a (RM) Residential Mix District to a (E-29) East Side 29-District for an approximate 1.23 acres tract. Legal Description Lot 2 Block 1 of the Samples Properties, located on the southeast side of Goss Street North between Legion Drive North and Mesquite Street North.

**FOR AGENDA OF:** July 21, 2015

**DATE SUBMITTED:** July 10, 2015

**SUBMITTED BY:** Trenton Robertson  
City Planner

**CLEARANCES:** Kristine Day  
Deputy City Manager

**EXHIBITS:** Location Map, P&Z Staff Report  
**AGENDA MAILED TO:**

**APPROVED FOR SUBMITTAL BY CITY MANAGER:** 

<b>Expenditure Required:</b>	<b>Current Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$	\$	\$	

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE DIRECTOR OR FINANCE:**

**SUMMARY STATEMENT**

This item is concerning second reading of the ordinance & action concerning a requested zoning change from a (RM) Residential Mix District to a (E-29) East Side 29-District. The applicant requested the zoning change on June 10, 2015.

A public hearing was conducted by the Planning and Zoning Commission at its regular meeting on July 2, 2015. A public hearing was conducted by the City Council at its regular meeting on July 7, 2015.

**RECOMMENDED ACTION**

Staff recommends that the Council takes action for approval.



# City of Kerrville Planning Department Report

To: Planning & Zoning Commission  
Agenda Item: 2C  
Planning File #: 2015-028  
Hearing Date: July 2, 2015  
Representative: John Sample  
Location: Legion Drive North and Goss Street North  
Legal Description: Lot 2 Block 1 of the Samples Properties  
Total Acreage: 1.23

---

## Proposal

Zoning change from a (RM) Residential Mix District to a (E-29) East Side 29-District

## Procedural Requirements

The application was published in The Hill Country Community Journal, an official newspaper of general circulation on June 17, 2015. Notices were sent to property owners within two hundred (200) feet of the subject property on June 19, 2015. Additionally, notice of this meeting was posted at city hall and on the city's internet website on June 26, 2015, in accordance with Section 551.043(a) of the Texas Government Code.

## Recommended Action

Staff recommends that the Commission hold the required public hearing to receive public comments and make a recommendation to the Council.

## Notices Mailed

**Owners of Property within 200 feet: 19**

## Topography

The property is relatively flat with various trees and grasses.

## Adjacent Zoning and Land Uses

**Direction:** North

**Current Base Zoning:** RM

**Current Land Uses:** Single-Family Residential and Vacant

**Direction:** South

**Current Base Zoning:** E-29

**Current Land Uses:** Single-Family Residential and Shipping Center

**Direction:** East  
**Current Base Zoning:** E-29 and RM  
**Current Land Uses:** Single-Family Residential, Vacant and Retail

**Direction:** West  
**Current Base Zoning:** E-29 and RM  
**Current Land Uses:** Single-Family Residential and Vacant

**Transportation**

**Thoroughfare:** Goss Street North and Mesquite Street North  
**Existing Character:** One lane in each direction with no sidewalks  
**Proposed Changes:** None known

**Thoroughfare:** Legion Drive North  
**Existing Character:** One lane in each direction with partial sidewalks  
**Proposed Changes:** None known

**Parking Information:** A proposed land use for the subject property has not been determined.

**Staff Analysis and Recommendation: Approval, pending plan amendment**

**1. Consistency:**

The property's land use designation is Low-Density Residential. The requested "E-29" base zoning district is not consistent with the adopted land use designation. A plan amendment has been requested. The proposed future land use designation for the subject property is Mixed-Use" and will allow for the proposed "E-29" zoning district.

**1. Adverse Impacts on Neighboring Lands:**

Staff has found no evidence of likely adverse impacts on neighboring lands in relation to this zoning change request.

**2. Suitability as Presently Zoned:**

Both the existing and requested base zoning districts are appropriate for the surrounding area. The proposed zoning is consistent with the property to the east and will act as a buffer between Loop 534 to the east and the established mixed residential neighborhood to the west. In accordance with the City of Kerrville's Zoning Code the E-29 base zoning district "...is primarily to be developed with professional offices, personal services, retail limited to smaller buildings, and residential uses which will compliment and enhance the eastern entrance into the City..."

**3. Health, Safety and Welfare:**

Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**4. Size of Tract:**

The subject property is approximately 1.23 acres in size, which should be able to reasonably accommodate the proposed commercial uses.

**5. Other Factors:**

Due to a long running map error the subject property was platted with the assumption it was zoned for commercial uses.

**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2015-15**

**AN ORDINANCE AMENDING THE CITY'S "ZONING CODE" BY CHANGING THE ZONING DISTRICT OF A PROPERTY LOCATED ADJACENT TO AND NORTHEAST OF LEGION DRIVE AND BETWEEN ITS INTERSECTION WITH GOSS STREET AND LOOP 534 (VETERANS HIGHWAY), BY REMOVING THE PROPERTY FROM THE RESIDENTIAL MIX (RM) DISTRICT AND PLACING IT WITHIN THE 29-E DISTRICT; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR A MAXIMUM PENALTY OR FINE OF TWO THOUSAND DOLLARS (\$2000.00); ORDERING PUBLICATION; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT**

**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 for the City of Kerrville, Texas ("City"), and otherwise, of a hearing which was held before the City Council on July 7, 2015, which considered a report of the City's Planning and Zoning Commission regarding its recommendations on an ordinance, the adoption of which will result in the change of a zoning district for a property located adjacent to and northeast of Legion Drive and between its intersection with Goss Street and Loop 534 (Veterans Highway); such change to result in the removal of the property from the Residential Mix (RM) Zoning District to placement of the property within the 29-E Zoning District; and

**WHEREAS**, such public hearing was held in the Council Chambers beginning at approximately 6:00 p.m. on July 7, 2015, 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 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 change the zoning district for the property described below by placing it within the 29-E Zoning District;

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

**SECTION ONE.** The zoning district for the following property located adjacent to and northeast of Legion Drive and between its intersection with Goss Street and Loop 534 (Veterans Highway) is changed from the Residential Mix (RM) Zoning District to the 29-E Zoning District:

**Being all of a certain tract or parcel of land containing 1.23 acres, more or less, consisting of Lot 2, Block 1, of the Sample Properties Subdivision, a subdivision within the City of Kerrville, Texas, and being more particularly described and depicted at Exhibit A, attached hereto and made a part hereof for all purposes.**

**SECTION TWO.** The zoning district change from the Residential Mix (RM) Zoning District to the 29-E Zoning District means that rezoned area will become connected to, merge with, and consist as a part of the existing 29-E Zoning District.

**SECTION THREE.** The City Manager or designee is authorized and directed to amend the City's official zoning map to reflect the change in districts adopted herein and to take other actions contemplated by and in accordance with Section 11-I-4(c) of the City's Zoning Code.

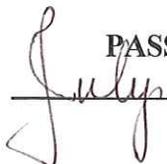
**SECTION FOUR.** The provisions of this Ordinance are cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the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

**SECTION FIVE.** 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 SIX.** The penalty for violation of this Ordinance shall be in accordance with the general penalty provisions contained in Section 1-7, 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 SEVEN.** 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 EIGHT.** 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 7<sup>th</sup> day of July, A.D., 2015.**

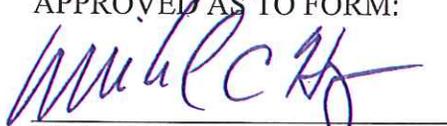
PASSED AND APPROVED ON SECOND AND FINAL READING, this the \_\_\_\_\_  
of \_\_\_\_\_, A.D., 2015.

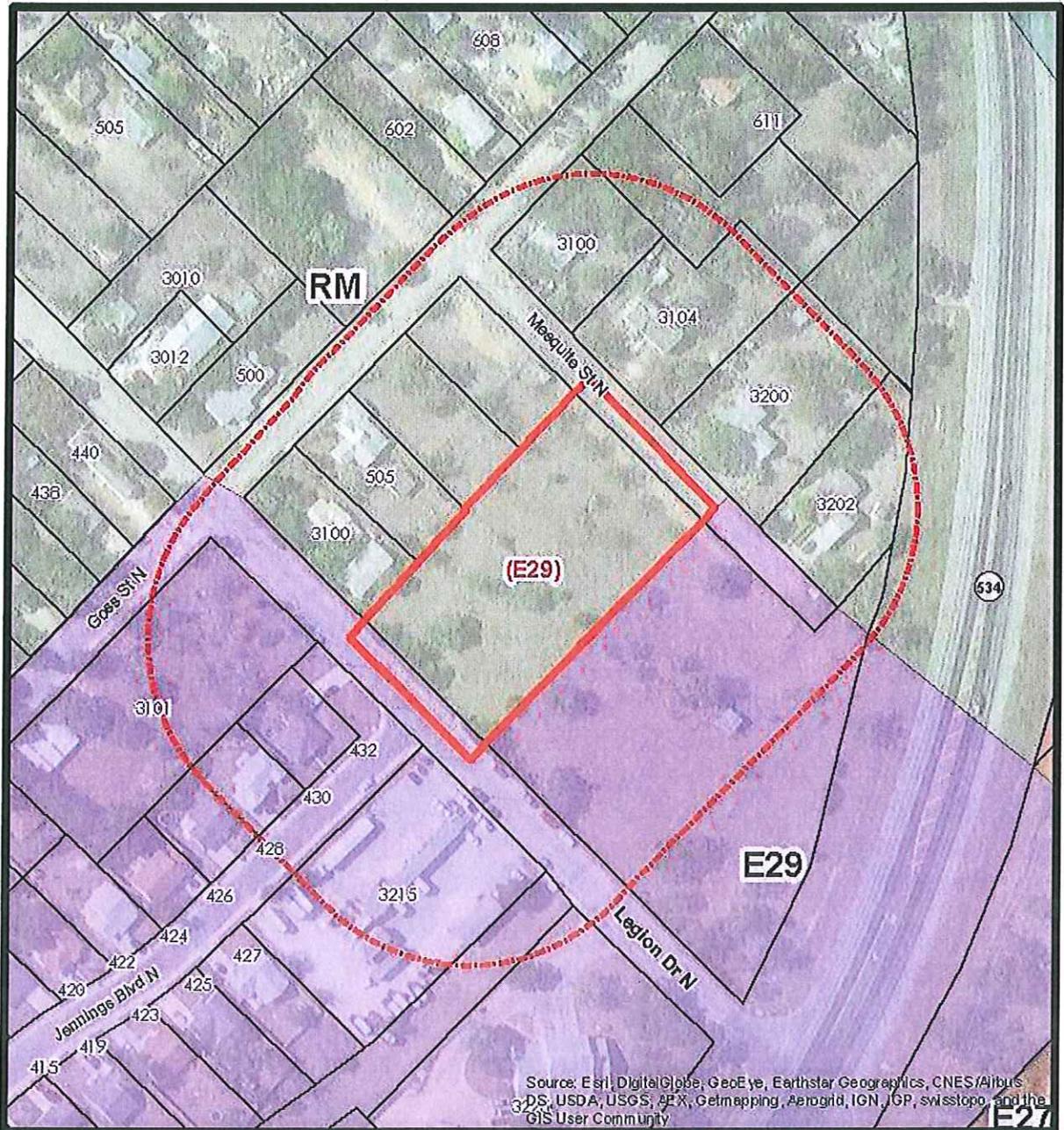
\_\_\_\_\_  
Jack Pratt, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Brenda G. Craig, City Secretary

APPROVED AS TO FORM:

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



**Zoning Case Location Map**

**Case 2015-028**

**Location:**  
**Sample Properties Block 1**  
**Lot 2, 1.23 acres**

**Legend**

200' Notification Area	-----
Subject Properties	=====
Current Zoning	TEXT
Requested Zoning	(TEXT)




0 50 100 200  
 Scale In Feet

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only approximate relative locations.



## **Agenda Item:**

5A. Resolution No. 18-2015, Authorizing the transfer of the ownership of funds from the City of Kerrville to the City of Kerrville Employee Benefits Trust to pay for employee related benefits for fiscal year 2016. (staff)

TO BE CONSIDERED BY THE CITY COUNCIL

CITY OF KERRVILLE, TEXAS

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**SUBJECT:** Approve the resolution authorizing the transfer of funds from the City of Kerrville to the City of Kerrville Employee Benefit Trust to pay for employee related benefits for FY 2016.

**FOR AGENDA OF:** July 21, 2015

**DATE SUBMITTED:** July 16, 2015

**SUBMITTED BY:** Kimberly Meisner   
Director of General Operations

**CLEARANCES:** Todd Parton  
City Manager

**EXHIBITS:** Resolution

**AGENDA MAILED TO:**

**APPROVED FOR SUBMITTAL BY CITY MANAGER:** 

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Expenditure Required:	Current Balance in Account:	Amount Budgeted:	Account Number:
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*(Fees are a part of the Group Insurance line item and are budgeted in each department.)*

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE FINANCE DIRECTOR:**

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**SUMMARY STATEMENT**

Due to the action taken by the Trustees of the Employee Benefit Trust to approve the renewals and rates for the FY 2016 employee benefit plans, Council will now need to consider approval of the resolution authorizing the transfer of funds from the City of Kerrville to the City of Kerrville Employee Benefit Trust to pay for the employee benefits for FY 2016.

**RECOMMENDATION**

Staff recommends City Council authorize the transfer of funds in the amount not to exceed \$7,000 per employee from the City of Kerrville to the City of Kerrville Employee Benefit Trust to pay for employee benefits for FY 2016.

**CITY OF KERRVILLE, TEXAS  
RESOLUTION NO. 18-2015**

**A RESOLUTION AUTHORIZING THE TRANSFER OF THE  
OWNERSHIP OF FUNDS FROM THE CITY OF KERRVILLE TO THE  
CITY OF KERRVILLE EMPLOYEE BENEFITS TRUST TO PAY FOR  
EMPLOYEE RELATED GROUP BENEFITS FOR FISCAL YEAR 2016**

**WHEREAS**, in 2008, pursuant to Resolution 61-2008, the City Council created an Employee Benefits Trust (the "Trust") for the administration of employee benefits pursuant to Chapter 222, Texas Insurance Code ("Chapter 222"); and

**WHEREAS**, Chapter 222, as amended, provides for the creation of single purpose, nonprofit trust established for the payment of premiums or revenues on group health, accident, injury, or life insurance benefits of employees of a municipality; and

**WHEREAS**, the creation of the Trust allows the City to provide the best possible insurance benefits to its employees at the most reasonable prices; and

**WHEREAS**, the City Council of the City of Kerrville, Texas, finds it in the public interest to transfer the ownership of the City's fund where gross premiums and revenue are maintained for the various City-offered employee group benefits, including health and dental insurance, life insurance, and disability benefits, to the Trust;

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

The City Council of the City of Kerrville, Texas, authorizes the transfer of the ownership of the City of Kerrville Internal Service Fund to the City of Kerrville Employee Benefits Trust for fiscal year 2016.

**PASSED AND APPROVED ON this the \_\_\_ day of \_\_\_\_\_, A.D., 2015.**

\_\_\_\_\_  
Jack Pratt, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Brenda G. Craig, City Secretary

APPROVED AS TO FORM:

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

## **Agenda Item:**

5B. Authorization to initiate a land study and planning layout for the city owned property located on Peterson Farm Road. (staff)

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

**SUBJECT:** Authorization to initiate a land study and platting layout for the city owned property located on Peterson Farm Road

**FOR AGENDA OF:** July 21, 2015

**DATE SUBMITTED:** July 16, 2015

**SUBMITTED BY:** Jack Pratt  
Mayor

**CLEARANCES:** Todd Parton  
City Manager

**EXHIBITS:** Map

**AGENDA MAILED TO:**

**APPROVED FOR SUBMITTAL BY CITY MANAGER:**

<b>Expenditure Required:</b>	<b>Current Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE FINANCE DEPARTMENT:**

**SUMMARY STATEMENT**

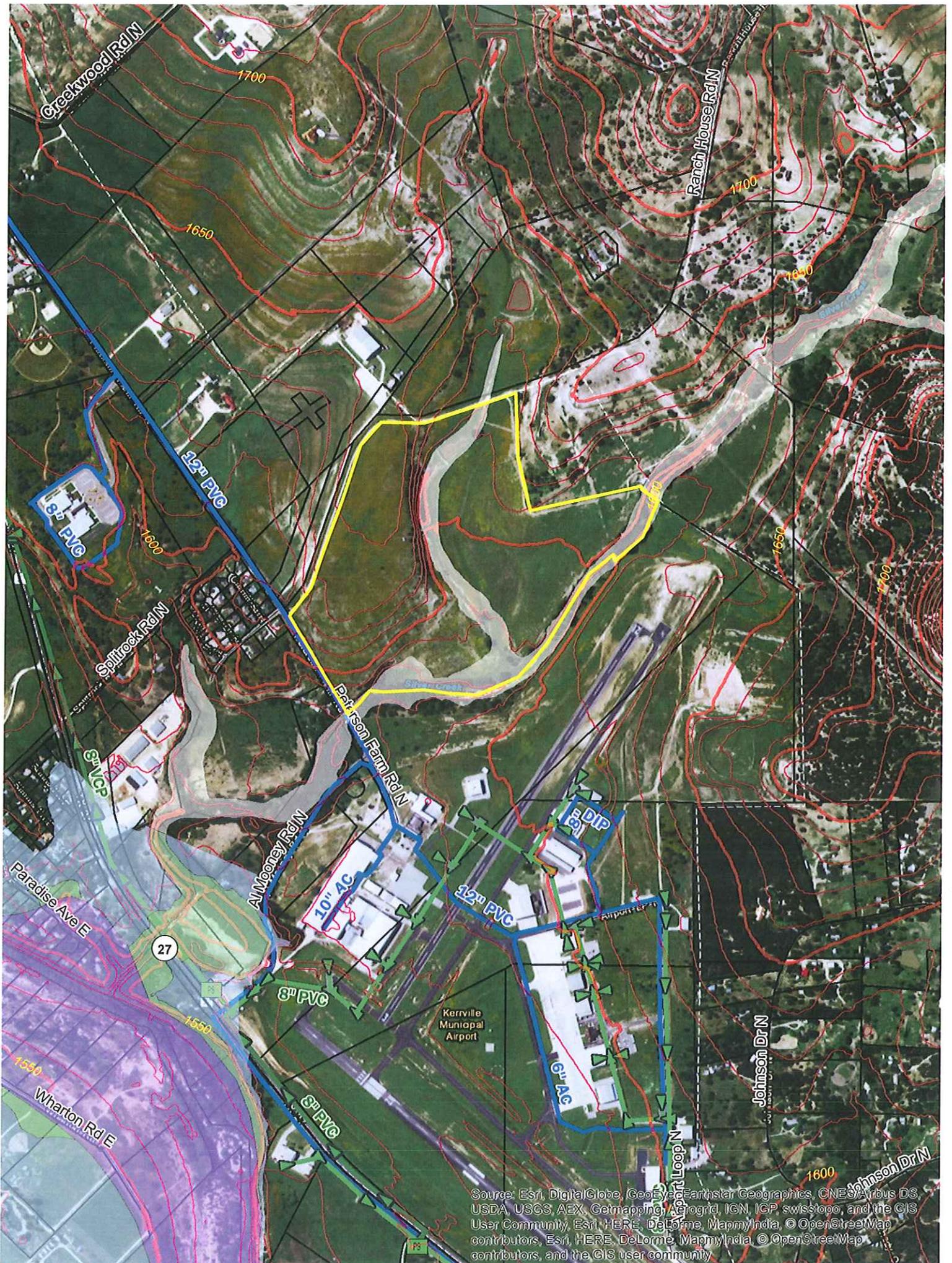
Approximately 88 acres on Peterson Farm Road was acquired by the City of Kerrville through the EIC from various community banks. The property was originally purchased for the relocation of the USDA research facility on IH-10. It became apparent that USDA had no available federal funding for expansion and, therefore, the land was reallocated for economic development.

In recent City Council and EIC Board discussions, both entities have established workforce housing as a top priority. The purpose of the land study is to determine a marketable concept plan for a mix of commercial, industrial, and workforce-oriented housing (multi-family units) to meet the community's housing needs/job expansion goals.

Costs to accomplish these objectives would be covered through the use of 4B funds.

**RECOMMENDED ACTION**

Recommend that the City Council authorize the expenditure of necessary funds upon recommendation by the EIC board.



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aergrid, IGN, IGP, swisstopo, and the GIS User Community, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

## **Agenda Item:**

5C. Fiscal Year 2016 budget. (staff)

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

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**SUBJECT:** Discussion and direction to city staff regarding the City of Kerrville  
FY2016 budget

**FOR AGENDA OF:** July 21, 2015

**DATE SUBMITTED:** July 16, 2015

**SUBMITTED BY:** Todd Parton  
City Manager

**CLEARANCES:**

**EXHIBITS:** None

**AGENDA MAILED TO:**

**APPROVED FOR SUBMITTAL BY CITY MANAGER:** 

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<b>Expenditure Required:</b>	<b>Current Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE FINANCE DEPARTMENT:**

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**SUMMARY STATEMENT**

City Council has a budget workshop scheduled for August 4, 2015. City staff is requesting any input or direction in anticipation of the upcoming workshop.

**RECOMMENDED ACTION**

This item is intended for discussion and direction to city staff. No specific action is recommended.

## **Agenda Item:**

6A. Budget update. (staff)



**City of Kerrville**  
**Month ending June 30, 2015**  
 (Month 9 of FY15 Budget)

	Current Month	Year To-Date	Budget @ 75%	Prior Year To-Date
<b>General Fund</b>				
<b>Total Revenues</b>	<b>\$1,310,469</b>	<b>\$19,949,008</b>	<b>81.85%</b>	<b>\$18,455,968</b>
Property tax	\$58,030	\$8,473,097	97.52%	\$8,212,140
Sales tax	\$511,074	\$4,627,308	76.94%	\$4,356,439
<b>Total Expenditures</b>	<b>\$1,850,173</b>	<b>\$16,520,483</b>	<b>67.79%</b>	<b>\$15,861,522</b>

<b>Water and Sewer Fund</b>				
<b>Total Revenues</b>	<b>\$739,528</b>	<b>\$6,275,024</b>	<b>63.60%</b>	<b>\$7,295,952</b>
Water Sales	\$349,370	\$3,116,089	60.03%	\$3,301,042
Sewer Service	\$307,234	\$2,760,654	70.79%	\$2,838,091
<b>Expenditures</b>	<b>\$733,780</b>	<b>\$8,869,935</b>	<b>89.90%</b>	<b>\$7,388,225</b>

<b>Hotel/Motel:</b>				
<b>Revenues</b>	<b>\$92,357</b>	<b>\$750,532</b>	<b>74.37%</b>	<b>\$715,575</b>
<b>Expenditures</b>	<b>\$0</b>	<b>\$684,224</b>	<b>69.88%</b>	<b>\$673,231</b>

<b>Unemployment: (May)</b>		<b>Consumer confidence: (May)</b>	
National	5.5%	National	95.4% up 16.1% over 2014
Texas	4.3%	Texas	130.5% up .5% under 2014
Local	3.3%	(Sources: State Comptroller/Workforce Alamo)	

<b>Building Permits Issued:</b>			<b>Housing:</b>		
	Res	Com	<i>Local:</i>		
Oct	4	0	648 active residential listings; 81 residential sales June 2015		
Nov	7	0	\$16,859,871 total residential sales dollars for June 2015		
Dec	7	1	\$88,484,181 total residential sales dollars Y-T-D for 2015		
Jan	4	1	(Source: Kerrville Board of Realtors)		
Feb	4	1	<b>Water</b>		
Mar	8	5	Residential - 8,022 accounts serving 10,630 units		
Apr	2	1	Commercial - 1,215 accounts serving 1,415 units		
May	2	3	Irrigation - 535 accounts; 5 re-use accounts		
June	10	9	<b>Sewer</b>		
July			Residential - 7,855 accounts serving 10,433 units		
Aug			Commercial - 1,098 accounts serving 1,283 units		
Sept					
YTD	48	21			