

**AGENDA FOR REGULAR MEETING**

**KERRVILLE CITY COUNCIL**

**TUESDAY, MAY 24, 2016, 6:00 P.M.**

**KERRVILLE CITY HALL COUNCIL CHAMBERS**

**701 MAIN STREET, KERRVILLE, TEXAS**

**KERRVILLE CITY COUNCIL AGENDA**  
**REGULAR MEETING, TUESDAY, MAY 24, 2016, 6:00 P.M.**  
**CITY HALL COUNCIL CHAMBERS**  
**701 MAIN STREET, KERRVILLE, TEXAS**

**CALL TO ORDER**

**INVOCATION:** by Ann Buck, Executive Director of The Christian Women's Job Corps.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**1. OATH OF OFFICE FOR COUNCILMEMBER PLACE TWO GIVEN BY KERRVILLE MUNICIPAL COURT JUDGE M. PATRICK MAGUIRE**

**2. VISITORS/CITIZENS FORUM:**

Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must fill out the speaker request form and give it to the City Secretary. 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.

**3. CONSENT AGENDA:**

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

3A. Purchase of S650 T4 Bobcat Skid-Steer Loader for water reclamation from Ranchers ATV and Tractor in an amount not to exceed \$54,919.27 through BuyBoard Purchasing Cooperative. (staff)

3B. Authorization to submit Request for Proposals for professional services for the annual audit of the City's records and accounts and the preparation of a financial statement for a three-year period beginning with the city's 2015-16 Fiscal Year, with an option for two additional years. (staff)

**END OF CONSENT AGENDA**

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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: May 20, 2016 at 3:00 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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**4. PUBLIC HEARING AND ORDINANCES FIRST READING:**

4A. Ordinance No. 2016-08 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 an approximate 5.61 acre tract of land located adjacent to State Highway 16 South (Medina Highway) and between its intersection with Southway Drive South and Fairway Drive East; and changing the future land use of this area from low-density residential to mixed use. (staff)

4B. Ordinance No. 2016-09 amending the city's "Zoning Code" by changing the zoning district for an approximate 5.61 acre tract of land located adjacent to State Highway 16 South (Medina Highway) and between its intersection with Southway Drive South and Fairway Drive East, and otherwise known as 1335 State Highway 16 South; by removing the approximate 5.61 acre tract from the "R-3" multifamily residential zoning district and placing it within the 34-S 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); ordering publication; and providing other matters relating to the subject. (staff)

**5. ORDINANCE FIRST READING:**

5A. Ordinance No. 2016-10, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2016 rate review mechanism filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the settlement tariffs to be just and reasonable and in the public interest; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this ordinance to the company and the ACSC's legal counsel. (staff)

5B. Ordinance No. 2016-11 amending the budget for Fiscal Year 2016 to account for the completion of various capital improvement projects within the city's water and sewer fund and reallocating said project balances to other capital improvement projects within the same fund. (staff)

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**6. CONSIDERATION AND POSSIBLE ACTION:**

- 6A. Creation of and appointment to ad hoc committee regarding regulation of drones.
- 6B. Increase application request to the City of Kerrville, Texas Economic Improvement Corporation from \$250,000 to an amount not to exceed \$350,000 for lighting improvements to the Sidney Baker Bridge in Louise Hays Park.
- 6C. Set a time, date and place for a fiscal year 2017 budget workshop with City Council. (staff)
- 6D. Appointment of Mayor Pro Tem. (staff)

**7. INFORMATION AND DISCUSSION:**

- 7A. Budget and economic update. (staff)

**8. APPOINTMENTS TO CITY BOARDS AND COMMISSIONS:**

- 8A. Appointment of council liaisons to various city boards (staff)
- 8B. Appointments to the City of Kerrville, Texas Economic Improvement Corporation. (staff)
- 8C. Appointments to the Kerrville-Kerr County Joint Airport Board. (staff)

**9. ITEMS FOR FUTURE AGENDAS**

**10. 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.

**11. 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

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City Secretary, City of Kerrville, Texas

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regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Texas Government Code, including the following matters:

Section 551.074:

6D. Appointment of Mayor Pro Tem.

8A. Appointment of council liaisons to various city boards.

8B. Appointment(s) to the City of Kerrville, Texas Economic Improvement Corporation.

8C. Appointment(s) to the Kerrville-Kerr County Joint Airport Board.

11A. Sections 551.071 and 551.072:

- Discuss City of Kerrville, Texas vs. Stadter, 198<sup>th</sup> District Court of Kerr County, No. 13698B (condemnation).

11B. 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:

- River trail.

**12. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION**

**13. ADJOURNMENT.**

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Brenda Craig  
City Secretary, City of Kerrville, Texas

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## **Agenda Item:**

1. **OATH OF OFFICE FOR COUNCILMEMBER PLACE TWO GIVEN BY  
KERRVILLE MUNICIPAL COURT JUDGE M. PATRICK MAGUIRE**

This space reserved for office use

Submit to:  
SECRETARY OF STATE  
Government Filings Section  
P O Box 12887  
Austin, TX 78711-2887  
512-463-6334



OATH OF OFFICE

Filing Fee: None

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,  
I, \_\_\_\_\_, do solemnly swear (or affirm), that I will faithfully  
execute the duties of the office of Councilmember Place Two of the City of Kerrville of  
the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws  
of the United States and of this State, so help me God.

\_\_\_\_\_  
Signature of Officer

.....  
State of Texas )  
County of Kerr )

Sworn to and subscribed before me  
this 24th day of May, 20 16.

(seal)

\_\_\_\_\_  
Signature of Notary Public or Other Officer  
Administering Oath  
M. Patrick Maguire, Kerrville Municipal Court Judge  
Printed or Typed Name

## **Agenda Item:**

3A. Purchase of S650 T4 Bobcat Skid-Steer Loader for water reclamation from Ranchers ATV and Tractor in an amount not to exceed \$54,919.27 through BuyBoard Purchasing Cooperative. (staff)

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

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**SUBJECT:** Purchase of S650 Bobcat Skid-Steer Loader

**FOR AGENDA OF:** May 24, 2016      **DATE SUBMITTED:** May 19, 2016

**SUBMITTED BY:** Stuart Barron      **CLEARANCES:** Kristine Day  
Public Works Director                      Deputy City Manager

**EXHIBITS:** Ranchers ATV and Tractor Proposal

**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>\$ 54,919.27</b>	<b>\$ 115,754.00</b>	<b>\$ 115,754.00</b>	<b>19-885-504</b>

**PAYMENT TO BE MADE TO:**  
**REVIEWED BY THE FINANCE DEPARTMENT:**

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**SUMMARY STATEMENT**

The City of Kerrville Water Reclamation Division is seeking authorization to purchase a S650 Bobcat Loader. The new Bobcat will replace a 2001 John Deere utility tractor. The tractor has reached the end of this useful life and is become unsafe to drive. Funding for this purchase where budgeted for Fiscal Year 2016 in the Water and Sewer fund.

The purchase of this equipment will aid in becoming more efficient in daily operations at the Water Reclamation Plant and remote locations as needed.

**RECOMMENDED ACTION**

Authorize the purchase of S650 Bobcat Skid-Steer Loader



# Bobcat

## Product Quotation

Quotation Number: CMS-32653

Date: 2016-04-04 19:45:52

Customer Name/Address:	Delivering Dealer	ORDERS TO BE PLACED WITH: Contract Holder/Manufacturer
<b>CITY OF KERRVILLE</b> Attn: SHANNON FLOWERS 310 MCFARLAND KERRVILLE, TX 78028 Phone: (830) 258-1131	<b>Scot</b> Ranchers ATV and Tractor KERRVILLE TX 78028 Phone: (830) 315-2330 Fax: (830) 315-2303	<b>Bobcat Company</b> PO Box 6000 West Fargo, ND 58078 Phone: 701-241-8719 Fax: 701-280-7860 Contact: Crystal Stram Crystal.stram@doosan.com

Description	Part No	Qty	Price Ea.	Total
<b>S650 T4 Bobcat Skid-Steer Loader</b> 74 HP Tier 4 Turbo Diesel Engine Auxiliary Hydraulics: Variable Flow Backup Alarm Bob-Tach Bobcat Interlock Control System (BICS) Controls: Bobcat Standard Cylinder Cushioning - Lift, Tilt Engine/Hydraulic Systems Shutdown Glow Plugs (Automatically Activated) Horn Instrumentation: Engine Temp and Fuel Gauges, Hourmeter, RPM and Warning Lights Tires: 12-16.5 12 PR Bobcat Heavy Duty Warranty: 12 Months, Unlimited Hours	<b>M0269</b>	<b>1</b>	<b>\$31,821.30</b>	<b>\$31,821.30</b>
Lift Arm Support Lift Path: Vertical Lights, Front & Rear Operator Cab <ul style="list-style-type: none"> <li>Includes: Adjustable Cushion Seat, Top &amp; Rear Windows, Parking Brake, Seat Bar, Seat Belt</li> <li>Roll Over Protective Structure (ROPS) meets SAE-J1040 &amp; ISO 3471</li> <li>Falling Object Protective Structure (FOPS) meets SAE-J1043 &amp; ISO 3449, Level I; (Level II is available through Bobcat Parts)</li> </ul>				
<b>Factory Installed</b> Cab Enclosure with Heat and AC Suspension Seat	<b>M0269-P01-A31</b>	<b>1</b>	<b>\$3,097.50</b>	<b>\$3,097.50</b>
	<b>Cab Accessories Package</b>			
<b>Attachments</b>				
12-16.5, 12 PR, Severe Duty-Poly Fill Tires	M0269-R09-C05	1	\$1,157.80	\$1,157.80
Attachment Control – 7 pin	M0269-R28-C02	1	\$143.50	\$143.50
80" C/I Heavy Duty Bucket	6726344	1	\$1,074.50	\$1,074.50
8811 Backhoe	7130772	1	\$8,435.00	\$8,435.00
--- 8811 Mounting Kit for M-Series Loaders	7168488	1	\$432.00	\$432.00
--- Bob-Tach Adapter (Spacer) Kit for M-Series Loaders	7168932	1	\$524.00	\$524.00
12" Base Class 3	<b>M7024</b>			
--- 12" X-Change Std. Duty Trenching Bucket, Class 3 (Weld-on Teeth)	M7024-R01-C01	1	\$528.50	\$528.50
Quick-Tach Rear Stabilizer Kit	6811449	1	\$1,285.00	\$1,285.00
--- Quick-Tach Mounting Kit	7152508	1	\$308.00	\$308.00
--- Rear Aux Hydraulics Kit	7231436	1	\$2,450.56	\$2,450.56
Pallet Fork Frame	6712927	1	\$297.50	\$297.50
--- 48" Pallet Fork Teeth	6540182	1	\$234.50	\$234.50
15C Auger Drive Unit	6809442	1	\$1,123.50	\$1,123.50
--- Auger Mounting Frame	6812980	1	\$262.50	\$262.50
--- Bumper Kit	7172609	1	\$143.07	\$143.07
--- Standard Duty Bit, 9"	6666892	1	\$329.25	\$329.25
--- Standard Duty Bit, 12"	6666893	1	\$378.79	\$378.79

Total of Items Quoted  
Dealer Assembly Charges  
Quote Total - US dollars

\$54,026.77  
\$892.50  
\$54,919.27

*\*Prices per the TX - Buyboard Contract# 424-13. Expires: 9-30-2016*

*\*Must be a Coop Member to purchase off contract*

*\*Terms Net 30 Days. Credit cards accepted.*

*\*FOB Destination within the 48 Contiguous States.*

*\*Delivery: 90 days from ARO.*

*\*State Sales Taxes apply.*

***ORDERS TO BE PLACED WITH: Clark Equipment Company dba Bobcat Company, PO Box 6000,  
West Fargo, ND 58078***

Prices & Specifications are subject to change. Please call before placing an order. Applies to factory ordered units only.

ORDER ACCEPTED BY:

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATED

\_\_\_\_\_  
PRINT NAME AND TITLE

\_\_\_\_\_  
PURCHASE ORDER #

SHIP TO ADDRESS: \_\_\_\_\_

BILL TO ADDRESS (if different than Ship To): \_\_\_\_\_



## **Agenda Item:**

3B. Authorization to submit Request for Proposals for professional services for the annual audit of the City's records and accounts and the preparation of a financial statement for a three-year period beginning with the city's 2015-16 Fiscal Year, with an option for two additional years. (staff)

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

**SUBJECT:** Approval of Request for Proposals (RFP) for Professional Audit Services

**FOR AGENDA OF:** May 24, 2016

**DATE SUBMITTED:** May 12, 2016

**SUBMITTED BY:** Sandra Yarbrough  
Director of Finance

**CLEARANCES:** Todd Parton  
City Manager

**EXHIBITS:** Request for Proposal draft

**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>
\$ N/A	\$	\$	

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE FINANCE DIRECTOR:**

**SUMMARY STATEMENT**

The City entered into a five year Professional Audit Services contract with BKD, LLC on August 30, 2011, commencing October 1, 2011, and ending September 30, 2015, the contract included an option of two (2) additional one-year periods by giving at least thirty (30) days advance written notice prior to expiration date. This contract has ended with completion of the September 30, 2015 audit.

Staff requests authorization to begin the process of developing a RFP for a Professional Audit Services with a three (3) year agreement commencing October 1, 2016, and ending September 30, 2019, with the option to extend the agreement for two (2) additional one-year periods. Notice to Proposers to be published seeking sealed proposals on June 1, 2016, with sealed bids due by 3:00 p.m. on June 21, 2016, in the City Secretary office. Finance staff will evaluate all responses and make selected recommendation to City Council on July 12, 2016, for authorization for the City Manager to execute a contract for Professional Audit Services.

**RECOMMENDED ACTION**

Staff recommends council authorize staff to seek bids for the City's Professional Audit Services through the Request For Proposal process.

CITY OF KERRVILLE, TEXAS  
REQUEST FOR PROPOSAL  
FOR  
PROFESSIONAL AUDIT SERVICES



## NOTICE TO PROPOSERS

Notice is hereby given that the City Council of the City of Kerrville is seeking sealed proposals for:

Professional Audit Services for the City of Kerrville

The detailed Request for Proposal ("RFP") may be obtained from the Finance Department located at 701 Main Street, Kerrville, Texas 78028.

**Proposals will be accepted until 3:00 p.m., Tuesday, June 21, 2016**, in the Office of the City Secretary, City of Kerrville, and 701 Main Street, Kerrville, Texas 78028

For additional information, please contact:

Sandra G. Yarbrough  
Director of Finance  
830.258.1120  
sandra.yarbrough@kerrvilletx.gov

Amy Dozier  
Assistant Finance Director  
830.258.1121  
amy.dozier@kerrvilletx.gov

Proposals should be delivered in sealed envelopes marked on the outside as follows:

**Professional Audit Services for the City of Kerrville  
June 21, 2016**

The City Council of the City of Kerrville reserves the right to reject any and all proposals; to waive any and all informalities or irregularities, and to reject all or part of any proposal as they may deem to be in the best interest of the citizens of the City of Kerrville.

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Brenda G. Craig  
City Secretary  
City of Kerrville

**CITY OF KERRVILLE, TEXAS  
REQUEST FOR PROPOSAL  
FOR  
PROFESSIONAL AUDIT SERVICES**

**I. INTRODUCTION**

**A. Purpose**

The City of Kerrville, Texas is seeking the services of an independent certified public accounting firm to perform the annual audit. The services provided will be in accordance with the details outlined in this request for proposal ("RFP"). A separate contract detailing the terms and conditions of the services will be executed between the City and the selected firm.

The firm will audit the financial statements and provide an opinion on the City's Comprehensive Annual Financial Report for the fiscal years ending September 30, 2016, September 30, 2017, and September 30, 2018 with the potential to audit the City's financial statement for two subsequent fiscal years. These audits are to be performed in accordance with the provisions contained in this RFP.

Please see the "REQUIRED PROPOSAL FORMAT" section of the RFP for detailed information regarding the information and format required for the proposal. Responses must be complete, address all aspect of the RFP, and include all requested information to receive full consideration by the City in the selection process. The City may choose to waive any irregularities in any responses received and reserves the right to reject any or all proposals.

**B. Information**

For questions or additional information concerning this RFP, please contact Sandra G. Yarbrough, Director of Finance in writing at [sandra.yarbrough@kerrvilletx.gov](mailto:sandra.yarbrough@kerrvilletx.gov). Questions must be received by 3:00 p.m., Monday, June 13, 2016.

**C. Contract Period**

The contract shall be for a three (3) year period covering audits for fiscal years ending September 30, 2016, September 30, 2017 and September 30, 2018.

The City reserves the right to extend the contract for two (2) one-year extensions providing: (a) both parties to the contract agree to the extension; (b) fees for services are agreed to by both parties; (c) all other terms, conditions, and specifications remain the same; (d) such extension is approved by the City Council.

## **II. BACKGROUND**

### **A. Government Profile**

The City of Kerrville is home-rule city with a Council-Manager form of government. It was originally incorporated as municipally in 1942. The City is located in the Edwards Plateau region, 65 miles northwest of San Antonio, Texas. The City of Kerrville is also the county seat of Kerr County and is easily accessible from Interstate Highway 10 or State Highways 16, 27, and 173.

According to the official 2010 Federal Census information, the population of the City of Kerrville is 22,347 residents. The current population is estimated at 23,858.

The City provides residents with public safety, general government, leisure, public works, water, sewer and garbage services.

The City's audited financial statements are available through September 30, 2015 and can be found on the City's website.

## **III. MINIMUM SERVICE REQUIREMENTS**

### **A. The Certified Public Accountant (Auditor) shall**

- 1) Audit all City funds in accordance with:
  - Auditing standards generally accepted in the United State of America
  - Standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States
  - Single audit standards set forth in *Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards* issued by the US Office of Management and Budget ("OMB"), if a Single Audit is necessary.
- 2) Express an opinion as to the fair presentation of the City's financial statements of governmental activities, business-type activities, aggregate discretely presented component units, each major fund and aggregate remaining fund information in conformity with accounting principles generally accepted in the United States of America.
- 3) Prepare a comprehensive report including the auditor's findings and recommendations relative to the internal accounting and administrative controls, compliance with laws and regulations as applicable and adherence to generally accepted accounting principles.
- 4) Complete the audit as well as draft, type and print a comprehensive annual financial report ("CAFR") by February 28 of the calendar year following the end of fiscal year that meets all annual reporting requirements.
- 5) Present copies of the CAFR to the City Council at a regular city council meeting before March 31 of the calendar year following the end of the fiscal year.

- 6) Assist the City's efforts to obtain the Government Finance Officers Association's Certificate of Achievement of Excellence in Financial Reporting and any other financial reporting such as TCEQ financial assurance test.
- 7) Provide the City with an electronic copy of the CAFR (such as PDF) to post on the City's website by March 31 of the calendar year following the end of the fiscal year.
- 8) Provide the City with a detailed invoice based on work performed.

**B. Reporting**

The certified public accounting firm will report to the Director of Finance.

**IV. REQUIRED PROPOSAL FORMAT****A. Technical Proposal**

The format of the proposal must use headings numbered 1-5 as detailed below. Failure to adhere to the requested format will be deemed non-responsive and may result in a disqualification of the proposal.

**1. Organization**

- a) Describe the organization, date founded, and ownership of your firm as well as any subsidiaries or affiliates relevant to the City of Kerrville.
- b) Describe the size of the firm, the size of the firm's governmental audit staff, and the location of the office from which the work on this engagement is to be performed.
- c) Describe the experience of the firm in serving as an auditor for municipalities and other public entities.
- d) Submit a copy the firm's most recent external quality control review report, with a statement as to whether the review included a review of any governmental engagements.

**2. Qualifications/Personnel**

- a) Identify the size of the firm's staff committed to the public sector and the credentials of key personnel.
- b) Identify and provide a brief resume of key staff that would provide services to the City. Describe the staffs' title, responsibilities, audit experience (specifically with governmental clients), and the number of years they have been associated with your firm.
- c) Include an affirmative statement that the firm and all assigned key professional staff are properly licensed to practice as certified public accountants in the State of Texas.
- d) Describe the efforts your firm makes to keep its staff informed of developments relevant to government issues.
- e) Provide a brief summation of the reasons you believe your firm should be selected. In particular, the City is interested in the unique capabilities of your firm that distinguish it from other firms. Be specific and relate this discussion to how the City will benefit by choosing your firm as an auditor.

**3. Audit Approach**

- a) Provide a work plan to perform the services required in the "MINIMUM SERVICE REQUIREMENTS" section of the RFP.
- b) Propose a timeline for the engagement, with estimated hours for all major components. Segregate estimated hours for administrative, planning, field work and report preparation.
- c) Describe City staff and City resource requirements, including a list of typical prepared by client documents. The City uses Tyler Technology's Incode financial software.
- d) Describe your methodology for accomplishing audit requirements in a timely and efficient manner as well as any special techniques you may employ to facilitate the first year of the audit.

**4. Fees**

- a) Detail your firm's proposed engagement fee as a flat annual fee that includes all expenses for the three (3) year contract by fiscal year.

**5. References**

- a) Provide a list of your five largest public sector clients, including contact person, email address and telephone number.

**B. Proposal Submission**

1. Five (5) copies of the completed proposal must be submitted no later than Tuesday, June 21, 2016 at 3:00 p.m. to:

Brenda Craig, City Secretary  
City of Kerrville  
701 Main Street  
Kerrville, Texas 78028

2. Proposals should be delivered in sealed envelopes marked on the outside as follows:

**Professional Audit Services for the City of Kerrville  
June 21, 2016**

3. Faxed and emailed copies will not be accepted.
4. All proposals must follow the "REQUIRED PROPOSAL FORMAT" described above. Proposals that do not conform to this format will be deemed non-responsive and may be disqualified.

**V. SELECTION PROCESS****A. Evaluation Committee**

An Evaluation Committee as established by the City Administration will review and evaluate the proposals submitted.

**B. Review of Proposals**

1. Following review and evaluation of the proposals, the Evaluation Committee will select a firm.
2. The City will notify the selected firm by July 15, 2016.
3. A contract for audit services will be presented to the City Council for approval by July 31, 2016.
4. The City of Kerrville reserves the right to retain all proposals submitted and use any ideas in a proposal regardless of whether that proposal is selected.
5. During the evaluation process, the Evaluation Committee and/or the City Council may, at its discretion, request one or more firms to make oral presentations. Such presentations will provide firms with an opportunity to answer any questions regarding the firm's proposal. Not all firms will be asked to make an oral presentation.

**C. Evaluation Criteria**

Firms will have their proposals evaluated based on the criteria presented in the proposal.

The City reserves the right to reject any and all proposals and to waive informalities and minor irregularities in any proposal reviewed. Further, the City may reject any proposal which does not conform to the instructions herewith. Additionally, the City reserves the right to negotiate all final terms and conditions of any agreement entered into.

**VI. OTHER CONSIDERATIONS****A. Exceptions, conditions or qualifications**

Exceptions, conditions, or qualifications to the provisions of the City's specifications or requirements must be clearly identified as such with alternative language proposed and inserted in the appropriate place in the bid submission. Each of these exceptions, conditions, or qualifications to the City's specifications will be included, as appropriate, in the contract documents.

## **Agenda Item:**

4A. Ordinance No. 2016-08 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 an approximate 5.61 acre tract of land located adjacent to State Highway 16 South (Medina Highway) and between its intersection with Southway Drive South and Fairway Drive East; 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:** Public hearing, First 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 5.61 acres tract. Being all of a certain tract or parcel of land out of Wm. C. Francis Survey No. 146, in the City of Kerrville, Kerr County, Texas; part of the land conveyed as 25.62 acres to Villa Saralita. Ltd. from One Kerrville, L.P. by a Warranty Deed with Vendor's Lien executed the 14th day of July, 2006 and recorded in Volume 1545 at Page 265 of the Official Public Records of Kerr County, Texas. Located on the east side of Medina Highway (Highway 16), between Southway Drive South and Fairway drive East. 1335 Medina Highway (Highway 16).

**FOR AGENDA OF:** May 24, 2016

**DATE SUBMITTED:** May 18, 2016

**SUBMITTED BY:** Trenton Robertson  
City Planner

**CLEARANCES:** Kristine Day  
Deputy City Manager

**EXHIBITS:**

**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>
\$	\$	\$	

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE DIRECTOR OR FINANCE:**

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**SUMMARY STATEMENT**

This item is concerning public hearing, first 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". The applicant requested the comprehensive plan amendment on March 30, 2016.

A public hearing was conducted by the Planning & Zoning Commission at its regular meeting on May 5, 2016. The Planning & Zoning Commission recommended approval (5-0).

**RECOMMENDED ACTION**

Staff recommends that the Council hold the required public hearing to receive public comments and take action for approval.



# City of Kerrville Planning Department Report

To: Planning & Zoning Commission  
Agenda Item: 3A/3B  
Planning File #: 2016-020/2016-019  
Hearing Date: May 5, 2016  
Representative: Blake Rue  
Location: 1335 Medina Highway  
Legal Description: Being all of a certain tract or parcel of land out of Wm. C. Francis Survey No. 146, in the City of Kerrville, Kerr County, Texas; part of the land conveyed as 25.62 acres to Villa Saralita, Ltd. from One Kerrville, L.P. by a Warranty Deed with Vendor's Lien executed the 14th day of July, 2006 and recorded in Volume 1545 at Page 265 of the Official Public Records of Kerr County, Texas.  
Total Acreage: 5.61

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## Proposal

2016-020: Comprehensive Plan Amendment to amend the future land use category from "Low-Density Residential" to "Mixed-Use".

2016-019: Zoning change from (R-3) Multifamily Residential District to (S-34) South Side 34-District

## Procedural Requirements

The application was published in The Hill Country Community Journal, an official newspaper of general circulation on April 20, 2016. Notices were sent to property owners within two hundred (200) feet of the subject property on April 25, 2016. Additionally, notice of this meeting was posted at city hall and on the city's internet website on May 2, 2016, 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: 24**

## Topography

The subject property slopes from the north to the south, and is heavily vegetated with various trees and shrubbery.

## Adjacent Zoning and Land Uses

**Direction:** North, East

**Current Base Zoning:** "R-3" and "R-1"

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

**Direction:** South  
**Current Base Zoning:** "S-34"  
**Current Land Uses:** Single-Family Residential

**Direction:** West  
**Current Base Zoning:** "OCL" Outside of City Limits  
**Current Land Uses:** Manufactured Home Park, Equipment Rental and Sale, Barber Shop, Convenient Store/Gas Station

**Transportation**

**Thoroughfare:** Medina Highway (Highway 16)  
**Existing Character:** Two lanes in each direction with no sidewalks  
**Proposed Changes:** None known

**Parking Information:** A use has not been determined. The most restrictive parking in this zoning district would be for a Restaurant  
Minimum vehicle spaces: One (1) space per four (4) seats or One (1) space per 100 sq. feet, whichever is greater.

**Staff Analysis and Recommendation: Approval**

**1. Consistency:**

The property's land use designation is Low-Density Residential. The requested "S-34" base zoning district is not consistent with the adopted land use designation. The proposed future land use designation for the subject property is "Mixed-Use" and will allow for the proposed "S-34" zoning district.

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

Although, staff has found no evidence of likely adverse impacts on neighboring lands in relation to this plan amendment and zoning change request, the potential uses could increase traffic. The proposed plan amendment and zoning change would allow the subject property to utilize more intense uses than what is permitted in the existing "R-3" zoning district. Current planning practices encourage commercial uses to be located along major roadways such as Medina Highway (Highway 16). The permitted uses for the "S-34" zoning district would be consistent with the surrounding land uses and would be appropriate for the area.

**3. Suitability as Presently Zoned:**

Both the existing and proposed zoning districts are suitable for the subject property and will allow for uses that will be consistent with the existing surrounding land uses. The existing "R-3" multi-family residential zoning district (if developed) would act as a buffer between Medina Highway (Highway 16) and the existing single-family residential neighborhood located to the east of the subject property. In accordance with the City of Kerrville's Zoning Code the "S-34" base zoning district light commercial uses are encouraged, and single-family residential uses are discouraged. The proposed "S-34" zoning district permitted uses are consistent with the existing light commercial uses across Medina Highway. Additionally, the proposed zoning change will not directly abut the established residential neighborhood located to the east, there is vacant land that is zoned "R-3" which will buffer any potential obtrusions caused by the proposed light commercial zoning district.

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

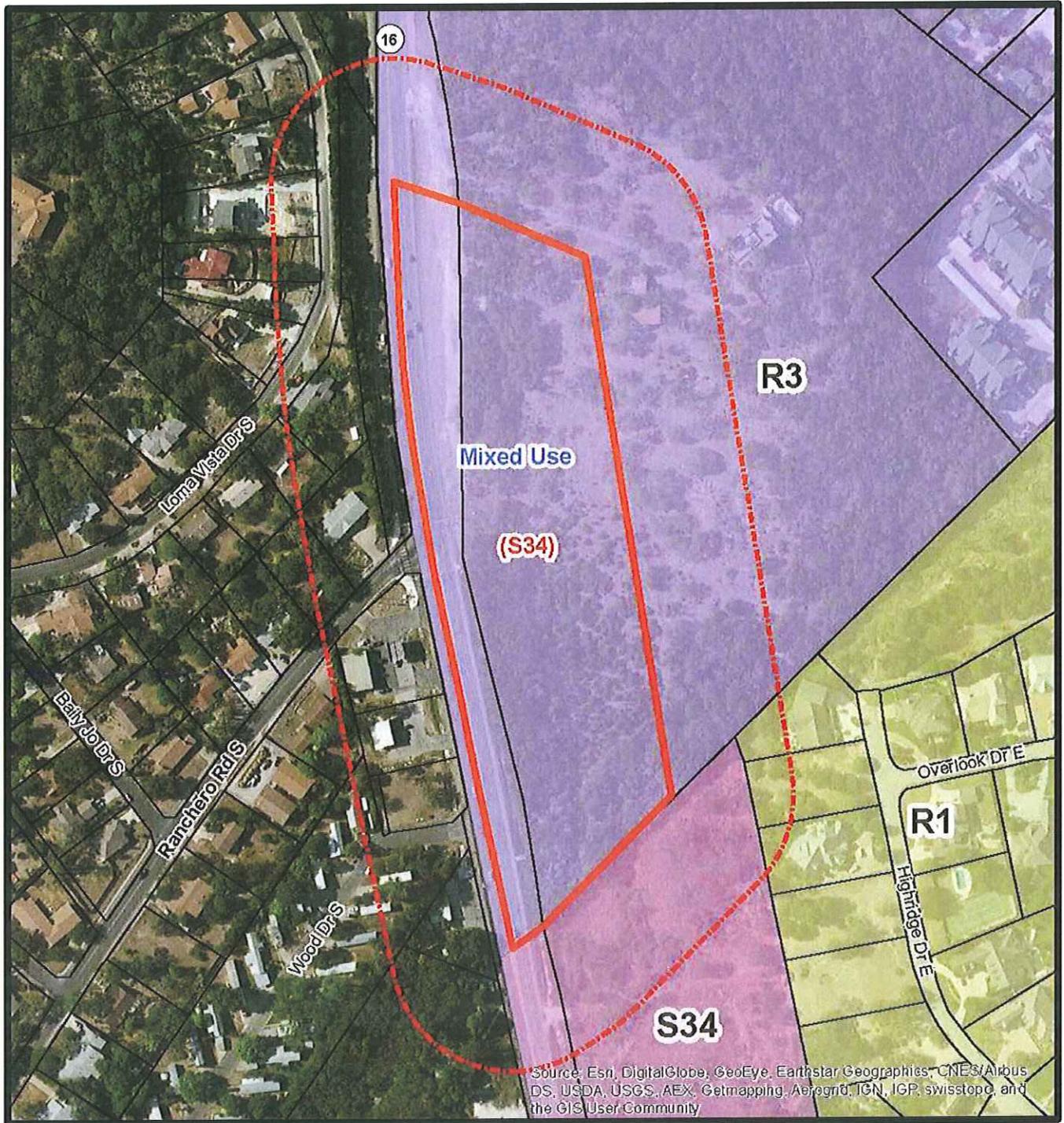
Staff has found no indication of likely adverse effects on the public health, safety, or welfare.

**5. Size of Tract:**

The subject property is approximately 5.61 acres in size, which should be able to reasonably accommodate the permitted uses in the "S-34" zoning district.

**6. Other Factors:**

None.



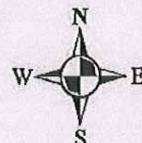
## Location Map

Case 2016-019/2016-020

Location:  
1335 Medina Highway

### Legend

200' Notification Area - - - - -  
 Subject Properties —————  
 Current Zoning **TEXT**  
 Requested Zoning **(TEXT)**  
 Requested Future Land Use **TEXT**



0 100 200 400

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.

**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2016-08**

**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 AN APPROXIMATE 5.61 ACRE TRACT OF LAND LOCATED ADJACENT TO STATE HIGHWAY 16 SOUTH (MEDINA HIGHWAY) AND BETWEEN ITS INTERSECTION WITH SOUTHWAY DRIVE SOUTH AND FAIRWAY DRIVE EAST; 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 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 described and depicted at **Exhibit A**, consisting of an approximate 5.61 acre tract of land, out of the William C. Francis Survey No. 146, Abstract No. 137, within the City of Kerrville, Kerr County, Texas, and more commonly referred to as 1335 State Highway 16 South.

**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 \_\_\_ day of \_\_\_\_\_, A.D., 2016.**

**PASSED AND APPROVED ON SECOND AND FINAL READING, this the \_\_\_ day of \_\_\_\_\_, A.D., 2016.**

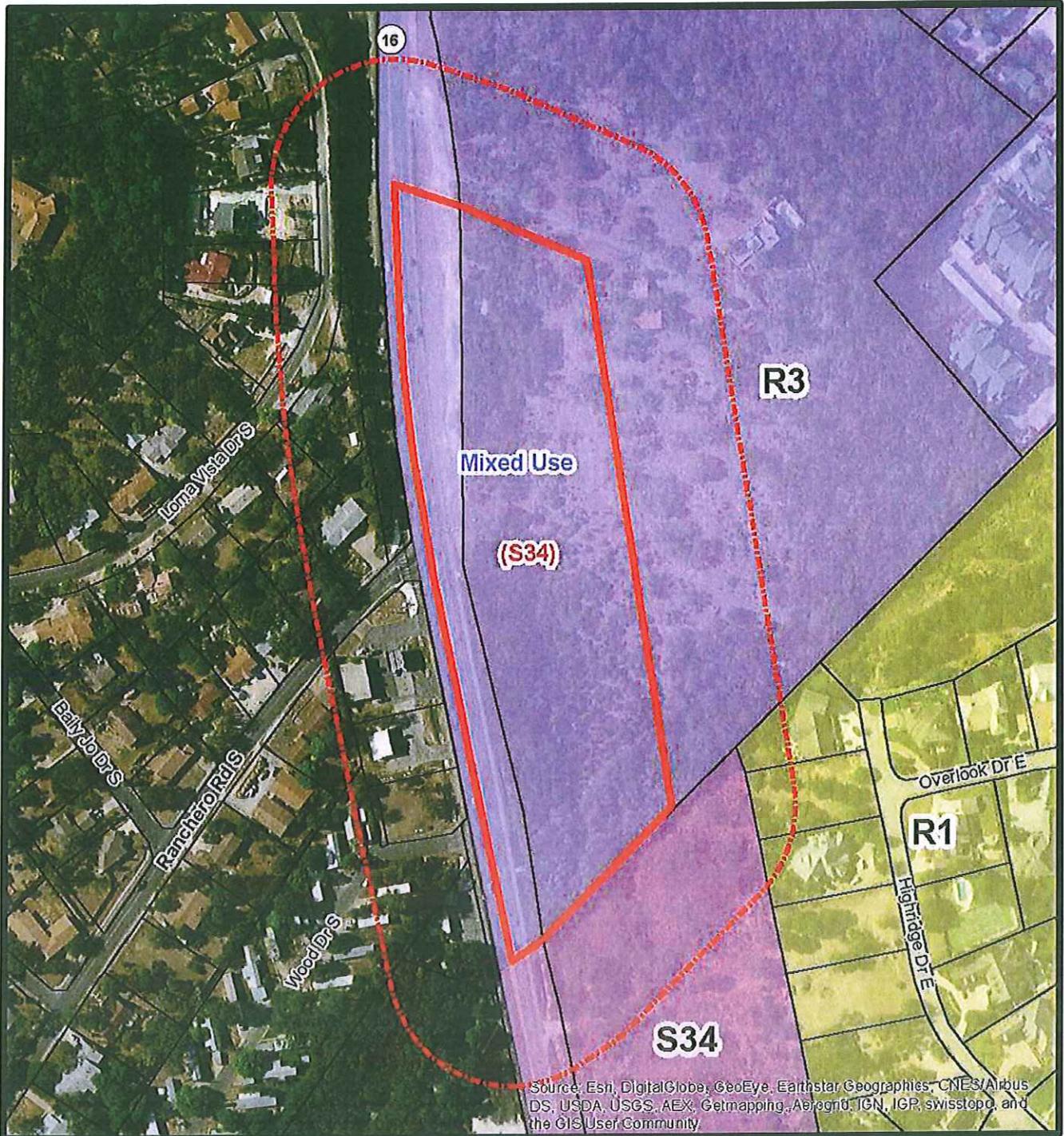
\_\_\_\_\_  
Bonnie White, Mayor

APPROVED AS TO FORM:

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

ATTEST:

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



## Location Map

Case 2016-019/2016-020

Location:  
1335 Medina Highway

### Legend

- 200' Notification Area - - - - -
- Subject Properties —————
- Current Zoning TEXT
- Requested Zoning (TEXT)
- Requested Future Land Use TEXT



0 100 200 400

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:**

4B. Ordinance No. 2016-09 amending the city's "Zoning Code" by changing the zoning district for an approximate 5.61 acre tract of land located adjacent to State Highway 16 South (Medina Highway) and between its intersection with Southway Drive South and Fairway Drive East, and otherwise known as 1335 State Highway 16 South; by removing the approximate 5.61 acre tract from the "R-3" multifamily residential zoning district and placing it within the 34-S 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); ordering publication; and providing other matters relating to the subject. (staff)

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

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**SUBJECT:** Public hearing, First reading of the Ordinance & Action concerning a requested zoning change from (R-3) Multifamily Residential District to (S-34) South Side 34-District for an approximate 5.61 acres tract. Being all of a certain tract or parcel of land out of Wm. C. Francis Survey No. 146, in the City of Kerrville, Kerr County, Texas; part of the land conveyed as 25.62 acres to Villa Saralita. Ltd. from One Kerrville, L.P. by a Warranty Deed with Vendor's Lien executed the 14th day of July, 2006 and recorded in Volume 1545 at Page 265 of the Official Public Records of Kerr County, Texas. Located on the east side of Medina Highway (Highway 16), between Southway Drive South and Fairway drive East. 1335 Medina Highway (Highway 16).

**FOR AGENDA OF:** May 24, 2016

**DATE SUBMITTED:** May 18, 2016

**SUBMITTED BY:** Trenton Robertson  
City Planner

**CLEARANCES:** Kristine Day  
Deputy City Manager

**EXHIBITS:  
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>
\$	\$	\$	

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE DIRECTOR OR FINANCE:**

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**SUMMARY STATEMENT**

This item is concerning public hearing, first reading of the ordinance & action concerning a requested zoning change from (R-3) Multifamily Residential District to (S-34) South Side 34-District. The applicant requested the zoning change on March 30, 2016.

A public hearing was conducted by the Planning & Zoning Commission at its regular meeting on May 5, 2016. The Planning & Zoning Commission recommended approval (5-0).

**RECOMMENDED ACTION**

Staff recommends that the Council hold the required public hearing to receive public comments and take action for approval.



# City of Kerrville Planning Department Report

To: Planning & Zoning Commission  
Agenda Item: 3A/3B  
Planning File #: 2016-020/2016-019  
Hearing Date: May 5, 2016  
Representative: Blake Rue  
Location: 1335 Medina Highway  
Legal Description: Being all of a certain tract or parcel of land out of Wm. C. Francis Survey No. 146, in the City of Kerrville, Kerr County, Texas; part of the land conveyed as 25.62 acres to Villa Saralita. Ltd. from One Kerrville, L.P. by a Warranty Deed with Vendor's Lien executed the 14th day of July, 2006 and recorded in Volume 1545 at Page 265 of the Official Public Records of Kerr County, Texas.  
Total Acreage: 5.61

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## **Proposal**

2016-020: Comprehensive Plan Amendment to amend the future land use category from "Low-Density Residential" to "Mixed-Use".

2016-019: Zoning change from (R-3) Multifamily Residential District to (S-34) South Side 34-District

## **Procedural Requirements**

The application was published in The Hill Country Community Journal, an official newspaper of general circulation on April 20, 2016. Notices were sent to property owners within two hundred (200) feet of the subject property on April 25, 2016. Additionally, notice of this meeting was posted at city hall and on the city's internet website on May 2, 2016, 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: 24**

## **Topography**

The subject property slopes from the north to the south, and is heavily vegetated with various trees and shrubbery.

## **Adjacent Zoning and Land Uses**

**Direction:** North, East

**Current Base Zoning:** "R-3" and "R-1"

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

**Direction:** South  
**Current Base Zoning:** "S-34"  
**Current Land Uses:** Single-Family Residential

**Direction:** West  
**Current Base Zoning:** "OCL" Outside of City Limits  
**Current Land Uses:** Manufactured Home Park, Equipment Rental and Sale, Barber Shop, Convenient Store/Gas Station

**Transportation**

**Thoroughfare:** Medina Highway (Highway 16)  
**Existing Character:** Two lanes in each direction with no sidewalks  
**Proposed Changes:** None known

**Parking Information:** A use has not been determined. The most restrictive parking in this zoning district would be for a Restaurant  
Minimum vehicle spaces: One (1) space per four (4) seats or One (1) space per 100 sq. feet, whichever is greater.

**Staff Analysis and Recommendation: Approval**

**1. Consistency:**

The property's land use designation is Low-Density Residential. The requested "S-34" base zoning district is not consistent with the adopted land use designation. The proposed future land use designation for the subject property is "Mixed-Use" and will allow for the proposed "S-34" zoning district.

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

Although, staff has found no evidence of likely adverse impacts on neighboring lands in relation to this plan amendment and zoning change request, the potential uses could increase traffic. The proposed plan amendment and zoning change would allow the subject property to utilize more intense uses than what is permitted in the existing "R-3" zoning district. Current planning practices encourage commercial uses to be located along major roadways such as Medina Highway (Highway 16). The permitted uses for the "S-34" zoning district would be consistent with the surrounding land uses and would be appropriate for the area.

**3. Suitability as Presently Zoned:**

Both the existing and proposed zoning districts are suitable for the subject property and will allow for uses that will be consistent with the existing surrounding land uses. The existing "R-3" multi-family residential zoning district (if developed) would act as a buffer between Medina Highway (Highway 16) and the existing single-family residential neighborhood located to the east of the subject property. In accordance with the City of Kerrville's Zoning Code the "S-34" base zoning district light commercial uses are encouraged, and single-family residential uses are discouraged. The proposed "S-34" zoning district permitted uses are consistent with the existing light commercial uses across Medina Highway. Additionally, the proposed zoning change will not directly abut the established residential neighborhood located to the east, there is vacant land that is zoned "R-3" which will buffer any potential obtrusions caused by the proposed light commercial zoning district.

**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 5.61 acres in size, which should be able to reasonably accommodate the permitted uses in the "S-34" zoning district.

**6. Other Factors:**

None.

**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2016-09**

**AN ORDINANCE AMENDING THE CITY'S "ZONING CODE" BY CHANGING THE ZONING DISTRICT FOR AN APPROXIMATE 5.61 ACRE TRACT OF LAND LOCATED ADJACENT TO STATE HIGHWAY 16 SOUTH (MEDINA HIGHWAY) AND BETWEEN ITS INTERSECTION WITH SOUTHWAY DRIVE SOUTH AND FAIRWAY DRIVE EAST, AND OTHERWISE KNOWN AS 1335 STATE HIGHWAY 16 SOUTH; BY REMOVING THE APPROXIMATE 5.61 ACRE TRACT FROM THE "R-3" MULTIFAMILY RESIDENTIAL ZONING DISTRICT AND PLACING IT WITHIN THE 34-S 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); 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 May 24, 2016, 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 making up approximately 5.61 acres and located adjacent to State Highway 16 South (Medina Highway) and between the its intersections with Southway Drive South and Fairway Drive East, otherwise known as 1335 State Highway 16 South; such change to result in the removal of the property from the "R-3" Multifamily Residential Zoning District to placement of the property within the 34-S Zoning District; and

**WHEREAS**, such public hearing was held in the Council Chambers beginning at approximately 6:00 p.m. on May 24, 2016, 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 34-S 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 State Highway 16 South (Medina Highway) and between the its intersections with Southway Drive South and Fairway Drive East, otherwise known as 1335 State Highway 16 South, is changed from the “R-3” Multifamily Residential Zoning District to the 34-S Zoning District:

**Being all of a certain tract or parcel of land out of William C. Francis Survey No. 146, Abstract No. 137, within the City of Kerrville, Kerr County, Texas; part of the land conveyed as 25.62 acres to Villa Saralita, Ltd. from One Kerrville, L.P. by a Warranty Deed with Vendor’s Lien executed the 14<sup>th</sup> day of July, 2006, and recorded in Volume 1545 at Page 265 of the Real Property Records of Kerr County, 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 \_\_\_\_ day of \_\_\_\_\_, A.D., 2016.

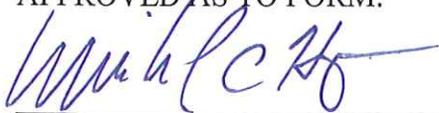
PASSED AND APPROVED ON SECOND AND FINAL READING, this the \_\_\_\_ of \_\_\_\_\_, A.D., 2016.

\_\_\_\_\_  
Bonnie White, Mayor

ATTEST:

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

APPROVED AS TO FORM:



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

## **Agenda Item:**

5A. Ordinance No. 2016-10, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2016 rate review mechanism filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the settlement tariffs to be just and reasonable and in the public interest; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this ordinance to the company and the ACSC's legal counsel. (staff)

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

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**SUBJECT:** An Ordinance approving settlement with Atmos Energy Corporation, Mid-Tex Division regarding 2016 Rate Review Mechanism filing

**FOR AGENDA OF:** May 24, 2015 **DATE SUBMITTED:** May 13, 2015

**SUBMITTED BY:** Mike Hayes *MCH* **CLEARANCES:**  
City Attorney

**EXHIBITS:** Ordinance No. 2016-10 (plus attachments)

**AGENDA MAILED TO:**

**APPROVED FOR SUBMITTAL BY CITY MANAGER:** *[Signature]*

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

**PAYMENT TO BE MADE TO: NA**

**REVIEWED BY THE FINANCE DEPARTMENT:**

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**SUMMARY STATEMENT**

The following is a report from the attorneys representing the Atmos Cities Steering Committee:

The City, along with other similarly situated cities served by Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), is a member of the Atmos Cities Steering Committee (“ACSC”). The RRM Tariff was originally adopted by ACSC member cities in 2007 as an alternative to the Gas Reliability Infrastructure Program (“GRIP”), the state statute that allows Atmos to bypass the City’s rate regulatory authority to increase its rates annually to recover capital investments. The RRM Tariff has been modified several times, most recently in 2013.

The 2016 RRM filing is the fourth RRM filing under the renewed RRM Tariff. On March 1, 2016, Atmos made a filing requesting \$35.4 million additional revenues on a system-wide basis. Because the City of Dallas has a separate rate review process, exclusion of Dallas results in the Company requesting \$28.6 million from other municipalities.

Environs customers (ratepayers outside municipal limits) remain under the Railroad Commission’s exclusive original jurisdiction and have their rates set through the GRIP process. If the Company had used the GRIP process rather than the RRM process it would have received a \$41 million increase, or about \$11 million more than will be approved by the Ordinance. ACSC and the Company have reached an agreement, reflected in the Ordinance, to reduce the Company’s request by \$5.5 million, such that the Ordinance approving new rates reflects an

increase of \$29.9 million on a system-wide basis, or \$21.9 million for Atmos Mid-Tex cities, exclusive of the City of Dallas.

The tariffs attached to the Ordinance approve rates that will increase the Company's revenues by \$29.9 million for the Mid-Tex Rate Division, effective for bills rendered on or after June 1, 2016. The monthly residential customer charge will be \$19.10. The consumption charge will be \$0.11378 per Ccf. The monthly bill impact for the typical residential customer consuming 46.8 Ccf will be an increase of \$1.26, or about 2.43%. The typical commercial customer will see an increase of \$3.81, or 1.43%. Attached to this Model Staff Report is a summary of the impact of new rates on the average bills of all customer classes.

The ACSC Executive Committee and its designated legal counsel and consultants recommend that all Cities adopt the Ordinance with its attachments approving the negotiated rate settlement resolving the 2016 RRM filing, and implementing the rate change.

**Explanation of "Be It Ordained" Sections:**

1. This section approves all findings in the Ordinance.
2. This section finds the settled amount of \$29.9 million to be a comprehensive settlement of gas utility rate issues arising from Atmos Mid-Tex's 2016 RRM filing, and that such settlement is in the public interest and is consistent with the City's statutory authority.
3. This section finds the existing Atmos Mid-Tex rates to be unreasonable, and approves the new tariffed rates providing for additional revenues over currently-billed rates of \$29.9 million and adopts the attached new rate tariffs (**Attachment A**).
4. This section establishes the baseline for pensions and other post-employment benefits for future rate cases (**Attachment C**).
5. This section requires the Company to reimburse Cities for reasonable ratemaking costs associated with reviewing and processing the RRM filing.
6. This section repeals any resolution or ordinance that is inconsistent with this Ordinance.
7. This section finds that the meeting was conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.
8. This section is a savings clause, which provides that if any section(s) is later found to be unconstitutional or invalid, that finding shall not affect, impair or invalidate the remaining provisions of this Ordinance. This section further directs that the remaining provisions of the Ordinance are to be interpreted as if the offending section or clause never existed.
9. This section provides for an effective date upon passage which, according to the Cities' ordinance that adopted the RRM process, is June 1, 2016.

10. This paragraph directs that a copy of the signed Ordinance be sent to a representative of the Company and legal counsel for the Steering Committee.

**RECOMMENDED ACTION**

Adoption of Ordinance on 1st reading.

**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2016-10**

**AN ORDINANCE APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2016 RATE REVIEW MECHANISM FILINGS; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL**

**WHEREAS**, the City of Kerrville, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates and charges of Atmos Mid-Tex; and

**WHEREAS**, the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

**WHEREAS**, ACSC and the Company worked collaboratively to develop a new Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by the Texas Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

**WHEREAS**, on March 1, 2016, Atmos Mid-Tex filed its 2016 RRM rate request with ACSC Cities; and

**WHEREAS**, ACSC coordinated its review of the Atmos Mid-Tex 2016 RRM filing through its Executive Committee, assisted by ACSC’s attorneys and consultants, to resolve issues identified in the Company’s RRM filing; and

**WHEREAS**, the Executive Committee, as well as ACSC’s counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$29.9 million on a system-wide basis; and

**WHEREAS**, the attached tariffs implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

**WHEREAS**, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications;

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

**SECTION ONE.** The findings set forth in this Ordinance are hereby in all things approved.

**SECTION TWO.** City Council finds that the settled amount of an increase in revenues of \$29.9 million on a system-wide basis represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2016 RRM filing is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

**SECTION THREE.** The existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as **Attachment A**, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$29.9 million in revenue over the amount allowed under currently approved rates, as shown in the Proof of Revenues attached hereto and incorporated herein as **Attachment B**; such tariffs are hereby adopted.

**SECTION FOUR.** The ratemaking treatment for pensions and other post-employment benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on **Attachment C**, attached hereto and incorporated herein.

**SECTION FIVE.** Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2016 RRM filing.

**SECTION SIX.** To the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

**SECTION SEVEN.** The meetings at which this Ordinance was approved were in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

**SECTION EIGHT.** If any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

**SECTION NINE.** Consistent with the City Ordinance that established the RRM process, this Ordinance shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after June 1, 2016.

**SECTION TEN.** A copy of this Ordinance shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LJB Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

**PASSED AND APPROVED ON FIRST READING, this the \_\_\_ day of \_\_\_\_\_, A.D., 2016.**

**PASSED AND APPROVED ON SECOND AND FINAL READING, this the \_\_\_ day of \_\_\_\_\_, A.D., 2016.**

\_\_\_\_\_  
Bonnie White, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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

<b>RATE SCHEDULE:</b>	<b>R – RESIDENTIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2016</b>	<b>PAGE: 12</b>

**Application**

Applicable to Residential Customers for all natural gas provided at one Point of Delivery and measured through one meter.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Bill	\$ 19.10 per month
Rider CEE Surcharge	\$ 0.02 per month <sup>1</sup>
<b>Total Customer Charge</b>	<b>\$ 19.12 per month</b>
Commodity Charge – All <u>Ccf</u>	\$0.11378 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

<sup>1</sup>Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2015.

<b>RATE SCHEDULE:</b>	<b>C – COMMERCIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2016</b>	<b>PAGE: 13</b>

**Application**

Applicable to Commercial Customers for all natural gas provided at one Point of Delivery and measured through one meter and to Industrial Customers with an average annual usage of less than 30,000 Ccf.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and Ccf charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Bill	\$ 41.75 per month
Rider CEE Surcharge	\$ 0.02 per month <sup>1</sup>
<b>Total Customer Charge</b>	<b>\$ 41.77 per month</b>
Commodity Charge – All Ccf	\$ 0.08494 per Ccf

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Weather Normalization Adjustment: Plus or Minus an amount for weather normalization calculated in accordance with Rider WNA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

<sup>1</sup> Reference Rider CEE - Conservation and Energy Efficiency as approved in GUD 10170. Surcharge billing effective July 1, 2015.

<b>RATE SCHEDULE:</b>	<b>I – INDUSTRIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2016</b>	<b>PAGE: 14</b>

**Application**

Applicable to Industrial Customers with a maximum daily usage (MDU) of less than 3,500 MMBtu per day for all natural gas provided at one Point of Delivery and measured through one meter. Service for Industrial Customers with an MDU equal to or greater than 3,500 MMBtu per day will be provided at Company's sole option and will require special contract arrangements between Company and Customer.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's monthly bill will be calculated by adding the following Customer and MMBtu charges to the amounts due under the riders listed below:

<b>Charge</b>	<b>Amount</b>
Customer Charge per Meter	\$ 738.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.3096 per MMBtu
Next 3,500 MMBtu	\$ 0.2267 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0486 per MMBtu

Gas Cost Recovery: Plus an amount for gas costs and upstream transportation costs calculated in accordance with Part (a) and Part (b), respectively, of Rider GCR.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Curtailment Overpull Fee**

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

**Replacement Index**

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

MID-TEX DIVISION  
ATMOS ENERGY CORPORATION

<b>RATE SCHEDULE:</b>	<b>I – INDUSTRIAL SALES</b>	
<b>APPLICABLE TO:</b>	<b>ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS</b>	
<b>EFFECTIVE DATE:</b>	<b>Bills Rendered on or after 06/01/2016</b>	<b>PAGE: 15</b>

**Agreement**

An Agreement for Gas Service may be required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**Special Conditions**

In order to receive service under Rate I, Customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

MID-TEX DIVISION  
ATMOS ENERGY CORPORATION

<b>RATE SCHEDULE:</b>	T – TRANSPORTATION	
<b>APPLICABLE TO:</b>	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
<b>EFFECTIVE DATE:</b>	Bills Rendered on or after 06/01/2016	PAGE: 16

**Application**

Applicable, in the event that Company has entered into a Transportation Agreement, to a customer directly connected to the Atmos Energy Corp., Mid-Tex Division Distribution System (Customer) for the transportation of all natural gas supplied by Customer or Customer's agent at one Point of Delivery for use in Customer's facility.

**Type of Service**

Where service of the type desired by Customer is not already available at the Point of Delivery, additional charges and special contract arrangements between Company and Customer may be required prior to service being furnished.

**Monthly Rate**

Customer's bill will be calculated by adding the following Customer and MMBtu charges to the amounts and quantities due under the riders listed below:

Charge	Amount
Customer Charge per Meter	\$ 738.00 per month
First 0 MMBtu to 1,500 MMBtu	\$ 0.3096 per MMBtu
Next 3,500 MMBtu	\$ 0.2267 per MMBtu
All MMBtu over 5,000 MMBtu	\$ 0.0486 per MMBtu

Upstream Transportation Cost Recovery: Plus an amount for upstream transportation costs in accordance with Part (b) of Rider GCR.

Retention Adjustment: Plus a quantity of gas as calculated in accordance with Rider RA.

Franchise Fee Adjustment: Plus an amount for franchise fees calculated in accordance with Rider FF. Rider FF is only applicable to customers inside the corporate limits of any incorporated municipality.

Tax Adjustment: Plus an amount for tax calculated in accordance with Rider TAX.

Surcharges: Plus an amount for surcharges calculated in accordance with the applicable rider(s).

**Imbalance Fees**

All fees charged to Customer under this Rate Schedule will be charged based on the quantities determined under the applicable Transportation Agreement and quantities will not be aggregated for any Customer with multiple Transportation Agreements for the purposes of such fees.

**Monthly Imbalance Fees**

Customer shall pay Company the greater of (i) \$0.10 per MMBtu, or (ii) 150% of the difference per MMBtu between the highest and lowest "midpoint" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" during such month, for the MMBtu of Customer's monthly Cumulative Imbalance, as defined in the applicable Transportation Agreement, at the end of each month that exceeds 10% of Customer's receipt quantities for the month.

MID-TEX DIVISION  
ATMOS ENERGY CORPORATION

<b>RATE SCHEDULE:</b>	T – TRANSPORTATION	
<b>APPLICABLE TO:</b>	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
<b>EFFECTIVE DATE:</b>	Bills Rendered on or after 06/01/2016	<b>PAGE: 17</b>

**Curtailment Overpull Fee**

Upon notification by Company of an event of curtailment or interruption of Customer's deliveries, Customer will, for each MMBtu delivered in excess of the stated level of curtailment or interruption, pay Company 200% of the midpoint price for the Katy point listed in *Platts Gas Daily* published for the applicable Gas Day in the table entitled "Daily Price Survey."

**Replacement Index**

In the event the "midpoint" or "common" price for the Katy point listed in *Platts Gas Daily* in the table entitled "Daily Price Survey" is no longer published, Company will calculate the applicable imbalance fees utilizing a daily price index recognized as authoritative by the natural gas industry and most closely approximating the applicable index.

**Agreement**

A transportation agreement is required.

**Notice**

Service hereunder and the rates for services provided are subject to the orders of regulatory bodies having jurisdiction and to the Company's Tariff for Gas Service.

**Special Conditions**

In order to receive service under Rate T, customer must have the type of meter required by Company. Customer must pay Company all costs associated with the acquisition and installation of the meter.

MID-TEX DIVISION  
ATMOS ENERGY CORPORATION

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 11/01/2016	PAGE: 41

Provisions for Adjustment

The Commodity Charge per Ccf (100 cubic feet) for gas service set forth in any Rate Schedules utilized by the cities of the Mid-Tex Division service area for determining normalized winter period revenues shall be adjusted by an amount hereinafter described, which amount is referred to as the "Weather Normalization Adjustment." The Weather Normalization Adjustment shall apply to all temperature sensitive residential and commercial bills based on meters read during the revenue months of November through April. The five regional weather stations are Abilene, Austin, Dallas, Waco, and Wichita Falls.

Computation of Weather Normalization Adjustment

The Weather Normalization Adjustment Factor shall be computed to the nearest one-hundredth cent per Ccf by the following formula:

$$WNAF_i = R_i \frac{(HSF_i \times (NDD-ADD))}{(BL_i + (HSF_i \times ADD))}$$

Where

- $i$  = any particular Rate Schedule or billing classification within any such particular Rate Schedule that contains more than one billing classification
- $WNAF_i$  = Weather Normalization Adjustment Factor for the  $i^{th}$  rate schedule or classification expressed in cents per Ccf
- $R_i$  = Commodity Charge rate of temperature sensitive sales for the  $i^{th}$  schedule or classification.
- $HSF_i$  = heat sensitive factor for the  $i^{th}$  schedule or classification divided by the average bill count in that class
- $NDD$  = billing cycle normal heating degree days calculated as the simple ten-year average of actual heating degree days.
- $ADD$  = billing cycle actual heating degree days.
- $BL_i$  = base load sales for the  $i^{th}$  schedule or classification divided by the average bill count in that class

The Weather Normalization Adjustment for the  $j$ th customer in  $i$ th rate schedule is computed as:

$$WNA_j = WNAF_i \times q_{ij}$$

Where  $q_{ij}$  is the relevant sales quantity for the  $j$ th customer in  $i$ th rate schedule.

MID-TEX DIVISION  
ATMOS ENERGY CORPORATION

RIDER:	WNA – WEATHER NORMALIZATION ADJUSTMENT	
APPLICABLE TO:	ALL CUSTOMERS IN THE MID-TEX DIVISION EXCEPT THE CITY OF DALLAS AND UNINCORPORATED AREAS	
EFFECTIVE DATE:	Bills Rendered on or after 11/01/2016	PAGE: 42

Base Use/Heat Use Factors

Weather Station	<u>Residential</u>		<u>Commercial</u>	
	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>	Base use <u>Ccf</u>	Heat use <u>Ccf/HDD</u>
Abilene	10.09	0.1392	98.01	0.6440
Austin	11.21	0.1551	203.36	0.8564
Dallas	13.72	0.2048	189.83	0.9984
Waco	9.89	0.1411	129.75	0.6695
Wichita Falls	11.49	0.1506	122.35	0.5967

Weather Normalization Adjustment (WNA) Report

On or before June 1 of each year, the company posts on its website at [atmosenergy.com/mtx-wna](http://atmosenergy.com/mtx-wna), in Excel format, a *Weather Normalization Adjustment (WNA) Report* to show how the company calculated its WNAs factor during the preceding winter season. Additionally, on or before June 1 of each year, the company files one hard copy and an Excel version of the *WNA Report* with the Railroad Commission of Texas' Gas Services Division, addressed to the Director of that Division.

Attachment B  
Proof of Revenues

File Date: March 1, 2016

ATMOS ENERGY CORP., MID-TEX DIVISION  
PROPOSED TARIFF STRUCTURE (BEFORE RATE CASE EXPENSE RECOVERY)  
TEST YEAR ENDING DECEMBER 31, 2015

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
1	Proposed Change In Rates:	\$ 29,603,205		Schedule A						
2	Proposed Change In Rates without Revenue Related Taxes:	\$ 27,447,950		Ln 1 divided by factor on WP_F-5.1						
3										
4										
5										
6	Revenue Requirements	Allocations								
7	Residential	\$ 338,431,486	77.95%	Per GUD 10170 Final Order						
8	Commercial	84,223,622	19.40%	Per GUD 10170 Final Order						
9	Industrial and Transportation	11,490,316	2.65%	Per GUD 10170 Final Order						
10	Net Revenue Requirements GUD No. 10170	\$ 434,145,424								

With Proportional Increase all classes but Residential and a 40% residential base charge increase:	Current	Prospective	Revenues
18	Residential Base Charge	\$ 18.56	\$ 8,558,622
19	Residential Consumption Charge	\$ 0.09931	\$ 12,837,933
20	Commercial Base Charge	\$ 39.87	\$ 2,662,423
21	Commercial Consumption Charge	\$ 0.8020	\$ 2,662,423
22	I&T Base Charge	\$ 697.35	\$ 363,224
23	I&T Consumption Charge Tier 1 MMBTU	\$ 0.2937	\$ 172,167
24	I&T Consumption Charge Tier 2 MMBTU	\$ 0.2151	\$ 139,070
25	I&T Consumption Charge Tier 3 MMBTU	\$ 0.0461	\$ 51,988
26			\$ 27,447,850

With Customer Charges Rounded Off and residential base charge increase for 2015 limited to \$0.50 per RRM tariff:	Proposed Change	Proposed Change In Revenues	Proposed Rates	Proposed Revenues
Residential Base Charge	\$ 0.52	\$ 9,335,278	\$ 19.08	\$ 339,813,673
Residential Consumption Charge	\$ 0.01447	\$ 12,061,297	\$ 0.11378	\$ 94,839,970
Commercial Base Charge	\$ 1.83	\$ 2,697,162	\$ 41.70	\$ 61,390,268
Commercial Consumption Charge	\$ 0.00474	\$ 2,626,475	\$ 0.08494	\$ 47,065,984
I&T Base Charge	\$ 39.65	\$ 378,728	\$ 737.00	\$ 7,039,815
I&T Consumption Charge Tier 1 MMBTU	\$ 0.0159	\$ 165,150	\$ 0.3096	\$ 3,215,747
I&T Consumption Charge Tier 2 MMBTU	\$ 0.0116	\$ 132,888	\$ 0.2267	\$ 2,597,042
I&T Consumption Charge Tier 3 MMBTU	\$ 0.0025	\$ 49,955	\$ 0.0486	\$ 971,117
		\$ 27,446,933		\$ 556,933,616

File Date: March 1, 2016

**ATMOS ENERGY CORP., MID-TEX DIVISION  
PENSIONS AND RETIREE MEDICAL BENEFITS ADJUSTMENT  
TEST YEAR ENDING DECEMBER 31, 2015**

Line No.	Description (a)	Shared Services (b)		Mid-Tex Direct (e)		Adjustment Total (g)
		Pension Account Plan ("PAP")	Post-Retirement Medical Plan ("FAS 106") (c)	Pension Account Plan ("PAP")	Supplemental Executive Benefit Plan ("SERP")	
1	Fiscal Year 2016 Towers Watson Report as adjusted (1), (3)	\$ 5,101,680	\$ 2,896,450	\$ 7,840,683	\$ 150,433	\$ 4,466,430
2	O&M Expense Factor (2)	96.41%	96.41%	37.42%	20.77%	37.42%
3	Fiscal Year 2016 Actuarially Determined O&M Benefits (Ln 1 x Ln 2)	\$ 4,918,540	\$ 2,792,473	\$ 2,933,599	\$ 31,249	\$ 1,671,119
4	Allocation to Mid-Tex (2)	40.56%	40.56%	71.52%	100.00%	71.52%
5	Mid-Tex Benefits Expense Included in Rates - Proposed (Ln 3 x Ln 4)	\$ 1,995,016	\$ 1,132,659	\$ 2,098,222	\$ 31,249	\$ 1,195,248
6						\$ 6,452,393
<b>Mid-Tex Benefits Expense per GUD 10359 and RRM Test Year Ending</b>						
7	December 31, 2014 Benchmark (4)	\$ 2,831,859	\$ 2,013,260	\$ 2,925,600	\$ 34,809	\$ 2,695,721
8						\$ 10,501,250
9	Test Year Adjustment (Line 5 minus Line 7)	\$ (836,844)	\$ (880,601)	\$ (827,379)	\$ (3,561)	\$ (1,500,472)
10						\$ (4,048,856)
11	Adjustment Summary:					
12	Account 922	\$ (836,844)	\$ (880,601)	\$ -	\$ -	\$ (1,717,445)
13	Account 926	-	-	(827,379)	(3,561)	(1,500,472)
14	Total (Ln 12 plus Ln 13)	\$ (836,844)	\$ (880,601)	\$ (827,379)	\$ (3,561)	\$ (1,500,472)
15						\$ (4,048,856)
16						

**Notes:**

1. Studies not applicable to Mid-Tex or Shared Services are omitted.
2. The factors on Lines 2 and 4 are based on the factors in 2016 RRM (Test Year Ending December 31, 2015).
3. SSU amounts exclude cost centers which do not allocate to Mid-Tex for rate making purposes.
4. GUD No. 10359 is the benchmark for January-May which is the same benchmark as used in the RRM TYE December 31, 2014 for June-December.



## **Agenda Item:**

5B. Ordinance No. 2016-11 amending the budget for Fiscal Year 2016 to account for the completion of various capital improvement projects within the city's water and sewer fund and reallocating said project balances to other capital improvement projects within the same fund. (staff)

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

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**SUBJECT:** First reading of an ordinance amending the FY2016 Budget

**FOR AGENDA OF:** May 24, 2016

**DATE SUBMITTED:** May 16, 2015

**SUBMITTED BY:** Sandra Yarbrough  
Director of Finance

**CLEARANCES:** Todd Parton  
City Manager

**EXHIBITS:** Ordinance Amending FY2016 Budget  
Attachment A – detailing changes

**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>
\$	\$	\$	

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE FINANCE DEPARTMENT:**

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**SUMMARY STATEMENT**

Various capital projects in the Water and Sewer Capital Project Fund have been completed. The unspent balances of these projects are available for reallocation to other capital projects within the Water and Sewer Capital Projects Fund and are allowable as stated in Authority for Issuance of CO Series 2013.

The attached ordinance provides for the second amendment to the FY2016 budget, and includes budget amendments as per Attachment A.

**RECOMMENDED ACTION**

It is recommended that the City Council approve the first reading of an ordinance amending the FY2016 budget and authorize city staff to make all necessary entries and adjustments to reflect the attached changes.

**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2016-11**

**AN ORDINANCE AMENDING THE BUDGET FOR FISCAL YEAR 2016 TO ACCOUNT FOR THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENT PROJECTS WITHIN THE CITY'S WATER AND SEWER FUND AND REALLOCATING SAID PROJECT BALANCES TO OTHER CAPITAL IMPROVEMENT PROJECTS WITHIN THE SAME FUND**

**WHEREAS**, Ordinance No. 2015-20, dated September 22, 2015, adopted the Fiscal Year 2016 Budget; and

**WHEREAS**, the City Council of the City of Kerrville, Texas, finds that amending the City's Fiscal Year 2016 Budget is in the best interest of the citizens of the City of Kerrville;

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

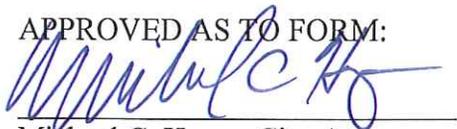
In accordance with Section 8.07 of the City Charter, the Official Budget for Fiscal Year 2016 is amended as set forth in **Attachment A**.

**PASSED AND APPROVED ON FIRST READING, this the \_\_\_\_ day of \_\_\_\_\_, A.D., 2016.**

**PASSED AND APPROVED ON SECOND AND FINAL READING, this the \_\_\_\_ day of \_\_\_\_\_, A.D., 2016.**

\_\_\_\_\_  
Bonnie White, Mayor

APPROVED AS TO FORM:

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

ATTEST:

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



## **Agenda Item:**

6A. Creation of and appointment to ad hoc committee regarding regulation of drones.

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

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**SUBJECT:** Consideration of an ad hoc advisory committee for drone regulations

**FOR AGENDA OF:** May 24, 2016

**DATE SUBMITTED:** May 12, 2016

**SUBMITTED BY:** Ashlea Boyle  
Assistant Director of Parks & Recreation

**CLEARANCES:** Kristine Day  
Deputy City Manager

**EXHIBITS:**

**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>
\$	\$	\$	

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE DIRECTOR OF FINANCE:**

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**SUMMARY STATEMENT**

At the March 22, 2016 City Council meeting, the second reading of Ordinance No. 2016-04 amending the regulations for parks and recreation areas was approved with the exception of section 74-19 pertaining to drones and remote-controlled devices. Staff was directed to place an item on the Council agenda for the consideration of creating an ad hoc advisory committee to evaluate regulations for drone use in City parks. Due to pending federal regulation consideration, staff recommends deferring action on this item until the outcome is known.

**RECOMMENDED ACTION**

Staff recommends deferring action on creating an ad hoc advisory committee for drone regulation until federal regulations are announced.

## **Agenda Item:**

6B. Increase application request to the City of Kerrville, Texas Economic Improvement Corporation from \$250,000 to an amount not to exceed \$350,000 for lighting improvements to the Sidney Baker Bridge in Louise Hays Park.

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

**SUBJECT:** Consideration of increasing the application request to the Economic Improvement Corporation in an amount not to exceed \$350,000 for lighting improvements to the Sidney Baker Bridge in Louise Hays Park

**FOR AGENDA OF:** May 24, 2016      **DATE SUBMITTED:** May 19, 2016

**SUBMITTED BY:** Ashlea Boyle      **CLEARANCES:** Kristine Day  
Assistant Director of Parks & Recreation      Deputy City Manager

**EXHIBITS:** Examples of Bridge Lighting Systems

**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:**

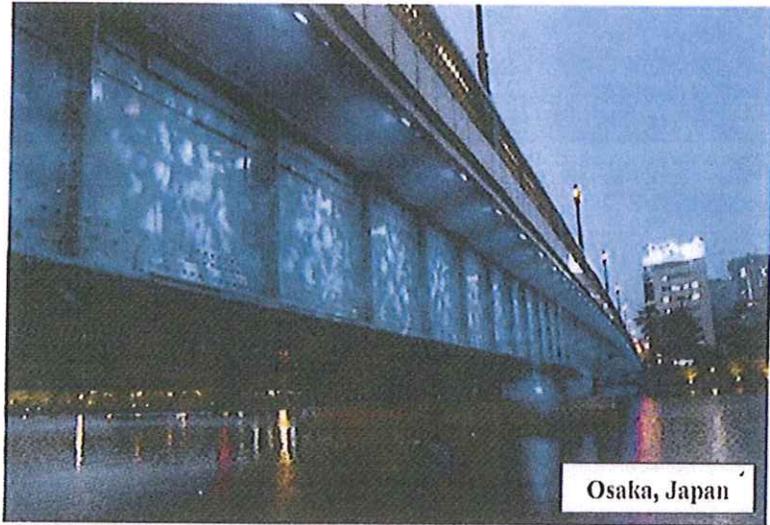
**SUMMARY STATEMENT**

At its meeting of March 22, 2016, City Council requested and authorized staff to submit an application to the Economic Improvement Corporation (EIC) in the amount of \$250,000 for lighting improvements to Louise Hays Park. The FY2016 budget adopted by the EIC and the City of Kerrville includes an allocation of \$250,000 to be used for lighting enhancements for the park. These funds were allocated for additional lighting enhancements to compliment the recent downtown park improvements.

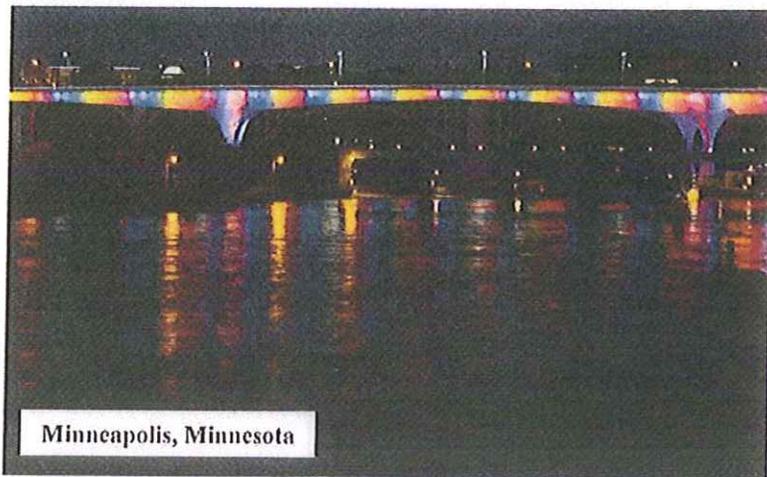
Programmable LED lighting, similar to the fountain plaza, on the Sidney Baker Bridge would enhance the aesthetics of the park and along the Guadalupe River. The implementation of these improvements would also be another regional draw for the community. The recommendation by Council also includes the downtown pavilion, but with the primary emphasis on lighting the bridge. Attached are examples of bridge lighting systems. Staff has been looking into pricing for lighting the bridge with preliminary costs and firmer pricing coming in between \$300,000-\$350,000. Other potential options that could be explored instead could be a light show on the river or lighting the downtown pavilion. Should funding be approved, this project will be procured through the Texas BuyBoard which has already vetted the competitive bid process of vendors, and the contract will come back to Council for final approval and award.

### **RECOMMENDED ACTION**

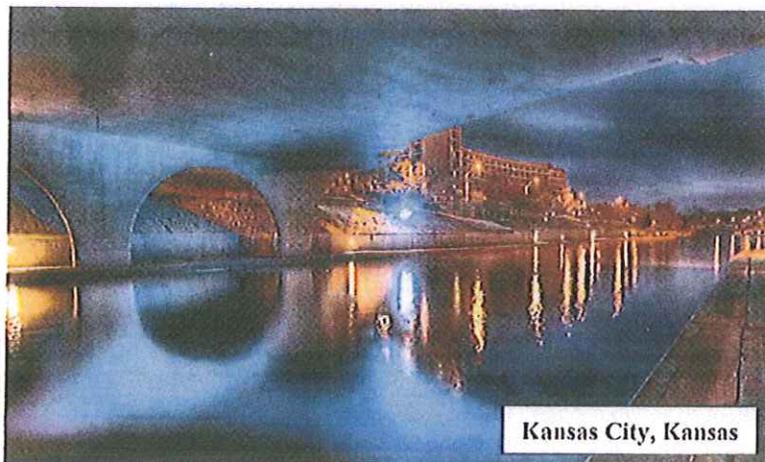
Staff is requesting feedback and direction on this project. If Council is still interested, staff will need authorization to increase the funding request to the Economic Improvement Corporation or direction to pursue other lighting options.



Osaka, Japan



Minneapolis, Minnesota



Kansas City, Kansas

## **Agenda Item:**

6C. Set a time, date and place for a fiscal year 2017 budget workshop with City Council. (staff)

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

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**SUBJECT:** Set a time, date and place for a Fiscal Year 2017 budget workshop

**FOR AGENDA OF:** May 24, 2016      **DATE SUBMITTED:** May 19, 2016

**SUBMITTED BY:** Todd Parton      **CLEARANCES:**  
City Manager

**EXHIBITS:** None

**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>\$0</b>	<b>\$0</b>	<b>\$0</b>	

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE FINANCE DEPARTMENT:**

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**SUMMARY STATEMENT**

A first draft of the FY2017 budget is nearing completion and city staff is scheduled to deliver copies to the City Council on Friday, June 3, 2016. This first draft will include full operational expenditures for each department and fund. There will be some remaining outstanding capital expenditures to detail. The budget is being built in accordance with the City Council's established policies and the guidance provided by the City Council at the budget retreat held in February.

The City Manager must file a draft budget with the City Council by July 30, 2016. City staff typically presents a preliminary budget to the City Council in late June or early July for initial direction. That direction is used to finalize a draft budget that is formally submitted to the City Council by the specified date.

City staff respectfully requests that the City Council schedule a workshop this June to receive a full presentation of the budget and provide direction to city staff. Additional budget discussions can be placed on regular City Council meeting agendas.

**RECOMMENDED ACTION**

City staff recommends scheduling a City Council budget workshop in June or as early as soon as is possible.

## **Agenda Item:**

6D. Appointment of Mayor Pro Tem. (staff)

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

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**SUBJECT:** Appointment of Mayor Pro Tem

**FOR AGENDA OF:** May 24, 2016

**DATE SUBMITTED:** May 18, 2016

**SUBMITTED BY:** Brenda Craig  
City Secretary

**CLEARANCES:** Todd Parton  
City Manager

**EXHIBITS:** None

**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>
\$	\$	\$	

**PAYMENT TO BE MADE TO:**

**REVIEWED BY THE FINANCE DEPARTMENT:**

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**SUMMARY STATEMENT**

In accordance with the City Charter, Section 3.02, following the canvass of the general election, the city council shall choose one of its members, other than the mayor, to serve as mayor pro tem.

**RECOMMENDED ACTION**

Select mayor pro tem.

## **Agenda Item:**

7A. Budget and economic update. (staff)



**City of Kerrville**  
**Month ending April 30, 2016**  
 (Month 7 of FY2016)

	Current Month	Year To-Date	Budget @ 58.33%	Prior Year To-Date	change from prior year
<b>General Fund</b>					
<b>Total Revenues</b>	<b>\$ 1,402,405</b>	<b>\$ 17,533,797</b>	<b>71.31%</b>	<b>\$ 17,089,392</b>	<b>2.60%</b>
Property tax	\$ 96,013	\$ 8,633,364	97.18%	\$ 8,366,861	3.19%
Sales tax	\$ 474,923	\$ 3,651,294	58.38%	\$ 3,567,199	2.36%
<b>Total Expenditures</b>	<b>\$ 1,695,511</b>	<b>\$ 12,949,299</b>	<b>52.32%</b>	<b>\$ 12,752,016</b>	<b>1.55%</b>

<b>Water and Sewer Fund</b>					
<b>Total Revenues</b>	<b>\$ 883,708</b>	<b>\$ 6,397,249</b>	<b>54.48%</b>	<b>\$ 5,167,531</b>	<b>23.80%</b>
Water Sales	\$ 394,333	\$ 2,902,322	51.93%	\$ 2,643,514	9.79%
Sewer Service	\$ 445,994	\$ 3,025,820	55.90%	\$ 2,977,391	1.63%
<b>Expenditures</b>	<b>\$ 597,560</b>	<b>\$ 6,026,135</b>	<b>51.32%</b>	<b>\$ 7,089,508</b>	<b>-15.00%</b>

<b>Hotel/Motel:</b>					
<b>Revenues</b>	<b>\$ 103,980</b>	<b>\$ 564,198</b>	<b>55.38%</b>	<b>\$ 543,709</b>	<b>3.77%</b>
<b>Expenditures</b>	<b>\$ -</b>	<b>\$ 457,600</b>	<b>45.26%</b>	<b>\$ 679,724</b>	<b>-32.68%</b>

Community Investment Plan	Project Budget	Current Month	P-T-D Expense	Budget Balance
Jefferson Lift Station	\$ 6,389,793	\$ -	\$ 6,210,280	\$ 179,513
Broadway Lift Station	\$ 500,000	\$ -	\$ 382,932	\$ 117,068
WWTP Clarifier/MCC Improvements	\$ 4,229,700	\$ -	\$ 2,476,692	\$ 1,753,008
River Trail	\$ 6,000,000	\$ 80,938	\$ 4,715,751	\$ 1,284,249
Louise Hays & Lehman/Monroe Park	\$ 2,683,915	\$ -	\$ 2,634,611	\$ 49,304
Athletic Complex	\$ 10,500,000	\$ 156	\$ 10,235	\$ 10,489,765
Reuse Pond/Distribution	\$ 14,100,000	\$ 96,752	\$ 858,629	\$ 13,241,371

<b>Development Services:</b>			<b>Housing (April)</b>	
Residential # of permits	Commercial permits value			
Oct 11	330,680		<i>Local:</i>	
Nov 5	17,000		557 active residential listings; 47 residential sales April 2016	
Dec 6	52,000		\$9,403,300 total residential sales dollars for April 2016	
Jan 8	559,099		\$44,673,731 total residential sales dollars Y-T-D for 2016	
Feb 9	1,372,500		(Source: Kerrville Board of Realtors)	
Mar 4	4,219,630		<b>Unemployment: (March)</b>	
Apr 4	340,466		National	5.1%
May			Texas	4.5%
June			Local	3.6%
July			<b>Consumer confidence: (March)</b>	
Aug			National	96.2 down 5.1% from 2015
Sept			Texas	99.1 down 22.1% from 2015
YTD 47	6,891,375		<i>(Sources: State Comptroller/Workforce Alamo)</i>	

## **Agenda Item:**

8A. Appointment of council liaisons to various city boards (staff)

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

**SUBJECT:** City Council Appointments to Various Boards and Commissions

**FOR AGENDA OF:** May 24, 2016

**DATE SUBMITTED:** May 18, 2016

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

**CLEARANCES:** Todd Parton  
City Manager

**EXHIBITS:** Board Lists

**APPROVED FOR SUBMITTAL BY CITY MANAGER:** *[Signature]*

**SUMMARY STATEMENT**

Council may consider councilmember appointments to various boards:

<b>CITY BOARD</b>	<b>EXISTING COUNCIL REPRESENTATIVE</b>	<b>PROPOSED COUNCIL REPRESENTATIVE</b>
Airport Planning Committee	Jack Pratt	
Audit Committee	Gene Allen Bonnie White	
Beautification Advisory Committee	Jack Pratt	
Economic Improvement Corporation	Gary Stork	
Food Service Advisory Board	Stephen Fine	
Golf Course Advisory Board	Stephen Fine	
Kerrville Economic Development Corporation	Jack Pratt	
Kerrville Public Utility Board	Jack Pratt	
Library Advisory Board	Gary Stork	
Main Street Advisory Board	Gary Stork	
Municipal Court Review Committee	Jack Pratt Bonnie White	
Parks and Recreation Advisory Board	Gene Allen	
Planning and Zoning Commission	Bonnie White	
Playhouse 2000	Stephen Fine	

**RECOMMENDED ACTION**

Council may consider appointments; no recommendation from staff.

## BEAUTIFICATION ADVISORY COMMITTEE

	<u>Telephone</u>	<u>Orig. Appt.</u>	<u>Re-Appt. Date</u>	<u>Exp. Date</u>
DOUGLASS, BRANDON Chair 909 Tanglewood Lane	739-9882 (O)	12-11-12		12-11-15
WILLIAMSON, JAMES Vice-Chair Secretary 432 Fitch Street	257-2860 (H) 257-9673 (W)	08-13-13	5-10-16	12-11-18
RISHER, JOHN 114 Crestwood Dr.	459-3336 (H)	05-28-13	5-10-16	12-11-18
TRITENBACH, DAVID 216 Riverhill Blvd.	895-1953 (H)	12-11-12		12-11-14
VACANT				12-11-14

**COUNCIL EX-OFFICIO:** Jack Pratt

**Staff Contact Person:**

David Barrera 258-1223

Qualifications: Resident of the city.

Purpose:

- Evaluate the community on issues and matters pertaining to beautification of the community and to provide a report to the City Council;
- Educate the public and increase awareness regarding beautification of the community;
- Prepare and implement a beautification recognition program as approved by the City Council;
- Coordinate community beautification efforts;
- Prepare and present to the City Council for its consideration and approval a set of goals and objectives for a community beautification program; and
- Provide a report to the City Council at least twice a year on Kerrville Beautification Advisory Committee matters.

Term of Office: Two years; maximum of two consecutive terms

Quorum: Majority

Number of Members: Minimum of three, no more than five.

Meeting Time & Place: First Thursday of each month; 1:00 p.m.; City Hall Upstairs Conference Room.

Established by: Resolution 40-2012, November 13, 2012

Revised: February 26, 2016

**ECONOMIC IMPROVEMENT CORPORATION**

	<u>Telephone</u>	<u>Orig. Appt.</u>	<u>Re-Appt. Date</u>	<u>Exp. Date</u>
WAMPLER, DAVID President 411 Bobwhite	895-3600 (O) 896-7832 (H)	05-22-12	06-10-14	06-01-16
COCHRANE, GARY Vice President 2305 Birkdale Ln.	895-7771 (O) 459-8808 (H)	12-13-11	05-26-15	06-01-17
PATTILLO, SHERI Secretary 1695 Mountain Laurel	285-9210 (O)	06-10-14		06-01-16
SIGERMAN, DELAYNE 4000 Comanche Trace Dr.	895-7765 (H) 305-302-6258 (O)	05-26-15		06-01-17
STAFFORD, PAUL 38 Antelope Trail	895-3079 (H)	05-26-15		06-01-17
STORK, GARY 804 Tanglewood Lane	257-0365 (O) 200-1483 (H)	05-26-15		06-01-17
WILSON, JAMES 410 Spring Mill	792-0470 (H) 210-593-1507 (O)	01-27-15		06-01-16
<b>CITY STAFF:</b> Todd Parton City Manager	258-1105 (O)			

Qualifications: Resident of the city and at least three directors must be persons who are not employees, officers or members of the governing body of the city.

Purpose: Benefiting and accomplishing public purposes of the city permitted by Section 4B of the Act including, but not limited to, the promotion and development of industrial and manufacturing enterprises to promote and encourage employment and the public welfare, and financing the acquisition, construction and/or equipping, and/or the maintenance and operating costs of any "Project" (as defined in Section 4B of the Act).

Term of Office: Two years; maximum of two consecutive terms

Quorum: Majority

Number of Members: Seven

Meeting Time & Place: Third Monday, 4:00 p.m., City Hall Council Chambers

Established by: Resolution No. 1995-112, amended by Resolution Nos. 1999-184; 032-2009

Revised: August 27, 2015

**FOOD SERVICE ADVISORY BOARD**

	<u>Telephone</u>	<u>Orig. Appt.</u>	<u>Re-Appt. Date</u>	<u>Exp. Date</u>
YOUNG, DARRELL Chairperson 1326 Ranchero Rd.	257-0800 (O) 896-1852 (H)	12-11-12	12-09-14	12-01-16
DITTMAR, REBECCA Vice-Chairperson 155 Aqua Vista	353-1305 (O) 896-9037 (H)	12-11-12	12-09-14	12-01-
AAMODT, "GARY", JR. 160 Kerrville South Rd.	257-3533 (O) 896-7979 (H) 370-4416 (C)	08-11-15		12-01-17
GONZALES, DAVID C. 704 Englemann Oak Dr. Fredericksburg, TX 78624	830-315-2750 (O) 940-452-5486 (H)	08-27-13	12-09-14	12-01-16
MOLINA, RUBEN 325 George Ct.	896-3313 (O) 377-2768 (H)	01-12-16		12-01-17
TOLLE, BECKY 540 Fairway Dr.	377-4255 (O) 837-0076 (H)	01-12-16		12-01-17
VAZQUEZ, ABEL 158 Valley View	257-0606 (O) 896-9899 (H)	01-11-11	12-09-14	12-01-16
<b>COUNCIL LIAISON:</b>				
STEPHEN FINE 1210 Virginia Dr.	285-4234 (C) 896-2934 (H)			
<b>CITY STAFF:</b>				
Daryle Poe Health Specialist	258-1173			
Danny Batts Director of Bldg. Services	258-1178 (O) 896-0517 (F)			

Qualifications: Shall be composed of local certified food managers from the food service or food processing industry, any member of the local restaurant association who owns or conducts business in the city of Kerrville or any citizen of Kerr County qualified by training and/or experience to advise on the application of the food code.

Powers and Duties: To hear appeals and make recommendations to the health official for variances from provisions of the code; to provide assistance to the health official concerning interpretations of the code; to advise the city manager, at his request, regarding the suspension or revocation of food permits; and to consider and make recommendations to city council regarding any matters relating to the food service program.

Term of Office: Two Years; no member shall serve more than two consecutive terms.

Quorum: Four

Number of Members: Seven

Meeting Time & Place: Tri-annually (April, August & Dec), Third Tuesday, 3:00 p.m., Development Services

Absences: Any member who misses three consecutive regular meetings shall thus cause his/her seat on the board to become vacant. The council shall then appoint a new member to fill the vacancy.

Established by: Ordinance 1989-30; amended by Ordinance 1994-11  
Code of Ordinances: Chapter 58 - Article II - Section 58-34

Revised: April 15, 2016

**GOLF COURSE ADVISORY BOARD**

	<u>Telephone</u>	<u>Orig. Appt.</u>	<u>Re-Appt. Date</u>	<u>Exp. Date</u>
McCARTER, CHARLES Chairman 937 Myrta	210-286-4646 (C) 895-1112 (H)	09-11-12	09-23-14	07-01-16
GIESECKE, MARION C. 9 Antelope Trail	896-4646 (H) 377-8100 (C)	09-23-14		07-01-16
HERD, HELEN 2829 Rock Barn Dr.	895-4373 (H) 979-777-2274 (C)	09-08-15		07-01-17
PINSON, EDDIE 102 Ridgerock Cove	285-5555 (H)	09-08-15		07-01-17
SIGERMAN, MICHAEL 2744 Indian Wells Dr.	895-7765 (H) 305-498-1602 (O)	09-08-15		07-01-17
STERN, ALLEN 2565 Bandera Hwy.	895-2892 (H) 739-5353 (O)	09-11-12	09-23-14	07-01-16
BAILEY, MICKEY 1001 Bluebonnet Dr.	285-5908 (H) 792-2290 (W)	10-27-15		07-01-17
COUNCIL LIAISON: STEPHEN P.FINE 1210 Virginia Dr.	285-4234 (C) 896-2934 (H)	06-26-15		
CITY STAFF: Kristine Day Assistant City Manager	258-1106 (O)			
Scott McDonough General Manager of Golf & Tennis	258-1400 (O)			

- Qualifications: Of the seven (7) regular voting members appointed by the City Council, six (6) shall be residents of the City of Kerrville, Texas, and one (1) member may reside outside the City but within Kerr County.
- Purpose and Duties: The purpose of the Board is to advise the City Council and city staff on matters relating to the operation of the Scott Schreiner Municipal Golf Course.
- Term of Office: Two Years. No member shall serve more than two consecutive full terms without having at least one full year off of the Board between terms.
- Vacancies: Upon the vacancy, removal, or expiration of the term of office of any member, the

city council shall appoint a successor who shall hold that position for the unexpired term or for the period of two years when the appointment is made as the result of the expiration of a board member's term.

Quorum: Four members of the board, excluding liaison members.

Number of Members: Seven

Meeting Time & Place: Fourth Wednesday, in the months of January, March, May, July, September, and November, at 4:30 p.m.; Upstairs Conference Room

Absences: The name of any member having three consecutive absences from regularly called meetings of the board, or who in any consecutive twelve-month period is absent from more than 25 percent of the regularly called meetings, shall be forwarded to the city council for consideration for removal and replacement on the board.

Established by: Resolution No. 037-2009, (repealed Resolution Nos. 99-230, 99-307, 080-2000, and 136-2004); Resolution 30-2012

Revised: October 28, 2015

**Kerrville Economic Development Corporation**  
**Board of Directors**

**Jack Pratt**

**Thomas Houdeshell**

President  
830-792-1156

**David Wampler**

830-895-3600

**Jonas Titas**

Executive Director  
830-896-1157

**Don Barnett**

830-257-2191

**Leah Dixon**

Executive Assistant  
830-896-1157

**Mike Wittler**

Board Member  
830-792-8230

[leahdixon@kerr-edc.com](mailto:leahdixon@kerr-edc.com)

**Ward Jones**

Board Member  
830-896-6714

**KEDC Mailing Address:**

1700 Sidney Baker #100  
Kerrville, TX 78028

**Charlie McIlvain**

Vice President  
830-792-3535

**Dan Troxell**

Treasurer  
830-257-2200

**Tom Moser**

830-377-7687

**KERRVILLE PUBLIC UTILITY BOARD**

	<u>Telephone</u>	<u>Orig. Appt.</u>	<u>Re-Appt. Date</u>	<u>Exp. Date</u>
STACY, PHILIP Chairman P.O. Box 222 Hunt, TX 78024	792-4844 (O) 830-367-7007 (H)	02-28-12		04-21-17
SAMPLE, JOHN Vice-Chairman P.O. Box 291341 355 W. Main	257-6625 (H)	04-22-09	03-11-14	04-21-19
GAMBLE, FRED Secretary 1228 Jefferson	257-5135 (H)	04-22-10	4-21-15	04-21-20
THOMAS, BILL 435 Coronado	895-3695 (H) 377-5407 (C)	03-08-16		04-21-21
WHITE, BONNIE Mayor P.O. Box 291949	792-6679 (H) 896-6679 (O)	05-17-16		05-00-18
Staff WITTLER, MIKE General Manager P.O. Box 294999	257-3050 (O)			

Qualifications: Citizen of the United States of America who reside or conduct business on a full-time basis in Kerr County, Texas and who use the system for personal, residential, business and/or company use. No person who is related within the second degree of consanguinity or affinity to any member of the board of trustees shall be eligible for election as a member of the board.

Vacancies: All vacancies shall be filled by the city council from nominations of at least three persons for each position to be filled by the majority vote of the remaining members of the board of trustees. If the city council does not act upon such nominations within 30 days after submission in writing to the city council, the board of trustees by majority vote of the remaining members shall nominate three additional persons for each position to be filled. If the city council does not act upon such additional nominations within 30 days after submission of such additional nominations, the board shall be empowered to fill such vacancies by the majority vote of the remaining members of the board of trustees.

Powers: To take, have and exercise exclusive possession and control of the system, and all additions thereto, and to collect, and enforce the collection of all funds and revenues that may be or become owing or that may arise out of the operation of the system, and to disburse the same. To fix all rates for all services to be

furnished by the system, with the power to alter the same at any time or times, subject to approval of the city council of the city of Kerrville. To employ and pay the compensation of a general manager of the system, and attorneys, engineers and other professional or technical aids as may be necessary. To do any and all things necessary in reference to the installing and maintaining of a complete system of records and accounts pertaining to the system and to make monies available for the payment of revenue bonds.

- Term of Office: Five years; a person who has served as a member of the Board for an initial term shall be eligible to be re-appointed for one additional consecutive term of five years, and one only, but may serve for any number of non-consecutive terms so long as such member has not served as a member of the board for at least two years next preceding the term for which such member is appointed. A member who is appointed to the board to serve out an unexpired portion of a retired member's term shall not be considered to have served a "term" unless the unexpired portion of the term so served is two years or more. Permanent removal of residence from, or the failure to conduct business on a full-time basis in Kerr County by any member of the board shall vacate his office as a member of the board.
- Quorum: Three
- Number of Members: Five
- Meeting Time & Place: Third Wednesday, 8:30 a.m., 2250 Memorial Blvd.
- Absences: Any member of the board, other than the Mayor, who shall be continuously absent from all meetings held by the board for a period of four consecutive months shall, unless he shall have been granted leave of absence by the unanimous vote of the remaining members of the board, be considered to have vacated his office as a member of the board.
- Established by: Ordinance No. 1987-45 (purchase); Resolution 1987-106 (Board);
- Revised: March 18, 2016

**LIBRARY ADVISORY BOARD**

	<u>Telephone</u>	<u>Orig. Appt.</u>	<u>Re-Appt. Date</u>	<u>Exp. Date</u>
BOX, ASTRID 504 Rees Street	896-7662	01-26-16		11-22-17
LENARD, MARTY 605 Overhill Dr.	370-1757 (C)	12-09-14		11-22-16
LIPSCOMB, DAVID 115 Erin Drive	895-4232 (H)	01-26-16		11-22-17
MILLER, MATTHEW 201 Stephanie Dr.	330-462-0951 (H)	01-26-16		11-22-17
* SMITH, JANE 2009 Crown View Dr.	792-9144 (H)	04-22-13		11-22-16

**EX OFFICIO MEMBER:**

Gary Stork 257-0365 (O)  
804 Tanglewood Ln. 200-1483 (H)

**CITY STAFF:**

Laura Bechtel 258-1260 (O)  
Library Director  
505 Water Street

Kim Meismer 258-1140 (O)  
Director of Gen. Operations 370-0748 (C)  
701 Main Street

Qualifications: Members must maintain a library card in good standing.

Powers and Duties: The Board is an advisory board to the city council; shall have the authority to hold meetings within the city and to consider and make recommendations to the Council from time to time on any and all matters pertaining to the Library. Upon a majority vote of the total membership.

Term of Office: All Board appointments shall serve two (2) year terms. No Board member shall serve more than two (2) consecutive two (2) year term on the Board without having at least one (1) full year off of the Board between terms. A majority of the members' terms shall expire in even-number years with the remaining members' terms expiring in odd-numbered years.

Quorum: Three members

Number of Members: Five members

Meeting Time & Place: Third Tuesday of Every Month; 3:00 pm; Butt-Holdsworth Memorial Library

Absences: Any member who is absent from twenty-five percent (25%) of the board's regular meetings during any twelve (12) month period, or who is absent from any three (3) consecutive regular meetings, shall be considered for removal by the City Council. The staff member has the responsibility of reporting a member's non-attendance to the City Council in writing, and the City Secretary shall notify the board member in writing that their non-attendance has been reported to the City Council. However, a member whose absences are directly related to a medical or family emergency may seek consideration from the board upon which they serve to qualify such absences as excused.

Established by: Ordinance No. 1967-17; amended by Ordinance Nos. 80-5, 84-14, 84-58, 85-01, 87-24, 87-60, 87-61, and 2005-19 (in its entirety); Resolution Nos. 045-2006, 107-2006, 076-2007, and 122-2007 did not change this board. Code of Ordinances: Chapter 66 - Article II – Sections 66-31 through 66-34; Amended by Ordinance No. 2010-05; Amended by Ordinance No. 2011-16.

Revised: February 10, 2016

\* Appointed by Friends of the Butt-Holdsworth Memorial Library

**MAIN STREET ADVISORY BOARD**

	<u>Telephone</u>	<u>Orig. Appt.</u>	<u>Re-Appt. Date</u>	<u>Exp. Date</u>
BRADSHAW, ROSE 229 Schreiner Street Chairperson	257-4101 (O) 895-3248 (H) 377-8948 (C)	03-24-15		05-31-17
SOUTHERN, MELISSA 1606 Quinlan Creek Drive Vice-Chairperson	257-3877 (W) 377-2015 (C) 257-1923 (H)	07-08-14	07-07-15	05-31-17
COUCH, BOB 370 St. Mark Path	377-4740	01-12-16		05-31-16
EDWARDS, TAMI 134 Kodiak Trail	367-2012 (H) 210-827-9938 (C)	01-28-14		05-31-16
JONES, DAVID 207 Lakewood Dr.	210-289-5483 (W) 257-5635 (H)	01-12-16		05-31-17
LOGAN, DAINELLE 1128 Hancock Drive	936-239-8224 (H) 955-5088 (W)	05-12-15		05-31-16
MARTIN, DAVID 1717 Foothills Dr.	895-1313 (O) 895-1857 (H) 830-459-9747 (C)	05-08-12	01-28-14	05-31-16

**COUNCIL LIAISON:**

Gary Stork 257-0365 (O)  
804 Tanglewood Lane

**CITY STAFF:**

Ashlea Boyle 258-1153  
Special Projects Manager

**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:** Four members

**Number of Members:** Seven

**Absences:** Any member who misses 25% of the regular meetings or three consecutive regular meetings may be replaced by City Council.

Meeting Time & Place: Fourth Thursday at 3:30 p.m., City Hall, 701 Main Street

\*Established by: Resolution No. 12-2014

Resolution No. 1994-133(Repealed 5-27-14)

Revised: January 29, 2016

\*Expiration of member terms were drawn at the June, 2014 meeting.

**PARKS AND RECREATION ADVISORY BOARD**

	<u>Telephone</u>	<u>Orig. Appt.</u>	<u>Re-Appt. Date</u>	<u>Exp. Date</u>
GARDNER, JAMES 123 Forest Circle	285-2129 (H)	09-23-14	05-12-15	03-31-17
KAYNE, JACKLYN 3564 Fredericksburg Rd	895-7524 (W) 895-7962 (H)	03-11-14	03-22-16	03-31-18
McMAHON, DIANE 1904 Danielle Drive	896-3195 (H) 370-6590 (C)	05-12-15		03-31-17
MITCHELL, BEDFORD 313 Lakewood Drive	896-4321 (H) 377-1114 (C)	05-12-15		03-31-17
MUNSON, JAY 808 Lloyd Drive	257-2212 (W) 792-4394 (H) 370-8344 (C)	03-11-14	03-22-16	03-31-18
MUSE, BILL 2956 Oak Park Dr.	928-7028 (C) 792-7355 (W)	4-09-13	05-12-15	03-31-17
GREG SHRADER 321 Englewood Dr. E.	739-9219 (C)	03-22-16		03-31-18
WALLACE, ED 131 Royal Oaks	257-5272 (H) 377-0455 (C)	11-30-11	05-12-15	03-31-17
<b>COUNCIL LIAISON:</b>				
Gene Allen 2106 Vista Ridge Dr. 1221 Junction Highway	895-5111 (O)			
<b>CITY STAFF:</b>				
Kristine Day Assistant City Manager	258-1106 (O)			
Ashlea Boyle Assistant Director of Parks & Recreation	258-1153 (O)			

Qualifications: A majority shall be residents of the city of Kerrville, and all shall be residents of Kerr County.

Powers and Duties: Shall constitute an advisory board to the city council and shall periodically assist city staff in procedural matters. The board shall have authority to hold hearings in the city and to consider and make recommendations to the city council in writing on any and all matters pertaining to the city's parks and recreation system.

Term of Office: Two years with a maximum of two terms. No member shall serve more than two terms without having at least one full year off between terms.

Quorum: Five

Members: Eight

Meeting Time & Place: Third Thursday, 8:15 a.m., City Council Chambers

Absences: Any member having three consecutive unexcused absences shall have his membership reviewed by the board. By majority vote, the board may recommend to the council that such member be removed from office. The council may then act upon such recommendation and either remove or retain such member.

Established by: Ordinance No. 1984-37, amended by Ordinance No. 1987-24

Code of Ordinances: Chapter 74 - Article II – Sections 74-31 through 74-38

Revised: March 23, 2016

**PLANNING AND ZONING COMMISSION**

	<u>Telephone</u>	<u>Orig. Appt.</u>	<u>Re-Appt. Date</u>	<u>Exp. Date</u>
WALLER, ROBERT 33 Antelope Trail Chair	792-6088 (H) 896-2950 (O)	07-09-13	01-13-15	01-01-17
HARMON, GARRETT 701 Lee Street Vice-Chair	895-4510 (O) 285-2151 (C)	06-25-13	01-13-15	01-01-17
BARNETT, DON 3 Antelope Trail	739-6822 (C)	01-12-16		01-01-18
MALONE, DOYLE 208 Spring Mill Dr.	257-8755 (H)	01-12-16** 07-23-13*		01-01-18
MORGAN, WILLIAM 1744 Glen Road	739-9655 (O) 257-6263 (H)	01-22-13	01-13-15	01-01-17

**ALTERNATES:**

SIGERMAN, MICHAEL 4000 Comanche Trace Drive	895-7765 (H)	02-23-16		01-01-18
ZUBER, RUSTIN 112 Harmon Way	895-2829 (O) 895-4913 (H)	12-10-13	01-13-15	01-01-17
<b>COUNCIL LIAISON:</b> Bonnie White 402 Forest Ridge Dr.	896-6679 (O) 792-6679 (H)			

**CITY STAFF:**  
Trent Robertson  
City Planner  
258-1184 (O)

**Qualifications:** At least four of the regular members shall be residents and eligible voters of the city; one regular member may reside in the city's extraterritorial jurisdiction (ETJ) and must be an eligible voter of Kerr County. At least one alternate member shall be a resident and eligible voter of the city; one alternate member may reside in the city's extraterritorial jurisdiction (ETJ) and must be an eligible voter of Kerr County.

**Powers and Duties:** 1. Shall formulate and recommend to the city council for adoption a Comprehensive Plan for the orderly growth and development of the city and its environs. On a yearly basis the commission shall review and if necessary recommend such changes in the plan as it finds will facilitate the movement of people and goods, and the health, recreation, safety and general welfare of the citizens of the city.

2. Shall formulate a zoning plan (ordinance) as may be deemed best to carry out the goals of the Comprehensive Plan; hold public hearings and make recommendations to the city council relating to the creation, amendment, and implementation of zoning regulations and districts as provided in state law.
3. Shall exercise all powers of a commission as to approval or disapproval of plans, plats, or replats as set out by state law and the city's subdivision regulations.
4. Shall initiate for consideration at public hearings, proposals for the original zoning of annexed areas or for the change of zoning district boundaries on an area wide basis.
5. Shall consider and take appropriate action, upon written request, variances as prescribed to the city's subdivision and sign regulations.
6. Shall from time to time recommend such changes to the subdivision regulations, sign regulations, and any other ordinance the city council assigns to their review that will facilitate the general health, safety and welfare of the citizens of the city.

**Term of Office:** Two years. No regular member shall serve more than three consecutive full terms on the Commission without having at least one full year off the Commission between terms.

**Quorum:** Three (may include an alternate member but only where substitution for and acting as a regular member)

**Number of Members:** Five regular members and two alternates.

**Meeting Time & Place:** First and third Thursdays, 4:30 p.m., City Hall; Council Chambers.

**Absences:** Any member who is absent from twenty-five percent (25%) of the board's regular meetings during any twelve (12) month period, or who is absent from any three (3) consecutive regular meetings, shall be considered for removal by the city council. The staff member has the responsibility of reporting a member's non-attendance to the city council in writing, and the city secretary shall notify the board member in writing that their non-attendance has been reported to the city council. However, a member whose absences are directly related to a medical or family emergency may seek consideration from the board upon which they serve to qualify such absences as excused.

**Established by:** Minutes of 12-18-44 Council meeting; amended by Ordinance Nos. 1979-37, 1987-24, and 2008-24 (which deleted from Code of Ordinances book Chapter 82 – Article II – Sections 82-31 through 82-36 and rolled into Zoning Code which is not codified)

\* Appointed as alternate

\*\* Appointed as full member

**Revised:** February 26, 2016

## **Playhouse 2000 Board of Directors**

### **Officers**

**Kit Werlein**, President Attorney, JD, CTFA (830) 792-3048  
110 Loma Vuelta 700 Jefferson St  
Kerrville, TX 78028 Kerrville TX 78028

**Tom Terrell**, Vice-President Attorney at Law (830) 896-5677  
(Nominating Committee Chair) 413 Sidney Baker  
111 Loma Vuelta Kerrville TX 78028  
Kerrville, TX 78028

**Christopher Distel**, Secretary/Treasurer  
632 Galbraith Assist. Professor of Biology (830) 792-7470  
Kerrville, TX 78028 Schreiner University

**Stephen Fine**, City of Kerrville Representative (830) 896-2934  
1210 Virginia Dr.  
Kerrville, TX 78028

### **Directors**

**Susan Neely Balentine** Co-Founder, Playhouse 2000 (830) 285-5419  
330 Valley Drive  
Kerrville, TX 78028

**Arthur Bell** (281) 799-4517  
(Nominating Committee)  
P.O. Box 706  
Ingram TX 78025

**Roxie Orms** (830) 824-5125  
858 Harper Road  
Kerrville, TX 78028

**Gene Smith** (830) 257-2428  
One Antelope Trail  
Kerrville, TX 78028

**Paul Stafford** (830) 895-3079  
38 Antelope Trail  
Kerrville, TX 78029

**Nancy Watts** Nancy Watts Interiors, Inc. (830) 370-1699  
522 Fairway Dr (830) 257- 0100  
Kerrville, TX 78028

**James Wilson**  
(Nominating Committee)  
410 Spring Mill Drive  
Kerrville, TX 78028

James E. Wilson & Co., Inc.  
P.O. Box 294749  
Kerrville, TX 78029

(713) 249-2634

**Staff**

**Jeffrey Brown**, Executive Director  
285 Katie Court  
Boerne, TX 78006  
(Spouse: Jane)

Playhouse 2000, Inc.  
305 Washington St.  
Kerrville, TX 78028

(830) 896-9393 x303  
(830) 708-9410 (c)

## **Agenda Item:**

8B. Appointments to the City of Kerrville, Texas Economic Improvement Corporation. (staff)

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

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**SUBJECT:** Appointments to the Economic Improvement Corporation

**FOR AGENDA OF:** May 24, 2016

**DATE SUBMITTED:** May 19, 2016

**SUBMITTED BY:** Brenda Craig  
City Secretary

**CLEARANCES:** Todd Parton  
City Manager

**EXHIBITS:** Board List

**AGENDA MAILED TO:**

**APPROVED FOR SUBMITTAL BY CITY MANAGER:**



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**SUMMARY STATEMENT**

Consider appointments to the following board:

**Economic Improvement Corporation:** Three vacancies that will expire on June 1, 2016.

**RECOMMENDED ACTION**

Consider appointments.

**ECONOMIC IMPROVEMENT CORPORATION**

	<u>Telephone</u>	<u>Orig. Appt. Date</u>	<u>Re-Appt. Date</u>	<u>Exp. Date</u>
WAMPLER, DAVID President 411 Bobwhite	895-3600 (O) 896-7832 (H)	05-22-12	06-10-14	06-01-16
COCHRANE, GARY Vice President 2305 Birkdale Ln.	895-7771 (O) 459-8808 (H)	12-13-11	05-26-15	06-01-17
PATTILLO, SHERI Secretary 1695 Mountain Laurel	285-9210 (O)	06-10-14		06-01-16
SIGERMAN, DELAYNE 4000 Comanche Trace Dr.	895-7765 (H) 305-302-6258 (O)	05-26-15		06-01-17
STAFFORD, PAUL 38 Antelope Trail	895-3079 (H)	05-26-15		06-01-17
STORK, GARY 804 Tanglewood Lane	257-0365 (O) 200-1483 (H)	05-26-15		06-01-17
WILSON, JAMES 410 Spring Mill	792-0470 (H) 210-593-1507 (O)	01-27-15		06-01-16
<b>CITY STAFF:</b> Todd Parton City Manager	258-1105 (O)			

Qualifications: Resident of the city and at least three directors must be persons who are not employees, officers or members of the governing body of the city.

Purpose: Benefiting and accomplishing public purposes of the city permitted by Section 4B of the Act including, but not limited to, the promotion and development of industrial and manufacturing enterprises to promote and encourage employment and the public welfare, and financing the acquisition, construction and/or equipping, and/or the maintenance and operating costs of any "Project" (as defined in Section 4B of the Act).

Term of Office: Two years; maximum of two consecutive terms

Quorum: Majority

Number of Members: Seven

Meeting Time & Place: Third Monday, 4:00 p.m., City Hall Council Chambers

Established by: Resolution No. 1995-112, amended by Resolution Nos. 1999-184; 032-2009

Revised: August 27, 2015

## **Agenda Item:**

8C. Appointments to the Kerrville-Kerr County Joint Airport Board. (staff)

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

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**SUBJECT:** Appointments to the Kerrville-Kerr County Joint Airport Board

**FOR AGENDA OF:** May 24, 2016      **DATE SUBMITTED:** May 19, 2016

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

**EXHIBITS:** Board List  
Letter from Bruce McKenzie, Airport Manager, dated April 11, 2016

**AGENDA MAILED TO:**

**APPROVED FOR SUBMITTAL BY CITY MANAGER:** 

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**SUMMARY STATEMENT**

The city council may consider three appointments to the Kerrville-Kerr County Joint Airport Board.

The attached letter from Bruce McKenzie, Airport Manager, states the Airport Board's recommendation for the reappointment of Corey Walters, Kirk Griffin, and Bill Wood.

These reappointments were approved by the Kerr County Commissioners' Court on April 25, 2016.

In accordance with the interlocal agreement, the Airport Board recommends persons to the county and city for consideration of appointment. In the event a candidate(s) recommended by the board is not appointed by either party, the board shall recommend an alternative candidate. In the event the second candidate is not appointed by either party, the board shall select another candidate who will be automatically appointed to the board without the approval of the parties.

**RECOMMENDED ACTION**

Consider appointments to the Kerrville-Kerr County Joint Airport Board, with terms to expire June 1, 2018.

**KERRVILLE-KERR COUNTY JOINT AIRPORT BOARD**

	<u>Telephone</u>	<u>Orig. Appt.</u>	<u>Re-Appt. Date</u>	<u>Exp. Date</u>
KING, STEVE (PL 2) President 242 Creekwood Rd. E-mail <a href="mailto:swking242@windstream.net">swking242@windstream.net</a>	257-3063 (O) 285-3063 (C)	04-25-06	05-26-15	06-01-17
WALTERS, ROGER "COREY" Vice President (PL 1) 222 Sidney Baker South, Ste. 305 E-mail <a href="mailto:cw717@ktx.com">cw717@ktx.com</a>	257-6300 (O) 257-1314 (H)	10-27-09	05-27-14	06-01-16
GRIFFIN, KIRK (PL 5) 109 Canyon Dr. W. P.O. Box 741 Hunt, TX 78024 E-mail <a href="mailto:agbq81@yahoo.com">agbq81@yahoo.com</a>	830-459-3431 (C)	11-13-12	05-27-14	06-01-16
LIVERMORE, ED (PL 4) 3004 Pinnacle Club Ct. #2 E-mail <a href="mailto:elivermo@ktc.com">elivermo@ktc.com</a>	895-2820 (H)	08-23-11	05-26-15	06-01-17
WOOD, WILLIAM "BILL"(PL 3) 3004 Pinnacle Club Dr. #4 E-mail <a href="mailto:bill@satx.rr.com">bill@satx.rr.com</a>	896-7742 (H) 329-2891 (C)	08-28-12	05-27-14	06-01-16

**Council Liaison:**

Mayor Jack Pratt 895-2214 (O)  
E-mail [mayor@kerrvilletx.gov](mailto:mayor@kerrvilletx.gov)

**Airport Board Staff:**

Bruce McKenzie 896-9399 (O)  
Airport Manager 329-3764 (C)  
E-mail [bruce.mckenzie@kerrvilleairport.com](mailto:bruce.mckenzie@kerrvilleairport.com)

Qualifications: It is deemed desirable that all board members possess and will contribute a balance of expertise in business, financial, aviation, or management training and experience.

Powers and Duties: The board may exercise on behalf of the city and county any power possessed by either and those specifically provided by the code, including the power to lease property and facilities, and to buy and sell goods as an incident to the operation of the airport. However, the board is not authorized to impose a property tax, sell bonds, or otherwise enter into other debt instruments, dispose of airport property, or exercise the power of eminent domain without the prior written consent of the city and county. The board, following the prior written consent of the city and

county, has the authority to apply for and to execute grant funding agreements. The board may improve, equip, maintain, operate, manage, regulate, protect, and police the airport. The board may realign, alter, acquire, abandon, or close a portion of a roadway or alleyway without a showing of paramount importance if the portions to be realigned, altered, acquired, abandoned, or closed are in the geographical boundaries of the airport at the time of or after the realignment, alteration, acquisition, abandonment, or closing. The board shall have the responsibility and be in charge of the property, improvements, and other assets of the airport and shall be in charge of the disbursement of airport funds for airport purposes. The board shall also cause records to be kept of any and all revenues and disbursements. The board shall establish a fund to be maintained for the purpose of depositing all revenues of the airport. This fund shall be kept and managed by the board and shall be established at a bank with a branch in Kerr County. Federal, state, or other contributions or loans and the revenue obtained from the operation of the airport shall be deposited to the credit of the joint fund. The board shall have an audit of the financial affairs of the board and its operation of the airport conducted each year by an independent accountant and shall furnish the audit to the city and county no later than December 1 of each year. The board shall ensure that all records regarding the operation of the airport are maintained, retained, and made available for public review in accordance with the Texas Public Information Act. All records shall be maintained at the airport. The board shall hire and employ an airport manager ("manager") and such other employees as are necessary for the operation of the airport. The board, through its manager and any other employees, shall be responsible for the day-to-day management of the airport. Toward that end, the board is authorized to enter into service contracts with other public or private entities. The board may adopt resolutions, rules, and orders for the operation of the airport. The board may lease airport property and may adopt fees and rental rates with respect to the use of airport services or use of airport property. Such fees and rates should be, to the extent possible, included within the board budget. The city and county acknowledge that the airport property is within the city's limits and is subject to the city's regulations. However, the board shall monitor and consider appropriate zoning for the airport and the immediately surrounding areas whose use may impact airport operations. The board shall adopt policies and procedures for the purchase of goods and services and for the accounting of the airport's finances, each in accordance with state law.

The board may insure itself, its contractors and subcontractors against liability arising from the operation of the airport for damages to the person or property of others, workers' compensation, and officers' and employees' liability. The board shall comply with the code and other state laws and local laws in all respects.

Number of Members:

Five members: 1) The Board shall recommend persons to the County and City for consideration of appointment. The Board shall submit the names of such persons to each Party at least 60 days prior to the end of the particular place's term. In the event that a candidate recommended by the Board is not appointed by either Party, the Board shall recommend an alternative candidate. In the event that this second candidate is not appointed by either Party, the Board shall select another candidate who will be automatically appointed to the Board without the approval of the parties. 2) It is deemed desirable that all Board members possess and will contribute a balance of expertise in business, financial, aviation, or management training and experience. Appointments shall be made on or before June 1 of each year. 3) Replacement of members shall be made on or before June 1 of each year. 3) Replacement of members shall be in the same manner and under the same qualification as described above with such replacement being appointed to fulfill only that portion of the remaining term. 4) Any Board member may be removed by a

majority vote of each Party, for any reason. In addition, the Board may recommend to the County and City that a Board member be removed. 5) Board members shall be eligible for reappointment, but Board members are prohibited from serving more than 3 consecutive, 2-year terms. Only reappointments made after October 1, 2011 shall count toward this limitation.

- Term of Office: Each board member shall be appointed for a two year term and shall continue to Serve in this capacity until their successor is appointed and is duly qualified. Upon the death of any member or should any member resign or for any reason become unable to serve, a replacement shall be appointed in the same manner as provided to fill the vacancy for the unexpired term. The terms of those board members who are serving in Place 1, 3 or 5 shall expire on June 1, 2010. The terms for those board members appointed to Places 2 and 4 shall expire on June 1, 2011. Board members shall be eligible for reappointment.
- Meeting Time & Place: Third Monday of each month, 8:30 a.m. at Airport Terminal Building, Louis Schreiner Field Airport, 1877 Airport Loop Road, Kerrville, Texas. All such meetings of the board shall be held in accordance with the Texas Open Meetings Act.
- Established by: Interlocal Agreement between the City of Kerrville, Texas and Kerr County, Texas. Ordinance No. 2004-21 (replaced in its entirety); amended by Resolution No. 069-2008 (joint management)  
Code of Ordinances: Chapter 22 - Article II - Section 22-31 through 22-33
- Revised: May 27, 2015



Kerrville/Kerr County Airport  
Bruce McKenzie, Airport Manager  
1877 Airport Loop  
Kerrville, TX 78028  
bruce.mckenzie@kerrvilleairport.com

April 11, 2016

Kerrville City Council  
City of Kerrville  
701 Main Street  
Kerrville, TX 78028

Dear Council,

The terms of three Airport Board members (Corey Walters, Bill Wood and Kirk Griffin) will expire June 1, 2016. At the March 21, 2016, Airport Board meeting Mr. Walters, Mr. Wood, and Mr. Griffin agreed to serve another term. It is the recommendation of the Airport Board that the Kerrville City Council accepts and approves their reappointment.

Pursuant to the Interlocal Agreement, which became effective September 29, 2011, this letter is to inform the City of Kerrville of the intentions of the Board members. The City Council has previously approved these members to serve on the Airport Board.

Thank you,

A handwritten signature in black ink, appearing to read 'Bruce McKenzie', is written over a horizontal line.

Bruce McKenzie  
Airport Manager  
Kerrville/Kerr County Airport