

AGENDA FOR SPECIAL MEETING

KERRVILLE CITY COUNCIL

TUESDAY FEBRUARY 8, 2011, 6:00 P.M.

CITY HALL COUNCIL CHAMBERS

800 JUNCTION HIGHWAY, KERRVILLE, TEXAS

Agenda Item:
(Staff)

- 2A. Police Captains David Knight and Jeffrey Wendling upon graduation from the FBI National Academy in Quantico, Virginia.

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

SUBJECT: Recognition of Captain David Knight and Captain Jeffrey Wendling upon their graduation from the FBI National Academy in Quantico, Virginia

FOR AGENDA OF: February 8, 2011 **DATE SUBMITTED:** January 13, 2011

SUBMITTED BY: Chief John Young **CLEARANCES:** Todd Parton, City Manager

EXHIBITS:

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER:



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

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DIRECTOR:

SUMMARY STATEMENT

The Kerrville Police Department was extremely fortunate to have Captains Knight and Wendling attended the FBI National Academy in 2010. The FBI National Academy is designed to provide advanced training to law enforcement executives from both the United States and foreign law enforcement departments. Each session is comprised of approximately 265 law enforcement command officers representing all 50 states and over 22 foreign countries. Internationally recognized for its academic excellence, the National Academy Program, held at the FBI Academy in Quantico, Virginia, offers ten (10) weeks of advanced investigative, leadership, management and fitness training for selected officers having proven records as professionals with their agencies. National Academy students have been able to earn undergraduate and graduate credits from the University of Virginia. The academy allows students the opportunity to create their own class schedule, allowing them to meet their specific developmental needs and providing a free exchange of ideas with other students concerning the best practices of their departments.

RECOMMENDED ACTION

I would like to formally recognize Captain Jeffrey Wendling Session 242 and Captain David Knight Session 243 upon their graduation from the FBI National Academy.

Agenda Item:
(AACOG representative)

- 3A. Alamo Area Council of Governments (AACOG) regarding the Kerr County weatherization assistance program.

RECOMMENDED ACTION

No action is required. The AACOG will be scheduling a series of meetings throughout Kerr County. These meetings will be used to provide public information and to assist residents with completing and submitting applications.

Exhibit 1
Weatherization Assistance Program Brochure

Here's what satisfied customers have to say about the WAP:

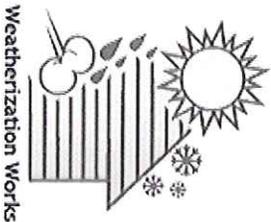
Brenda:

"Before my house was weatherized, I was spending close to \$400 per month on utility bills. After AACOG weatherized my house, my bills went down by more than half. I use the savings for important medical needs and other necessary items for my family." Brenda received numerous weatherization measures, including insulation in her walls and attic, two new window air conditioners, and a door – at no cost.

Dorothy:

"As a baker, a good, working, and safe stove is important to me. I worried about gas leaks. Now I worry about calories." Dorothy can now bake her delicious cookies without worrying about her unsafe stove, while saving money on her utility bills. The WAP program replaced her leaking gas stove with a new one, provided two new space heaters, and attic insulation and more – all at no cost to her.

More than five million homes have been weatherized since the inception of the Weatherization Assistance Program.



AACOG
8700 Tesoro Drive, Suite 700
San Antonio, TX 78217
www.aacog.com



Weatherization Assistance Program

*Providing energy
conservation measures to
low-income households*

Alamo Area Council of Governments
8700 Tesoro Drive, Suite 700
San Antonio, TX 78217
(210) 362-5282 / 1-800-749-2010
Fax (210) 225-5937
mail@aacog.com
www.aacog.com/housing

What is the Weatherization Assistance Program?

The AACOG Weatherization Assistance Program (WAP) is funded by the Texas Department of Housing and Community Affairs, and the United States Department of Energy.

The program is designed to help low-income people, particularly the elderly and the handicapped, overcome the high cost of energy, through the installation of weatherization or energy conservation measures – at no cost.



How does the Weatherization Assistance Program work?

The program consists of four steps:

1. An application to determine income eligibility.
2. An energy audit of the home by a professional inspector.
3. Installation of certain measures. For example: attic/wall insulation, and replacement or repair of heating and air conditioning equipment.
4. A final inspection to assure work quality completeness and customer satisfaction.

The Weatherization Assistance Program is not a Home Repair Program!

Who is eligible for the Weatherization Assistance Program?

Eligibility is based on household income. It cannot exceed 200% of low-income guidelines. Also, an applicant may qualify, but the home may not if any of the following apply:

- ◆ Poor electrical wiring
- ◆ Foundation problems
- ◆ Roof leaks
- ◆ Plumbing problems

What type of weatherization assistance can I receive?

Weatherization assistance you receive might include:

- ◆ Attic, wall, and/or floor insulation
- ◆ Weather-stripping and caulking
- ◆ Replacement or repair of broken windows or storm windows
- ◆ Installation of new gas water heaters, space heaters, HVAC, or window air conditioning units.



Weatherization Assistance Program:
Helping overcome the high cost of energy!

Where does AACOG provide the Weatherization Assistance Program?

AACOG's service area includes Atascosa, Bander, Bexar, Comal, Frio, Gillespie, Guadalupe, Karnes, Kendall, Kerr, Medina, and Wilson Counties.



How can I apply for the Weatherization Assistance Program?

Contact:



Alamo Area Council of Governments
8700 Tesoro Drive, Suite 700
San Antonio, TX 78217-6228

Toll Free: 800-749-2010
In San Antonio: 210-362-5282
mail@aacog.com
www.aacog.com/housing

Hearing impaired individuals may contact AACOG by dialing 7-1-1 to reach a Relay Texas operator.
Se habla español.

Exhibit 2
Weatherization Program Application



Enclosed is your Weatherization Program application. It is important that you complete all sections that pertain to your household.

Our federal guidelines require that we have verification of all income claimed for anyone living in the household who is age 18 and over. The following checklist states what is needed for an application to be complete:

- ____ 1. Provide proof of your household's gross income for the past thirty days from the date you sign the application (ex: if you sign the application on July 4 then you must provide income you received from June 4 to July 4). If an Individual 18 and over in the household does not receive any income, the 'Declaration of Income Statement' (stating why they do not receive income) must be completed, signed, and dated.
- ____ 2. Complete the Social Security Administration Consent for Release of Information form to be used only if an individual does not have their 2010 Social Security award letter that verifies their Social Security, SSI, or monthly disability benefits.
- ____ 3. Complete all parts of the enclosed application, including signature and date on page 3.
- ____ 4. Complete the Home Information Survey.
- ____ 5. Sign and date the Weatherization Utility Release Form.
- ____ 6. Provide previously paid utility bills for electric and/or gas (other bills ex:for water and telephone are not needed.)
- ____ 7. Mail the complete application to: AACOG Housing Department
8700 Tesoro Dr., Suite 700
San Antonio, Texas 78217-6228

Upon receipt of the requested information, your application will be formally reviewed to determine eligibility. You will be notified of such determination by mail.

If you have questions, please call us at (210) 362-5282 or 1(800) 749-2010.

Incomplete applications will delay processing and, due to the limited funding, may result in you not being provided services.

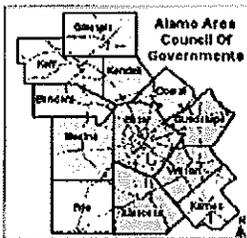


ALAMO AREA COUNCIL OF GOVERNMENTS WEATHERIZATION ASSISTANCE PROGRAM

Providing energy conservation measures to low-income households

The AWAP Program is not a home repair program. AWAP does not do not repair roofs, plumbing fixtures, electrical problems, nor does it do house leveling.

AWAP Service Area



For More Information Contact:

AACOG Housing Dept.
8700 Tesoro Dr., Suite 700
San Antonio, Texas 78217
Phone: 210-382-5282
Fax: 210-225-5937
Email: mail@aacog.com



Weatherization
Works

Operation

The program is designed to help low-income people, particularly the elderly and the handicapped, overcome the high cost of energy, through the installation of weatherization or energy conservation measures – at no cost.

Weatherization Services

Typical measures include:

- * Caulking and sealing cracks and holes in the house's structure.
- * Weather stripping of doors and windows.
- * Repairing and/or replacing windows and exterior doors.
- * Insulating attics and walls.
- * Replacing appliances with energy efficient appliances. Ex. refrigerator, cooling system, gas water heater.

Weatherization Process

The program consists of four steps:

1. An application to determine income eligibility.
2. An inspection and energy audit of the home by a professional inspector.
An applicant may qualify for the AWAP program but the home can still be disqualified if any of the following apply:
 - Poor electrical wiring
 - Foundation problems
 - Roof leaks
 - Plumbing problems
3. The Weatherization of the home.
4. A final inspection to assure work quality completeness and client satisfaction.

What Do I Have to Pay?

NOTHING! AWAP is free to people who are income eligible and accepted into the program.

Are Renters Eligible for Services?

Yes. The owner of the home is required to sign a document allowing AACOG to weatherize the home.

Eligibility

If a household meets income eligibility requirements or contains a member who receives Supplemental Security Income (SSI), TANF may be eligible for weatherization services.

Family Size	Monthly Income	2010 Income Guidelines
1	1,805	21,660
2	2,428	29,140
3	3,052	36,620
4	3,675	44,100
5	4,298	51,580
6	4,922	59,060
7	5,445	66,540
8	6,168	74,020
Amount to add for each additional family member		7,480

Acceptable Proof of Income Includes:

- * Current wage stubs for one month.
- * Award letters from Social Security or Supplemental Security Income (SSI)
- * Unemployment Compensation Payment Statements
- * Retirement or Annuity Statements
- * If household receives only cash, a signed, notarized affidavit will be acceptable.
- * Federal Income Tax Forms will only be accepted if the applicant is self employed.



APPLICATION FOR WEATHERIZATION ASSISTANCE PROGRAM
SOLICITUD PARA SERVICIOS DE CLIMATIZACION DEL HOGAR



A.

Name of Applicant or Head of Household Nombre del Solicitante O Responsable de la Casa				Home Telephone Telefono de la Casa
Mailing Address Dirección postal	Street/P.O. Box, City	County	Zip	Work Telephone Telefono del Trabajo
Residence Address - If Different Dirección de Residencia - Si es diferente de la postal		County Condado	Zip Codigo Postal	Email Address Correo Electrónico
Has this residence ever received services from the Weatherization program? Esta residencia ha recibido servicios del programa de climatización?				<input type="checkbox"/> Yes/Si <input type="checkbox"/> No
If "Yes", when ? / Si marca "Si", Cuando?				

Give the following information about each household member, including yourself.
Escriba los nombres de todas las personas que viven en esta casa, incluyéndose a usted.

B.	Name Nombre	Date of Birth Fecha de Nacimiento	Sex Sexo	Race* Raza*	U.S. Citizen Ciudadano De Los E.U.A.		Handicapped Incapacitado		Social Security Number** Numero de Seguro Social**
					Yes/Si	No	Yes/Si	No	

List additional members on back or separate page.
Si necesita más espacio, escriba al reverso de esta página o en otro papel.

*This information is voluntary and is requested to ensure benefits are provided without regard to race, color or national origin. It will not affect your eligibility or benefit level.
*Esta información es voluntaria y se solicita solo con el fin de asegurar que los beneficios se puedan ofrecer sin discriminación de raza, color, u origen nacional. Esta información no afectará su elegibilidad ni cantidad de su beneficio.
**Although law does not require this information, it is necessary for correct computer processing.
**Aunque la ley no requiere esta información, es necesario para procesar correctamente su solicitud por medios computarizados.

Give the following information about each household member, including yourself.
Escriba los nombres de todas las personas que viven en esta casa, incluyéndose a usted.

C.	Name of Persons Working Nombre de Personas que Trabajan	Employer's Name, Address, and Telephone Number Nombre, Dirección, y Teléfono de sus Patrones	Total Monthly Income Sueldo Total Mensual

For Office Use Only:		
Waiting List _____	Referral: AACOG Web _____	Previous WAP Intake Date _____

D. If any household members receive the following types of unearned income or benefits, check the type of benefit received. Where the space is provided, enter the case or account number and the amount received.
 Indique en lo siguiente, los ingresos o beneficios que usted u otros miembros de su casa reciban. Incluya el numero de identificación de su casa o cuenta de ayuda y la cantidad de ayuda.

DO NOT INCLUDE FOOD STAMPS AS INCOME/ NO INCLUYE *ESTAMPILLAS DE COMIDA COMO INGRESOS.		
Type of Assistance/Tipo de asistencia	Case Number Numero Del Caso	Monthly Amount Cantidad Mensual
AFDC/Asistencia AFDC		
SSI/Ingreso de Seguridad Suplemental		
Social Security/Seguro Social		
Veteran's Benefits/Beneficios de Veteranos		
Retirement Benefits/Beneficios de Retiro		
Military Allotments/Reparto de Sueldo Militar		
HUD Utility Supplement/Suplemento para las Utilidades de HUD		
Child Support/Sostenimiento para Niños		
Unemployment Compensation/Compensación de Desempleo		
Workman's Compensation/Compensación de Trabajadores		
Contributions/Regalos		
Other (specify) : Otro (especifique):		

Please check here if you are employed as a migrant worker or seasonal farmworker.
 Favor de marcar si usted esta empleado como migrante o trabajador temporal agrícola?

E. What year was your home built? / En que año fue la casa construida? _____

Do You Own your residence? Rent your residence?
 Es Dueno de su residencia? Renta su residencia?

If owned go to #1 If rented, go to #2
 Si es dueño diríjese al #1 Si renta, diríjese a #2

1 Type of Housing owned: Tipo de casa propias:	2 Type of Housing Rented: Tipo de casas rentadas:	MUST HAVE OWNER'S APPROVAL! TIENE QUE SER APROVADO POR EL DUEÑO!
<input type="checkbox"/> Private house Hogar <input type="checkbox"/> Mobile Home Casa Móvil	<input type="checkbox"/> Private Home Hogar Privado <input type="checkbox"/> Mobile Home Casa Móvil <input type="checkbox"/> Low rent federally subsidized Housing Residencia con subsidio federal para la renta	<input type="checkbox"/> Apartment Apartamento <input type="checkbox"/> Rented Room Cuarto Rentado <input type="checkbox"/> Type (Section 8, etc) Tipo Sección 8, etc)

Type of energy used to heat household (Check all that apply).
 Tipo de energía utilizada para calentar su hogar (marque los que aplican).

Natural Gas Gas Natural
 Electricity Electricidad
 Bottled Gas Gas embotellado
 Other (Specify): Otra (especifique): _____

Type of air conditioning used (Check all that apply).
 Tipo de aire acondicionado utilizado (marque los que aplican).

None Ninguno
 Central Unit Unidad Central
 Window Unit Unidad de ventana
 Evaporative Cooler Enfriador evaporativo

WAP APPLICANT'S AUTHORIZATION, UNDERSTANDING AND AGREEMENT

My answers to all the previous questions and to the statements I have made are true and correct to the best of my knowledge. I authorize the Texas Department of Housing and Community Affairs and its contracted agencies to contact any source in order to solicit/verify information necessary for an eligibility determination. I will also provide the Texas Department of Housing and Community Affairs and its contracting agencies with any information necessary to verify my eligibility.

If I am eligible for weatherization services, I give permission to allow work on the residence listed on this form. I will cooperate fully with the state and federal personnel to obtain information from any source to verify statements I made. I will cooperate fully with state or federal personnel in a quality control review.

I have been advised and understand that this application will be considered without regard to race, color, religion, creed, national origin, sex, or political belief.

PENALTIES FOR FRAUD!

Whoever obtains or attempts to obtain weatherization services for which he is not entitled, by means of willful false statements or other fraudulent means, may be considered guilty of a criminal offense and, upon conviction, may be fined and or imprisoned.

AUTORIZACIÓN, ACUERDO, Y ENTENDIMIENTO DEL SOLICITANTE

Mis respuestas a todas las preguntas anteriores y las declaraciones que he hecho son verdaderas y correctas según mi leal saber, entender y creencia. Autorizo al "Texas Department of Housing and Community Affairs" y a sus agencias contratadas a comunicarse con cualquier persona o agencia para verificar o solicitar información necesaria para la determinación de elegibilidad. Acepto responsabilidad de dar al Departamento cualquier información que se necesite para verificar mi elegibilidad.

Si califico para servicios de Climatización de Hogar, doy permiso para que se hagan reparaciones a la residencia identificada en esta solicitud. Cooperare plenamente con personas del gobierno estatal o federal para obtener cualquier información necesario para verificar as declaraciones que ha hecho, cual en lo mismo se incluyen estudios tocante la calidad del trabajo.

Me han avisado y entiendo que esta solicitud será considerada sin distinción de raza, color, reliqión, credo, origen nacional, sexo, creencia política.

CASTIGO POR FRAUDE!

Si alguna persona recibe servicios de Climatización del Hogar por medio de declaraciones falsas o intenta defraudar por medio de estas declaraciones, se considerara culpable de una ofensa criminal y al ser convicta puede ser multada o encarcelada.

BEFORE YOU SIGN, BE SURE EACH ANSWER IS COMPLETE AND ACCURATE
ASEGÚRESE, ANTES DE FIRMAR, QUE TODAS SUS RESPUESTAS ESTÉN COMPLETAS Y CORRECTAS

Signature - Applicant
Firma del Solicitante

Date
Fecha

Signature - Spouse
Firma de Esposa (o)

Date
Fecha

Signature - Individual making application on
applicant's behalf or caseworker who assisted
in completion of application
Firma de la persona que hizo la solicitud de parte
del solicitante, o trabajador social que ayudo hacer
la solicitud.

Date

Signature-Witness
(If signed with "X")
Firma - del Testigo
(Si se firma con "X")

Date
Fecha

Client Name: _____ Phone Number: _____

Weatherization Program Home Information Survey

What type of house do you live in?

- Wood Frame House
- Brick House
- Mobile Home
- Apartment

Was your home built before 1978

- Yes
- No
- If yes, what year _____

Has your home been weatherized before?

- Yes
- No
- If yes, was it before 1993

Energy Consumption

What type of energy does your home use?

- Electric
- Gas
- Both Electric & Gas

What do you use to heat your home?

- Central Heating
- Space Heaters How Many? _____
- Wood Stoves How Many? _____

What do you use to cool your home?

- Window Units How Many? _____
- Central Air
- Evaporative Cooler How Many? _____

What type of energy does your stove use?

- Electric
- Gas

What type of energy does your water heater

- Electric
- Gas

What type of energy does your furnace use?

- Electric
- Gas

Ceiling, Walls, Foundation & Doors

Does your roof leak?

- Yes
- No

Do your ceilings have large holes or cracks?

- Yes
- No

Do your ceilings have insulation?

- Yes
- No

Does your home have a good foundation?

- Yes
- No

Are there any holes in your floors?

- Yes
- No

Do your walls have large holes or cracks?

- Yes
- No

Do your walls have insulation?

- Yes
- No

What type of windows does your home have?

- Aluminum How Many? _____
- Wood How Many? _____

Are your windows in good condition?

- Yes
- No

Are your exterior doors in good condition?

- Yes How many? _____
- No How many? _____

In your opinion what does your home need the most?



Weatherization Assistance Program For Low Income Households

12 Month Customer Billing/Consumption Release Form

Agency: Alamo Area Council of Governments Weatherization Department
Name:

Address: Last First MI
Number Street Apt/Lot#
City Zip Code

Telephone: Day Evening

Electric Company:

Account Number:

ESI ID #

Natural Gas Company:

Account Number:

Propane Company:

Account Number:

[] Please provide a copy of the above client's electric or gas bill.

I authorize the Texas Department of Housing and Community Affairs and its contracted agency to solicit/verify information on my energy billing and consumption histories, both past and future, to the extent the information is used only to determine program eligibility and to provide data.

Signature (name as it appears on utility bill)

Please Print (name as it appears on utility bill)

Date

DECLARATION OF INCOME STATEMENT (DECLARACION DE INGRESOS)

I, _____, do hereby declare on _____ 20____ that:
(Yo) (Applicant's Name/Nombre del Solicitante) (declaro que)

- I have no documented proof of income due to the following situation _____

(No tengo prueba para documentar mis ingresos por medio da tal razones)

- I am applying for assistance from _____
(Yo deseo aplicar para asistencia con _____)

My household consists of _____ number of persons and the following household members, 18 years and older, have earned the following gross income during the **30 day period** prior to the date of application for assistance:

(En mi hogar radican (Cuántas?) personas, y los siguientes miembros que tienen 18 años de edad o más que han ganado dinero durante los pasados 30 días antes de aplicar para asistencia. Indique el nombre y los ingresos ganados de cada miembro.)

Name: _____ Gross Amount Earned: _____

Name: _____ Gross Amount Earned: _____

Name: _____ Gross Amount Earned: _____

- My **household's gross income**, for all household members 18 years and older, for the **30 day period** prior to the date of application for assistance is \$ _____.

(El total de los Ingresos de mi hogar, para los miembros que tienen 18 años de edad o más que han ganado dinero durante los pasados 30 días antes de aplicar por asistencia es (cuánto?))

- and my **household's gross annualized income** based on the **30 day period** prior to the date of application for assistance is \$ _____.

(y el ingreso anual de mi hogar ha sido calculado para el año, según los pasados 30 días, antes de aplicar para asistencia, llegan a (cuántos dólares?))

I certify that the above information for the income of all household members 18 years of age and older is true and correct to the best of my knowledge and belief. (Yo certifico que la información proveída de los ingresos de los miembros de mi hogar que tienen 18 años o más es verdadera y correcta según mi saber y creencia.)

I understand that the information will be verified to the extent possible; and that I may be subject to prosecution for providing false or fraudulent information. (Comprendo que la información será verificada hasta donde sea posible y que puedo ser enjuiciado por haber proveído información falsa o fraudulenta.)

Applicant Signature/Firma del Solicitante

Date/Fecha

Street Address/Dirección

City/Ciudad

County/Condado

Zip/Código Postal

AACOG Housing Intake Assistant

Date/Fecha

AACOG Weatherization Assistance Program Manager

Date/Fecha

Notary Public Signature

Date/Fecha

Agenda Item:
(Staff)

- 4A. Approval of the minutes of the regular city council meeting held January 11, 2011.

CITY COUNCIL MINUTES
REGULAR MEETING

KERRVILLE, TEXAS
JANUARY 11, 2011

On January 11, 2011, the Kerrville City Council meeting was called to order by Mayor Wampler at 6:00 p.m. in the city hall council chambers, 800 Junction Highway. The invocation was offered by Reverend Tom Murray, St. Peter's Episcopal Church, followed by the Pledge of Allegiance led by Ed Nail of the Military Officers Association of America.

MEMBERS PRESENT:

David Wampler	Mayor
R. Bruce Motheral	Mayor Pro Tem
Gene Allen	Councilmember
T. Scott Gross	Councilmember
Stacie Keeble	Councilmember

MEMBER ABSENT: None

STAFF PRESENT:

Todd Parton	City Manager
Mike Hayes	City Attorney
Kristine Ondrias	Assistant City Manager
Brenda G. Craig	City Secretary
Travis Cochran	Director of Information Technology
Mindy Wendele	Director of Business Programs
Mike Erwin	Director of Finance
Kevin Coleman	Director of Development Services
Kim Meismer	Director of General Operations
Charlie Hastings	Director of Public Works

VISITORS PRESENT: List on file in city secretary's office.

1. VISITORS/CITIZENS FORUM: No one spoke.

2. CONSENT AGENDA:

Mr. Motheral moved for approval of items 2A and 2B; Ms. Keeble seconded the motion and it passed 5-0:

2A. Approval of the minutes of the special city council meeting held December 14, 5:00 p.m., and the regular meeting held December 14, 2010, 6:00 p.m.

2B. Resolution No. 002-2011 changing the regular meeting time of the City Council scheduled for March 8, 2011.

END OF CONSENT AGENDA

3. ORDINANCE, SECOND AND FINAL READING:

3A. Ordinance No. 2011-01 repealing Ordinance No. 2002-04 which created a "Planned Development District" on an approximately 2.99 acre tract of land generally located at the southeast corner of the intersection of Yorktown Boulevard and Stadium Drive, for indoor sports, recreation, and physical fitness activities and

other uses generally associated with a community center; changing the zoning classification for said tract from the Planned Development District (PDD) to the Gateway District (GTW); containing a cumulative clause; containing a savings and severability clause; and ordering publication. Mayor Wampler read the ordinance by title only.

Kevin Coleman noted the council held the public hearing on December 14, 2010; with approval of the change in zoning, council could proceed with Item 4A.

Ms. Keeble moved for approval of Ordinance No. 2011-01; Mr. Gross seconded the motion and it passed 5-0.

4. CONSIDERATION AND POSSIBLE ACTION:

4A. Resolution No. 001-2011 granting a Conditional Use Permit for an approximate 1.50 acre tract of land, being Lot 23 of the G.N. Free Addition, a subdivision within the City of Kerrville, Kerr County, Texas, generally located at the southeast corner of the intersection of Yorktown Boulevard and Stadium Drive, and located within the gateway district; by permitting said property to be used for a vehicle maintenance and repair facility; and making said permit subject to certain conditions and restrictions.

Kevin Coleman noted the resolution would adopt a CUP for the property rezoned in Item 3A to allow a vehicle maintenance and repair facility under the conditions stated in the resolution.

Mr. Allen moved for approval of Resolution No. 001-2011 and the concept plan; Mr. Motheral seconded the motion and it passed 5-0.

4B. Plans and preparations for a 2011 Fourth of July celebration.

Ms. Wendele noted the 4th of July planning committee was establishing a 501(c)3 and preparing marketing and advertising packages for various levels of sponsorship and had tentatively booked entertainment. The committee understood that the city's only financial participation would be staff in kind services. Kerr County Market Days volunteered to organize downtown activities scheduled for 9:00-4:00 p.m. There would be a charge to attend the event in the central park area from 5:00-9:30 p.m. The budget was designed to cover expenses, and any profit would be split three ways as previously directed by council.

4C. Abandonment of a portion of Rodriguez Street between SH27 and Water Street and a portion of the alley. (Crenwelge Motors)

Jeff Carroll, representing Crenwelge Motors discussed the survey, traffic study, and appraisal and requested preliminary approval of the abandonments before Crenwelge Motors (CM) would proceed with their detailed conceptual plan and subdivision replat. He noted the utility plan and site plan for the project had been submitted to staff. CM owned all frontage of both sides of Rodriguez Street and had received letters from adjacent property owners regarding the alley.

The city council discussed the following issues:

- Traffic study. Mr. Carroll noted the study was performed by counting vehicular traffic on Rodriguez Street during morning and afternoon rush hours; most of the traffic was attributed to CM. Abandonment of Rodriguez Street would eliminate the dangerous situation of "direct traffic" across Water Street where there was no traffic signal.
- Fire equipment/access. Mr. Carroll noted CM proposed to widen the alley and provide two fire lanes within the property and two fire lanes that would pass through to the streets; also, there would be two fire hydrants located off Lemos Street as recommended by the fire marshal at the development review committee meeting.
- Fire lanes not to be used for vehicle parking. Tim Crenwelge acknowledged that fire lanes could not be used for any purpose other than a fire lane, including vehicle parking.
- Property appraisal methodology. 1) The appraisal was heavily discounted because of the overhead utilities; however, most of those utilities were being removed. 2) The appraisal did not consider the added value of the abandonment of the street and alley, if granted; the appraiser should address these two points.
- The additional value of the improvements to the property will increase the city's ad valorem tax base and sales tax.

Mr. Allen moved to grant preliminary approval. Mr. Gross seconded the motion and it passed 5-0.

4D. Existing interlocal agreements and proposals for negotiations with Kerr County representatives on new or revised interlocal agreements for joint City and County operations and functions.

Mr. Parton provided a synopsis of existing city/county agreements and noted the current three-year funding agreement would expire the end of FY2011 for fire, emergency medical services, animal control, and airport; unless either party terminated the three-year funding agreement, funding would continue under that agreement with a 3% escalation annually for library services. He proposed the city provide notice of termination to the county with intent to renegotiate the contracts, such negotiations should include funding allocation, guarantee to fund agreed allocation, and establish service levels; such negotiations should be completed by March 31, 2011. Mr. Parton noted the county had requested a joint meeting.

Ms. Keeble moved to direct the mayor to provide written notice by January 14, 2011, to the County Commissioners' Court of the city's intent to terminate operational agreements for fire, emergency medical services, airport, and animal control operations in addition to the outstanding provisions of the three-year funding agreement, and that appropriate notice be provided to Kerr County to cease to provide services by October 1, 2011; further, to offer to negotiate new or revised agreements for fire, emergency medical services, animal control, library, and airport operations and related funding commitments for those agreements. These agreements and funding commitments should be concluded by March 31,

2011, and stating how to proceed with negotiations. Mr. Allen seconded the motion and it passed 5-0.

4E. Proposal to construct a multi-purpose meeting facility for the City of Kerrville.

Mr. Parton reviewed the history of the project and noted that Hunter Equity provided their report on December 14, 2010, including the evaluation of three specific sites, and estimated the cost to construct the proposed facility and hotel from \$35-49 million. He noted the city council had previously established the financial exposure of the city to be limited to the amount of debt that could be leveraged with no more than \$500,000 of 4B funds and no more than \$150,000 of hotel occupancy tax (HOT) funds annually not to exceed 30 years. Based on Hunter's report, staff estimated the city's participation would range from \$18-30 million, requiring a debt service that far exceeded that limit and would significantly impact operations that were dependent upon 4B and HOT funding. Although the process provided valuable information, he recommended termination of the process at this time; however, to leave the option open for the city to evaluate future proposals that included more private sector financing.

Council discussed the following:

- To achieve long term economic viability, the city needed a more diversified tax base; the city should continue to seek economic development opportunities that would shift the tax burden from residential ad valorem tax.
- Council and staff had the responsibility of studying the proposal; after due diligence it had been determined that this project was not economically viable.
- City should investigate other opportunities to expand the established tourism market to ensure viability and future growth.
- Rumors that the city was terminating negotiations with Hunter Equity in order to begin negotiations with another firm were unfounded.

Pete Moore, representative for Hunter Equity, noted the council's decision was probably the right decision for the community under the current economic climate; however, he hoped there would be other opportunities for economic growth in Kerrville in the future.

Mr. Gross moved to put the multi-purpose meeting facility project on indefinite hold; the motion died for lack of a second.

Mr. Motheral moved to terminate the agreement with Hunter Equity, but to leave open the possibility of future considerations that may arise; Mr. Gross seconded the motion and it passed 5-0.

4F. Strategic plan to address economic development needs for the City of Kerrville.

Mr. Parton reviewed the city's overall strategic concept, noting tools and resources available to accomplish economic development, e.g. 4B sales tax, hotel occupancy tax, economic development incentives, and capital improvements. The 4B tax was

approved by voters in 1995 to fund economic development, public safety, infrastructure improvements, and parks projects; however, public safety projects no longer qualified. 4B revenues averaged \$2.2 million annually the past ten years, and he estimated \$10-12 million of working capital could be leveraged by 4B sales tax over the next five years, and still leave EIC \$500,000-900,000 annually for projects. Mr. Parton noted the city had been investing heavily in infrastructure improvements since 2005; however, with recent downturn in economy, the city had deferred bond sales that required debt service to be paid by ad valorem property tax, and many of those capital improvement projects qualified for 4B funding. In order to fund capital projects and have minimum impact on city taxpayers, he proposed a 2011 EIC debt issuance to fund projects that would also accomplish economic development objectives. He proposed a Council/EIC joint meeting to discuss capital improvement plan projects that qualified for 4B funding, possible EIC debt issuance in 2011, and opportunities to achieve economic development objectives. He noted that EIC's final payment for the 1999 bond issue would be 2014, and EIC would not have any outstanding debt service in 2015.

The following issues were also discussed by council:

- From its inception, EIC had been in reactive mode, responding to projects and opportunities presented to them; however, there would be advantages to having a joint strategic plan in place.
- Benefits of having \$9 million available to leverage in a way that could build projects and lay ground work for economic development.
- Council was responsible to the citizens to set policy and determine how city funds should be used.
- Improving infrastructure would enhance the possibility of industry locating and expanding in Kerrville; industries cannot expand without infrastructure, and the city could lose industries if they had to relocate to other areas.

The following persons spoke:

1. Bill Crumrine, EIC president, understood that infrastructure was necessary for economic development; however, asked that council not impair EIC's financial ability to respond to future economic prospects. EIC had anticipated being the funding mechanism for the meeting facility; however, council voted to terminate negotiations for that project (Item 4E). He noted that staff's information did not contemplate projects that may be presented to EIC in the next five years. Also, if bond indebtedness was paid out of EIC funds, that would leave only \$900,000 annually, significantly limiting EIC's ability to fund projects for 20 years. The city needed jobs and more commercial development to improve the city's tax base, and the best way to accomplish that was through EIC. Infrastructure was needed to support economic development; however relying on EIC to fund infrastructure improvements would limit EIC's ability to fund projects.

2. Jack Pratt, EIC vice president, noted that since 1995 most of EIC's projects were infrastructure, not economic development. The city and EIC were spending money but not bringing in jobs; the city needed new jobs to create tax revenue;

without more jobs, the tax burden would further shift to an aging population. KEDC was in the process of hiring an executive director; KEDC's major goal will be to bring businesses with jobs to Kerrville.

3. Greg Appel, member of EIC, noted it was important that available resources be funneled to projects that would allow opportunity for growth and increase economic development opportunities. EIC welcomed opportunities that would bring businesses to Kerrville and create jobs, but those opportunities had not been presented to EIC. He welcomed an opportunity to visit with city council and discuss a plan that would help create opportunities.

4. Robert Naman noted an EIC expenditure of \$500,000 to the Salvation Army Kroc Center. As a nonprofit entity, the city will not receive tax revenue from the Kroc Center, and the Kroc Center competed with existing businesses. Therefore, he was confused why tax funds could be spent to help bring in a competing nonprofit business, but could not be used to pave streets and provide infrastructure; there were a lot of projects that could be done to benefit citizens.

5. Jimmie Spradling noted that until the city was clean, the city would not attract economic development. He noted high weeds and thistles in sidewalks, fire hydrants covered up, and dead trees. He questioned how much money was generated from projects funded by EIC in the past. The infrastructure was let go many years ago; if the city does not have infrastructure and is not a clean city, people and businesses will not come, and EIC cannot use 4B money for what is needed. He heard the same thing about economic development every year, but the city did not know how to do it.

Mr. Gross moved to direct staff to set up a joint meeting between the city council and the economic improvement corporation; Mr. Allen seconded the motion and it passed 5-0.

4G. Proposal for public roadway improvements on IH-10 to provide access to the Town Creek Development (TCD) and adjacent property.

Chuck Coleman, representing TCD, proposed a plan to build exit ramps along I-10 midway between SH16 and SH783 connecting to Holdsworth Drive via Town Creek Parkway to provide access to 470 acres on the south side of IH-10 including the area known as TCD. He presented financial data that, upon build out of TCD in 7-10 years, estimated \$4.8 million in additional sales tax to the city, \$2.4 million to EIC, and \$2.4 million to the county; and an additional \$305 million in ad valorem tax value adding \$1.7 million annually to the city's general fund. He reviewed the TCD site plan and land use plan and stated that TCD would donate the right of way for the ramps and Town Creek Parkway (four lanes), 25 acres for a hotel site, and 10 acres for trails and green space.

Chuck Coleman stated the improvements would require permits from TxDOT; however, TxDOT funding for construction was not likely within 10-15 years,

although some reimbursement may be available upon completion of the project. He felt that TxDOT permits and funding participation were more likely to occur with community support.

Chuck Coleman presented a cost proposal prepared by Matkin Hoover Engineering that estimated the cost of the I-10 east- and west-bound access ramps and construction of Town Creek Parkway at \$11,519,200. He requested council consider the city's interest in the project and whether the project should be included in the city's capital improvement program and economic development strategic plan. He stated he had presented this proposal to the county for inclusion on the Alamo Regional Rural Planning Organization's (ARRPO) transportation list for the Kerr County area. County Judge Tinley seemed amenable to including the project on the ARRPO list, and the next ARRPO meeting was scheduled for January 26.

Council also discussed the following issues:

- City, county, state, and the developer should all be contributors to the project.
- Project may qualify for state funding or reimbursement over time.
- Council and staff should investigate the project in more depth.
- Lack of participation by the city and/or county may lessen the likelihood of the state's participation.
- City should wait and see a return on the investment already spent on Holdsworth Drive and the extension to the James Avery Campus on Harper Road before participating in another infrastructure project in this area.
- The only commercial business on Holdsworth Drive to date was the Salvation Army Kroc Center, and that property did not provide ad valorem tax.
- The existing two intersections of I-10 at SH16 and SH783 already had utilities, roads, and ramps and nothing was happening at those intersections; no guarantee that this project would be different.
- Holdsworth Drive from SH16 to SH783 was on the state's plan for 25 years before it was funded and constructed.
- City was lacking in large developable commercial tracts.
- Need to determine the interest and level of participation of all parties.

The following person spoke:

1. Robert Naman questioned if the \$11.5 million for the project would have to be paid up front before the project was constructed, what entities were included in the proposed \$19 million revenue, and who would pay for the construction of infrastructure inside TCD? Mr. Coleman noted the \$11.5 million had to be paid up front but funding could be in phases; the estimated annual \$19 million revenue was split between all local taxing entities; TCD would pay for construction of infrastructure inside TCD.

Mr. Motheral moved to enter into discussions and move forward to gather the information needed to make a decision. The motion was seconded by Mr. Gross and passed 4 to 1 with Messrs. Motheral, Gross, Allen, and Wampler voting in favor of the motion and Ms. Keeble voting against the motion.

4H. Revisions to the Alamo Regional Rural Planning Organization (ARRPO) transportation list and map as it pertains to the Kerrville area.

Mr. Hastings noted that council had previously authorized staff to submit a list and map of thoroughfare needs for inclusion in ARRPO's transportation list and map. Chuck Coleman attended ARRPO's December 2010 meeting and presented Town Creek Development's plan for proposed access to I-10 (Item 4G above). Mr. Hastings recommended council authorize staff to revise the list and map previously submitted to ARRPO to include TCD's proposed access to I-10 and Town Creek Parkway as presented in Item 4G.

Mayor Wampler stated his opinion that the county supported revising the list and map previously submitted to ARRPO as stated.

Mr. Motheral moved to authorize staff to revise the list of priorities and map submitted to ARRPO to include a public roadway improvement plan to provide east and west I-10 frontage roads, an I-10 overpass, and a parkway through Town Creek Development connecting I-10 to Holdsworth Drive. Mr. Allen seconded the motion and it passed 4 to 1 with Messrs. Motheral, Gross, Allen, and Wampler voting in favor of the motion and Ms. Keeble voting against the motion.

4I. Proposed annexation path from City limits north to the James Avery Craftsman campus.

Kevin Coleman discussed the annexation path beginning at the intersection of Morris Road and Town Creek Road extending generally along Town Creek Road, Old Harper Road, and north of I-10 to the James Avery Craftsman Campus. He noted development agreements with property owners along the path included voluntary annexation petitions for that area where utility easements were located; however, the city had been unable to secure a petition for the Higgins property. On the next agenda, staff will present council with a resolution to officially accept the petitions for voluntary annexation, and a resolution to initiate involuntary annexation of the Higgins property. Staff also needed direction from council on whether to pursue annexation of the section of the I-10 corridor currently outside the city limits. Mr. Coleman also noted a voluntary annexation had been received for the Hilburn property; however, staff proposed that it be deferred until a future annexation with Phase 2 of the utility extension project.

Mr. Motheral moved to approve the annexation path as presented and to move forward with the annexation plan as stated by Mr. Coleman but with the inclusion of the Hilburn property, and to include the section of I-10 between the Avery annexation and the current city limits; the motion was seconded by Mr. Gross and passed 5-0.

4J. Authorization to submit an application to the City of Kerrville, Texas Economic Improvement Corporation for funding of the Harper Road utility extension project – Phase 2.

Ms. Ondrias reported that during the project to extend utilities to James Avery Craftsman, several property owners in the area had requested utilities also be extended to Harper Road and I-10. She proposed a Phase 2 utility construction project at \$1.2 million that would serve a 50 acre area with potential of serving an additional 170 acres in the future. She requested authorization from council to submit a grant application to EIC to provide utilities for economic development opportunities in the Harper Road/I-10 commercial corridor area.

Council also discussed the following:

- The Heights subdivision had been platted for individual septic systems; providing lines to Harper Road would allow The Heights access to city sewer when it develops. Mr. Hayes noted the possibility existed to renegotiate the development agreement with The Heights if utilities were available.
- Availability of utilities would open the I-10 corridor for commercial development.

The following person spoke:

- Robert Keeble questioned extending utilities to Harper/I-10 before completion of the Birkdale project which had been #1 on the city's project list for years, and questioned whether the city would be diverting funds from the Birkdale project to the Harper Road/I-10 project. Ms. Ondrias stated that the Harper Road/I-10 project would not affect the construction timetable for the Birkdale project.

Mayor Wampler noted the Birkdale project was a priority and was currently under design and funding was in place through a bond issue. Both projects could proceed concurrently and the Harper/I-10 project would not inhibit the Birkdale project which would proceed on schedule.

Mr. Motheral moved to authorize staff to submit a grant application to EIC for the construction of the Harper Road utility project phase 2. Mr. Gross seconded the motion and it passed 5-0.

4K. Renovation of the Butt-Holdsworth Memorial Library building.

Ms. Ondrias noted a meeting with HEB staff, foundation staff, and project architect, and proposed a re-phasing of the renovation project using funds currently available. Mr. Butt agreed to provide \$950,000 funding now so that the project could proceed; available funds also included: \$500,000 donated to the city for library use; \$86,000 energy grant for library roof; \$56,000 in the 433 Water Street fund; \$55,000 donated from the 2011 Charity Ball event; for a total of \$1,647,000. The foundation would continue to raise funds for the remaining project, estimated at \$6 million. If approved, staff will schedule a budget amendment for council consideration at a future meeting, in anticipation of contract bid in May and construction startup in June. First phase of the project would include: removal and relocation of the building at 433 Water Street, roof and mechanical replacement, enclosing the second floor balcony, renovation of the first and second floors, and some grounds work; reopening of the library was anticipated for January 2012.

Council expressed sincere appreciation to Mr. Butt for his continued support and contribution to the Butt-Holdsworth Memorial Library and excited about the opportunity to begin the renovation of this tremendous community asset.

Mr. Gross moved to authorize staff to proceed as presented; the motion was seconded by Mr. Allen and passed 5-0.

5. INFORMATION AND DISCUSSION:

5A. Update regarding Lower Colorado River Authority Transmission Services Corporation's (LCRA-TSC) application for the proposed McCamey D to Kendall to Gillespie CREZ project (PUC Docket No. 38354).

Mr. Hayes reported the hearing before PUC would be held Thursday, and the opinion should be issued by January 24.

5B. Economic update.

Mr. Erwin reported December sales tax down 1% and HOT revenue down 5%. The general fund and water/sewer fund were on target as projected.

6. BOARD APPOINTMENTS:

6A. Appointments to the Food Service Advisory Board.

Mr. Gross moved to reappoint Robbie Crocker, Jacques Duhr, and Melissa Southern; and to appoint Abel Vazquez, all with terms to expire December 1, 2012. Mr. Motheral seconded the motion and it passed 5-0.

6B. Appointments to the Planning and Zoning Commission.

Mr. Motheral moved to reappoint Tony Roberts and T. Justin MacDonald to regular board member positions; and to reappoint Michael Sigerman to the alternate member position; all with full terms to expire January 1, 2013; Mr. Allen seconded the motion and it passed 5-0.

7. ITEMS FOR FUTURE AGENDAS: No items were proposed.

8. ANNOUNCEMENTS OF COMMUNITY INTEREST:

- Mr. Parton reminded council of the cowboy breakfast to be held January 14.

9. EXECUTIVE SESSION: None

10. ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION: None.

ADJOURNMENT. The meeting adjourned at 9:44 p.m.

APPROVED: _____

David Wampler, Mayor

ATTEST:

Brenda G. Craig, City Secretary

Agenda Item:
(Staff)

- 4B. A resolution authorizing the submission of a grant application to the Office of the Governor, Criminal Justice Division, by the City of Kerrville.

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

SUBJECT: Approval of a grant application to Criminal Justice Division, Office of the Governor.

FOR AGENDA OF: February 8, 2011

DATE SUBMITTED: January 27, 2011

SUBMITTED BY: Chief John Young

CLEARANCES: Mike Hayes – City Attorney

EXHIBITS: Resolution

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER:



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

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DIRECTOR:

SUMMARY STATEMENT

The City of Kerrville has completed a grant application to the Criminal Justice Division Office of the Governor in the amount of \$50,800 for State Funding to purchase two (2) automatic license plate readers, maintenance and accessories. The grant application is available for review in the office of the police chief. The resolution designates the Chief of Police as the grantee's authorized official given the authority to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

RECOMMENDED ACTION

The Police Chief recommends that council approve the resolution and grant application for the purchase of two (2) automatic license plate readers, maintenance and accessories.

Budget Details Information

CATEGORY	SUB CATEGORY	DESCRIPTION	CJD	CASH MATCH	IN-KIND MATCH	GPI	TOTAL	UNIT/%
Equipment	Backup Drive System and Accessories	Data storage system for (12) twelve mobile digital audio/video systems. \$18,000. Annual support and maintenance for the systems \$3,200. Installation of the systems into the existing fleet vehicles. \$5,800	\$27,000.00	\$0.00	\$0.00	\$0.00	\$27,000.00	12
Equipment	Live Scan Unit and Accessories	Twelve (12) Mobile Digital Audio/Video Systems. Fully integrated all digital solid-state video system, Camera and Audio and Video Recorder. \$53,388. Two (2) Consoles for Covert Investigative Vehicles \$1,242. Twelve (12) Adapters for Siren \$432. Twelve (12) Rear Infrared Cameras \$1,938.	\$57,000.00	\$0.00	\$0.00	\$0.00	\$57,000.00	12

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. -2011**

**A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT
APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL
JUSTICE DIVISION, BY THE CITY OF KERRVILLE**

WHEREAS, the Kerrville Police Department ("KPD") seeks authorization to submit a grant application to the Office of the Governor, Criminal Justice Division ("CJD") for the purchase of two (2) automatic license plate readers not to exceed \$50,800.00; and

WHEREAS, the City Council of the City of Kerrville, Texas finds it to be in the public interest to authorize KPD to submit a grant application to the CJD, for the purposes expressed above;

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

SECTION ONE. The City Council of the City of Kerrville, Texas, authorizes the submission to the Office of the Governor, Criminal Justice Division, for the purpose of acquiring funding to be used to purchase two (2) automatic license plate readers.

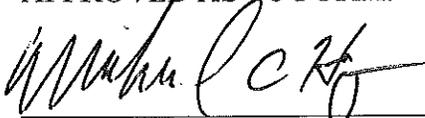
SECTION TWO. Pursuant to the grant application, the City agrees to return grant funds to the CJD in the event of loss or misuse of any grant funds.

SECTION THREE. The City designates the City's Chief of Police as the City's authorized official who is given the authority to apply, reject, alter, or terminate the grant on behalf of the City.

PASSED AND APPROVED ON this the _____ day of _____ A.D., 2011.

David Wampler, Mayor

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

ATTEST:

Brenda G. Craig, City Secretary

Agenda Item: **(Staff)**

- 5A. An ordinance amending the budget for fiscal year 2011 to account for changes in the status of various capital improvement projects, to amend other city funds to account for balances for approved purposes, and to account for revenue resulting from the settlement of a claim and grant funding awards.

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

SUBJECT: Second and Final Reading of an Ordinance Amending the FY 2011 Budget

FOR AGENDA OF: February 8, 2011 **DATE SUBMITTED:** January 27, 2011

SUBMITTED BY: Mike Erwin 
Director of Finance **CLEARANCES:** Todd Parton
City Manager

EXHIBITS: Ordinance
AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

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

PAYMENT TO BE MADE TO:

REVIEWED BY THE DIRECTOR OR FINANCE:

SUMMARY STATEMENT

Staff requests to amend the FY 2011 City of Kerrville's budget to reflect the opening, amendments and closures in the following Capital Improvement Programs. Additionally, staff requests the amendments to the HOT, EIC, 433 Water Street, Grants, Utility Fund and General Operations Contingency budgets as outlined below.

Capital Improvement Projects

Holdsworth Drive (E04) – This project received final accounting from TxDOT and is now ready to be closed. A balance of \$9,187.66 in 4B funds remain and will be returned to the EIC fund.

Street Reconstruction 2009 (G85) – This project was completed in Fall 2010. No funds remain.

WWTP Headworks Replacement (W19) – This project was reopened in 2010 with a budget of \$50,000.00 to cover a potential settlement agreement with the vendor for this project. Funds for this project were from the 2010 Bond Issuance for the Water/Wastewater Systems. Legal has determined this project is settled with the vendor so the project can be closed. The balance of \$50,000 from this project will transfer to the Methodist Encampment Production Well (W82) to cover needed construction expenses.

Transfer Station (Landfill) Waterline (W89) – This project was completed in October 2010 and was funded by the Landfill Post Closure Fund. A balance of \$113,820.31 or current amount will be returned to the Landfill Post Closure Fund.

Travis Tank (W54) – This project was completed in December 2010 and was funded with Water Sewer cash. A balance of \$17,623.87 will be transferred to the Water Sewer Fund for legal expenses related to the CCN application.

2011 Water Supply Acquisition (W65) – This project was funded with \$50,000.00 of Water Sewer cash. This portion of the project will close and be transferred to the Water Sewer Fund for legal expenses related to the CCN application.

Methodist Encampment Production Well (W82) – This amendment would increase the project \$350,000.00. This project was bid in January 2011 and is anticipated to be awarded at the February 8, 2011 meeting subject to this budget amendment. This increase would be funded through the closure of the WWTP Headworks Replacement Project (W19) with \$50,000.00 of 2010 Bonds and \$300,000.00 of Fund 02 fund balance.

Birkdale Lift Station & New Force Main – Design (W75) – The project was funded with 2009 Water/Waste Water System Improvement Bond Funds. This amendment adds the design of the Force Main Co-Mingle Box at the WWTP since the design and construction of the Force Main Co-Mingle Box need to be done simultaneously in order for the Birkdale Lift Station & New Force Main to come on line. This amendment does not require additional funds to be added to the project since sufficient funds are available to cover design of this addition. *New project name will be Birkdale Lift Station & New Force Main / Co-Mingle Box at WWTP – Design.*

Birkdale Lift Station & New Force Main – Construction (unfunded until 2011 Bond Sale) Combine the construction of the Birkdale Lift Station & New Force Main with the Force Main Co-Mingle Box at WWTP. No change in funding required. *New project name will be Birkdale Lift Station & New Force Main / Co-Mingle Box at WWTP – Construction.*

Force Main Co-Mingle Box at WWTP – Construction (unfunded until 2011 Bond Sale) – Combine the construction of the Birkdale Lift Station & New Force Main with the Force Main Co-Mingle Box at WWTP. No change in funding required. *New project name will be Birkdale Lift Station & New Force Main / Co-Mingle Box at WWTP – Construction.*

Butt-Holdsworth Memorial Library Renovation/Expansion (unfunded until transfers made) – This project is being moved from FY 2012 to FY 2011 after staff's presentation of the Phase I Construction plan to the City Council on January 11, 2011. This amendment will increase funds for this project in the amount of \$1,615,000.00 and will come from the following sources: \$1,030,000.00 from the Library Foundation (\$950,000 from HEB and \$80,000 from Charity Ball 2011), \$560,000.00 from Fund 15 Library Donations, \$25,000 from Fund 67 433 Water Street Fund.

Broadway Utility Relocation Project (E09) – This project was funded through 1999 EIC Bonds and Water and Sewer Fund and was closed in 2006 prior to receiving final accounting from TxDOT. Upon receiving final accounting from TxDOT, a balance of \$45,063.28 was due and paid for through Water / Sewer contingency funds. Staff is reopening this project and will address repayment to the Water / Sewer fund and then close the project.

Fund 67 - 433 Water Street Fund

This amendment will appropriate the balance of the fund in the amount of \$60,440.27 or current amount if different. At City Council's direction \$35,000.00 will be used for the moving of the building with the Texas Arts and Craft Education Foundation and remainder will be transferred to the Library Renovation CIP project.

Fund 15 – Library Donations

This amendment will appropriate the balance of the fund in the amount of \$560,000 or current amount. Approximately \$560,000.00 will be transferred to the Library Renovation CIP project.

Fund 01 – General Fund

The City settled a claim with Jacobs Carter Burgess on the Holdsworth CIP project in the amount of \$65,055.32. This amendment receives and appropriates those funds to the General Operations contingency to be used for legal services related to CREZ and other projects (\$40,000.00), surveying for the annexation of I10 Corridor (\$10,000.00), Fire Department Grant Match (\$5,000.00), and surveying for the Arts Project through Business Programs (\$2500.00).

Fund 02 – Water Sewer Fund

This amendment will appropriate \$300,000.00 from fund balance to the Methodist Encampment Production Well CIP project (W82).

Hotel Motel Tax Fund

Recognize refund for 2009 payment, \$5,000.

EIC Fund

Recognize expenditures related to purchase of KEDF-USDA land, \$1,300,000.

Grants Fund

Recognize pending grants in Fire, \$30,000; Police, \$75,000 and Library, \$86,000.

RECOMMENDED ACTION

Staff recommends the City Council approve the second and final reading of an ordinance amending the FY 2011 budget and authorize staff to make all necessary entries and adjustments to reflect the attached changes.

CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2011-_____

AN ORDINANCE AMENDING THE BUDGET FOR FISCAL YEAR 2011 TO ACCOUNT FOR CHANGES IN THE STATUS OF VARIOUS CAPITAL IMPROVEMENT PROJECTS, TO AMEND OTHER CITY FUNDS TO ACCOUNT FOR BALANCES FOR APPROVED PURPOSES, AND TO ACCOUNT FOR REVENUE RESULTING FROM THE SETTLEMENT OF A CLAIM AND GRANT FUNDING AWARDS

WHEREAS, Ordinance No. 2010-19, dated September 28, 2010, adopted the Fiscal Year 2011 Budget; and

WHEREAS, the City Council of the City of Kerrville, Texas, finds that amending the City's Fiscal Year 2011 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 2011 shall be amended as set forth in Exhibit A.

PASSED AND APPROVED ON FIRST READING, this the 25th day of January, A.D., 2011.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the ___ day of _____, A.D., 2011.

David Wampler, Mayor

APPROVED AS TO FORM:

Michael C. Hayes
Michael C. Hayes, City Attorney

ATTEST:

Brenda G. Craig, City Secretary

Fund Name	Fund	FY11 Approved Budget	FY11 Amended Budget	Comments
433 Water Street	67			
Revenue		\$5,600	\$5,600	Recognize fund balance for library project
Expenditures		\$0	\$66,600	
Library Memorial	15			
Revenues		\$50,610	\$61,503	Transfer of fund balance to capital projects fund and recognize \$10,893 of Lone Star Grants
Expenditures		\$50,000	\$570,893	
General Fund	01			
Revenue		\$19,992,850	\$20,057,905	Recognize \$65,055.32 check received and increasing contingency
Expenditures		\$19,992,850	\$20,057,905	
Water and Sewer Fund	02			
Revenue		\$8,874,500	\$8,942,124	Recognize closing two projects and moving remaining funds to Water and Sewer Legal, transfer \$300,000 from fund balance to Methodist Encampment Project
Expenditures		\$8,874,500	\$9,242,124	
HOT	20			
Revenue		\$851,000	\$851,000	Recognize additional revenue and refund for 2009 payment
Expenditures		\$850,000	\$855,000	
EIC	40			
Revenue		\$2,250,000	\$2,250,000	Recognize purchase of KEDF-USDA land
Expenditures		\$2,250,000	\$3,550,000	
Grants	85			
Library		\$307,600	\$498,600	Recognize library, police and fire grants
Police		\$86,000		
Fire		\$75,000		
Revenues		\$307,600	\$498,600	
Expenditures		\$307,600	\$498,600	

Project Name	Project Number	Amount Funded	Expenses to Date	Adjustment	New Funded Amount	Comments
Holdsworth Drive	E04	\$4,500,396.29	\$4,491,208.43	-\$9,187.86	\$4,491,208.43	Return \$9,187.86 to EIC
Street Reconstruction	G85	\$1,500,000.00	\$1,500,000.00	\$0.00	\$1,500,000.00	Closed
WWTP Headworks Replacement	W19	\$1,376,961.44	\$1,326,961.44	-\$50,000.00	\$1,326,961.44	Move \$50,000 to Methodist Encampment Well
Transfer Station	W89	\$484,800.00	\$370,969.69	-\$113,820.31	\$370,979.69	Transfer remaining funds back to Landfill Fund
Travis Tank	W54	\$31,000.00	\$13,376.13	-\$17,623.87	\$13,376.13	Legal
FY2011 Water Supply Acquisition	W65	\$50,000.00	\$0.00	-\$50,000.00	\$0.00	Transfer funds to Water and Sewer Legal
Methodist Encampment Well	W82	\$950,057.00	\$57,436.78	\$350,000.00	\$1,300,057.00	Add \$50,000 from Headworks Project and \$300,000 from Water and Sewer Fund Fund balance
Library Project		\$0.00	\$0.00	\$1,615,000.00	\$1,615,000.00	Library Renovation Project
Broadway Utility Relocation Project	E09	\$437,676.35	\$437,676.35	\$45,063.28	\$482,739.63	Move expenditures from Water and Sewer Contingency to the open project.

Agenda Item:
(Staff)

- 5B. An ordinance amending the zoning district boundaries of Lot 445, Block 60, Schreiner Addition, otherwise known as 509 Barnett Street and located within the City of Kerrville, Kerr County, Texas, from the "R1-A" residential district to "C-19" central city district; containing a cumulative clause; containing a savings and severability clause; and ordering publication.

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

SUBJECT: Ordinance, Second Reading – An ordinance changing the zoning from R-1A to C-19 (Central City) District on an approximately 9200 square foot lot located at 509 Barnett Street.

FOR AGENDA OF: February 8, 2011 **DATE SUBMITTED:** January 28, 2011

SUBMITTED BY: Gordon Browning *GB* **CLEARANCES:** Kevin Coleman *VC*

EXHIBITS: Location map, Ordinance *AD*

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: *M*

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

PAYMENT TO BE MADE TO:

APPROVED FOR SUBMITTAL BY DIRECTOR OF ADMINISTRATIVE SERVICES:

SUMMARY STATEMENT

Project Timeline:

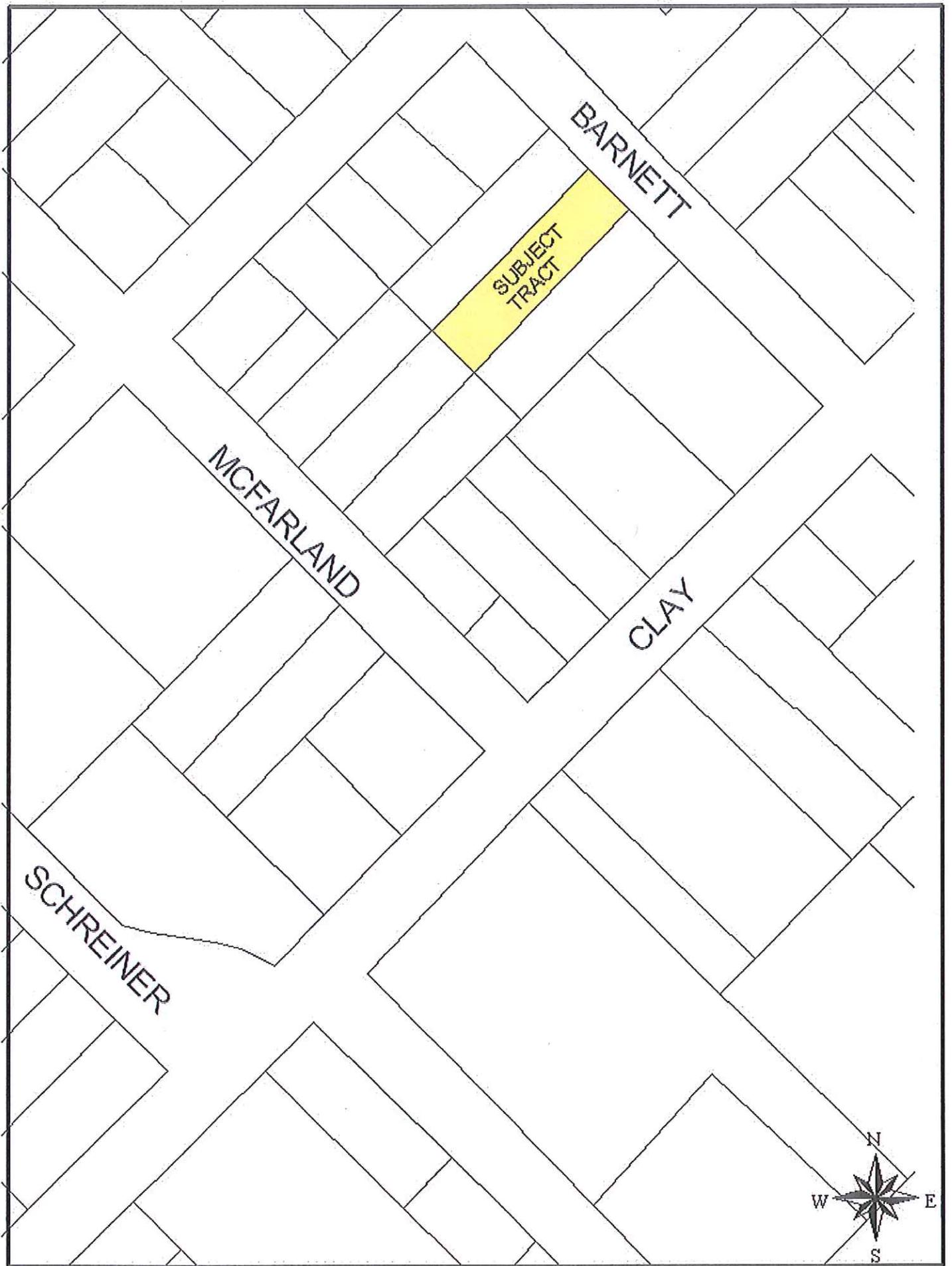
- December 6, 2010 – Application submitted for zoning change.
- December 23, 2010 – Notice of the required public hearings published in The Kerrville Daily Times and mailed to property owners within 200-feet of the subject property.
- December 29, 2010 – Development Review Committee (DRC) review process completed.
- December 30, 2010 – Staff comments and draft ordinance to applicant.
- January 6, 2011 – Public hearing before the Planning and Zoning Commission (P&Z) and consideration of a recommendation to City Council.
- January 25, 2011 – Public hearing before City Council and consideration of an ordinance for a zoning change on first reading.
- February 8, 2011 – **Second and final reading of an ordinance for a zoning change.**

The attached ordinance completes the zoning change for the property described above.

Council held the required public hearing on the request at their January 25, 2011 meeting and approved the attached ordinance on first reading.

RECOMMENDED ACTION

Approve the attached ordinance on second reading.



**CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2011-__**

AN ORDINANCE AMENDING THE ZONING DISTRICT BOUNDARIES OF LOT 445, BLOCK 60, SCHREINER ADDITION, OTHERWISE KNOWN AS 509 BARNETT STREET AND LOCATED WITHIN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS, FROM THE "R1-A" RESIDENTIAL DISTRICT TO "C-19" CENTRAL CITY DISTRICT; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; AND ORDERING PUBLICATION

WHEREAS, notice has been given to all parties in interest and citizens by publication in the official newspaper and otherwise of a hearing to be held before the City Council on January 25, 2011, to consider an amendment to the City's zoning regulations and map, by amending the existing zoning district boundaries for the property described in Section One hereof from "R1-A" Residential District to "C-19" Central City District, in accordance with the process set out in Article 11-I-21 of the Zoning Code of the City of Kerrville, Texas; and

WHEREAS, such public hearing was held in the Council Chambers beginning at approximately 6:00 p.m. on January 25, 2011, 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 after considering among other things, the character of the property involved and the surrounding area and its peculiar suitability for particular uses; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such municipality, the Council finds it to be in the best interest of the health, safety, morals, and general welfare of the City of Kerrville to amend the zoning regulations accordingly;

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

SECTION ONE. The zoning for the property described as follows is amended by changing its zoning district from "R1-A" Residential District to "C-19" Central City District:

Lot 445, Block 60, Schreiner Addition, a subdivision within the City of Kerrville, Texas, more particularly described in Exhibit A, attached hereto and made a part hereof for all purposes.

SECTION TWO. The City Planning Director is authorized and directed to enter this amendment upon the City's official zoning map and 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 to be 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 shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Kerrville 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.

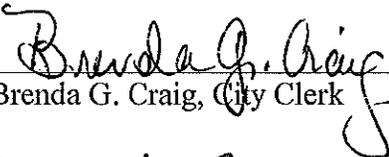
SECTION FIVE. In accordance with Section 3.07 of the City Charter and Texas Local Government Code §52.013(a), the City Secretary is authorized and directed to publish the descriptive caption of this Ordinance in the manner and for the length of time prescribed by the law as an alternative method of publication.

PASSED AND APPROVED ON FIRST READING, this the 25th day of January, 2011.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the ___ day of _____, 2011.

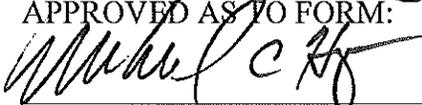
David Wampler, Mayor

ATTEST:



Brenda G. Craig, City Clerk

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

T:\Legal\DEVELOPMENT SERVICES (planning)\Zoning\Ord\509 Barnett_R1-A to C-19_012011.doc

Ord. No. 2011-____ (zoning amendment
to change district of 509 Barnett to Central City)

Page 2 of 2

Agenda Item:
(Staff)

- 6A. An ordinance amending Chapter 54 "Floods", Article II "Floodplain Management," of the Code of Ordinances of the City of Kerrville, Texas, to adopt the flood insurance study and updated flood insurance rate maps issued by the Federal Emergency Management Agency; containing a cumulative clause; containing a savings and severability clause; establishing an effective date; ordering publication; and providing other matters related to the subject.

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

SUBJECT: First Reading of an Ordinance amending Chapter 54, Article II of the City's Code of Ordinances regarding floodplain management.

FOR AGENDA OF: February 08, 2011 **DATE SUBMITTED:** January 28, 2011

SUBMITTED BY: Michael Wellborn, P.E. **CLEARANCES:** Kristine Ondrias
Director of Engineering Assistant City Manager

EXHIBITS: FEMA Letter of Final Determination Ordinance

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

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

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DIRECTOR:

SUMMARY STATEMENT

In 2006, FEMA commenced with updating the Flood Insurance Rate Maps (FIRMs) and Flood Insurance Study (FIS) for Kerr County and the Incorporated Communities under FEMA Task orders 40 and 41. This effort is a nationwide project and is better known as the Map Modernization project and entailed updating hard copy FIRMS with newer topographical data and converting them into digital maps.

The City of Kerrville and Kerr County were included in the project beginning in 2007, and were provided with preliminary Flood Insurance Rate Maps (FIRMs) as well as Digital FIRMs (DFIRMs) on 9/30/2008. A Community Coordination Officer's Meeting (CCOM) was held on 12/15/2008 with representatives from FEMA, TWDB, City of Kerrville, City of Ingram, and Kerr County. Due to some incorrect/incomplete data, the City and County rejected the preliminary maps. On 5/26/2009, Kerrville City Council adopted Resolution No. 048-2009 protesting the preliminary FIRMs and DFIRMS along with the County. FEMA accepted the protest case on 11/23/2009. The City received new FIRMs and DFIRMs along with a letter of final determination (LOFD) on 9/07/2010 which addressed the protested concerns. In addition, the LOFD stated that the new FIS and FIRMs would become effective on March 3, 2011, and that our community is required to adopt this new data prior to the effective date in order to maintain eligibility in the National Flood Insurance Program (NFIP).

City staff identified approximately 150 structures that were not previously located within

the floodplain but will be with the new FIS & FIRMS. Therefore, staff sent letters to these property owners informing them that their properties would be affected as a result of the FEMA Map Modernization initiative. On November 16, 2010, a public meeting was held in City Hall for these property owners where representatives from the City, County, and FEMA were present to present the new data and answer questions. A map highlighting the revised floodplain was posted on the City's website in November 2010.

The modifications to the City's current Floodplain Management Ordinance include adopting the new March 3, 2011 FIS report and FIRM, designating the Floodplain Administrator as the Director of Engineer's designee, modifying the definition of the 100-Year flood to include the 1% chance flood of being equaled or exceeded once every year, and modifying the "Enclosures" requirement for Nonresidential Construction to allow parking, access, and storage below the Base Flood Elevation as allowed by FEMA standards.

RECOMMENDED ACTION

The Director of Engineering recommends that Council approve an Ordinance amending Chapter 54, Article II of the City's Code of Ordinances regarding floodplain management to adopt the new March 3, 2011 FIS report and FIRM, designate the Floodplain Administrator as the Director of Engineer's designee, modify the definition of the 100-Year flood to include the 1% chance flood of being equaled or exceeded once every year, and modify the "Enclosures" requirement for Nonresidential Construction to allow parking, access, and storage below the Base Flood Elevation as allowed by FEMA standards.



Federal Emergency Management Agency

Washington, D.C. 20472

RECEIVED

SEP 07 2010

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
19P-N

September 3, 2010

The Honorable Todd Bock
Mayor, City of Kerrville
800 Junction Highway
Kerrville, Texas 78028

Community: City of Kerrville, Texas
Community No.: 480420
Map Panels Affected: See FIRM Index

Dear Mayor Bock:

This is to formally notify you of the final flood hazard determination for your community in compliance with Title 44, Chapter I, Part 67, Code of Federal Regulations. On July 19, 2000, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) issued a Flood Insurance Rate Map (FIRM) that identified the Special Flood Hazard Areas (SFHAs) the areas subject to inundation by the base (1-percent-annual-chance) flood in the City of Kerrville, Kerr County, Texas. Recently, FEMA completed a re-evaluation of flood hazards in your community. On September 30, 2008, FEMA provided you with Preliminary copies of the Flood Insurance Study (FIS) report and FIRM that identify existing flood hazards in your community.

FEMA has addressed all comments received on the Preliminary copies of the FIS report and FIRM. Accordingly, the FIS report and FIRM for your community will become effective on March 3, 2011. Before the effective date, FEMA will send you final printed copies of the FIS report and FIRM.

Because the FIS for your community has been completed, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter. Prior to March 3, 2011, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Paragraph 60.3(d) of the NFIP regulations (44 CFR 59, etc.). These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all the standards specified in Paragraph 60.3(d) of the NFIP regulations must be enacted in a legally enforceable document. This includes adoption of the current effective FIS report and FIRM to which the regulations apply and the other modifications made by this map revision. Some of the standards should already have been enacted by your community in order to establish eligibility in the NFIP. Any additional requirements can be met by taking one of the following actions:

1. Amending existing regulations to incorporate any additional requirements of Paragraph 60.3(d);
2. Adopting all the standards of Paragraph 60.3(d) into one new, comprehensive set of regulations; or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Paragraph 60.3(d).

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the Flood Disaster Protection Act of 1973 as amended.

In addition to your community using the FIS report and FIRM to manage development in the floodplain, FEMA will use the FIS report to establish appropriate flood insurance rates. On the effective date of the revised FIRM, actuarial rates for flood insurance will be charged for all new structures and substantial improvements to existing structures located in the identified SFHAs. These rates may be higher if structures are not built in compliance with the floodplain management standards of the NFIP. The actuarial flood insurance rates increase as the lowest elevations (including basement) of new structures decrease in relation to the Base Flood Elevations established for your community. This is an important consideration for new construction because building at a higher elevation can greatly reduce the cost of flood insurance.

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions to document previous Letter of Map Change (LOMC) actions (i.e., Letters of Map Amendment, Letters of Map Revision) that will be superseded when the revised FIRM panels referenced above become effective. Information on LOMCs is presented in the following four categories: (1) LOMCs for which results have been included on the revised FIRM panels; (2) LOMCs for which results could not be shown on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lots or structures involved were outside the SFHA as shown on the FIRM; (3) LOMCs for which results have not been included on the revised FIRM panels because the flood hazard information on which the original determinations were based is being superseded by new flood hazard information; and (4) LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures cannot be revalidated through an administrative process like the LOMCs in Category 2 above. LOMCs in Category 2 will be revalidated through a single letter that reaffirms the validity of a previously issued LOMC; the letter will be sent to your community shortly before the effective date of the revised FIRM and will become effective 1 day after the revised FIRM becomes effective. For the LOMCs listed in Category 4, we will review the data previously submitted for the LOMA or LOMR request and issue a new determination for the affected properties after the revised FIRM becomes effective.

The FIRM and FIS report for your community have been prepared in our countywide format, which means that flood hazard information for all jurisdictions within Kerr County has been combined into one FIRM and FIS report. When the FIRM and FIS report are printed and distributed, your community will receive only those panels that present flood hazard information for your community. We will provide complete sets of the FIRM panels to county officials, where they will be available for review by your community.

The FIRM panels have been computer-generated. Once the FIRM and FIS report are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided to your community for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance purchase and rating requirements, and many other planning applications. Copies of the digital files or paper copies of the FIRM panels may be obtained by calling our FEMA Map Information eXchange (FMIX), toll free, at 1-877-FEMA MAP (1-877-336-2627). In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

If your community is encountering difficulties in enacting the necessary floodplain management measures, we urge you to call Frank Pagano, Director, Federal Insurance and Mitigation Division of FEMA in Denton, Texas, at (940) 898-5127, for assistance. If you have any questions concerning mapping issues in general or the enclosed Summary of Map Actions, please call our FMIX at the toll free number shown above. Additional information and resources your community may find helpful regarding the NFIP and floodplain management, such as *The National Flood Insurance Program Code of Federal Regulations*, *Answers to Questions About the National Flood Insurance Program*, *Frequently Asked Questions Regarding the Effects that Revised Flood Hazards have on Existing Structure*, *Use of Flood Insurance Study (FIS) Data as Available Data*, and *National Flood Insurance Program Elevation Certificate and Instructions*, can be found on our website at <http://www.floodmaps.fema.gov/afd>. Paper copies of these documents may also be obtained by calling our FMIX.

Sincerely,



Kevin C. Long, Acting Chief
Engineering Management Branch
Mitigation Directorate

Enclosure:
Final Summary of Map Actions

cc: Community Map Repository

Bobby Gore
Floodplain Administrator, City of Kerrville

FINAL SUMMARY OF MAP ACTIONS

Community: KERRVILLE, CITY OF

Community No: 480420

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs) and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on March 3, 2011.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMR	05-06-0920P	01/27/2006	01061 LARRY HOWARD	48265C0165E 48265C0170E	48265C0460F
LOMR	07-06-2160P	03/03/2008	TOWN CREEK SUBDIV	48265C0170E	48265C0460F 48265C0470F
LOMR	07-06-2603P	06/16/2008	Comanche Traco Golf Course	48265C0275E	48265C0470F 48265C0490F

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	93-05-219	06/14/1993	J.A. TIVY ADDITION, PORTION OF BLOCKS 02-83 -- 1421 MAIN STREET	4804200005D	48265C0470F
LOMA	R6-94-04-250	05/02/1994	GALERIA ESTATES, BLOCK 2, LOT 4 -- 808 LLOYD DRIVE	4804200005D	48265C0480F
LOMA	99-06-165A	11/25/1998	A PORTION OF WALTER FOSGATE SURVEY NO. 120 -- 621 GUADALUPE STREET	4804200005D	48265C0470F
LOMA	99-06-556A	02/17/1999	J.D. BROWN'S ADDITION, BLOCK 24 -- 717 WATER STREET	4804200005D	48265C0470F
LOMA	99-06-934A	04/12/1999	1835 SIDNEY BAKER -- PORTION OF B.F. CAGE SURVEY NO. 116, ABSTRACT NO. 106	4804200005D	48265C0480F
LOMA	99-06-2028A	10/22/1999	STARKEY MANOR NO. 12, BLOCK 1, LOT 1 -- 1216 JUNCTION HIGHWAY	4804200005D	48265C0470F

FINAL SUMMARY OF MAP ACTIONS

Community: KERRVILLE, CITY OF

Community No: 480420

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
LOMA	01-06-819A	06/01/2001	2255 ARCADIA LOOP	48265C0165E	48265C0455F
LOMA	01-06-975A	05/30/2001	112 ARIZONA ASH DR., GUADALUPE PLAZA, BLOCK 4, LOT 114	48265C0260E	48265C0490F
LOMR-F	01-06-1917A	12/07/2001	J.C. SHEFFIELD SURVEY NO. 121, ABSTRACT NO. 291, 6.58 ACRES	48265C0170E	48265C0460F
LOMA	02-06-819A	02/27/2002	LIME CREEK, BLOCK 3, LOT 9; 117 HOMESTEAD	48265C0165E	48265C0460F
LOMA	02-06-1563A	06/12/2002	A PORTION OF SURVEY 121, JOHN C. SHEFFIELD, ABSTRACT 291; 1221 JUNCTION HIGHWAY	48265C0170E	48265C0470F
LOMA	02-06-1330A	09/13/2002	HOLIDAY INN, LOT 1-A; 2145 SIDNEY BAKER STREET	48265C0170E	48265C0480F
LOMA	04-06-003A	11/12/2003	EDWARDS ADDITION, BLOCK 1, LOT 12 -- 912 GUADALUPE STREET	48265C0170E	48265C0470F
LOMR-F	05-06-1453A	06/03/2005	K-BOB SUBDIV, BLOCK 1, LOTS 3-5	48265C0170E	48265C0460F
LOMR-F	05-06-1650A	07/14/2005	SNOWFLAKE DONUT SHOP, K-BOB SUBDIV, BLOCK 1, LOT 2 & WEST RIVERSIDE SUBDIV, BLOCK 1, LOT 1-B -- STA	48265C0170E	48265C0460F
LOMR-F	05-06-1895A	08/30/2005	TOWN CREEK VILLAGE REPLAT, LOTS 1-3 -- 141 WATER STREET	48265C0170E	48265C0470F
LOMA	06-06-B209A	02/07/2006	State Highway Loop 534 (TX)	48265C0280E	48265C0490F
LOMR-F	06-06-B263A	02/21/2006	2001 South Highway 173 (TX)	48265C0260E	48265C0470F
LOMA	06-06-BE14A	07/27/2006	RICHESON SUBDIV 2, BLOCK 11, LOT 11 -- 907 BARRY DRIVE (TX)	48265C0170E	48265C0470F
LOMA	08-06-0566A	03/28/2008	2321 JUNCTION HIGHWAY -- 3.25 ACRES IN SURVEY NO. 125, ABSTRACT NO. 246	48265C0165E	48265C0455F
LOMR-F	08-06-2164A	07/22/2008	RIVER PLAZA SUBDIV, BLOCK 1, LOT 2-JR -- 1343 STATE HIGHWAY 173	48265C0260E	48265C0470F
LOMA	08-06-2672A	08/12/2008	PARK LANE APARTMENTS, BUILDINGS A-D -- 100 PARK LANE	48265C0170E 48265C0260E	48265C0470F
LOMR-F	09-06-2508A	08/11/2009	OVERSTREET PARK, BLOCK 1, LOTS 3-4 -- 1381, 1421 & 1433 JUNCTION HIGHWAY	48265C0170E	48265C0470F
LOMR-FW	10-06-1218A	04/27/2010	LOT 38, BLOCK 1, RIVERHILLS TOWNHOUSE FRACTS NO. 7 -- 2304 ROCK CREEK DRIVE	48265C0260E	48265C0470F

FINAL SUMMARY OF MAP ACTIONS

Community: KERRVILLE, CITY OF

Community No: 480420

3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new detailed flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMA	199530881MBJ	01/07/1976	J.D. BROWN ADDITION, BLOCK 7	1

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.

4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures has changed, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Old Panel	New Panel
			NO CASES RECORDED		

CITY OF KERRVILLE, TEXAS
ORDINANCE NO. 2011-__

AN ORDINANCE AMENDING CHAPTER 54 "FLOODS", ARTICLE II "FLOODPLAIN MANAGEMENT," OF THE CODE OF ORDINANCES OF THE CITY OF KERRVILLE, TEXAS, TO ADOPT THE FLOOD INSURANCE STUDY AND UPDATED FLOOD INSURANCE RATE MAPS ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY; CONTAINING A CUMULATIVE CLAUSE; CONTAINING A SAVINGS AND SEVERABILITY CLAUSE; ESTABLISHING AN EFFECTIVE DATE; ORDERING PUBLICATION; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT

WHEREAS, state law requires all Texas cities and counties to participate in the National Flood Insurance Program ("NFIP"); and

WHEREAS, in 2006, the Federal Emergency Management Agency ("FEMA"), pursuant to its Map Modernization Program ("Program"), began the process of updating and revising a Flood Insurance Study ("FIS") and Flood Insurance Rate Maps ("FIRMs") for areas within the City and Kerr County; and

WHEREAS, FEMA re-evaluated flood hazard areas, modernized its flood maps for areas with the greatest flood risk, and created and implemented the use of digital maps; and

WHEREAS, the City and Kerr County met with FEMA and were given an opportunity to review and comment upon preliminary FIRMs issued by FEMA; and

WHEREAS, due to some incorrect and incomplete data, the City and County rejected the preliminary FIRMs and the City Council adopted Resolution No. 48-2009, which officially protested FEMA's proposed maps; and

WHEREAS, FEMA eventually issued new FIRMs, which addressed the City's concerns, and recently issued a Letter of Final Determination ("LOFD") which provided that the FIS and FIRMs would become effective on March 3, 2011; and

WHEREAS, prior to March 3, 2011, the City is required, as a condition of continued eligibility in the NFIP, to adopt floodplain management regulations that meet the standards of the NFIP regulations, which standards are the minimum requirements and do not supersede any state or local requirements of a more stringent nature; and

WHEREAS, the City is also required to adopt the FIS and FIRMs; and

WHEREAS, City staff has contacted those property owners within the City whose property will be affected by the new FIS and FIRMs and hosted a public meeting, which included representatives from FEMA; and

WHEREAS, the City Council of the City of Kerrville, Texas, finds it to be in the public interest to adopt FEMA's most recent FIS and FIRMs and to amend the City's Code of Ordinances to reflect this adoption;

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

SECTION ONE. The City Council of the City of Kerrville, Texas, hereby adopts the most recent Flood Insurance Study and the Floodplain Insurance Rate Maps, as prepared by the Federal Emergency Management Agency and which study and maps will become effective on March 3, 2011.

SECTION TWO. Chapter 54 "Floods", Article II "Floodplain Management" of the Code or Ordinances of the City of Kerrville, Texas, is amended by amending Section 54-32 by adding the language that is underlined (added) and deleting the language that is bracketed and stricken (~~deleted~~) as follows:

"Sec. 54-32. Definitions.

⋮

Base flood elevation (BFE) means the water surface elevation associated with the base flood as defined in the flood insurance study approved by FEMA dated March 3, 2011 ~~January 19, 2000, and effective on July 19, 2000~~, any amendments approved by FEMA to such flood insurance study, or such other flood insurance study as may be later adopted and/or amended by FEMA.

⋮

Director means the Director of Engineering ~~Director of Public Works~~ of the City.

⋮

100-year flood means the flood that has a 1% chance of being [is] equaled or exceeded once every year ~~[in 100 years on the average]~~; equivalent to the one percent annual chance flood.

SECTION THREE. Chapter 54 "Floods", Article II "Floodplain Management" of the Code or Ordinances of the City of Kerrville, Texas, is amended by amending Section 54-33(b) by adding the language that is underlined (added) and deleting the language that is bracketed and stricken (~~deleted~~) as follows:

"Sec. 54-33. General provisions.

⋮

"(b) Basis for establishing the areas of special flood hazard. The areas of special flood hazard identified and defined in the following documents prepared by FEMA are hereby adopted by reference and incorporated as part of this article:

- (1) A scientific and engineering report entitled, *The Flood Insurance Study for Kerr County, Texas and Incorporated Areas*, effective March 3, 2011 ~~effective July 19, 2000~~;

- (2) Flood Insurance Rate Map Nos. 48265C0455F, 48265C0460F, 48265C0480F, 48265C0470F, 48265C0490F, 48265C0635F ~~[48265C0165E, 48265C0170E, 48265C0260E, and 48265C0275E]~~, effective on March 3 ~~[July 19, 2000].~~”

SECTION FOUR. Chapter 54 “Floods”, Article II “Floodplain Management” of the Code or Ordinances of the City of Kerrville, Texas, is amended by amending Section 54-34(a) by adding the language that is underlined (added) and deleting the language that is bracketed and stricken (~~deleted~~) as follows:

“(a) **Designation of the floodplain administrator.** The Director of Engineering or designee ~~[city engineer]~~ is hereby appointed the floodplain administrator to administer and implement the provisions of this article and other appropriate sections of Part 44 of the Code of Federal Regulations (National Flood Insurance Program Regulations) pertaining to floodplain management.”

SECTION FIVE. Chapter 54 “Floods”, Article II “Floodplain Management” of the Code or Ordinances of the City of Kerrville, Texas, is amended by amending Section 54-35(b)(3) by adding the language that is underlined (added) and deleting the language that is bracketed and stricken (~~deleted~~) as follows:

“(3) *Enclosures.* New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for the parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement shall be certified by either a registered professional engineer or architect or meet or exceed the following minimum criteria:

a. A minimum of two openings on separate walls having a total net area of not less than 1 square inch for every square foot of enclosed area subject to flooding shall be provided.

b. The bottom of all openings shall be no higher than 1 foot above grade.

c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters. ~~[No building enclosure, including building enclosures with breakaway walls, shall be constructed below the base flood elevation.]~~

SECTION SIX. The City Secretary is authorized and directed to submit this Ordinance to the publisher of the City's Code of Ordinances and the publisher is authorized to amend said Code to reflect the amendment adopted herein and to correct typographical errors and to index, format, and number and letter paragraphs to the existing Code, as appropriate.

SECTION SEVEN. The provisions of this Ordinance are to be 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 EIGHT. 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, 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.

SECTION NINE. In accordance with Section 3.07 of the City Charter and Texas Local Government Code §52.013(a), 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. This Ordinance shall become effective ten days following publication.

PASSED AND APPROVED ON FIRST READING, this the ___ day of _____, A.D., 2011.

PASSED AND APPROVED ON SECOND AND FINAL READING, this the ___ day of _____, A.D., 2011.

David Wampler, Mayor

ATTEST:

Brenda G. Craig, City Secretary

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

Agenda Item:

- 7A. Lower Colorado River Authority (LCRA) Transmission Services Corporation (TSC) regarding right-of-way acquisition process for the Public Utility Commission ordered CREZ transmission project, Big Hill to Kendall (McCamey D-Kendall-Gillespie) line. (Barbara Hofmann, Public Affairs Representative, LCRA)

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

SUBJECT: Presentation from LCRA Transmission Services Corporation (TSC) regarding right-of-way acquisition process for the Public Utility Commission ordered CREZ transmission project, Big Hill to Kendall (formerly known as McCamey D-Kendall-Gillespie).

FOR AGENDA OF: February 8, 2011 **DATE SUBMITTED:** February 1, 2011

SUBMITTED BY: Barbara Hofmann, Public Affairs Representative for LCRA

EXHIBITS:

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

Expenditure	Current Balance	Amount	Account
Required:	in Account:	Budgeted:	Number:
\$ 0	\$ 0	\$ 0	

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DEPARTMENT:

SUMMARY STATEMENT

LCRA TSC requests the opportunity to share with the Kerrville City Council the process used for acquiring right-of-way for the recently approved Public Utility Commission ordered CREZ transmission project, Big Hill to Kendall. Directly affected landowner meetings are planned for latter February. Prior to those meetings, we would like the opportunity to explain our process to elected officials and answer any questions.

RECOMMENDED ACTION

No action is requested. This is an informational presentation provided to elected officials.

Agenda Item:
(Staff)

- 7B. Update regarding Lower Colorado River Authority Transmission Services Corporation's (LCRA-TSC) application for the proposed McCamey D to Kendall to Gillespie CREZ project (PUC Docket No. 38354).

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

SUBJECT: Receive an update from LCRA staff regarding LCRA TSC's McCamey D to Kendall to Gillespie CREZ project.

FOR AGENDA OF: 2-8-11

DATE SUBMITTED: 2-3-11

SUBMITTED BY: Todd Parton
City Manager

CLEARANCES: Todd Parton
City Manager

EXHIBITS: McCamey D to Kendall to Gillespie CREZ Route Map

AGENDA MAILED TO: NA

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

Expenditure Required:	Current Balance in Account:	Amount Budgeted:	Account Number:
\$0	\$0	\$0	NA

PAYMENT TO BE MADE TO: NA

REVIEWED BY THE FINANCE DEPARTMENT: NA

SUMMARY STATEMENT

LCRA staff will provide an update to the City Council regarding the process and schedule for construction of the McCamey D to Kendall to Gillespie CREZ project. The proposed route for this project has been entitled the "Route MK63 Modified." This route was set by the PUC in January and is shown to parallel the north side of IH-10 through the City of Kerrville and Kerrville's extraterritorial jurisdiction (ETJ). A map of the final route is included with this agenda bill.

The PUC order for the location of the line stated that monopoles would be used through the city limits and ETJ and that the final location of the line would be determined with input from the affected land owners and the City of Kerrville.

RECOMMENDED ACTION

Receive the report from LCRA staff and provide direction to staff as needed.

Agenda Item:
(Ellen M. Folk)

- 7C. Request to discuss safety issues and repair of sprinkler system related to the sidewalk project on Methodist Encampment Road.

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

SUBJECT OF REQUEST: *Sidewalks - Methodist Encampment*

AGENDA DATE: *2/8/11*

DATE SUBMITTED: *1/26/11*

REQUESTED/SUBMITTED BY:
ORGANIZATION REPRESENTING: *None*
MAILING ADDRESS:

PHONE: *540-336-1383*

EMAIL ADDRESS: *efolk@unw.edu*

EXHIBITS/INFORMATION: *Yes*

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

WILL THIS ITEM REQUIRE CITY COUNCIL TO AUTHORIZE THE
EXPENDITURE OF CITY FUNDS? YES: _____ NO:

IF YES, STATE AMOUNT REQUESTED: \$ _____

DESCRIPTION OF REQUEST

Issue

- 1) Notice & Opportunity to be heard
- 2) Safety issue
- 3) Destruction of sprinkler system

RECOMMENDED COUNCIL ACTION

- 1) Opportunity to be heard on safety issues
- 2) Repair sprinkler system

Ellen M. Folk, Esq., CPA



Spunkin pipe in our - 17M 800

Spunkin pipe

Note 1



Expansion paper on grass - 1433 Kois

Photo 2



Area where sample was - 133 feet

11/07/73

1733 Post

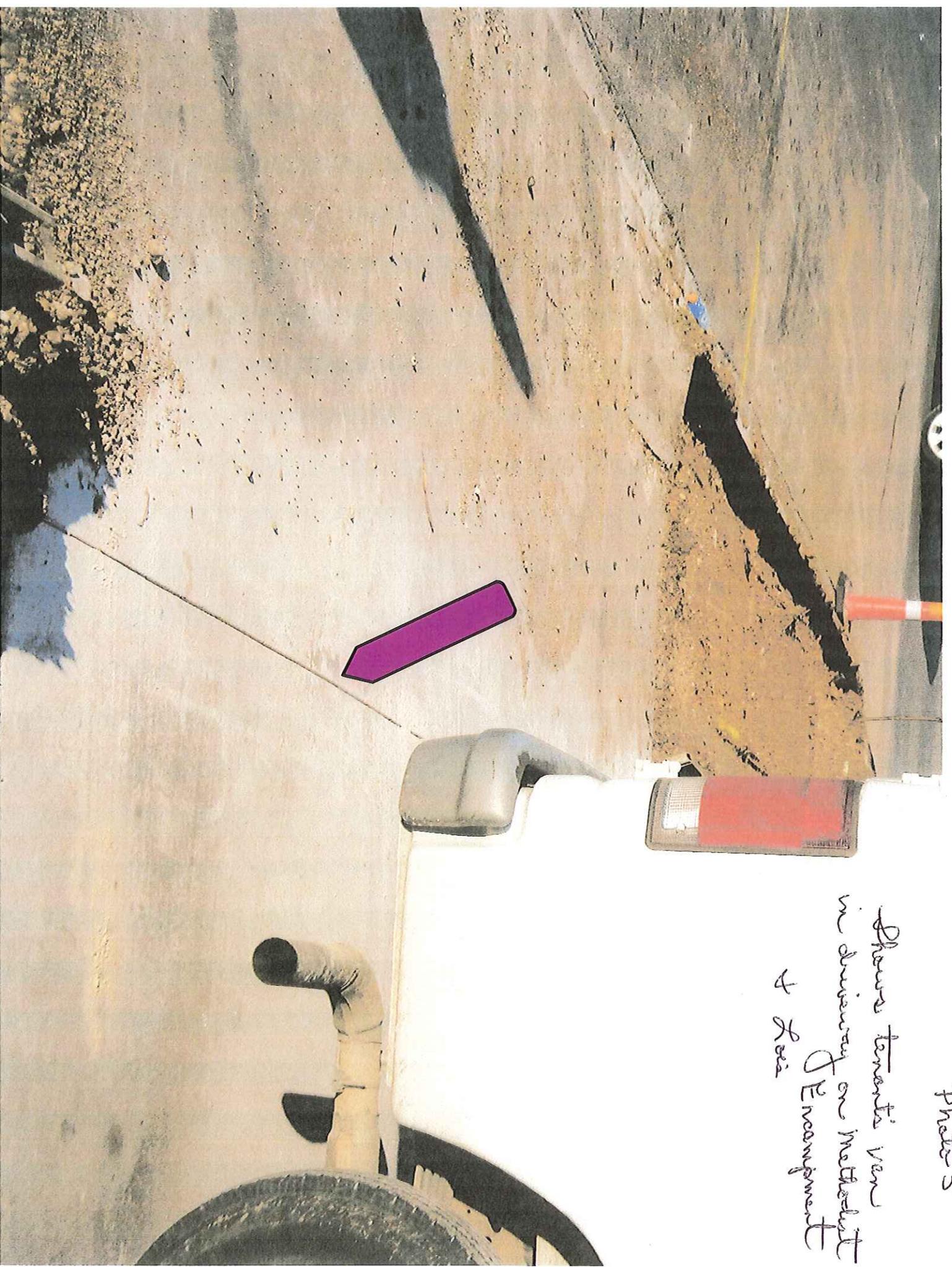
Remnants of sprinkler pipe in ground

Photo #



Photo 5

Shows tenant's van
in driveway on Mitchell
+ Sea Encampment



Flower neighbor's behind 1433 Ave - Duveney

Photo 6



Skonsa driveway on Methodist Encampment Aug 1978

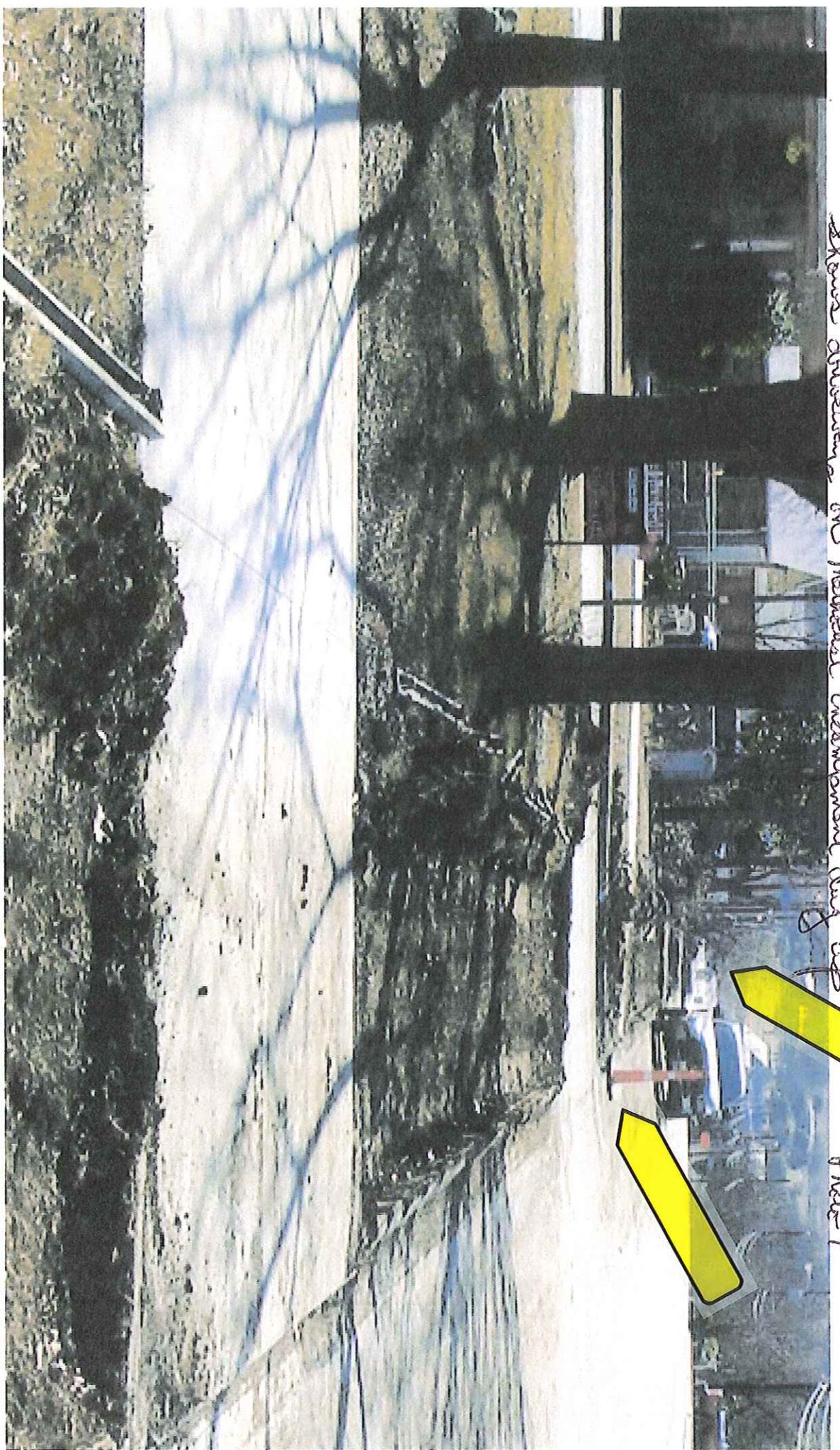
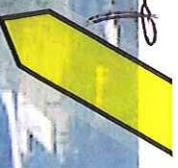
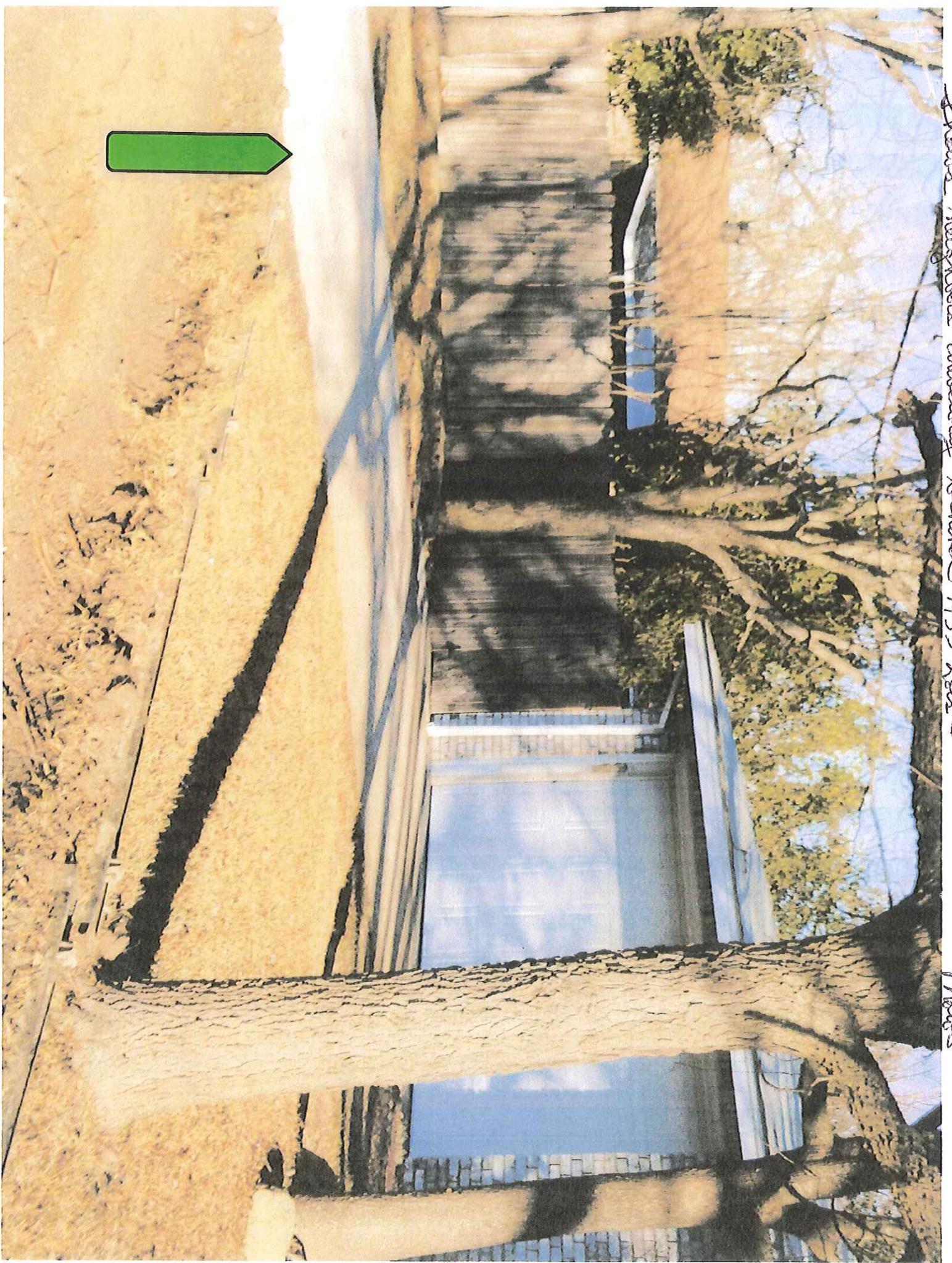


Photo 7



Flora neoflora diversum Kestrel 1433 Jan -

Photo's



Curves Methodist Encampment from 1433 Reis



Fluorescence & driveway on opposite side of Methodist Encampment

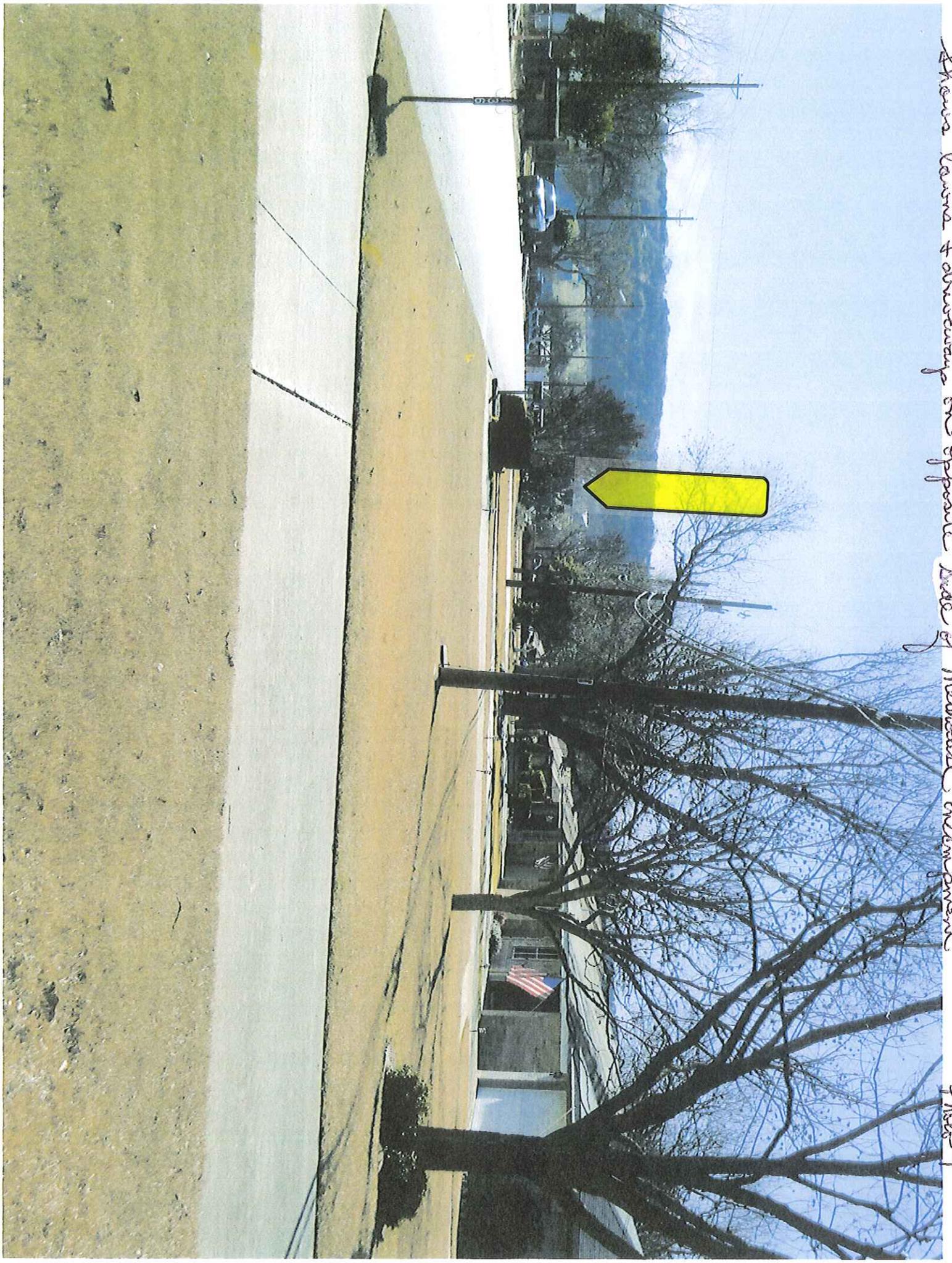


Photo 9

Agenda Item:
(Staff)

- 7D. Update on the safe routes to schools construction project by Texas Department of Transportation and LNV Engineering, Inc.

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

SUBJECT: Safe Routes to School Construction Update

FOR AGENDA OF: February 8, 2011 **DATE SUBMITTED:** January 28, 2011

SUBMITTED BY: Michael Wellborn, P.E. *MW* **CLEARANCES:** Kristine Ondrias *KO*
Director of Engineering Assistant City Manager

EXHIBITS:

AGENDA MAILED TO: Michael Coward, PE
Texas Department of Transportation
Kerrville Area Office

APPROVED FOR SUBMITTAL BY CITY MANAGER: *JP*

Expenditure Required:	Current Balance in Account:	Amount Budgeted:	Account Number:
-	-	-	-

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DIRECTOR:

SUMMARY STATEMENT

As a part of the Federal Safe Routes to School Program awarded in 2007, the City of Kerrville entered into Advance Funding Agreements with the Texas Department of Transportation (TxDOT) to receive funds not to exceed \$3,092,902.00 for sidewalk design and construction. The program's objective is to enhance safety in and around school areas through a construction program designed to improve the bicycle and the pedestrian safety of school aged children. The Safe Routes to School (SRTS) Plan is comprised of four separate projects that will provide sidewalks to the following school areas: 1) BT Wilson and Peterson Middle School; 2) Tally Elementary; 3) Starkey Elementary; and 4) Tom Daniels Elementary.

The city's obligation to the project was to provide professional engineering services to design the project in accordance with TxDOT standards and specifications. TxDOT's obligation to the project is to provide construction bidding and construction administration services. In March of 2010, the plans were approved and subsequently bid. TxDOT received eight (8) bids that ranged from \$2,804,390.50 to \$1,784,709.95. They awarded the construction contract to the low bidder TI-ZACK Concrete, Inc. in August 2010. On November 16, 2010, TxDOT hosted a pre-construction meeting. The Contractor submitted his proposed construction schedule on January 3, 2011, and commenced with construction on January 10, 2011.

The construction update will be presented by Mike Coward (TxDOT Kerrville Area Office). Additionally, LNV Engineering, Inc (SRTS design engineer) will be present to answer design questions should they arise during the meeting.

Agenda Item:
(John Mosty)

- 7E. Request for council direction regarding zoning ordinance review and implementation.

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

SUBJECT OF REQUEST: Discussion and possible action on Zoning Ordinance Input Committee (ZOIC) request for Council direction for zoning ordinance review and implementation.

AGENDA DATE: 8 February 2011 **DATE SUBMITTED:** 26 January 2011

REQUESTED/SUBMITTED BY: John M. Mosty **PHONE:** 257-2134

ORGANIZATION REPRESENTING: ZOIC

MAILING ADDRESS: (home) 2313 Trails End
Kerrville, TX 78028-5439

EMAIL ADDRESS: jmmosty@gmail.com

EXHIBITS/INFORMATION:

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

**WILL THIS ITEM REQUIRE CITY COUNCIL TO AUTHORIZE THE
EXPENDITURE OF CITY FUNDS? YES: _____ NO: X**

IF YES, STATE AMOUNT REQUESTED: \$ _____

DESCRIPTION OF REQUEST

SUMMARY STATEMENT

Given Council direction at their meeting September 14 and reaffirmed at the joint ZOIC/Council joint workshop on November 15, ZOIC and staff are moving forward on:

- Adoption of the ZOIC proposed amendments to the zoning ordinance creating a new CBD zoning district,
- Adoption of proposed changes to parking requirements (Article 20 of existing ordinance) and adopting changes to supplementary development requirements for certain commercial uses (Article 19 of existing ordinance),
- Continuing to work through the simplification of commercial and industrial zones in the city as a whole,
- Develop and propose changes to the ordinance articles dealing with the CUP process, non-conforming uses, and home occupations, and
- Review the need for and issues with a special use permit/exception process.

To that end, staff and the committee have hosted two public input sessions, one on the CBD on 12/10, and one on the parking/development requirements on 01/06.

At the 01/06 meeting, Councilperson Motheral stated he was opposed to bringing forward the proposed changes and would vote against any amendments that would make incremental improvements to the ordinance, expressing his opinion that the entire ordinance should be redrafted, and brought forward as one document for presentation and adoption.

The Committee has been working under Council direction to break the ordinance in to logical pieces and create revisions to the ordinance incrementally.

Presenting completed portions of the rewrite for review and adoption will keep staff, the committee, the public and council connected throughout the rewrite process, will allow the committee a degree of affirmation through the ongoing review of their work, and will build a stronger ordinance as work progresses.

Requested by the Committee, this agenda item is meant to provide City Council an opportunity to review the overall ordinance rewrite process and provide the Committee and staff direction from which to move forward.

RECOMMENDED COUNCIL ACTION

Council is asked to review the information presented and, after any needed discussion, provide the Zoning Ordinance Input Committee direction on how to move forward.

Agenda Item:
(Staff)

- 7F. Authorize execution of a contract with Alsay, Inc. for the construction of the Methodist Encampment water well in the amount not to exceed \$1,150,000.

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

SUBJECT: Authorization for the City Manager to execute a construction contract with Alsay, Inc. for the construction of the Methodist Encampment Water Well in an amount not to exceed \$1,150,000.00.

FOR AGENDA OF: February 8, 2011 **DATE SUBMITTED:** January 28, 2011

SUBMITTED BY: Michael Wellborn, P.E. **CLEARANCES:** Kristine Ondrias
Director of Engineering Assistant City Manager

EXHIBITS: Contract

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER:

Expenditure	Current Balance	Amount	Account
Required:	in Account:	Budgeted:	Number:
\$1,150,000.00	\$1,242,593.00	\$1,300,057.00	W82

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DIRECTOR:

SUMMARY STATEMENT

In the 2009 CIP, City Council approved a project for the design and construction of the Methodist Encampment Water Well to be located off of Panorama Drive. Hewitt Engineering, Inc. was engaged in August 2009 for a fee of \$75,080.00 to perform design services for drilling the well. In March 2010, City Council authorized the City Manager to amend the Professional Services Agreement with Hewitt Engineering, Inc. to include ASR capabilities in the Phase 1 design (well casing & TCEQ permitting) and increase the design contract amount by \$5,300.00 to a total of \$80,380.00

The project's construction documents were completed and advertised for bids in November, 2010. Three bids were received for the project on the December 7, 2010 bid opening date. The lowest qualified bidder was Alsay, Inc.

The Phase 1 construction scope is to drill and case a municipal Aquifer Storage Recovery (ASR) well, including all construction, and perform all associated regulatory testing, as well as pumping tests, casing pressure tests, various logging reports, alignment survey and complete functional equipping of the well. Phase 2 of the construction scope includes the installation of a submersible pump, installation of discharge piping and appurtenances, connection to the existing 12-inch distribution main, electrical demolition and renovation at the site, and SCADA instrumentation for the new construction. This phase of the project (pump & pipe construction) is not designed for ASR capabilities; however, it can be converted by modifying the pump and piping.

The base bid received from Alsay, Inc. is \$971,700.00 which includes both Phase 1 & Phase 2 construction scope. The project bid documents do not contain a contingency. The Director of Engineering believes that a contingency in the amount of 15% should be included in order to address unforeseen change orders including modifying the well head and piping to make it an ASR well. Additionally, the contract bid line items provide for add and deduct quantities if the actual field quantities differ from the contract specifications.

RECOMMENDED ACTION

The Director of Engineering recommends that Council authorize the City Manager to execute a construction contract with Alsay, Inc. in an amount not to exceed \$1,150,000.00 for the construction of the Methodist Encampment Water Well.

Section 070

CITY OF KERRVILLE

CONSTRUCTION CONTRACT

This agreement made this day by and between the City of Kerrville, Texas, called "City," and the undersigned "Contractor" as follows:

1. THE WORK

The Contractor shall perform all the work as required by this contract for:

Drill, construct, test and equip new Methodist Encampment Water Well in Kerrville, Texas, as detailed in Section 090 "Description of Work".

The following are incorporated herein:

- a. General Provisions
- b. Technical Specifications
- c. Addenda issued prior to receipt of Bid
- d. Plans
- e. Instructions to Bidders
- f. Proposal

Some of such documents may not be physically attached hereto but are on file at City Hall, and copies may be obtained upon request.

2. TIME

Construction substantial completion time will be **180** calendar days and **10** calendar days after for final completion from the date of written notice to proceed. Working days are defined in specification section 123.20. The Contractor's obligations to the project however, are not complete and retainage will not be released until all disturbed areas within Kerrville right-of-way have been re-vegetated to the satisfaction of the City Engineer.

3. LIQUIDATED DAMAGES

Liquidated damages are hereby established for work which is not substantially complete in the amount of Three Hundred Dollars (\$300.00) per working day for each working day after the date established in the Notice to Proceed. The City may offset any such liquidated damages against any sums from time to time due by the City to Contractor.

The completion time assumes that fifteen percent of the working days are "bad weather days," days on which the work cannot proceed; therefore, the time for completion shall not be extended on account of bad weather until the said number of assumed "bad weather days" has been exceeded.

The time for completion shall not be extended except by written memorandum executed by the Contractor and the City Manager. Contractor shall make written application to the City not later than ten (10) days after the day, event, or cause claimed by Contractor to be a delay. Failure to make such

written claim within such time shall result in a waiver by Contractor of an extension based on those particular days, events, or causes. If, for example, this contract assumes twenty (20) bad weather days and Contractor desired a one-day extension for the twenty-first day of rain, Contractor shall make a written claim not later than ten (10) days after the occurrence of such twenty-first day.

The said amount per day is not a penalty but an agreed amount of actual damages which are difficult to calculate. Such damages include loss of staff time, answering complaints by citizens who have been inconvenienced by the work, City Council time, loss of use, and other damages difficult to reasonably anticipate or calculate.

4. PAYMENTS

The City shall pay the Contractor ninety-five percent (95%) of the portion of Contract Sum properly allocable to labor, materials, and equipment incorporated in the Work and ninety-five percent (95%) of the portion of the Contract Sum properly allocable to materials and equipment suitably stored at the site or at some other location agreed upon in writing, less the aggregate of previous payments made by the City, and, upon substantial completion of the entire Work, a sum sufficient to increase the total payments to ninety-five percent (95%) of the Contract Sum. All retainages from progress payments shall be withheld without liability for interest. Upon acceptance, the City shall make payment to Contractor such that one hundred percent (100%) of the Contract Sum has been paid.

5. LIABILITY INDEMNITY

THE CONTRACTOR AGREES TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF KERRVILLE, TEXAS, AND ALL OF THEIR RESPECTIVE OFFICERS, AGENTS AND EMPLOYEES FROM ALL SUITS, ACTIONS, CLAIMS, DAMAGES, PERSONAL INJURIES, LOSSES, PROPERTY DAMAGES, AND EXPENSES OF ANY CHARACTER WHATSOEVER, INCLUDING ATTORNEY'S FEES BROUGHT FOR OR ON ACCOUNT OF ANY INJURIES OF DAMAGES RECEIVED OR SUSTAINED BY ANY PERSON OR PROPERTY ON ACCOUNT OF ANY NEGLIGENT ACT OF THE CONTRACTOR, THE CITY OF KERRVILLE, TEXAS, OR ANY OF THEIR RESPECTIVE OFFICERS, EMPLOYEES, AGENTS, REPRESENTATIVES, OR SUBCONTRACTORS IN THE EXECUTION, SUPERVISION, AND OPERATIONS GROWING OUT OF OR IN ANY WAY CONNECTED WITH THE PERFORMANCE OF THIS AGREEMENT, WHETHER OR NOT THE ACT OR OMISSION OF THE CITY OR ANY OF THEIR RESPECTIVE OFFICERS, EMPLOYEES, OR AGENTS WAS THE SOLE PROXIMATE CAUSE OF THE INJURY OR DAMAGE OR A PROXIMATE CAUSE JOINTLY AND CONCURRENTLY WITH THE NEGLIGENCE OF THE CONTRACTOR OR ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS, OR SUBCONTRACTORS, IN THE EXECUTION, SUPERVISION AND OPERATIONS GROWING OUT OF OR IN ANY WAY CONNECTED WITH THE PERFORMANCE OF THIS AGREEMENT.

6. LIABILITY INSURANCE

Prior to the commencement of any work and not later than fifteen (15) days following the execution of this contract, the Contractor shall furnish the City copies of paid-up policies (to the City Risk Manager/City Hall) providing Liability and Workman's Compensation Coverage as follows minimum limits):

TYPE OF INSURANCE	LIMITS
a. Workman's Compensation covering all employees	Statutory
b. Employer's Liability	<u>\$100,000.00</u>
c. Comprehensive General Liability	
Bodily Injury & Property Damage (per occurrence)	<u>\$1,000,000.00</u>
Aggregate	<u>\$1,000,000.00</u>
(Premises/Operations Products/Completed Operations/Independent Contractors/Contractual Liability/Coverages may not be excluded). XCU must be supplied if any exposure.	
d. Business Automobile Liability covering owned vehicles, rented and non-owned vehicles and employee non-ownership	
Bodily Injury Property Damage (per occurrence)	<u>\$1,000,000.00</u>
Aggregate	<u>\$1,000,000.00</u>

The Commercial General Liability and the Automobile Liability policies shall name the City of Kerrville, Texas, as additional insured and all policies shall provide for a waiver of subrogation in favor of the City of Kerrville. The policy and any renewal certificate shall provide that the City be notified thirty (30) days prior to cancellation or modification of any coverage. Language to the effect that the company will "Endeavor" or "Attempt" to so notify the City of Kerrville is not sufficient.

Renewal certificates must be received by the City at least ten (10) days prior to any cancellation date. Policies will be in effect until final acceptance or cancellation of this contract, unless otherwise specified. The City may, at its sole option, terminate this agreement and file a claim on the Contractor's bid bond if the Contractor fails to deliver the required policies and certificates within 15 days after execution of this contract.

It shall be the responsibility of the Contractor to insure that all Subcontractors comply with the same insurance requirements as the said Contractor.

7. CASUALTY INSURANCE

In the event the work includes structures or buildings susceptible to damage by fire, windstorm, or other casualty, then the Contractor before being authorized to begin work shall furnish the City a duplicate original of an insurance policy naming the City of Kerrville as an additionally insured. Such insurance shall insure both the City of Kerrville and Contractor, during the term of the work, against loss by fire, windstorm, vandalism, theft, or other casualty. Such policy shall be in the total amount of this contract.

8. QUALITY OF WORK

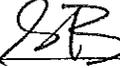
All work shall be of good workmanship. Contractor shall comply with all applicable City of Kerrville Codes as well as all applicable professional and technical standards. Materials shall be of first quality.

9. CHANGES AND EXTRAS

No change of this Contract, whether for additional work, additional compensation, or other, shall be effective unless prior thereto a written change order has been authorized by the City Engineer.

10. ADDENDA

Contractor acknowledges the receipt of the following addenda:

1. Dated: 12/9/10 Acknowledged by: 
2. Dated: 12/13/10 Acknowledged by: 

11. AWARD OF CONTRACT

The lowest qualified bidder will be awarded the base bid plus any combination of additive alternates pending availability of funds and City Council approval.

12. CONTRACT SUM

Proposal: Contractor agrees to provide all labor, materials, and all incidentals necessary to complete "The Work" for the following Unit Prices:

ITEM NO.	APPROX. QUANTITY	UNIT	DESCRIPTION OF ITEM	UNIT PRICE	TOTAL AMOUNT
1	1	LS	Mobilization and Bonds (Maximum 5% of total Base Bid amount)		<u>46,000.00</u>
2	1	LS	Drill, construct, test and equip well per drawings and specifications	<u>\$ 748,500.00</u>	<u>\$ 748,500.00</u>
3	1	LS	Discharge piping and appurtenances per drawings and specifications	<u>\$ 30,200.00</u>	<u>\$ 30,200.00</u>
4	1	LS	Site work, complete in place per drawings and specifications	<u>\$ 40,500.00</u>	<u>\$ 40,500.00</u>
5	1	LS	Electrical demolition and renovation per drawings and specifications	<u>\$ 88,500.00</u>	<u>\$ 88,500.00</u>
6	1	LS	ALLOWANCE for SCADA and Instrumentation per drawings and specifications	<u>\$ 18,000</u>	<u>\$ 18,000</u>
			TOTAL BASE BID	<u>\$ 971,700.00</u>	<u>971,700.00</u>
7	1	LF	Pilot hole, more or less than the 830-foot base depth, as specified, add or deduct	<u>\$ 50.00</u>	<u>\$ 50.00</u>
8	1	LF	18-inch diameter steel blank liner, more or less than the 720-foot base depth, as specified, add or deduct	<u>\$ 175.00</u>	<u>\$ 175.00</u>
9	1	LF	14-inch diameter stainless steel screen, more or less than the 100-foot base depth, as specified, add or deduct	<u>\$ 150.00</u>	<u>\$ 150.00</u>
10	1	HP	Change horsepower for well pump motor, if required, more or less than the 150 hp base amount, in 50 hp increments, add or deduct	<u>\$ 5,000.00</u>	<u>\$ 5,000.00</u>
11	1	LF	20-foot length of pump column, cable, air line, in place complete, more or less than the 680-foot base length, as specified, add or deduct	<u>\$ 50.00</u>	<u>\$ 50.00</u>

12	1	HR	Standby time, with workmen	\$ 250.00	\$ 250.00
13	1	HR	Extra hours of pumping test, if required, more than 36 hours of testing, add	\$ 200.00	\$ 200.00
14	1	HR	Extra development tours, as required, more than 20 tours specified, add	\$ 300.00	\$ 300.00
15	1	LS	Abandonment of pilot hole, if required, including plugging and restoring site	\$ 30,000.00	\$ 30,000.00
16	1	LS	Additional cost if Contractor work hours are limited to 11 hours per day and 5 days per week	\$ 50,000.00	\$ 50,000.00
17	1000	LF	Purchase and install 12" Temporary Drainage Pipe	\$ 5.00	\$ 5,000.00

COMPLETED BY

ALSAY INCORPORATED
General Contractor Name

12-16-10
Date

STEVE BELL
General Contractor Representative

ASST. SEC.
Title

Sub-Contractors:

	NAME	ADDRESS	PHONE	WORK TO BE PERFORMED
1.	J&K Utility Services	5607 Williamson Rd.	512-739-7101	Miscellaneous Plant Work
2.				
3.				

(Attach additional sheet if required)

INSURANCE AGENT

NAME	ADDRESS	PHONE	POLICY
1.	Arthur J Gallagher Risk Mngmt. 14241 Dallas Parkway Suit 300 Dallas, Tx 75254 972-991-3700 4015456381		
2.	_____		
3.	_____		

BONDING AGENT

NAME	ADDRESS	PHONE	POLICY
1.	Evergreen National Indemnity Co. 6140 Parkland Blvd. Suite #321 Mayfield Heights, Ohio, 44124 440-995-5135		
2.	_____		
3.	_____		

BIDDER'S EXPERIENCE

In order to make a responsive Bid, the Bidder must attach evidence of a minimum of three (3) successfully completed water wells in each of the last five (5) years. The Bidder must attach a letter of reference from the Owner of the three (3) water wells completed in the last year. Each completed water well must meet all of the criteria listed below:

- Water wells constructed for public water supply to AWWA Standard A100-97
- Water wells constructed with a final casing and production screen diameter of 12 inches or greater, and placement of gravel and
- Water wells constructed with a minimum depth of 600 feet.

Signed this 10 day of December, 2010

Attest:

ALSAY INC Contractor

[Signature]
Secretary

BY:

[Signature]

(if bid by a Corporation)



Title: Asst. Sec.

Business Address:

Alsay Incorporated

3359 S.E. Loop 410

San Antonio, Texas 78222

Phone: 210-628-1090

Fax: 210-628-1505

ACCEPTED THIS _____

day of _____, 2010

By: _____

Todd Parton, City Manager
City of Kerrville, Texas.

ATTEST:

Brenda G. Craig, City Secretary

APPROVED AS TO FORM:

[Signature]
Mike Hayes, City Attorney



ALSAY
INCORPORATED
GROUNDWATER EXPLORATION & DEVELOPMENT

6615 GANT STREET
HOUSTON, TEXAS 77066
PHONE: 281-444-6960
FAX: 281-444-7081

Qualification Statement

Name of Contractor: Alsay Incorporated
Main Office: 6615 Gant, Houston, Tx. 77066
Phone: 281-444-6960
Other Offices: 3359 S.E. Loop 410, San Antonio, Tx. 78222
Phone: 210-628-1090
Website: www.alsayinc.com
Status: Texas Resident Bidder
Dunn & Bradstreet #: 11-860-7357
Number of years in service under present name: 31

General Managers: Jim Caldwell, Houston Office, 27 years experience
Steve Bell, San Antonio Office, 27 years experience

Type of work specializing in: Drill and service water wells & pumps

Supervisors Experience:

Drilling: Neil Rollie, Houston Superintendent, 29 years experience
Brian Hillard, San Antonio Superintendent, 12 years experience

Service: Scott Freeman, Houston Service Manager, 25 years experience
Rick Martindale, Houston Superintendent, 26 years experience
George Jendrzy, SA Service Manager, 50 years experience

Equipment Available for Contract:

- (4) R-5 Drilling Rigs, 225,000 lb. Capacity
- (1) Gardner Denver 3000 Drilling Rig, 250,000 lb. Capacity
- (1) SpeedStar 2000 Drilling Rig
- (1) Gardner Denver 1500 Drilling Rig
- (13) Work – Over Rigs, 50,000 to 150,000 lb. Capacity

Insurance Company: Arthur J. Gallagher Risk Management Services, Inc.
14241 Dallas Parkway, Dallas, TX. 75254 (972) 991-3700

Active Contracts: (San Antonio)

1. SAWS Small Well Construction 2007; \$1,430,000.00
2. SAWS Large Irrigation Well Construction; \$883,000.00
3. City of Falfurrias, New Water Well; \$545,000.00
4. M.D. Anderson Research Center Water Well; \$820,000.00
5. S.W.I.S.D. Edwards Replacement Well; \$425,000.00

Edwards & Trinity Water Wells Drilled:

1. BexarMet Swan's Ranch Edwards Well, 24" Casing, 920' T.D.
2. BexarMet Wild Turkey Well #5, 16" Casing, 860' T.D.
3. BexarMet Fleetwood Water Well, 12" Casing, 600' T.D.
4. SAWS Rabba Water Well, 6" Casing, 860' T.D.
5. City of Yancey Water Well, 14" Casing, 2427' T.D.
6. SAWS Culebra Edwards Water Well No.2, 30" Casing, 1300' T.D.
7. SAWS Anderson Edwards Water Well No.5, 36" Casing, 750' T.D.
8. SAWS Naco Edwards Water Well No.1, 30" Casing, 824' T.D.

Other Well Projects:

1. Southwest Research Edwards Well, Sept, 2003, \$500,000.00, In-house engineers.
2. City of Floresville, Water Well #3, May 2002, \$264,750.00, Bury & Partners Engineers, (210) 525-9090.
3. City of Pleasanton, Halpin Carrizo Well, Oct. 2001, \$332,530.00, Sun Belt Engineers, (210) 655-6110.
4. City of Kenedy, Water Well #13, Oct. 2004, \$74,500.00, Southwest Engineers, (830) 672-7546.
5. Gonzales County W.S.C., Oak Hill Water Well, July 2004, \$274,900.00, Southwest Engineers, (830) 672-7546.
6. SAWS Gonzales County Well Field, Drill (13) Wells, March 2003, \$2,998,000.00, HDR Engineers, (512) 912-5188.
7. SAWS ASR Well Field, Drill (11) Wells, Jan. 2002, \$3,276,900.00, CH2M Hill Engineers, (512) 453-2468.
8. SAWS Brackish Groundwater Wilcox Test Drilling, Drill (6) Wells, August 2007, LBG-Guyton (713) 468-8600, \$5,491,000.00

Project Defaults:

1. None

Superintendents for This Project:

1. Brian Hillard; Texas Driller's License #54916

Number of Employees:

1. Houston Office: 100
2. San Antonio Office: 25

PUMP DATA SHEET Submersible 60 Hz



Company: GICON PUMP
 Name: Methodist Encampment Water Well
 Date: 12/09/10

Customer: ALSAY INC. S.A.
 Order No:

Pump:
 Size: 11CLC (13 stages)
 Type: Submersible
 Synch speed: 1800 rpm
 Curve: E3142-2
 Specific Speeds:

Speed: 1750 rpm
 Dia: 8 in
 Ns: 2230

Pump Notes for Standard Sizes:
 Discharge Sizes-6",8". Curves are certified for water at 60°F only.
 Consult factory for performance with any other fluid.

Vertical Turbine:
 Bowl size: 11 in
 Max lateral: 0.75 in
 Thrust K factor: 7 lb/ft

Search Criteria:

Flow: 600 US gpm Head: 760 ft

Fluid:

Water
 SG: 1
 Viscosity: 1.105 cP
 NPSHa: --- ft

Temperature: 60 °F
 Vapor pressure: 0.2563 psi a
 Atm pressure: 14.7 psi a

Motor:

Standard: NEMA Size: 150 hp
 Speed: 1800

Sizing criteria: Max Power on Design Curve

Pump Limits for Standard Construction:

Temperature: 120 °F Pressure: 380 psi g
 Sphere size: 0.68 in

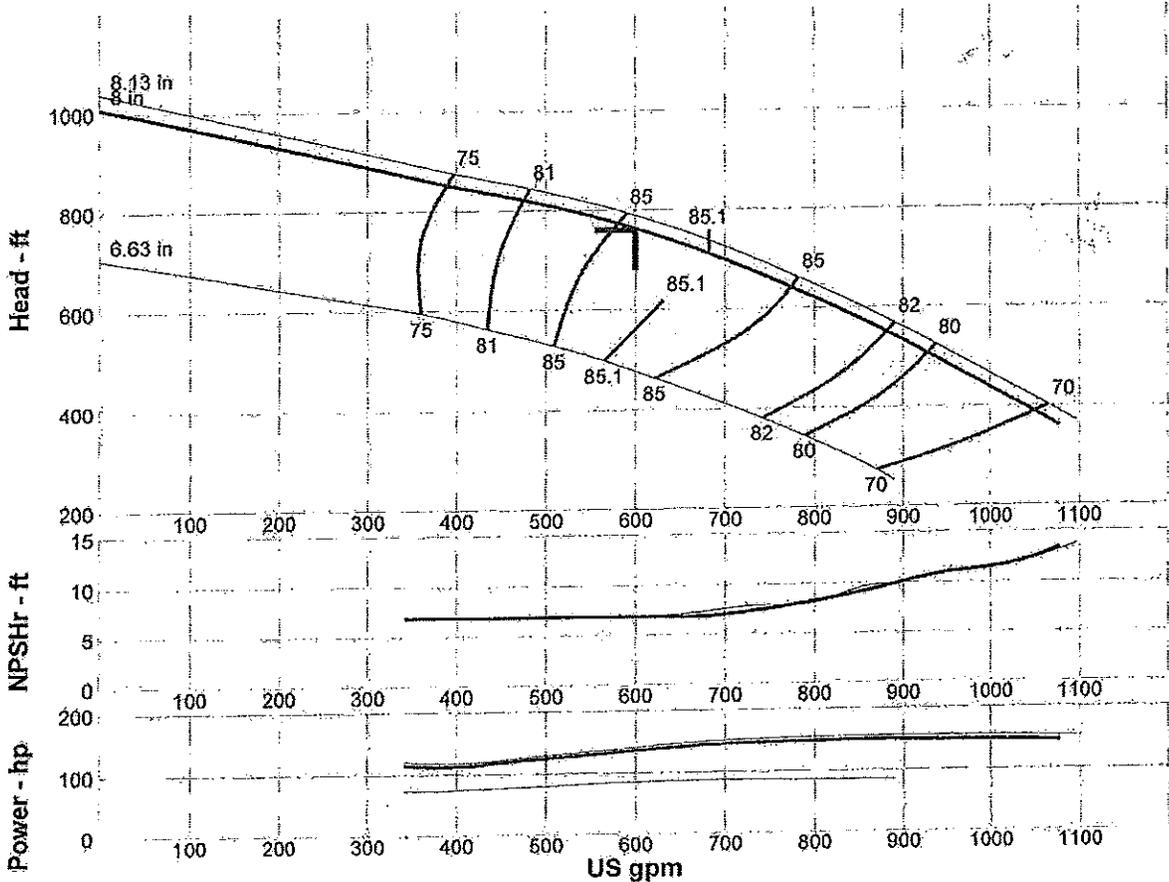
Pump Selection Warnings:

Pump shutoff dP exceeds limit for the pump.

--- Data Point ---
 Flow: 600 US gpm
 Head: 762 ft
 Eff: 85%
 Power: 135 hp
 NPSHr: 6.87 ft

-- Design Curve --
 Shutoff Head: 1009 ft
 Shutoff dP: 436 psi
 Min Flow: --- US gpm
 BEP: 85.1% eff
 @ 682 US gpm
 NOL Pwr: 150 hp
 @ 881 US gpm

-- Max Curve --
 Max Pwr: 156 hp
 @ 891 US gpm



Performance Evaluation:

Flow US gpm	Speed rpm	Head ft	Efficiency %	Power hp	NPSHr ft
720	1750	683	85.1	146	7.29
600	1750	762	85	135	6.87
480	1750	820	81.2	122	6.87
360	1750	865	69.2	114	6.87
240	1750	---	---	---	---

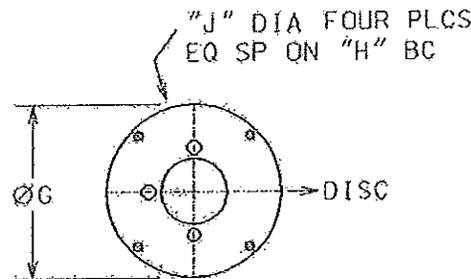
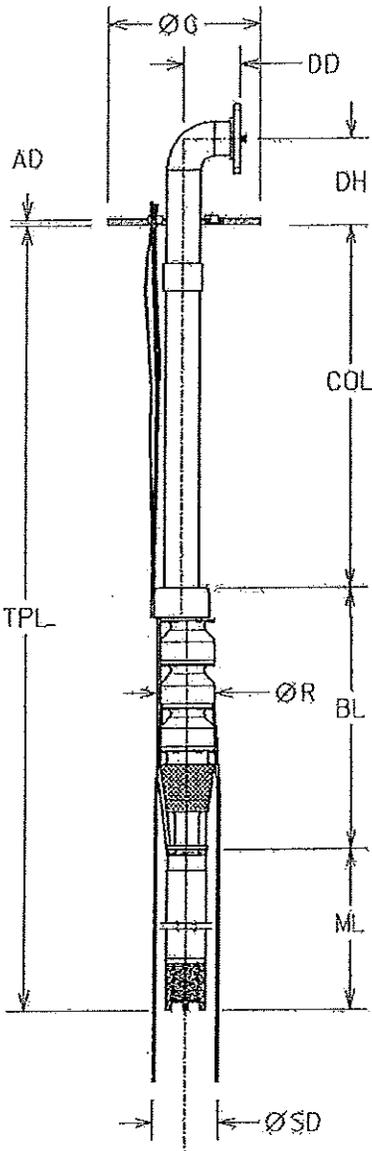
DIMENSIONAL OUTLINE

VIS-WF
13 Stage 8x11CLC



Pump Data

AD:	1.88	Size:	11CLC
AG:		Stages:	13
BL:	141.69	BowlShaft:	1.69"
CD:		LineShaft:	N/A
CL:	N/A	LineShaft Type:	N/A
COL:	680.00'	Column:	Standard
DD:	14.38	Column:	8" Threaded
DH:	20.00	Bearing Spacing:	N/A
G:	25.00	Section Length:	10 feet
H:	22.75	Head:	Heavy Duty
HH:		Flange (Disch.):	8"- RF
J:	1.38	Inlet:	
R:	11.50	Seal:	N/A
ML:	69.90	Strainer:	Shroud
SL:		SubBase:	N/A
TPL:	697.6'		
UG:	N/A		
V:			
W:			
X:			
SD:	15.00		
Y:			
Z:			



WELL HEAD

Hydraulic Data

Flow (gpm):	600
Pump Head (ft):	113.8
IDH (ft):	770.0
Speed (rpm):	1770
Fluid:	Water
Temperature (F):	60
Viscosity:	1.105
Spec.Grav:	1

Miscellaneous

Thrust At Design (lb):	5637
Thrust At Shutoff (lb):	7440
Min Water Level(in):	7800

Weight

Pump (lb):	18523
Motor (lb):	1642
Total (lb):	20165

Motor Data

Model:	33-4/080-N
Make:	
HP:	150
RPM:	1800
Type:	SUB
Efficiency:	89.0
Nominal Dia:	12"

Section 060

ADVERTISEMENT FOR BID

PW09-0058

Sealed bids for the **Methodist Encampment Water Well** will be received by the office of the City Secretary, City Hall, 800 Junction Highway, Kerrville, Texas 78028 until 3:00 p.m. on **December 14, 2010** and will then be publicly opened and read aloud in the Council Chambers at City Hall.

The date and time of opening the bids shall be clearly marked on the outside of the sealed envelope. No bids will be accepted after 3:00 p.m. on the date of bid opening.

The bidding documents, plans, specifications, etc. may be examined by all bidders at the engineering office at City Hall, 800 Junction Highway, Kerrville, Texas, 78028, 830-792-8315, or on the City's website www.kerrvilletx.gov. Non-refundable copies may be purchased at Lone Star Reprographics in San Antonio and Jackson Reprographics (830-896-2679) in Kerrville.

The Contractor will be required to submit statement of qualifications to the City staff for review. The Contractor will be required to provide evidence of having completed at least fifteen (15) previous public supply wells of equal or greater size and depth within the last five years.

Each bid must be accompanied by **two copies** of the City of Kerrville Construction Contract (Section 070 of the Contract Documents and Technical Specifications) with original signatures, as well as a certified check, cashier's check, or bid bond payable to the City of Kerrville, Texas, in the amount of ten percent (10%) of the amount bid as a guarantee that the contract and bond will be entered into within ten (10) days after the award is made.

A performance/payment bond in the amount of one hundred percent (100%) of the total contract price will be required.

All questions regarding this project shall be directed to the City Project Engineer at the following phone number: 830-792-8315.

Advertised: November 26, 2010
 December 3, 2010

Pre-bid Conference: December 7, 2010 3:00 p.m. - City Hall, 800 Junction Highway, Kerrville

Bid Opening: December 14, 2010

Bid Award January 11, 2011

Agenda Item:
(Staff)

7G. Approval of the 2011 street rehabilitation list.

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

SUBJECT: Proposed 2011 Street Rehabilitation List

FOR AGENDA OF: 2/8/11

DATE SUBMITTED: 1/28/11

SUBMITTED BY: Charlie Hastings
Public Works Director

CLEARANCES: Todd Parton
City Manager

EXHIBITS: Street Map, Kerrville Pavement Management System Update

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER:

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

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DIRECTOR:

SUMMARY STATEMENT

Kerrville's Pavement Management System, adopted in 2004, utilizes the Asphalt Institute Pavement Rating System (Information Series No. 169) to determine, in an objective and systematic way, street rehabilitation needs. A schedule is then developed based on construction logistics, budgetary constraints, and coordination with other planned construction projects. The following street rehabilitation type and corresponding streets are targeted for the summer of 2011 beginning as early as May, and are shown in the attached map:

Seal Coat (spot reconstruction as necessary) - Arcadia Loop. Tivy Addition: B, C, D, and E Streets between SH 27 and Park St. F and G Streets from Park St to dead end. Park St. from E. Main to Travis. South St. from Everett to Westminster, Lang from Rawson to Westminster, Everett from South to E. Main, Travis from Park St. to E. Main, Rawson from Lang to E. Main, and Westminster from Lang to E. Main.

Overlay (spot reconstruction as necessary) – continuation of the Methodist Encampment area from FY 10: Vesper, Panorama, Lazy Lane, Uvalde, and Tanglewood. Virgil Merrill Addition: Donna Kay, Nancy Beth, Barbara Ann (needs two blocks of reconstruction), Linda Joy, Lucky Ridge, and Carol Ann.

Reconstruction – Hill Country Drive, Cully at Thompson Parkway (approximately 150 feet), Barbara Ann (two blocks as listed above).

At the last fall council retreat there was concern over reconstructing Hill Country Drive before the drainage issue was resolved at its intersection with SH 16. A preliminary

engineering estimate prepared by Matkin-Hoover Engineering indicated a possible solution could cost as much as \$500,000, therefore that amount was set aside in the CIP. Street crews investigated the storm drainage pipe and found major blockage on the downstream end, and are coordinating with TxDOT to have the blockage removed. Public Works believes this blockage is the reason for years of backwater onto Hill Country Drive and, once corrected, will monitor closely in rain events to confirm those beliefs. Therefore, Hill Country Drive has been added to the list of streets for reconstruction in the summer of 2011.

Once approved by council, this list of streets targeted for rehabilitation in 2011 will be forwarded to franchise utility companies to allow them 90 days to relocate buried utilities that are in conflict with the proposed construction activities.

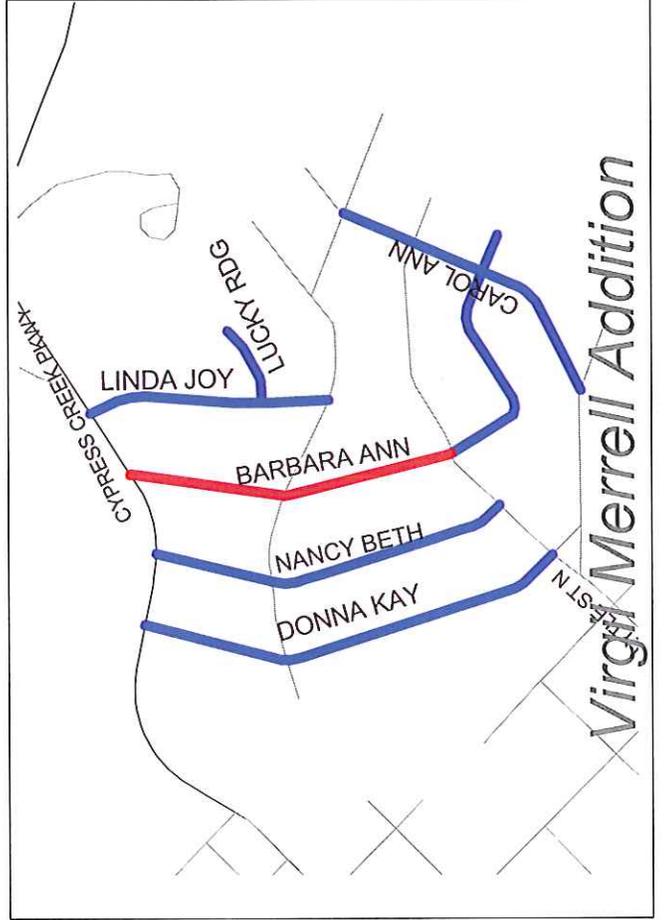
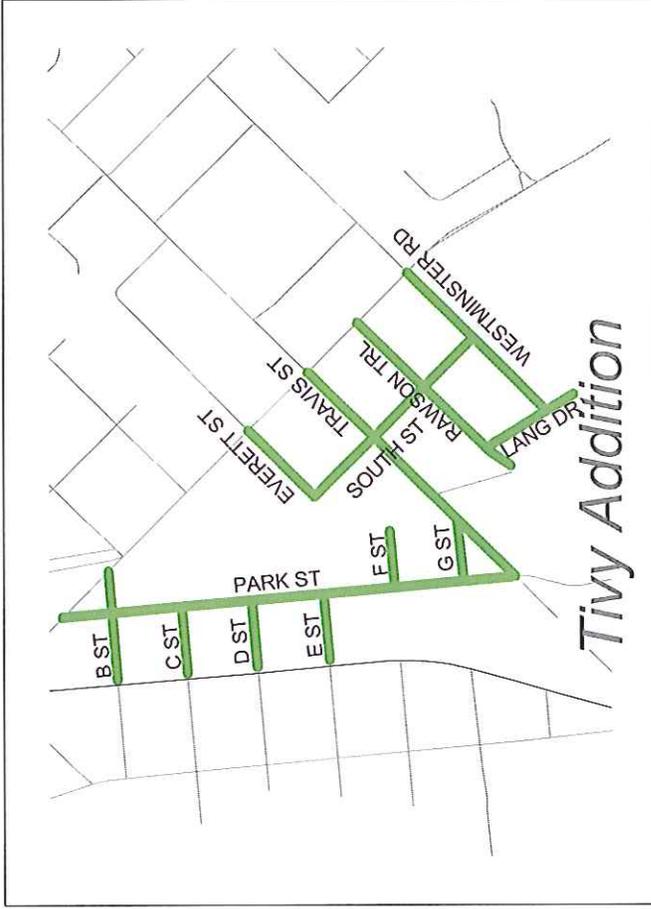
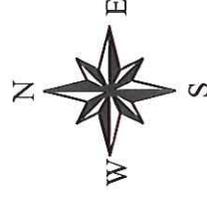
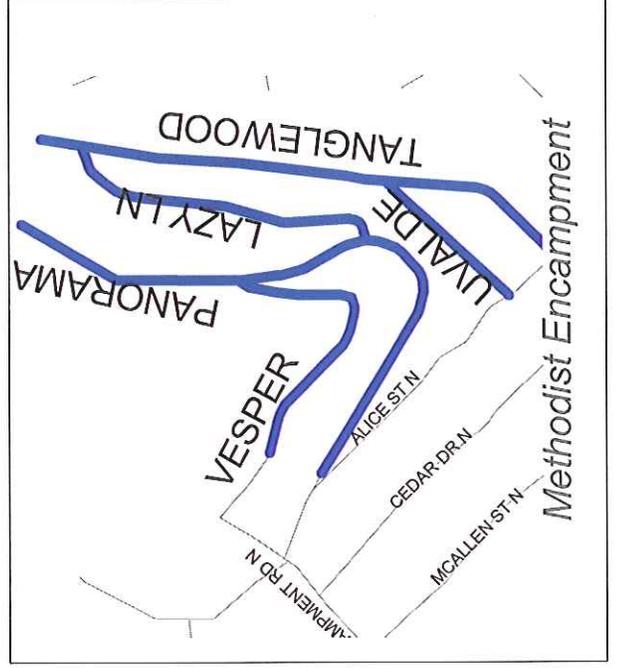
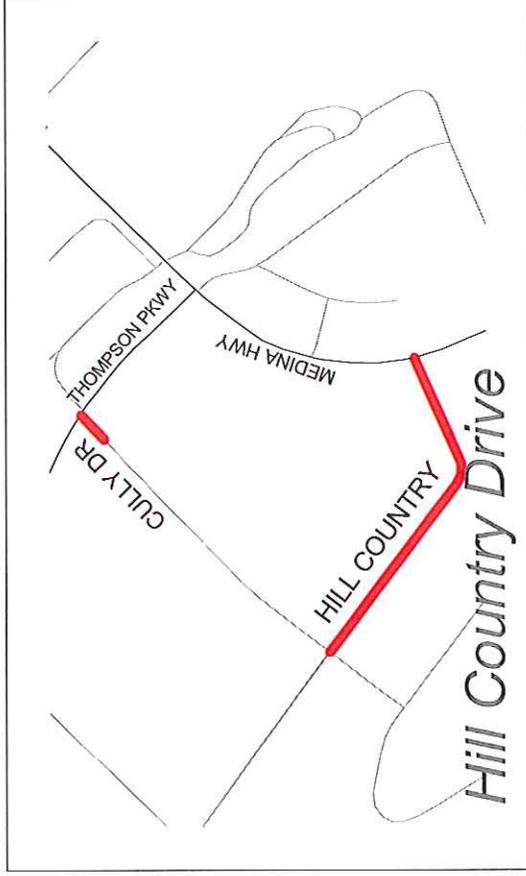
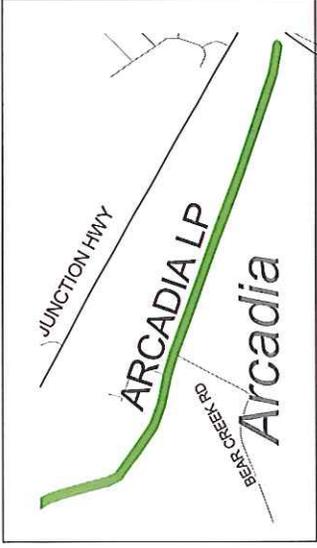
RECOMMENDED ACTION

The Director of Public Works recommends that council approve of the list of streets targeted for rehabilitation in 2011 as listed herein.

Street Rehab 2011 Targeted Areas

LEGEND

-  Seal Coat
-  Overlay
-  Reconstruct



Kerrville Pavement Management System Update

2/8/2011 Council Meeting

I. Existing Pavement Conditions

- 141 Miles of Pavement
- System Condition Index = 79 (out of 100 points)
- 18.6% Failed Streets (26.3 miles)
- Rate of Failure = 2.5% or 3.6 miles/year (\$1.5-\$2.5M contractor; \$0.5-\$1.5M in-house)

II. Pavement Management System History

Year	Reconstruct (Miles)	Reconstruct Cost (\$)	Overlay (Miles)	Overlay Cost (\$)	Seal Coat (Miles)	**Seal Coat Cost (\$)	System Condition Index
2008	0.8	\$590,000	0	\$0	0	\$0	80
2009	3.1	\$1,300,000	0	\$0	0.8	\$17,000	79
*2010	2.1	\$315,000	1.5	\$200,000	2.0	\$35,000	79
*2011	0.6	\$150,000	2.5	\$200,000	3.0	\$50,000	?

*In-house reconstruction costs are approximately 35-50% of a contractor (depending on classification of road) while overlays are approximately 60% of a contractor; 2010 marked the first year of in-house asphalt capabilities.

** Seal Coat program based on verbal agreements with county; county provides labor and equipment, city provides material. Value of labor and equipment (if using a contractor) is roughly equivalent to material costs. Actual value (using county labor and equipment) should be calculated using the number of man hours and equipment hours (2011 seal coat should take 3-4 days) as compared to the yearly budget.

III. Observations

- Cost of deferring reconstruction = \$1.5-\$2.5M/year contractor; \$0.5-\$1.5M/year in-house
- \$0.5-\$1.5M/year (in-house) maintains current system index levels (18.3% system street failure; 79 condition index)
- The 5-year pavement management system adopted and implemented by council in 2009 called for \$1,500,000/year for reconstruction and \$750,000/year for overlays and seal coat with a goal of reconstructing all failed streets over the course of 5-years (contractor prices)
- The 5-year pavement management system equivalent in-house costs are \$550,000 for reconstruction and \$450,000 for overlays

IV. Street Department Capabilities

- Existing staff levels allow for approximately \$550,000-\$750,000 of reconstruction and overlay work (May-Sept)
- Existing staff levels result in weekly overtime during paving months (May-Sept) in order to keep up with every-day street duties (i.e. every-day street duty service levels drop during the months of May-Sept)

Agenda Item:
(Staff)

- 7H. Interlocal agreements between City of Kerrville and Kerr County for joint operations.

Kerr County

Profile of Joint City County Functions

January 31, 2011

Animal Control

Current Status:

County department and county pays 100% of cost county wide.

Within city limits county enforces city ordinance which is different from county regulations.

County receives fines and fees in County and City receives fines within city limits.

New Contract:

County continues to be responsible for rabies and animal control county wide.

City changes city ordinance so level of service and all regulations for rabies and animal control in city limits is the same as in the county.

County receives all fines and fees generated by Animal Control Department.

City to immediately advise county of any bite cases and KPD fully cooperates with County Animal Control Department.

Information the County would like to know:

Number of citations and dollar amount collected in municipal court*

Environmental Health and Solid Waste

Current Status:

County department and county pays 100% cost county wide.

New Contract:

County continues to be responsible for OSSF and solid Waste county wide.

Any case referred to the county by the city will be handled by the county based on county regulations and city will not interfere in case.

County receives all fines and fees generated by the Environmental Health Department.

Information the County would like to know:

Number of times the city has been called to investigate illegal dumping, burning, hazardous waste*

Emergency Notification

Current Status:

County pays all cost associated with service and make service available to city at no cost.

Library

Current Status:

City owns and manages the library as a city department.

County has no input into the management or operation of the library.

County has a designated non-voting member of the library advisory board and appoints two members to this board.

All county residents have free use of the library.

County provides a flat amount payment, currently \$200,000, per year towards the library operations.

New Agreement: Three options for moving forward.

- A) Leave the agreement as is and negotiated annual contribution.
- B) County and city work together to form an independent county library district.
- C) County to become a full partner in ownership, management and operation of the library and funding will be on a partnership basis.

Road and Bridge Department / Streets Department

Current Status:

At the city request, the county uses its manpower, equipment and purchasing contacts to resurface city streets that have been agreed to by both departments. City pays for materials.

New Agreement:

Continue joint relationship with the following adjustments:

- A) City to start reimbursing county for manpower costs and equipment costs based on FEMA equipment schedule.
- B) City either purchases materials two weeks in advance of scheduled work or city prepays the county for materials six weeks in advance of scheduled work.

Information the County would like to know:

Total amount paid for materials to repair city streets in 2010 – with county R&B assistance*

Airport

Current Status:

A) Airport owned on a 50%-50% basis between the city and county.

Airport operations and management performed by an independent Joint Airport Board as agreed by city and county August 13, 2009.

City and County each responsible for their 50% cost of all capital projects.

Annual budget prepared by Joint Airport Board with input and approval from both the city and the county.

County and city have no direct maintenance and operations oversight at the airport.

B) County funds 100% of the annual maintenance and operations budget for the airport.

C) Summary of current agreement to assist with airport operations.

County designates two full time employees to work at the airport at the direction of the airport manager and board.

County provides accounting services, human resource services and court reporting services.

County authorizes Road and Bridge Department and Maintenance Departments to provide back-up services within budgeted line items of the airport budget as requested by the airport manager.

County is responsible for any emergency maintenance expenditures at the airport.

County is not responsible for legal, audit, engineering, some mowing and other functions at the airport as determined by the board, but will fund such expenditures based on the approved budget.

New Agreement:

Item A) above: No change as airport governance by independent board has lead to the efficient operation of the airport.

Item B) above: Continue as above or modify per discussion with the city.

Item C) above: Airport board should continue to determine the best contractual agreement to manage the operations of the airport and should examine city, county and private contractual agreements.

Fire/EMS

Requested changes for current contracts:

Under section III. PAYMENT BY COUNTY, delete the sentence, "as well as other related expenses"

New Agreement Requests:

Do not combine any contracts/budgets; EMS, FIRE and FIRST RESPONDER. They are different services and should not be combined in one contract. First Responder contract should not be included in Ambulance contract

The County would like some over-sight on all EMS expenses, similar to how things are currently handled for the First Responders with the EMS Coordinator. When the EMS Coordinator billed for an item for the County First Responders, he sends that bill to the County Auditor, and it is approved by Comm. Baldwin prior to payment.

The County wants to be the collection agency on all runs outside the City limits.

Do not send fire trucks to accompany EMS in county. VFD's provide backup for EMS in county
Information the County would like to know:

FIRE-

Number of fire responses inside the city for 2010 (structure, car crashes, grass/brush fires)*

Number of fire responses outside the city – with and without VFD involvement*

How many runs has a city pumper made into the county as per the CITY/COUNTY contract # 1.
“A. STRUCTURES” in 2010?

EMS-

Number of runs outside the city in 2010*

Total number of runs inside the city in 2010*

The average charges for a run inside and outside the city*

The dollar amount outstanding, uncollected, outside and inside the city*

Total of all revenues, including transfers, excluding the county contribution*

Number of fully equipped ambulances and those used for transfer non-critical*

Normal response times to Mt. Home, Divide school, Hunt, Mo Ranch, River Inn's area*

Any planned capital equipment purchases for 2011-12, including description & justification*

Actual audited expense versus budgeted amount in 2010*

Why has the EMS cost increased so much in the past two to three years?

Does the EMS cost include sending an ambulance on all runs?

If so can the city split these costs so we can see the true cost of EMS.

Is a “run” calculated on a vehicle basis or call basis? (Does an EMS call to a residence with a fire truck also dispatched count as one or two runs?)

FIRE/EMS-

How does the city handle collections and what percent of billings are collected?

SHERIFF/JAIL

Information the County would like to know:

Number of misdemeanor arrests, class (A, B and C) made by KPD*

(*) Indicates questions asked by Comm. Oehler in an email to Tara LaMontia on 1/20/11

THE PROFILES AS SET FORTH HEREIN ARE INDIVIDUAL EXPRESSIONS OF ONE OR MORE COMMISSIONER'S BUT HAVE NOT BEEN OFFICIALLY APPROVED BY COMMISSIONERS' COURT

Agenda Item:
(Staff)

8A. Update on Millenium—the new integrated library system.

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

SUBJECT: Update on Millenium – the new Integrated Library System.

FOR AGENDA OF: February 8, 2011

DATE SUBMITTED: January 28, 2011

SUBMITTED BY: Daniel C. Schwartz
Library Director

CLEARANCES: Kimberly Meisner 
Director of General Operations

EXHIBITS:

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

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

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DEPARTMENT:

SUMMARY STATEMENT

In March of 2009, staff and a library automation consultant funded by the Friends of the Library prepared and released a Request for Proposals for an integrated library system (ILS). In December of 2009, staff and the consultant entered into price and product negotiations with Innovative Interfaces, Inc. (III) which resulted in a substantial price reduction, one year of free hardware and software maintenance, and other product enhancements being included in the base price. The contract was approved in May of 2010 for \$101,500 and was funded by private donations. Work on the ILS began in June of 2010.

The library is pleased to announce going "live" with patron check out on Millenium, the new ILS, on January 24, 2011. Patrons of the library will need to register for a new library card upon their next visit to the library as we were unable to migrate the patron records from the old system. We have put the form that needs to be completed on the City website so that patrons can complete the form in advance, if they so choose. We understand it is a small inconvenience, but the benefits of the new system are huge!

Plans are to bring the remaining features of the system on-line over the course of February and early March. Those features include searching TexShare databases through the online catalog, home access to the TexShare databases, and a local reference database.

RECOMMENDED ACTION

This item is for information only. No action is required at this time.

Agenda Item:
(Staff)

- 8B. Update on the new voice over internet protocol (VoIP) telephone system installation.

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

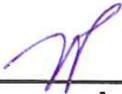
SUBJECT: Update on Voice over Internet Protocol (VoIP) System Installation

FOR AGENDA OF: February 8, 2011 **DATE SUBMITTED:** January 28, 2011

SUBMITTED BY: Travis Cochran^{TC} **CLEARANCES:** Kim Meisner
Director of Information Technology Director of General Operations

EXHIBITS:

AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

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

PAYMENT TO BE MADE TO:

REVIEWED BY THE FINANCE DIRECTOR:

SUMMARY STATEMENT

On November 9, 2010 the City Council awarded a contract to Windstream Communications for the installation of a new city-wide voice over IP telephone system. The project began on November 30, 2010 and its anticipated completion date is February 18, 2011.

Throughout the first month, we worked to ensure all the required equipment was successfully ordered and delivered to Windstream's warehouse. Additionally IT has met with each department to discuss their specific needs for the new phone system including defining their new numbers, identifying numbers which need to transfer to the new system, identifying call routing options and a host of other functionality.

During January, the staging of equipment began, Windstream is currently onsite to perform the hardware installation, and we are testing the entire system. On Friday, February 18, 2011, we will perform the cutover from our old system to the new one. Beginning in FY 12, we anticipate this new system to provide the City with annual savings of approximately \$40,000.

RECOMMENDED ACTION

This item is presented as an update for informational purposes only – no action is required by Council.

Agenda Item:
(Staff)

8C. Economic update.

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

SUBJECT: Kerrville Budget/Economic Update

FOR AGENDA OF: February 8, 2011 **DATE SUBMITTED:** January 27, 2011

SUBMITTED BY: Mike Erwin  Director of Finance **CLEARANCES:** Todd Parton
City Manager

EXHIBITS: Economic Update
AGENDA MAILED TO:

APPROVED FOR SUBMITTAL BY CITY MANAGER: 

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

PAYMENT TO BE MADE TO:
REVIEWED BY THE DIRECTOR OR FINANCE:

SUMMARY STATEMENT

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

RECOMMENDED ACTION

No action required information purposes only.

**CITY OF KERRVILLE
ECONOMIC UPDATE AS OF FEBRUARY 3, 2011**

	Current Month	Previous Month	1 Year Ago	Trend	Current Month
National					
Unemployment	9.40%	9.80%	9.90%	↓	December
Consumer Confidence	60.6	53.3	56.5	↑	January
1 year T-Bills	0.26%	0.27%	0.30%	↓	2/3/11

State					
Monthly Unemployment	8.00%	8.30%	8.00%	↓	November
Monthly Sales Tax	\$1,807.9m	\$1,844.6m	\$1,653.1m	↑	December

Local					
Monthly Unemployment (Kerr Co.)	5.90%	6.10%	5.90%	↓	December
Median Listing Price	\$200,000	\$218,400	\$228,000	↓	1/5/11
Monthly Sales Tax	\$390,106	\$339,147	\$341,290	↑	January
Monthly EIC Tax	\$195,030	\$169,550	\$170,645	↑	January
Monthly HOT	\$41,830	\$57,006	\$45,303	↓	January

	FY11 Budget	FY11 as of 12/31/2010	FY11 % Received	FY10 as of 12/31/2009	FY10 % Received
General Fund					
Tax Revenue	\$14,647,100	\$7,811,430	53.33%	\$8,528,233	56.65%
Property Tax	\$8,240,000	\$5,862,158	71.14%	\$6,785,923	80.13%
Sales Tax	\$4,500,000	\$1,512,457	33.61%	\$1,420,479	30.72%
Permits & Fees	\$402,450	\$129,640	32.21%	\$91,059	24.56%
Intergovernmental	\$707,013	\$313,040	44.28%	\$212,061	30.51%
Service Revenues	\$2,578,260	\$486,615	18.87%	\$931,833	28.14%
Grant Revenue	\$10,000	\$4,944	49.44%	\$10,525	105.25%
Fines & Forfeitures	\$477,710	\$193,328	40.47%	\$156,136	30.95%
Interest & Misc.	\$170,317	\$156,536	91.91%	\$169,429	36.82%
Transfers In	\$1,000,000	\$250,000	25.00%	\$597,967	47.43%
Total General Fund	\$19,992,850	\$9,345,533	46.74%	\$10,697,243	49.37%

Water/Sewer Fund					
Water Sales	\$4,400,000	\$1,590,183	36.14%	\$1,274,249	6.29%
Sewer Sales	\$3,760,000	\$1,166,082	31.01%	\$1,221,333	7.17%
Other Revenue	\$714,500	\$218,262	30.55%	\$231,971	34.65%
Total Water & Sewer Fund	\$8,874,500	\$2,974,527	33.52%	\$2,727,554	28.32%