

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS**  
**124 Old San Antonio Road**  
**Boerne, TX 78006**  
**September 24, 2019 – 6:00 PM**

1. CALL TO ORDER – 6:00 PM

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG

PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG

(Honor the Texas flag, I pledge allegiance to thee, Texas – one state under God, one  
and indivisible.)

2. CONFLICTS OF INTEREST

3. PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the City Council on any issue, in compliance with LGC Section 551.007. City Council may not discuss any presented issue, nor may any action be taken on any issue at this time. (Attorney General opinion – JC-0169)

4. CONSENT AGENDA: All items listed below within the Consent Agenda are considered to be routine by the City Council and may be enacted with one motion. There will be no separate discussion of items unless a Council Member or citizen so requests, in which event the item may be moved to the general order of business and considered in its normal sequence.

**4.A. 2019-912**            CONSIDER THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF SEPTEMBER 10, 2019 AND THE SPECIAL CALLED CITY COUNCIL MEETING OF SEPTEMBER 16, 2019 (UDC PUBLIC MEETING).

**Presenter:**            City Secretary Lori Carroll

**4.B. 2019-917**            CONSIDER RESOLUTION NO. 2019-R140; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND BOERNE PERFORMING ARTS.

**Presenter:**            Finance Director Sandy Mattick

- 4.C. 2019-918** CONSIDER RESOLUTION NO. 2019-R141; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND RAINBOW SENIOR CENTER. (Kronkosky Place)

**Presenter:** Finance Director Sandy Mattick

- 4.D. 2019-916** CONSIDER RESOLUTION NO. 2019-R142; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND BOERNE HOUSING AUTHORITY.

**Presenter:** Finance Director Sandy Mattick

- 4.E. 2019-919** CONSIDER RESOLUTION NO. 2019-R143; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND BOERNE HILL COUNTRY FAMILY SERVICES.

**Presenter:** Finance Director Sandy Mattick

- 4.F. 2019-936** CONSIDER RESOLUTION NO. 2019-R144; A RESOLUTION APPROVING THE TAX LEVY ROLL FOR THE CITY OF BOERNE, TEXAS FOR THE YEAR 2019.

**Presenter:** Finance Director Sandy Mattick

- 4.G. 2019-921** CONSIDER RESOLUTION NO. 2019-R145; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND THE FRIENDS OF THE CIBOLO WILDERNESS, INC.

**Presenter:** Deputy City Manager Jeff Thompson

**5. PUBLIC HEARING – To Hear Comments On The Following:**

- 5.A. 2019-924** PROPOSED ANNEXATION OF 10.484 ACRES LOCATED AT 30-32 FM 1376, AT THE REQUEST OF SHERRI AND RODNEY YATES. (Second of two hearings)

**Presenter:** Planning & Community Development Director Laura Talley

6.     **2019-925**            BRIEFING ON DEMOLITION OF HISTORIC STRUCTURES.  
*Presenter:*            Planning & Community Development Director Laura Talley
7.     **2019-913**            ANNUAL UPDATE PRESENTATION ON PATRICK HEATH PUBLIC LIBRARY ACTIVITIES.  
*Presenter:*            Library Director Kelly Skovbjerg
8.     **2019-922**            CONSIDER ON FIRST READING ORDINANCE NO. 2019-39; AN ORDINANCE OF THE CITY OF BOERNE, TEXAS APPROVING THE FIRST AMENDED REGIONAL UTILITY FRANCHISE AGREEMENT BETWEEN THE CITY AND KENDALL WEST UTILITY, LLC; ESTABLISHING A FRANCHISE FEE IN CONSIDERATION FOR THE RIGHTS AND PRIVILEGES GRANTED TO KENDALL WEST UTILITY, LLC IN PROVIDING AMENDMENT TO MECHANISM: PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER CLAUSE; PROVIDING AN EFFECTIVE DATE.  
*Presenter:*            Deputy City Manager Jeff Thompson and City Attorney Mick McKamie
9.     **2019-920**            CONSIDER ON FIRST READING ORDINANCE NO. 2019-40: AN ORDINANCE AMENDING THE CITY OF BOERNE SUBDIVISION ORDINANCE NO. 2007-56, DATED NOVEMBER 13, 2007, ARTICLE 6. DRAINAGE AND FLOOD HAZARDS, SECTION 04. DRAINAGE SYSTEM DESIGN STANDARDS. (Atlas 14 Study)  
*Presenter:*            Utilities Director Michael Mann
10.    **2019-914**            CONSIDER RESOLUTION NO. 2019-R146; A RESOLUTION TO ABANDON A PERMANENT UTILITY EASEMENT DESCRIBED AS 0.0552 OF AN ACRE LOCATED WITHIN LOT 1, MENDER SPRINGS, UNIT 1 RECORDED IN VOLUME 1019 PAGES 154 - 158 OF THE DEED AND PLAT RECORDS OF KENDALL COUNTY, TEXAS. (Methodist Healthcare System of San Antonio LTD)  
*Presenter:*            Utilities Director Michael Mann
11.    **2019-926**            CONSIDER RESOLUTION NO. 2019-R147; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF BOERNE AND MOSAIC PLANNING AND DEVELOPMENT

SERVICES FOR EXTENDING THE TIMELINE OF THE UNIFIED DEVELOPMENT CODE PHASE I TO INCLUDE OVERLAY DISTRICTS AND APPROVAL OF PHASE 2.

**Presenter:** Planning & Community Development Director Laura Talley

12. RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR OCTOBER 22, 2019:

**12.A. 2019-927** PROPOSED REZONING OF 0.5 ACRE AT 32840 INTERSTATE 10 WEST (KAD NO. 26884) FROM I, INDUSTRIAL DISTRICT, TO B-2, HIGHWAY COMMERCIAL DISTRICT. (Kenneth W. Seamans)

**Presenter:** Planning & Community Development Director Laura Talley

**12.B. 2019-928** PROPOSED PERMANENT ZONING OF 0.545 ACRE AT 19 OLD SAN ANTONIO ROAD (KAD NO. 15817) FROM R-A, SINGLE-FAMILY RESIDENTIAL-AGRICULTURAL DISTRICT TO R-A, SINGLE-FAMILY RESIDENTIAL-AGRICULTURAL. (Arvelene Ann Amari)

**Presenter:** Planning & Community Development Director Laura Talley

**12.C. 2019-929** PROPOSED PERMANENT ZONING OF 1.899 ACRES AT 21 OLD SAN ANTONIO ROAD (KAD NO. 15816) FROM R-A, SINGLE-FAMILY RESIDENTIAL-AGRICULTURAL DISTRICT TO R-A, SINGLE-FAMILY RESIDENTIAL-AGRICULTURAL. (Jacob Obadia)

**Presenter:** Planning & Community Development Director Laura Talley

**12.D. 2019-930** PROPOSED PERMANENT ZONING OF 4.492 ACRES AT 23 OLD SAN ANTONIO ROAD (KAD NOS. 15828 AND 15829) FROM R-A, SINGLE-FAMILY RESIDENTIAL-AGRICULTURAL DISTRICT TO R-A, SINGLE-FAMILY RESIDENTIAL-AGRICULTURAL. (J Willis Harpole)

**Presenter:** Planning & Community Development Director Laura Talley

**12.E. 2019-931** PROPOSED PERMANENT ZONING OF 2.372 ACRES AT 34 HERFF ROAD (KAD NO. 15868 AND 34998) FROM R-A, SINGLE-FAMILY RESIDENTIAL-AGRICULTURAL DISTRICT TO R-A, SINGLE-FAMILY RESIDENTIAL-AGRICULTURAL. (J Willis Harpole)

**Presenter:** Planning & Community Development Director Laura Talley

**12.F. 2019-932** PROPOSED PERMANENT ZONING OF 4.37 ACRES AT 36 HERFF ROAD (KAD NO. 15865) FROM R-A, SINGLE-FAMILY

RESIDENTIAL-AGRICULTURAL DISTRICT TO R-A, SINGLE-FAMILY  
RESIDENTIAL-AGRICULTURAL. (J Willis Harpole)

**Presenter:** Planning & Community Development Director Laura Talley

**12.G. 2019-933** PROPOSED PERMANENT ZONING OF 6.01 ACRES AT 39 HERFF  
ROAD (KAD NOS. 63556 AND 63557) FROM R-A, SINGLE-FAMILY  
RESIDENTIAL-AGRICULTURAL DISTRICT TO R-A, SINGLE-FAMILY  
RESIDENTIAL-AGRICULTURAL. (Barbara K. Fellows)

**Presenter:** Planning & Community Development Director Laura Talley

**12.H. 2019-934** PROPOSED PERMANENT ZONING OF 5.079 ACRES AT 31001  
INTERSTATE 10 W (KAD NO. 12292) FROM R-A, SINGLE-FAMILY  
RESIDENTIAL-AGRICULTURAL DISTRICT TO I, INDUSTRIAL  
DISTRICT. (VBM Boerne Land LLC)

**Presenter:** Planning & Community Development Director Laura Talley

**12.I. 2019-935** PROPOSED USE OF AN AUTOMOBILE SERVICE WITH OUTSIDE  
STORAGE IN AN I, INDUSTRIAL DISTRICT FOR 5.079 ACRES  
LOCATED AT 31001 INTERSTATE 10 WEST, (KAD NO. 12292).  
(VBM Boerne Land LLC, Vic Vaughan, Toyota)

**Presenter:** Planning & Community Development Director Laura Talley

**13. 2019-943** CITY MANAGER'S REPORT DISCUSSION:  
A. UPDATE ON PROJECTS DASHBOARD  
B. SALES TAX COLLECTION  
C. BOERNE CHAMBER OF COMMERCE - LEADERSHIP BOERNE  
PROGRAM  
D. TxDOT PUBLIC HEARING, OCTOBER 2, 2019, I 10 FROM SH 46  
TO FM 3351 (RALPH FAIR ROAD)  
E. TAPATIO SPRINGS CLUB GRAND RE-OPENING, OCTOBER, 16,  
2019

**Presenter:** City Manager Ron Bowman

14. COMMENTS FROM COUNCIL/LEGAL COUNSEL/STAFF – No discussion or action  
may take place.

15. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:

**15.A. 2019-923** SECTION 551.071 - CONSULTATION WITH ATTORNEY AND

SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS. (WCID NO. 3 Update)

**Presenter:** City Attorney Mick McKamie

16. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.

17. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE: CITY COUNCIL MAY, AS PERMITTED BY LAW, ADJOURN INTO EXECUTIVE SESSION AT ANY TIME TO DISCUSS ANY MATTER LISTED ABOVE INCLUDING IF THEY MEET THE QUALIFICATIONS IN SECTIONS 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION REGARDING REAL PROPERTY), 551.073 (DELIBERATION REGARDING GIFTS), 551.074 (PERSONNEL/OFFICERS), 551.076 (DELIBERATION REGARDING SECURITY DEVICES), AND SECTION 551.087 (DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS) OF CHAPTER 551 OF THE TEXAS GOVERNMENT CODE. (If needed)

18. ADJOURNMENT

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s/s Ronald C. Bowman  
City Manager

**CERTIFICATION**

**I hereby certify that the above notice of meeting was posted on the 20th day of September, 2019 at 5:00 p.m.**

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s/s Lori A. Carroll  
City Secretary

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS**

**The Police / Municipal Court Complex is wheelchair accessible. Access to the building and special parking is available at the front entrance of the building. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 830-249-9511.**

Pursuant to Section 30.06 Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to section 30.07 Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.