

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS**  
**447 North Main Street**  
**Boerne, TX 78006**  
**June 9, 2020 – 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. [2020-380](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 26, 2020.

**Attachments:** [Minutes 20.0526](#)

4.B. [2020-373](#) CONSIDER ON FIRST READING ORDINANCE NO. 2020-16; 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; AMENDING TABLE 6-5, BOERNE RAINFALL DEPTHS FOR VARIOUS DURATIONS AND FREQUENCIES.

**Attachments:** [AIS Drainage Ordinance Changes](#)  
[Ordinance No. 2020-16](#)  
[Atlas14-table compare](#)  
[NOAA tx100y24h](#)

- 4.C. [2020-230](#) CONSIDER RESOLUTION NO. 2020-R39; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL PARTICIPATION AGREEMENT BETWEEN THE EDUCATION SERVICE CENTER, REGION 20 AND THE CITY OF BOERNE TO DEPLOY FIBER OPTIC CABLE TO THE PATRICK HEATH PUBLIC LIBRARY AND PROVIDE AN E-RATE FOR INTERNET SERVICE.

**Attachments:** [AIS ESC Region 20 fiber interlocal agreement June 9, 2020](#)  
[Resolution No. 2020-R39](#)  
[Consortium Letter of Agency 2019 2029-PHPL signed](#)  
[Interlocal Agreement ESC 20 Fiber Boerne.EDITED.022020 \(002\) FINAL fr](#)

- 4.D. [2020-386](#) CONSIDER RESOLUTION NO. 2020-R40; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE THE FIRST AMENDMENT OF CHAPTER 43 TEXAS LOCAL GOVERNMENT CODE DEVELOPMENT AGREEMENT (NON-ANNEXATION AGREEMENT) WITH BRAESIDE RANCH LLC ON SAID PROPERTY DESCRIBED IN THE ATTACHED AGREEMENT AND METES AND BOUNDS LEGAL DESCRIPTION.

**Attachments:** [Summary](#)  
[Resolution No. 2020-R40](#)  
[Att 1 - Contract \(Exhibit A and B\)](#)  
[Att 2 - Location](#)

5. [2020-374](#) RECOGNITION OF MILES BUTRY FOR ACTIONS TAKEN DURING A RAIN EVENT.

**Attachments:** [AIS. Miles Butry recognition](#)  
[Map of storm drain area. Miles Butry recognition](#)

6. PUBLIC HEARING – To Hear Comments On The Following:

- 6.A. [2020-375](#) PROPOSED REZONING OF 0.341 ACRES LOCATED AT 602 FREY STREET (KAD NO. 18988) FROM R-1, MEDIUM-DENSITY

SINGLE-FAMILY RESIDENTIAL DISTRICT, TO O, OFFICE DISTRICT.  
(Burton and Joyce Sponhaltz)

**Attachments:** [Summary - 602 Frey - Public Hearing](#)  
[Public Hearing Notice](#)  
[Att 1 - Location Map 602 Frey Street](#)  
[Att 2 - Aerial Map 602 Frey Street](#)  
[Att 3 - Current Zoning](#)  
[Att 4 - Proposed Zoning](#)  
[Att 5 - Future Land Use Map 602 Frey Street](#)  
[Att 7 - R-1 Uses](#)  
[Att 8 - Street View](#)

**6.B.** [2020-377](#) PROPOSED ZONING OF 5.155 ACRES OF TXDOT RIGHT-OF-WAY TO B-2, HIGHWAY COMMERCIAL (IH-10 "SURPLUS NORTH" TRACT THAT ADJOINS THE FUTURE BUC-EES DEVELOPMENT LOCATED AT 33375 IH-10 WEST. (Stan Beard, Buc-ees for State of Texas, TxDOT)

**Attachments:** [Summary - TxDOT - Public Hearing](#)  
[Public Hearing Notice](#)  
[Att 1 - Location Map](#)  
[Att 2 - TxDOT ROW Zoning Map](#)  
[Att 3 - Future Land Use Map](#)  
[Att 4 - B-2 Uses](#)

7. TAKE ANY NECESSARY ACTION RESULTING FROM THE PUBLIC HEARING:

**7.A.** [2020-376](#) CONSIDER ON FIRST READING ORDINANCE NO. 2020-17; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 3, SECTION 14, REZONING 0.341 ACRES LOCATED AT 602 FREY STREET (KAD NO. 18988) FROM R-1, MEDIUM-DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, TO O, OFFICE DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Burton and Joyce Sponhaltz)

**Attachments:** [Summary - 602 Frey Street- First Reading](#)  
[Ordinance No. 2020-17](#)  
[Att 1 - Location Map 602 Frey Street](#)  
[Att 2 - Aerial Map 602 Frey Street](#)  
[Att 3 - Current Zoning](#)  
[Att 4 - Proposed Zoning](#)  
[Att 5 - Future Land Use Map 602 Frey Street](#)  
[Att 6 - O Uses](#)  
[Att 7 - R-1 Uses](#)  
[Att 8 - Street View](#)

- 7.B. [2020-378](#) CONSIDER ON FIRST READING ORDINANCE NO. 2020-18; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 3, SECTION 13, PERMANENT ZONING OF 5.155 ACRES OF TXDOT RIGHT-OF-WAY LOCATED AT IH-10 WEST (IH-10 "SURPLUS NORTH" TRACT THAT ADJOINS THE FUTURE BU-CEES DEVELOPMENT LOCATED AT 33375 IH-10 WEST) TO B-2, HIGHWAY COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Stan Beard, Buc-ees for State of Texas, TxDOT)

**Attachments:** [Summary - First Reading](#)  
[Ordinance No. 2020-18](#)  
[Att 1 - Location Map](#)  
[Att 2 - TxDOT ROW Zoning Map](#)  
[Att 3 - Future Land Use Map](#)  
[Att 4 - B-2 Uses](#)  
[Att 5 - TxDOT Proposed Alignment](#)

8. [2020-389](#) CONSIDER RESOLUTION NO. 2020-R41; A RESOLUTION OF THE CITY OF BOERNE, TEXAS ESTABLISHING A CHARTER REVIEW COMMISSION AND APPOINTING MEMBERS TO SERVE ON THE COMMISSION; AND ISSUING THE COMMISSIONS CHARGE.

**Attachments:** [AIS charter commission](#)  
[Resolution No. 2020-R41](#)  
[2012 Home Rule Charter DISCUSSION DRAFT](#)

9. [2020-388](#) CONSIDER RESOLUTION NO. 2020-R42; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE THE FIFTH AMENDMENT TO THE DEVELOPMENT AGREEMENT AND DISTRICT CONSENT AGREEMENT BY AND BETWEEN THE CITY OF BOERNE AND LOOKOUT DEVELOPMENT GROUP, L.P., KENDALL COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2, AND KENDALL COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2A.

**Attachments:** [Esperanza AIS 6.09.20](#)  
[Resolution No. 2020-R42](#)  
[Fifth Amendment with Exhibits 052820](#)  
[Attachment 1](#)  
[Attachment 2](#)  
[Attachment 3](#)  
[Attachment 4](#)

10. [2020-390](#) CONSIDER RESOLUTION NO. 2020-R43; A RESOLUTION OF THE CITY OF BOERNE, TEXAS CONSENTING TO THE ANNEXATION OF 11.785 ACRES OF LAND INTO KENDALL COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2A.

**Attachments:** [AIS WCID2A CONSENT TO ANNEXATION](#)  
[2020-R43 Consent annex WCID No. 2A](#)  
[Petition to Consent to Annex 11.785 acres](#)  
[Attachment 1](#)

11. [2020-387](#) DISCUSSION AND INTRODUCTION OF MEDICAL ADVISORY PANEL FOR COVID-19.

**Attachments:** [AIS. COVID-19 Medical Advisory Panel](#)

12. [2020-392](#) UPDATE ON BOERNE STRONG STIMULUS PROGRAM.

**Attachments:** [AIS BSSP Update](#)

13. [2020-379](#) RECEIVE AND CONSIDER A REQUEST FROM ALAMO SIGN SOLUTIONS FOR A VARIANCE TO THE SIGN ORDINANCE, SECTION 7. CENTRAL AREA (B-3 ZONES) F. CANOPY SIGNS, SIZE OF SIGN. (Methodist Surgery Center, 110 Menger Springs)

**Attachments:** [Summary - Methodist Ambulatory Surgical Ctr Sign Variance](#)  
[Att 1 - Application](#)  
[Att 2 - Layout](#)

14. [2020-391](#) CALL FOR A PUBLIC HEARING FOR JUNE 23, 2020 AT 6:00 P.M. TO RECEIVE PUBLIC INPUT REGARDING THE BLANCO ROAD IMPROVEMENTS/RECONFIGURATION.

**Attachments:** [AIS Blanco Road Set Public Hearing](#)  
[BlancoRoadLaneConfigExhibit](#)

15. [2020-381](#) RECEIVE AND ACCEPT RESIGNATION FROM COUNCIL MEMBER DISTRICT 4, BRIAN FOWLER AND DECLARE A VACANCY AS PER THE CITY OF BOERNE HOME RULE CHARTER.

**Attachments:** [AIS vacancy](#)

16. [2020-382](#) BOWMAN'S ABBREVIATED REFLECTIONS ON 40 YEARS.

**Attachments:** [AIS. Bowman's 40 years](#)

17. [2020-383](#) RECOGNITION OF RON BOWMAN FOR HIS YEARS OF SERVICE AS CITY MANAGER.

18. COMMENTS FROM COUNCIL/STAFF – No discussion or action may take place.

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

- 19.A. [2020-385](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS. (Ebensberger-Fisher Funeral Home)

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

- 20.A. [2020-384](#) CONSIDER RESOLUTION NO. 2020-R44; A RESOLUTION OF THE CITY OF BOERNE, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE AND EBENSBERGER-FISHER FUNERAL HOME.

**Attachments:** [Resolution No. 2020-R44](#)

21. 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)

22. 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 5th day of June, 2020 at 4:40 p.m.

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s/s Lori A. Carroll  
City Secretary

#### NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

**Boerne City Hall is wheelchair accessible. Access to the building and special parking is available at the north 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.

