

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
447 North Main Street
Boerne, TX 78006
September 8, 2020 – 6:00 PM

1. CALL TO ORDER – 6:00 PM

INVOCATION

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.

A. [2020-531](#) CONSIDER THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF AUGUST 25, 2020.

Attachments: [Minutes.20.0825](#)

B. [2020-490](#) CONSIDER MOTION CASTING THE CITY’S VOTE IN THE ELECTION TO THE TEXAS MUNICIPAL LEAGUE HEALTH BENEFITS POOL BOARD OF TRUSTEE REGION 7. (Cast vote for TML 2020 Board of Trustee Election.)

Attachments: [AIS TMLIEBP Election](#)
[TML Memorandum](#)
[Official Ballot](#)

C. [2020-517](#) CONSIDER MOTION CASTING THE CITY’S VOTE IN THE ELECTION

TO THE TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES ELECTION. (Cast vote for TML Intergovernmental Risk Pool 2020 Board of Trustee Election.)

Attachments: [AIS TMLIEBP Election](#)
[Official Ballot](#)
[Letter from Jeffrey Snyder](#)

- D. [2020-523](#) CONSIDER RESOLUTION NO. 2020-R66; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND PENGUIN SUITS, INC. FOR THE 2021 PARKS AND RECREATION GUIDEBOOKS. (Produce, print, and distribute annual Parks Guidebook)

Attachments: [AIS. 2021 Parks & Rec Guidebook](#)
[Resolution No. 2020-R66](#)
[Penguin Suits Proposal](#)
[Alpha Graphics Proposal](#)

- E. [2020-521](#) CONSIDER RESOLUTION NO. 2020-R67; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE AND KENDALL COUNTY FOR HEALTH SANITARIAN SERVICE. (Annual interlocal agreement for food establishment services)

Attachments: [Sanitarian Agreement FY2021](#)
[Resolution No. 2020-R67](#)
[Sanitarian Agreement FY 2021](#)

- F. [2020-533](#) CONSIDER RESOLUTION NO. 2020-R68; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A LISTING AGREEMENT FOR SALE OF THE LAND AND PERMANENTLY ATTACHED BUILDINGS LOCATED AT 400 AND 402 EAST BLANCO ROAD, BOERNE, TEXAS, BETWEEN THE CITY OF BOERNE AND CUSHMAN & WAKEFIELD U.S., INC. (Former Public Works and City Hall building with certain adjacent land and structures)

Attachments: [AIS Open Session 09.08.20 Broker Agreement Old City Hall Resolution No. 2020-R68](#)
[Listing Agreement for Old City Hall Boerne - 09.03.20](#)
[City Hall Campus Map](#)

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2020-519](#) CONSIDER ON SECOND READING ORDINANCE NO. 2020-21; AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2020-2021, BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021.

Attachments: [AIS FY 2021 Budget- 2nd reading to adopt Ordinance No. 2020-21](#)
[Proposed Budget 9-8-2020](#)

- B. [2020-525](#) PROPOSED TAX RATE OF 0.4720/100 FOR FISCAL YEAR 2020-2021.

I. PRESENTATION

II. PUBLIC HEARING (One of one hearing)

III. RATIFY THE PROPERTY TAX REVENUE INCREASE REFLECTED IN THE FISCAL YEAR 2020-2021 BUDGET.

IV. CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2020-23; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A. (As described below)

V. CONSIDER ORDINANCE NO. 2020-23; AN ORDINANCE ESTABLISHING THE TAX RATE AND THE BASIS FOR ASSESSED VALUES FOR THE CITY OF BOERNE, TEXAS FOR THE YEAR 2020 AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH. (Ordinance adopting tax rate)

Attachments: [AIS FY 2021 Proposed Tax Rate- Public Hearing Reading to adopt Public Hearing Notice Ordinance No. 2020-23](#)

- C. [2020-528](#) PROPOSED ANNEXATION OF 8.869 ACRES OF LAND LOCATED AT 103 OLD SAN ANTONIO ROAD AND ADJOINING PORTION OF OLD SAN ANTONIO ROAD. (At the request of William G. Graham, Fraser H. Graham, and John J. Laroche)

I. PRESENTATION

II. PUBLIC HEARING (One of one hearing)

III. CONSIDER ON FIRST READING ORDINANCE NO. 2020-24; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY INTO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY.

Attachments: [Summary - 103 Old San Antonio Road Proposed Annexation](#)
[Att 1 - Location Map](#)
[Att 2 - Aerial Map1 - 103 Old San Antonio Road](#)
[Att 3 - Request for annexation](#)
[Notice of Public Hearing](#)
[Ordinance No. 2020-24](#)
[Exhibit A - Metes and Bounds](#)
[Exhibit A - Survey 8.06.20](#)
[Exhibit B - Municipal Service Plan Agreement](#)

6. RESOLUTIONS

- A. [2020-518](#) CONSIDER RESOLUTION NO. 2020-R69; A RESOLUTION ACCEPTING THE SETTLEMENT LETTER OF LEE LEWIS CONSTRUCTION, INC. AS THE FINAL SETTLEMENT AGREEMENT AND APPROVING THE FINAL CHANGE ORDER AND AUTHORIZING

EXPENDITURES RELATED THERETO FOR FINAL PAYMENT FOR WORK ON THE NEW CITY HALL. (Approving final payment for construction of New City Hall)

Attachments: [AIS City Hall Contingency Cost Increase](#)
[Resolution No. 2020-R69](#)
[Boerne - GMP Increase Settlement](#)

- B. [2020-532](#) CONSIDER RESOLUTION NO. 2020-R70; A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE, TEXAS AND BOERNEBAK, LLC AND BOERNEBAK II, LLC. (WCID No. 3)

Attachments: [AIS BoerneBak Amended DA](#)
[Resolution No. 2020-R70](#)
[BoerneBak DA Amended Draft](#)
[BoerneBak WCID 3A 3 Percent Option](#)
[WCID 3 - location w dev1](#)

7. OTHER ITEMS:

- A. RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR OCTOBER 13, 2020:

- [2020-529](#) I. PROPOSED PERMANENT ZONING OF 0.829 ACRES LOCATED AT 33565 INTERSTATE HIGHWAY 10 (KAD NO. 15876) FROM R-A, RESIDENTIAL AGRICULTURAL, TO B-2, HIGHWAY COMMERCIAL DISTRICT. (Chad and Kerri Properties LP)

Attachments: [Summary - 33565 IH 10](#)
[Att 1 - 33565 IH 10 Location Map](#)
[Att 2 - 33565 IH 10 Current Zoning](#)
[Att 3 - 33565 IH 10 Proposed Zoning](#)
[Att 4 - Zoning Description RA and B2](#)

- [2020-530](#) II. PROPOSED PERMANENT ZONING OF 0.374 ACRES LOCATED AT 33875A INTERSTATE HIGHWAY 10 (KAD NO. 33907) FROM R-A, RESIDENTIAL AGRICULTURAL, TO B-2, HIGHWAY COMMERCIAL DISTRICT. (Denis and Jill Goulet)

Attachments: [Summary - 33875A IH 10](#)
[Att 1 - 33875A IH 10 Location Map](#)
[Att 2 - 33875A IH 10 Current Zoning](#)
[Att 3 - 33875A IH 10 Proposed Zoning](#)
[Att 4 - Zoning Description RA and B2](#)

8. CITY MANAGER'S REPORT:

A. [2020-534](#) LEMONADE DAY (Zincke)

Attachments: [AIS CM Report 9.8.20](#)

9. COMMENTS FROM COUNCIL – No discussion or action may take place.

10. 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)

11. ADJOURNMENT

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 4th day of
September, 2020 at 5:00 p.m.**

Siria Arreola
Deputy City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City Hall 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.