

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS**  
**124 Old San Antonio Road**  
**Boerne, TX 78006**  
**April 23, 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. 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. [2019-328](#) CONSIDER MINUTES OF THE APRIL 9, 2019 CITY COUNCIL MEETING.

**Attachments:** [Minutes 19.0409](#)

4.B. [2019-325](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-13; 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. (15A Upper Balcones Rd. at the request of

Morningside Ministries)

**Attachments:** [AIS - Second Reading Recommendation Apr2319](#)  
[Ordinance No. 2019-13](#)  
[Exhibit A. Metes and bounds](#)  
[Exhibit B. Municipal Service Plan](#)  
[Location Map](#)  
[Aerial Map](#)  
[Future Land Use Map](#)  
[Phase Four Concept Rendering 2](#)

- 4.C. [2019-309](#) CONSIDER RESOLUTION NO. 2019-R32; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE THE SECOND AMENDMENT TO THE AGREEMENT FOR PROJECT MANAGEMENT CONSULTING SERVICES BETWEEN THE CITY OF BOERNE AND DEAN CONSULTING GROUP PLLC FOR THE NEW CITY HALL PROJECT.

**Attachments:** [AIS MDean Consulting Amendment 2](#)  
[Resolution No. 2019-R32](#)  
[Agreement](#)

- 4.D. [2019-318](#) CONSIDER RESOLUTION NO. 2019-R33; A RESOLUTION SUPPORTING BOERNE LEMONADE DAY ON MAY 5, 2019.

**Attachments:** [AIS Lemonade Day](#)  
[Resolution No. 2019-R33](#)

- 4.E. [2019-319](#) CONSIDER RESOLUTION NO. 2019-R34; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND FOUR B PAVING, INC. FOR ANNUAL PAVEMENT CRACK SEALING.

**Attachments:** [AIS. 2019 Crackseal contract](#)  
[Resolution No. 2019-R34](#)  
[Agreement](#)

- 4.F. [2019-320](#) CONSIDER RESOLUTION NO. 2019-R35; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Gravel for the Street Department to seal-coat streets)

**Attachments:**    [AIS. Grade 5 Trap Rock](#)  
[Resolution No. 2019-R35](#)  
[Quote Vulcan Materials](#)

- 4.G.    [2019-321](#)        CONSIDER RESOLUTION NO. 2019-R36; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Seal-coat oil for the Street Department to seal-coat streets)

**Attachments:**    [AIS. asphalt emulsion](#)  
[Resolution No. 2019-R36](#)  
[Quote](#)  
[2019 Street Maintenance](#)

5.        [2019-339](#)        RECOGNITION OF RON CISNEROS FOR HIS 8 YEARS OF SERVICE AS COUNCIL MEMBER DISTRICT 4 TO THE CITY OF BOERNE.

**Attachments:**    [AIS Ron Cisneros](#)

6.        [2019-333](#)        CONSIDER ON FIRST READING ORDINANCE NO. 2019-14; AN ORDINANCE AMENDING ORDINANCE NO. 2003-02, CAPTIONED "CITY OF BOERNE SOLID WASTE COLLECTION AND DISPOSAL FRANCHISE AGREEMENT", DATED JANUARY 28, 2003, AND ENACTING A SECOND AMENDED CITY OF BOERNE SOLID WASTE COLLECTION AND DISPOSAL FRANCHISE AGREEMENT, ESTABLISHING THE RATES TO BE CHARGED FOR RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION AND DISPOSAL; AND PROVIDING THE TERMS AND CONDITIONS OF THE AGREEMENT."

**Attachments:**    [AIS Amended Waste Management Agr](#)  
[Draft Ordinance No. 2019-14 Waste Management Franchise](#)

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

- 7.A.    [2019-334](#)        PROPOSED ADOPTION OF ORDINANCE, AMENDING CHAPTER 22. UTILITIES, BY ADDING ARTICLE VII, STORMWATER DRAINAGE UTILITY SYSTEM.

**Attachments:**    [AIS Stormwater Utility Ordinance Public Hearing](#)  
[Public Hearing 19.0423 Stormwater Utility](#)

8.        [2019-335](#)        CONSIDER ON SECOND READING ORDINANCE NO. 2019-12; AN

ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, CHAPTER 22. UTILITIES, BY ADDING ARTICLE VII, STORMWATER DRAINAGE UTILITY SYSTEM, DECLARING THE ADOPTION OF THE MUNICIPAL DRAINAGE UTILITY SYSTEMS ACT, SUBCHAPTER C OF CHAPTER 552, TEXAS LOCAL GOVERNMENT CODE, AND DECLARING STORMWATER DRAINAGE TO BE A PUBLIC UTILITY; ESTABLISHING A MUNICIPAL STORMWATER DRAINAGE UTILITY SYSTEM; PROVIDING FOR THE ESTABLISHMENT AND CALCULATION OF STORMWATER DRAINAGE UTILITY CHARGES AND CREDITS; PROVIDING PENALTIES AND REMEDIES FOR NONPAYMENT OF CHARGES.

**Attachments:** [AIS Stormwater Utility Ordinance 2nd Reading Ordinance No. 2019-12](#)

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

- 9.A. [2019-336](#) PROVIDING FOR THE ESTABLISHMENT AND CALCULATION OF STORMWATER DRAINAGE UTILITY CHARGES AND CREDITS.

**Attachments:** [AIS Stormwater Utility Ordinance Public Hearing on Rates Public Hearing Notice](#)

10. [2019-337](#) CONSIDER ADOPTION OF STORMWATER DRAINAGE UTILITY CHARGES AND CREDITS, EXHIBIT A, RESIDENTIAL AND COMMERCIAL/NON-RESIDENTIAL STORMWATER TIERS AND RATES, FOR ORDINANCE NO. 2019-12.

**Attachments:** [AIS Stormwater Utility Ordinance Adoption of Rates EXHIBIT A to Stormwater Ordinance](#)

11. [2019-332](#) RECEIVE THE SECOND QUARTER FINANCIAL AND INVESTMENT REPORTS FOR FISCAL YEAR 2019.

**Attachments:** [AIS March 2019 Quarterly Financial & Investment Report March 2019 Quarterly Financial & Investment Report](#)

12. [2019-322](#) RECOGNITION OF PATRICK HEATH PUBLIC LIBRARY FOR RECEIVING THE 2018 ACHIEVEMENT OF LIBRARY EXCELLENCE AWARD FROM THE TEXAS MUNICIPAL LIBRARY DIRECTORS.

**Attachments:** [AIS 04.23.19 2018 Achievement in Library Excellence Award TMLDA award letter 2018](#)

13. [2019-324](#) RECEIVE BIDS AND AWARD BID FOR FURNITURE, FURNISHINGS AND INSTALLATION FOR THE PATRICK HEATH PUBLIC LIBRARY TEEN AREA AND CONSIDER RESOLUTION NO. 2019-R37; A RESOLUTION OF THE CITY OF BOERNE, TEXAS AUTHORIZING THE PURCHASE OF FURNITURE, FURNISHINGS AND INSTALLATION FOR THE PATRICK HEATH PUBLIC LIBRARY TEEN AREA.

**Attachments:** [AIS 04.23.2019 young adult space renovation-furniture](#)  
[Resolution No. 2019-R37](#)  
[Bid Tabulation Form](#)  
[Bid Forms](#)

14. [2019-331](#) CONSIDER RESOLUTION NO. 2019-R38; A RESOLUTION APPROVING THE FIVE YEAR UPDATE OF THE WATER CONSERVATION PLAN DATED APRIL 2019 FOR THE CITY OF BOERNE, TEXAS.

**Attachments:** [AIS Water Conservation Plan Update 2019.doc](#)  
[Resolution No. 2019-R38](#)  
[Water Conservation Plan 2019](#)

15. [2019-326](#) RECEIVE AND CONSIDER A REQUEST FROM DOG & PONY FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 10. RESTRICTIONS ON CERTAIN TYPES OF SIGNS. BB. AREA OF SELF SUPPORTED SIGN AND SECTION 11. PROHIBITED SIGN TYPES. H. LED. (1481 S Main St.)

**Attachments:** [AIS. Dog & Pony](#)  
[Sign Variance Request](#)  
[Location Map](#)  
[Aerial Map](#)  
[South Bound View](#)  
[Front View](#)  
[North Bound View](#)

16. [2019-327](#) RECEIVE AND CONSIDER A REQUEST FROM WAYPOINT RESIDENTIAL SERVICES, LLC FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 12. PROHIBITED SIGN LOCATIONS. C. OFF-SITE SIGNAGE. (Commons at Menger Creek, Unit 5, Lot 12B, Block A)

**Attachments:**    [CC Summary - Sign Variance](#)  
                              [Sign Variance Request](#)  
                              [Design](#)  
                              [Location Map](#)  
                              [Aerial Map](#)

17.    [2019-338](#)            LEGISLATIVE UPDATE ON THE 86TH LEGISLATIVE SESSION AND  
                                  CONSIDER DIRECTION RELATED TO BILLS PRESENTED.

**Attachments:**    [AIS. Legislative Update](#)

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

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

- 19.A. [2019-330](#)            SECTION 551.071 - CONSULTATION WITH ATTORNEY AND  
                                  SECTION 551.087. (WCID No. 3)

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

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 18th day of  
April, 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.