AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
January 14, 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.

4.A. 2020-101 CONSIDER THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF DECEMBER 10, 2019.

Attachments: Minutes 19.1210

4.B. 2019-1192 CONSIDER ON SECOND READING ORDINANCE NO. 2019-57; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, DATED DECEMBER 18, 2007, ARTICLE 1, IN GENERAL, SECTION 06. DEFINITIONS.

Attachments: AIS - Second Reading - Stream Setbacks
Ordinance No. 2019-57

4.C. 2019-1191 CONSIDER ON SECOND READING ORDINANCE NO. 2019-58; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF

BOERNE, TEXAS, CHAPTER 22. UTILITIES, ARTICLE VII, MUNICIPAL STORMWATER DRAINAGE UTILITY SYSTEM; AND PROVIDING PENALTIES AND REMEDIES FOR NONPAYMENT OF CHARGES.

Attachments: AIS Stormwater Utility and Start Date
Ordinance No. 2019-58
advisory - Stormwater Utility intro (002)
Stormwater Utility Information Sheet

4.D. 2020-100 CONSIDER RESOLUTION NO. 2020-R01; A RESOLUTION ESTABLISHING PROCEDURES FOR A GENERAL ELECTION FOR MAY 2, 2020. (Considerar la resolución número 2020-R01; una resolución que establece los procedimientos para la elección general del 2 de mayo, 2020)

Attachments: AIS election 2020
Resolution No. 2020-R01

4.E. 2019-1190 CONSIDER RESOLUTION NO. 2020-R02; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND DATAVOX, INC. FOR AN ACCESS CONTROL SYSTEM FOR POLICE DEPARTMENT.

Attachments: AIS - Access Control
DataVox, Inc. Proposal
Cable Com Proposal

5. 2020-143 DISCUSSION REGARDING ESTABLISHING A LONG-TERM WATER PLAN.

Attachments: AIS Long Term Water Plan

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

6.A. 2020-117 PROPOSED REZONING OF 2.348 ACRES LOCATED AT 87 MARKET AVENUE (KAD NO. 19961) FROM I, INDUSTRIAL DISTRICT, TO B-2R, HIGHWAY COMMERCIAL RESTRICTED DISTRICT. (UDS Thirteen LLC)

Attachments:
AIS - 87 Market - Public Hearing
Public Hearing Notice
Location Map
Aerial Map
Future Land Use Map
Current Zoning Map
Proposed Zoning Map
I Uses
B-2R Uses

6.B. 2020-118 PROPOSED REZONING OF 1.55 ACRES LOCATED AT 614 FREY STREET (KAD NO. 18975) FROM R-1, MEDIUM-DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT. (Jon Miller)

Attachments:
AIS - 614 Frey - Public Hearing
Public Hearing Notice
Location Map
Aerial Map
Future Land Use Map
Current Zoning Map
Proposed Zoning Map
R-1 Uses
B-1 Uses

6.C. 2020-119 PROPOSED REZONING OF 0.412 ACRES LOCATED AT 121 ADVOGT STREET, LOT 11A (KAD NO. 24670) FROM B-2, HIGHWAY COMMERCIAL DISTRICT, TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT. (Mike Hodsdon)

Attachments:
AIS - 121 Advogt - Public Hearing
Public Hearing Notice
Location Map
Aerial Map
Future Land Use Map
Current Zoning Map
Proposed Zoning Map
B-2 Uses
B-1 Uses

6.D. 2020-120 PROPOSED PERMANENT ZONING OF 10.484 ACRES LOCATED AT 30-32 FM 1376, FROM TEMPORARY ZONING R-A, RESIDENTIAL-AGRICULTURAL DISTRICT TO R-1, MEDIUM-DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT. (Sherri and Rodney Yates)

Attachments:
AIS - 30-32 FM 1376 - Public Hearing
Public Hearing Notice
Location Map
Aerial Map
Future Land Use Map
Current Zoning Map
Proposed Zoning Map
R-A Uses
R-1 Uses
RN-1 Uses

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

7.A. 2020-121 CONSIDER ON FIRST READING ORDINANCE NO. 2020-01; AN ORDINANCE AMENDING THE 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 2.348 ACRES LOCATED AT 87 MARKET AVENUE (KAD NO. 19961) FROM I, INDUSTRIAL DISTRICT, TO B-2R, HIGHWAY COMMERCIAL RESTRICTED DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (UDS Thirteen LLC)

Attachments:
AIS - 87 Market - First Reading
Ordinance No. 2020-01
Location Map
Aerial Map
Future Land Use Map
Current Zoning Map
Proposed Zoning Map
Industrial District Uses
B-2R Highway Commercial Restricted District Uses

7.B. 2020-122 CONSIDER ON FIRST READING ORDINANCE NO. 2020-02; AN ORDINANCE AMENDING THE 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 OF 1.55 ACRES LOCATED AT 614 FREY STREET (KAD NO. 18975) FROM R-1, MEDIUM-DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Jon Miller)

Attachments:
AIS - 614 Frey - First Reading
Ordinance No. 2020-02
614 Frey Street - Location Map
614 Frey Street - Aerial Map
614 Frey Street - Future Land Use Map
614 Frey Street - Current Zoning Map
614 Frey Street - Proposed Zoning Map
R-1 Uses
B-1 Uses

7.C. 2020-123 CONSIDER ON FIRST READING ORDINANCE NO. 2020-03; AN ORDINANCE AMENDING THE 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 OF 0.412 ACRES LOCATED AT 121 ADVOGT STREET, LOT 11A (KAD NO. 24670) FROM B-2, HIGHWAY COMMERCIAL DISTRICT, TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT;

REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Mike Hodsdon)

Attachments:
AIS - 121 Advogt - First Reading
Ordinance No. 2020-03
121 Advogt Street - Location Map
121 Advogt Street - Aerial Map
121 Advogt Street - Future Land Use Map
121 Advogt Street - Current Zoning Map
121 Advogt Street - Proposed Zoning Map
B-2 Uses
B-1 Uses

7.D. 2020-124 CONSIDER ON FIRST READING ORDINANCE NO. 2020-04; 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 10.484 ACRES LOCATED AT 30-32 FM 1376 (KAD NOS. 14926 AND 14958) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO R-1, MEDIUM-DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Sherri and Rodney Yates)

Attachments:
AIS - 30-32 FM 1376 - First Reading
Ordinance No. 2020-04
30-32 FM1376 - Location Map
30-32 FM1376 - Aerial Map
30-32 FM1376 - Future Land Use Map
30-32 FM1376 - Current Zoning Map
30-32 FM1376 - Proposed Zoning Map
R-A Uses
R-1 Uses
RN-1 Uses

8. 2020-125 PRESENTATION AND DISCUSSION REGARDING THE UNIFIED DEVELOPMENT CODE, GENERAL PROVISIONS AND AN

INTRODUCTION TO OVERLAY DISTRICTS BY CARISSA COX WITH MOSAIC PLANNING & DEVELOPMENT SERVICES.

Attachments: AIS - UDC Presentation
Att 1 - Chapter 1 General Provisions v3.1

9. 2020-148 DISCUSSION ON TEXAS WATER DEVELOPMENT BOARD FLOOD PROGRAMS.

Attachments: AIS

10. 2020-130 CONSIDER THE UNTABLING OF ORDINANCE NO. 2019-46; AS DESCRIBED BELOW. (Tabled on 10/22/2019)

11. 2020-126 CONSIDER ON FIRST READING ORDINANCE NO. 2019-46; 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 4.492 ACRES LOCATED AT 23 OLD SAN ANTONIO ROAD (KAD NOS. 15828 AND 15829) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (J Willis Harpole)

Attachments: AIS - 23 Old San Antonio - First Reading
Ordinance No. 2019-46
23 Old San Antonio - Location Map
23 Old San Antonio - Aerial Map
23 Old San Antonio - Future Land Use Map
23 Old San Antonio - Current Zoning Map
23 Old San Antonio - Proposed Zoning Map
R-A Uses

12. 2020-131 CONSIDER THE UNTABLING OF ORDINANCE NO. 2019-48; AS DESCRIBED BELOW. (Tabled on 10/22/2019)

13. 2020-127 CONSIDER ON FIRST READING ORDINANCE NO. 2019-48; 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 4.37 ACRES LOCATED AT 36 HERFF ROAD (KAD NO. 15865) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (J Willis Harpole)

Attachments:
AIS - 36 Herff Road - First Reading
Ordinance No. 2019-48
36 Herff Road - Location Map
36 Herff Road - Aerial Map
36 Herff Road - Future Land Use Map
36 Herff Road - Current Zoning Map
36 Herff Road - Proposed Zoning Map
R-A Uses

14. 2020-128 CONSIDER A REQUEST FROM SSC SIGNS & LIGHTING, LLC FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 10. RESTRICTIONS ON CERTAIN TYPES OF SIGNS. (Frost Bank, 1300 S Main St.)

Attachments:
AIS - Frost Bank - Sign Variance
Sign Variance Application
Location Map
Aerial Map

15. 2020-129 CONSIDER A REQUEST FROM TAMARA OESTERLING, DVM FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 12. PROHIBITED SIGN LOCATIONS, C. OFF PREMISE. (Heart of the Hills Veterinary Center, 117 Commerce Ave)

Attachments:
AIS - Heart of the Hill Vet - Sign Variance
Sign Variance Application
Location Map
Aerial Map
Requested Sign Aerial Map
Requested Sign Location Map

16. 2020-146 CITY MANAGER'S REPORT:

A. CITY OF BOERNE - HAPPIEST SMALL TOWNS IN AMERICA RECOGNITION

B. TML MAGAZINE RECOGNITIONS

C. ED PHILLIPS RECOGNITION
D. TEXAS ASSOCIATION OF CONVENTION AND VISITORS' BUREAU WINTER BOARD MEETING
E. TRANSPORTATION PLANNING COMMITTEE UPDATE
F. TXDOT IMPROVEMENTS UPDATE
G. ECONOMIC DEVELOPMENT UPDATE
H. BUILDING PERMITS UPDATE AND HOUSING MARKET FORECAST
I. CITY HALL UPDATE
J. COMMUNITY WILDFIRE PROTECTION PLAN
K. UTILITIES UPDATE
L. WASTE MANAGEMENT UPDATE
M. UPCOMING 5-YEAR CIP DISCUSSION
N. FUTURE SIDEWALKS DISCUSSION

Attachments: CM Report AIS 1.14.20

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

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

18.A. 2020-133 SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS. (Ebensberger-Fisher Funeral Home)

18.B. 2020-132 SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS. (Spencer Ranch)

18.C. 2020-134 SECTION 551.074 - PERSONNEL MATTERS TO DISCUSS AND CONSIDER THE FUTURE CITY MANAGER POSITION, QUALIFICATIONS, DUTIES AND RESPONSIBILITIES; TRANSITIONAL STEPS AND TIMELINE; PROCESS FOR RECRUITMENT IF NECESSARY.

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

20. 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)

21. 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 10th day of January, 2020 at 4:30 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.