

MINUTES
CITY COUNCIL WORKSHOP
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
July 9, 2019 – 4:45 p.m.

Minutes of the City Council Workshop of July 9, 2019 at 4:45 p.m.

Present: **5 -** Mayor Tim Handren, Council Member Ty Wolosin, Council Member Quinten Scott, Council Member Brian Fowler, and Council Member Joseph Macaluso

Absent: **1 -** Mayor Pro Tem Nina Woolard

Mayor Pro Tem Woolard arrived at 4:59 p.m.

Staff Present: Ron Bowman, Siria Arreola, Paul Barwick, Pam Bransford, Lori Carroll, Mike Mann, Sandy Mattick, Doug Meckel, Jeff Page, Mike Raute, Angie Rios, Garrett Robertson, Kelly Skovbjerg, Molly Solis, Laura Talley, Jeanette Teague, Jeff Thompson, Larry Woods, Linda Zartler, and Danny Zincke.

Recognized/Registered Guests: William A. Dever, Denise L. Dever, Robert Imler, Robert Mosley, Ben Eldredge, and Lance Kyle.

1. CALL TO ORDER – 4:45PM

Mayor Handren called the City Council to order at 4:45 p.m.

- 2. [2019-764](#) A. PROFESSIONAL FEES/STUDIES**
 B. SIDEWALK PROJECTS
 C. POTENTIAL FUTURE STORM WATER PROJECTS
 D. POTENTIAL FUTURE BOND PROJECTS
 a. GENERAL GOVERNMENT
 b. UTILITY SYSTEM
 E. EMPLOYEE HEALTH INSURANCE
 F. DELEGATE AGENCY AGREEMENTS
 G. FUND BALANCES/RESERVES

Mayor Handren called on Ms. Sandy Mattick, Finance Director. Ms. Mattick spoke on costs for Professional Fees/Studies for the Unified Development Code

(UDC), Master Drainage Study, Subdivision Ordinance, and Transportation Plan. She displayed a map of the current/proposed sidewalks and trails budgeted. Discussion ensued regarding which fund these fees will be coming from. Also, discussed were suggested crosswalks at various locations due to future development. City Manager Ron Bowman gave instructions to Staff to research costs. Drainage on Rosewood and Johns Road was also discussed. Ms. Mattick continued with costs associated with potential future storm water projects and utility system bond projects. Discussion ensued regarding the developers' responsibilities to include landscape to their proposed developments. The 2007 bond election was discussed where the citizens approved a 6 cent tax increase, but the City only has used 2 cents. Ms. Linda Zartler, Assistant City Manager reviewed the proposed employee health insurance costs. Ms. Mattick discussed the the various delegate agencies and the amount the City contributes to each agency. Fund balances for General Government, Utility and Capital Reserves for utilities was provided to the Council Members. Ms. Mattick stated that Staff will meet with Council Members in the next couple of weeks individually to address questions.

3. ADJOURNMENT

Mayor Handren adjourned the City Council Workshop and 5:53 p.m.

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
July 9, 2019 – 6:00 PM

Minutes of the Regular Called City Council Meeting of July 9, 2019 at 6:00 p.m.

Present: 6 - Mayor Tim Handren, Council Member Ty Wolosin, Mayor Pro Tem Nina Woolard, Council Member Quinten Scott, Council Member Brian Fowler, and Council Member Joseph Macaluso

Staff Present: Ron Bowman, Siria Arreola, Paul Barwick, Pam Bransford, Lori Carroll, Mike Mann, Sandy Mattick, Doug Meckel, Jeff Page, Mike Raute, Angie

Rios, Garrett Robertson, Kelly Skovbjerg, Molly Solis Laura Talley, Jeanette Teague, Jeff Thompson, Larry Woods, Linda Zartler, and Danny Zincke.

Recognized/Registered Guests: William A. Dever, Denise L. Dever, Robert Imler, Robert Mosley, Ben Eldredge, Lance Kyle, Donna Taylor, Rufus Stephens, Teri Nunley, Danny Phillips, Jeff Carroll, Laura Bray, Troy Dorman, Bobby Balli, Bob Manning, Shelby Presley, Jeff Haberstroh, and Mike Luckey.

1. CALL TO ORDER – 6:00 PM

Mayor Handren called the City Council Meeting to order at 6:01 p.m.

Mayor Handren invited Danny Phillips, NexGen Pastor from the Nineteen:ten Church to provide the invocation.

Mayor Handren led the Pledge of Allegiance to the United States Flag and to the Texas Flag.

2. CONFLICTS OF INTEREST

Mayor Handren stated a quote from John F. Kennedy.

No conflicts were declared.

3. PUBLIC COMMENTS:

Bob Imler, 215 West Bandera spoke on his request for a short term moratorium on development. He provided the City Council Members with a copy of his presentation.

Ben Eldredge, 212 Azalea Trail stated that he serves on the Cow Creek Groundwater Conservation District Board. He spoke on Low Impact Development and stated that he provided the same presentation to the Planning and Zoning Commissioners.

Donna Taylor, Environmental Research Scientist with the Cibolo Nature Center, spoke on the impacts of flooding.

Rufus Stevens, 205 Bess Street stated he was a Wildlife Biologist spoke on flood control and groundwater recharge.

Lance Kyle, 226 Cascade Caverns Road spoke on the City's stormwater and low impact development ordinance.

4. CONSENT AGENDA:

4.A. [2019-724](#) CONSIDER APPROVAL OF THE MINUTES OF THE CITY COUNCIL MEETING OF JUNE 25, 2019.

THE MINUTES WERE APPROVED.

4.B. [2019-626](#) CONSIDER RESOLUTION NO. 2019-R113; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Electric construction distribution materials for Methodist Ambulatory Surgery Center)

THE RESOLUTION WAS APPROVED.

4.C. [2019-754](#) CONSIDER RESOLUTION NO. 2019-R114; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CHAPTER 43 TEXAL LOCAL GOVERNMENT CODE DEVELOPMENT AGREEMENT (NON-ANNEXATION AGREEMENT) WITH AMY DORROW EPPERSON AND ON SAID PROPERTY DESCRIBED IN THE ATTACHED AGREEMENT AND METES AND BOUNDS LEGAL DESCRIPTION. (+/- 1.49 acres located at 930 Adler St., KAD No. 14174)

THE RESOLUTION WAS APPROVED.

4.D. [2019-756](#) CONSIDER RESOLUTION NO. 2019-R115; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CHAPTER 43 TEXAL LOCAL GOVERNMENT CODE DEVELOPMENT AGREEMENT (NON-ANNEXATION AGREEMENT) WITH HENRY EDD AND BROOKE Y. MARTIN AND ON SAID PROPERTY DESCRIBED IN THE ATTACHED AGREEMENT AND METES AND BOUNDS LEGAL DESCRIPTION. (+/- 2.98 acres located at 812 Johns Rd., KAD No.

14459; +/- 5.11 acres located at Johns Rd., A10311 - Survey 177 A Lockmar, KAD No. 14448; +/- 1.48 acres located at 724 Johns Rd., KAD No. 14494)

THE RESOLUTION WAS APPROVED.

4.E. [2019-757](#) CONSIDER RESOLUTION NO. 2019-R116; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CHAPTER 43 TEXAL LOCAL GOVERNMENT CODE DEVELOPMENT AGREEMENT (NON-ANNEXATION AGREEMENT) WITH LARRY W. SCHWOPE ON SAID PROPERTY DESCRIBED IN THE ATTACHED AGREEMENT AND METES AND BOUNDS LEGAL DESCRIPTION. (0.98 acres located at 704 Johns Rd., KAD No. 14475)

THE RESOLUTION WAS APPROVED.

4.F. [2019-758](#) CONSIDER RESOLUTION NO. 2019-R117; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CHAPTER 43 TEXAL 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 (198 acres located at 47A Upper Cibolo Creek Rd., KAD Nos. 12876, 12879, and 12880)

THE RESOLUTION WAS APPROVED.

4.G. [2019-753](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-17; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN. (15 Cascade Caverns Rd., KAD No. 24322, Palio Investments LLC, at the request of the City of Boerne)

THE ORDINANCE WAS APPROVED.

- 4.H. [2019-752](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-18; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN. (104 Buckskin Dr., KAD No. 25683, Todo Gato Holdings LLC, at the request of the City of Boerne)

THE ORDINANCE WAS APPROVED.

- 4.I. [2019-751](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-19; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN. (30 Cascade Caverns Rd., KAD No. 25666, Las Cascadas Holdings LLC, at the request of the City of Boerne)

THE ORDINANCE WAS APPROVED.

- 4.J. [2019-750](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-20; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS,

ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN. (34 Herff Rd., KAD No. 15868 and 34998, G D Fenstemaker Investments LLC, at the request of the City of Boerne)

THE ORDINANCE WAS APPROVED.

4.K. [2019-749](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-21; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN. (36 Herff Rd., KAD No. 15865, Willis Jay Harpole, at the request of the City of Boerne)

THE ORDINANCE WAS APPROVED.

4.L. [2019-748](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-22; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN. (23 Old San Antonio Rd., KAD No. 15828 and 15829, Willis Jay Harpole, at the request of the City of Boerne)

THE ORDINANCE WAS APPROVED.

4.M. [2019-747](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-23; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO

INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN. (21 Old San Antonio Rd., KAD No. 15816, Jacob Obadia, at the request of the City of Boerne)

THE ORDINANCE WAS APPROVED.

4.N. [2019-743](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-24; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN. (19 Old San Antonio Rd., KAD No. 15817, Arvelene Amari, at the request of the City of Boerne)

THE ORDINANCE WAS APPROVED.

4.O. [2019-742](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-25; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN. (39 Herff Rd., KAD No. 63557 and 63556, Barbara K. Fellows, at the request of the City of Boerne)

THE ORDINANCE WAS APPROVED.

4.P. [2019-741](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-26; AN

ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN. (Bentwood Dr, A10298- Survey 180 M I Leal, KAD No. 297996 Buds LLC, at the request of the City of Boerne)

THE ORDINANCE WAS APPROVED.

4.Q. [2019-740](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-27; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN. (33875A Interstate 10, KAD No. 33907, Denis and Jill Goulet, at the request of the City of Boerne)

THE ORDINANCE WAS APPROVED.

4.R. [2019-739](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-28; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN. (33565 Interstate 10, KAD No. 15876, Chad and Kerri Properties LP, at the request of the City of

Boerne)

THE ORDINANCE WAS APPROVED.

- 4.S. [2019-738](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-29; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN. (31001 Interstate 10, KAD No. 12292, VBM Boerne Land LLC - Toyota of Boerne, at the request of the City of Boerne)

THE ORDINANCE WAS APPROVED.

- 4.T. [2019-737](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-30; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN. (826 Johns Rd., 826 Johns LLC, KAD No. 14496 and 290235, at the request of the City of Boerne)

THE ORDINANCE WAS APPROVED.

- 4.U. [2019-759](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-31; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS

AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN. (818 Johns Rd., KAD No. 14495 and 289059, Stanley and Nancy Scott, at the request of the City of Boerne)

THE ORDINANCE WAS APPROVED.

4.V. [2019-732](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-32; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN. (Ranger Creek Rd., A10166-Survey 174 N Flores, KAD Nos. 302218, 302219, and 302217, KB Home Lone Star LP, at the request of the City of Boerne)

THE ORDINANCE WAS APPROVED.

4.W. [2019-730](#) CONSIDER ON SECOND READING ORDINANCE NO. 2019-33; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN. (122 Ranger Creek Rd., KAD No. 12851, 12852, Boerne Lakefront Partners LLC, at the request of the City of Boerne)

THE ORDINANCE WAS APPROVED.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER MACALUSO TO APPROVE THE CONSENT AGENDA AS PROVIDED. MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

5. [2019-762](#) **PRESENTATION FROM KENDALL APPRAISAL DISTRICT'S CHIEF APPRAISER SHELBY PRESLEY AND BOARD MEMBER JEFF HABERSTROH AND CONSIDER RESOLUTION NO. 2019-R118; A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE THE KENDALL APPRAISAL DISTRICT'S PROPOSED 2020 APPRAISAL AND COLLECTIONS BUDGETS.**

Mayor Handren called on Ms. Sandy Mattick, Finance Director. Ms. Mattick stated that the City currently contracts with the Kendall Appraisal District to collect property taxes. She introduced Mr. Shelby Presley, Kendall Appraisal District Chief Appraiser and Board Member Jeff Haberstroh to present the Kendall Appraisal District's Proposed Budget. Mr. Presley reviewed the City of Boerne's preliminary values as of July 8, 2019 and discussed the proposed budget. He stated that the proposed budget is increasing 2.9% due to training requirements due to new legislature and travel. They have moved some of the salaries into Professional Fees so that an outside consultant can be hired to review commercial evaluations.

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE RESOLUTION NO. 2019-R118; A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE THE KENDALL APPRAISAL DISTRICT'S PROPOSED 2020 APPRAISAL AND COLLECTIONS BUDGETS. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

6. [2019-755](#) **DISCUSSION REGARDING THE BOERNE, FAIR OAKS RANCH, AND KENDALL COUNTY TRANSPORTATION PLANNING COMMITTEE.**

Mayor Handren recognized Kendall County Commissioner Durden in the

audience. Mayor Handren stated that transportation challenges must be addressed and the community must work together. He reviewed the proposed structure of a Boerne, Fair Oaks Ranch, and Kendall County Transportation Planning Committee. Also involved will be Boerne ISD, Chamber of Commerce, Hill Country Alliance, Boerne Kendall County Economic Development Corporation, Kendall County Farm Bureau, Soil and Water Conservation District as well as the Cow Creek Groundwater Conservation District. Mayor Handren will be working on appointments to the committee this month and will finalize the list next month (August). Discussion ensued regarding utilizing comments from the Kendall Gateway Study public meetings. Commissioner Durden stated that it would be a mistake to disregard past information.

7. [2019-472](#) CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2019-34; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A. (As Described Below)

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER WOLOSIN, TO APPROVE A ONE-TIME READING OF ORDINANCE NO. 2019-34; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A. (AS DESCRIBED BELOW). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

8. [2019-726](#) CONSIDER ORDINANCE NO. 2019-34; AN ORDINANCE AMENDING CHAPTER 15, ARTICLE III. OF THE CITY CODE OF ORDINANCES OF BOERNE, TEXAS, PROVIDING FOR REGULATIONS FOR PEDDLERS, CANVASSERS, AND SOLICITORS TO INCLUDE LOITERING, ADDING SECTIONS 15-76 THROUGH SECTION 15-81, LOITERING; PROVIDING FOR A PENALTY NOT TO EXCEED \$500; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

Mayor Handren called on Ms. Molly Solis, City Attorney. Ms. Solis stated that in response to public health, safety and welfare concerns, it is proposed that the Peddlers, Canvassers, and Solicitors Ordinance include Loitering. Assistant Police Chief Jeff Page stated that there are currently 10 homeless people in

Boerne. From June 2018 to June 2019 the Police Department received over 400 calls regarding homelessness. Individuals standing at intersections causes traffic distraction as well as safety issues for the homeless. Police Chief Jim Kohler met with the CEO of Haven for Hope, Hill Country Family Services, and Hill Country Daily Bread to organize a health clinic. Four out of the 10 homeless people attended the clinic. Recently two of the 10 have found jobs. Police Officers have met with the homeless population individually. Their biggest concern is the need for a home. They don't want to go to San Antonio to Haven For Hope. Discussion ensued regarding the street intersections listed in the ordinance and should include City wide intersections. Assistant Police Chief Page stated that Police Officers will contact each homeless person and review the ordinance with them. The intersections listed in the ordinance are the locations where there is high traffic. Discussion also ensued regarding the fine and what happens if they can't pay the fine. Assistant Police Chief Page stated that the Judge will have discretion on the fine.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER WOLOSIN, TO TABLE UNTIL JULY 23, 2019 ORDINANCE NO. 2019-34; AN ORDINANCE AMENDING CHAPTER 15, ARTICLE III. OF THE CITY CODE OF ORDINANCES OF BOERNE, TEXAS, PROVIDING FOR REGULATIONS FOR PEDDLERS, CANVASSERS, AND SOLICITORS TO INCLUDE LOITERING, ADDING SECTIONS 15-76 THROUGH SECTION 15-81, LOITERING; PROVIDING FOR A PENALTY NOT TO EXCEED \$500; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

9. [2019-761](#) **CONSIDER RESOLUTION NO. 2019-R119; A RESOLUTION OF THE CITY OF BOERNE, TEXAS SPECIFYING ROBERT'S RULES OF ORDER WILL BE USED FOR REFERENCE AND GUIDANCE IN THE ORDERLY PROCEEDINGS OF THE CITY COUNCIL; NAMING THE CITY SECRETARY AS PARLIAMENTARIAN.**

Mayor Handren stated that the Texas Municipal League has recommended to formally adopt a parliamentary procedure to run City Council meetings. It is his recommendation that Roberts Rules of Order be used as a guide and name

the City Secretary as Parliamentarian.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER WOLOSIN, TO APPROVE RESOLUTION NO. 2019-R119; A RESOLUTION OF THE CITY OF BOERNE, TEXAS SPECIFYING ROBERT'S RULES OF ORDER WILL BE USED FOR REFERENCE AND GUIDANCE IN THE ORDERLY PROCEEDINGS OF THE CITY COUNCIL; NAMING THE CITY SECRETARY AS PARLIAMENTARIAN. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

10. [2019-716](#) CONSIDER RESOLUTION NO. 2019-R120; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A PROFESSIONAL SERVICE AGREEMENT BETWEEN THE CITY OF BOERNE AND HDR ENGINEERING, INC. FOR RENEWAL OF THE DISCHARGE PERMIT FOR THE ESSER ROAD WASTEWATER TREATMENT PLANT.

Mayor Handren called on Mr. Mike Mann, Utilities Director. Mr. Mann explained that the Texas Pollutant Discharge Elimination System (TPDES) overseen by Texas Commission on Environmental Quality (TCEQ) required facilities that discharge treated wastewater to apply for a permit regulating those discharges. The renewal period for these types of permits is typically five years. The current permit we hold for the Esser Road Wastewater Treatment Plant (WWTP) will expire on March 1, 2020. The City must submit an application for renewal at least 180 days prior to the expiration date, which is early September, 2019. The application for renewal requires preparation assistance from an outside consultant. Based on qualifications and experience with City facilities, HDR Engineering was selected for this work. It is staff's recommendation to enter into a Professional Service Agreement with HDR Engineering for an amount not to exceed \$18,500.00.

A MOTION WAS MADE BY COUNCIL MEMBER FOWLER, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE RESOLUTION NO. 2019-R120; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A PROFESSIONAL SERVICE AGREEMENT BETWEEN THE CITY OF BOERNE AND HDR ENGINEERING, INC. FOR RENEWAL OF THE DISCHARGE PERMIT FOR THE ESSER ROAD WASTEWATER TREATMENT PLANT IN AN AMOUNT NOT TO EXCEED \$18,500.00. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

11. [2019-630](#) **CONSIDER RESOLUTION NO. 2019-R121; A RESOLUTION RESCINDING RESOLUTION NO. 2019-R47; AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASE OF NETWORK SERVERS FROM CLOUDISTICS INC. AND AUTHORIZING THE PURCHASE OF NETWORK SERVERS FROM SCALE COMPUTING VIA SHI GOVERNMENT SOLUTIONS FOR CITY HALL AND POLICE DEPARTMENT.**

Mayor Handren called on Mr. Mike Raute, Information Technology Director. Mr. Raute explained that in May, City Council approved a purchase to upgrade servers for City Hall. Since that time Cloudistics, Inc. notified Staff that they would no longer be serving Texas with direct sales. They would honor the quotes and sell to us the product, but would not service it in a manner that would meet our needs. Staff reached out to Scale Computing and found they have a similar product as Cloudistics, Inc. and would provide the ability to upgrade the City Hall servers as well as the Police Servers this year instead of waiting until the next fiscal year. We would have the ability to have a public, private, and community cloud for security. The Dispatch Communication Board has agreed to pay \$50,000 of the \$81,153.00. Discussion ensued regarding the location of Scale Computing and testing for credit card payments. It is Staff's recommendation to approve Resolution No. 2019-R121.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE RESOLUTION NO. 2019-R121; A RESOLUTION RESCINDING RESOLUTION NO. 2019-R47; AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASE OF NETWORK SERVERS FROM CLOUDISTICS INC. AND AUTHORIZING THE PURCHASE OF NETWORK SERVERS FROM SCALE COMPUTING VIA SHI GOVERNMENT SOLUTIONS FOR THE CITY HALL AND POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$81,153.00. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 5 - Council Member Wolosin, Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

12. [2019-760](#) DISCUSSION OF POTENTIAL REVISIONS TO CITY ORDINANCES RELATING TO STORMWATER RUNOFF AND LOW IMPACT DEVELOPMENT.

Mayor Handren called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley referred to the City Council discussion on June 25, 2019 regarding establishing a committee to discuss stormwater runoff and low impact development. It is Staff's recommendation that the City hire an expert that would provide direction to possibly incorporate more stringent standards in our ordinances for stormwater runoff. It was the consensus of the City Council to hire a consultant. Staff will bring back to City Council as soon as possible a recommended consultant for consideration.

13. CONTINUE WORKSHOP DISCUSSION IF NECESSARY.

City Council did not continue the Workshop discussion.

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

City Manager Ron Bowman provided information to the City Council regarding various activities in the City: TxDOT will be working on the Blanco Road overlay starting this week and City crews will also be chip sealing Esser Road. The Boerne Lake took in a record dollar amount July 4th weekend. The vigil for the Kendall County Deputies will be tomorrow at 7:00 p.m. at Veterans Park.

Issued building permits have slowed down since this time last year. There will be a UDC Steering Committee meeting on July 22 and the Planning and Zoning Commission will receive an update on the UDC tomorrow night. The VFW volunteered to help clean up the Boerne Lake grounds today. The Movie in Park will be held at the Boerne Lake due to a conflict on Main Plaza. The Fire Department is establishing an Honor Guard. TxDOT will be modifying the geometry of the turn on River Road from Plant Street at the new crosswalk. TxDOT will be adding a crosswalk at Old #9 Trail on Blanco Road with signage and rumble strips. The Bevy Hotel is open for business. TxDOT is looking for a new contractor to finish the sidewalk in front of the new Visitors Center.

Council Member Wolosin reported that his District meeting with Kendall County Commissioner Chapman and Boerne ISD Trustee Spencer went well. He urged other City Council Members to have district meetings.

Mayor Handren expressed appreciation to the City Attorney for her involvement with the annexations. He stated that he asked the Planning and Zoning Commissioners to visit with Staff on their overall processes.

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

Mayor Handren convened the City Council into Executive Session at 8:02 p.m.

15.A.[2019-725](#) SECTION 551.071 (CONSULTATION WITH ATTORNEY) AND SECTION 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS.

No action was taken.

15.B.[2019-765](#) SECTION 551.071 - CONSULTATION WITH ATTORNEY.

No action was taken.

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

Mayor Handren reconvened the City Council into Open Session at 9:13 p.m.

No action was taken.

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)

City Council did not convene into Executive Session.

18. ADJOURNMENT

Mayor Handren adjourned the City Council Meeting at 9:14 p.m.

Approved:

Mayor

Attest:

City Secretary