

MINUTES
CITY COUNCIL WORKSHOP
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
August 13, 2019 – 4:45 p.m.

Minutes of the City Council Workshop of August 13, 2019 at 4:45 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, Nick Colonna, Jim Kohler, Mike Mann, Sandy Mattick, Doug Meckel, Nick Montagno, Antony Moy, Jeff Page, Mike Raute, Angie Rios, Kelly Skovbjerg, Laura Talley, Jeff Thompson, Linda Zartler, and Danny Zincke.

Recognized/Registered Guests: Robert Imler, John Kight, Rick Pfeiffer, and Mick McKamie.

1. CALL TO ORDER – 4:45 PM

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

2. [2019-831](#) DISCUSSION ON CITY PROJECT PRIORITIES.

Mayor Handren called on City Manager Ron Bowman. Mr. Bowman referred to the list of projects to be completed next year. He pointed out two items that currently are not included in the budget, but are on the list for Council's consideration which are the Citizen's Academy which will cost approximately \$10,000.00 and the Citizen's Survey on City Services at a cost of approximately \$50,000.00. Mr. Bowman asked the City Council for a consensus of which of these items or if both of the items should be added to the budget. After much discussion, it was the consensus of the City Council to add only the Citizen's Survey on City Services to the budget. Mr. Bowman continued with the discussion on the Work Plan, asking the Council Members for their input. Discussion ensued regarding moving the Historic District Program to a top third priority under the Planning, Land Use and Development category. The City

Council also discussed having the Charter Amendments on the May 2020 election ballot and participating with the YMCA on an aquatic center.

3. [2019-836](#) **DISCUSSION ON FISCAL YEAR 2019-2020 BUDGET:**
- A. CHANGES TO FISCAL YEAR 2019-2020 BUDGET (DRAFT 3 TO DRAFT 4)**
 - B. DISCUSSION ON TAX RATE**
 - C. PROJECTED FUND BALANCES**
 - D. BUDGET CALENDAR**

Mayor called on Ms. Sandy Mattick, Finance Director and Jeff Thompson, Deputy City Manager. Ms. Mattick discussed changes in the 2019-2020 budget since Draft 3 was presented. She reviewed discretionary items, potential General Fund Additions, and provided a comparison on how the effective rate, current tax rate, and proposed tax rate increase of one cent would affect the budget. Discussion ensued regarding the City's approach to deciding what is reasonable growth appropriations, projects identified in the Master Plan, valuation of property causing higher taxes, the six months of reserves in the General Fund, and when deciding on the budget the Council should be looking to the future, not keeping up with the past.

4. ADJOURNMENT

Mayor Handren adjourned the City Council Workshop at 5:49 p.m.

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
August 13, 2019 – 6:00 PM

Minutes of the Regular City Council Meeting of August 13, 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, Nick Colonna, Jim Kohler, Mike Mann, Sandy Mattick, Doug Meckel, Nick Montagno, Jeff Page, Mike Raute, Angie Rios, Kelly Skovbjerg, Laura Talley, Jeff Thompson, Linda Zartler, and Danny Zincke.

Recognized/Registered Guests: Robert Imler, John Kight, Rick Pfeiffer, Mike Luckey, Vianney Jasik, Erin Johnson, Curvin Crane, Mitch Rose, J J Blackson, Paul Giguere, Mick McKamie, and Larry Lester.

1. CALL TO ORDER – 6:00 PM

Mayor Handren called the City Council meeting to order at 6:00 p.m.

Mayor Handren invited Mitch Rose of City Hills 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

No conflicts were declared.

3. PUBLIC COMMENTS:

Vianney Jasik, representing Alpha Mini Storage spoke on the agenda item for the variance request for a 50' flag pole. She stated that the facility has approximately 100' of frontage on IH-10. The owner is asking for a taller flag to attract attention. They recently installed a new sign. A 30' flag, which is permitted would hender the new sign.

Erin Johnson, 124 Brunswick Drive referred to other cities in various states that have aquatic centers and splash pads. She felt that with the population of Boerne, we should have a a better pool or aquatic center.

4. CONSENT AGENDA:

4.A. [2019-828](#) CONSIDER APPROVAL OF THE MINUTES OF THE CITY COUNCIL MEETING OF JULY 23, 2019.

THE MINUTES WERE APPROVED.

4.B. [2019-799](#) CONSIDER RESOLUTION NO. 2019-R126; A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BOERNE AND ALAMO AREA COUNCIL OF GOVERNMENTS FOR E9-1-1 PUBLIC SAFETY ANSWERING POINT SERVICES.

THE RESOLUTION WAS APPROVED.

4.C. [2019-800](#) CONSIDER RESOLUTION NO. 2019-R127; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Vehicle for Code Enforcement)

THE RESOLUTION WAS APPROVED.

4.D. [2019-832](#) CONSIDER RESOLUTION NO. 2019-R128; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND WILLIAM M. "MICK" MCKAMIE, PARTNER WITH TAYLOR OLSON ADKINS

SRALLA ELAM, LLP AS INTERIM CITY ATTORNEY.

THE RESOLUTION WAS APPROVED.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER WOLOSIN TO APPROVE THE CONSENT AGENDA AS PRESENTED. 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

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

Mayor Handren opened the Public Hearing at 6:13 p.m.

5.A. [2019-819](#) PROPOSED TAX RATE OF 0.4820/100 FOR FISCAL YEAR 2019-2020. (One of two hearings, vote on the proposed tax rate to be held September 10, 2019)

Mike Luckey, 110 Walter Road stated that he believes that a tax rate should never be raised. The City will be implementing the new Stormwater fee next year, plus the City will be collecting money from the recent annexations. The City Council should be trying to lower the tax rate.

Mayor Handren closed the Public Hearing at 6:17 p.m.

5.B. [2019-816](#) PROPOSED PERMANENT ZONING OF 7.963 ACRES LOCATED AT 15A UPPER BALCONES ROAD FROM TEMPORARY ZONING R-A, RESIDENTIAL AGRICULTURAL TO B-2 R, HIGHWAY COMMERCIAL-RESTRICTED. (Morningside Ministries, KAD No. 15841 and 290201.)

Mayor Handren opened the Public Hearing at 6:18 p.m.

No comments were received.

Mayor Handren closed the Public Hearing at 6:18 p.m.

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

- 6.A. [2019-817](#) **CONSIDER ON FIRST READING ORDINANCE NO. 2019-36; 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 7.963 ACRES LOCATED AT 15A UPPER BALCONES ROAD (KAD NOS. 15841 AND 290201) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO B-2R, HIGHWAY COMMERCIAL-RESTRICTED DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Morningside Ministries)**

Mayor Handren called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley displayed a map of the location of the property under consideration for permanent zoning. The property was recently annexed into the City limits and automatically receives a temporary zoning of R-A, Residential-Agricultural. She stated that it is Staff's recommendation that the property be permanently zoned B-2R, Highway Commercial-Restricted due to the existing use on the site and in adherence to the City's Future Land use plan. As required, Staff sent out a notification to the property owners within 200' of the property. No responses were received. The Planning and Zoning Commission voted 7-0 in favor of the permanent zoning. Discussion ensued regarding any potential nuisance concerning the property being identified in the Land Use Plan as a Transitional Residential.

A MOTION WAS MADE BY COUNCIL MEMBER MACALUSO, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE ON FIRST READING ORDINANCE NO. 2019-36; 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 7.963 ACRES LOCATED AT 15A UPPER BALCONES ROAD (KAD NOS. 15841 AND 290201) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO B-2R, HIGHWAY COMMERCIAL-RESTRICTED DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (MORNINGSIDE MINISTRIES). 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

7. [2019-823](#) CONSIDER THE UNTABLING OF ORDINANCE NO. 2019-10; AS DESCRIBED BELOW. (Tabled on 3/26/2019)

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER SCOTT, TO APPROVE THE UNTABLING OF ORDINANCE NO. 2019-10; AS DESCRIBED BELOW. (TABLED ON 3/26/2019). 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. [2019-818](#) CONSIDER ON FIRST READING ORDINANCE NO. 2019-10; 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 2.992 ACRES LOCATED AT 1025 E. BLANCO ROAD (KAD NO. 18967) FROM 0, OFFICE DISTRICT AND R-1, MEDIUM-DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-3, HIGH-DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Tommy and Julie Pfeiffer)

Ms. Talley continued with the rezoning of the property located at 1025 Blanco Road. In March, the City Council tabled the request from the developer for the property to be rezoned R-3, High Density Residential District. Since that time, the developer is no longer interested in the project due to the potential cost without a certainty that the City Council will approve the request. The property owner is now requesting that the property be rezoned R-3. Ms. Talley displayed a location map of the property as well as a zoning map. The Planning and Zoning Commission voted 6-1 in favor of the R-3 district. Mr. Pfeiffer has met with surrounding property owners and verbally agreed to provide a buffer to protect surrounding properties. Ms. Talley stated that the R-3 zone could potentially allow 48, 2-story townhomes. Staff is not aware of any plans for the property at this time. The property owner would have to meet with TxDOT to review any potential development since Blanco Road is a TxDOT roadway, and the Planning and Zoning Commission would have to approve the platting. A long term facility is planned for the property next door. Discussion ensued regarding an infill development, walkability, concerns with LID and detention features in the current ordinance, and differences between an R-2 and R-3 zone.

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE ON FIRST READING ORDINANCE NO. 2019-10; 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 2.992 ACRES LOCATED AT 1025 E. BLANCO ROAD (KAD NO. 18967) FROM 0, OFFICE DISTRICT AND R-1, MEDIUM-DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-3, HIGH-DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (TOMMY AND JULIE PFEIFFER). THE MOTION CARRIED BY THE FOLLOWING VOTE:

Yeah: 4 - Mayor Pro Tem Woolard, Council Member Scott, Council Member Fowler, and Council Member Macaluso

Nay: 1 - Council Member Wolosin

9. [2019-821](#) **CONSIDER RESOLUTION NO. 2019-R129; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF BOERNE AND TROY DORMAN OF HALFF ASSOCIATES, INC. FOR REVISIONS TO CITY ORDINANCES RELATING TO STORMWATER RUNOFF AND LOW IMPACT DEVELOPMENT.**

Ms. Talley continued with information on the proposed agreement with Troy Dorman of Halff Associations, Inc. to assist in revisions to our current and proposed ordinances regarding Stormwater runoff and low impact development (LID) to address water quality related to runoff. The initial contract was in the amount of \$49,561. Staff has taken the initiative to work with Kendall County to develop a uniformity between the Kendall County and City regulations for stormwater detention. These are water quantity issues related to runoff. Kendall County has agreed to contribute \$10,000 to assist with consulting services. Staff has asked Mr. Dorman to provide a revised scope of services that would include an update to the stormwater detention sections of the ordinance and coordinate with the County regarding the update to their rules as well.

A MOTION WAS MADE BY COUNCIL MEMBER WOLOSIN, SECONDED BY MAYOR PRO TEM WOOLARD, TO APPROVE RESOLUTION NO. 2019-R129; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF BOERNE AND TROY DORMAN OF HALFF ASSOCIATES, INC. FOR REVISIONS TO CITY ORDINANCES RELATING TO STORMWATER RUNOFF AND LOW IMPACT DEVELOPMENT, NOT TO EXCEED \$67,299.00. 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

10. [2019-835](#) **CONSIDER RESOLUTION NO. 2019-R130; A RESOLUTION OF THE CITY OF BOERNE, TEXAS APPOINTING MEMBERS TO THE KENDALL COUNTY TRANSPORTATION PLANNING STUDY COMMITTEE.**

Mayor Handren expressed appreciation to the Council Members for their input on who to consider as members to the Kendall County Transportation Planning Study Committee. Mayor Handren stated that after consultation with Co-Chairs Don Durden and Bob Manning, it was apparent that the City's appointees should reside within the City limits. Mayor Handren recommended the appointment of Rich Sena, John Kight, Jonah Evans, and Tim Bannwolf.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER WOLOSIN, TO APPROVE RESOLUTION NO. 2019-R130; A RESOLUTION OF THE CITY OF BOERNE, TEXAS APPOINTING BOB MANNING AS CO-CHAIR AND JOHN KIGHT, RICH SENA, TIM BANNWOLF, AND JONAH EVANS AS MEMBERS TO THE KENDALL COUNTY TRANSPORTATION PLANNING STUDY COMMITTEE. 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. [2019-829](#) **CONSIDER RESOLUTION NO. 2019-R131; RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE CONSTRUCTION CONTRACT CHANGE ORDER 1 TO THE ADVANCE FUNDING AGREEMENT FOR VOLUNTARY LOCAL GOVERNMENT CONTRIBUTIONS ON STATE HIGHWAY IMPROVEMENT PROJECTS BETWEEN THE CITY OF BOERNE AND TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT). (Expenditure of additional utility relocation work associated with the widening project of State Highway 46 from Herff Road to Ammann Road)**

Mayor Handren called on Mr. Mike Mann, Utilities Director. Mr. Mann updated the Council Members on the agreement approved last year regarding joint-bid work for water and natural gas modifications that would be done by TxDOT's contractor in conjunction with the roadway improvements on SH-46. The total cost under that agreement was \$182,567.22. It was recently discovered after construction commenced that changes are required to the original design. The modifications included lengthening of a water main bore across SH-46 at City Park Road resulting in an increase of \$17,974.77. The City's cost for this

additional work is about 86% of the total, or \$15,447.52.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER WOLOSIN, TO APPROVE RESOLUTION NO. 2019-R131; RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE CONSTRUCTION CONTRACT CHANGE ORDER 1 TO THE ADVANCE FUNDING AGREEMENT FOR VOLUNTARY LOCAL GOVERNMENT CONTRIBUTIONS ON STATE HIGHWAY IMPROVEMENT PROJECTS BETWEEN THE CITY OF BOERNE AND TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT), NOT TO EXCEED \$15,447.52. (EXPENDITURE OF ADDITIONAL UTILITY RELOCATION WORK ASSOCIATED WITH THE WIDENING PROJECT OF STATE HIGHWAY 46 FROM HERFF ROAD TO AMMANN ROAD). 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. [2019-820](#) RECEIVE THE CITY OF BOERNE'S 2019 CERTIFIED APPRAISAL ROLL VALUE.

Mayor Handren called on Ms. Sandy Mattick, Finance Director. Ms. Mattick stated that the Kendall Appraisal District is required to provide the Certified Roll to the City on or before July 25, 2019. The summary of the Certified Roll is presented as part of the budget process. She reviewed the Total Certified Market Value, the Total Certified Appraised Value, and the Total 2019 Certified Taxable Value Before Freeze.

A MOTION WAS MADE BY MAYOR PRO TEM WOOLARD, SECONDED BY COUNCIL MEMBER WOLOSIN, TO RECEIVE THE CITY OF BOERNE'S 2019 CERTIFIED APPRAISAL ROLL VALUE. 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

13. [2019-822](#) RECEIVE AND CONSIDER A REQUEST FROM VIANNEY JASIK REPRESENTING ALPHA MINI STORAGE FOR A VARIANCE TO THE

**SIGN ORDINANCE, SECTION 10.N.3. GOVERNMENTAL FLAGS,
HEIGHT OF FLAGPOLE. (32525 Interstate 10 West)**

Mayor Handren called on Ms. Laura Talley, Planning and Community Development Director. Ms. Talley stated that Staff has received a request for a variance to the sign ordinance from Alpha Mini Storage for height of a flag pole. A photo of the property and proposed location of the flag was displayed. The request is for a 50 foot flag pole. Flag poles in the ETJ may only be 30 feet in height. The Sign Variance Committee reviewed the request and determined that there was no hardship and that the recommendation is to deny the request. Ms. Talley also stated that if the property was in the City limits, it would be zoned as Industrial because of the use. An Industrial Zone also has a restriction that the pole not exceed 30 feet. Ms. Talley noted that in the past, Toyota requested a larger flag pole and the previous City Council denied the request. Discussion ensued regarding federal law that the flag must be illuminated at night. The property owner, Curvin Crane stated that they would be willing to take the flag down at night if that is what the City Council preferred. He stated that due to the tree line on the neighboring properties, his property is difficult to see. He also stated that a 30 foot flag would hide part of his sign. Discussion continued whether the United States Flag is a sign or a sign of patriotism and if it can be any type of flag. Mick McKamie, City Attorney provided a definition of "Government Flag."

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, TO APPROVE THE REQUEST FROM VIANNEY JASIK REPRESENTING ALPHA MINI STORAGE FOR A VARIANCE TO THE SIGN ORDINANCE, SECTION 10.N.3. GOVERNMENTAL FLAGS, HEIGHT OF FLAG POLE. THE MOTION DIED FOR A LACK OF A SECOND.

A MOTION WAS MADE BY COUNCIL MEMBER FOWLER, SECONDED BY MAYOR PRO TEM WOOLARD TO DENY THE REQUEST FROM VIANNEY JASIK REPRESENTING ALPHA MINI STORAGE FOR A VARIANCE TO THE SIGN ORDINANCE, SECTION 10.N.3. GOVERNMENTAL FLAGS, HEIGHT OF FLAG POLE. THE MOTION FAILED BY THE FOLLOWING VOTE:

Yeah: 2 - Mayor Pro Tem Woolard, and Council Member Fowler

Nay: 3 - Council Member Wolosin, Council Member Scott, and Council Member Macaluso

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, TO APPROVE THE REQUEST FROM VIANNEY JASIK REPRESENTING ALPHA MINI STORAGE FOR A VARIANCE TO THE SIGN ORDINANCE, SECTION 10.N.3. GOVERNMENTAL FLAGS, HEIGHT OF FLAG POLE. (32525 INTERSTATE 10 WEST).

COUNCIL MEMBER WOLOSIN AMENDED THE MOTION TO APPROVE THE REQUEST FROM VIANNEY JASIK REPRESENTING ALPHA MINI STORAGE FOR A VARIANCE TO THE SIGN ORDINANCE, SECTION 10.N.3. GOVERNMENTAL FLAGS, HEIGHT OF FLAG POLE WITH THE CAVEAT THAT THE FLAG NOT BE LIT AND TAKEN DOWN EACH NIGHT. COUNCIL MEMBER SCOTT SECONDED THE MOTION. THE MOTION FAILED BY THE FOLLOWING VOTE:

YEAH: 2 - COUNCIL MEMBER WOLOSIN AND COUNCIL MEMBER SCOTT

NAY: 3 - MAYOR PRO TEM WOOLARD, COUNCIL MEMBER FOWLER, AND COUNCIL MEMBER MACALUSO

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, TO APPROVE THE REQUEST FROM VIANNEY JASIK REPRESENTING ALPHA MINI STORAGE FOR A VARIANCE TO THE SIGN ORDINANCE, SECTION 10.N.3. GOVERNMENTAL FLAGS, HEIGHT OF FLAG POLE. THE MOTION DIED FOR A LACK OF A SECOND.

A MOTION WAS MADE BY COUNCIL MEMBER FOWLER, SECONDED BY MAYOR PRO TEM WOOLARD TO DENY THE REQUEST FROM VIANNEY JASIK REPRESENTING ALPHA MINI STORAGE FOR A VARIANCE TO THE SIGN ORDINANCE, SECTION 10.N.3. GOVERNMENTAL FLAGS, HEIGHT OF FLAG POLE. THE MOTION PASSED BY THE FOLLOWING VOTE:

YEAH: 4 - COUNCIL MEMBER WOLOSIN, MAYOR PRO TEM WOOLARD, COUNCIL MEMBER FOWLER, AND COUNCIL MEMBER MACALUSO.

NAY: 1 - COUNCIL MEMBER SCOTT

14. [2019-833](#) CITY MANAGER'S REPORT DISCUSSION:

A. BOERNE CITY LAKE WATER QUALITY DATA

B. TxDOT PROJECT STATUS

a) IH 10 WEST BOUND DETOUR FOR BUSINESS US 87 EXIT

RAMP**b) HWY 46 EAST CONSTRUCTION****c) BLANCO ROAD RESURFACING****C. OLD SAN ANTONIO TURN LANE PROJECT****D. WEST SAN ANTONIO SIDEWALK PROJECT****E. MAIN STREET BEAUTIFICATION PROJECT****F. UNIFIED DEVELOPMENT CODE UPDATE/NEXT STEERING
COMMITTEE MEETING****G. START OF SCHOOL PREPARATION AND TRAFFIC CONTROL****H. BKCEDC LEADERSHIP CHANGE AND CONTRACT
DEVELOPMENT****I. ALAMO COLLEGES DISTRICT ANNOUNCES NEW NORTH
CENTRAL REGIONAL CAMPUS LOCATION****J. MIKE SCHULTZ TEXAS PUBLIC POWER ASSOCIATION AWARD****K. INCODE COMMUNITY DEVELOPMENT SOFTWARE BY TYLER
SOFTWARE**

Mayor Handren called on Mr. Bowman, City Manager. Mr. Bowman provided information on various issues and projects in the Boerne area. He reminded everyone that the first day of school begins tomorrow. If possible, avoid Hwy 46 East due to traffic and construction. It is anticipated that Hwy 46 in the area of the schools will be completed in October. The sidewalk project on San Antonio Road should be completed in October as well. The contractor is continuing to work on the Main Street sidewalk in the area of the Visitors Center. They are now in liquidated damages of \$600 per day. The next Unified Development Code (UDC) meeting will be held on August 26. The High School Welding Department would like to do a project for the City. Staff has provided a list of several potential projects. It is up to the students to decide which project they wish to execute. The substantial completion date for the new City Hall is December 9, 2019. The Patrick Heath Public Library is preparing for the start of school. Amy Story was named the Interim CEO of the Boerne Kendall County Economic Development Corporation (BKCEDC). Representatives from the Alamo Colleges District has reached out to the business community asking for input. They are planning for 6,000 +/- students. The Chamber of Commerce is taking the lead to get communication out the community. Past Mayor Mike Schultz received a much deserved award from the Texas Public Power Association. Staff was provided a demonstration from Incode Software

which will track various projects online, showing the next stages of the project. There has been 260 new housing permits pulled so far this year.

15. [2019-824](#) CONTINUATION OF WORKSHOP DISCUSSION, IF NECESSARY.

Mayor Handren continued with the Budget Workshop discussion. Discussion ensued regarding increasing the tax rate and concerns that the estimated population growth will consume any projected sales tax revenues. Finance Director Sandy Mattick presented scenarios of balances if the City dropped the tax rate to the effective tax rate, if the City did not change the tax, and if the tax rate was raised one cent. She also discussed the new legislation on the tax rate cap and how it would affect the City in the future. She reminded the City Council that the City has not raised taxes since 2013. There was discussion on the concerns that the City is playing catch-up this year. The community sees the elevated unrestricted fund balance without realizing the projects that have been earmarked for the funds. It is important to have reserves, planning for the unknowns. City Manager Bowman stated that each year, Staff works to avoid a tax increase. Things such as personnel and equipment are cut from the proposed budget each year. Ms. Mattick stated that the City has a five year Capital Improvement Plan that helps staff determine what is needed and what will be needed in the future. Mr. Thompson reviewed projects that have been completed in the last 10 years, such as property purchased for parks and a paid fire department. It was the consensus of the City Council that the City continue the proposed budget with the one cent increase in the tax rate to \$0.4820. Ms. Mattick stated that the proposed budget will be updated with the new rate and should be available by the end of the week. Mayor Handren asked the Council Members to let the City Manager know by next Tuesday, August 20, 2019 if they feel a Budget Workshop will be needed at the August 27, 2019 City Council meeting.

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

Deputy City Manager Jeff Thompson provided a Pumping Report to the City Council. It indicated that for two days in a row, water production has exceeded past production records. The report also indicated that a record of

reclaimed water has been sold. The Electric Reliability Council of Texas (ERCOT) sent notification of high usage.

Assistant City Manager Linda Zartler announced she has provided the City Manager on August 1, 2019 notice that she will be retiring effective January 31, 2020.

Mayor Handren stated that the Planning and Zoning Commission Workshop on Processes and Procedures was successful. He also mentioned that notice has been sent to the Boerne Kendall County Economic Development Corporation of the intent to re-negotiate their contract. City Council will be involved in the discussion in the future. Mayor Handren also mentioned working with the community on projects. He expressed appreciation to the City Council and Staff for a productive meeting.

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

Mayor Handren convened the City Council into Executive Session at 8:15 p.m.

17.A.[2019-825](#) SECTION 551.071 - CONSULTATION WITH ATTORNEY AND SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS.

No action was taken.

17.B.[2019-834](#) SECTION 551.074 - PERSONNEL MATTERS: CITY ATTORNEY.

No action was taken.

17.C.[2019-826](#) SECTION 551.074 - PERSONNEL MATTERS: CITY MANAGER'S CONTRACT.

No action was taken.

18. 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 9:24 p.m.

18.A.[2019-827](#) CONSIDER THE CITY MANAGER’S CONTRACT.

No action was taken.

19. 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)

The City Council did not convene into Executive Session.

20. ADJOURNMENT

Mayor Handren adjourned the City Council meeting at 9:25 p.m.

Approved:

Mayor

Attest:

City Secretary