

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS**  
**124 Old San Antonio Road**  
**Boerne, TX 78006**  
**September 25, 2018 – 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. [2018-652](#) CONSIDER APPROVAL OF THE MINUTES OF THE CITY COUNCIL MEETING HELD SEPTEMBER 11, 2018.

**Attachments:** [Minutes 18.0911](#)

- 4.B. [2018-644](#) CONSIDER ON SECOND READING ORDINANCE NO. 2018-34; 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 13.327 ACRES LOCATED AT 5 COUGHRAN ROAD (KAD NOS. 14889 AND 14890) FROM TEMPORARY ZONING R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL 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. (Alejandro Gutierrez)

**Attachments:**    [AIS Summary - Action 0925](#)  
[Ordinance No. 2018-34](#)  
[Att 1 - Location Map](#)  
[Att 2 - Aerial Map](#)  
[Att 3 - Zoning Map](#)  
[att 4 - Rezoning Map](#)  
[Att 5 - B-1 Uses](#)

- 4.C.    [2018-645](#)    CONSIDER ON SECOND READING ORDINANCE NO. 2018-35; AN ORDINANCE AMENDING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 5, SECTION 33. APPLYING THE NH - NORTH HERFF ROAD OVERLAY DISTRICT TO 4.349 ACRES LOCATED AT 12 HERFF ROAD (KAD NO. 15815); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (ProCore Developments)

**Attachments:**    [Summary - Action 0925](#)  
[Ordinance No. 2018-35](#)  
[Att 1 - 12 Herff Location Map](#)  
[Att 2 - 12 Herff Aerial Map](#)  
[Att 3 - 12 Herff Re-zoning Map](#)  
[Att 4 - North Herff Overlay](#)

- 4.D.    [2018-654](#)    CONSIDER RESOLUTION NO. 2018-R76; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONTRACT WITH ADVANCED WATER WELL TECHNOLOGIES TO PROVIDE AND INSTALL PUMPING SYSTEM REPLACEMENTS AT THE WATER TREATMENT PLANT. (Replacement and installation of pump, gate valve and check valve on the raw water intake)

**Attachments:**    [AIS WTP Intake Replacments.doc](#)  
[Resolution No. 2018-R76](#)  
[WTP gate valve](#)  
[WTP gate valve](#)

- 4.E.    [2018-643](#)    CONSIDER RESOLUTION NO. 2018-R77; A RESOLUTION

AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND BOERNE PERFORMING ARTS.

**Attachments:** [AIS Boerne Performing Arts Delegate Agency Agr Resolution No. 2018-R77](#)  
[Delegate Agency Agreement 2018-2019](#)

- 4.F. [2018-649](#) CONSIDER RESOLUTION NO. 2018-R78; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND RAINBOW SENIOR CENTER. (Kronkosky Place)

**Attachments:** [AIS Rainbow Senior Center - 2018-2019](#)  
[Resolution No. 2018-R78](#)  
[Rainbow Sr Ctr Delegate Agreement 2018-2019](#)

- 4.G. [2018-651](#) CONSIDER RESOLUTION NO. 2018-R79; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND BOERNE HOUSING AUTHORITY.

**Attachments:** [AIS Boerne Housing Authority - 2018-2019](#)  
[Resolution No. 2018-R79](#)  
[Boerne Housing Authority Delegate Agreement 2018-2019](#)

- 4.H. [2018-650](#) CONSIDER RESOLUTION NO. 2018-R80; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND BOERNE HILL COUNTRY FAMILY SERVICES.

**Attachments:** [AIS Hill Country Family Services - 2018-2019](#)  
[Resolution No. 2018-R80](#)  
[Hill Country Fam Svcs Delegate Agreement 2018-2019](#)

- 4.I. [2018-655](#) CONSIDER RESOLUTION NO. 2018-R81; 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.

**Attachments:**    [AIS Health Sanitarian FY19](#)  
[Resolution No. 2018-R81](#)  
[Sanitarian Interlocal Agreement 2018-2019](#)

5.    [2018-653](#)    RECEIVE A BRIEFING ON THE PROPOSED LEGISLATIVE PLAN.

**Attachments:**    [AIS 2019 Legislative Plan](#)  
[PowerPoint Legislative Plan](#)

6.    [2018-647](#)    CONSIDER ON FIRST READING ORDINANCE NO. 2018-37; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2015-05, ESTABLISHING A 35 MILE PER HOUR SPEED LIMIT ALONG ESSER ROAD (HWY 474) FROM RIVER ROAD TO ADLER STREET; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION OF THIS ORDINANCE. (Decrease speed limit from 40 miles per hour to 35 miles per hour on FM 474 between Chaparral Creek Dr. to Adler St.)

**Attachments:**    [AIS FM474 Speed Limit Change 2018.doc](#)  
[Ordinance No. 2018-37](#)  
[TxDOT FM474 Traffic Control.pdf](#)  
[TxDOT FM-474 Ordinance Request.pdf](#)

7.    [2018-648](#)    CONSIDER ON FIRST READING ORDINANCE NO. 2018-38; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, BY AMENDING CHAPTER 12. MOTOR VEHICLES AND TRAFFIC, ARTICLE VII. SCHOOL ZONES, DIVISION 1. GENERALLY, SECTION 12-206. ESTABLISHED; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION. (Establish a school zone on FM 474 for Boerne High School)

**Attachments:**    [AIS FM474 School Zone 2018.doc](#)  
[Ordinance No. 2018-38](#)  
[TxDOT FM474 Traffic Control.pdf](#)  
[TxDOT FM-474 Ordinance Request.pdf](#)

8.    [2018-656](#)    RECEIVE AND CONSIDER A REQUEST FROM BABCOCK ROAD 165, LTD. FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 12.D. PROHIBITED SIGN LOCATIONS. (Woods of Frederick Creek, Johns Road)

**Attachments:**    [AIS. Sign Variance](#)  
                              [Att 1 - Sign Variance Request](#)  
                              [Att 2 - Woods of Frederick Creek Aerial Map](#)  
                              [Att 3 - Sign alone](#)  
                              [Att 4 - street view](#)  
                              [Att 5 - Community Signage Details SL for Review 08.22.18](#)

9. RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION  
AND SET A PUBLIC HEARING FOR OCTOBER 23, 2018:

9.A.    [2018-646](#)            PROPOSED REZONING OF HERFF FARM, 10 ACRES OF 60.673  
ACRES AT 33 HERFF ROAD (KAD NO. 63558, 12531, 12530, AND  
15831) FROM R-A, SINGLE-FAMILY RESIDENTIAL-AGRICULTURAL  
DISTRICT, TO B-1, HIGH-DENSITY RESIDENTIAL AND  
NEIGHBORHOOD COMMERCIAL DISTRICT. (Carolyn Chipman  
Evans - Friends of the Cibolo Wilderness)

**Attachments:**    [AIS - Set Public Hearing 09252018](#)  
                              [Att 1 - Location Map](#)  
                              [Att 2 - Aerial Map](#)  
                              [Att 3 - Zoning Map](#)  
                              [Att 4 - Rezoning Map](#)  
                              [Att 5 - B-1 Uses](#)  
                              [Att 6 - Rezoning Layout](#)  
                              [Att 7 - Master Plan concept for Herff Farm](#)

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

11. 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 21st day of  
September, 2018 at 3:00 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.