

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
February 26, 2019 – 6:00 PM

1. CALL TO ORDER – 6:00 PM SCHULTZ

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 SCHULTZ
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) SCHULTZ
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.
 - A. CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF FEBRUARY 12, 2019. CARROLL
 - B. CONSIDER ON SECOND READING ORDINANCE NO. 2019-04; AN ORDINANCE AMENDING ORDINANCE NO. 2012-47, ESTABLISHING A SPEED LIMIT ON CASCADE CAVERNS ROAD AND A PORTION OF RANCH DRIVE; AND PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION OF THIS ORDINANCE. (*Add speed limit of 35 MPH on Cascade Caverns Road and Ranch Dr. within the City Limits*) MANN
 - C. CONSIDER RESOLUTION NO. 2019-R16; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF BOERNE AND SHADEPRO FOR THE PURCHASE OF A SHADE STRUCTURE FOR THE ANIMAL SHELTER EXERCISE AREA. ZARTLER
5. RECOGNIZE GREY FOREST UTILITIES AND PRESENT PROCLAMATION FOR ASSISTING WITH GAS SERVICE DURING THE PLANNED, MANDATORY PIPELINE OUTAGE FOR MAINTENANCE. THOMPSON
6. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:
 - A. SECTION 551.071 - CONSULTATION WITH ATTORNEY AND SECTION 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS. (*WCID No. 3 and BoerneBak Development*) THOMPSON
7. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE:
 - A. CONSIDER THE UNTABLING OF RESOLUTION NO. 2019-R13 AS DESCRIBED SCHULTZ

BELOW. (Tabled on 2/12/2019)

- B. CONSIDER RESOLUTION NO. 2019-R13; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS DENYING OR CONSENTING TO THE CREATION OF KENDALL COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 3, 3A, 3B AND PETITIONS FILED FOR THE CREATION OF WCID NO. 3, 3A, 3B AND ANNEXATION OF APPROXIMATELY 42 ACRES INTO THE WCID'S AND PROVISION OF CITY WATER AND SEWER SERVICES TO THE WCID NO. 3, 3A, AND 3B AS REQUIRED BY SPECIAL DISTRICT LOCAL LAWS CODE CHAPTER 9072.004 (SENATE BILL 914, 85TH LEGISLATIVE SESSION EFFECTIVE JUNE 9, 2017). THOMPSON
8. CONSIDER ON FIRST READING ORDINANCE NO. 2019-05; AN ORDINANCE AMENDING ORDINANCE NO. 2007-63, AMENDING THE REQUIREMENTS FOR THE COMPLETION OF A TRAFFIC IMPACT ANALYSIS PRIOR TO THE APPROVAL OF DEVELOPMENT RELATED PROCESSES; SETTING DEFINITIONS; PROVIDING CRITERIA FOR TYPES OF ANALYSIS; SETTING FORTH MITIGATION PARAMETERS AND LIMITATIONS ON MITIGATION; SETTING MINIMUM VALUES FOR LEVEL OF SERVICE; PROVIDING FOR EXEMPTIONS; PROVIDING FOR A VARIANCE; AND ESTABLISHING A PROCESS FOR DETERMINING ROUGH PROPORTIONALITY. TALLEY
9. RECEIVE BRIEFING ON THE BOERNE POLICE DEPARTMENT 2018 ANNUAL REPORT TO INCLUDE THE ANNUAL REPORT ON RACIAL PROFILING. KOHLER
10. CONSIDER ON FIRST READING ORDINANCE NO. 2019-06; AN ORDINANCE ESTABLISHING A 35 MILE PER HOUR SPEED LIMIT ON HERFF ROAD BETWEEN RIVER ROAD (SH-46) TO MAIN STREET (US-87); AND PROVIDING FOR A PENALTY NOT TO EXCEED \$200 FOR EACH VIOLATION OF THIS ORDINANCE. MANN
11. CONSIDER RESOLUTION NO. 2019-R17; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. *(Purchase and installation of access control and IT communications equipment for the Boerne Visitors Center)* BARWICK
12. CONSIDER A ONE TIME READING OF ORDINANCE NO. 2019-07; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A. *(See agenda Item 14)* MATTICK
13. CONSIDER ORDINANCE NO. 2019-07; AN ORDINANCE AMENDING ORDINANCE NO. 2018-29, CAPTIONED "AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2018-2019, BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019." MATTICK
14. CONSIDER RESOLUTION NO. 2019-R18; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING THE PETITION AND SETTING THE DATE, TIME AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS. *(8.352 acres located at 15A Upper Balcones Rd. and a portion of Upper Balcones Rd. at the request of Morningside Ministries)* TALLEY

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

16. 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)* SCHULTZ

17. ADJOURNMENT. SCHULTZ

City Manager

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 22nd day of February 2019 at 5:00 p.m.

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 30.07 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.

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.