



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022 OPEN SESSION	
SUBJECT	Commissioners Court Meeting Minutes
DEPARTMENT & PERSON MAKING REQUEST	County Clerk's Office Paula Pfeiffer, Deputy Clerk
PHONE # OR EXTENSION #	830-249-9343
TIME NEEDED FOR PRESENTATION	1 minute
WORDING OF AGENDA ITEM	Consideration and action on approval of the Minutes for July 25 and 27, 2022.
REASON FOR AGENDA ITEM	To approve the Minutes from the previous Commissioners Court meetings.
WHO WILL THIS AFFECT?	The public
ADDITIONAL INFORMATION	None



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022
OPEN SESSION

SUBJECT	Kendall County Nonprofit Day
DEPARTMENT & PERSON MAKING REQUEST	Darrel L. Lux, County Judge Staci Almager, CEO Hill Country Family Services
PHONE # OR EXTENSION #	830-249-9343
TIME NEEDED FOR PRESENTATION	3 minutes
WORDING OF AGENDA ITEM	Consideration and action on proclaiming August 17, 2022 as Kendall County Nonprofit Day.
REASON FOR AGENDA ITEM	To encourage appreciation of the many contributions made by nonprofit organizations.
WHO WILL THIS AFFECT?	The public
ADDITIONAL INFORMATION	None

Kendall County Nonprofit Day

August 17, 2022

Whereas, charitable nonprofit organizations throughout Kendall County save taxpayers thousands of dollars through their services and contribute significantly to the high quality of life of all our citizens; and

Whereas, these organizations are committed to serving the educational, cultural, civic, health, religious, human service, recreational, philanthropic, environmental, and other diverse needs of Kendall County's people; and

Whereas, the staff and volunteers of the nonprofit organization in Kendall County are dedicated to upholding the highest standards of community service, donating their time and effort to making a difference in the lives of others; and

Whereas, the 2022 observance of "Kendall County Nonprofit Day" provides a unique opportunity for the citizens of Kendall County to join together in appreciation of the many contributions made by nonprofit organizations to our continued wellbeing.

Now, therefore, I, Judge Darrel L. Lux, do hereby proclaim August 17, 2022 as Kendall County Nonprofit Day throughout Kendall County and encourage all citizens to recognize the positive impact nonprofit organizations have on the quality of life of the citizens of Kendall County, Texas.

Signed this 8th day of August 2022

Darrel L. Lux
Kendall County Judge



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022 OPEN SESSION	
SUBJECT	FY2022 Budget Amendments
DEPARTMENT & PERSON MAKING REQUEST	County Auditor's Office Corinna Speer, County Auditor
PHONE # OR EXTENSION #	830-249-9343 Ext. 240
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action on the approval of amending the FY2022 budget through regular budget adjustments.
REASON FOR AGENDA ITEM	To correctly allocate funds needed in the budget.
IS THERE DOCUMENTATION	Yes Financial Transparency Link / County Auditor Web Page
WHO WILL THIS AFFECT?	Department budgets that needed an amendment
ADDITIONAL INFORMATION	None

TO: KENDALL COUNTY COMMISSIONERS COURT

FROM: COUNTY AUDITOR'S OFFICE

DATE: AUGUST 8, 2022

THE FOLLOWING BUDGET AMENDMENTS TRANSFER BUDGETED FUNDS FROM ONE LINE ITEM TO ANOTHER.

COUNTY ENGINEER:

10-402-54300	BIDDING & NOTICES	+	1,000
10-402-54861	CONTRACT SERVICES	-	1,000

RURAL FIRE:

10-545-53360	UNIFORMS	+	200
10-545-54540	VEHICLE - REPAIR & MAINTENANCE	+	600
10-545-54820	PROPERTY & LIAB INSURANCE	-	800

WARING VFD:

10-549-54200	TELEPHONE	+	102
10-549-54400	UTILITIES	-	102

COUNTY SHERIFF:

10-560-54800	BONDS	+	50
10-560-53330	OPERATING	-	50

VARIOUS DEPARTMENTS:

10-400-52040	WORKERS COMPENSATION	+	60
10-401-52040	WORKERS COMPENSATION	+	65
10-403-52040	WORKERS COMPENSATION	+	135
10-406-52040	WORKERS COMPENSATION	+	100
10-408-52040	WORKERS COMPENSATION	+	500
10-415-52040	WORKERS COMPENSATION	+	100
10-450-52040	WORKERS COMPENSATION	+	250
10-455-52040	WORKERS COMPENSATION	+	120
10-495-52040	WORKERS COMPENSATION	+	140
10-496-52040	WORKERS COMPENSATION	+	200
10-499-52040	WORKERS COMPENSATION	+	320
10-510-52040	WORKERS COMPENSATION	+	1,200
10-512-52040	WORKERS COMPENSATION	+	1,000
10-540-52040	WORKERS COMPENSATION	+	2,200
10-545-52040	WORKERS COMPENSATION	+	750
10-560-52040	WORKERS COMPENSATION	+	2,500
10-570-52040	WORKERS COMPENSATION	+	600
10-595-52040	WORKERS COMPENSATION	+	200
10-596-52040	WORKERS COMPENSATION	+	120
10-597-52040	WORKERS COMPENSATION	+	120
10-620-52040	WORKERS COMPENSATION	+	930
43-545-52040	WORKERS COMPENSATION	+	1,200
10-401-56020	CONTINGENCIES - MISCELLANEOUS	-	12,810



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022 OPEN SESSION	
SUBJECT	Accounts Payable Claims
DEPARTMENT & PERSON MAKING REQUEST	Auditor's Office Corinna Speer, County Auditor
PHONE # OR EXTENSION #	830-249-9343 Ext. 240
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action on the approval of accounts payable claims for purchases, services and vendors.
REASON FOR AGENDA ITEM	To pay current accounts payable claims.
IS THERE DOCUMENTATION	Yes Financial Transparency Link / County Auditor Web Page
WHO WILL THIS AFFECT?	Departments that have AP claims
ADDITIONAL INFORMATION	None



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022 OPEN SESSION	
SUBJECT	Accept Donations
DEPARTMENT & PERSON MAKING REQUEST	County Auditor's Office Corinna Speer, County Auditor
PHONE # OR EXTENSION #	830-249-9343 Ext. 240
TIME NEEDED FOR PRESENTATION	2 Minutes
WORDING OF AGENDA ITEM	Consideration and action on accepting the list of donations on behalf of Kendall County as per Local Government Code 81.032.
REASON FOR AGENDA ITEM	Accept donations received in July 2022.
WHO WILL THIS AFFECT?	County Wide
ADDITIONAL INFORMATION	None

Kendall County, Texas
Donation List for Commissioners Court August 8, 2022.

Pursuant to LGC 81.032, the commissioners court may accept a gift, grant, donation, bequest, or devise of money or other property on behalf of the county, including a donation under Chapter 26, Government Code, for the purpose of performing a function conferred by law on the county or a county officer.

The following donations were received from July 1, 2022 to July 31, 2022.

Monetary Donations:

Date	Amount	Received From	Description of Donation	Specific Department or Purpose
06/24/22	\$ 240.00	Curtis Tarwater	Cash	Animal Control
06/25/22	\$ 40.00	Douglas Smith	Cash	Animal Control
06/28/22	\$ 200.00	Jess Lewis	Cash	Animal Control
06/30/22	\$ 180.00	Karen Arane	Cash	Animal Control
07/01/22	\$ 500.00	Alamo Market & Processing	First Responders BBQ	Animal Control
07/01/22	\$ 10.00	Susan Jost	Cash	Animal Control
07/01/22	\$ 50.00	Tom & Ginny Hogan	Memorial for Fred Stahl	EMS
07/02/22	\$ 100.00	Anonymous	Cash	Animal Control
07/02/22	\$ 10.00	Tim Mason	Cash	Animal Control
07/05/22	\$ 20.00	Paige Galindo	Cash	Animal Control
07/12/22	\$ 20.00	Anonymous	Cash	Animal Control
07/18/22	\$ 20.00	Larry Kasper	Cash	Animal Control
07/21/22	\$ 50.00	Dennis Thomas	Credit Card	Animal Control
07/21/22	\$ 2,000.00	Comfort Little Theater	Cash	Animal Control
07/25/22	\$ 100.00	Janice Pundt	Cash	Animal Control
07/26/22	\$ 200.00	Wallace T. Ferguson	Cash	Animal Control
07/27/22	\$ 100.00	Anonymous	Cash	Animal Control
07/28/22	\$ 5.00	Holly	Cash	Animal Control
07/29/22	\$ 100.00	Anonymous	Credit Card	Animal Control
07/29/22	\$ 15.00	Anonymous	Credit Card	Animal Control
07/30/22	\$ 5.00	Joseph Vance	Cash	Animal Control

Other Donations:

Date		Received From	Description of Donation	Specific Department or Purpose
07/02/22	N/A	William Vernon	Cat & Dog Food, Bag of Towels	Animal Control



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022 OPEN SESSION	
SUBJECT	Surplus and Salvage Property, County Auction
DEPARTMENT & PERSON MAKING REQUEST	County Auditor's Office Corinna Speer, Auditor
PHONE # OR EXTENSION #	830-249-9343 Ext. 240
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action to declare items as surplus and salvage property and to proceed with disposition through an online county auction.
REASON FOR AGENDA ITEM	Items need to be sold in the auction as they are no longer useful for the County.
WHO WILL THIS AFFECT?	County Wide Departments
ADDITIONAL INFORMATION	None

August 8, 2022 Commissioners Court
Surplus Items

Asset ID	Description
2429	2007 Ford Crown Victoria Unit 2608
2477	1996 Tomi EquipmentTrailer - Unit 142
2615	HP Proliant ML350 Server
3568	ICOM VHF Radio
3725	VHF Radio
3754	Fax Machine
3928	2013 Ford Taurus Interceptor Unit 1301
3760	Mobile Vision
3943	Stalker DSR 2X Radar
4308	Stalker DSR 2X Radar
4383	Stalker DSR 2X Radar
4514	MTD Stand
4524	MTD Stand
4525	MTD Stand
4527	MTD Stand
4534	MTD Stand
4538	MTD Stand
4551	MTD Stand
4773	Watch Guard
4780	Watch Guard
4863	Microsoft Surface Tablet
4915	Dell 7440 AIO
4927	Dell OptiPlex 7440 All in One
No Tags	Truck Back Rack
No Tags	Various Police Vehicle Partions
No Tags	Various Police Light Bars
No Tags	Medical Red Cart
No Tags	2 Side Steps for vehicle
No Tags	Various Glass & Mirrors - left at 5 Toepperwine
No Tags	Ridge Saw Machine
No Tags	2 Tool Box Racks
No Tags	2 Long Tool boxes
No Tags	Various Tool Boxes
No Tags	Various Door Panels, Seats, Bumpers, and Consoles.
No Tags	Various Radios and Mobile Radios
No Tags	Various Office Chairs



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022 OPEN SESSION	
SUBJECT	Renewal Vision Insurance
DEPARTMENT & PERSON MAKING REQUEST	Michelle Lux, Benefits Coordinator, Human Resources
PHONE # OR EXTENSION #	830-249-9343 ext 601
TIME NEEDED FOR PRESENTATION	2 minutes
WORDING OF AGENDA ITEM	Consideration and action on the renewal of Kendall County's group vision insurance for the plan year of October 1, 2022 to September 30, 2023.
REASON FOR AGENDA ITEM	Renewal date is 10/01/2022.
WHO WILL THIS AFFECT?	County Employees
ADDITIONAL INFORMATION	none



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022 OPEN SESSION	
SUBJECT	AACOG Senior Advisory Committee
DEPARTMENT & PERSON MAKING REQUEST	Darrel L. Lux, County Judge
PHONE # OR EXTENSION #	830-249-9343, ext 212
TIME NEEDED FOR PRESENTATION	5 minutes
WORDING OF AGENDA ITEM	Consideration and action on appointing Kera Dutton, Kendall County Extension Office Family Specialist, to the Alamo Area Council of Governments (AACOG) Alamo Senior Advisory Committee.
REASON FOR AGENDA ITEM	To approve appointee to the committee
WHO WILL THIS AFFECT?	Kendall County
ADDITIONAL INFORMATION	None



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022
OPEN SESSION

SUBJECT	Burn Ban
DEPARTMENT & PERSON MAKING REQUEST	Darrel L. Lux, County Judge Jeffery Fincke, Fire Marshal
PHONE # OR EXTENSION #	830-249-9343
TIME NEEDED FOR PRESENTATION	3 minutes
WORDING OF AGENDA ITEM	Consideration and action on the burn ban (Authority Section 352.081, Local Government Code)
REASON FOR AGENDA ITEM	To determine whether or not there is a need for a ban on burning
WHO WILL THIS AFFECT?	Countywide
ADDITIONAL INFORMATION	BURN BAN was continued June 27, 2022 by a Commissioners Court order which will expire on September 25, 2022.



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022
OPEN SESSION

SUBJECT	Long Range Facilities Master Plan Update
DEPARTMENT & PERSON MAKING REQUEST	Christina Bergmann, Commissioner Precinct 1 Rufo Reyes, Vanir Project Director
PHONE # OR EXTENSION #	830-249-9343
TIME NEEDED FOR PRESENTATION	10 minutes
WORDING OF AGENDA ITEM	Vanir will provide an update on their activities concerning the Long Range Facilities Master Plan.
REASON FOR AGENDA ITEM	Update
WHO WILL THIS AFFECT?	All departments
ADDITIONAL INFORMATION	None



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022 OPEN SESSION	
SUBJECT	Public Hearing - Plat Revision of Pleasant Valley Business Park, Phase 2 Development Plat
DEPARTMENT & PERSON MAKING REQUEST	Assistant County Engineer - Mary Ellen Schulle
PHONE # OR EXTENSION #	830-249-9343 ext 252
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Public Hearing on the application filed by Gramling Real Estate Holdings LLC, for the proposed revision of the subdivision plat for Pleasant Valley Business Park, Phase 2 Development Plat, Kendall County, Texas recorded in Volume 9, Pages 336-338, Kendall County Plat Records. The proposed plat revision would create two lots consisting of 1 acre and 1.67 acres out of a 2.67-acre lot. Karl Gramling, Gramling Real Estate Holdings, LLC - Owner
REASON FOR AGENDA ITEM	Public Hearing - Plat Revision of Pleasant Valley Business Park Phase 2 Development Plat
WHO WILL THIS AFFECT?	Pct 2
ADDITIONAL INFORMATION	Public notice for the public hearing was published in the Hill Country Weekly on July 21, 2022.



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022
OPEN SESSION

SUBJECT	Request for Relief - Duennenberg Tract (70 acres)
DEPARTMENT & PERSON MAKING REQUEST	Assistant County Engineer - Mary Ellen Schulle
PHONE # OR EXTENSION #	830-249-9343 ext 252
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action on a request for relief for various items of the Kendall County Development Rules and Regulations for approximately 70 acres of the Duennenberg Tract which is to be served by central water and sewer (Clint Duennenberg – Owner)
REASON FOR AGENDA ITEM	Request for Relief - Duennenberg Tract (70 acres)
WHO WILL THIS AFFECT?	Pct # 2
ADDITIONAL INFORMATION	<p>The request for relief is for approximately 70 acres of the Duennenberg Tract, located at 29875 Interstate 10 W.</p> <p>Relief requested:</p> <ol style="list-style-type: none">1. Minimum road frontage of 50' (with exception of knuckles or cul-de-sacs to have chord length of 30' min.)2. Minimum road frontage on cul-de-sac of 30'3. Allow lots to front on dead end streets to be expanded in future phases of the project4. Minimum cul-de-sac length of 120'

8/2/2022

Kendall County
Development Services
201 E. San Antonio Ave.
Boerne, TX 78006

Re: Request for Relief Cover Letter

Project: 70 Acre Duennenberg Tract
29875 Interstate Highway 10 West, Kendall County, Texas

To whom this may concern,

The Request for Relief submitted identified variances to the Kendall County Development Rules and Regulations pertaining to minimum lot frontage, lot setbacks, and dead end or cul-de-sac street requirements. We have heard citizen concerns pertaining to utility service, traffic, environmental and drainage items. The purpose of this letter is to address these concerns while providing as much additional information as possible to the plans of the development known at this time.

Much of the traffic created by other developments in the area has only contributed to a reduction in service levels of Old Fredericksburg Road. This tract is unique in that it can provide direct access to Interstate Highway 10. It is the intent of the development to build a minimum 72' right of way connection from Old Fredericksburg Road to Interstate Highway 10 as a public roadway (to Kendall County specifications) with no residential lot frontage. We believe the creation of this roadway is in the best public interest and will allow for traffic to utilize this roadway instead of Old Fredericksburg Road. Additionally, the development of the Duennenberg Tract will provide a street connection to the adjacent Lily Ranch Subdivision, further reducing the impacts of other developments to Old Fredericksburg Road. All other streets within the proposed development will privately built and maintained. The layout of the road network shown on this exhibit accompanying the relief request is preliminary and subject to final design documents, platting and permitting by Kendall County and the Texas Department of Transportation. A traffic impact analysis (TIA) will be provided as required by the Kendall County Development Rules and Regulations at the time of platting. The TIA will be prepared with the new proposed rules that have not been adopted by the County at this time. These rules are much more stringent than the current TIA regulations and will provide for further mitigations than otherwise identified.

The Duennenberg Tract is adjacent to Balcones Creek. The tract has a natural low flowing through it with a couple hundred acres of upstream stormwater from surrounding developments and homesteads. This natural low point discharges stormwater into the FEMA 100-year floodplain and reduces any potential drainage issues to surrounding properties with the development of the parcel. We understand the environmental sensitivity associated with any flows into Balcones Creek due to the presence of known recharge features on downstream properties. It is the intent of the development to provide ponds with detention and water quality measures to achieve protection of these waters. We will provide a flood study of Balcones Creek using the latest NOAA Atlas 14 rainfall intensities to define a corrective effective 100-year floodplain during the platting process. A 100' buffer will be provided based on the actual studied floodplain model results. A stormwater report will be provided

during the platting process of the development, identifying all drainage requirements of the Kendall County Development Rules and Regulations are met. Furthermore, without specific requirement to do so, the Developer will complete a study of the land to insure there are no caves or archaeologically significant features within the limits of the property at the appropriate time of development as well as mapping the limits of jurisdictional waters.

To date there have been citizen and commissioner comments that the property cannot get public water to the site (and thus develop with density) because of SAWS (San Antonio Water System) inability, as the CCN holder, to provide non-Edwards Aquifer water to the site as required by the Edwards Aquifer Authority (EAA). The current water and sewer CCN for the tract is the San Antonio Water System (SAWS) and they have a legal obligation to provide utility service to the tract. SAWS has water facilities in close proximity to the site in Bexar County, but the source of that water supply is from the Edwards Aquifer and Canyon Lake, which is in conflict with their ability to comply with the EAA. On March 1, 2022, the SAWS board indicated that they would not enter into a Utility Service Agreement (USA) for any tracts in Kendall County. The Board directed SAWS staff to find another utility service provider who could provide water and sewer service to the tract in Kendall County with non-Edwards Aquifer water.

SAWS staff then entered into conversations with San Jose Water Supply Company (SJWTX) to provide retail water service to the tract and enter into a wholesale sewer agreement with SAWS to utilize the public sewer facilities located in Bexar County. At the July 12, 2022 SAWS Board meeting, staff presented conditions of a proposed transfer of CCN from SAWS to SJWTX since they have the ability to provide non-Edwards Aquifer water to the site. The SAWS board unanimously approved the item recommending providing consent to a CCN transfer agreement. The process isn't officially complete with the Public Utility Commission (PUC), but the final direction is clear. However, neither is needed for approval of the Request for Relief. A will serve letter will be provided with preliminary plat as required by the Kendall County Development Rules and Regulations. We acknowledge the PUC transfer must be complete and an executed SJWTX USA must be provided for final plat approval.

In summary, granting relief from the Kendall County Development Rules and Regulations will not have a negative impact on public safety, health or welfare. We will follow all Kendall County Rules and Regulations except the relief requested, Texas Local Government Code, the Texas Commission on Environmental Quality, City of San Antonio's Water Quality Control and Pollution and Prevention Ordinance, Chapter 34, Article VI, Texas Manual on Uniform Traffic Control Devices and any other code requirement authorized by law not in conflict with the Texas Local Government Code. The lot density, lot size, road frontage and building setbacks proposed will not jeopardize traffic or pedestrian safety or cause stormwater or water quality run-off impacts that are not mitigated by detention or water quality ponds or similar element. We will submit all required reports required by the applicable codes and ordinances mitigating the impact of the development.

Respectfully,



Blake Yantis
Mosaic Development

REQUEST FOR RELIEF (Variance)

From the Kendall County (KC) Development Rules and Regulations (Section 106)

1. Date July 6, 2022
2. Location of Property: Property ID: 11516, Kendall County, Texas 78015
3. Name of Development (If Applicable): 70 Acre Duennenberg Tract
4. Property Owner/Developer Name: _____
Developer: Mosaic Development, 6812 West Avenue, Suite 101 San Antonio, Texas 78213;
Owner: Clint Duennenberg et al, 29875 Interstate 10 W Boerne, TX 78006.
5. Relief Requested (Reference the specific Section/Paragraph of the current KC Development Rules and Regulations:

The Developer requests relief from certain portions of the Kendall County Development Rules and Regulations requiring minimum lot size, density, road frontage, building setbacks and dead end streets. Relief is requested as follows:

SECTION	SUB SECTION	CURRENT STANDARDS	RELIEF REQUESTS
300	1100.5 1100.6 1100.9	Minimum Road Frontage - 100 feet Minimum Front Setback - 50 feet Minimum Rear Setback - 50 feet Minimum Side Setback - 10 feet Minimum Road Frontage on Cul-de-sac - 50' Chord length	Minimum Road Frontage - 50' (with exception of knuckles or cul-de-sacs to have a chord length of 30' min.) Minimum Front Setback - 25 feet Minimum Rear Setback - 20 feet Minimum Side Setback - 5 feet Minimum Road Frontage on Cul-de-sac - 30' Chord length
400	1400	No lot shall front on a dead-end expansion street.	Lots front on dead end streets to be expanded in future phases of the project.
400	1600	Minimum Cul-de-Sac Length - 250 feet	Minimum Cul-de-Sac Length - 120 feet

6. Reason(s) for Requesting Relief: (Please refer to Section 106, Relief by County Commissioners Court in answering these questions)
 - a. What special circumstances or conditions affecting the land involved such that the strict interpretation of the provisions of these regulations would deprive you of the reasonable use of this land.

The Developer has a substantial property right to develop the property in accordance with Chapter 232 of the Local Government Code. The proposed subdivision design is critical to the success of the project and the County requirements would restrict the layout of the site needed for the project to be feasible.

- Kendall County lacks statutory authority to regulate density, lot size, rear setbacks and side setbacks.
- Kendall County has only the authority to establish setback lines equal to or less than "...25 feet from the edge of the right-of-way on all public roads other than major highways..." (TX Loc. Gov. Code 233.032). No public roads exist or are proposed within the property.
- Kendall County's statutory authority to regulate road frontage is limited to "existing county roads" (TX Loc. Gov. Code 232.103). There are no existing county roads within the property.

- b. Why is relief necessary for the preservation and enjoyment of a substantial property right of yours?

The Developer has a substantial property right to develop the property in accordance with Chapter 232 of the Local Government Code. The proposed subdivision design is critical to the success of the project and the County requirements would restrict the layout of the site needed for the project to be feasible.


- Kendall County lacks statutory authority to regulate density, lot size, rear setbacks and side setbacks.
- Kendall County has only the authority to establish setback lines equal to or less than "...25 feet from the edge of the right-of-way on all public roads other than major highways..." (TX Loc. Gov. Code 233.032). No public roads exist or are proposed within the property.
- Kendall County's statutory authority to regulate road frontage is limited to "existing county roads" (TX Loc. Gov. Code 232.103). There are no existing county roads within the property.

- c. Will the granting of relief not be detrimental to the public's health, safety, and welfare? Please explain.

The Developer will follow all Kendall County Rules and Regulations - except the relief requested above - Texas Local Government Code, TCEQ, City of San Antonio's Water Quality Control and Pollution and Prevention Ordinance, Chapter 34, Article VI, Texas Manual on Uniform Traffic Control Devices and any other code requirement authorized by law not in conflict with the Texas Local Government Code - all of which prioritize the public's health, safety and welfare. The lot density, lot size, road frontage and building setbacks proposed will not jeopardize traffic or pedestrian safety or cause stormwater or water quality run-off impacts that are unmitigated by detention or water quality ponds or similar elements. The Developer will collaborate with County staff so that the proposed development will be neither detrimental to the public's health, safety and welfare, nor deleterious to the Developer's substantial property rights.

- d. Will the granting of relief not have the effect of preventing the orderly subdivision of other land in the area? Please explain.

It will not. The Developer seeks only to enjoy the substantial property rights afforded to it under Texas law.



Signature

Blake Yantis

Printed Name

~~XXXXXXXXXXXX~~

Phone Number

7/7/22

Date

LEGEND

— PROJECT LIMITS

- - - FLOODPLAIN BUFFER

SINGLE FAMILY RESIDENTIAL LOTS

PROP. PVMT.

OPEN SPACE

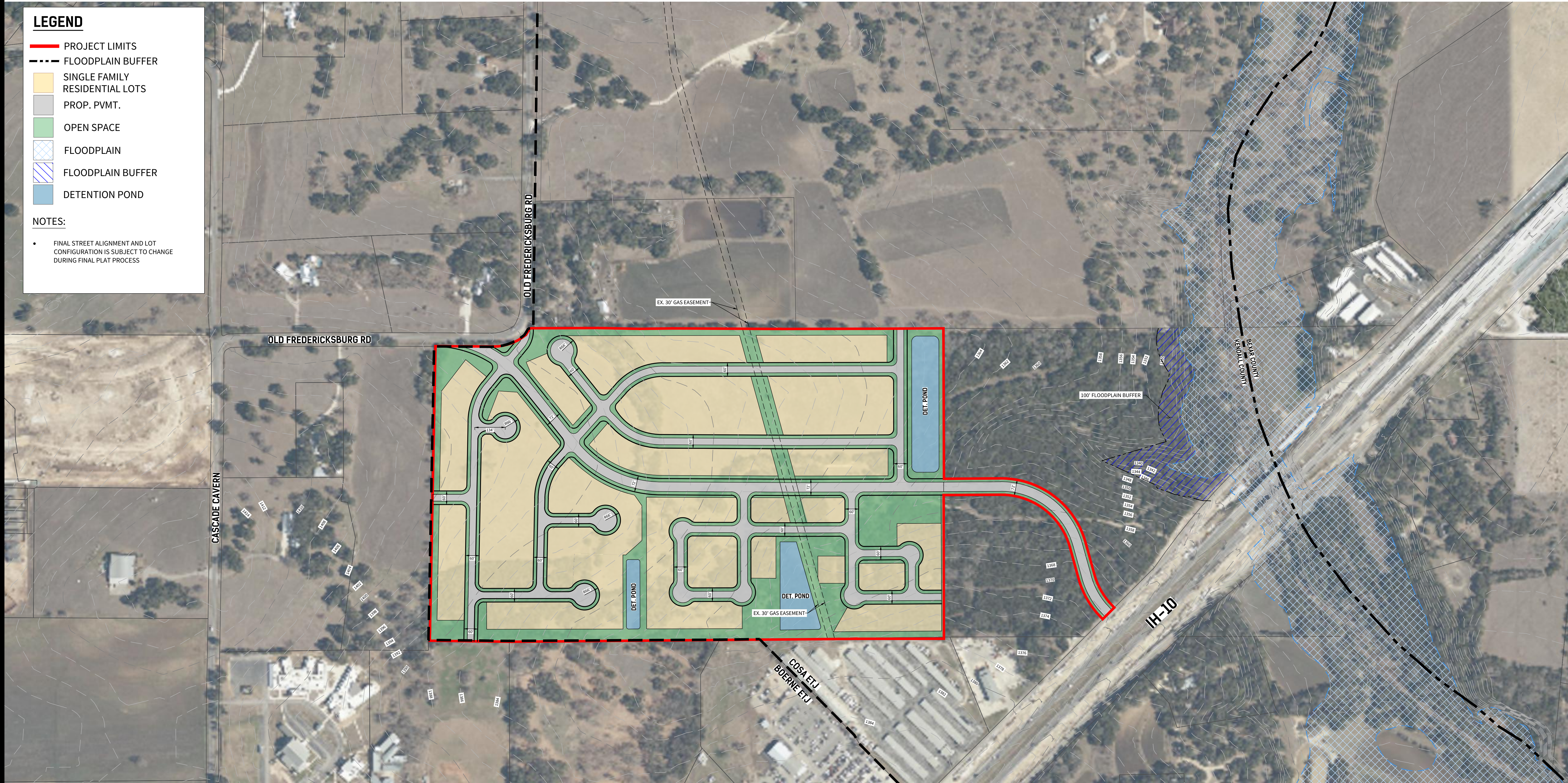
FLOODPLAIN

FLOODPLAIN BUFFER

DETENTION POND

NOTES:

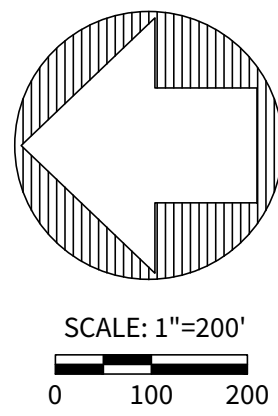
- FINAL STREET ALIGNMENT AND LOT CONFIGURATION IS SUBJECT TO CHANGE DURING FINAL PLAT PROCESS



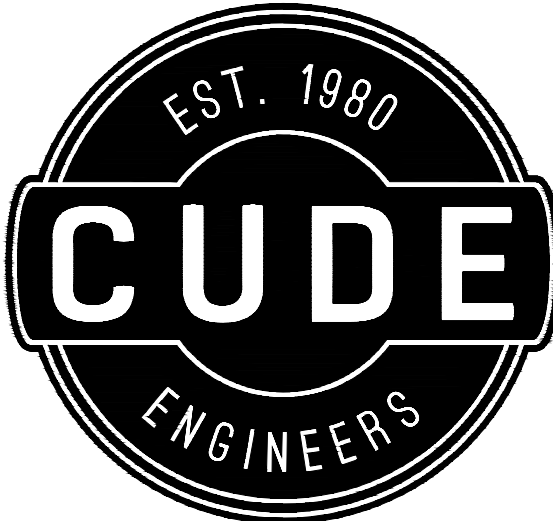
70 Ac. DUENNENBERG TRACT / REQUEST FOR RELIEF EXHIBIT

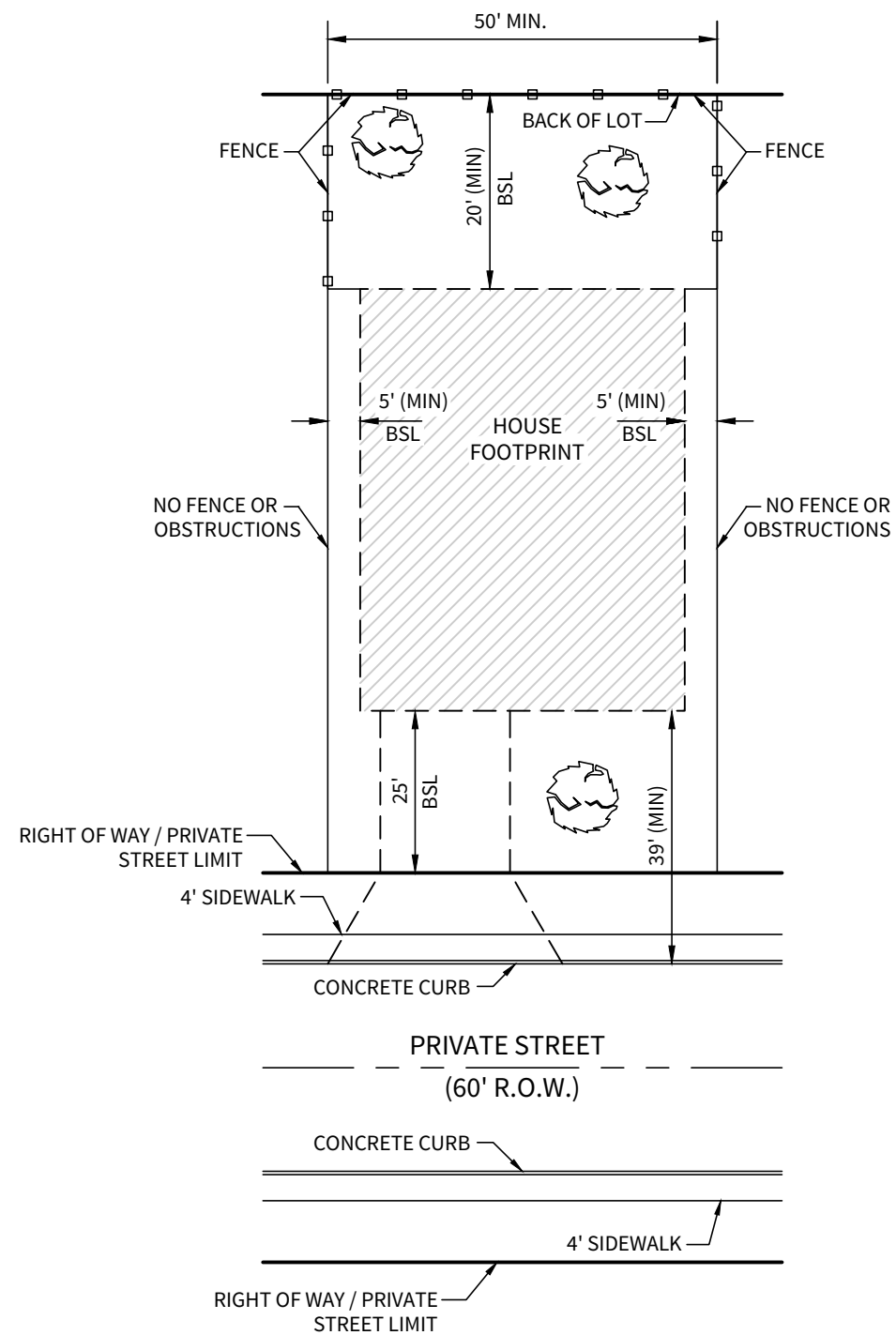
SAN ANTONIO ETJ, KENDALL COUNTY, TEXAS

APRIL 2022



CUDE ENGINEERS
 4122 Pond Hill Road, Suite 101
 San Antonio, Texas 78231
 P:(210) 681.2951 F: (210) 523.7112





P:\03274\002\2-Drawings\Exhibits\Duenn\2022-04-13_Duenn Tract LOT.dwg

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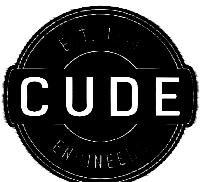
70 Ac. DUENNENBERG TRACT TYPICAL LOT SETBACK EXHBIT

Kendall County, TX

April 2022

N.T.S.

CUDE ENGINEERS
4122 Pond Hill Road, Suite 101
San Antonio, Texas 78231
P:(210) 681.2951 F: (210) 523.7112



5/19/2022

Kendall County
Development Services
201 E. San Antonio Ave.
Boerne, TX 78006

San Antonio Water Systems
Development Engineering
2800 U.S Hwy 281 North
San Antonio, TX 78212

Kendall West Utility, LLC
8 Spencer Road #200
Boerne, TX 78006

City of San Antonio
Development Services Dept.
1901 S. Alamo
San Antonio, TX 78204

CPS Energy
17281 Green Mountain Road
San Antonio, TX 78247

SJWTX, Inc.
Dba Canyon Lake Water Serv. Co.
1399 Sattler Road
New Braunfels, TX 78132

Re: Letter of Agent Authorization

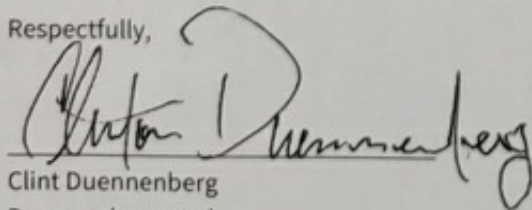
Agent: Mosaic Development
6812 West Avenue, Ste 100
San Antonio, Texas 78213

Project: 106 Acre Duennenberg Tract
29875 Interstate Highway 10 West, Kendall County, Texas

To whom this may concern,

The purpose of this correspondence is to act as a Letter of Agent Authorization for HELI Investments and Mosaic Development to serve as a duly authorized Agent for Duenneberg et al (the "Property Owner"). The Agent is authorized to act on our behalf for all documents pertaining to the application for approval of entitlements with Kendall County, San Antonio Water System, Kendall West Utilities (aka SJWTX, Inc. dba Canyon Lake Water Supply Service), City of San Antonio and CPS Energy including but not limited to Master Plans, Request for Relief, Variances, Utility Service Agreements, Utility Availability Requests, CCN Applications for water/sewer service for the property and Subdivision Platting. Any such documents regarding the approvals of said entitlements shall be for the benefit of and in name of the Property Owners until the Property is conveyed to a successor in title.

Respectfully,


Clint Duennenberg
Duennenberg et al



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022
OPEN SESSION

SUBJECT	Request for Relief - Duane Zoeller 346B Ammann Rd
DEPARTMENT & PERSON MAKING REQUEST	Assistant County Engineer - Mary Ellen Schulle
PHONE # OR EXTENSION #	830-249-9343 ext 252
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action on a request for relief from the road frontage and platting requirements in accordance to Sections 101 and 102 of the Kendall County Development Rules and Regulations. The proposed division would create three 6+ acre tracts and an approximately 46 acre tract out of a parent tract of approximately 64 acres. Access to the tracts is over an existing and proposed 60' wide easement for roadway purposes to Ammann Rd. Duane Zoeller – Owner
REASON FOR AGENDA ITEM	Request for Relief - Duane Zoeller 346B Ammann Rd
WHO WILL THIS AFFECT?	Pct 2
ADDITIONAL INFORMATION	Parcel IDs 301084 & 305596. Easement will need to be named for 911 addressing purposes.

REQUEST FOR RELIEF (Variance)

From the Kendall County (KC) Development Rules and Regulations
(Section 106)

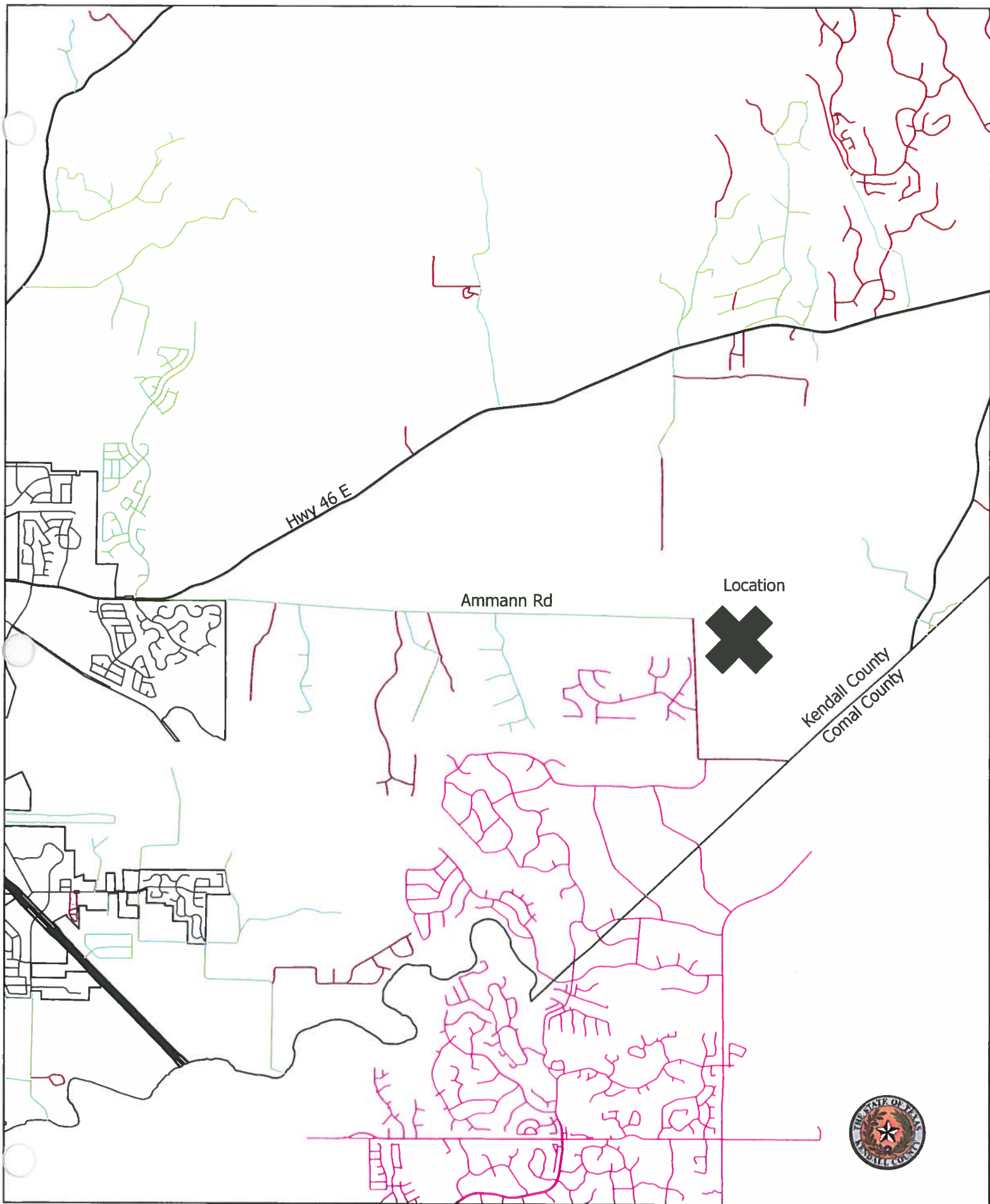
1. Date 7-18-22
2. Location of Property: 346 B AMMAN RD
BOONE TX 78015
3. Name of Development (If Applicable): N/A
4. Property Owner/Developer Name: DUANE ZOELLER
5. Relief Requested (Reference the specific Section/Paragraph of the current KC Development Rules and Regulations:
Relief from minimum road frontage
Section No. 300.1100
dzoeeller@gmail.com
6. Reason(s) for Requesting Relief: (Please refer to Section 106, Relief by County Commissioners Court in answering these questions)
 - a. What special circumstances or conditions affecting the land involved such that the strict interpretation of the provisions of these regulations would deprive you of the reasonable use of this land.
The Parent Tract does not have any
road frontage and is accessed from
a 60' wide, commonly owned tract for roadway purposes.
 - b. Why is relief necessary for the preservation and enjoyment of a substantial property right of yours?
see response above

- Not to my knowledge

- Not to my knowledge

Phone Number

7-18-22
Date



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1 inch equals 4,600 feet

0 2,500 5,000 10,000 Feet

ACCESS EASEMENT
VOLUME 1717
PAGES 1110-1119
OFFICIAL RECORDS

0.832 ACRE EASEMENT FOR
ROADWAY PURPOSES
DOCUMENT NO. 351400
OFFICIAL RECORDS

100' SANITARY CONTROL EASEMENT
CENTERED ON WELL NO 2231 PER COW
CREEK GROUNDWATER CONSERVATION
DISTRICT PERSONNEL

50' SANITARY
CONTROL EASEMENT
CENTERED ON WELL
NO 8576 PER COW
CREEK GROUNDWATER
CONSERVATION
DISTRICT PERSONNEL

SURVEY NO. 215
ABSTRACT NO. 201

SS C

COVERED
CONCRETE

SIBERG, LTD.
219 ACRE TRACT
VOLUME 568
PAGES 527-529
OFFICIAL RECORDS

SIBERG, LTD.
17.562 ACRE TRACT
VOLUME 568
PAGES 521-523
OFFICIAL RECORDS

DAVID BRADB
SURVEY NO.
ABSTRACT NO.

7.366
ACRES

APPROXIMATE SURVEY LINE

S 85°39'56" E 589.46'

N 85°39'56" W 514.34'
(S 85°28'47" E)

N 85°39'56" W 731.36'

North

Duane Zeller

60' 1/6 Acres

60'

1/6 Acres

1/6 Acres

64 Total Acres

Pond

1/4 46 Acres



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022 OPEN SESSION	
SUBJECT	Request for Relief - 5 North Star Rd
DEPARTMENT & PERSON MAKING REQUEST	Assistant County Engineer - Mary Ellen Schulle
PHONE # OR EXTENSION #	830-249-9343 ext 252
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action on a request for relief from Section 304.1100 of the Kendall County Development Rules and Regulations. Owner is requesting a reduction in setbacks from 50' on all sides to 25' on all sides. Brandon Kehler, Owner
REASON FOR AGENDA ITEM	Request for Relief - 5 North Star Rd
WHO WILL THIS AFFECT?	Pct # 2
ADDITIONAL INFORMATION	Parcel IDs 24321

REQUEST FOR RELIEF (Variance)

From the Kendall County (KC) Development Rules and Regulations (Section 106)

1. Date 07/13/2022
2. Location of Property: 5 North Star Rd., Boerne, TX 78006

3. Name of Development (If Applicable): N/A

4. Property Owner/Developer Name: Brandon D. Kehler

5. **Relief Requested** (Reference the specific Section/Paragraph of the current KC Development Rules and Regulations:

Request for Relief for approval of 25-ft setbacks for the proposed commercial addition.

304.1100 - For public health, safety, and welfare purposes, building set backs for

commercial and public access developments shall be at least 50 feet from the front, sides

and rear of the subject property.
6. Reason(s) for Requesting Relief: (Please refer to Section 106, Relief by County Commissioners Court in answering these questions)
 - a. What special circumstances or conditions affecting the land involved such that the strict interpretation of the provisions of these regulations would deprive you of the reasonable use of this land.

50-foot setback on side and rear property lines creates a severe limitation on the

area of the property due to the existing small lot size. Owner wishes to operate

local family owned business from this property.
 - b. Why is relief necessary for the preservation and enjoyment of a substantial property right of yours?

This will allow adequate space to accommodate infrastructure and regulatory

requirements needed to support the 3 proposed buildings.

- c. Will the granting of relief not be detrimental to the public's health, safety, and welfare? Please explain.

Yes, by granting relief there would be no impact to the public. The adjacent

properties would not be impacted. The reduced setback of 25-feet as proposed

will be consistent with current subdivision requirements and the same as currently listed on the plat.

- d. Will the granting of relief not have the effect of preventing the orderly subdivision of other land in the area? Please explain.

Yes, land in the area would not be impacted. A reduced 25-foot setback consistent

with county subdivision requirements to allow for building space on the property.



Signature

XXXXXXXXXXXX
561-568-5649

Phone Number

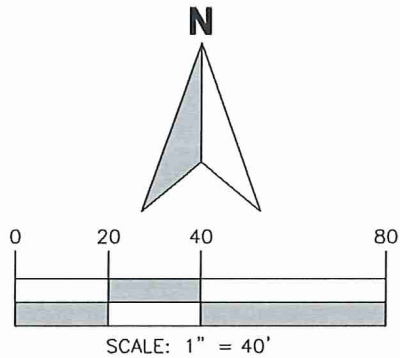
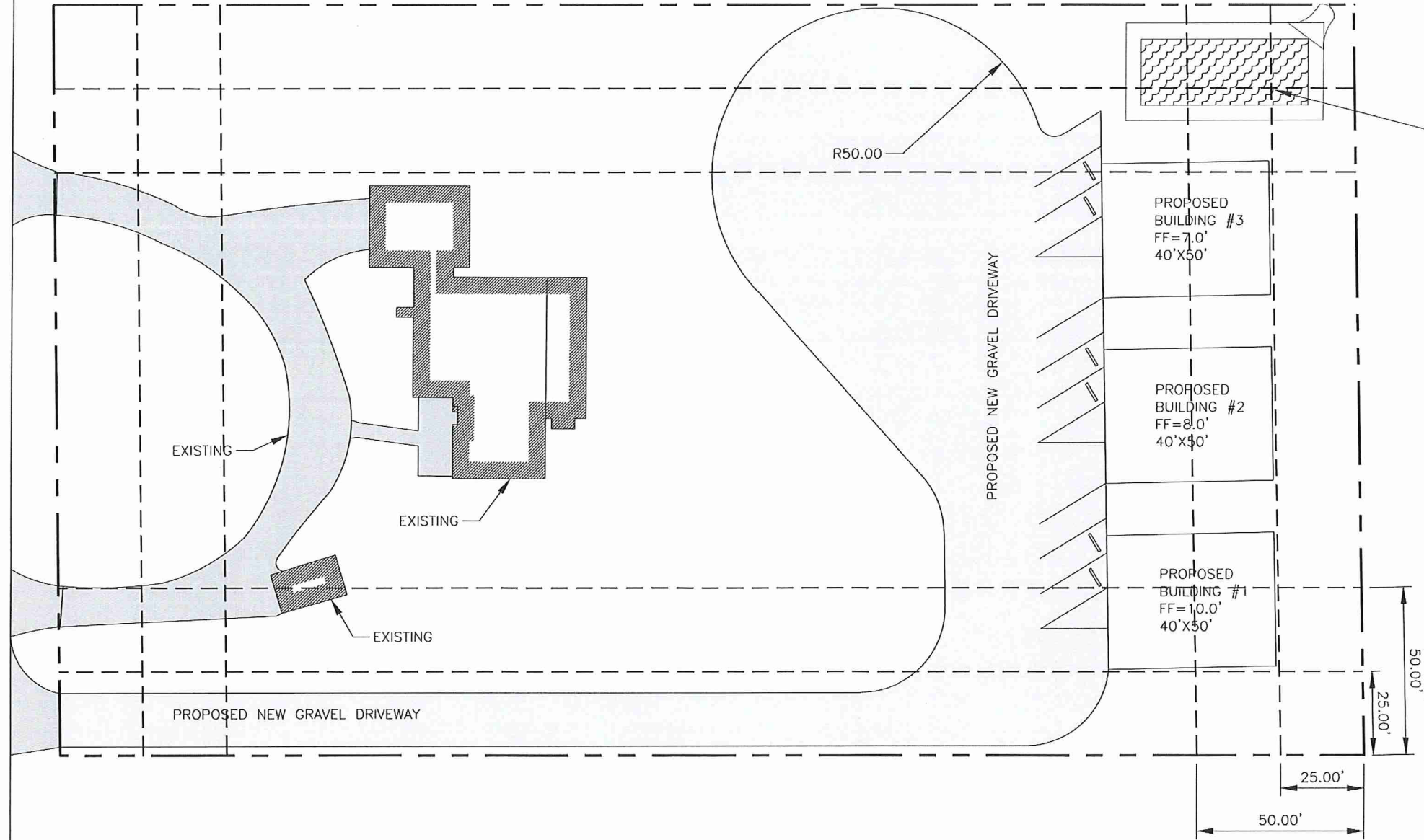
Curt G. Campbell, PE

Printed Name

07/13/2022

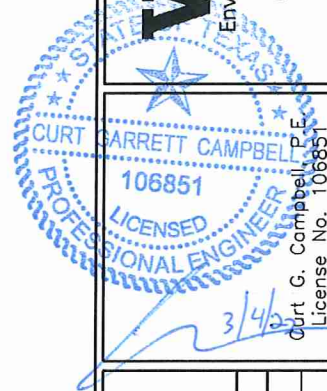
Date

NORTH STAR ROAD



- CONCRETE AREA
- BASE AREA
- WATER BODY AREA
- PROPERTY LINE
- CONCRETE BOUNDARY
- BASE BOUNDARY
- SEWER LINES

NOTE:
THIS DRAWING IS INTENDED TO
SUPPORT THE REQUEST FOR RELIEF
FOR THE 50 FT BUILDING SETBACK.
THE SITE BACKS UP TO ANOTHER
COMMERCIAL DEVELOPMENT.



PROPOSED DEVELOPMENT

REQUEST FOR RELIEF
KEHLER ELECTRIC, LLC
5 NORTH STAR RD., BOERNE, KENDALL COUNTY, TX

REV.	DESCRIPTION	BY	DATE

IMAGE:	N/A
ISSUE DATE:	02/24/2022
DRAWN BY:	WT
CHECKED BY:	CC
SCALE:	1" = 40'
JOB NO.:	11304-002

SHEET NO.:

01

OF 01

WESTWARD
Environmental Engineering, Natural Resources.
P.O. Box 2205 Boerne, Texas 78006
(830) 249-8284 Fax: (830) 249-0221
TBPE REG. NO.: F-4524
TBPG REG. NO.: 50112



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022 OPEN SESSION	
SUBJECT	Request for Relief - Sam Ludolf 509 Edge Falls Rd
DEPARTMENT & PERSON MAKING REQUEST	Assistant County Engineer - Mary Ellen Schulle
PHONE # OR EXTENSION #	830-249-9343 ext 252
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action on a request for relief from the road frontage and platting requirements in accordance to Section 101 and 102 of the Kendall County Development Rules and Regulations. The proposed division would create a 10+ acre tract out of a parent tract of approximately 450 acres. Access to the tracts is over a 60' wide easement for roadway purposes to Edge Falls Rd. Sam Ludolf, Executor of George Ludolf Estate - Owner
REASON FOR AGENDA ITEM	Request for Relief - Sam Ludolf 509 Edge Falls Rd
WHO WILL THIS AFFECT?	Pct 3
ADDITIONAL INFORMATION	Parcel IDs 17690. Formerly addressed as 517A Edge Falls Rd. Easement will need to be named for 911 addressing purposes.

Request for Relief (Variance)

From the Kendall County (KC) Development Rules and Regulations
(Section 106)

1. Date: November 9, 2021
2. Location of property: **517A Edge Falls Road**
3. Name of Subdivision (If Applicable) Not Applicable
4. Property Owner/Developer Name: **Sam Ludolf**
5. Relief Requested (Reference the specific Section/Paragraph of the current KC Development Rules and Regulations and state the relief requested.

300.1100 Road Frontage I desire to create 10 acre tract out of 91.3 acre portion (out of Abstract 810) of the remainder of a 494 acre tract with access to a county road via a sixty foot wide easement for road purposes.

6. Reason(s) for Requesting Relief: (Please refer to Section 106, Relief by County Commissioners Court in answering these questions)
 - a. Are there special circumstances or conditions affecting the land involved such that the strict interpretation of the provisions of the regulations would deprive you of the reasonable use of this land: (If "yes" please state the special circumstances or conditions) **Yes The above mentioned 494 acre tract of land has, as it's only access to a public road, a variable width strip of land, mostly 60 feet wide.**
 - b. Is relief necessary for the preservation and enjoyment of a substantial property right for you? (if "yes" please state the substantial property right involved) **Yes The right to sell off land when there is a benefit gained for the remaining property.**

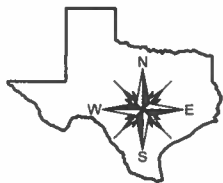
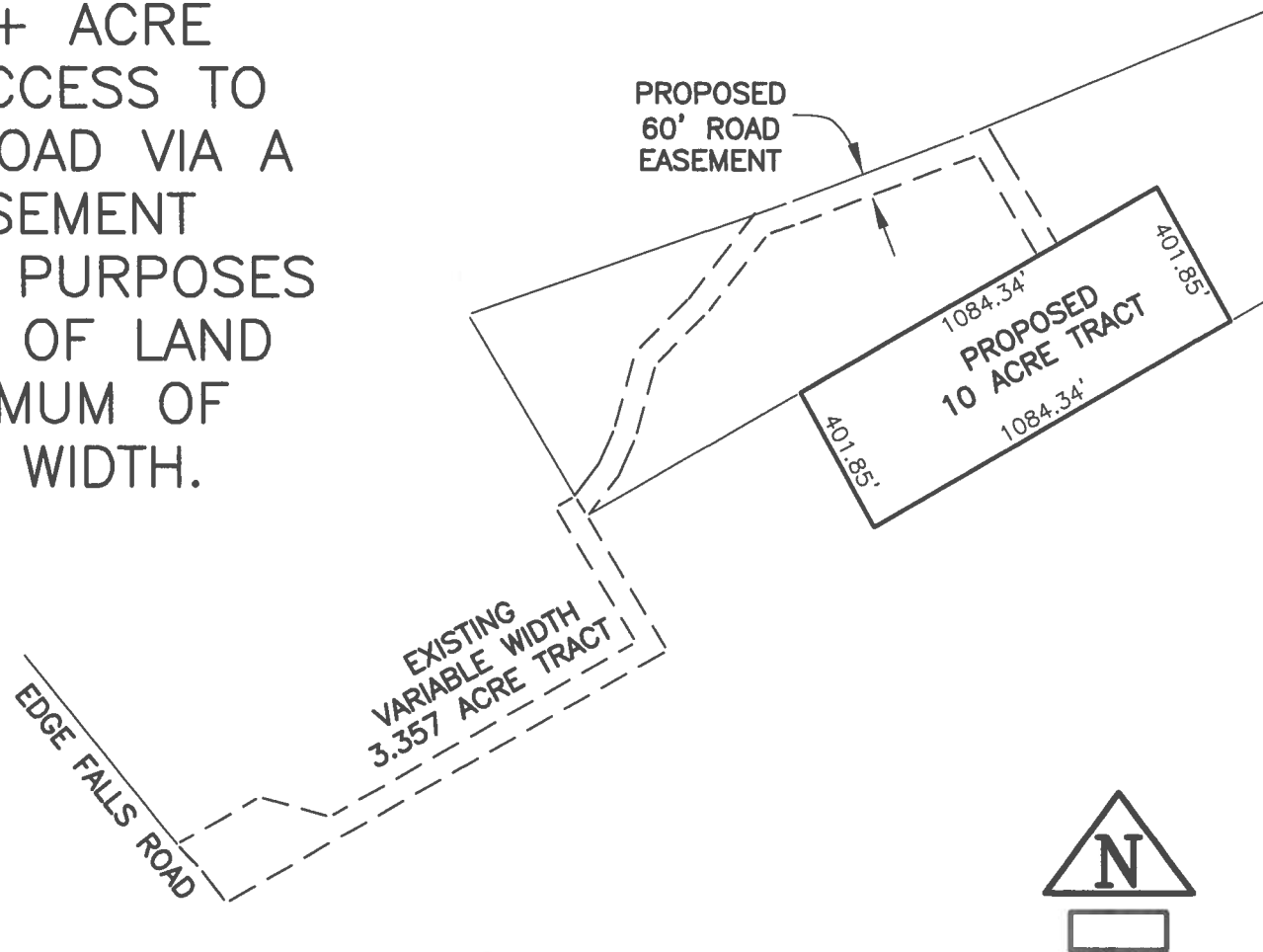

Property Owners Signature

George Ludolf
Print Owner Name

Phone Number ~~XXXXXXXXXXXX~~

Date 11-9-2021

EXHIBIT SHOWING A
PROPOSED 10+ ACRE
TRACT WITH ACCESS TO
EDGE FALLS ROAD VIA A
PROPOSED EASEMENT
FOR ROADWAY PURPOSES
OVER A STRIP OF LAND
HAVING A MINIMUM OF
SIXTY FEET IN WIDTH.



Schwarz
*Land Surveying &
Development, Inc.*

723 NORTH MAIN, BOERNE, TEXAS 78006

PHONE: (830) 816-8907 Metro

FAX: (830) 584-0445

FIRM LICENSE NO. 10132600

EDGE FALLS RD

603

517

505

446 444

PARCELS_02122021

ZONE_SUBTY, FLD_ZONE

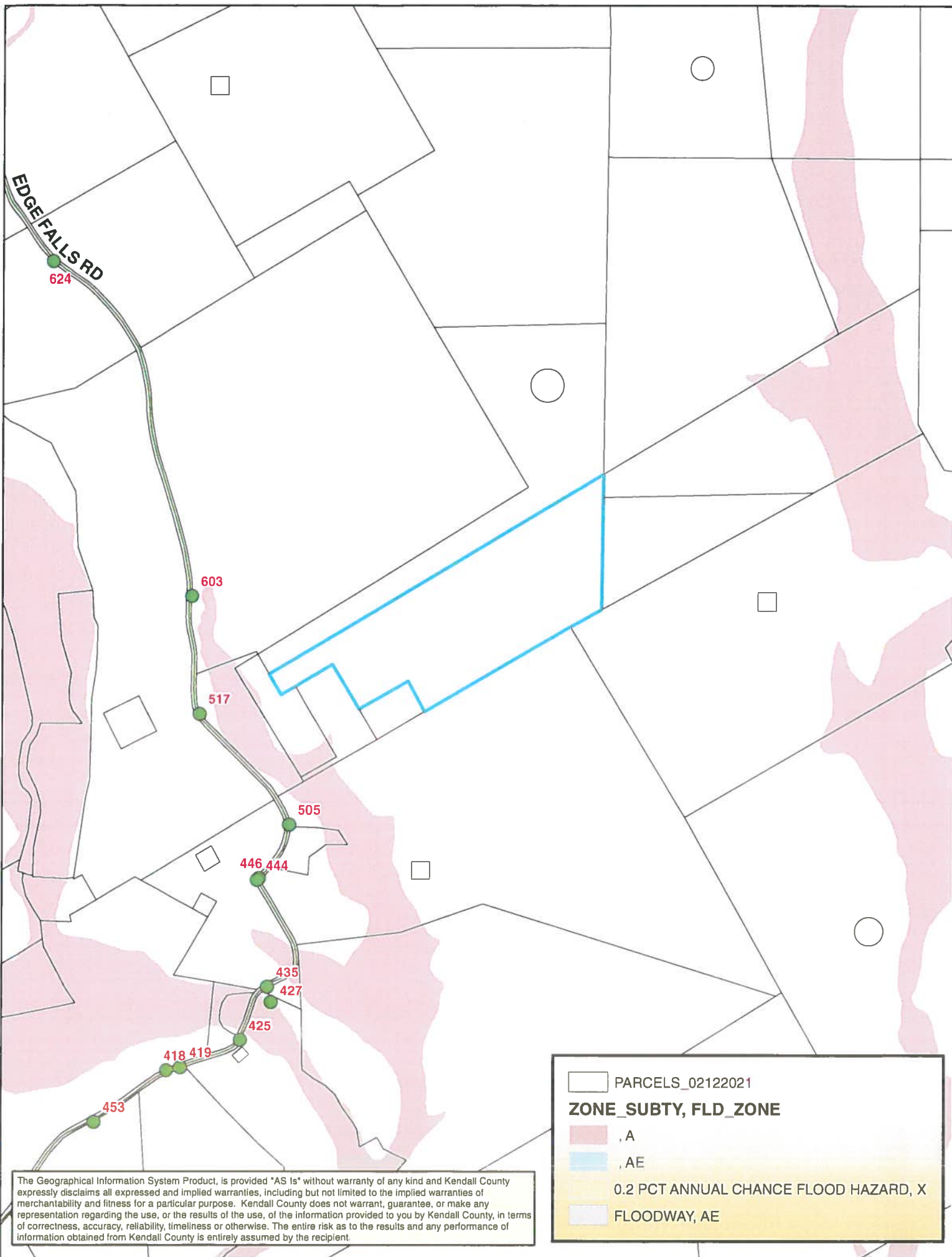
, A

, AE

0.2 PCT ANNUAL CHANCE FLOOD HAZARD, X

FLOODWAY, AE

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KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022
OPEN SESSION

SUBJECT	Request for Relief - 919 SH 46 E
DEPARTMENT & PERSON MAKING REQUEST	Assistant County Engineer - Mary Ellen Schulle Darrel L. Lux, County Judge
PHONE # OR EXTENSION #	830-249-9343 ext 252
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action on a request for relief from Section 303.1200.3 of the Kendall County Development Rules and Regulations and 30 Texas Administrative Code Chapter 285.91, Table X, Minimum Required Separation Distance for On-Site Sewage Facilities. Applicant is requesting relief to the minimum separation distance between OSSF sewer pipe and public water wells / public water supply lines. James Schuepbach, Owner
REASON FOR AGENDA ITEM	Request for Relief - 919 SH 46 E
IS THERE DOCUMENTATION	Yes
WHO WILL THIS AFFECT?	Pct # 3
ADDITIONAL INFORMATION	Parcel IDs 41166 Septic sewer pipe is within 50' of the public water supply well.

REQUEST FOR RELIEF (Variance)

From the Kendall County (KC) Development Rules and Regulations
(Section 106)

1. Date July 26, 2022
2. Location of Property: 919 E SH 46, Bergheim, Texas

3. Name of Development (If Applicable): Bergheim Memorial Shopping Center

4. Property Owner/Developer Name: Bergheim Trading Company, LLC

5. **Relief Requested** (Reference the specific Section/Paragraph of the current KC Development Rules and Regulations:
 1. 303.1200.3
 2. 285.91(10) Table X Public Water Well separation
 3. 285.91(10) Table X Public Water Supply Lines separation_____

6. Reason(s) for Requesting Relief: (Please refer to Section 106, Relief by County Commissioners Court in answering these questions)

- a. What special circumstances or conditions affecting the land involved such that the strict interpretation of the provisions of these regulations would deprive you of the reasonable use of this land.

The shape of the tract of land does not provide for sanitary easement setback at the 50-foot radius for the on-site wastewater flow lines. TCEQ already approved the waiver for wastewater pipelines to be placed just inside the 50-foot radius. In addition, separation distance between potable water flow line and sanitary sewer line was also constrained by the tract size and logical placement of the site improvements. Bergheim Memorial is agreeing to use thicker-walled pipe for wastewater line in this area, as well as provide a secondary containment barrier with leak detection monitoring wells for checking inside the containment barrier for any sanitary sewer leakage.

- b. Why is relief necessary for the preservation and enjoyment of a substantial property right of yours?

Relief from the subdivision rules is required, as described earlier, to be able to accomplish this particular form of development, which represents "highest and best use" placements of buildings, utilities, roads, parking, and other amenities.

- c. Will the granting of relief not be detrimental to the public's health, safety, and welfare? Please explain.

No. Protective measures as discussed above.

- d. Will the granting of relief not have the effect of preventing the orderly subdivision of other land in the area? Please explain.

No



Signature

James Schuepbach

Printed Name

~~XXXXXXXXXX~~

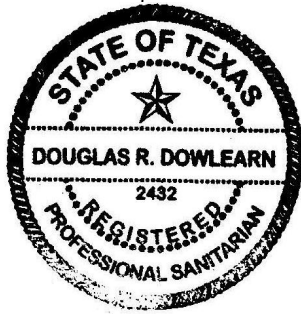
Phone Number

7/26/2022

Date

(10) Table X. Minimum Required Separation Distances for On-Site Sewage Facilities.

FROM	TO					
	Tanks	Soil Absorption Systems, & Unlined ET Beds	Lined Evapotranspiration Beds	Sewer Pipe With Watertight Joints	Surface Application (Edge of Spray Area)	Drip Irrigation
Public Water Wells ²	50	150	150	50	150	150
Public Water Supply Lines ²	10	10	10	10	10	10
Wells and Underground Cisterns	50	100	50	20	100	100
Private Water Line	10	10	5	10 ⁵ except at connection to structure	No Separation distances	10
Wells Completed in accordance with 16 TAC §76.1000(a)(1)	50	50	50	20	50	50
Streams, Ponds, Lakes, Rivers, Creeks (Measured From Normal Pool Elevation and Water Level); Salt Water Bodies (High Tide Only); Retention Ponds/Basin (Spillway elevation)	50	75 LPD with secondary treatment & disinfection- 50	50	20	50	25 when $R_a < 0.1$ 75 when $R_a > 0.1$ (With Secondary Treatment & Disinfection - 50)

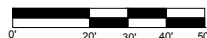


Douglas R. Dowlearn

8/1/2022



SCALE 1" = 50'



BERGHEIM TRADING COMPANY LLC
919 E STATE HIGHWAY 46
BERGHEIM, TX 78006
A10144-SURVEY 247 A DODD
4.811 ACRES
KENDALL COUNTY
* = TEST HOLES

GPD CALCULATIONS

CONVENIENCE STORE - 180 PEOPLE @ 8 GPD/ PERSON = 1440 GPD
COFFEE SHOP - 70 SEATS @ 12 GPD/SEAT = 840 GPD
RETAIL STORE RESTROOMS - 200 PEOPLE @ 4 GPD/PERSON = 800 GPD
TOTAL GPD = 3080 GPD
NOTE: DISPOSABLE PLATES AND SILVERWARE
WILL BE USED FOR ALL FOOD SERVICES.

NOTES:

- PLACE CLEANOUTS WITHIN 3' OF STRUCTURE.
- CLEANOUTS EVERY 100' IN OPEN AREAS ON SEWER PIPE.
- INSTALL VACUUM BREAKERS AT HIGHEST POINTS ON BOTH THE SUPPLY AND FLUSH MANIFOLDS IN EACH ZONE.
- INSTALL CHECK VALVE AT THE END OF EACH ZONE ON THE FLUSH LINE.
- 3" OR 4" SCH 40 PVC PIPE FROM STRUCTURE TO TANK.
- SEWER LINE WILL BE SCH 80 PVC OR SLEEVED WHERE IT CROSSES WALKWAYS AND DRIVE AND 10' BEYOND TO PROVIDE EQUIVALENT PROTECTION UNDER SETBACK REQUIREMENT IN TAC 285.
- SEWER LINE WILL BE SCH 80 PVC OR SLEEVED WITH SCH 40 PIPE WHERE IT IS WITHIN 5' OF FOUNDATIONS, BUILDINGS, SURFACE IMPROVEMENTS, PROPERTY LINES, AND OTHER STRUCTURES TO PROVIDE EQUIVALENT PROTECTION UNDER SETBACK REQUIREMENTS OF TAC 285.
- WATER LINE WILL BE SLEEVED IN SCH 40 PIPE WHERE IT CROSSES THE SEWER LINE AND 10' BEYOND. THIS WILL PROVIDE EQUIVALENT PROTECTION FOR REQUIREMENTS IN TAC CH 290 CONCERNING WATER AND SEWER LINE CROSSINGS.
- TANKS TO BE > 5' FROM DRIVE AND STRUCTURES. THIS WILL PROVIDE EQUIVALENT PROTECTION FOR THE SETBACK REQUIREMENTS OF TAC 285.
- TANKS WILL BE WATER TIGHT AND MANUFACTURED ACCORDING TO ASTM DESIGNATION: C 1227.
- ALL EFFLUENT FROM FOOD ESTABLISHMENTS(GREASE GENERATING) SHALL BE PASSED THROUGH A GREASE TRAP BEFORE ENTERING THE OSSF TREATMENT UNITS.
- FLOW METER SHALL BE INSTALLED ON SUPPLY MANIFOLD OF 3000 GALLON PUMP TANK. MONTHLY READINGS SHALL BE TAKEN, AND REPORTED TO KENDALL COUNTY TO ENSURE THAT THE AVERAGE DAILY GPD DOES NOT EXCEED 3080.
- BOD SAMPLES WILL BE TAKEN BY KENDALL COUNTY BI ANNUALLY.

BOD CALCULATIONS

- CONVENIENCE STORE AND COFFEE SHOP = $(1440 \text{ GPD} + 840 \text{ GPD}) \times 1200 \text{ MG/L} \times 8.34 / 10^6 = 22.8 \text{ LBS OF BOD PRODUCED DAILY}$
- RETAIL STORE = $800 \text{ GPD} \times 300 \text{ MG/L} \times 8.34 / 10^6 = 2 \text{ LBS OF BOD PRODUCED DAILY}$
- TOTAL BOD PRODUCED DAILY = 22.8 LBS + 2 LBS = 24.8 LBS OF BOD PRODUCED DAILY
- EACH 1500 GPD ATU TREATS 4.5 LBS OF BOD PER DAY
- SIX 1500 GPD ATUS X 4.5 LBS PER ATU = 27 LBS OF BOD TREATMENT CAPABILITY.

ZONE 1: 3818 SQFT 1909 L.F. OF DRIP TUBING SPACED 2' APART. 9.55 GPM DOSING 19.15GPM DOSING & FLUSHING
ZONE 2: 4105 SQFT 2052.5 L.F. OF DRIP TUBING SPACED 2' APART. 10.26 GPM DOSING 19.86GPM DOSING & FLUSHING
ZONE 3: 2825 SQFT 1412.5 L.F. OF DRIP TUBING SPACED 2' APART. 7.06 GPM DOSING 16.66GPM DOSING & FLUSHING
ZONE 4: 3080 SQFT 1540 L.F. OF DRIP TUBING SPACED 2' APART. 7.7 GPM DOSING 17.3GPM DOSING & FLUSHING
ZONE 5: 3335 SQFT 1667.5 L.F. OF DRIP TUBING SPACED 2' APART. 8.34 GPM DOSING 17.94GPM DOSING & FLUSHING
ZONE 6: 3182 SQFT (FUTURE USE) 1591 L.F. OF DRIP TUBING SPACED 2' APART. 7.96 GPM DOSING 17.56GPM DOSING & FLUSHING
TOTAL GPD GENERATED = 3080 GPD TOTAL DRAINFIELD AREA REQUIRED = 15400 SF TOTAL DRAINFIELD AREA = 17163 SF TOTAL LINEAR FEET OF DRIP LINE = 8582.5 L.F. TOTAL TANK DOUBLING AREA = 1330 SF

KEY

- TANK DOUBLING AREA
- DRIVE/PARKING
- 1 1/4" SUPPLY LINE
- 1 1/4" FLUSH LINE
- CLEANOUT
- 3" OR 4" SEWER LINE
- PROPOSED WATER LINE
- CHECK VALVE
- 6 ZONE FIMCO RW INDEXING VALVE (w/indicator)
- 6 ZONE K-RAIN VALVE
- 1" ARKAL FILTER
- PROPOSED FUTURE PARKING
- SUPPLY CONNECTION (*denotes connection w/ARV)
- FLUSH CONNECTION
- FLUSH ZONE CHECK VALVE/AIR-VAC BREAKER
- VALVE BOX(2 valves) -SWITCHES FROM TRASH TO PUMP TANK
- 5' OSSF SETBACK
- 1 1/2" FLOW METER

A - 3000 GALLON PRE TREATMENT TANK(2 - 1500 GALLON TANKS CONNECTED)
B1 - 3000 GALLON FLOW EQUALIZATION TANK WITH DUAL ALTERNATING PUMPS(2 - 1500 GALLON TANKS CONNECTED)
C1 - 1500 GALLON AEROBIC TREATMENT UNIT
D1 - 3000 GALLON PUMP TANK WITH DUAL ALTERNATING PUMPS(2 - 1500 GALLON TANKS CONNECTED)
E - 3000 GALLON GREASE TRAP WITH TRAFFIC BEARING LID
F - 3000 GALLON LIFT STATION WITH DUAL ALTERNATING PUMPS AND TRAFFIC BEARING LID
NOTE - E & F SET AT DEPTH TO ALLOW $\frac{3}{8}$ " FALL PER 1' FROM STRUCTURE TO TANKS.
NOTE - SEE TANK DIAGRAM SCHEMATIC FOR DETAILS.



Chapman Engineering

CORPORATE OFFICE:
213 Commerce Ave
Boerne, Texas 78006

July 25, 2022

Mr. Randy Brown
Development Coordinator
Mann Creative Group, LLC
25014 Kiawah Isle Dr.
San Antonio, TX 78260

Via E-mail: randy@r-brown.com

**Re: Design of Monitoring Trench for Higher Standard Protection of Sanitary Lines;
Memorial Shopping Center; Bergheim, TX**

Dear Mr. Brown:

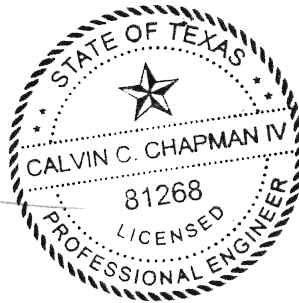
To provide a higher standard of protection related to sanitary lines located within 50-feet of the public water well, Chapman Engineering proposes the following design for a monitoring trench.

1. A 55-foot trench will be excavated at the location of both the schedule-80 pvc line and the line coming from the building to the grease trap. The excavation floor will be sloped away from the building and excavated to a maximum depth of four feet at its furthest point from the building.
2. The two-foot-wide trench will be lined with 40-mil-thick (0.040-inch) polyethylene sheeting. The sheeting will completely line the bottom and side walls of the trench and the ends will be sealed.
3. Sand backfill will be placed beneath the pipes at a thickness of 6-inches for the entire length of the trench. An additional one foot of sand will be placed around and over the pipes. Within the sand pack and at the downslope ends of each trench, two monitoring wells will be installed. The monitoring wells will have 18-inch-long slotted segments and 30-inch-long solid casing segments. All four monitoring wells will be Schedule 40 PVC of 2-inch nominal diameter.
4. The poly sheeting will be wrapped around the sand pack overlying the pipes. The seams of the poly sheeting will be sealed the entire length of the trench.
5. Backfill consisting of native material will placed and compacted over the poly sheeting. Once compacted, the native soil backfill will be covered by crushed base material. The surface completion will be poured cement. The vaults for the monitoring wells will be 6-inches in diameter and 18-inches in depth. The vaults will be set within the backfill and concrete poured around the perimeter. The lid for the vault will be flush-to-grade with finished surface.

The design of this trench monitoring system will allow for easy access for weekly observations for the presence of fluids in the trench. A chart of weekly observations will be kept in the Public Water System, Operations Manual located with the water treatment building.

For any questions or comments, please call Tony Becker or myself at 830-816-3311 or 800-375-7747.

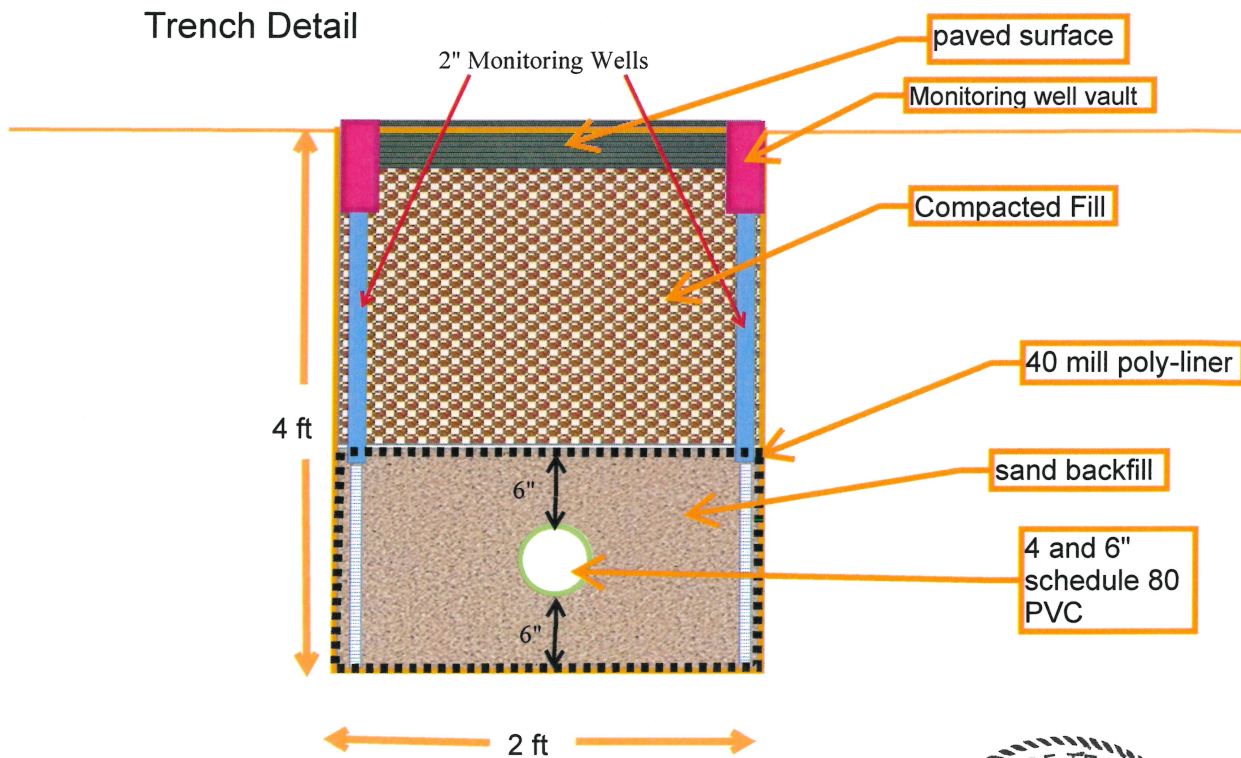
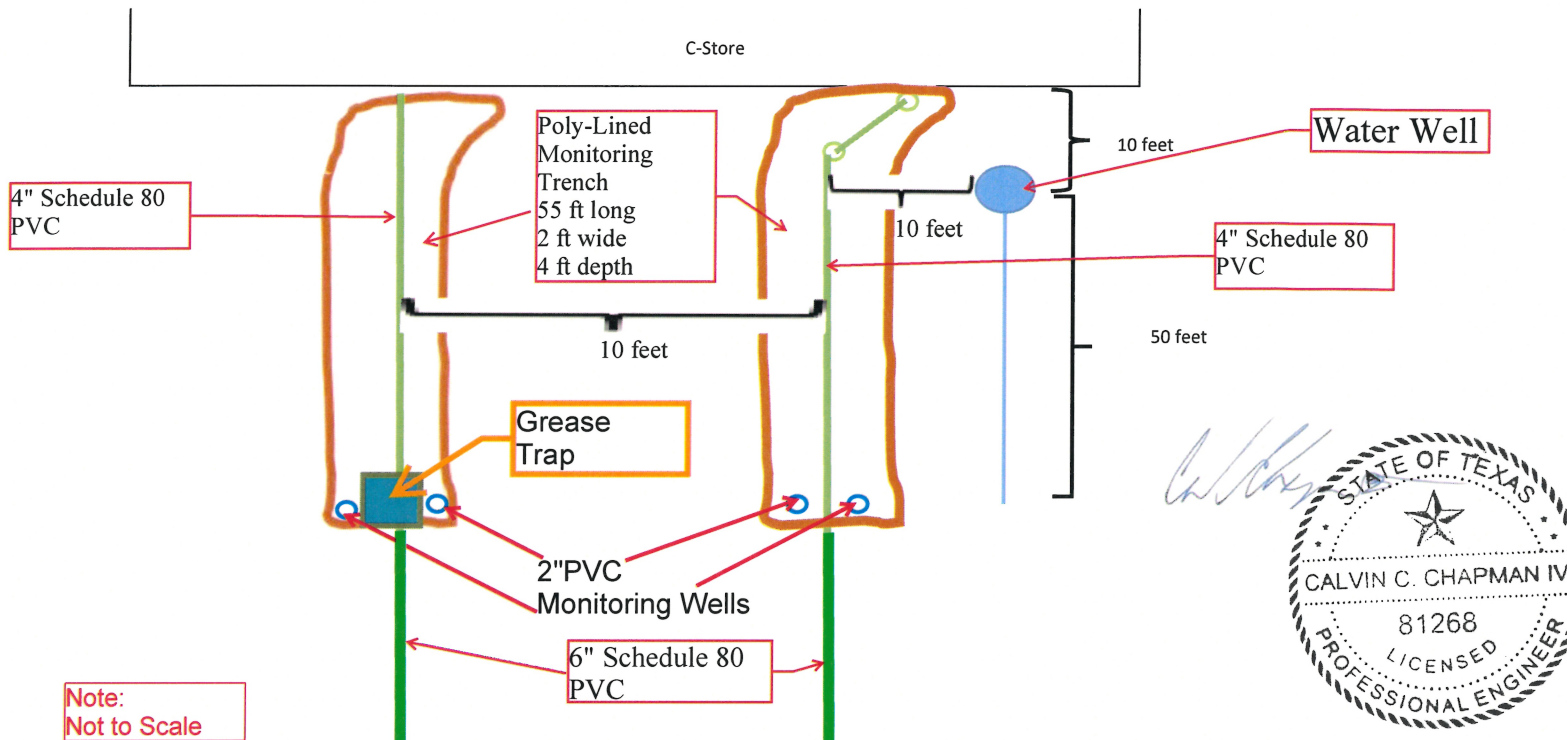
Sincerely,



Cal Chapman, P. E.
President
Chapman Engineering
Texas PE #81268

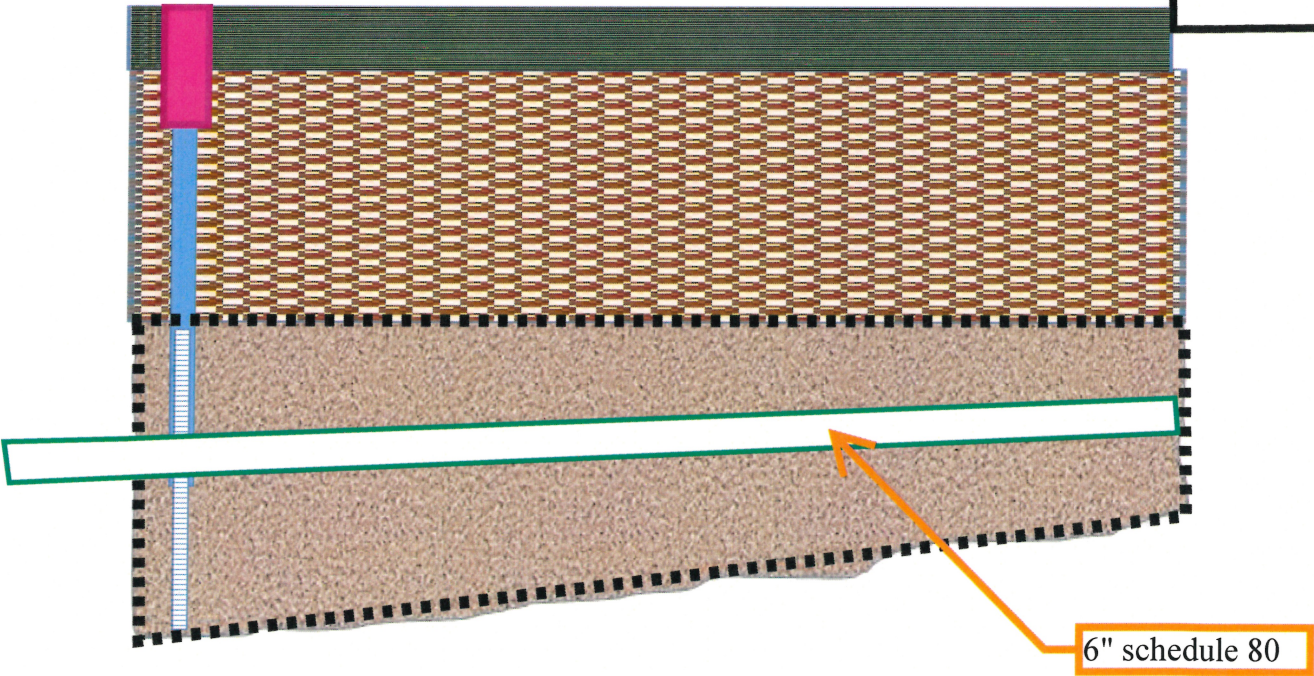
Attachments:

Trench Design and Detail



Trench Side-view

C-Store



Note:
Not to Scale

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



PWS_1300083_CO_20220715_Exception

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 15, 2022

Mr. Cal Chapman, P.E., President
Chapman Engineering
P.O. Box 1305
Boerne, Texas 78006

Re: Memorial Shopping Center - PWS ID No. 1300083
Request for an Exception to the Well Setback Requirement to a Sanitary Sewer
Request for an Exception to the Pressure Cementing Method Requirement
Proposed Well No. 1 (TCEQ Well ID: Unassigned)
Latitude 29°49'33.8" N; Longitude 98°34'02.0" W
Kendall County, Texas
RN 111268959 | CN 605894930

Dear Mr. Chapman:

On April 7, 2022 the Texas Commission on Environmental Quality (TCEQ) received your letter, dated March 30, 2022, requesting an exception to the requirement that all public water supply wells be at least 50 feet from a sanitary sewer as specified in Title 30 of the Texas Administrative Code (30 TAC) §290.41(c)(1)(A). Subsequently, on June 3, 2022, your associate, Mr. Tony Becker, requested an exception to the pressure cementing method requirement as specified in 30 TAC §290.41(c)(3)(C). These requests are for the Memorial Shopping Center public water system (PWS) proposed Well No. 1 (TCEQ Well ID: Unassigned) located at 919 East State Highway 46 near Boerne, Texas. Your submittal indicated proposed Well No. 1 is a recently constructed well for which the PWS is seeking approval for use as a public supply well and is located at the coordinates 29°49'33.8" north latitude and 98°34'02.0" west longitude. Each exception request is discussed separately below.

Well Setback Requirement to a Sanitary Sewer - 30 TAC §290.41(c)(1)(A)

Your submittal indicated that during construction of the utilities at the shopping center site, a sanitary sewer cleanout was inadvertently placed 9.2 feet from proposed Well No. 1. Although confirmation was received from the plumbing contractor that the sanitary line is comprised of Schedule 40 polyvinyl chloride (PVC) that has a pressure rating of 160 pounds per square inch (psi), which meets the minimum pressure rating specified in 30 TAC §290.41(c)(1)(A), it is located within the minimum required setback distance of 10 feet for all types of sewer lines and appurtenances. The TCEQ considers sanitary sewer lines to be potential hazards to public water supply wells due to the possibility of breaks or leaks from the lines that would allow fecal contaminants to percolate through the soil or be conveyed through a well's improperly sealed annular space and reach the well's groundwater source.

The TCEQ has determined that the inability to maintain a minimum well setback distance from a sanitary sewer line indicates that this groundwater source may be susceptible to fecal contamination and may result in a risk to public health. Based on this concern, and in order to allow monitoring of the well to determine if the well has been impacted by the presence of this pollution hazard, the TCEQ is **granting your request** for an exception to the well setback requirement between a PWS well and a sanitary sewer, until July 15, 2025, under the conditions listed below. This exception applies to proposed Well No. 1 (TCEQ Well ID Unassigned).

In accordance with 30 TAC §290.46(b) and §290.109(d)(4)(E), the PWS is required to fulfill the conditions of approval outlined below.

Condition 1:

- **The PWS must comply with all requirements and conditions associated with the exception to the pressure cementing method requirement - 30 TAC §290.41(c)(3)(C) for proposed Well No. 1, discussed below.**

Please refer to the instructions for the sampling procedure, monitoring plan, and positive bacteriological sample results included in the next section, for proposed Well No. 1's pressure cementing method exception.

Condition 2:

- **This exception will expire 36 months from the date of this letter (*July 15, 2025*).**

Pressure Cementing Method Requirement – 30 TAC §290.41(c)(3)(C)

The annular space between the casing and borehole of a PWS supply well is required to be a minimum of 1.5-inches thick and completely sealed by a pressure method with neat grout cement or a regulatory-compliant admixture, from the depth of the shallowest layer to be developed to the earth's surface. This seal is required to prevent infiltrated precipitation or undesirable groundwater plumes from being conveyed to the PWS well's groundwater source by the well's annular space. Your submittal included a TCEQ Well Cementing Certificate for proposed Well No. 1 which indicated the use of American Water Works Association (AWWA) Standard A100-15 cementing method C.1, which is known as the "Tremie Method." AWWA Method C.1 is not one of the approved pressure methods specified in 30 TAC §290.41(c)(3)(C). The well's source is the Trinity outcrop of the Lower Glen Rose formation, which is a carbonate-sandstone aquifer that is sensitive to the movement of pollutants. The lithology information provided in proposed Well No. 1's State of Texas Well Report (Tracking No. 594876) indicates there is no confining layer with adequate thickness that would be considered protective of the well's groundwater source. The TCEQ has determined that the non-compliant cementation of proposed Well No. 1 indicates this groundwater source may be susceptible to fecal contamination and result in a risk to public health. In order to allow monitoring of the well to determine if the well has been impacted by non-compliant well cementing, we are **granting your request** for an exception to the pressure cementing method requirement, until July 15, 2025, under the conditions listed below. This exception applies to proposed Well No. 1 (TCEQ Well ID Unassigned).

In accordance with 30 TAC §290.46(b) and §290.109(d)(4)(E), the PWS is required to fulfill the conditions of approval outlined below.

Condition 1:

- **From the date of this letter, the PWS must collect two raw water samples per month from proposed Well No. 1. The interval between samples must not be fewer than 10 calendar days. The PWS must submit the samples for bacteriological analysis at a TCEQ-accredited laboratory with a current National Environmental Laboratory Accreditation Program (NELAP) certification.**

Please note that this monitoring requirement does not imply approval to use this well as a source. The PWS must receive approval to use the well from the TCEQ Plan Review Team. Once the well is approved, a TCEQ Source ID will be assigned to the well by the TCEQ. If for any reason the well is put in use prior to approval from the TCEQ, you may be subject to enforcement action.

The sampling procedure should be the same as the one used when collecting routine distribution samples. Please ensure that the sample is delivered to the laboratory clearly labeled "RAW." Once the well is assigned an official State-issued well identification number, ensure the sample is labeled with the assigned TCEQ Well ID and marked "RAW."

After twice per month sampling has been conducted for 24 consecutive months, resulting in forty-eight (48) twice-monthly bacteriological sample results, the TCEQ will evaluate the results and reissue, if appropriate, an exception without an expiration date. Additional monitoring and/or treatment may be required based on the results of the raw water bacteriological samples.

Until notified or directed by the TCEQ, the PWS must continue to collect and analyze the twice-monthly raw water samples as required in this letter for as long as proposed Well No. 1 is used as a public water supply well. Please note that at a minimum, a monthly monitoring requirement will remain in effect should an exception without an expiration date be granted following the review of the bacteriological sample results.

A current list of TCEQ-accredited laboratories can be directly downloaded using the following web address (url):

<https://www.tceq.texas.gov/downloads/compliance/labs/tx-nelap-lab-list.docx/>

These samples are in addition to the normally required monthly distribution bacteriological samples and must be collected at a point prior to the disinfectant injection point. The sample results should be submitted in the same manner as the results of the monthly distribution bacteriological samples.

If any of the samples yield a positive result, please follow the instructions specified in Enclosure 1: *Instructions for Positive Bacteriological Samples*.

Please update your system's monitoring plan to reflect the monitoring requirements outlined in this letter and mail to the TCEQ Monitoring Plan Coordinator at the following address:

Monitoring Plan Coordinator (MC 155)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711

Additional information is available in TCEQ's Regulatory Guidance No. 384 (RG-384), *How to Develop a Monitoring Plan for a Public Water System*, or on our website at:

https://www.tceq.texas.gov/drinkingwater/monitoring_plans

All PWS monitoring plans are required to be kept up-to-date and on file at the system at all times and must be presented to TCEQ staff upon request.

Condition 2:

- This exception will expire 36 months from the date of this letter (*July 15, 2025*).

You provided the following information to TCEQ in support of your requests on behalf of the Memorial Shopping Center PWS:

- A general location map indicating proposed Well No. 1's location;
- A land survey showing the location of pollution hazards in relation to proposed Well No. 1 and a Utility Plan drawing, dated "Feb. 2021," indicating proposed Well No. 1's location, its geographic coordinates and the area within the 150-ft radius of the well;
- A copy of the State of Texas Well Report with Tracking No. 594876, an As-Built Well Detail, and the TCEQ Cementing Certificate, for proposed Well No. 1;
- An official copy of the filed and recorded Deed of Trust, dated November 18, 2020, for all property owned by the PWS owner, Bergheim Trading Company LLC, within 150 feet of proposed Well No. 1;
- A revised well pollution hazard survey for proposed Well No. 1 indicating that sanitary hazards prohibited by the required sanitary easement are not located within a 150-foot radius, except for the sanitary sewer line, for which a setback exception has been granted; and
- An email to Mr. Jonathan Davis of my staff, dated June 8, 2022, confirming that the "abandoned well" indicated on the Utility Plan drawing is the same well referenced in the State of Texas Plugging Report (Tracking No. 213123).

A copy of this letter and all related monitoring data must be maintained with the water system's records for as long as these exceptions are in effect. These records must be made available to TCEQ staff upon request. If contamination of a well occurs which is not remediated through treatment, a new properly constructed well may be required at another location and abandonment, proper plugging, and sealing of the abandoned well will be required.

All exceptions are subject to review. If new information indicates that these exceptions compromise the public health or degrade service or water quality, the exceptions may be revoked as specified in 30 TAC §290.39(l)(2). Noncompliance with any condition stated in this exception letter may result in enforcement action as specified in 30 TAC §290.39(l)(5). These exceptions are not intended to waive compliance with any other TCEQ requirement in 30 TAC Chapter 290. These exceptions cannot be used as a defense in any enforcement action resulting from noncompliance with any other requirement of 30 TAC Chapter 290.

Additional Information:

The review of the well setback exception request granted in this letter was based on the location of proposed Well No. 1 as shown on the site plan sheet titled, *MEMORIAL SHOPPING CENTER @ SH 46, UTILITY PLAN, Sheet No. C 2.0* (Enclosure 2), dated "Feb. 2021" and submitted by Mr. Becker to Mr. Davis via email on June 3, 2022. In its review, the TCEQ noted that the locations of certain proposed site improvements (on-site sewage facility septic drainfield and underground petroleum storage tanks and associated fuel pumps) are very near the 150-foot sanitary control radius of proposed Well No. 1. Please note that any changes in the indicated location of proposed Well No. 1 or any of the site improvements that place them less than their respective required minimum setback distances to the well will necessitate additional well setback exceptions and may also require revision of the conditions of the exceptions granted in this letter.

Mr. Cal Chapman, P.E., President
Page 5 of 5
July 15, 2022

If you have questions concerning this letter, or if we can be of additional assistance, please contact Jonathan Davis by email at jonathan.davis@tceq.texas.gov, by telephone at (512) 239-5246, or by correspondence at the following address:

Technical Review and Oversight Team (MC 159)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

If you are unable to contact Mr. Davis, please contact another member of the Technical Review and Oversight Team at PTRS@tceq.texas.gov.

Sincerely,



Stephanie Escobar, Team Leader
Technical Review and Oversight Team
Plan and Technical Review Section
Water Supply Division
Texas Commission on Environmental Quality

SJE/jjd

Enclosure 1: *Instructions for Positive Bacteriological Samples*

Enclosure 2: *MEMORIAL SHOPPING CENTER @ SH 46, UTILITY PLAN, Sheet No. C 2.0*

cc: Mr. James Schueplonch, Member, Bergheim Trading Company LLC, 32880 IH-10 W., Ste. 107, Boerne, TX, 78006-9292

Instructions for Positive Bacteriological Samples

If multiple raw water samples are found to be **positive** for total coliform and **negative** for *E. coli* and other fecal indicators, a new exception with revised conditions may be required. TCEQ personnel recommend reviewing the sample collection protocol to ensure proper sample collection methods are in place. Personnel also recommend well disinfection according to American Water Works Association (AWWA) well disinfection standards.

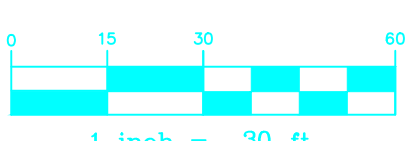
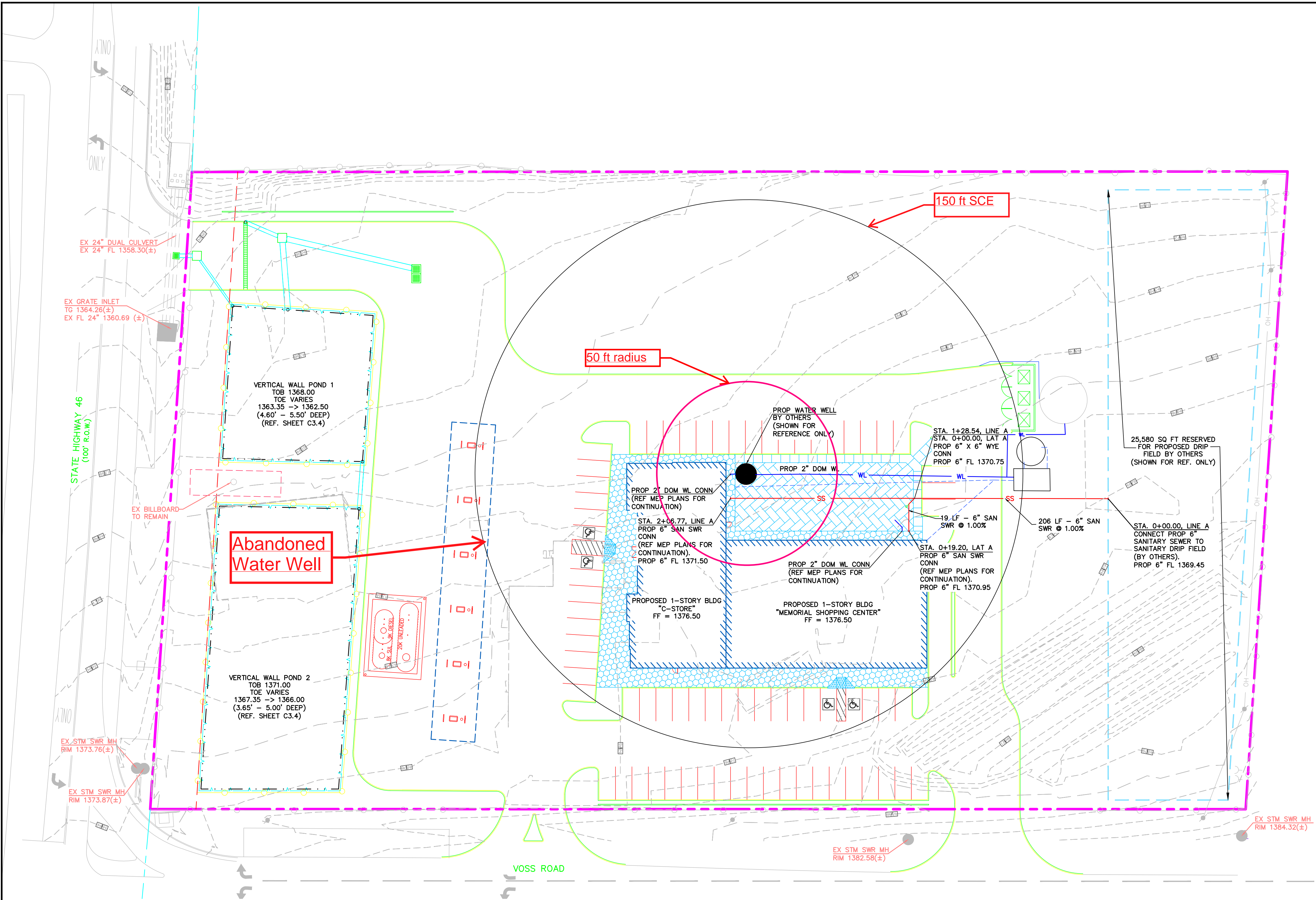
If a raw water sample is found to be **positive** for total coliform and **positive** for *E. coli* or other fecal indicators, Groundwater Rule requirements include:

- A. Issuance of a Public Notice to water system customers in accordance with 30 TAC §290.122(a) within 24 hours of being notified of the positive result.
- B. Notification to all consecutive systems served by the well within 24 hours of being notified of the positive result.
- C. Notification to TCEQ Drinking Water Assessment Team personnel at 512-239-4691 or GWRdata@tceq.texas.gov within 24 hours of being notified of the positive result.
- D. Implementation of one or more of the Corrective Actions described in 30 TAC §290.116 as indicated by TCEQ Drinking Water Assessment Team personnel.

Additionally, the current exception may be revoked and a new exception with revised conditions may be required

Information on the Groundwater Rule can be found by calling 512-239-4691 and asking to speak to a member of the Drinking Water Assessment Team or at the following website:

https://www.tceq.texas.gov/drinkingwater/gwr_main.html



LEGEND	
	SS
	WL
	PROPOSED STORM SEWER
	EX. STORM SEWER
	WL
	EX. WATER LINE
	SS
	EX. SANITARY SEWER LINE
	100'
	EX. MAJOR CONTOUR
	EX. MINOR CONTOUR
	W/ CLEAN OUT
	PROPOSED SANITARY SEWER
	PROPOSED WATER LINE

- GENERAL NOTES**
1. REFERENCE SANITARY SEWER AND WATER LINE NOTES SHEET C0.1 FOR PIPE MATERIAL REQUIREMENTS.
 2. REFER TO SITE ELECTRICAL PLAN FOR PROPOSED SITE LIGHTING LAYOUT.
 3. REFERENCE MEP PLANS FOR CONTINUATION OF SANITARY AND WATER FACILITIES INSIDE BUILDING.
 4. ALL CLEANOUTS LOCATED WITHIN CONCRETE PAVEMENT TO BE TRAFFIC RATED.
 5. CONTRACTOR TO VERIFY ALL PROPOSED UTILITY CONNECTIONS FOR BOTH LOCATION AND DEPTH PRIOR TO ORDERING MATERIALS OR COMMENCEMENT OF WORK.

MULTIPLE EXISTING PUBLIC AND PRIVATE UTILITY LINES EXIST ON THIS SITE. THE UTILITY LINES SHOWN ON THESE DRAWINGS REFLECT INFORMATION OBTAINED FROM RECORD DRAWINGS AND MAY NOT INCLUDE ALL EXISTING UTILITIES. CONTRACTOR IS TO USE EXTREME CAUTION DURING ALL CONSTRUCTION ACTIVITIES AND IS SOLELY RESPONSIBLE FOR DAMAGE TO EXISTING FACILITIES.

CALL BEFORE YOU DIG
TEXAS ONE CALL PARTICIPANTS REQUEST
72 HOURS NOTICE BEFORE YOU DIG, DRILL
OR BLAST - STOP CALL
TEXAS ONE CALL SYSTEM
1-800-344-8377
IN HOUSTON
(713)-223-4567

ALJLindsey
Civil Engineers
281.301.5655
Houston, TX 77060
FRN F-11526

PROJECT NO.
39619/CV/003
DATE: FEB. 2021
SCALE: 1"=30'
DRAWN BY: BM
CHECKED BY: KAD

UTILITY PLAN

MEMORIAL SHOPPING
CENTER @ SH 46
LOCATED IN
BERGHEIM, TEXAS

SHEET
C2.0

REVISIONS
NO. DATE

DATE



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022
OPEN SESSION

SUBJECT	Request for Relief - I-10 HMC Investments, 43000 IH-10
DEPARTMENT & PERSON MAKING REQUEST	Assistant County Engineer - Mary Ellen Schulle
PHONE # OR EXTENSION #	830-249-9343 ext 252
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action on a request for relief from the road frontage and platting requirements in accordance to Sections 101 and 102 of the Kendall County Development Rules and Regulations. The proposed division would create two 15-acre tracts and an approximately 42-acre tract out of a parent tract of approximately 72 acres. Access to the tracts is over a 60' wide easement for roadway purposes to I-10. Daniel Huband, I-10 HMC Investments – Owner
REASON FOR AGENDA ITEM	Request for Relief - I-10 HMC Investments, 43000 IH-10
WHO WILL THIS AFFECT?	Pct 4
ADDITIONAL INFORMATION	Parcel IDs 290388, 223205, 295262, 223203. Easement will need to be named for 911 addressing purposes.

REQUEST FOR RELIEF (Variance)

From the Kendall County (KC) Development Rules and Regulations
(Section 106)

1. Date 07/27/2022
2. Location of Property: 43000 I-10
West Boerne Texas 78006
3. Name of Development (If Applicable): N/A
4. Property Owner/Developer Name: I10 HMC Investments LLC
5. Relief Requested (Reference the specific Section/Paragraph of the current KC Development Rules and Regulations:
300.1100 Road Frontage
We desire to create three 15+ ace tracts out of our 72 acre tract. Two of the
tracts will have public road access via a 60 foot wide easement for roadway purposes.
6. Reason(s) for Requesting Relief: (Please refer to Section 106, Relief by County Commissioners Court in answering these questions)
 - a. What special circumstances or conditions affecting the land involved such that the strict interpretation of the provisions of these regulations would deprive you of the reasonable use of this land.
The property has very little frontage on the public roadway compared to depth.
 - b. Why is relief necessary for the preservation and enjoyment of a substantial property right of yours?
Without relief, we would not be able to divide and sell of un-necessary portions
of or property.

- c. Will the granting of relief not be detrimental to the public's health, safety, and welfare? Please explain.

The relief will not be detrimental to the public's health, safety and welfare.

The proposed easement will be over an existing commercial driveway

permitted by TxDOT and will not add significant traffic load to this driveway.

- d. Will the granting of relief not have the effect of preventing the orderly subdivision of other land in the area? Please explain.

This relief will not restrict development of any land in the area. The

state controlled access lanes provide excellent access and this development

is not changing that.



Signature

XXXXXXXXXX
XXXXXXXXXXXX

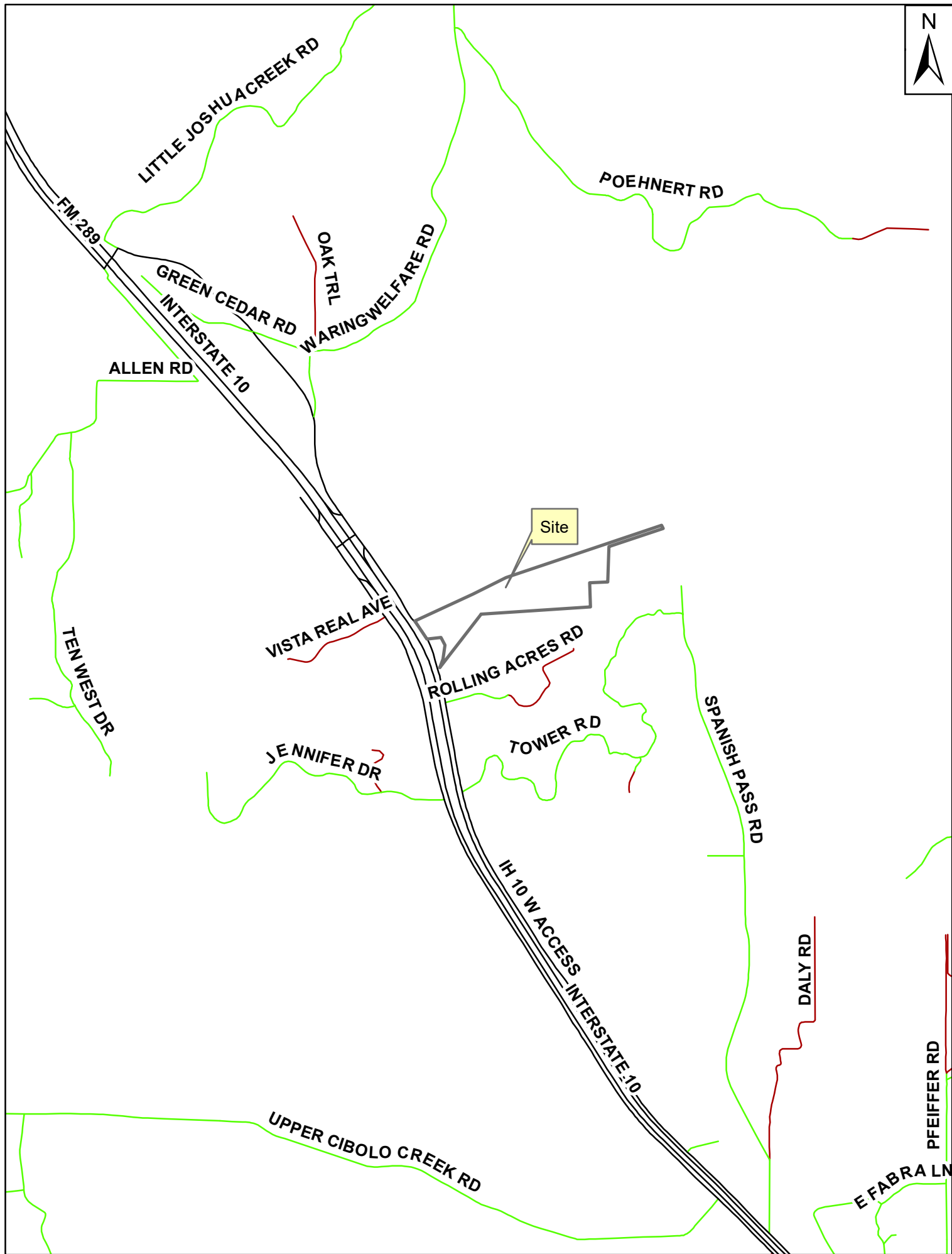
Phone Number

Kenneth J. Mantor

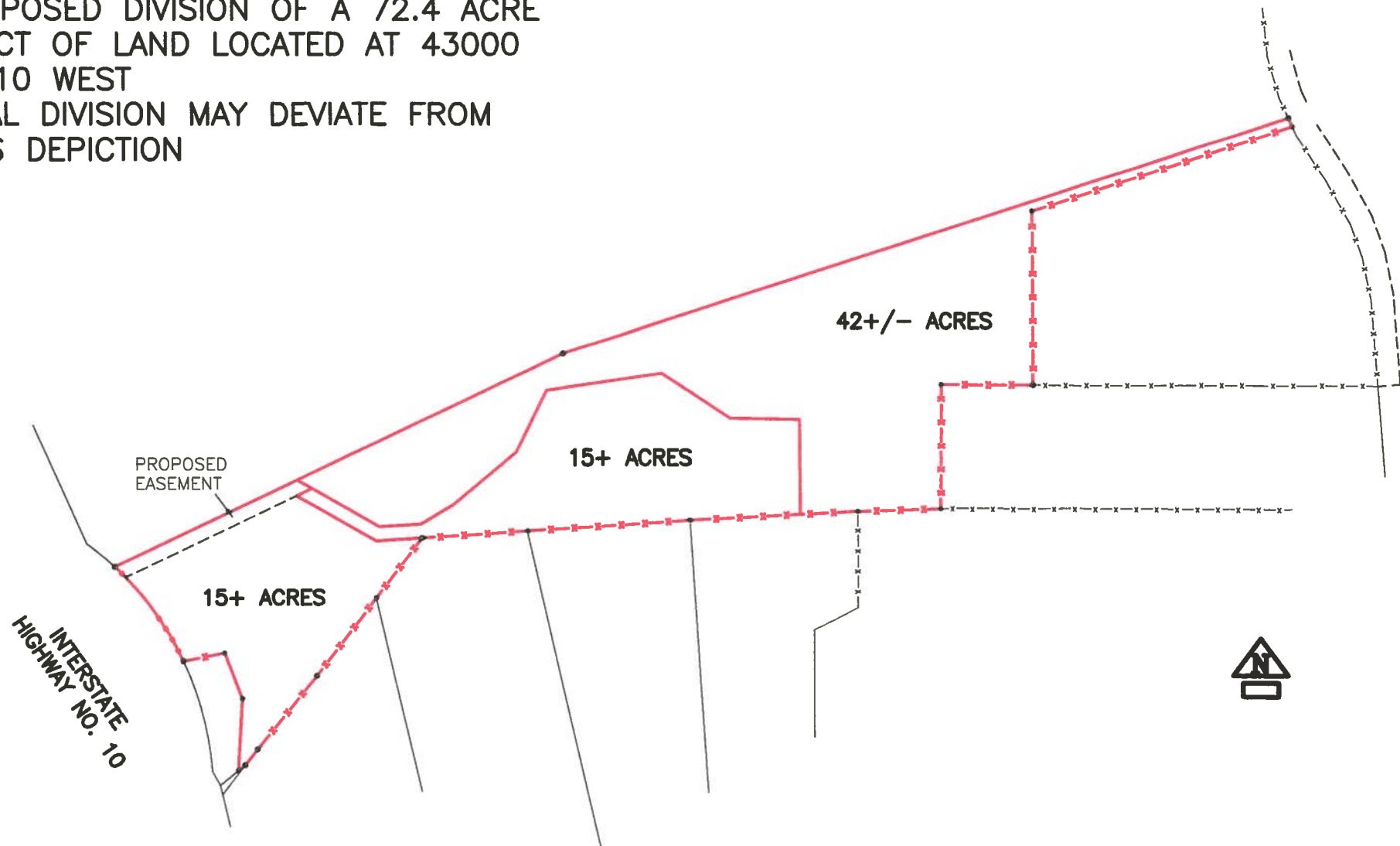
Printed Name

07/27/2022

Date



PROPOSED DIVISION OF A 72.4 ACRE
TRACT OF LAND LOCATED AT 43000
IH-10 WEST
FINAL DIVISION MAY DEVIATE FROM
THIS DEPICTION





KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022 OPEN SESSION	
SUBJECT	Memorandum of Understanding with land owner concerning the location of a cul-de-sac at the end of Ragsdale Road.
DEPARTMENT & PERSON MAKING REQUEST	Don Durden - Commissioner Pct. #4 Richard Tobolka - County Engineer
PHONE # OR EXTENSION #	830-249-9343 Ext. 250
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action concerning a Memorandum of Understanding between Kendall County and landowner adjacent to Ragsdale Road. The purpose of the Memorandum of Understanding is to provide for the construction of a cul-de-sac at the end of Ragsdale Road so motor vehicles including emergency vehicles can turn around without encroaching on private property.
REASON FOR AGENDA ITEM	The owner of land adjacent to Ragsdale Road have asked Kendall County to consider location of a cul-de-sac at the end of the road and are agreeable to donating required right-of-way for the construction of the cul-de-sac.
WHO WILL THIS AFFECT?	Pct # 4 and those operating motor vehicles on Ragsdale Road.
ADDITIONAL INFORMATION	None

STATE OF TEXAS

KENDALL COUNTY

MEMORANDUM OF UNDERSTANDING AND AGREEMENT

WHEREAS, Ragsdale Road is a county road, dedicated for use by the public, located in Kendall County, Texas that dead ends as shown on the Field notes and survey attached as Exhibit "A" and "B." in Kendall County, Texas; and

WHEREAS, the current condition of Ragsdale Road makes it difficult for motor vehicles, particularly school buses and large trucks to turn around and exit Ragsdale Road Drive without encroaching on privately owned property; and

WHEREAS, landowners of property adjacent to Ragsdale Road desire to improve the safety of Ragsdale Road for the operation of motor vehicles by donating easements for roadway purposes, such easements to be used by Kendall County to construct a cul-de-sac at the end of Ragsdale Road; and

WHEREAS, MC CUPP Investments, LLC, a Texas Limited Liability Company, owner of land adjacent to Ragsdale Road has indicated agreement and intent to dedicate an easement for roadway purposes to Kendall County, such easement being described in Exhibits "A" and "B" attached hereto and incorporated herein for all purposes; and

WHEREAS, it is the desire of such landowners that the Commissioners Court of Kendall County accept the dedication of such easements on behalf of the public and construct a cul-de-sac at the end of Ragsdale Road as shown on Exhibits "A" and "B"; and

WHEREAS, the Commissioners Court of Kendall County supports the proposed actions as being necessary to protect the health, safety and welfare of the citizens of Kendall County; and

Whereas, all parties desire to memorialize the terms of the understanding and agreement:

Now therefore, the parties agree as follows:

MC CUPP Investments, LLC supports construction of a cul-de-sac at the end of Ragsdale Road and agrees to comply with and respectively perform the requirements set out herein in order to bring about the construction of such cul-de-sac. MC CUPP Investments, LLC, the owner of property adjacent to Ragsdale Road agrees to dedicate an easement for roadway purposes to Kendall County, such easement being described in Exhibits "A" and "B" attached hereto and incorporated herein for all purposes. Promptly after the execution of this Memorandum of Understanding, Kendall County will deliver a form of dedicatory easement (subject to the reasonable approval of MC CUPP Investments, LLC) which will be executed by both parties to this Memorandum of Understanding and recorded in the Kendall County Clerk's Office. Such easement will provide among other things, that MC CUPP Investments LLC shall not have any

obligation to maintain the roadway/cul-de-sac situated on such easement nor shall MC CUPP Investments LLC, have any liability or responsibility associated with the use of such easement by the public or Kendall County.

Within six months following the dedication of such easements and the recording of the dedicatory instruments in the County Clerk's office, the Commissioners Court agrees to construct a cul-de-sac as shown in Exhibits A and B at the end of Ragsdale Road, the exact time of such construction being determined by the availability of funds to the County for such purposes, and the work schedule of the County Engineer and the County Road and Bridge Department.

MC CUPP Investments, LLC agrees and understands that the diameter of the cul-de-sac, being less than that required by the Kendall County Development Rules and Regulations, division of property using the cul-de-sac for road frontage is therefore currently restricted and stipulate that it is not their intention at this time to use the cul-de-sac as road frontage for the division of their property; and MC CUPP Investments LLC further agrees and understands that prior to any possible future division, if any, that MC CUPP Investments LLC will ensure the cul-de-sac is expanded as necessary and otherwise complies with the Kendall County Development Rules and Regulations.

MC CUPP Investments, LLC further agrees and stipulates that the dedication of the easement for roadway purposes is intended for and limited to the purposes set out in this Memorandum of Understanding.

Signed and agreed to this _____ day of _____, 2022

MC CUPP Investments, LLC

Name: Mike Cuppetilli, Manager

ACCEPTED ON BEHALF OF KENDALL COUNTY, TEXAS

Darrel L. Lux
County Judge

PFEIFFER LAND SURVEYING

918 Adler Street, Boerne, Texas 78006
Phone: 830-249-3385

FIELD NOTES FOR A 0.246 ACRE TRACT OF LAND FOR ROADWAY PURPOSES

Being a **0.264 acre** tract of land for roadway purposes out of the T.W.N.G. R.R. Co. Survey No. 79, Abstract No. 671, said **0.264 acre** tract also being a portion of that certain 347.170 acre tract of land recorded in Volume 1709, Pages 968-973, Official Records, Kendall County, Texas, said **0.246 acre** tract being more particularly described by metes and bounds as follows:

Beginning at a $\frac{1}{2}$ " iron rod set with an orange "Pfeiffer Survey" plastic cap for the northwest corner of the herein described tract, said point also being in the north line of the above referenced 347.170 acre tract and bears South 89 degrees 56 minutes 07 seconds East, a distance of 3144.62 feet from a 4" metal pipe fence post found at the northwest corner of said 347.170 acre tract;

Thence, with the north line of said 347.170 acre tract, **North 89 degrees 56 minutes 07 seconds East**, a distance of **42.39 feet** to a $\frac{1}{2}$ " iron rod set with an orange "Pfeiffer Survey" plastic cap for the northeast corner of the herein described tract, said point bears South 89 degrees 56 minutes 07 seconds West, a distance of 183.22 feet from a $\frac{1}{2}$ " iron rod found at the northeast corner of said 347.170 acre tract;

Thence, crossing through said 347.170 acre tract, the following five (5) courses and distances:

South 19 degrees 24 minutes 00 seconds East, a distance of **8.80 feet** to a $\frac{1}{2}$ " iron rod set with an orange "Pfeiffer Survey" plastic cap;

around a curve in a counterclockwise direction having a central angle of **61 degrees 21 minutes 01 seconds**, an arc distance of **16.06 feet**, a radius of **15.00 feet** and a chord that bears **South 50 degrees 04 minutes 31 seconds East**, a distance of **15.31 feet** to a $\frac{1}{2}$ " iron rod set with an orange "Pfeiffer Survey" plastic cap;

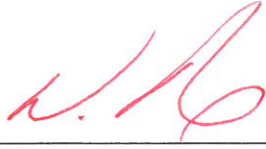
around a curve in a clockwise direction having a central angle of **302 degrees 42 minutes 03 seconds**, an arc distance of **306.42 feet**, a radius of **58.00 feet** and a chord that bears **South 70 degrees 36 minutes 00 seconds West**, a distance of **55.62 feet** to a $\frac{1}{2}$ " iron rod set with an orange "Pfeiffer Survey" plastic cap;

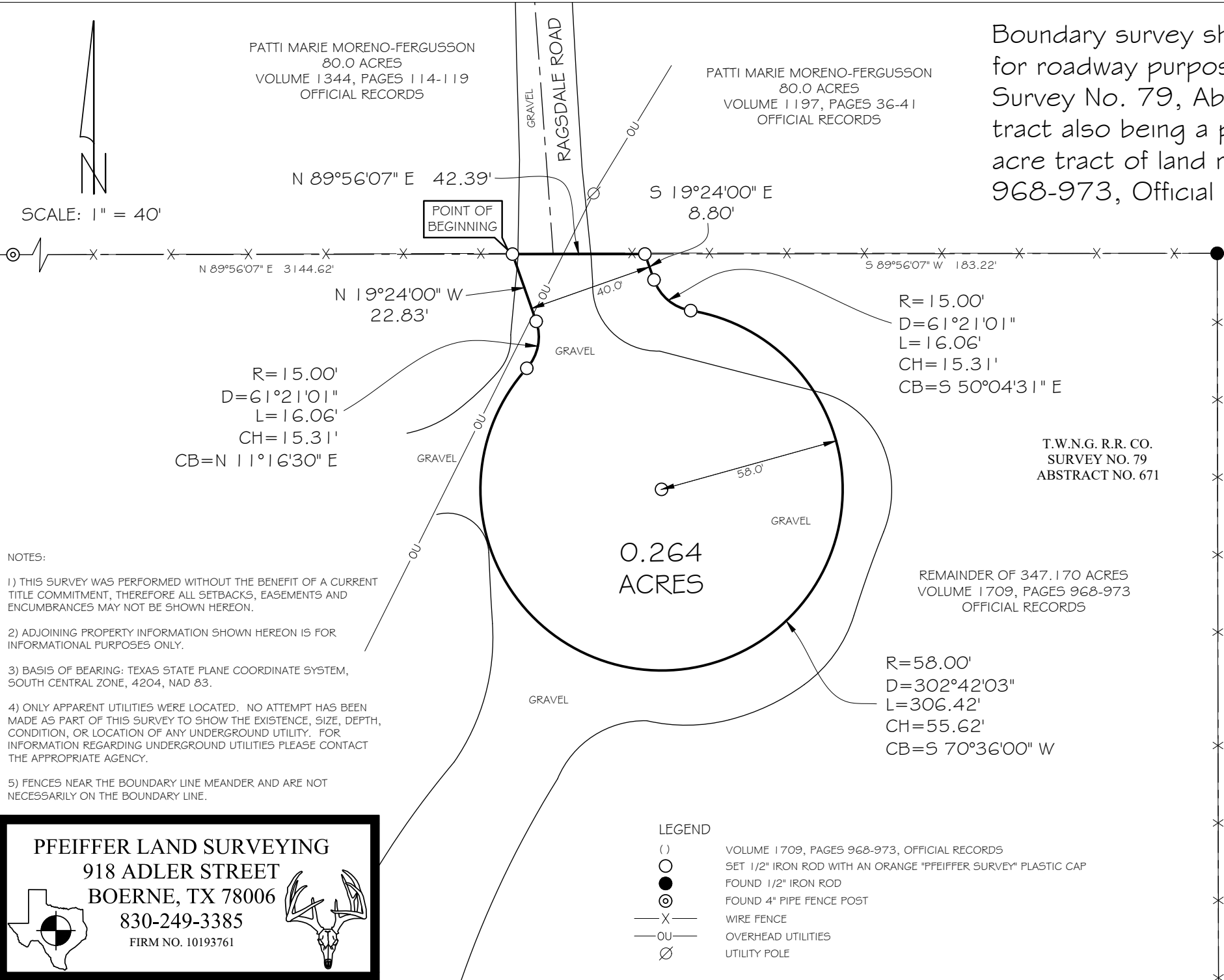
around a curve in a counterclockwise direction having a central angle of **61 degrees 21 minutes 01 seconds**, an arc distance of **16.06 feet**, a radius of **15.00 feet** and a chord that bears **North 11 degrees 16 minutes 30 seconds East**, a distance of **15.31 feet** to a $\frac{1}{2}$ " iron rod set with an orange "Pfeiffer Survey" plastic cap;

and **North 19 degrees 24 minutes 00 seconds West**, a distance of **22.83 feet** to the **Point of Beginning** containing **0.264 acres** of land.

Note: The bearings are based on the Texas State Plane Coordinate System, South Central Zone, 4204, NAD83. A drawing was prepared for this tract.





Wes Rexrode
Registered Professional Land Surveyor No.6001
Job Number: 162-21 (0.246 Acre Tract)



PATTI MARIE MORENO-FERGUSSON
 80.0 ACRES
 VOLUME 1197, PAGES 36-41
 OFFICIAL RECORDS

T.W.N.G. R.R. CO.
 SURVEY NO. 79
 ABSTRACT NO. 671

REMAINDER OF 347.170 ACRES
 VOLUME 1709, PAGES 968-973
 OFFICIAL RECORDS



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY.

W. Rexrode

Wes Rexrode - Pfeiffer Land Surveying
 Registered Professional Land Surveyor No. 6001
 Boerne, Texas 78006 Ph. 830 - 249 - 3385

DATE: NOVEMBER 5, 2021 JOB NUMBER: 129-21

PFEIFFER LAND SURVEYING
 918 ADLER STREET
 BOERNE, TX 78006
 830-249-3385
 FIRM NO. 10193761






KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022
OPEN SESSION

SUBJECT	Market Days use of Courthouse Grounds
DEPARTMENT & PERSON MAKING REQUEST	David Querbach, Market Days Management Darrel L. Lux, County Judge
PHONE # OR EXTENSION #	830-249-9343
TIME NEEDED FOR PRESENTATION	2 minutes
WORDING OF AGENDA ITEM	Consideration and action on approval of the Lease Agreement with Market Days Management to allow the use of the Courthouse grounds for Market Days on October 7-9, 2022.
REASON FOR AGENDA ITEM	To allow Market Days to continue their regularly scheduled event when the City of Boerne Main Plaza is not available, in this case the plaza is not available due to the Rod Run Car Show.
WHO WILL THIS AFFECT?	Boerne Market Days and the public.
ADDITIONAL INFORMATION	Market Days will be allowed to set up on Friday, October 7th no earlier than 6:00 p.m.

**STATE OF TEXAS
KENDALL COUNTY**

LEASE AGREEMENT

PARTIES: The parties to this agreement are the owner of the Property, KENDALL COUNTY (hereinafter "COUNTY") and the lessee of the Property, MARKET DAYS MANAGEMENT, (hereinafter "TENANT").

PROPERTY: COUNTY leases to TENANT that certain real property identified as the parking areas and grounds around the Courthouse located at 201 East San Antonio, Boerne, Texas (the "Premises").

TERM: This lease commences at 6:00 p.m. on October 7, 2022 (Commencement Date) and ends at 6:00 p.m. on October 9, 2022 (Termination Date) unless extended by agreement of the parties.

TERMINATION: Either party may terminate this agreement at anytime for cause. Either party may terminate this agreement for any reason by giving the other party at least fifteen (15) days notice of its intent to do so.

RENT: TENANT shall pay COUNTY rent in the amount of five hundred and no/100 dollars (\$500.00) (the "rental amount") no later than fourteen (14) days prior to the Commencement Date. The failure of TENANT to timely pay the rental amount shall result in cancellation of this agreement with no further obligation on either party.

UTILITIES: TENANT will be permitted to connect into the Courthouse utilities provided that such can be done without damage to the premises, the Courthouse, surrounding areas or the utility system(s); and provided further that any use of utilities by TENANT is minimal and results in minimal or no expense to COUNTY.

USE AND OCCUPANCY:

1. **ALLOWABLE USES:** TENANT shall use the premises for the following purposes: Booths and activities for Boerne Market Days. All booths and activities shall be confined to the Courthouse grounds including the paved parking areas on the Courthouse grounds. All vehicular traffic shall be confined to paved areas and pedestrian traffic should be confined to sidewalks and paved areas as much as possible to prevent damage to the Courthouse grounds and vegetation.
2. **PROHIBITIONS:** TENANT may not permit the premises to be used for any activity that is unlawful, offensive, and dangerous or that causes damage to the premises or surrounding areas or that constitutes a nuisance.

ACCESS BY COUNTY: This is a non-exclusive lease agreement and COUNTY's officers, agents or employees or other persons authorized by COUNTY may enter the premises at any time for any lawful purposes.

MAINTENANCE AND UPKEEP OF THE PREMISES:

TENANT's responsibilities:

1. TENANT shall clean up and dispose of all trash, garbage and debris resulting from TENANT's use of the premises and ensure that all trash, garbage and debris is removed from the premises, including the Courthouse grounds, parking areas, sidewalks and adjacent common areas prior to leaving the premises at the expiration of the lease period.
2. TENANT shall take precautions to prevent damages to the premises. In the event that any damages occur to the premises, the Courthouse, Courthouse grounds or any other structures or property located at 201 East San Antonio, Boerne, Texas during the lease period, TENANT shall be responsible for the cost of repairs which shall be done under the supervision of and to the satisfaction of COUNTY. TENANT shall promptly notify COUNTY of any damages to the premises or surrounding areas.

ASSIGNMENT AND SUBLETTING: It is understood that spaces will be sublet by TENANT to third parties for the location of booths and activities for Boerne Market Days. Other than such booths and activities, TENANT shall not assign or sublet the premises or any part thereof without COUNTY's consent.

INSURANCE: TENANT shall provide, at TENANT's expense, liability insurance in an amount not less than the limits set forth in the Texas Tort Claims Act, Texas Civil Practice and Remedies Code, Chapter 101 or successor statute, as applicable to a Texas County.

INDEMNIFICATION: TENANT does hereby agree to indemnify and hold harmless COUNTY, its officers, agents and employees, against any and all claims, demands or causes of action that may be made against COUNTY, its officers, agents or employees, by reason of, or in any way arising from this agreement or the performance of the terms of this agreement or TENANT's presence, use and/or occupancy of the premises or surrounding areas, and/or arising from third parties use or presence on the premises or the surrounding areas during the term of this Agreement, it being TENANT's intention to fully indemnify COUNTY, its officers, agents and employees from any liability arising from this Agreement.

MISCELLANEOUS PROVISIONS:

1. **LAW:** The provisions of this agreement shall be interpreted in accordance with the laws of the State of Texas. Venue for any suit arising from this agreement shall be in Kendall County, Texas.
2. **ENTIRE AGREEMENT:** This lease contains the entire agreement between the parties concerning the subject of the lease of the premises between the parties. No amendment to this agreement shall be valid unless it is in writing, signed by both parties or their authorized agent and dated subsequent to the date of this agreement.
3. **BINDING EFFECT:** This agreement is binding upon and inures to the benefit of the parties to this lease and to their respective heirs, executors, administrators, and permitted successors and assigns.
4. **NOTICES:** All notices under this agreement shall be delivered to the persons who execute this agreement on behalf of the parties or by delivering such notices to the address that the parties may designate.

DARREL L. LUX
COUNTY JUDGE

DAVID QUERBACH
MARKET DAYS MANAGEMENT

Date: _____

Address: Kendall County
201 E. San Antonio Ave #122
Boerne, TX 78006

Date: _____

Address: Market Days Management
13423 Blanco Rd. #165
San Antonio, TX 78216



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022
OPEN SESSION

SUBJECT	Interlocal Agreement with the City of Boerne for Sanitarian Services
DEPARTMENT & PERSON MAKING REQUEST	Darrel L. Lux, County Judge Bill Ballard, General Counsel
PHONE # OR EXTENSION #	830-249-9343
TIME NEEDED FOR PRESENTATION	5 minutes
WORDING OF AGENDA ITEM	Consideration and action concerning the Interlocal Agreement with the City of Boerne regarding the provision of sanitarian services.
REASON FOR AGENDA ITEM	For the City of Boerne to be able to use the services of the County Health Sanitarians.
WHO WILL THIS AFFECT?	Food service establishments located within the city limits of the City of Boerne.
ADDITIONAL INFORMATION	None

**STATE OF TEXAS
KENDALL COUNTY**

**INTERLOCAL AGREEMENT BETWEEN KENDALL COUNTY AND
THE CITY OF BOERNE FOR HEALTH SANITARIAN SERVICES**

This City-County Interlocal Agreement (“Agreement”) for the purpose of providing a registered health sanitarian and other services to the citizens of the City of Boerne and Kendall County is entered into by the City of Boerne, Texas (hereinafter “CITY”) and Kendall County (hereinafter “COUNTY”), acting pursuant to the authority granted by the Interlocal Cooperation Act, Chapter 791, Texas Government Code.

WHEREAS, CITY and COUNTY agree that the provision of a registered health sanitarian responsible for enforcing applicable laws, regulations, ordinances and orders in CITY and COUNTY is necessary to protect the health, safety and welfare of the citizens of CITY and COUNTY; and

WHEREAS, an agreement between CITY, COUNTY and the State of Texas which provided for the provision of a registered health sanitarian to serve CITY and COUNTY expired and was not renewed because of lack of funding by the State; and

WHEREAS, reliance on the State of Texas to provide a registered health sanitarian would result in an officer responsible for serving several other cities and counties; and

WHEREAS, since the expiration of the agreement between CITY, COUNTY and the State, CITY and COUNTY have entered into agreements whereby COUNTY provides the services of a registered health sanitarian as a full time employee of COUNTY and provides adequate facilities, including office space, equipment and supplies for such officer and CITY pays one-half (1/2) of the net expenses incurred by COUNTY; and

WHEREAS, due to the increase in the number of food service establishments in the CITY and COUNTY, it is necessary to provide additional personnel to assist the health sanitarian; and

WHEREAS, the two entities agree that such agreement as amended herein should be continued.

NOW THEREFORE, the parties agree as follows:

ARTICLE I. COUNTY’S RESPONSIBILITIES

1. Provide a registered health sanitarian designated as the Kendall County Health Sanitarian who shall be a full time employee of COUNTY and other personnel to perform services under the direction of the County Health Sanitarian, with authority and responsibility as set out in Article III herein.

2. Provide such Sanitarian and staff with office space, office furniture, equipment, and supplies, including computers and motor vehicles, as necessary to perform the services set out in Article III herein.
3. Collect all fees and any other assessments related to permits or licenses in accordance with applicable law, regulations, ordinances of CITY and orders of COUNTY.

ARTICLE II. CITY'S RESPONSIBILITIES

Pay COUNTY one-half of the net expenses incurred by COUNTY in complying with its responsibilities hereunder (total expenses less amounts received by COUNTY from permit fees and other sources) on a payment schedule agreed upon by CITY and COUNTY. (See EXHIBIT A)

ARTICLE III. AUTHORITY AND RESPONSIBILITIES OF COUNTY HEALTH SANITARIAN

The County Health Sanitarian and personnel under the direction of the County Health Sanitarian have full authority and are responsible for performance of the following activities in the unincorporated area of COUNTY and within the city limits of CITY:

1. Inspect all establishments that provide food services to the public, and other entities as authorized by applicable law to ensure compliance with applicable laws, regulations, rules, ordinances, and orders.
2. Direct the closure of any establishment that provides food services to the public, and other entities subject to regulation by CITY and COUNTY that are not in compliance with applicable laws, regulations, rules, ordinances and orders.
3. Require the destruction of any food items intended for human consumption that are not in compliance with applicable laws, regulations, rules, ordinances and orders.
4. Oversee and manage the permitting system for establishments that provide food services to the public, and other entities as authorized by applicable law, including the issuance of permits and collection of permit fees as authorized by ordinances of CITY and orders of COUNTY.
5. Enforce all applicable laws, regulations, rules, ordinances and orders concerning establishments that provide food services to the public, and other entities as authorized by applicable law.

ARTICLE IV. TERM

This term of this Agreement shall be from October 1, 2022 until September 30, 2023, unless renewed or extended by agreement of the parties pursuant to ARTICLE V.

ARTICLE V. EXTENSION OR RENEWAL

By written agreement executed at any time before the expiration date stated herein or such subsequent expiration date as agreed to by the parties, the parties may renew this Agreement on a year-to-year basis or extend the term of the Agreement for any period of less than 12 months.

ARTICLE VI. MISCELLANEOUS PROVISIONS

1. This is the sole and only agreement between the parties concerning the subject matter set out herein. No other agreement, statement or promise made by any party or any officer, agent or employee of any party, which is not set out herein, shall be binding or enforceable against either party.
2. No amendment, modification or alteration to this Agreement shall be binding unless it is set out in writing, approved by the parties and signed by the duly authorized representatives of the parties.
3. If any provision of this Agreement is determined to be invalid or unenforceable by a court of competent jurisdiction, this Agreement shall be reformed to the extent necessary to make the offending provision valid and enforceable, or if the offending provision cannot be modified so as to be made valid and enforceable, the invalidity or unenforceability of such provision shall not affect the remaining terms of this Agreement.
4. This Agreement shall be construed in accordance with the laws of the State of Texas. Exclusive venue for any legal action arising from this Agreement shall be in Kendall County, Texas.

EXECUTED THIS _____ DAY OF _____, 2022

DARREL L. LUX
COUNTY JUDGE
KENDALL COUNTY, TEXAS

BEN THATCHER
CITY MANAGER
CITY OF BOERNE, TEXAS

ATTEST:

DARLENE HERRIN
KENDALL COUNTY CLERK

LORI CARROLL
CITY SECRETARY

Kendall County Heath Inspector Proposed Budget FY 2023 October 1, 2022 - September 30, 2023	
Salary Health Sanitarian	\$ 72,900.00
Salary Health Sanitarian	\$ 64,495.00
Benefits	\$ 36,896.00
Office Supplies	\$ 2,800.00
Postage	\$ 300.00
Fuel & Oil	\$ 1,650.00
Operating	\$ 3,000.00
Telephone	\$ 700.00
Conference/Training	\$ 2,000.00
Software Maintenance	\$ 4,100.00
Vehicle Repair & Maintenance	\$ 1,950.00
Dues	\$ 320.00
Property & Liability Insurance	\$ 1,525.00
Total FY 23 Expense Budget	\$ 192,636.00
Total FY 23 Revenue Projection	\$ 100,000.00
Net Expenses	\$ 92,636.00
<i>Cost to City of Boerne</i>	<i>\$ 46,318.00</i>



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022 OPEN SESSION	
SUBJECT	Pretrial Services Housing
DEPARTMENT & PERSON MAKING REQUEST	Darrel L. Lux, County Judge Bill Ballard, General Counsel
PHONE # OR EXTENSION #	830-249-9343
TIME NEEDED FOR PRESENTATION	5 minutes
WORDING OF AGENDA ITEM	Consideration and action concerning a lease agreement between Kendall County and Johns Road Business Center LCC to provide office space for the Pretrial Services Department beginning on September 1, 2022 and ending on August 31, 2025.
REASON FOR AGENDA ITEM	The new Pretrial Services Department needs housing.
WHO WILL THIS AFFECT?	Pretrial Services Department
ADDITIONAL INFORMATION	None



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022 OPEN SESSION	
SUBJECT	Maintenance Agreement for Security & Access Control at the LEC
DEPARTMENT & PERSON MAKING REQUEST	Al Auxier, County Sheriff
PHONE # OR EXTENSION #	830-249-9343
TIME NEEDED FOR PRESENTATION	5 minutes
WORDING OF AGENDA ITEM	Consideration and action regarding the maintenance contract with CML Security LLC for the Law Enforcement Center security and secure access system(s).
REASON FOR AGENDA ITEM	Security Maintenance
WHO WILL THIS AFFECT?	Kendall County LEC
ADDITIONAL INFORMATION	This is a quote for a 3-year Service Maintenance Agreement (SMA) for [2] annual site visits to perform maintenance on the Security Electronics and Detention Hardware Devices. There will be 2 site visits per year as defined for each section for a 3-year term.



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022 OPEN SESSION	
SUBJECT	Project Management Services for Kendall County Jail Expansion Project
DEPARTMENT & PERSON MAKING REQUEST	Richard Chapman - Commissioner Pct. #3 Richard Tobolka - County Engineer
PHONE # OR EXTENSION #	830-249-9343 Ext. 250
TIME NEEDED FOR PRESENTATION	5 Minutes
WORDING OF AGENDA ITEM	Consideration and action concerning the execution of a specified rate contract with AG-CM for Project Management Services for the Kendall County Jail expansion project.
REASON FOR AGENDA ITEM	Project Management Services for Kendall County Jail Expansion Services
WHO WILL THIS AFFECT?	Pct # 1, 2, 3, 4
ADDITIONAL INFORMATION	The proposed contract estimates 75 total hours per month. The total estimated cost for the services is \$192,600 but will on actual hours required to complete assigned tasks and invoiced monthly to control contract expenditures.



KENDALL COUNTY COMMISSIONERS COURT AGENDA REQUEST

COMMISSIONER COURT DATE: 8/8/2022
OPEN SESSION

SUBJECT	Order exempting architectural service for Voss EMS from competitive bidding
DEPARTMENT & PERSON MAKING REQUEST	Richard Chapman, Commissioner Precinct 3 Bill Ballard, General Counsel
PHONE # OR EXTENSION #	830-249-9343
TIME NEEDED FOR PRESENTATION	5 minutes
WORDING OF AGENDA ITEM	Consideration and action on an Order exempting professional services/architectural services for the proposed EMS Law Enforcement Station near Voss School from the competitive bidding requirements of Texas Local Government Code §262.
REASON FOR AGENDA ITEM	An Order is required to use the RFQ process to develop architectural plans for the station.
WHO WILL THIS AFFECT?	The public
ADDITIONAL INFORMATION	None

THE STATE OF TEXAS §
COUNTY OF KENDALL §

**ORDER EXEMPTING PURCHASE OF CERTAIN
ARCHITECTURAL SERVICES FROM COMPETITIVE PROPOSAL
REQUIREMENTS OF THE COUNTY PURCHASING ACT**

WHEREAS, the Commissioners Court of Kendall County has the authority to exempt the purchase of personal or professional services from the competitive bidding requirements of the County Purchasing Act, TEX. LOC. GOVT. CODE ANN. sec. 262.023; and

WHEREAS, the County desires to enter into contract(s) for certain professional services, in particular Architectural Services for the proposed Voss EMS Facility (Texas Government Code §2254); and

WHEREAS, these Services are professional services requiring special training, skills, and experience.

NOW, THEREFORE, the Commissioners Court of Kendall County hereby orders that the purchase of certain professional services, in particular Architectural Services for the proposed Voss EMS Facility (Texas Government Code §2254) are exempted from the requirements of the County Purchasing Act for competitive bidding or proposal pursuant to TEX. LOC. GOVT. CODE ANN., section 262.024(a)(4), as they are considered professional services.

Signed and entered this 8th day of August, 2022.

Darrel L. Lux
County Judge

Christine Bergmann
Commissioner, Precinct 1

Richard Elkins
Commissioner, Precinct 2

Richard Chapman
Commissioner, Precinct 3

Don Durden
Commissioner, Precinct 4

Attest: _____
Darlene Herrin, County Clerk