

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
February 9, 2016 – 6:00 PM

1. CALL TO ORDER – 6:00 PM

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG

PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG

(Honor the Texas flag, I pledge allegiance to thee, Texas – one state under God, one
and indivisible.)

2. CONFLICTS OF INTEREST

3. PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the City Council on any issue. City Council may not discuss any presented issue, nor may any action be taken on any issue at this time. (Attorney General opinion – JC-0169)

4. CONSENT AGENDA: All items listed below within the Consent Agenda are considered to be routine by the City Council and may be enacted with one motion. There will be no separate discussion of items unless a Council Member or citizen so requests, in which event the item may be moved to the general order of business and considered in its normal sequence.

- 4A. [2016-465](#) Approval of The Special Called City Council Meeting Minutes of January 21, 2016 (Chamber Luncheon) and The Regular City Council Meeting Minutes of January 26, 2016.

Attachments: [MINUTES 16.0121 Special Called- State of the City](#)
 [MINUTES 16.0126](#)

- 4B. [2015-373](#) Consider On Second Reading Ordinance No. 2015-45; An Ordinance Amending The Code Of Ordinances, City Of Boerne, Texas, By Amending Chapter 5, Buildings And Building Regulations, Article II, Construction Standards, Section 5-36; Article III, Mechanical Code, Sections 5-61; Article IV, Gas, Section 5-86; Article V, Plumbing, Sections 5-111; Article VI, Existing Building Code, Section 5-136; Article VII, Electrical

Code, Section 5-232; And Article X, Housing Code, Section 5-266.

Attachments: [2016.01.21..building.Code.Update Ordinance \(2\)](#)
[Ordinance No. 2015-45](#)

- 4C. [2016-423](#) Consider On Second Reading Ordinance No. 2016-09; An Ordinance Amending Ordinance No. 2015-23 Captioned “Establishing The Rate Classifications And Rates To Be Charged For Reclaimed Water Services Provided By The City Of Boerne Utilities.”

Attachments: [AIS Reclaimed \(Reuse\) Water Rate Amendments - 1-26-16](#)
[Ordinance No. 2016-09](#)

- 4D. [2016-460](#) Consider Resolution No. 2016-R13; A Resolution Authorizing The City Manager To Proceed With Purchases As Per Section 6.08 Of The City Of Boerne’s Home Rule Charter. (Purchase Brush Loader Truck for Street Department.)

Attachments: [AIS Brush Loader Truck.doc](#)
[Street Brush Loader Truck.pdf](#)
[2016-R13 Purchase Brush Loader Truck- Street](#)

- 4E. [2016-461](#) Consider Resolution No. 2016-R14; A Resolution Authorizing The City Manager To Proceed With Purchases As Per Section 6.08 Of The City Of Boerne’s Home Rule Charter. (Purchase Vacuum Truck for Water and Wastewater Department.)

Attachments: [AIS Sewer Vacuum Truck.doc](#)
[Sewer Vacuum Truck.pdf](#)
[2016-R14 Purchase Vacuum Truck- Sewer Dept](#)

- 4F. [2016-451](#) Consider Resolution No. 2016-R15; A Resolution Authorizing The City Manager To Enter Into And Manage An Agreement With Heat Transfer Solutions, Inc. (HTS) For Preventative Maintenance.

Attachments: [AIS agreement for HVAC services.](#)
[2016-R15 Agreement HTS](#)
[HVAC agreement](#)

- 4G. [2016-450](#) Consider Resolution No. 2016-R16; A Resolution Authorizing The City Manager To Enter Into And Manage An Agreement

With Cummins Southern Plains For Maintenance Of Back-Up Generators.

Attachments: [AIS Emergency Generator Maintenance agreement.](#)
[2016-R16 Agreement Cummins Southern Plains Maintenance Agreement](#)

- 4H. [2016-456](#) Consider Resolution No. 2016-R17; A Resolution Authorizing The City Manager To Enter Into And Manage An Agreement With F.O. Foundations For Concrete Slab At City Park.

Attachments: [AIS concession slab City Park](#)
[2016-R17 FO Foundations slab at City Park](#)
[City Park slab bids](#)

5. [2016-448](#) RECOGNITION OF MUNICIPAL COURT CLERK, CLAUDIA LEMON FOR ACHIEVING THE LEVEL III MUNICIPAL COURT CERTIFICATION.

Attachments: [Claudia Lemon](#)

6. [2016-442](#) RECOGNITION OF MS. LINDA ZARTLER RECEIVING RE-CERTIFICATION OF TEXAS MUNICIPAL CLERKS CERTIFICATION PROGRAM.

Attachments: [AIS.Linda recertification](#)

PUBLIC HEARING – To Hear Comments On The Following:

7. [2016-440](#) Proposed Use Of A Retirement Community In A R-2, Moderate-Density Residential District And R-3, High-Density Residential District For 20 Old San Antonio Road, A Total Of 5.609 Acres, Fronting East Bandera Road, KAD No. 39338. (Franklin Development Properties for Bruce Calder, Owner)

Attachments: [Summary - Public Hearing](#)
[Att 1 - location](#)
[Public Hearing - 16.0209 Zoning- FranklinDev.](#)

8. [2016-441](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-10; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007 ARTICLE 5, SECTION 3 PERMITTED USES, TABLE 5-1,

AUTHORIZING THE USE OF A RETIREMENT COMMUNITY IN A R-2, MODERATE-DENSITY RESIDENTIAL DISTRICT AND R-3, HIGH-DENSITY RESIDENTIAL DISTRICT FOR 20 OLD SAN ANTONIO ROAD, A TOTAL OF 5.609 ACRES, FRONTING EAST BANDERA ROAD, KAD NO. 39338. (Franklin Development Properties for Bruce Calder, Owner)

Attachments:

[Summary - 1st reading](#)

[Ordinance No. 2016-10](#)

[Att 1 - location](#)

[Att 2 - 20 Old SA - location fronting E Bandera](#)

[Att 3 - aerialmapsforsignsfranklin2](#)

[Att 4a -Site Plan-20160105](#)

[Att 4b - Site plan 1](#)

[Att 5 - 1 story front elevation - 12.14.15](#)

[Att 6 - 3 story front elevation - 12.14.15](#)

9. [2016-454](#) UPDATE ON PATRICK HEATH PUBLIC LIBRARY ACTIVITIES.

Attachments:

[AIS Update on PHPL activities 2-9-16](#)

[PHPL-CVB Tourist Brochure](#)

[Echoes vol 11 december 2015](#)

[What kind of community do you want to live in-Harwood Institute questi](#)

[PHPL Digital Services Compatibility Guide](#)

10. [2016-444](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-11; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY INTO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY. (10.598 Acres Located At 38 Cascade Caverns Road- KAD - At The Request Of Hill Country Daily Bread)

Attachments: [Summary Daily Bread first reading](#)
[Ordinance No. 2016-11](#)
[Att 1 - 38 Cascade Cvrns loc 15-1209 asd](#)
[Att 2 - aerial](#)

11. [2016-443](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-12; AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY INTO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY. (3.537 Acres Of Land Being Part Of Old San Antonio Road and Part Of Herff Road - At The Request Of Judge Lux for Kendall County)

Attachments: [Summary Old SA - Herff Rd annex - 1st reading](#)
[Ordinance No. 2016-12](#)
[Att 1 - county survey Old SA - Herff](#)
[Att 2 - Herrf road Old SA Annexation](#)

12. [2016-463](#) RECEIVE UPDATE ON BOERNE AMPITHEATER AT THE LIBRARY AND CONSIDER RESOLUTION 2016-R18; A RESOLUTION AUTHORIZING A PAYMENT NOT TO EXCEED \$16,000.00 TO TERRA DESIGN GROUP FOR ADDITIONAL CONSTRUCTION SERVICES RELATED TO THE BOERNE AMPITHEATER AT THE LIBRARY.

Attachments: [CC.AIS.amphitheater.TDG.services.02.09.16.final](#)
[2016-R18 Payment to Terra Design](#)
[Invoice Boerne Library Amphitheater 05.1901 Additional Services](#)
[amph.progress.3.images](#)

13. [2016-449](#) CONSIDER RESOLUTION 2016-R19; A RESOLUTION OF THE CITY OF BOERNE, TEXAS AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION FOR BODY-WORN CAMERA PROGRAM GRANT; AUTHORIZING THE CHIEF OF POLICE TO ACT ON

BEHALF OF THE CITY OF BOERNE IN ALL MATTERS RELATED TO THE APPLICATION; AND PLEDGING THAT IF A GRANT IS RECEIVED THE CITY OF BOERNE WILL COMPLY WITH THE GRANT REQUIREMENTS OF THE OFFICE OF THE GOVERNOR.

Attachments: [AIS Body Worn Camera 2016](#)
[2016-R19 Body Cam Grant](#)

14. [2016-446](#) CONSIDER RESOLUTION NO. 2016-R20; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, SETTING THE DATE, TIME AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS. (0.464 Of Land Being A Portion Of Upper Balcones Road - At The Request Of The City Of Boerne)

Attachments: [Summary - upper balcones resolution](#)
[2016-R20 Annex Upper Balcones Rd](#)
[Att 1 - Upper Balcones Road Field Notes](#)
[Att 2 - Upper Balcones Layout1 \(1\)](#)
[Att 3 - Aerial](#)

15. [2016-445](#) CONSIDER RESOLUTION NO. 2016-R21; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, SETTING THE DATE, TIME AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS. (0.670 Acres Of Land Being A Portion Of Scenic Loop Road - At The Request Of The City Of Boerne)

Attachments: [Summary - scenic loop](#)
[2016-R21 Annexation Scenic Loop](#)
[Att 1 - Scenic Loop Road Field Notes](#)
[Att 2 - Scenic Loop Layout1 \(1\)](#)
[Att 3 - Aerial](#)

16. [2016-452](#) RECEIVE BIDS AND AWARD CONTRACT FOR THE RENOVATIONS TO OPTIMIST PARK AND CONSIDER RESOLUTION NO. 2016-R22; A RESOLUTION OF THE CITY OF BOERNE, TEXAS, AUTHORIZING

THE AWARD OF PROFESSIONAL SERVICE PROVIDER CONTRACT
FOR RENOVATIONS TO OPTIMIST PARK.

Attachments: [AIS Optimist Park Renovation Project](#)
[2016-R22 Optimist Park](#)
[Luck Design Optimist Park Bid Recommendation letter](#)
[Optimist Park Rendering](#)
[Optimist Park Bid Tab](#)
[Power Point Optimist Park Renovations Bid Approval](#)

17. [2016-453](#) CONSIDER RESOLUTION NO. 2016-R23; A RESOLUTION
AUTHORIZING THE CITY MANAGER TO PROCEED WITH
PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S
HOME RULE CHARTER. (Playground Equipment for Optimist
Park.)

Attachments: [AIS Playground equipment Optimist Park](#)
[2016-R23 Purchase playground Optimist Park](#)
[TV-01104-16 Rev 1 Optimist Park Updated](#)

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

19. ADJOURNMENT

s/s Ronald C. Bowman
City Manager

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 5th day of
February, 2016 at 5 p.m.**

s/s Lori A. Carroll
City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The Police / Municipal Court Complex is wheelchair accessible. Access to the building and special parking is available at the front entrance of the building. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 830-249-9511.

PURSUANT TO SECTION 30.07 PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

PURSUANT TO SECTION 30.06 PENAL CODE (TRESPASS BY LICENSE HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.