

AGENDA
CITY COUNCIL WORKSHOP
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
December 15, 2015 – 5:00 p.m.

1. CALL TO ORDER – 5:00 PM

2. WORKSHOP DISCUSSION:

2A. [2015-361](#) Briefing On Preliminary Design And Proposed Renovations For Optimist Park

Attachments: [AIS optimist park proposed renovations](#)
[Optimist Park Estimate of Probable Construction](#)
[Optimist Park Rendering](#)
[Optimist Park Renovations Workshop Presentation](#)

3. ADJOURNMENT

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
December 15, 2015 – 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. [2015-358](#) Approval of Minutes from the November 24, 2015 Regular City Council Meeting

Attachments: [MINUTES 15.1124](#)

- 4B. [2015-323](#) Consider On Second Reading Ordinance No. 2015-44; 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. (3.915 Acres Located 35 Cascade Caverns Road - PID 12245 - At The Request Of Currey Creek Baptist Church Of Boerne)

Attachments: [Currey Creek - 2nd reading](#)
[Ordinance No. 2015-44](#)
[Att 1 - 35 Cascade Cavern Rd - location](#)
[Att 2 - Currey.Aerial](#)

- 4C. [2015-375](#) Receive And Consider Amendments To The City Of Boerne's Investment Policy.

Attachments: [Investment Policy - Review 2015](#)
[InvstPol,15.16 Revised](#)

5. [2015-326](#) CONSIDER ON SECOND READING ORDINANCE NO. 2015-43; AN ORDINANCE OF THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS, CHAPTER 22, UTILITIES, AMENDING ARTICLE II. WATER SYSTEM, SEC. 22-41. PROHIBITED USES OF WATER - YEAR ROUND RESTRICTIONS; SEC. 22-51. GENERALLY; SEC. 22-52. WATER SOURCES; SEC. 22-53. EMERGENCY ACTION BY CITY MANAGER; SEC. 22-54. APPLICATION; SEC. 22-55. CRITERIA FOR INITIATION AND TERMINATION OF DROUGHT RESPONSE

STAGES (EXCEPT WHEN A CRITICAL WATER SHORTAGE EXISTS;
SEC. 22-56. DROUGHT RESPONSE STAGES; (A) STAGE I; (B)
STAGE II.; (C) STAGE III.; (D) STAGE IV; SEC. 22-57.
DESIGNATED OUTSIDE WATER USE DAYS; SEC. 22-59.
ENFORCEMENT; AND ESTABLISHING A PENALTY NOT TO
EXCEED \$1,000 FOR VIOLATIONS OF THE ORDINANCE.

Attachments: [AIS Drought Management Plan 2nd Reading](#)
[Ordinance No. 2015-43](#)

6. [2015-373](#) CONSIDER ON FIRST 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, SECTION 5-236, AND ARTICLE X, HOUSING CODE,
SECTION 5-266.

Attachments: [2015.12.07.building.Code.Update Ordinance](#)
[Ordinance No. 2015-45](#)

7. [2015-372](#) CONSIDER ON FIRST READING ORDINANCE NO. 2015-46; AN
ORDINANCE REPEALING AND REPLACING THE CODE OF
ORDINANCES, CITY OF BOERNE, TEXAS, BY AMENDING
CHAPTER 16 PARKS AND RECREATION; AND PROVIDING FOR A
PENALTY OF NOT MORE THAN \$200 FOR VIOLATION OF ANY
PROVISION OF THIS ORDINANCE.

Attachments: [AIS Dec. 15, 2015 Parks Ordinance](#)
[Ordinance No. 2015-46](#)

8. [2015-374](#) CONSIDER RESOLUTION NO. 2015-R120; 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. (10.598
acres located at 38 Cascade Caverns Road - KAD 46739 - at the

request of Hill Country Daily Bread)

Attachments:

[AIS Daily Bread](#)

[2015-R120 38 Cascade Caverns Rd](#)

[Att 1 - 38 Cascade Cvrns loc 15-1209 asd](#)

[Att 2 - 2015.12.08.Daily Bread](#)

9. [2015-377](#) CONSIDER RESOLUTION NO. 2015-R121; 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. (2.288 Acres of land being part of Old San Antonio Road and 1.249 Acres of land being part of Herff Road, at the request of Judge Lux for Kendall County.)

Attachments:

[AIS Old SA - Herff Rd annex](#)

[2015-R121 Portion of Herff Rd and Old San Antonio Rd](#)

[Att 1 - county survey Old SA - Herff](#)

[Att 2 - Herrf road Old SA Annexation](#)

10. [2015-367](#) CONSIDER RESOLUTION NO. 2015-R122; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Electric Distribution materials for Woods of Boerne Unit 3 and Unit 4)

Attachments:

[AIS WOB Electric Purchase.doc](#)

[2015-R122 Electric Distr. Syst. Woods of Boerne](#)

11. [2015-368](#) CONSIDER RESOLUTION NO. 2015-R123; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A LEASE AGREEMENT WITH THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF GREATER SAN ANTONIO (YMCA).

Attachments:

[AIS YMCA Contract](#)

[2015-R123 lease YMCA](#)

[Boerne Adler Lease 12-2-15 \(RL](#)

12. [2015-356](#) CONSIDER RESOLUTION NO. 2015-R124; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND

MANAGE A CONSULTING AND RETAINER AGREEMENT WITH
VERIFI LABORATORY, INC. (Digital forensic services.)

Attachments: [AIS Cell Phone contract](#)
[Cell Phone Contract](#)
[Cell Phone Resume Aycock](#)
[2015-R124 Agreem. VeriFi Laboratory](#)

13. [2015-376](#) RECEIVE AND CONSIDER A REQUEST FROM AETNA SIGN GROUP
FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 10
RESTRICTIONS ON CERTAIN TYPES OF SIGNS. X.3. PROJECTING
SIGNS. (Texas Meat Company 1101 S Main St.)

Attachments: [AIS - Texas Meat sign variance](#)
[Att 1 - location](#)
[Att 2 - Texas Meet company](#)
[Att 3 - Texas meat company](#)
[Att 4 - Texas meat company](#)

14. RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION
AND SET UP PUBLIC HEARINGS FOR JANUARY 12, 2016:

- 14A. [2015-322](#) Proposed Permanent Zoning Of 1 Acre Located At 125 Old San
Antonio Road And 1 Acre Located At 127 Old San Antonio Rd
From R-A, Single Family Rural Residential- Agricultural District
To I, Industrial District, KAD No. 62674 and 62675. (Wiley And
Kathy Cloud)

Attachments: [AIS](#)
[125 127 Old SA - zoning map](#)
[2015.12.11.2008](#)
[2015.12.11.Old.SA.2006](#)
[2015.12.11.Old.SA.2012](#)
[2015.12.11.old.sa.2015](#)
[industrial](#)

- 14B. [2015-317](#) Proposed Permanent Zoning Of 1 Acre Located At 129 Old San
Antonio Road From R-A, Single Family Rural Residential-
Agricultural District To I, Industrial District, KAD No. 62676.
(SDG 129 LLC)

Attachments: [AIS SDG 129 LLC](#)
[129 Old SA - zoning](#)
[2015.12.11.2008](#)
[2015.12.11.Old.SA.2006](#)
[2015.12.11.Old.SA.2012](#)
[2015.12.11.old.sa.2015](#)
[industrial](#)

- 14C.** [2015-313](#) Proposed Permanent Zoning Of 6.41 Acres Located At 131 Old San Antonio Road From R-A, Single Family Rural Residential-Agricultural District To I, Industrial District, KAD No. 48169 and 152323. (Texas Ten Oaks Storage LLC) and KAD No. 17387 (Thomas Drought Trustee).

Attachments: [AIS Thomas Drought Trustee](#)
[131 Old SA - zoning map](#)
[2015.12.11.2008](#)
[2015.12.11.Old.SA.2006](#)
[2015.12.11.Old.SA.2012](#)
[2015.12.11.old.sa.2015](#)
[industrial](#)

- 14D.** [2015-289](#) Proposed Permanent Zoning Of 3.895 Acres Located At 137 Old San Antonio Road From R-A, Single Family Rural Residential-Agricultural District To R-2, Moderate-Density Residential District, KAD No. 41140, 46196, and 290279. (Patricia Long)

Attachments: [AIS Patricia Long](#)
[Att 1 - 137 Old San Antonio location](#)
[Att 2 - 137 Old SA - zoning](#)
[Att 3 - 137 Old SA aerial](#)
[20151201152557398](#)

- 14E.** [2015-286](#) Proposed Use Of A Trailer Court In A B-2, Highway Commercial District For 48 and 48A Old San Antonio Road (KAD: 39194 and 39193), A Total Of 5.378 Acres. (Roy Faz)

Attachments:

AIS Roy Faz Trailer Court

Att 1 - LOCATION MAP

Att 2- Aerial

Att 3 - letter of request for use for cc

Att 4 -Site plan 10.08.15

14F. [2015-287](#)

Proposed Application Of An Entrance Corridor Overlay District
To 48 And 48A Old San Antonio Road (KAD: 39194 and 39193).
(Roy Faz)

Attachments:

AIS Faz Entrance Corridor

Att 1 - LOCATION MAP

Att 2- Aerial

Att 3 - ECOD map

20151201153150415

15. 2015-378

EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS
GOVERNMENT CODE:

A. Section 551.086: Municipal Owned Utility - Competitive
Matter- Wholesale Power - Electric

B. CONSIDER RESOLUTION NO. 2015-R125; A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AND MANAGE A POWER PURCHASE AGREEMENT FOR THE CITY OF BOERNE TO PURCHASE SOLAR ENERGY AND ASSOCIATED ENVIRONMENTAL ATTRIBUTES.

C. CONSIDER RESOLUTION NO. 2015-R126; A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AND MANAGE A POWER PURCHASE AGREEMENT FOR THE CITY OF BOERNE TO PURCHASE WIND ENERGY.

16. RECONVENE INTO OPEN SESSION AND TAKE ANY NECESSARY ACTION RELATING TO THE EXECUTIVE SESSION AS DESCRIBED ABOVE.

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

18. ADJOURNMENT

Ronald C. Bowman
City Manager

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 11th day of
December, 2015 at 4 p.m.**

Lori 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.**