

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**CITY COUNCIL CHAMBERS**  
**124 Old San Antonio Road**  
**Boerne, TX 78006**  
**September 27, 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.     [2016-889](#)           APPROVAL OF THE CITY COUNCIL MEETING MINUTES OF  
SEPTEMBER 13, 2016.

**Attachments:**     [Minutes 16.0913](#)

4B.     [2016-883](#)           CONSIDER ON SECOND READING ORDINANCE NO. 2016-34; AN  
ORDINANCE AMENDING THE CITY OF BOERNE ZONING  
ORDINANCE NO. 2007-64, CAPTIONED, “ZONING ORDINANCE  
OF THE CITY OF BOERNE, TEXAS”, DATED DECEMBER 18, 2007,  
BY AMENDING ARTICLE 3, SECTION 13, PERMANENT ZONING  
OF 87.467 ACRES BEING A PORTION OF CASCADE CAVERNS  
ROAD FOR KAD NOS. 11502, 11539, 11540, A PORTION OF  
11567, A PORTION OF 11593, 38723, AND A PORTION OF 42662  
FROM R-A, SINGLE-FAMILY RURAL RESIDENTIAL -

AGRICULTURAL DISTRICT TO R-2, MODERATE-DENSITY SINGLE-FAMILY DISTRICT AND 1.50 ACRES (A PORTION OF KAD NO. 11540) TO R-E, SINGLE FAMILY RESIDENTIAL ESTATE DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (ML&E Landquest Cascade Caverns, L.L.C., Pulte Homes Of Texas, L.P., Meritage Homes Of Texas, L.L.C., And Kendall West Utility, L.L.C.- Southglen Subdivision)

**Attachments:**[Summary](#)[2016-34](#)[Att 1- LOCATION MAP](#)[Att 2 - future zoning](#)[Att 3 - Aerial](#)[Att 4 - MCP - approved 9.14.15](#)[Att 5 - R-2 Uses](#)[Att 6 - R-E Uses](#)**4C.     [2016-884](#)**

CONSIDER ON SECOND READING ORDINANCE NO. 2016-35; AN ORDINANCE AMENDING THE CITY OF BOERNE ZONING ORDINANCE NO. 2007-64, CAPTIONED, "ZONING ORDINANCE OF THE CITY OF BOERNE, TEXAS", DATED DECEMBER 18, 2007, BY AMENDING ARTICLE 3, SECTION 14, REZONING 2.811 ACRES LOCATED AT 44 AND 46 OLD SAN ANTONIO ROAD (KAD NOS. 42070, 15863, 14796, AND 42069), FROM R-E, SINGLE FAMILY RESIDENTIAL ESTATE DISTRICT TO B-2, HIGHWAY COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Howell R Moore, Michelle L Moore, Vicki Reid Moore, Leon Grivell III.)

**Attachments:**[Summary - rezoning](#)[2016-35](#)[Att 1 - LOCATION MAP](#)[Att 2- Aerial](#)[Att 3 - Zoningmap](#)[Att 4 - Land Use Plan revised 12.11.12](#)[Att 5 - Old SA Boerne Zoning Exhibit 7-13-16](#)[Att 6 - Letter of use request](#)

- 4D. [2016-885](#) CONSIDER ON SECOND READING ORDINANCE NO. 2016-37; AN ORDINANCE ESTABLISHING THE RATE CLASSIFICATIONS AND RATES TO BE CHARGED FOR WATER SERVICE PROVIDED BY THE CITY OF BOERNE UTILITIES, AND REPEALING AND REPLACING ORDINANCE NO. 2015-21 DATED AUGUST 25, 2015 AND ORDINANCE NO. 2012-26 DATED SEPTEMBER 11, 2012 AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith

**Attachments:** [Water Rate Ordinance - Rate increase - 9-13-16 2016-37](#)  
[Water rate increases 9-16](#)

- 4E. [2016-901](#) CONSIDER RESOLUTION NO. 2016-R92; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT BETWEEN THE CITY OF BOERNE AND BOERNE KENDALL COUNTY ECONOMIC DEVELOPMENT CORPORATION.

**Attachments:** [AIS BKCEDC AGR 2016-R92 BKCEDC 2016-17 BKCEDC Agreement Redlined 2016-17 BKCEDC Agreement \(clean\)](#)

- 4F. [2016-881](#) CONSIDER RESOLUTION NO. 2016-R93; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A LEASE AGREEMENT BETWEEN THE CITY OF BOERNE AND MITEL LEASING FOR UPGRADING THE CITY'S PHONE SYSTEM AND PROVIDING A MAINTENANCE PLAN FOR THE PHONE SYSTEM.

**Attachments:** [AIS phone upgrade IT 2016-R93 Mitel leasing upgrading phone system](#)

- 4G. [2016-898](#) CONSIDER RESOLUTION NO. 2016-R94; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PAY REGULAR INVOICES AND BILLS FROM SPECIFIC PROVIDERS OF GOODS AND SERVICES, IN ACCORDANCE WITH THE APPROVED ANNUAL BUDGET, AND IN ACCORDANCE WITH SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER.

**Attachments:**    [Payment of bills over \\$15,000 - AIS-09-2016](#)  
[2016-R94 Authorize to Pay Bills](#)

- 4H.    [2016-880](#)        CONSIDER RESOLUTION NO. 2016-R95; A RESOLUTION  
AUTHORIZING THE CITY MANAGER TO ENTER INTO AND  
MANAGE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF  
BOERNE, TEXAS AND KENDALL COUNTY, TEXAS FOR FIRE  
PROTECTION SERVICES.

**Attachments:**    [AIS Interlocal Agreement FY 2016-2017](#)  
[2016-R95 Interlocal FireProtection](#)  
[INTER LOCAL AGREEMENT FOR FIRE PROTECTION SERVICES 16-17.doc](#)  
[Boundry Map - Fire Districts 2012.pdf](#)

5.        [2016-900](#)        UPDATE ON PATRICK HEATH PUBLIC LIBRARY ACTIVITIES AND  
CONSIDER APPROVAL OF THE LIBRARY'S FY 2017 STRATEGIC  
PLAN.

**Attachments:**    [AIS update on PHPL activities approve strategic plan 9-27-16](#)  
[FINAL PHPL strategic plan update FY17](#)  
[Presentation to City Council 9-16](#)

6.        [2016-888](#)        GVTC GIGAREGION UPDATE.

**Attachments:**    [AIS Gigaregion Update 092716](#)  
[Gigaregion Final CC Update 092716](#)

7.        [2016-899](#)        CONSIDER RESOLUTION NO. 2016-R96; A RESOLUTION  
AUTHORIZING THE CITY MANAGER TO ENTER INTO AND  
MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND  
\_\_\_\_\_ FOR PUBLIC RELATIONS AND  
MARKETING SERVICES.

**Attachments:**    [AIS CC PR & Marketing 09 27 16](#)  
[2016-R96 marketing for special projects](#)  
[Agreement for Services 2016-2017 \(PIPR\)](#)

8.        [2016-887](#)        CONSIDER RESOLUTION NO. 2016-R97; A RESOLUTION  
AUTHORIZING THE CITY MANAGER TO ENTER INTO AND  
MANAGE A PROFESSIONAL SERVICES AGREEMENT BETWEEN  
THE CITY OF BOERNE AND SCHNEIDER ENGINEERING, LTD. FOR  
DESIGN AND CONSTRUCTION OBSERVATION SERVICES OF THE  
OLD SAN ANTONIO ROAD ELECTRICAL FEEDER PROJECT.

**Attachments:**    [AIS Old SA Electric Feeder Design.doc](#)  
[2016-R97 Old S.A elect. feeder](#)  
[2017 Feeder Project.jpg](#)  
[Old San Antonio Road Electrical Feeder Proposal Final.pdf](#)

9.     [2016-886](#)            CONSIDER RESOLUTION NO. 2016-R98; A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN AGREEMENT FOR PROJECT MANAGEMENT CONSULTING SERVICES FOR THE PROPOSED NEW CITY HALL PROJECT BETWEEN THE CITY OF BOERNE AND \_\_\_\_\_.

**Attachments:**    [AIS Negotiate. Dean](#)  
[2016-R98 project manager for new City Hall](#)  
[M Dean summary](#)

10. RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET PUBLIC HEARING FOR OCTOBER 11, 2016:

- 10A.   [2016-891](#)            PROPOSED USE OF CONTRACTORS IN A B-2, HIGHWAY COMMERCIAL DISTRICT AT 44 AND 46 OLD SAN ANTONIO ROAD, A TOTAL OF 2.811 ACRES. KAD NOS. 42070, 15863, 14796, AND 42069. (Howell R Moore, Michelle L Moore, Vicki Reid Moore, Leon Grivell III)

**Attachments:**    [Summary](#)  
[Att 1 - LOCATION MAP](#)

11. RECEIVE RECOMMENDATION FROM PLANNING AND ZONING COMMISSION AND SET PUBLIC HEARINGS FOR OCTOBER 25, 2016:

- 11A.   [2016-892](#)            PROPOSED PERMANENT ZONING OF THE DURANGO TRACT SUBDIVISION, A TOTAL OF 40.892 ACRES, FROM R-A, SINGLE-FAMILY RURAL RESIDENTIAL - AGRICULTURAL DISTRICT TO RN-1, NEIGHBORHOOD RESIDENTIAL DISTRICT, KAD NOS. 153712, 153713, 153714, 153715, AND 153716. (William E. Canavan Jr. Durango Development)

**Attachments:**    [Summary](#)  
[Att 1 - LOCATION MAP](#)

- 11B.   [2016-893](#)            PROPOSED REZONING OF 502 SCHOOL STREET, A TOTAL OF 4.83 ACRES, FROM R-1, MEDIUM DENSITY SINGLE-FAMILY

RESIDENTIAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND  
NEIGHBORHOOD COMMERCIAL DISTRICT, KAD NO. 14412.  
(Original request was for B-2R, Highway Commercial-Restricted  
District, Genevieve Jones)

**Attachments:**    [Summary](#)  
                              [Att 1 - LOCATION MAP](#)

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

13. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:

**13A.**    [2016-890](#)            SECTION 551.086 - MUNICIPAL OWNED UTILITY - COMPETITIVE  
   MATTER-WHOLESALE POWER - ELECTRIC.

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

15. ADJOURNMENT

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s/s Ronald C. Bowman  
City Manager

**CERTIFICATION**

I hereby certify that the above notice of meeting was posted on the 23rd day of  
September, 2016 at 3 p.m.

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s/s Lori A. Carroll  
City Secretary

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS**

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

Pursuant to Section 30.06 Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to section 30.07 Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.