

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
September 13, 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. [2016-850](#) APPROVAL OF MINUTES OF THE CITY COUNCIL MEETINGS OF AUGUST 23, 2016 (REGULAR), AUGUST 24, 2016 (PUBLIC FORUM), AUGUST 30, 2016 (QUARTERLY ROUND TABLE), AUGUST 30, 2016 (SPECIAL CALLED), AND SEPTEMBER 1, 2016 (PUBLIC FORUM)

Attachments: [Minutes 16.0823](#)
 [Minutes 16.0824 public forum](#)
 [Minutes 16.0830 qrt](#)
 [Minutes 16.0830 special](#)
 [Minutes 16.0901 public forum](#)

- 4B. [2016-866](#) CONSIDER RESOLUTION NO. 2016-R85; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND

MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND HILL COUNTRY FAMILY SERVICES.

Attachments: [Hill Country Family Services - 2016-2017](#)
[2016-R85 Hill Country Family Services](#)
[City Report 2016](#)
[Hill Country Fam Svcs Delegate Agr-2016-2017](#)

- 4C. [2016-865](#) CONSIDER RESOLUTION NO. 2016-R86; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND RAINBOW SENIOR CENTER. (Kronkosky Place)

Attachments: [Rainbow Senior Center - 2016-2017](#)
[2016-R86 Rainbow Senior Center](#)
[2015-2016 Third Quarter Report](#)
[Financial Statements 2015 and 2014](#)
[Rainbow Sr Ctr Delegate Agr-2016-2017](#)

- 4D. [2016-864](#) CONSIDER RESOLUTION NO. 2016-R87; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND BOERNE HOUSING AUTHORITY.

Attachments: [Boerne Housing Authority - 2016-2017](#)
[2016-R87 Boerne Housing Authority](#)
[Income and Expenses Statement as of April 2016](#)
[Boerne Housing Authority Delegate Agr 2016-2017](#)

5. PUBLIC HEARING – To Hear Comments On The Following:

- 5A. [2016-853](#) PROPOSED PERMANENT ZONING OF SOUTHGLEN SUBDIVISION, A TOTAL OF 88.967 ACRES, FROM R-A, SINGLE-FAMILY RURAL RESIDENTIAL - AGRICULTURAL DISTRICT TO R-2, MODERATE-DENSITY SINGLE-FAMILY DISTRICT AND R-E, SINGLE FAMILY RESIDENTIAL ESTATE DISTRICT, KAD NOS. 11502, 11539, 11540, A PORTION OF 11567, A PORTION OF 11593, 38723, AND A PORTION OF 42662. (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- First of one hearing)

Attachments: [Summary](#)
[Public Hearing - 16.0913 Zoning Southglen](#)
[Att 1- LOCATION MAP](#)
[Att 2 - future zoning](#)

- 5B. [2016-854](#) PROPOSED REZONING OF 44 AND 46 OLD SAN ANTONIO ROAD, A TOTAL OF 2.811 ACRES, FROM R-E, SINGLE-FAMILY RESIDENTIAL ESTATE DISTRICT TO B-2, HIGHWAY COMMERCIAL DISTRICT, KAD NOS. 42070, 15863, 14796, AND 42069. (Howard R Moore, Michelle L Moore, Vicki Reid Moore, Leon Grivell III - First of one hearing.)

Attachments: [Summary - rezoning public hearing](#)
[Public Hearing - 16.0913 44 & 46 Old San Antonio](#)
[Att 1 - LOCATION MAP](#)

- 5C. [2016-877](#) PROPOSED ANNEXATION OF 11.828 ACRES OF LAND BEING PART OF 15 CASCADE CAVERNS ROAD– KAD NO. 24322 AT THE REQUEST OF CAROLL A. COVEY, TEMPORARY ADMINISTRATRIX OF THE ESTATE OF THOMAS W. PANKRATZ. (first of two hearings)

Attachments: [AIS Covey](#)
[Public Hearing. 16.0913 Annexation 15 Cascade Caverns](#)
[Covey Petition](#)
[Covey map](#)
[Covey email](#)
[Location Map 15 Cascade Caverns Rd](#)

6. TAKE ANY NECESSARY ACTION RESULTING FROM THE PUBLIC HEARING:

- 6A. [2016-856](#) CONSIDER ON FIRST 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](#)

6B. [2016-857](#)

CONSIDER ON FIRST 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. (Howard 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](#)

7. [2016-861](#) RECEIVE COMMENTS FROM THE PUBLIC FORUMS FOR THE
 NEW CITY HALL PROJECT

Attachments: [AIS.Public Forum outcome](#)

8. [2016-868](#) CONSIDER THE UNTABLING OF RESOLUTION NO. 2016-R50 AS
 DESCRIBED BELOW. (originally tabled on 5/10/2016 , re-tabled
 6/14/2016, & 6/28/2016)

9. [2016-867](#) CONSIDER RESOLUTION NO. 2016-R50; A RESOLUTION
 AUTHORIZING THE CITY MANAGER TO ENTER INTO AND
 MANAGE AN AGREEMENT FOR ARCHITECTURAL AND
 ENGINEERING SERVICES FOR THE PROPOSED NEW CITY HALL
 BETWEEN THE CITY OF BOERNE AND RANDALL SCOTT
 ARCHITECTS INC.

Attachments: [AIS.Untable RSA Contract for action](#)
 [2016-R50 agreement architect for new City Hall](#)
 [AIA Randall Scotts Architects](#)
 [Randall Scott Architects Agreement](#)

10. [2016-860](#) CONSIDER RESOLUTION NO. 2016-R88; A RESOLUTION
 AUTHORIZING THE CITY MANAGER TO ENTER INTO AND
 MANAGE A DELEGATE AGENCY AGREEMENT FOR FUNDING OF
 PUBLIC PURPOSE BETWEEN THE CITY OF BOERNE AND BOERNE
 PERFORMING ARTS

Attachments: [AIS Boerne Performing Arts.16](#)
 [2016-R88 Boerne Performing Arts](#)
 [Boerne Performing Arts Delegate Agency Agreement \(2\)](#)
 [BPA2016-2017 budget Sheet1](#)

11. [2016-871](#) CONSIDER ON SECOND READING ORDINANCE NO. 2016-33; AN

ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2016-2017, BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017

Attachments: [2017 adopt proposed budget 9-13-16](#)
[2016-33](#)
[Proposed budget 9-13-16](#)

12. [2016-872](#) RATIFY THE PROPERTY TAX REVENUE INCREASE REFLECTED IN THE BUDGET

Attachments: [2016 ratify property tax revenue increase 9-13-16](#)

13. [2016-869](#) CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2016-36; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A.

14. [2016-873](#) CONSIDER ORDINANCE NO. 2016-36; AN ORDINANCE ESTABLISHING THE TAX RATE AND THE BASIS FOR ASSESSED VALUES FOR THE CITY OF BOERNE, TEXAS FOR THE YEAR 2016 AND REPEALING ALL ORDINANCES IN CONFLICT HERewith

Attachments: [2016 Adopt tax rate 9-13-16](#)
[2016-36](#)

15. [2016-862](#) CONSIDER ON FIRST 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](#)

16. [2016-859](#) RECEIVE AND CONSIDER A REQUEST FROM LARRY GOTTSMAN OF AETNA SIGNS FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 12. PROHIBITED SIGN LOCATIONS. C. OFF-SITE SIGNAGE (1241 South Main)

Attachments: [Summary - aetna variance](#)
 [Att - 1 LOCATION MAP](#)
 [Att - 2 Existing Conditions](#)
 [Att - 3 Sign Rendering](#)
 [Att - 4 Exhibits](#)
 [Att - 5 Application](#)
 [Att - 6 Site Plan](#)

17. [2016-858](#) RECEIVE AND CONSIDER A REQUEST FROM DEEP SOUTH FOODS, LLC FOR A VARIANCE TO THE SIGN ORDINANCE SECTION 10 RESTRICTIONS ON CERTAIN TYPES OF SIGNS. S.1. SIZE OF MONUMENT SIGN AND S.4. CHANGEABLE COPY MONUMENT SIGN (1540 River Road, Fuzzy's Taco Shop)

Attachments: [Summary - variance](#)
 [Att - 1 Sign Rendering](#)
 [Att - 2 Existing Conditions](#)
 [Att - 3 Application](#)
 [Att - 4 Site Plan](#)

18. [2016-874](#) CONSIDER RESOLUTION NO. 2016-R89; A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE AN ADVANCE FUNDING AGREEMENT FOR VOLUNTARY LOCAL GOVERNMENT CONTRIBUTIONS TO TRANSPORTATION IMPROVEMENT PROJECTS WITH NO REQUIRED MATCH FOR THE PROJECT AT SH 46 FROM HERFF ROAD TO AMMANN ROAD

Attachments: [AIS AFA Esser to Ammann](#)
 [2016-R89 Advance Funding Agreement TxDOT](#)
 [AGENDA. JOINT TRANSPORTATION](#)
 [Ltr and Resolutions to Mario Jorge](#)
 [5-16-2016 Vol Don AFA CSJ 0215-6-039 Boerne SH 46](#)

19. [2016-875](#) CONSIDER RESOLUTION NO. 2016-R90; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN INTERLOCAL AGREEMENT WITH KENDALL COUNTY FOR THE PAYMENT OF FUNDS FOR THE PROJECT AT SH 46 FROM HERFF ROAD TO AMMANN ROAD

Attachments: [AIS Interlocal w County Hwy 46 East Expansion](#)
[2016-R90 SH 46& Ammann Rd Interlocal](#)
[INT K - COB - Highway 46 v2](#)

20. [2016-876](#) CONSIDER RESOLUTION NO. 2016-R91; A RESOLUTION
AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN
AGREEMENT FOR THE MASTER PLAN BETWEEN THE CITY OF
BOERNE AND _____

Attachments: [AIS MASTER PLAN UPDATE](#)
[Burditt Consultants](#)

21. [2016-878](#) CONSIDER MOTION CASTING THE CITY'S VOTES IN THE
ELECTION TO THE TEXAS MUNICIPAL LEAGUE
INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES PLACE
6, PLACE 7, PLACE 8, AND PLACE 9

Attachments: [AIS TML Election](#)
[Official Ballot](#)

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

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

- [2016-870](#) A. SECTION 551.087 - DELIBERATION REGARDING ECONOMIC
DEVELOPMENT NEGOTIATION.
 B. SECTION 551.072 DELIBERATION REGARDING REAL
PROPERTY.

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

25. ADJOURNMENT

s/s Ronald C. Bowman
City Manager

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 9th day of
September, 2016 at 4 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 30.06 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.