

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
October 25, 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.

- A. [2016-954](#) APPROVAL OF CITY COUNCIL MEETING MINUTES OF THE SPECIAL CALLED CITY COUNCIL MEETING OCTOBER 7, 2016 (Grand Opening Of Kinderpark) AND THE REGULAR CITY COUNCIL MEETING MINUTES OF OCTOBER 11, 2016.
- B. [2016-955](#) CONSIDER ON SECOND READING ORDINANCE NO. 2016-38; 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 CONTRACTORS IN A B-2, HIGHWAY COMMERCIAL DISTRICT LOCATED AT 44 AND 46 OLD SAN ANTONIO ROAD. (KAD Nos. 42070, 15863, 14796, and 42069.)

(Howell R. Moore, Michelle L. Moore, Vicki Reid Moore, Leon Grivell III, A Total Of 2.811 Acres.)

- C. [2016-983](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-39; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2006-39 CAPTIONED, "GRANTING THE RIGHT, PRIVILEGE AND FRANCHISE TO BANDERA ELECTRIC COOPERATIVE, INC., AND ITS SUCCESSORS AND ASSIGNS, TO USE THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF BOERNE, TEXAS FOR THE DISTRIBUTION OF ELECTRIC POWER AND BROADBAND SERVICES; PROVIDING FOR PERIOD OF GRANT; FOR METHOD OF ACCEPTANCE; FOR CONSIDERATION; FOR CONSTRUCTION AND RELOCATION OF SYSTEM FACILITIES; FOR ASSIGNMENT; AND FOR REPEAL OF CONFLICTING ORDINANCES."
- D. [2016-972](#) CONSIDER RESOLUTION NO. 2016-R106; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Truck for Electric Department)
- E. [2016-973](#) CONSIDER RESOLUTION NO. 2016-R107; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Truck for Public Works Administration Department)
- F. [2016-974](#) CONSIDER RESOLUTION NO. 2016-R108; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROCEED WITH PURCHASES AS PER SECTION 6.08 OF THE CITY OF BOERNE'S HOME RULE CHARTER. (Forklift for the Street Department)
- G. [2016-976](#) CONSIDER RESOLUTION NO. 2016-R109; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT WITH MCCOY TREE SURGERY THROUGH THE LOWER COLORADO RIVER AUTHORITY FOR TREE TRIMMING SERVICES.
- H. [2016-944](#) CONSIDER RESOLUTION NO. 2016-R110; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A LEASE AGREEMENT WITH APPLE. (For iPads)

- I. [2016-977](#) CONSIDER RESOLUTION NO. 2016-R111; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A PURCHASE AGREEMENT WITH RUDKIN PRODUCTIONS FOR 2017 PARKS AND RECREATION GUIDE BOOKS.
5. PUBLIC HEARING – To Hear Comments On The Following:
- A. [2016-956](#) 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 - First Of One Hearing)
- B. [2016-957](#) 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 - First Of One Hearing)
- C. [2016-958](#) PROPOSED ANNEXATION OF 21.688 ACRES OF LAND LOCATED AT 1700 RIVER ROAD - KAD NOS. 15024 AND 15025 AT THE REQUEST OF THE CITY OF BOERNE. (1700 River Road, property owner Shirley Rittimann- First of Two Hearings)
6. TAKE ANY NECESSARY ACTION RESULTING FROM THE PUBLIC HEARING:
- A. [2016-959](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-40; 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 40.892 ACRES LOCATED AT SHOOTING CLUB ROAD (KAD NOS. 153712, 153713, 153714, 153715, AND 153716) FROM R-A, SINGLE-FAMILY RURAL RESIDENTIAL-AGRICULTURAL DISTRICT TO RN-1, NEIGHBORHOOD RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A

SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE.
(William E. Canavan Jr., Durango Development)

- B. [2016-960](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-41; 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 4.83 ACRES LOCATED AT 502 SCHOOL STREET (KAD NO. 14412), FROM R-1, MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT TO B-1, HIGH-DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (Original request was for B-2R, Highway Commercial-Restricted District, Genevieve Jones)
7. [2016-978](#) CONSIDER MAYORAL APPOINTMENTS TO THE VARIOUS BOARDS AND COMMISSIONS
8. [2016-981](#) PRESENTATION OF CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FROM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION FOR FISCAL YEAR 2014-2015.
9. [2016-988](#) CONSIDER A ONE-TIME READING OF ORDINANCE NO. 2016-42; AS PERMITTED BY THE CITY OF BOERNE'S HOME RULE CHARTER, SECTION 3.11.A.
10. [2016-985](#) CONSIDER ORDINANCE NO. 2016-42; AN ORDINANCE AMENDING ORDINANCE NO. 2015-30; CAPTIONED "AN ORDINANCE ADOPTING THE ANNUAL CAPITAL AND OPERATING BUDGETS FOR THE CITY OF BOERNE, TEXAS FOR THE FISCAL YEAR 2015-2016, BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016."
11. [2016-984](#) RECEIVE FOURTH QUARTER FINANCIAL/INVESTMENT REPORTS FOR FY 2015-2016.
12. [2016-982](#) CONSIDER ON FIRST READING ORDINANCE NO. 2016-43; AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO.

2015-39 CAPTIONED "AN ORDINANCE ESTABLISHING AND REESTABLISHING FEES AND CHARGES FOR ACTIVITIES, GOODS AND SERVICES PROVIDED BY THE CITY; CONTAINING A PROVISION TO AUTHORIZE THE CITY MANAGER TO ESTABLISH FEES AND CHARGES IN CERTAIN CIRCUMSTANCES, CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT."

13. [2016-979](#) CONSIDER RESOLUTION NO. 2016-R112; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND BURDITT CONSULTANTS, LLC FOR AN UPDATE TO THE BOERNE MASTER PLAN AND DISCUSSION SURROUNDING NEGOTIATION OF POTENTIAL AMENDMENTS TO SUCH AGREEMENT FOR A SUBSTANTIVE REVIEW OF CERTAIN CITY ORDINANCES.

14. [2016-961](#) CONSIDER RESOLUTION NO. 2016-R113; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING THE PETITION AND SETTING THE DATE, TIME, AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSE ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS. (22.558 acres located at 134 Cascade Caverns Road at the request of ML&E Landquest Cascade Caverns, LLC.- Southglen Subdivision Phase 1)

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

16. ADJOURNMENT

s/s Ronald C. Bowman
City Manager

CERTIFICATION

**I hereby certify that the above notice of meeting was posted on the 21st day of
October, 2016 at 3:30 p.m.**

s/s Siria Arreola

Deputy 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.