

AGENDA
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
124 Old San Antonio Road
Boerne, TX 78006
November 28, 2017 – 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.

- 4.A. [2017-868](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD NOVEMBER 14, 2017.

Attachments: [Minutes 17.1114](#)

- 4.B. [2017-866](#) CONSIDER RESOLUTION NO. 2017-R118; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A LICENSE AND SERVICES AGREEMENT BETWEEN THE CITY OF BOERNE AND TYLER TECHNOLOGIES. (Incode 10 Hosted Solution Software for Finance and Municipal Court)

Attachments: [AIS INCODE 10 2017](#)
[2017-R118 Tyler Technologies](#)
[Boerne Agreement AM 11.15.17](#)
[4992 Incode Financial and Personnel Management Brochure](#)
[VX Court Case Management Brochure Incode](#)

- 4.C. [2017-882](#) ACCEPTANCE OF STATE ASSET FORFEITURE REPORT FOR THE BOERNE POLICE DEPARTMENT.

Attachments: [AIS Seized Funds State \(FY16-17\)](#)
[State Seized Funds 16-17](#)

- 4.D. [2017-883](#) ACCEPTANCE OF FEDERAL EQUITABLE SHARING AGREEMENT AND CERTIFICATION FOR THE BOERNE POLICE DEPARTMENT.

Attachments: [AIS Seized Funds Federal\(FY16-17\)](#)
[Federal Seized Funds 16-17](#)

5. [2017-871](#) UPDATE ON THE BOERNE MASTER PLAN.

Attachments: [Master Plan update](#)

6. [2017-782](#) SEMI-ANNUAL UPDATE OF THE BOERNE CONVENTION AND VISITORS BUREAU ACTIVITIES.

Attachments: [AIS Report 11.28.2017](#)
[CVB Present City Council 11-28-2017 FINAL](#)

7. [2017-867](#) CONSIDER ON SECOND READING ORDINANCE NO. 2017-84; 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. (4.987 Acres located at 140 Enterprise Pkwy at the request of Bill Bird, KAD Nos. 12255 and 12259)

Attachments: [Summary](#)
 [Ordinance No. 2017-84](#)
 [Exhibit A. Metes and Bounds 140 Enterprise Pkwy](#)
 [Exhibit B. MSP 140 Enterprise Pkwy](#)
 [Att 1 - Location map 140 Enterprise Pkwy](#)
 [Att 2 - Aerial 140 Enterprise Pkwy](#)
 [Att 3 - annexatio petition 140 Enterprise Pkwy](#)

8. [2017-843](#) CONSIDER ON FIRST READING ORDINANCE NO. 2017-85; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF BOERNE, TEXAS CHAPTER 21. TAXATION, ARTICLE V. HOTEL AND MOTEL OCCUPANCY TAX; PROVIDING A PENALTY NOT TO EXCEED \$500 PER OCCURRENCE.

Attachments: [Hotel Tax Ordinance 11-14-17](#)
 [Ordinance No. 2017-85](#)

9. [2017-869](#) CONSIDER ORDINANCE NO. 2017-86; AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS AUTHORIZING THE ISSUANCE OF "CITY OF BOERNE, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017", LEVYING AN ANNUAL AD VALOREM TAX, WITHIN THE LIMITATIONS PRESCRIBED BY LAW, FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, A PURCHASE CONTRACT, AND AN ESCROW AND TRUST AGREEMENT; COMPLYING WITH THE LETTER OF REPRESENTATIONS ON FILE WITH THE DEPOSITORY TRUST COMPANY; DELEGATING THE AUTHORITY TO CERTAIN MEMBERS OF THE CITY COUNCIL AND CITY STAFF TO APPROVE AND EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION OF ANY NECESSARY ENGAGEMENT AGREEMENTS WITH THE CITY'S FINANCIAL ADVISORS AND/OR BOND COUNSEL; AND PROVIDING AN EFFECTIVE DATE. (Refunding the remainder of the USBR, Series 2010 Bonds issued to construct the Water Treatment and Recycling Center)

Attachments: [AIS - 2017 Refunding USBR with GO's](#)
[2017-86 refunding bonds](#)
[City of Boerne Refunding Presentation 11-21-2017 rev1](#)

10. [2017-872](#) RECEIVE BIDS AND AWARD CONTRACT FOR THE CONSTRUCTION OF THE 2015 TRANSPORTATION ALTERNATIVES PROGRAM CITY OF BOERNE TRAILS SYSTEM EXPANSION PROJECT AND CONSIDER RESOLUTION NO. 2017-R119; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CONSTRUCTION CONTRACT BETWEEN THE CITY OF BOERNE AND _____ FOR THE 2015 TRANSPORTATION ALTERNATIVES PROGRAM (TAP) CITY OF BOERNE TRAILS SYSTEM EXPANSION PROJECT.

Attachments: [CC.AIS.trail.construction.capital.11.28.17.final](#)
[2017-R119 2015 TAP Construction agmnt](#)
[2015.TAP.project.maps](#)
[boerne.trails.bid.tab](#)
[boerne.trails.capital.excavation.bid.proposal](#)
[boerne.trails.construction.agreement.final](#)

11. [2017-881](#) CONSIDER RESOLUTION NO. 2017-R120; A RESOLUTION AUTHORIZING SUPPLEMENT NUMBER THREE TO THE AGREEMENT BETWEEN THE CITY OF BOERNE AND HALFF ASSOCIATES, INC. FOR THE DESIGN AND CONSTRUCTION SERVICES OF THE INTERSTATE HIGHWAY 10 WATER AND WASTEWATER RELOCATIONS.

Attachments: [AIS Halff IH-10 contract 4.doc](#)
[2017-R120 water & wastewater relocation IH 10 change order 3](#)
[Boerne Supplemental #3 Design IH-10 Wtr and WW Relocation.pdf](#)

12. [2017-880](#) CONSIDER RESOLUTION NO. 2017-R121; A RESOLUTION AUTHORIZING SUPPLEMENT NUMBER ONE TO THE AGREEMENT BETWEEN THE CITY OF BOERNE AND HALFF TRITEX, INC. FOR THE DESIGN AND CONSTRUCTION SERVICES OF THE INTERSTATE HIGHWAY 10 GAS RELOCATIONS.

Attachments: [AIS Halff Tritex IH-10 contract 2.doc](#)
[2017-R121 gas relocation IH 10 change order 1](#)
[Halff TriTex Gas Supplemental Boerne.pdf](#)

13. [2017-865](#) CONSIDER RESOLUTION NO. 2017-R122; A RESOLUTION APPROVING CHANGES TO THE PERSONNEL POLICIES MANUAL FOR THE CITY OF BOERNE, TEXAS.

Attachments: [AIS PP Changes 11.2017](#)
 [2017-R122 personnel policy changes](#)
 [PP changes 10.2017](#)

14. [2017-870](#) SET A PUBLIC HEARING FOR DECEMBER 12, 2017 FOR THE PROPOSED REZONING OF 17 HERFF ROAD, A TOTAL OF 14.202 OUT OF 26.654 ACRES, FROM MU-1, MIXED-USE NEIGHBORHOOD DISTRICT TO R-4, MULTI-FAMILY RESIDENTIAL DISTRICT, KAD NOS. 12536, 15848, AND 15849. (CT 17 Herff Land LP)

Attachments: [Summary 17 Herff](#)
 [Att 1 - LOCATION MAP](#)
 [Att 2 - aerialmap-17 Herff](#)
 [Att 3 - ZoningMap-17 Herff](#)
 [Att 4 - MU-1 Uses](#)
 [Att 5 - R-4 Uses](#)

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

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

16.A. [2017-873](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY.

16.B. [2017-874](#) SECTION 551.072 - DELIBERATION REGARDING REAL PROPERTY.

16.C. [2017-875](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS.

16.D. [2017-876](#) SECTION 551.071 - CONSULTATION WITH ATTORNEY (a) PENDING OR CONTEMPLATED LITIGATION AND SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS.

16.E. [2017-877](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS.

16.F. [2017-878](#) SECTION 551.087 - DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS.

- 16.G. [2017-879](#) SECTION 551.071 - CONSULTATION WITH ATTORNEY (a)
PENDING OR CONTEMPLATED LITIGATION.

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

- 17.A. [2017-851](#) CONSIDER RESOLUTION NO. 2017-R123; A RESOLUTION
AUTHORIZING THE CITY MANAGER TO ENTER INTO AND
MANAGE AN AGREEMENT FOR THE SALE OF THE BOERNE
CONVENTION AND VISITORS BUREAU BUILDING LOCATED AT
1407 SOUTH MAIN STREET, BOERNE, TEXAS.

Attachments: [2017-R123 Sale of CVB Building](#)

- 17.B. [2017-853](#) CONSIDER RESOLUTION NO. 2017-R124; A RESOLUTION
AUTHORIZING THE CITY MANAGER TO ENTER INTO AND
MANAGE A CONTRACTUAL AGREEMENT WITH _____
FOR THE PURCHASE OF REAL PROPERTY LOCATED AT
_____.

Attachments: [2017-R124 Purchase property](#)

18. ADJOURNMENT

s/s Ronald C. Bowman
City Manager

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the 22nd day of
November, 2017 at 5:00 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.