

**AGENDA**  
**REGULAR CITY COUNCIL MEETING**  
**RONALD C. BOWMAN CITY COUNCIL CHAMBERS**  
**447 North Main Street**  
**Boerne, TX 78006**  
**April 9, 2024 – 6:00 PM**

A quorum of the City Council will be present during the meeting at: 447 N Main, Boerne, TX 78006.

During the meeting, the City Council may meet in executive session, as to the posted subject matter of this City Council meeting, under these exceptions of Chapter 551 of the Texas Government Code; sections 551.071 (Consultation with Attorney), 551.072 (Deliberation Regarding Real Property), 551.073 (Deliberation Regarding Gifts), 551.074 (Personnel/Officers), 551.076 (Deliberation Regarding Security Devices), and Section 551.087 (Deliberation Regarding Economic Development Negotiations).

1. CALL TO ORDER – 6:00 PM

INVOCATION

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, in compliance with LGC Section 551.007. 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.     [2024-152](#)           CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF MARCH 26, 2024.

**Attachments:**     [Minutes.24.0326](#)

- B. [2024-155](#) CONSIDER RESOLUTION NO. 2024-R20; A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A SCREW PRESS TO DEWATER SLUDGE AT THE OLD SAN ANTONIO ROAD WASTEWATER TREATMENT AND RECYCLING CENTER FROM ENVIRONMENTAL IMPROVEMENTS, INC. FOR AN AMOUNT NOT TO EXCEED \$429,000.00.

**Attachments:** [AIS Form screw press \(002\)](#)  
[Resolution No. 2024-R20](#)  
[BUDGET Proposal Boerne TX Q-PRESS 800.2 10-10-2023 rev2 msc \(002\)](#)  
[Screw Press Sole Source Letter](#)  
[Sole Source Letter\\_Rep\\_2023](#)

REGULAR AGENDA:

5. PRESENTATIONS, PUBLIC HEARINGS, AND ORDINANCES:

- A. [2024-116](#) RECEIVE THE REPORT FROM THE PLANNING AND ZONING COMMISSION, HOLD A PUBLIC HEARING, AND CONSIDER ON FIRST READING ORDINANCE NO. 2024-04; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, GRANTING A SPECIAL USE PERMIT FOR AN ACCESSORY DWELLING UNIT ON APPROXIMATELY 0.40 ACRES LOCATED AT 101 VILLAGE COVE (KAD NO. 39576) IN AN R2-M, MODERATE DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE. (One of one public hearing, at the request of Thomas and Shawna Dunaway)

**Attachments:** [AIS - 101 Village Cove SUP 03042024](#)  
[Ordinance No. 2024-04](#)  
[Att 1 - Zoning Map](#)  
[Att 2 - Site Survey](#)  
[Att 3 - Site Plan](#)  
[Att 4 - B.N.D. Report - 101 Village Cove - SUP for Accessory Dwelling](#)  
[Att 5 - Residents Responses received by Feb 28, 2024](#)  
[Att 6 - DPZ Variance Exhibit 101 Village Cove](#)  
[Att 7 - Special Use Permit Approval Criteria 2.5.D.-2](#)

## 6. RESOLUTIONS:

- A. [2024-151](#) CONSIDER RESOLUTION NO. 2024-R21; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND HOEFER WELKER ARCHITECTS FOR DESIGN SERVICES FOR FIRE STATION #2 FOR AN AMOUNT NOT TO EXCEED \$1,368,375.00. (Design of fire station #2)

**Attachments:** [AIS new form](#)  
[Resolution No. 2024-R21](#)  
[Hoefer Welker Proposal](#)

- B. [2024-156](#) CONSIDER RESOLUTION NO. 2024-R22; A RESOLUTION APPROVING THE FIVE-YEAR UPDATE OF THE WATER CONSERVATION PLAN DATED APRIL 2024, FOR THE CITY OF BOERNE, TEXAS.

**Attachments:** [AIS - Water Conservation Plan Update 2024](#)  
[Resolution No. 2024-R22](#)  
[Water Conservation Plan 2024 Redlines](#)  
[Water Conservation Plan 2024 Final](#)

- C. [2024-157](#) CONSIDER RESOLUTION NO. 2024-R23; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, ACCEPTING THE \$694,000.00 GRANT FROM THE MELLON FOUNDATION.

**Attachments:** [AIS Mellon Foundation Grant to BPLF April 9, 2024](#)  
[Resolution No. 2024-R23](#)  
[Grant Agreement for Signature \(Grant 2305-1\) COB signed 3-11-24](#)

## 7. CITY MANAGER'S REPORT:

- A. [2024-142](#) CITY OF BOERNE EMPLOYEE RECOGNITIONS.
- B. [2024-144](#) VISIT BOERNE UPDATE.

8. COMMENTS FROM COUNCIL – No discussion or action may take place.

## 9. ADJOURNMENT

**CERTIFICATION**

**I hereby certify that the above notice of meeting was posted on the 5th day of April,  
2024 at 10:00 a.m.**

---

s/s Lori A. Carroll  
City Secretary

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS**

**The City Hall is wheelchair accessible. Access to the building and special parking is available at the northeast entrance of the building. Requests for auxiliary aides and 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.



**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**RONALD C. BOWMAN CITY COUNCIL CHAMBERS**  
**447 North Main Street**  
**Boerne, TX 78006**  
**March 26, 2024 – 6:00 PM**

Minutes of the Regular Called City Council Meeting of March 26, 2024.

**Present:**       **6 -** Mayor Frank Ritchie, Mayor Pro Tem Ty Wolosin, Council Member Sharon D. Wright, Council Member Quinten Scott, Council Member Bret A. Bunker, and Council Member Joseph Macaluso

**Staff Present:** Ben Thatcher, Erick Alarcon, Siria Arreola, Ryan Bass, Sarah Buckelew, Jeff Carroll, Lori Carroll, Nathan Crane, Lissette Jimenez, Karen Kochheiser, Cody Lackey, Mike Mann, Mike Raute, Chris Shadrock, Andrea Snouffer, Kristy Stark, Rudy Vega, and Danny Zincke.

**Recognized/Registered Guests:** Jeremy Pratt, Daniel Weis, Mike Luckey, and Joe and Heather Bateman.

**1. CALL TO ORDER – 6:00 PM**

Mayor Ritchie called the meeting to order at 6:00 p.m.

**2. CONFLICTS OF INTEREST**

No conflicts were declared.

**3. PUBLIC COMMENTS:** This is the opportunity for visitors and guests to address the City Council on any issue, in compliance with LGC Section 551.007. 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)

Jeremy Pratt - 130 Rock Canyon spoke on the lack of consistency with enforcement of city ordinances.

**4. CONSENT AGENDA:**

A MOTION WAS MADE BY COUNCIL MEMBER SCOTT, SECONDED BY COUNCIL MEMBER MACALUSO, TO APPROVED THE CONSENT AGENDA AS PRESENTED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

**A. [2024-118](#) CONSIDER APPROVAL OF THE MINUTES OF THE REGULAR CALLED CITY COUNCIL MEETING OF FEBRUARY 27, 2024.**

THE MINUTES WERE APPROVED.

**B. [2024-125](#) CONSIDER RESOLUTION NO. 2024-R18; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND THE LOWER COLORADO RIVER AUTHORITY (LCRA) FOR TREE TRIMMING BY MCCOY TREE SURGERY FOR AN AMOUNT NOT TO EXCEED \$67,000.00.**

THE RESOLUTION WAS APPROVED.

**C. [2024-126](#) CONSIDER RESOLUTION NO. 2024-R19; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, AUTHORIZING THE SUBMISSION OF A CRIMINAL JUSTICE GRANT PROGRAM FY 2025 APPLICATION TO THE OFFICE OF THE GOVERNOR FOR FUNDING FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM (JAG), GRANT #5040601. (Grant application to acquire a second mental health officer.)**

THE RESOLUTION WAS APPROVED.

**REGULAR AGENDA:****5. OTHER:**

**A. [2024-120](#) RECEIVE THE ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FROM ABIP, PC FOR FISCAL YEAR 2022-2023. (Receive the report from the auditors)**

Mayor Ritchie called on Ms. Sarah Buckelew, Finance Director. Ms. Buckelew stated that there is a state requirement that the city's audit be completed and reviewed by city council annually. She introduced Ms. Janet Pitman, Audit Partner with ABIP. Ms. Pitman reviewed the contents and results of the Annual Comprehensive Financial Report (ACFR) and presented the Letter on Conduct of Audit.

A MOTION WAS MADE BY MAYOR PRO TEM WOLOSIN, SECONDED BY COUNCIL MEMBER BUNKER, TO RECEIVE THE ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FROM ABIP, PC FOR FISCAL YEAR 2022-2023. (RECEIVE THE REPORT FROM THE AUDITORS). THE MOTION CARRIED BY THE FOLLOWING VOTE:

**Yeah:** 5 - Mayor Pro Tem Wolosin, Council Member Wright, Council Member Scott, Council Member Bunker, and Council Member Macaluso

## **6. CITY MANAGER'S REPORT:**

Mayor Ritchie called on City Manager Ben Thatcher.

### **A. [2024-081](#) OVERVIEW OF THE CITY'S ENVIRONMENTAL PROGRAM OBJECTIVES WITH A FOCUS ON WATER CONSERVATION AND SURFACE WATER QUALITY.**

Mr. Thatcher asked Mr. Ryan Bass, Environmental Program Manager to provide information on the city's environmental program. Mr. Bass discussed water consumption, community education on water conservation, rainwater harvesting, and proposed rebate programs.

### **B. [2024-123](#) TOTAL ECLIPSE UPDATE.**

Mr. Thatcher asked Mr. Danny Zincke, Assistant City Manager to provide an update on Eclipse preparations. Mr. Zincke provided the website address with various information regarding the eclipse. Discussion ensued regarding internet and strategy for high demand for Point of Sale, traffic, and availability of cell phones and landlines.

**C. [2024-122](#) RECOGNITION OF THE BOERNE PARKS AND RECREATION DEPARTMENT FOR RECEIVING THE “2023 TEXAS AMATEUR ATHLETIC FEDERATION (TAAF) MEMBER CITY OF THE YEAR AWARD”**

Mr. Thatcher asked Ms. Lissette Jimenez, Parks and Recreation Director to provide information on the recent award that the Parks Department received. Ms. Jimenez recognized Mr. Erick Alarcon in the audience as well as Mr. Rudy Vega, Mr. Emilio Viera and Ms. Jessica Ibarra for their hard work year around. The Parks and Recreation Department received the Texas Amateur Athletic Federation (TAAF) Member City of the Year. Only 25 other cities qualified for the award.

**D. [2024-121](#) CITY OF BOERNE ARTS AND CULTURE MASTER PLAN UPDATE.**

Mr. Thatcher asked Mr. Nick Montagno, Special Projects Manager to present the background and purpose of the Arts and Culture Master Plan, the expected outcomes, process and timeline. Mr. Montagno stated that there will be a community meeting regarding the Arts and Culture Master Plan on April 4, 2024.

**E. [2024-004](#) MONTHLY PROJECTS REPORT.**

City Manager Thatcher provided an update on various city projects.

**7. COMMENTS FROM COUNCIL – No discussion or action may take place.**

Mayor Pro Tem Wolosin stated that thoughts are with the people from Baltimore as they deal with the bridge collapse. He also congratulated the Boerne ISD soccer teams. Mayor Pro Tem Wolosin referenced the city's UDC which was created to manage smart growth as well as recognize private property rights. He urged the community to reach out to a council member with concerns or questions.

Council Member Macaluso also referenced the UDC regarding infill development processes. Some problems are due to miscommunication.

Council Member Scott spoke regarding sidewalks and the challenge with USPS regulations. He suggested a more thoughtful strategy in replacement of power poles in areas of future sidewalks.

#### **8. EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE:**

Mayor Ritchie convened the City Council into Executive Session at 7:12 p.m.

- A. [2024-115](#) SECTION 551.072 - TO DELIBERATE THE PURCHASE OF REAL PROPERTY WHERE DELIBERATION IN AN OPEN MEETING COULD AFFECT THE POSITION OF THE CITY IN NEGOTIATIONS WITH A THIRD PERSON. (River Road)

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

Mayor Ritchie reconvened the City Council into Open Session at 7:32 p.m.

No action was taken.

#### **10. ADJOURNMENT**

Mayor Ritchie adjourned the City Council Meeting at 7:32 p.m.

Approved:


\_\_\_\_\_  
Mayor


Attest:

\_\_\_\_\_  
City Secretary



## AGENDA ITEM SUMMARY

<b>Agenda Date</b>	April 9, 2024
<b>Requested Action</b>	CONSIDER RESOLUTION NO. 2024-R20; AUTHORIZING THE PURCHASE OF A SCREW PRESS TO DEWATER SLUDGE AT THE OLD SAN ANTONIO ROAD WASTEWATER TREATMENT AND RECYCLING CENTER FROM ENVIRONMENTAL IMPROVEMENTS, INC. FOR AN AMOUNT NOT TO EXCEED \$429,000.00.
<b>Contact Person</b>	Terry Nolan – Utilities Operations Administrator Michael Mann – Utilities Director
<b>Background Information</b>	<p>The current fiscal year budget includes funding for the purchase of a second screw press to dewater sludge as part of the treatment process at the Old San Antonio Road Wastewater Treatment and Recycling Center (WWTRC).</p> <p>We anticipate the need to expand the WWTRC within the next 3-5 years, requiring a second sludge press to process additional flows. The headworks building at the plant was designed to ultimately accommodate four Huber Technology units working simultaneously at full capacity. However, we propose installing the second unit now for redundancy and to address occasional maintenance/repair needs on the single existing unit. Past instances have shown that the existing single press had to be offline for several days during repair/maintenance, necessitating the transportation of wet sludge from the WWTRC to the Esser Road Plant for drying.</p> 

	 <p>The approved budget for the purchase is \$448,500. We have received a price quote of \$429,000 from the sole-source provider, Environmental Improvements, Inc., which falls within the approved budget.</p> <p>The City Charter mandates that the Council specifically authorize all purchases exceeding \$50,000. Based on the information provided, we recommend that the Council authorize the City Manager to proceed with this purchase.</p>
<b>Item Justification</b>	<div> <input checked="" type="checkbox"/> Legal/Regulatory Obligation         <input checked="" type="checkbox"/> Infrastructure Investment       </div> <div> <input type="checkbox"/> Reduce Costs         <input type="checkbox"/> Customer Pull       </div> <div> <input type="checkbox"/> Increase Revenue         <input type="checkbox"/> Service Enhancement       </div> <div> <input checked="" type="checkbox"/> Mitigate Risk         <input type="checkbox"/> Process Efficiency       </div> <div> <input type="checkbox"/> Master Plan Recommendation         <input type="checkbox"/> Other:       </div>
<b>Strategic Alignment</b>	F2-Investing in high-quality infrastructure systems. B1-Utilitizing data to drive smart decision making. B2-Advancing master plan recommendations.
<b>Financial Considerations</b>	Funding for this purchase is included in FY 23-24 the Wastewater Utility operating budget that City Council adopted last fall.
<b>Citizen Input/Board Review</b>	N/A

<b>Legal Review</b>	The City Attorney has reviewed and approved the sole-source nature of purchase from the proposed provider.
<b>Alternative Options</b>	Not proceeding with this purchase requires the wastewater treatment and recycling center to operate solely with the current aging screw press which is experiencing maintenance issues. Prolonged down time of this screw press could result in operational issues creating a potential TCEQ regulatory violation.
<b>Supporting Documents</b>	Sole-source documentation. Equipment supplier proposal.



**RESOLUTION NO. 2024-R20**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE  
A SCREW PRESS TO DEWATER SLUDGE AT THE OLD SAN ANTONIO  
ROAD WASTEWATER TREATMENT AND RECYCLING CENTER FROM  
ENVIRONMENTAL IMPROVEMENTS, INC. FOR AN AMOUNT NOT TO  
EXCEED \$429,000.00**

**WHEREAS**, the Home Rule Charter establishes purchase procedures requiring approval for all contract expenditures in excess of the state law competitive bidding threshold requirements; and

**WHEREAS**, Huber Technology, Inc. is the sole-source provider of the Rotamat Screw Press Ros 3Q; and

**WHEREAS**, Environmental Improvements, Inc. is the sole authorized representative for Huber Technology products, parts and services for the state of Texas; and

**WHEREAS**, the item/vehicle to be purchased has been appropriated for in the budget; and

**WHEREAS**, the City Council finds it necessary to purchase a screw press from Environmental Improvements, Inc.;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY  
OF BOERNE, TEXAS:**

that the City Council hereby authorizes the City Manager to make the following purchase(s):

Screw press from Environmental Improvements, Inc.  
for an amount not to exceed \$429,000.00.

PASSED, APPROVED and ADOPTED on this the \_\_\_\_ day of April, 2024.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

# BUDGET PROPOSAL



## Boerne, TX

### Equipment:

HUBER Screw Press Q-PRESS 800.2®

### Represented by:

Environmental Improvements  
Gregg Scott  
(512) 295-3733  
gscott@ei2austin.com

### Regional Sales Director:

Johan van Ettekoven  
704-990-2442  
Johan.vanEttekoven@hhusa.net

**Project Number:** 460075  
**Revision:** 2  
**Date:** 4/02/2024

## Design Information

### Technical Data

Upstream Screening	Unknown Upstream Screening	
Sludge Type	Waste Activated Sludge	
Upstream Biological Process	Activated Sludge with Secondary Clarifier	Bio-P Removal Unknown
Upstream Digestion Process	Unknown	with unknown sludge age
Feed Sludge Concentration	1	%
Sludge TDS (Assumed)	800	mg/L
Sludge VSS (Assumed)	70	%
Sludge pH (Assumed)	7.1	SU
Chloride Concentration (Assumed)	50	mg/L
Phosphate Concentration (Assumed)	25	mg/L
Calculated Hydraulic Loading Rate (per unit)	33.3 at 1% feed solids	gpm
Nominal Hydraulic Loading Rate (per unit)	75 at 1% feed solids	gpm
Nominal Solids Loading Rate (per unit)	375 at 1% feed solids	lb/hr
Operational Hours Per Day	8	hr/day
Operational Days Per Week	7	day/week
Estimated Cake Solids <sup>1</sup>	16-20	%
Capture Rate <sup>1</sup>	≥95	%
Estimated Polymer Consumption <sup>1</sup>	26-34 lb active polymer/dry ton of sludge	
Average Spray Wash Water Requirement <sup>2</sup>	75 gph at 109 psi	
Spray Water Connection	1.25	inch
Sludge Inlet Diameter	6	inch
Approximate Screw Press Empty Weight	8200	lbs
Approximate Screw Press Full Weight	10100	lbs

<sup>1</sup>All performance is estimated based on typical screw press performance. In order to guarantee performance Huber must run a pilot test.

<sup>2</sup>Wash water cycle runs at approximately 40 gpm for 152 seconds. Typical applications experience 1-2 wash cycles per hour.

### Equipment Details

Model	HUBER Screw Press Q-PRESS 800.2®
Quantity	1
Material	304L stainless steel construction; pickled and passivated in acid bath
Basket Material	Wire mesh; 304L stainless steel
Auger Inclination	10°
Support Legs	304L stainless steel
Wiper Material	Wear resistant polyurethane
Anchor Bolts	M12, 316L stainless steel
Motor Data	5 hp drive motor, 460 VAC, 60 Hz, 3 ph
Spraywash Motor Data	0.25 hp spraywash motor, 460 VAC, 60 Hz, 3 ph

Ancillary Equipment	
Polymer Injection Ring	1, DN65 injection rings
Polymer Mixing Device	1, DN65 mixing valves
Sludge Flow Meter	1, 3-inch sludge flow meter
Air Compressor	1, 15 gal

Controls	One (1) Main Control Panel
Enclosure	NEMA 4X, Stainless Steel
PLC	Allen Bradley CompactLogix
HMI	Allen Bradley PanelView 7 inch
Pre-programmed and Factory Tested	

Freight and Startup Services	
4 days and 1 trips	Startup services for installation inspection and startup supervision.
Freight to jobsite.	

Pricing

Equipment	Model	Quantity	Pricing
HUBER Screw Press	Q-PRESS 800.2®	1	Included
Ancillary Equipment			Included
HUBER Control Panel		1	Included
Freight and Startup Services		4 days, 1 trips	Included
TOTAL:			\$429,000.00

Ancillary Equipment

Equipment	Type	Quantity	Pricing
HUBER's Standard Polymer Blending System			
HUBER's Standard Sludge Feed Pump			
HUBER Screw Conveyor (Cake)			

Standard delivery is 26-36 weeks from approval of submittals.

Thank you for your interest in HUBER Technology, Inc. If you have any questions, please do not hesitate to contact our Regional Sales Director or our local sales representative.

This proposal has been reviewed for accuracy and approved for issue by: MSC

## Notes and Technical Clarifications

1. Equipment specification and drawings are available upon request.
2. If there are site-specific hydraulic constraints that must be applied, please consult the manufacturer's representative to ensure compatibility with the proposed system.
3. Electrical disconnects required per local NEC code are not included in this proposal.
4. All electrical interconnections, wirings, junction boxes, and terminations between the equipment and electrical components are to be provided by installing contractor.
5. Huber Technology warrants all components of the system against faulty workmanship and materials for a period of 12 months from date of start-up or 18 months after shipment, whichever occurs first.
6. Budget estimate is based on Huber Technology's standard Terms & Conditions and is quoted in US dollars unless otherwise stated.
7. Equipment recommendations are based on information provided to Huber Technology. Subsequent information which differs from what has been provided may alter the equipment recommendation.
8. Any item not specifically listed is not considered part of this scope of supply. Please contact the HUBER Technology representative listed for further clarification.
9. Sludge feed pump and flow meter shall be controlled by the Huber control panel even if provided by others.
10. Pricing shown in this proposal is valid for 30 days from the date shown on this proposal.
11. Blue motor covers are aesthetic only, and have not been included in the HUBER Scope of Supply.
12. Flocculation pipe is to be provided others. Please reference accompanying flocc pipe calculation page for sizing information.

## Additional Information Pertinent to HUBER Quotation

### Special Information and Exceptions

- Price does not include any unloading or any applicable fees or taxes (Local, Federal, or Final Destination)
- Prices are in U.S. Dollars unless noted otherwise
- Freight is delivered with duty paid (D.D.P.) to Job site
- Price does not include installation or building modifications
- This Budgetary Pricing Quotation is valid for thirty (30) days from the date of this Scope or until withdrawn by HUBER Technology, Inc. (hereinafter "HUBER").

### Submittals

HUBER will provide documentation to the Purchaser per the following schedule:

- Five (5) copies or the quantity stipulated in the equipment specification of submittal shop drawings 4-6 weeks after acceptance of a written purchase order.
- Three (3) copies or the quantity stipulated in the equipment specification of HUBER O&M manuals prior to equipment start-up.

### Shipment

HUBER will make all reasonable efforts to maintain the following schedule:

- Submittals 4-6 weeks after acceptance of a written purchase order.
- Please consult HUBER Technology, Inc. for current fabrication lead times on the proposed equipment.
- O&M manuals prior to equipment start-up.

### Accessories

This Proposal includes only those items specifically mentioned in the equipment descriptions. Any items which may be necessary for the operation of the equipment, but are not specifically mentioned, such as motors, drives, controls, or supports, are to be supplied via additional quotation separate from this offering.

### Abrasion or Corrosive Materials

All of HUBER's machines and systems are manufactured from 304L or 316L grade stainless steel. The environment or materials the equipment may be exposed to may be abrasive or corrosive. This Proposal makes no representation or warranties concerning the service life of the equipment against such abrasion or corrosion. The concentration of chloride and hydrogen sulfide (H<sub>2</sub>S) in the equipment operating environment shall be kept below the following values:

- |  |       |      |
|--|-------|------|
| • Maximum Chloride for V2A (304, 304L)*    | 100   | mg/L |
| • Maximum Chloride for V4A (316L, 316Ti)*  | 400   | mg/L |
| • Maximum Chloride for V4A (316L, 316Ti)** | 250   | mg/L |
| • pH Value of the Wastewater/Washwater     | >6.5  |      |
| • Iron Content in Washwater                | <0.50 | mg/L |

\* no hydrogen sulphide in the area of the stainless steel

\*\* with a maximum hydrogen sulphide content of 6 ppm

Machines made from 316 grade stainless steel are available at an additional price for extremely harsh operating environments upon request.

March 12,2024

City of Boerne WWTP  
41 Old San Antonio Road  
Boerne, TX 78006

Subject: Sole Source Letter

City of Boerne:

This letter serves as a sole source document for products manufactured by Huber SE, HydroPress Huber AB and Huber Picatech AG.

Huber Technology, Inc. based in Denver, NC is the only vendor of ROTAMAT® SCREW PRESS ROS 3Q and parts for the ROTAMAT® SCREW PRESS ROS 3Q.

Replacements parts for the ROTAMAT® SCREW PRESS ROS 3Q manufactured by Huber SE are unique in design based on more than 20 years of application experience. Material selection is critical for the life expectancy of these parts and your ROTAMAT® SCREW PRESS ROS 3Q. The proper parts design and parts manufacture ensures the lowest possible life-cycle cost for your ROTAMAT® SCREW PRESS ROS 3Q.

Huber Technology Inc. is a subsidiary of the original manufacturer, Huber SE and the only source for the parts in the United States and Canada. Any warranty on your ROTAMAT® SCREW PRESS ROS 3Q is void if non-factory parts are used.

To the best of my our knowledge, no other vendor manufactures and distributes these or similar items. In addition to supplying spare parts for your ROTAMAT® SCREW PRESS ROS 3Q, Huber Technology, Inc. also offers full service and repair services for your ROTAMAT® SCREW PRESS ROS 3Q.

Please let me know should you need further details.

Yours faithfully,

Mike Suddreth  
Aftermarket Sales Manager

HUBER Technology, Inc.  
1009 Airlie Parkway, Denver, NC 28037  
(704) 949-1010 - Fax (704) 949-1020 - [huber@hhusa.net](mailto:huber@hhusa.net)  
[www.huber-technology.com](http://www.huber-technology.com)  
**A member of the HUBER Group**



March 12, 2024

Subject: Sole Source Letter

City of Boerne, TX WWTP,

This letter serves as a sole source document for products manufactured by HUBER SE and HUBER Technology Inc. (U.S.). HUBER Technology, Inc., based in Denver, NC, is the only vendor for the HUBER products. A list of HUBER products can be provided upon request.

Environmental Improvements Inc. is the sole authorized representative for HUBER Technology products, parts and services for the state of Texas and Oklahoma. No other representatives and vendor manufactures or distributes these or similar items.

Please let me know should you need further details.

Sincerely,



Henk-Jan van Ettehoven  
President HUS  
HUBER Technology, Inc.



## AGENDA ITEM SUMMARY

<b>Agenda Date</b>	April 9, 2024
<b>Requested Action</b>	RECEIVE THE REPORT FROM THE PLANNING AND ZONING COMMISSION, HOLD A PUBLIC HEARING, AND CONSIDER ON FIRST READING ORDINANCE NO. 2024-04; AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, GRANTING A SPECIAL USE PERMIT (SUP) FOR AN ACCESSORY DWELLING UNIT ON APPROXIMATELY .40 ACRES LOCATED AT 101 VILLAGE COVE (KAD NO. 39576) IN AN R2-M WITH THE FOLLOWING CONDITIONS: The Use Shall Comply With The Site Plan, Floor Plan, And Elevations Date Stamped February 29, 2024. Prior To The Issuance Of A Certificate Of Occupancy, An Affidavit Affirming That The Owner Shall Occupy Either The Main Building Or The Accessory Dwelling Shall Be Filed With The City. Prior To The Issuance Of A Certificate Of Occupancy, The Owner Shall Provide A Restrictive Covenant As Required In Section 3.6 E.3 Of The UDC.. <i>(One of one public hearing, at the request of Thomas and Shawna Dunaway)</i>
<b>Contact Person</b>	Nathan Crane, AICP Planning Director (830) 248-1521, <a href="mailto:ncrane@boerne-tx.gov">ncrane@boerne-tx.gov</a>
<b>Background Information</b>	<p><b>BACKGROUND:</b></p> <p>The site is 0.4 acres and is owned by Thomas and Shawna Dunaway. The Future Land Use Map designation is Neighborhood Residential, and the zoning is R2-M. The home is existing.</p> <p>The property is impacted by flood plain and Drainage Way Protection Zones (DPZ) 1 and 2. On March 4, 2024, the Planning and Zoning Commission approved a variance to allow construction within the DPZ's.</p> <p>Accessory Dwelling Units (ADU's) are permitted in the R2-M zoning district subject to a special use permit and the criteria found in Section 3.6 E.3 of the Unified Development Code (UDC), which include:</p> <ol style="list-style-type: none"> <li>1. An ADU shall not exceed 1,200 square feet or 30% of the square footage of the living area of the main house.</li> <li>2. An ADU shall not have more than two bedrooms.</li> </ol>

	<ol style="list-style-type: none"><li>3. A detached unit shall not be higher than the main house.</li><li>4. The architectural style and materials used for the accessory dwelling shall be consistent with the primary residence.</li><li>5. Only one ADU is permitted per lot.</li></ol> <p><b>REQUEST:</b></p> <ol style="list-style-type: none"><li>1. The applicant is requesting a special use permit for the construction of an 884-square-foot one-bedroom/one-bathroom accessory dwelling unit to be located above a new garage. The unit also includes a kitchen and living room.</li><li>2. Access to the garage is provided from a driveway located at the rear of the property. An off-street parking space has been provided in the driveway.</li><li>3. The garage is located behind the main home. The architecture of the garage has been designed to be consistent with the home. The home and garage meet all required setbacks.</li><li>4. The height of the home is 27.5', and the height of the garage is 25'.</li><li>5. The proposed square footage of the accessory dwelling is equal to 27% of the main house.</li></ol> <p><b>ANALYSIS:</b></p> <p><u>Comprehensive Master Plan, Zoning District, and UDC</u></p> <ul style="list-style-type: none"><li>• The property has been designated as Neighborhood Residential and Commercial on the Future Land Use Map. The proposal is consistent with the existing zoning and Comprehensive Master Plan.</li><li>• The proposed accessory dwelling conforms with the criteria set forth in Section 3.6.E.3 of the Unified Development Code for Accessory Dwelling Units. The owner will need to sign an affidavit before a notary public affirming that the owner shall occupy either the main building or the accessory dwelling. A condition of approval has been included to address this issue.</li></ul> <p><u>Compatibility with Surrounding Land Uses</u></p> <ul style="list-style-type: none"><li>• The surrounding properties have been developed as existing single-family residential. The garage meets all required setbacks.</li></ul>
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	<p>The proposed use is consistent with the surrounding land uses.</p> <p><u>Access, Circulation and Parking</u></p> <ul style="list-style-type: none"><li>• Primary access is provided from Village Cove. Parking for the proposed use is behind the minimum required front yard setback line.</li></ul> <p><u>Utilities</u></p> <p>The impact of the proposed use on water, sewer, and other utilities is not a factor. The City will have the capacity to serve future demand.</p> <p><b>CONCLUSION:</b></p> <p>The request appears to meet the criteria required to grant a SUP listed in Section 2.5.D of the UDC.</p> <p><b>PLANNING AND ZONING COMMISSION ACTION:</b></p> <p>The Planning and Zoning Commission considered this request at their December 4, 2023, meeting. The Commission voted 6-0 to recommend approval of the request subject to the following conditions:</p> <ol style="list-style-type: none"><li>1. The Use Shall Comply With The Site Plan, Floor Plan, And Elevations Date Stamped February 29, 2024.</li><li>2. Prior To The Issuance Of A Certificate Of Occupancy, An Affidavit Affirming That The Owner Shall Occupy Either The Main Building Or The Accessory Dwelling Shall Be Filed With The City.</li><li>3. Prior To The Issuance Of A Certificate Of Occupancy, The Owner Shall Provide A Restrictive Covenant As Required In Section 3.6 E.3 Of The UDC.</li></ol> <p><b>COUNCIL ACTION:</b></p> <p>Upon completion of a public hearing, the Council may: approve; approve with conditions; approve in part; deny; or deny in part as outlined in Section 2.5.D of the UDC.</p> <p><b>MOTIONS FOR CONSIDERATION:</b></p> <p>The following motions are provided to assist the Council’s decision.</p> <ul style="list-style-type: none"><li>- I move that the City County receive the recommendation from the Planning and Zoning Commission and <b>APPROVE</b> on first reading Ordinance #2024-04 approving the request for a Special Use Permit for an accessory dwelling unit, subject to the three</li></ul>
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	<p>stipulations recommended by the Commission.</p> <p>- I move that the City Council <b>DENY</b> the request for a Special Use Permit based on the following findings: (The Council will need to state the reasons for the denial).</p>
<b>Item Justification</b>	<p>[X] Legal/Regulatory Obligation      [ ] Infrastructure Investment</p> <p>[ ] Reduce Costs                              [X] Customer Pull</p> <p>[ ] Increase Revenue                      [ ] Service Enhancement</p> <p>[ ] Mitigate Risk                              [ ] Process Efficiency</p> <p>[ ] Master Plan Recommendation      [ ] Other:</p>
<b>Strategic Alignment</b>	C1 – Offering quality customer experiences.
<b>Financial Considerations</b>	N/A
<b>Citizen Input/Board Review</b>	<p>A Boerne Neighborhood Discussion Meeting was held on February 20, 2024. Text notifications were sent to neighbors in a geotargeted area surrounding the project on February 16, 2024.</p> <p>Notice of the Planning and Zoning Commission public hearing was posted in the Boerne Star on February 18, 2024, and mail notification was sent out to 60 neighbors within 500 feet of the subject property.</p> <p>Notice of the City Council public hearing was published in the Boerne Star on December 17, 2023. No comments have been received.</p>
<b>Legal Review</b>	This action is a statutory requirement for SUP approval.
<b>Alternative Options</b>	The Council may: approve; approve with conditions; approve in part; deny; or deny in part.
<b>Supporting Documents</b>	<p>Location Map</p> <p>Site Survey</p> <p>Site Plan – 101 Village Cove SUP date stamped: Feb 29, 2024.</p> <p>B.N.D. Report – 101 Village Cove</p> <p>Resident Responses received by Feb 28, 2024</p> <p>Flood Plain and DPZ Map</p> <p>Minutes of the March 4, 2024, Planning and Zoning Commission</p> <p>Special Use Permit Approval Criteria (Section 2.5.D UDC)</p>

## ORDINANCE NO. 2024-04

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BOERNE UNIFIED DEVELOPMENT CODE, BY AMENDING CHAPTER 3. ZONING, SECTION 3.2, ZONING MAP, GRANTING A SPECIAL USE PERMIT FOR AN ACCESSORY DWELLING UNIT ON APPROXIMATELY 0.40 ACRES LOCATED AT 101 VILLAGE COVE (KAD NO. 39576) IN AN R2-M, MODERATE DENSITY RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SEVERANCE CLAUSE; AND DECLARING AN EFFECTIVE DATE**

**WHEREAS**, under the authority of Chapter 211 of the Texas Local Government Code, the City of Boerne adopts regulations and establishes zoning to control the use of land within the corporate limits of the City; and

**WHEREAS**, it is the intent of the City Council of the City of Boerne to provide harmony between existing zoning districts and proposed land uses; and

**WHEREAS**, the subject property located at 101 Village Cove is currently zoned an R2-M, Moderate Density Residential District; and

**WHEREAS**, the City has received an application for a special use permit, to allow an accessory dwelling; and

**WHEREAS**, the Unified Development Code requires a Special Use Permit for an accessory dwelling, in an R2-M District; and

**WHEREAS**, the Planning and Zoning Commission recommended approval of the Special Use Permit by a vote of 6-0 with the following conditions: The Use Shall Comply With The Site Plan, Floor Plan, And Elevations Date Stamped February 29, 2024. Prior To The Issuance Of A Certificate Of Occupancy, An Affidavit Affirming That The Owner Shall Occupy Either The Main Building Or The Accessory Dwelling Shall Be Filed With The City. Prior To The Issuance Of A Certificate Of Occupancy, The Owner Shall Provide A Restrictive Covenant As Required In Section 3.6 E.3 Of The UDC.; and

**WHEREAS**, the City Council of the City of Boerne has complied with all requirements of notice of public hearing and such hearing was held on April 4, 2024, at which time interested parties and citizens were given an opportunity to be heard; and

**WHEREAS**, the City Council finds the proposed special use complies with all applicable requirements and criteria of the Unified Development Code and with adopted plans and policies of the City and the application provides for mitigation of potential impact; and

**WHEREAS**, the City Council finds that this zoning amendment is designed to and does promote health and the general welfare of the citizens.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:**

**Section 1.**

The foregoing recitals are hereby made a part for all purposes as findings of fact.

**Section 2.**

That Chapter 3. Zoning, Section 3.2, Zoning Map, of the City of Boerne Unified Development Code is hereby amended by granting a special use permit for an Accessory Dwelling to 0.40 acres located at 101 Village Cove (KAD No. 39576) in an R2-M, Moderate Density Residential District.

**Section 3.**

That the Zoning Maps of the City of Boerne be amended to indicate the previously described change.



**Section 4.**

That all provisions of the Unified Development Code of the City of Boerne not herein amended or repealed shall remain in full force and effect.

**Section 5.**

That all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

Section 6.

That if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

Section 7.

This ordinance will take effect upon the second and final reading of same.

PASSED AND APPROVED on this the first reading the \_\_\_\_ day of April, 2024.

PASSED, APPROVED AND ADOPTED on this the second reading the \_\_\_\_ day of April, 2024.

APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

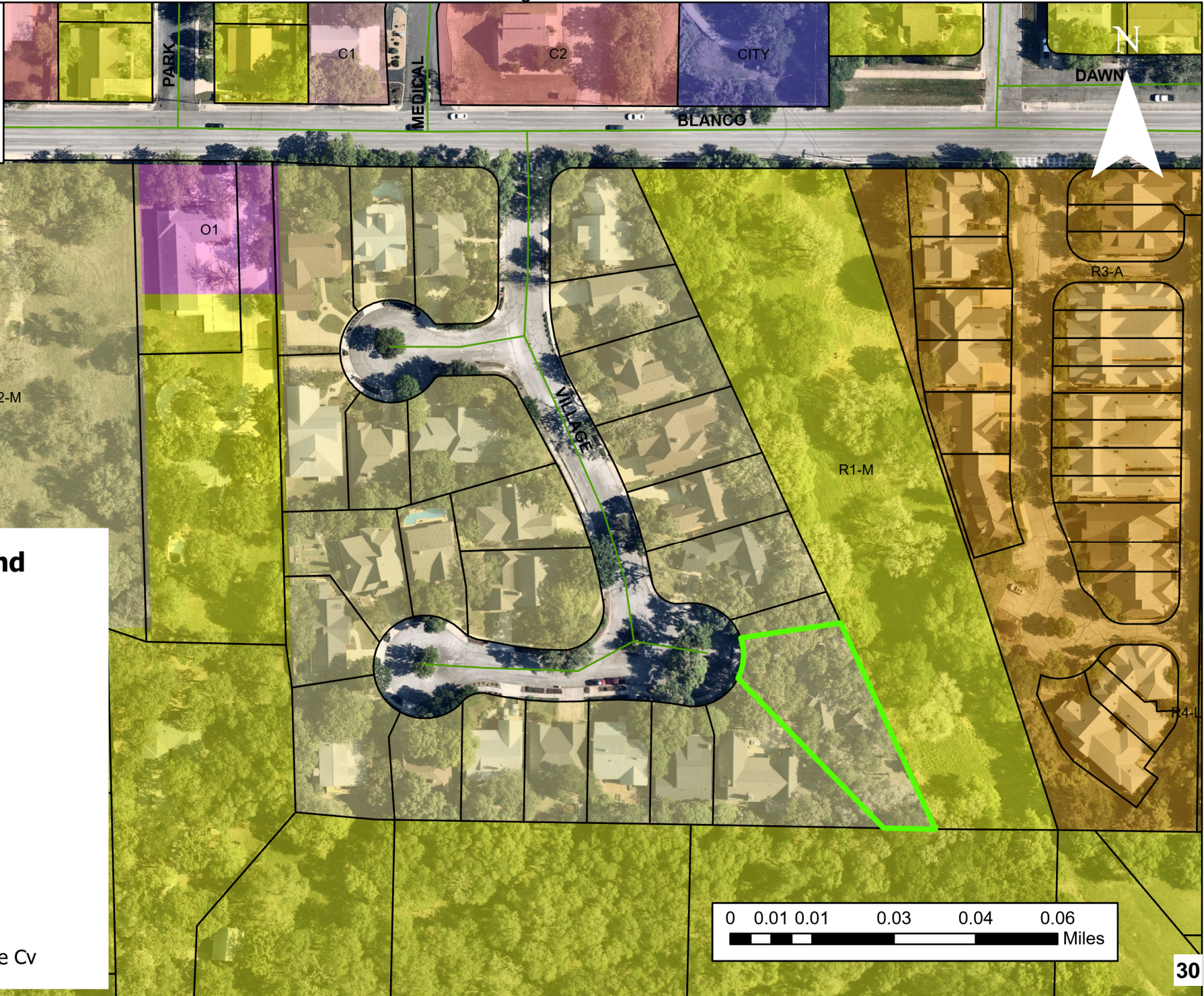






# ZONE MAP

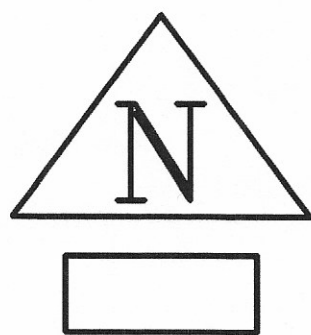
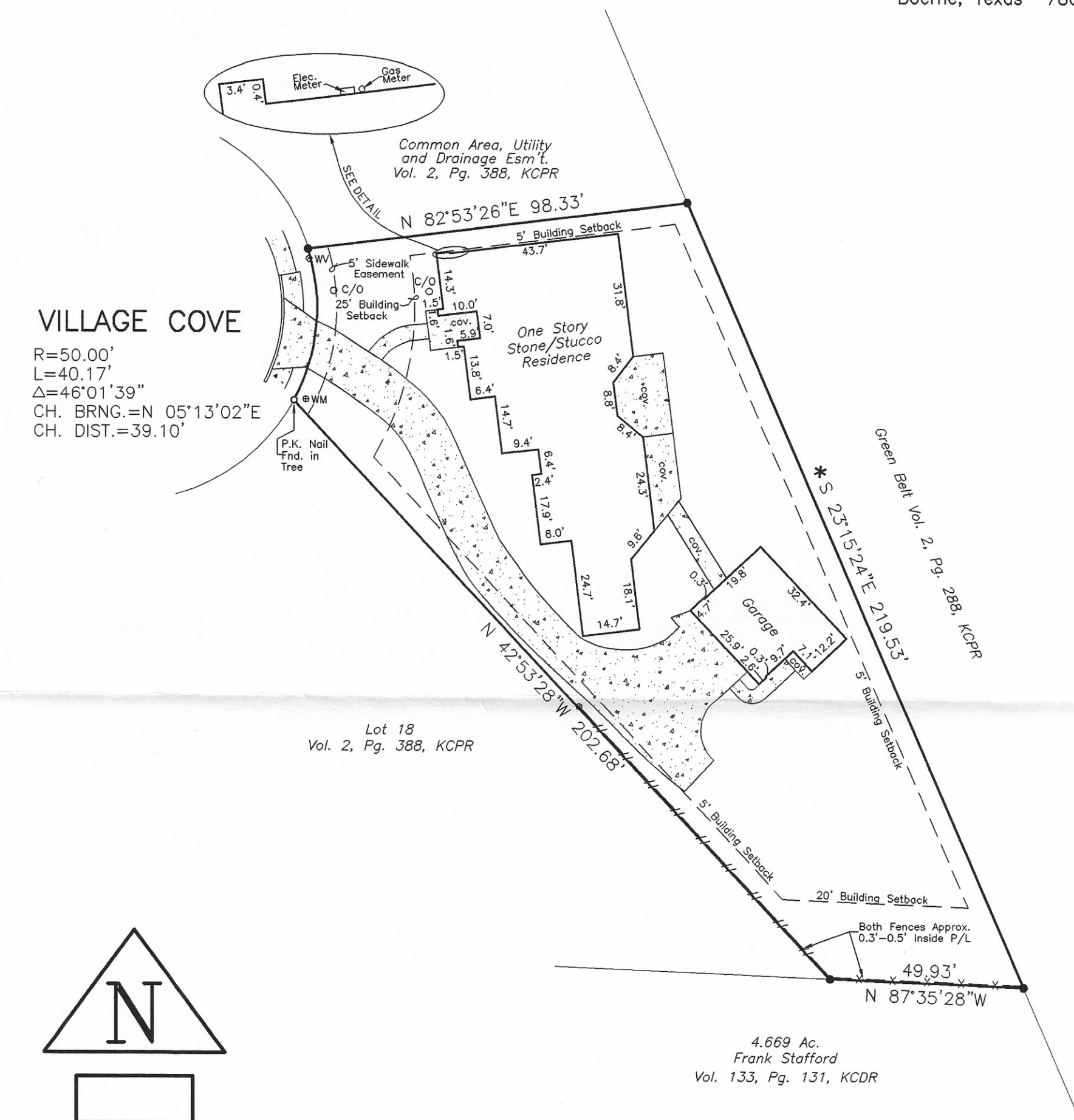
101 Village Cove





LOT 19, BLOCK 1, VILLAGE OAKS SUBDIVISION, IN THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 2, PAGE 388, KENDALL COUNTY PLAT RECORDS.

Address: 101 Village Cove  
Boerne, Texas 78006



30 0 30 60 90  
Graphic Scale - Feet

- Notes:
1. ○ indicates 1/2" steel rod set, unless otherwise noted.
  2. ● indicates 1/2" steel rod found.
  3. KCPR = Kendall County Plat Records.
  4. KCDR = Kendall County Deed Records.
  5. \*This bearing, used as the bearing basis for this survey is from plat recorded in Vol. 2, Pg. 388, KCPR.
  6. —X—X— indicates wire fence on or near this line.
  7. —//—//— indicates wood fence on or near this line.
  8. c/o indicates sewer clean out.
  9. WM indicates water meter.
  10. WV indicates water valve.
  11. Village Cove established by subdivision plat recorded in Vol. 2, Pg. 388, KCPR.
  12. ■■■■■ indicates concrete.

This plat is the property of Schwarz Engineering and Surveying, Inc., and may not be reproduced, whole or in part, without prior written consent from Schwarz Engineering and Surveying, Inc.

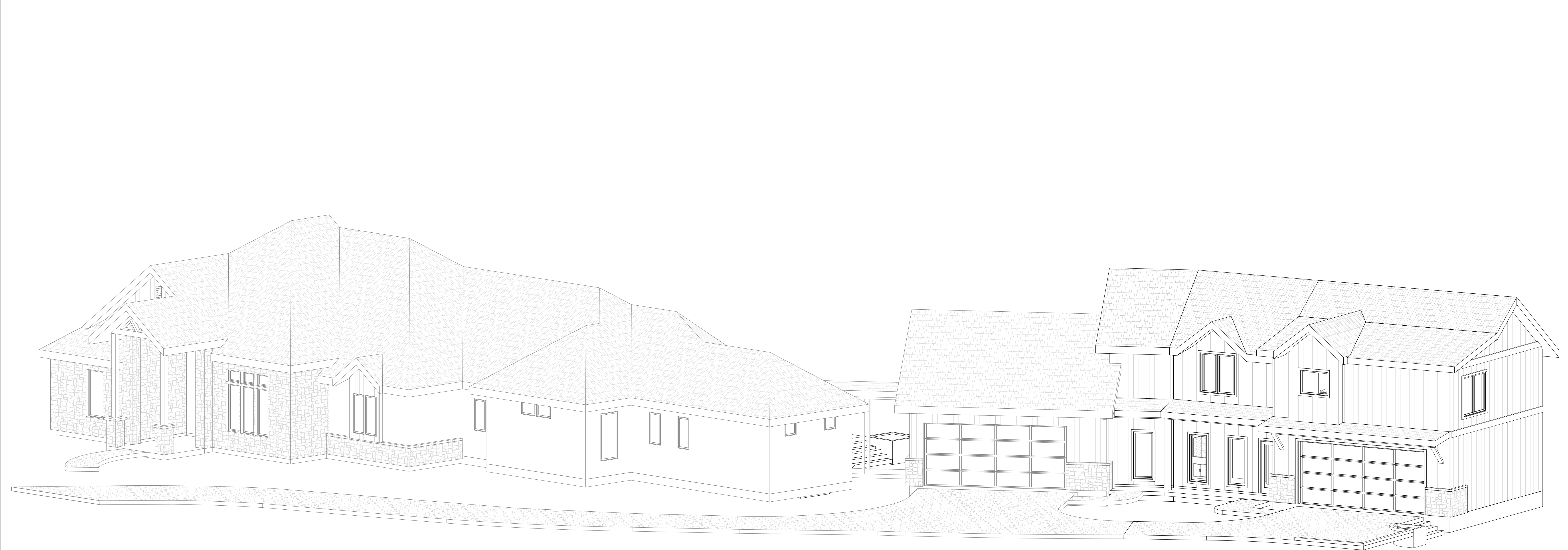
**SCHWARZ ENGINEERING & SURVEYING, INC.**  
723 N. MAIN BOERNE, TEXAS 78006  
830-249-8907 FAX: 830-249-3921

I certify this to be a true plat of a survey made on the ground under my supervision on February 26, 2004, a boundary recertification and improvements location survey made on the ground under my supervision on September 15, 2004, and that there are no visible easements or encroachments except as shown.

James E. Schwarz  
Registered Professional  
Land Surveyor No. 4760

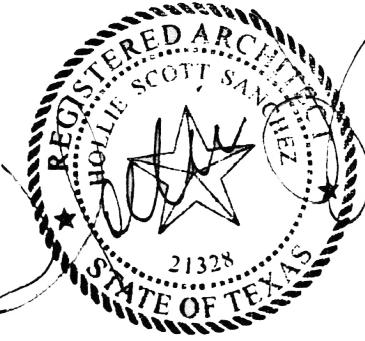
Job No. 04-201





Studio S  
ARCHITEKTS

STUDIO S. ARCHITEKTS  
HOLLIE SANCHEZ, LEED AP, NCARB  
101 S. MAIN ST.  
SUITE C  
BOERNE, TX 78006



DUNAWAY RESIDENCE

101 VILLAGE COVE,  
BOERNE TX, 78006

SHEET LIST	
SHEET NUMBER	SHEET NAME

ARCH	
A0.00	COVER SHEET
D2.00	DEMOLITION PLAN
A1.00	SITE PLAN
A1.01	FOUNDATION PLAN
A2.00	FLOOR PLAN - FIRST FLOOR
A2.01	FLOOR PLAN - SECOND FLOOR
A3.00	ROOF PLAN
A4.00	CEILING PLAN
A5.00	EXTERIOR ELEVATIONS
A8.00	DETAILS
A9.00	DOOR & WINDOW SCHEDULE
A10.00	INTERIOR ELEVATIONS
E2.00	ELEC. PLAN - FIRST FLOOR
E2.01	ELEC. PLAN - SECOND FLOOR

RECEIVED  
02/29/2024  
PLANNING

UNDER ROOF AREA TABULATIONS:

	S.F.	%
ETR	4,798 S.F.	68%
NEW	2,304 S.F.	32%
TOTAL	7,102 S.F.	100%

IMPERVIOUS COVER TABULATIONS:

	S.F.	%
IMPERVIOUS	8,869 S.F.	50%
OTHER	8,864.57 S.F.	50%
TOTAL	17,733.57 S.F.	100%

# DUNAWAY RESIDENCE

## RENOVATION & ADDITION

OWNER:  
THOM AND SHAWNA  
DUNAWAY

PERMIT SET;  
FOR CONSTRUCTION

FEBRUARY 23RD, 2024

GENERAL PROJECT NOTES:

1. THE CONTRACTOR SHALL REVIEW THIS SET OF CONSTRUCTION DOCUMENTS AND REPORT ANY DISCREPANCIES AND/OR INCONSISTENCIES BETWEEN THE ARCHITECTURAL DRAWING AND EACH OF THE OTHER DISCIPLINES DRAWINGS. THE CONTRACTOR SHALL RECEIVE WRITTEN CONFIRMATION AND NEW DESIGN DIRECTION FROM THE APPROPRIATE DISCIPLINES PRIOR TO COMMENCING WORK.
2. THESE DRAWING ARE DIAGRAMMATIC AND REPRESENT THE ARCHITECTS DESIGN INTENT. IF DIMENSIONS ARE IN QUESTION AND/OR MISSING, DO NOT SCALE THE DRAWINGS. REQUEST CLARIFICATION FROM THE ARCHITECT PRIOR TO COMMENCING WORK.
3. REFER TO STRUCTURAL FOR SHEAR WALL CONSTRUCTION AND LOCATIONS. STRUCTURAL REQUIREMENTS SHALL TAKE PRECEDENCE AT ALL SHEAR WALL LOCATIONS. SHOULD MODIFICATIONS BE REQUIRED, COORDINATE WITH ARCHITECT PRIOR TO MAKING ANY CHANGES.
4. ALL GYPSUM BOARD TO BE TYPE "X" 5/8" FOR CEILINGS AND 1/2" FOR WALLS, U.N.O.
  - a. ALL WALLBOARD IN SHOWERS TO BE CEMENT BOARD.
  - b. ALL WALLBOARD SCHEDULED TO RECEIVE TILE FINISH SHALL BE GREENBOARD, U.N.O.
  - c. ALL WET AREAS, (I.E. RESTROOMS, KITCHEN, LAUNDRY, ETC. TO HAVE MIN. 1'-0" HIGH OF CEMENT BOARD AT BASE.
  - d. ALL WALLS SCHEDULED/NOTED TO RECEIVE STONE VENEER SHALL HAVE PLYWOOD SHEATHING.
5. ALL EXTERIOR STUD WALLS TO HAVE BATT INSULATION PER LOCAL ENERGY CODES, OR PROJECT ENERGY 'REPORT' REQUIREMENTS.
6. PROVIDE HORIZONTAL STIFFENERS AT ALL WALLS AND PORTIONS OF WALLS WHICH ARE NOT GYPSUM BOARD SHEATHED ON BOTH SIDES PROVIDING BACKING PLATES AT ALL STUDS SUPPORTING EQUIPMENT AND FIXTURES SHOWN ON THE PLANS AND INTERIOR ELEVATIONS. SUCH SHELVING, CASEWORK, LIGHT FIXTURES, PLUMBING, ETC.
7. ALL WOOD TO BE PRESSURE TREATED WHERE IN CONTACT WITH EARTH, WITHIN 6" OF EARTH, OR WHERE OTHERWISE EXPOSED TO MOISTURE OR EMBEDDED IN CONCRETE OR MASONRY. ALL SILL PLATES TO BE PRESSURE TREATED.
8. INSTALL ALL PERIMETER WALL SILL PLATES ON FIBROUS SILL SEALER.
9. REVIEW ELECTRICAL PLANS PRIOR TO FRAMING AND POURING OF SLAB & VERIFY LOCATIONS OF ELECTRICAL & MECHANICAL FIXTURES WITH OWNER.

AREA TABULATIONS (NEW CONSTRUCTION):

NEW CONDITIONED LIVING AREA (OVER FRAMING):	848 S.F.
GARAGE & STORAGE	1,354 S.F.
COVERED PORCH	84 S.F.
SIDEWALK	53 S.F.
DRIVEWAY	642 S.F.
TOTAL	2,981 S.F.

AREA TABULATIONS (ETR):

EXISTING CONDITIONED LIVING AREA (OVER FRAMING)	3,896 S.F.
GARAGE & STORAGE	770 S.F.
COVERED PORCH	117 S.F.
SIDEWALK	107 S.F.
DRIVEWAY	2,460 S.F.
TOTAL	7,350 S.F.

No.	Description	Date
1	PERMIT SET	02.23.2024

DUNAWAY  
COVER  
SHEET

Project Number	2023 - 137
Date	02.23.2024
Drawn By	LV
Checked By	HS

A0.00





STUDIO S. ARCHITECTS  
HOLLIE SANCHEZ, LEED AP, NCARB  
101 S. MAIN ST.  
SUITE C  
BOERNE, TX 78006



## DUNAWAY RESIDENCE

101 VILLAGE COVE,  
BOERNE TX, 78006

[illegible]

# DUNAWAY SITE PLAN

Project Number	2023 - 137
Date	02.23.2024
Drawn By	LV
Checked By	HS

# A1.00

2/23/2024 12:32:22 PM

SITE LEGEND:

NEW CONC. DRIVEWAY

EXISTING CONC. DRIVEWAY

EXISTING SIDEWALK

COMPOSITION ROOF SHINGLES

RAILROAD TIES

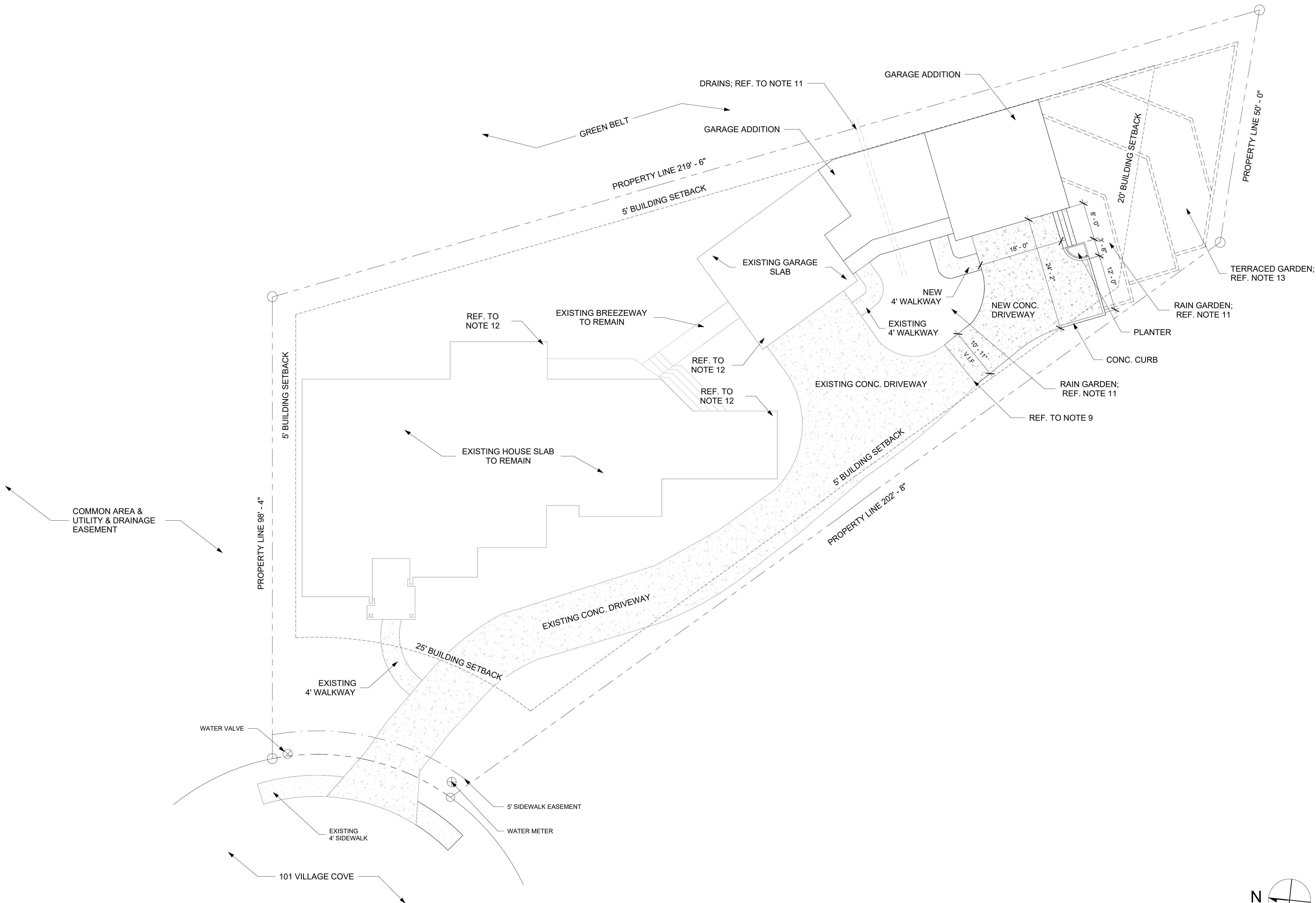
PROPERTY LINE

BUILDING SETBACK

EASEMENT

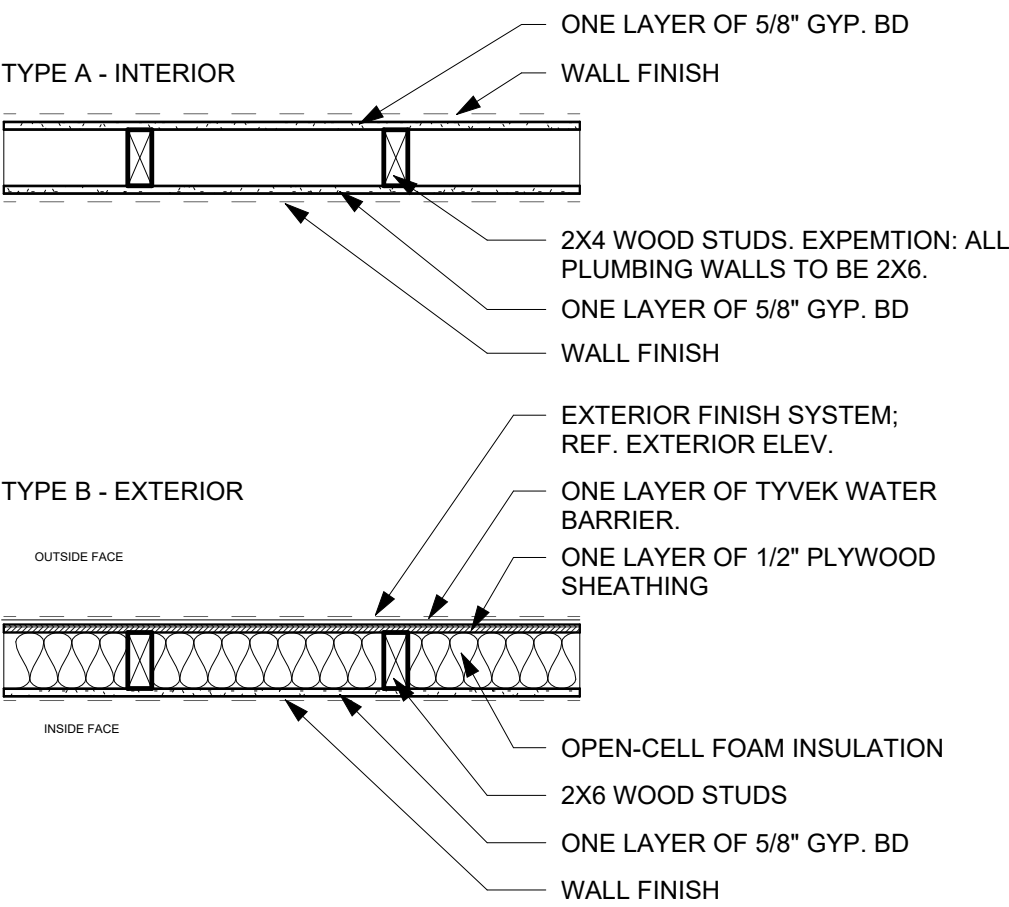
SITE NOTES:

1. ARCHITECTURAL DRAWINGS ARE BASED ON SURVEY INFORMATION AND FIELD NOTES PREPARED BY OTHERS. THE CONTRACTOR SHALL OBTAIN PERMISSION TO THE ACCURACY OF THE INFORMATION AND IS NOT RESPONSIBLE FOR ERRORS THEREIN OR CORRECTIONS REQUIRED AS A RESULT.
2. THE CONTRACTOR SHALL OBTAIN PERMITS FOR ALL SURVEYS FROM OWNER AND SHALL VERIFY EXISTING/PROPOSED TOPOGRAPHY AND SITE CONDITIONS PRIOR TO CONSTRUCTION.
3. REFER TO FLOOR PLAN FOR DETAILED BUILDING INFORMATION. SHOULD DISCREPANCIES EXIST, NOTIFY ARCHITECT FOR CLARIFICATIONS PRIOR TO CONSTRUCTION.
4. BUILDING LOCATION AND ALL SITE GRADING DESIGN BY OTHERS.
5. SITE AND STORM DRAINAGE DESIGN BY OTHERS.
6. SITE UTILITY DESIGN BY OTHERS. STUB OUT BUILDING UTILITIES FROM EXTERIOR BUILDING FACE FOR CONNECTION WITH SITE UTILITIES. COORDINATE SITE UTILITY LOCATIONS WITH PLUMBING AND ELECTRICAL DRAWINGS PRIOR TO CONSTRUCTION.
7. PROTECT ALL EXISTING TREES AND VEGETATION UNLESS SPECIFICALLY INDICATED TO BE REMOVED. COORDINATE LANDSCAPE REQUIREMENTS WITH LANDSCAPE DRAWINGS.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING WITH ALL UTILITY COMPANIES AND APPROPRIATE AGENCIES FOR ALL NECESSARY CONSTRUCTION TESTS AND TOLERANCE SERVICES DURING CONSTRUCTION.
9. SLOPE ALL GRADES AROUND FROM BUILDING AT 1/2" PER FOOT (MIN) AT LANDSCAPED AREAS AND 1/8" PER FOOT (MIN) AT HARDSCAPED (PAVED) AREAS FOR A DISTANCE OF 5'-0" (MIN).  
N.E. 1/4, S. 1/4, & S.W. 1/4.
10. CONTRACTOR TO V.I.F. NEW DRIVE PLACEMENT AND DESIGN PAVING AS REQUIRED.
11. CONTRACTOR TO PROVIDE DRAINAGE SLEEVE UNDER SLAB.
12. CONTRACTOR TO INSTALL RAIN GARDEN TO CAPTURE RUNOFF ALLOWING FOR RECHARGING AND REMOVING POLLUTANTS.
13. CONTRACTOR TO COORDINATE LOCATION WITH OWNER.
14. CONTRACTOR TO INSTALL REDIRECTING DOWNSPOUTS.
15. CONTRACTOR TO COORDINATE LOCATION WITH OWNER.
16. CONTRACTOR TO COORDINATE LANDSCAPE DESIGN WITH FINAL DESIGN WITH OWNER.

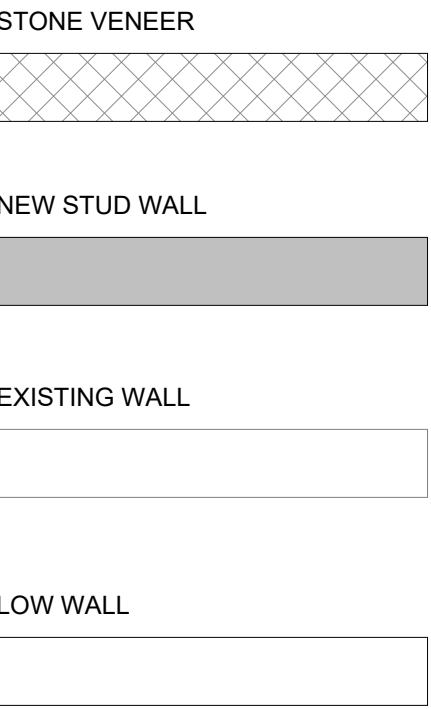


1 SITE PLAN  
1" = 10'-0"

WALL TYPES:

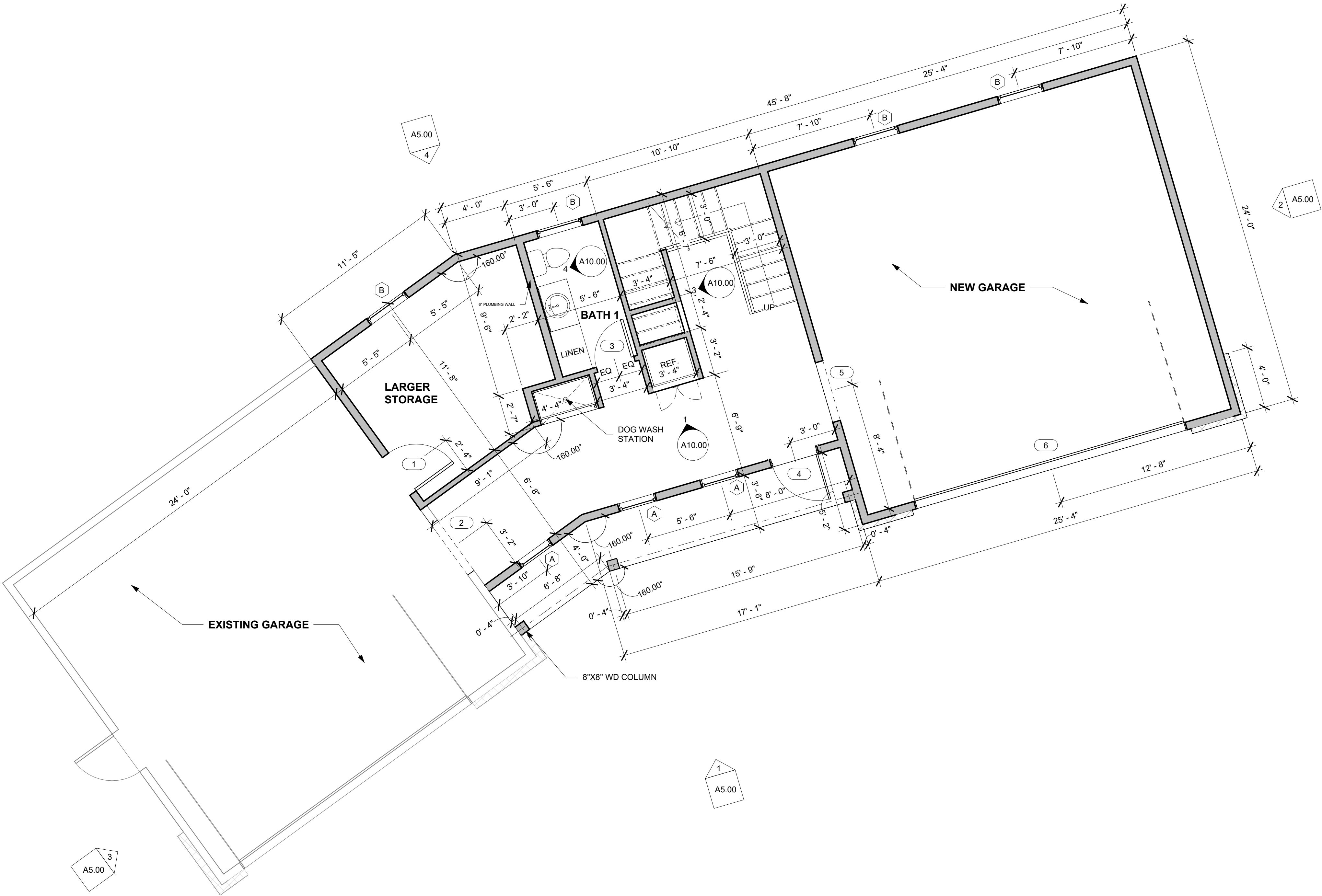


PLAN LEGEND:



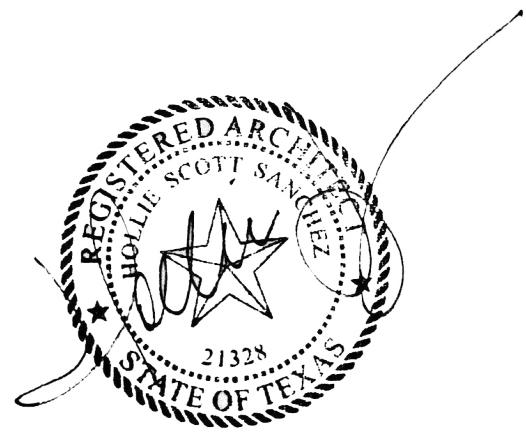
PLAN NOTES:

- DIMENSIONS SHOWN ARE FROM FACE OF STRUCTURAL STRATA, U.N.O.
- ALL WINDOW/DOOR DIMENSIONS IN CONVENTIONAL WOOD FRAMING ARE TO CENTER OF WINDOW/DOOR UNLESS NOTED OTHERWISE.
- DOOR FRAMES TO BE LOCATED 6" FROM CORNER OF WALL UNLESS NOTED OTHERWISE.
- WHERE PLYWOOD IS ADDED FOR SHEAR ON PARTIAL WALL, REMAINDER OF WALL SHALL HAVE SIMILAR SHEATHING TO PROVIDE FLUSH WALL SURFACE. RE: STRUCT FOR SHEAR WALL LOCATIONS.
- CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS. REPORT ANY DISCREPANCIES TO ARCHITECT FOR CLARIFICATION PRIOR TO PROCEEDING WITH CONSTRUCTION.
- CONTRACTOR TO CONFIRM & COORDINATE ALL PLUMBING, EQUIPMENT, & ACCESSORIES SIZES FOR CLEARANCE.
- NEW EXTERIOR AND INTERIOR DOORS TO MATCH EXISTING DOORS; CONFIRM WITH OWNER AND/OR ARCHITECT.
- ALL NEW FINISHES TO BE THE SAME GRADE, COLOR, MATERIAL, ETC AS EXISTING FINISHES, U.N.O. COORDINATE WITH OWNER AND/OR ARCHITECT IF NECESSARY.
- CONFIRM ALL FINAL DOOR SELECTION, LOCATION AND SIZE WITH ARCHITECT PRIOR TO INSTALLATION.
- CONTRACTOR TO INSTALL TILE ON ALL INSIDE SHOWER WALLS & CEILINGS.
- SCHLUTTER COMPANY PRE-SLOPES AND SHOWER BASE TO BE INSTALLED ON ALL SHOWERS. CONTRACTOR TO COORDINATE WITH CLIENT AND MANUFACTURER ON SINGLE SLOPE OR MULTIPLE SLOPE SELECTION.



Studio S  
ARCHITEKTS

STUDIO S. ARCHITEKTS  
HOLLIE SANCHEZ, LEED AP, NCARB  
101 S. MAIN ST.  
SUITE C  
BOERNE, TX 78006



DUNAWAY RESIDENCE

101 VILLAGE COVE,  
BOERNE TX, 78006

No.	Description	Date
1	PERMIT SET	02.23.2024

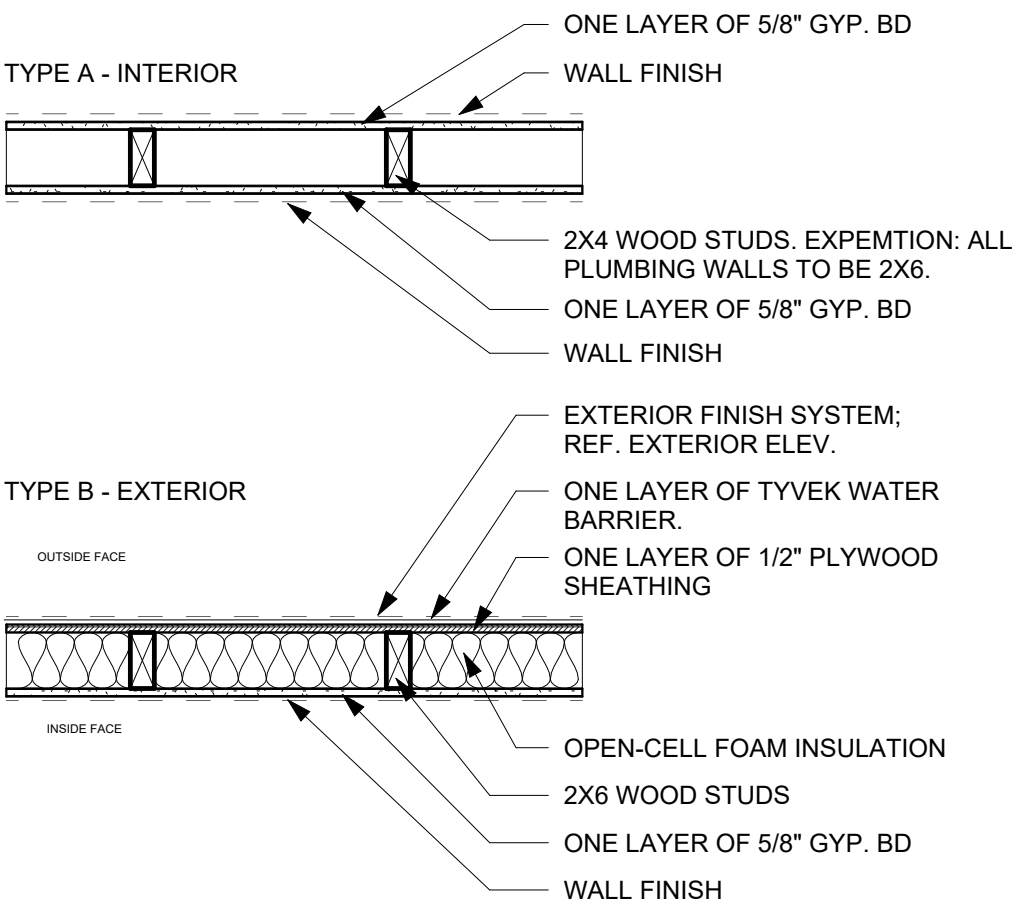
DUNAWAY  
FLOOR PLAN  
- FIRST  
FLOOR

Project Number	2023 - 137
Date	02.23.2024
Drawn By	LV
Checked By	HS

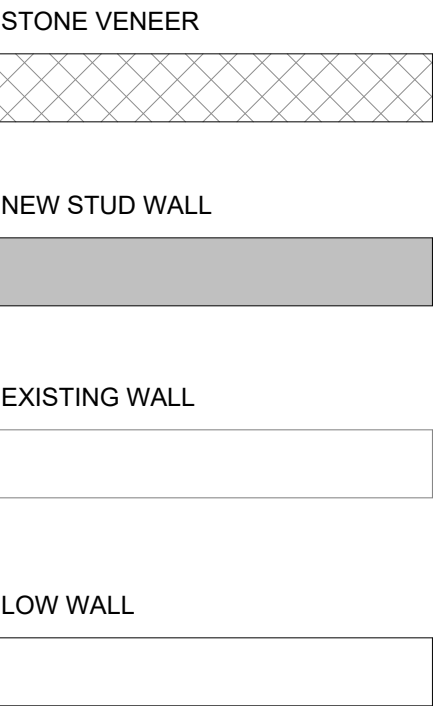
A2.00

1 FLOOR PLAN - FIRST FLOOR  
1/4" = 1'-0"

WALL TYPES:

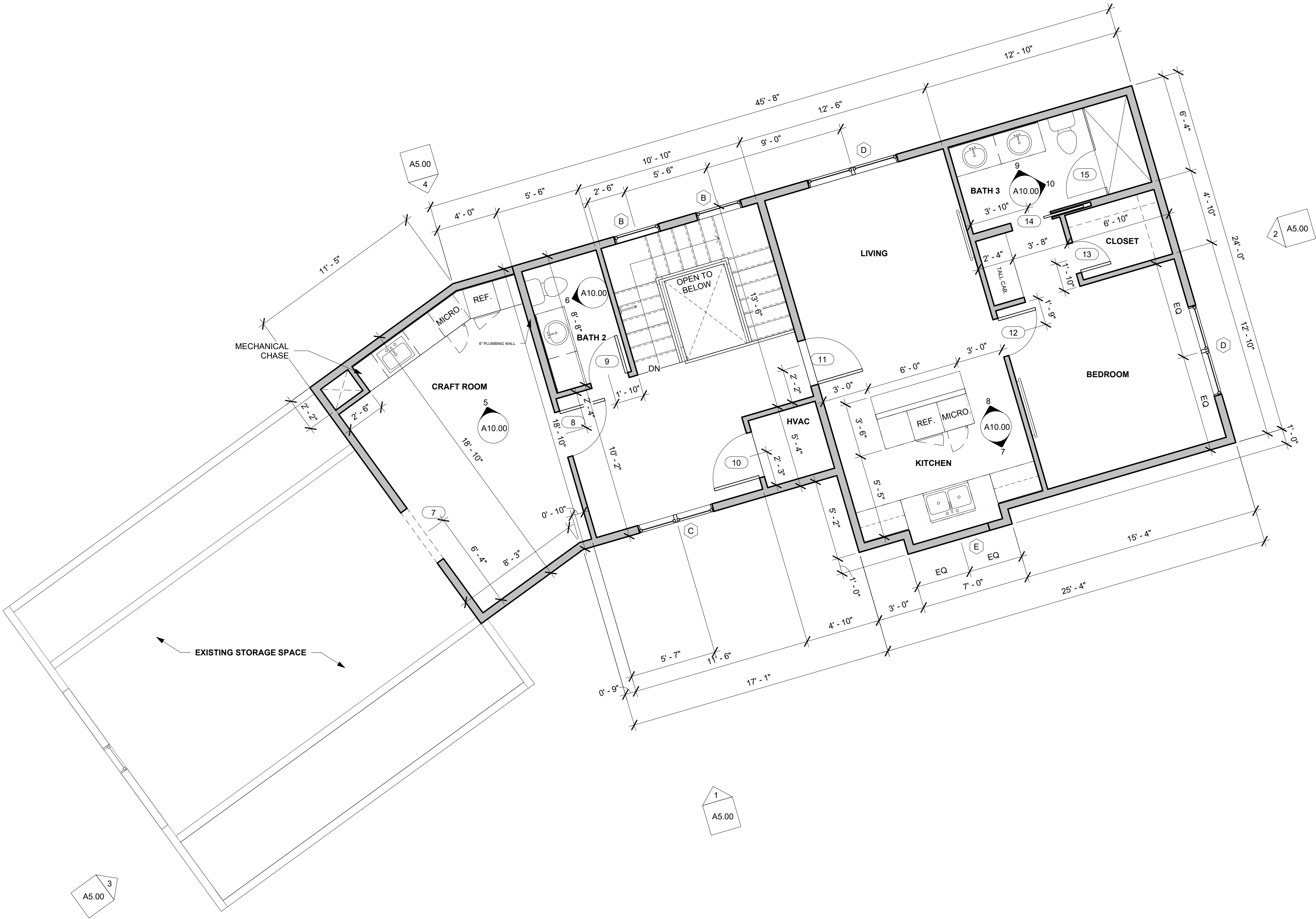


PLAN LEGEND:



PLAN NOTES:

- DIMENSIONS SHOWN ARE FROM FACE OF STRUCTURAL STRATA, U.N.O.
- ALL WINDOW/DOOR DIMENSIONS IN CONVENTIONAL WOOD FRAMING ARE TO CENTER OF WINDOW/DOOR UNLESS NOTED OTHERWISE.
- DOOR FRAMES TO BE LOCATED 6" FROM CORNER OF WALL UNLESS NOTED OTHERWISE.
- WHERE PLYWOOD IS ADDED FOR SHEAR ON PARTIAL WALL, REMAINDER OF WALL SHALL HAVE SIMILAR SHEATHING TO PROVIDE FLUSH WALL SURFACE. RE: STRUCT FOR SHEAR WALL LOCATIONS.
- CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS. REPORT ANY DISCREPANCIES TO ARCHITECT FOR CLARIFICATION PRIOR TO PROCEEDING WITH CONSTRUCTION.
- CONTRACTOR TO CONFIRM & COORDINATE ALL PLUMBING, EQUIPMENT, & ACCESSORIES SIZES FOR CLEARANCE.
- NEW EXTERIOR AND INTERIOR DOORS TO MATCH EXISTING DOORS. CONFIRM WITH OWNER AND/OR ARCHITECT.
- ALL NEW FINISHES TO BE THE SAME GRADE, COLOR, MATERIAL, ETC AS EXISTING FINISHES, U.N.O. COORDINATE WITH OWNER AND/OR ARCHITECT IF NECESSARY.
- CONFIRM ALL FINAL DOOR SELECTION, LOCATION AND SIZE WITH ARCHITECT PRIOR TO INSTALLATION.
- CONTRACTOR TO INSTALL TILE ON ALL INSIDE SHOWER WALLS & CEILINGS.
- SCHLUTTER COMPANY PRE-SLOPES AND SHOWER BASE TO BE INSTALLED ON ALL SHOWERS. CONTRACTOR TO COORDINATE WITH CLIENT AND MANUFACTURER ON SINGLE SLOPE OR MULTIPLE SLOPE SELECTION.



1 FLOOR PLAN - SECOND FLOOR  
1/4" = 1'-0"

STUDIO S. ARCHITEKTS  
HOLLIE SANCHEZ, LEED AP, NCARB  
101 S. MAIN ST.  
SUITE C  
BOERNE, TX 78006

DUNAWAY RESIDENCE

101 VILLAGE COVE,  
BOERNE TX, 78006

No.	Description	Date
1	PERMIT SET	02.23.2024

DUNAWAY  
FLOOR PLAN  
- SECOND  
FLOOR

Project Number	2023 - 137
Date	02.23.2024
Drawn By	LV
Checked By	HS

A2.01





Studio S  
ARCHITKTS  
STUDIO S. ARCHITKTS  
HOLLIE SANCHEZ, LEED AP, NCARB  
101 S. MAIN ST.  
SUITE C  
BOERNE, TX 78006



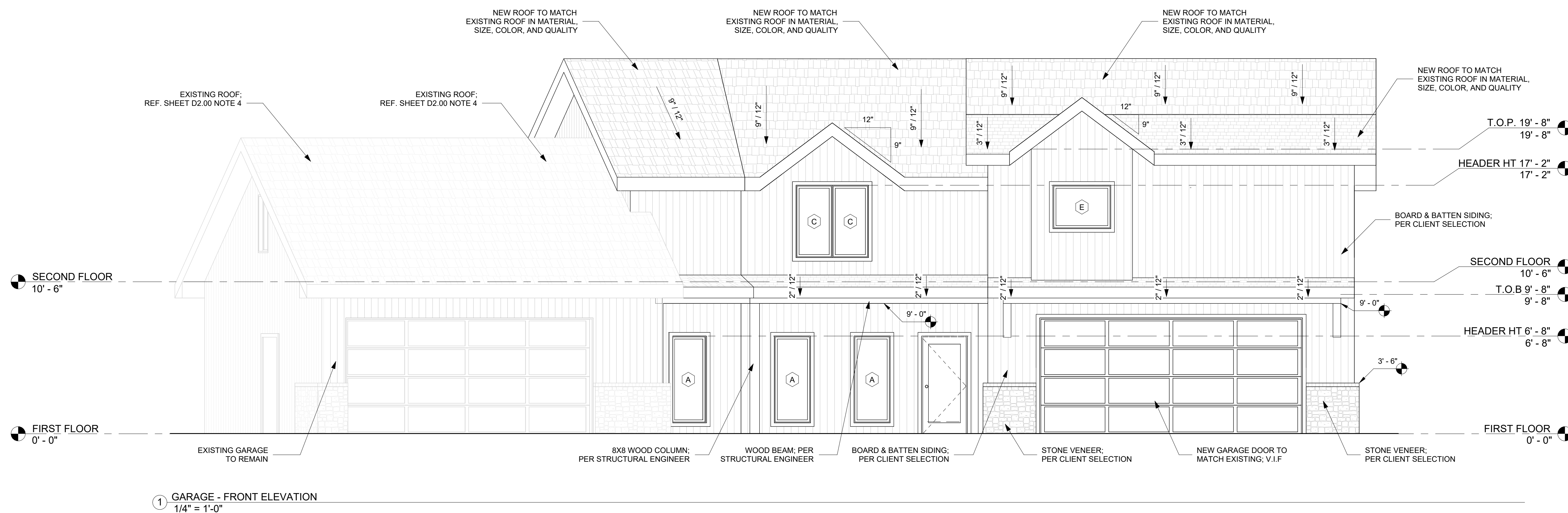
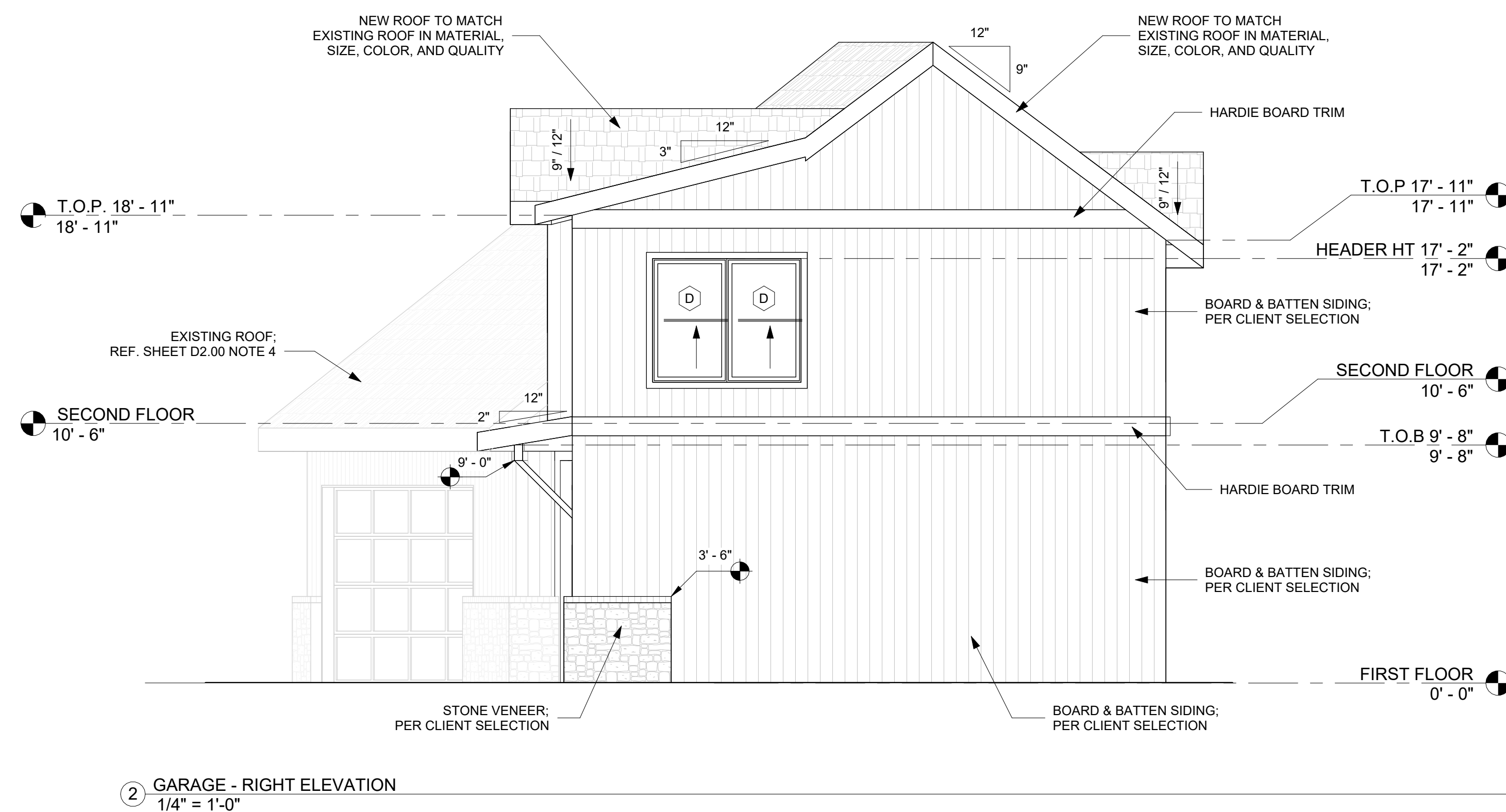
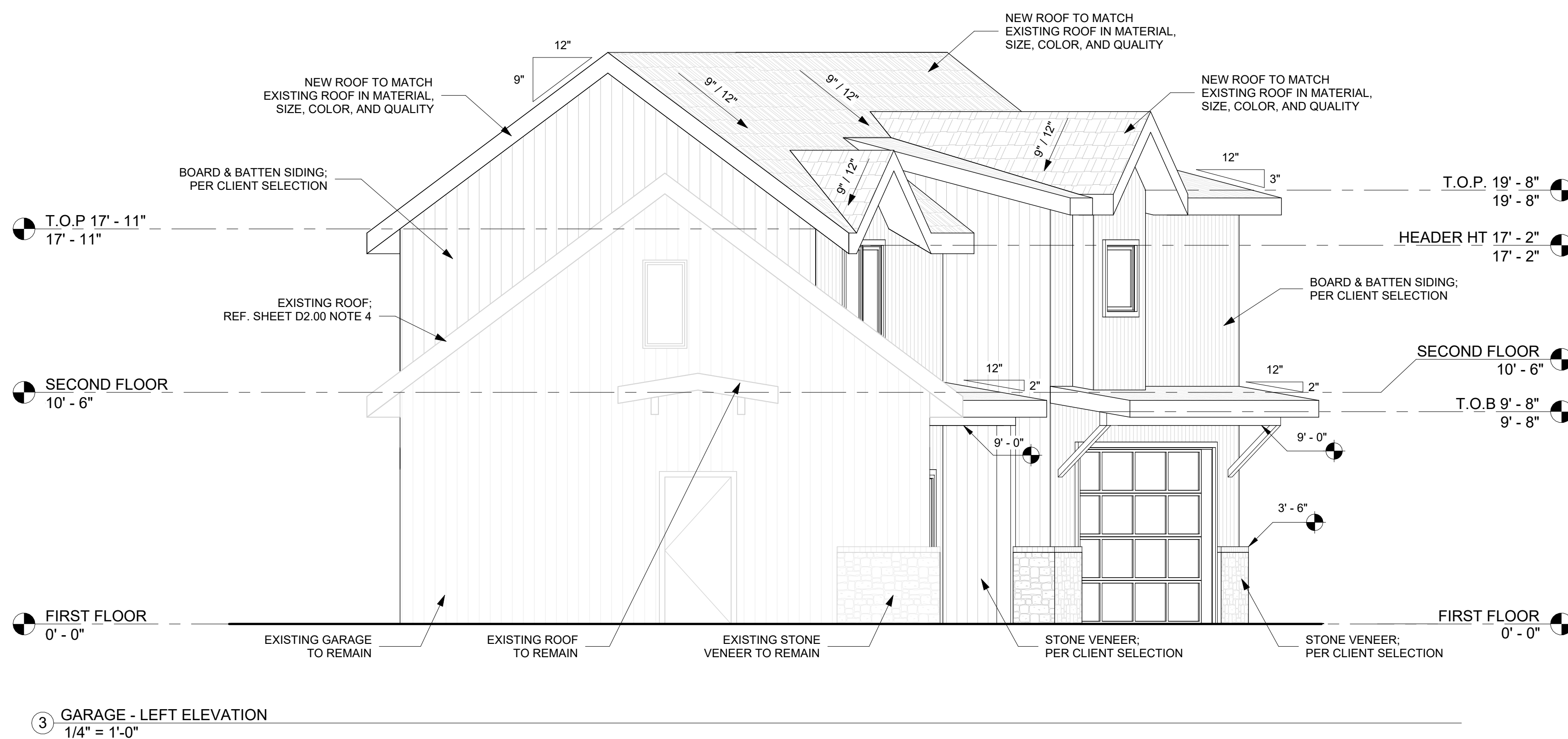
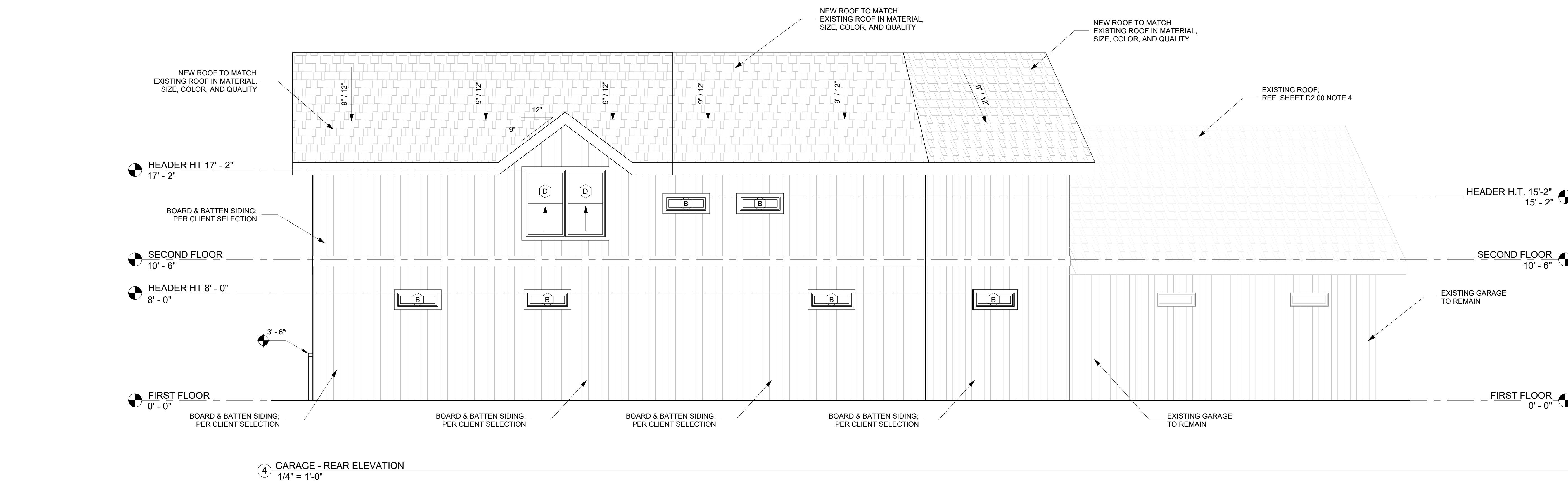
DUNAWAY RESIDENCE

101 VILLAGE COVE,  
BOERNE TX, 78006

36

EXTERIOR ELEVATIONS:

1. BUILDING ELEVATIONS SHOWN ARE TO HELP CLARIFY OVERALL DESIGN INTENT. REFER TO FLOOR PLAN, AND SUPPORTING DRAWINGS FOR SPECIFIC DESIGN INFORMATION NOT EXPRESSLY DEFINED HEREIN.
2. EXTERIOR FINISH MATERIALS AND TREATMENTS ARE NOT NOTED IN ALL LOCATIONS, WHERE A MATERIAL, SURFACE, OR SYSTEM IS DEFINED THE BALANCE SHALL BE CONSIDERED AS REPETITION.
3. GRADE LINES INDICATED ON ELEVATIONS ARE APPROXIMATE. REFER TO CIVIL DRAWINGS FOR FINISH GRADE CONTOURS.
4. COORDINATE LANDSCAPING TO SCREEN EXPOSED FOUNDATION.
5. CONTRACTOR TO CONFIRM ALL BEDROOM WINDOWS MEET EGRESS CODE; NOTIFY OWNER IF OUT OF CODE.
6. CONTRACTOR TO COORDINATE GUTTER SYSTEM AND DOWNSPOUT DESIGN WITH GUTTER MANUFACTURER.
7. CONTRACTOR TO VERIFY EXISTING ROOF SLOPES; NEW ROOF SLOPES TO MATCH. COORDINATE WITH OWNER AND/OR ARCHITECT.
8. CONTRACTOR TO CONFIRM EXISTING ROOF SLOPES; NEW ROOF SLOPES TO MATCH. COORDINATE WITH OWNER AND/OR ARCHITECT.
9. MATCH EXISTING WINDOW HEADER HEIGHTS PER FLOOR.



No.	Description	Date
1	PERMIT SET	02.23.2024

DUNAWAY EXTERIOR ELEVATIONS	
Project Number	2023 - 137
Date	02.23.2024
Drawn By	LV
Checked By	HS
A5.00	

2/23/2024 12:32:31 PM





February 24, 2024

Thom and Shawna Dunaway

101 Village Cove

Boerne, TX

Mr. & Mrs. Dunaway,

Hill Country Scapes & Design, LLC (HCSD) is pleased to implement your upcoming project at 101 Village Cove, Boerne, TX 78006. Hill Country Scapes and Design will be following the requirements for low impact developments as outlined by the City of Boerne.

Through this plan HCSD will manage stormwater runoff to mitigating any pollutants and erosion that could occur without the below measures.

For this project, HCSD will install a terraced landscape feature and a rain garden. The terraced feature will have a downspout that is routed into it from the newly installed garage structure. The terrace and the rain garden features will be filled with fabric contractor grade weed barrier, ground cover and river rock. These materials will allow for any stormwater runoff to be filtered through the materials which will then help eliminate the possibility for pollution to infiltrate the natural vegetation surrounding the property.

Additionally, HCSD will reroute the existing downspouts on the home at 101 Village Cove and redirect these through the newly landscaped features. This will allow the stormwater runoff to be dispersed in a manner that slows the flow of the water, filters out any contaminates and eliminates erosion to the existing drainage areas surrounding the property.

Respectfully,

Jeremiah Bowman, Owner

Hill Country Scapes & Design



# BOERNE NEIGHBORHOOD DISCUSSION

## B.N.D. Meeting Report

2/20/2024 | SUP for Accessory Dwelling

**Proposed Site:** 101 Village Cove

**Meeting Location:** Zoom

**Total Attendance:** 14

B.O.N.D. meetings can be viewed in their entirety by visiting:

The [City of Boerne B.N.D. YouTube page](#) and selecting the desired meeting.

### In Attendance

Thom Dunaway  
Nina Woolard  
Mikayla  
Cynthia Murphy

Mark Santos  
Priscilla Flores  
iPhone User

Jose Cantu  
Sharon Wright  
Joseph Macaluso Jr.

### City Staff Present

Nathan Crane  
Sara Serra-Bennett

Sara Varvarigos  
Heather Wood

### Meeting Summary

Staff started the session by explaining the process and introducing the developer. This meeting had two items to be discussed, and this was the first item.

The property owners explained that the desire to build an accessory dwelling came from the need to have space available to accommodate their aging parents. The accessory dwelling will be built on top of the additional garage, at the back of the existing house.

### Development Details

Based on the current code, the proposed accessory structure has a size limit of 1200 square feet or 30% of the square footage of the main house. This area is calculated based on the livable space of the accessory dwelling, which is only used by the occupants of the dwelling and not the other occupants of the house.

The existing house is around 3200 sq ft, and based on documents presented by the applicant, the proposed accessory dwelling is around 600 sq ft.

### Questions and Concerns

The community members present at the meeting had no questions for the applicant.

Service

Excellence

Integrity

Respect

Collaboration

---

## Notification(s)

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- Text Messages to Geo-targeted area surrounding the property – 11 neighbors received a text message
- Text Messages to City Calendar Subscribers
- B..N.D. Webpage
- Events and Meetings Calendar

**CASE: 101 Villiage Cove SUP**

**PZ – March 4, 2024**

Please return this notice whether or not you plan to attend the hearing. For further information,  
please call 830-248-1501.

Name: James & Vickie Tom

Address: 129 Village Cv. Boerne TX 78006

( ) In Favor ( ☒ ) Oppose

Reason: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE**

Planning Department: 447 N. Main St. | Boerne, TX 78006  Director: Nathan Crane

Phone: (830) 248-1501 Email: [planning@boerne-tx.gov](mailto:planning@boerne-tx.gov)

**CASE: 101 Villiage Cove SUP**

**PZ – March 4, 2024**

Please return this notice whether or not you plan to attend the hearing. For further information,  
please call 830-248-1501.

Name: William & Mary Ann Eichman

Address: 109 Village Circle, Boerne TX

( ☒ ) In Favor ( ) Oppose

Reason: We have no reason to Oppose. Everyone in Village Oaks takes care of their property and would only enhance the beauty of their homes. We are sure that is the case for 101 Village Cove.

**INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE**

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CASE: 101 Villiage Cove SUP

PZ – March 4, 2024

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please call 830-248-1501.

Name: Annette DiGiosia

Address: 201 Village Drive

☒ In Favor

☐ Oppose

Reason: I'm in favor of granting the request for a

special use permit for an accessory dwelling unit  
at 101 Village Cove. I believe the addition will enhance  
said property as well as the neighborhood.

INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE

Planning Department: 447 N. Main St. | Boerne, TX 78006 • Director: Nathan Crane

Phone: (830) 248-1501 Email: planning@boerne-tx.gov

CASE: 101 Villiage Cove SUP

PZ – March 4, 2024

Please return this notice whether or not you plan to attend the hearing. For further information,  
please call 830-248-1501.

Name: Dawn & Larry Allen

Address: 112 Village Park Dr., Boerne, TX 78006

☒ In Favor

☐ Oppose

Reason: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE

Planning Department: 447 N. Main St. | Boerne, TX 78006 • Director: Nathan Crane

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**CASE: 101 Villiage Cove SUP**

**PZ – March 4, 2024**

Please return this notice whether or not you plan to attend the hearing. For further information, please call 830-248-1501.

Name: Gracie Barnett

Address: 103 Villiage Park Dr.

☒ In Favor

☐ Oppose

Reason: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE**

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Phone: (830) 248-1501 Email: [planning@boerne-tx.gov](mailto:planning@boerne-tx.gov)

**CASE: 101 Villiage Cove SUP**

**PZ – March 4, 2024**

Please return this notice whether or not you plan to attend the hearing. For further information, please call 830-248-1501.

Name: Joe LOVING

Address: 128 VILLAGE PARK DR, BOERNE, TX

☒ In Favor

☐ Oppose

Reason: FINE WITH ME.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE**

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**CASE: 101 Villiage Cove SUP**

**PZ – March 4, 2024**

Please return this notice whether or not you plan to attend the hearing. For further information,  
please call 830-248-1501.

Name: LAURENCE & ELIZABETH SMITH

Address: 105 VILLAGE CV

( ☒ ) In Favor

( ) Oppose

Reason: WE LIVE NEXT TO 101 VILLAGE CV  
AND HAVE FOUND OUR NEIGHBORS TO  
BE VERY RESPONSIBLE. I HAVE NO DOUBT  
WHATEVER THEIR PLANS ARE WILL BE DONE  
WITH THE BEST INTEGRITY AND TASTE  
POSSIBLE

**INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE**

Planning Department: 447 N. Main St. | Boerne, TX 78006 ■ Director: Nathan Crane

Phone: (830) 248-1501 Email: [planning@boerne-tx.gov](mailto:planning@boerne-tx.gov)

**CASE: 101 Villiage Cove SUP**

**PZ – March 4, 2024**

Please return this notice whether or not you plan to attend the hearing. For further information,  
please call 830-248-1501.

Name: Leland David Christine L. Lhisolm

Address: 106 Village Circle, Boerne, TX 78006

( ☒ ) In Favor

( ) Oppose

Reason: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE**

Planning Department: 447 N. Main St. | Boerne, TX 78006 ■ Director: Nathan Crane

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**CASE: 101 Villiage Cove SUP**

**PZ – March 4, 2024**

Please return this notice whether or not you plan to attend the hearing. For further information,  
please call 830-248-1501.

Name: MARK & TERESA RAY

Address: 167 VILLAGE PARK DRIVE

(☒) In Favor ( ) Oppose

Reason: THE REQUEST IS WITHIN THEIR PROPERTY & DOES  
NOT AFFECT THE NEIGHBORHOOD IN ANY WAY.

**INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE**

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**CASE: 101 Villiage Cove SUP**

**PZ – March 4, 2024**

Please return this notice whether or not you plan to attend the hearing. For further information,  
please call 830-248-1501.

Name: Mary Purcell

Address: 105 Village Drive

(☒) In Favor ( ) Oppose

Reason: \_\_\_\_\_

**INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE**

Planning Department: 447 N. Main St. | Boerne, TX 78006 • Director: Nathan Crane

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**CASE: 101 Villiage Cove SUP**

**PZ – March 4, 2024**

Please return this notice whether or not you plan to attend the hearing. For further information,  
please call 830-248-1501.

Name: Pamela F Moore

Address: 175 Village Park Dr, Boerne, TX 78006

"NO" ☒ In Favor ( ) Oppose

Reason: I have a problem with this at all.  
Totally in favor! Is not an issue  
to me in the least.

Thank you,  
Pamela F. Moore

**INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE**

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Phone: (830) 248-1501 Email: [planning@boerne-tx.gov](mailto:planning@boerne-tx.gov)

**CASE: 101 Villiage Cove SUP**

**PZ – March 4, 2024**

Please return this notice whether or not you plan to attend the hearing. For further information,  
please call 830-248-1501.

Name: Richard Drumm

Address: 109 Village Cove

☒ In Favor ( ) Oppose

Reason: I do not believe there will be any harmful impact on  
the tranquility of the neighborhood, Drumm

**INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE**

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Phone: (830) 248-1501 Email: [planning@boerne-tx.gov](mailto:planning@boerne-tx.gov)

**CASE: 101 Villiage Cove SUP**

**PZ – March 4, 2024**

Please return this notice whether or not you plan to attend the hearing. For further information,  
please call 830-248-1501.

Name: RONALD & BARBARA KACINOWSKI

Address: 205 VILLAGE DR BOERNE TX 78006

☒ In Favor

☐ Oppose

Reason: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE**

Planning Department: 447 N. Main St. | Boerne, TX 78006  Director: Nathan Crane

Phone: (830) 248-1501 Email: [planning@boerne-tx.gov](mailto:planning@boerne-tx.gov)

**CASE: 101 Villiage Cove SUP**

**PZ – March 4, 2024**

Please return this notice whether or not you plan to attend the hearing. For further information,  
please call 830-248-1501.

Name: Theresa Holtzapple

Address: 112 Village Cove

☒ In Favor

☐ Oppose

Reason: The plan to add a garage plus  
living quarters makes sense. They have  
designed it well.

I support adjustment in the flood plain too.

**INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE**

Planning Department: 447 N. Main St. | Boerne, TX 78006  Director: Nathan Crane

Phone: (830) 248-1501 Email: [planning@boerne-tx.gov](mailto:planning@boerne-tx.gov)

**CASE: 101 Villiage Cove SUP**

**PZ – March 4, 2024**

Please return this notice whether or not you plan to attend the hearing. For further information, please call 830-248-1501.

Name: Vincent Huerta & Dana Huerta

Address: 113 Village Cove Boerne, TX 78006

( ☒ ) In Favor

( ☐ ) Oppose

Reason: I think this will be a good improvement to our neighborhood. Thank you for asking ~~our~~ for our input.

**INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE**

Planning Department: 447 N. Main St. | Boerne, TX 78006  Director: Nathan Crane

Phone: (830) 248-1501 Email: [planning@boerne-tx.gov](mailto:planning@boerne-tx.gov)

**CASE: 101 Villiage Cove SUP**

**PZ – March 4, 2024**

Please return this notice whether or not you plan to attend the hearing. For further information, please call 830-248-1501.

Name: William R. & Edna A. Williams

Address: 116 Village Cove, Boerne, TX 78006

( ☒ ) In Favor

( ☐ ) Oppose

Reason: \_\_\_\_\_

**INTEGRITY • COLLABORATION • RESPECT • SERVICE • EXCELLENCE**

Planning Department: 447 N. Main St. | Boerne, TX 78006  Director: Nathan Crane

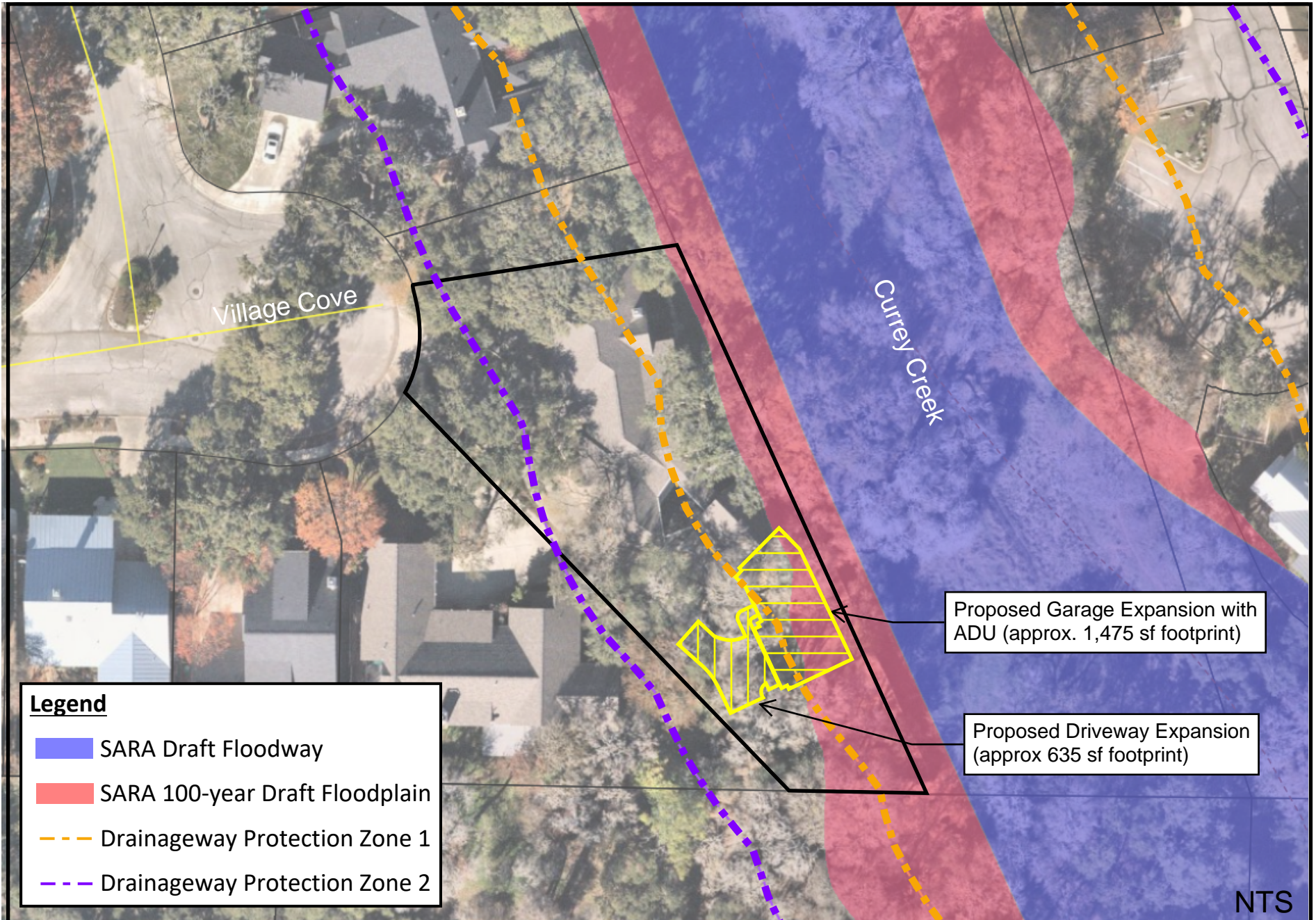
Phone: (830) 248-1501 Email: [planning@boerne-tx.gov](mailto:planning@boerne-tx.gov)



# 101 Village Cove

## Drainageway Protection Zone Variance Request

March 2024



#### D. SPECIAL USE PERMITS

##### 1. Purpose and Applicability

A Special Use Permit (SUP) allows for certain uses that are not permitted in a particular base zoning category by right, but which may be permitted under certain circumstances and application of certain conditions. SUPs require individual, discretionary review of location, design, configuration and operation in order to demonstrate compatibility with neighboring uses, adequate mitigation or resolution of negative impact, consistency with the Comprehensive Master Plan, and adequate offsets of any disproportionate burden upon the public infrastructure systems of the City.

##### 2. Special Use Permits

An owner of real property, or that owner's authorized representative, may initiate a SUP for that property by filing an application with the Planning Department. The SUP request may, upon owner's discretion, be included as a part of an overall zoning or rezoning application, provided that all of the requirements of this Chapter are met. SUPs will be processed and considered in accordance with the procedures described in Section 2.6.

### 3. Pre-Application Meeting

The owner or owner's authorized representative shall meet with the Planning Director or designated staff prior to submittal of the SUP application. At this pre-submittal meeting, the owner will present a preliminary, non-binding plan (conceptual or sketch plan) to the Planning Director, for discussion purposes only. The official will provide the owner or owner's authorized representative with a checklist of submittal requirements for the SUP application, including impact mitigation factors that should be addressed. The particular requirements for impact mitigation will depend on the special use being proposed, the scale of the project, and the location of the property in question. Staff may make recommendations for the presented plan based on similar projects submitted for consideration by the Commission.

#### a. Application Contents

- i. General Content Required for All Zoning Applications
- ii. The SUP application shall be organized into the sections defined for all zoning applications. Project Checklist, provided at the pre-application meeting, shall be included
- iii. Letter of Justification  
The applicant shall include in the SUP Application, in accordance with the SUP Application Checklist, a Letter of Justification that describes the proposed project. The letter should be a summary of application content, and should include, at a minimum:
  - (a) Project owner and/or developer
  - (b) Project description
  - (c) Benefits of the proposed project to neighboring properties and to the community at large
  - (d) Description of consistency with the Comprehensive Master Plan
  - (e) Description of consistency with the other Comprehensive Master Plans of the City, including thoroughfares, utilities, parks and economic development
  - (f) Measures taken to ensure compatibility of the proposed project with surrounding (existing) uses

#### b. Development Impact

- i. Each SUP application shall also include information indicating how potential impacts of the requested special use will be addressed, according to the particular land use district in which the property is located, in order to promote the character, intent and right of use of neighboring properties. These potential impacts will be identified during the pre-submittal meeting and provided as a part of the checklist of application requirements and will be included in the application. For more information, see the SUP Application Checklist.
- ii. The potential impacts of special use projects on neighboring properties will be selected from the list of factors below and identified on the submittal checklist that the applicant receives from the City at the pre-submittal conference. It is the property owner's responsibility to demonstrate adequate treatment of these issues either through design or operation of the proposed special use. Council reserves the right to accept, reject, or require modification to any measures proposed in the application.
  - (a) Community safety;
  - (b) Traffic;
  - (c) Parking;
  - (d) Loading;



- (e) Driveways;
- (f) Building setbacks;
- (g) Access and curb cuts;
- (h) Development density (may include footprint, height, people dwelling onsite, or other factors);
- (i) Hours of operation;
- (j) Property values;
- (k) Viewshed protection;
- (l) Impervious cover;
- (m) Noise;
- (n) Light;
- (o) Vibration;
- (p) Hazardous or flammable materials;
- (q) Special solid waste disposal requirements;
- (r) Discharge/water contamination; and
- (s) Other

c. Application copies

The application package shall be submitted digitally. A paper copy of the document will also be required when certified documents are included. The application check list will indicate the number of paper copies required.

4. Criteria for Approval

- a. Planning and Zoning Commission may recommend, and City Council may approve the application for a Special Use Permit if:
  - i. the proposed special use is determined to comply with the intent of all applicable requirements of the Code and with adopted plans and policies of the City;
  - ii. the application demonstrates mitigation of potential impacts; and
  - iii. the following general criteria are met:
    - (a) The use complies with the purpose and intent of the zoning classification of the property, as well as any applicable supplemental regulations as required by Council.
    - (b) The use is consistent with the Comprehensive Master Plan.
    - (c) The establishment, maintenance, or operation of the proposed use shall not endanger or be detrimental to the public health, safety, morals, comfort, or general welfare of the community.
    - (d) The use shall have no more adverse effects on health, safety, or comfort of persons living or working in neighboring properties or shall be no more injurious to neighboring properties than would any other use generally permitted under the same categorical zoning designation.
    - (e) The use will not result in traffic volumes or circulation patterns that negatively affect streets and intersections likely to be used by traffic to and from the proposed development without approved mitigation of impact;
    - (f) The proposed use shall not injure the use and enjoyment of the property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair the property values within the neighborhood.
    - (g) The proposed use shall not impede the orderly development and improvement of surrounding property for uses permitted therein.
    - (h) The use will not create detrimental operational impacts, through hours of operation, management of traffic, servicing and loading operations, and any on-site operations associated with the ongoing functions of the use on the site, on neighboring properties.
    - (i) The use will not create detrimental health and safety impacts, such as noise, emissions, or vibrations, through functions within the proposed site.
    - (j) The use will not create detrimental impacts on the potential for future development of neighboring properties; and
    - (k) The public interest and welfare supporting the use shall be sufficient to outweigh the individual interests that are adversely affected by the establishment of the proposed use.

5. Public Hearings and Decisions

a. The Planning and Zoning Commission and the City Council shall hear applications for Special Use Permits.

b. Public hearings shall be held for applications for Special Use Permits.

c. Notice of Public Hearings

Notice required for a public hearing before the Planning and Zoning Commission or the City Council shall be in accordance with the requirements for public notice established by this Chapter.

d. Hearing and Recommendation by the Planning and Zoning Commission

The Planning and Zoning Commission shall hold a public hearing on the Special Use Permit application at the next meeting following notification requirements as stated in this Code. After the public hearing, the Commission shall recommend to approve, approve with conditions, approve in part, deny or deny in part the application. Where the Commission fails to render its decision at the required public hearing, the decision shall be deemed to have been rendered as a recommendation for denial of the applicant, unless the applicant has agreed in writing or on the record to an extension of time.

e. Negative Recommendation of Planning and Zoning Commission

If the Planning and Zoning Commission recommends denial of a Special Use Permit application, the permit application shall require approval by a super majority vote by City Council.

f. Hearing and Action by City Council

City Council shall hold a public hearing on the Special Use Permit application within forty-five (45) days of the Planning and Zoning Commission's action on the application. After the public hearing, Council shall act to approve, approve with conditions, approve in part, deny or deny in part the application, within forty-five (45) days of the council hearing, or the next scheduled meeting in which public notice can be made. In taking action, the City Council shall consider the criteria for approving a Special Use Permit. Where Council fails to render its decision within the period specified by this subsection, or fails to hold the required public hearing within forty-five (45) days from the date of the decision of the Planning and Zoning Commission, the decision shall be deemed to have been rendered in denial of the applicant, unless the applicant has agreed in writing or on the record to an extension of time. When a decision is rendered in denial of the applicant because of the failure of Council to meet or render a decision as hereinabove provided, the Planning Director shall give public notice of said decision within ten (10) days of expiration of the forty-five (45) days following the council hearing.

g. Requirements for Approval by Three-fourths Vote

The affirmative vote of three-fourths of the members of the City Council is required for approval of a proposed Special Use Permit if:

i. The proposed Special Use is protested in writing by the owners of at least 20% of the area of land that is either included in the proposed zoning classification or at least twenty percent (20%) of the area of land immediately adjoining the area included in the proposed zoning classification and extending 200 feet from that area. In computing the percentage of land area, the area of streets and alleys shall not be included in the computation.

ii. Written protests must be received by the City Manager no later than 12:00 p.m. of the previous business day prior to the posted date and time for the zoning hearing on the city council's agenda.



- iii. If the written protests appear to be at least twenty percent (20%) of either the area of the lots or land covered by the proposed change or the area of the lots or land immediately adjoining the area covered by the proposed change and extending two hundred (200) feet there from, the applicant shall be entitled to, but is not required to, request a continuance if all members of the City Council are not present.

#### 6. Subsequent Applications

- a. When an application has been withdrawn

An application for a SUP may be withdrawn at any time. If the application has been advertised in compliance with State Law, an application requesting substantially the same use on all or part of the same described land shall not be reconsidered within three months of withdrawal.

- b. When an application has been denied

In the event that the City Council denies an application for a Special Use Permit, a similar application shall not be refiled within one year from the date of the denial, unless the Planning and Zoning Commission, upon petition by the applicant, determines that significant physical, economic or land use changes have taken place within the immediate vicinity, or a significant zoning regulation text change has been adopted, or when the reapplication is for a different use than the original request. The applicant shall submit a statement in detail setting out those changes which he or she deems significant and upon which he or she relies for refiled the application.

#### 7. Scope of Approval

- a. Once a SUP has been granted, the approved use may only be enlarged, extended, increased in intensity or relocated under the conditions of a major or minor amendment, unless, in approving the initial application for a SUP the City specifically established an alternative procedure for future expansion or enlargement. The provisions for nonconforming uses and vested rights do not supersede this requirement, unless the specially permitted use is no longer a use permitted by right or as a special use in the assigned zoning category.
- b. The terms of approval shall be set by City Council. Special Use Permits are granted to the property, and not to the landowner. Therefore, the Permit shall be transferable upon sale.

#### 8. Expiration of Approval of Special Use Permits

- a. A Special Use Permit shall automatically lapse and become null and void if:
  - i. the applicant fails to satisfy any condition that was imposed as part of the approval of the SUP or that was made under the terms of any development agreement, within the time limits established for satisfaction of such condition or term;
  - ii. the applicant fails to submit a subsequent development application required by the Code within the time so required. If no time limit for satisfaction of conditions is specified in the decision on the development application, the time shall be presumed to be one year from the date the decision was made;
  - iii. the Special Use involves physical improvements that have not been substantially initiated within one (1) year of the date of approval or authorization approval of the SUP;
  - iv. after starting construction, the construction is discontinued for a period of one (1) year or more; or
  - v. No physical improvements are made, and a Certificate of Occupancy is not issued for the Special Use within two (2) years of the date of approval or authorization.
- b. Effect of Expiration

- i. No Certificate of Occupancy shall be issued after approval lapses unless the approval or authorization is renewed.
  - ii. No physical improvements shall be made after approval lapses unless the approval or authorization is renewed.
  - iii. Upon the expiration of a SUP, all previously approved permits for the same land also shall expire on the expiration date if (1) the expired permit is subordinate to such previously approved permits and (2) the filing of an application for or approval of the expired permit was required to avoid expiration for the previously approved permit or permits. Thereafter, a new application for each permit deemed expired under this Section must be approved subject to regulations in effect at the time the new application is accepted for filing.
- c. Renewal after lapse

The City Council may renew its approval of a SUP for which approval has lapsed, provided that no more than one (1) year has elapsed since the date of expiration of the original approval or, in the case of discontinuance of work, since the date of discontinuance. Renewal shall require formal action, but it shall not require public notice or hearings. Renewal shall have the same effect as the original approval. If no renewal is granted with the one-year period allowed for renewals, the original approval shall be void and no further effect. Occupancy Permits shall be automatically renewed coincidentally with and for the same time periods and limitations as prescribed for SUP renewals.

#### 9. Minor SUP Amendments

A SUP amendment is a request for any enlargement, expansion, increases in intensity, relocation, or modification of any condition of a previously approved and currently valid SUP. Amendments shall be processed as follows: shifts in on-site location and changes in size, shape, intensity, or configuration of less than 5 percent, or a 5 percent or less increase in either impervious surface or floor area over what was originally approved, may be authorized by the Planning Director, provided that such minor changes comply with the following criteria:

- i. No previous minor modification has been granted pursuant to this section;
- ii. There will be no detrimental impact on any adjacent property caused by significant change in the appearance or use of the property or any other contributing factor;
- iii. Nothing in the currently valid SUP precludes or otherwise limits such expansion or enlargement; and
- iv. The proposal conforms to all applicable requirements of Title XV and is in keeping with the spirit and intent of the Comprehensive Master Plan.

#### 10. Major SUP Amendments

All amendments, other than those amendments provided for in this Section, shall be considered major SUP amendments and shall require approval in the same manner and under the same procedures as are applicable to the issuance of the original SUP approval.



## AGENDA ITEM SUMMARY

<b>Agenda Date</b>	April 9, 2024
<b>Requested Action</b>	APPROVE RESOLUTION NO. 2024-R21; AUTHORIZING AN AGREEMENT WITH HOEFER WELKER ARCHITECTS FOR DESIGN SERVICES FOR FIRE STATION #2 FOR AN AMOUNT NOT TO EXCEED \$1,368,375.
<b>Contact Person</b>	Manuel Casarez- Fire Chief
<b>Background Information</b>	<p>To advance the City's Master Plan forward, planning efforts for Fire Station #2 have been underway. The City established a search committee for an architect to get started on design. After the closing of the RFQ, we had a total of 13 firms submit. After the first round of reviews using a scoring process, we narrowed our list to six firms. The committee interviewed these six firms in person. Using a qualifications and experience review process, the architect chosen by the city for this project was Hoefer Welker. This firm appeared to be the most aligned with our needs. The Lead Principal Architect, James Beers, is a well-known, well-respected architect in fire station design. He is a sought-after guest speaker at design conferences and has an incredible resume and reputation-building fire stations. When Hoefer Welker was interviewed, they brought all their key players and the collaborative culture they portrayed directly aligned with that of The City of Boerne. There was no doubt that any of the firms that were interviewed could build us a fire station, but we felt that the process along the way from start to finish would be the best possible experience using this firm.</p> <p>Consultants, including Civil Engineers, Mechanical Engineers, Landscape Architects, Interior Design, etc., are all-inclusive with this firm as part of their service.</p> <p>The firm is headquartered in Dallas, TX, and it has designed fire stations in the area, such as Hays County Central Station, Comal County ESD 6, Cedar Park Fire Department, Montgomery County, etc.</p> <p>Compensation includes the following breakdown:</p> <ol style="list-style-type: none"> <li>1. Pre-Design Services \$54,500</li> <li>2. Architectural \$1,036,125</li> <li>3. Civil/Landscape \$156,000</li> <li>4. Surveying/Environmental \$42,000</li> </ol>

	<p>5. Site Due Diligence \$20,000  6. Design \$35,000  7. Supplemental Services \$TBD</p> <p>The process of this project will be approximately an eight-month design phase, 2-month bidding process, and 12-month construction phase for approximately 22 months total, with construction beginning in Spring 2025. We anticipate the grand opening to take place in early 2026. There will be opportunities for stakeholder input built into this process as a high priority because this process does not work without all stakeholder's involvement and engagement.</p> <p>We are estimating the building to cost \$11,275,000 to construct.</p>
<b>Item Justification</b>	<div> <div> <input type="checkbox"/> Legal/Regulatory Obligation  <input type="checkbox"/> Reduce Costs  <input type="checkbox"/> Increase Revenue  <input checked="" type="checkbox"/> Mitigate Risk  <input checked="" type="checkbox"/> Master Plan  Recommendation </div> <div> <input checked="" type="checkbox"/> Infrastructure Investment  <input type="checkbox"/> Customer Pull  <input checked="" type="checkbox"/> Service Enhancement  <input checked="" type="checkbox"/> Process Efficiency  <input type="checkbox"/> Other: </div> </div>
<b>Strategic Alignment</b>	Advancement of the Master Plan Objective 4.5
<b>Financial Considerations</b>	Staff has worked with the Finance Department and identified funds in the existing budget to cover this cost from the general fund.
<b>Citizen Input/Board Review</b>	N/A
<b>Legal Review</b>	N/A The contract will be finalized and reviewed by legal prior to execution.
<b>Alternative Options</b>	Deny this request and advise staff to re-interview firms.
<b>Supporting Documents</b>	Proposal from Hoefer Welker

**RESOLUTION NO. 2024-R21**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND  
MANAGE AN AGREEMENT BETWEEN THE CITY OF BOERNE AND  
HOEFER WELKER ARCHITECTS FOR DESIGN SERVICES FOR FIRE  
STATION #2 FOR AN AMOUNT NOT TO EXCEED \$1,368,375.00**

**WHEREAS**, the City of Boerne will receive two acres for a future Fire Station site in the Esperanza development; and

**WHEREAS**, the City of Boerne finds it in the best interest of the citizens to enter into and manage an agreement with Hoefer Welker Architects for design services of fire station #2.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:**

that the City Council hereby authorizes the City Manager to enter into and manage an agreement between the City of Boerne and Hoefer Welker Architects for design services for fire station #2 for an amount not to exceed \$1,368,375.00.

PASSED and APPROVED on this the \_\_\_\_ day of April, 2024.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

April 3, 2024, V3-Final Draft

City of Boerne  
Fire Chief Manuel Casarez  
101 S. Live Oak St.  
Boerne, Texas 75154  
Cell: .210.880.7102  
Delivered: [mcasarez@boerne-tx.gov](mailto:mcasarez@boerne-tx.gov)

**RE: The City of Boerne | Fire Station No. 2 | Boerne, Texas**

Dear Chief Casarez,

It is our pleasure to submit our fee proposal to provide Architectural and Engineering Services for the design of Fire Station No. 2 for the City of Boerne, Texas.

**PROJECT SCOPE and UNDERSTANDING for Designing a Sustainable and Community-Centric Fire Station**

**Site and Infrastructure Narrative**

**One Water Reclamation System:** Our project prioritizes sustainability through the incorporation of a One Water reclamation system, ensuring efficient use and management of water resources within the facility. We recognize this is desired and we will provide all the necessary information for owner review and consideration.

**Sustainability Features:** We are committed to exploring sustainable practices throughout the project, including the implementation of a cistern system for water conservation and reuse.

**Cow Creek Groundwater Conservation District (CCGCD):** Aquifer source sustainability and rules compliance. Conservation, preservation, recharge, protection, and prevention of groundwater waste from aquifers within Kendall County.

**Building Narrative**

**Public Meeting Space/Library Satellite Services Kiosk:** Integrating a public meeting space and library satellite services kiosk aligns with the community's needs, fostering engagement and accessibility. Located near the Grand Prairie water park, this space will serve as a hub for educational and recreational activities.

**Multi-Functionality:** The fire station will be designed to serve multiple functions, accommodating varying occupancy levels and activities. With a capacity to host up to 20 occupants, including firefighters and community members, the space will be versatile and adaptable.

**Community Engagement:** We emphasize community engagement throughout the design process, hosting charrettes to gather feedback and refine options. The project will leverage Wi-Fi connectivity and mobile units to enhance accessibility and outreach efforts.

**Dual Purpose Design:** The fire station will be designed to serve as more than just a firefighting facility. It will incorporate elements for training, storage, and general community use, ensuring maximum utility and impact.

**Budget Considerations:** We understand the importance of budget constraints and will work to optimize design solutions while meeting project requirements and goals.

**Department Size and Futureproofing:** The fire station will accommodate two crews (Engine and Ladder or Engine and Squad), with provisions for future expansion or changes in department size. Bunk spaces will be designed to accommodate up to 8 firefighters plus 1 officer per shift, with additional space for volunteer firefighters.

**On-Site Training Opportunities:** The facility will provide ample opportunities for on-site training within the structure, including specialized areas for fire and rescue simulations. Storage spaces will be equipped with anchor points for equipment, and a rooftop catwalk will facilitate training exercises.

**Initial Building Program as follows:** Lobby, public restroom, watch room (dual purpose front of house), community/training room (dual purpose), wellness room, day room (kitchen & dining), theater (raised seating), fitness room, outdoor living area, (8) bunk room's, officer bunk, officer office, shower & restrooms, laundry room (clean-cold), dirty-restroom/vestibule, apparatus bay (3 bays 20'x65'), bunker gear (quantity 24), dirty laundry (extractor & dryer), dirty shower and restroom, SCBA/compressor, EMS storage, shop, electrical and riser room.

**General Storage and Multi-Use/Dual Use Spaces:** The design will include dedicated areas for general storage, equipment maintenance, and multi-use spaces to accommodate various activities and functions. Emphasizing flexibility and efficiency, these spaces will be adaptable to changing needs and requirements.

In summary, our design for the new approximately +/- **15,000 SF** 3-pull through bay fire station that integrates sustainability, community engagement, and multi-functionality to create a facility that not only meets the needs of the fire department but also serves as a valuable asset to the community it serves.

## **I. BASIC PROFESSIONAL DESIGN SERVICES | EXHIBIT A**

### **A. PROFESSIONAL DESIGN SERVICES OVERVIEW**

HOEFER WELKER "HW" will provide professional architecture and engineering services to accomplish the project scope as stated above. These services will include design and documentation from the following disciplines:

#### **Basic Architectural and Engineering Services**

1. Architecture/Interior Design/Accessibility
2. Civil Engineering
3. Landscape Architecture
4. Structural Engineering
5. Mechanical Electrical Plumbing Engineering
  - o Fire Alarm / Fire Protection by Performance Specification.
6. Design services also include the following:
  - o Life safety/applicable code analysis/research.
  - o Review design and documentation with applicable AHJ's.

## II. PRE-DESIGN SERVICES | EXHIBIT B

We propose a workshop process as an effective means of establishing a project vision, developing the program, and developing a concept test fit. Our team's task is to use its expertise in understanding relevant issues, guiding discussions, making recommendations, and most importantly, consensus building.

### 1. Pre-Design

- a. **Design Charette** - A highly interactive planning and design workshop, or charette. This on-site interactive design workshop involves the client, stakeholders, and design team over a specified period. The design team will present design progress for stakeholder feedback in a concentrated and efficient design delivery process.
- b. **Programming Validation**
  - i. **Firsthand meetings with firefighters**, administration, and facilities to verify all previously discussed goals, objectives and needs and to verify all prior space planning supported the goals and objectives of all stakeholders.
  - ii. **Review** Fire Station Preliminary Space Program and size that will be reviewed and refined together with senior leadership. Review information collected from initial discussions and focus groups.
  - iii. **Eco Charrette** – *High performance building design discussion focusing on sustainable design principles and goals, energy and water efficiency, systems planning to determine cost pay-back analysis of systems, life-cycle costs, and maintainability.*
  - iv. **One Water/Smart Water** – *Hoefer Welker will include detailed research and provide objective information for review and consideration for the project.*
- c. **Conceptual Design**
  - i. Discuss, identify, and validate initial site analysis, site and building concept options.
  - ii. Discuss the pedestrian and vehicular flow on the site, and the relationship of the building and site to the adjacent context.
  - iii. Include services, utilities, and site pedestrian access on and adjacent to the building site.
  - iv. Identify operational issues that will impact building or site design.
  - v. Identify environmental design options that can be employed for comfort, energy conservation, and sustainability.
  - vi. Conceptual single line space diagramming and identify adjacency relationships and blocking and stacking requirements.
  - vii. Opinion of Probable (Pre-Design) Cost Estimate.
  - viii. Council presentations and additional presentations will be billed at an hourly rate.

## B. SCHEMATIC DESIGN PHASE

Schematic Design Phase services provided by HOEFER WELKER and our consultants for this project shall consist of the following:

- 1. Perform a detailed code and zoning review for the proposed project and consult with the Owner on any changes that impact design.
- 2. Review the following information is provided:
  - a. Geo-technical report. Anticipated start by 4/15/24 with 3–4-week delivery.\*



b. Surveys, platting, and topographical information.\*

Conduct Schematic Design kick-off meeting with staff and other Stakeholders to advance the design concept agreed upon in the Pre-Design and Design Charette's.

\*We need the information included in item 2. above prior to commencement of the design charrettes/SD.

3. Prepare refined floor plans for review with stakeholders incorporating the blocking and stacking floor plans from the charette.
4. Prepare proposed site plan design options for review with the Stakeholders.
5. Prepare preliminary exterior design concept options for review with the Stakeholders.
6. Hold a Stakeholder review of progress meeting to review the preliminary Site Plan, Floor Plans, interior design planning, exterior design concept, and receive comments.
7. Prepare final Schematic Design site plan, floor plans, renderings, and basic building sections of the proposed design for the building incorporating the Stakeholders Review Comments as described by the city during the Stakeholder Review Meeting.
8. Conceptual Interior finishes for review and comment. FFE schematic plans where applicable.
9. Validate a project schedule for the design and construction phases of the project.
10. Coordination review meeting for MEP, structural, civil, survey, Owner's Third-Party IT/AV/Security, and landscape architecture.
11. Narratives from each engineering discipline to be provided. This narrative will incorporate system options for owner review and approval for the project.
12. Conduct in process Schematic Design Review Meeting with Stakeholders to review the Final Schematic Design Documents and the Proposed Project Schedule. Prepare and distribute meeting notes documenting the basic issues, resolutions and action items agreed to during this phase.

## **C. DESIGN DEVELOPMENT PHASE**

Based upon the approved Schematic Design documents and, the Design Team shall continue developing the following Design Development documents.

1. Architectural site plan illustrating the proposed site and buildings.
2. Based upon the approved schematic design, develop design development documents including site plan, building floor plans, life safety plan, building elevations, building and wall sections,
3. Develop civil site plan to include proposed building outline, grading, and site utilities.
4. Parking and traffic design. Danny will circulate to planning, they can be included in design charrette. Re-Platting.
5. Conceptual landscape layout (outline format).
6. Show Furniture, fixtures, equipment, and casework layouts on plans.
7. Provide preliminary design layout of new office space, open office workstation systems, meeting and conference furniture for various departments and courts facility. This includes the initial selection of all materials and finishes for the furnishing systems and furniture.
8. Exterior and Interior material types and major building and wall sections to show relevant conditions with detail locations identified.
9. Prepare interior finish board for review and approval.
10. Structural System foundation plans with details.
11. HVAC systems determined and their requirements reflected and indicated in documents such as piping, ducts, louvers, supply and return grills, etc.

12. Electrical systems sized, loads updated, located on plans including electrical devices such as panels, receptacles, interior, and exterior lighting.
  13. Plumbing fixtures selected and located along with all required supply, waste, and vent diagrams to ensure an operable and functioning system.
  14. Provide a 'Short Form' Design Development Project Manual.
  15. Develop Preliminary Development Plan for review with building and zoning officials (if required).
  16. Meet with Owner as required to complete phase.
  17. Hold a pre-application conference with City Staff if applicable.
- Dunaway to be involved (Site and Zoning) Analysis

Services during this phase include attendance by HOEFER WELKER at meetings with the city, and stakeholders to review the Design Development documents, verify if a third-party cost estimate is required and confirm status of project schedule.

#### **D. CONSTRUCTION DOCUMENTS PHASE**

Based on the approved Design Development documents, the Design Team will prepare final drawings, details and specifications required to construct the building. Provide finalized interior finish selections and specifications.

During this phase, the Design Team will coordinate with the owner for all documents required for bidding for **CSP "Competitive Sealed Proposal."** We will engage any owner representative upon notification.

The Construction Documents Phase includes attendance by the Design Team at meetings with the Owner, to coordinate the Construction Documents. Resolutions and action items agreed to during this phase will be incorporated into the final deliverable.

#### **E. PERMITTING AND BIDDING ASSISTANCE**

1. Submit drawings containing professional seal to Governing Authority to obtain building permit. Building permit fees will be paid by the city.
2. Respond to permit questions/comments through updated drawings or written narratives to assist in obtaining building permit.
3. Prepare bidding documents.
  - a. Use Boerne pre-defined font-end documents. To be provided to HOEFER WELKER at the start of the Schematic Design Phase
4. Assist City of Boerne in Advertising for Bid (2) two advertisements.
5. Provide one (1) pre-bid meeting.
6. Review bids and make recommendation based on established selection criteria and validation of references, and other.

#### **F. CONSTRUCTION ADMINISTRATION PHASE**

During the Construction Administration Phase, the design team will provide the following Services based on a 12-month construction duration; excess time to be billed on an hourly basis as needed. \*Construction schedule to be verified with client prior to commencement of any work.

1. Conduct a Pre-Construction Kick-Off Meeting to discuss the issues of coordination, points of contact, for each entity and protocol to be followed during the Construction Phase of the project.
2. Attend OAC (Owner/Architect/Contractor) meetings as needed in person or virtual with the City's Program Manager and any other representatives on behalf of the city to review the

projects status, previous set of construction meeting notes, submittal logs, ASI logs, RFI logs, and construction schedule status along with any coordination issues that need resolution by this group. Site visits and observations will align with agreed OAC meeting schedule.

- a. Site observation reports shall be provided.
- 3. Clarification Drawings as Requested
- 4. Answering RFIs
- 5. Checking Shop Drawings
- 6. Accessibility Inspection Coordination
- 7. Review Payment Applications
- 8. Establish dates of Substantial and Final Completion and prepare certificates for same.
- 9. General Contractor to prepare their completion and punch list prior to substantial completion issuance and provide to architect and owner prior to issuance of substantial completion.
- 10. Upon satisfactory review and approval of General Contractor's completion and punch list.
  - a. HOEFER WELKER will prepare a building punch list for the project and perform a final walk-through for verification that all items on the punch list have been cleared and signed off on as complete.
  - b. HOEFER WELKER affirm that ALL Owner provided FFE punch list items have been installed and their respective punch list have been completed in conjunction with the buildings and substantial completion.
- 11. Coordinate project close out and receipt of warranty/Instructions/manuals/maintenance binders from the General Contractor to the owner.
- 12. CA duration can be added as an additional service in the future should the contractors schedule extend for any reason.

**III. PROFESSIONAL SERVICE FEES | EXHIBIT C**

**A. Agreement** (Upon notice to proceed HOEFER WELKER will provide a current AIA B101)

**B. PAYMENT TERMS**

- 1. Compensation invoiced and received under this Agreement will be credited to the compensation agreed upon in the formal agreement.
- 2. Payments for services shall be made monthly upon presentation of the Architect's invoices.

**C. PAYMENT SCHEDULE:** Shall be provided to HOEFER WELKER per the following percentages for each phase of the project commensurate with Pre-Design Documents | BIM | Revit document delivery. Note HOEFER WELKER will provide AutoCAD files exported from Revit per the City of Boerne's digital document delivery requirements.

<b>Pre-Design Services</b>	100%
<b><u>Basic Architectural and Engineering Services</u></b>	<b><u>100%</u></b>
Schematic Design Phase	25%
Design Development Phase	25%
Construction Documents	25%
Bidding or Negotiation Phase	2%
Construction Administration Phase	23%

#### D. COMPENSATION:

<b>1. Pre-Design Services</b>	<b>\$54,500</b>
• Site Assessment	\$7,500
• Program Validation and *Tours (3-4 Local Facilities) *Optional Allowance	\$8,000
• ECO Charette - Mechanical Cost-Payback	\$17,000
• Design Charrette	\$22,000
<b>2. Architectural</b>	<b>\$1,036,125</b>
Hard Construction Cost = \$11,275,000	
• Hard Construction Costs Contingency is included in the hard construction cost listed above in the amount of \$1,025,000 in order to accommodate bidding Q1 of 2025. This is estimated based on current trends and similar construction materials.	
• We understand the established scope and construction value as stated and confirmed with the City of Boerne based on a construction start of April 2025	
• Should this project's scope change Hoefer Welker will work with the City of Boerne to determine if there any additional services needed.	
<b>3. Civil Engineering and Landscape Design</b>	<b>\$156,000</b>
• Civil Engineering	\$82,000
• Landscape Design	\$39,000
• Permitting, Review, and Civil CA	\$35,000
<b>4. Surveying and Environmental Services</b>	<b>\$42,000</b>
• Tree & Topographical Survey	\$22,000
• Geotechnical Engineering (Sub-consultant)	\$8,250
• TDLR	\$2,250
• Esparanza HOA Processing	\$1,500
• CCGCD Plans and Permitting	\$8,000
• Base Environmental (Allowance)	\$5,000
<b>5. Platting and Accessibility Services</b>	<b>\$24,750</b>
• Re-Platting	\$7,500
• Final Plat	\$10,000
• Final Plat Processing	\$5,000
• TDLR	\$2,250
<b>6. Site Due Diligence Services</b>	<b>\$20,000</b>
• Rainwater Collection	\$7,500
• Low Impact Development	\$10,000
<b>7. Design</b>	<b>\$35,000</b>
• Design Contingency	\$35,000
• This contingency shall be used additional design time for items related to conditions or modifications, or options, which arise during the design and deliverable process.	
• In the event the contingency amount drops to (\$0) zero dollars, HOEFER WELKER will provide an additional service request for approval prior to commencement of any additional service.	
• Is not intended for use of any jurisdictional fees or costs associated with reviews or permitting and is considered part of our base services.	

#### 8. Supplemental Services

Note the following services fees are estimated. All additional services shall be verified prior to submitting to the city for approval and are subject to change and will be provided on a lump-sum basis at the time of request.

- Furniture and Equipment Bid Packages \$TBD.
- Planning and specification of artwork and wayfinding signage
- (exterior & interior) \$TBD.
- As-Builts/Record Documents (4% of Basic Services) \$35,000

#### 9. OTHER CONDITIONS

- The final fee to be adjusted at the last billing when the actual costs are determined. Our fee per item D, 2 is a minimum fee.
- This proposal is valid for 60 days from the date at the top of the first page of this document unless included as an attachment to a fully executed formal agreement between HOEFER WELKER and the client before the 60-day period expires.
- Reimbursable expenses including, but not limited to; postage/shipping, printing/reproduction, mileage, and all travel expenses, shall be invoiced at cost +10%.
- This proposal shall attach to a standard professional service agreement AIA B101.
- Invoices are processed monthly and are based on a percentage of completion.
- Additional or supplemental services can be provided on a case-by-case basis as requested by the owner, and no work shall commence without written approval and agreement. Any additional services will modify the original agreed contract amount.
- The Owner shall provide the Architect and any of their subconsultants with information in a timely manner.

#### IV. **ASSUMPTIONS-INCLUSIONS and EXCLUSIONS | EXHIBIT D**

- Owner Provided Items:
  - Meets and Bounds
- Hoefer Welker will NOT provide the following items as part of our basic services.
  - *Storm Shelter Design*
  - *Storm Shelter Third-party Review*

***Please note that Hoefer Welker can include any excluded service at any time at the owners request. Prior to commencement of any work, we will require written notice prior to proceeding.***

- Hoefer Welker in part or in whole shall include the following:
  - Topographical Survey
  - Boundary Survey
- Supplemental Service
  - Environmental survey can be added beyond base minimum requirements of the City of Boerne.
- Collaborate and work closely with the selected General Contractor throughout the design, construction, and closeout processes.
- The client will provide the necessary information for the timely completion of the project.
- HOEFER WELKER will submit and coordinate all review of documents to regulatory agencies for permitting. All fees associated with ANY submittal will be the responsibility of the Client.
- HOEFER WELKER's fee assumes that the project will progress in a continuous and orderly fashion, and we will expedite the project as much as practical. Significant project delays through no fault of HOEFER WELKER may be the basis for the negotiation of additional fees for professional services. If additional out of scope work is required in connection with this project,

we will complete the work on an hourly basis at our current rates, whether directed by the Owner or required jurisdiction.

- This project will NOT be a CMaR delivery project. In the event the delivery method is modified HOEFER WELKER reserves the right to provide a request for additional services when applicable.
- In the event the construction duration extends past the agreed duration HOEFER WELKER will provide an ASR for additional services to provide continuous construction administration.
- Changes in design by the Client and/or the Owner after the conceptual design is completed and/or after any City submittals and/or approvals will be an extra service requiring a separate proposal/Additional Services Request, whether directed by Owner or required jurisdiction.
- Record drawings are not included. The contractor will provide as-built drawings. HOEFER WELKER has included an appropriate cost as part of our supplemental services for convenience.
- HOEFER WELKER's fee includes all meetings whether in-person face to face or virtual.
- Professional photography and all drone footage shall be provided by the contractor to the client and Hoefer Welker

### **Civil Assumptions**

- Regularly scheduled construction coordination meetings are not included.
- Preparation of fieldnotes for easements, license agreements or any other use are not included.
- Owner will provide a current title commitment concerning the site.
- Modifications and/or amendments to plat and zoning are not included.
- Existing encumbrances will be vacated, as applicable, by others.
- Preparation and processing restrictive covenants, license agreements, maintenance plans, shared-parking agreements, and other related agreements are not included.
- Design of off-site infrastructure improvements is not included.
- Any studies or assessments of geology (as may be required by TCEQ) of endangered species, wetlands, hazardous waste, landfill, Critical Environmental Features (CEF's), or similar political and environmental issues associated with this tract, if required, will be provided by others.
- Variance/waiver requests to the City Code are not included in this fee. If required, these can be provided on a time-and-materials basis.
- There is adequate downstream wastewater capacity and adequate water pressures, such that lift stations or pumping systems will not be required.
- Revisions/corrections to City of Boerne approved plans are not included.
- This project will be designed, permitted, and constructed as a single phase.
- Redesign efforts related to site plan or building footprint changes after significant design efforts have begun or redesign efforts to meet construction budgets are not included.
- Soil Investigation/Laboratory Testing, geotechnical analysis/report including pavement design to be provided by others. Dunaway recommends that the Client retain an independent laboratory for use in any testing required during the design phase, i.e., for density approval in the street rights-of-way, and for any site excavation and embankment that might be required for this project.
- SWPPP or NPDES will be provided by the Contractor.
- Construction inspection services to be provided by others. Dunaway recommends that the Owner retain a geotechnical engineering consultant to provide construction inspection during the construction phase.
- Curb cuts for access from Harmony Way, along with any turn lanes shall be coordinated with the City of Boerne's engineering department and any jurisdiction having control. It is our understanding that the cost for this improvement is not included in the site improvements for the project.

**Structural Assumptions**

- Any site foundations including retaining walls or structures outside the building envelope will be considered additional service if needed.
- Pre-engineered Metal Buildings will be designed by licensed engineers and reactions provided to HOEFER WELKER for verification of foundation design. Note this is in the event this type of structural system is used for any part of the building.

**Mechanical, Electrical, Plumbing Assumptions**

- Design of Fire protection system to be performed by a third party.
- Design of Fire alarm system to be performed by a third party.

Thank you again for this continued opportunity to partner with the City of Boerne. We look forward to next steps and to start bringing your collective vision to life.

Sincerely,  
Hoefel Welker,

*Upon selection and this proposal will be used to create a current AIA B101 or agreement per the City of Boerne, Texas All final terms can be reviewed or updated during the negotiation process.*

James Beers, AIA | NCARB  
Associate Principal | Government and Civic Practice Leader

D 214.445.4376 | C 469.798.9697



## AGENDA ITEM SUMMARY

<b>Agenda Date</b>	<i>April 9, 2024</i>
<b>Requested Action</b>	APPROVAL OF RESOLUTION 2024-R22; APPROVING THE FIVE-YEAR UPDATE OF THE WATER CONSERVATION PLAN DATED APRIL 2024, FOR THE CITY OF BOERNE.
<b>Contact Person</b>	Andrea Snouffer – Utilities Administration Administrator Michael Mann – Utilities Director
<b>Background Information</b>	<p>In 2005, Texas Commission on Environmental Quality (TCEQ) required that the City develop a written Water Conservation Plan. Furthermore, this plan is required to be updated every five years. There are specific requirements for items that must be included in the plan. It is our understanding that these plans are utilized by the regional water planning authorities. We are included in Region L.</p> <p>The City has remained in compliance with Water Conservation Plan requirements since inception. This proposed update will satisfy our regulatory needs on this issue until 2029.</p> <p>Staff has prepared the update, including miscellaneous updates as from growth in the water utility systems. We also coordinated the proposed updates with the strategies presented to the Council by the Environmental Programs Manager last month. The deadline for Council approval of our proposed plan revision is May 1, 2024.</p> <p>Staff recommends the Council approve our revised Water Conservation Plan as presented.</p>
<b>Item Justification</b>	<div> <input checked="" type="checkbox"/> Legal/Regulatory Obligation         <input type="checkbox"/> Infrastructure Investment       </div> <div> <input type="checkbox"/> Reduce Costs         <input type="checkbox"/> Customer Pull       </div> <div> <input type="checkbox"/> Increase Revenue         <input type="checkbox"/> Service Enhancement       </div> <div> <input checked="" type="checkbox"/> Mitigate Risk         <input type="checkbox"/> Process Efficiency       </div> <div> <input checked="" type="checkbox"/> Master Plan Recommendation         <input type="checkbox"/> Other:       </div>
<b>Strategic Alignment</b>	B1-Utilizing data to drive smart decision making. B2-Advancing master plan recommendations.



<b>Financial Considerations</b>	N/A
<b>Citizen Input/Board Review</b>	Many of the conservation strategies included in our conservation efforts were recommended by recent recommendations of the Water Advisory Committee.
<b>Legal Review</b>	N/A
<b>Alternative Options</b>	We welcome any suggested wording changes from Council, but we are ultimately required to obtain Council approval of a plan update.
<b>Supporting Documents</b>	A copy of the Water Conservation Plan attached (showing proposed changes).

**RESOLUTION NO. 2024-R22**

**A RESOLUTION APPROVING THE FIVE-YEAR UPDATE OF  
THE WATER CONSERVATION PLAN DATED APRIL 2024,  
FOR THE CITY OF BOERNE, TEXAS**

**WHEREAS**, the Texas Commission on Environmental Quality, as the regulatory authority over water utilities, has been charged with making sure each utility provides the information as required; and

**WHEREAS**, the City of Boerne is required to submit its plan and the supporting documentation by May 1, 2024;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:**

That the City of Boerne hereby formally adopts the attached amended Water Conservation Plan dated April 2024; and

Hereby directs that a copy of the Water Conservation Plan be filed as required with the Texas Commission on Environmental Quality.

PASSED AND APPROVED this the \_\_\_\_ day of April, 2024.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

# Water Conservation Plan

City of Boerne  
Water Utility

April 2024

## **Water and Wastewater System Information**

### ***Water***

The City of Boerne (City), located in Kendall County, Texas, operates and maintains a municipal water supply, treatment and distribution system for residents and businesses within the City's limits. The City's water service area population is approximately 24,292 persons. The City has approximately 9,201 customer connections with an average per capita consumption of 125-130 gallon of potable water per day including non-residential demand. In 2023, the City produced a total of 2,981 acre-feet (971.4 million gallons) of potable water.

Potable water is supplied from Boerne City Lake, wells in the Upper Glen Rose aquifer and water from the Canyon Lake Reservoir purchased through the Guadalupe-Blanco River Authority (GBRA). Included in the City's water system are a water treatment plant, pumps, tanks, transmission and distribution piping and customer meters.

Boerne City Lake, a reservoir located on the Cibolo Creek, was designed to provide drinking water, as well as provide flood protection for the City. The City is permitted to withdraw 833 acre-feet (271.4 million gallons) per year from the reservoir for drinking water purposes. The conservation pool capacity of the reservoir is 4,043 acre-feet (1.320 billion gallons) and a flood water storage capacity of 4,616 acre-feet (1.500 billion gallons). The level of the water in Boerne City Lake cannot be controlled via mechanical flood gates.

The City has contracted with the Guadalupe Blanco River Authority (GBRA) to purchase 2,125 acre-feet (692.4 million gallons ) of treated water from the Canyon Lake Reservoir annually.

Another 1,486 acre-feet is available under our wholesale purchase contract. The water is pumped from the Canyon Lake Reservoir as part of the Western Canyon Regional Water Supply Project and is treated by the GBRA using chemical addition and membrane filtration prior to the City's purchase.

In addition to the use of water from the two above-mentioned reservoirs, the City operates nine groundwater wells to fulfill the City's drinking water needs. The nine wells have a total pumping capacity of 1,840,000 gallons per day. The City currently holds a permit from the Cow Creek Groundwater Conservation District (CCGCD) to withdraw up to 1,850 acre-feet per year from wells. In extreme drought conditions, however, CCGCD rules can require that withdrawal be decreased.

The City's Water Treatment Plant uses chemical injection, clarification and filtration to treat the water from Boerne City Lake. The Water Treatment Plant has a peak design production rate of 1.5 million gallons per day. Treated water is discharged from one of two storage tanks at the plant, with a total storage capacity of 3 million gallons. Another 1 million gallon storage tank is located at the Buckskin Drive purchase point where water from the Canyon Lake Reservoir from GBRA is received. High service pumps deliver water from the storage tanks into our potable water distribution system, which consists of varying sizes of mains and services in two service planes. The City has five potable water elevated and ground storage tanks with a combined capacity of 4.0 million gallons.

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The City of Boerne's wastewater system is comprised of various sizes of mains that transport sewage via gravity. The City also has several wastewater lift stations that pump wastewater into the collection system from low points in the service area. From the collection system, the wastewater is transported to one of two Wastewater Treatment Plants. The original Wastewater Treatment Plant (WWTP) at Esser Road is permitted by the Texas Commission on Environmental Quality to discharge an annual average of 1.2 million gallons of treated effluent per day. In 2013, the City completed construction of its

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The City's wastewater system currently services a population of approximately 22,929 via 7,452 service connections. Residential wastewater rates throughout the year are calculated by utilizing "winter averaging", which includes the average of metered water consumption for each individual residential customer for the preceding December, January and February. Where water consumption history does not exist, an "estimated winter average" is used. Commercial customers are billed for the volume of water that flows through their potable water meter all year long.

### ***Reclaimed Water***

The City of Boerne prioritizes the use of reclaimed water and currently utilizes the supply for dust control, streamflow management, outdoor residential irrigation, and municipal irrigation.

The Esser Road WWTP produces Type 2 reclaimed water, which is currently used in relatively small quantities for construction dust control via water trucks and for streamflow maintenance. The WWTRC produces Type 1 reclaimed water, which is permitted for a variety of uses but is primarily intended for lawn and landscape irrigation via a separate reclaimed water distribution system being developed in the eastern portion of our water service territory. A chlorine residual is maintained in the reclaimed distribution system to help ensure treated water quality.

After treatment, reclaimed water intended for distribution, is stored in ground and elevated storage with a combined capacity of 1.2 million gallons. Aside from municipal use, this water is supplied to residential irrigation individually metered services connected to automatic residential sprinkler systems. Large areas of street ROW and open space are also being irrigated using reclaimed water from the City of Boerne.

The City's reclaimed water system currently services approximately 984 customers (services), with an average demand of about 356,000 gallons per day. Ultimately, the City should serve at least 4,400 individual reclaimed water customers. This reclaimed consumption replaces potable water demand that would typically be required for irrigation by automated sprinkler systems.. The use of reclaimed water for landscape irrigation has reduced our overall potable water demand by 15-20 gallons per capita per day. By 2030, we expect at least 25% of all households within our potable water service area will have reclaimed water available.

### **Record Management System**

The City utilizes INCODE, a software system which allows for the classification of water sales and uses for residential and commercial accounts to the most detailed level of water use data currently available to it.

### **Current Conservation Strategy**

The City's current conservation program aims to reduce average annual per capita water consumption and unaccounted for water through several methods.

- ***Drought Management***
  - **Drought Contingency Plan** -The City currently has in effect a Drought ~~Contingency~~ **Management** Ordinance and is attached hereto as codified as Exhibit A. The ordinance includes criteria for the initiation and termination of drought response stages, outside watering day designations and penalties for violation of the ordinance.
  - **Year-round Mandatory Conservation** - The City's Drought Management Ordinance imposes year-round conservation measures for both potable and reclaimed water. When necessary, drought response stages further restrict allowable days of the week and times of day when water use is permitted. A copy of the codified ordinance, which also includes requirements for permitting newly planted lawns and landscaping, is included as Exhibit B.
  - **Report a Leak or Violation** – Water customers, citizens, and visitors have the ability to report any water leaks, water violations, or other water issues they observe on the City's website. Reporters can describe their observations in detail and provide any photos if they choose. These reports are monitored by our Customer Care department and given to the City Code Compliance office for investigation to determine if a violation has occurred, review water meter data, and issue applicable warnings or fines.
  - **Turf Management** -The City regulates the types of turf grasses allowed for new residential and commercial development. The ordinance also contains requirements related to irrigation systems, replacement of damaged turf and requirements for depth of soil. A copy of the amended and codified ordinance is attached as Exhibit C.
- **Low-Impact Development (LID)** – The City of Boerne has a Low Impact Development Technical Guidance manual to help improve surface water quality conditions throughout the watershed. This manual contains information about efficient and cost-effective ways to water lawns through harvesting rainwater, using drip irrigation systems, and rain gardens.
- **Minimum Soil Depth Requirement** – The City requires new developments to have a minimum of six inches of topsoil beneath new turf to provide for greater water storage and root development enabling grass to better endure hot weather and store moisture.
- ***Metering***
  - **Supply Meters** -All of the City's sources of water are metered. Wells are equipped with propeller-type meters that are read daily. A chart recorder meter is located at the Water Treatment Plant and records daily water production from the Boerne City Lake. A meter is also used to take daily measurements of the amount of water obtained from Canyon Lake. All supply meters are calibrated on an annual basis and have an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the supply sources.
  - **Customer Meters and Public Use Meters** –Service meters include simple-positive displacement, compound and turbine meters and are tested at customer request. If testing shows meter error, the meter will be repaired or replaced. If testing shows the meter to be accurate, the customer will be required to pay for the testing fee. The type of meter that is used for each application is determined by the customer's planned usage requirements and the accuracy of the meter's consumption measurements. Meters are in place to measure customer, as well as public uses. All public water usage is metered. The City has completed the installation of Automated Meter Infrastructure technology and system-wide meter replacement. With the new metering technology, the City has real-time data to detect water leaks and other abnormal usage. Thereafter, the meter replacement schedule will be to replace meters approximately every 10 years.
- ***Public Education*** -The City communicates current water restrictions, water conservation and

water saving tips using a variety of social media channels and monthly e-mail newsletter. Conservation information is also provided on the City's website, periodically in the local newspapers, to new customers upon application for service, and through fliers inserted with the utility bills as needed.

- ***Boerne Water Dashboard*** – This multimedia tool can be found on the City’s website and provides the public with a better understanding of where our water comes from and how it connects to water resources throughout the state. This dashboard also provides information such as water sources, demand, rain, drought, and reclaimed water data in real time as it relates to availability, influence planning, and anticipation of shortages or other issues. This program has been coordinated by the Cibolo Center for Conservation and includes grant funded participation from Duke University and the University of Texas at Austin.
- ***Customer Usage Data*** – Customers may view twenty-four-months of water usage on their online utility billing account. This is represented by a graph indicating month/year and gallons used. This allows customers to compare their usage patterns year to year.
- ***Healthy Lawns and Healthy Waters Program*** – This program aims to improve and protect surface water quality by enhancing awareness and knowledge of best management practices for residential landscapes. As part of this program, customers will learn about the design and installation of residential rainwater harvesting systems and appropriate turf and landscape species based on local conditions.
- ***Rainwater Harvesting and Drought Tolerant Landscaping Program*** – This program is geared towards educating customers on how to install and utilize rainwater harvesting systems. Presentations will provide recommendations on conversion of turf grass areas to drought tolerant landscaping and include recommendations for xeriscape designs that meet city ordinance requirements.
- ***Targeted Social Media Messaging*** – The City utilizes social media platforms to provide relevant water conservation information to the public.
- ***Rebate Programs*** - The City provides water utility customers with the opportunity to participate in a variety of rebate programs. ***Rainwater Harvesting Cost Assistance Program*** – Provides a rebate up to \$150 for the purchase and installation of a rainwater storage tank.
- ***Rain Sensor Rebate Program*** – Provides a \$100 rebate for the purchase and installation of a rain/freeze sensor on existing irrigation systems.
- ***Irrigation System Consultation Program*** – Provides a \$150 rebate for successfully completing an irrigation system consultation with a state licensed irrigator.
- ***Contractor Use*** – The City limits the use of potable water for construction during periods of decreased availability.
- ***Rate Structure*** -The City's rates are structured to discourage and charge higher rates for excessive water usage. The water rate ordinance is amended by City Council as necessary. Water rates are generally categorized as residential and general service. A copy of the ordinance is included in Exhibit D. The City may also increase rates for reclaimed water to deter excessive use.
- ***Plumbing Code*** - The City has adopted the 2021 International Plumbing Code which requires the use of water saving toilets, showers, lavatories and other fixtures in new and remodeled homes and businesses.
- ***Reclaimed Water*** - The City has constructed a pump station at the Wastewater Treatment Plant that allows for the use of Type II Reclaimed Water for construction purposes. This system addition reduces the amount of potable water used for construction. The reclaimed water rate structure encourages the use of this recycled water alternative. Additionally, the City provides



for the use of Type I Reclaimed Water from the Wastewater Treatment and Recycling Center to be distributed to residential subdivisions for irrigation purposes. Expansion of the customer base using that system continues to grow. Each home in the reclaimed water distribution system using automatic sprinklers is required to irrigate using reclaimed water. This has significantly decreased the use of potable water in the largest growth area of the City.

- ***Unaccounted-for Water*** - Reports are generated on a monthly basis that show the total amount of water produced vs. total amount of water sold or otherwise accounted for. The amount produced that exceeds the amount sold or otherwise accounted for (i.e. line flushing, breaks, firefighting) is considered the unaccounted for water amount. The City's desire is to keep unaccounted for water at or below 9% of monthly water production. The unaccounted for water amount is closely monitored through careful supervision of water system operations and the City's leak detection program.
- ***Leak Detection Program*** -City staff members perform daily visual field observations in all areas of the City's service area and periodic inspection of AMI data in order to identify water leakage, unauthorized consumption, etc. Customer reports of leaks, unauthorized consumption and illegal water usage are also received and investigated. Additionally, the City uses sonic leak detection equipment when necessary to help identify leaks in mains and services. When leaks are discovered in the City's facilities, immediate steps are taken to repair the leaking facility. When leaks are discovered in customer facilities, the customer is promptly notified and required to remediate.
- ***Contract Requirements*** – The City does not have any current water supply contracts for wholesale water sales. If the City were to enter into or extend any contracts, each successive wholesale customer would be required to develop and implement a water conservation plan using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water be required to implement water conservation measures in accordance with the provisions of this chapter.
- ***One Water*** – The City of Boerne has adopted One Water Resolutions to help direct local water planning decisions.
- ***Coordination with the Regional Water Planning Group*** – The service area of the City of Boerne is located within the South Central Texas Regional Water Planning Group (Region L). The City of Boerne will provide a copy of the water conservation plan to the Region L Water Planning Group as necessary to ensure consistency with the appropriate approved regional water plans.
- ***Plan Review and Update*** – The City shall review and update its water conservation plan as appropriate based on an assessment of previous five-year and ten-year targets and any other new or updated information not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group.
- ***Reservoir Systems Operations Plan*** – the City obtains water from reservoirs, but does not operate (maintain storage volumes) for water supply purposes. If the City were to begin operating multiple reservoirs as a system to deliver water to customers, a Reservoir Systems Operations Plan would be developed to optimize the use of water from those reservoirs to insure conservation of the water.
- ***Enforcement Procedure and Plan Adoption*** – The City, as the water supplier, shall provide water utility customers a copy of the ordinance, rule, and resolution, or tariff, indicating official adoption of the water conservation plan; and will be implemented and enforced by the authority of City Council.

## Conservation Goals

Conservation efforts will be continuous and on-going. When determining the methods used to achieve the following goals, the City will take into consideration the effectiveness of past water conservation efforts, current and future technology and industry standards.

### *Target for Next 5 Years*

The City of Boerne's goal for the next 5-year period is to maintain potable water consumption at about 125 gallons per capita per day.

Continued expansion of the reclaimed water distribution system will further reduce the overall potable water demand from the City's wells and surface potable water resources.

The City has hired an Environmental Program Manager to help expedite the implementation of water conservation plans and projects including enhancing education and enforcement.

### *10-year Targets*

For the following 10-year period, the City's water consumption reduction goal will be 2 gallons per capita per day. The lost/unaccounted for water reduction goal will be below 8% . We understand these goals are aggressive as compared to industry standard. However, it is our desire to continue to lead in this area.

Through the efforts of comprehensive leak detection surveys by consultants and the City of Boerne's continuous internal efforts in the leak detection and system maintenance, we expect our system loss reductions to diminish. We continue our practice of replacing billing meters on a 10-year cycle to minimize apparent (unmetered) losses from delivered flows.

The increased production and delivery of retail reclaimed water as growth served by our reclaimed system will be an essential factor in reduction of per capita potable water use.

### *Implementation*

Potential methods for reaching 5-year and 10-year targets may include, but are not limited to, the following new programs and existing program enhancements. Program implementation and/or enhancement will be determined by the success of each conservation effort.

- **Customer Education** -Increase customer knowledge of water conservation techniques through additional information conveyed through the local newspaper public service announcements, social media to include the Boerne Utilities Facebook page, and distribution of other written informational brochures.
- **Turf Management Education** -Educate customers on efficient irrigation and turf dormancy, including how winter irrigation affects water consumption averaging used to calculate sewer charges.
- **Special Events** -Sponsor customer outreach activities during Drinking Water Week and other community special events.
- **Fix a Leak Week** -Participate in and promote EPA's Fix a Leak Week including customer outreach, advertisement and distribution of leak indicator tablets to water customers.
- **Native Landscaping** -Further encourage the installation of native, drought-tolerant landscapes,

including creating a partnership with the Cibolo Nature Center to promote conservation as part of their Annual Mostly Native Plant Sale activities.

- ***Retrofit Kits*** -Distribute aerators, flapper valves, and other water saving devices at low cost or no cost to water customers.
- ***Reclaimed Water*** -Expand uses of reclaimed water to include irrigation for City and school athletic fields and parks. Continue to install residential reclaimed irrigation services to displace potable water usage for irrigation at those sites.
- ***Customer Water Use Audits*** -Conduct water use audits in homes and businesses that are connected to the City of Boerne's water system in order to provide valuable suggestions on water use reduction.
- ***Rebates*** -Allow rebates for customers who install certain high efficiency washing machines and water heating systems, water-saving toilets, and alternative landscape irrigation systems (including rainwater catchment).

## **Program Monitoring**

Water conservation efforts will be continuous and monitored monthly under the direction of the City Manager or his designee. The monthly monitoring efforts will include review of gallons of water produced, sold and lost, in addition to leak detection and repairs. These review efforts will be used to determine the regulation of response stages as outlined in the City's drought management ordinance.

The comprehensive Water Conservation Program will be reviewed on an annual basis to determine the adequacy of conservation efforts and to determine when additional conservation actions are necessary. The annual program review will include the examination of annual water production, sales and loss data, distribution of written materials provided to customers and by type and method used, number of special events held to promote water conservation, potential revision of rate structure, customer participation in special programs and overall effectiveness of the program efforts. The program review will be accomplished through the compilation of data used to complete the annual Water Use Survey, Water Loss Audit and Water Conservation Plan reports that are submitted to the Texas Water Development Board as required by statute.

# Water Conservation Plan



City of Boerne  
Water Utility

April 2024

## **Water and Wastewater System Information**

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- **Turf Management** -The City regulates the types of turf grasses allowed for new residential and commercial development. The ordinance also contains requirements related to irrigation systems, replacement of damaged turf and requirements for depth of soil. A copy of the amended and codified ordinance is attached as Exhibit C.
- **Low-Impact Development (LID)** – The City of Boerne has a Low Impact Development Technical Guidance manual to help improve surface water quality conditions throughout the watershed. This manual contains information about efficient and cost-effective ways to water lawns through harvesting rainwater, using drip irrigation systems, and rain gardens.
- **Minimum Soil Depth Requirement** – The City requires new developments to have a minimum of six inches of topsoil beneath new turf to provide for greater water storage and root development enabling grass to better endure hot weather and store moisture.

- ***Metering***

- **Supply Meters** -All of the City's sources of water are metered. Wells are equipped with propeller-type meters that are read daily. A chart recorder meter is located at the Water Treatment Plant and records daily water production from Boerne City Lake. A meter is also used to take daily measurements of the amount of water obtained from Canyon Lake. All supply meters are calibrated on an annual basis and have an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the supply sources.
- **Customer Meters and Public Use Meters** –Service meters include simple-positive displacement, compound and turbine meters and are tested at customer request. If testing shows a meter error, the meter will be repaired or replaced. If testing shows the meter to be accurate, the customer will be required to pay for the testing fee. The type of meter

that is used for each application is determined by the customer's planned usage requirements and the accuracy of the meter's consumption measurements. Meters are in place to measure customer, as well as public use. All public water usage is metered. The City has completed the installation of Automated Meter Infrastructure technology and system-wide meter replacement. With the new metering technology, the City has real-time data to detect water leaks and other abnormal usage. Thereafter, the meter replacement schedule will be to replace meters approximately every 10 years.

- ***Public Education*** -The City communicates current water restrictions, water conservation and water saving tips using a variety of social media channels and monthly e-mail newsletter. Conservation information is also provided on the City's website, periodically in the local newspapers, to new customers upon application for service, and through fliers inserted with the utility bills as needed.
- ***Boerne Water Dashboard*** – This multimedia tool can be found on the City's website and provides the public with a better understanding of where our water comes from and how it connects to water resources throughout the state. This dashboard also provides information such as water sources, demand, rain, drought, and reclaimed water data in real time as it relates to availability, influence planning, and anticipation of shortages or other issues. This program has been coordinated by the Cibolo Center for Conservation and includes grant funded participation from Duke University and the University of Texas at Austin.
- ***Customer Usage Data*** – Customers may view twenty-four-months of water usage on their online utility billing account. This is represented by a graph indicating month/year and gallons used. This allows customers to compare their usage patterns year to year.
- ***Healthy Lawns and Healthy Waters Program*** – This program aims to improve and protect surface water quality by enhancing awareness and knowledge of best management practices for residential landscapes. As part of this program, customers will learn about the design and installation of residential rainwater harvesting systems and appropriate turf and landscape species based on local conditions.
- ***Rainwater Harvesting and Drought Tolerant Landscaping Program*** – This program is geared towards educating customers on how to install and utilize rainwater harvesting systems. Presentations will provide recommendations on conversion of turf grass areas to drought tolerant landscaping and include recommendations for xeriscape designs that meet city ordinance requirements.
- ***Targeted Social Media Messaging*** – The City utilizes social media platforms to provide relevant water conservation information to the public.
- ***Rebate Programs*** - The City provides water utility customers with the opportunity to participate in a variety of rebate programs. ***Rainwater Harvesting Cost Assistance Program*** – Provides a rebate up to \$150 for the purchase and installation of a rainwater storage tank.



- **Rain Sensor Rebate Program** – Provides a \$100 rebate for the purchase and installation of a rain/freeze sensor on existing irrigation systems.
- **Irrigation System Consultation Program** – Provides a \$150 rebate for successfully completing an irrigation system consultation with a state licensed irrigator.
- **Contractor Use** – The City limits the use of potable water for construction during periods of decreased availability.
- **Rate Structure** -The City's rates are structured to discourage and charge higher rates for excessive water usage. The water rate ordinance is amended by City Council as necessary. Water rates are generally categorized as residential and general service. A copy of the ordinance is included in Exhibit D. The City may also increase rates for reclaimed water to deter excessive use.
- **Plumbing Code** - The City has adopted the 2021 International Plumbing Code which requires the use of water saving toilets, showers, lavatories and other fixtures in new and remodeled homes and businesses.
- **Reclaimed Water** - The City has constructed a pump station at the Wastewater Treatment Plant that allows for the use of Type II Reclaimed Water for construction purposes. This system addition reduces the amount of potable water used for construction. The reclaimed water rate structure encourages the use of this recycled water alternative. Additionally, the City provides for the use of Type I Reclaimed Water from the Wastewater Treatment and Recycling Center to be distributed to residential subdivisions for irrigation purposes. Expansion of the customer base using that system continues to grow. Each home in the reclaimed water distribution system using automatic sprinklers is required to irrigate using reclaimed water. This has significantly decreased the use of potable water in the largest growth area of the City.
- **Unaccounted-for Water** - Reports are generated on a monthly basis that show the total amount of water produced vs. total amount of water sold or otherwise accounted for. The amount produced that exceeds the amount sold or otherwise accounted for (i.e. line flushing, breaks, firefighting) is considered the unaccounted-for water amount. The City's desire is to keep unaccounted for water at or below 9% of monthly water production. The unaccounted-for water amount is closely monitored through careful supervision of water system operations and the City's leak detection program.
- **Leak Detection Program** -City staff members perform daily visual field observations in all areas of the City's service area and periodic inspection of AMI data in order to identify water leakage, unauthorized consumption, etc. Customer reports of leaks, unauthorized consumption and illegal water usage are also received and investigated. Additionally, the City uses sonic leak detection equipment when necessary to help identify leaks in mains and services. When leaks are discovered in the City's facilities, immediate steps are taken to repair the leaking facility. When leaks are discovered in customer facilities, the customer is promptly notified and required to remediate.

- ***Contract Requirements*** – The City does not have any current water supply contracts for wholesale water sales. If the City were to enter into or extend any contracts, each successive wholesale customer would be required to develop and implement a water conservation plan using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water be required to implement water conservation measures in accordance with the provisions of this chapter.
- ***One Water*** – The City of Boerne has adopted One Water Resolutions to help direct local water planning decisions.
- ***Coordination with the Regional Water Planning Group*** – The service area of the City of Boerne is located within the South-Central Texas Regional Water Planning Group (Region L). The City of Boerne will provide a copy of the water conservation plan to the Region L Water Planning Group as necessary to ensure consistency with the appropriate approved regional water plans.
- ***Plan Review and Update*** – The City shall review and update its water conservation plan as appropriate based on an assessment of previous five-year and ten-year targets and any other new or updated information not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group.
- ***Reservoir Systems Operations Plan*** – the City obtains water from reservoirs but does not operate (maintain storage volumes) for water supply purposes. If the City were to begin operating multiple reservoirs as a system to deliver water to customers, a Reservoir Systems Operations Plan would be developed to optimize the use of water from those reservoirs to insure conservation of the water.
- ***Enforcement Procedure and Plan Adoption*** – The City, as the water supplier, shall provide water utility customers a copy of the ordinance, rule, and resolution, or tariff, indicating official adoption of the water conservation plan; and will be implemented and enforced by the authority of City Council.

## Conservation Goals

Conservation efforts will be continuous and on-going. When determining the methods used to achieve the following goals, the City will take into consideration the effectiveness of past water conservation efforts, current and future technology and industry standards.

### ***Target for Next 5 Years***

The City of Boerne's goal for the next 5-year period is to maintain potable water consumption at about 125 gallons per capita per day.

Continued expansion of the reclaimed water distribution system will further reduce the overall potable water demand from the City's wells and surface potable water resources.

The City has hired an Environmental Program Manager to help expedite the implementation of water conservation plans and projects including enhancing education and enforcement.

### ***10-year Targets***

For the following 10-year period, the City's water consumption reduction goal will be 2 gallons per capita per day. The lost/unaccounted for water reduction goal will be below 8%. We understand these goals are aggressive as compared to industry standard. However, it is our desire to continue to lead in this area.

Through the efforts of comprehensive leak detection surveys by consultants and the City of Boerne's continuous internal efforts in the leak detection and system maintenance, we expect our system loss reductions to diminish. We continue our practice of replacing billing meters on a 10-year cycle to minimize apparent (unmetered) losses from delivered flows.

The increased production and delivery of retail reclaimed water as growth served by our reclaimed system will be an essential factor in reduction of per capita potable water use.

### ***Implementation***

Potential methods for reaching 5-year and 10-year targets may include, but are not limited to, the following new programs and existing program enhancements. Program implementation and/or enhancement will be determined by the success of each conservation effort.

- ***Customer Education*** -Increase customer knowledge of water conservation techniques through additional information conveyed through the local newspaper public service announcements, social media to include the Boerne Utilities Facebook page, and distribution of other written informational brochures.
- ***Turf Management Education*** -Educate customers on efficient irrigation and turf dormancy, including how winter irrigation affects water consumption averaging used to calculate sewer charges.
- ***Special Events*** -Sponsor customer outreach activities during Drinking Water Week and other community special events.
- ***Fix a Leak Week*** -Participate in and promote EPA's Fix a Leak Week including customer outreach, advertisement, and distribution of leak indicator tablets to water customers.
- ***Native Landscaping*** -Further encourages the installation of native, drought-tolerant landscapes, including creating a partnership with the Cibolo Nature Center to promote conservation as part of their Annual Mostly Native Plant Sale activities.
- ***Retrofit Kits*** -Distribute aerators, flapper valves, and other water saving devices at low cost or no cost to water customers.
- ***Reclaimed Water*** -Expand uses of reclaimed water to include irrigation for City and school athletic fields and parks. Continue to install residential reclaimed irrigation services to displace

potable water usage for irrigation at those sites.

- ***Customer Water Use Audits*** -Conduct water use audits in homes and businesses that are connected to the City of Boerne's water system in order to provide valuable suggestions on water use reduction.
- ***Rebates*** -Allow rebates for customers who install certain high efficiency washing machines and water heating systems, water-saving toilets, and alternative landscape irrigation systems (including rainwater catchment).

## **Program Monitoring**

Water conservation efforts will be continuous and monitored monthly under the direction of the City Manager or his designee. The monthly monitoring efforts will include review of gallons of water produced, sold, and lost, in addition to leak detection and repairs. These review efforts will be used to determine the regulation of response stages as outlined in the City's drought management ordinance.

The comprehensive Water Conservation Program will be reviewed on an annual basis to determine the adequacy of conservation efforts and to determine when additional conservation actions are necessary. The annual program review will include the examination of annual water production, sales and loss data, distribution of written materials provided to customers and by type and method used, number of special events held to promote water conservation, potential revision of rate structure, customer participation in special programs and overall effectiveness of the program efforts. The program review will be accomplished through the compilation of data used to complete the annual Water Use Survey, Water Loss Audit and Water Conservation Plan reports that are submitted to the Texas Water Development Board as required by statute.



## AGENDA ITEM SUMMARY

<b>Agenda Date</b>	April 9, 2024
<b>Requested Action</b>	RECEIVE PRESENTATION ON MELLON FOUNDATION GRANT AND CONSIDER RESOLUTION NO. 2022-R23; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, ACCEPTING THE \$694,000 GRANT FROM THE MELLON FOUNDATION.
<b>Contact Person</b>	Kelly Skovbjerg, Library Director
<b>Background Information</b>	<p>In May 2023 the Mellon Foundation reached out to the library to share their Fall 2023 Public Library Memory Labs initiative. The initiative was designed to “elevate and strengthen public libraries with personal archiving and digitization centers (“memory labs”) in order to save at-risk audiovisual collections, including those that center on the experiences and cultural heritage of minoritized/marginalized communities”.</p> <p>We expressed interest in the initiative and were invited to submit a concept note for a project over 5 years that included funding for the memory lab and, unusually for library grants, core services. The concept note was reviewed by a panel consisting of Mellon Public Knowledge program staff and external field experts.</p> <p>In October 2023 we received an official invitation to submit a proposal for \$500,000 in anticipation of review at a March 2024 Mellon Foundation board of trustees meeting. We submitted the proposal and received commentary in December. Based on Mellon’s feedback, we asked for additional time to consider a temp to perm staff person versus a contracted position which then significantly increased staff costs leaving little left over for other memory lab or core services costs. In response to this, Mellon increased the proposed grant amount from \$500,000 to \$694,000.</p> <p>On March 7 the library was informed that the Boerne Public Library Foundation had received the full grant amount of \$694,000.</p> <p>This is the largest private foundation grant in library history, and to our knowledge, City history.</p>

	<p>We are thrilled that the Mellon Foundation saw the potential in our proposal and had confidence in our ability and capacity to complete the project that will have a far-reaching impact on library services in Kendall County and beyond.</p> <p>The grant will expand the activities of the library’s existing memory lab (also known as digital media lab) and community archives digitization project by funding a full-time staff person to:</p> <ul style="list-style-type: none"> <li>• assist community members in building and preserving their own family histories;</li> <li>• identify historical and cultural record gaps in city neighborhoods and rectify our archives to better reflect the lived experience of all in the county;</li> <li>• share discoveries with the public through programming and expressive arts to develop new frameworks for thinking about engagement with history; and</li> <li>• assist neighboring communities with training and equipment to embark on their own search for authentic history that can complete gaps or provide deeper context.</li> </ul> <p>Tangible programs and services resulting from this work will include:</p> <ul style="list-style-type: none"> <li>• 3 gallery exhibits per year;</li> <li>• an online, interactive story map to tell the story of freed slaves in the Texas Hill Country through their free colonies, cemeteries, and schoolhouses;</li> <li>• an artist in residence program to help showcase stories through music, memoir, poetry, painting, or other visual or audio means. These will rotate annually and focus on a different aspect of under told stories;</li> <li>• a tent at the signature Boerne Book Festival to promote the memory lab and the ongoing work to create community cultural wealth; and</li> <li>• a regional training program in years 3-5.</li> </ul> <p>The remaining funding for core services will allow us to nearly completely fund the first-floor lobby project embarked on as a response to customer feedback for comfortable seating and more study spaces in the library. By moving all collections to wall spaces, we will add new and upgraded seating and tables, 6-person study bar, new smaller profile service desk, and custom display tower for brochures and community information. Another project not completed in the last two years due to cost was the replacement of 120 community room chairs.</p>
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	<p>These chairs are funded through this grant.</p> <p>This grant would not have been possible without the perseverance and strategic vision of Robin Stauber, Adult Services Librarian. Robin's passion coupled with far-reaching and innovative ideas based on her years of work with the library's community archives, and the local history digitization project that began in 2020, coalesced into a thoughtful, impactful proposal. Sandy Johnston, General Services Coordinator, assisted in the process by liaising with the Mellon Foundation and the Boerne Public Library Foundation to submit needed items in a timely manner. Because we have been planning and fundraising for an upgrade of the lobby for several years, Sandy was prepared with costs for the core services section of the proposal.</p> <p>The Mellon Foundation only supports 501(c)(3) organizations and so we have kept the Boerne Public Library Foundation apprised of this grant opportunity from the beginning of the process and they are more than willing to receive the funding and act as fiscal agent for the grant. They will distribute funds to or on behalf of the library with the library retaining discretion and control over the use of the grant funds.</p> <p>In the interest of codifying the parameters of the grant over the 5 years with involved parties, a Memorandum of Understanding will be drafted and agreed to by the City and the Boerne Public Library Foundation.</p> <p>Additionally, as the only budget consideration for the City is personnel, a future agenda item will amend the FY24 library budget to account for the grant's first year of personnel costs.</p>
<b>Item Justification</b>	<div> <div> <input type="checkbox"/> Legal/Regulatory Obligation           <input type="checkbox"/> Reduce Costs           <input type="checkbox"/> Increase Revenue           <input type="checkbox"/> Mitigate Risk           <input type="checkbox"/> Master Plan Recommendation         </div> <div> <input checked="" type="checkbox"/> Infrastructure Investment           <input checked="" type="checkbox"/> Customer Pull           <input checked="" type="checkbox"/> Service Enhancement           <input type="checkbox"/> Process Efficiency           <input type="checkbox"/> Other:         </div> </div>
<b>Strategic Alignment</b>	<p>B2-Advancing master plan recommendations.</p> <p>C1-Offering quality customer experiences.</p>
<b>Financial Considerations</b>	<p>None, as the staff position is funded for 5 years.</p>

<b>Citizen Input/Board Review</b>	Boerne Public Library Foundation
<b>Legal Review</b>	Legal counsel has reviewed the attached grant agreement.
<b>Alternative Options</b>	N/A
<b>Supporting Documents</b>	Attachment A-grant agreement



**RESOLUTION NO. 2024-R23**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE,  
ACCEPTING THE \$694,000.00 GRANT FROM THE MELLON FOUNDATION**

**WHEREAS**, the Andrew W. Mellon Foundation has approved a grant of \$694,000.00 to the Patrick Heath Public Library, to use from April 1, 2024 through March 31, 2029; and

**WHEREAS**, this grant is to support the activities of the memory lab; and

**WHEREAS**, the City of Boerne finds it in the best interest of the citizens to accept the grant from the Mellon Foundation.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:**

that the City Council hereby accepts the \$694,000.00 grant from the Mellon Foundation.

PASSED and APPROVED on this the \_\_\_\_ day of April, 2024.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary



March 7, 2024

Kelly Skovbjerg  
Library Director  
Patrick Heath Public Library  
451 North Main Street, Building 100  
Boerne, TX 78006

Dear Kelly Skovbjerg:

The Andrew W. Mellon Foundation (the "Foundation") is pleased to inform you that we have approved a grant of \$694,000 to the Patrick Heath Public Library ("your organization"), for use over 60 months, starting on April 1, 2024 and ending on March 31, 2029, subject to your organization's execution of this grant agreement. This grant is to support the activities of the memory lab, in accordance with the proposal finalized on February 7, 2024 (the "Proposal", and collectively the "Project"). We ask that all future correspondence regarding the grant use the reference number 2305-15747. In accepting these funds, your organization agrees to comply with the following terms.

**Use of Funds.** Under United States law, Foundation grant funds may be used only for charitable, scientific, literary, or educational purposes. Your organization agrees that the grant funds will be used exclusively for the purposes described in your organization's Proposal and the approved budget. Your organization agrees to obtain the Foundation's prior approval for any material changes to the grant terms. The Foundation also expects that the funds will be managed in a prudent manner that is consistent with the purposes and term of the grant. Any grant funds not expended or committed for the purposes of the grant, or within the grant period stated above, will be returned to the Foundation unless otherwise agreed by the Foundation.

The grant award is made to the Patrick Heath Public Library and may not be transferred or assigned without the advance written approval of the Foundation.

**Payment Terms.** Payment of grant funds will be made in accordance with the attached payment schedule after the Foundation receives the countersigned version of this agreement.

*Third-party payee.* Your organization has requested that grant funds be paid to Boerne Public Library Foundation, an IRS-approved 501(c)(3) public charity. It is understood that Boerne Public Library Foundation will serve as fiscal agent for this grant and will distribute funds to or on behalf of your organization, and that your organization will retain discretion and control over the use of grant funds.

**Grant Reports.** Your organization will report to the Foundation on the progress of the grant through narrative and financial reports according to the attached report schedule. Each financial report should provide an accounting of the expenditures of grant funds. If the grant involves work undertaken by collaborating institutions, your organization is responsible for reporting on the activities and expenditures of the collaborating organizations.

**Grant Work Products and Project Documentation.** To ensure that your organization will have sufficient legal rights to carry out the Project, your organization confirms that all copyright interests in materials produced for the benefit of or use by your organization as a result of this grant ("Grant Work Products") will either be owned by (a) your organization or (b) one or more third parties (e.g., artist(s), scholar(s), collaborator(s)) who have conveyed in writing sufficient rights and permissions for use of the Grant Work Products in connection with the Project. Your organization will obtain all other necessary rights and permissions for the supported work so that the grant activities relating to and use of Grant Work Products (in accordance with any terms of use set by your organization), including any use by the Foundation of Grant Work Products and Project Documentation (defined below) authorized in this

agreement, will not infringe on or violate the intellectual property, publicity, privacy, or other rights of any person. For the avoidance of doubt, the term “Grant Work Products” does not include digitized materials created or produced for the personal benefit or use of community members.

Your organization agrees to make final Grant Work Products available, as described in the Proposal, for educational or charitable purposes, and, where suitable, to license such final Grant Work Products to the public under any Creative Commons license. For information on Creative Commons licenses, please visit <http://creativecommons.org/>.

If your organization plans to document the grant activities with any visuals, photographs, audio, other media products, or other archival materials, the Foundation welcomes receiving copies of such materials that you would like to provide, as well as depictions of earlier iterations of the Project and stock promotional imagery of your organization (“Project Documentation”). Project Documentation may be submitted to the Foundation with your organization’s grant reports or at other times during the grant term.

Further, your organization grants to the Foundation a free, non-exclusive, irrevocable, sublicensable, worldwide license of all rights under copyright to use (1) final Grant Work Products intended for a public audience, and (2) Project Documentation provided by your organization to the Foundation, in each case only to promote the Project or for the Foundation’s charitable purposes, including on the Foundation’s website, social media platforms, and all other mediums.

**Grant Disclosure and Publicity.** The Foundation will include summary information about this grant in its annual report and other similar public reports, tax returns, and public grants database, and may share such summary information in response to inquiries or elsewhere. The Foundation may also promote this grant on its website and social media channels, and in press releases, newsletters, and other public communications and media products; any promotional content which discusses the grant in detail and/or narrative form will be shared with your organization in advance for input.

If you wish to make your own press announcement that includes the Foundation’s name or logo, please consult with the Foundation’s Communications Department in advance by contacting [media@mellon.org](mailto:media@mellon.org).

**Grantee Control of Funds.** Your organization confirms that, while the Foundation is providing support for the Project, your organization retains full discretion and control of the conduct of the Project, including over the process of selecting any persons or organizations (such as employees, independent contractors, consultants, vendors, secondary grantees, or other Project participants) to carry out the purposes of this grant. Accordingly, your organization acknowledges that the Foundation will not be responsible for any actions of your organization regarding the Project.

**Recordkeeping.** Grantees are required to retain accounting records, detailing all receipts and expenditures of grant funds, for three years following submission of the final grant report. The Foundation reserves the right to conduct audits, including on-site audits with reasonable notice, at any time during the term of the grant, and within three years after completion of the grant. Your organization agrees to cooperate in the audit and provide information to the Foundation or its representatives as necessary.

**Organizational Tax Status.** Your organization certifies that it is a government entity or instrumentality. Your organization will advise the Foundation immediately if there is any change in that status or in its organizing documents.

**Limitations on Lobbying and Political Activity.** Your organization confirms that Foundation grant funds will not be used by your organization:

- a) To conduct lobbying or otherwise attempt to influence legislation (within the meaning of [Internal Revenue Code Section 4945\(d\)\(1\)](#)); or
- b) To influence the outcome of any specific public election or to carry on, directly or indirectly, any voter registration drive (as prohibited under [Internal Revenue Code Section 4945\(d\)\(2\)](#)).

**Compliance with Laws.** In carrying out the Project, your organization will comply with all applicable local, state, federal, and international laws, regulations, and rules, including data privacy and intellectual property laws.

**Workplace Conduct Standards.** The Foundation gives high priority to the realization of equality of opportunity for all members of society. Accordingly, the Foundation expects that your organization seeks to foster a workplace that is free from discrimination, harassment, and workplace misconduct; takes appropriate affirmative steps to encourage equal employment opportunities for women and underrepresented groups to the fullest extent allowable under applicable law; and has established appropriate policies and procedures for training staff, receiving and addressing complaints regarding sexual harassment and other forms of workplace misconduct, and prohibiting retaliation against persons who make good faith complaints.

**Notification and Cooperation.** Your organization agrees to promptly notify the Foundation of any of the following: (1) significant organizational changes during the term of the grant, including, but not limited to, changes in key personnel and changes in tax status, (2) unless prohibited by law, (a) reported concerns about the legality or propriety of the grant activities or use of Foundation funds, and (b) the filing of a claim in any court or with any governmental agency alleging: (i) sexual or other harassment, discrimination, a hostile work environment, or similar claims regarding the activities of your organization related to, or that may have an impact on, the Project; (ii) financial impropriety by your organization related to, or that may have an impact on, the Project; or (iii) breach of fiduciary obligations by senior leadership or the board of your organization related to, or that may have an impact on, the Project.

In the event the Foundation learns of allegations of impropriety, illegality, or workplace misconduct through notification by your organization or third parties, your organization agrees, to the extent legally permitted, to cooperate with reasonable requests of the Foundation to understand your organization's policies, procedures, and practices, including what steps were taken in response to the allegations.

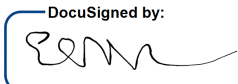
**Right to Discontinue Funding and Require Return of Funds.** The Foundation reserves the right to modify the grant, discontinue funding, or terminate the grant at any time if (1) your organization fails to materially comply with the terms of this agreement, (2) any statements, representations, certifications, or documents provided by your organization are later determined to be false or materially misleading, or (3) the Foundation determines, in its reasonable judgement, that your organization has become unable to carry out the purpose of the grant as stated in this agreement. In any such event, your organization agrees, at the Foundation's request, to repay the unexpended grant funds and grant funds that have not been used in furtherance of the purposes of the Project, or redirect them to another organization chosen by the Foundation to carry out the purposes of the grant.

**Choice of Law and Jurisdiction.** This Agreement will be governed by the laws of the State of New York, without giving effect to its conflict of law principles. The Parties consent to jurisdiction of any suit with respect to this Agreement in New York County, New York.

We ask that the Patrick Heath Public Library indicates its consent to these terms by having an individual with corporate authority sign below. The Foundation will not make payments on this grant until we have received a complete, countersigned copy of this agreement. Please keep a copy for your files.

On behalf of the Foundation, may I extend every good wish for the success of this endeavor.

Sincerely,

DocuSigned by:  
  
DF8BB789DAF64B5...

Elizabeth Alexander  
President

Patrick Heath Public Library

By:   
Name: Ben Thatcher  
Title: City Manager  
Date: 3/11/2024

PH/CRB

REPORTING AND PAYMENT SCHEDULE

Report Schedule	
Report Type	Due Date
Interim Report	6/30/2025
Interim Report	6/30/2026
Interim Report	6/30/2027
Interim Report	6/30/2028
Final Report	6/30/2029

Payment Schedule		
Payment Amount	Scheduled Date*	Wire Transfer Details
\$694,000	3/27/2024	Bank Name: Frost Bank Account Number: 260095079 Routing Number: 114000093

*\*Please note that payment will not be made until the Foundation receives a countersigned grant agreement.  
Please notify the Foundation of any changes in your organization's banking information.*





March 7, 2024

Kelly Skovbjerg  
Library Director  
Patrick Heath Public Library  
451 North Main Street, Building 100  
Boerne, TX 78006

Dear Kelly Skovbjerg:

The Andrew W. Mellon Foundation (the "Foundation") is pleased to inform you that we have approved a grant of \$694,000 to the Patrick Heath Public Library ("your organization"), for use over 60 months, starting on April 1, 2024 and ending on March 31, 2029, subject to your organization's execution of this grant agreement. This grant is to support the activities of the memory lab, in accordance with the proposal finalized on February 7, 2024 (the "Proposal", and collectively the "Project"). We ask that all future correspondence regarding the grant use the reference number 2305-15747. In accepting these funds, your organization agrees to comply with the following terms.

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**Grant Reports.** Your organization will report to the Foundation on the progress of the grant through narrative and financial reports according to the attached report schedule. Each financial report should provide an accounting of the expenditures of grant funds. If the grant involves work undertaken by collaborating institutions, your organization is responsible for reporting on the activities and expenditures of the collaborating organizations.

**Grant Work Products and Project Documentation.** To ensure that your organization will have sufficient legal rights to carry out the Project, your organization confirms that all copyright interests in materials produced for the benefit of or use by your organization as a result of this grant ("Grant Work Products") will either be owned by (a) your organization or (b) one or more third parties (e.g., artist(s), scholar(s), collaborator(s)) who have conveyed in writing sufficient rights and permissions for use of the Grant Work Products in connection with the Project. Your organization will obtain all other necessary rights and permissions for the supported work so that the grant activities relating to and use of Grant Work Products (in accordance with any terms of use set by your organization), including any use by the Foundation of Grant Work Products and Project Documentation (defined below) authorized in this

agreement, will not infringe on or violate the intellectual property, publicity, privacy, or other rights of any person. For the avoidance of doubt, the term “Grant Work Products” does not include digitized materials created or produced for the personal benefit or use of community members.

Your organization agrees to make final Grant Work Products available, as described in the Proposal, for educational or charitable purposes, and, where suitable, to license such final Grant Work Products to the public under any Creative Commons license. For information on Creative Commons licenses, please visit <http://creativecommons.org/>.

If your organization plans to document the grant activities with any visuals, photographs, audio, other media products, or other archival materials, the Foundation welcomes receiving copies of such materials that you would like to provide, as well as depictions of earlier iterations of the Project and stock promotional imagery of your organization (“Project Documentation”). Project Documentation may be submitted to the Foundation with your organization’s grant reports or at other times during the grant term.

Further, your organization grants to the Foundation a free, non-exclusive, irrevocable, sublicensable, worldwide license of all rights under copyright to use (1) final Grant Work Products intended for a public audience, and (2) Project Documentation provided by your organization to the Foundation, in each case only to promote the Project or for the Foundation’s charitable purposes, including on the Foundation’s website, social media platforms, and all other mediums.

**Grant Disclosure and Publicity.** The Foundation will include summary information about this grant in its annual report and other similar public reports, tax returns, and public grants database, and may share such summary information in response to inquiries or elsewhere. The Foundation may also promote this grant on its website and social media channels, and in press releases, newsletters, and other public communications and media products; any promotional content which discusses the grant in detail and/or narrative form will be shared with your organization in advance for input.

If you wish to make your own press announcement that includes the Foundation’s name or logo, please consult with the Foundation’s Communications Department in advance by contacting [media@mellon.org](mailto:media@mellon.org).

**Grantee Control of Funds.** Your organization confirms that, while the Foundation is providing support for the Project, your organization retains full discretion and control of the conduct of the Project, including over the process of selecting any persons or organizations (such as employees, independent contractors, consultants, vendors, secondary grantees, or other Project participants) to carry out the purposes of this grant. Accordingly, your organization acknowledges that the Foundation will not be responsible for any actions of your organization regarding the Project.

**Recordkeeping.** Grantees are required to retain accounting records, detailing all receipts and expenditures of grant funds, for three years following submission of the final grant report. The Foundation reserves the right to conduct audits, including on-site audits with reasonable notice, at any time during the term of the grant, and within three years after completion of the grant. Your organization agrees to cooperate in the audit and provide information to the Foundation or its representatives as necessary.

**Organizational Tax Status.** Your organization certifies that it is a government entity or instrumentality. Your organization will advise the Foundation immediately if there is any change in that status or in its organizing documents.

**Limitations on Lobbying and Political Activity.** Your organization confirms that Foundation grant funds will not be used by your organization:

- a) To conduct lobbying or otherwise attempt to influence legislation (within the meaning of [Internal Revenue Code Section 4945\(d\)\(1\)](#)); or
- b) To influence the outcome of any specific public election or to carry on, directly or indirectly, any voter registration drive (as prohibited under [Internal Revenue Code Section 4945\(d\)\(2\)](#)).

**Compliance with Laws.** In carrying out the Project, your organization will comply with all applicable local, state, federal, and international laws, regulations, and rules, including data privacy and intellectual property laws.



**Workplace Conduct Standards.** The Foundation gives high priority to the realization of equality of opportunity for all members of society. Accordingly, the Foundation expects that your organization seeks to foster a workplace that is free from discrimination, harassment, and workplace misconduct; takes appropriate affirmative steps to encourage equal employment opportunities for women and underrepresented groups to the fullest extent allowable under applicable law; and has established appropriate policies and procedures for training staff, receiving and addressing complaints regarding sexual harassment and other forms of workplace misconduct, and prohibiting retaliation against persons who make good faith complaints.

**Notification and Cooperation.** Your organization agrees to promptly notify the Foundation of any of the following: (1) significant organizational changes during the term of the grant, including, but not limited to, changes in key personnel and changes in tax status, (2) unless prohibited by law, (a) reported concerns about the legality or propriety of the grant activities or use of Foundation funds, and (b) the filing of a claim in any court or with any governmental agency alleging: (i) sexual or other harassment, discrimination, a hostile work environment, or similar claims regarding the activities of your organization related to, or that may have an impact on, the Project; (ii) financial impropriety by your organization related to, or that may have an impact on, the Project; or (iii) breach of fiduciary obligations by senior leadership or the board of your organization related to, or that may have an impact on, the Project.

In the event the Foundation learns of allegations of impropriety, illegality, or workplace misconduct through notification by your organization or third parties, your organization agrees, to the extent legally permitted, to cooperate with reasonable requests of the Foundation to understand your organization's policies, procedures, and practices, including what steps were taken in response to the allegations.


**Right to Discontinue Funding and Require Return of Funds.** The Foundation reserves the right to modify the grant, discontinue funding, or terminate the grant at any time if (1) your organization fails to materially comply with the terms of this agreement, (2) any statements, representations, certifications, or documents provided by your organization are later determined to be false or materially misleading, or (3) the Foundation determines, in its reasonable judgement, that your organization has become unable to carry out the purpose of the grant as stated in this agreement. In any such event, your organization agrees, at the Foundation's request, to repay the unexpended grant funds and grant funds that have not been used in furtherance of the purposes of the Project, or redirect them to another organization chosen by the Foundation to carry out the purposes of the grant.

**Choice of Law and Jurisdiction.** This Agreement will be governed by the laws of the State of New York, without giving effect to its conflict of law principles. The Parties consent to jurisdiction of any suit with respect to this Agreement in New York County, New York.

We ask that the Patrick Heath Public Library indicates its consent to these terms by having an individual with corporate authority sign below. The Foundation will not make payments on this grant until we have received a complete, countersigned copy of this agreement. Please keep a copy for your files.

On behalf of the Foundation, may I extend every good wish for the success of this endeavor.

Sincerely,

DocuSigned by:  
  
 DF8BB789DAF64B5...

Elizabeth Alexander  
 President

Patrick Heath Public Library

By:   
Name: Ben Thatcher  
Title: City Manager  
Date: 3/11/2024

PH/CRB

REPORTING AND PAYMENT SCHEDULE

Report Schedule	
Report Type	Due Date
Interim Report	6/30/2025
Interim Report	6/30/2026
Interim Report	6/30/2027
Interim Report	6/30/2028
Final Report	6/30/2029

Payment Schedule		
Payment Amount	Scheduled Date*	Wire Transfer Details
\$694,000	3/27/2024	Bank Name: Frost Bank Account Number: 260095079 Routing Number: 114000093

*\*Please note that payment will not be made until the Foundation receives a countersigned grant agreement.  
Please notify the Foundation of any changes in your organization's banking information.*

